

**GAIUS MARIUS**  
**A POLITICAL BIOGRAPHY**

by

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## CONTENTS

<i>Summary</i>	i
<i>Note</i>	ii
<i>Abbreviations</i>	iii
PROLOGUE	1
I. THE EARLY CAREER OF MARIUS	22
1. Introduction	
2. Pre-Senatorial Career	
3. Quaestorship	
4. Tribunate	
5. Aedileship and Praetorship	
6. Conclusion	
II. MARIUS AND THE CONSULSHIP	63
1. Introduction	
2. The Campaign for the Consulship	
3. Marius and his First Consulship	
4. The Iterated Consulships (104-100)	
5. Conclusion	
III. MARIUS AND THE TRIBUNATE	115
1. Introduction	
2. From Memmius to the Piracy Law	
3. A Year to Remember	
4. From Patriarch to <i>Otium Sine Dignitate</i>	
5. Conclusion	
IV. FAMILY TIES AND POLITICAL ALLIANCES IN MARIUS' CAREER	171
1. Introduction	
2. Marius' Earliest Ties	
3. Family and Marriages	
4. Political Connections	
5. Clients	
6. Conclusion	
EPILOGUE	208
APPENDICES	214
1. Age Laws and the Republican <i>Cursus Honorum</i>	
2. The Members in the <i>Consilium</i> of the <i>Senatus</i> <i>Consultum de agro Pergameno</i>	
3. Magistrates in the Period 120-86 BC	
<i>Bibliography</i>	265

## SUMMARY

The political career of Gaius Marius (ca. 157-86 BC), which spans the years between 120 and 86 BC, was memorable not only for its unprecedented personal and public triumphs, but was also of momentous significance in the whole history of the Roman Republic. At precisely the time that Marius achieved a supreme position in the state, the military might of the Romans, hitherto invincible at least in fairly recent times (second century), had been dealt a series of humiliating setbacks abroad. Firstly, in North Africa by a rather minor despot, Jugurtha the king of Numidia. Secondly, much closer to home in Illyria and in southern Gaul by the migrating Germanic tribes, the Cimbri and the Teutones.

Against this background of quite unremitting disaster, Marius obtained a place in republican political life which had not been witnessed before. In his pursuit of senatorial offices, Marius initially experienced both victories and disappointments (success in the tribunician elections but failure in elections for the aedileship) before finally winning the prestigious consulship in the elections held in 108. Thereafter, he was consul a further six times, and five of these consulships were held in successive years between 104 and 100. Just as he was dominant on the field of battle against the Numidians and the Germanic tribes, so, too, did he control the politics of the city during the decade from 108 to 99.

The chapters which follow below set out to trace Marius' long rise to pre-eminence, his contribution to the intricate tribunician legislation of the period in which he flourished and, moreover, his involvement with other senior political figures who were his contemporaries. Furthermore, this biographical study seeks to fully expose the fact that, as a result of his participation in the politics of the time, Marius' career became an obvious example which other equally ambitious politicians (for instance, Sulla, Pompey, Crassus, Caesar and Octavian) sought to emulate or even to surpass. Consequently, Marius may not have realised the extent of the dangers which he bequeathed to the *res publica* but, inadvertently or not, he caused the beginning of the fall of the Roman Republic.

#### NOTE

The manuscript which forms this thesis was submitted for the degree of D. Litt et Phil in Ancient History at the University of South Africa only after the publication of the work which bears the same name. *Gaius Marius: A Political Biography*, University of South Africa Press, Pretoria, (ISBN 0 86981 850 3) was published in 1994.

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## ABBREVIATIONS

Abbreviations of journal titles generally adhere to those found in *L'Année Philologique* but, where there is an occasional deviation, there should be no problem of identification. Modern studies referred to more than once here are subsequently given in an abbreviated form, which should be self-explanatory. The following are, nonetheless, noted for the sake of clarity:

Badian, <i>FC</i>	E. Badian, <i>Foreign Clientelae</i>
Carney, <i>Marius</i>	T.F. Carney, <i>A Biography of C. Marius</i>
<i>CAH</i>	<i>The Cambridge Ancient History</i>
<i>CIL</i>	<i>Corpus Inscriptionum Latinarum</i>
Crawford, <i>RRC</i>	M.H. Crawford, <i>Roman Republican Coinage</i>
<i>FIRA</i>	C.G. Bruns, (ed.) <i>Fontes Iuris Romani Antiqui</i>
Niccolini, <i>FTP</i>	G. Niccolini, <i>I Fasti dei tribuni della plebe</i>
Brunt, <i>FRR</i>	P.A. Brunt, <i>The Fall of the Roman Republic</i>
Gruen, <i>RPCC</i>	E.S. Gruen, <i>Roman Politics and the Criminal Courts, 149-78 B.C.</i>
<i>HRR</i> <sup>2</sup>	H. Peter, (ed.) <i>Historicorum Romanorum Reliquiae, Vol. 1</i>
<i>IG</i>	<i>Inscriptiones Graecae</i>
<i>IGRP</i>	R. Cagnat, (ed.) <i>Inscriptiones Graecae ad Res Romanas Pertinentes</i>
<i>ILLRP</i>	A. Degrassi, (ed.) <i>Inscriptiones Latinae Liberae Rei Publicae</i>
<i>ILS</i>	H. Dessau, (ed.) <i>Inscriptiones Latinae Selectae</i>
<i>Inscr. Ital.</i>	A. Degrassi, (ed.) <i>Inscriptiones Italiae 13.1, Fasti Consulares et Triumphales, 13.3, Elogia</i>
Mommsen, <i>GS</i> <sup>2</sup>	Th. Mommsen, <i>Gesammelte Schriften</i>
Mommsen, <i>RG</i>	Th. Mommsen, <i>Römische Geschichte</i>
Mommsen, <i>RS</i> <sup>3</sup>	Th. Mommsen, <i>Römisches Staatsrecht</i>
<i>MRR</i>	T.R.S. Broughton, <i>The Magistrates of the Roman Republic</i>
Münzer, <i>RAA</i>	<i>Römische Adelsparteien und Adelsfamilien</i>
<i>OCD</i> <sup>2</sup>	<i>Oxford Classical Dictionary</i>
<i>ORF</i> <sup>3</sup>	H. Malcovati, (ed.) <i>Oratorum Romanorum Fragmenta Liberae Rei Publicae</i>
<i>RE</i>	<i>Real-Encyclopädie der classischen Altertumswissenschaft</i>
Sherk, <i>RDGE</i>	R.K. Sherk, <i>Roman Documents from the Greek East</i>
<i>SIG</i> <sup>3</sup>	W. Dittenberger, (ed.) <i>Sylloge Inscriptionum Graecarum</i>
Sumner, <i>Orators</i>	G.V. Sumner, <i>The Orators of Cicero's 'Brutus': Prosopography and Chronology</i>
Syme, <i>RR</i>	R. Syme, <i>The Roman Revolution</i>
Taylor, <i>VDRR</i>	L.R. Taylor, <i>The Voting Districts of the Roman Republic: The Thirty-Five Urban and Rural Tribes</i>
Taylor, <i>RVA</i>	L.R. Taylor, <i>Voting Assemblies of the Roman Republic from the Hannibalic War to the Death of Caesar</i>
Willems, <i>SRR</i>	P. Willems, <i>Le sénat de la république romaine. Sa composition et ses attributions</i>
Wiseman, <i>New Men</i>	T.P. Wiseman, <i>New Men in the Roman Senate 139 B.C. - A.D. 14</i>

## PROLOGUE

### C. MARIUS C.F.

COS VII PR TR PL Q AVG TR MILITVM  
EXTRA SORTEM BELLVM CVM IVGVRTA  
REGE NVMDIAE COS GESSIT EVM CEPIT  
ET TRIVMPHANS IN SECVNDO CONSVLATV  
ANTE CVRRVM SVVM DVCI IVSSIT  
TERTIVM COS ABSENS CREATVS EST  
IIII COS TEVTONORVM EXERCITVM  
DELEVIT V COS CIMBROS FVDIT EX  
IIS ET TEVTONIS ITERVM TRIVMPHavit  
REM PVB TVRBATAM SEDITIONIBVS TR PL  
ET PRAETOR QUI ARMATI CAPITOLIVM  
OCCVPAVERVNT VI COS VINDICAVIT  
POST LXX ANNVN PATRIA PER ARMA  
CIVILIA EXPVLSVS ARMIS RESTITVTVS  
VII COS FACTVS EST DE MANVBIIS  
CIMBRIC ET TEVTON AEDEM HONORI  
ET VIRTVTI VICTOR FECIT VESTE  
TRIVMPHALI CALCEIS PATRICIIS  
*in senatum venit*<sup>1</sup>

Gaius Marius C.f., seven times consul, praetor, tribune of the plebs, quaestor, augur, military tribune, contrary to the rule governing provincial assignments, waged war as consul against Jugurtha, the king of Numidia, and captured him, and celebrating a triumph in his second consulship ordered that the monarch be led before his chariot. In his absence he was declared consul for a third time, and in his fourth consulship annihilated an army of the Teutones and in his fifth routed the Cimbri. He again celebrated a triumph [this time] over the Cimbri and Teutones. In his sixth consulship he liberated the state when it had been thrown into chaos by the seditions of a tribune of the plebs and a praetor who had armed themselves and occupied the Capitoline hill. When he was aged more than seventy years he was expelled from his country through civil strife and was restored through force, and made consul for a seventh time. From the spoils of the Cimbri and Teutones as

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<sup>1</sup> Th. Mommsen, *Corpus Inscriptionum Latinarum*, Berlin 1863-, 1<sup>2</sup>.1 195 (XVIII) cf. 10 5782, 11 1831.

victor he dedicated a shrine to Honour and Virtue. In triumphal robes and patrician shoes (he entered the senate).'

This is the official verdict on Marius' career, recorded for posterity among the Augustan *elogia* of illustrious Romans (Hor. *Carm.* 4.18.13; Suet. *Aug.* 31; Dio, 55.10; Lamprid. *vit. Alex.* 28), which adorned the new forum of the first *princeps*.<sup>2</sup> The inscription itself is, however, no longer extant, and is recorded only in the *codices* made by Renaissance observers. What we actually possess is the great reconstruction undertaken by Theodor Mommsen from the three existing fragments (*CIL* 1<sup>2</sup>.1 195, XVII, 10 5782), a reconstruction which has since been accepted by all later editors of the epigraphic evidence.<sup>3</sup> While there may be little doubt that Mommsen's surmise regarding the content of the *elogium* was essentially faultless, nevertheless, we are obliged to view Marius first through the eyes of a nineteenth century Classicist, then through those of the earlier commentators, and finally through the eyes of the original artist. Moreover, the sense of the text becomes speculative at the base of the inscription, which had apparently broken off at some indeterminate date. It ends by recounting a tale, found in Plutarch's biography of Marius, written over a century after the *elogia* were erected, which does not fit all that comfortably with the preceding information regarding Marius' dedication of a shrine. Marius' arrival in the senate still attired in his triumphal costume is said to have taken place after the celebrations following his return to Rome from Numidia in 105 BC (Plut. *Mar.* 12.5),<sup>4</sup> while a monument

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<sup>2</sup> E. Nash, *Pictorial Dictionary of Ancient Rome*, London 1968, 1.401: 'The Forum of Augustus and the Temple of Mars Ultor which was vowed during the battle of Philippi in 42 B.C. and consecrated in 2 B.C. On either side of the temple were porticos, the entablatures of which were borne by caryatids. Behind the porticos were exedrae with statues in the niches of the mythical ancestors of the Julian family, generals to whom triumphs had been awarded, and other distinguished citizens. A great part of the inscriptions, the *Elogia*, has been found.'. M.M. Sage 'The *Elogia* of the Augustan Forum and the *de viris illustribus*', *Historia* 28 (1979) 192-210. It is interesting to note that the actions of Marius in 100 ('REM PVB ... VINDICAVIT') are exactly paralleled by Augustus' own words ('rem publicam ... vindicavi') in his *Res Gestae* 1.

<sup>3</sup> H. Dessau, (ed.) *Inscriptiones Latinae Selectae*, 3 Volumes, Berlin 1882-1916, 59; A. Degraffi, (ed.) *Inscriptiones Italiae*, Rome 1937-1947, 13.3.83; T.R.S. Broughton, *The Magistrates of the Roman Republic*, Volumes 1-2, New York, 1951-1952, Volume 3, Supplement, Atlanta 1986, 1.526.

<sup>4</sup> All dates are henceforth BC unless otherwise indicated.

to *Honos et Virtus* was probably dedicated after the conclusion of the Cimbric War in 101 (Cic. *Planc.* 78; *Sest* 116; *de Div.* 2.140).<sup>5</sup> An *elogium* does not normally contain anecdotal material,<sup>6</sup> and the events inscribed on one invariably follow a chronological order.

While the information which appears on the *elogia* has evoked much discussion, the *elogium* of Marius not least, its significance as evidence for the careers of republican politicians is elevated owing to the fact that virtually all the primary sources have disappeared. It should also be borne in mind that the *elogia* of famous Romans were intended to enhance the *gloria* of the man on whose initiative the whole edifice was constructed.<sup>7</sup> And the inscriptions themselves were not necessarily accurate in all respects nor, of course, is there any need to assume that this should have been the case.<sup>8</sup> The intention of the artificer was not to provide documentary evidence for scholars of a later age, but to equip the immediate surroundings with a suitably dignified perspective.

Furthermore, even if the epigraphic evidence was extant, how sure could we be that it provides a faithful summary of Marius' offices and political career? The *elogium* was one of a number composed by a craftsman twenty-five years into the principate of Augustus, and over eighty years after Marius had died. In

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<sup>5</sup> Vitruvius, *De Archit.* 3.2.5, 7 pr.17; *CIL* 1<sup>2</sup>.1 196: 'fuerit in clivo montis Capitolini sub arce'; T.F. Carney, 'Cicero's Picture of Marius', *WS* 73 (1960) 95; E. Wistrand, *Felicitas Imperatoria*, Göteborg 1987, 30: 'aedes Honoris et Virtutis', 32, Marius dedicated a temple to Honos and Virtus, while his consular colleague in 102, Q. Lutatius Catulus, had one built to 'Fortuna huiusce diei'; S. Weinstock, *Divus Julius*, Oxford 1971, 113 (Catulus), 231 (Marius).

<sup>6</sup> Sage, 1979: 195, lists the general format of the *elogia*: 'Name, Offices, Sacerdotia, Military feats, Important civil offices, Important buildings'.

<sup>7</sup> Sage, 1979: 192-194, identifies nineteen of these 'viri illustres' from earlier times.

<sup>8</sup> A. Passerini, *Studi su Caio Mario*, Milan 1971, 198-207, highlights several of the problems involved with the epigraphic material. T.F. Carney, *A Political Biography of C. Marius*, Assen 1961, 6 n. 31; Sage, 1979: 202 n. 66, both seem to acquiesce with Mommsen's view, *CIL* 1<sup>2</sup>.1 191; cf. *Inscr. Ital.* 13.3, p. 6, that the inscriptions were basically accurate. Indeed Carney believes that it may be used as a control over earlier and biased literary material.



normal circumstances a politician's honours would have been stored in the family's *atrium* after his death, alongside the *imagines* of his ancestors.<sup>9</sup> However, Marius was the first member of his family to win magisterial office at Rome and, with the exception of his son's consulship in 82, he was also the last of his line. The records of his many achievements were probably removed or destroyed immediately after he had been declared a *hostis* in 88 following Sulla's occupation of Rome. Indeed, if Marius had had the opportunity to salvage any of these after his own military coup in 87, they were undoubtedly obliterated at the end of the civil war, after the battle of the Colline Gate.

It is true that both Plutarch (*Caes.* 6) and Suetonius (*Iul.* 10) state that Caesar restored the trophies of Marius to the Capitolium during his aedileship in 65. This assertion, which has been accepted without question, cannot be verified, however, and it is not at all apparent from where Caesar could easily have obtained these decorations. While the home of his aunt Iulia, widow of Marius, was one of the few possibilities available to Caesar, it is extremely unlikely that she could ever have been in a position to rescue much from the destruction wrought by her former husband's enemies in the 80's. Moreover, Marius' tomb had probably been ransacked when Sulla ordered the exhumation of his former commander's corpse (Pliny, *NH.* 7.187). It seems more probable, therefore, that Caesar restored not the original but copies of Marius' trophies, and that he employed craftsmen to recreate them. Caesar was in debt to the tune of thirteen hundred talents by the time he ended his term as aedile (Plut. *Caes.* 2), and some of this not inconsiderable sum may have found its way into the pockets or pouches of Roman artists. The Augustan sculptor, had he looked to this material for inspiration, did not necessarily work from a primary source for Marius' career.

Since Marius' *elogium* was merely one of a large group erected for Augustus' new forum, there must surely have been a certain amount of stylization of the

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<sup>9</sup> Compare, for instance, the material evidently available in the first century for M. Aemilius Lepidus (cos. 187). He may well have composed his own *laudatio funebris*, Liv. *Per.* 48. Lepidus' career and activities as a politician are attested throughout, and are also well portrayed on the denarii issued by his descendant M. Aemilius Lepidus (cos. 46), who was a moneyer ca. 58, R.J. Evans, 'The Moneyership of Marcus Lepidus Triumvir', *Acta Classica* 33 (1990) 103-108.

information contained on it.<sup>10</sup> Although an artist entrusted with the task at the end of the first century was relatively closer in time to the events than we are today, he was, nonetheless, not obviously in a better position to obtain accurate details nor, in truth, may he have wanted to undertake such tiresome research. The exigencies imposed upon him by his patron may not have allowed him much freedom. It is, therefore, not inconceivable that when this man came to the point of relating public offices, beyond those best remembered for each individual politician concerned, he may, very simply, have adopted those magistracies with which he was most familiar, subsequent to the Augustan reforms of a politician's career. However, before the Early Principate, and especially in the period before Sulla's dictatorship, the careers of republican politicians show a surprising degree of nonconformity. Politicians could, and frequently did, miss magistracies at junior levels since before the *Leges Corneliae* of 81, but possibly also later, the praetorship alone was a prerequisite for a man who wished to embark on a campaign for the consulship.<sup>11</sup>

The *elogia* of *viri illustres* are, of course, certainly not uniform within the format chosen by the artist, and we should not expect too facile an approach from a master sculptor. However, there are probably errors of detail which might be explained as originating in misconceptions due to the changes which had occurred to the political career since Augustus had taken power. All in all, the weaknesses inherent to this particular epigraphic material and the problem of dealing with them illustrate that it is far from infallible.<sup>12</sup> The creator of the *elogium*, rather than searching through the current

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<sup>10</sup> Noted by Sage, 1979: 192-195.

<sup>11</sup> See Appendix 1, in particular, for a discussion of the republican political career structure.

<sup>12</sup> The *elogium* of Marius does not appear to have room for the propraetorship in Hispania Ulterior with which he is credited by Plutarch, *Mar.* 6.1. Reference to a proconsular command by Cicero, *Verr.* 3.209, may refer to his later commands against Jugurtha or against the Cimbri and Teutones. The creator of the *elogium* may, therefore, be more accurate than the literary evidence. See further in Chapter 2. Marius was never elected to the aedileship, *Cic. Planc.* 51; *Plut. Mar.* 5.1-2, and this office does not feature on his *elogium*, though this has not prevented him, in modern times, from being assigned this magistracy, Sage, 1979: 204 n. 82; C.J. Vinkestyn, *De fontibus ex quibus scriptor libri de viris illustribus urbis Romae hausisse videtur*, Diss. Leiden 1886, 13.

literature, which even at that stage was probably not much more satisfactory than it is now, probably employed other commemorative artifacts as his source.<sup>13</sup>

In fact, a study of Marius' political career must be based mostly on the literary works which are, chronologically speaking, relatively distant from his life - Sallust wrote nearly fifty years after Marius' death, while Plutarch composed his parallel lives of prominent Greeks and Romans at the start of the second century AD. Sallust's *Bellum Iugurthinum* and Plutarch's *Life* have, therefore, acquired a prominence they would possibly not have otherwise attained, not a unique feature of studies in ancient history, but one which profoundly intensifies the problem of reaching a satisfactory critical appraisal of Marius' role in political life.<sup>14</sup>

To compound the difficulty further, the existence may be determined, by the mid first century, of greatly conflicting evaluations of the political career of Marius.<sup>15</sup> Plutarch occasionally hints at the unsatisfactory nature of some of the works he consulted,<sup>16</sup> and Cicero, whose comments about Marius are closer in time to the events than those of any other commentator, is invariably at odds with the most complete of the ancient authors.<sup>17</sup>

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<sup>13</sup> It should be noted here that the *elogia* of C. Claudius Pulcher (cos. 92), M. Livius Drusus (trib. 91), C. Iulius Caesar (pr. 90's) and C. Iulius Caesar Strabo (aed. 90), all contain references to a variety of junior offices, some of which are quite recondite. These were evidently recalled or discovered by those entrusted with the task of researching the information for the inscriptions.

<sup>14</sup> Note also, Carney, *Marius* 2-7, for an analysis of these same points.

<sup>15</sup> Carney, *Marius* 2: '... two diametrically opposed reconstructions of Marius as a politician and as a personality are possible.'

<sup>16</sup> Plut. *Mar.* 26.3 (Sulla), 26.5 (Catulus), 28.5 (Rutilius Rufus). T.F. Carney, 'A Textual Study in Plutarch's *Marius*', *SO* 36 (1960) 91-93, also suggests that Plutarch used Lucullus' edition of Sulla's memoirs, Lucullus' own history and the history written by Fenestella.

<sup>17</sup> The sustained and much-publicised connection between these two *novi homines* is examined by Carney, *WS* 73 (1960) 83-122. In the pages which follow, I have opted to use the Latin terminology for 'new man' or 'new men' only when this applies to politicians from equestrian backgrounds who proceeded to achieve consular status in the senate. Elsewhere epithets such as 'newcomers' are employed. On this issue see also my comments in Chapter 1 n. 18.

Sallust's work, with its numerous chronological pitfalls and its eccentric view about Roman history,<sup>18</sup> and Plutarch's biography, which ought not to be handled as if it were a historical account, are notable for their antipathy towards Marius.<sup>19</sup> Nevertheless, Sallust should have been less affected by any material he may have had close to hand for, when he wrote about the war with Jugurtha, there was surely little upon which to base his narrative.<sup>20</sup> Plutarch, on the other hand, though generally considered scrupulous in his treatment of his sources, was heavily dependent on a far greater quantity of written works, which entailed more demanding labours in sifting the good from the indifferent and the downright fallacious.

The earliest literature to have contained references to Marius must comprise the memoirs of the *princeps senatus* M. Aemilius Scaurus, the consulars Q. Lutatius Catulus and P. Rutilius Rufus and the dictator Sulla. Considering the ways in which their careers diverged from that of Marius, it seems well nigh impossible that any of the four in question had much good to say about his calibre as a politician.<sup>21</sup> These contemporaries of Marius are known to have composed and published their autobiographies. There may have been many more if this activity became a fashionable and popular leisure-time activity

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<sup>18</sup> He possibly followed Posidonius, or conceivably an earlier writer such as P. Rutilius Rufus, P. T(reves), *OCD*<sup>2</sup> 868; R. Syme, *Sallust*, Berkeley & Cambridge 1964, 249.

<sup>19</sup> For example, Sall. *Jug* 64.5: 'Ita (Marius) cupidine atque ira, pessumis consultoribus, grassari neque facto ullo neque dicto abstinere, quod modo ambitiosum foret'; Plut. *Mar.* 46.5, the death of Marius being received in much the same way as the demise of a tyrant (*τυραννίδος*); G.M. P(aul), *OCD*<sup>2</sup> 946.

<sup>20</sup> R.E. Smith, *The Failure of the Roman Republic*, Cambridge 1955, 154, argues that Sallust created Marius and his opponents in the image of Caesar and his senatorial enemies, which may have suited his audience, in the late 40's, very well though it was hardly historically authentic, at least according to modern scientific principles.

<sup>21</sup> For Rutilius Rufus see Carney, *WS* 73 (1960) 83; Syme, *Sallust* 155, 249. For the early first century sources of both Sallust and Plutarch see H. Peter, *Die Quellen Plutarchs in den Biographien der Römer*, Amsterdam 1965<sup>2</sup>, 100-106; R.E. Smith, 'Plutarch's Biographical Sources in the Roman Lives', *CQ* 34 (1940) 1-10; Syme, *Sallust* 153-156; C.B.R. Pelling, 'Plutarch's Method of Work in the Roman Lives', *JHS* 99 (1979) 74-96; E. Rawson, *Intellectual Life in the Late Roman Republic*, London 1985, 215-232. Note also J. Geiger, *Cornelius Nepos and Ancient Political Biography*, Stuttgart 1985, 80, who takes issue over the title 'memoirs', arguing instead that they should more correctly be called historical monographs.

for elder statesmen.<sup>22</sup> The evidence may not be overwhelming, but there is adequate reason to believe that self-commemorative literature was appearing in some quantity by this time.<sup>23</sup>

Given the upsurge in this particular form of literature, it is also possible that it emerged as a response to Marius' unparalleled career or, as his critics would no doubt have argued, his illegal domination of political and military affairs. Thus M. Aemilius Scaurus may have been an eminent member of the senate for over thirty years, but his military and political exploits did not match those of Marius. Q. Lutatius Catulus may have benefited from an association with Marius during the Cimbric War, but he was overshadowed by his consular colleague. P. Rutilius Rufus may, like Marius, have achieved the consulship after a long delay to his career, but his honours were never to be on a par with those of his more famous fellow *consularis*. In his military apprenticeship Sulla was connected with Marius but later on, after he had become an implacable foe and in the process of celebrating his own remarkable career, he undoubtedly attacked his former opponent. These senior senators were all, in one way or another, linked to Marius, and each may have been intent on providing a 'true' interpretation of events as a corrective to Marius' fame, in order to ensure that it did not become the stuff from which legends were made.

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<sup>22</sup> There may have been a profusion of published political orations worth consulting by the time Sallust started work on his historical monographs, Syme, *Sallust* 154-156. Among these, for the period of Marius' career, were the speeches of L. Licinius Crassus (cos. 95), but not (Cic. *Cluent.* 140), those of M. Antonius (cos. 99), E. Badian, *Studies in Greek and Roman History*, Oxford 1964, 245; 'The Death of Saturninus: Studies in Chronology and Prosopography', *Chiron* 14 (1984) 139. The correspondence of Cornelia, mother of the Gracchi, seems to have been published, probably soon after her death towards the end of the second century. These letters were read by Cicero, A.E. Astin), *OCD*<sup>2</sup> 291. This is an early example of letters, which are themselves a form of memoirs, being circulated, and those of a Roman woman no less.

<sup>23</sup> Such memoirs or *commentarii* may have been based on earlier Greek models, Rawson, *Intellectual Life*, 227, but there is nothing in the surviving Hellenic or Hellenistic literature to compare with the great outpouring, which is conspicuously concomitant with the final stages of Marius' career. It is astounding that autobiography as a genre of Latin literature should emerge at precisely this point in republican history.

It is, moreover, not beyond the bounds of possibility that the works of these writers may be singled out as an attempt to counter the propaganda contained in a journal kept by Marius himself or, in the case of Sulla, to the contents of a *laudatio funebris*.<sup>24</sup> Cicero (*Arch.* 5, 19-20) certainly implies that Marius had kept some record of his career, in which lay the potential for expansion into a full-scale history. And Marius is no longer to be regarded as the semi-literate peasant from a *municipium* that features in the most complete of the ancient literature;<sup>25</sup> and he may well have been keen to leave behind him a suitably dignified account of his victories in which his various actions, over many years, might be justified.<sup>26</sup> Augustus undertook just such a mission a century or so later. The hypothesis may be conjectural, but the advent of autobiography does appear to be closely connected to Marius and the role he played in republican politics and military affairs. A document devoted to Marius' achievements in the field, if it ever existed,<sup>27</sup> did not endure for long although it may have influenced later views about his worth as a general. The memoirs of his enemies also eventually succumbed to the ravages of time. Nevertheless, they were clearly accessible for long enough to affect the degree of antagonism evident in the literary tradition concerning Marius' role as a politician, though they did not, as we shall see, affect the extent to which his fame as a general became perpetuated.

Besides the *commentarii*, all of which were contemporary or near contemporary sources, there were also the encomiastic accounts of Sulla in the histories of L. Cornelius Sisenna and L. Licinius Lucullus.<sup>28</sup> Finally, into this

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<sup>24</sup> On the importance of laudations as historical documents see R.E. Smith, 1940: 6-7.

<sup>25</sup> Cf. Plut. *Mar* 45.5, where Marius' last days are granted a certain amount of dignity with an account of his subject's discourse on Fortune.

<sup>26</sup> Marius seems to have wanted to commission Archias to undertake this task, E. Badian, 'Caepio and Norbanus: Notes on the Decade 100-90 B.C.', *Historia* 6 (1957) 336; Carney, *WS* 73 (1960) 94-95.

<sup>27</sup> Carney, *WS* 73 (1960) 95, suggests that the project, proposed in the 90's, was stillborn. Cf. G.C. Richards, *OCD*<sup>2</sup> 97 for the existence of a panegyric composed by Archias devoted to Marius' victories over the Germanic tribes.

<sup>28</sup> Sisenna's bias was recognized very early on, Sall. *Iug* 95.2; E. Rawson, *Roman Culture and Society: Collected Papers*, Oxford 1991, 377-378. For Lucullus' encomium of Sulla's career, see E. Badian 'The Early

category of presumably inimical material, also falls a history written by the philosopher Posidonius, which together with Sulla's autobiography was, arguably, the most influential work from this period of Roman history. It is also said to have displayed a certain degree of animosity towards the man from Arpinum.<sup>29</sup>

Measured against the great *auctoritas* of works produced by powerful members of the *ordo senatorius*, and their often close adherents, which constitute a first tradition about Marius, stands a relatively weaker sympathetic version. A history of the civil wars in the 80's composed by L. Lucceius in the 50's or early 40's, in Greek and possibly a source for Appian's *Bella Civilia*,<sup>30</sup> should be ranked, at least, tentatively among the rare encomiastic sources for Marius. Its basic function was, after all, the abundant praise of Caesar, Marius' relative by marriage. Furthermore, the evolution of the 'heroic suicide' at Praeneste of the younger Marius in 82, and the story of the remarkably brutal death of his cousin, M. Marius Gratidianus, after the final battle of the civil war may also be attributed to a writer keen to proclaim his sympathies for the standpoint of this family.<sup>31</sup>

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Historians', in *Latin Historians*, ed. T.A. Dorey, London 1966, 25; Rawson, *Intellectual Life*, 222.

<sup>29</sup> Carney, *Marius* 3-4 n. 13; J. Malitz, *Die Historien des Poseidonios*, Munich 1983, 394-405. On Posidonius as a source for Plutarch's *Life* see L.R. Garcia Moreno, 'Plutarch's Life of Sertorius', in *Plutarch and the Historical Tradition*, ed. P.A. Stadter, London 1992, 134-138; I.G. Kidd, 'Posidonius as Philosopher-Historian', in *Philosophia Togata: Essays on Philosophy and Roman Society*, ed. M. Griffin & J. Barnes, Oxford 1989, 38-50.

<sup>30</sup> R.J. Evans, 'The Sources of Appian's *Bella Civilia* for the 80's BC', in *Charistion C.P.T. Naudé*, ed. U.R.D. Vogel-Weidemann, Pretoria 1993, 35-36. There can be no question that Appian has a more positive attitude towards Marius than to Sulla. His *opera* are primarily concerned with military matters either in wars abroad or in civil strife at home. His knowledge of republican politics is not astounding, but he provides some evidence not found in the other sources.

<sup>31</sup> The material concerned with the death of Gratidianus was no more than blatant and clumsy propaganda, but was used very effectively to discredit L. Sergius Catilina, B.A. Marshall, 'Catilina and the Execution of M. Marius Gratidianus', *CQ* 35 (1985) 124-133.

C. Licinius Macer, tribune of the plebs in 73 and praetor about 68,<sup>32</sup> was an orator about whose abilities Cicero was plainly ambivalent (*Brut.* 238), but he campaigned vigorously for the restoration of the tribunes' powers, which had been severely curtailed by the laws of Sulla. He also wrote a history which may have concluded with an account of the 80's and 70's, and the political posturing of his tribunate marks him out as a sympathiser of Marius.<sup>33</sup> The history of Fenestella, composed during the principate of Augustus and noted for its even-handedness and honesty, covered the career of Marius and was probably one of the very few neutral accounts written about this epoch.<sup>34</sup> On the other hand, Livy's history of the same period, although usually impartial (*Tac. Ann.* 4.34), exhibited a distinct lack of enthusiasm for Caesar and his treatment of Marius may, therefore, be assumed to have also have been somewhat lukewarm.<sup>35</sup>

The works of Cicero, with their numerous references to Marius, have been analysed and discussed by Carney; nothing needs to be added in this respect. However, though apparently favourable to Marius, Cicero cannot simply be assigned to the supportive literary tradition. In the vicissitudes of his later career,<sup>36</sup> especially between 62 and 58, Cicero began to have frequent

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<sup>32</sup> *MRR* 2.110, 138, 146 and n. 10, 3.122.

<sup>33</sup> A.H. McD(onald), *OCD*<sup>2</sup> 634; R.M. Ogilvie, *A Commentary on Livy: Books 1-5*, Oxford 1965, 7-12, and especially 8: 'Licinius is a Marian, committed to bitter and determined antagonism to Sulla'; Badian, 1966: 22; Rawson, *Intellectual Life* 219-220.

<sup>34</sup> For Fenestella's 'integrity' see Lactantius, *Inst.* 1.6.14; Wissowa, *RE* 6. 2177-2179; A.H. McD(onald), *OCD*<sup>2</sup> 434; Evans, in *Charistion C.P.T. Naudé*, 34-35. The history of Sempronius Asellio is another possible neutral source, A.H. McD(onald), *OCD*<sup>2</sup> 130, as may have been any works of Pomponius Atticus which dealt with this period, E. B(adian), *OCD*<sup>2</sup> 146. However, Badian, 1966: 17-18; 'The Sempronii Aselliones', *PACA* 11 (1968) 1, notes that the history of Asellio may not have achieved a wide readership. The anecdotes preserved by Valerius Maximus about Marius may also be considered mostly neutral, though his work does not deserve to be categorized under historiography; W.M. Bloomer, *Valerius Maximus and the Rhetoric of the New Nobility*, London 1992, 156: '... his methodology is not the historian's ...'.

<sup>35</sup> A.H. McD(onald), *OCD*<sup>2</sup> 614; Syme, *Sallust* 176; Ogilvie, *Commentary on Livy*, 2-3; P.G. Walsh, 'Livy', in *Latin Historians*, ed. T.A. Dorey, London 1966, 118.

<sup>36</sup> For most recent discussions see, for example, N. Wood, *Cicero's Social and Political Thought*, Berkeley & London 1988, 51-55; Ch. Habicht, *Cicero the Politician*, Baltimore & London 1990, 35-52; M. Fuhrmann, *Cicero und die*



recourse to certain historical episodes in order to shield himself from charges, increasingly raised, regarding the legality of his execution of Catiline's accomplices in 63. Cicero evidently scanned the recent history of the *res publica* for actions taken by magistrates similar to those which had been forced upon him during his consulship. Three events suited the purpose of bolstering his defence: the murder of Ti. Gracchus in 133 in a riot partly instigated by the *pontifex maximus* P. Cornelius Scipio Nasica (cos. 138), the subjugation of C. Gracchus and his followers in 121 by the consul L. Opimius, and the imposition of martial law by the consuls Marius and L. Valerius Flaccus during the *sedition* of Saturninus and Glaucia.<sup>37</sup> Cicero may well have had warm and sentimental memories of Marius,<sup>38</sup> for both of them came from the same *municipium*, but it was purely for use as an *exemplum*, which buttressed his defence against attack, that he formalized the connection and exploited it as much as possible. The Ciceronian material may thus be a less than truthful indication of the author's feelings. His ostensible admiration should be treated with caution, for he is no eulogist of his fellow *novus homo*, and rather represents another strand in the historical tradition.

The more positive view of Marius sprang from those writers, who tended to share the political inclinations of his family, from a politician like Cicero, who needed to be associated with his greater fame and, finally, from the tie which existed between the Marii and the Iulii Caesares. Marius' political stature should have derived some benefit from his close family relationship with C. Iulius Caesar, who did indeed make some political capital from the link early in his career (Suet. *Iul.* 11).<sup>39</sup> The connection was never fully

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*römische Republik: Eine Biographie*, Munich & Zurich 1990, 116-138; T.N. Mitchell, *Cicero: The Senior Statesman*, New Haven & London 1991, 65-143.

<sup>37</sup> Cicero could never, of course, have employed Sulla as an *exemplum* even though he had similarly extinguished riots instigated in 88 by P. Sulpicius, who on that occasion was in league with Marius. This episode was entirely to the discredit of Marius.

<sup>38</sup> Carney, *WS* 73 (1960) 121. Cicero is not always consistent, however, *Off.* 3.79, and by the 40's, *Phil.* 11.1, he had even less cause to maintain an attachment to Marius.

<sup>39</sup> Caesar, perhaps surprisingly, is not attested as having used the connection again. Yet Carney, *WS* 73 (1960) 122; *Marius* 71-72 and n. 299, argues that Marius became an immensely popular figure, presumably at the very time that Caesar achieved his dictatorship, and sole rule of the Roman empire.

exploited and, in time, the link must have been forgotten, possibly because Caesar's own position in the ancestral *gloria* of the Julio-Claudians was rather ambiguous, and his achievements were not advertised on the same scale as those of Augustus.<sup>40</sup> Little was made of the fact that Caesar was Marius' nephew in either the biography of Plutarch or that composed by Suetonius (*Iul.* 6). Both refer to the astute way that Caesar, during his quaestorship, handled the occasion offered to him by the death of Iulia, and his wife Cornelia, daughter of Marius' ally L. Cornelius Cinna. But, thereafter, it may be taken for granted that, as his own repute went from strength to strength, Caesar found that there was little to be gained from drawing on the exploits of an uncle by marriage. Instead, he chose to illustrate the spoils and trophies from his own victories in the field and the legendary ancestors of the Iulii Caesares when it was necessary to issue propaganda in his name.<sup>41</sup>

Given its weight, it is not surprising that the views propagated by the anti-Marius literature were prevalent in antiquity. The research of Fenestella may have been adjudged sound but, like the histories of Luceius and Licinius Macer, it may not have had a great circulation, while Livy failed to achieve the renown accorded to Sallust.<sup>42</sup> Plutarch's awareness of the imbalance in the sources for this period of the Republic stemmed from his earlier treatment of Sulla, with the result that the lives of both the dictator and Marius are

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<sup>40</sup> R. Syme, *Roman Revolution*, Oxford 1939, 317-318; *Tacitus*, Oxford 1958, 1.432-433; *Roman Papers*, ed. E. Badian, Oxford 1979, 1.89; *The Augustan Aristocracy*, Oxford 1986, 443. Cf. P. White, 'Julius Caesar in Augustan Rome', *Phoenix* 42 (1988) 334-356, who voices a great deal of scepticism about the apparent lack of prominence granted to Caesar. Coin types during the early Principate do not make use of his honours, though by the early second century, under Trajan, Caesar had returned to favour.

<sup>41</sup> Caesar's propaganda, which appears on denarii in the 40's is quite spectacular. See M.H. Crawford, *Roman Republican Coinage*, Cambridge 1974, 1.461, no. 443, 1.463, no. 448, 1.466-467, nos. 450-452, 1.471, no. 456, 1.478-479, nos. 466-468, 1.485-486, nos. 475-476, 1.495, no. 481-482. For the legendary ancestors of Julius Caesar see T.P. Wiseman, 'Legendary Genealogies in Late-Republican Rome', *G&R* 21 (1974) 153.

<sup>42</sup> Syme, *Sallust* 301; A.H. McDo(nald), *OCD*<sup>2</sup> 615; On Livy's supposed naivety see Syme, *RR* 485-486.

characterized by an equal lack of compassion.<sup>43</sup> The underlying motives for the conflicting opinions about Marius in republican literature are easily discernible, though perhaps they are not often enough enunciated. Some of his political opponents, even those who may have been former allies, envious of his splendid career, put stylus to wax-tablet and published what they had written in order to add similar splendour to their own achievements. No one, with the possible exception of Marius himself, thought to leave a permanent record of this politician's distinguished career. The writers who later viewed him with respect were lesser figures of Latin literature. The earliest sources, amicable or unfriendly, were eventually lost; none seem to have been of the highest artistic quality; and the recreation of Marius' political career has become inextricably tied to second-generation material, perhaps of better quality than the primary sources but, nevertheless, affected to various degrees by the prejudices of previous writers.

Notwithstanding disparate opinions, Marius' military genius lived on,<sup>44</sup> and became almost a legend in the literature of later antiquity, largely unencumbered by any distinctions he may have notched up in his political career or by any repugnance he earned on account of crimes committed in his old age (Plut. *Mar.* 2.3). Within a hundred years or so after Plutarch and Appian had written, few writers could remember the significance of Marius' role as a politician, nor were they familiar with the period of republican history in which he had thrived. What material they found while researching their particular interests was nearly beyond their comprehension; they did not devote much attention to it.<sup>45</sup> It was far less strenuous to relate glorious

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<sup>43</sup> A. Wardman, *Plutarch's Lives*, London 1974: 'Both are seen as tyrants'; P.A. Stadter, 'Paradoxical Paradigms: Lysander and Sulla', in *Plutarch and the Historical Tradition*, ed. P.A. Stadter, London & New York 1992, 43-44. On the order and dates of composition see C.P. Jones, 'Towards a Chronology of Plutarch's Works', *JRS* 56 (1966) 68; Pelling, 1979: 74-96.

<sup>44</sup> Within a comparatively short time the tradition became entrenched. Marius' military successes were thought to have derived from the fact that he was favoured by *Fortuna*, a theme probably developed by Cicero in a poem entitled *Marius*, and in one composed by Varro, perhaps also dedicated to this politician. His military *fama* early on became something of a *topos*, Weinstock, *Julius* 113-114.

<sup>45</sup> In the *Historia Augusta*, Marius appears as the military idol of Avidius Cassius, *Cass.* 3, and Pescennius Niger, *Niger*, 12, while the emperor Septimius Severus is likened to a 'Punic Marius' or a 'Punic Sulla' on account of his ferocity, *Niger*, 6. Orosius, 5.17.1, who employed Livy's history,

victories in exotic locations than to struggle over what were evidently archaic constitutional principles, which had long ceased to have any real meaning for authors living under an autocratic régime in which they did not have the slightest participation. Thus the fifth-century poet Claudian Claudianus evidently had the highest regard for Marius whose praises he sang. And he employed Marius' military achievements as a standard against which Honorius' general Stilicho might be equated or even considered superior.<sup>46</sup>

*o celebranda mihi cunctis Pollentia saeculis, ...  
uirtuti fatale solum, memorabile bustum  
barbariae! ...  
illic Oceani stagnis excita supremis  
Cimbrica tempestas aliasque inmissa per Alpes  
isdem procubuit campis. iam protinus aetas  
adueniens geminae gentis permisceat ossa  
et duplices signet titulos, commune tropaeum:  
'hic Cimbros fortesque Getas, Stilichone peremptos  
et Mario, claris ducibus, tegit Itala tellus.  
discite, uaesanae, Romam non temnere, gentes.'*

Thy glory, Pollentia, shall live forever ... Fate pre-ordained you to be the scene of our victory and the burial-place of the barbarians... It was there, in the same neighbourhood, that the Cimbric tribes, bore down on Rome from Ocean's farthest shore, crossed the Alps by another pass, and suffered their final defeat. The next generation should mingle the bones of these two nations, and engrave with this one inscription the monument which records our double victory: 'Here

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admits to being baffled by the political events of 100, to which he devotes little space and less appreciation. Eutropius, 4.27-5.8, again dependent on Livy, discusses Marius' ambitions only where they are relevant to his military career.

<sup>46</sup> A. Cameron, *Claudian: Poetry and Propaganda at the Court of Honorius*, Oxford 1970, 152. In comparison to Sulla's reputation, Marius escaped relatively unscathed since his political exploits had become entirely overshadowed by his victories in the field, Cameron, *Claudian* 338: 'By a curious whim of posterity, Sulla was a monster of cruelty to the Imperial age, while Marius, guilty of proscriptions far worse than Sulla's, was the hero of his day. This conventional (and unhistorical) assessment of the two men is faithfully reflected in Claudian, who frequently evokes Marius as a hero, while Sulla is for him an author of murder and treachery'; cf. B. Baldwin, 'Sulla δημοκράτωρ', *Glotta* 61 (1983) 47.

beneath the soil of Italy lie the bodies of brave Cimbri and Getae; their death they owed to our famous generals Marius and Stilicho. Learn presumptuous peoples, not to despise Rome.<sup>47</sup>

The modern study of Marius is, therefore, hampered not only by the various strands which are manifest in the earliest literary sources, but also by the fact that his military prowess became a regular *exemplum* in the later literature. As a result, his true character and attainments have become warped almost beyond any hope of easy recovery.<sup>48</sup> In order to reach the real and historical Marius, layer after layer of deliberate or unintentional obfuscation must first be stripped away. However, it is far from certain that a successful picture is, ultimately, obtainable.<sup>49</sup> Who is to say, for example, that the authors of the early first-century memoirs and histories were not truer patriots than Marius? We may ascribe their hostility to simple-minded jealousy of his great accomplishments, but they may well have genuinely believed that his career was inimical to the eventual safety of the *res publica*. Considering the events which were to ensue later in that same century, they were perhaps correct to sound a warning. Their views may certainly not be dismissed as if they were all merely second-rate pamphleteers who whiled away their time attempting to sully the memory of the *novus homo* from Arpinum who made good in the city.

The greatest difficulty arises in trying to gauge what these earlier writers may or may not have said on the basis of references to their works by Sallust and Plutarch, in particular. In the *Bellum Iugurthinum* and in the *Life* overt

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<sup>47</sup> Claudian, *Bell. Geticum*. 635-647; cf. 8.641, 15.92; 24.35; 26.126.

<sup>48</sup> The reception of Marius into the literature of later antiquity, the existence of Marian *fama*, and its impact on writers down to the present century, comprise a project which I shall pursue in due course.

<sup>49</sup> W. Den Boer, *Some Minor Roman Historians*, Leiden 1972, 1: 'The true story of Marius' life, for instance, is obscured by all kinds of unhistorical anecdotes'. For recent discussions on the problems engendered by the character of ancient historiography and biographical writings, which may frustrate the search for truth see, for instance, T.P. Wiseman, 'Practice and Theory in Roman Historiography', *History* 66 (1981) 375-393; A.J. Woodman, *Rhetoric in Classical Historiography*, London & Sydney 1988, *passim*, but especially 197; C.B.R. Pelling, 'Truth and Fiction in Plutarch's Lives', in *Antonine Literature*, ed. D.A. Russell, Oxford 1990, 19-52, and particularly 21.

hostility is, to some extent, mitigated by the pious acknowledgement that Marius' achievements would have been greater still had he not succumbed to *ambitio* (Sall. *Iug.* 64.5; Plut. *Sull.* 4.4). This view, seeing that it emerges in both works, may not be an original thought emanating from Sallust or Plutarch, but rather may also have been adopted from contemporary evaluations of Marius. It is not far from the truth. Leaving aside the possibility that Marius' career was objectively handled by historians such as Fenestella and Asellio,<sup>50</sup> the accounts which viewed him with some admiration were all equally compromised through political opposition to Sulla' constitutional settlement and support for Caesar. The striking feature which emerges is that, within a short time of his death, perceptions of Marius became linked to a passionate like or dislike of the current system of government; the gulf between positive and negative impressions could not have been more profound.<sup>51</sup>

The uncertainties occasioned by the limited nature of the source material, and the dichotomy of views apparent about Marius in the ancient literature, were duly recognized in modern times. In a shrewd move, Mommsen re-defined the dimensions of this politician's role and achievements, questioned his talents as a general,<sup>52</sup> but at the same time imposed party labels onto republican

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<sup>50</sup> However, Asellio's work may not have been worth consultation, Cic. *Leg.* 1.6: 'languorem atque inscitiam'; Badian, 1968: 1 and n. 2: 'The boasts of a proemium cannot necessarily be taken at their face value'; Gell. *NA*, 5.18.7-8; H. Peter, (ed.) *Historicorum Romanorum Reliquiae*, Leipzig 1906-1914<sup>2</sup> 1.179; Badian, 1966: 17-18; L. P. Kenter, *M. Tullius Cicero: De Legibus, A Commentary on Book 1*, trans. M.L. Leenheer-Braid, Amsterdam 1972, 43-44.

<sup>51</sup> As Carney, *Marius 2*, has suggested. On the characterization of Roman politics in terms of a 'boulé-dêmos antithesis' by Plutarch and other ancient writers see C.B.R. Pelling, 'Plutarch and Roman Politics', in *Past Perspectives: Studies in Greek and Roman Historical Writing*, ed. I.S. Moxon, J.D. Smart & A.J. Woodman, Cambridge 1986, 168: '... a favourite device for analysing late-republican history ...'.

<sup>52</sup> Th. Mommsen, *Römische Geschichte*, Berlin 1910<sup>10</sup>, 2.190: 'Eine militärische Capacität im eminenten Sinn war er, so weit wir urtheilen können, nicht; allein die sehr achtungswerthen Eigenschaften, die er besass, genügten unter den damals bestehenden Verhältnissen vollkommen um ihm den Ruf einer solchen zu verschaffen, und auf diesen gestützt war er in einer beispiellos ehrenvollen Weise eingetreten unter die Consulare und die Triumphatoren'; *The History of Rome*, trans. W.P. Dickson, London 1908<sup>2</sup>, 3.453; Cf. A. Ferguson, *The History of the Progress and Termination of the Roman Republic*, London 1829, an earlier work first published in 1783, which clearly follows Plutarch's account of events much more rigidly and without much, if any,

politics along the lines of those with which he was familiar from the 1850's.<sup>53</sup> Obviously under the spell of the new ideologies of the mid-nineteenth century, and living in the aftermath of the 1848 revolutions, he re-cast Marius as a man of the people, and one of the leaders of the opposition to a conservative and aristocratic senatorial government.<sup>54</sup> This novel interpretative analysis of Roman republican politics was greeted with enthusiasm, and found acceptance among a newly politicised and sensitive intellectual and scholarly readership. The slogans and labels Mommsen used were singularly inappropriate and were recognized as unhistorical even within his own lifetime,<sup>55</sup> but the indelible mark which he left on Classical Scholarship has greatly affected perceptions of Marius' career ever since.

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critical analysis.

<sup>53</sup> B. Croke, 'Mommsen's Pompey', *QS* 22 (1985) 137: '... Roman politics, particularly of the republican period, ... was cast as a reflection of nineteenth-century European politics'; P.A. Brunt, *The Fall of the Roman Republic*, Oxford 1988, 443-444. Parallelism, and inevitably the inverse parallel, remains as much in vogue as it did a century and a half ago. J. Bryce, *Modern Democracies*, New York 1924, 1.26-27, a comparison of his own day with that of the Augustan principate; N.H. Baynes, in a review of F.W. Bussell (possibly in the *The Yorkshire Post*, but not thus far discovered by the author), *The Roman Empire: Essays on the Constitutional History from the Accession of Domitian (81 A.D.) to the Retirement of Nicephorus III (1081 A.D.)*, London 1910: 'the author throughout compares, contrasts and criticises the political theories and problems of our own times'; K. Bradley, *Slavery and Rebellion in the Roman World 140 B.C. - 70 B.C.*, London 1989, 1-17, for an examination of slave unrest in the Americas as a prelude to discussions of 'similar' phenomena in the Roman Republic; cf. U. Vogel-Weidemann, 'Ancient History in the 20th Century?', *Akroterion* 34 (1989) 18: '... history never repeats itself, since the factors in given historical contexts are never identical'.

<sup>54</sup> Mommsen, *RG* 2.189: 'Gaius Marius ..., eines armen Tagelöhners Sohn ... Beim Pfluge war er aufgekommen, in so dürftigen Verhältnissen, dass sie ihm selbst zu den Gemeindeämtern von Arpinum den Zugang zu verschliessen schienen ...'; *History of Rome*, 3.452. He saw Marius as 'brave and upright', 'thoroughly incorruptible', a 'countryman cast adrift among aristocrats' 'originally upright, able and gallant', but at his death 'branded the crack-brained chief of a reckless band of robbers', *History of Rome*, 3.453-454, 4.68-68. The senate was termed a 'Geldaristokratie', *RG* 2.204; and Socialist slogans are clearly an intrusive element: *RG* 2.203: 'Kapitalistenstand und dem Proletariat'; 2.205: 'Bourgeoisie'; 2.202-204: 'Marius und seine Genossen', 'Demagogen von der Gasse'.

<sup>55</sup> Croke, 1985: 145.

The metamorphosis by which Marius has emerged from the rusticity, with which he is attributed in the ancient literary sources, to become a wily and successful republican politician has been slow and protracted.<sup>56</sup> In the present century, the influence of Mommsen waned to be replaced by an attachment to the conclusions of Gelzer regarding the position of patronage in Roman society.<sup>57</sup> Gelzer's influence is most notable in Münzer's study of relationships between senatorial families, and in Scullard's scheme of Roman political life from 220-150, which was described as being dominated by a small number of warring aristocratic families, and in Syme's reconstruction of senatorial politics after Sulla.<sup>58</sup> The work of Scullard, in particular, has clearly affected Astin's presentation of Roman history down to the death of Scipio Aemilianus.<sup>59</sup> Although this pattern has been less rigidly applied by Badian, Carney and Gruen, they have all, to some degree, maintained that political groupings may be identified in the senate of Marius' time, perhaps less structured than the factions proposed by Scullard but, nonetheless, a permanent fixture of republican political life.<sup>60</sup>

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<sup>56</sup> A sentimental attachment to slender means as a genesis for this *novus homo* remains noticeable; Carney, *Marius* 15, Marius was 'A natural soldier'; E. Badian, 'Marius and the Nobles', *DUJ* 25 (1963-1964), 141-142, 'Marius did not come of a very distinguished family'; P.O. Spann, *Quintus Sertorius and the Legacy of Sulla*, Fayetteville 1987, 8-10, a rather orthodox view of Marius' career.

<sup>57</sup> M. Gelzer, *The Roman Nobility*, trans. R. Seager, Oxford 1969, 139. On the achievement of Gelzer note Croke, 1985: 146 n. 1. The way in which Gelzer's views about the working of political patronage have, however, been employed to create a system of static dynastic factional politics is well discussed by A. Wallace-Hadrill, 'Patronage in Roman Society: From Republic to Empire', in *Patronage in Ancient Society*, ed. A. Wallace-Hadrill, London & New York 1989, 69.

<sup>58</sup> F. Münzer, *Römische Adelsparteien und Adelsfamilien*, Stuttgart 1961<sup>2</sup>, 283-327, on the period under discussion here, and a feature of his many entries in *RE*; H.H. Scullard, *Roman Politics 220-150 B.C.*, Oxford 1973<sup>2</sup>, *passim*, and especially 8-30; Syme, *RR* 10-27.

<sup>59</sup> A.E. Astin, *Scipio Aemilianus*, Oxford 1967, especially 80-96, 125-136, 190-210, 227-241; cf. the treatment of republican politics during the period of the elder Cato's career, *Cato the Censor*, Oxford 1978, *passim*.

<sup>60</sup> E. Badian, *Foreign Clientelae, (264-70 B.C.)*, Oxford 1958, 200-202, 212; Carney, *Marius* 47-50; cf. E.S. Gruen, *Roman Politics and the Criminal Courts 149-78 B.C.*, Harvard 1968, *passim*, for a more stylized view of politics between 149 and 78, and for the friends and enemies of Marius, especially 173-174, 179-180.



The schematic approach has been more rigorously questioned, each in their own fashion, by both Brunt and Meier,<sup>61</sup> whose views tend to be regarded with more favour than any others today,<sup>62</sup> and have largely been adopted below. Schematism is all very well in a vacuum but it takes little account of human nature, which is often rather unpredictable.<sup>63</sup> Indeed, I shall argue that, while it is perfectly understandable that political friendships and alliances should have been formed in the environment of late second-century Rome, the impetus for attaining political offices lay with the individual, a situation which precluded the development of groups as such. Because they were the members of a political and social élite of three hundred, most politicians of this era of the *res publica* wanted to be the top dog, even if only for a short time; they could neither conceive of, nor contemplate, a situation in which some were always superior and some always inferior. Competitive elections made all and everything possible and contributed to the somewhat disorganized structure in which they mostly prospered.<sup>64</sup>

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<sup>61</sup> Brunt, *FRR* 351-381 = a revised version of 'Amicitia in the Late Roman Republic', *PCPS* 10 (1964) 1-20; and especially *FRR* 443-462; Chr. Meier, *Res Publica Amissa: Eine Studie zu Verfassung und Geschichte der späten römischen Republik*, Wiesbaden 1980<sup>2</sup>, 162-700 and especially 182-190, 208-222. For Brunt's review of Meier's thesis see *JRS* 58 (1968) 229-232. See also the conclusions of K. Hopkins & G. Burton, 'Political Succession in the Late Republic (249-50 BC)', in *Death and Renewal*, Cambridge 1983, 107-117 concerning the competitive aspect of republican politics.

<sup>62</sup> F. Millar, 'The Political Character of the Classical Roman Republic', *JRS* 74 (1984) 1-19; 'Politics, Persuasion and the People before the Social War (150-90 B.C.)', *JRS* 76 (1986) 1-11; J.A. North, 'Democratic Politics in Republican Rome', *P&P* 126 (1990) 3-21; 'Politics and Aristocracy in the Roman Republic', *CP* 85 (1990) 277-287, in papers which now stress the contribution to success in public life of the popular vote.

<sup>63</sup> Carney, *Marius* 71, considers Marius' policies throughout his career inconsistent, and thereby misses the crux of the problem: that all republican politicians, to greater or lesser degrees, were flexible in their approach to all political problems and crises. That was the nature of Roman politics and the reason why it was, largely, so successful.

<sup>64</sup> Cf. P.F. Cagniard, 'L. Cornelius Sulla in the Nineties: a Reassessment', *Latomus* 50 (1991) 303: 'Sulla had good reasons to consider the praetorship the crowning achievement of his public career'. Such an argument presupposes, however, that human nature today is quite different from what it was during the Roman republic. All men who entered politics must have entertained hopes of the highest offices; and the higher they ascended the greater the aspirations to reach the pinnacle. Moreover, the ancient literature has too frequent references to *ambitio* to allow for an idea, which suggests that many politicians were content with secondary positions. Many were, no doubt, obliged to be content, since they failed to win elections, but

Into this less than perfect configuration Marius was to find his place first as a junior ally to a consul in 119, a link which was quickly broken, never to be repaired. From his possession of curule office he gradually extended his connections within the senate and throughout the community; and this form of patronage or influence was the mainstay of his successful campaign for the consulship. Thereafter, he was a power to be reckoned with and naturally attracted political allies but, unlike Syme,<sup>65</sup> I cannot identify a 'party of Marius' actively engaged in supporting his interests at Rome in the decade 108-99. Instead I shall suggest that it was rather through Marius' personal authority and his own amazing energies that this primacy was prolonged. When his *dignitas* was damaged by the events of late 100, his *auctoritas* also declined, and he rejoined the ranks of the senior statesmen of the senate, still highly influential but no longer pre-eminent.

In Marius' political career, as we shall see, the deficiencies of the evidence throw into a sharper focus the well-chosen words of Jacob Bronowski, who declared that:<sup>66</sup>

*There is no absolute knowledge. And those who claim it, whether they are scientists or dogmatists, open the door to tragedy. All information is imperfect. We have to treat it with humility.*

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that does not mean that they were happy with their lot.

<sup>65</sup> Syme, *RR* 86 n. 1.

<sup>66</sup> J. Bronowski, *The Ascent of Man*, London 1973, 353.

# I

## THE EARLY CAREER OF MARIUS

*Politics is perhaps the only profession for which  
no preparation is thought necessary.*

Robert Louis Stevenson (1850-1894)

### Introduction

The phrase which readily springs to mind as a suitable subtitle for a chapter devoted to the early career of Gaius Marius is 'legend or reality?'. Any facts which exist relating to the years prior to his election to the consulship in 108, are totally immersed in literary creations that are arguably the product of imaginative and masterful ancient writers. Marius was born about 157, and became consul just short of fifty years of age. For the greater part of his long life details are shadowy and beyond the grasp of today's researcher, a problem which is, however, applicable even to the most famous of the Roman politicians of the Republic. Ancient writers, whether they were historians or biographers, when confronted with the difficult but unavoidable task of relating the backgrounds, family history and early lives of their subjects, were often obliged to invent stories or, at least, indulge in generalities,<sup>1</sup> because factual material was already inaccessible. Such useful and enlivening evidence was rarely, if ever, recorded. The result was very often fanciful myth, but it did allow a writer like Plutarch to arrive at some sort of balance in works which, naturally enough, dealt primarily with careers which were subsequent to the acquisition of senior magistracies.

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<sup>1</sup> D.A. Russell, 'Plutarch's Life of Coriolanus', *JRS* 53 (1963) 22; C.B.R. Pelling, 'Childhood and Personality in Greek Biography', in *Characterization and Individuality in Greek Literature*, ed. C.B.R. Pelling, Oxford 1990, 213-244; in *Antonine Literature* 37-43.

Many Romans who became prominent in later life had rather obscure origins, but this is understandable, and this is not because they came from unknown families, but rather because all knowledge of this period of their lives was unavailable probably within a generation after they died. It is, therefore, hardly remarkable that the 'poor beginnings' of a politician's career became something of a literary *topos* since the 'rags to riches' theme was evidently also popular during antiquity. When faced with writing a life of Marius, Plutarch clearly encountered the all too familiar problem of 'where to begin' and with exactly what he was to fill his introductory sections before, no doubt much relieved, he could happily proceed to the more firmly documented achievements.

In a biography which extends to forty-six chapters (Teubner edition), Plutarch actually embarks on his account (*Mar.* 1.1-3) with a digression on Roman *cognomina*, the third *nomen* possessed by many of the more famous citizens of the *res publica*, but which, in Marius' case, was clearly lacking (*Γαίου Μαρίου τρίτον οὐκ ἔχομεν εἰπεῖν ὄνομα*). This fact apparently struck the writer as a point sufficiently unusual to merit comment, and which could be elevated to a significant place in this biography, though an explanation of Roman nomenclature is perhaps a surprising topic with which to beguile an audience of the early second century AD, by which time the practice had become a regular convention throughout the empire.<sup>2</sup> Few educated persons living in the reign of Trajan, who presumably comprised the major part of Plutarch's readership, can have required a lesson on the method of naming their fellow citizens at Rome or indeed their rulers. Moreover, Plutarch, by this late stage in his studies of great Romans, was surely aware that an account of

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<sup>2</sup> Note, for example, the inscription from Ephesus of one C. Vibius Salutaris, dated to between AD 104 and 110, during the same decade in which several of Plutarch's lives were published, G.M. Rogers, *The Sacred Identity of Ephesus: Foundation Myths of a Roman City*, London & New York 1991, 152-185, with several references to Ephesians with triple names. On the date of publication of the parallel lives see D.A. Russell 'On Reading Plutarch's Lives', *G&R* 13 (1966) 140; *Plutarch*, London 1972, 9-10. It is just conceivable that Plutarch considered this topic of interest to his immediate circle in and around Chaeronea, though Plutarch, himself a Roman citizen, possessed the *tria nomina*, D.A. Russell, *OCD*<sup>2</sup> 848-849; C.P. Jones, *Plutarch and Rome*, Oxford 1971, 11 n. 45; Russell, *Plutarch* 8.

missing *cognomina* was not that sensational.<sup>3</sup> He notes just two other republican politicians - Q. Sertorius and L. Mummius - who did not have a third name, though the following list of *consulares* from the third century down to Caesar shows how unremarkable the phenomenon really was:

C. Flaminius (cos. 223)	C. Marius (cos. I 107)
C. Servilius (Geminus) cos. 203	M'. Aquillius M'.f. (cos. 101)
C. Laelius (cos. 190)	M. Antonius (cos. 99)
C. Flaminius C.f. (cos. 187)	T. Didius (cos. 98)
Cn. Octavius (cos. 165)	M. Herennius (cos. 93)
Q. Opimius (cos. 154)	M. Perperna M.f. (cos. 92)
M'. Manilius (cos. 149)	Cn. Octavius (cos. 87)
L. Mummius (cos. 146)	C. Norbanus (cos. 83)
Q. Pompeius (cos. 141)	C. Marius C.f (cos. 82)
C. Laelius C.f (cos. 140)	Cn. Octavius (cos. 76)
P. Rupilius (cos. 132)	L. Octavius (cos. 75)
M. Perperna (cos. 130)	Q. Hortensius (cos. 69)
M'. Aquillius (cos. 129)	C. Antonius M.f (cos. 63)
Cn. Octavius (cos. 128)	L. Afranius (cos. 60)
C. Fannius (cos. 122)	A. Gabinius (cos. 58)
L. Opimius Q.f. (cos. 121)	P. Vatinius (cos. 47)
P. Manilius (cos. 120)	C. Trebonius (cos. 45)
Q.? Hortensius (cos. des. 108)	M. Antonius (cos. 44)

The absence of a *cognomen* was a fairly common feature among the plebeian families active in public life, and was perhaps a distinction which was deliberately cultivated by some politicians in order to emphasize the difference between themselves and other more established senatorial families.<sup>4</sup> C. Marius was, therefore, not exceptional, which makes Plutarch's introduction look rather weak and somewhat contrived, and is indicative of the paucity of evidence with which he was faced when he began his work.<sup>5</sup>

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<sup>3</sup> On the use of *cognomina* as digressions by Plutarch see Russell, 1963: 21. The life of Marius also was among the last of the biographies to be composed and, hence, circulated not before 110.

<sup>4</sup> There was hardly a hard and fast rule since plebeian families with *cognomina* easily outnumbered those without and, as often as not, *novi homines* also possessed the third name: M. Porcius Cato (cos. 195), Cn. Mallius Maximus (cos. 105), C. Flavius Fimbria (cos. 104), C. Coelius Caldus (cos. 94). Numerous examples of senators in the lesser offices may also be cited here.

<sup>5</sup> Plutarch was not unique in beginning a biography with apparently extraneous material. Suetonius, in his life of Caligula, barely mentions his subject until chapter 8, the first seven sections being a biographical study in miniature of his father Germanicus Caesar. Furthermore, the inclusion of superfluous material possibly contributed to the loss of the introductory

After he has endeavoured to stress a degree of dissimilarity between Marius and his contemporaries, Plutarch continues with a discussion about his subject's appearance, which he claims to have viewed for himself at Ravenna (*Mar.* 2.1).<sup>6</sup> The physical attributes of a politician also appear regularly in ancient biographies, although it is doubtful whether a lone statue, erected long afterwards, actually provided a fair likeness, or could be used as the basis of a fair and accurate description.<sup>7</sup> Moreover, Plutarch is vague and dwells mainly on some intangible male spiritual force. When this is compared with his rather more acute observations about Sulla, Pompey and Caesar,<sup>8</sup> it suggests that his memory, which was excellent in some respects, was far from perfect regarding this monument.

ἀνδρώδης γὰρ φύσει καὶ πολεμικὸς γενόμενος, καὶ στρατιωτικῆς μᾶλλον ἢ πολιτικῆς παιδείας μεταλαβὼν, ἀκρατον ἐν ταῖς ἐξουσίαις τὸν θυμὸν ἔσχε. He was naturally masculine and fond of war and, because he had been trained in military affairs rather than in civic matters, his temper was fierce when he exercised authority.<sup>9</sup>

This statement, without any mention of physical traits - eyes, nose, ears, teeth, mouth, chin - may not have offended an ancient audience, but its use to a historian is minimal because it provides so little useful information. However, in this passage Plutarch is, in effect, claiming that, because Marius had all the inherent qualities and defects of a soldier and general, and possessed none of those more subtle arts of a politician and administrator, his political career must have been doomed to ultimate failure from the

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sections of Suetonius' life of Caesar.

<sup>6</sup> Plutarch knew Rome and, in the company of his patron L. Mestrius Florus, had travelled around northern Italy in particular to Bedriacum and Brixillum, both of which were sites associated with the civil war of 69, *Otho* 14.2, 18.2; Jones, *Plutarch and Rome* 21-22; Russell, *Plutarch* 7-8.

<sup>7</sup> Note also Appian's comment, *BC.* 1.97, concerning the equestrian statue of Sulla erected at Rome after the battle of the Colline Gate; Crawford, *RRC* 1.397, no. 381, for a portrayal on the coinage.

<sup>8</sup> *Plut. Sull.* 2.1; *Pomp.* 2.1-2; *Caes.* 4. However, the biographies of Crassus, Cicero, Brutus and Antony do not contain such material.

<sup>9</sup> The translations provided in this work are adapted from those found in the *Loeb Classical Library* editions.

beginning. In particular, Plutarch's comment regarding Marius' intemperate moods,<sup>10</sup> though largely irrelevant and having nothing to do with *virtus*, partly excuses his subject's supposed inability to come to grips with the complexities of Roman political life.

It is, therefore, hardly a surprise that Plutarch should also affirm (*Mar.* 2.2) that Marius neither studied Greek literature nor spoke Greek on any important state occasion. His subject was, after all, a bluff military type who would surely have had neither the time for a proper education nor the inclination to pursue an interest in literature, especially that of people subjected to Roman rule.<sup>11</sup> However, the older views about Marius' education or lack of education may be entirely set aside.<sup>12</sup> It is quite apparent that, owing to a lack of more apposite material, Plutarch fell back on his own considerable literary flair and, in the process, contributed to the development of the 'tough-old-military-man-legend', in which a whole career was affected by the absence of a civilizing - Greek - element. The evidence is unreliable and misleading since it is hardly credible that any Roman by the end of the second century could have pursued a public career in total, or even partial, ignorance of the Mediterranean's second language. That does not mean to say that every senator had a profound knowledge of the works of all Greek writers, but all had sufficient awareness of the language for it not to be completely beyond their comprehension. The affairs of Greece and the Hellenistic East in the second century were too significant to prevent the advent of full bilingualism amongst the governing senatorial oligarchy at

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<sup>10</sup> A thoroughly bad temper was clearly a well remembered characteristic of this politician, *Cic. Tusc.* 5.56; *Phil.* 11.1. This representation of Marius was evidently to be Plutarch's basic characterization, Russell, 1966: 145: 'Marius was a hard man from the outset, and became more so ...'.

<sup>11</sup> N. Horsfall, '*Doctus sermones utriusque linguae*', *EMC* 22 (1979) 86.

<sup>12</sup> Note, for instance, M.L. Clarke, *Rhetoric at Rome*, London 1953, 12: 'Marius was notoriously lacking in Greek culture'; A.O. Gwynn, *Roman Education from Cicero to Quintilian*, Oxford 1926, 59-60: 'Marius himself was almost wholly uneducated. He ... had gone straight into the army at an age when Cicero was only beginning his studies'. This assertion is quite incorrect, of course, because Cicero had served under Sulla and Cn. Pompeius Strabo in 89 aged seventeen, T.N. Mitchell, *Cicero: The Ascending Years*, London 1979, 8-9. Note also E. Valgiglio, *Plutarcho: Vita di Mario*, Florence 1956, 8-10, regarding Marius' education. Although modern opinion generally favours Marius' late entry into the army, see below.

Rome.<sup>13</sup> If Plutarch's portrayal of Marius as a 'rough diamond' is not his own, it emanates from a possibly hostile source, which also tried to highlight a difference between Marius and his apparently more sophisticated and better educated fellows at Rome perhaps after they are said to have come into conflict after his rise to eminence (Sall. *Iug.* 63.3). Carney rightly warns against the influence of ancient propaganda, and draws attention to this topical element, which Plutarch introduces after his character study of Marius.<sup>14</sup>

Obscurity of birth and rustic upbringing were again favourite *topoi* among ancient writers, but the use of such material mainly reflects a situation in which it was impossible to recover much about the status of a subject's family: Γενόμενος δὲ γονέων παντάπασιν ἀδόξων ... ('Born of quite humble parents ...', Plut. *Mar.* 3.1).<sup>15</sup> Marius' background was unknown because he did not have senatorial antecedents at Rome, and hence there was no public

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<sup>13</sup> Carney, *Marius* 10; J. Kaimio, *The Romans and the Greek Language*, Helsinki 1979, 95, who disbelieves the evidence of Valerius Maximus (2.2.2) that Greek was translated by interpreters in the senate even at the beginning of the first century. Cf. Horsfall, 1979: 87, who considers that, while some republican politicians will have been fluent in Greek, the average Roman senator 'had a Greek quotation ready for any occasion'.

<sup>14</sup> Carney, *Marius* 9: 'Marius is often represented in the sources as a raw, uneducated soldier, an interpretation partly due to partisan contemporary writers, partly springing from adaptation to the Procrustean bed of the soldier-type in imperial rhetoric'. For Livy as the possible source for the early period of Marius' life, see N.I. Barbu, *Les procédés de la peinture des caractères et la vérité historique dans les biographies de Plutarque*, Paris 1933, 80-81.

<sup>15</sup> Marius' mother was Fulcinia, a name not entirely unknown at Rome. Thus C. Fulcinus, leg. 438, L. Fulcinus quaestor in either 148 or 167, *MRR* 2.567, 3.94. Marius may, therefore, have been related through the maternal line to a Roman senatorial family. Marii were probably also present in the senate in the earlier part of the second century, and were conceivably related to the Marii of Arpinum. Thus Q. Marius, mon. 189-180, Crawford, *RRC* 1.218-219, no. 148; *MRR* 2.445, 3.140, who won public office precisely during the same decade that Arpinum acquired full Roman citizenship. Compare the discussion of Plutarch and Sallust concerning Sulla's background and ancestors, though it is plain from Livy, 39.6.2, 8.2, and from the numismatic evidence, Crawford, *RRC* 1.249, no. 205: 'P.SVLA', mon. ca. 151, and *RRC* 1.250 for a stemma of the Corneliae Sullae, that the family was neither decayed nor disreputable in the second century. For Marius' mother see also E. Badian, 'Lucius Sulla: The Deadly Reformer', in *Essays on Roman Culture: The Todd Memorial Lectures*, ed. A.J. Dunston, Toronto & Sarasota 1976, 66 n. 11: 'The mothers of Marius and Cicero, perhaps surprisingly, are mentioned. There, presumably, lack of distinction was the essence of the biography'.



record, particularly from epigraphic sources, for a writer to consult at first hand. Nevertheless, it should also be remembered that, in normal practice, there were few documents available even for descendants of the most prestigious senatorial families. The problem of finding something worthwhile and entertaining to say about Marius' family was further compounded because he belonged to the municipal aristocracy of a town which had received the full citizenship not long before his birth.<sup>16</sup> Nevertheless, had the evidence been obtainable in the first place, Plutarch, at the beginning of the second century AD, ought not to have encountered too many problems. However, unless anecdotes had been preserved by a contemporary writer, by the subject or his family, it was a wellnigh fruitless exercise to try to unearth facts about any man's childhood and ancestors, especially if there was no history of participation in public life.

Politicians from families whose private affairs had for long been in the public domain seldom took the trouble to make elaborate archives of their famous deeds. A man from a family of no previous special distinction had even less incentive to commit petty triumphs to permanent record, at least in this period. Roman society of the second century was a good deal less urbane when measured, in terms of its family propaganda, against the late Republic and early Principate. The consequence was that true research for a history or biography simply became unprofitable, and compensation was made for this deficiency through invention. The romantic notion that Marius' family was poor and that the elder Marius was little more than a farm labourer (Plut. *Mar.* 3.1) thus probably owe their origins to Plutarch rather than to a reliable early source. And such unwarranted assertions may be dismissed because a young man who became intent on pursuing a political career had to have had disposable income in considerable quantity, not only because the *honores* were unpaid, but because the electoral campaigns for magistracies at Rome were a costly undertaking for any individual.

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<sup>16</sup> Liv. 38.36.7; A.N. Sherwin-White, *The Roman Citizenship*, Oxford 1973<sup>2</sup>, 61, 168, 210-211; L.R. Taylor, *The Voting Districts of the Roman Republic: The Thirty-Five Urban and Rural Tribes*, Papers and Monographs of the American Academy in Rome 20, Rome 1960, 155, 272. In 188 the citizens of Arpinum were enrolled in the voting tribe *Cornelia*. For Marius' equestrian origins, see Vell. 2.11.1; Badian, *FC* 194-195; *DUJ* 142.

The idea that a *novus homo* in republican politics must have come from a relatively poor family background is one that may have originated in antiquity, and has continued to have been viewed favourably up to quite recent times.<sup>17</sup> However, no would-be politician could hope to win public offices without a substantial personal fortune. This need not have been entirely in the form of coined money, but rather in the possession of landed estates, great enough to be used as collateral against loans with which to finance the electoral competitions for the regular magistracies. Large numbers of previously non-senatorial families produced politicians who achieved curule office from the time of the Second Punic War, which indicates that the acquisition of an empire increased the prosperity not just of the senatorial families, but also of those who qualified for the equestrian census. These families now enjoyed the capital with which their members could aspire to become magistrates at Rome and, from the second century, aristocrats from *municipia* could also look forward to being represented in the senate. All *novi homines* who embarked on a political career were wealthy men, and could expect to achieve some measure of success in the various polls.

Indeed, so numerous are the examples of successful newcomers to political life that, by the latter half of the second century, even a *novus homo* need have had few qualms about aspiring to the higher magistracies. Men with ambition such as Marius were not obliged to remain outside political life nor, once they won a minor office, were they destined to be confined to lowly positions, merely because their families were not established entities in Roman society. When recognition is duly given to the number of politicians who obtained prominent places in the senatorial order in the hundred years before Marius' tribunate, having won offices which were not formerly held, in historical times, by their ancestors, the influx into the praetorship and consulship both by newcomers and by *novi homines* can be shown to be appreciable.<sup>18</sup>

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<sup>17</sup> In text-books still used widely in the teaching of Roman history, note, for example, F.B. Marsh, *A History of the Roman World from 146-30 B.C.*, London and New York 1963<sup>3</sup>, 77, though this theme is admittedly less apparent in newer editions and publications.

<sup>18</sup> The term *novus homo* in the sense proposed by Gelzer, *The Roman Nobility* 50-52; cf. H. Strasburger, *RE* 17,1 (1936) 1223-1228, has been rejected here for the less restrictive definition propounded by, for example, P.A. Brunt, 'Nobilitas and Novitas', *JRS* 72 (1982) 1-17: 'The decay or extinction of old noble families made way for new. Evidently distinction of birth was not enough to maintain political eminence'; K. Hopkins & G. Burton,

C. Flaminius (cos. II 217)  
 C. Terentius Varro (cos. 216)  
 C. Calpurnius Piso (pr. 211)  
 C. Aurunculeius (pr. 209)  
 A. Hostilius Cato (pr. 207)  
 C. Mamilius Atellus (pr. 207)  
 P. Licinius Crassus (cos. 205)  
 Cn. Tremellius Flaccus (pr. 202)  
 L. Villius Tappulus (pr. 199)  
 M. Helvius (pr. 197)  
 C. Atinius Labeo (pr. 195)  
 T. Iuventius Thalna (pr. 194)

C. Scribonius Curio (pr. 193)  
 C. Laelius (cos. 190)  
 L. Baebius Dives (pr. 189)  
 C. Stertinius (pr. 188)  
 L. Terentius Massiliota (pr. 187)  
 C. Afranius Stellio (pr. 185)  
 Cn. Baebius Tamphilus (cos. 182)  
 M. Baebius Tamphilus (cos. 181)  
 C. Cluvius Saxula (pr. 178)  
 C. Numisius (pr. 177)  
 Q. Petillius Spurius (cos. 176)  
 L. Aquillius Gallus (pr. 176)  
 C. Matienus (pr. 173)  
 C. Memmius (pr. 172)  
 L. Villius Annalis (pr. 171)  
 M. Raecius (pr. 170)  
 P. Fonteius Balbus (pr. 168)  
 P. Rutilius Calvus (pr. 166)  
 A. Licinius Nerva (pr. 166)

C. Atilius Serranus (pr. 218)  
 Q. Mucius Scaevola (pr. 215)  
 C. Hostilius Tubulus (pr. 209)  
 L. Porcius Licinus (pr. 207)  
 C. Hostilius Cato (pr. 207)  
 Cn. Octavius (pr. 205)  
 L. Scribonius Libo (pr. 204)  
 P. Villius Tappulus (cos. 199)  
 C. Helvius (pr. 199)  
 M. Porcius Cato (cos. 195)  
 Sex. Digitius (pr. 195)  
 Cn. Domitius Ahenobarbus (cos. 194)  
 M'. Acilius Glabrio (cos. 191)  
 M. Tuccius (pr. 190)  
 C. Atinius (pr. 188)  
 C. Terentius Culleo (pr. 187)  
 C. Aurelius Scaurus (pr. 186)  
 Q. Naevius Matho (pr. 184)  
 C. Terentius Istra (pr. 182)  
 L. Duronius (pr. 181)  
 T. Fonteius Capito (pr. 178)  
 L. Mummius (pr. 177)  
 M. Aburius (pr. 176)  
 C. Cicereius (pr. 173)  
 Sp. Cluvius (pr. 172)  
 C. Caninius Rebilus (pr. 171)  
 A. Hostilius Mancinus (cos. 170)  
 C. Decimius (pr. 169)  
 C. Licinius Nerva (pr. 167)  
 M. Fonteius (pr. 166)  
 C. Fannius Strabo (cos. 161)

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'Political Succession in the Late Republic (249-50 BC), in *Death and Renewal*, Cambridge 1983, 117: '... the senatorial aristocracy was the political arm, first of the Roman and then later of the Italian ruling classes. It never developed into a hereditary Estate. The oligarchic structure of government was stable, yet sufficiently flexible to allow a gradual but continuous turnover in the membership of the senate.'; Millar, 1986: 2: 'On some points, such as the definition of *nobilitas*, it (Gelzer's *Die römische Nobilität*) is misleading ...'; P.J.J. Vanderbroeck, 'Homo Novus Again', *Chiron* 16 (1986) 239-242: '*Homo novus* was a vague concept ... persons of senatorial ancestry who became the first praetor or consul of their family ... the first member of a family to enter the senate through an elective magistracy ... the first of their family not only to enter the senate, but also to reach the consulate: the quintessential new men.' Note also n. 15 with references to O'Brien Moore, *RE Suppl.* 6 (1935) *senatus*, 697; R.J.A. Talbert, *The Senate of Imperial Rome*, Princeton 1984, 14, 20-21, 526; Cf. L. A. Burckhardt, 'The Political Elite of the Roman Republic: Comments on Recent Discussion of the Concepts *Nobilitas* and *Homo Novus*', *Historia* 39 (1990) 77-99: 'The attempts to revise this widely established picture of political power and to paint a new one do not find enough conclusive arguments.', but who has to admit, 82-84, that Gelzer's definition of *novus homo* is deficient and was too narrow. This vexing problem still produces conflicting passions; and a consensus on the issue is still, quite clearly, far from evident.

L. Anicius Gallus (cos. 160)  
Q. Opimius (cos. 154)  
M'. Manilius (cos. 149)  
C. Nigidius (pr. 145?)  
M. Cosconius (pr. 135?)  
M. Perperna (cos. 130)<sup>19</sup>

L. Aurelius Orestes (cos. 157)  
T. Annius Luscus (cos. 153)  
C. Vetilius (pr. 147?)  
Q. Pompeius (cos. 141)  
P. Rupilius (cos. 132)

Marius was eventually to pursue a spectacular career, but the foundation for his success nonpareil had, demonstrably, been laid long before he ever sought his first public position.

### *Pre-Senatorial Career*

During the period following the Second Punic War, a Roman who aspired to becoming a political figure, whether he was from the city or from a *municipium*, could not simply present himself to the electorate whenever he chose. A number of preliminary stages are evident, as is made clear by Polybius (6.19.1-5; cf. Liv. 27.11.14), who states that anyone desiring a political office had first to serve ten years in the army.<sup>20</sup> Only after the completion of this strict requirement did young men become eligible for magisterial offices. By the close of the second century, this ruling was probably no longer enforced, certainly not by law, though most young men still served in the army for a considerable length of time. Military service usually began at the age of seventeen which, in the period before Sulla's dictatorship, meant that the quaestorship, the most junior of the regular magistracies, could not be held before the age of twenty-six. However, since

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<sup>19</sup> Had the history of Livy, which preserves the names of the annual magistrates, survived beyond 166, there is no doubt that the trend apparent in the backgrounds of senators would continue to be well illustrated. What cannot be established, due to the shortcomings of the third century sources, is whether any of the politicians named here had ancestors in the senate. It seems likely that most did not. See also Appendix 2 for a discussion of less familiar senators at the end of the second century.

<sup>20</sup> J. Suolahti, *Junior Officers in the Roman Army*, Helsinki 1955, 52-53: '... this stipulation was not, however, of an early date but is perhaps to be connected with the *lex Villia annalis* of the year 180 ...'; D.C. Earl, 'Appian B.C. 1, 14 and *Professio*', *Historia* 14 (1965) 331: '... the anomalous position of tribune of the plebs ... never subjected to the restrictions and regulations imposed on the magistracies proper. ... it demanded no qualification of age or previous office; we do not even know that the preliminary ten year's military service necessary for candidature for the regular magistracies applied to it.'. See also Appendix 1.

the quaestorship was not a prerequisite for the praetorship or the consulship prior to the *Leges Corneliae* of 81 (App. BC. 1.100) it is, therefore, incorrect to interpret Polybius' evidence as being applicable to any office below curule status.<sup>21</sup> The lesser positions available to an aspiring politician, including the quaestorship, were clearly governed by rather ambiguous rules in this period. Membership of the commissions within the vigintivirate was thus clearly held both by young men who had yet to finish their stint in the armed forces and also by politicians who already had the age requirement for curule offices.<sup>22</sup>

As Marius came from a family which must have been registered among the equestrian order, following Polybius' evidence, he would have begun his service in the army as a recruit in a cavalry unit. Whatever the origin of a young man, he did not enter an officer corps immediately, however, though given the relatively limited number of cavalrymen, his place in the *equites* marked him out for possible future leadership.<sup>23</sup> Marius, no doubt, served alongside numerous other youngsters from wealthy Roman and municipal families and, says Plutarch (*Mar.* 3.2), first saw action against the Numantines under the command of P. Cornelius Scipio Aemilianus in 134. Plutarch's evidence cannot be verified, but looks questionable, for Marius would already have been about twenty-three years of age by the time he reached Spain, six or seven years older than was normal for a boy from a well-to-do family. It is, therefore, not unlikely that Plutarch made his Marius enter the army late in order to maintain the disparity between his subject and his peers. It is more

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<sup>21</sup> See the conclusions of Appendix I and references.

<sup>22</sup> The *IIIviri monetales*, for instance, could be *adulescentes* as surely were Sex. Pompeius, mon. ca. 137, pr. 119, Crawford, *RRC* 1.267, no. 235; Cn. Domitius Ahenobarbus, mon. 116 or 115, cos. 96, Crawford, *RRC* 1.300, no. 285; L. Marcius Philippus, mon. 113/112, cos. 91, Crawford, *RRC* 1.307, no. 293; L. Piso L.f. L.n. Frugi, mon. 90, pr. 74, Crawford, *RRC* 1.340, no. 340. However, other moneyers - see Appendix I - were obviously much older, which indicates that, in terms of age, a great deal of leeway was allowed for candidates to this office.

<sup>23</sup> Thus note the presence of *adulescentes* such as L. Sergius Catilina, L. Minucius, Ti. Veturius and L. Otacilius in the *consilium* of Cn. Pompeius Strabo (cos. 89), C. Cichorius, *Römische Studien*, Berlin 1922, 131; H.B. Mattingly, 'The *Consilium* of Cn. Pompeius Strabo in 89 B.C.' *Athenaeum* 53 (1975) 262-265. These were young men from senatorial or equestrian families serving in the cavalry, but they were already associated in the command structure of the army.

plausible to suggest that Marius had begun his military service as early as 141 or 140 when Q. Pompeius (cos. 141), another *novus homo*, led the Numantine campaign and had been defeated (Liv. *Per.* 54; *Oxy. Per.* 54; App. *Ib.* 76-78).<sup>24</sup> Indeed, Plutarch himself hints (*Mar.* 3.2) that Marius was actually already present in the army before Scipio Aemilianus arrived and responded enthusiastically to the introduction of stricter discipline:

τὸν στρατηγὸν οὐκ ἐλάβανεν ἀνδρεία τῶν ἄλλων νέων διαφέρων καὶ τὴν μεταβολὴν τῆς διαίτης, ἣν ὑπὸ τρυφῆς καὶ πολυτελείας διεφθαρμένοις ἐπήγε τοῖς στρατεύμασιν ὁ Σκηπίων, εὐκολώτατα προσδεχόμενος.

He attracted the attention of his (new?) general by excelling the other young men in bravery, and by his cheerful acceptance of the changed régime which Scipio introduced into the army when it had been spoiled by luxury and extravagance.

After he reached Spain, Scipio Aemilianus spent nearly a year restoring order and dignity to a dispirited army (Plut. *Reg. et Imp. Apothegm.* 201B), which had campaigned unsuccessfully for several years. The account of Plutarch (*Mar.* 3.2) cannot be employed to infer that Marius accompanied Scipio from Rome as a member of his *consilium*, but suggests instead that he was already present at Numantia.<sup>25</sup> His experience and zealous support of the new commander would explain his promotion and his presence in Scipio's company, not as a raw recruit, but as a veteran who had deservedly won military laurels. Thus the story of Scipio's commendation of Marius (Plut. *Mar.* 3.3) may simply be a *topos*, which is found elsewhere, but possibly preserves a

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<sup>24</sup> For Pompeius' conduct of the war and his subsequent trial see *MRR* 1.477; Astin, *Scipio Aemilianus* 123-128; Gruen, *RPCC* 35.

<sup>25</sup> Cf. Carney, *Marius* 15, who maintains that Marius was in Scipio's entourage; *MRR* 1.492 n. 3; C. Cichorius, *Untersuchungen zu Lucilius*, Berlin 1908, 14, 24; *MRR* 3.139; Valgiglio, *Vita* 14-16. However, note E. Badian, 'Review of T.R.S. Broughton, *Supplement to the Magistrates of the Roman Republic*', *Gnomon* 33 (1961) 496; *DUJ* 144 and n. 6: 'Plutarch, rather interestingly, calls Marius a 'youth' (*meirakion*) at this stage - clearly judging from the fact that he was doing his first military service'. Sallust thought that Marius was a youth when he entered the army, *Iug* 63.3: 'ubi primum aetas militiae patiens fuit, stipendiis faciundis', supports the argument presented here. On the other hand, Plutarch has surely conflated the chronology, perhaps following a source such as Livy.

memory of sterling deeds by the young Arpinate.<sup>26</sup> A prolonged posting in Spain would account for, and solve, the problem of an apparent hiatus so early in Marius' career. All the ancient sources assert that he had no interest in the sort of education which later became vital for young and aspiring politicians. However, it is almost inconceivable that a youth from an influential and prominent family, even if only from a town such as Arpinum, would have wasted six or seven years in unemployment, at a time when such local notables surely hoped that their offspring would bring them greater fame and glory in local and, indeed, in national affairs.

There is, of course, the question of municipal office for which Valerius Maximus (9.6.14) claims Marius received a *repulsa* in an election, though he seems to assign this event to the late 120's. During the Principate, for which the epigraphic evidence is far more abundant, it is clear that young men held local magistracies often shortly after receiving their *toga virilis*,<sup>27</sup> and this may also hold good for the republican period. This situation might go some way to filling up some of Marius' 'missing years', but not all since junior elective offices in *municipia*, as at Rome, were limited to a tenure of twelve months. Still, Marius may have acquired a familiarity with civic affairs at a very early stage, and was under the age assumed for men who, for instance, held the moneyership at Rome.<sup>28</sup> Moreover, although Valerius Maximus claims that Marius left Arpinum after a failure to win public office and came to Rome to campaign for the quaestorship ('Arpinatibus honoribus iudicatus inferior quaesturam Romae petere ausus est'), his account, which is of dubious reliability, may easily have telescoped events which had occurred over a longer period of time. Marius could have held municipal office in a number of different years both before and after his military service before

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<sup>26</sup> Also note Val. Max., 8.15.7, for another version of this tale, and compare with Scipio's advice to the young Jugurtha, also at Numantia, Sall. *Jug.* 8.2.

<sup>27</sup> M. Kleijwegt, *Ancient Youth: The Ambiguity and the Absence of Adolescence in Greco-Roman Society*, Amsterdam 1991, 318-319, 325, 333-334.

<sup>28</sup> On the ages of moneyers see T.F. Carney, 'Coins Bearing on the Age and Career of Marius', *NC* 19 (1959) 87; T.P. Wiseman, *New Men in the Roman Senate, 139 B.C. - A.D. 14*, Oxford 1971, 148, 204; H.B. Mattingly, 'The Management of the Roman Mint', *Istituto Italiano di Numismatica, Annali* 29 (1982) 12, 15, 17. On the ages of provincial senators in the first century see Hopkins & Burton, *Death and Renewal* 47 n. 24.

he finally decided to look beyond the confines of Arpinum and embark on a political career at Rome. There is undoubtedly sufficient space in his career to allow for this assumption.

As far as Marius' military tribunate is concerned, most authorities prefer a date in the late 120's, but this supposition is based firstly on the evidence of Valerius Maximus (6.9.14) who gives only a brief résumé of his career, and secondly on the belief that he must have come to Numantia only in 134.<sup>29</sup> Had his military service started in, or soon after, 141 then, as Badian suggests,<sup>30</sup> a military tribunate as early as 129 or 130 is equally plausible. In fact, Sallust seems to imply an early election to this position (*Iug.* 63.4):

*Ergo ubi primum tribunatum militarem a populo petit, plerisque faciem eius ignorantibus, factis notus per omnis tribus declaratur.*

When he first sought the military tribunate elected by the people, most were, therefore, ignorant of his appearance, but his deeds were, however, well known, and as a result he was elected by a vote of all the tribes.

Although it is possible that his election as *tribunus militum* took place some years after his military service, after a lengthy sojourn at Arpinum out of sight of the Roman electorate, or followed a term spent in the army during the 120's, it is surely more likely that he campaigned for this post on his return from Spain. Had he returned with Scipio Aemilianus in 132, or shortly afterwards in 131, when his accomplishments in that war were fresh in the minds of the citizen body, his own fame would have propelled him into office after a decade away from Italy and Rome, as Sallust implies. This would account for the statement that his face may have been unfamiliar but that his

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<sup>29</sup> *MRR* 3.139; Carney, *Marius* 16-17; cf. Suolahti, *Junior Officers*, 312, 405, for a date close to 119.

<sup>30</sup> Badian, *DUJ* 144; *Gnomon* 33 (1961) 496, who advances the idea that Marius served under M'. Aquillius (cos. 129) in Asia; *MRR* 3.139. To suggest that Marius was military tribune in 129 because he was later consul with M'. Aquillius M'.f., however, ignores the attraction of a date immediately after the termination of the Numantine expedition. Cf. E. Gabba, 'Mario e Silla', *ANRW* 1.1 (1972) 770, who believes Marius' military tribunate should be assigned to 123.



glory had gone before him. His military tribunate should, consequently, be redated to 130 or 129, at the latest, and his reason for desiring a further posting overseas was to join the forthcoming expedition against Aristonicus in Pergamum.<sup>31</sup> He may well have served in the army of P. Licinius Crassus Mucianus (cos. 131) or under his successor M. Perperna (cos. 130) and, taking Sallust's evidence into consideration, the interval between the Numantine war and Marius' military tribunate should be regarded as being as brief as possible.<sup>32</sup> There is absolutely no reason why Marius should have waited another ten years before canvassing for a military tribunate, and the information provided by the more extensive of the ancient sources seems to support this view. Indeed, it would have been logical for Marius to capitalize on the honours he had won under Scipio Aemilianus, who may also have been sympathetic towards his aims, which Plutarch (*Mar.* 3.3-4.1), in particular, again implies. Military service in Asia Minor brought more experience and a higher place in the command hierarchy, which would have been a useful addition to his *curriculum vitae* before seeking a purely civilian office.

The real interruption in Marius' career, therefore, occupies not a period early in his life, but the time between his late twenties and early thirties, from about 129 or 128 through to 121, though should this seemingly long interval be seen as at all abnormal? Numerous republican politicians who later appear in the magistracies have equally long spells of apparent inactivity,<sup>33</sup> and none of these are assigned professions unbecoming a senator.

Sex. Iulius Caesar (cos. 157): trib. mil. 181, leg. 170, aed. 165  
L. Calpurnius Piso Frugi (cos. 133): trib. 149, pr. 138(?)  
P. Licinius Crassus Mucianus (cos. 131): q. 151(?), pr. 134(?)

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<sup>31</sup> On Marius' acquaintance with the *Magna Mater* during the campaign to overcome Aristonicus see Badian, *DUJ* 144; *Gnomon* 33 (1961) 496.

<sup>32</sup> On the campaigns of Mucianus and Perperna see *MRR* 1.500-502. Carney, *Marius* 17 supposes, however, that, since Marius must have been a client of the Caecilii Metelli, he should be placed in the army of Q. Caecilius Metellus Baliaricus (cos. 123) between 123 and 122, *MRR* 1.513. There is no evidence to support this opinion.

<sup>33</sup> For praetors who experienced lengthy delays before they won the consulship see R.J. Evans, 'Consuls with a Delay between the Praetorship and the Consulship', *AHB* 4 (1990) 65-71.

C. Fannius (cos. 122): trib. mil. 141, pr. 127(?)  
M. Iunius Silanus (cos. 109): trib. 124/123, pr. 116(?)  
C. Marius (cos. I 107): trib. mil. 131/130, trib. 119  
L. Marcius Philippus (cos. 91): trib. 104(?), pr. 96(?)  
C. Norbanus (cos. 83): trib. 103, q. 102/99, pr. 87

To try to account for Marius' absence from public life in terms of failure, or solely in terms of a lowly, but financially beneficial, activity such as tax-farming simply because he was a *novus homo* is to be entrapped by the legend which has been constructed about his personality. It makes much more sense, given the real status of his background, to allow Marius, having first ended his military service, having made a name for himself in the process, and having been elected *tribunus militum*, the satisfaction of pausing to consolidate his position and financial resources. After so long an absence from home, it would have been quite natural for him to devote his time to re-establishing useful local connections before attempting to win one of the more impressive and expensive offices at Rome. Moreover, he may well have had to fulfil obligations in Arpinum and, like most men from influential families, have had business interests which drew him away from public life temporarily.<sup>34</sup> While there is no exact ancient evidence for the suggestion that Marius was formally engaged as a *publicanus* during this decade, time spent under arms in Asia Minor during the very years in which Pergamum was converted into a *provincia* might have opened up possibilities in this quarter, and later proved a profitable method of enlarging his already not inconsiderable assets.<sup>35</sup>

By the time he campaigned, albeit unsuccessfully, for the aedileship, he was plainly in the possession of a vast personal fortune. It would have been impossible for him to entertain the idea of canvassing for the two aedileships in the same year and the praetorship in the next unless he had ready and very substantial funds at his disposal. Diodorus (34/5.38.1) and Velleius

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<sup>34</sup> On the business concerns of senators in general, I. Shatzman, *Senatorial Wealth and Roman Politics*, Brussels 1975, 239-439. On Marius in particular, 278-281.

<sup>35</sup> Badian, *FC* 195, Marius' link with *negotiatores*; Shatzman, *Senatorial Wealth* 278-279, his landed estates and later association with the *publicani*; T. Frank, *An Economic Survey of Ancient Rome*, Baltimore 1959<sup>2</sup>, 1.296: 'men like ... Marius of Arpinum ... had prospered on landed estates..' but, 1.297: 'began his career relatively poor and ended as a very rich man'; Brunt, *FRR* 150-151 and n. 19, 156: '(Marius) ... enjoyed equestrian backing ...'.

Paterculus (2.11.2) note that Marius had contacts among the business community, but this evidence surely demonstrates the diversity which characterized all senatorial wealth rather than an intention to highlight the limits, that is tax-gathering, of a single politician.<sup>36</sup> Shatzman's view that: 'Marius began his career with comparatively little means; he became one of the richest men at Rome (Plut. *Mar.* 34.4). His enrichment began when he was engaged in *publica*, yet it was due mainly to his military commands',<sup>37</sup> may contain a grain of truth, but it is far more credible that Marius began his career a wealthy man and, through his various connections and triumphs, greatly increased his capital.

Had Marius decided to embark on a political career after he finished his military service, he would have been fully aware that he had to have abundant funds, but that these riches also had to be respectable. A fortune obtained from employment as a *publicanus* might easily be detrimental to his hard-won prestige, and have made him vulnerable to the personal invective, commonly found in public life, which would have thrived on the dubious past occupation of an aspiring senator. No such adverse propaganda has been preserved in any of the sources for Marius' life, which suggests that, by the time he opened his bid for a political office, his financial resources were as conservative as those of all other politicians. Had Marius, in fact, gained financially from links with *publicani* in Asia, this might possibly have formed the nucleus of his later profound affluence, but it had long since been invested elsewhere, and before he presented himself to the electorate.

The lack of a famous family *nomen* may not have been an impediment to success but, like all contenders for office, Marius faced the possibility of *repulsae* in competitive elections. In order to reduce the chances of failure, Marius had spent the traditional minimum time in the army where he had made himself conspicuous, and had gone on to win election as military tribune. Thereafter, he took a self-imposed moratorium to accumulate reserves and establish worthwhile ties, the necessities for seeking public office. There was no great suspension in Marius' career at this point, and certainly none imposed

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<sup>36</sup> On the various bases of senatorial wealth see also Wiseman, *New Men* 191-196, estates of senators, 197-202, other business interests.

<sup>37</sup> Shatzman, *Senatorial Wealth* 281.

either by his being a *novus homo* or by any discrimination against outsiders in political life. Many politicians held offices at irregular intervals, and during periods outside political life they were busy ensuring that their possessions continued to flourish. Marius was not exceptional in this respect. Nor was he a great deal older than was usual when he finally entered the political arena since relatively few republican politicians held magistracies at legally required minimum ages.<sup>38</sup> The portrayal of Marius as an outsider and underdog, that is apparent in Plutarch's biography, is misleading, but it has been so convincing that it has remained almost unchallenged to the present day.

### The Quaestorship

Evidence for Marius' quaestorship is contained on the Augustan *elogium*,<sup>39</sup> now lost, and on a copy found near Arpinum (*CIL*. 10 5782), but neither may be regarded as truly primary documentation for this politician's career.<sup>40</sup> Moreover, while the apparent corroboration by both Valerius Maximus (6.9.14) and the author of the *de Viris Illustribus* (67.1) has been held to confirm Marius' tenure of this magistracy, they fail to provide explicit information.<sup>41</sup> In particular, the evidence of Valerius Maximus is contained

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<sup>38</sup> On the ages of politicians in the second century see R. Develin, *Patterns in Office-Holding, 366-49 B.C.*, Brussels 1979, 85-95; Evans, *AHB* 4 (1990) 65-71.

<sup>39</sup> For Marius' quaestorship on the *elogium* see Sage, 1979: 204-206. The lost inscription was a copy found at Arretium. All kinds of junior offices were recalled by the artist or his aids who composed the *elogia*, and there appear to be few errors in those inscriptions which have survived (see above, Prologue). Note, however, that there is no reference to a propraetorship in the document about Marius. See further below, Chapter 2.

<sup>40</sup> *CIL* 1<sup>2</sup>.1 195; *ILS* 59; *Inscr. Ital.* 13.3.83. Although the *elogium* from the forum of Augustus may have been based on earlier material, as I suggested above, no contemporary material remains for Marius' quaestorship. Plutarch states, *Caes.* 5.1, that when Caesar delivered funeral *laudationes* for his wife and aunt, he used one of these occasions to bring forward trophies and statues of Marius, much to the delight of the crowd. Later, during his aedileship, *Prop.* 3.11.45; *Plut. Caes.* 6.1; *Suet. Iul* 10.1, Caesar had these, or more likely copies of these, restored to the Capitoline hill. However, the Marian trophies are unlikely to have contained any mention of a quaestorship.

<sup>41</sup> Val. Max. (6.9.14): 'quaesturam Romae petere ausus est'; *Vir. Ill.* 67.1: 'Gaius Marius septies consul, Arpinas, humili loco natus, primis honoribus per ordinem functus ...'. There is no mention here of a

in a work dealing with the fluctuating fortunes in a man's life ('*De Mutatione Morum aut Fortunae*'). As such, it is not a straightforward account, and warrants considerable scepticism regarding its value as a historical source. A reasonable doubt may thus be harboured about the accuracy of these sources, and it is just possible to argue that Marius' first public position at Rome was actually the tribunate which he occupied in 119. Indeed, the idea, voiced by Valerius Maximus, that a man should try his hand at senatorial politics after he was rejected by a municipal electorate fails to convince entirely. It would surely have been more common for a failed politician in the city to seek the consolation of a magistracy in his home town rather than *vice versa*.<sup>42</sup>

Attention should also be paid to Sallust, the earliest source for Marius' political career, who fails to mention the quaestorship, and who was clearly under the misapprehension that he held a large number of the available regular magistracies (*Iug.* 63.4-5) when, in fact, he had been defeated in aedilician elections. If he was unaware that Marius had never been an aedile then the lack of quaestorship might also have passed unnoticed. Plutarch (*Mar.* 4.1), in a further telescoping of events, has Marius proceed immediately from serving in the army to becoming a tribune of the plebs. He may well be right about the sequence of offices.

Before the *leges Corneliae* of Sulla, the quaestorship was not a compulsory part of a politician's career, and might be avoided if another more attractive

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quaestorship, which might only be assumed had this office been the regular and compulsory first magistracy for all aspiring senators as it, in fact, became during the Early Principate. Furthermore, 'quaesturam' may even have been employed figuratively by Valerius Maximus for *honores*, although there seems to be no parallel for this usage. The phrase 'quaesturam petere' is common elsewhere, Cic. *Verr.* 1.11; *Mur.* 18; Liv. 32.7.9: 'consulatum ex quaestura petere'; Tac. *Ann.* 3.29: 'quaesturam peteret'; Suet. *Calig.* 1. The evidence of *Vir. Ill.* 67.1 is simply vague, but may owe something to Sallust's account, *Iug.* 63.5: 'Deinde ab eo magistratu alium post alium sibi peperit semperque in potestatibus eo modo agitabat, ut ampliore quam gerebat dignus haberetur'.

<sup>42</sup> The text of Valerius Maximus was clearly formed to suit his subject. Thus Marius failed to win the aedileship but won the praetorship, a more senior office, following his supposed humiliation at Arpinum and subsequent success at Rome. The evidence here looks distinctly unsound.

proposition was attainable.<sup>43</sup> Marius' quaestorship is usually dated to between 123 and 121, just before his election as tribune in 120.<sup>44</sup> Yet, this view, besides relying on flimsy evidence, overlooks the fact that Marius had no reason whatsoever to seek this junior appointment. He was beyond the age at which most young men sought the quaestorship and when, more importantly, he could campaign immediately for the more prestigious and influential tribunate. He had, moreover, already gained the type of experience which most quaestors obtained during their year in office. Several of the quaestors were annually assigned to military duties,<sup>45</sup> as the following list illustrates:

- Ti. Sempronius Gracchus: quaestor in Spain with C. Hostilius Mancinus (cos. 137)
- Q. Fabius Maximus Allobrogicus: served in Spain under Scipio Aemilianus (cos. II 134)
- Q. Fabius Maximus Eburnus: in Sicily with P. Rupilius (cos. 132)
- C. Sempronius Gracchus: quaestor in Sardinia with L. Aurelius Orestes (cos. 126)
- M. Annii: served in Macedonia under Sex. Pompeius (pr. 119)
- M. Aurelius Scaurus: quaestor under L. (Valerius) Flaccus (pr. 117?)
- M. Antonius: served in Asia with L. Memmius (pr. 113?)
- P.(?) Sextius: quaestor in Numidia with L. Calpurnius Bestia (cos. 111)
- L. Licinius Crassus: in Asia ca. 110 (Cic. *de Orat* 3.75)
- L. Cornelius Sulla: quaestor in Numidia with C. Marius (cos. I 107)
- Cn. Octavius Ruso: in Numidia ca. 105 with C. Marius (cos. I 107)
- Cn. Servilius Caepio: quaestor in Macedonia ca. 105
- Cn. Pompeius Strabo: served in Sardinia with T. Albucius (pr. 104)
- L. (Veturius) Philo: quaestor in Sicily under C. Servilius (pr. 102)
- A. Gabinius: quaestor in Cilicia with M. Antonius (pr. 102)
- C. Norbanus: served either in Cilicia or Rome with M. Antonius (propr. 101, cos. 99)
- C. Fundanius: in Gaul with C. Marius (cos. V 101)

At this stage in his career Marius did not require still yet more service in the army, but he would most definitely have benefited from becoming a tribune,

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<sup>43</sup> Syme, *Sallust* 28; D.C. Earl, 'The Early Career of Sallust', *Historia* 15 (1966) 306: 'Membership of the Senate could have come with the tribunate of the plebs: the removal of the disabilities imposed on the office should have restored to the tribunate the seat in the Senate it had previously conferred by virtue of the *Plebiscitum Atinium* - and which it did confer under Caesar's dictatorship and later'.

<sup>44</sup> *MRR* 3.140; Carney, *Marius* 17-18; and most recently, M. Cébeillac-Gervasoni, 'Le Mariage dans l'aristocratie dirigeante des cités du Latium et de la Campanie à la fin de la République et sous Auguste', *Mélanges Lévêque*, Paris 1989, 69-70 and n. 12.

<sup>45</sup> Carney, *Marius* 18 n. 90.

a more prominent post, and one which was primarily concerned with political and legal matters.

The number of quaestors above represents only a very tiny percentage of the total number elected - sixteen out of four hundred and eighty, at least, in the period between 140 and 100, excluding *suffecti*. Nevertheless, it is worth noting those quaestors engaged in active military duty, since in an average year six to eight of these new magistrates could be appointed as seconds-in-command to consuls or praetors who might, in turn, be sent abroad. Senior officials were despatched overseas during their year in office until the legislation of Sulla in 81, and quaestors stood a good chance of accompanying them. There was obviously much less chance of obtaining a purely civilian position in the city as a quaestor, which would have made the office undesirable to a man of Marius' experience.<sup>46</sup>

The quaestorship was largely irrelevant to Marius' chances of a successful political career, and his entry into the senate.<sup>47</sup> He was faced with a magistracy of limited scope and opportunities when he was already of an age to canvass for the tribunate, the possession of which also allowed entry to the senatorial order. Valerius Maximus may be correct to claim that Marius came to Rome to campaign for public office, but perhaps not for the comparatively inconsequential quaestorship. The information which appeared on Marius' *elogium* belonged to a time when the quaestorship was regularly the first compulsory magistracy of a politician's career. In the pre-Sullan period the political career was much less structured,<sup>48</sup> and considering the weakness of the evidence, it may be argued that Marius omitted the quaestorship and, instead, initially sought to make a name for himself as a tribune of the plebs.

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<sup>46</sup> P. Decius Subulo, praetorian colleague of Marius in 115, probably also avoided becoming quaestor. E. Badian, 'P. DECIUS P.f. SUBULO: An Orator of the Time of the Gracchi', *JRS* 46 (1956) 92, believes that Decius' first public office in 120, aged about fifty, was the tribunate.

<sup>47</sup> Cicero, *Planc.* 52, seems to have known of one *consularis* who had never been quaestor. On his possible identity see Badian, *Studies* 152-153. See also Appendix 1.

<sup>48</sup> On the political career in the second century see R.J. Evans & M. Kleijwegt, 'Did the Romans like Young Men? A Study of the *lex Villia annalis*: Causes and Effects', *ZPE* 92 (1992) 181-195; and Appendix 1.

## The Tribune

Valerius Maximus (6.9.14) suggests that Marius received a *repulsa* when he first attempted to win the tribunate, presumably in 121, a year before his successful election.<sup>49</sup> The dependability of the evidence from this passage has already been questioned;<sup>50</sup> and it may be as well to discount the information, although it might just indicate Marius' keenness to obtain this office.<sup>51</sup> However, the notice of Marius' initial rejection for a place in the tribunician college also looks as if it has been conflated with the allusion to his double defeat for the aedileship (Cic. *Planc.* 51), which figures in the same clause: 'in tribunatus quoque et aedilitatis petitione consimilem campi notam expertus'. Failure in tribunician elections was clearly not that uncommon (Cic. *Planc.* 52),<sup>52</sup> but the high incidence of defeat followed by triumph accorded to Marius looks suspiciously more like a literary device than a historical episode. Valerius Maximus' interest in *luctatio* was surely more important than a search for the truth.

The plebeian tribunate was an attractive office because it could be exploited by politicians to establish their credentials for independent action and legislative ingenuity. Tribunes could also associate themselves closely with more senior members of the senatorial order. Indeed, Plutarch (*Mar.* 4.1) says that Marius was successful at this time because he had obtained the support of a Caecilius Metellus, whom he describes as a longstanding patron of the Marii of Arpinum (καὶ τυχεῖν δημαρχίας Κεκίλλου Μετέλλου σπουδάσαντος, οὗ τὸν οἶκον ἐξ ἀρχῆς καὶ πατρόθεν ἐθεράπευεν.).<sup>53</sup> The Caecilius Metellus

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<sup>49</sup> *MRR* 3.140.

<sup>50</sup> See also Carney, *Marius* 16-17, 21-22.

<sup>51</sup> It is also worth noting that Marius may, therefore, have been a tribunician candidate with Decius Subulo who was successful in that year. Badian, 1956: 94, considers that their political inclinations were not far apart.

<sup>52</sup> See below Appendix 1.

<sup>53</sup> Carney, *Marius* 18; Badian, *FC* 194-195 and n. 1, who refers to the patronage of the Caecilii Metelli over clients such as the Marii, Rutilii Rufi and Aemilii Scauri; Spann, *Sertorius* 8: 'the grace of the Caecilii Metelli'. The ancient evidence is, however, not definitive on this issue. See also Chapter 4.



mentioned here is usually identified as Q. Caecilius Metellus Baliaricus (cos. 123), the eldest son of Q. Caecilius Metellus Macedonicus (cos. 143), although L. Caecilius Metellus Delmaticus (cos. 119), the elder son of L. Caecilius Metellus Calvus (cos. 142), is probably a better proposition since he was actively involved in canvassing for the consulship in the same year as Marius' quest for the tribunate. Marius may well have benefited from the consular campaign of a powerful *patronus* who might also have won over voters for a junior political ally endeavouring to win one of the lower public positions.<sup>54</sup> It would have been quite feasible for a candidate for the consulship to join a younger politician's campaign for an office such as the tribunate. Until 153, tribunician elections invariably took place before the polls for the regular magistrates,<sup>55</sup> and this practice may have continued until the dictatorship of Sulla. Support for Marius from a favoured candidate for the consulship such as Metellus Delmaticus could have proved crucial.<sup>56</sup>

The link between Marius and the Caecilii Metelli, which is generally thought to be historically sound, may, however, also have been rather more tenuous than Plutarch maintains. A connection of sorts is certainly attested between

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<sup>54</sup> Little evidence exists, however, for senior politicians giving actual support to their younger colleagues in campaigns for public office. It may be inferred from Suetonius (*Iul.* 10.1) that M. Licinius Crassus (cos. 70) partially financed Caesar's canvass for the aedileship in 65.

<sup>55</sup> Th. Mommsen, *Römisches Staatsrecht*, Leipzig 1887, 1,580-588; L.R. Taylor, *Roman Voting Assemblies from the Hannibalic War to the Dictatorship of Caesar*, Ann Arbor 1966, 63 and n. 12.

<sup>56</sup> The recommendation of candidates for more junior offices was clearly a common practice. Q. Fabius Maximus Allobrogicus (q. 134) is said to have been commended to the electorate by his uncle Scipio Aemilianus, elected cos II shortly beforehand, Val. Max. 8.15.4; Cichorius, *Römische Studien* 317; *MRR* 1.491, and under whom he later served at Numantia. The *auctoritas* of a *designatus* was evidently considerable. There is also ample evidence to show that even a consul might canvass on behalf of his preferred candidate, especially if he was a close relative, providing he was not the presiding magistrate. Thus P. Rupilius (cos. 132) campaigned for his brother in consular elections, probably in the same year as his consulship, Ap. Claudius Pulcher (cos. 185) canvassed vigorously for his brother who, as a result, won a consulship place for 184, and Cn. Baebius Tamphilus (cos. 182), presiding over the consular elections, courted voters for his brother who also won the elections, R. Develin, *The Practice of Politics at Rome 366-167 B.C.*, Brussels 1985, 132-133, 140-141, R.J. Evans, 'Candidates and Competition in Consular Elections at Rome between 218 and 49 BC', *Acta Classica* 34 (1991) 111-136.

Q. Caecilius Metellus Numidicus and Marius at a later date by Sallust,<sup>57</sup> but a risk exists here of assuming an ancient patron-client bond simply on the basis of evidence of their, mostly acrimonious, association in 109 and 108. Plutarch had a very good reason for stressing a strong tie between Marius and the Caecilii Metelli in 120 because the subsequent rupture between them was to recur as a theme in the biography (*Mar.* 4.3, 8.3). It is, therefore, possible that, knowing the personal relationship between Numidicus and Marius during the Jugurthine War, a stronger connection than really existed was created with a purely literary purpose in mind. Thus Marius, the outsider and newcomer to Rome, received the help of the famous Caecilii Metelli to win his first public office, but in return repaid this generosity by breaking the alliance with a display of ingratitude and arrogance. The *popularis* tribune behaved in a dishonourable fashion, but such a breach of etiquette was to be expected from the *novus homo* from a *municipium*. *Topoi* are manifest and should be treated with some caution.

While there may be no absolute reason to refute Plutarch's claim that the Caecilii Metelli lent their support to Marius' tribunician candidacy in 120, and that they may also have entered the canvass on his behalf, the tie between the two parties could easily have originated, not long before, but during this decade when the latter was casting around for new friends with political muscle. Furthermore, in an electoral contest in which there were ten victors and probably as many unlucky competitors, an influential senatorial family such as the Caecilii Metelli is unlikely to have used its position to the advantage of just one candidate. Marius was probably one of several hopefuls who were counting on the aid of this family in their pursuit for public office. Help given by Metellus Delmaticus does not prove a long personal tie between his family and the Marii, but a recent and transient connection greatly reduces the impact of Marius' breaking off of *amicitia* and, in the

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<sup>57</sup> This may be inferred from Metellus Numidicus' infamous retort to Marius' request to return to Rome to canvass for the consulship: 'Ac postea saepius eadem postulanti fertur dixisse, ne festinaret abire, satis mature illum cum filio suo consulatum petiturum', Sall. *Jug.* 64.4; cf. Plut. *Mar.* 8.3. However, this statement, if indeed historical, hardly represents firm evidence for any closer relationship than the usual tie between a military commander and his subordinate. The fact that Sallust places this confrontation in *oratio obliqua* indicates that it was based more on rumour than on fact, and it is Plutarch alone who transmits the whole episode as if it had really occurred. See further below, Chapter 2.

process, affronting the *dignitas* of the city aristocracy, represented by the Caecilii Metelli. A lack of decorum could be expected from a political outsider, and Plutarch sensationalized an episode which, if not invented by him, was extracted from a writer unsympathetic to Marius, or from a first century source which exhibited a general hostility towards tribunes.<sup>58</sup> As far as Plutarch was concerned, the tribunes rarely conducted themselves with propriety, and for him, Marius' zeal to achieve a personal reputation was quite in keeping with the characters of these troublesome officers of the *populus*.<sup>59</sup>

In a discussion concerning the secrecy of ballots and the security of the voters about to register their preferences, Cicero (*Leg.* 3.38-39) states that:

*pontes etiam lex Maria fecit angustos. quae si opposita sunt ambitiosis, ut sunt fere, non reprehendo.*

The *lex Maria* also made the voting bridges narrow. If such measures were passed to prevent electoral corruption, as they usually were, I can find nothing to criticise in them.

This electoral law seems to have rationalized voting procedures, which had come into effect with the introduction of the ballot system under the terms of the *lex Gabinia* of 139, and also for trials before the people (*perduellio*) as stipulated by the *lex Cassia tabellaria* of 137. Cicero intimates that the intention of the *lex Maria* was to prevent the bribery and corruption of the voting public, and to curtail harassment of citizens on their way to cast their ballots by supporters and election managers of candidates in the various elections, or by friends and allies of politicians, who stood accused of crimes before the people. Plutarch (*Mar.* 4.2) casts a rather different light on the situation, however, and states that:

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<sup>58</sup> The history of Cornelius Sisenna, for example, cannot have contained much favourable material about the tribunes of the plebs since it was supportive of Sulla, *Sall. Iug.* 95.2.

<sup>59</sup> Plutarch's hostility towards tribunes is easily spotted, *Mar.* 28.5, Saturninus, *Mar.* 34.1, Sulpicius; cf. *Sall. Iug.* 27.2, Memmius, *Iug.* 37.2, P. Lucullus and L. Annius.

ἐν δὲ τῇ δημαρχίᾳ νόμον τινὰ περὶ ψηφοφορίας γράφοντος αὐτοῦ δοκοῦντα τῶν δυνατῶν ἀφαιρεῖσθαι τὴν περὶ τὰς κρίσεις ἰσχύν.

When Marius was a tribune of the plebs he brought forward a law concerned with the method of casting the votes which was thought to reduce the power of the wealthy in law suits.

Plutarch's assessment of the *lex Maria* is perhaps more simplistic than Cicero's account because it concentrates on the role of the vote in trials, but by doing so also betrays a lack of knowledge about the polling of magistrates in the republican period.<sup>60</sup> Unlike Cicero, he makes the introduction of the Marian law an attack on senatorial privilege, and a highly charged and emotional issue. He clearly wanted his audience to believe that Marius was following in the well-worn tracks of other notable tribunes such as the Gracchi, and had hoisted aloft their *popularis* banner.<sup>61</sup>

Marius' entry into politics was thus portrayed in highly dramatic terms, though Cicero evidently failed to find the law particularly controversial. Plutarch's description of the subsequent breach between Marius and the Caecili Metelli over this issue serves to enhance Marius' 'popular' image. However, a still more restrictive control of the polls, which were already very unpredictable, hardly served the interests of a would-be *popularis*, nor would the failure of his measure to become law have made success easier for its senatorial opponents. From Plutarch's account, it further appears that this voting law was introduced into the senate for discussion prior to confirmation by the citizen body, and so followed the traditional route of legislative proposals and not that employed by the more unorthodox Gracchi. The consul L. Aurelius Cotta contested the bill in a senatorial debate in which Marius led the defence and, although the other consul, L. Caecilius Metellus Delmaticus, concurred with the *sententia* of his colleague, the threat of imprisonment deterred them from pressing their opposition.

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<sup>60</sup> For Plutarch's uncertainty about detailed aspects of republican politics, but a greater awareness of the legal system see Pelling, 1986: 176-179.

<sup>61</sup> See Pelling, 1986: 165-169, for Plutarch's portrayal of republican politics as a perpetual contest between the senate and the populace.

It is perhaps significant that the remaining nine members of the tribunician college all seem to have stood by Marius, and in the face of such unity the senate allowed the bill to be passed whereupon, 'Marius emerged triumphant from the *curia* and presented his measure to the people who ratified the law' (Plut. *Mar.* 4.3). Plutarch plainly aimed at highlighting a further confrontation between the senatorial oligarchs (*οι ὀλιγοι*) and an elected representative of the people (*δημος*).<sup>62</sup> But seeing that all ten tribunes came to the support of the motion, the consular reservations have probably been overemphasized and rather distorted in the attempt to portray Marius in a popular role. As a consequence of this action, Plutarch would have his audience believe that Marius had marked himself out as a man of the people pitted against the senate. The writer intended that his subject should play this part throughout most of his career, but the actual events of 119 do not support his portrayal of a politician opposed to the senatorial government.

The *lex Maria* was a strict but reasonable law, and must surely have had tremendous support from all quarters, while senatorial reaction was probably not as negative as Plutarch makes out. His focus on a 'popular' Marius overrides all other aspects of the episode: 'everyone now believed that he was afraid of nothing, not to be deterred from respect of others and a great champion of the people in opposition to the senate' (Plut. *Mar.* 4.3). His guardianship of the people was, therefore, established and could be developed later in his consulship, through his military reforms and his alliances with other tribunes of the plebs. When Marius' 'popular' legislation is analysed, however, it appears to be little more than a technical adjustment, and not the result of major agitation. Neither the ballot nor the method of voting for the magistrates was threatened by the passage of the *lex Maria*. Moreover, Marius' successful opposition to a *lex frumentaria* won general applause, and duly brought him recognition as a politician outside any pressure group (Plut. *Mar.* 4.4). This action remains unattested elsewhere, which implies that it was a rather minor enterprise, but was perhaps perceptible enough to maintain a certain amount of prominence in public life.<sup>63</sup> It seems as if Marius made the most of the opportunities available to him in order to mount a campaign

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<sup>62</sup> Pelling, 1986: 165-169.

<sup>63</sup> See further below, Chapter 3.

for curule office;<sup>64</sup> opportunism, moreover, was to become a characteristic feature of his later career.

The remaining information about Marius' tribunate is paradoxically to be found in the only primary source for this time: the reverse type of the denarii issued by the *monetalis* P. Licinius Nerva (pr. 104?), dated to 113 or 112:<sup>65</sup>

Voting scene - one voter on l. of *pons* receives ballot from attendant below, another voter on r. of *pons* places ballot in *cista*; above, P. NERVA; at top of coin, bar on which stands a tablet bearing letter P.<sup>66</sup>

The existence of political and family propaganda on the republican denarius has long been acknowledged,<sup>67</sup> but a difficulty exists with this particular issue since no family tie or political connection is known between Nerva and Marius. Nerva was a praetor about 104, and would, therefore, have been a relatively senior moneyer by 113, presumably shortly before attempting to win an aedileship, at the latest 108/107, or possibly a tribunate in 112/111.<sup>68</sup> The 'P' on the voting tablet must surely be a declaration by 'Publius' that

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<sup>64</sup> Tribunician legislation could clearly promote a politician's chances in public life. Although a career is not attested for the tribune A. Gabinius, who piloted the first ballot proposal into law in 139, his descendants certainly prospered: A. Gabinius (q. 101, pr. 91/90?), P. Gabinius (pr. 90/89), A. Gabinius (cos. 58), *MRR* 3.97-98. The *lex Cassia* of 137 obviously did not hamper the career of L. Cassius Longinus Ravilla (cos. 127), nor did the tribunician legislation of M. Livius Drusus in 122 adversely affect his chances of a consulship in 112. The controversial laws of Cn. Domitius Ahenobarbus in 104/3 and L. Marcius Philippus in ca. 104, were not harmful to their later illustrious careers in the senate.

<sup>65</sup> Crawford, *RRC* 1.306-307, no. 292; *MRR* 3.124. P. Licinius Nerva, pr. 105/104, *MRR* 1.559 and n. 3.

<sup>66</sup> Crawford, *RRC* 1.307, no. 292: 'The precise motivation behind the choice of type is uncertain - it is perhaps less plausible to associate it with C. Licinius Crassus, TR. PL. 145 ... than with C. Marius ...'; *MRR* 3.124; Mattingly, 1982: 41. A voting tablet is also illustrated on the denarius of C. Coelius Caldus, *monetalis* in 51, which refers to the *lex Coelia tabellaria* of his father passed in about 107, Crawford, *RRC*. 1.457-459, no. 437; R.J. Evans, 'The Denarius Issue of CALDVS IIIIVIR and Associated Problems' *AHB* 5 (1991) 129-134.

<sup>67</sup> For instance, Wiseman, *New Men* 4; Evans, *Acta Classica* 33 (1990) 104-105.

<sup>68</sup> His brother, C. Licinius Nerva, was tribune between 120 and 110, Cic. *Brut.* 129; *MRR* 3.124; G.V. Sumner, *The Orators in Cicero's 'Brutus': Prosopography and Chronology*, Toronto 1973, 75-76.

he was about to seek a higher magistracy in the near future. However, a denarius issued far in advance of a forthcoming candidacy would have been ineffective, and a reference to the *lex Maria*, a somewhat minor piece of legislation, the mover of which had failed to win an aedileship, may be viewed as neither efficacious nor auspicious.

Most moneyers, by this time, were placing personal details or family fame on the coinage and were seldom, if at all, employing their issues on behalf of other politicians. Nerva's reverse type may connote a family relationship with Marius, or may simply be a reference to the voting procedure with the message 'Vote for P (Nerva)!'. The date of the issue, advanced by Crawford, ties in reasonably well with Marius' return from a proconsular command in Hispania Ulterior,<sup>69</sup> but that same date fits uncomfortably into Nerva's career. There seems to be little point in issuing a plea for the voters' favour unless Nerva intended campaigning for a public office. Thus three options seem to exist: that this denarius belongs to 118/117 when the Marian law was still current news, and when it could precede Nerva's acquisition of a quaestorship or;<sup>70</sup> that it belongs to 113/112, as suggested by Crawford on the basis of coin hoard evidence, when it may have preceded Nerva's quest for a tribunate; or that it belongs to about 109 before a campaign for the aedileship. This last date is, of course, also seminal to Marius' career, for the denarius of Nerva would, therefore, coincide with the Arpinate's consular campaign for 107. Were it possible to show that Nerva's career included an aedileship or a canvass for this office in about 109 or 108, his denarius in circulation portraying a reference to the *lex Maria* might suggest that a political alliance between him and Marius had recently been forged, during the preliminary stages of the latter's quest for the highest magistracy.<sup>71</sup>

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<sup>69</sup> *MRR* 1.534 and n. 3; cf. A. Passerini, *Caio Mario*, Milan 1971, 23 n. 2; *Studi su Caio Mario*, Milan 1971, 21-22 and n. 22, who expresses some doubt about a governorship in Spain; *MRR* 3.130: 'remained there until Piso came to succeed him in 113'; Sumner, *Orators* 72. See also Chapter 2.

<sup>70</sup> Crawford, *RRC* 1.65-68, discounts the earliest of these dates on stylistic grounds.

<sup>71</sup> It is interesting to note that Nerva's issue is almost a prototype in terms of its portrayal of a recent political event at Rome. Cf. Crawford, *RRC* 1.288, no. 263, the denarius of M. Caecilius Metellus (cos. 115), dated to about 127, with its reference to the Macedonian victories of his father, Macedonicus, in 148; Crawford, *RRC* 1.290, no. 266, the issue of C. Cassius Longinus (cos. 124?), which refers to the *lex Cassia tabellaria*.

The evidence for Marius' tribunate, such as it is, indicates that it was noteworthy rather than tumultuous. He gained this position with the probable support of L. Caecilius Metellus Delmaticus (cos. 119), though not necessarily as a candidate who was especially intimate or for long connected with the consul's family. The voting law of Marius was just sufficiently controversial to be remembered, but the altercation in the senate described in Plutarch's life is likely to be an exaggeration of the actual events. More important, surely, was the way in which Marius can be seen preparing the way for an assault on the more senior offices of the political career; he was clearly not to be content with being a *pedarius*. Marius' tribunate was not exemplified by overt *popularis* action, but by enough prominent activity to make his name known. When compared to other tribunes in the period between 140 and 100 who, through their industry, made names for themselves, Marius' performance was quite creditable, laying whatever foundations he could to increase his chances of future success. He certainly joins a fairly select group of tribunes whose activities in their year in office have been preserved in the literature.<sup>72</sup>

- Ti. Claudius Asellus (trib. 140): prosecuted Scipio Aemilianus
- A. Gabinius (trib. 139): *lex Gabinia*
- C. Curiatius (trib. 138): imprisoned the consuls P. Scipio Nasica and D. Brutus Callaicus
- Sex. Licinius (trib. 138): acted with his colleague against the consuls
- L. Cassius Longinus Ravilla (trib. 137): *lex Cassia tabellaria*
- M. Antius Briso (trib. 137): failed in his attempt to veto Longinus' law
- P. Rutilius (trib. 136): prevented C. Hostilius Mancinus (cos. 137) from entering the senate
- Ti. Sempronius Gracchus (trib. 133): *lex Sempronia agraria*
- M. Octavius (trib. 133): vetoed Gracchus' bill but deposed as tribune
- Q. Mucius (?) (trib. 133): elected to replace Octavius
- L. (?) Rubrius (trib. 133): presided over tribunician elections for 132
- P. Satureius (trib. 133): opponent of Ti. Gracchus
- C. Papirius Carbo (trib. 131/130): *lex Papiria tabellaria*
- C. Atinius Labeo (trib. 131): threatened to have the censor Q. Metellus Macedonicus thrown from the Tarpeian Rock
- Q. Aelius Tubero (trib. 130?): ruled that augurs might serve as *iudices*
- M. Iunius Pennus (trib. 126) expelled non-citizens from Rome
- M. Iunius Silanus (trib. 124/123?): *lex Iunia repetundarum*
- C. Sempronius Gracchus (trib. 123/122): *lex Sempronia agraria*
- (?) Aufeius (trib. 123?): *lex Aufeia*
- M. Fulvius Flaccus (trib. 122): senior ally of C. Gracchus

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<sup>72</sup> Fifty-six tribunes are known, or are here posited, out of a total of four hundred elected, excluding *suffecti*. The majority of these remained in the lower levels of the senatorial order, though several of those noted rose to high magisterial office, possibly as a result of making a name for themselves as tribunes.



- M. Livius Drusus (trib. 122): *lex de coloniis*  
 C.(?) Rubrius (trib. 122): *lex Rubria*  
 M'. Acilius Glabrio (trib. 122): *lex Acilia repetundarum*  
 Cn. Marcius Censorinus (trib. 122?): a law dealing with the election of *tribuni militum*  
 (?) Maevidius (trib. 121?): opponent of C. Gracchus  
 M.(?) Minucius Rufus (trib. 121): sought to overturn the Gracchan laws.  
 L. Calpurnius Bestia (trib. 121/120): proposed law recalling P. Popillius Laenas (cos. 132) from exile  
 P. Decius Subulo (trib. 120): prosecuted L. Opimius (cos. 121)  
 C. Licinius Nerva (trib. 120-110): possible demagogic activity, Cic. *Brut.* 129  
 C. Marius (trib. 119): voting law and defeats a proposal concerned with the corn-dole  
 Sex. Peducaeus (trib. 113): moved law appointing L. Cassius Longinus Ravilla as *quaesitor*  
 Sp. Thorius (trib. 111?): *lex Thoria*  
 C. Memmius (trib. 110): attacked senior senators for bribery  
 C. Baebius (trib. 110): interposed veto to prevent Jugurtha from answering questions before the citizen body  
 L. Annius (trib. 110): disrupted elections  
 P. Lucullus (trib. 110): disrupted elections with Annius  
 P. Silius (trib. 110-100?): *lex Silia de ponderibus publicis*  
 M. Silius (trib. 110-100?): *lex Silia de ponderibus publicis*  
 C. Mamilius Limetanus (trib. 109): *quaestio Mamiliana*  
 C. Coelius Caldus (trib. 107): *lex Coelia tabellaria* and prosecution of C. Popillius  
 L. Licinius Crassus (trib. 107?): Cic. *Brut.* 160-161  
 T. Manlius Mancinus (trib. 107): proposed *plebiscitum*  
 Q. Mucius Scaevola (trib. 106?): presided at a *contio*  
 C. Servilius Glaucia (trib. 105/104/101?): *lex iudiciaria*  
 L. Cassius Longinus (trib. 104): *lex Cassia*  
 Cn. Domitius Ahenobarbus (trib. 104?): *lex Domitia*  
 L. Marcius Philippus (trib. 104?): *lex agraria*  
 (?) Clodius (trib. 104?): law regulating coinage  
 L. Appuleius Saturninus (trib. 103): *lex de maiestate*  
 M. Baebius (Tamphilus?) (trib. 103): tried to veto Saturninus' laws  
 C. Norbanus (trib. 103): prosecuted Q. Servilius Caepio (cos. 106)  
 T. Didius (trib. 103): tried to interpose veto on behalf of Caepio  
 L. (Aurelius?) Cotta (trib. 103): joined Didius in support of Caepio  
 L. (Antistius?) Reginus (trib. 103): freed the imprisoned Caepio whom he joined in exile  
 A. Pompeius (trib. 102): contested with Battaces, priest of the *Magna Mater*  
 L. Appuleius Saturninus (trib. II 100): *lex de coloniis*

## Aedileship and Praetorship

According to Plutarch (*Mar.* 5.1), Marius failed to be elected when he sought the first of the curule offices, namely the aedileship. Immediately after this *repulsa* he began canvassing for the plebeian aedileship, the elections for which were being conducted on the same day, but suffered an unprecedented second defeat. Shortly after what must have been a most humiliating

experience, he redoubled his efforts for the praetorian elections and was elected to the sixth and final place (Plut. *Mar.* 5.2). After this surprising electoral turnabout Marius was prosecuted for *ambitus*,<sup>73</sup> but was acquitted on a tied vote (Plut. *Mar.* 5.2-5).<sup>74</sup>

Plutarch gives the impression that Marius' two candidacies for the aedileship and his successful election to the praetorship took place in 116 since all three episodes are related in quick succession (*Mar.* 5.1-2). But there are a number of specific points in his account which appear to be incompatible with what is generally understood about electoral procedures in the second century. On the grounds that Plutarch's order of elections was frankly impossible in the electoral calendar - the praetors were elected before the aediles - the text must be regarded either as factually incorrect or as a truncated version of events which occurred over a considerably longer period of time. In either case, the evidence for Marius' career between 118 and 116 warrants some analysis.

Marius was already over forty years of age in 116 and, if a candidate for the curule aedileship at that time, roughly four years above what is usually regarded as the minimum age, though this, by itself, would have been unexceptional since numerous politicians reached senior magistracies well after the ages imposed either by the *lex Villia annalis* or by *mos maiorum*.<sup>75</sup> A canvass for this particular magistracy, which was traditionally expensive for its incumbents, shows that Marius, a very short time after his tribunate,

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<sup>73</sup> On the charge see D.R. Shackleton Bailey, 'The Prosecution of Roman Magistrates Elect', *Phoenix* 24 (1970) 163.

<sup>74</sup> An analysis of Gruen, *RPCC* 304-310, clearly illustrates that the vast majority of defendants in politically motivated trials were acquitted by the equestrian *iudices*. Moreover, while Marius may originally have been an *equus Romanus*, his connections with the order, as a whole, were surely no greater than those of very many other Roman politicians. The jury cannot have been inherently biased towards Marius, as Carney, *Marius* 22 contends, for the result was tied. Such a close decision implies that Marius was perceived as being guilty of the charges brought against him.

<sup>75</sup> On this see the conclusions of Develin, *Patterns* 81-95, and especially 91: 'some 70% of the consuls were above the minimum age, the majority only consul after one or two repulses'; Evans, *AHB* 4 (1990) 65-71.

had the resources not only to fund a campaign, but also to serve as an aedile.<sup>76</sup> However, since the competition for this office was extraordinarily intense,<sup>77</sup> there was a good chance of failure, as Cicero indicates (*Planc.* 51). And with just four annually elected aediles, several politicians each year could expect to come away from the polls bitterly disappointed men.<sup>78</sup> A defeat for Marius at the first attempt was, therefore, not at all unusual, but what happened next, although deemed remarkable by Plutarch, fails to tally well with current electoral practices.

Plutarch states that the citizen body thought that Marius' hurried candidacy for the plebeian aedileship was an effrontery (*Mar.* 5.2) and, consequently, gave him a second *repulsa*. Carney insists that Marius campaigned for the curule aedileship in 118, the year after his tribunate and when his recent successes were still remembered by the electors.<sup>79</sup> However, Marius' high-profile activities of the previous year stood him in no good stead. Carney also accepts Plutarch's evidence for a second election defeat, and gives Marius a break in 117 before his praetorship campaign in the next year.<sup>80</sup> More recently, Broughton places Marius' candidacies for the aedileship in 117, and sidesteps the difficulties posed by Plutarch, especially ignoring the problem of a double defeat on the same day.<sup>81</sup> The question addressed by neither Carney nor Broughton is whether two sets of aedilician elections could actually have taken place on one day, when these would have involved first summoning the *comitia populi tributa* and then the *concilium plebis* (*comitia plebis tributa* or *comitia aedilicia*).

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<sup>76</sup> See Appendix 1 for a more detailed examination of this magistracy, its place in the republican political career, various functions and possible age minima.

<sup>77</sup> There was presumably a baker's dozen of candidates for the curule aedileship in 194, Liv. 35.10.11-12; Plut. *Aem.* 3.1, which may have been abnormally high.

<sup>78</sup> For defeated aedilician candidates see T.R.S Broughton, *Candidates Defeated in Roman Elections: Some Ancient Roman "Also-Rans"*, Trans. Am. Phil. Soc. 81.4, Philadelphia 1991, 40-44, 63.

<sup>79</sup> Carney, *Marius* 21 and n. 108; cf. Valgiglio, *Vita* 24.

<sup>80</sup> Carney, *Marius* 21-22.

<sup>81</sup> Broughton, *Candidates* 42 and n. 6.

Staveley makes the germane point that an election for two curule aediles would have taken at least five hours to conclude without mishaps.<sup>82</sup> He also argues that elections for colleges of a similar size by the *concilium plebis* in one of its comitial capacities, must have been conducted to much the same time schedule from the actual vote to the proclamation of the results.<sup>83</sup> If the election for two plebeian aediles took as long as that for their curule colleagues, the chances of a double poll on one day diminishes appreciably. Of course, a double election may have been the normal procedure even if it entailed an exceedingly long and exhausting day for the candidates, electoral officials and voters alike. The probable venue for the gathering of these quite separate elections was the Campus Martius,<sup>84</sup> but the *custodes*, in charge of the mechanics of the process, may well have changed, while the presiding magistrates were certainly not identical. The electoral functions of the tribal assembly of the *populus Romanus* were directed by one of the consuls or one of the praetors, but the returning officer in the plebeian council was always a member of the tribunician college.<sup>85</sup> It is, therefore, almost beyond belief to imagine that the volatile electors of late republican Rome would have stayed in good order and enthusiastic for the completion of a second poll on a single day. By Staveley's reckoning, no fewer than ten hours were required for the vote, the count and the final result of elections for the curule and plebeian aedileships. Furthermore, this assessment of the proceedings is the lowest time-limit possible, and takes no account of any unexpected interruptions or natural intermissions. On the face of it, Plutarch's evidence regarding this matter looks highly dubious.<sup>86</sup>

A number of solutions may be proposed to explain the profusion of Marius' candidacies and electoral assemblies which appear in Plutarch's life. Cicero

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<sup>82</sup> E.S. Staveley, *Greek and Roman Voting and Elections*, New York 1972, 189; Taylor, *RVA* 55.

<sup>83</sup> Staveley, *Elections* 189.

<sup>84</sup> Taylor, *RVA* 55.

<sup>85</sup> A. M(omigliano), *OCD*<sup>2</sup> 272.

<sup>86</sup> I doubt very much whether the time factor would be affected to any great extent if the patricians had no vote in the *comitia populi tributa* as R. Develin, 'Comitia Tributa Again', *Athenaeum* 55 (1977) 425-426, following Mommsen, *RS*<sup>3</sup> 2.483 n.2, has argued.

states that Marius was twice defeated in aedilician elections (*Planc.* 51: '... C. Marii, qui duabus aedilitatis acceptis repulsis septies consul est factus ...'), but does not say that these reversals occurred virtually simultaneously. Compared with Plutarch, Cicero is, by far, the more reliable guide for contemporary or near-contemporary political affairs, and even Valerius Maximus (6.9.14), whose work may otherwise be unsound owing to its emphasis on the peaks and troughs of a politician's career, omitted to exploit an episode which would have added greatly to his theme. Sallust who also ought to be more trustworthy than later writers likewise, fails to mention this event. The evidence, as a whole, is not conclusive but because Cicero, with a reference to the double defeat for the aedileship, does not include in that place the astounding business of a double *repulsa* on the same day and, since Plutarch's appreciation of republican voting procedures was distinctly weak, the idea that Marius was rejected by the Roman electorate twice in the space of twelve hours may be discounted.

Carney's contention that, after he was tribune in 119, Marius campaigned for the aedileship in 118 may be attractive, but it is frankly impossible. Down to 160 two patricians held the curule aedileship in odd years while plebeians occupied this magistracy in even years. A patrician pair, C. Claudius Pulcher (cos. 92) and L. Valerius Flaccus (cos. suff. 86), is still found in 99, but by 91, when M. Claudius Marcellus was curule aedile (*Cic. de Orat.* 1.57), the rule has evidently disappeared.<sup>87</sup> The careers of several politicians fit well with this proposition which indicates that the practice was enforced down to 99. Scipio Aemilianus was a candidate for the curule aedileship in 148, M. Aemilius Scaurus in 122, P. Licinius Crassus was possibly aedile in 102 and L. Licinius Crassus and Q. Mucius Scaevola held this office together probably in 100.<sup>88</sup> It is, therefore, altogether more feasible for Marius to have taken eighteen rather than six months to canvass for a curule office for, on the one hand, his tribunate had been hectic and, on the other, although a wealthy man, like most republican politicians, he needed the additional time

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<sup>87</sup> *MRR.* 2.1 and n.4, 2.21 and n.7.

<sup>88</sup> *MRR* 1.462, 1.517 and n.3, 1.568, 1.575. See also Appendix 3.

to invest in a new campaign.<sup>89</sup> Moreover, had it been possible for him to canvass in 118, the voters might well have construed his excessive haste as an indication of *ambitio* had he dashed from one public office to another, even when no *biennium* was applicable.<sup>90</sup> He certainly antagonized the voters in his luckless pursuit for aedileships. Thus his canvass for the curule aedileship must belong to 117.

In customary sequence, the elections for the plebeian aedileship probably took place shortly before those for the tribunician college.<sup>91</sup> And it seems plausible to suggest that the meeting of the *concilium plebis* followed some days or weeks after an assembly of the *comitia tributa*, during which time Marius would have made his *professio* or intention to become a candidate known to the presiding officer, and have his candidacy allowed.<sup>92</sup> Even assuming that the *trinundinum* did not apply, and that late candidacies might be confirmed, the timetable involving two aedilician elections on one day looks unbearably overloaded.<sup>93</sup> In fact, there are just too many obstacles for

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<sup>89</sup> Cicero, for example, was already canvassing informally for the consulship of 63 by July 65, *Att.* 1.1.1. It is conceivable, however, that Carney is correct, and that Marius was defeated in 118 because of insufficient preparation.

<sup>90</sup> For a stipulated *biennium* between curule magistracies see A.E. Astin, 'The Lex Villia Annalis before Sulla', *Latomus* 17 (1958) 63-64, but that no such rule applied between the tribunate and aedileship, Carney, *Marius* 20 and n. 108. However, Develin, *Patterns* 95, argues that *biennia* were informal and not subject to legislation; Appendix 1 below.

<sup>91</sup> Taylor, *RVA* 63, : 'The Plebeian aediles were on a different schedule from that used for regular magistracies ... the choice of tribunes and aediles of the plebs, ... assigned normally to the same month July'. It is highly unlikely, even if these procedures were not in force in the second century and that sufficient time was available, that elections for both types of aediles would have coincided.

<sup>92</sup> A.E. Astin, 'Professio in the Abortive Election of 184 B.C.', *Historia* 11 (1962) 252: 'the *professio* had to be made at least a specified length of time, the *trinundinum* before the date of the election'; Earl, 1965: 328: 'there was a period of time before the consular elections in which formal *professiones* had to be made and this period ended some days before the elections itself'. On *professiones* in general see Taylor, *RVA* 16, 19, 74, 144 n. 35; Staveley, *Elections* 147.

<sup>93</sup> Earl, 1965: 330, points out that exceptions to the rule may be identified in the second century. Both Scipio Aemilianus in 148 and Q. Pompeius in the consular elections in 142 may have been excused from making a formal *professio*. Marius may, in a similar fashion, have been able to

Plutarch's assertion that four aediles were elected at the same time to be given much credence. Marius' praetorship campaign may be safely consigned to 116 and followed his spectacular double failure in 117, though these *repulsae* were some weeks apart. His successful election as praetor thus proved to be an instance of 'third-time lucky' and a reward for perseverance.

In his ignorance of republican political etiquette, Plutarch may have believed that all three of Marius' campaigns were dated to 116, especially since he places the elections in the closest chronological proximity. Although irreconcilable with the rule for holding the curule aedileship and the usual order of elections, there is some sense here if the author thought that Marius had won an election for a *suffect* place in the praetorian college of 115 (*Mar.* 5.2)

καὶ δυσὶν ἐν ἡμέρᾳ μιᾷ περιπεσῶν ἀποτεύξεσιν, ὃ μηδεὶς ἐπαθεν ἄλλος, οὐδὲ μικρὸν ὑφήκατο τοῦ φρονήματος, ὕστερον δὲ οὐ πολλῷ στρατηγίαν μετελθὼν ὀλίγον ἐδέησεν ἐκπεσεῖν, ...

Though he had been defeated twice in one day, something which had never happened to a single candidate before, he did not lose heart, but campaigned for the praetorship soon afterwards and missed defeat by a hair's breadth ...

Marius would have been elected as a *suffectus* to the sixth and last place to fill a vacancy created by the sudden death of a praetor designate and would probably have faced stiff competition in order to win this unexpected honour. Thus, in 184 a poll for a *suffect* praetor involved as many as four candidates, three of whom were doubtless failed contenders from the original elections. The fourth candidate was Q. Fulvius Flaccus, who was already an aedile, and when he refused to withdraw his illegal candidacy the senate decreed that the elections be abandoned.<sup>94</sup>

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circumvent what was evidently traditional practice and not legally sanctioned. Although Cicero noted that Marius was capable of subtle intrigue, Carney, *WS* 73 (1960) 84, he fails to mention any scheming with regard to this affair.

<sup>94</sup> Astin, 1962: 252-256; Develin, *Practice* 286, who follows Livy, 39.39.1-5, by considering that Flaccus was aedile designate; cf. R. Rilinger, *Der Einfluss des Wahlleiters bei den römischen Konsulwahlen von 366 bis 50 v. Chr.*, Munich 1976, 182 and n.18; Broughton, *Candidates* 38, who, after Mommsen, *RS*<sup>3</sup> 1.513, n. 3, note that Flaccus was probably already an aedile in that

The accusation of *ambitus* following an election was not a novel experience for any republican politician, and thus a charge of electoral malpractice coming after an extraordinary poll for a single officer, which was likely to have produced greater passions, made a prosecution against the victor, whoever he was, almost a certainty. The details of Marius' trial *de ambitu* (Plut. *Mar.* 5.3-5) look suspiciously apocryphal, however, especially the tale of the senator Cassius Sabaco whose servant supplied him with water while he waited in the voting lines.<sup>95</sup> A certain C. Herennius was called as a prosecution witness, but he declined to give his evidence because a patron was not obliged to testify against a client. He stated that the Marii were clients of his family, a claim accepted by the court. In response, the defendant argued that, since he had just been elected a praetor, such a relationship was not relevant to the case. In a rather muddled statement, Plutarch says that Marius was wrong to lay so much stress on this point, and quite forgot that the praetorship was a curule magistracy, the possession of which, as he states, brought any former patron-client connections to an end. Marius' denial of his link with the Herennii was technically correct, though as yet he was merely praetor designate, and the move to embarrass him failed. The jury may have been antagonized by the sophistry employed by the prosecuting counsel, and failed to reach an agreement as a result. Marius won his case.

οὐ μὴν ἀλλὰ ταῖς πρώταις ἡμέραις ἐν τῇ δίκῃ κακῶς πράττων ὁ Μάριος καὶ χαλεποῖς χρώμενος τοῖς δικασταῖς, τῇ τελευταίᾳ παραλόγως ἀπέφυγεν ἰσῶν τῶν ψήφων γενομένων.

Marius' case went badly during the trial's early course, and he saw that the jurors were alien to his cause but, against all expectation, the vote on the final day was tied and he was acquitted.

The text of Plutarch's life is sufficiently incomprehensible to allow for a number of interpretations. A close reading of his account may indeed produce a plausible track through the Plutarchian mire; and the implication that

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year.

<sup>95</sup> A whole day spent on the Campus Martius exercising his duties as a citizen might well explain Cassius Sabaco's plight, however, and it was rather unfair of the censors, L. Caecilius Metellus (Delmaticus or Diadematus) and Cn. Domitius Ahenobarbus, to expel him from the senate in the very next year for behaviour unbecoming a member of that body, Plut. *Mar.* 5.3.



Marius was determined to win a curule office at all cost, with the description of candidacies one after another, suits the picture of desperate campaigning in which all and everything was attempted and which inevitably ended in a showpiece trial. It should be recognized, however, that Marius failed in two aedileship elections in 117 and won a place among the praetors in 116 after a single conventional election campaign.<sup>96</sup> Finally, yet one further point deserves to be mentioned. Marius' acquittal brought instant entry to the upper echelons of the senatorial order through the possession of a praetorship. Since I have argued that the evidence for his quaestorship is rather doubtful, and that he probably did not hold this junior office, he cannot have won admission to the *ordo senatorius* in the censorship of Q. Caecilius Metellus Baliaricus (cos. 123) and L. Calpurnius Piso Frugi (cos. 133) in 120-119.<sup>97</sup> He would, nevertheless, have gained senatorial status as a *tribunicus* from 119, according to the terms of the Atinian *plebiscitum*,<sup>98</sup> but achieved full recognition of this position only during the censorship of L. Caecilius Metellus (Delmaticus or Diadematus, coss. 119/117) and Cn. Domitius Ahenobarbus (cos. 122) in his own praetorship in 115.<sup>99</sup>

## Conclusion

Unlike Carney, I cannot subscribe to the view that Marius' early career was retarded in any way at its outset. Sallust clearly believed that Marius had begun his military service at the earliest time allowed to *adulescentes*, but this information has become obscured through the more romantic notions to be

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<sup>96</sup> It could be argued, of course, that Marius deliberately canvassed for the plebeian aedileship, which was not a curule office, without too much enthusiasm since his sights were set on something better. His failure for that office might then have produced a sympathy vote in the praetorian elections.

<sup>97</sup> *MRR* 1.523.

<sup>98</sup> Syme, *Sallust* 28; Earl, 1966: 306.

<sup>99</sup> *MRR* 1.531. Although L. Caecilius Metellus Diadematus (cos. 117) is usually assigned the censorship in 115, his more distinguished cousin L. Delmaticus, also the *pontifex maximus*, could easily have held this office, cf. *MRR* 1.532-533 n. 1. Delmaticus was Marius' patron in 120, as I argued above, and his attitude towards his former junior ally may still have been hostile, though he could hardly prevent his addition to the roll of the senate in that census.

found in Plutarch's biography. It is, nevertheless, possible to interpret certain of the details given by Plutarch about this period of Marius' life to mean that he served for a lengthy spell in Spain, which ended rather than began with the campaign against the Numantines in 134. Marius' tenure of the office of *tribunus militum* is best placed in 131 or 130 immediately after his return from Spain and while his personal *gloria* was still newsworthy. In this respect, I concur with Badian's suggestion regarding an early rather than a late military tribunate for Marius. The hiatus in Marius' otherwise full career would thus be reassigned to the 120's, and this may conjecturally be filled with duties in Arpinum and with the enlargement of his family fortune and possessions. Valerius Maximus does not state categorically that Marius never held a municipal office, but that on one occasion he failed to be elected; a magistracy in his home town in the 120's cannot be dismissed out of hand.

After he had spent the best part of a decade accumulating the sort of wealth needed to embark on a political career, Marius came to the city to campaign for the tribunate of the plebs. The evidence that he held a quaestorship is certainly not secure and should be dismissed, because he was well above the age for this junior position, which would have brought him few tangible benefits. The tribunate was a far more powerful political office to win, which conferred greater *dignitas* and automatic entry to the senatorial order. Marius employed his year as tribune to optimum effect by illustrating to the world that he was capable of autonomous action, and that he was not to be intimidated by politicians from grand city families. He could look forward to future success with some degree of confidence.<sup>100</sup> Failure at the elections for the curule aedileship must have come as a blow to Marius' ambitions but, since the competition for this office was severe, it surely did not come like a bolt from the blue. And what if he did lose this election? It was more advantageous, in the long term, for a politician to present himself as an aedilician candidate than to avoid the magistracy altogether, as Sulla was later to discover to his cost (Plut. *Sull.* 5.1-2). Marius' *repulsa* for the plebeian aedileship may have happened on the same day as his defeat for its curule counterpart, as Plutarch claims, but it seems more plausible to suggest that the reverses occurred over a longer period. The

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<sup>100</sup> However, see below, Chapter 3, with regard to Marius' actions during his tribunate.

date proffered by Broughton is to be preferred to the one proposed by Carney. The campaign for the praetorship belongs by itself in 116 and, somewhat paradoxically, two years earlier than would have been allowed had Marius won either of the aedileships. In point of fact his *repulsae* in 117 accelerated his career, and victory in the praetorian elections, even in sixth and final place, ensured his station among the senior ranks of the Roman senate.

## II

### MARIUS AND THE CONSULSHIP

*This proverb flashes thro' his head  
'The many fail, the one succeeds'.*

Alfred, Lord Tennyson (1809-1892)

#### Introduction (The Praetorship and Proconsular Command)

The successful election of Marius to the praetorship in 116, even to the sixth and last place in that year's college, opened the way to a prominent position in the senate. Newcomers to public life were not regarded as social or political lepers at any stage of the senatorial career, and definitely not once they had obtained any of the curule magistracies.<sup>1</sup> Acquisition of the

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<sup>1</sup> An important contemporary document furnishes clear evidence in support of this contention. Thus, following the date of 101 proposed by H.B. Mattingly, 'The Date of the *Senatus Consultum De Agro Pergameno*', *AJP* 93 (1972) 412-423, after D. Magie, *Roman Rule in Asia Minor*, Princeton 1950, 2.1055, n. 25, note the politicians, in the *consilium* of the senatorial decree concerned with the collection of tribute in the province of Asia, who either probably had no senators in their family beforehand, or who had only fairly recent ancestral senatorial representation: M. Pupius (3), Q. Valgius (6), C. Coelius (10), P. Albius (11), P. Gessius (13), L. Afinius (14), C. Rubrius (15), M. Falerius (17), M'. Lucilius (18), L. Filius (19), C. Didius (20), P. Silius (24), L. Afinius (27), M. Munius (35), C. Herennius (40), M. Serrius (42) M. Lollius (48), Cn. Aufidius (51). Of the fifty-five witnesses to the decree nearly half of those known possess *nomina* which either feature nowhere else or only among the senate from early in the first century. For the entire *consilium* see Th. Mommsen, *Gesammelte Schriften*, Berlin 1965<sup>2</sup> 8.345-346 (copy from Adramyttium); A. Passerini, 'Le iscrizioni dell'agorà di Smirne concernenti la lite tra i publicani e i Pergameni', *Athenaeum* 15 (1937) 282-283 (Smyrna copy); R.K. Sherk, *Roman Documents from the Greek East*, Baltimore

office of praetor also made the prospect of the consulship a real possibility, and it is abundantly clear that, in most years, a large number of *praetorii* presented themselves to the electorate as consular candidates.<sup>2</sup> By the end of the second century it may have become virtually customary for the majority of the praetorian college to campaign in elections for the consulship.<sup>3</sup> In his praetorship, Marius could look forward to a provincial command from which he might accumulate still further wealth to magnify his *dignitas*, and with which he might finance his candidacy for the highest magistracy. Plutarch states (*Mar.* 6.1) that Marius was awarded the province of Hispania Ulterior as his proconsular command, which was fortunate indeed since it was a region in which his military expertise could be put to good use, and about which he would already have acquired some knowledge. It was, moreover, a province

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1969, 69-70 (a reconstruction incorporating elements from both inscriptions); G. Petzl, (ed.) *Inschriften griechischer städte aus Kleinasien*, Volume 24.1: *Die Inschriften von Smyrna*, 2.1 & 2.2, Bonn 1987 (a reproduction of both inscriptions); 'Reste eines ephesischen Exemplars des Senatusconsultum de agro Pergameno', *EA* 6 (1985) 70-71 (a new fragment). For a discussion of the date of the *SC de agro Pergameno*, and for a gradual shift in opinion from the earlier date of 129 to 101 see most recently F. de Martino, 'Il Senatusconsultum de agro Pergameno', *PP* 38 (1983) 161-190; H.B. Mattingly, 'Scipio Aemilianus and the Legacy of Attalus III', *LCM* 10 (1985) 117-119; E. Badian, 'Two Notes on *senatus consulta* concerning Pergamum', *LCM* 11 (1986) 14-16; *MRR* 3.23-24.

Respected and influential senators need not necessarily have acquired the most senior magisterial offices. Note, for example, the role played by Sp. Mummius in the embassy to the East in 144/3 or 140/139 with Scipio Aemilianus and L. Caecilius Metellus Calvus (cos. 142), *MRR* 1.480-481 and n. 2; H.B. Mattingly, 'Scipio Aemilianus' Eastern Embassy', *CQ* 36 (1986) 491-495. He was a brother of L. Mummius (cos. 146) and the son of a praetor, but his career is completely unattested, *Cic. Brut.* 94; cf. Sumner, *Orators*, 45 who believed that he must have reached the praetorship. Moreover, the powerful P. Cornelius Cethegus, *Cic. Brut.* 178, may have been only an *aedilicius* in the post-Sullan senate; cf. Sumner, *Orators* 106, who credits him with a praetorship in the mid-80's and a date of birth between 131 and 127. Note also Appendix 2 for a more detailed analysis of the members in this *consilium*.

<sup>2</sup> Cf. Develin, *Patterns* 81-95, who considers that elections to the consulship 'might be predictable'; Evans, *Acta Classica* 34 (1991) 123-124; Broughton, *Candidates* 3-4.

<sup>3</sup> Develin, *Patterns* 95: '... electoral competition ... had grown, one of the chief factors being the increased number of praetorships...'; Broughton, *Candidates* 3: '... among those who competed only a few could be elected, and many even among those who could count on status, means, and support were likely to fail in the contest for the praetorship and the consulship'; Evans, *Acta Classica* 34 (1991) 123: '... between 218 and 49 there were usually more candidates than could be accommodated in the most senior magistracy of the *cursus*'.

which was reserved, albeit perhaps unofficially, for politicians considered to have a rosy future.<sup>4</sup> A more settled region did not offer the same chances for personal fame, a useful addition to the portfolios of all aspiring consular candidates, but which was possibly a more urgent requirement for political newcomers who were unable to draw on past family glory to prop up their candidacies.

Plutarch plainly thought that Marius' praetorship was respectable but quite uneventful, after which the subject of the biography left the city for a posting in Spain.

Ἐν μὲν οὖν τῇ στρατηγίᾳ μετρίως ἐπαινούμενον ἑαυτὸν παρέσχε. μετὰ δὲ τὴν στρατηγίαν κλήρω λαβὼν τὴν ἐκτὸς Ἰβηρίαν ...

For his praetorship he showed himself worthy of moderate praise. After his praetorship he was allotted the province of Further Spain.

The praetorships of the great Roman republican politicians seldom elicit much information of great interest,<sup>5</sup> and Marius is no exception to this rule. He seems to have spent much of his time abroad on routine police duties (*Mar.* 6.1).<sup>6</sup> There are, however, a number of points relating to his praetorship and proconsular command which are worth some attention. Plutarch was evidently under the impression that Marius spent his praetorship year at Rome. Since P. Decius Subulo was the urban praetor in 115 (*Vir. III.* 72.6),<sup>7</sup> this

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<sup>4</sup> It is surely not merely coincidental that, of the eight consuls between 109 and 106, four appear to have served as governors of Hispania Ulterior. The province was clearly an attractive proposition in terms of winning military laurels and where a fortune might be obtained, which would facilitate a candidate's pursuit for high office. If Marius was sent to Spain, even if the allotment of the province to him was simply a matter of chance, he was still well placed to canvass for the consulship at the earliest opportunity.

<sup>5</sup> Cf. the propraetorship, in about 96, of Sulla in Cilicia and Cappadocia, *Plut. Su11.* 5.3-6; *MRR* 3.74.

<sup>6</sup> Cf. Plutarch's account of Caesar's governorship of Hispania Ulterior, somewhat more detailed, but essentially of similar substance, *Caes.* 11-12; *Suet. Iul.* 18.

<sup>7</sup> *MRR* 1.532, 3.81; Badian, 1956: 93-95. The consul M. Aemilius Scaurus had broken Subulo's curule chair and ordered that he desist from any of the praetor's usual functions during his year in office, *Vir. III.* 72.6. Neither Broughton nor Badian, however, infer the obvious conclusion that he was *praetor urbanus*. This contention would entail reassigning the praetorship of

would suggest that Marius was *praetor peregrinus* or president of the *repetundae* court, and that legal matters kept him in the city until the expiry of his year in office. If Marius did not serve in either of these official capacities in Rome, then there would be no reason to detain him at home, and he might actually have been sent abroad at the beginning of that year.<sup>8</sup> Plutarch is certainly vague about Marius' praetorship, about which there was obviously no anecdotal material.

The date of Marius' governorship is usually assigned to 114, a rather brief but largely successful tenure of Hispania Ulterior, before he was replaced in 113 by M. Iunius Silanus (cos. 109). The order of the governors of this province, for long accepted, who are unusually well attested during this period, is as follows:

C. Marius (cos. I 107):	114-113 (?)
[M. Iunius Silanus (cos. 109):	113]
L. Calpurnius Piso Frugi (pr. 112?):	112-111
Ser. Sulpicius Galba (cos. 108):	111-109
Q. Servilius Caepio (cos. 106):	109-107
L. Caesius C.f. (pr. 104?):	104 (?) - 103
M. Marius C.f. (pr. 102?):	102-101

The various permutations applicable to Marius' term as praetor would necessarily affect this chronology. Furthermore, the identity of his successor is now no longer considered to have been M. Iunius Silanus.<sup>9</sup> Had Marius' command been prorogued, as seems to have been the practice with all his other immediate successors, this leaves no room for Silanus in this sequence. L. Calpurnius Piso Frugi was praetor in either 113 or 112 and, after he was killed during his tour of duty, he was succeeded by Ser. Sulpicius Galba who was, in turn, followed by Q. Servilius Caepio, probably

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M. Livius Drusus (cos. 112), who was also an urban praetor, from 115, *MRR* 1.532, to 116. He was, a year late in winning the consulship. My thanks to H.B. Mattingly for drawing my attention to this point.

<sup>8</sup> Plutarch could have been influenced by the situation which existed after Sulla's reforms, when all praetors had to remain in Rome during their year in office, and he was unaware that he was committing a factual error. On this issue see Passerini, *Caio Mario* 23 n. 2. For Marius' proconsular command see J.S. Richardson, *Hispaniae: Spain and the Development of Roman Imperialism, 218-82 BC*, Cambridge 1986, 192.

<sup>9</sup> *MRR* 1.535 and n. 3, 3.140; Sumner, *Orators* 72.

without an intervening governorship.<sup>10</sup> So much is well corroborated, but the date of Silanus' praetorship is an assumption, preceding a governorship of Hispania Ulterior,<sup>11</sup> the evidence for which is based on an apparently muddled reference made by Rufius Festus (*Brev.* 5.1).<sup>12</sup>

In the course of a brief historical survey of the Roman provinces, Festus gives a short synopsis of the conquest of Spain.<sup>13</sup> In what seems to be an allusion to Hispania Ulterior, he mentions the proconsular command, between 137 and 133, of D. Iunius Brutus Callaicus (cos. 138) and then states: 'Postea ad Hispanos tumultuantes Sylla missus eos uicit'. Sulla's career cannot conceivably have included a campaign in Spain, nor can other Cornelii Sullae be shown to have been active at this time and, therefore, both Wilsdorf and Münzer postulated a Iunius Silanus.<sup>14</sup> Since the MSS of Festus appears not to have been corrupted in any way, Eadie has argued, however, that any mention of a Sulla was an error committed by the author himself, and that no emendation in the text to 'Silanus' is needed.<sup>15</sup> Meanwhile, Sumner, noting the inadequacy of the evidence, similarly discounted the possibility of a governorship in Hispania Ulterior for M. Iunius Silanus.<sup>16</sup> The consensus view has thus swung away from including Silanus in the list of governors of any Spanish province during this period.<sup>17</sup>

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<sup>10</sup> For Piso Frugi see *MRR* 1.538 and n. 4; R.J. Evans, 'Missing Consuls (104-100 B.C.): A Study in Prosopography', *LCM* 10 (1985) 76. For Sulpicius Galba and Servilius Caepio see *MRR* 1.540, 3.201; Sumner, *Orators* 72; Richardson, *Hispaniae* 192.

<sup>11</sup> *MRR* 1.535.

<sup>12</sup> J.W. Eadie, *The 'Breviarium' of Festus*, London 1967, 37; *MRR* 3.114.

<sup>13</sup> For Festus's work in general see Den Boer, *Some Minor Roman Historians* 173-223.

<sup>14</sup> D. Wilsdorf, 'fasti Hispaniarum provinciarum', *Leipziger Studien zur classischen Philologie*, 1 (1878) 110, an otherwise unattested D. Iunius Silanus; Münzer, *RE* 10. 1.1094, no. 169; *MRR* 1.537 n. 2; R.C. Knapp, *Aspects of the Roman Experience in Iberia 206-100 B.C.*, Valladolid 1977, 187.

<sup>15</sup> Eadie, *Breviarium* 37; Richardson, *Hispaniae* 193.

<sup>16</sup> Sumner, *Orators* 78, and accepted by Broughton, *MRR* 3.114.

<sup>17</sup> However, it is not impossible for 'Sylla' to have become confused for Silanus. The praetorship of M. Silanus in 113 is described by Broughton as the latest possible date under the terms of the *lex Villia annalis*, which does



Nevertheless, attributing a blunder to the author of the *Breviarium* does not satisfactorily explain away the existence of a 'Sylla' who seems to have served in Spain some time after D. Brutus Callaicus and before the war with Q. Sertorius in the 70's, unless he is to be regarded as completely imaginary. Festus' 'Sylla' might stand for other *cognomina* besides Sulla and Silanus which, therefore, makes available one other option, at least, that might just solve this problem. M. Sergius Silus was quaestor about 115,<sup>18</sup> but he would have been too young to have been a praetor and governor of a Spanish province following Marius' command. That proconsul may, however, be the M'. Sergius <Silus> known to have been in Hispania Citerior towards the end of the century, who was either a governor or a *legatus* and, hence, a contemporary of Caepio or Caesius in next-door Ulterior.<sup>19</sup>

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not mean that it cannot be placed earlier than 113. The time between the governorship of Marius and Piso Frugi is rightly seen as being too short to accommodate a viable command for Silanus, but his praetorship might well date to several years before his successful campaign for the consulship in 110. Moreover, as Münzer pointed out, Silanus' career, at some stage, must have included military *honores*. This suggestion would also dispense with the present chronological problem. Silanus was a son of D. Iunius Silanus Manlianus (pr. 142/141) who was disgraced after his return from a governorship in Macedonia, *MRR* 1.477, 3.113; H.B. Mattingly, 'A New Look at the *Lex Repetundarum Bembina*', *Philologus* 131 (1987) 74-75, and he could easily have been born as early as 155 and have reached the consulship after some delay. The *Tabula Bembina* indicates that the author of the *lex Iunia repetundarum* was 'M. Iunius D.f.', whose tribunate is assigned to 124/123, *MRR* 1.513, 3.114, Sumner, *Orators* 78. A praetorship about 116 is, therefore, not out of the question, with a governorship of Hispania Ulterior which preceded that of Marius. M. Iunius Silanus, mon. ca. 116, Crawford, *RRC* 1.330-301, no. 285, could be a son of the cos. 109, while D. Iunius Silanus (cos. 62) would have been a younger son of the same politician, born shortly before 108. M. Iunius Silanus (cos. 109) should, therefore, keep his place among the governors of Hispania Ulterior, but as Marius' predecessor, not successor.

<sup>18</sup> Crawford, *RRC* 1.302, no. 286.

<sup>19</sup> L. Caesius C.f., *monetalis* in 112 or 111, Crawford, *RRC* 1.312, no. 298; *MRR* 3.44. Richardson, *Hispaniae* 193, 199-201, cites the evidence from the *Tabula Alcantarensis* (text and discussion included) for Caesius' position as governor of Hispania Ulterior during Marius' second consulship in 104. On this issue note also C. Ebel, 'Dum populus senatusque Romanus vellet', *Historia* 40 (1991) 440-441. For M'. Sergius <Silus> and also a Q. Fabius Labeo in Citerior at about the same time see, A. Degrassi, (ed.) *Inscriptiones Latinae Liberae Rei Publicae*, Florence 1957, 461-462; T.P. Wiseman, 'Roman Republican Road-Building', *PBSR* 38 (1970) 140, n. 150; Richardson, *Hispaniae* 166-167.

This solution would allow Festus' evidence to stand for he does not specify in which Spanish province his 'Sylla' was active, and it would continue to fit the chronological pattern in his account. Besides, this also leaves a year vacant which might be filled with Marius' prorogation (114-113). Marius' term as governor may well have been of the same duration as that of the other promagistrates who held commands in this region. He spent his time as praetor in Rome in 115, involved in the legal suits affecting resident aliens or dealing with crimes of extortion, and left for Spain at the start of 114, returning towards the end of 113, just before Piso Frugi succeeded him. A proconsular command of rather closer to two years would have allowed Marius the time to win the fame which is accorded to him in the sources (Plut. *Mar.* 6.1; Cic. *Verr.* 3.209).<sup>20</sup>

### The Campaign for the Consulship

Although Plutarch (*Mar.* 6.1) says that Marius' proconsulship was successful, and that he pacified an otherwise unruly province, he was not awarded a triumph nor did he obtain any significant financial gains from his appointment (οὔτε πλοῦτον οὔτε λόγον). As Carney points out, however, Marius surely profited from his governorship because of new commercial contacts and he would have reached Rome with his personal fortune much enlarged.<sup>21</sup> The portrayal of an upright and honest official who did not deign to profit from his public

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<sup>20</sup> A further possible mix-up in the literary sources should also be mentioned at this juncture. Plutarch clearly believed that Marius had been given a command abroad after 115, but it is worth noting that his younger brother, who does not feature in the *Life*, and about whose existence the author may not have been aware, also served as governor of Hispania Ulterior before the end of the century. Cicero (*Verr.* 3.209) certainly seems to suggest that Marius was responsible for a province, though this might equally well apply to either Numidia or Gaul at a later date. Moreover, the Augustan *elogium* apparently made no mention of a proprætorship, *CIL* 1<sup>2</sup>.1 195. Marius may never have set foot outside Rome after his praetorship, while Plutarch transferred this governorship from M. Marius to C. Marius, an unintentional slip on his part. However, I think it is as likely that both Marii were governors in Hispania Ulterior, and that M. Marius' posting was due to the immense influence of his brother, by 102 elected to his fourth consulship, and that Spain was also an area where the Marii had, by then, substantial connections, Carney, *Marius* 23-24. See further below, Chapter 4.

<sup>21</sup> Diod. 34.38; Carney, *Marius* 23.

position is clearly a *topos* which Plutarch employs elsewhere (*Aem.* 4.5).<sup>22</sup> In the life this feature should be regarded as more in keeping with the *virtus* of a military figure, than with a facile or misconstrued opinion about the supposed integrity of Roman officials, of whom even the most incorruptible returned from foreign service with bulging pockets.<sup>23</sup> Plutarch should be credited with some knowledge about the worth of the servants of the Roman government.

After a successful provincial command it is likely that Marius, in common with the majority of his fellows from the praetorian college of 115, would have set his sights on a campaign for the consulship of 112 or 111. A possible prorogation of his governorship of Hispania Ulterior meant that he was free to leave Spain at the end of the campaigning season in 113, roughly nine months before the consular elections were due for 112, and a good twenty-three months before the elections for 111. Although Marius would have had sufficient time to organize a candidacy for either year, it will be recalled that Cicero, fifty years later, left nothing to chance and all but ensured a successful result by initiating his canvass up to two years before the poll (*Att.* 1.1.1).<sup>24</sup> A consular candidacy by Marius is unattested in the sources, but may be assumed with some confidence for either, 113 or 112 or both, even if Cicero's evidence (*Off.* 3.79) might appear to rule out such a contention. Few politicians who achieved the praetorship will, after all, have been content to remain with the status of *praetorii* in the senate when the prize of the very highest office lay beyond the hurdle of winning just one more election. Few will have been able to resist the temptation, regardless of their chances in such a vigorously competitive system. The victorious

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<sup>22</sup> W. Reiter, *Aemilius Paullus: Conqueror of Greece*, London 1988, 101. On *frugalitas* as a *topos* in ancient writing see W.V. Harris, *War and Imperialism in Republican Rome 327-70 B.C.*, Oxford 1992<sup>2</sup>, 66-67, 264-265. This topical aspect may also be discerned in Suet. *Iul.* 18.1, in a similarly curt account of Caesar's *propraetorship* in Spain, coincidentally enough, and may owe something to Plutarch's account of Marius' term in Hispania Ulterior.

<sup>23</sup> Cic. *Att.* 6.2.4: 'uno quod omnino nullus in imperio meo sumptus factus est; nullum cum dico non loquor *ὑπερβολικῶς*; nullus inquam, ne terruncius quidem'; *Att.* 6.3.3: 'Reliqua plena adhuc et laudis et gratiae, digna iis libris quos dilaudas: conservatae civitates, cumulate publicanis satis factum; offensus contumelia nemo, decreto iusto et severo perpauci ...'

<sup>24</sup> D.R. Shackleton Bailey, *Cicero's Letters to Atticus*, Cambridge 1965-1971, 1.290-291; Evans, *Acta Classica* 34 (1991) 121.

candidates in 113 were M. Livius Drusus and L. Calpurnius Piso Caesoninus, in 112 P. Cornelius Scipio Nasica and L. Calpurnius Bestia;<sup>25</sup> and with the exception of Nasica none was from an especially distinguished consular family. Indeed, Drusus was in all probability praetor in 116 and, hence, a year later than the minimum age for the consulship, which suggests that he may have been defeated in 114,<sup>26</sup> while Bestia was hardly less of a newcomer to politics than Marius.

Unlike the lucky Drusus, Marius may have been a candidate twice and possibly suffered the indignity of two *repulsae* in successive years. Assuming that he was rejected by the Roman electorate on one or two occasions, he was faced either with remaining among the ranks of the *praetorii* or waiting for a year in which the prospect of success was more favourable. The eventual delay between his praetorship in 115 and his consulship in 107 was not excessively long when compared with the careers of other senior politicians in this period.<sup>27</sup> During the last forty years of the second century an interval exceeding a *biennium* between praetorships and consulships became an almost regular occurrence. Although the setback to Marius' career is among the more lengthy indicated below, it is not significantly longer than that experienced by Q. Lutatius Catulus (cos. 102), who campaigned in four consular elections, and is a great deal less spectacular than the delay suffered by P. Rutilius Rufus (cos. 105), who is known to have been a candidate just twice.

- C. Laelius: pr. 145(?), cos. 140
- M. Aemilius Lepidus Porcina: pr. 143(?), cos. 137
- Q. Calpurnius Piso: pr. 140, cos. 135
- L. Calpurnius Piso Frugi: pr. 138(?), cos. 133
- P. Licinius Crassus Mucianus: q. 151, cos. 131<sup>28</sup>
- L. Cornelius Lentulus: pr. 137(?), cos. 130
- C. Fannius: pr. 127(?), cos. 122

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<sup>25</sup> *MRR* 1.540.

<sup>26</sup> For Drusus' career, *MRR* 1.517, tribunate in 122, *MRR* 1.532, praetorship dated to 115, *MRR* 1.538, consulship with Piso Caesoninus.

<sup>27</sup> Evans, *AHB* 4 (1990) 65-71.

<sup>28</sup> Sumner, *Orators* 52, argues that Crassus Mucianus must have been born by 178 or 177, with a quaestorship which is tentatively dated to 151, Val. Max. 2.2.1. His consulship twenty years later must mean that he was above the minimum age. It is also possible that his brother, P. Mucius Scaevola (cos. 133), born perhaps a year or two beforehand was, likewise, a couple of years above forty-two in his consular candidacy.

L. Opimius: pr. 125, cos. 121  
 M. Aemilius Scaurus: pr. 119, cos. 115  
 Cn. Papius Carbo: pr. 117, cos. 113  
 C. Caecilius Metellus Caprarius: pr. 117, cos. 113  
 M. Iunius Silanus: pr. 116(?), cos. 109  
 M. Livius Drusus: pr. 116, cos. 112  
 L. Cassius Longinus: pr. 111, cos. 107  
 C. Marius: pr. 115, cos. I 107  
 P. Rutilius Rufus: pr. 118, cos. 105  
 Q. Lutatius Catulus: pr. 109(?), cos. 102<sup>29</sup>

Plutarch's account of Marius' activities for the next few years is obviously contrived. Here he was obliged to place an episode which illustrated Marius' exemplary fortitude (*Mar.* 6.3; cf. *Reg et Imp. Apothegm.* 202 B) during an operation to remove a varicose vein from his leg.<sup>30</sup> The one item of interest which Plutarch was able to glean from his sources was that, during this seemingly second blank period of Marius' life, he became connected by marriage to the patrician Iulii Caesares.<sup>31</sup> With a single member in the consulship in 157, the Caesares were not a prominent consular family in the second century, though they had managed to secure regular representation in the praetorship since, at least, the Second Punic War and were, therefore, not lacking in influence and prestige. The later fame of Julius Caesar has caused a certain amount of retrospective glamour to be cast on this family's name, and has made it seem as if an ambitious Marius found social acceptance among the senatorial establishment through a connection with this ancient patrician family.<sup>32</sup> The possession of wealth, which enabled a politician to participate in public life and make possible the same career for his

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<sup>29</sup> Other politicians who were also above forty-three in their consulships include: C. Flavius Fimbria (cos. 104), defeated in tribunician elections, *Cic. Planc.* 52, and who reached his senior offices late, *Brut.* 129; Broughton, *Candidates* 45-46; Cn. Mallius Maximus (cos. 105), who had two sons serving in his army at Arausio, *Oros.* 5.16.2; Wiseman, *New Men* 167 n. 1; T. Didius (cos. 98), tribune in 103, praetor in 101, either won his first curule magistracy late or, like Marius, was older when he entered public life.

<sup>30</sup> The patient ordered the doctor to desist after the one was removed without an anaesthetic; cf. *Cic. Tusc.* 2.35, 53, without an intimation of the date; Carney, *WS* 73 (1960) 90.

<sup>31</sup> The interesting possibility that Sulla was also related to another branch of the Caesares has been raised most recently by H.B. Mattingly, 'L. Iulius Caesar, Governor of Macedonia', *Chiron* 9 (1979) 160-161 and n. 68.

<sup>32</sup> See, for instance, Carney, *Marius* 23-24, where the danger of attaching too much prominence to a family simply because it later produced a celebrity such as Caesar is at once evident.

descendants, was a more likely basic criterion for any marriage contract among the élite of republican Rome of this time. Marius' status as a *novus homo* counted neither for nor against the association, but his personal fortune, which made the marriage a sound venture advantageous to both signatories of the contract, probably clinched the arrangement.<sup>33</sup> The marriage occurred some years before Marius' consulship, some time between 113 and 110 being the most probable years, since the younger Marius was aged about twenty-six when he became consul, which suggests a date of birth in either 109 or 108.<sup>34</sup> Marriage to a Iulia shortly after his return from Spain in 113 ties in well with a conjectural consulship campaign soon after.<sup>35</sup>

A decided change in the political climate occurred during the next five years, which greatly assisted Marius' electoral chances. However, the circumstances which contributed to his future success lay not so much in events at Rome, but rather in those abroad. Military affairs were generally perceived, because of a lower standard of leadership, to be little short of chaotic and a dangerous undermining of the security of the *res publica*. Following the

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<sup>33</sup> New men of an earlier period also made good marriages. The elder Cato, for example, married a Licinia, perhaps related to P. Licinius Crassus, *pontifex maximus* (cos. 205), Plut. *Cato Mai.* 20.2; Pliny, *NH* 7.62. His son married a daughter of L. Aemilius Paullus (cos. 182), Plut. *Cato Mai.* 20.12, 24.2; *Aem.* 5.6, 21.1; A.E. Astin, *Cato the Censor*, Oxford 1978, 54, 67, 105-105. Within a generation or two it became common practice for wealthy aristocrats from the city to marry women of municipal origin, such as P. Licinius Crassus (cos. 97) whose wife was a certain Vinuleia, Cic. *Att.* 12.24.2. His son M. Licinius Crassus (cos. 70) married his own brother's widow, Plut. *Crass.* 1.1, whose name, Tertulla, is preserved by Suetonius, *Iul.* 50.1. For the marital relationships of the Crassi see B.A. Marshall, *Crassus: A Political Biography*, Amsterdam 1976, 9, 12-13; A.M. Ward, *Marcus Crassus and the Late Roman Republic*, Columbia 1977, 47-48, 55. L. Calpurnius Piso Caesoninus (cos. 58) was married to a Calventia from Placentia, Ascon. 4-5 C; Shatzman, *Senatorial Wealth* 314. It became rare for senatorial families to marry only within their own narrow social circle, and such exclusive attitudes might prove foolhardy in a political environment in which financial assets were viewed with more favour than merely the possession of a famous name. Names alone could not raise the necessary expenditure for candidacies for the various political offices. See further below, Chapter 4.

<sup>34</sup> See Badian, 1957: 323; *FC* 195; who posits a date close to 110; cf. 'Lex Acilia Repetundarum', *AJP* 75 (1954) 382 n. 43, for 112; Carney, *Marius* 23-24, for 110.

<sup>35</sup> Carney, *Marius* 23-24 and n. 126-127, suggests that Marius was pursuing new interests through which to increase his political influence, which would also suit a situation following one or two defeats for the consulship.

triumph of Scipio Aemilianus at Numantia, which reversed an embarrassing spell of Roman defeats, armies were victorious in campaigns along the frontiers of the empire. C. Sextius Calvinus (cos. 124) defeated the Salluvii in southern Gaul, Cn. Domitius Ahenobarbus (cos. 122) had beaten the Allobroges in battle and Q. Fabius Maximus Allobrogicus (cos. 121) inflicted a defeat on Bituitus, king of the Arverni (Liv. *Per.* 61). Q. Marcius Rex (cos. 118) was successful in a campaign against the Styni and L. Caecilius Metellus Delmaticus (cos. 119) won more military honours in Illyria (Liv. *Per.* 62). After a spate of military victories, however, disasters began to accumulate at a depressing pace: C. Porcius Cato (cos. 114) was defeated in Thrace and, in a more dramatic engagement, the army of the consul Cn. Papirius Carbo (cos. 113) was wiped out by the Cimbri,<sup>36</sup> who made their first appearance on the edge of the civilized world as they migrated southwards in search of new land. The Cimbri retreated after this Roman debacle, but the military reverses continued to outshine, by far, successes such as those of M. Livius Drusus (cos. 112) against the Scordisci (Liv. *Per.* 63).

The war which began in Numidia caused by Roman exasperation with the ambitions of Jugurtha, who had usurped the throne after murdering his two half-brothers Hiempsal and Adherbal, brought not an easy conclusion to hostilities and a quick solution to the problems in this quarter, as was eagerly awaited, but two bungled campaigns which reflected poorly on the integrity of the senate and its ability to conduct military adventures. L. Calpurnius Bestia (cos. 111) who was in charge of the initial campaign against Jugurtha was reputedly bribed to cease his offensive, and his replacement Sp. Postumius Albinus (cos. 110), although a better general, was unfortunately obliged to return to Rome to oversee the consular elections.<sup>37</sup> In his absence, the consul's younger

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<sup>36</sup> Strabo, 5.1.8; *MRR* 1.535; Harris, *War and Imperialism*, 246 and n. 1, on the identification of Noreia in Illyria as the site of the battle.

<sup>37</sup> Both Bestia and Albinus, along with L. Opimius, C. Porcius Cato and C. Sulpicius Galba, were condemned and exiled under the terms of the *quaestio Mamiliana*, *MRR* 1.546; see also Chapter 3. G.M. Paul, *A Historical Commentary on Sallust's Bellum Jugurthinum*, Liverpool 1984, 117, also suggests that the politicians named in the sources were only the most important of those condemned.

brother, left in charge of the army as the senior *legatus*,<sup>38</sup> suffered a humiliating blow which culminated in his army being forced to pass beneath the yoke. This was the first occasion that this had happened since 137, when the same penalty had been imposed on the vanquished army of C. Hostilius Mancinus (cos. 137) by the Numantines.<sup>39</sup> The peace arranged by A. Albinus, like that engineered by Ti. Gracchus for his commander Mancinus in 137, was repudiated by the senate (Sall. *Iug.* 39.3). But the damage which this episode caused to the *auctoritas* of the Roman government and the doubtful light it cast on its competence in military matters promoted a return to radical tribunician activity, a situation of which Marius was to be the prime beneficiary.<sup>40</sup> Q. Caecilius Metellus (cos. 109), who was the new commander in the Jugurthine War, followed the age-old routine of re-training his army before he attempted to come to grips with the enemy. His unimaginative tactics may have produced pleasing results in 108, but it was too late because the Roman voters now wanted more than just moderate gains from their leaders, especially after they had been thrown into utter panic by the reappearance of the Cimbri in Gaul and this tribe's victory over Metellus' colleague, M. Iunius Silanus.<sup>41</sup>

It was the war in Numidia, where he held the senior position in the *consilium* of Metellus,<sup>42</sup> that gave Marius the chance of progressing further in public life. Opinions about Metellus' stature as a general differ considerably among

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<sup>38</sup> A. Postumius Albinus (cos. 99) was probably praetor in about 111, and his brother's senior officer. His career prospects were shattered by this reversal, but he was able to take advantage of the political situation in 100 to enter the consular elections as a late candidate and to emerge successful, *MRR* 3.173; Sumner, *Orators* 83-84.

<sup>39</sup> For the ancient sources on the disgrace of Mancinus see *MRR* 1.484.

<sup>40</sup> For further discussion of tribunician activity at this time see below Chapter 3.

<sup>41</sup> *MRR* 1.545, 3.114, for the date of Silanus' defeat.

<sup>42</sup> P. Rutilius Rufus (cos. 105) was also present in the *consilium*, *Iug.* 50.1, though he is better remembered as an honest administrator than as a general. Like Marius, he may have been keen to serve with Metellus to resuscitate his flagging career. Diodorus, 34-35.38.1, claims that Marius held an inferior place among the legates, but this is not borne out by the actions ascribed to the *novus homo*, and possibly ancestry is meant rather than rank. Since no other experienced commander is mentioned during Sallust's extensive coverage of Metellus' campaigns, *Iug.* 43.5-83.3, it is justifiable to presume that Marius was the senior *legatus*.



the ancient writers who dealt with this war.<sup>43</sup> Although it seems likely that he was reasonably competent, just like any other general in a major campaign, he was in need of the presence and advice of tried military men. In such circumstances, Marius fulfilled a necessary role more than adequately. Both Sallust and Plutarch highlight the rivalry and distrust which developed between commander and subordinate during interludes in the campaigns, which appear to have included the capture of Vaga, a victory over Jugurtha at the River Muthul in 109, the siege and capture of Thala and an advance on Cirta in 108.<sup>44</sup> Marius had undoubtedly accepted the offer to join Metellus' staff in order to open the way for a consular candidacy, a fact which cannot have escaped his commander's notice. Thus, on the one hand, Metellus sought to exploit Marius' expertise while, on the other, the latter looked to winning personal glory to enhance his electoral prospects (Plut. *Mar.* 7.1). This uneasy situation, though it can hardly have been unusual, probably accounts for the tension between these two which heightened as the war progressed.

Marius must soon have decided that his prospects of winning a consulship for 107 were relatively good, if Sallust has given a correct perspective of events (*Jug.* 64.4; Plut. *Mar.* 8.4) in asserting that he asked Metellus a number of times for permission to return to Rome, probably in the early part of 108. In normal conditions, a commander would have sent his legate home with his blessings but Metellus, perhaps recollecting Marius' treatment of his elder brother in 119, or on account of their increasingly frosty relationship, declined to approve the request. These appeals and refusals were repeated until the climactic encounter ended with the general's infamous retort, to the effect that the time would be right for Marius to seek the consulship when his, Metellus', son was also of an age to canvass (*Jug.* 64.4: 'Ac postea saepius eadem postulanti fertur dixisse, ne festinaret abire, satis mature illum cum filio suo consulatum petiturum.'). This anecdote, with its

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<sup>43</sup> Sallust's view of Metellus as a 'great and wise man', *Jug* 45.1 ('magnum et sapientem virum') is probably derived from an encomiastic source. According to Carney, *WS* 73 (1960) 98-99, this is at some variance with Cicero's own assessment of this politician with whom he was probably acquainted in the 90's, *Verr.* 2.147; *de Orat.* 2.276. However, elsewhere Cicero is quite openly supportive, *Dom.* 87: 'Q. Metelli praeclarum imperium in re militari fuit, egregia censura'.

<sup>44</sup> For a discussion of Metellus' campaigning in 109-108 see *MRR* 1.545, 1.549; Paul, *Commentary* 132-204.

infuriating and insulting message, obviously captured the imagination of ancient writers who relate the incident as if it were the source of a later intense mutual hatred. Sallust relates the episode in *oratio obliqua* as if he had obtained the details from another source though, since Cicero, for one, does not reminisce about this notorious interview, it was perhaps an invention of a later writer.<sup>45</sup>

Plutarch (*Mar.* 8.3; cf. Dio, fr. 98.3) evidently had no reservations about its authenticity, however, for he relates the episode as if it had actually happened:<sup>46</sup>

"Σὺ δὴ καταλιπὼν ἡμᾶς, ὦ γενναίε, πλεῖν ἐπ' οἴκου διανοή και παραγγέλλειν ὑπατεῖαν; οὐ γὰρ ἀγαπήσεις, ἂν τῷμῳ παιδί τούτῳ συνυπατεύσης".

'Do you propose to leave us, noble sir, and set sail for home to campaign for the consulship. Would it not satisfy your ambitions to be a consul with my son?'

Whether the rhetoric was genuine or whether it was a first-century invention, it served to diminish the reputation of Metellus, and gave Marius the grounds for the subterfuge which followed.

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<sup>45</sup> The characterization of Metellus is complex, as Carney, *WS* 73 (1960) 91-92; *Marius* 26-29, has well illustrated. Cicero, the earliest writer whose works survive, surely relied on his memory for recent events. That he never mentions this distasteful interview is suspicious. He also employed Numidicus as an *exemplum* after his own return from exile. He had much opportunity, therefore, to make use of a famous saying if it was really ever authentic. Sallust may be the author of these 'dicta Metelli Numidici'. Moreover, Cicero was apparently less impressed with Metellus' ability as a general, *Cluent.* 95, than Sallust who must have extracted information from the memoirs of Scaurus, Catulus and Rutilius, all of whom presumably lavished praise on Metellus. Sallust was in a quandary. He had to portray a good general, though evidence for that may have been conspicuously absent, but with sufficient faults and prejudices to be overshadowed by Marius.

<sup>46</sup> Cf. Paul, *Commentary* 172, who correctly argues that the whole story is unhistorical, but his suggestion that none of the three ancient writers, who mention it, treat it as historical fact is not as convincing.

The other incident which served to sour relations permanently between Metellus and Marius was the affair involving T. Turpilius Silanus.<sup>47</sup> The citizens of Vaga were persuaded by Jugurtha to lure their Roman garrison into a false sense of security, murder the occupying force and hand the city back to the king. Turpilius alone survived the slaughter, whether, as might be inferred, because he had connived at the conspiracy or whether for another reason not disclosed; the fact that he was not killed was sufficient to condemn him in the eyes of Sallust who brands him 'improbis intestabilisque' (*Iug.* 67.3). Metellus retook Vaga within two days (*Iug.* 69.3) and Turpilius was tried before the general's *consilium*, convicted of treason and executed after scourging. Plutarch presents the alternative version that Turpilius was spared by the Vagenses because he had been an honest commandant and, moreover, produces the additional information that he was a *hospes* to Metellus (*Mar.* 8.2). In his trial, according to Plutarch, Marius, naturally a member of the court of inquiry, induced his colleagues to convict Turpilius and Metellus was obliged to hand down the severest penalty. Then a remarkable twist is introduced into the story since subsequent events were to prove Turpilius' innocence. While most of those present at the trial rallied to their commander's defence regarding a wrongful execution, Marius cleverly used the miscarriage of justice to his own ends by declaring that Metellus was solely

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<sup>47</sup> The name is supplied in full by Sallust, *Iug.* 76.3, with the title *praefectus oppidi*; Plutarch, *Mar.* 8.1, gives a variant 'Turpillius' and the office as *praefectus fabrum*; cf. *MRR* 3.210 with 'Praef. soc.?' . Neither the epitome of Livy (*Per.* 66) nor Diodorus, in fragmentary Book 35, have details about the episode. Cf. Appian, *Num.* 3, who may have had access to a different source since he alone asserts that the *Boulê* of Vaga was executed together with Turpilius whose relationship with Metellus is not mentioned. Marius' role in the affair is also not discussed. Appian's description of the treatment of deserters by Metellus, though a further indication perhaps of the general's *superbia*, certainly suggests a source not employed by either Sallust or Plutarch: *Θρᾶκας δὲ καὶ Λιγυᾶς αὐτομόλους λαβῶν παρὰ Ἰογόρθα, τῶν μὲν τὰς χεῖρας ἀπέτεμνε, τοὺς δὲ ἐς τὴν γῆν μέχρη γαστρὸς κατώρυσσε, καὶ περιτοξεύων ἢ ἔσακοντίζων ἔτι ἐμπνέουσι πῦρ ὑπετίθει* ('after Thracian and Ligurian deserters had been delivered to Metellus by Jugurtha, the hands of some were cut off and others were buried up to their stomachs in the ground, and after they had been run through with arrows and javelins they were set alight while still alive'). On the business of the trial, its outcome and the status of Turpilius, either a Latin or more probably an *equus Romanus* from a *municipium* see *MRR* 1.547 and n. 3; Paul, *Commentary* 182: 'Turpilius ought not to have been scourged and killed because he was a citizen, not a Latin ...'; cf. Badian, *FC* 190 n. 2, 196: '... a Latin who gained the citizenship ...'; Valgiglio, *Vita* 37-39; J. Van Ooteghen, *Caius Marius*, Brussels 1964, 129-132; E. Koestermann, *C. Sallustius Crispus Bellum Iugurthinum*, Heidelberg 1971, 256-257; Passerini, *Studi* 29-32.

responsible for the death of his guest friend, thus further undermining the latter's standing.

As both Badian and Paul indicate, Metellus, caught on the horns of a dilemma, was, in Plutarch's account, completely outwitted by Marius. He would have incurred much resentment from those who could have claimed that a politician from a city family had subverted the law by saving a client; but by condemning Turpilius to death without an appeal he brought equal odium upon himself for arrogant behaviour.<sup>48</sup> Marius could, therefore, only profit from his intrigue. Sallust is perhaps surprisingly silent about Marius' underhanded role, which illustrates a ruthless subtlety commensurate with a hardened republican politician, but which was not in keeping with the *virtus* of a simple military man. On the whole, Sallust gives a more neutral account of Marius' part in the Turpilius affair than Plutarch, which possibly indicates that he either knew of a more sympathetic tradition or suppressed some material at his disposal. Sallust also dates the trial of Turpilius after the confrontation between Marius and Metellus (*Iug.* 76.2-77.3), while Plutarch (*Mar.* 8.1-2) makes the massacre at Vaga and the trial of Turpilius contributing factors to the eventual rupture of their relationship. Neither writer is to be trusted implicitly when it comes to even a broad chronological framework: Sallust's chronology of the Jugurthine War has long been suspect and Plutarch has achieved a certain notoriety for arranging his material as he thought fit.<sup>49</sup> And one need not, in any case, attach too much significance to dates, though rather more to the intention of illustrating Metellus' loss of *dignitas* and the consequent, almost, inevitable climb to fame of Marius. Sallust retells the story of a traitor rightly condemned for his perfidious actions and Plutarch, once again, gives us a glimpse of Marius stooping to the meanest machinations in order to attain his goal of the consulship.

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<sup>48</sup> Badian, *FC* 196-197; Paul, *Commentary* 183-184.

<sup>49</sup> On this issue see, for instance, D.C. Earl, *The Political Thought of Sallust*, Cambridge 1961, 63-64, 78-81; Paul, *Commentary* 5; C.B.R. Pelling, *Plutarch: A Life of Antony*, Cambridge 1985, 36: 'When he (Plutarch) fabricates detail, he is generally reconstructing, not sacrificing, the truth; he can usually, though not always, say - "It must have been true"'.

The snub given to Marius by Metellus and the controversy over the conviction of Turpilius through which the latter lost face, exacerbated the situation between the commander and his senior legate. While Marius remained in Metellus' camp little worthwhile would be accomplished, but to despatch him home was another sign of defeat. As Plutarch describes, Metellus finally chose to take the second course, perhaps in the belief that Marius would fail in the elections. However, Metellus had misread the political situation entirely. Almost in passing (*Mar.* 7.4), Plutarch mentions that Marius had used his time as legate to ingratiate himself with the soldiers, who wrote to their families and friends urging that he be elected consul, for only this man could put an end to the war. When Metellus realised that Marius' presence was actually a hindrance to the campaign he, at last, gave permission for him to leave, but only when twelve days remained before the scheduled date for the consular elections (*Plut. Mar.* 8.4). Marius is supposed to have travelled from Metellus' camp to Utica in two days and made the crossing to Rome in another three, arriving in the forum seven days before the poll (*Plut. Mar.* 8.4-5).

His haste, besides being related to the need to canvass in person, was also determined by the formal requirement of submitting his candidacy to the presiding magistrate for approval. The exact timing of the *professio* is unknown for the second century, but some interval must surely have been in existence from the announcement of candidacies to the date of the poll itself.<sup>50</sup> It seems plausible that Marius began his canvassing for the consulship in the shortest time allowable under traditional practices; and if Plutarch is accurate, it shows that Metellus tried up to the last minute to prevent Marius' candidacy, but that he ultimately failed in his endeavour.

The details of Roman elections which generally emanate from other sources do not accord well with the brisk character ascribed to Marius' consulship

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<sup>50</sup> For the *professio* and its timing see Staveley, *Elections* 147; Astin, 1962: 252, who believes that the *professio* was made a full *trinundinum* before the elections were held, though that this was made a legal requirement only in 98 after the passage of the *Lex Caecilia Didia*; cf. Earl, 1965: 328-331, who argues that candidates were not required to make their *professiones* in person before at least 63.

campaign.<sup>51</sup> It is perhaps more believable that Metellus allowed his legate to depart somewhat earlier than Plutarch claims. Sallust seems to be unaware that Marius' return to Rome was undertaken with alacrity, and the failure to mention his arrival only just prior to the vote throws some doubt on the description provided by Plutarch. The information found in the *Bellum Iugurthinum* creates the impression that Marius had very skilfully prepared his campaign some way in advance. After he had been the recipient of Metellus's degrading remarks, Marius courted the popularity of his troops by relaxing the discipline (*Iug.* 64.5), and also voiced his complaints to *negotiatores* in Utica, many of whom were Roman or Italian with good connections in Rome. Besides relaying his dissatisfaction with Metellus' generalship and playing on fears about a protracted war which might have had adverse affects on commercial interests, his objective was to curry favour by assuring the businessmen, in particular, that if he were placed in command with even half the army, he could capture Jugurtha in a matter of days and terminate the war ('*dimidia pars exercitus si sibi permitteretur, paucis diebus Iugurtham in catenis habiturum*').<sup>52</sup> There can be little doubt that such a claim would have gone down well with merchants worried about diminished profits from a strife-torn North Africa. The concern that Metellus was content to extend the war in order to enhance his personal *gloria* would also have been transmitted, together with the name of the informer; and all this was to the advantage of Marius. With his patience at last exhausted, Metellus released Marius from his post (*Iug.* 73.2) allowing him to return to Rome where news of the friction between the two would have preceded him. Marius' version of events seems to have triumphed, probably aided to some considerable extent by allies in the tribunician college of 108 (*Iug.* 73.5: '*seditiosi magistratus*') whose

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<sup>51</sup> Q. Pompeius' consular candidacy must have been accepted on the day of the poll, *Cic. Amic.* 77; Gruen, *RPCC* 34, but he was present in Rome and so well able to canvass unofficially for some time beforehand.

<sup>52</sup> It is worth comparing this boastful gesture to Cleon's promise to take Sphacteria in 425, *Thuc.* 4.27-30, which, of course he fulfilled, and to retake Amphipolis, *Thuc.* 5.2, 5.7-10, a venture which failed and in which he was killed. My thanks to B. Baldwin for drawing my attention to what possibly became another *topos* in ancient historiography. On the influence of Thucydides on Sallust see, most recently, T. Wiedemann, 'Sallust' *Jugurtha*: Concord, Discord, and the Digressions', *G&R* 40 (1993) 48-49.

identities, however, are not revealed.<sup>53</sup> Marius' candidacy was not a hastily improvised exercise, but was planned with care and great thoroughness. It was greeted with much enthusiasm, and the elections themselves seem to have taken place in nearly a carnival atmosphere. With his knowledge of the real nature of republican political life, Sallust's evidence should be preferred to the account given by Plutarch. In particular, Sallust (*Iug* 73.6) suggests that Marius had the time to spread the word around about his forthcoming candidacy in order that the *opifices* and *agrestes* might turn out en masse for the elections. Had Marius' intention to seek the consulship been announced only at the very last minute, he would have found it difficult to pack the *comitia centuriata* with the additional support necessary if not to win the contest, then to put pressure on the voters whose opinions counted most.<sup>54</sup>

Sallust contends (*Iug*. 65.5) that, by the end of 108, everything favoured the election of Marius as consul ('ita Mario cuncta procedere'), and this view must be essentially valid. Marius' career prospects by 112 may have appeared negligible (*Cic. Off.* 3.79: 'C. Marius cum a spe consulatus longe abesset et iam septimum annum post praeturam iaceret, neque petiturus unquam consulatum videretur ...'), but these gradually became brighter in inverse proportion to

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<sup>53</sup> It is remarkable that the names of, at least, some of the tribunes of 108 have failed to survive in any source, *MRR* 1.548-549. The *quaestio* established by C. Mamilius Limetanus in 109 probably continued to operate in 108 and was surely protected by a tribune of similar persuasion. For the *quaestio Mamiliana* see Paul, *Commentary* 116-123; cf. Gruen, *RPCC* 142-149, who believes that the 'heat of the tribunal burned itself out quickly'. Mommsen, *RS*<sup>3</sup>, 3.862, thought it possible that C. Servilius Glaucia may have been a tribune in 108 or 107 since he was a senator before the censorship of Q. Caecilius Metellus Numidicus and C. Caecilius Metellus Caprarius in 102. This idea no longer finds favour, *MRR* 3.196, where Broughton expresses a preference for 101 instead; cf. H.B. Mattingly, 'Acerbissima Lex Servilia', *Hermes* 111 (1983) 302, who argues for 105/4. If Glaucia was not Marius' tribunician ally in 108, then he was a politician of equal talent, and who was worthy of the title *seditiosus magistratus*.

<sup>54</sup> Paul, *Commentary* 188-191, analyses the likely support for Marius, and contends that the 'plebes' referred to by Sallust must have included *equites*, *publicani* and *negotiatores*. Paul also names C. Memmius (trib. 111), C. Mamilius Limetanus (trib. 109), Cn. Mallius Maximus (pr. 108?), C. Flavius Fimbria (pr. 107?) and politicians such as L. Valerius Flaccus (cos. 100) and M. Antonius (cos. 99) as possible senatorial allies at this stage. Marius had to win the votes of the most influential sections of the community to win, but by summoning other, possibly more vocal supporters, he gave himself a better chance of victory in a charged atmosphere than if the *comitia* had drawn few besides the citizens resident in the city.

the succession of military defeats which occurred in the interim. His chances of obtaining the consulship increased markedly, helped along by the popular view, whether true or not, that the inconclusive campaigns of Metellus in Numidia showed that this general was prolonging an unnecessary war (Plut. *Mar.* 7.4). The sudden threat of an invasion of Italy by the Germanic tribes, whose meanderings along the frontiers of the empire caused hysteria to reign at Rome (Diod. 35.37), also furthered Marius' political ambitions. On the other hand, Marius also worked long and hard on his canvass and, while Sallust's description of Marius' campaign trail may, to some degree, be questionable and contaminated by what the writer knew about political life in his own day, it must surely be evident that here was a sophisticated and concerted effort to win the support of the electorate. Marius' success in the poll in 108 had become a near certainty.

### Marius and the Consulship

The election victory of Marius caused a sensation, according to Sallust (*Iug* 73.7), who states that the *nobiles* were defeated, and that after many years the consulship was voted to a new man ('... perculsa nobilitate, post multas tempestates novo homini consulatus mandatur.'). To what extent the result was really of the magnitude ascribed to it by Sallust,<sup>55</sup> and to what extent he

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<sup>55</sup> In the various lists of *novi homines* given by Cicero, *Verr.* 5.181; *Font.* 23; *Mur.* 16-18; *Brut.* 96, Q. Pompeius (cos. 141) is considered the last to be elected consul before Marius, E. Badian, 'The Consuls 179-49 BC', *Chiron* 20 (1990) 380. Note, however, P. Rupilius (cos. 132), M. Perperna (cos. 130), C. Licinius Geta (cos. 116) and L. Calpurnius Bestia (cos. 111), who were certainly newcomers to the consulship. The election of Marius may have facilitated the success of other new men: Cn. Mallius Maximus (cos. 105), C. Flavius Fimbria (cos. 104), T. Didius (cos. 98) and C. Coelius Caldus (cos. 94). See Chapter 4 for further discussion on this point. Gelzer, *Roman Nobility*, 51-52, assigns 'new man' status to Cn. Octavius (cos. 165) and L. Mummius (cos. 146), since they were the first members of their families to attain the consulship. Both were, however, the sons of praetors and since Gelzer obtained this information from Cicero, it illustrates how vague the concept was in reality. See above Chapter 1, n. 18. Note also D.R. Shackleton Bailey, 'Nobiles and Novi Reconsidered', *AJP* 107 (1986) 260, who argues that terms such as *novus homo* were 'governed by usage, not by legal definition'; R.T. Ridley, 'The Genesis of a Turning Point: Gelzer's *Nobilität*', *Historia* 35 (1986) 474-502, especially 501, who notes that Gelzer's list of *novi homines* 'is of equestrians who reached the consulship', though, in the case of Octavius and Mummius, this assertion is palpably incorrect. In this instance, Cicero can only have used the term *novus homo*



manipulated any evidence he may have unearthed to suit his overriding theme of old-fashioned Roman virtues, exemplified by the new man Marius, triumphing over aristocratic *superbia*, is a problem not readily solved. However, the other ancient writers who dealt with this period are hardly unanimous in their support of Sallust's assessment of this political occurrence.

Had the election result actually been as remarkable as Sallust made it out to be, it ought to have become the focus for all literary material covering the last decade of the second century. Yet, the epitome of Livy, which surely reflects the most memorable events, fails even to mention Marius' success (*Per.* 65), and only his eventual defeat of Jugurtha (*Per.* 66) is noted. It is, of course, possible though still odd that the epitomator should simply have missed the significance of the year 107. But what little control can be established over Livy's account suggests that these elections were dealt with in much less detail and that he did not grant them quite the same prominence given them by Sallust.<sup>56</sup> Livy is usually a reliable guide for electoral contests in the first half of the second century, and the epitome also singles out some elections which he obviously discussed at length.<sup>57</sup> It looks as if Livy, who was apparently dismissive of Sallust's ability as a historian,<sup>58</sup> therefore, not only ignored the *Bellum Iugurthinum* as a source, but also laid much less stress on the election victory of Marius. Diodorus' coverage of events at this time remains only as fragments, but major episodes have a tendency to survive if they were present in the text in the first place. In the course of his description of the Jugurthine War (34-35.38) he mentions

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to mean that these politicians were the first consuls from families which had already attained senatorial status. Note also Brunt, 1982: 12-13.

<sup>56</sup> Florus, Orosius and Eutropius, who all used Livy as a source, fail to relate Marius' election. Moreover, Obsequens, 40-41, who might have picked up omens pertaining to the election of a *novus homo* after so many years singularly omits to mention any, nor does he notice anything unusual during Marius' consulship year. Thus another possible indication that Livy did not devote much space to home affairs in 108-107.

<sup>57</sup> The two *repulsae* suffered by Q. Caecilius Metellus Macedonicus in 146 and 145 appear to have been worthy of interest, *Oxy. Per.* 52. The absence of this episode from the other epitome suggests that its writer concentrated more exclusively on foreign and military affairs, which plausibly also explains the omission of Marius' election in 108.

<sup>58</sup> Sen. Rhet. *Controversiae*, 9.1.14: 'T. Livius tam iniquus Sallustio fuit' = Livy, Frag. 73 (*Loeb Classical Library*).

Marius' presence with Metellus, but the subsequent consular elections do not feature at all, and Marius simply reappears as commander in Numidia (34-35.39). Diodorus, on the whole, gives a negative appraisal of Marius' character and career (37.29.1-5), and it seems feasible that he, like Livy, did not set great store by Marius' election as consul. Evidently, Plutarch was also not under the spell of Sallust when he dealt with Marius' win in the consular elections. Although he may have employed a similar, or the same source, for much of Marius' career, he omits all reference to his status as a *novus homo* when he related the election results for 107. Furthermore, departing from Sallust's account, he also has an unnamed tribune introducing Marius to the electorate before the poll (*Mar.* 8.5), where the opportunity arose to denounce Metellus in public, an attack which apparently contributed to the result. There is no hint from Plutarch, however, that Marius' victory was the first in thirty-five years for a new man (*Mar.* 9.1). This fact would surely have impressed this writer, and implies that he avoided using Sallust's monograph as a source when he composed this life, or that he read much less significance into the affair as a whole.

Elected together with Marius was L. Cassius Longinus who had been a vigorous praetor of impeccable reputation in 111 (*Sall. Jug.* 32.5). He may have hoped to have gained the consulship at the earliest opportunity, but possibly received a *repulsa* in the previous year's elections if an extended provincial command had not kept him away from Rome.<sup>59</sup> Sallust (*Jug.* 73.7) confirms that the elections for 107 were fiercely contested and, although the names of the defeated candidates have not been preserved, neither Marius nor Longinus can have enjoyed a run at the consulship unhampered by competitors from established senatorial families.<sup>60</sup> In fact, the whole tenor of Sallust's account is surely meant to establish that certain notable politicians were beaten by the *novus homo* from Arpinum. He may have been aware of the identities of these candidates, though on balance, it is rather more likely

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<sup>59</sup> In 109 Hortensius won the election with Ser. Sulpicius Galba, but he was convicted while still *designatus*, either for *repetundae* or *ambitus*, and M. Aurelius Scaurus secured the suffect position, *MRR* 1.548, 3.32; Gruen, *RPCC* 149-150. Including a possible candidacy by Longinus, there would have been at least four contenders for this consulship.

<sup>60</sup> The other competitors in 108 are unattested, but C. Atilius Serranus (cos. 106), who defeated Q. Lutatius Catulus in 107, *Cic. Planc.* 12, had perhaps campaigned before.

that, nearly seventy years later and with the information no longer available to him, Sallust was obliged to leave anonymous these aristocratic competitors, who failed to draw much support from the citizen body.<sup>61</sup>

Immediately after he became consul designate Marius plunged into the fray. On the one hand, he indulged in a number of open attacks on the *auctoritas* of the senate and its more entrenched membership and, on the other, he engineered, through the good services of the tribune T. Manlius Mancinus, the transfer of the Numidian command from Metellus to himself by the unprecedented move of a *plebiscitum* passed by the *concilium plebis*. Moreover, soon after he had won this new appointment he enlisted an army consisting, in some measure, of volunteers, and by recruiting *capite censi* he broke with the traditional method of conscripting men from among the five propertied classes.

The speech (Sall. *Iug.* 85) or speeches (Plut. *Mar.* 9.2-4) attributed to Marius once he was elected have been subjected, a number of times, to considerable scrutiny.<sup>62</sup> Carney, in his examination of Marius' oration in the *Bellum Iugurthinum*, has asserted that the 'speech gives substantially the trend of Marius' actual words on this occasion'.<sup>63</sup> Paul concurs with this assessment though both Skard and Syme have been more cautious in their evaluations.<sup>64</sup> Although post-election orations in the senate or *comitia* delivered by newly elected consuls might later become famous and regarded as worthy of quotation

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<sup>61</sup> Among other possible contenders in 108 were a C. Cornelius [Cethegus?], L. Memmius and a Q. Valgius who all appear in the *consilium* of the *SC de agro Pergameno*, dated here to 101, as *praetorii*. If Marius repulsed a patrician, possibly a son of the cos. 160, M. Cornelius Cethegus, it would certainly have added lustre to his success. See also Appendix 1.

<sup>62</sup> For example, E. Skard, 'Marius' Speech in Sallust Jug. Chap. 85', *SO* 21 (1941) 98-102; T.F. Carney, 'Once Again Marius' Speech after Election in 108 B.C.', *SO* 35 (1959) 63-70; Syme, *Sallust* 168-170; Paul, *Commentary* 207-215.

<sup>63</sup> Carney, *SO* 35 (1960) 66 n. 1: 'These speeches are here regarded as embodying the substance of Marius' actual remarks because both Sallust and Plutarch give much the same account of those remarks, which must have been very well known'.

<sup>64</sup> Paul, *Commentary* 207; cf. Skard, *SO* 21 (1941) 98; Syme, *Sallust* 169, n. 37: 'The oration is Sallust's own, but goes back in some particulars to things said, or rather allegedly said, by Marius'. On this speech see also K. Von Fritz, 'Sallust and the Attitude of the Roman Nobility at the Time of the Wars against Jugurtha (112-105 B.C.)', *TAPA* 74 (1943) 166-168.

by later writers, neither Sallust nor Plutarch is remembered as an accurate purveyor of his subjects' words. Indeed ancient historiography is not remarkable for its veracity when it comes to speeches. It is, therefore, more probable that both writers either chose to repeat sentiments suitable for the event in question, in the tradition of Thucydides, from some, in all likelihood imperfect, memory of the real occasion, or have been guided in their portrayal by a tradition they found in sources fairly close to Marius' own day.

Sallust's extensive treatment of a speech by Marius mirrors the central position of the orations delivered by Caesar and the younger Cato in the *Bellum Catilinae*; in both monographs they act as devices through which the writer might indulge his artistic temperament and turn aside, albeit briefly, from the narrative. The initial opinions expressed by Marius (*Iug.* 85.1-4) seem quite consistent with an oration occasioned by a successful election to high magisterial office: thanks for the support of the electorate, preparations for the new campaign to crush Jugurtha and the departure from the long-established formula for conscription. Thereafter, Sallust's speech of Marius must certainly have departed from an original, if one ever existed, which is doubtful indeed, with a sustained attack on the senatorial government, the 'superbissimi homines' (*Iug.* 85.38). Contrasting sections follow, forming the greater part of the oration, concerned with the speaker's deprived childhood (a blatant lie), his exemplary behaviour (omitting all mention of charges concerning *ambitus* in 116), and the suggestion (completely fanciful) that a man from a more ancient and illustrious background, but with no military experience could be appointed to lead an army in Numidia (Marius had not much more experience in generalship than most of his fellow senators). Thus politicians such as L. Calpurnius Bestia, Sp. Postumius Albinus and Q. Caecilius Metellus may have possessed ancestral *imagines*, but they all succumbed to *avaritia*, *imperitia* and *superbia* (*Iug.* 85.45).

Orations such as these do not deserve to be analysed too precisely for hidden meanings or pertinent historical messages since, more often than not, they are inserted into a text purely as entertainment or as an illustration of the writer's creative ability. Plutarch, whose reference to Marius' speech or series of speeches is brief and much abridged, if Sallust's oration is accurate, is also credited with a moralizing discourse which, in this

instance, may be coupled with his overall antipathy towards the subject. His version of Marius, the consul designate, making an address to the citizen body is surely nothing more than a *topos* based on earlier Greek demagogues such as the fifth-century Cleon or on the speeches of a Roman tribune of the plebs such as C. Gracchus. Moreover, it is plausible to suggest that Sallust, rather than portraying a demagogic Marius, in fact reflects more about the political practices of the 50's and 40's with the stock in trade phrases of politicians such as Clodius and Milo.<sup>65</sup>

Marius' win in the consular elections came about not merely by chance, nor did he have to face the active and concerted opposition of a united senate. Both Badian and Paul have shown clearly enough that Marius was never an isolated political figure and, in order to secure the consulship, not only must he have obtained the support of a considerable number of *equites* whose votes he needed in the *comitia centuriata*, but he must also have possessed a large following within senatorial ranks since it was his fellow senators who were able to call out their clients to vote for him.<sup>66</sup> His subsequent attack on aristocratic privilege, unless it was contemporary rhetoric, as claimed by Plutarch (*Mar.* 9.4), makes little sense and is ill-tailored to the context in which it is supposed to have taken place. The lengthy speech as related by Sallust has regrettably little historical value, at least for the second century, reflecting as it does what might have been said in public debates in the 50's and 40's rather than a verbatim account of an oration belonging to 107. Marius may have had a grievance for the way in which he had been treated by Metellus in Numidia, but there are contra-indications that he was not entirely innocent of disloyalty and deception. In other respects, he had little or no reason to indulge in vituperation of a system of government in which even

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<sup>65</sup> Syme, for example, *Sallust* 217-218, finds allusions to the triumvirs Antonius, Lepidus and Octavian in the prologue of the *Bellum Iugurthinum*. Current political behavior and beliefs were bound to intrude into a work about a period for which there were relatively few literary sources, Earl, *Sallust* 77. Furthermore, it is inconceivable that Latin literature and philosophy should have acquired quite the sophistication, by the end of the second century, with which Sallust's work would seem to credit it. The fragments of late second century writers do not exhibit the same high degree of refinement found in the literature of the first century, but the sentiments expressed in attacks on the senate, if they were made by politicians such as Marius and C. Memmius, would not have been unfamiliar.

<sup>66</sup> Marius' various family connections and political alliances are discussed further in Chapter 4.

successful *novi homines* found rapid acceptance. Newcomers to political life throughout this century, at least, had achieved respectability, high status and exalted places in the existing institutions.<sup>67</sup>

Plutarch (*Mar.* 9.2-4) devotes much less space to an attack on the senate by Marius and consequently reduces its significance. He perhaps had access to a different source from the one employed by Sallust since the oration found in the *Bellum Iugurthinum*, although similar, is scarcely identical. Plutarch also adds a rather curious yet perhaps compelling reason for the hubristic remarks he attributes to Marius (οἱ λόγοι θρασεῖς ὄντες ὑπεροψία καὶ ὕβρις): that the people expected and enjoyed such invective especially when it was made at the expense of the senate and, in order to maintain their favour at a time when he was apparently needing new recruits for the army, it was necessary that he take this course of action whether or not he believed wholeheartedly in what he said. Thus Sallust's speech of Marius has been taken at face value, while Plutarch's explanation for this harangue actually seems at least credible in the circumstances, lending support to the idea that Marius was not greatly interested in exploiting his 'new man' status for political purposes. Even if the Sallustian oration contains a kernel of truth it is obviously nothing more than an elaborate invention and bears no strict relation to what might have been said by Marius. As such it may be exposed as misleading evidence for second-century republican political life.<sup>68</sup>

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<sup>67</sup> M. Porcius Cato (cos. 195) and Q. Pompeius (cos. 141) both proceeded to win censorial elections. M'. Acilius Glabrio's hopes for the censorship and entire reputation were ruined by the allegations made by two tribunes and his fellow candidate Cato that he was guilty of corruption, Liv. 37.57.9-58.2; A.W. Lintott, 'Electoral Bribery in the Roman Republic', *JRS* 80 (1990) 4-5. The descendants of these three *novi homines* were to become as aristocratic as any of their fellow senatorial politicians. New consular families such as the Domitii Ahenobarbi (first consul in 192), Octavii (first consul in 165) and Mucii Scaevolae (first consuls in 175 and 174) very soon, like Cornelius Tacitus much later, became the staunchest upholders of the establishment. Marius' aspirations, presumably the same as his peers, was surely to perpetuate his name and lineage among the highest levels of the *ordo senatorius* and not to subvert or destroy the existing system. A speech or series of speeches containing such abuse, as related by Sallust and to a lesser extent by Plutarch, becomes virtually nonsensical in this context.

<sup>68</sup> The Sallustian oration of Marius obviously contains numerous first-century *topoi* commonly found in political speeches, Earl, *Sallust* 77. Cicero's speech, *In toga candida*, delivered during his campaign for the consulship will certainly have been designed to bolster his canvass through use of his origins as a *novus homo*. The *Commentariolum Petitionis* also

Nevertheless, a purpose for a speech of this sort may be assumed, though it had nothing to do with exultation over attaining the consulship or, on account of an inferior social position, with bloodying the nose of the senate. Republican politicians could ill afford to succumb to emotional actions which might easily weaken their personal images. And Marius, who was no novice when it came to political scheming, would have used the chance of a post-election speech to accelerate the transfer of Metellus' command to himself. We are told that his election campaign was devoted to persuading the citizen body that he alone could end hostilities in Numidia (Sall. *Iug.* 64.5, 65.4-5; Plut. *Mar.* 8.5: 'and promised that he would kill Jugurtha or take him alive'), and that the most influential sections of the electorate desired a speedy conclusion to this war (Sall. *Iug.* 64.6) with drastic changes in the character of the campaign. However, Marius faced an uphill struggle over this transfer since the senate had not selected Numidia-Africa as a consular province for 107, intending to further prorogue Metellus' proconsulship. In an ingenious move Marius, therefore, turned to his allies among the tribuncian college who successfully urged the people to overturn the senate's decision and thereby deprive Metellus of his command in this war.<sup>69</sup>

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possesses many of these same *topoi*, but in the form of an exhortation to an earnest candidate (2.7): 'ac multum etiam novitatem tuam adiuvat quod eius modi nobiles tecum petunt ut nemo sit qui audeat dicere plus illis nobilitatem quam tibi virtutem prodesse oportere'. The second oration against the agrarian proposal of the tribune P. Servilius Rullus, Cicero's first speech at an assembly of the citizen body after his election, was also taken as an opportunity to celebrate his acquisition of the consulship (*de leg. agr.* 2.3): 'me perlongo intervallo prope memoriae temporumque nostrorum primum hominem novum consulem fecistis et eum locum quem nobilitas praesidiis firmatum atque omni ratione obvallatum tenebat me duce rescidistis virtutisque in posterum patere voluistis'. It is highly unlikely, however, that the election to the consulship of L. Volcatius Tullus (cos. 66) or L. Gellius Poplicola (cos. 72), the first of their respective families, had been forgotten by the audience. For Volcatius Tullus see R.J. Evans, 'A Note on the Consuls from 69-60 B.C.', *Acta Classica* 31 (1988) 101. For Gellius Poplicola see R.J. Evans, 'The Senatorial Origins of L. Gellius Poplicola, Consul 72 B.C.', *LCM* 5 (1980) 201-203; Badian, 1990: 392. C. Coelius Caldus (cos. 94) the last consul to be acknowledged as a *novus homo* by Cicero, *de Orat* 1.117; *Mur.* 17; *Comm. Pet.* 11; Badian, 1990: 388, was also hardly beyond living memory.

<sup>69</sup> The move did, however, have some similarity in the way in which Scipio Aemilianus had obtained the Numantine command in 134, though no *plebiscitum* was formally enacted on that occasion, *MRR* 1.490 and n. 1; Astin, *Scipio Aemilianus* 183-184.

In comparison with the election of Marius as consul, or his apparent attacks on the senate or indeed his reforms of the army, the consequences of the transfer of Metellus' command at the beginning of 107 were, in the long run, far more damaging to the *res publica*. It is, therefore, somewhat surprising that neither Sallust nor Plutarch, nor in fact any ancient writer, should have discussed what was little short of a constitutional revolution, which directly paved the way for the end of collective government at Rome. The recruitment of *capite censi* into the army drew an understandable reaction because it was regarded afterwards as a dramatic break with the traditional practice of conscription. But the import of this change, hinging rather more on Marius' obtaining charge of the war against Jugurtha, has been much overstated ever since antiquity.<sup>70</sup> Sallust himself betrays a certain lack of interest in the reasons for the new recruitment procedures (*Iug.* 86.2: 'inopia bonorum'). Instead he chose to emphasize Marius' action as one designed to preserve his popularity through avoidance of a compulsory levy of propertied citizens, which naturally linked up handsomely with the content of his post-election address.

However, this account distorts the real picture. Plutarch (*Mar.* 9.1; cf. *Flor.* 1.13), moreover, clearly under the influence of hostile sources, like Sallust, portrayed the move as a further example of Marius' *ambitio*. His evidence here is also invalid for, as Brunt and Rich have both argued,<sup>71</sup> the property qualification for army service had become nearly meaningless by 107, and the difference between the *assidui*, members of the fifth and lowest class of citizens in the census, and the *proletarii* had become very slight indeed.<sup>72</sup> Both Brunt and Rich see Marius' changes to the recruitment scheme as a relatively small adjustment to what had probably already become normal practice, and the reforms simply caught up with what was the reality of the situation. By the close of this century, men officially below the property qualification were expected to serve in the army, but from 107 conscription was, to some extent, augmented by volunteer enlistment, which had not happened

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<sup>70</sup> For a discussion of the enrolment of *proletarii* see, most recently, Paul, *Commentary* 215-216.

<sup>71</sup> J.W. Rich, 'The Supposed Roman Manpower Shortage of the Later Second Century B.C.', *Historia* 32 (1983) 287-331; Brunt, *FRR* 253-254.

<sup>72</sup> Rich, 1983: 324.



before except during a state of emergency or *tumultus*.<sup>73</sup> These volunteers were probably, but not necessarily, *proletarii*, and served together with the *assidui* who continued to be conscripted as long as the senatorial government remained in existence. It was the volunteers who came to look to their commanders for retirement gratuities, while those conscripts from among the normal *assidui* still returned to their subsistence farming on the termination of a military campaign.

The total number of volunteers was small (on Rich's estimate, between three and five thousand) and the primary motive for enrolling them surely a question of speed. Marius is said to have promised an end to Jugurtha's independence within a matter of days (Sall. *Iug.* 64.5), but the usual method of levying troops could take a great deal of time,<sup>74</sup> whereas volunteers supplied with arms by the state could be collected much more rapidly. Marius was obviously under an obligation to hurry on with his campaign: his senior legate Manlius was despatched in advance (*Iug.* 86.1), he followed soon after (*Iug.* 86.4) leaving his quaestor L. Cornelius Sulla in charge of levying the cavalry detachments, in the normal way, from among the Latins and the Italian allies (*Iug.* 95.1). Thus the extent of the army reforms ascribed to Marius, as they are mentioned by ancient writers, have been inflated by modern scholars impressed with the idea that the root of all later civic instability lay squarely with the creation of a professional or semi-professional army. But a new army was not the result of *proletarii* being recruited for service, and this innovation should rather be regarded as a minor factor in the internal condition of the *res publica* in the first century.

Plutarch appears to be under the impression that Marius' election to the consulship carried with it the command against Jugurtha; his ignorance of republican constitutional practices may perhaps be forgiven. Although Sallust (*Iug.* 73.1) mentions the transfer of Metellus' command, he does not make much of the episode and instead implies that the senate bore the responsibility for

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<sup>73</sup> *Proletarii*, freedmen and slaves had been recruited in the Second Punic War and during the first half of the second century, Liv. 22.57.11, 23.14.3-4, 32.26.10-12, 34.56.11-13, 40.26.6-7, 41.5.4; Rich, 1983: 190-291.

<sup>74</sup> On the complexities involved in the levy see Rich, 1983: 329-330; Brunt, *FRR* 253-256.

the tribune's manoeuvre since it had already been obstructionist in denying the will of the people.

*... populus a tribuno plebis T. Manlio Mancino rogatus quem vellet cum Iugurtha bellum gerere, frequens Marium iussit. Sed paulo ante senatus Metello Numidiam decreverat; ea res frustra fuit.*

... the people were asked by the tribune of the plebs T. Manlius Mancinus whom they wished to command the war against Jugurtha, and they voted for Marius in great numbers. However, a short time beforehand the senate had decreed Numidia to Metellus, but this action was to no avail.

The implied accusation against the senate is, of course, quite groundless and totally misleading since it was bound by certain strict traditional practices and legal restraints concerning its assignment of proconsular commands. Marius was not the injured party in this instance for it was his tribunician allies who, through their activities in the *concilium plebis*, tore away a fundamental controlling mechanism which the senate possessed over its magistrates, and which thus far had preserved stability in the state by curbing individual ambitions.

Sortition had long been employed as a method of assigning provinces especially when a conflict of interest had occurred between elected officials, and in particular the consuls. The system was, nonetheless, open to abuse and eventually brought into some disrepute in 125. In that year, in response to a bill, introduced by the consul M. Fulvius Flaccus, designed to give the right of *provocatio* and citizenship to the *socii*, opponents in the senate managed to have him appointed to a proconsular command at short notice. The city of Massilia was threatened with an attack by the Salluvii and Vocontii, and the consul was ordered to bring relief to this ally of Rome. Flaccus returned in 123 and celebrated a triumph for his victory over these Gallic tribes; in his absence the bill which he had sponsored had been abandoned.<sup>75</sup> However, Flaccus is unlikely to have forgotten this political reversal, and he may be assumed to be the driving force behind the subsequent *lex Sempronia de provinciis consularibus* passed by his close friend and ally C. Gracchus

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<sup>75</sup> Cf. Badian, *FC* 177-178, who attributes the law solely to C. Gracchus; Gruen, *RPCC* 80; Brunt, *FRR* 33 and n. 63.

during this politician's tribunate.<sup>76</sup> The new law stipulated that forthcoming commands had to be announced publicly before the consular elections were convened, at least six months or more before the new consuls took up their office. Competitors for the senior magistracy were, therefore, prevented from campaigning on a platform aimed at obtaining specific commands. The legislation is generally seen as popular legislation for foiling senatorial contrivance of commands, and for reducing the political intrigue which often accompanied the selection of generals. It was also a sound administrative device which cracked down on the ambitions of senators who sought the leadership of special military ventures.

The decision of the senate not to allot the war against Jugurtha as a consular province in 108, before the elections took place, cannot have been an instance of premeditated engineering intended to enhance the position of Metellus at the expense of his troublesome legate. Even if Marius was known to be a probable contender for the consulship, no one at that stage could have predicted with absolute certainty that he would emerge the victor from the poll. Furthermore, on Plutarch's evidence (*Mar.* 8.4), Marius entered the electoral contest late in the day just prior to the vote, some time after Metellus' command had been effectively prorogued, and while he was still not yet in Rome. Sallust does not mention a late candidacy by Marius and seems to imply (*Iug.* 73.7) that members of the senate were well aware of this politician's desires, and pre-empted any move by him to acquire this command by extending Metellus' proconsulship during the election campaign, or after the result had been made known. Such a scenario is impossible. Marius certainly knew by the time he declared his candidacy for the consulship, whenever that precisely was, that he would have to overturn a 'popular' law to achieve his aspirations.

It was Marius and Marius alone who was ultimately responsible for the *plebiscitum* transferring the Numidian command from Metellus to himself; it was not in retaliation for senatorial intransigence. In subverting the law of C. Gracchus, Marius created a precedent which could be used by other equally

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<sup>76</sup> For the date of this measure see *MRR* 1.514, under Gracchus' tribunate in 123. Flaccus triumphed in 123, so the law governing the assignment of provincial commands to consuls may plausibly be dated to after his return and, therefore, more probably belongs to 122 than to the year before.

ambitious and unscrupulous politicians. Both ancient and modern writers have dwelt to an inordinate degree on the military reforms of Marius and their possible consequences, though these may now be seen to be almost insignificant in comparison to his assault on the republican constitution. By ignoring the sequence of events which occurred in 107 the sources have obscured the fact that a dire and irreversible factor had been introduced into political life which was seriously to undermine the intricate machinery of government. The later tradition produced an anecdote about the effect on Marius of prophecies about a great and outstanding future career (Sall. *Iug.* 63.1), but in truth he grasped the consulship after a canvass of considerable dexterity, recognized that control of the campaign in Africa offered a possible easy avenue for further glory, and employed the tribunician college to his advantage to obtain his goal. Marius was evidently a popular choice for the consulship in 108, but his activities before his election or thereafter do not conform to any notion of demagogic behaviour. His aim was self-aggrandizement at any expense and, by the beginning of 107, it appeared that he had won the position in the *res publica* which he had long sought.

#### The Consular Iterations (104-100)<sup>77</sup>

Although Marius failed to make good the promise made to the voters during the election campaign,<sup>78</sup> to end expeditiously a war which he claimed was being needlessly protracted, he was, nevertheless, elected *in absentia* to a second consulship in 105. Marius had not exhibited any extraordinary talents as a general during his command of a war, which hardly deserves to be described as much more than a minor encounter in the history of Rome. His boast of being able to capture or kill the Numidian king within a matter of days was vividly demonstrated to be false. With campaigns which were at least as long and

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<sup>77</sup> Marius' seventh though brief tenure of the consulship in January 86 is examined in Chapter 3 together with the tribunician legislation for that period.

<sup>78</sup> E. Badian, *Publicans and Sinners: Private Enterprise in the Service of the Roman Republic*, New York 1972, 85 and n. 15, sees in Marius' failure to obtain a prompt victory in Numidia, the reason why Q. Servilius Caepio (cos. 106) was able to pass a measure depriving the *equites* of control of the juries in the law courts.

costly as those of his predecessor Metellus Numidicus,<sup>79</sup> and with his command twice prorogued by the senate, he could not safely assume that his career would prosper further.<sup>80</sup> The *res publica* was, however, faced with the immediate threat of invasion from the north where the Cimbri and Teutones had overcome the armies of the consuls M. Iunius Silanus, Q. Servilius Caepio and Cn. Mallius Maximus.<sup>81</sup> The consternation which ensued resulted in the surprising re-election of Marius, not so much because he was an exceptional general but because, like Scipio Aemilianus, he had actually concluded a military venture successfully. In Marius' case this was a phenomenon not widely enjoyed by the Romans for some time.<sup>82</sup> An election *in absentia* was without recent precedent but was definitely not illegal (Caes. *BC.* 1.32). Marius' acquisition of a second consulship within a decade of his first was theoretically both unconstitutional and illegal, though Cicero (*Leg. Man.* 62) and Livy (7.42.2, 10.13.8) state plainly that no law was sacrosanct, and that the senate and the people, through their representatives in the tribunician college, had the last say in all such matters.<sup>83</sup>

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<sup>79</sup> Metellus, hereafter with his honorific name 'Numidicus', which was bestowed on him by the *populus Romanus* after his triumph early in 106, *MRR* 1.554, 3.40-41. He was consul in 109, his command prorogued for 108 and again for 107, though this second prorogation had been overturned on the order of the same people who afterwards granted him this *agnomen*.

<sup>80</sup> Marius took up his new command in the spring of 107; this was extended into 106, *MRR* 1.554, and again for 105, *MRR* 1.556-557. It was only in the campaigning season of 105, after over two years of warfare, that Marius finally brought about the defeat and capture of Jugurtha.

<sup>81</sup> Moreover, L. Cassius Longinus (cos. 107) had been defeated and killed by the Tigurini, *MRR* 1.550. For Silanus' disastrous encounter with the Cimbri see *MRR* 1.545, 3.114, dated to 108. For the catastrophe at Arausio see *MRR* 1.555.

<sup>82</sup> Besides the defeats of Silanus, Longinus, Caepio and Mallius Maximus, the army of Sp. Albinus had been forced to surrender to Jugurtha, Sall. *Iug.* 38.9; *MRR* 1.543. Metellus Numidicus was awarded a triumph for his successful campaigns against Jugurtha, but not for terminating the hostilities.

<sup>83</sup> Marius was the first politician to be elected to a second consulship within a decade of his first since M. Claudius Marcellus (cos. 166, 155, 152), C. Marcius Figulus (cos. 162, *vitio creatus*, 156), P. Cornelius Scipio Nasica (cos. 162, *vitio creatus*, 155). Scipio Aemilianus' second consulship in 135 was twelve years after his first. Aemilianus was the first man since the Second Punic War to be elected consul while absent from Rome, Cic. *Rep.* 6.11; *MRR* 1.490 n.1. C. Flaminius was also supposedly elected to a second consulship while away from Rome for 217, but this example is doubtful, *MRR* 1.242. Q. Fabius Maximus Cunctator and Ti. Sempronius Gracchus were, however,

Plutarch (*Mar.* 11.1) suggests that the proposal to elect Marius to a second consulship did not go unchallenged, but that the voters in the *comitia centuriata* refused to accept the candidacy of any other politician (οὐδενὸς ἀνασχόμενου τῶν ἀπὸ γένους μεγάλων ἢ πλουσίων οἰκῶν ...), and only once he had been proclaimed victor in the poll was the vote taken for his colleague. The presiding magistrate in these elections was P. Rutilius Rufus, later no friend of Marius, who could have refused to allow this unorthodox candidacy,<sup>84</sup> but who, perhaps in the interests of public unity in the face of an incursion into Italy by the Germanic tribes, gave way to the mounting pressure for the nomination of a tried and tested general. At least two other candidates for the other consulship are attested: C. Flavius Fimbria,<sup>85</sup> who emerged successful though he had probably campaigned before, and Q. Lutatius Catulus who had also been defeated in the previous year (*Cic. Planc.* 12). It is highly probable that there were other competitors in the race, including C. Billienus, whose praetorship is tentatively dated to 107/6 and who, according to Cicero (*Brut.* 128), was denied the senior magistracy only because of Marius' iterations.<sup>86</sup> He may well have campaigned on more than one occasion.

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elected to the consulship for 213, 'ambo absentes', *Liv.* 24.43.5.

<sup>84</sup> Following the example of the consul L. Porcius Licinius in 184 who refused to accept the illegal candidacy of Q. Fulvius Flaccus for a suffect praetorship, *Liv.* 39.39.1-5. Flaccus ignored this judgement which was referred to the senate which decreed that the elections be abandoned altogether, Scullard, *Roman Politics* 149-150; Astin, 1962: 252-255; R. Develin, 'Scipio Aemilianus and the Consular Elections of 148 B.C.', *Latomus* 37 (1978) 485; *Patterns* 26 n. 56; *Practice* 141. On the other hand, the people's choice of Scipio Aemilianus as consul for 147, five or six years beneath the minimum age, *Cic. Phil.* 5.47, was eventually accepted by Sp. Postumius Albinus Magnus, the presiding magistrate, *Liv. Per.* 50; *App. Lib.* 112. For a discussion of these elections and the controversy caused by Scipio's candidacy, which may not have been as spontaneous as the sources suggest, see Astin, *Scipio Aemilianus* 61-69; Develin, *Latomus* 37 (1978) 488. Note also Plutarch, *Mar.* 12.1, who draws the inevitable comparison between Marius' election and that of Scipio Aemilianus, with the observation that '... they (the people) did not consider that now was the first time that the law had given way' (ἡγοῦντο γὰρ οὔτε νῦν πρῶτον εἰξείν τῷ συμφέροντι τὸν νόμον).

<sup>85</sup> Fimbria may have been a praetor in 107, Paul, *Commentary* 189; cf. Sumner, *Orators* 76, who suggests that he was born before 147, and as early as 154, since Cicero implies that he won the consulship in excess of the minimum age, *Brut.* 129; *Planc.* 12; *Verr* 5.181; *MRR* 1.551 and n. 4.

<sup>86</sup> *MRR* 1.551; Sumner, *Orators* 105, for the date of his praetorship. For his aspirations to the consulship see R.J. Evans, 'The Consular Candidacy of C. Billienus', *LCM* 14 (1989) 103-104.

A Cn. Aufidius is known from epigraphic sources as ἀντιστρατηγός and credited with a praetorship in about 107;<sup>87</sup> a consular candidacy immediately following the end of a proconsular command in the east may confidently be postulated. The interesting fact to emerge from the little evidence available for these elections is that Marius, contrary to Plutarch's assertions, pushed aside not a single politician from an especially influential senatorial family, and must clearly have been perceived as the strongest possible candidate in what otherwise appears to have been a rather weak field. Of the possible competitors in 105, Fimbria and Billienus were *novi homines*, Catulus came from a family without consular representation since the third century and the Aufidii, although senatorial in the second century, had never held high magisterial office.<sup>88</sup> Marius' election was not quite as startling as his biographer would have liked his readers to believe.

Marius returned from Africa only towards the end of 105 in time to assume his consulship on 1 January, the same day on which he celebrated a magnificent triumph (Sall. *Iug.* 114.3).<sup>89</sup> He was immediately assigned Gaul as his

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<sup>87</sup> *Inscriptiones Graecae*, 12.5.722; *MRR* 1.551 and n. 2, 3.29-30. The Cn. Aufidius placed at (51) in the *consilium* of the *SC de agro Pergameno* should certainly be regarded as a younger relative. See Appendix 2.

<sup>88</sup> The consular ancestors of Catulus were the cos. 241 and cos. 220(?), *MRR* 2.584. Second century Aufidii include a tribune of the plebs dated to 170, *MRR* 2.535. R. Syme, 'Missing Senators', *Historia* 4 (1955) 55-56, suggests the Aufidii were a single family in the second century.

<sup>89</sup> Sallust, *Iug.* 114.3, states that 'magna gloria consul triumphavit', and Plutarch, *Mar.* 12.4, describes the wealth deposited by Marius in the *aerarium*. The seemingly impressive data: 287,000 δραχμαί of coined money, 5,775 pounds (λίτραί) of uncoined silver and 3,007 pounds of uncoined gold, obscure the fact that the spoils from Numidia were really a meagre amount to set against the costs of the war. This becomes more readily explicable when the figures are translated into talents: the coined money represents just 48 talents, the uncoined silver, at roughly 84 denarii to the pound, Crawford, *RRC* 2.594, represents 80 talents and the uncoined gold, at roughly 40 aurei to a pound (1 aureus = 25 denarii), Crawford, *RRC* 2.593, represents 501 talents. In total, Marius deposited about 629 talents into the state treasury in 104, but this is a mere fraction of the 5,000 talents delivered by L. Aemilius Paullus after his conquest of Macedonia in 167, Pol. 18.35.4; Harris, *War and Imperialism* 71. The Jugurthine War was evidently not financially beneficial. Unless Marius had salted away a substantial percentage of the plunder, he probably did not benefit very much from this command; and his legendary wealth can only have been accumulated from the Cimbric War. Thus anecdotes about Marius' lust for possessions, Plut. *Mar.* 34.2-4, should be seen in context; as the continuing characterization of a rustic nature associated by then with unbridled *ambitio*. Cf. M. Jaczynowska, 'The Economic

proconsular command to deal with the Cimbri and Teutones, possibly as a result of a second *plebiscitum* (Cic. *leg Man.* 60; Vell. 2.12.2), though more probably in terms of the *lex de provinciis consularibus*.<sup>90</sup> Some ancient writers also believed that Marius again encouraged the *capite censi* to enlist for service in the army but Rich, following Gabba, recognizes the likelihood of confusion over the date of the military reforms, or even of a second version of those measures set against the more serious menace posed by the wanderings of the

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Differentiation of the Roman Nobility at the End of the Republic', *Historia* 11 (1962) 487, who considers that Plutarch describes Marius' wealth as 'royal'; Shatzman, *Senatorial Wealth*, 279 n. 139, who inflates the amount of booty obtained from Numidia by misquoting Plutarch: '3700 pounds of gold ... 87000 denarii'. Shatzman believes that Marius' 'enrichment' must date to between 109 and 101, and if he became as fantastically wealthy as Plutarch claims, then the dates may be narrowed to between 102 and 101, the very last stage of the Cimbric War. Marius' gaffe of appearing in the senate in triumphal robes, Plut. *Mar.* 12.5, is surely apocryphal, and intended to emphasize the rustic element of Marius' character. It is unbelievable that an experienced politician with fifteen years' service in the senate could have committed such an elementary error. Thus Livy's evidence, *Per.* 68, which suggests that he was granted the privilege of entering the senate in the regalia of the *triumphator*, should be preferred.

<sup>90</sup> Cf. Cicero, *Prov. cons.* 19: 'Gallici belli provinciam extra ordinem decernebant', seems to imply a decree of the senate. Sallust, *Iug.* 114.3, uses the phrase, 'Marius consul absens factus est et ei decreta provincia Gallia'. As Paul, *Commentary* 258; and Gabba, 1972: 779, n. 85, suggest, Gaul had been declared a consular province in accordance with the law of C. Gracchus. By electing Marius first, the people ensured that he received this command according to seniority, but he may also have come to some less formal arrangement with his colleague after they entered office. The consular elections seem to have been convened only after news of the rout at Arausio on October 5th, Paul, *Commentary* 257-258. Since the consulship elections preceded those of all other regular magistracies, the polls had obviously been delayed by up to three months. This postponement is inexplicable unless Marius already had his heart set on a second consulship after bringing the Numidian war to a close. He may have had tribunician allies who employed delaying tactics with this end in mind, and the debacle at Arausio greatly aided his ambitions. Cf. Mommsen, *RS* 1.583; Badian, 1984: 103, who draw attention to the possibility that elections in the second century may have been scheduled for the autumn months, and not mid-summer, a change which they claim occurred after Sulla's dictatorship. However, if Plutarch, *Mar.* 22.3, is correct in stating that Marius received news of his election to a fifth term as consul on the field of Aquae Sextiae, those elections must have taken place before the end of the summer. The defeat of the Teutones came during the summer months of 102 as they made their way east intending, no doubt, to settle in northern Italy before the onset of winter. It is understandable to relate autumn elections to a consulship year which began in March, but when this was altered to January in 153, *MRR* 1.452, it seems logical to suppose that elections were shunted back to earlier in the year.



Germanic tribes.<sup>91</sup> It is also not impossible, considering the variable quality of sources accessible to ancient writers, that a historical doublet should have developed over this issue.

In military terms the year turned out to be much quieter than had been anticipated, since the Cimbri and Teutones had turned west into Spain, allowing Marius the time to train his new army in readiness for a future engagement (Plut. *Mar.* 14.1). On the other hand, political intrigue at Rome appears to have been quite frenetic,<sup>92</sup> although the activities of C. Flavius Fimbria, no stranger to the law courts (Cic. *Brut.* 129: 'diligentia tamen et virtute animi atque vita bonus auctor in senatu') have attracted no comment.<sup>93</sup> An invasion of Italy remained a real prospect, and the senate voted Gaul a consular province for 103, which meant that there was no alternative but to re-elect Marius to a third term (Plut. *Mar.* 14.6). His command might have been prorogued, as it was in Numidia, but he would also have found himself in a subordinate position in the event of a consul being sent to his aid. The voters, with the battle of Arausio evidently fresh in their minds, refused to countenance the possibility of a conflict between a

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<sup>91</sup> Ps.-Quintilian, *Decl.* 3.5; Gell. *NA.* 16.10.14; Rich, 1983: 324: 'the Cimbric War version was perhaps the invention of a pro-Marian writer seeking to represent Marius' actions as a necessary expedient in a time of national crisis'. A second tradition may have emerged about the enlistment of *proletarii*, though with the weight of ancient opinion favouring the earlier date, this may simply be an example of befuddlement among later writers. Cf. E. Gabba, *Republican Rome: The Army and the Allies*, trans. P.J. Cuff, Oxford 1976, 13-14, who considers a second and more sympathetic tradition more likely than mere confusion.

<sup>92</sup> Perhaps the most memorable event of this hectic year was the removal of L. Appuleius Saturninus as *quaestor Ostiensis* for alleged mismanagement of the corn supply. He was replaced by the *princeps senatus*, M. Aemilius Scaurus (cos. 115). The insult to Saturninus' *dignitas* was reputedly the reason why he sought the tribunate and ultimately for the violent repercussions in 100, Cic. *Har. resp.* 43; *Sest.* 39; Badian, 1984: 102 n. 6. For Saturninus' removal as *quaestor* see *MRR* 1.560; G. Rickman, *The Corn Supply of Ancient Rome*, Oxford 1980, 47-48. For a discussion of the criminal prosecutions in 104 see E.S. Gruen, 'Politics and the Courts in 104 B.C.', *TAPA* 95 (1964) 99-110; E. Badian, 'Three Non-Trials in Cicero: Notes on the Text, Prosopography and Chronology of Diuiniatio in Caecilium 63', *Klio* 66 (1984) 306-309.

<sup>93</sup> Cicero notes his presence among the *consulares* in 100, *Rab. perd.* 21, but not afterwards. He may, however, have lived on well into the 90's. See also Chapter 4.

proconsul and an incumbent magistrate and precluded the issue entirely.<sup>94</sup> The move for Marius' re-election made sound sense, therefore, given the apparent enormity of the crisis and, once the 'ten-year-rule' governing iterated consulships had been breached owing to popular demand, it was very much easier to set the law aside for a second time or, indeed, for as many times as were necessary to conclude this particular campaign. Marius' colleague for 103 was L. Aurelius Orestes, a son of the consul of 126,<sup>95</sup> whose untimely death midway through his consulship left no one at Rome empowered to hold the elections for the following year. Marius was thus recalled by the senate, and set out on an excursion which entailed no great risk to his army because the Germanic tribes had yet to reappear in Gaul.

The details of the electoral campaign for 102 may, to some extent, be gleaned from Plutarch (*Mar.* 14.7).

μετιόντων δὲ πολλῶν καὶ ἀγαθῶν τὴν ὑπατείαν, Λούκιος Σατορνίνος ὁ μάλιστα τῶν δημάρχων ἄγων τὸ πλῆθος, ὑπὸ τοῦ Μαρλίου τεθεραπευμένος ἐδημηγόρει, κελεύων ἐκεῖνον ὑπατον αἰρεῖσθαι.

Many worthy men sought the consulship, but Lucius Saturninus having greater influence over the people than any other tribune, and won over by flattering remarks, persuaded them through his speeches to re-elect Marius.

It is perhaps predictable that the losers in this contest should go unnoticed in the sources although at least four possible candidates may be identified for the other consulship of that year. The first, and eventual winner of the race to become Marius' colleague, was Q. Lutatius Catulus, whose canvass was his fourth in five years. He had been defeated by C. Atilius Serranus in 107, by Cn. Mallius Maximus in 106 and by C. Flavius Fimbria in 105 (*Cic. Planc.*

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<sup>94</sup> Q. Servilius Caepio (cos. 106), proconsul in 105, had refused to cooperate with the consul Cn. Mallius Maximus or place himself under the latter's command. As a result of their squabble both commanders were beaten individually by the Cimbri and Teutones, *MRR* 1.555, with the total loss of their armies.

<sup>95</sup> *MRR* 1.562. Orestes was obviously the natural father of the consul of 71, Cn. Aufidius Orestes.

12).<sup>96</sup> Although still considered by some scholars to have been a perpetual loser, without any real hope of success until he was befriended by Marius as a potential and malleable fellow consul,<sup>97</sup> his long quest for the senior magistracy was certainly not unique.<sup>98</sup> Furthermore, Plutarch (*Mar.* 14.8) was obviously under the impression, no doubt from writers sympathetic to Catulus or from the memoirs written by this politician, that Marius did not court voters on behalf of any particular candidate, and that Catulus was elected because he was, or had become, a familiar and, by then, popular figure with the electorate (τιμώμενον ὑπὸ τῶν ἀρίστων καὶ τοῖς πολλοῖς οὐκ ἐπαχθῆ).<sup>99</sup>

C. Billienus, mentioned above as another seasoned campaigner, should also be included in the race for the 'free' consulship of 102. Like Catulus, he may have been veteran of several consulship contests but, unlike his luckier competitor, was destined never to grasp this most coveted of republican public offices. L. Caesius, recently revealed as a governor of Hispania Ulterior in the last years of the second century, is assigned a praetorship in 105 or 104. He could easily have returned to Rome in time to participate in the campaign for 102, though 101 should not be excluded as a year in which he, too, may have tried for the senior magistracy. C. Sempronius C.f., who appears in the ninth place on the *SC de agro Pergameno*, and who was probably a fairly recent ex-praetor by 101, may be identified as the son of the consul of 129, C.

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<sup>96</sup> Broughton, *Candidates* 13-14; Evans, *Acta Classica* 34 (1991) 118-119.

<sup>97</sup> Badian, 1957: 323: '... promoted to previously unattainable office with the support of C. Marius'; *DUJ* 149; *Roman Imperialism in the Late Republic*, Oxford 1968<sup>2</sup>, 52: '... helped the much-defeated Q. Catulus to the consulship that he probably no longer expected'; 1984: 127: 'he was the man helped by Marius to a consulate after three *repulsae*'; A. Keaveney, *Sulla: The Last Republican*, London & Canberra 1982, 33: 'Catulus, in fact, had made three unsuccessful bids for the consulship - normally nobody was stupid enough to make a fourth attempt - before finally obtaining it with Marius' help'.

<sup>98</sup> Compare the example of Q. Fulvius Flaccus, suffect consul in 180, who had received three *repulsae* in consular elections before he was finally successful following the death of the consul C. Calpurnius Piso, Liv. 40.37.6; Develin, *Practice* 171; Evans, *Acta Classica* 34 (1991) 116 and n. 33.

<sup>99</sup> Cf. *Sull.* 4.2, where Plutarch is less complimentary about Catulus' ability, especially as a general (ἀνδρὶ χρηστῷ μὲν, ἀμβλυτέρῳ δὲ πρὸς τοὺς ἀγῶνας.).

Sempronius Tuditanus.<sup>100</sup> It is quite likely that he had been a praetor by 105, and he may also be added to a list of putative candidates during these years.

The field of candidates again appears to have lacked the *dignitas* of men from really famous senatorial families,<sup>101</sup> and so it is perhaps not remarkable that L. Appuleius Saturninus was able to orchestrate public demands, at a *contio* just before the vote, for Marius to be voted a fourth consulship. No question arose over the validity of a magistrate standing as a candidate in elections over which he himself was to preside since one of the heroes of the Second Punic War, Q. Fabius Maximus Cunctator, had also been re-elected for 214 under similar circumstances.<sup>102</sup> The alliance between Saturninus and Marius, which first saw the light of day in this year and which was to have such unfortunate consequences for the *res publica*, may already have been viewed with some considerable disquiet in the more cautious political circles. Saturninus, well into his tribunician year, had proved to be a formidable and irascible politician with an ambitious legislative programme reminiscent of the days of the Gracchi.<sup>103</sup> From Plutarch's evidence (*Mar.* 14.7), it seems

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<sup>100</sup> Cf. Taylor, *VDRR* 253, who accepted the earlier date of 129, and argued that this Sempronius was an otherwise unknown Sempronius Longus. The career of C. Sempronius C.f. had probably progressed close to *suo anno*. Cf. the careers of the two Valerii Flacci, cos. 131 and cos. 100, the two Aquillii, cos. 129 and cos. 101 and the two Aurelii Orestes, cos. 126 and cos. 103. M'. Aquillius (cos. 129) and the elder Tuditanus were contemporaries, and it is possible that their sons' careers also closely mirrored each other. Moreover, note a C. Annius C.f. in eighth position in the same *consilium*, another possible consular candidate in the period 105 to 101. See further below, Appendix 1 & 3.

<sup>101</sup> Many of the more established senatorial families simply do not appear to have been able to provide consular candidates during this period, R.J. Evans, 'Missing Consuls 104-100 B.C.: A Study in Prosopography', *LCM* 10 (1985) 76-77.

<sup>102</sup> Fabius Maximus was elected suffect consul for 215, Liv. 23.31.14; *MRR* 1.254, supervised the elections for 214 and was himself re-elected, Liv. 24.9.3, *MRR* 1.258. He also presided over the comitial proceedings for 213 which ended with his own son being returned as consul, Liv. 24.43.5; *MRR* 1.262; R. Develin, 'Religion and Politics at Rome during the Third Century B.C.', *JRH* 10 (1978) 3; *Practice* 158-161.

<sup>103</sup> For the laws of Saturninus dated to 103 see *MRR* 1.563. These included a *lex agraria* which provided 100 iugera of land for veteran volunteers in Marius' army, which suggests that he either disbanded a number of troops in 103, who may have been serving since 107, or that he was already

that Marius probably decided to take a calculated risk by initiating the connection with Saturninus since he was concerned about his chances of acquiring another term in office. Their relationship was not in the same category as Marius and Metellus Delmaticus or T. Manlius Mancinus and Marius; Saturninus had won the tribunate without Marius' aid, he was his own man and all the more daunting for this independence. And while Marius may have been keen to see land allotted to his enlisted volunteers, or to have land set aside and available for the end of the campaign, he was perhaps preoccupied with the problem of re-election. The timely alliance with Saturninus indicates that support for Marius was ebbing away. He had, after all, again failed to bring about a speedy conclusion to a war, no matter that the enemy had disappeared. His fourth consulship was not a foregone conclusion, and it certainly appears as though Marius required Saturninus' considerable oratorical skills (Cic. *Brut.* 224) to make sure that the result was as he had wished it to be.

It transpired that Marius' re-election not only proved to be vital for the fortunes of the *res publica*, but was also a glorious vindication of the people's decision, unique in the verifiable period of republican history, to allow one politician to hold the consulship three years in succession. As they moved along the coast of Gaul towards Italy after suffering a defeat in Spain at the hands of the Celtiberians (Liv. *Per.* 67), the Teutones and Ambrones, who had taken a more southerly route than the Cimbri, were destroyed by Marius' army in two battles at Aquae Sextiae (Plut. *Mar.* 18.3).<sup>104</sup> Shortly after the ending of the hostilities messengers arrived from Rome bringing news of Marius' election to a fifth consulship (Plut. *Mar.* 22.3) and, in Plutarch's account, a good illustration of the fact that the events of a whole year have been conflated into a matter of two to three weeks of military activity in Gaul.

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making provision for the future. Saturninus also passed his *lex de maiestate*, and was also responsible for the *plebiscitum* which exiled the hapless consul of 105, Cn. Mallius Maximus. For a more thorough examination of Saturninus' laws see Chapter 3.

<sup>104</sup> The battle was preceded by omens and portents which seemed to foretell a famous victory, Liv. *Per.* 68; Pliny, *NH.* 2.148; Plut. *Mar.* 17.3-4; *Obseq.* 44, 44a. Plutarch also relates the arrival at Rome of Battaces, the priest of the *Magna Mater*, who also predicted triumph for the Romans, *Mar.* 17.5-6.

Meanwhile, Marius' consular colleague Catulus had been ordered to hold the Alpine passes, and to block any advance the Cimbri might attempt into the Po Valley.<sup>105</sup> Their king Boiorix was understood to have chosen a more indirect route into Italy, but by marching around the northern foothills of the Alps he could not have known that the Teutones had lagged far behind him, and the projected pincer movement against the Romans failed to materialize. Marius may have relied on the inability of the Germanic tribes to coordinate a joint attack, and hence expected his fellow consul to spend a fruitless year employed in garrison duty. Assailed from the north by superior numbers, Catulus was forced to retire from the mountains to the south bank of the Po following a fierce onslaught (Plut. *Mar.* 23.2-6; *Reg. et Imp. Apotheqm.* 202E; cf. Liv. *Per.* 68; *Sull.* 4.2-3).<sup>106</sup> Nevertheless, his command was prorogued by the senate for 101 because Marius' newest colleague in the consulship was needed in Sicily to suppress a major slave rebellion, which had disrupted the province since 104.<sup>107</sup>

M'. Aquillius, who had served as Marius' legate between his praetorship and his canvass for the consulship,<sup>108</sup> may have enjoyed the active support of his former, though still absent, commander in his campaign. Aquillius is the

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<sup>105</sup> During the absence of both consuls, Q. Caecilius Metellus Numidicus and his cousin C. Caecilius Metellus Caprarius were elected censors. Numidicus was soon in open conflict with Saturninus and his ally C. Servilius Glaucia when he tried to exclude them from the *ordo senatorius*, *MRR* 1.567; Gruen, *RPCC* 181.

<sup>106</sup> For Catulus' campaign in the Italian Alps in the vicinity of Bolzano and Trento, see R.G. Lewis, 'Catulus and the Cimbri, 102 B.C.', *Hermes* 102 (1974) 90-109.

<sup>107</sup> The slave revolt began during the governorship of P. Licinius Nerva either in 105 or 104, *MRR* 1.559 and n. 3. He was replaced by the propraetor L. Licinius Lucullus who had already been engaged in putting down a similar rebellion at Capua, Diod. 36.2.5-6, *MRR* 1.559. With some success to his credit Lucullus could have expected his command to be extended, but he was obliged to yield his appointment to C. Servilius, praetor in 102, *MRR* 1.548, who fared much worse, with the result that the senate voted Sicily a consular province for 101. Both Lucullus and Servilius were later prosecuted for their mismanagement of the crisis in Sicily. For the possible dates see Badian, *Klio* (1984) 301-306.

<sup>108</sup> Aquillius may have been praetor in 104 if he joined Marius' staff in 103, *MRR* 1.559 and n. 1. Cf. Sumner, *Orators* 91, for a praetorship date of 104. Since Aquillius' father had been consul only in 129, the son's career must have progressed close to *suo anno*.

first consular colleague of Marius who may tentatively be identified as an *amicus* of Marius, though *amicitia* between them probably cannot be traced back very far. They did indeed serve a spell together in Gaul (Plut. *Mar.* 14.7), and Marius later rallied to Aquillius' defence in his trial *de repetundis* which occurred on his return from Sicily (Cic. *de Orat.* 2.195-196; Liv. *Per.* 70). His connection with Marius is, however, rather overstated in modern studies.<sup>109</sup> As the son of a recent consul, Aquillius probably did not require the approval or support of any single prominent politician; his own family was reasonably illustrious, and provided the prerequisite social and political standing to indulge in a strong challenge for the consulship. His service in the Cimbric War under Marius may have been to his advantage, and made him a popular choice with the voters, especially since a man of some military qualification was required to quell the slave uprising in Sicily. Still, it should also be stressed that military expertise was evidently not uppermost in the minds of those who attended the *comitia centuriata* on the day of the elections; for Aquillius had participated in no active warfare while he served with Marius, and certainly in no victorious battles. The fame of his consular family and mere association with Marius, even if of short duration, probably accounts for his success in the poll for the consulships of 101.<sup>110</sup>

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<sup>109</sup> Aquillius may have joined Marius in Gaul only at the beginning of 103 after serving as *praetor urbanus* or the peregrine praetor and, therefore, served as *legatus* for just one season, during which he was left in charge of the army while Marius went to Rome. His connection with Marius was really rather brief in duration. His replacement was M. Claudius Marcellus, *MRR* 3.55; Cf. Badian, *FC* 201; *Studies* 45; Gruen, *RPCC* 190; Keaveney, *Sulla* 78, who all confidently place Aquillius firmly among a group of politicians who supported Marius. But note Brunt, *FRR* 157: '... no good reason to think that even Manius Aquillius, who had been on good terms with him (Marius) was merely his tool ...'.

<sup>110</sup> Aquillius had no opportunity for building up a personal reputation for military competence since he saw no active service in Gaul where there was a lull in the fighting. In his trial, dated to between 97 and 95, Badian, 1957: 330-331; Gruen, *RPCC* 194, his military experience was grossly inflated by his counsel M. Antonius (cos. 99), and this tradition duly found itself into the ancient sources where it has been accepted largely without question. Prior to the Sicilian expedition he does not appear to have achieved recognition as a general; his youthful service in the army, though taken for granted, is also unattested. Indeed Cicero shows quite plainly, *Flacc.* 98, that Aquillius' *gloria* sprang from his successes in Sicily and not from beforehand: 'M'. Aquillum patres nostri multis avaritiae criminibus testimoniisque convictum, quia cum fugitivis fortiter bellum gesserat'. The failure to mention valiant deeds against the Germanic tribes when he had the

Two other politicians should probably be included among the consular candidates for this year. The first was P. Licinius Nerva, praetor in 105 or 104, a man who may have been connected with Marius in the past, and whose family background would have made a candidacy a strong possibility.<sup>111</sup> The second was A. Postumius Albinus, brother of the consul of 110, under whom he had served in Africa.<sup>112</sup> His career had received a severe setback after his defeat by Jugurtha (Sall. *Iug.* 38.9-10), and was not helped by his brother's arraignment before the *quaestio Mamiliana*. Sp. Albinus was exiled in 109. A. Albinus won the consulship for 99 with a late candidacy, which must have fully exploited public revulsion at the way Marius ruthlessly crushed the *sedition* of Saturninus and Glaucia, but he may well have chanced his hand before, though in 102 the time was as yet inauspicious.

In retrospect, Marius' fifth consulship may be viewed as the crowning point of his career for it culminated not only in his destruction of the Cimbri at Vercellae (Liv. *Per.* 68), but also in his triumph at Rome and his election to a sixth consulship. He appeared in person before the senate to relate the favourable outcome at Aquae Sextiae (Plut. *Mar.* 24.1), rejected or rather deferred the triumph which had been decreed to him until he should fulfil the overall task with which he had been entrusted, and he set out to assist Catulus. The Cimbri were at first unwilling to join battle because they refused to believe that the Teutones had been utterly destroyed (Plut. *Mar.* 24.2). After proof of the annihilation was produced in the form of captured chieftains in chains (*Mar.* 24.4), the Cimbri prepared to advance. Plutarch's account of the battle was extracted from Sulla's memoirs in which Marius' role had apparently been understated (*Mar.* 26.3), and dwelt instead on the heroic actions of the writer himself and his commander Catulus. Whatever truth might

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chance, *de Orat.* 2.195, suggests that there was nothing to relate.

<sup>111</sup> Nerva was from a family which had reached praetorian rank in the senate for, at least, two generations, *MRR* 2.581. A candidacy from a politician with such respectable pedigree might be expected, but his canvass may have been seriously hampered by his mostly incompetent handling of the crisis in Sicily, Diod. 36.3.2-5.

<sup>112</sup> A praetorship before 110 is highly likely, see above. The Roman electorate was not renowned for its lengthy memory, and a candidacy some eight years after his disgrace is by no means improbable. On A. Albinus see L. Hayne, 'The Condemnation of Sp. Postumius Albinus (COS. 110)', *Acta Classica* 24 (1981) 66; Badian, 1990: 404.



lie behind information emanating from an autobiographical text, the basic facts emerge. The Cimbri were slaughtered in their thousands just as their cousins the Teutones and Ambrones had been almost exactly twelve months before,<sup>113</sup> and the Romans, after a second breathtaking victory over the Germanic tribes, removed the peril to peace and stability in Italy. It is perfectly natural that a writer such as Sulla should wish to portray his role in a famous event in as positive a light as possible, and to give more credit than was perhaps due to a politician who became an ally, and also to denigrate the role played by the man who was later to become his bitter opponent.<sup>114</sup> Plutarch was not so entirely naive that he did not recognize the inherent bias in his source material for this affair,<sup>115</sup> and he states clearly enough that, at the time, it was Marius who was hailed the architect of the defeat of the Cimbri (*Mar.* 27.5), the third founder of Rome, and the general who deserved to be the sole beneficiary of the two triumphs awarded for the decisive conclusion of the war. It may be assumed that he did not obtain this material from Sulla, which indicates either that he knew of another tradition concerning the battle or had a secondary source which he also consulted.

οὐ μὴν ἀλλὰ τῷ Μαρλίῳ προσετίθετο σύμπαν τὸ ἔργον ἢ τε προτέρα νίκη καὶ τὸ πρόσχημα τῆς ἀρχῆς. μάλιστα δὲ οἱ πολλοὶ κτιστὴν τε Ῥώμης τρίτον ἐκεῖνον ἀνηγόρευον, ὡς οὐχ ἤττονα τοῦ Κελτικοῦ τοῦτον ἀπεωσμένον τὸν κινδύνον ...

The entire success was attributed to Marius because of his previous victory and his superior rank. Moreover, the people hailed him as

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<sup>113</sup> The battle of Vercellae took place on the third day before the Calends of Sextilis (August) 101, *Plut. Mar.* 26.4.

<sup>114</sup> Catulus, who commanded the centre of the army, with Sulla probably as one of his senior legates, bore the brunt of the fighting, according to Plutarch, *Mar.* 26.3; *MRR* 1.573. P.F. Cagniard, 'L. Cornelius Sulla's Quarrel with C. Marius at the Time of the Germanic Invasions (104-101 B.C.)', *Athenaeum* 67 (1989) 145 and n. 29, considers that Sulla was a military tribune in this campaign. Marius, presumably in command of the right wing, was said to have missed the enemy altogether in a dust storm. Keaveney, *Sulla* 34, however, suggests that Marius initially routed the Cimbric cavalry before descending on their infantry from the rear.

<sup>115</sup> He does not, however, seem to have had access to Catulus' *commentarii*, *Mar.* 26.5, and clearly references Sulla as his main, and probably sole, source for Vercellae. For the memoirs of Catulus see *Cic. Brut.* 35; *E. B(adian)*, *OCD*<sup>2</sup> 217.

Rome's third founder, on the grounds that the danger from which he saved the city, was no less than that of the Gallic invasion.

It remains not inconceivable, nevertheless, that Catulus and his officer Sulla had played significant parts in this victory, which would go some way to explaining why Marius chose to celebrate one triumph jointly with his former colleague, rather than the two which had now been voted to him alone.<sup>116</sup> As a strategem it illustrates a perfect grasp of the political situation at Rome. Marius urgently desired a sixth consulship, probably for two reasons: to ensure the settlement of land grants for his veteran volunteers and as a gratuity for his undisputable military successes. But the celebration of a double triumph could have been construed as a sign of *superbia*, which might also have cost him support in the *comitia centuriata*, where favour always had to be curried, and have alienated, if not exactly overwhelming senatorial support, then acquiescence in a further consulship. The vote of a double triumph was a great honour, but it could not be accepted if Marius wanted his sixth consulship. The offer to share his triumph with Catulus was another gesture which opened the way for another term in the senior magistracy. The joint triumph, far from compromising Marius' good standing, actually increased his hold over the electorate, and appeared simultaneously to be a conciliatory move to ward off criticism from opponents in the senate. Thus his victory in the poll was as much assured by his acute assessment of the lie of the land as were his patient reforms of the army the basis of his wins on the field of battle.

Plutarch accepts the word of Rutilius Rufus (*Mar.* 28.5) that Marius' sixth consulship was obtained through excessive bribery, which also accounted for the election of L. Valerius Flaccus, described as more like Marius' assistant than a true colleague (*ὕπηρέτην μᾶλλον ἢ συνάρχοντα τῆς ὑπατείας*). Since Rutilius Rufus is assumed to have been hostile towards Marius, his evidence is dismissed by Badian, who sees the reference to the purchase of votes as a

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<sup>116</sup> Cicero, *Tusc.* 5.56, notes the shared triumph of Marius and Catulus and likens the latter to Laelius, the former by allusion presumably to Scipio Aemilianus. Although the Romans were not, on the whole, successful in their foreign ventures between 110 and 100, the number of triumphs accorded to victorious generals exceeds the number awarded in the decades before and after: four triumphs between 120 and 111, seven between 110 and 101, six down to 90, E. Pais, *Fasti Triumphales Populi Romani*, Rome 1920, 1.206-226.

malicious distortion of what was the usual and acceptable distribution of gifts following a triumph.<sup>117</sup> The disposal of largess was certainly not an illegal practice, but its timing cannot have harmed Marius' candidacy in elections which he himself was again about to oversee.<sup>118</sup> When the polling day arrived, Marius had become the clear favourite to win one of the consulship places for 100. No politician would have undertaken the expense of a canvass in the knowledge that Marius would unquestionably emerge the victor from the elections, so widespread was the esteem in which he was held throughout the community (Plut. *Mar.* 27.5). Still, Plutarch, perhaps under the influence of his sources and determined to maintain the rustic thread in his characterization of Marius, claims that Marius was uncomfortable once confronted with the complexities of political life at Rome (*Mar.* 28.2). This is at odds not only with what the biographer had written about Marius' post-election speeches in 107 (*Mar.* 9.2), but also with the cunning way in which the victor of the Cimbric War organized the campaign trail for his next consulship.

Such competition as occurred was once more confined to the selection of Marius' latest colleague. Although L. Valerius Flaccus, who was elected, has been portrayed as the willing friend and ally of Marius who benefited from the latter's supreme position in the *res publica*,<sup>119</sup> he would have been a strong contender under any conditions since he was the member of one of the very few families which had won consulships in each generation in the second century.<sup>120</sup> Furthermore, his public career must certainly have advanced close to *suo anno* with a moneyership dated to 109 or 108, and a praetorship

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<sup>117</sup> Badian, 1984: 121 n. 46, with reference to Vell. 2.12.6, who thought that Marius' sixth consulship was a gift in return for his almost unsurpassed service to the state; cf. *FC* 202, where he believed that Marius' disbanded army had been crucial in securing the vote. Note also Gruen, *RPCC* 180, who considers bribery a possibility.

<sup>118</sup> M'. Aquillius returned from Sicily to celebrate an *ovatio* only in 99, *MRR* 2.2; Pais, *Fasti* 1.221.

<sup>119</sup> Valgiglio, *Vita* 132; Badian, 1957: 333; *FC* 201; 1984: 122; Van Ooteghem, *Caius Marius* 236.

<sup>120</sup> Valerii Flacci, all direct descendants of the cos. 227, were consuls in 195, 152 and 131, *MRR* 2.629.

in 104 or 103.<sup>121</sup> His long career in the senate, including the censorship, was not especially notable, though as *flamen Martialis* many of the avenues open to other ambitious senior politicians were forbidden to him.<sup>122</sup> Nonetheless, in 86 he was chosen *princeps senatus* by the censors, L. Marcius Philippus and M. Perperna, a position he held well into the 70's.<sup>123</sup> Plutarch, or rather his source, probably Rutilius Rufus, believed him to have been a placeman who owed everything to Marius but, considering his respectable career before 100 and his family name, some distortion of the facts has quite probably crept into the literary tradition.

Plutarch further confirms the presence of, at least, a third candidate in these elections, naming him as a Metellus (*Mar.* 28.5), who may plausibly be identified as the *consularis* and ex-censor Q. Caecilius Metellus Numidicus.<sup>124</sup> Although Numidicus would have canvassed for office in contravention of the law governing the same magistracy twice, the multiple consulships of Marius could be cited as a precedent for failure to comply. Moreover, Marius, who was the presiding magistrate, might have declared the candidature of Numidicus invalid but, given his own example, was outmanoeuvred by the strategy of this potentially difficult opponent. Numidicus attempted

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<sup>121</sup> Flaccus' father was a direct contemporary of the elder Aquillius, Orestes and Tuditanus, all of whom had sons who either reached a consulship at about the minimum age or who came close to winning that office. For his moneyership see Crawford, *RRC* 1.316, no. 306 and compare with M'. Aquillius, *monetalis* at roughly the same time, Crawford, *RRC* 1.314, no. 303. Cf. Mattingly, 1982: 44, who suggests that the moneyerships of both politicians should be dated to 108/7. Flaccus' career was not retarded, and he appears to have been the same age or a year younger than Aquillius who held the consulship immediately ahead of him. He may have been prosecuted for *repetundae* after his praetorship, Cic. *Div. in Caec.* 63; Badian, *Studies* 86; 1984: 122 and n. 47; Gruen, *RPCC* 178-179; cf. Sumner, *Orators* 80-82, who argues that the L. Valerius Flaccus in question was the suffect consul of 86. In *Klio* 66 (1984) 299-301, Badian concurs with Sumner's suggestion.

<sup>122</sup> For his flamine see *MRR* 1.577. On the duties and restrictions imposed on the *flamines* see H.J. Rose), *OCD*<sup>2</sup> 441; A. Wardman, *Religion and Statecraft among the Romans*, London 1982, 32; J.H. Vanggaard, *The Flamen: A Study in the History and Sociology of Roman Religion*, Copenhagen 1988, 90-91, 70 and n. 31-32, who curiously fails to equate this *flamen Martialis* with the *cos.* 100.

<sup>123</sup> *MRR* 2.54.

<sup>124</sup> Carney, *Marius* 40-41; Badian, 1984: 122; R.J. Evans, 'Metellus Numidicus and the Elections for 100 B.C.', *Acta Classica* 30 (1987) 65-68; Broughton, *Candidates* 9 and n. 14.

to win another term as consul in order to forestall the proposed legislation of Saturninus, who intended, or who had just recently won, a second tribunate, and Glaucia, who was a candidate for the praetorship. Plutarch also states (*Mar.* 28.4) that Marius was keen to see Numidicus exiled, but the latter's election would have foiled a move for a criminal prosecution since he would have been immune to all judicial charges at the same time as his enemies held their various offices. The endeavour to seek a second term was well worth the effort because so much was at stake and, if it had succeeded, Numidicus might have been in a position to cripple the intended bills of Marius and his allies. A similar ploy to negate the legislation of political opponents was to be undertaken, though unsuccessfully, by M. Calpurnius Bibulus, the consular colleague of Caesar in 59. It may be assumed that the result for the unassigned consulship was close since Numidicus had been a popular figure at Rome after his return from Numidia. However, Marius' more recent fame carried the day, particularly if he was active on behalf of L. Valerius Flaccus.<sup>125</sup> And as Plutarch says (*Mar.* 28.6), never before had the citizen body entrusted so many consulships to one man in such a short space of time. Marius' achievement was without question unparalleled.<sup>126</sup>

## Conclusion

Marius' stature as a general and a strategist has, to a large extent, been the product of a rather simplistic conception of history, perceived in antiquity to be dependent on the individual exploits of great men. The literary source material for a study of this stage of Marius' career, primarily the works of Sallust and Plutarch, tended to ignore the equally important role he played in the internal affairs of Rome, especially between 108 and 100. In denying political ability to Marius, who was portrayed for various specific reasons

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<sup>125</sup> The events leading up to the exile of Numidicus and the causes for the *senatus consultum ultimum* which led to the death of Saturninus and Glaucia more properly belong to the discussion in Chapter 3.

<sup>126</sup> Plutarch, *Mar.* 28.6, mistakenly refers to a 'Corvinus Valerius' and actually means M. Valerius Maximus Corvus, cos. I 348, II 346, III 343, IV 335, V 300, VI 299, *MRR* 2.630; Valgiglio, *Vita* 132; Van Ooteghem, *Caius Marius* 236; Develin, *Patterns* 60; *Practice* 148.

either as a hero or as a villain,<sup>127</sup> ancient writers have bequeathed an image which is very far from complete, and which has remained, if not quite a standard representation, a commonplace in modern studies. Indeed, Roman republican history has, until recently, been dominated by the examination of senatorial generals triumphant in expansionist wars at a time of imperial growth. In this chapter I have, therefore, presented Marius' consular career in the context of republican political life and, while not excluding his concerns for a reform of the Roman army or his successes in warfare, have relegated these and other issues to a less prominent position where they probably belong.

The picture which seems to emerge shows that Marius was originally little different from his fellow senators but that, as often occurs in time of crisis, greatness was thrust upon the man who was able to make the most out of the prevailing conditions. Considering the competitive nature of the electoral process, although Marius campaigned for the consulship at a later age than some politicians, his career was not especially retarded. His canvass for the highest magistracy in 108 was, however, astute and calculating. The eventual success over the Numidian princeling Jugurtha was obviously not comparable to the splendid victories over Carthage and Macedonia of earlier Romans such as Scipio Africanus or Aemilius Paullus. However, like Scipio Aemilianus at Numantia, Marius' triumph brought a much needed boost to Roman self-confidence after a long series of disasters and, although the war had been merely a frustrating minor incident, it established his credentials as a general. By 105 he was evidently seen as the only senator capable of saving Rome and Italy from devastation at the hands of the Germanic tribes. A number of fortuitous events thus brought Marius to the forefront of public life in 104, and his re-election to a second consulship is not really that surprising. Thereafter, he was not at the head of an expedition which pursued and put to flight a feared enemy, but of a command which was, for its greater part, a harmless and inactive frontier exercise. Three of Marius' five iterated consulships saw no military action whatsoever, yet the voters continued to re-elect him consul with commendable consistency and loyalty until, in just two military engagements which occupied considerably less than

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<sup>127</sup> See, above, my comments in the Prologue.

two campaigning seasons, the danger from the Cimbri and Teutones was forever removed.

Marius' election to his sixth consulship reveals his mastery of the political system. His resounding victory in the elections for 100 must surely also indicate, not that he had finally learned the tricks of his trade, but that he had always operated in this skillful fashion. The ancient writers who, until that stage in his career, had been more concerned with military events were now obliged to turn their attention to political affairs and with that change of emphasis provide a more accurate image of a man who was first and foremost a politician. The campaigns for his first and sixth consulships show the level of Marius' political expertise. The consulships he acquired in between, in the sources, a gift of the *populus Romanus*, must also have been acquired through his political judgement and sagacity. Throughout history, men who achieved great renown have been favoured with opportune situations and personal ambition in equal proportions, and they rose to the occasion offered them; Marius was no exception. He used to the utmost all the opportunities which fell his way and while, no Roman republican politician would have done otherwise, that alone is sufficient to earn him universal admiration.

### III

#### MARIUS AND THE TRIBUNATE

*How dost thou wear and weary out thy days,  
Restless Ambition, never at an end!*

Samuel Daniel (1562-1619)

#### Introduction

Because of an understandable lack of material, the ancient sources have little to say about Marius' public career before his appointment as senior legate to Q. Caecilius Metellus Numidicus, just before the beginning of the latter's campaign against Jugurtha. Cicero (*Leg.* 3.38-39) mentions a tribunician law and the spectacular double *repulsa* for the aedileship (*Planc.* 51),<sup>1</sup> Sallust (*Jug.* 63.4: 'Deinde ab eo magistratu [trib. mil.] alium post alium sibi peperit semperque in potestatibus eo modo agitabat, ut ampliore quam gerebat dignus haberetur.') seems to suggest a long string of lesser magistracies, but specifies only the military tribunate; Valerius Maximus (6.19.4) lists junior offices in a rather dubious and probably unhistorical context; Velleius (2.11.1) and Diodorus (34-35.38.1) merely comment on an equestrian background. Only Plutarch devotes a relatively detailed account to Marius' year as tribune of the plebs, a public office which was increasingly employed by republican politicians, throughout the second century, for cultivating popularity among the electorate. Plutarch probably obtained his information from the histories of Fenestella and Livy, for it is not likely to have featured to any extent in the memoirs published by various politicians who were active in this period. In comparison to other writers and to his own coverage of Marius'

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<sup>1</sup> Cf. Plut. *Reg. et Imp. Apotheqm.* 202B; *MRR* 3.139.



other pre-consular offices, Plutarch devotes a disproportionate amount of space to Marius' tribunate. The intention seems to have been to illustrate two apparently contrasting episodes in which, as we shall see, Marius was the protagonist (Plut. *Mar.* 4.2-4).

The year of 119 has a fascinating mixture of events which prove that political activities at Rome were once again brisk and evidently fully recovered from the nearly disastrous civil commotion of 121. Marius' tribunate has already been discussed above, but some points are worth reiterating since they tie in well with this examination of Marius' link with tribunes of the plebs and their various aims and methods. Marius' law narrowing the voting *portus* was passed, but only after the threatened imprisonment of the consuls L. Aurelius Cotta and L. Caecilius Metellus Delmaticus, a procedure which had not been attempted since the 130's.<sup>2</sup> A charge of *repetundae* or *maiestas* was brought by the young L. Licinius Crassus (cos. 95) against C. Papirius Carbo (cos. 120), which resulted in this consular's condemnation and suicide (Cic. *Brut.* 106).<sup>3</sup> Q. Mucius Scaevola (cos. 117) was also accused of extortion on his return from his propraetorian command in Asia, but was acquitted (Cic. *Brut.* 102).<sup>4</sup> A proposal to increase or decrease the extent or price of the cheap corn quota, which was available to all Roman citizens, was defeated in a legislative *comitia* after Marius had spoken against the measure. On the face of it, it looks as though the anti-Gracchan sentiment of the previous year had spent its energy, and that the normal cut and thrust of republican politics had reasserted itself.

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<sup>2</sup> The consuls of 138, P. Cornelius Scipio Nasica and D. Iunius Brutus Callaicus, were forcibly detained by the tribunes for insisting that the levy for the war in Spain be continued in the face of widespread opposition, *MRR* 1.483. It is interesting to note that Plutarch claims that the tribunician college was united behind Marius, *Mar.* 4.3. It may be that the issue at hand was tackled in concert, with Marius as the chosen mouthpiece. Against the combined pressure of all ten tribunes the resistance of the consuls was short-lived and probably cosmetic.

<sup>3</sup> *MRR* 1.526 and n. 2; Gruen, *RPCC* 108-109; Sumner, *Orators* 96.

<sup>4</sup> *MRR* 1.523-524; F. Marx, *Lucilii Carminum Reliquiae*, Leipzig 1904, 29-44; C. Cichorius, *Untersuchungen zu Lucilius*, Berlin 1908, 237-251; Gruen, *RPCC* 115.

Badian has described Marius' voting bill as a radical measure, although it is difficult to see how he arrives at this conclusion;<sup>5</sup> it certainly does not emerge from a reading of the ancient evidence. The width of the voting *pontes* was adjusted to prevent voter-intimidation and, as the reverse type of the denarius of P. Licinius Nerva shows, the *custodes* now had to stand below the *pons*.<sup>6</sup> Verbal abuse of votes was still feasible but physical harassment had been curtailed. The law was obviously intended for all forms of *comitia*, not primarily elections as Gruen maintains.<sup>7</sup> Marius' later fame, due partly to his relationship with Caesar, and his legendary place among exponents of 'popular' politics has transformed this law from minor league legislation into the realms of grand strategy, and an assault on the powers of the senate.<sup>8</sup> Of course, Plutarch, by himself, or through his use of prejudiced source material, is to blame for this disinformation because he appears to place Marius' bill in the same category as the *lex Gabinia*, the *lex Cassia tabellaria* and the *lex Papiria*,<sup>9</sup> though quite patently none of these innovatory measures undermined the fundamental structures of the *res publica*. Plutarch implies that Marius sought to strengthen the power of the *populus* at

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<sup>5</sup> Badian, 1957: 321; Van Ooteghem, *Caius Marius* 82. Cicero's evidence, *Leg.* 3.38-39, does not easily support Plutarch's contention (*Mar.* 4.2) that the law attacked senatorial privilege; cf. Badian, 1956: 94. As later episodes indicate, for example, *ad Heren.* 1.21; *Cic. Att.* 1.14.5; Taylor, *RVA* 39 and n. 21-22; Broughton, *Candidates* 3-4, elections continued to be vigorously competitive.

<sup>6</sup> Crawford, *RRC* 1.306-307, no. 292, argues that the figure on the *pons* is the voter, and the smaller figure below an attendant, perhaps a *custos*; cf. Taylor, *RVA* 39, who believes that the lower figure represents a voter 'coming up to the *pons*'. Crawford's interpretation of the tableau is much less fraught with difficulties, while Taylor seems to introduce unnecessary complexities into the situation.

<sup>7</sup> Gruen, *RPCC* 119; cf. Taylor, *RVA* 39 and n. 22, who notes that the ancient evidence refers more frequently to other decision-making, legislative and judicial, than to the elections of magistrates.

<sup>8</sup> The degree of competition in consular elections and, by implication, in those for nearly all other magistracies, shows that the results remained unpredictable and that this was the primary cause of verbal threats and even physical intimidation, Evans, *Acta Classica* 34 (1991) 123-124. This bill cannot have been intended to make radical changes to current electoral practices.

<sup>9</sup> *MRR* 1.482, 485, 502 and n. 1, the law of Carbo dated to 131-130; Astin, *Scipio Aemilianus* 128, 130-131, 232-233 for the laws of Gabinius and Longinus Ravilla and Carbo.

the expense of a wealthy minority, hence the accolade to the effect that he did not fear senior politicians nor did he have respect for their *auctoritas* (Mar. 4.3). However, as Pelling has shown, we should be aware of the fact that Plutarch is always keen to portray republican politics in terms of constant clashes between the senate and the people.<sup>10</sup> Plutarch's representation may not be completely tendentious, but it is definitely very misleading. Moreover, Marius was probably not overly concerned about the consequences of a law which made such a small alteration to the already existing voting arrangement. And the law itself may not even have been aimed exclusively at decision-making of any kind, but was instead a ploy to maintain a high public profile with a view to other electoral successes in the future.<sup>11</sup>

Later in the year Marius successfully contested the motion of, presumably, a fellow tribune which would have affected the distribution of free or cheap corn to the citizen body.<sup>12</sup> Although the corn-dole had already emerged as a feature of tribunician activity, it was not yet the common and highly contentious issue it was later to become.<sup>13</sup> It is, therefore, a sad loss indeed that Plutarch should have omitted to enlarge on this affair, and should have failed to identify the other tribune.<sup>14</sup> It may, at least, be inferred from his account that Marius contested a more generous distribution of corn

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<sup>10</sup> Pelling, 1986: 166-181.

<sup>11</sup> It is by no means improbable that the tribunes drew lots to decide which of their number was to present this bill. The risk of failure was negligible, but the prestige associated with its success would have been useful to the politician chosen as the spokesman.

<sup>12</sup> I see no conflict here with my suggestion of united tribunician action regarding the voting *pontes*. Such unity need only have been temporary, especially if the corn-dole measure dates to late in the same year.

<sup>13</sup> The earliest *lex frumentaria* was that of C. Gracchus, which remained law until replaced by the more stringent *lex Octavia* between 99 and 92, H.B. Mattingly, 'Saturninus' Corn Bill and the Circumstances of his Fall', *CR* 19 (1969) 268; Sumner, *Orators* 115; Rickman, *Corn Supply* 165.

<sup>14</sup> For this measure see Rickman, *Corn Supply* 166-173. In 58 P. Clodius passed a law allowing free distribution of corn to all citizens resident in the city.

than was already in force under the terms of the *lex Sempronia frumentaria*.<sup>15</sup> Yet the law of C. Gracchus had already signified a profound change from the operation of free-market forces, and heralded the beginning of strict official intervention by regulating the retail price of corn.<sup>16</sup> It seems hardly possible that a more generous and costly form of state-subsidized distributions would have gone uncontested given the mood of the senate following the suppression of the Gracchan *seeditio* less than two years previously. The defeat of a radical bill would certainly have increased Marius' standing with his fellow senators.

However, Plutarch's evidence could be interpreted in exactly the opposite way, for it is not unimaginable that Marius came to the defence of existing legislation against a measure designed to reduce the cost of treasury-funded handouts of corn.<sup>17</sup> Such a move is surely not impossible to contemplate, for it would not have been out of place in the weeks or months that followed the attacks on opponents of Gracchus like Opimius and former allies such as Carbo. An ambitious tribune may have been seduced by the prospect of instant fame concomitant with the repeal of this major piece of Gracchan legislation, though such a bill would also have encountered strong opposition and not stood

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<sup>15</sup> Such a proposal would have well suited the career of P. Decius Subulo, whose unsuccessful prosecution of L. Opimius (cos. 121), *MRR* 1.523-524, marked him out as a politician who felt that he might benefit from a display of pro-Gracchan sympathies. Subulo's tribunate is securely dated to 120, however, and he may well have been a friend and ally of Marius at this stage, Badian, 1956: 94. In the same year the tribune L. Calpurnius Bestia (cos. 111), another newcomer to politics, secured the recall to Rome of P. Popillius Laenas (cos. 132) who had been exiled under another law of Gracchus, *Plut. C. Gracch.* 4.2, a further indication of the backlash which followed the upheaval of the previous year. Note also Wiseman, *New Men* 5, on the proximity of the *lex Maria* to the acquittal of Opimius. Marius' law could have been intended to facilitate the conviction of prominent politicians who might otherwise be tempted to bribe both the *custodes* and the voters.

<sup>16</sup> Each citizen was entitled to a certain amount of corn at a fixed price of six and one third asses per *modius*. Although the number of *modii* is not attested for the 120's, Rickman, *Corn Supply* 159, this was stipulated at five for each man who qualified under the terms of the *lex Terentia Cassia* in 73, Mattingly, *CR* 19 (1969) 268 n. 4; Rickman, *Corn Supply* 168. Since the price in 73 was the same as fifty years before, the amount of corn was also no doubt unchanged.

<sup>17</sup> For the operation of the law see Rickman, *Corn Supply* 158-161, who describes the law as 'epoch-making' and that the 'monthly provision of corn' avoided a seasonal fluctuation in prices.

much chance of becoming law. Plutarch may have misread his evidence for the affair over the corn law, especially since Marius, an equally ambitious and aspiring politician, would have recognized the popularity to be gained from linking his name with the Gracchi. While this course may have endeared him to the urban populace it would have endangered future prospects of higher office. Marius' failure to secure the aedileship might just suggest that he had antagonized the more influential members of the community whose support was crucial in all elections. His double *repulsa* in 117 could be related to his espousal of Gracchan policies in 119, even if this had been a marriage of convenience and of transitory duration. Moreover, Cicero's failure to note Marius' action against a proposed corn law as an *exemplum* of responsible leadership,<sup>18</sup> therefore, possibly indicates that Marius defended the recent Gracchan law late in the year as a way of further establishing his credentials for independent action.<sup>19</sup> Any assessment of Marius' tribunician activities is clearly not the open-and-shut case it has appeared to be.

The evidence for Marius' political stance in 119 from Plutarch's account depends largely on the meaning he wished to convey from his use of *τὸ συμφέρον* (*Mar.* 4.4). This is rendered as 'common good' in English editions of the biography of Marius, though 'expediency' is perhaps a more rigorous translation.

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<sup>18</sup> Cicero frequently employs Marius as an *exemplum* in his works, Carney, *WS* 73 (1960) 83-122. Opposition to a proposal such as the one outlined by Plutarch could have been used when attacking the measures of other irresponsible tribunes such as the agrarian bill of P. Servilius Rullus in 63. The failure to exploit Marius' action in 119 is puzzling, and implies that it had either been forgotten or had, indeed, been a justification of the Gracchan law which Cicero chose to ignore.

<sup>19</sup> Gruen, *RPCC* 119, sees Marius' opposition to the corn law as an indication of his connection with the *equites* who stood to lose by a more generous dole system. It hardly needs to be restated that Marius did not possess a monopoly of ties with the equestrian order. Furthermore, this or any other piece of legislation about a corn-dole did not grossly undercut the profits of the corn dealers who were still able to make large profits on the open market. Rickman, *Corn Supply* 160, suggests that the *negotiatores* could keep their prices high even when the state sold at a much reduced price because the subsidized corn did not fulfil the entire nutritional requirements of any one family unit, which still needed to buy in the market-place. A more generous handout would probably have affected the pockets of the *equites* only marginally, but a stricter interpretation of the law would certainly have been financially advantageous to these businessmen.

νόμου γὰρ εἰσφερομένου περὶ σίτου διανομῆς τοῖς πολίταις ἐναντιωθεὶς ἐρρωμενέστατα καὶ κρατήσας, εἰς τὸ ἴσον ἑαυτὸν κατέστησε τῇ τιμῇ πρὸς ἀμφοτέρους ὡς μηδετέροις παρὰ τὸ συμφέρον χαριζόμενος.

When a bill concerned with corn distribution to the citizens was presented, he opposed the measure in such a vigorous fashion that he ensured its failure, and established for himself an equal respect of both (sections of the community) as favouring neither against expediency.

Marius contested the proposed corn law against 'expediency', and so won the applause of both sections of society. It may be presumed that the wealthier elements in society, in particular, would have been appeased if he had fought against an extension of the corn-dole, having first won acclaim from the populace for his voting law. And this is the general opinion about his actions in this year.

However, if it was expedient to support this measure why did he oppose it? Assuming that the proposal was for an extension of the corn-dole, it was to his advantage to oppose it, which would have pleased Rome's *equites*, and would merely have cost him the admiration of the urban crowd, whose influence in elections was anyhow less important. But, as I have suggested above, his voting law cannot be regarded as especially radical, and cannot have won him much of a reputation among common folk as a demagogue. Thus there seems to have been little support from that quarter to lose. It was, therefore, expedient to contest a measure designed to make the corn-dole more generous, but he would have disadvantaged himself by fighting a proposal limiting the corn-dole, which is surely what he did late in 119. By this action he would truly have shown himself to be beyond the clutches of an established senatorial family such as the Caecilii Metelli with whom he had recently parted company. Had Marius courted Gracchan methods, even briefly in 119, his failure to win either of the aedileships in 117 may have been the readily explicable sequel.<sup>20</sup>

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<sup>20</sup> The corn-dole was evidently not regarded with same hostility as the *lex agraria* of Ti. Gracchus since it survived unaltered for another twenty years, at least. Furthermore, support for this law may not have been brought odium upon Marius for its repeal would undoubtedly have led to a resurgence of civil unrest. Support for the *lex Sempronia frumentaria* might actually have been perceived in all quarters as upholding peaceful conditions in the

Carney and Gruen have argued that Marius' exploits in 119 need not be construed as lacking in consistency,<sup>21</sup> and within the framework of republican politics championing one motion and attacking another would not have caused anxiety about his political skills. In Marius' case, however, consistency seems to be the record of his tribunate, by first promoting greater efficiency in the voting process, and then by lending his support to an existing popular law. Like others before and after him, nonetheless, he learned that, as Cicero was later to argue (*Off.* 3.2-3), 'the good man might pursue the right ('*honestum*') and the expedient ('*utile*') indifferently because, in the end, they were the same'.<sup>22</sup> It was unwise not to follow the route of expediency since it might adversely affect future chances of election to more senior public offices.<sup>23</sup> Cicero, whose career was characterized by great shifts in political attitudes and policy, was, in terms of the rate that he acquired magistracies, a far greater success story. As Balsdon says, Cicero found it no great hardship to tailor his coat to suit the prevailing political mood, but Marius also learned well from the mistakes he committed early in his career. From the time he gained the praetorship, he was not to set a foot wrong until he reached advanced old age.

Adapting to differing circumstances would have illustrated a certain amount of acumen. Wirszubski, in his study of *dignitas*, was able to show that, while

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*res publica*. Cf. F.B. Marsh, 'In Defense of the Corn-Dole', *CJ* 22 (1926-1927) 24-25: '... the corn-dole was a bribe to the populace ... If the proletariat could not be eliminated, it could, at least, be rendered comparatively harmless ...'

<sup>21</sup> Carney, *Marius* 20; Gruen, *RPCC* 119 n. 71.

<sup>22</sup> J.P.V. Balsdon, 'Cicero the Man', in *Cicero*, ed. T.A. Dorey, London 1965, 184-185. Note also Badian, *Roman Imperialism* 1.

<sup>23</sup> Both Q. Caecilius Metellus Macedonicus (cos. 143) and the younger Cato learned the hard way. Macedonicus suffered two humiliating *repulsae* in consular elections on account of his *severitas* which had made him unpopular, *Liv. Oxy. Per.* 52; *Val. Max.* 7.5.4; *Vir. Ill.* 61.1; Broughton, *Candidates* 8-9; Evans, *Acta Classica* 34 (1991) 117. Cato's rigid outlook cost him dear in the elections for 51, *Plut. Cato Min.* 49-50; *Dio*, 40.58; *MRR* 2.240-241; Broughton, *Candidates* 15; Evans, *Acta Classica* 34 (1991) 123; R. Syme, 'A Roman Post-Mortem: An Inquest on the Fall of the Roman Republic', in *Essays on Roman Culture: The Todd Memorial Lectures*, ed. A.J. Dunston, Toronto & Sarasota 1976, 146: 'Cato in his own life-time incurred blame for that inflexible spirit (or noble obstinacy) which denied all compromise ...'. That Cato achieved such renown shows how unusual a phenomenon he was in republican political life. Marius' consistency did not last long beyond his tribunate.

a divergence existed between what he termed 'political prestige' on a philosophical and on a practical political level, as far as Cicero was concerned, dignity had little to do with the modern concept of 'integrity of character or devotion to duty'.<sup>24</sup> A politician's fame was assessed in terms of the honours he gathered, whether in the city or from military campaigns, and the contribution he made to the *gloria* of Rome. If he was sometimes unscrupulous, this does not seem to have been a source of much concern to contemporaries because the final result was considered to be of greater significance. Marius certainly proposed a voting law, the significance of which, however, has been over-emphasized. He either fought against or supported the principle of the corn-dole, yet both acts would have won him a prominent place in the minds of the electorate. More importantly, Plutarch gave his Marius a sufficiently deep and devious intellect, which could be developed later (*Mar.* 29.4, 30.2, 31.3), and which was an absolute necessity for success in the convoluted politics of the day. The value of the information from Plutarch is really double-edged. The voting law was historical, but the account concerning a *lex frumentaria* is of a different calibre entirely. The possible presence of *topoi* in the account of this tribunate points to creative material inserted to serve the author's portrayal of his subject. As historical evidence it deserves to be treated cautiously since more than one permutation may be advanced for its meaning. Furthermore, when cognizance is taken of the range of his tribunician activities, which were neither wholly radical nor conservative, and of perceptions hitherto too reliant on Plutarchian and Sallustian *topoi*, Marius merges rather more gracefully into the oligarchic system in which he operated. His early career deviated little from what was currently fashionable, while his political ambitions were motivated, like those of his fellows, by a desire for personal honours attained through the possession of political offices.

#### From Memmius to the Piracy Law

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<sup>24</sup> Ch. Wirszubski, 'Cicero *Cum Dignitate Otium*: A Reconsideration', *JRS* 44 (1954) 12; Syme, *RR* 320-321. Cicero admitted that he and others were forced to adapt to changes in the political environment whether they liked these or not, *Fam.* 1.8.3-4, 1.9.21, 7.33.2; *Att.* 2.1.8, 2.16.4, 4.6.1. In an obviously ironic remark to M. Iuventius Laterensis, *Planc.* 91, Cicero shows how complete independence of action was largely unattainable in republican politics: 'Nam quod te esse in re publica liberum es gloriatus, id ego et fateor et laetor et tibi etiam in hoc gratulor ...'.



Tribunician activity would appear to have been virtually moribund in the years between 118 and 111; and Sex. Peducaeus in 113 is the sole attested tribune.<sup>25</sup> Yet L. Licinius Crassus agitated for the foundation of the colony at Narbo during this decade.<sup>26</sup> Several politicians who were to become prominent members of the senate issued denarii as moneyers, including Q. Caecilius Metellus Nepos (cos. 98) in 117 or 116, Cn. Domitius Ahenobarbus (cos. 96) in about 116 and Ap. Claudius Pulcher (cos. 79) in 112 or 111.<sup>27</sup> The notorious trial of the three Vestal Virgins took place in 113, and must surely have been one of the highlights of domestic politics in that year.<sup>28</sup> Thus it is surely apparent that the measures proposed by tribunes at this time have rather failed to survive in any records than that there was a total absence of such activity. It is arguably futile to theorize about the possible identity of politicians who may have served as tribunes at this time but, in terms of the most advantageous time for holding a tribunate, it is likely that individuals such as Q./L.? Hortensius (cos. des. 108), L. Cassius Longinus (cos. 107) and C. Atilius Serranus (cos. 106) were all active in this capacity. Sp. Thorius, possibly tribune a year or two before 111, must have caused a storm of controversy with his law which terminated the work of the Gracchan land commission (App. BC. 1.27).<sup>29</sup> Nothing is known about Thorius' career either before or after his tribunate, but reference to him by Cicero (*Brut.* 106) suggests that his birth belongs to the 150's or early 140's, and that he was a contemporary of a politician who was to make quite a name for himself in 111.<sup>30</sup>

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<sup>25</sup> *MRR* 1.536.

<sup>26</sup> *MRR* 3.118; cf. H.B. Mattingly, 'The Numismatic Evidence for the Founding of Narbo Martius', *RAN* 5 (1972) 12, who argues for 113 as the date of the foundation.

<sup>27</sup> Crawford, *RRC* 1.300, no. 284, 1.300-301, no. 285, 1.312-313, no. 299; cf. Badian, 1990: 402, who suggests that the *monetalis* Ap. Claudius may be a son of the consul *suffectus* of 130, Ap. Claudius (Nero).

<sup>28</sup> *MRR* 1.537; E.S. Gruen, 'M. Antonius and the Trial of the Vestal Virgins', *RhM* 111 (1968) 59-63.

<sup>29</sup> *MRR* 1.541 and n. 3, dated to 111; cf. 3.205, with the date uncertain; Gruen, *RPCC* 100-102; R. Develin, 'The Lex Agraria of 111 B.C. and Procedure in Legislative Assemblies', *Antichthon* 12 (1978) 45-46.

<sup>30</sup> Sumner, *Orators* 91, cautions against too precise a dating for Thorius since Cicero, in the *Brutus*, is rarely chronologically exact. However, his inclusion alongside C. Memmius (trib. 111) does indicate that Cicero thought

The actions of tribunes are spotlighted again in the person of C. Memmius who clearly caused a *furor* by insisting that Jugurtha be brought to Rome to answer allegations of receiving bribes from senior members of the senate (*Iug.* 27.1, 29.1-5, 32.1). The king of Numidia was given a guarantee of immunity from prosecution and escorted to Italy by the praetor L. Cassius Longinus, but was ultimately not obliged to disclose his senatorial contacts since another of the tribunes, C. Baebius (Tamphilus),<sup>31</sup> interposed his veto in the public proceedings (*Iug.* 34.1-2). Memmius might have followed the precedent set by Ti. Gracchus in demanding, from the *concilium plebis*, that Baebius be deprived of his office, but he speedily drew back from this hazardous move and thereby avoided a grave constitutional crisis.<sup>32</sup> It may be assumed that Baebius was merely one of a number of tribunes who could be called upon to intervene on behalf of Jugurtha and his associates, which made a protracted effort by Memmius a rather fruitless exercise. The extent of the malpractice and senatorial involvement was never revealed. Memmius, whose description by Sallust (*Iug.* 27.2) as '*vir acer et infestus potentiae nobilitatis*', a characterization which has since been challenged,<sup>33</sup> has no known connection with Marius, and indeed as a candidate for the consulship in 100, was conspicuous as an opponent of Saturninus and Glaucia, who probably connived at his murder.<sup>34</sup> Nonetheless, it can hardly be coincidental that Sallust chose to describe Marius as '*infestus nobilitati*' (*Iug.* 84.1) after his triumphant election as consul for 107. Sallust was not severely limited in his choice of adjectives for politicians at odds with senior senatorial

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of them as of roughly the same age. The moneyer, L. Thorius Balbus, dated by Crawford, *RRC* 1.323, no. 316, to 105, was surely a close relative.

<sup>31</sup> Probably a Baebius Tamphilus, brother of the tribune of 103, *MRR* 3.33, and related to the moneyer of 137, Crawford, *RRC* 1.268, no. 236. Cf. Paul, *Commentary* 105, who considers Baebius too common a name to speculate about his identity. However, for the few senatorial Baebii, mostly Tamphili, in the republic see *MRR* 2.537.

<sup>32</sup> Paul, *Commentary* 102, suggests that Memmius' intention was to air the dirty linen of the senate in public without forcing the issue of Jugurtha's testimony and, if so, a costly imposition on the public purse. Memmius achieved his prominence without having to progress further, as Paul also argues, *Commentary* 103, when he refers to the tribune's '*concern for the senatus auctoritas*' (*Iug.* 31.25).

<sup>33</sup> Gruen, *RPCC* 140-141; Paul, *Commentary* 88.

<sup>34</sup> Badian, 1957: 332-333; *FC* 207 n. 3; Gruen, *RPCC* 182-183.

figures, and he surely intended Marius' political activities to be linked, in tenor at least, with those of the audacious tribune of 111.

Curiously enough, if Plutarch (*Apothegm. Scip. Min.* 17) and Frontinus (*Strat.* 4.1.1) are to be believed, Memmius had also served in the Numantine expedition under Scipio Aemilianus. He would, therefore, have been more or less the same age as Marius.<sup>35</sup> Holding a tribunate in one's mid-forties was not that unusual, and campaigning for the consulship towards the age of fifty-five not without precedent.<sup>36</sup> Sallust's portrayal of Memmius as a forceful and eloquent politician (*Iug.* 30.4: 'Romae Memmi facundia clara pollensque fuit') initially seems to weigh against a man of more mature years. However, Plutarch's account of Marius' tribunate, held in his late thirties, also stresses the physical and vocal powers of his subject, which illustrates that youth alone was not regarded as a prerequisite for vigour and an impressive performance in *contiones*. When compared with that of his peers, Memmius' career was not greatly retarded, and a military tribunate in 134 followed by a tribunate twenty years later is not sufficient reason for assuming that the officer at Numantia and the tribune of 111 should have separate identities.<sup>37</sup> A public humiliation in Spain might well have made him refrain from a public career until middle age brought respectability, but may also have given him cause for his celebrated hatred of certain members of the senate. Memmius is not a major figure in the *Bellum Iugurthinum*, and features not at all in Plutarch's *Life*,<sup>38</sup> but he is accorded the second longest oration to a Roman

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<sup>35</sup> Cf. Sumner, *Orators* 85, who argues that this Memmius cannot have been the tribune 111 because he would have pursued an 'odd career', and that his known offices fit uncomfortably with the chronology of Cicero's *Brutus*. His career would not, however, have been much odder than Marius. For the affair that earned Memmius the censure of his commanding officer see Astin, *Scipio Aemilianus* 261.

<sup>36</sup> Wiseman, *New Men* 166, and Appendix 1 for the ages of tribunes. Examples of consuls in their fifties or even sixties are common enough: P. Rutilius Rufus (pr. 118, cos. 105), L. Gellius Poplicola (pr. 94, cos. 72), Ser. Sulpicius Rufus (pr. 65, cos. 51); M. Pupius Piso Frugi (pr. 72?, cos. 61); A. Gabinius (cos. 58); Develin, *Patterns* 101.

<sup>37</sup> Sumner, *Orators* 85-86; *MRR* 3.141. Had Memmius been born ca. 155, his career: trib. 111, pr. 104 (?), cos. cand. 100, would have been delayed only slightly longer than that of P. Rutilius Rufus (cos. 105) and probably C. Flavius Fimbria (cos. 104) and other political newcomers in this period.

<sup>38</sup> The affair which culminated in his murder is noticeably absent in the *Marius*, R.J. Evans, 'Quis Erat Nunnius?', *AHB* 2 (1988) 45.

in Sallust's work (*Iug.* 31.1-29).<sup>39</sup> Moreover, he evidently achieved a certain notoriety of his own since his anti-senatorial harangues were well remembered (*Cic. Brut.* 136: 'Tum etiam C. L. Memmii fuerunt oratores mediocres, accusatores acres atque acerbi; itaque in iudicium capitis multos vocaverunt, pro reis non saepe dixerunt ...'; cf. *de Orat.* 2.283).<sup>40</sup> Although it is true that his political career was not especially distinguished, his actions as a tribune were surely thought to have been closely related to the political activities of Marius. And Memmius was undoubtedly made by Sallust to appear to be the precursor of his more illustrious contemporary.

During the following year, Sallust states that the tribunes P. Lucullus and L. Annius caused a further storm of controversy by their disruption of the elections (*Iug* 37.1).

*Ea tempestate Romae seditionibus tribuniciis atrociter res publica agitabatur. P. Lucullus et L. Annius tribuni plebis resistentibus collegis continuare magistratum nitebantur, quae dissensio totius anni comitia impediabat.*

At this time the Roman state was rudely shaken by tribunician intrigues. The tribunes of the plebs P. Lucullus and L. Annius tried, in the face of the opposition of all their colleagues, to continue uninterruptedly their term of office, and this controversy forestalled the elections of the whole year.

As Paul has observed, the sense of this passage is problematic for a number of reasons. Neither Lucullus nor Annius seems to figure other than in this

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<sup>39</sup> The lengthiest speech in the monograph is, naturally, the post-election oration of Marius (*Iug.* 85.1-50), with the address of Adherbal (*Iug.* 14.1-15) only a little in excess of that of Memmius. Sulla and Bocchus are both granted brief speeches (102.5-11, 110.1-8) as is Micipsa (10.1-8), while the letters of Scipio Aemilianus to Micipsa and Adherbal to the senate are deemed worthy of quotation (9.2, 24.2-10). Jugurtha and Metellus Numidicus have only their famous or infamous sayings (35.10, 64.4). Memmius' attack on the senate was evidently meant to hold a special place in the narrative.

<sup>40</sup> H. Malcovati (ed.), *Oratorum Romanorum Fragmenta Liberae Rei Publicae*, Turin 1967<sup>2</sup>, 214-217; Badian, *Studies* 245. Memmius' younger brother, *mon.* 110-108, Crawford, *RRC* 1.315, no. 304, Sumner, *Orators* 86, was probably the politician caught by the Varian *quaestio* in 90, *MRR* 3.141-142. See also Appendix 2 for a stemma of the Memmii.

episode, which may indicate that their attempt to win a second term as tribunes offended public opinion to such an extent that they ruined their chances of ever winning other official positions.<sup>41</sup> Paul has, however, discounted the obvious reading of the text 'their term of office', on the basis that, had they been popular, they would have encountered no difficulty in being re-elected.<sup>42</sup> The tribunician intrigue looks as though it was closely connected with the proconsulship of Sp. Postumius Albinus (cos. 110) in Africa. He was evidently keen to have this command prorogued (Sall. *Iug.* 39.2-5), and mid-way through the year must have realized that he would be recalled to the city to conduct the elections (Sall. *Iug.* 37.3).<sup>43</sup> He may well have instigated a move to hinder the announcement of the provincial commands for the forthcoming year, which would in turn have forestalled the election process, either until he was in Rome to exert pressure on senators for a prorogation, or until he had won a victory which would have made this continuation a certainty.<sup>44</sup> However, his plans and the designs of the tribunes were thwarted even before his brother's dismal performance in battle against Jugurtha for the theatre of war was awarded to Q. Caecilius Metellus.<sup>45</sup> Sallust's use of the phrase 'continuare magistratum' (*Iug.* 37.2)

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<sup>41</sup> Lucullus may have been a brother of the praetor of 104, *MRR* 1.559 and n. 2. It is just possible though unlikely that the 'P' in the *MSS* is an error for 'L' and that this Lucullus is the praetor himself. A tribunate five or six years before a praetorship would suit L. Lucullus' career very well. Annius may be related to the C. Annius (8) in the *consilium* of the *SC de agro Pergameno*, see Appendix 2, or to one of several Annii in the senate during this period.

<sup>42</sup> Paul, *Commentary* 109-110. Tribunes could not veto comitial proceedings, A.H.M. Jones, 'De Tribunis Plebis Reficiendis - De Legibus Iunia et Acilia Repetundarum' *PCPS* 6 (1960) 37-38.

<sup>43</sup> He was better placed to return to Rome than his colleague M. Minucius Rufus, who had been despatched as governor to Macedonia where he stayed until 107 or early 106, *MRR* 1.543, 552, and from where he returned to celebrate a triumph for victories over various Thracian tribes including the Scordisci, *MRR* 1.554, Pais, *Fasti* 213-214; *Inscr. Ital.* 31.1.84.

<sup>44</sup> Paul, *Commentary* 111.

<sup>45</sup> Albinus left his army encamped before departing from Africa, *Iug.* 36.4. There is no mention of winter quarters though the consul presumably left for Rome towards the end of the campaigning season. The elections were evidently held during the autumn months, and indicate that the tribunes' filibustering must have delayed the process by up to three months, if not longer in Paul's opinion, *Commentary* 111. The expedition against Jugurtha by A. Albinus occurred in January, *Iug.* 37.3, with the curious information that

should still be allowed its natural meaning. Paul's thesis could still stand for the tribunes in trying to extend their own tenure of office furthered the aims of the consul as well.

It is quite plain that Marius has no obvious connection with the machinations of Sp. Postumius Albinus and his friends but it is, nonetheless, interesting that Sallust should chose to bridge the ambitions of these two politicians by means of tribunician manoeuvres. In 110 the elections were delayed by 'seditionibus tribuniciiis' (*Iug.* 37.1), and two years later anonymous 'seditiosi magistratus' (*Iug.* 73.5), almost certainly tribunes of the plebs,<sup>46</sup> prepared the way for Marius' successful candidacy for the consulship. The prominent place accorded to tribunes by Sallust in the internal affairs of the *res publica* shows how significant a role they played when acting on behalf of more senior senatorial colleagues.<sup>47</sup> Moreover, his proximity to the actual events and his first-hand knowledge of Roman politics must make his evidence dependable. After all, he knew well enough the sort of antics of which the tribunes were quite capable. And Plutarch, who attributes far greater self-reliance to his subject, also follows Sallust in claiming that tribunician support was a vital component in Marius' success in

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the new consuls had yet to take up office, which is surely inaccurate since the consular year began on the 1st, and the elections had taken place some time before. It looks as though Albinus, knowing that his brother had been superseded took matters in his own hands, and considering his defeat, was lucky not to be charged with *maiestas* since his position, in the absence of the new commander, was quite unoffical. Sp. Albinus, with his year as consul expired, hurried back to Africa to await the arrival of Metellus, *Iug* 39.5, 44.1. Metellus clearly took a more leisurely view of the situation and cannot have reached Africa before the onset of spring. There may, however, be some confusion in the text at this point. Note also the suggestion that the consul urged his brother to take action, Paul, *Commentary*, 111; *C. Sallusti Crispi De Bello Jugurthino Liber*, explained by R. Jacobs, with emendations by H. Wirtz, A. Kurfess, Berlin 1922<sup>11</sup>; cf. Wiedemann, 1993: 54, who believes that the brothers fell out over the affair.

<sup>46</sup> Koestermann, *Jugurtha* 265; Paul, *Commentary* 188, for *magistratus* as a term used to describe tribunes of the plebs. Although *magistratus* originally referred to an official elected by the whole *populus*, W. Kunkel, *An Introduction to Roman Legal and Constitutional History*, trans. J.M. Kelly, Oxford 1973<sup>2</sup>, 14-19; E. Meyer, *Römischer Staat und Staatsgedanke*, Zurich and Stuttgart 1961<sup>2</sup>, 100-103, it evidently became applicable to all elective positions, P. T(reves), *OCD*<sup>2</sup> 639.

<sup>47</sup> Syme, *Sallust* 171, 175, who notes that tribunes were most often the 'agents of powerful groups or interests in the background'. Such an occasion was surely the episode in which Lucullus and Annius participated in 110.

108 (Mar. 8.5). Nevertheless, a cautionary note may also be sounded. Sallust is supposed to have displayed an antipathy towards the tribunes and he may, therefore, have produced a distorted picture.<sup>48</sup> What becomes apparent is that Sallust thought that Marius, like Memmius, was consumed with an intense anger against senior members of the senate and, like Sp. Albinus, sought honours by employing the tribunes to further his ambitions.<sup>49</sup>

C. Mamilius Limetanus, tribune in 109, was responsible for the establishment of an extraordinary *quaestio*, the like of which had never been seen at Rome.<sup>50</sup> Its importance, like the *plebiscitum* which transferred Metellus Numidicus' provincial command to Marius in late 108 or early 107, remains undervalued though the *Quaestio Mamiliana* made the members of the senate extremely vulnerable to popular will (Sall. *Iug.* 40.5). The introduction of a democratizing element into public life might well have transformed the entire system of government. Had this court become a permanent feature of political life, like the *dikasteria* in fifth-century Athens, it would have caused the development of a truly Hellenized democracy or hastened the advent of autocratic rule.<sup>51</sup> That the life of this court was so short was partly because the overspecific terms of its jurisdiction, which were confined, whether intentionally or not, to those who were either suspected of collusion

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<sup>48</sup> R. Seager, 'Populares in Livy and the Livian Tradition', *CQ* 71 (1977) 377 and n. 1; Paul, *Commentary* 109, who suggest that this is indicative of Sallust' real opinion of tribunes and their political activities.

<sup>49</sup> Since Plutarch refrains from mentioning Memmius or other tribunes in this stage in Marius' career, his account is less complicated and the role of these junior politicians less easily divulged.

<sup>50</sup> Its immediate forerunners were the *quaestio* conducted by the consuls in 138, *MRR* 1.483, and, more particularly, the tribunal presided over by the consuls of 132, P. Popillius Laenas and P. Rupilius, *MRR* 1.498, which sought out supporters of Ti. Gracchus, though it evidently did not sit in judgement over political allies from the senate or equestrian order since none are known to have been either examined or condemned. Blossius of Cumae seems to have been the most famous of those hauled before this commission, Plut. *Ti. Gracch.* 20; cf. Cic. *Amic.* 37; Val. Max. 3.7.1, who state that he fled before appearing in this court, Gruen, *RPCC* 61; D.R. Dudley, 'Blossius of Cumae', *JRS* 31 (1941) 97-98. Note also the extraordinary court of inquiry set up to try Aemilia, Licinia and Marcia, the three Vestal Virgins in 113 over which L. Cassius Longinus Ravilla (cos. 127) presided as sole inquisitor, *MRR* 1.537.

<sup>51</sup> The comparison between Roman and Athenian political and constitutional practices seems well worth making, Millar, 1984: 2; North, *P&P* 126 (1990) 20.

with Jugurtha, or who had received his bribes (Sall. *Iug.* 40.1),<sup>52</sup> and partly because Limetanus, proposer of the measure, was surely more interested in a short-term political victory than in substantially altering governmental structures. Indictments before this *quaestio* involved a charge of *maiestas* which for the first time, therefore, became an offence more serious than *repetundae*. The penalty was exile without recourse to an appeal. It was not until the *lex de maiestate* of Saturninus that a permanent treason court was founded, but the precedent created by events in 109 probably made this occurrence almost inevitable.<sup>53</sup> It was soon obvious that the difficulty of closely defining a charge of *maiestas* coupled with the severe punishment, which permanently removed opponents who succumbed to prosecution, made this court an attractive addition to political life. Furthermore, special *quaestiones* could evidently also fulfil a valuable role in securing political advantages and, when this was fully recognized, tribunician laws setting up others could be expected to recur.<sup>54</sup>

The confines of Limetanus' proposal become abundantly clear from the relatively few politicians who are known, from Cicero (*Brut.* 128), to have fallen foul of this court. L. Opimius (cos. 121), C. Porcius Cato (cos. 114), L. Calpurnius Bestia (cos. 111), Sp. Postumius Albinus (cos. 110) and C. Sulpicius Galba almost certainly represent the total number of senators who were exiled after being convicted by juries composed of *equites* (Cic. *Brut.*

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<sup>52</sup> Cf. Badian, *FC* 194, who argues that this *quaestio* had 'wide terms of reference': those who had advised Jugurtha to defy senatorial decrees, those who handed back elephants or deserters or who had made pacts of peace or war with the king. L. Bestia and Sp. Albinus were clearly the intended victims. One may only speculate about the number of elephant dealers in Africa who might have been arraigned before this court! It cannot have affected many others. Cf. Paul, *Commentary* 121, who argues that junior officers and businessmen were accused. This seems highly unlikely.

<sup>53</sup> The increasing number of temporary commissions set up to try politicians accused of politically motivated crimes made a permanent and properly regulated treason court - *quaestio perpetua* - an absolute necessity by the close of the century.

<sup>54</sup> The Mamilian court was evidently the example for the Varian *quaestio*, *MRR* 2.26-27, which also tried cases of alleged *maiestas*. Gruen, *RPCC* 216, suggests that L. Marcius Philippus (cos. 91) and Q. Servilius Caepio (pr. 91) masterminded this law which was simply presented by the tribune Q. Varius Hybrida. See also below.



128; *de Orat.* 1.225; *Leg.* 3.20).<sup>55</sup> Although the election of three *quaesitores* (*Sall. Jug.* 40.4) suggests the introduction of a witch-hunt, it is perhaps fanciful to believe that Jugurtha was ever in the position, or had the resources, to corrupt so large a section of the political and business communities. A spate of convictions ought surely to have found its way into the literary material and, since this impression does not emerge,<sup>56</sup> it is likely that Sallust has greatly embellished the details of this episode.

Sallust (*Jug.* 40.4) states that M. Aemilius Scaurus (cos. 115) was elected as one of the presidents of this court, and that he secured this position in the uncertain and tense situation caused by the promulgation of this law (*Jug.* 40.2).<sup>57</sup> As the *princeps senatus*, Scaurus would have been a natural choice for *quaesitor*, but it is quite possible that Sallust was, in fact, mistaken in his belief, and should have named instead the *praetorius* M. Aurelius Scaurus, who became consul *suffectus* later in this year.<sup>58</sup> Furthermore, M. Aemilius Scaurus became censor during the course of the same year, and it is unlikely that he could have held both this office and that of president of a current tribunal. His success in these elections suggests that he was not, in any case, suspected of complicity with Jugurtha - contrary to Sallust's evidence - and, moreover, came to the defence of Bestia in his trial (*Cic. de*

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<sup>55</sup> Cf. Paul, *Commentary* 117, who concludes that these five senators were 'only the most important', yet also states that Sallust, *Jug.* 40.1, exaggerated the magnitude of the commission's task by obscuring the details. No other senior politician is known to have been even accused before this *quaestio*.

<sup>56</sup> It obviously did not warrant inclusion in the epitome of Livy's history. Cicero refers to the trial of Bestia, *de Orat.* 2.283; *Brut.* 128, the conviction of Opimius, *Sest.* 140; *Planc.* 70, and to the defence speech of C. Galba, *Brut.* 127, and while his comments on the *quaestio* are always hostile and loaded - 'invidiosa lege ... Gracchani iudices ... invidia ... oppressus est ... idignissime concidit' - he does not dwell on the proceedings. Sallust plainly exaggerated the extent of the commission's work, *Jug.* 40.5.

<sup>57</sup> *MRR* 1.547; Gruen, *RPCC* 148-149.

<sup>58</sup> Paul, *Commentary* 120-121. Sallust had an *idée fixe* about Aemilius Scaurus, whom he initially represents as corrupt and disreputable, *Jug.* 15.4, 29.2-4, 30.2, 32.1, weakly explaining away his appointment. The two other *quaesitores*, both presumably ex-praetors, are not mentioned by name. Cf. Koestermann, *Jugurtha* 165, who accepts Sallust's identification.

*Orat.* 2.283).<sup>59</sup> The censorship was the final goal for most *consulares* and with a *lustrum* due in 109, Scaurus, consul six years before, would have begun his canvass well before the passage of the *lex Mamilia*. Had his guilt been widely recognized, the voters would have taken great delight in delivering a *repulsa* before he had been served with a charge of collusion with Jugurtha. Since he seems to have been quite untouched by the whole affair, his reputation at Rome was probably much better than Sallust is at pains to portray.

Sallust threw away the chance of discussing the real and vital place held by the *quaestio Mamiliana* in republican history, by including instead his excursus about the origin and growth of civil strife at Rome (*Iug.* 41-42). He failed to see that the measure of Limetanus grew out of the failure of Memmius' attack on the senate in 111. Indeed, Limetanus may well have been urged to present this bill by Memmius himself, who was later to be prominent as a prosecutor against Bestia, a case in which he was successful.<sup>60</sup> Once again, it is possible to discern politicians behind the scenes as the prime movers of what was undoubtedly a radical departure in the political life of the city.<sup>61</sup> However, like that of the tribunes of the previous year, Limetanus' popularity must have been short-lived and transient for he is not attested afterwards.<sup>62</sup>

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<sup>59</sup> Cf. Paul, *Commentary* 120-121, who argues, less plausibly, that Scaurus sought the censorship as a way of gaining immunity from prosecution, of which he was threatened, and cites Ascon. 19 C for the way in which this politician had previously won a magistracy to avoid a court hearing.

<sup>60</sup> *ORF*<sup>2</sup> 216-217; Paul, *Commentary* 120.

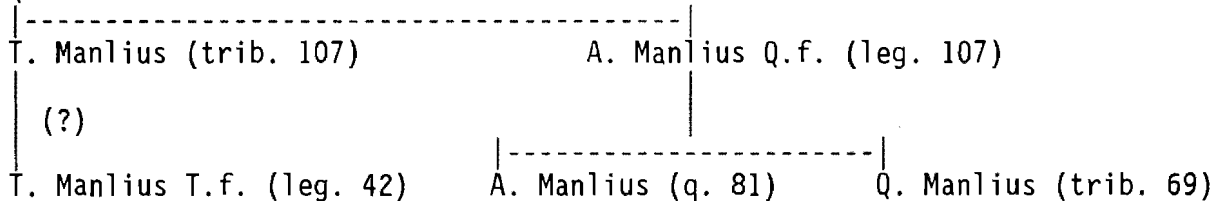
<sup>61</sup> The *lex Coelia* of 107, *MRR* 1.551, which instituted the ballot for treason trials, may be seen as an attempt at formalising these extraordinary *quaestiones*. In a charged atmosphere *iudices* might be tempted to acquit in the knowledge that they were safeguarded by the anonymity of a ballot. Nevertheless, this innovation did not save the legate C. Popillius Laenas, a son of the cos. 132, who succumbed to an accusation of *maiestas*, *Cic. Leg.* 3.36; *MRR* 1.552, and whose ruin was undoubtedly the primary objective of the law.

<sup>62</sup> For his possible origins see E. Badian, 'Notes on Roman Senators of the Republic', *Historia* 12 (1963) 138. Tribunes inimical to Sp. Albinus had also prevented him from levying troops in the aftermath of his brother's defeat, *Sall. Iug.* 39.4; Koestermann, *Jugurtha* 160; Paul, *Commentary* 115-116. These were either the opponents of Lucullus and Annius in the much divided tribunician college of 110, or the new college of 109 of which Limetanus was a member.

Plutarch (*Mar.* 8.5) states that Marius was presented to the Roman voters by one of the tribunes at a *contio* during his canvass for the consulship. The identity of this crucial figure is unknown, and it is possible that the writer has confused this scene with another nearly identical one which took place shortly after Marius' victory in the polls. Then the tribune T. Manlius Mancinus, after displaying the new consul to the *populus* in the *concilium plebis* (*Sall. Jug.* 73.7), steered through the transfer of the Numidian command to Marius. The consular elections for 107 had possibly also been delayed in order to allow Marius enough time to campaign effectively following his, possibly, tardy release by Metellus Numidicus, and Mancinus summoned the people to hear the consul on or soon after the tribunes took office on the tenth of December. Just like Sp. Albinus in 110, Marius had his junior political allies working conscientiously for his election and for his assumption of control of the war against Jugurtha. It is, therefore, not remarkable to find mention of one A. Manlius, probably Marius' senior legate in Africa, soon afterwards (*Jug.* 86.2), a relative of the compliant tribune, probably an elder brother, who was rewarded with an important position for services rendered.<sup>63</sup> The ingenuity of Marius may be detected guiding the

<sup>63</sup> Like 'Limetanus', the *cognomen* of Mamilius, 'Mancinus' may have been personally attributed to the tribune T. Manlius, and was not a hereditary name held by every member of his family. Thus the denarius issue dated to 109 or 108 with the legend 'T. MANL', Crawford, *RRC* 1.312-313, no. 299, has been identified as the tribune of 107, though there is no reference to his *cognomen*. A. Manlius, a *monetalis* between 118 and 107, Crawford, *RRC* 1.318, no. 309: 'A. MANLI Q.F. SER', *MRR* 3.136; cf. Mattingly, *RAN* 5 (1972) 12; 1982: 40, who dates this moneyer to about 120, could easily be the legate of Marius who, by 107, was surely a *praetorius*. The quaestor A. Manlius, who issued aurei portraying Sulla's equestrian statue on the reverse, Crawford, *RRC* 1.397, no. 381, was probably a son of the legate. The family's political affiliations, like that of so many senatorial families, had changed. Note also T. Manlius T.f. Sergia (?), legate in Spain about 42, *MRR* 3.136, a son or grandson of the tribune and, significantly, of the same voting tribe as the moneyer who later served with Marius in Africa. For the voting tribe of the Manlii see Taylor, *VDRR* 229-330. Q. Manlius, tribune in 69, may be another family member, *MRR* 2.132, 3.136.

Q. Manlius



tribune Mancinus in the proposal which at once overturned the *lex Sempronia de provinciis* and, henceforth, allowed the people through their representatives the tribunes, to decide the allocation of provincial commands should the senate be obdurate in failing to accommodate popular expectations. Marius benefited greatly from this bold stroke which, unlike the failed tribunician agitation contrived by Sp. Albinus, obtained him exactly what he desired. That Marius was in fact instrumental in initiating the transfer may be inferred from his intrigues to complete a second scheme along the same lines in 88, but then with quite disastrous consequences.<sup>64</sup> The *plebiscitum*, therefore, became a ready tool in the possession of senators wishing to lead a particular military adventure, as the *lex Gabinia* and *lex Manilia* in 67 and 66, which conferred enormous powers on Pompey, were so vividly to illustrate. Through the service of T. Manlius Mancinus, Marius was the first to make good use of *plebiscita*, which in the sphere of provincial commands, forever diminished collective senatorial management.

The innovation in political strategems,<sup>65</sup> which are a characteristic feature of republican political life in the last years of the second century - Memmius' summons of a foreign monarch to appear before the people at Rome in 111, the unspecified, but potent methods employed by Lucullus and Annius to delay elections in 110, the special *quaestio* of Mamilius Limetanus in 109 - is nowhere more apparent than in the Piracy Law, or law dealing with the eastern provinces, a copy of which was first discovered at Delphi and more

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For a partial stemma of this family see Mattingly, *RAN* 5 (1972) 13, who notes that the quaestor of 81 and the tribune of 69 were brothers, but also argues that A. Manlius (leg. 107) was probably not a legate of praetorian standing. Yet a moneyership in about 119 could easily point to a date of birth by 150 and a praetorship ca. 110.

<sup>64</sup> See further below.

<sup>65</sup> Omitted from this discussion are the various laws of the tribunes L. Cassius Longinus, Cn. Domitius Ahenobarbus, L. Marcius Philippus and Clodius all dated to about 104 since they to not have a direct bearing on Marius' career. For detailed examinations see *MRR* 1.559-560, and especially Gruen, *TAPA* 95 (1964) 99-110; *RPCC* 163-164. For the tribunician measures of Saturninus in 103, see below.

recently at Cnidos.<sup>66</sup> The text gives the impression that this is further example of a tribunician measure, which bypassed another of the traditional political avenues, namely, legislation concerned with provincial affairs. A law addressing a problem such as piracy, which was rampant in the eastern Mediterranean, and containing directives regarding provincial boundaries, would more usually have been published in the form of a *senatus consultum*, as indeed was the legislation concerned with the taxation of Pergamene land, now believed to be a near contemporary of the so-called *lex de Piratis*.<sup>67</sup> The law is commonly thought to have been passed in 101 or 100. Its authorship is rather more doubtful, but may be ascribed to the alliance between Saturninus and Glaucia. And if that is so then Marius must have been closely involved in its passage.

The use of the *plebiscitum* should come as no surprise if this law originated in the intrigues of Marius and his political allies. However, since Sumner has argued that the architect of the bill was, in fact, another politician or group of politicians,<sup>68</sup> the date of its passage through the *concilium plebis* deserves some attention. The editors of the Cnidos inscription favour a date for the proclamation of the law late in 101 after the elections in which Marius had just secured his sixth consulship.<sup>69</sup> From references contained in the document to the campaigns of T. Didius, governor of Macedonia between

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<sup>66</sup> M. Hasall, M.H. Crawford, J.M. Reynolds, 'Rome and the Eastern Provinces at the End of the Second Century B.C.', *JRS* 64 (1974) 195-220, for the text of, and commentary, on the Cnidos inscription, and a revision of the Delphi copy.

<sup>67</sup> For the *SC de agro Pergameno* see Appendix 2 with bibliography. Also note Hassall *et alii*, 1974: 219 and n. 33.

<sup>68</sup> The precise date, the authors, and the law's immediate or long-term implications remain the subject of debate since the inscriptions themselves contain many different features and are also fragmentary in several places. Thus G.V. Sumner, 'The 'Piracy Law' from Delphi and the Law of the Cnidos Inscription', *GRBS* 19 (1978) 211-225, has compared the two texts with a critique of the points fielded by the editors of the Cnidos inscription. He postulates, 224, that the copy from Delphi was set up as much as a generation, or more, after the original at Cnidos. See also J.H. Oliver, 'A Note on the Cnidos Law', *ZPE* 32 (1978) 279; T.R. Martin & E. Badian, 'Two Notes on the Roman Law from Cnidos', *ZPE* 35 (1979) 153-167, with discussions relating to textual items on both inscriptions.

<sup>69</sup> Hassall *et alii*, 1974: 218 and n. 25; cf. G. Colin, 'Inscriptions de Delphes: Traduction Grecque d'une loi romaine', *BCH* 48 (1924) 63-74, who argues for the end of 101 or the beginning of 100.

101 and 100, a date of enactment between 101 and 99 may be advanced with confidence.<sup>70</sup> Didius' term as proconsul may date to the year of his praetorship with a fairly normal prorogation into 100.<sup>71</sup> In customary fashion, he would have returned to Rome at the end of the summer months, in his case, in order to campaign for the consulship of 98, following a triumph,<sup>72</sup> in elections scheduled for the second half of 99. Sumner finds it significant that Didius is not accorded the title ἀντιστράτηγος or ἀνθύπατος, which suggests to him that this politician's term as provincial governor had already expired; and that he had reached the city before moves were initiated to make the proposal law.<sup>73</sup> Thus the date of the *lex de Piratis* could be confined to the latter part of 100, before Didius' successor was appointed from the praetorian college of 99, and before the replacement was sent out to Macedonia because that official was obliged: 'to go, as quickly as possible, to the Caeneic Chersonnese which Ti[us Didius] took by force in his campaign and, the Caeneic Chersonnese being his province, he is to govern this province together with Macedonia ...'.<sup>74</sup>

It seems quite understandable that a region which had recently been conquered should be of prime concern to a new proconsul, who had also to ensure Roman authority anew and, as the editors of the Cnidos inscription propose, incorporate into Macedonia *provincia* an area which until then had been a military district.<sup>75</sup> A date in the second half of 100 would appear to be confirmed by the fact that the prospective governor of Asia is also directed to instruct the cities of his province and the rulers of the neighbouring states to obey this law.<sup>76</sup> This new regulation would also seem to indicate

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<sup>70</sup> Didius was almost certainly praetor in 101. His victories over the Scordisci were clearly of recent memory. Sumner, 1978: 215.

<sup>71</sup> *MRR* 1.571 and n. 1, 1.577, 3.81.

<sup>72</sup> Pais, *Fasti* 1.219; *MRR* 1.571, 2.3 and n. 11.

<sup>73</sup> Sumner, 1978: 218-219.

<sup>74</sup> Hassall *et alii*, 1974: 208.

<sup>75</sup> Hassall *et alii*, 1974: 219; Martin, 1979: 158.

<sup>76</sup> Hassall *et alii*, 1974: 212, also comment, however, on the difficulty of restoring any meaningful sense to this portion of the text which is fragmentary. Their reconstruction is obviously conjectural.

that new proconsuls for both Asia and Macedonia were expected to be despatched at the same time. The provincial commands for the new consular year had as usual been decreed before the elections, but the appointees were not named until they had taken up their offices. This fails to fit with the wording of the edition of the text from Cnidos which simply states that 'The Praetor, [Propraetor or Proconsul to whom] the province of Asia [falls] in the consulship of C. Marius and L. Valerius ...'.<sup>77</sup> A minor emendation to the text such as 'to whom the province of Asia shall fall' or even 'has fallen' would seem more suitable alongside a directive to a new governor of Macedonia.<sup>78</sup> However, were the stipulations of this law intended to be in place during the consulship of Marius and L. Flaccus, then the bill itself must date to earlier in 100 or 101 while Didius was still in Macedonia, or when he was present again in Rome after a proconsulship of barely twelve months. The dating of this legislation hinges on the governorship of Didius which, in normal circumstances, would have been extended beyond a single term. He is not mentioned by Cicero (*pro Rab. perd.* 21) as being among the senators who assisted in the suppression of the *seditio* of Saturninus and Glaucia at the end of 100. Cicero does not furnish conclusive evidence since he certainly does not specify *praetorii* in his list of worthies, not even one who was later to be a distinguished double *triumphator*, and not even all the *consulares*, but this might just indicate that Didius was still absent abroad. The presence of M. Antonius who had been praetor in 102 and who was about to become consul in 99 is noted, however, and he had not long returned from Cilicia. Didius was praetor a year after Antonius and his governorship, like the latter's, was surely also prorogued. This point alone should surely imply that the law was passed in 100, and in the second half of that year, and, therefore, rather later than the editors of the Cnidos inscription seem to believe.<sup>79</sup>

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<sup>77</sup> Hassall *et alii*, 1974: 208; cf. Sumner, 1978: 221, who sees this as a reference to the presiding governor of Asia in 100.

<sup>78</sup> F.T. Hinrichs, 'Die lateinische Tafel von Bantia und die lex de piratis. Zwei Gesetzfragmente des Volkstribunen L. Appuleius Saturninus', *Hermes* 98 (1970) 488 and n. 1, suggests a possible future perfect in this section of the text.

<sup>79</sup> The victories of Antonius over the pirates are, rather surprisingly, passed over without comment in this measure. Cilicia is, however, earmarked as a praetorian province as a result of the law. The M. Porcius Cato, praetor in 100, Hassall *et alii*, 1974: 207, 210, who proposed the legislation is

The law dealing with the settlement of the eastern provinces makes no provision for the commissioning of the usual *consilium* of ten senatorial *legati* to supervise the absorption of a newly conquered region into the empire. This has been taken as a further indication that the measure was a *plebiscitum* which became law without prior consultation in, or approval by, the senate.<sup>80</sup> When the *lex de Piratis* was assigned to 101, it was immediately assumed to have been another product of the daring political alliance between Marius, Saturninus and Glaucia.<sup>81</sup> A change in the date of the publication of this law to later in 100, does not, however, materially affect that attractive suggestion; and the later date actually makes more sense in terms of the political climate in Rome. Sumner would date the law to after the fall of Saturninus and Glaucia, in December 100 or in early 99, and believes that the tribunes of the new college were responsible for the bill.<sup>82</sup> Since no oath was required of senators to uphold the law, as had been contained in the recent agrarian measure which provided for the exile of Metellus Numidicus, he argues that the proposals relating to the eastern provinces were 'conservative'.<sup>83</sup> However, following the public humiliation of Metellus Numidicus, it probably became quite unnecessary to insert such clauses into tribunician bills. After all Metellus Numidicus had been the one and only senator unwilling to swear on oath to safeguard Saturninus' *lex agraria*. Moreover, while there was clearly nothing pointedly radical about the absence of 'senatorial legates',<sup>84</sup> because these would not have been sent out to witness the incorporation of a region into an existing province, it is also worth bearing in mind that not every element of the legislative programme of Saturninus and Glaucia had to contain revolutionary items. The *lex de Piratis* may have been promulgated by militants, but it could easily have contained sensible measures.

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presumably the praetorian mentioned by Gellius, *NA*. 13.20.12; *MRR* 3.170.

<sup>80</sup> Hassall *et alii*, 1974: 219: note, moreover, that the duties of the governors in the eastern Mediterranean are determined by the law and not by the senate, which is seen as another indication of its 'popular' origin.

<sup>81</sup> See Hassall *et alii*, 1974: 218 and n. 28, for earlier ideas on this question.

<sup>82</sup> Sumner, 1978: 224-225.

<sup>83</sup> Sumner, 1978: 222.

<sup>84</sup> Sumner, 1978: 222-223 and n. 52.



Marius completed his victory over the Cimbri and Teutones in 101 and, with his triumph at Vercellae, removed the threat of an invasion of Italy.<sup>85</sup> He was home again to oversee the elections for 100, leaving ample time in the year to push through a *plebiscitum*. But who was the tribune to take action in the *concilium plebis*? Saturninus won a second tribunate for 100, and was probably moneyer in 101.<sup>86</sup> His friend and colleague Glaucia is usually attributed with a tribunate in 101 on the basis of a confused passage in Appian (*BC*. 1.28), but he may well have been tribune in 105 or 104.<sup>87</sup> In this instance, Appian's evidence is not sufficiently trustworthy to dismiss the possibility that Glaucia was already a *tribunicus* by 101. Thus Marius may not have possessed a close ally in the tribunician college of 101. The *plebiscitum* concerned with eastern affairs should, therefore, be redated to the year in which he spent all his time in the city and devoted his indefatigable energy to political matters. Moreover, a law defining new regulations for the governors of Macedonia and Asia, which also established Cilicia as a province, is more credibly placed after the return of Didius and Antonius from their respective provinces. Both proconsuls arrived in Rome in the course of 100. Antonius was late, but intent on canvassing for the consulships of 99 for which he was eligible, while Didius still had more than enough time for his campaign for the following year. And this is where the law belongs, when all the major political figures involved in eastern affairs were present, when Marius, who may have had his sights on a new command in this area, was also about to effect a settlement of his veterans from the Cimbric War and when Glaucia, well placed in the praetorian college, could have drafted the new law for Saturninus, embarking on his second tribunate, to present in the *concilium plebis*. That no provincial command was to be conferred on Marius by this law shows that the settlement of the eastern Mediterranean by Didius and Antonius had been thorough enough not to warrant further intervention at the highest

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<sup>85</sup> *MRR* 1.570-571.

<sup>86</sup> Mattingly, 1982: 45; cf. Crawford, *RRC* 1.323-324, no. 317, for 104 as the date of Saturninus' moneyership.

<sup>87</sup> H.B. Mattingly, 'The Extortion Law of the *Tabula Bembina*', *JRS* 60 (1970) 163-164; 'The Extortion Law of Servilius Glaucia', *CQ* 25 (1975) 259-260; 'Acerbissima Lex Servilia', *Hermes* 111 (1983) 300-310; cf. *MRR* 1.571 and n. 2 with the date questioned, 3.196, with doubts voiced about 101.

levels. What problems remained in this region could be solved by the regular appointees in their various provinces.<sup>88</sup>

### A Year to Remember

The playful repartee between Saturninus and Marius, which is said by Plutarch (*Mar.* 14.6-8) to have occurred in a *contio* at the time of the consular elections for 102, may be anecdotal, but it might also have been rather more than a mere theatrical performance designed to entertain the electorate.<sup>89</sup> It was, after all, a very public affirmation of their new political alliance. This *amicitia* was to bring them both immense rewards and power over the next three years, a time during which Marius dominated military and domestic affairs, and in which Saturninus, on two occasions, was to be his willing partner in politics. Marius was surely well aware that he must maintain allies among the tribunes throughout the period of his command against the Cimbri and Teutones and, especially, in the time immediately following the cessation of hostilities. At that juncture he would be required to provide

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<sup>88</sup> The editors of the Cnidos inscription seem to discount the possibility of 100 as a date for this law, 1974: 215, n. 16, because the *iusiurandum in legem* specifically excludes the tribunes. If Glaucia had been a tribune in 101 he would not necessarily have commanded the unanimous support of his colleagues. An unknown and lesser figure would have been in a much more uncertain position. However, Saturninus could almost certainly count on the approval of the entire tribunician college, as Jones, 1960: 38-39, suggests, probably until quite late in 100, after this important bill had been moved. It is, moreover, unlikely that any tribune could have been coaxed into opposing the great Gaius Marius in his sixth consulship. Sumner, *GRBS* 19 (1978) 223 and n. 55, in arguing for late in 100 or early in 99, stresses that the fellow tribunes would have been excluded from this clause since the 'colleagues of the proposer of a law could not be bound to observe it'. Cf. Cic. *Att.* 3.23.4: 'Atque hoc in illis tribunis pl. non laedebat; lege enim collegi sui non tenebantur'. D.R. Shackleton Bailey, *Cicero's Letters to Atticus*, Cambridge 1965, 2.160, citing Mommsen *RS*<sup>3</sup> 1.291 n. 3, notes that this is 'a statement of general application'. When this principle was first enforced is apparently not known, nor whether it would customarily have been added to all laws. Consequently, its significance for dating the Cnidos inscription is questionable.

<sup>89</sup> Entertaining the crowd was evidently second nature to Marius' new allies. Compare the incident, *Vir. Ill.* 73.2, in which Saturninus and Glaucia indulged in a knockabout comedy with the destruction of the praetor's (Glaucia's) *sellā* as its climax, *MRR* 1.565 n. 2. Saturninus evidently did not lack a sense of humour, *Vir. Ill.* 73.6-8: 'nisi quiescetis, grandinabit'; J. Linderski, 'A Witticism of Appuleius Saturninus', *RFIC* 111 (1983) 452-459.

for the retirement of his veterans, who had evidently been led to expect allotments of land on their demobilization from active service.<sup>90</sup> Plutarch indicates that Saturninus was instrumental in obtaining this fourth consulship for Marius and, from this date, their names and their interests become linked.<sup>91</sup> There is, however, no need to assume that an alliance formed in 103 was necessarily of a permanent nature lasting down to days or even hours before Saturninus met his violent death.<sup>92</sup> To begin with, outwardly their pact was another manifestation of that normal connection between consuls and tribunes, the former desirous of greater influence, the latter higher offices. It is doubtful whether a 'friendship' as such existed, nor may their relationship be traced back further than the consular elections for 102. After he had achieved his immediate goal, Marius had no specific employment to offer Saturninus, nor had the tribune any need of the consul's protection.

The controversial *lex Appuleia de maiestate*, promulgated probably in the early part of 103 may, therefore, be ascribed to the activities of the tribune and his ally Glaucia alone.<sup>93</sup> Thereafter, Saturninus aided Marius to an unprecedented third consular iteration in as many years and, subsequently, introduced an agrarian bill which was passed by the people. Yet what was he to gain from what was usually a transient tie? In time-honoured tradition,

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<sup>90</sup> That any such promise had been made to volunteers serving in the army can only be inferred from later laws concerned with the provision of land. Badian, *FC* 198-199, notes Marius' presumed obligations to his veterans. It is a little odd that neither Sallust, *Iug.* 86.2-4, nor Plutarch, *Mar.* 9.1-2, make anything of this issue in the levy of 107. It may mean that the question of land for veterans arose later, but probably that the novelty and extent of this *lex agraria* was far overshadowed by the *maiestas* law.

<sup>91</sup> Liv. *Per.* 69: 'L. Apuleius Saturninus, adiuvante C. Mario ...'; Plut. *Mar.* 29.1; Flor. 2.4.16: 'Nihilominus Apuleius Saturninus Gracchanas adserere leges non destitit. Tantum amicorum viro Marius dabat, [qui] nobilitati semper inimicus, consulatu suo praeterea confisus'; cf. Appian, *BC.* 1.29, who notes Marius' involvement with Saturninus and Glaucia only from 100.

<sup>92</sup> Some time in October seems the most likely time for the civil unrest which claimed the lives of Saturninus, Glaucia and many of their followers, Badian, 1984: 106; *MRR* 3.21-22.

<sup>93</sup> For the motive behind these radical measures, which were recognized in antiquity, see *MRR* 1.560; Badian, *FC* 199; Gruen, *RPCC* 164; D.F. Epstein, *Personal Enmity in Roman Politics 218-43 B.C.*, London & Sydney 1987, 20. For the date of Saturninus' quaestorship, more likely in 104 than in 105, during which he was relieved of his duties, an insult which made him seek redress for injured *dignitas* through extreme legislation, *MRR* 3.20-21.

a grateful Marius will have promised his support to Saturninus when the tribune sought the more senior magistracies, but he need not have concurred with all aspects of the tribunician legislation of 103. Indeed, at this stage, he cannot have expected his new-found ally to campaign for the tribunate in 101. Saturninus had carried out Marius' instructions, but not as a subservient henchman; he had his own career to advance. The task he undertook for the consul was exceptional only in its content; arguably any tribune would have sufficed, especially since this particular young man, although certainly possessed of a physical presence in any assembly, was not an orator of the first rank (Cic. *Brut.* 224). Marius' links with the laws of Saturninus at this time are, consequently, rather tenuous, and ultimately he can be held responsible only for a single measure about virgane allotments, which he was under obligation to see become law.<sup>94</sup>

The *lex agraria* itself requires some examination, for it seems to have been so contentious an issue when it was first published that, one tribune, at least, tried to interpose his veto, but was chased from the forum.<sup>95</sup> The law may be seen as the predictable outcome of Marius' enlistment of *capite censi* in 107. It must reflect promises he made either purposely or unwittingly to these recruits, when they first joined the campaign against Jugurtha or, more probably, at its close as an enticement to remain under arms. There was, after all, no land resettlement in 105 or 104.<sup>96</sup> Thus the veterans of the

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<sup>94</sup> The *lex agraria* is listed first in order of Saturninus' measures in 103, *MRR* 1.563, though it would be more sensibly dated to the second part of the year when Marius was in the city. The *lex de maiestate* and a *plebiscitum* for the exile of Cn. Mallius Maximus (cos. 105) were probably earlier, *MRR* 1.563 and n. 4. For a *lex frumentaria* in 103 see *MRR* 3.21; cf. H.B. Mattingly, 'Saturninus' Corn Bill and the Circumstances of his Fall', *CR* 19 (1969) 267-270, who argues for 100; A.R. Hands, 'The Date of Saturninus' Corn Bill', *CR* 22 (1972) 12-13: '... the date ... should be regarded as an open question ...'.

<sup>95</sup> The tribune M. Baebius (Tampilus), *Vir. Ill.* 73.1; *ad Herr.* 1.21, 2.17; *MRR* 1.563 and n. 6, possibly a brother of the tribune of 111, who had used the same tactic, but more successfully, against C. Memmius.

<sup>96</sup> The idea of a fixed reward for veterans became a political issue only in 103, yet it must have been mooted beforehand. The proposed *lex agraria* of L. Marcius Philippus may have been connected with this problem, though Cicero, *Off.* 2.73, fails to signify its date or its contents. Gruen, *RPCC* 163-164, dates the proposal to 104; cf. *MRR* 1.560, where it is more tentatively dated to the same year. Philippus withdrew his bill. His tribunate belongs to about this date since he won a consulship for 91 after one *repulsa*, Cic. *Mur.*

Numidian War who had been levied according to the normal procedure by Albinus, Metellus Numidicus and by Marius himself, were all disbanded on their return to Italy. However, the *proletarii*, already present in the legions, attracted by the prospect of some future gratuity, stayed on to form the core of Marius' army in the Cimbric War. Their numbers were not substantial, consisting of a minority in the *supplementum* voted to Marius in 107,<sup>97</sup> but the principle of providing land at the state's expense clearly brought forth strong emotions; and the bill was passed only after some violent scenes in the *comitia*.

Marius does not appear to have called up more *capite censi* in 104, and so the veterans who received a plot of land in 103 were those who had survived the war in Africa, and who had spent a relatively inactive year in Gaul afterwards. It is reasonable to infer that Saturninus' law comprised an allocation of one hundred *iugera* per recipient, which applied to perhaps between three and four thousand demobilized soldiers, both *proletarii* and *assidui*.<sup>98</sup> These men accompanied Marius back to Rome in time for the elections in 103, where pledges to the effect that the consul intended to see a land law enforced, after the poll, would doubtless have contributed to his popularity among all sections of the community. This course of events may be postulated with some confidence since the land under discussion was in Africa and not in Italy and, all told, was not on a scale commensurate with the redistribution of wealth and property contained in the *lex agraria* of Ti. Gracchus. Opposition to the bill was partly routine republican practice in which just about any piece of legislation could expect a vigorous examination. But resistance to this particular measure was also born from a realization that, if Roman citizens without land were again to be enlisted in 103, new and more extensive arrangements could be envisaged in the future. Marius may have been resolved to do just this, and made a public announcement (Front. *Str.* 4.2.2) to encourage fresh recruits to join the army to compensate for the loss

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<sup>97</sup> Rich, 1983: 324, 327, 328 and n. 200, who also notes that the poorer and virtually landless *assidui* might have benefited from such agrarian laws.

<sup>98</sup> The settlement at Thuburnica may be the sole foundation arising from this law in 103, *MRR* 3.21; Badian, *FC* 199-200. Cf. Brunt, *FRR* 278-280, who suggests that Cercina may have been founded in 103, but that other colonial settlements belong to 100 and afterwards.

of his African veterans.<sup>99</sup> Senatorial opponents would not have been blind to the likely upshot which might, and did in fact, occur after the defeat of the Germanic tribes. Thus Marius created another precedent by his determination to be seen to be fulfilling his debt to his troops. Although the *lex agraria* of 103 hardly warrants the title of radical measure, its passage allowed others to follow; and these laws were much more ambitious and far-reaching.<sup>100</sup>

Rancour and violence are said to have accompanied the long-awaited agrarian measure of 100 (Liv. *Per.* 69; App. *BC.* 1.29),<sup>101</sup> a year which, in many respects, was momentous and, with the benefit of hindsight, even critical in the history of the decline of senatorial government. The literary sources for this year appear to provide evidence for the following scenario. A tense political atmosphere at Rome arose because of the influx of thousands of army veterans discharged after the battle of Vercellae (Plut. *Mar.* 28.5). Besides this obvious destabilizing factor, there were other ominous signs of impending civil strife. One of the consuls had now obtained his current position for five successive years and, if one of the highest magistracies of the *res publica* was to be the exclusive preserve of a single eminent figure, the whole oligarchic system of government was endangered. Moreover, a politician had been re-elected to the tribunate, probably the first man to win this rather dubious honour since C. Gracchus for 122. An attack on the laws of C. Gracchus in 121 by Minucius Rufus led directly to unrest and fighting in the

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<sup>99</sup> Local epigraphic evidence would seem to confirm the foundation of a colony in Africa at this time, *MRR* 3.21; cf. Brunt, *FRR* 278-280, who considers that these settlers were natives to the African continent, who may have been enfranchised by Marius.

<sup>100</sup> Badian, *FC* 198-199, who identifies both Marius' dilemma and the significance of the agrarian law of 103.

<sup>101</sup> The Livian epitome which covers 100 has Saturninus elected tribune 'per vim', his agrarian law carried 'per vim' and his tribunate conducted 'violenter', while Marius is named as 'seditionis auctor'; all of which probably give a good indication of the character of the original work. For discussion of his tribunate see A.W. Lintott, *Violence in Republican Rome*, London 1968, 178-179, 185-186; Badian, 1984: 101-147; A. Keaveney, *Rome and the Unification of Italy*, London & Sydney 1987, 76-81; Brunt, *FRR* 131, 278-280.

streets;<sup>102</sup> the legislative programme for 100 promised to be just as contentious and potentially damaging.<sup>103</sup> The events of this year did indeed end in tumult, but it was not so much the contents of the proposals as their possible long-term consequences that, as Badian has succinctly argued,<sup>104</sup> so caused alarm that confrontation ensued between opponents and supporters of the various laws.

In return for his victory in the Cimbric War, of which he must surely have been regarded as the sole author by the electorate, Marius was voted to his sixth consulship.<sup>105</sup> He evidently believed that the acquisition of this office was absolutely vital in order to ensure the land grants for his former troops.<sup>106</sup> However, most of these were on their way home in 100, following

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<sup>102</sup> MRR 1.521 and n. 3 for the *praenomen* either M. or Q. He was either the consul of 110 or the *monetalis* of about 122, MRR 3.144; Crawford, RRC 1.296, no. 277.

<sup>103</sup> MRR 1.575-576, for the measures of Saturninus. A *lex frumentaria* may also have been a part of this programme, Mattingly, CR 19 (1969) 267-270. Note also the probability that the *lex de Piratis* belongs to Saturninus' programme. The *plebiscitum* for the exile of Metellus Numidicus was surely a later issue, and *contra* Plut. Mar. 28.5; App. BC. 1.28-29, not originally included as part of the planned legislation.

<sup>104</sup> Badian, FC 205: 'It is therefore highly probable that it was intended, ..., to settle the veterans of the German war in Gaul (and perhaps in Corsica), and that the colonies in Sicily and Macedonia-Achaea were meant for soldiers who had been victorious in those provinces ... Having created an army closely linked to its commander and depending on him for provision after service, Marius - it might seem - was now attempting to monopolize the powers of patronage thus provided. It is this that gives the legislation of 100 its peculiar significance ... Once we have realized this, we need not wonder at the violence of the oligarchs' opposition'.

<sup>105</sup> Plutarch, Mar. 28.5, claims that Metellus Numidicus tried to upset Marius' plans by seeking re-election himself, though he failed in his endeavour. His previous attack on Saturninus and Glaucia, App. BC 1.27, when he was censor with his cousin, which had also been ineffectual, made him vulnerable, like other senior senators before him such as Q. Servilius Caepio and Cn. Mallius Maximus. For his acts as censor and the reason why, in revenge, he became a clear target for Saturninus and Glaucia see Epstein, *Personal Enmity* 60, 67, 78-79. For the sources which dwell at length on the fate of Metellus Numidicus see Badian, FC 207. For his probable consular candidacy in 101 see Broughton, *Candidates* 9; Evans, *Acta Classica* 30 (1987) 65-68; and above, Chapter 2.

<sup>106</sup> Hence Marius' excessive use of largess in the election campaign, Liv. Per. 69; Plut. Mar. 28.1-6; cf. Badian, FC 202; 1984: 121 n. 46, who discounts the charge of bribery as hostile propaganda. However, the dividing line

Marius' triumph; nevertheless, there will have been some ex-soldiers who remained in the city in eager anticipation of some form of land grant for their recent military service. The point to bear in mind is that the armies of Marius and his colleague Q. Lutatius Catulus had been levied mainly in the traditional manner, and only comparatively few veterans will have possessed no homes to return to in that year.<sup>107</sup> At the end of the Numidian War the vast majority of those who were in Marius' army went back to their farms. The campaigns leading to Aquae Sextiae and Vercellae were not exceptionally lengthy, and only roughly twelve months longer than Marius' expedition against Jugurtha. No land crisis had occurred in 105, but five years later all eyes were reputedly on the consul and his tribunician ally for a radical agrarian proposal. Yet there had been no profound change in the composition of the army during these years, though Marius may well have recruited *capite censi* in 103 before his return to Gaul, after he had discharged some of those who had responded to his invitation to serve in 107.

His earnest endeavours to win the consulship for 100 must, in part, indicate a commitment to those among his men who lacked ownership of land. Furthermore, Marius must also have felt that no other politician could be entrusted with these proposals since there were hidden dividends meant for him alone. He had no close senior political allies through whom he was able to

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between generous largess and open corruption is very slight indeed. Compare T. Didius' promise to the *populus* to restore the Villa Publica, made probably during his canvass for the consulship in 99, which would doubtless have increased his chances in the poll, M.G. Morgan, 'Villa Publica and Magna Mater: Two Notes on Manubial Building at the Close of the Second Century B.C.', *Klio* 55 (1973) 231.

<sup>107</sup> The combined army commanded by Marius and Catulus at Vercellae is said by Plutarch, *Mar.* 25.4, quoting from Sulla's memoirs, to have contained 52,300 men; Rich, 1983: 323. P.A. Brunt, *Italian Manpower 225 B.C. - A.D. 14*, Oxford 1971, 677-686, and especially 685, suggests with reference to Vell. 2.15.2, that the ratio of *socii* to citizen troops was roughly 2:1 at the end of the second century, though the evidence is contaminated by 'the indignant rhetoric of the Italian rebels in 91', and is, therefore, not completely trustworthy. Rich, 1983: 322-323, argues that the ratio of 2:1 is too high, and that citizens and *socii* were nearer to a parity in the Roman armies of the late second century. This would indicate that, in 100, Rome was flooded with rather fewer than 25,000 citizen veterans, on Rich's estimation, and 34,000, on Brunt's projected figure. But far less than this number will have made it to Rome because large numbers will have gone directly back to their homes, and many more of those in the city must have been property owners and cannot be classed as either *proletarii* or poor, nearly landless, *assidui*.



work, and he was himself obliged to shoulder the burden of protecting Saturninus' agrarian measure. Not only was the sixth consulship a timely reward, but it brought with it a task which had to be fulfilled. And if Marius could not rely on a future consul to do his bidding, this casts a rather different perspective on the political situation from the one that is generally acknowledged.<sup>108</sup> The existence of a strong and devoted following may be doubted because the pattern adopted in 107 and 103, when Marius had recourse to the services of amenable tribunes, was tried again; and Saturninus came forward to do the consul's bidding a second time.<sup>109</sup>

The tribunician programme for that year, devised in all probability by the expert hand of Glaucia, may not initially have appeared overly ambitious for it consisted of just three bills, two of which were interrelated.<sup>110</sup> The *lex agraria* was concerned with allocating land, either in Cisalpine Gaul or Transalpina, to demobilized troops, while its sister bill aimed at colonial

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<sup>108</sup> Cf. Badian, *FC* 200-203; Gruen, *RPCC* 170-171, who both argue that Marius had powerful support from among members of the senate and from among the *equites*. But see Chapter 4 below.

<sup>109</sup> Saturninus could have been moneyer in 102 immediately after his first tribunate; cf. *RRC* 1.323-324, no. 317. Mattingly, 1982: 11 and 45 has argued for 101, on the assumption that the *IIIviri monetales* took office on the fifth of December, the same day as the quaestors, which would exclude 102. Saturninus' decision to seek another term as tribune was probably taken during the year of his moneyership, and only then because Marius thought him the ablest man available to carry through the forthcoming legislation. This is certainly implied, *Flor.* 2.4.16; *Plut. Mar.* 19.1. It is also possible that he was prompted by the example of Glaucia, whose career remains shrouded in mystery: quaestor before 108 or not at all, tribune (once or possibly twice) in 107, 105 or 104, or in 101, and praetor in 100, *MRR* 1.574, 3.196. If Glaucia was tribune I or II in 101 and sought the praetorship for the next year Saturninus may well have considered that a second tribunate for himself was an equally attractive proposition. It is usually assumed that Saturninus secured his tribunate by killing one of his competitors, *MRR* 1.571; Badian, *FC* 207 n. 3; Jones, 1960: 38-39; cf. Evans, *AHB* 2 (1988) 42-48. Glaucia must either have been forty years of age in 100, in his praetorship, or forty-two in order to canvass immediately for the consulship of 99. Saturninus' election to a second and then a third tribunate suggests that he was somewhat younger and possibly qualified for the aedileship only in 98, hence born in 135. In office together they made a formidable pair.

<sup>110</sup> For the *lex de Piratis* which, I suggest, also belongs to this year, see above.

foundations as far afield as Corsica, Sicily, Greece and Macedonia.<sup>111</sup> Neither law seems to have survived since each was declared to have been passed *per vim* (Cic. *Balb.* 48; *Leg.* 2.14), and the lands and the resettlement, which is claimed to have been awaited with much eagerness, failed to materialize, at least on a large scale.<sup>112</sup> The number of disbanded veterans who can have profited from these laws was plainly not that sizable.

A deceptive picture has arisen, certainly about the *lex agraria*, because of the supposed magnitude of Marius' army reforms. In 100 Rome was not packed with thousands of *capite censi* or very poor *assidui* clamouring for land because there had never been a massive recruitment from this section of Roman society in either the Jugurthine War or in the campaigns against the Germanic tribes. This legislation may thus be viewed as a farsighted policy in opening up tracts of land for future use by army veterans and, therefore, an example not only of Marius' honourable intentions towards his former troops, but also his perception about the forthcoming needs of Roman armies. However, the details of Saturninus' law, which seems eminently sensible, must have gone far beyond the scope of the *lex agraria* of 103 judging from the response of its opponents.

Thus Appian (*BC.* 1.29-30) states that the land law was passed, but only after Marius' veterans had been summoned from their fields to overcome the opposition of the urban population who believed that the bill favoured the *socii*.<sup>113</sup> These ex-soldiers cannot have been especially interested in the law *per se* since they already had their farms, and surely did not desire land outside Italy. Appian's account also suggests that there were no *proletarii*, or very few, in the city awaiting allocation of land, nor is it realistic to

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<sup>111</sup> *MRR* 1.575 and n. 4. For the parts of Gaul designated for settlement see Badian, *FC* 204-205; Keaveney, *Unification* 77; Brunt, *FRR* 279.

<sup>112</sup> Both Badian, *FC* 205 n. 1, and Brunt, *FRR* 279, note colonies which may have been founded after 100.

<sup>113</sup> Lintott, *Violence* 178-179 sees the conflict as a 'schism between citizens and allies, but also between the city-dwellers and the country-dwellers', since the former were concerned more about the corn-dole than about land grants. Note also Mattingly, *CR* 19 (1969) 267-270, who argues that Q. Servilius Caepio, quaestor in 100, organized disturbances which were aimed at preventing the passage of a *lex frumentaria*; cf. *MRR* 3.21; Badian, 1957: 319 and n. 9, who dates this disruptive action to 103.

assume that the allies actually thought land abroad a better deal than that which they already farmed at home.<sup>114</sup> As it stands, his description of the events is little less than absurd.<sup>115</sup> If so few men were either concerned about this law, or stood to gain from its contents, its purpose must evidently have been imagined by opponents to be decidedly more sinister than simply a regulation enabling land to be set aside for retired ex-legionaries. A reading of the text would have revealed an oath compelling all members of the senate to swear to uphold the *lex Appuleia agraria* within five days of its promulgation (Liv. *Per.* 69; Plut. *Mar.* 29.1; App. *BC.* 1.29), though even such a stipulation was not entirely novel since it had featured in Saturninus' *maiestas* law.<sup>116</sup> However, if a directive forcing the whole senate to publicly acknowledge the inviolability of a law was to become a regular feature of tribunician bills, this not only constituted a direct attack on the integrity of the *ordo senatorius*, which evidently could not be trusted to maintain legislation, but could also be construed as a method by which the powers of the state's governing body might be greatly and permanently diminished. Saturninus and Glaucia, and perhaps by then a wavering Marius,<sup>117</sup> were intent on altering the basic structure of the republican system by shifting the intricate balance between the senate and *populus* in favour of the latter. The senate was to be subordinated to the will of the people, an action which, in the past, would have resulted in charges of *regnum* or *maiestas*, but which was to be neatly avoided through the adroit use of the senatorial oath. Hence a conspiracy to unseat the prerogatives of the senate was disguised within a fairly unremarkable law about land distribution.

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<sup>114</sup> Appian, *BC.* 1.29, mentions land redistribution in Gaul, but is more concerned about the senatorial oath and the exile of Metellus Numidicus. He merely states that the *dēmos* was not pleased that the Italians were to have a greater share; cf. Brunt, *FRR* 131.

<sup>115</sup> Badian, *FC* 207.

<sup>116</sup> As noted on the *Lex Latina* of the *Tabula Bantina*, S. Riccobono *et alii* (ed.) *Fontes Iuris Romani Anteiustiniani*, Florence 1941-1943, 1 no. 6, p. 84; Hassall *et alii*, 1974: 215-216; Sumner 1978: 222.

<sup>117</sup> Note the anecdote related by Plutarch, *Mar.* 30.2, in which Marius, feigning an attack of diarrhoea, scuttled about his house intriguing concurrently with senior senators and Saturninus. The tale possibly contains a memory of his changing attitude towards the tribune. Plutarch, *Mar.* 30.1, also intimates that, once Metellus Numidicus was exiled, Marius knew that further support for his allies would damage his own future standing; cf. Badian, *FC* 208-210.

A second disquieting feature was to be found in Saturninus' *lex de coloniis deducendis* in which Marius was to be personally responsible for extending the franchise to a number of founder members of each new settlement. Cicero (*BaIb.* 48) suggests that the grant of full Roman citizenship was to be restricted to just three residents of the new colonies, though this seems hardly sufficient to explain the resultant ugly scenes accompanying the public debate about the law. But if, as Brunt argues,<sup>118</sup> Marius was really empowered to create three hundred new citizens in each of the colonies established by the bill, this much greater number would have provoked a huge outcry, not simply because of the numbers involved, for these new citizens were to be domiciled far from Rome, but because a single politician had been chosen to exercise the privilege. As Badian says,<sup>119</sup> it is not astonishing that this law was also greeted with intensely bitter confrontation. Moreover, for how long would Marius have retained this power of granting citizenship? He was no longer a young man and at his death or removal from an effective political role these powers could easily be reclaimed by the immensely popular Saturninus and Glaucia. These two politicians were within an ace of attaining supreme rule at Rome, with or without Marius' complicity.

Pronounced changes to the political foundations of the Republic might have become a reality had the coalition between Marius, Saturninus and Glaucia not begun to crumble away. It must have dawned on the oldest member of this forerunner of the 'first triumvirate' that he was meant to be the unsuspecting dupe of one the cleverest tricks ever sprung on a republican politician. The traditional connection between a senior public figure and a tribune was becoming detrimental to his reputation, and more to the advantage of the younger politicians involved, who had their sights on a far richer treasure: unbounded control of public affairs. Furthermore, since Marius' long hold on the consulship was coming to an end - there is no suggestion that he contemplated standing for this magistracy in 100 - he would have become an

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<sup>118</sup> Brunt, *FRR* 111, who also notes, 279, that Eporedia, Vell. 1.15, and a colony on Corsica, Pliny, *NH.* 3.80; Sen. *Cons. ad Helv.* 7.9, are recorded as settlements possibly after the quashing of Saturninus' laws.

<sup>119</sup> Badian, 1984: 114: '... Saturninus and Glaucia had shown that they were not content with having served as his (Marius') tools: they were now using *him* as a tool ... The prospect of Glaucia as consul, with ... Saturninus and Equitius as tribunes, was totally unacceptable to Marius. Such a team would control the *res publica*.'

expendable element in a confederacy in which the powers of the other two would continue to grow. Badian has argued persuasively that Marius was not altogether the unwitting stooge who was manipulated by more ruthless men,<sup>120</sup> though it is possible that, at some stage, he was not fully apprised of the true range of the envisaged laws. But Marius was not to be outwitted for any length of time by other politicians, and by the middle of 100, he was trying to extricate himself from this cabal, which he had first willingly inaugurated, but whose long-term aims would have crippled him politically. He had won a pre-eminent place among the senatorial hierarchy by virtue of his military achievements, and had gained extensive influence through the *lex Appuleia agraria* and the colonial law, but he was now prepared to sacrifice these gains if his erstwhile allies refused to alter their more radical tack. A rupture became unavoidable when Saturninus followed C. Gracchus' example by announcing his intention to seek a third term as tribune and when Glaucia began to canvass illegally for the consulship, their new direction became universally apparent. And so great was their popularity that there was no doubt that they would have succeeded, as Cicero (*Brut.* 224) shows:

*Is ex summis et fortunae et vitae sordibus in praetura consul factus esset, si rationem eius haberi licere iudicatum esset; nam et plebem tenebat et equestrem ordinem beneficio legis devinxerat.*

Glaucia rose from the most sordid depths of fortune and life, and would have been elected consul during his praetorship if his candidacy had been judged legal; for he had united and held together the ordinary citizens and the equestrian order as a result of the benefits of his law.

Although neither agrarian nor colonial measures favoured the citizen body in a concrete fashion, the diminution of senatorial power, exemplified by the expulsion of Metellus Numidicus earlier in the year, and the privilege granted to Marius with regard to the extension of *civitas optimo iure*, must be held to have been acceptable to the *populus*, the non-politicized rich and poor alike. Whereas the attack on the senate by C. Memmius, the *quaestio* of C. Mamilius Limetanus and the *plebiscitum* of T. Manlius Mancinus had limited objectives, even if they caused startling precedents, the strategy of

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<sup>120</sup> Badian, *FC* 208-210; Passerini, *Studi* 152-153.

Saturninus and Glaucia stood for nothing less than a radicalization of political life and the absolute curtailment of senatorial authority. An analogy between the proposals of 100 and the reforms of Ephialtes and Pericles in 461, which diminished the influence of the Athenian Areopagus, is certainly not invalid. The Roman people would obviously have allowed these changes to happen had Saturninus and Glaucia reached and entered into their respective offices. That this failed to occur was because of traditional *mores* which were still sufficiently potent to neutralize their ambitions; the opposition of Marius who was still held in great respect,<sup>121</sup> whose desertion of the alliance served to divide the forces of change; and finally, to a wholly novel and drastic use of the *senatus consultum ultimum*.

Cicero (*Har. resp.* 51), with a possible allusion to Glaucia's disqualification as a consular candidate ('Utrum tandem C. Marius splendidior, cum eum C. Glaucia laudabat, an cum eundem iratus postea vituperabat?'), may indicate that Marius presided over these troubled elections.<sup>122</sup> Elsewhere (*Brut.* 224) he states that the candidacy was disallowed, presumably since Glaucia contravened the law by campaigning for one magistracy while still in possession of another. The praetor could possibly have circumvented the requirement by arguing that he possessed the minimum age for the consulship, and could probably have secured the votes had the presiding magistrate been in collusion.<sup>123</sup> Cicero's evidence might be taken to suggest, however, that Marius picked this moment to break free from these politicians by upholding the customary practices for holding office. Nonetheless, according to Appian (*BC.* 1.32), Glaucia ignored the consul's ruling, and continued to canvass right down to the actual polling day. Since his chances of success depended on coming second in the vote to M. Antonius, the acknowledged favourite in these elections who looked set to win outright, Glaucia had to remove all other serious candidates (*Liv. Per.* 69). This explains why the murder of C. Memmius, the one other candidate who could upset Glaucia's plans, was a premeditated act (*App. BC.* 1.32), which had to be carried through in order to

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<sup>121</sup> Carney, *Marius* 47; *WS* 73 (1960) 105-106; Badian, *FC* 210-212.

<sup>122</sup> Badian, 1984: 113. For the refusal to accept Glaucia's candidacy see *MRR* 1.574-575; Badian, *FC* 209; 1984: 114-115.

<sup>123</sup> Badian, 1984: 112-113. Sumner, *Orators* 121, suggests a date of birth between 142 and 137.

provide Saturninus, who was already tribune-elect for 99, with a suitably supportive consul (Flor. 2.4.4).<sup>124</sup>

The chronology of the events as they are related in the literary evidence remains uncertain,<sup>125</sup> but the consular elections were probably postponed as the result of the confusion caused by Memmius' death (Flor. 2.4.4; App. BC. 1.32). Badian illustrates that this delay would have played right into the hands of Saturninus who wanted to make use of a *plebiscitum* to enforce official recognition of Glaucia's candidacy.<sup>126</sup> However, the senate's response to the prospect of the *concilium plebis* being used to obtain a magistracy for a politician who had been disqualified by the presiding officer - a scheme which would have ended the traditional method of voting - was to instruct the consuls to restore order at any cost by proclaiming the *senatus consultum ultimum*. Thus for the first time in the Republic's history emergency powers were conferred upon the consuls to act in any way they thought fit to end unrest stirred up by public officials and some of the senate's own magistrates.<sup>127</sup> These were deemed to have raised a rebellion against the *res publica* and could, therefore, be treated as *hostes*.<sup>128</sup> Marius and his consular colleague Valerius Flaccus, with the active assistance of many prominent senators (Cic. *Rab. perd.* 21), blockaded Saturninus and his adherents on the Capitoline, where they had taken refuge. After the water-supply was interrupted, they surrendered and were murdered without trial, either in the senate house (Flor. 2.4.6; App. BC. 1.32) or in the forum (Plut.

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<sup>124</sup> Badian, 1984: 116-117.

<sup>125</sup> For an analysis of the sources and the existence of a dual tradition about the elections and the murder of Memmius see Badian, 1984: 114-115.

<sup>126</sup> Badian, 1984: 117.

<sup>127</sup> In 133 the actions of P. Cornelius Scipio Nasica (cos. 138) had been condoned by the consuls who had, however, refused to participate in the riot which culminated in the death of Ti. Gracchus. The *senatus consultum ultimum*, passed in 121, had been directed against C. Gracchus and M. Fulvius Flaccus (cos. 125), both of whom were *privati* by that stage. On this question see Badian, 1984: 118.

<sup>128</sup> In Saturninus' camp, besides the praetor Glaucia, was the quaestor C. Saufeius and the tribune-elect L. Equitius, Cic. *Rab. perd.* 20; Liv. *Per.* 69; Val. Max. 3.2.18, 9.7.1; Plut. *Mar.* 30.4; Flor. 2.2.6; App. BC. 1.32; Dio, 37.26. Other *privati* who were supporters included Q. Labienus, Cn. Cornelius Dolabella and L. Giganius, Oros. 5.17.9-10. They were all killed.

Mar. 30.3).<sup>129</sup> The senate had sanctioned the use of extreme force and legalized the murder of four elected officials to prevent an erosion of its power and, thereby, created an example as innovatory as the use of *plebiscita* or the recruitment of *capite censi* into the army. By resorting to the open use of strong-arm tactics the hold of the ruling oligarchy was, however, weakened immeasurably (App. *BC.* 1.33).

Appian contends (*BC.* 1.32) that Saturninus and Glaucia, up to the last moment, counted on Marius to save them after they were placed in custody, but that the consul never had any intention of rescuing his former allies. Plutarch (*Mar.* 30.4) puts a more sympathetic complexion on the tale, and stresses Marius' honourable intentions which were, however, to no avail.

ἐπει δὲ παντοῖος γενόμενος ὑπὲρ τοῦ σῶσαι τοὺς ἀνδρας οὐδὲν ὤνησεν, ἀλλὰ κατιόντες εἰς ἀγορὰν ἀνηρέθησαν, ἐκ τούτου τοῖς τε δυνατοῖς ἅμα καὶ τῷ δήμῳ προσκεκρουκῶς, τιμητείας παραπεσοῦσης ἐπίδοξος ὧν οὐ μετήλθεν, ἀλλ' εἶασεν ἑτέρους ὑποδεεστέρους αἰρεθῆναι δεδιῶς ἀποτυχεῖν. After that Marius did everything in his power to help these men, but when they came down into the forum they were killed, and because of this episode he was cursed simultaneously by leading figures and the ordinary citizens, and when elections for the censors occurred, he did not seek this office as was expected, but allowed other and lesser men to be elected in the belief that he would fail.

### From Patriarch to *Otium Sine Dignitate*

The bloody conclusion to the sedition of Saturninus and Glaucia is said to have left Marius loathed and despised, with his reputation in tatters (Plut. *Mar.* 30.4). He is seldom mentioned in the subsequent decade and his place in

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<sup>129</sup> On the date of Saturninus' death see most recently, Badian, 1984: 101-147, and especially 102-103, with references to earlier discussions. For the suggestion, based on App. *BC.* 1.33, that Equitius was not murdered until the first day of his tribunate, hence some time later than the other conspirators, see J.L. Beness & T.W. Hillard, 'The Death of Lucius Equitius on 10 December 100 B.C.', *CQ* 38 (1988) 269-272. However, Appian's misapprehension concerning the date that tribunes took office means that Equitius is most likely to have perished alongside his fellows soon after the consular elections were halted.



politics was, therefore, long thought to have been forfeited to other politicians. Metellus Numidicus was recalled from his exile in Rhodes during the course of 98 when Marius, perhaps in inadvertent emulation of his former commander's precipitate departure from Africa in 107 (Sall. *Iug.* 86.5), refused to remain in the city to witness this old opponent welcomed with enthusiasm by the same crowd which, not long before, had assented to the *plebiscitum* which had driven him abroad (Liv. *Per.* 69; Plut. *Mar.* 31.1; App. *BC.* 1.33). Metellus Numidicus did not, however, re-enter political life (Cic. *Cluent.* 95; *Dom.* 87; *Red. Quir.* 6) and, though he probably lived on until the end of the 90's, he is not attested as a force in the senate again.<sup>130</sup> Marius' absence from Italy was brief; the ostensible reason for his sojourn abroad was a vow he had made to the *Magna Mater* that he would sacrifice at the cult temple at Pessinus in Galatia (Plut. *Mar.* 31.1). Once fulfilled there was nothing to detain him in Asia, although Plutarch (*Mar.* 31.2-3) relates a meeting in Cappadocia with Mithridates, king of Pontus. At that encounter, which later achieved some notoriety, Marius is said to have incited the monarch to wage war on Rome in the hope of gaining a new military command. This anecdote may, however, be nothing more than a malicious rumour discovered by the biographer in one of his sources, such as the memoirs of Rutilius Rufus or Sulla.

Once he was again resident in Rome Marius found, naturally enough, that his outright dominance, for which he had laboured so long and hard to attain, had quickly been eclipsed by others. Nevertheless, it is unnecessary to believe Plutarch's claim that Marius was so out of favour and held in such contempt that he was avoided by his peers and neglected even by his former clients (*Mar.* 32.1).<sup>131</sup> The 90's are no longer thought of as a decade devoid of

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<sup>130</sup> On Metellus Numidicus' exile, return and later career see *MRR* 1.575-576, 2.5; Badian, *FC* 207; *Studies* 171; Carney, *Marius* 47; *WS* 73 (1960) 105-106; Gruen, *RPCC* 190-192.

<sup>131</sup> Sulla, a politician with ties to Marius from the previous decade, failed to be elected praetor in 99, Plut. *Mar.* 31.1, which may have been due to a decline in Marius' popularity and not, as Plutarch says, simply because the candidate had refused to canvass for the aedileship. In the next year, and probably while Marius was absent from the city, Sulla headed the poll for the praetorian college. For the possible date of Sulla's praetorship see *MRR* 2.14-15 under 93, *MRR* 3.73-74; Badian, *Studies* 157-178; Keaveney, *Sulla* 35-36; P.F. Cagniard, 'L. Cornelius Sulla in the Nineties: A Reassessment', *Latomus* 50 (1991) 186, 192; cf. G.V. Sumner, 'Sulla's Career in the Nineties', *Athenaeum* 56 (1978) 395-396, who considers that he may have won an aedileship

domestic political events,<sup>132</sup> a hypothesis which took shape because the literary sources are preoccupied with the reasons for the outbreak of the Social War and much less interested in internal affairs.<sup>133</sup> Political life in these years was, in truth, as vibrant as it had been between 121 and 100, with weighty problems and far-reaching issues debated publicly.<sup>134</sup> Marius remained a force to be reckoned with, but now as a, if not *the*, senior member of the senate, he ventured only occasionally into the political limelight.<sup>135</sup> The six-times consul did not live in retired seclusion brought on by any disgrace he had suffered as a consequence of the happenings in 100; instead his new role as an elder statesman precluded a more active participation in public life.<sup>136</sup>

The energetic opposition of L. Marcius Philippus (cos. 91) ensured that the tribunician proposals of M. Livius Drusus failed to become law (Liv. *Per.* 70-71; Flor. 2.5.8; App. *BC.* 1.35-37),<sup>137</sup> since these were held to be an

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for 97, following his unhappy showing in the poll of the previous year. See further below, Chapter 4.

<sup>132</sup> Last, *CAH* 9.173.

<sup>133</sup> For discussions of Italian grievances and the incidents which made war certain see, for example, Badian, *FC* 211-219; 'Roman Politics and the Italians (133-91 B.C.)', *D. Arch.* 4-5 (1970-1971) 373-409; Keaveney, *Unification* 76-98; Brunt, *FRR* 93-143.

<sup>134</sup> Badian, 1957: 318-346; E.S. Gruen, 'Political Prosecutions in the 90's B.C.', *Historia* 15 (1966) 32-64.

<sup>135</sup> One such occasion was as defence witness in the trial for *repetundae* of M'. Aquillius (cos. 101), which came to court after Marius had returned from the east, probably during the censorship of M. Antonius in 97, who acted as defence counsel, Cic. *Verr.* 5.3; *de Orat.* 2.194: 'censorius'; Badian, 1957: 330-331; *FC* 212, n. 5; Gruen, 1966: 38-39. Note also below, Chapter 4.

<sup>136</sup> Marius did not campaign for the censorship in the 90's perhaps in order not to test public opinion. He was, however, elected to the augural college in his absence, Cic. *ad Brut.* 1.5.3; *MRR* 1.559, a singular achievement, which has been seen as a pact among senators, allowing Marius to save face, Badian, 1957: 333; *FC* 210 n. 1; cf. Gruen, *RPCC* 192 n. 18. The censors elected in 97 were L. Valerius Flaccus (cos. 100) and M. Antonius (cos. 99) who have been identified as friends of Marius, Badian, 1957: 333; *FC* 212; 1984: 141-145. This might indicate a resurgence in Marius' influence at Rome, but see also below, Chapter 4.

<sup>137</sup> For recent discussions of Drusus' career prior to his tribunate see *MRR* 3.126; Sumner, *Orators* 110-111; Marshall, 1987: 317-324.

infringement of the terms of the *lex Caecilia Didia*, which forbade laws *per saturam* (Cic. *Dom.* 53).<sup>138</sup> There is no hint in the ancient literature that Marius was in any way involved in the stormy sessions which punctuated 91 though, amongst others, Badian has sought to identify him as an implacable foe of Drusus' measures.<sup>139</sup> However, through the marriage of his son to Licinia (Cic. *Att.* 12.49.2, 14.8.1; *Phil.* 1.5), Marius had forged the closest of connections with L. Licinius Crassus (cos. 95),<sup>140</sup> who was Drusus' most able and forceful spokesman in the senate. His tacit approval of thorough reforms to the composition of the juries and of a grant of full citizenship rights to the *socii* is, therefore, not at all unlikely.<sup>141</sup> Moreover, in assuming powerful support for the opponents to this tribunician programme, Badian and others simply leave too few prominent senators behind a politician who, according to Cicero, was extremely influential in his own right (*Mil.* 16: 'Domi suae nobilissimus vir, senatus propugnator atque illis quidem temporibus paene patronus').<sup>142</sup> Drusus can hardly have been considered almost a patron of the senate with the few supporters left to him in many modern accounts.

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<sup>138</sup> *MRR* 2.4.

<sup>139</sup> Badian, 1957: 328-343; *FC* 215-220; cf. Gabba, *Republican Rome* 133-134, 168-169, with a critique of Badian's chronology; *MRR* 2.20-22; Gruen, *RPCC* 206-214; Brunt, *FRR* 106-107.

<sup>140</sup> F. Münzer, *Römische Adelsparteien und Adelsfamilien*, Stuttgart 1962<sup>2</sup>, 279-280; E. Badian, 'Q. Mucius Scaevola and the Province of Asia', *Athenaeum* 34 (1956) 112 and n. 3-4; 1957: 329; Shackleton Bailey, *Atticus* 5.339, 6.219. On the date of the marriage of the younger Marius to Licinia see also below, Chapter 4.

<sup>141</sup> Cf. Badian, *FC* 215, who sees the laws of Drusus as a 'counter-stroke' against Marius and his allies, and argues, 1957: 328-329, that Crassus was not a close supporter of Drusus; and, 343, that Marius joined with other politicians, such as Q. Servilius Caepio, in opposing the measures. Alas, in the absence of evidence, all supposition.

<sup>142</sup> Badian, 1957: 328-343; *FC* 215-220; Gabba, *Republican Rome* 70-74, 131-134, reiterating Badian's view and in the process producing a very scanty list of backers for Drusus, most of whom were junior figures; Keaveney, *Unification* 80; cf. Brunt, *FRR*, who recognizes the lack of evidence for Marius' supposed Italian sympathies, but argues, after *Plut. Mar.* 33.2-3, that in the Social War, he was less vigorous against the *socii* than some of his fellow commanders. Note also Marius' grant of citizenship to specific *socii*, Brunt, *FRR* 131, and his defence of T. Matrinius, who had probably acquired the *ius optimo iure* as a result of the law of 100, Badian, *FC* 213. Saturninus' colonial bill was also meant to underscore the grant of citizenship made by Marius to a cohort of cavalry from Camerinum, Badian, *FC* 206 and n. 3.

Marius' stance in the trial *de repetundis* of P. Rutilius Rufus (cos. 105), with its outrageous denouement (Liv. *Per* 70), is not mentioned, and this has evidently been the cause of considerable puzzlement. Rutilius Rufus, who was convicted and who chose to go into exile (Liv. *Per*. 70),<sup>143</sup> was also closely related to Drusus (Val. Max. 8.13.3; Pliny, *NH*. 7.158).<sup>144</sup> Ancient writers believed that the tribune responded to this victimization of an uncle by marriage in a court established under the *lex Servilia Glaucia*, by bringing forward his controversial legislation, designed to increase senatorial authority and prestige (Cic. *Mil*. 16; *de Orat*. 1.24-25; Liv. *Per*. 70).<sup>145</sup> It seems improbable that Marius would have risen to the defence of a law, the author of which he himself had ordered to be killed without trial. What possible motive could Marius have had for opposing the measures of Drusus? He was not so aligned with the *equites* that he stood to lose anything by the changes which, on reflection, seem a reasonable compromise between senatorially dominated juries on the one hand, and purely equestrian juries on the other. No ancient source points to his involvement, but his family connections from the 90's, and his experience of the turmoil in 100, for which he was partially to blame, more than likely made him steer well clear of actively participating on either side in this latest political crisis.

It is, nevertheless, remarkable that Marius' position in the years between 95 and 91 should be so obscure. Cicero who knew him in the 90's (*ad Quir*. 20) must have known exactly where he stood on the question of the charge against Rutilius Rufus, and also on the measures proposed by Drusus. He is so completely silent that one is tempted to imagine concealment, since Marius was such a senior political figure that he ought to have had views on these affairs. The answer may be more mundane: he may not have been interested. The malice which seems to emanate from the memoirs of Rutilius Rufus, which have infiltrated the narrative of Plutarch's *Life*, is assumed to have

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<sup>143</sup> The trial may be dated to between 94 and 92. Badian, 1957: 325, for 92; *FC* 215, for 93 or 92; Gruen, *RPCC* 205, for 92; R. Kallet-Marx, 'The Trial of Rutilius Rufus', *Phoenix* 44 (1990) 122-139, for 94.

<sup>144</sup> Münzer, *RAA* 282.

<sup>145</sup> Val. Max. 9.5.2, alone claims *dolor* as the cause for Drusus' actions. However, he could be correct. For his lack of partizanship see T.F. Carney, 'The Picture of Marius in Valerius Maximus', *RhM* 105 (1962) 289.

originated in the trial of the author,<sup>146</sup> but the hostility may be overstated, and could well belong to a much earlier episode in their lives. Indeed, Plutarch speaks about a 'private quarrel', not the public falling-out which would no doubt have taken place in open court. His evidence should not be dismissed out of hand. Marius' family tie with Licinius Crassus also makes opposition to Drusus look less plausible. It might be comforting to see Marius, thwarted by the senatorial establishment in achieving his aspirations in 100, now spending his spare moments wreaking vengeance. However, what Marius did in that memorable year he did of his own volition. He stood to win no greater place in the *res publica* in the 90's by playing the role of an ageing and injured demagogue. It is rather more befitting to visualize him as a patriarchal figure in this period who did not stoop to the intrigue of those he now considered lesser and inferior figures in the senate.

It is only at the beginning of the Social War, after several inconspicuous years, that Marius makes a reappearance (Plut. *Mar.* 31.4-32.4). In 90 he is listed, by Appian (*BC.* 1.40), among the senior *legati* in the *consilium* of P. Rutilius Lupus (cos. 90).<sup>147</sup> Following the death of the consul in battle, he was appointed to joint command of the army with the praetor Q. Servilius Caepio (*Liv. Per.* 73; App. *BC.* 1.43-44) who was also killed soon afterwards. Marius was thus kept busy away from Rome during the turbulence caused by the *quaestio*, created in 90, by the tribune Q. Varius Hybrida (*Val. Max.* 3.7.8, 8.6.4; App. *BC.* 1.37), which tried alleged cases of *maiestas* committed by the political supporters of Drusus who, it was claimed, had encouraged the Italian allies to rebel. By the time Marius returned to the city in 89 after he had

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<sup>146</sup> Rutilius Rufus had served as a legate under Q. Mucius Scaevola (cos. 95) either in 98-97 or 94-93. Both dates have their advocates. Badian, 1956: 104-123; B.A. Marshall, 'The Date of Q. Mucius Scaevola's Governorship of Asia', *Athenaeum* 54 (1976) 117-130, favour the later date. For 98-97 see J.P.V.D. Balsdon, 'Q. Mucius Scaevola the Pontifex and *Ornatio Provinciae*', *CR* 51 (1937) 8-10; B.A. Marshall, *A Historical Commentary on Asconius*, Columbia 1985, 110; R. Kallet-Marx, 'Asconius 14-15 Clark and the Date of Q. Mucius Scaevola's Command in Asia', *CP* 85 (1990) 305-312.

<sup>147</sup> With Marius were Cn. Pompeius Strabo (cos. 89), Q. Servilius Caepio (pr. 91), C. Perperna and a M. or M'. Valerius Messalla. Marius was related to the consul who requested his presence among his staff, *Oros.* 5.18.11; Dio, 29.98.2; Badian, 1957: 337 and n. 160; Carney, *Marius* 52. The relationship with Rutilius was, however, somewhat remote, Carney, *Marius* stemma facing 76. For the identity of Messalla see *MRR* 3.213; Syme, 'Potitus Valerius Messalla', in *Roman Papers* 1.265-266.

either relinquished his command on account of ill health (Plut. *Mar.* 33.3), or had been relieved of his duties for failing to score anything notable against the Marsi (Liv. *Per.* 74), the Varian law had been used against its author who had been exiled or executed (Cic. *Nat. deor.* 3.81); and its activities had been suspended.<sup>148</sup> Marius' various military assignments in the Social War down to this year make it very doubtful whether he had much to do with the *lex de maiestate* of Varius. Nonetheless, the new treason court was obviously modelled in part on the Mamilian commission of 109, which had produced an impressive list of convictions, and which had directly paved the way for Marius' successful onslaught on the consulship in 108. Moreover, since the *lex Varia* evidently replaced and enlarged upon the *maiestas* legislation of Saturninus (Cic. *Brut.* 304; Ascon. 79C),<sup>149</sup> we may be sure that the author or authors of the new measure had taken particular cognizance of the previous law, a law which, if not exactly framed by Marius, had been introduced by a politician who was later to be his close ally.

The use of the *plebiscitum* was also to recur once more in Marius' political career, early in 88, the year of the tribunate of P. Sulpicius.<sup>150</sup> Marius had failed to cover himself in glory in the Social War, but his participation at a senior level had, in all likelihood, rekindled his ambitions for further military laurels (Flor. 2.8.6; Plut. *Sull.* 7.1).<sup>151</sup> When the province of Asia was invaded by Mithridates late in 89 or early in 88 the opportunity

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<sup>148</sup> For the Varian commission, the trials and the excesses of this tribunal, see E.S. Gruen, 'The *Lex Varia*', *JRS* 55 (1965) 59-73; *RPCC* 215-220; E. Badian, 'Quaestiones Variae', *Historia* 18 (1969) 447-491. For Varius' ability as an orator, Cic. *Brut.* 305. For the veracity of the details concerning the downfall of Varius, Badian, 1969: 461-465. The victims of this *quaestio*, C. Aurelius Cotta, L. Memmius, the younger brother of the consular candidate of 100, and L. Calpurnius Bestia, son of the consul of 111, were comparative small fry. No senior personage was condemned, Gruen, 1965: 64-67; *RPCC* 216-219.

<sup>149</sup> E.S. Gruen, 'The *Lex Varia*', *JRS* 55 (1965) 59-60: 'no further trials under the *lex Appuleia* are recorded after 90'.

<sup>150</sup> Although most ancient and modern commentators simply use the word 'law' for the proposal transferring Sulla's command of the Mithridatic War to Marius, Liv. *Per.* 77; Flor. 2.9.6; App. *BC.* 1.56, I have no hesitation in describing this measure as another manifestation of the *plebiscitum*. For this action see *MRR* 2.41; Carney, *Marius* 54; Keaveney, *Sulla* 61-62; 'What Happened in 88?', *Eirene* 20 (1983) 60-62.

<sup>151</sup> Badian, *FC* 230; Keaveney, *Sulla* 58.

arose for a major new provincial command, which was comparable to that against the Cimbri and Teutones. Sulla, who had recently been elected consul for 88, was designated by the senate as the general of an army for the campaign against the king of Pontus. And he was well prepared for a speedy departure with forces in readiness, then engaged in besieging Nola (App. *BC.* 1.50), which had served under him for two years in the war against the *socii*.<sup>152</sup> These significant facts do not appear to have deterred the restless Marius, who evidently cast around for a sympathetic tribune to pass a plebiscite in the *concilium plebis* granting him the command initially awarded to the consul (Liv. *Per.* 77). The proposal, so similar in content to one passed twenty years previously, to overturn the senatorial prerogative, exercised through the *lex Sempronia de provinciis*, of assigning proconsuls must have been Marius' brainchild and not that of P. Sulpicius, the tribune with whom he had formed an alliance (Plut. *Mar.* 35.1).<sup>153</sup> This move might have been unsuccessful, or so Plutarch intimates (*Mar.* 34.1),<sup>154</sup> had it not been appended to Sulpicius' other motions, which were concerned with the pressing issue of the incorporation of new citizens in the current voting tribes. Sulpicius intended seeing his tribunician bill made law at any price, even if its contents were equally controversial.<sup>155</sup> The passage of this motion would have ensured that Sulla lost control of his army, regardless of the fact that the distinctions Marius had won in Numidia and Gaul had faded somewhat in the memory of the voting public. He had not acquitted himself particularly well in the recent warfare and was, by then, nearly seventy years old, an unrivalled age at which to be entrusted with a great command overseas.

At this stage in Roman history, the conferment of a military campaign on a *privatus*, moreover, had no parallel. It is said that Scipio Aemilianus was keen to obtain the command of the war against Aristonicus in 131, but a motion

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<sup>152</sup> For Sulla's command see *MRR* 2.40; Keaveney, *Sulla* 57-59, 78-109.

<sup>153</sup> Marius and Sulpicius had, however, been acquainted since the 90's, Cic. *de Orat.* 1.66; Gruen, *RPCC* 225.

<sup>154</sup> The people were divided in their preferences between Marius and Sulla, *Mar.* 34.1, but the best citizens were 'filled with pity at his greed and ambition', *Mar.* 34.4.

<sup>155</sup> For the law regarding the new *cives* see *MRR* 2.41; Badian, *FC* 232-233; Carney, *Marius* 54, n. 248; Taylor, *VDRR* 102-103; Gruen, *RPCC* 225-226; Keaveney, *Sulla* 57-58.

granting this to him attracted the support of just two of the voting tribes (Cic. *Phil.* 11.18).<sup>156</sup> A *plebiscitum* allowing Marius to take charge of an army in 88 went far beyond the motion of T. Manlius Mancinus whereby Metellus Numidicus' position had been usurped in 107.<sup>157</sup> Yet this decisive action attracted the interest of not a single ancient writer.

It is no exaggeration to state that the events of 88 and the roles played by the protagonists, as they are related, are riddled with confusion. The sources are mostly concerned with Sulpicius' law about the integration of new citizens into the existing tribes, with the outburst of unrest and its descent into a full-scale civil war. That so major a contributory factor as the Sulpician plebiscite should have been overlooked is almost beyond belief. And although the hypothesis is not regarded with favour, it is certainly not improbable that Marius should have considered campaigning for the consulship in 88 when news of Mithridates' incursion was first reported at Rome.<sup>158</sup> After his election as consul VII, through use of a *plebiscitum*, he would have obtained charge of this campaign and supplanted a proconsul, who would have been bound to yield to the will of the *populus*, just as Metellus Numidicus had done in 107. This scenario is conceivable, for Marius had not previously sunk to complete illegality, or any actions which would have caused needless bloodshed, prior to his suppression of Saturninus and Glaucia; and certainly not to the extent of causing the first ever march on the city by a Roman army. Marius might well have tried to emulate C. Iulius Caesar Strabo (aed. 90) who had endeavoured, probably in the previous year, to campaign for the consulship

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<sup>156</sup> The command was eventually assigned to the consul Crassus Mucianus, *MRR* 1.500; Astin, *Scipio Aemilianus* 234 and n. 1; Gruen, *RPCC* 65-66. It is perhaps also worth mentioning the overt hostility to the powers accumulated by Scipio Africanus and his brother in the 190's. Then, however, opponents in the senate had been able to prevent an erosion of their powers by eliminating the Scipiones from political life, R.J. Evans, 'The Structure and Source of Livy, 38.449-39.44.9', *Klio* 75 (1993) 182-183.

<sup>157</sup> Pompey was the first *privatus* to obtain a major proconsular command; in his case in Spain, *MRR* 3.162-165. As a private citizen in 67 he was the beneficiary of Gabinius' *plebiscitum* granting him almost unlimited *imperium* to combat piracy, *MRR* 2.144-145, 3.98. The plebiscite of Manilius followed in 66. But Marius had again shown how a command like this might be obtained.

<sup>158</sup> Diod. 37.2.12; Flor. 2.9.6: 'Initium et causa belli inexplebilis honorum Marii fames'; Oros. 5.19.3. This information must surely have been extracted from Livy's account. On this issue, which has definite attractions, see A.W. Lintott, 'The Tribune of P. Sulpicius Rufus', *CQ* 21 (1971) 449-453.



though he had still to hold a praetorship (Cic. *Brut.* 226; *Har. resp.* 43; *Ascon.* 25 C; *Quintil.* 6.3.75).<sup>159</sup> Marius, however, had far greater *auctoritas* and political muscle at his disposal with which to fight for the right to stand as a candidate.<sup>160</sup> Furthermore, while his own career had been exceptional, it is perhaps unlikely that he would have countenanced the idea of a command being entrusted to a private citizen. So by openly siding with Sulpicius over the distribution of new citizens into the thirty-five tribes he would have gained a powerful voice in the *concilium plebis* (*Plut. Mar.* 35.1-2), not only for a seventh consulship, but also for the concomitant proconsulship overseas.

Marius' latest tribunician ally P. Sulpicius had originally been a close friend of Drusus and a vital member of his circle in the 90's (Cic. *de Orat.* 3.11; *Brut.* 203). There is also said to have been a particular affection between Sulpicius and Q. Pompeius Rufus (Cic. *Amic.* 2), who was the consular colleague of Sulla.<sup>161</sup> Cicero, who had been acquainted with Sulpicius, plainly thought very highly of his talents, and numbered him among the best

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<sup>159</sup> Badian, *FC* 230-231; 1969: 482; T.J. Luce, 'Marius and the Mithridatic Command', *Historia* 19 (1970) 190-191; Sumner, *Orators* 105-106. For more recent and conflicting opinions regarding Strabo's attempted candidacy in 89 or 88, more likely the former, see Lintott, 1971: 446-449; T.N. Mitchell, 'The *Volte-Face* of P. Sulpicius Rufus in 88 B.C.', *CP* 70 (1975) 197-204; B.R. Katz, 'Caesar Strabo's Struggle for the Consulship - And More', *RhM* 120 (1977) 45-61; A. Keaveney, 'Sulla, Sulpicius and Caesar Strabo', *Latomus* 38 (1979) 451-460.

<sup>160</sup> Badian, *DUJ* 152, recognizes Marius' continued popularity with the electorate, but ignores the likelihood of a consular campaign in that year. Keaveney, 1979:453, notes that the fragment of Diodorus cited in support of Marius' candidacy for a seventh consulship in 88 is really an epitome by Photius, hence late and inaccurate. This is not necessarily a sound argument, since the same information is to be obtained from Orosius, and may also be inferred from Florus. Iterated consulships were evidently becoming a prize worth seeking. B.R. Katz, 'The Siege of Rome in 87 B.C.', *CP* 71 (1976) 329-330, suggests that Pompeius Strabo (cos. 89) had ambitions for an iteration. Once again, Marius' example was surely the driving force behind politicians' desires to gain a second, or even an early, consulship.

<sup>161</sup> On the tribune's name, which is unlikely to have included the *cognomen* 'Rufus', see most recently, Mattingly, *Athenaeum* 53 (1975) 264-266; *MRR* 3.202; R. Seager, 'Portraits of Cicero', *CR* 41 (1991) 149. For Sulpicius see also Badian, *FC* 230-231; 1969: 481-490; Carney, *Marius* 54; Gruen, *RPCC* 217; Keaveney, *Sulla* 57; 1979: 454. On Pompeius Rufus see Sumner, 1977: 11-13.

orators of the day (*Brut.* 183),<sup>162</sup> but later writers, such as Appian (*BC.* 1.56) and especially Plutarch (*Mar.* 35.1-2; *Sull.* 8.1), clearly under the influence of the memoirs of Sulla, considered this politician a thorough villain who was completely unscrupulous and utterly calculating.

Μάριος δὴ προσλαμβάνει δημαρχοῦντα Σουλπίκιον, ἄνθρωπον οὐδενὸς δεῦτερον ἐν ταῖς ἀκραῖς κακλαῖς, ὥστε μὴ ζητεῖν τίνας ἐστὶν ἑτέρου μοχθηρότερος, ἀλλὰ πρὸς τὶ μοχθηρότατος ἑαυτοῦ.

Marius now allied himself with the tribune of the plebs Sulpicius, a man second to none in extremes of wickedness, so that no one enquired whether he was more outrageous than others, but by how much had he exceeded the outrages of all others.

The rioting in the forum which led to the death of a son of the consul Pompeius Rufus (*Liv. Per.* 77; *Plut. Mar.* 35.2-4; *Sull.* 8.3-4; *App. BC.* 1.56), coupled with the tribune's absolute determination to pass his measures by smashing senatorial authority, and his dishonourable conduct towards former *amici* (*Cic. de Orat.* 3.11) were, in the unanimous opinion of those writing at some distance from the events of 88, all major elements conducive to Rome's first civil war.<sup>163</sup> The more sympathetic view of Sulpicius' skills and the less meaningful role played by Marius in this affair, were presumably discarded as false by those who may have taken the trouble to consult Cicero's *opera* as a source for their own works.

When the consuls refused to have anything to do with Sulpicius' bills, which also comprised a recall of all exiles (*Liv. Per.* 77),<sup>164</sup> and tried to avert their passage by the declaration of a holiday, the tribune led armed

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<sup>162</sup> Cf. Carney, *WS* 73 (1960) 109, who believes that Cicero's assessment of Sulpicius' abilities to have been rather less positive.

<sup>163</sup> C. Chapman, 'Cicero and P. Sulpicius Rufus (TR. PL. 88 B.C.)', *Acta Classica* 22 (1979) 61-72, notes the hostile portrayal in the sources, but also argues that the tribune was equally badly treated by his friends in high office, and that Cicero glossed over Sulpicius' actions in 88 in order to divert attention from Marius' more invidious role.

<sup>164</sup> Gruen, 1965: 71-73 discusses the possible identity of the *exules*; Badian, 1969: 487-490, examines the possibility of a general amnesty, which would certainly have been in keeping with a post-war situation; Lintott, 1971: 453; Keaveney, 1979: 455-458; 1983: 55.

supporters against them in the forum (Plut. *Mar.* 35.2; *Sull.* 8.3). The ensuing brawl shattered his association with his previous backers.<sup>165</sup> The initiation of Marius' alliance with Sulpicius should, therefore, be dated precisely to the delay imposed on the proceedings by Sulla and Pompeius Rufus. Although they had known each other beforehand, the political intimacy between Marius and Sulpicius arose from the latter's frustration with the consuls and the former's search for a compliant tribune. It is interesting that Plutarch (*Mar.* 35.1) should actually compare Sulpicius with Saturninus, as if Marius had sought out a man who most closely resembled his former ally. Marius may even have urged Sulpicius to imitate the tactics of Saturninus, and the subsequent violence in the *contio* addressed by the consuls was probably planned by the two partners of this newly cemented friendship. Sulla escaped from the attack to the house of Marius, which was near to the forum (Plut. *Mar.* 32.1), where an agreement was reached whereby the citizenship bill was to have a free and unhampered run while the consul was to be left to go to his army and prepare his expedition to the east (Plut. *Mar.* 35.2-4; *Sull.* 8.4; App. *BC.* 1.56).

Marius' advice to Sulpicius had, as ever, been sound for, with official opposition removed, the tribune quickly had his measures passed by the people. However, at this point, these allies also included the order immediately making Marius the new commander of a campaign against Mithridates (Flor. 2.9.6; Plut. *Mar.* 35.4; *Sull.* 8.4; App. *BC.* 1.56).<sup>166</sup> Why had Marius evidently dropped his intentions of canvassing for a consulship, and instead been persuaded into taking a much more radical course? With the fruits of his labour in sight, and perhaps in recognition of advancing years, Marius' political ingenuity seems to have deserted him. The passage of laws *per vim* ought to have reminded Marius of the hazards of employing brute force, as

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<sup>165</sup> For Sulpicius' use of force and his employment of a bodyguard of 600 *equites* whom he called his 'anti-senate' see Gruen, *RPCC* 225-226; Keaveney, *Sulla* 59-62; 1983: 54-58.

<sup>166</sup> Keaveney, 1983: 58-59. The proposal granting Marius the Mithridatic command was greeted with incredulity, Plut. *Mar.* 34.1; *Sull.* 8.1. Marius may have been more an object of scorn than admiration by then, Plut. *Mar.* 34.4-5, but the *populus*, nevertheless, passed the motion, possibly intimidated by Sulpicius' show of force. This was surely the first time the question of transferring the proconsulship had been publicly mooted, Keaveney, 1983: 60. It must have been inserted into Sulpicius' proposals after he and Marius concluded their pact.

exemplified by Saturninus' uprising in 100. But so great was his confidence in the efficacy of the tribunician law that he sent his legate M. Gratidius to Campania to effect the change in the command of Sulla's army. Rashness rather than naivety made him blind to the sort of reception that this envoy would receive from veterans loyally attached to a long-serving general.<sup>167</sup> Gratidius was killed at the instigation of Sulla who, realizing that he had been deceived, refused to relinquish his post (Plut. *Mar.* 35.4; *Sull.* 9.1; App. *BC.* 1.57).

The sequel to the measures of Sulpicius, which occurred because both he and Marius entirely miscalculated Sulla's response to a law passed without senatorial approval, need not be examined here in detail. The epitomator of Livy's history put it laconically when he wrote (*Per.* 77; cf. Plut. *Mar.* 35.5; *Sull.* 9.3-10.1; App. *BC.* 1.57):

*L. Sylla consul cum exercitu in urbem venit et adversus factionem Sulpicii et Marii in ipsa urbe pugnavit, eamque expulit.*

The consul L. Sulla entered the city with his army, fought against the supporters of Sulpicius and Marius in the city itself and expelled them.

Marius and his son together with Sulpicius and about ten of their staunchest followers were declared *hostes* (Plut. *Mar.* 35.5; *Sull.* 10.1; App. *BC.* 1.60) but, with the exception of the tribune who was apprehended and murdered, they all escaped into exile.<sup>168</sup> A radical legislative proposal had brought about a military riposte which ended in the occupation of the city by armed forces, a phenomenon not hitherto witnessed. Furthermore, the ambitions which had been unleashed by irresponsible law-making and armed reactions to such measures were to guarantee the total erosion of senatorial control,<sup>169</sup> and

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<sup>167</sup> Val. Max. 9.7, ext. 1; Oros. 5.19.4. Cf. Plutarch, *Mar.* 35.4; *Sull.* 8.4, who states that Marius sent two officers, military tribunes, *MRR.* 2.43-44 and n. 8.

<sup>168</sup> T.F. Carney, 'The Flight and Exile of Marius', *G&R* 8 (1961) 101-102; Gruen, *RPCC* 228; R.A. Bauman, 'The *Hostis* Declarations of 88 and 87 B.C.', *Athenaeum* 51 (1973) 270-293; B.R. Katz, 'The First Fruits of Sulla's March', *AC* 44 (1975) 100-104; Keaveney, 1983: 70-71.

<sup>169</sup> Badian, *DUJ* 152. For the subsequent murder of Marius' political opponents see also below, Chapter 4.

were also to usher in a lengthy period of instability which was to be fully restored to a universal peace only by the principate of Augustus.

## Conclusion

Marius finally attained his seventh consulship after his own military seizure of Rome later in 87. Within a fortnight of entering his consulship he was dead (Plut. *Mar.* 46.5), by which time, as Badian has noted, he was 'an object of general detestation'.<sup>170</sup> That he should die so hated by contemporaries is really rather unremarkable, because to his unrealistic, even senile, dreams of further triumphs may be laid the prime cause for the disastrous civil war of 87. It was this conflict more than any other episode in his thirty-five years political career which destroyed the credibility of senatorial government. The perpetuum mobile which was the republican political system, in its constant state of evolution, moved, year by year, ever closer to autocracy. In this continuous surge forward, the *res publica* may fairly be said to have been propelled by the events of 88 and 87 even more quickly towards rule by one man. In these events the elderly Marius was a pivotal figure and, for a part of the time, the single controlling influence. The actions of Sulpicius and to a lesser extent of Sulla were engineered by Marius since they were intended to be the pawns in his manipulations. His bold strategy miscarried because he failed to judge Sulla's reaction to the transference of the Mithridatic command who was equally determined to retain what, in his opinion, had been legally awarded to him.

There can be no doubt that Sulla was the injured party in these machinations, but it is probably incorrect to ascribe personal animosities as the overriding, even the subsidiary, motive in an affair which was originally concerned with the possession of a military command. What was of importance to Marius was that he needed to have a ready army, and that force was situated outside Nola. It was unfortunate that Sulla just happened to be the current commander who, in the circumstances, could, like any other man, be sacrificed to the greater appetite of Marius' ambition. It was plainly expected that Sulpicius' bill and the sanctity of the law, even if much abused, would be

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<sup>170</sup> Badian, *DUJ* 153; cf. Mommsen, *RG* 2.314.

obeyed without question. However, Sulla's unforeseen rejection of the 'popular' will, which he must surely have believed to have been of equivocal legality, was made from a position of great strength since he had the means and the opportunity to impose his will on the situation. Marius' flight and exile left him embittered against certain politicians with whom he had formerly been on good terms, but who had now, naturally enough, stood by the consul and thus thwarted his desires. Once he regained supreme power in Rome his vengeance was more probably calculated than driven by insanity.<sup>171</sup> The murder in 87 of politicians opposed to Marius created one last precedent in a long sequence, and it was to be copied with a similar brutality by Sulla, whose revenge was not much delayed, and also in a far more cold-blooded, but businesslike, fashion by the three generals who, in late 43, were to emerge as the joint heirs of Caesar.

The period in which Marius pursued his career witnessed an amazing series of tribunician laws, which altered the appearance of the Roman republic forever. Marius and the tribunes of this time are not inextricably bound together, but it is a quirk of history that Marius either gained some material advantage from a substantial number of the laws they promulgated, or caused some precedent to be established through the passage of specific measures which he may have supported. By endeavouring to connect him with as many radical proposals as possible in these years, the methodical approach of modern scholarship has caused Marius to be set artificially apart from his fellow senators and almost beyond the realms of Roman oligarchic politics. Before 88, however, his aspirations were not so very dissimilar to those of his peers in the senate; he did not have a greater purpose in mind when he chose to enter political life in 120. The purpose of this discussion has, therefore, been aimed at placing Marius in his proper context.

Marius was an exceptionally successful general, but he was first and foremost a gifted politician with an admirable appreciation of public affairs. From the time of his election as consul to his very last years he maintained a thorough grasp of the complexities of political life. Consequently, his ambitions suffered few reversals. The ancient sources, unfortunately, do not tell the whole story and, therefore, may beguile us with their silence.

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<sup>171</sup> On the deaths of senior political figures in 87, and who was most likely responsible, see below, Chapter 4.

Marius' activities in conjunction with tribunes such as T. Manlius Mancinus, L. Appuleius Saturninus and P. Sulpicius, his links with radical thinkers such as C. Servilius Glaucia and, indeed, his own acts as a tribune of the plebs all show that he used the existing political system as any artful republican politician should have done. In doing so, however, he achieved far more than his contemporaries. Marius stood alone only in 88, but before that tempestuous year his aspirations did not detract from his loyalty to the *res publica*. Finally, his unquenchable *ambitio* overcame an unusually astute sense of judgement; the result, the beginning of the Roman revolution.<sup>172</sup>

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<sup>172</sup> Badian, *DUJ* 152.

#### IV

### FAMILY TIES AND POLITICAL ALLIANCES OF MARIUS' CAREER

*Le sort fait les parents, le choix fait les amis.*

Abbé Jacques Delille (1738-1813)

#### Introduction

The various types of relationships which republican politicians possessed either from birth, or which they were bound to cultivate and accumulate in order to become successful in the public life of the city, are well illustrated by the author of the *Commentariolum Petitionis* (16-31). The multiplicity of obligations was evidently nothing short of immense,<sup>1</sup> and the significant point which surely emerges from a reading of this text is that the candidate in elections, with the help of his closest helpers, was obliged to seek out all possible alliances and contacts to ensure a good result in the forthcoming poll. Eminence in Roman politics was almost exclusively the

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<sup>1</sup> The date and authorship of this work remains disputed and, although it may have been composed during the first century AD, the writer seems to have possessed a good grasp of republican politics. If the author was not Q. Tullius Cicero, he may well have had access to a late republican source. For discussion regarding the authenticity of this work see R. Till, 'Ciceros Bewerbung ums Konsulat (Ein Beitrag zum *Commentariolum Petitionis*)', *Historia* 11 (1962) 315-338; J.P.V.D. Basldon, 'The *Commentariolum Petitionis*', *CQ* 13 (1963) 242-250, who both see evidence for a date close to Cicero's quest for the consulship in 64; cf. M.I. Henderson, 'De *Commentariolo Petitionis*', *JRS* 40 (1950) 8-21; R.G.M. Nisbet, 'The *Commentariolum Petitionis*', *JRS* 51 (1961) 84-87, who both argue for a later date. Opinion now seems to favour the earlier date of composition, J.S. Richardson, 'The "Commentariolum Petitionis"', *Historia* 20 (1971) 436-442; T.P. Wiseman, 'Competition and Co-operation', in *Roman Political Life 90 BC - AD 69*, ed. T.P. Wiseman, Exeter 1985, 14.



result of personal efforts. There were no party cadres available to undertake work on behalf of an aspiring politician.<sup>2</sup>

*Et petitio magistratum divisa est in duarum rationum diligentiam, quarum altera in amicorum studiis, altera in populari voluntate ponenda est. Amicorum studia beneficiis et officiis et vetustate et facilitate ac iucunditate naturae parta esse oportet. Sed hoc nomen amicorum in petitione latius patet quam in cetera vita; quisquis est enim qui ostendat aliquid in te voluntatis, qui colat, qui domum ventitet, is in amicorum numero est habendus.*

Canvassing for the magistracies involves paying attention to two aims of equal importance, the first concerned with gaining the support of friends, the second securing the favour of the people. The support of the friends should be acquired through various kindnesses and attention to duties, old acquaintance, courtesy and personal charm. But the word 'friends' has a broader meaning in the canvass than in the rest of one's life, for anyone who exhibits good will to you, or seeks your company, or who visits your house, deserves to be numbered among your friends (*Comm. Pet.* 16).<sup>3</sup>

The various interpretations placed on the nature of *factiones* and *partes* in second-century republican politics by scholars over the years do not require detailed analysis here. It should be sufficiently clear from the discussion thus far, that I have adhered to the arguments which stress personal and transient political relationships rather than those which postulate formal or

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<sup>2</sup> Note here Wiseman's comments in *Roman Political Life* 14, and especially 16: '... there were no 'parties', no 'groups of families', and 'factions' only to the extent that the system was sometimes deliberately subverted.'. On the use of 'factio' in Latin literature, R. Seager, 'FACTIO: Some Observations', *JRS* 62 (1972) 56, who argues that when the term 'factiones' is employed it invariably refers to two groups and 'never more than two'. Hence Pelling's observation, *Past Perspectives* 167-169, that republican politics is most often characterized as a conflict between senate and *populus*.

<sup>3</sup> Brunt, *FRR* 375, also adds politicians whom the candidate may have successfully defended in court and who were, henceforth, under an obligation to him.

even informal groups in the senate.<sup>4</sup> The creative genius of Mommsen continues to enrapture those who feel more at home working with an organized political structure, with which they are obviously familiar, but political slogans, however inventive, cannot be converted into a hypothetical system simply because they appeal to current modes of thought and experience.<sup>5</sup> The evidence to be obtained from the *Commentariolum Petitionis*, which appears to lack inherent bias, indicated by the absence of political catchwords, unlike so many of the sources cited for ancient evidence of *partes*, shows that, in the last analysis, the route to success in a political career lay in the ability of the individual to harness all the possible advantages available

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<sup>4</sup> Wallace-Hadrill in *Patronage in Ancient Society* 68-71; Wiseman, in *Roman Political Life* 16; Seager, 1972: 56; Brunt, 'Amicitia in the Late Roman Republic', *PCPS* 10 (1964) 1-20 = *FRR* 351-381, and *FRR* 443-502 on factions in republican politics, and especially 459-461 on the period of Marius. Note also Ch. Meier, *Res Publica Amissa. Eine Studie zu Verfassung und Geschichte der späten römischen Republik*, Wiesbaden 1980<sup>2</sup>, 162-200 and Brunt's review of Meier's thesis regarding the nature of republican politics, in *JRS* 58 (1968) 230-232. Cf. In general, Scullard, *Roman Politics*, who was undoubtedly much influenced by the ideas of L.B. Namier, *The Structure of Politics at the Accession of George III*, London 1957<sup>2</sup>, 3: 'In leading political families - old aristocratic houses or families which can best be described as the aftermath of great men - the predestination of Parliament extended even to younger sons'. On politics at the close of the second century, Badian, 1957: 324-342; *FC* 200, on a *factio* supportive of Marius; Gruen, *RPCC* 115, for a 'Metellan *factio*'; cf. Brunt, *FRR* 459-461. These ideas remain in evidence, though more recently, 1984: 101-147, Badian has, on the whole, avoided the term *factio* in preference for 'boni', moreover, 1984: 125, draws attention to the problem of distinguishing groups in political life at Rome.

<sup>5</sup> For *optimates* and *populares* used nearly in the sense of modern parties, Carney, *Marius* 53: 'The *optimates*, who in domestic politics had carried the extensions of the franchise'; Epstein, *Personal Enmity* 79: 'Marius and Furius defected to the *optimates*'; Keaveney, *Sulla* 28: '*popularis* movement'. G. Alföldy, *The Social History of Rome*, trans. D. Braund & F. Pollock, London 1985<sup>3</sup>, 66: 'These two interest groups were labelled, in the prevailing terminology of the late Republic from the beginning of the first century BC, as *populares* and *optimates*'. It is true that Cicero, *Sest.* 96-97; *Flacc.* 34; *Rep.* 1.43, employs '*optimates*' in opposition to '*populares*', but neither epithet is a commonplace in his *opera*. They are mostly confined to his rhetorical works, are rather rarities and, certainly, do not deserve to be considered as regular terms describing politicians of the period of Marius' career. Indeed, as Cicero, *Sest.* 97, clearly indicates '*optimates*' were not even confined to the senate: 'Quis ergo iste optimus quisque? Numero, si quaeris, innumerabiles, ...; sunt principes consili publici, sunt qui eorum sectam sequuntur, sunt maximorum ordinum homines, quibus patet curia, sunt municipales rusticique Romani, sunt negoti gerentes, sunt etiam libertini *optimates*'. For *optimates* and *populares* in the sources see *TLL* 2.2082, 9.819-820; Strasburger, *RE* 18.1 (1939) 773-798; Ch. Meier, *RE Suppl.* 10 (1965) 549-615.

among the community, from his fellow citizens and from his various personal relationships, before the voters went to cast their ballots. In the words of Brunt, 'of large, cohesive, and durable coalitions of families there is no evidence at all for any period'.<sup>6</sup>

### Marius Earliest Ties

The evidence for Marius' connections with the Cornelii Scipiones rests on an anecdote related by Plutarch (*Mar.* 3.2-3), concerning a prophecy made by Scipio Aemilianus about his officer's future greatness, and on another, found in Silius Italicus' *Punica* (13.853), in which, on a visit to Hades, the careers of later republican figures were revealed to Scipio Africanus by the Sibyl. As both Valgiglio and Carney have noted, however, the prediction of a young man's subsequent fame is a *topos* in ancient historiography (cf. Suet. *Iul.* 1).<sup>7</sup> It need not represent a real event nor, in this instance, may it be taken to imply a particular connection between Scipio Aemilianus and Marius.<sup>8</sup>

Similarly, the two other Marii mentioned by Silius (9.401, 13.231), the first killed at Cannae in 216, who is said to have been a native of Praeneste and the second, killed during the siege of Capua and described as an *amicus* of Scipio Africanus, are more likely to be the inventions of the writer than historical figures. A Marius Statilius is also attested at Cannae by Livy (22.42.4-6, 43.7), but he is called a Lucanian, and the nature of his relationship with Scipio, if any, is not provided.<sup>9</sup> The high incidence of the *nomen* Marius in accounts dealing with such a brief phase of the Second Punic War is extraordinary, but it may simply be indicative of just how common the name was. It seems rather improbable that, in relating tales containing various Marii, Livy, Silius or Plutarch have preserved a memory of an early

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<sup>6</sup> Brunt, *FRR* 502.

<sup>7</sup> Valgiglio, *Vita* 16; Carney *Marius* 15 n. 81.

<sup>8</sup> Cf. Carney, *Marius* 15 n. 80, who considers that there was an 'obvious bond' between the Marii and the Cornelii Scipiones.

<sup>9</sup> For Marius Statilius, his rank and other sources which possibly refer to him see *MRR* 1.251.

connection between the young Marius and his commander-in-chief at Numantia.<sup>10</sup> A patron-client relationship may not be deduced with any confidence from these ancient sources,<sup>11</sup> though the family of Scipio Aemilianus undoubtedly possessed ties throughout the community, both in Rome and in the surrounding *municipia*. The Marii of Arpinum were clearly an important local family, and their connections would also have spread beyond the confines of their town to include many other families, among whom the Cornelii Scipiones might very well have been one. Nevertheless, although Scipio Aemilianus may have lent his support to Marius' campaign for a military tribunate, the family of the victor over the Numantines was probably less responsible for guiding this young man into a public career than was his own ambitious family. Furthermore, the Cornelii Scipiones do not feature among Marius' numerous later political alliances.<sup>12</sup>

In fact, it was another famous family (the Caecilii Metelli) who are said to have used its great prestige to assist Marius in winning a place in the tribunician college in 120 (Plut. *Mar.* 4.1). If a single Metellus is to be identified as a *patronus* then he must be L. Caecilius Metellus Delmaticus (cos. 119) who campaigned for the consulship in the same year as Marius'

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<sup>10</sup> Carney, *Marius* 15 n. 80, seems to be under the impression that the Marii in Silius' *Punica* were ancestors of C. Marius, though this assumption is simply not credible. Carney makes no reference to the Lucanian Marius.

<sup>11</sup> Cf. Carney, *Marius* 15 and n. 80, citing *RE* Marius no. 1. Taylor *VDRR* 18, 93, 307-308 notes that the family of Marius was in the Cornelia, as were all Arpinates, Liv. 38.36.7-9, which was also the tribe to which the Cornelii Scipiones perhaps belonged, Taylor, *VDRR* 307. Carney also points out, 15 n. 81, that, while Plutarch's tale of a prophecy made by Scipio Aemilianus concerning Marius' future fame need not be regarded as factual, it may, nonetheless, indicate that he was a *contubernalis* in 134-133. It seems more likely, however, that Marius was already in Spain where he attracted the notice of his general. Considering the size of the entourage which is said to have accompanied Scipio Aemilianus to Spain, *MRR* 1.491, a close connection appears almost impossible. Cf. Badian, *FC* 195, who is more guarded about this conjectured tie.

<sup>12</sup> Although Scipio Aemilianus (cos. II 134) was the last of his line, the Cornelii Scipiones Nasicae were still represented in the senate with a consul in 111, *MRR* 1.540, and a legate in Spain in the 90's, *MRR* 3.72. Neither of these Scipiones appear to have had any link with Marius. Note also a Cn. Cornelius Scipio, praetor possibly during the last decade of the second century, Val. Max. 6.3.3b; Münzer, *RE* Cornelius no. 321; *MRR* 1.546.

candidacy for the tribunate of the plebs.<sup>13</sup> Such an assumption makes sound sense because Delmaticus, in characteristic Roman republican fashion, probably cast around for a suitable ally among the tribunes for 119, whom he could attach to himself. It is highly probable that most consuls sought to acquire a tribunician ally before their own election to office, so powerful was the tribunate when it came to legislative matters, especially in its potential use of the veto. The natural choice would have been for a man from a family known to the consul's own,<sup>14</sup> though his expectations of Marius as an obedient junior official were not to be realized.

Had Marius received the aid of Metellus Delmaticus in his election campaign and, afterwards, opposed the consul over the question of narrowing the voting *pontes*, there would undoubtedly have been resentment and distrust at his ungracious and unprincipled behavior. Moreover, it seems almost inconceivable that so major and public a breach between Marius and this branch of the Caecilii Metelli could have been forgiven or forgotten by the time the former was employed as senior *legatus* to Metellus Numidicus in 109. Marius was appointed to the staff of Metellus because he was a good and experienced soldier not because he was an old friend. His link with this famous senatorial family was not re-established after 119, as is evident from the constant hostility which characterized the relationship between general and legate in the campaigns against Jugurtha in 109 and 108. The rather odd argument espoused by Badian, Carney and Gruen, that Marius' trial in 116 had the salutary effect of making him desist from 'popular' activity in order to

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<sup>13</sup> For Metellus Delmaticus see *MRR* 1.525; 3.38. Cf. Carney, *Marius* 17-18, who argues, without good reason, that Marius' patron was Q. Caecilius Metellus Baliaricus (cos. 123). A link with Delmaticus would explain the relationship, in the campaign against Jugurtha, between Metellus Numidicus, his younger brother, and Marius which is attested in the literary sources. Marius is nowhere specifically credited with ties with the family of Metellus Macedonicus (cos. 143).

<sup>14</sup> Plutarch, *Mar.* 4.1, evidently believed that the Marii of Arpinum had a long and close link with the Caecilii Metelli: οὐ τὸν οἶκον ἐξ ἀρχῆς καὶ πατρὸθεν ἐθεράπευεν. It would be useful to know whether the family of L. Caecilius Metellus Calvus (cos. 142), father of Delmaticus, owned estates in the neighbourhood of Arpinum. Delmaticus' younger brother Metellus Numidicus certainly owned an estate at Tibur, *Cic. de Orat.* 2. 263, which was only a relatively short distance away. This villa was probably the one inherited by Q. Caecilius Metellus Pius Scipio (cos. 52), *Cic. fam.* 12.2.1; *Phil.* 5.19; Shatzman, *Senatorial Wealth* 309. Metellus Numidicus also possessed a villa at Tusculum, *Cic. Att.* 4.16.3; *Balb.* 56; Wiseman, *New Men* 191.

regain the favour of his former *patroni*, overlooks the fact that his double *repulsa* for the aedileship in 117 is a far more likely explanation of why his political actions should, thenceforth, be more subtle and cautious.<sup>15</sup> Moreover, an early tie of friendship with a political maverick such as P. Decius Subulo,<sup>16</sup> whose own career was damaged beyond repair during his praetorship in 115, might go some way to explaining why Marius became more discreet in his political manoeuvring.

Marius was accused of *ambitus* after the elections for the praetorship were concluded, and he was brought to trial (Plut. *Mar.* 5.2-5). Although he was eventually acquitted on a tied vote, this did not occur before a witness, who was said to be the defendant's patron, was summoned to appear by the prosecuting counsel.

ἐπὶ δὲ τὸν Μάριον καὶ Γάιος Ἑρέννιος μάρτυς εἰσαχθεὶς οὐκ ἔφη πατριὸν εἶναι καταμαρτυρεῖν πελατῶν, ἀλλὰ τὸν νόμον ἀφιέναι ταύτης τῆς ἀνάγκης τοῦς πατρῶνας ..., τοῦ δ' Ἑρεννίων οἴκου τοῦς Μαρίου γονεῖς καὶ Μάριον αὐτὸν ἐξ ἀρχῆς γεγονέναι πελάτας. ἀποδεξαμένων δὲ τὴν ἀπόρρησιν τῆς μαρτυρίας τῶν δικαστῶν αὐτὸς ἀντεῖπεν ὁ Μάριος πρὸς τὸν Ἑρέννιον ὡς, ὅτε πρῶτον ἀρχῶν ἀνηγορεύθη, ...

But C. Herennius was led in as a witness against Marius, and pleaded that it was contrary to *mos maiorum* for a patron ... to give evidence against a client, and the law relieved him of this necessity, and not only Marius' parents but Marius himself had originally been clients of the house of the Herennii. The jurors accepted this plea as a justification for avoiding giving testimony, but Marius himself contradicted Herennius, declaring that as soon as he had been elected to his magistracy he had ceased to be a client ...

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<sup>15</sup> Badian, *FC* 195; Carney, *Marius* 22 and n. 118; Gruen, *RPCC* 124. If there was revenge for Marius' narrow escape, it was the expulsion of Cassius Sabaco from the senate by the censors of 115, Plut. *Mar.* 5.4; *MRR* 1.531. This action against a friend of Marius certainly strengthens the case for identifying Delmaticus, rather than his less famous cousin Diadematus, as censor in 115. Sabaco is mentioned only by Plutarch, and his fate is rather reminiscent of the political demise of Decius Subulo, another possible ally of Marius in this formative stage of his career.

<sup>16</sup> Badian, 1956: 94.

Plutarch (*Mar.* 5.5) plainly thought that Marius' stance in the trial was dishonest and untenable since only curule offices freed clients from their obligations to a *patronus*. Although Marius risked forfeiting this curule office, he had, however, recently won election to the praetorship, and the author of the biography had presumably lost sight of the significance of the material he had in his possession.

Although Badian, Carney and Gruen are in agreement that Marius' trial *de ambitu* was a direct consequence of his tribunician actions against Metellus Delmaticus in 119,<sup>17</sup> it is more plausible that the charge of electoral corruption was brought by one of the candidates he had defeated in the praetorian elections. Thus compare the prosecution of M. Aemilius Scaurus (cos. 115), perhaps a matter of days before Marius' trial, by P. Rutilius Rufus (cos. 105) (*Cic. de Orat.* 2.280). Rutilius Rufus had been defeated by Scaurus in the consular elections and brought a charge of electoral corruption against his more fortunate competitor. The suit failed and Rutilius Rufus was in turn subjected to a similar charge brought by Scaurus, which was also unsuccessful. The trial of L. Licinius Murena (cos. 62) in 63 had an identical history. His prosecutor was Ser. Sulpicius Rufus (cos. 51), an erstwhile fellow candidate from the consular elections for 62 (*Cic. Mur.* 7-8). Again the charge failed to convince a jury. It is, therefore, not beyond the bounds of possibility that the accusation of bribery was actually brought by C. Herennius, the prosecution witness in this trial. He may well have lost in the recent poll, and was piqued at the thought that a politician from a family of inferior social and political standing should have triumphed.

The Herennii appear to have been hereditary patrons of the Marii, but this family was not prominent in public life at Rome.<sup>18</sup> There is not a shred of evidence to support the contention that after 116 and, as a result of the trial, the position of patron and client became reversed and that the Herennii

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<sup>17</sup> Badian, *FC* 195 n. 3; Carney, *Marius* 22; Gruen, *RPCC* 123-124.

<sup>18</sup> M. Herennius M.f., probably a relative of the witness at Marius' trial did, however, win the consulship for 93, *MRR* 2.14. For his moneyership, ca. 108, see Crawford, *RRC* 1.317-318, no. 308; *MRR* 3.101. For the Fabia as the voting tribe of the Herennii, see Taylor, *VDRR* 219-220; cf. Badian, *Historia* 12 (1963) 134, who postulates the voting tribe Maecia.

became loyal supporters of Marius.<sup>19</sup> It says something of Marius' confidence both in his innocence and in the *iudices* that he refused to recognize the validity of Herennius' rights over him. It also says much about his skill as a politician, for had Marius accepted Herennius' claim to patronage, it would have indicated to the *iudices* that he had not been elected to curule office and hence illustrated his guilt.<sup>20</sup> The prosecution's ploy evidently had the unforeseen effect of winning some sympathy for Marius, and may even have contributed to his acquittal. Marius had won a place in the praetorian college which only a conviction could annul and he was, therefore, correct to insist that he had no further obligation to Herennius. Plutarch does not relate whether or not Herennius then gave his evidence. His supposed testimony was, of course, worthless unless he could be seen refusing the plea to give it. Herennius had been called by the prosecuting counsel in order to embarrass the defendant over a technical breach of etiquette and of *mos maiorum*. Understandably, the tactic was to no avail.

## Family and Marriages

That Marius' own family was ambitious for the magistracies of the *res publica* can hardly be in doubt, particularly since a brother of his also became an active and successful politician.<sup>21</sup> M. Marius was almost certainly several years the younger since he achieved the praetorship only in the period of his elder brother's iterated consulships (104-100).<sup>22</sup> Appian (*Ib.* 100) dates his proconsulship of, probably, Hispania Ulterior to five years before the highly

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<sup>19</sup> Badian, *FC* 201 n. 10, merely conjectures an alliance between Marius and the Herennii by 100; cf. *Studies* 223 where this conjecture is advanced more confidently. However, note 1990: 405 n. 21, where Badian considers that the consul of 93 and the patron of Marius were not related. See also Gruen, *RPCC* 123, who assumes a reversal of roles between Marius and the Herennii after 116, but cites no ancient evidence. Carney, *Marius* 49, calls M. Herennius (cos. 93) a Marian consul, but again is able to cite no ancient source for this contention.

<sup>20</sup> Weynand, *RE Suppl.* 6.1368-1369; Carney, 'Two Notes on Republican Roman Law', *Acta Iuridica* 2 (1959) 232.

<sup>21</sup> For a stemma of the Marii see Carney, *Marius* facing 76; and below.

<sup>22</sup> Dated ca. 102, *MRR* 1.568 and n. 3, for the sources and his likely relationship with C. Marius.



successful campaign against the Celtiberi of Hispania Citerior by T. Didius (cos. 98).<sup>23</sup> M. Marius could have succeeded L. Caesius ('IMP') as governor of Ulterior and, hence, have been a contemporary of M'. Sergius or Q. Fabius Labeo, who were apparently active in neighbouring Citerior. Moreover, it is perhaps significant that his older brother may also have governed Ulterior a decade before.<sup>24</sup> I suggested above that the province of Hispania Ulterior was a prize much sought after. The elder Marius, who must surely have hoped that his younger brother would also go on to win a consulship, was probably able to manipulate the sortition in order that M. Marius would obtain a command beneficial for a subsequent consular campaign.

Like Cicero's younger brother Quintus, praetor in 62, M. Marius was, however, never to attain the consulship. He may have either died soon after his praetorship or, following the upheaval caused by the *seditio* of Saturninus and Glaucia, considered a canvass for the consulship to be doomed to failure. Had he been a praetor in 102, he would have been eligible for the consulship in 99, but he is not attested as a consular candidate when his brother's support, as the presiding magistrate, would have been crucial. Marius regained more than enough of his former prestige in the 90's to have enabled his younger brother to aspire to the highest magistracy, but his absence from public life at this time also suggests an early demise. Although little is known about this shadowy figure, who does not feature at all in Plutarch's biography he was, like Q. Cicero, probably his elder brother's staunchest supporter. He

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<sup>23</sup> Assuming that his account is accurate, Appian states that Didius destroyed some Celtiberians near Colenda, whom M. Marius had settled there five years beforehand: 'της βουλης επιτρεπούσης ὠκίκει πρὸ πέντε ἐνιαυτῶν ...'; *MRR* 2.7.

<sup>24</sup> Wilsdorf, *fasti* 109-110; Richardson, *Hispaniae* 158, 166, 192. For evidence of a business association between the family of Marius and some regions of Spain, see Carney, *Marius* 23. Note, however, that the governorship of Ulterior ascribed to Marius by Plutarch, *Mar.* 6.1, may have arisen due to confusion with his brother who does not feature in the *Life*. It is unlikely that Plutarch's source will have omitted to mention Marius' brother, so the error must have been committed by the biographer himself. See above, Chapter 2. A misapprehension regarding the exact identity of the various Marii had, however, developed by the beginning of the second century AD. For example, Tacitus, *Ann.* 12.60, confuses the elder and younger Marius; App. *BC.* 1.60, 1.65, the younger Marius and his cousin Gratidianus.

had everything to gain from C. Marius' success and everything to lose if his elder brother lost his pre-eminent position in the senate and in Rome.<sup>25</sup>

The Marii, as might be expected of a longstanding and wealthy family in a *municipium*, were related by marriage to other leading houses in the locality. A marriage connection with the Gratidii is well recognized, and the son of a Gratidius, presumably the man described as 'perfamiliaris' of M. Antonius,<sup>26</sup> and a Maria was adopted by M. Marius.<sup>27</sup> The political affiliations of this M. Marius Gratidianus are equally obvious. While he was a tribune of the plebs he accompanied the consul L. Cornelius Cinna into exile when the latter was expelled from Rome by his colleague Cn. Octavius in 87 (App. *BC.* 1.65).<sup>28</sup> He returned with Marius and Cinna, and was entrusted with the prosecution for *perduellio* of Q. Lutatius Catulus (cos. 102) who pre-empted a conviction before the *populus*, however, by committing suicide (App. *BC.* 1.74; Diod. 38.4).<sup>29</sup> The Gratidii were also related to the Tullii Cicerones, another prominent local family which had strong ties with political figures in the city, through which one of their members was eventually to reach the

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<sup>25</sup> Cicero's younger brother probably entertained hopes of campaigning for the consulship for at least a decade after his praetorship, T.P. Wiseman, 'The Ambitions of Quintus Cicero', *JRS* 56 (1966) 108-115.

<sup>26</sup> This M. Gratidius, a relative of Cicero who praised his erudition, *Brut.* 168; *de Orat.* 1.2, died in Cilicia where he served on the staff of the praetor M. Antonius in 102/1.

<sup>27</sup> M. Marius Gratidianus, praetor twice in the 80's, *MRR* 2.57, 2.60, with putative dates for 85-84; cf. *MRR* 3.140-141, with 85 and 82 now preferred. Gratidianus was killed soon after Sulla's victory at the Colline Gate in 82. For his murder and the legend which grew up around this episode see Marshall, 1985: 124-133. For a stemma of the Gratidii see Carney, *Marius* facing 76. The young Gratidius was probably adopted by M. Marius in his will, and a date close to 100 would be fully explicable. It followed soon after the death of the elder Gratidius. Testamentary adoptions were, of course, a common feature of Roman society, U.R.D. Vogel-Weidemann, *Die Statthalter von Africa und Asia in den Jahren 14- 68 n. Chr.*, Bonn 1982, 409-413.

<sup>28</sup> Broughton, *MRR* 2.47 and n. 2, notes that the 'Gaius Marius the younger' mentioned by Appian must be an error for M. Marius Gratidianus. Appian states earlier that both Marius and his son had fled from Rome in 88, *BC.* 1.60.

<sup>29</sup> For M. Marius Gratidianus as the prosecutor of Catulus see Gruen, *RPCC* 233 and n. 83.

consulship.<sup>30</sup> The political sympathies of the Gratidii may also be easily be gauged by the fact that a certain M. Gratidius was sent by Marius in 88 to take control of Sulla's army at Nola, after the consul had been relieved of the Mithridatic command by Sulpicius' tribunician law.<sup>31</sup> It is plain, therefore, that the core of Marius' support came, not from famous aristocratic Roman personages, but from those Arpinate notables with whom he was most closely linked.<sup>32</sup> Yet these connections are not readily apparent in the literary sources for neither Plutarch nor Sallust has much to say about the men who were Marius' keenest and most faithful followers.<sup>33</sup>

It was only when Marius came to form a marriage alliance with the patrician Iulii Caesares that Plutarch (*Mar.* 6.2) began to show an interest in the interpersonal and political relationships of his subject.

αὐτὴν δὲ τὴν ἀνάτασιν τοῦ φρονήματος καὶ τὸ περὶ τοὺς πόρους ἐνδελεχῆς αὐτοῦ καὶ τὸ δημοτικὸν τῆς διαίτης ἐν τινι σπουδῇ τιθεμένων τῶν πολιτῶν ἠϋξάνετο τῇ τιμῇ πρὸς δύναμιν, ὥστε καὶ γάμον γῆμαι λαμπρὸν οἰκίας ἐπιφανοῦς τῆς Καισάρων Ἰουλίαν, ἧς ἦν ἀδελφιδοῦς Καίσαρ ὁ χρόνοις

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<sup>30</sup> As a youth, Cicero was in the company of politicians such as L. Licinius Crassus (cos. 95), the Mucii Scaevolae (coss. 117 and 95), and younger men such as M. Livius Drusus and P. Sulpicius. Marius who was also connected, from the mid 90's, with Crassus and Sulpicius and, from beforehand, with the Cicerones, may have facilitated the introduction of the young Cicero into this illustrious circle. It is hardly remarkable that Cicero should have entertained high opinions of Marius, which found its way into his works. For Marius' connections with the Granii, a family of Puteoli, see Carney, *Marius* 24 n. 126; cf. Badian, 1957: 344-346, who demolishes the hypothesis of E. Gabba, 'Ricerche sull' esercito professionale romano da Mario ad Augusto', *Athenaeum* 29 (1951) 256-261, that Marius had particular influence among, and support from, families in Campania.

<sup>31</sup> For M. Gratidius, killed by Sulla's soldiers, see *MRR* 2.43-44. The Gratidius who prosecuted C. Flavius Fimbria (cos. 104), *Cic. Font.* 24; *Brut* 168; Gruen, *RPCC* 174, was either this man's father, the *praefectus* of Antonius in Cilicia, *Brut.* 168, or an uncle.

<sup>32</sup> For the possibility that the Tullii Cicerones, the Gratidii, and thence by implication the Marii, had links with M. Aemilius Scaurus (cos. 115), see *Cic. Leg.* 3.36; C. Nicolet, 'Arpinum, Aemilius Scaurus et les Tullii Cicerones', *REL* 45 (1967) 276-304.

<sup>33</sup> However, Cicero, *Planc.* 20, furnishes more than sufficient proof of Marius' popularity among his fellow Arpinates. Indeed, Marius' fame obviously lived on at Arpinum unaffected by the events of the 80's.

ὑστερον Ῥωμαίων μέγιστος γενόμενος καὶ τι κατ' οἰκειότητα ζηλώσας Μάριον, ὡς ἐν τοῖς περὶ ἐκείνου γέγραπται.

Still, the very intensity of his assurance, untiring labour, and his plain and simple manner of living, won him a degree of popularity among his fellow citizens, and his honours brought him increasing influence, with the result that he married into the illustrious family of the Caesars and became the husband of Iulia, the aunt of that Caesar who in later times became the greatest of the Romans, and who to a certain extent, because of this relationship, made Marius his example, as I have stated in his Life.

The magnitude of the achievements of C. Iulius Caesar, who was the first man to win permanent sole rule at Rome since the time of the kings, through his appointment in early 44 as 'Dictator Perpetuo',<sup>34</sup> and the establishment of an imperial dynasty by his adopted son, naturally meant that the past glory of this family was elevated to provide such greatness with a suitable origin and background. In the second century, however, the Iulii Caesares, though a thoroughly respectable senatorial family, were not on a par with politicians who bore names such as Cornelius Scipio, Caecilius Metellus, Mucius Scaevola or even Domitius Ahenobarbus.<sup>35</sup> Nonetheless, Marius forged a useful alliance with a family which had gained praetorships consistently for some generations and had, moreover, obtained one consulship within living memory.<sup>36</sup>

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<sup>34</sup> *MRR* 3.107. Sulla, on the other hand, had probably intended his position as dictator to be temporary. He certainly relinquished the office expeditiously, *MRR* 3.74-75.

<sup>35</sup> The Cornelii Scipiones, like the Caesares, were an ancient patrician family, but the Caecilii Metelli won their first consulship only in 251, *MRR* 1.213, while the Scaevolae and Ahenobarbi had their first consuls in 175/4 and in 192 respectively, *MRR* 1.401-403, 1.350. Unlike the Scipiones who fade from political life, these plebeian families gained several consulships during the second century. No Ahenobarbus is attested in the senate before Cn. Domitius Ahenobarbus (cos. 192) though they may perhaps be a collateral branch of the Domitii Calvini. See Badian, 1990: 376, 383, 388 for the affiliation of the Ahenobarbi in this period.

<sup>36</sup> Sex. Iulius Sex.f. L.n. Caesar (cos. 157), *MRR* 1.446-447. His father is likely to have been the praetor of 208, *MRR* 1.290; Badian, 1990: 377. For a stemma of the Caesares see G.V. Sumner, 'A Note on Julius Caesar's Great Grandfather', *Phoenix* 25 (1971) 343. The Caesares can, therefore, hardly be described as a family which had 'lost the public eye', Badian, 1957: 323.

Marius' wife was the daughter of a certain C. Iulius Caesar, whose senatorial career is unattested, though a curule aedileship or even a praetorship is not impossible given the lack of evidence regarding the majority of magistrates during these years. This Caesar was probably the son of a *praetorius*, and of his own sons, one reached the consulship in 91, while the other one known to us was praetor a year or two beforehand.<sup>37</sup> This branch of the Caesares was not nearly as distinguished as the family of the consul of 157, however, whose son was a praetor in 123, and whose grandson was consul in 90.<sup>38</sup> Marius did not acquire substantial political influence by this marital arrangement comparable with, for instance, Sulla's marriage to a Caecilia Metella in 89 or 88,<sup>39</sup>. The Caesares had, however, bound themselves to a politician of similar status in the senate, and to one who must also have possessed, even by this stage in his career, a sizeable fortune.<sup>40</sup> Furthermore, he might in turn produce an heir with patrician blood.<sup>41</sup>

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<sup>37</sup> For Sex. Caesar (cos. 91) see *MRR* 2.20; A. Keaveney, 'Caesars in the Social War', *RhM* 126 (1983) 273-281; for C. Caesar (pr. 93/2?), *MRR* 2.17 and n. 2, 3.104-105.

<sup>38</sup> L. Iulius Sex. f., *MRR* 3.109; Mattingly, *AJP* 93 (1972) 412-423; Appendix 2. Note also Sulla's possible marriage to a Iulia of this branch of the Caesares, Mattingly, *Chiron* 9 (1979) 160-161 and n. 68.

<sup>39</sup> Sulla's marriage to the widow of M. Aemilius Scaurus (cos. 115), a daughter of either L. Caecilius Metellus Delmaticus (cos. 119) or L. Caecilius Metellus Diadematus (cos. 117), was clearly influenced by his political ambitions as Plutarch states, *Sull.* 6.10; Keaveney, *Sulla* 56-57.

<sup>40</sup> C. Marius C.f. was evidently born about 108 since he was consul at the age of twenty-six, Velleius, 2.26.1, *MRR* 2.66. Appian, *BC.* 1.87; cf. *Vir. Ill.* 68.1, states that he was twenty-seven, however, and Orosius, 5.20.6, simply that he was a young man. Velleius' testimony should probably be preferred since he was closest in time to the actual events, but because just three ancient writers mention this politician's age, it is possible that what they had in mind was a young man of pre-quaestorian age. That age during the early Principate was undoubtedly twenty-six or twenty-seven, but as I argue further below, Appendix 1, the average age of quaestors before Sulla's dictatorship was closer to, if not in excess of, thirty. Marius' son may, therefore, have been somewhat older than Velleius believed, with a date of birth in about 112; cf. Badian, 1957: 323 and n. 42; *FC* 195 and n. 2, for 110 as the year of birth of the younger Marius.

<sup>41</sup> Cf. Carney, *Marius* 23-24, with the unsubstantiated contention that the Caesares pursued a 'policy of enmeshing rising men of wealth by dynastic marriages'; cf. Keaveney, *Sulla* 9-10: 'The Caesars had the reputation of making somewhat unusual matches ...'. No such evidence exists for the second century. Moreover, no senatorial family, however wealthy and famous, could ignore the attraction of marrying into a family with great wealth whatever its

All in all, this was unquestionably a good step forward for any *novus homo* and, certainly welcomed by the Arpinate clans which stood closest and most firmly behind Marius. Sound marriage ties by *novi homines* were not, however, at all uncommon;<sup>42</sup> Marius and the Caesares did not break new ground in the connection they forged at this time. Marius' social position rather than his political base was enhanced by this move, which most likely occurred in 113 or 112 perhaps soon after returning from a command in Spain, within a year or so of his praetorship, and while he may have been considering a campaign for the consulship.<sup>43</sup> If his attachment to the Iulii Caesares was intended as a means of simply enhancing his electoral prospects it, therefore, brought him no immediate political advantage.<sup>44</sup>

About eighteen years later, Marius' son was married to Licinia, a daughter of L. Licinius Crassus (cos. 95).<sup>45</sup> This link brought the elder Marius into the orbit of *literati* and the highest intellectual circles at Rome.<sup>46</sup> He may already have had political affiliations with Q. Lutatius Catulus (cos.

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origins. The Caesares were certainly not exceptional.

<sup>42</sup> See above Chapter 2 n. 31.

<sup>43</sup> See above Chapter 1.

<sup>44</sup> Syme, *Sallust* 161: 'Marius was to contribute more to the Julii than he received'.

<sup>45</sup> Münzer, *RAA* 279-280. Although Badian, 1957: 329, 343; *FC* 213 n. 4, argues for 94 or 93 as the date of the marriage between the younger Marius and Licinia, soon after the former had assumed his *toga virilis*, there is no evidence for the assumption. A betrothal could well have taken place several years earlier, and if a date is sought for this tie it would actually make better sense in the year of Crassus' consulship in 95. Compare the marriage of Sulla's eldest daughter to a son of Q. Pompeius Rufus, dated to 89, Keaveney, *Sulla* 10, or possibly to 88 during their consulship year, and presumably shortly before or shortly after his own marriage to Caecilia, App. *BC* 1.56. Note also the marriage of Pompey to the daughter of Caesar in the latter's consulship in 59, Plut. *Pomp.* 47.6; *Caes.* 14.2; Suet. *Iul.* 21-22. If Marius C.f. was born about 112 the obstacle to 95 may be removed. Cf. Badian, 'Q. Mucius Scaevola and the Province of Asia', *Athenaeum* 34 (1956) 112, where the possibility of a marriage tie with Crassus prior to the trial of Rutilius Rufus, dated here to either 94 or 93, is acknowledged.

<sup>46</sup> The set associated with Crassus, the Mucii Scaevolae and Antonius, appears from Cicero's *de Oratore*, to have been something of an élite. The portrayal may, however, be coloured by Cicero's fond memories of his youth. His description of these politicians should not necessarily be taken at face value.

102) and M. Antonius (cos. 99),<sup>47</sup> and now also came to be associated with powerful fellow senators such as Q. Mucius Scaevola (cos. 95) and his cousin, the consul of 117, and with promising young men such as M. Livius Drusus, C. Aurelius Cotta and P. Sulpicius.<sup>48</sup> A marriage link with the most outstanding orator of the day,<sup>49</sup> and with a family which had risen to fame and fortune during the second century and, if not especially lucrative to Marius himself, was intended to be a source of lasting support for his son which would be available when that young man eventually began his public career. The premature death of Crassus in 91 and the outbreak of the Social War, followed closely by the civil wars of the 80's, put paid to the aspirations of Marius and his family. But the links which were constructed and contemplated in the 90's clearly show the route by which Marius intended his family to proceed in the future. They also well illustrate how new families in the senate became quickly accepted and absorbed by their more established peers.<sup>50</sup> The Marii of Arpinum do not feature in the politics

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<sup>47</sup> See further below.

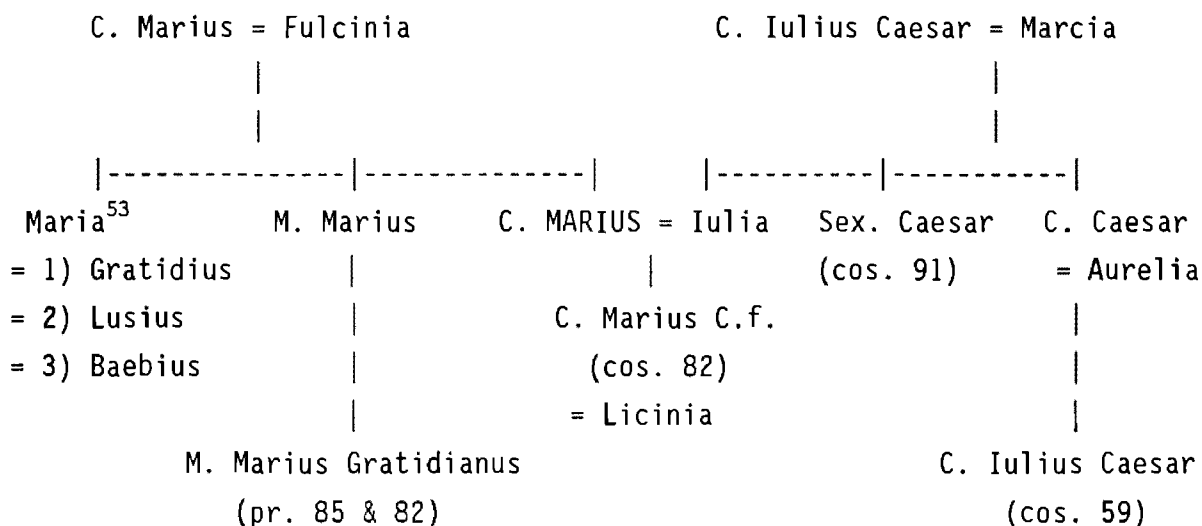
<sup>48</sup> It is obvious that this was not a coterie based only on men from old and established senatorial families. For example, Sulpicius, a plebeian and probably a *novus homo*, Mattingly, *Athenaeum* 53 (1975) 266, was evidently fully acceptable to these politicians. He was presumably of much the same background as Marius and Cicero, who were also on the fringe of this circle, *ad Quir.* 20. For a link between Sulpicius and Marius see *Cic. de Orat.* 1.66, 2.196. Indeed, in imitation of the example set by Crassus in 119 in his suit against C. Carbo, Sulpicius began his political career in about 96 or 95 by taking up the prosecution of C. Norbanus, tribune of the plebs in 103, *Cic. Amic.* 2; *de Orat.* 1.25; Badian, 1957: 320. By then, Sulpicius was in his mid twenties as was Cicero when he too began his forensic activity in about 80, with two major defence speeches, the *pro Quinctio* and the *pro Roscio*, T.N. Mitchell, *Cicero: The Ascending Years*, New Haven & London 1979, 90-92; and a *pro Muliere Arretina* and *pro Titinia Cottae*, J.W. Crawford, *M. Tullius Cicero: The Lost and Unpublished Orations*, Göttingen 1984, 39-40.

<sup>49</sup> Badian, 1957: 328-329, has suggested that Crassus was on the periphery of what he terms 'the *factio*' or the controlling group in the senate. As Brunt, *FRR* 459-460, shows, however there is scant evidence for Badian's political scenario in the 90's.

<sup>50</sup> The real admixture of family origins of those who participated in republican political life is easily apparent here. Marius married into an ancient patrician family, but was also keen to be associated with other families which, in terms of antiquity, may have been less prestigious, but were politically more powerful. The Licinii Crassi had been represented in the senate since the third century, but their first consulship came only in 205, *MRR* 1.301. The Scaevolae had a similar background to the Crassi, but the Antonii were scarcely less new to politics than the Marii. For the prominence the Antonii acquired in the first century see G.V. Sumner, 'The Lex

of the Roman republic after the suicide of Marius' son at Praeneste towards the end of 82,<sup>51</sup> and the execution of his cousin M. Marius Gratidianus after the battle of the Colline Gate;<sup>52</sup> the plans of Marius for the continued prominence of his family in later generations came to naught.

### The Immediate Family of Marius



### Political Connections

Young and aspiring politicians came under the influence of more senior statesmen from whom they received invaluable advice and training for public life and, in more concrete terms, from whom they received practical help

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*Annalis under Caesar'*, *Phoenix* 25 (1971) 365-367.

<sup>51</sup> Note the existence of a M. Marius, an officer of Sertorius, *MRR* 3.140, possibly a relative of the Marii of Arpinum, but more likely perhaps one of the Marii of Lucania or Campania (enfranchised after 90?). Note also C. Marius Capito, moneyer about 81, *RRC* 1.392-395, no. 378; *MRR* 3.140, probably not connected to Sulla's foe. A L. Marius L.f., *MRR* 3.139, is also attested in the senate in the 50's, but may belong to a quite separate family.

<sup>52</sup> *Plut. Sull.* 32.1; *MRR* 2.66.

<sup>53</sup> Carney, *Marius stemma* facing 76, postulates that Marius had three sisters, though the high incidence of divorce and remarriage may mean that there were, in fact, only one or two.



during electoral contests. When these same men became *aequales* in the senatorial hierarchy such ties could be maintained, especially whenever they brought mutual benefits. It seems quite reasonable to suppose that, in a political environment where so much depended on individual initiative and where party ideology and long-lasting programmes were absent, interpersonal relationships were a striking feature, but that these could, on the whole, be ephemeral since they were subjected to the strains imposed by particular likes and dislikes and often petty desires. *Amicitia* which survived for many years between certain politicians is well attested in the literary sources,<sup>54</sup> but similar evidence for active cooperation between two or more senators over an extended period of time is singularly lacking.

Although attempts have been made to show the importance of various alliances in Marius' career, by and large, the arguments are unconvincing and not based securely on ancient evidence.<sup>55</sup> Still, like his fellow senators, Marius must have possessed friendships and associations with public figures of similar seniority and prestige throughout his long participation in political life. His known connections with various tribunes of the plebs have already been examined above, and these are well documented and indisputable, but his allies among the upper echelons of the senate are less discernible at any one time. For example, Marius may possibly have come to some form of agreement with one of his competitors for the consulship in 108. His consular colleague was L. Cassius Longinus, praetor in 111, who may have campaigned before. A *repulsa* in 109 might have made him more circumspect at a second attempt, and driven him into an alliance with a politician who seemed certain to be elected.<sup>56</sup> Had an understanding been reached between these two, it was not,

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<sup>54</sup> For instance, the famous friendship between Scipio Aemilianus and C. Laelius, Cic. *de Orat.* 2.22, 2.154; *Off.* 2.31, and that between Q. Lutatius Catulus and C. Julius Caesar Strabo, Cic. *de Orat.* 2.12-16. It is possible, of course, that these became celebrated because they were so unusual. One should also note the open affection, extending over many years, between Cicero and Atticus. We cannot, however, gauge Atticus' commitment to this *amicitia*, and he maintained close contacts with politicians who were not necessarily well disposed to Cicero.

<sup>55</sup> Most notably by Badian, 1957: 323-243; *FC* 200-203; 1984: 121-130; Gruen, *RPCC* 170-171.

<sup>56</sup> The *fasti* as recorded by Pliny, *NH.* 10.36, show that Longinus was returned first, *MRR* 1.550; *Inscr. Ital.* 13.3.83 (reconstructed), but both Sallust, *Iug.* 65.5, and Plutarch, *Mar.* 9.1, imply that Marius was the firm

however, to be of long duration since Longinus was killed in battle against the Tigurini before the end of that year.<sup>57</sup>

The election of Marius to the consulship and his subsequent success against Jugurtha may have eased the way to high magisterial office for other politicians from previously non-senatorial families or from others which had not before acquired great prominence. It was surely a closely related phenomenon that, in 105, P. Rutilius Rufus and Cn. Mallius Maximus were to win the consular elections. Furthermore, of Marius' colleagues between 104 and 100, one, C. Flavius Fimbria, was certainly a *novus homo* and another, Q. Lutatius Catulus, was the first of his family in over a hundred years to achieve the highest magistracy.<sup>58</sup> It is quite feasible that the citizen body was struck by the fact that Marius, from a relatively unknown political family, could have won great military fame and that other new men, if placed in a similar position, might emulate his success. The electoral campaigns of candidates from other less noteworthy families may, therefore, have been given a boost. However, it is as well to remember that during this time there were as many consuls from the political establishment,<sup>59</sup> while the new breed of politician occupying the highest magistracy, apart from Marius, failed to live up to expectations. There was evidently not a sudden or irrevocable change

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favourite to win in these elections.

<sup>57</sup> *MRR* 1.550.

<sup>58</sup> For the consulships of Rutilius Rufus, Mallius Maximus, Flavius Fimbria and Lutatius Catulus see *MRR* 1.555-567. For their consular candidacies see Broughton, *Candidates* 13-14, 16; Evans, *Acta Classica* 34 (1991) 118-119.

<sup>59</sup> Q. Servilius Caepio (cos. 106) and L. Valerius Flaccus (cos. 100) were both patricians. C. Atilius Serranus (cos. 106) was related to other consular Serrani of the second century, Badian, 1990: 386, and his family was perhaps a collateral branch of the Atilii who had held consulships in the third century. L. Aurelius Orestes (cos. 103) was the third consul in his family in as many generations, Badian, 1990: 383, 387, while M'. Aquillius (cos. 101) was the son of a consul, Badian, 1990: 387. On the other hand, the failure of a politician such as C. Billienus, Cic. *Brut.* 175, who may have been endowed with all the correct qualities, illustrates that he was clearly unable to make an impression on the voters. There may well have been others like him. For Billienus' candidacy see *MRR* 3.34-35; Wiseman, *New Men* 217; Sumner, *Orators* 105; Brunt, *FRR* 129, 424 n. 112; Evans, *LCM* 14 (1989) 103-104; Broughton, *Candidates* 8.

in the voting habits of the *comitia centuriata* even if, for a short interval, politicians from famous Roman families were worsted in electoral contests.<sup>60</sup>

Nor may the political inclinations of *novi homines* or other relative newcomers to high office be pronounced upon with any degree of certainty. Badian and others have argued that a number of the politicians who reached high office at this time should be regarded as the natural allies of Marius and, therefore, the members of a group which formed around him.<sup>61</sup> Nonetheless, on close analysis, this hypothesis may be seen to have its weaknesses. Rutilius Rufus, for instance, served with Marius under Scipio Aemilianus at Numantia and again as a legate of Metellus Numidicus. The two obviously knew each other well, but no friendship is attested between them.<sup>62</sup> Evidence for the hostility, which is generally assumed to characterize their relationship at a later stage and which may have been visible in Rutilius' memoirs,<sup>63</sup> composed during his exile in Asia, emanates from a remark made by Plutarch to the effect that he and Marius had once had a private quarrel (*Mar.* 28.5). This may imply that they had been *amici* and that they were estranged though the reason why this occurred and the date must remain speculative.<sup>64</sup> Without access to the original source it is impossible to arrive at the degree of

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<sup>60</sup> Among those who may confidently be listed here are a C. Sempronius Tuditanus, son of the consul of 129. Other politicians who may have campaigned at this time were a Cornelius Cethegus, a grandson of the cos. 160, a Cornelius Scipio and a Fabius Labeo, all of whom are attested as *praetorii* or legates of possibly senior standing. See Appendix 3. It is also possible that there was a dearth of candidates from respected senatorial families during the decade 110-100, Evans, *LCM* 10 (1985) 76-77.

<sup>61</sup> Badian, 1957: 332-333, 335-336; *FC* 201-202; 1984: 121-124; Gruen, *RPCC* 170-171.

<sup>62</sup> Marius and Rutilius Rufus were roughly the same age, and while the latter was the more senior as regards magistracies, it was the former who played a more vigorous role in the campaign against Jugurtha, probably as Metellus' senior *legatus*.

<sup>63</sup> Badian, 1957: 343; 1984: 145; Syme, *Sallust* 155, 249; Gruen, *RPCC* 192; Paul, *Commentary* 151, an *inimicus* since before 119; Evans, *Acta Classica* 30 (1987) 66-67.

<sup>64</sup> Although Badian, *Athenaeum* 34 (1956) 111-112, *FC* 210, 215, sees the trial and condemnation of Rutilius as being engineered by Marius, and that they were enemies by that time, the question of the basis of their enmity is not addressed. It may have been less dramatic than Badian supposes. See above, Chapter 3.

*inimicitia*, which may be rather overstated in modern accounts. The antagonism towards Marius, attributed by Plutarch to Rutilius, may not have been either mutual or to the extent commonly believed.

Cn. Mallius Maximus, consular colleague of Rutilius Rufus, was a *novus homo* according to Cicero (*Planc.* 12), who did not regard this politician as sufficiently worthy to have held high public office ('... sine virtute, sine ingenio, vita etiam contempta ac sordida'). Why Cicero should have had such a low opinion of Mallius Maximus is never stated, but it would be a most unsuitable description had this politician ever been closely connected with Marius.<sup>65</sup> Cicero's estimation of Lutatius Catulus' abilities, who he thought had been inexplicably rejected by the Roman voters on three occasions, must have something to do with this statement, especially since he had first been defeated by Mallius Maximus in 106.<sup>66</sup> The consul was also certainly unsuccessful in war, but his other qualities have probably been obscured by Cicero, for Mallius Maximus at election time, at least, had enjoyed the confidence of the voters.

On the other hand, animosity is far less apparent towards C. Flavius Fimbria, Marius' colleague in 104. Cicero noted his good qualities (*Brut.* 129; *de Off.* 3.77), but neither his activities as consul nor as a senior figure in the senate afterwards caught the attention of any ancient writer whose works

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<sup>65</sup> His view may, moreover, have been affected by Mallius' disastrous generalship at Arausio, for which he was later exiled following a *plebiscitum* promulgated through the efforts of Saturninus in 103, *MRR* 1.563.

<sup>66</sup> The text of the *pro Plancio* at this point dwells on the reverses suffered by politicians who persevered to achieve high honours. It is, therefore, understandable that Cicero should denigrate those who had defeated Catulus. Cicero's own predilection for both Catulus and Marius has affected modern perceptions about their careers. Badian has tackled this problem, but has perhaps gone too far in endeavouring to reduce Catulus' status to that of willing adherent of Marius for the purpose of securing a consulship, 1957: 322-324; 1984: 127, after which he deserted his former patron. Cicero seems to imply ('praeposuisse se Q. Catulo, summa in familia nato, sapientissimo et sanctissimo viro, non dico C. Serranum, stultissimum hominem - fuit enim tamen nobilis - non C. Fimbriam, novum hominem - fuit enim at animi satis magni et consili - sed Cn. Mallium, non solum ignobilem ...') that of Catulus' three defeats, two were actually predictable, and that only Mallius Maximus emerged the victor unexpectedly. Both Serranus and Fimbria were stronger candidates in these years. Cf. *Cic. Verr.* 5.181, with praise for Fimbria's achievement which was not unlike that of Marius.

survive.<sup>67</sup> Nevertheless, on the basis that his son later served as a legate of L. Valerius Flaccus (cos. suff. 86) and, hence, was presumably a supporter of Marius and Cinna, it has been assumed that the elder Fimbria must also have thrown in his lot with Marius before 100. But events in 87 and 86 need have little bearing on those of a decade and a half before, and should not be used to argue that the Fimbriae were consistent followers of Marius for over twenty years. The younger Fimbria may have latched on to Marius only after the successful *coup d'état* in 87.<sup>68</sup>

There is absolutely no cause to suppose that Marius was strongly attached to his consular colleagues in either 103 or 101, L. Aurelius Orestes and M'. Aquillius.<sup>69</sup> Aquillius served as a senior *legatus* in the Cimbric Wars, but his link with Marius was very brief indeed, lasting at the very most for twelve months.<sup>70</sup> A personal friendship has been assumed because Marius was to appear as a witness in the defence of his former officer in a trial *de repetundis* in about 97 (Cic. *de Orat.* 2.194-196).<sup>71</sup> A close and active

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<sup>67</sup> Fimbria was still alive in 100, Cic. *Rab. perd.* 21, but he possibly died soon after this year. Cicero, *Brut.* 129 implies that he lived to an advanced age though this may mean that he was already an old man when he won the consulship rather than that he lived on long afterwards, Sumner, *Orators* 76.

<sup>68</sup> For C. Fimbria, legate in 86, see Cic. *Brut.* 233; *MRR* 2.56. As a supporter of Marius and Cinna in 87 see Badian, *FC* 201 n. 9, 242 n. 1; *Studies* 223. It might well be assumed that, since Fimbria was prosecuted by Gratidius, Cic. *Font.* 24; *Brut.* 168; Gruen, *RPCC* 174, he and Marius were not on friendly terms at all.

<sup>69</sup> Orestes died in office, *MRR* 1.562. As the son of a consular father it is doubtful whether he would have needed the aid of Marius to fulfil his ambitions of a consulship. See above, Chapter 2. No partnership between them is attested and none should be sought.

<sup>70</sup> Aquillius' praetorship is dated to 104, *MRR* 1.559, and cannot be much earlier than this year because his father was consul only in 129, *MRR* 3.23. However, if Aquillius joined Marius' staff at the beginning of the campaign in Gaul his praetorship should more probably be dated to 105. It is improbable that he would have been sent to Marius as a serving praetor so, if he spent his year in office in Rome in 104, he could not have gone out to Gaul until the beginning of 103, returning to the city by the end of the same year in order to initiate his canvass for the consulship of 101. He was with Marius only for a short time, and may have replaced a legate who departed prematurely or who had died on campaign. Aquillius was himself replaced by M. Claudius Marcellus in 102, *MRR* 3.55. See also above, Chapter 2.

<sup>71</sup> Badian, 1957: 331; Gruen, *RPCC* 194-195.

political association is, however, unlikely if only because Aquillius was assigned Sicily as his province in 101 from where he returned only in 99 to celebrate an *ovatio* for his suppression of the slave revolt.<sup>72</sup> The careers of Marius and Aquillius, therefore, barely overlap; and the argument for sustained political cooperation is not especially persuasive.

Much more problematic is the connection between Q. Lutatius Catulus and Marius, which has exercised the imagination of some scholars in recent years. Thus the argument has emerged that the former must have obtained his consulship through the latter's benevolence. And that, after serving with Marius and having been allowed to share in the triumph for removing the threat of invasion by the Cimbri and Teutones, he afterwards turned against his former patron in order to glorify his own role in the victory. This snub was never forgiven and culminated in such a hatred that Marius was to order his death in 87.<sup>73</sup> The idea that such an alliance existed, a tie which certainly falls almost into a patron-client category, is based mostly on Catulus' apparently appalling performance in three consecutive consular elections. His only hope of success, it is therefore claimed, was in tying himself to the great man from Arpinum. However, while Catulus' electoral reverses may have been dramatic, they were not unprecedented.<sup>74</sup> Numerous

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<sup>72</sup> *MRR* 2.2 and n. 10. His ovation could have taken place fairly late in 99; cf. Bradley, *Slavery and Rebellion* 80 who postulates that Aquillius was in Rome early in that year.

<sup>73</sup> Note, in particular, Badian, 1957: 324: 'on no one's death did Marius more emphatically insist, after his capture of Rome in 87'; *FC* 231; *DUJ* 149, 1984: 127, for the hypothesis which has since found widespread acceptance. This is surely based primarily on a comment made by Cicero, *Phil.* 11.1: 'C. Marius in iracundia perseverans', and applied to Catulus' possible desertion from his colleagues's camp after 100. Cf. Plutarch, *Mar.* 44.5, discusses his death only after that of Antonius. Furthermore, although epitomes may omit such material, the fact that Florus, 2.8.15-16, does not accord the death of Catulus special prominence and the epitome of Livy (*Per.* 80) fails to mention the death of this consular altogether; Oros. 5.19.19, Eutrop. 5.7.3, suggests that the original work did not dwell at length on the subject. On the basis that Catulus was the half-brother to L. Caesar (cos. 90) and C. Caesar Strabo (aed. 90), Cic. *de Orat.* 2.12, 44, 3.10; *Tusc.* 5.55; *Dom.* 114; *Att* 13.19.4, Badian, 1957: 323, has also linked this branch of the Caesares to Marius. On the extent of Valerius Maximus' coverage of the murders in 87 see now, Bloomer, *Valerius Maximus* 175-184.

<sup>74</sup> Develin, *Practice* 171; Evans, *Acta Classica* 34 (1991) 111-136, the example of Q. Fulvius Flaccus (cos. suff. 180), *MRR* 1.387, who also received three *repulsae* before he won an election. See also Broughton, *Candidates* 1-4;

politicians may have had to mount multiple candidacies before they won the much-sought-after consulship. It is quite likely that Catulus' experience was not as novel as Cicero implies (*Planc.* 12) and that it was simply his own tenacity rather than Marius' active intervention which finally paid off.<sup>75</sup> The basis for a strong link between Catulus and Marius in 103 seems to disappear when recognition is given to the difficulties suffered by other politicians in attaining their ambitions.<sup>76</sup>

Cicero does suggest some form of relationship (*Tusc.* 5.56) when he likens Catulus to C. Laelius the *alter ago* of Scipio Aemilianus ('paene altero Laelio'), implying that he was close to Marius, though, in the process, also intimating that the latter was a latter-day Scipio. However, such was his admiration of both politicians that he may have wished to portray them as friends when, in fact, they were not that close at all. Marius did forego the honour of a single triumph for his military victories in 101 and chose, instead, to share the occasion with Catulus. The gesture cost him nothing and probably ensured his election to a sixth term as consul. *Amicitia* can hardly be proved on the basis of Cicero's evidence, which may indicate only that they worked well together in 102 and 101. Marius' principal reward in 101 was a further consulship which he achieved, the political motive probably outweighing personal considerations. Yet, it was probably at this time that a truly unprecedented honour was granted to Catulus by the *populus Romanus*. His mother Popillia was the first woman to be accorded a *laudatio funebris*,<sup>77</sup>

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Develin, *Patterns* 80, 91-95, for similar conclusions regarding elections in general.

<sup>75</sup> Cf. Lewis, 1974: 107 n. 58, who also notes Catulus' marriage to a Domitia, a family with considerable prestige at this time.

<sup>76</sup> Thus compare Cicero, *Planc.* 12 and 51, where Marius' famous defeat in two aedilician elections is at least as prominent as the *repulsae* endured by Catulus. Had Catulus been such an unorthodox figure in republican politics, other ancient writers might have also picked up the information. But Plutarch, *Mar.* 14.8, thought that he had been popular with voters. It is, of course, possible that Plutarch's source presented this view, but Cicero also admired Catulus, *Off.* 1.109, 133, and also felt a great affinity with Marius.

<sup>77</sup> Cf. Plut. *Caes* 5.2; Suet. *Iul* 6.1, who both evidently believed that Caesar's *laudatio* of his aunt was a 'customary' Roman practice, though Plutarch notes that public laudations of younger women such as Cornelia, daughter of Cinna, was unusual. In 69, however, the practice of eulogizing women before the citizen body was barely more than a generation old.

delivered by Catulus, before the assembled citizen body (*de Orat.* 2.44) possibly in recognition, not of her own qualities, but of her eldest son's services to the *res publica*.<sup>78</sup> This might well illustrate the extent of Catulus' popularity in 101, not only as an ally of Marius perhaps, but in his own right. After much tribulation in winning the consulship he does appear to have enhanced the glory of his family, and become a well respected politician at Rome.

The belief that L. Valerius Flaccus (cos. 100) was more like a servant to Marius than a true consular colleague (*Plut. Mar.* 28.5) probably has its origins in the memoirs of Rutilius Rufus which are referred to by Plutarch at this juncture. Such disingenuous material is not likely to have been found in the *Commentarii* of Sulla since L. Flaccus was still alive and active after Sulla had died. If Rutilius Rufus was not the author of this scurrilous information, it is possible that it featured in the memoirs of Aemilius Scaurus or Catulus though neither seems to have been employed by the biographer for his study of Marius.<sup>79</sup>

Much has been made of this derogatory comment, but little joint participation in political life may be ascertained, except in the suppression of the *seeditio* of Saturninus and Glaucia. L. Valerius Flaccus came from a distinguished and ancient senatorial family, and his father had been consul just thirty years beforehand; his career must have progressed rapidly and without reversals, which suggests that he probably did not seek the aid of Marius in order to improve his chances of winning elections at Rome. While it is possible to believe that politicians with retarded careers might attach themselves to someone such as Marius in the hope that his success and influence would increase their chances, it is less plausible to believe that Flaccus should

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Moreover, Cornelia, married to Caesar since about 84, was not a young woman when she died, and must surely have already been in her thirties. Her marriage to Caesar lasted for over fifteen years, M. Gelzer, *Caesar: Politician and Statesman*, Trans. P. Needham, Oxford 1969, 20-21.

<sup>78</sup> See Evans, '*Popillia mater vestra: A Note on Cicero, de Orat.* 2.11.44', *LCM* 17 (1992) 35, where I did not consider this point which now seems entirely plausible.

<sup>79</sup> The history of Posidonius may have contained this material but he, too, may not have been consulted by Plutarch. Note, moreover, that this picture does not emerge from *Cic. Rab. perd.* 21.



have had recourse to the aid of Marius, however mighty and powerful he had become by 101. Flaccus is linked with Marius only during the course of 100 (Cic. *Rab. perd.* 21) after which he won the censorship.<sup>80</sup> He does not appear to have been particularly energetic in the senate, and if his interests coincided with Marius in 100 they diverged shortly after their year in office. Plutarch's remark about Flaccus' character looks suspect and derived from a source hostile to Marius' memory.

Finally, some mention should be made of some of the consuls who came to office immediately after Marius' sixth term and, in particular, M. Antonius (cos. 99).<sup>81</sup> Once again he has been portrayed as a close ally of Marius. The basis for this contention rests, however, on Antonius' defence of certain individuals, such as M'. Aquillius (cos. 101), who are also said to have been associated with Marius prior to 100.<sup>82</sup> Moreover, his censorship with L.

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<sup>80</sup> Badian, *Studies* 86-87, believes that a link may be traced back to, at least, Flaccus' praetorship; cf. *Klio* 66 (1984) 298-301; *MRR* 3.212, where the identity of this politician is now questioned. Badian also assumes, *FC* 201, 209, 212; 1957: 333, that Flaccus' election as censor in 97, *MRR* 2.6-7, represents a resurgence of Marius' political power, but the evidence is not conclusive.

<sup>81</sup> T. Didius (cos. 98) and C. Coelius Caldus (cos. 94) were both *novi homines*, but neither seem to have been associated with Marius. Consequently, attempts have been made to allocate these politicians into an opposing camp, Badian, *Studies* 94; Gruen, *RPCC* 164-165, 189, though Cicero clearly states, *Verr.* 5.181, that Caldus, like Marius and Fimbria, won his high position through sheer hard grind and personal efforts. Didius, also like Marius and Fimbria, was probably well above the minimum age when he reached his consulship.

<sup>82</sup> Badian, 1957: 332-333, also notes that Antonius defended C. Norbanus one or two years later against a charge of *maiestas*, Cic. *de Orat.* 2.198. Norbanus had been Antonius' quaestor in either 102 or 99 and had worked with Saturninus when they had been tribunes together in 103, *MRR* 1.563. Antonius had also acted for M. Marius Gratidianus, Cic. *de Orat.* 1.178; *Off.* 3.67. Antonius' choice of defendants, on the evidence supplied by the *Commentariolum Petitionis*, illustrates, however, that such forensic activity did not necessarily depend only on a politician's friendships. His support for Gratidianus may well have been based on his intimacy with that politician's father, Cic. *Brut.* 168, but surely need not imply that this relationship had been transferred to the son. Antonius, like Cicero, could act as counsel to anyone who would, henceforth, be in his debt. This was the real nature of republican political life, Brunt *FRR* 420-421. Furthermore, it may be significant that Antonius refused to allow the publication of his orations in case they compromised his future actions, E. B(adian), *OCD*<sup>2</sup> 76; 1984: 139. This is surely a good indication that he considered himself free from obligations to any clique or single patron.

Valerius Flaccus has also been regarded as an indication that Marius' prestige at Rome was in some measure restored.<sup>83</sup> Cicero does not, however, mention any friendship between Antonius and Marius nor even the slightest political link. He is not always to be trusted, but he held both of these politicians in high regard; had a close tie existed he could hardly have failed to exploit the situation.<sup>84</sup> Cicero had little reason to disguise any relationship between Marius and other senators during the period of his iterated consulships or afterwards. Indeed, had he felt that Marius was a true outcast in Roman political circles, Cicero might have gone to some lengths to create some links for his fellow Arpinate. As it is, he devotes much attention to the events in 87 in which many of those politicians for whom he had a sentimental attachment were slaughtered (*de Orat.* 3.9-12).<sup>85</sup> But he does not lay the blame for the murders solely on Marius nor does he attribute the cause of death of numerous politicians to their breaking of *fides* or *amicitia* (*de Orat.* 3.8).

It seems quite plain, therefore, that Marius had no special tie with consulars such as Catulus, Aquillius, Antonius, Crassus or even Valerius Flaccus, nor they with him. At various points their interests may have converged,<sup>86</sup> but these were brief encounters and not over extended periods. Marius may have harboured grievances and, like an elephant remembered any slights he may have received (*Cic. Phil.* 11.1), but the politicians who died in 87 need not have been his bitter opponents for all that long. There may have been a special

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<sup>83</sup> Badian, 1957: 333; *FC* 212.

<sup>84</sup> On Marius see Carney, *WS* 73 (1960) 122: 'The Arpinates were proud beyond measure of Marius ... By the end of Cicero's lifetime Marius had become the hero of the people'; cf. *Cic. Planc.* 20. On Antonius see *Cic. Brut.* 138-143.

<sup>85</sup> As is to be expected, Cicero tried to shift much of the blame for the political killings in 87 from Marius to Cinna, for whom he had no regard, *Phil.* 11.1. Badian has argued that politicians such as Catulus and Antonius deserted Marius after 100, and Cicero presumably could not mention such dishonourable conduct by politicians whom he esteemed. At the same time he could not condemn Marius for his actions. All in all this must place Cicero's evidence for this time in a rather dubious light.

<sup>86</sup> One such convergence of interests, possibly of a business nature, between Marius and M. Aemilius Scaurus (cos. 115) may be extracted from Pliny, *NH* 36.116, E. Frank, 'Marius and the Nobility', *CJ* 50 (1955) 150-151; I. Shatzman, 'Scaurus, Marius and the Metelli', *AncSoc.* 5 (1974) 197-222.

hatred of Catulus, particularly since his memoirs were presumably already in circulation, and of P. Licinius Crassus (cos. 97), the Iulii Caesares (cos. 90, aed. 90) and Antonius who had all probably sided with Sulla in 88 against Sulpicius (Plut. *Ant.* 1.1). Cn. Octavius and the unfortunate L. Cornelius Merula (cos. suff. 87) were more likely destined to die as a result of an order given by Cinna. The rest were the natural victims of any civil war.<sup>87</sup>

Roman republican politicians tended to be solo performers, who occasionally acted together. Marius was no exception, and for most of the time advanced his own career. His closest supporters were not his *aequales* in the senate, but his family, his neighbours and his *amici* beyond the charmed circle of political life. The politicians of this period of Roman history did not make senatorial factions or cliques for the purpose of governing the *res publica*, as is well recognized.

## Clients

The number of clients who clustered around a single wealthy patron could be enormous and, for the most part, they remain anonymous. Like his fellow senators, Marius was naturally at the centre of an extensive network of clientelae (Plut. *Mar.* 32.1). Among these only a small number of figures who were to feature in the next generation of political life may be identified. Others were like T. Matrinius, a new *civis Romanus*, who was a local notable and whose status had been obtained under the *lex de coloniis* of Saturninus. When his citizenship was challenged in the courts in the aftermath of Saturninus' death, Marius fulfilled his obligations as a *patronus* and successfully defended his client.<sup>88</sup> I have already discussed Marius' connections with various tribunes of the plebs - T. Manlius Mancinus, Saturninus, Glaucia and Sulpicius - who, at some stage, may have been his *clientes*. Here the attention turns to politicians of perhaps lesser repute and stature, but no less significant in the realms of politics.

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<sup>87</sup> In terms of seniority, those politicians who were killed in 87 far exceeded those who were to die under the Sullan proscriptions, Evans, in *Charistion* 31.

<sup>88</sup> Badian, *FC* 213; Brunt, *FRR* 131.

There have been attempts to show that Marius, through his unique place in the senatorial hierarchy of the late second century, was able to exert pressure on the *tresviri monetales* and so influence the types and legends which are apparent on the denarius issues of this time.<sup>89</sup> It is almost unthinkable, however, that any one politician, before the dictatorships of Sulla and Caesar, unless possibly a consul who was resident in the city throughout his year in office, could interfere with the choice of designs made by the moneyers against their wishes.<sup>90</sup> Furthermore, since the *monetales* were also elected officers, any intrusion in the running of the Roman mint may well have been viewed with great hostility not only by the moneyers themselves, who were not all young men of limited political prestige, but also by the quaestors in charge of the treasury, and by the Roman electorate who had made their choice of magistrates by means of the ballot box. If the selection of coin types was prompted by Marius, this could surely have occurred only in 107 and from 104 to 100,<sup>91</sup> and even today with the benefit of coin hoard evidence the identity of the moneyers during these years is not known for certain.<sup>92</sup>

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<sup>89</sup> For example, note H. Mattingly, 'Roman Numismatics: Miscellaneous Notes', *PBA* 43 (1957) 196-205; T.F. Carney, 'Coins Bearing on the Age and Career of Marius', *NC* 19 (1959) 79-88; R.J. Rowland, 'Saturn, Saturninus and the Socii', *CP* 62 (1967) 185-189. These studies were based on a chronology of republican coinage devised by E.A. Sydenham, *Coinage of the Roman Republic*, London 1952, which has since been superseded by the work of Crawford, *RRC*, with many adjustments. Although some points of interest have been raised, the alteration in the chronological data, which now continues to be debated only in particular aspects, means that episodes which are claimed to refer to Marius bear little real relation to the actual events in question.

<sup>90</sup> Note, for example, the coinage struck for Sulla by L. Manlius Torquatus, proquaestor in 82, Crawford, *RRC* 1.386-387, no. 367; and the aureus issued by A. Manlius A.f. (quaestor) in 80, Crawford, *RRC* 1.397, no. 381, with its portrayal of an equestrian statue of Sulla. The series of denarii which celebrate Caesar's victories in Gaul and refer to his mythical ancestors marks a new departure altogether in republican coinage, Crawford, *RRC* 1.461-495.

<sup>91</sup> These papers, referred to above, were written at a time when there was a general belief that mints operated throughout Italy and Gaul. This theory is now discounted, and most issues are recognized as being the products of the mint at Rome.

<sup>92</sup> I argued above that the denarius of P. Licinius Nerva, Crawford, *RRC* 1.306-307, no. 292, may be tied to Marius' career. It seems probable, however, that the choice of type lay with Nerva and not with Marius. This moneyer sought to make political capital for himself out of the passage of the voting law of 119, and he cannot be cited as a client of Marius.

In about the same year as Marius' first consulship, both M'. Aquillius (cos. 101) and L. Valerius Flaccus (cos. 100) held moneyerships, though neither illustrate a connection with this consul.<sup>93</sup> And a quaestor Q. Lutatius Cerco issued denarii with explicit references to the victory in the First Punic War of the consul C. Lutatius Catulus (cos. 241).<sup>94</sup> Another name often associated with Marius is M. Herennius (cos. 93), possibly a close relative of the C. Herennius who claimed patronage over the praetor elect in his trial *de ambitu* in 116 (Plut. *Mar.* 5.4-5), who was also moneyer in about 108 or 107.<sup>95</sup> Marius' family may originally have been the clients of the Herennii, but there is nothing to suggest, from this moneyer's coinage, that he had, in the meantime, become a supporter of the *novus homo*.<sup>96</sup> The denarius issue of M. Herennius displays, instead, a reference to *Pietas*, a typical virtue of the Roman household and family, which does, however, have a close link with the *patronus/cliens* relationship.

Marius set out to take command of the expedition against Jugurtha early in 107, and so it is not really surprising that, in his absence from Rome until the end of 105, the coinage which, at this time, has only very rare references to contemporary issues, should contain no mention at all to his victories in Africa. He also spent much of his time between 104 to 101 in Gaul or northern Italy with only brief visits to the city in order to oversee elections or present reports to the senate (Plut. *Mar.* 14.7, 24.1). Although there were politicians in these three years who may have been Marius' allies, and who

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<sup>93</sup> Aquillius and Flaccus have, of course, been identified as allies of Marius, but the denarius of the former, Crawford, *RRC* 1.314, no. 303, gives no hint of this, while the issue of the latter, Crawford, *RRC* 1.316, no. 306, refers to his father's flaminiate. Cf. Mattingly, 1982: 44 who posits the date 108/7.

<sup>94</sup> Cerco's quaestorship is dated by Crawford, *RRC* 1.315, no. 305, to 109 or 108, who makes the point that it was close to the consulship campaign in 107 of his kinsman Q. Lutatius Catulus (cos. 102). It is possible that this moneyer took the opportunity to advertise his family's glory in the hope of impressing the voters, but to no effect since Catulus was defeated, Cic. *Planc.* 12.

<sup>95</sup> See Crawford, *RRC* 1.317-318, no. 308, for a possible explanation of the reverse type of Herennius which portrays one of the Catanaean brothers.

<sup>96</sup> Badian, *FC* 201 n. 10; *Studies* 223; Gruen, *RPCC* 241, consider this connection likely; cf. Brunt, *FRR* 417, for the view that, by the first century BC, 'no senator is ever called a client by Roman writers'.

also held the moneyership, no mention of him or his triumphs appear on the coinage. Thus Saturninus, probably moneyer in 102 or 101, portrayed the god Saturn as a pun on his own *cognomen*.<sup>97</sup> The issue of C. Coelius Caldus, dated by Crawford to about 104, may, however, allude to recent Roman triumphs with its portrayal of Victory in a biga.<sup>98</sup>

A number of denarii with variations of Caldus' type are dated to about 102 and 101, and these may refer to the defeat of the Germanic tribes,<sup>99</sup> but since none are specific they do not allow the assumption that these types or their moneyers were under the control of Marius. The quaestorian issue of C. Fundanius, dated to 101 by Crawford, might well have a portrayal of Marius' triumph in that year. A *triumphator* appears in a quadriga, in a procession, crowned by the flying Victory with a younger or smaller figure, perhaps Marius' young son, riding on one of the chariot's horses. If Fundanius had been Marius' quaestor, his general may, indeed, have urged the type which was to be minted. This would have been a major innovation in the coinage of the Republic, and one which was exploited by Sulla's quaestors twenty years later.<sup>100</sup>

However, Mattingly has argued that this particular denarius belongs to a series of quaestorian issues, which should be dated to the mid-90's when it would, therefore, appear to be a commemorative type rather than an illustration of current news.<sup>101</sup> Fundanius might not have been associated with Marius after all. In fact, Marius' supposed patronage over the college of moneyers during his period of ascendancy is quite unremarkable. He clearly

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<sup>97</sup> Crawford, *RRC* 1.323-324, no. 317. This might be another indication of Saturninus' wit, cf. Linderski, 1983, 452-459.

<sup>98</sup> Crawford, *RRC* 1.324, no. 318; cf. Mattingly, 1982: 45, who dates Caldus' moneyership to 101, in the same year as Saturninus.

<sup>99</sup> The denarii of C. Fabius Hadrianus, Crawford, *RRC* 1.326-327, no. 322; L. Iulius, Crawford, *RRC* 1.327, no. 323; M. Lucilius Rufus, Crawford, *RRC* 1.327, no. 324. Hadrianus, a *novus homo* and possibly a recent *civis Romanus*, who rose to the praetorship, *MRR* 2.60 and n. 1; Taylor, *VDRR* 212; Badian, *Historia* 12 (1963) 133, was later among the followers of Marius and Cinna, and was killed at the end of the civil war in 82 at Utica, *MRR* 2.69.

<sup>100</sup> See above.

<sup>101</sup> Crawford, *RRC* 1.328, no. 326; cf. Mattingly, 1982: 35-36.

did not resort to using the coinage as a means of advertising his successes to the community, except perhaps in just one instance. The *monetales* and *quaestorii* discussed here were evidently, for the most part, not his *clientes*, and maintained a strictly independent line free from interference from senior magistrates. The coinage of the late second century, like much of the literary material, fails to provide support for the emergence and sustained growth of a body of politicians committed to the support of Marius.

The evidence of more junior politicians, possibly to be regarded as his clients, is very slight indeed. However, as I suggested above, A. Manlius, probably Marius' senior legate in Numidia in 107, was a brother of the tribune responsible for the *plebiscitum* which overturned Metellus' command of the Jugurthine campaign. A senior place in Marius' *consilium* may well have been the favour returned for services rendered by a friendly tribune. Manlius, by that stage, perhaps an ex-praetor,<sup>102</sup> benefited from this connection, and may be numbered among Marius' supporters in the senate.<sup>103</sup> However, Marius' own equivocal role as senior legate to Metellus Numidicus should alert us to possibility that presence in a general's *consilium* need not illustrate either friendship or political empathy.

Before concluding this examination, some discussion of L. Cornelius Sulla, Marius' quaestor in the Jugurthine War, is warranted because he seems to have been close to his commander.<sup>104</sup> Sulla clearly viewed this tie as a means of advancing his career, though in this respect he can hardly have been

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<sup>102</sup> For Manlius see *MRR* 1.552, and further discussion in Chapter 3.

<sup>103</sup> The same possibly also applies to M. Claudius Marcellus, a senior officer of Marius in Gaul in 102, *MRR* 1.569, 3.55. Badian, 1957: 329, believes he was a supporter of Marius before 100, but had deserted him by 91, 337-339, 341, though as a member of a distinguished family he is even less plausibly to be regarded as a client.

<sup>104</sup> Marius may have chosen Sulla to be his quaestor, E. Badian, 'Lucius Sulla: Deadly Reformer', in *Essays on Roman Culture: The Todd Memorial Lectures*, ed. A.J. Dunston, Toronto & Sarasota 1976, 39-40; Keaveney, *Sulla* 14. L.A. Thompson, 'The Appointment of Quaestors *Extra Sortem*', *PACA* 5 (1962) 17-25, argues that this must have been quite in order. Plutarch, *Mar.* 10.3-4; *Sull.* 3.1, clearly implies an intimacy which later soured, *Mar.* 10.5; *Sull.* 4.2. Cf. Val. Max. 6.9.6, where Sulla is said to have been assigned to Marius by lot, and whose appointment the consul did not welcome, Bloomer, *Valerius Maximus* 170. It would seem as if Valerius Maximus, unlike most of the ancient writers, had access to a source sympathetic to Marius.

unusual. His attempt to win the praetorship in 99 was ill-timed, coming as it did when Marius' authority had been seriously undermined because of his support for, and subsequent opposition to, Saturninus and Glaucia. Sulla's long service with Marius ought to indicate the existence of *amicitia* which was later concealed and glossed over, with the assertion that the activities of the younger man had incurred the resentment and jealousy of his commander (Plut. *Sull.* 3.4, 4.1).<sup>105</sup> It may well be that a gradual distancing took place between the two men which was never reversed. The breaking of the attachment between a client and his political patron was hardly uncommon where the former won a niche for himself in public life. The tie of *clientele* was not permanent and unchangeable, and it is perhaps unwise to read too much into the connections established primarily to obtain political goals. Sulla may be an atypical example of Marius' political clients, with a friendship which went beyond public life. No other politician is known to have been associated with Marius for so long or to have reaped so abundant a harvest.<sup>106</sup>

## Conclusion

In a political situation in which the pursuit of power was entirely unaided by party machinery, it is inevitable that patronage, personal ties and connections between individuals should play an undisputed and major part. However, it is incorrect to regard senatorial politics of the late second century as being dominated by factions or even informal *partes*. The ancient literature simply does not provide sufficient evidence for this hypothesis.

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<sup>105</sup> In his *Commentarii*, Sulla could well have insisted that this is what had occurred between him and Marius, especially since Plutarch, *Sull.* 3.4, attributes him with a considerable vanity.

<sup>106</sup> Lack of evidence need not mean that there were no other political clients, but the overall number was probably small. Orosius, 5.17.5, mentions a P. Mettius, whom he describes as a 'satelles' of Saturninus, T.P. Wiseman, 'Lucius memmius and his Family', *CQ* 17 (1967) 166; P.J.J. Vanderbroeck, *Popular Leadership and Collective Behaviour in the Late Roman Republic (ca. 80 - 50 B.C.)*, Amsterdam 1987, 53. Mettius may also have been a *cliens* of Marius. Cicero, *Brut.* 168, mentions a certain Q. Rubrius Varro, 'acer et vehemens accusator', a senator or *eques Romanus*, who was declared a *hostis* in 88 along with Marius. He may also be plausibly identified as a supporter and possible client of Marius himself. Ultimately, however, Marius had no compelling reason to help numerous young men in their careers for, as the example of Sulla shows plainly enough, gratitude was not necessarily forthcoming. Marius placed his own interests first.



Sallust (*Jug.* 41.5) may have observed that the unity of the *res publica* was shattered 'in duas partes' after the destruction of Carthage in 146 and the removal of the 'metus hostilis', but he possibly reflects current thinking about the political situation of the 40's rather than that of the second century. Similar phraseology may be found in the works of Cicero (*Dom.* 24, 102; *Har. resp.* 41; *Brut.* 103) and the history of Livy (*Per.* 58) which refer to the Gracchan upheaval, and may well indicate that the idea gradually became little more than another *topos* of later literature.<sup>107</sup> Nevertheless, Sallust's statement allowed the notion to be fostered about a state in which politicians could be assigned to one of two more or less permanent parties.<sup>108</sup> Yet Sallust never explicitly says that parties of any form were in existence at the end of the second century. His *nobilitas* is, in fact, more a state of mind than a recognizable or formal structure, and is little more than a social convention, which was easily broken.<sup>109</sup> It was not a political ideology.

Still, it would be equally improper to interpret Roman politics as a state of affairs in which politicians never interacted with one another, for this is also against human nature. The chase for individual fame and glory was conducive to the formation of cliques and friendships though, for the most part and almost invariably where these involved more than two men, they must have been, in the natural order of things, easily made and fleeting in duration in comparison to modern party formations.

During Marius' long political career it is reasonable to expect to find that the sources have preserved some memory of his various, mostly pragmatic, associations. What does not emerge, however, is evidence for the build-up of a strong following of like-minded politicians with similar aims in mind, or of a great band attached to Marius in the last decade of the second century, followed by its demolition due to the after-effects of Saturninus' failed revolution in 100. There was, of course, an inner core of support for Marius,

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<sup>107</sup> Seager, 1972: 56, and my comments above.

<sup>108</sup> On this issue see, for example, H. Smith, 'Factio, Factiones and Nobilitas in Sallust', *C&M* 29 (1969) 187-196.

<sup>109</sup> On *nobilitas* see J. Hellegouarc'h, *Le Vocabulaire Latin des relations et des partis politiques sous la république*, Paris 1972<sup>2</sup>, 224-227.

but understandably this came from his own family and his closest neighbours and non-political friends from his own *municipium*, who stood by him throughout and later by his son. This simplistic infrastructure is also to be expected in a society which was considerably more primitive than that in which politicians are active today. The support available to Marius was identical with the basic assistance available to all republican politicians. The men closest to a Roman politician of any eminence were not inconsequential, but they are nameless, though the wealth and influence they commanded served them and their favourites well in the vigorously competitive electoral system. Some of Marius' Arpinate circle followed him into the senate. His brother became praetor, his brother's adopted son won the praetorship twice and the Gratidii achieved minor senatorial offices.<sup>110</sup> These men came from families who lacked an ancient tradition of participation in city politics but they were, nevertheless, favoured by an electorate which, for a short time, worshipped Marius. Other *novi homines* from other centres also brought home new political trophies at this time following in the footsteps of Marius, which indicates that the citizen body was not always conservative in its choice of magistrates. High office at Rome was clearly open to those who dared to gamble with the affection of the voters and persevere in their quest for honours.

In contrast to the local support for Marius, which was most enduring, his political associates obviously changed according to political circumstances because these links were motivated by a desire to achieve short-term gains. Marius' marriage to a Iulia perhaps brought him closer contacts with politicians hitherto beyond his reach, although it is just as likely that, by then, this tie merely reinforced his already secure social position. Alliances or friendships with his fellow *praetorii* from 115 and with his consular colleagues and *consulares* from 107 were undoubtedly forged, but none need have been of special significance. Indeed, what could be more natural than to expect two consuls to cooperate in their year in office for the well-being of the state, especially when one was obliged to be absent in the field or when both commanded armies against a common foe? But this is not illustrative of a bond more intimate than that between political *aequales*, who

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<sup>110</sup> For Marius Gratidianus see *MRR* 3.140-141; for M. Gratidius, leg. 88, *MRR* 2.43-44.

were well acquainted with one another, and who had respect for each other's place in the senate.

Also fully acceptable is the attachment of younger men to older and more experienced politicians. A political client would welcome the aid of a senior senator in his attempt to win a junior magistracy, but the extent of this patronage and the control which the elder man exercised over his junior, particularly in the longterm, should not be overestimated. A man who won a junior office with the help of a more influential politician might remain loyal and might have been expected to do so, but this state of affairs was not enforcible, nor did a rupture between two such politicians necessarily adversely affect the junior's career. It seems certain that the possession of a curule magistracy, at least, caused the tie between a patron and a client to cease, but in the event of this taking place there was nothing which forbade its substitution by a friendship on a more equal basis. Thus Marius' dependence on the Caecilii Metelli or the Herennii to begin his career at Rome is probably overstressed in modern scholarship, because his link with these families is not comparable with that of a poor and lowly client seeking the favour of his omnipotent *patronus*.

In a similar way, Marius' patronage of younger senators between 110 and 86 is fully explicable, but men such as Saturninus, Glaucia and Sulpicius had more in common with Clodius and Milo in the 50's.<sup>111</sup> Some tribunes were undoubtedly the spokesmen for more senior figures in the senate, as Syme rightly suggests,<sup>112</sup> but others lived a much more free existence unattached for any length of time to any single politician. They were powerful figures in their own right. Thus Marius was able to free himself quickly from any obligations to the Caecilii Metelli in 119. The members of this family may have nurtured a grudge, and have tried to exact revenge by attempting to upset his election victory in 116 (they may have been partly responsible for his failure to win an aedileship) but, ultimately, they were unable to prevent him from pursuing a glorious career.

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<sup>111</sup> E.S. Gruen, 'P. Clodius: Instrument or Independent Agent', *Phoenix* 20 (1966) 130: '... Clodius was no puppet with strings pulled by the Roman trio of dynasts'; *Last Generation of the Roman Republic*, Berkeley 1974, 98-100; 108: Milo, 'driven by morbid ambition and addicted to violence'.

<sup>112</sup> Syme, *Sallust* 171, 175.

In fine, Roman political life at the close of second century was personal, interpersonal and parochial. All the participants knew each other. Associations were ever present, and were made and broken in dizzy succession. Likes, dislikes and jealousies, on which stratagems were frequently based, were often paramount in the minds of politicians; and such criteria also formed the bases for enmities and friendships. Enterprises, whether pursued singly, jointly or as member of a group, were temporary in character, and were rapidly replaced by others. There were no grand strategies in this period of Roman history, and no great political movements.<sup>113</sup> Marius obtained his pre-eminent place in public and military affairs at the close of the second century largely through his own efforts, in a system which almost defies definition, but which was characterized not by a multiplicity of parties but by a large number of conspicuous personalities.

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<sup>113</sup> Mitchell, *Ascending Years* 16-18, who voices a similar scepticism regarding the significance of factions or groups in republican politics in this era. In more general terms, Wallace-Hadrill, in *Patronage in Ancient Society* 63-81, agrees with him.

## EPILOGUE

The life and career of Gaius Marius justifiably became a focal point for ancient writers because it was so obviously more conspicuous than those of his contemporaries in the senate: first for the fact that he held the consulship seven times and, second for his military exploits especially against the marauding Cimbri and Teutones, which freed the *res publica* from external threat. For this last exploit he was understandably acclaimed the third founder of Rome.<sup>1</sup> After a paucity of great triumphs abroad, to be precise, in over two decades, he restored the *dignitas* and *auctoritas* of the *Senatus Populusque Romanus* with victories which were regarded as exceptional and certainly comparable with those of Scipio Africanus, Aemilius Paullus and Scipio Aemilianus. In later times Marius became celebrated for his military triumphs, but it is for his contribution to developments in political life that he actually best deserves to be remembered.

In sum, Marius' career in the city was more radical than were his reforms to the Roman army. His achievements in the domain of politics were arguably far greater than were his victories on the battlefield. His long and successful senatorial career, particularly during the period of his six consulships, was inseparably bound up with political, legal and social innovations which were among the chief reasons for the evolution of the Roman constitution from senatorial-oligarchic rule to government by a quasi-autocrat. The portrayal of Marius as a passive player in republican politics, guided by other, usually much younger, colleagues who ultimately came to use his greatness for their own personal ends is, therefore, an unfair reflection of his real participation in public life.

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<sup>1</sup> After Romulus and Camillus, Plut. *Mar.* 27.5. However, whether this appellation dates to 101 or was a later creation must remain in doubt. Cf. Weinstock, *Julius* 177-178.

It is not simply the vagaries of the survival of the ancient source material which have given rise to a distorted image. The problem is a common enough feature, which bedevils the assessment of any politician's career in antiquity. But the potent propaganda generated by his fellow politicians and by later writers, without the counterbalance of a rendering provided by the subject himself, highly influences the picture. With sentiments which are as relevant today as they were when they were first quoted over thirty years ago, Badian encapsulated the entire problem of such disinformation by having recourse to the apposite words of Samuel Beckett.<sup>2</sup> Yet must we believe what we possess in the literary sources when only the interpretation of Marius' political career by his opponents found its way into the historical tradition? His own records, which surely existed, and those of any of his supporters were soon lost or discredited.

I have argued in the preceding pages that Marius, the son of an *equus Romanus*, entered the army at the end of the 140's at more or less the usual age for an *adulescens* of his circumstances and background. He possibly served initially with Q. Pompeius (cos. 141) in Spain, and remained there until the conclusion of the Numantine campaign, by which time his commander was Scipio Aemilianus. Returning to Rome in 132 or 131 Marius was immediately elected *tribunus militum*, and accompanied the army of either Crassus Mucianus or M. Perperna to Asia where he participated in the suppression of the Aristonicus rebellion. Thereafter, he spent seven or eight years involved in municipal affairs with perhaps another term in the army as a *legatus*, and came to the city to try his hand at political life when he sought the office of a tribune of the plebs. Marius secured this position, possibly after one *repulsa*, and used his year as tribune in 119 to moderately good effect. He failed to win either the curule or the plebeian aedileship probably in 117, but gained the praetorship in the following year, surviving a charge of *ambitus* while still praetor designate. He served as *praetor peregrinus* or president of the *repetundae* court in 115, after which he possibly governed Hispania Ulterior from 114 to 113. Marius is likely to have campaigned for the consulship either in 113 or 112, or in both years, after his arrival back at Rome or following a decent

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<sup>2</sup> E. Badian, 'Waiting for Sulla', *JRS* 52 (1962) 47-61 = *Studies* 206-234: 'Estragon: Who believes him?, Vladimir: Everybody. It's the only version they know', (*Waiting for Godot*).

interval after his praetorship. One *repulsa* or more severely diminished his hopes for the senior magistracy. However, the position of senior legate to Metellus Numidicus in the Jugurthine War gave him the springboard to aspire to greater *gloria* and, through a supremely effective electoral campaign, he was finally chosen consul for 107.

Already in the activities of his tribunate in 119 may be detected a certain amount of political acumen which, nonetheless, nearly backfired when he was prosecuted after the praetorian elections. But by overcoming this test of strength Marius was thereafter established as a man not visibly shackled with obligations to any single family or politician. His exploitation of public dissatisfaction with the course of the war against Jugurtha and with the possibly overcautious generalship of Metellus Numidicus again reveals his effectiveness as a politician with a sound grasp of current feelings at Rome. Sallust's account of a cunning and thorough canvass for the consulship in 108 is surely a good indication of Marius' preparation for a successful assault on the highest magistracy. The way in which he obtained the command of the Numidian expedition further illustrates his ability to manipulate the *concilium plebis*, and to utilize compliant tribunes to do his bidding. However, the ambition to achieve a proconsular province immediately after his election as consul, in the only region where major military laurels might be obtained, led eventually to the erosion of senatorial authority. The *plebiscitum* which granted Marius the *imperium* of Metellus Numidicus henceforward became the regular method for acquiring military commands outside Italy. The grave dangers inherent in taking this step were shockingly revealed even within Marius' own lifetime after he tried to wrest control of the war against Mithridates VI of Pontus. His pursuit for personal glory was, as it was for most Roman republican politicians, extremely shortsighted. It ultimately damaged beyond repair the senate's ability to govern the state.

Tribunes had regularly been the mouthpieces of senior political figures in the senate throughout the second century, and the *concilium plebis* became the accepted minefield through which most legislative programmes were obliged to pass. Marius himself may initially be identified as the representative of the interests of Metellus Delmaticus in the tribunician college in 119, though the association between these two was not enduring. Marius' own connections with tribunes such as T. Manlius Mancinus in 107, therefore, followed a well-

trodden path and, by then, a traditional pattern. But during the decade of his iterated consulships the way in which consuls and tribunes operated together became more overt, even vulgarly blatant, as events, particularly in 100, clearly illustrated. The cooperation in public life between the consuls and the tribunes was not by itself a destabilizing factor in republican politics. Nevertheless, once the prospect of massive rewards from the tactics employed by Marius and his allies Saturninus and Glaucia were disclosed to the world, even when the concomitant risks were great, the urge to emulate the manoeuvre was too overwhelming to deter further and equally ambitious politicians in the future. Only a drastic curtailment of the tribunes' powers could have prevented this form of joint activity from recurring, and since Sulla's attempts in 81-80 proved merely evanescent, the way lay open for more disruption to civil life until that brand of traditional senatorial politics had been completely destroyed.

Although Marius' five successive consulships could be described, for form's sake, as a vital necessity brought about by the fear of an invasion of Italy and the need to have a magistrate of tried and tested ability at the helm of the ship of state, they too became an example to which other politicians might aspire. Marius' acceptance of the consular iterations may be an intimation of a belief in his own worth to Rome, and in his competence as a general of her armies in the forthcoming conflict with the Germanic tribes. Yet for a man endowed with enough skills to reach this unprecedented position he either displayed singular ineptitude in not realizing that he was creating a goal which others might wish to equal and exceed or, because of his *superbia* and selfish ambition, he simply did not care. And when that emulator arose through the senatorial system in which Marius flourished, that system would be at an end. It says something of the conservatism of Roman society, and of Roman politicians in general, that it was over fifty years before Caesar was able to achieve the same lofty pinnacle, though in scaling those heights he also extinguished the senatorial rule of the Roman empire.

The military reforms of Marius, at first required to win an unpopular war in Africa, and later to augment the army in its fight to repel a threatened incursion from the north, may originally have been regarded as a temporary measure designed to meet an extraordinary situation, and which need not be repeated. However, once the *capite censi* had been enlisted in the armed



forces it was only a matter of time before this happened again, and then on a routine basis which paved the way for the professional army instituted by Augustus at the beginning of his principate.

The employment of landless citizens in the military inaugurated a new series of political problems which accompanied each demobilization, because a share in the spoils of war was no longer considered an adequate remuneration for safeguarding the *res publica*. Therefore, the appropriation of land or the foundation of citizen colonies, often abroad, became another habitual, and increasingly irksome chore, which dogged the footsteps of senior politicians on their return to Rome from service overseas. Inevitably, too, in order to tackle the problem of rewarding army veterans, the connection between the *consulares* and the tribunes was reinforced, for the legislation for new lands had to pass successfully through the *concilium plebis*. The opponents of any particular senator who sought to make political capital for themselves, in order to assist their own careers, naturally used the occasion of promised *leges agrariae* or colonial laws to hinder or prevent the process. The scene was set once more for civil discord.

In 100 the senate ordered Marius to reimpose order in the city after his former allies Saturninus and Glaucia had been exposed as, by far, the most dangerous adversaries of the current form of government. Marius probably undertook the task willingly since, not so long before, he had severed all ties with politicians by whom he felt betrayed. However, by restoring peace through the use of the *senatus consultum ultimum*, he introduced another disquieting element into political life. For the first time in its long history, the senate declared martial law against properly elected magistrates in order to preserve its own position. In preventing these public officials from carrying out what they claimed to be the will of the electorate, the senate damaged its credibility as a government representative of all sections of the community. The laws enthusiastically promulgated by Saturninus and Glaucia could very easily be repeated, and so could the senate's response. This was an ideal recipe for further disruption which might, in due course, lead to civil wars and the demise of the body politic.

The end result of this study may thus appear to be altogether negative. However, seen from the viewpoint of the senatorial government to which Marius

bequeathed new perils, this conclusion is inescapable. The precedents which this *novus homo* created by his own example, or which he engineered for his own purposes, or those which were dictated to the senate on account of his political intrigues all add up to just one outcome: a time of escalating instability in Rome, and in her empire. The direct consequence was civil strife and, finally, the emergence of new forms of governmental structures. Still, to recognize him as a politician of inestimable capability is simply to grant Marius his due. He deserves to be ranked amongst the most proficient of all political practitioners to grace the floor of the Roman republican senate, and he was a good and successful general besides. He probably anticipated no fundamental change to a political framework in which he was able to prosper but, nonetheless, the all-consuming desire for pre-eminence in the public life of the city proved to be disastrous. Indeed, in many respects, he qualifies more obviously for the epithet 'The Deadly Reformer' than does his younger contemporary Sulla.<sup>3</sup> Marius' political schemes immeasurably weakened the senate's ability to govern. Its vulnerability had been exposed by the tribunician activities of the two Gracchi, but it was Gaius Marius who dealt the mortal blow from which no full revival could ever realistically be entertained.

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<sup>3</sup> Badian, 1976: 35-74.

APPENDIX 1  
AGE LAWS AND THE REPUBLICAN *CURSUS HONORUM*

*The Cursus Honorum*

Two constitutional safeguards apparently restricted Roman politicians from premature entry to the various republican magistracies. The first of these was the traditional practice of serving in the army prior to starting a public career, and the second was the *lex Villia annalis*. This law is said by Livy (40.44.1) to have imposed minimum age restrictions for public offices, but since he fails to name the magistracies affected by the new regulations, modern opinion remains undecided about the extent of the measure. Nonetheless, it has been argued that, as a result of the law, it became customary for all senior statesmen in the second century, after 180, to have served ten years under arms, gained the quaestorship between their twenty-sixth and thirtieth birthdays, and usually to have held the aedileship in or after thirty-seven, and the praetorship and consulship in or after their fortieth and forty-third years (Astin, *Latomus* 17 [1958] 63-64).

There were exceptions to this paradigm but they were few and far between. In the second century they were, like Scipio Aemilianus, hurtled to prominence because of grave political crises or, like Pompey and Octavian in the first century, they were political adventurers at a time when senatorial government was in terminal decline. These are beyond the scope of this study for, by and large, the terms of the *lex Villia*, as they are generally accepted, seem very seldom to have been breached in one hundred years. However, at the senior end of the senatorial career there is no doubt that vigorously competitive elections meant that many politicians were well above stipulated age minima by the time they won a consulship (Develin, *Patterns* 91; Evans, *AHB* 4 [1990] 65-71; E. Badian, 'The Legend of the Legate who Lost his Luggage', *Historia* 42 [1993] 203-210). Were it possible to show a similar trend among the lesser senatorial offices, there would be strong grounds for supposing that the

actual age regulations claimed for the *lex Villia* may be altogether too elaborate and nearly superfluous to existing practices (cf. Develin, *Patterns* 95: 'we must not ascribe too much to laws'). In turn, this would necessarily call into question the overall structure of a political career in the second century.

The logical progression of offices which comprised the typical political career appears well established in both literary and epigraphic sources, but there is also sufficient evidence to show that atypical career patterns, in other words, those which excluded one or more senatorial offices, were just as common. Indeed the epigraphic evidence is often much later than the events it purports to describe including, for example, the Augustan elogia of famous Romans, composed and erected at a time after the reorganization of the entire political career by the first *princeps*. Moreover, the chief literary evidence emanates from Cicero, whose timely acquisition of senatorial offices is cited as the standard against which others might be measured (Badian, *Studies* 141). But this argument is misleading, particularly if the importance Cicero attaches to his own achievements is considered (*leg. agr.* 2.2; *Pis.*2). His obvious pleasure at acquiring the major public positions at the earliest conceivable opportunity, according to the *leges Corneliae* of 81/80 (*MRR* 2.75), may not be the empty boast of a *novus homo* whose career differed little from his peers, but rather a true indication of how exceptional his achievements really were.

There undoubtedly remains a great deal of admiration for the apparently thoughtful way by which the Roman senate, through *leges annales*, enforced a politician to begin his novitiate under arms and thence in a junior office, and only if he was extremely able and fortunate, to win *auctoritas* in one of the highest magistracies. Consequently, acceptance of a supposedly fixed order of holding offices has governed the whole perception of second century political life. Yet, the term *cursus honorum* or 'succession of offices' is infrequent in the ancient literature (Cic. *Sen* 60; *TLL* 4.1539), and indicates that it was not commonly employed to describe the magistracies held by senators. Indeed, the creation of a systematic structure which they call the *Cursus* is more the product of the inventiveness of scholars of modern times, than a fair reflection of its ancient pedigree.

## Military Service and *Tribuni Militum*

In terms of chronological order, the first and, reputedly, one of the most reliable sources for this period of republican history is Polybius, whose work is concerned with Rome's growth from city-state to imperial giant. He states (6.19.2-5) that all Roman citizens were required to serve in the infantry for sixteen years or in the cavalry for ten, and that this duty might be undertaken at any time before the age of forty-six. But should any man wish to pursue a political career, he was obliged to fulfil this rule before he obtained his first public office (πολιτικὴν δὲ λαβεῖν ἀρχὴν οὐκ ἐξεστὶν οὐδενὶ πρότερον, ἐὰν μὴ δέκα στρατείας ἐνιαυσίου ἢ τετελεκώς). He refers to ten years' service in the army since only those with means, that is possessing the equestrian census, were able to enter political life.

Polybius lived at Rome under the protection of Scipio Aemilianus from 167, and survived his patron by about a decade. Since he was writing contemporary or near-contemporary history he must have been fully acquainted with the regulations governing military service and, therefore, accurate concerning an obligatory ten-year rule before the start of a political career. Writing a little more than a century later, however, Sallust, in his *Bellum Iugurthinum*, evidently thought that this ruling could be avoided altogether ('Itaque Sulla ... postquam in Africam atque in castra Mari cum equitatu venit, rudis antea et ignarus belli, sollertissimus omnium in paucis tempestatibus factus est', *Iug.* 96.1). Badian was, therefore, forced to conclude that politicians with influence might dodge service in the army (1976: 38: 'As Sallust tells us, and Plutarch confirms, Sulla did no military service in his youth', and 66 n. 11: 'In theory, liability to service could not be escaped. But it is easy to imagine that well-connected young men could escape it if they tried'). Serious flaws in this assessment exist, however, for Plutarch (*Sull.* 3.1) simply omits to mention Sulla's pre-quaestorian career; his evidence *ex silentio* is not really convincing. Furthermore, both Sallust (*Iug.* 95.3) and Plutarch (*Sull.* 1.1) went to great pains to assert that the young Sulla had a most obscure and decayed family background. In their opinion Sulla was a man with no influence at all. It is feasible, of course, that Sallust was as ignorant of his subject's early military training as he believed Sulla to have been about the art of warfare. Less provocative, however, is the assumption that the memoirs of Sulla, probably used by both Sallust and Plutarch, dwelt

at some length on his youthful poverty in order to enhance his later *gloria* (cf. Keaveney, 'Young Sulla and the *Decem Stipendia*', *RFIC* 108 [1980] 167-168, who contends that Sulla preferred to conceal the apparent degradation of his youth, which prevented his entrance to the army). Sulla's *Commentarii* were possibly employed, in this instance, without much critical appraisal.

If it were not clear that a perceptible conflict exists in the ancient sources, Polybius' evidence for second-century technical matters would be preferred to that provided by Sallust. Still, had military training been legally required before public offices, Sallust and Plutarch could easily have written something about Sulla's early life in the army. They did not; and Sallust, at least, considered that Sulla had had no military training before his quaestorship. Moreover, Sulla did not belong to an influential family, which implies that many other young Romans sought office lacking rigorous military experience. If the young Sulla was really as insignificant as the ancient writers claim, his inexperience in warfare cannot have been an isolated example. Indeed, Cicero, from a family with no ancestral political power in Rome, probably also failed to complete ten years' service in the army (*Phil.* 12.27; *de Div.* 1.72). Had Sulla and Cicero been able to refrain from active military service, this must also suggest that their contemporaries from entrenched senatorial families were able to do likewise, as Badian acknowledges.

For the late first century, Sallust should be credited with knowing what was legal and what was not and, although his silence on the issue may be an example of artistry, it should indicate that there was no legal military stipulation in force for politicians at the time he wrote, and that a change in the ruling must have occurred. Polybius' information is not quite as precise as it first appears. Sixteen years' service in the infantry or ten years in the cavalry may seem a lengthy spell for any individual, but in the second century it cannot have been continuous. For *equites*, with whom we are primarily concerned, ten years surely meant serving for ten campaigning seasons in several expeditions of varying duration (Rich, *Historia* 32 [1983] 289-290). Before the establishment of a fully professional army by Augustus, it was virtually impossible to serve for ten years of twelve months in the Roman armed forces, even after Sulla's dictatorship, when adjustments may have been made to the rules (soldiers who served six years continuously were

entitled to be discharged, Liv. 40.36.10; App. *Ib* 78; Rich, 1983: 290, Brunt, *FRR* 256 and n. 123-124, 269). Few wars, particularly in this period, were especially protracted affairs. Armies were levied for the campaigns and could be disbanded at the end of a proconsul's term of command, which might be as little as six months in duration. If Polybius' evidence is taken at face value, however, we should have to deduce that the adolescent sons of senators and *equites* sought out every available war in order that they might eventually qualify for political offices at the earliest opportunity. This picture of Roman life is simply not credible for, not only did the availability of campaigns influence when and where a young man might serve, but could make it impossible for senatorial offices to be held at the earliest age, unless, like Sulla and Cicero, many found circumvention of the military service relatively straightforward.

The simplest explanation which would account for the inconsistency in the sources is that a change took place during the second century, which was possibly unofficial, and which effected a more lenient attitude towards military service. Polybius' history is not his earliest work (F.W. Walbank, *OCD*<sup>2</sup> 853), but books 1-6 are thought to have been circulated by about 150. An alteration to current regulations or a relaxation of traditional practices might have occurred during the unpopular Spanish wars between 153 and 133, during the tribunate of C. Gracchus, whose laws contained one or more measures designed to increase efficiency in the army (*MRR* 1.514; Brunt, *FRR* 253), or as a consequence of the reforms of Marius in 107. Polybius' reference to compulsory service in the army may, therefore, be applicable only to the first half of the second century; and once published, his history was not revised.

Thus Wiseman (*New Men* 143) considers that this 'rule was not rigidly enforced', while Paul (*Commentary* 214) suggests that 'the actual average number of years served may have been smaller', though Harris (*War and Imperialism* 12) is less sceptical of the ancient evidence but is obliged to admit (12 n. 4) that service in the army for wealthy young men need not have been arduous. Moreover, Harris refutes examples of supposed avoidance of military service (*War and Imperialism* 257) including L. Licinius Crassus (cos. 95) who prosecuted C. Papirius Carbo (cos. 120) in 119 for *repetundae* when he was just twenty-one years of age. Crassus may well have secured the conviction of Carbo early enough in the year to proceed afterwards to join a

military campaign. However, his presence as a commissioner for the foundation of Narbo Martius between 118 and 114 (*MRR* 3.118) and a quaestorship which is dated to about 110 all suggest that he failed to serve anything like ten years in the army. Both Paul (*Commentary* 237) and Harris (*War and Imperialism* 257) believe that Sulla's ignorance of military matters is grossly exaggerated, and Harris and Wiseman (*New Men* 143) recognize that a ten-year rule, enforced only by *mos maiorum*, had lapsed before 100. The later lack of concern about compulsory military service by men from wealthy families is taken to be a result of Marius' reforms, which made the previous rule obsolete when landless citizens were recruited as soldiers. However, if Sallust's evidence is correct and Badian's hypothesis is allowed to stand - that Sulla was able to enter a political office without much or any army apprenticeship, which should theoretically have begun by 121 since he was born by 138 - the change to one of the basic requirements for public offices should be pushed back to 123/2 or even earlier. Indeed, if Crassus did not fulfil this regulation either it may have disappeared earlier still, and strengthens the case for a date in the 140's or 130's.

Polybius (6.19.1) also states that eligibility for the military tribunate depended on five or ten years under arms. If a man wished to serve as military tribune after five years, this could presumably be taken as part of the overall ten-year rule in advance of holding a public office. The more senior military tribunes, those with ten years duty in the army, seem to have been able to aspire to this position at any later stage and as often as they chose (see Wiseman, *New Men* 144-145, for the difference between the republican and Augustan military tribunate [*tribunus militum a populo*], which became an office 'reserved' for soldiers, not politicians). Cato the elder served as a *consularis* (*Cic. Sen.* 32; *MRR* 1.354), Sulla when he was a *quaestorius* (*Plut. Sull* 4.1), Marius was elected 'per omnis tribus' to one of the elective military tribunes (*Sall. Iug.* 73.4) probably after already having served for ten years, and Caesar Strabo is known to have held this post twice (*Inscr. Ital.* 13.3, no. 6; *ILS* 48). If the office of military tribune was held immediately after ten years in the army, however, it increased the age at which a man might seek his first political position. It would have become an unattractive proposition for anyone who sought to win a regular magistracy at the earliest moment (cf. P.F. Cagniard, 'L. Cornelius Sulla's Quarrel with C. Marius at the Time of the Germanic Invasions (104-101 B.C.)', *Athenaeum* 67



[1989] 139-149 who argues that the military tribunate was always a low-ranking office which politicians held only at the beginning of their careers unless exceptional conditions intervened; note also Badian, 'The Sempronii Aselliones', *PACA* 11 [1968] 2, for twenty-four as the 'lowest' known age of military tribunes in this period). Since some of the military tribunes were elected, those interested in attaining this particular tribuneship had also to be at Rome for the polls conducted in the *comitia populi tributa*. This procedure must also have affected the number of service years undertaken by a young man, who would have had to obtain leave from a campaign, often overseas, in order to return home to canvass. This is another illustration of the less than organized nature of service in the republican army. Elections for military tribunes may have taken place in the late autumn down to 154 and, therefore, at the end of the campaigning season which did not disrupt a year's service. When the consular year was altered to begin on the 1 January 153 (*MRR* 1.452), these elections were probably moved to an earlier date, perhaps in July or August (for the dates of elections see Taylor, *RVA* 63 and n. 12; Badian, 1984: 103-104), which either forced a young man to ask for his furlough mid-way through a campaign, or deterred him from enlisting for an expedition in a particular year. Such an untimely imposition could have counted against his tally of service years, though it is more likely that even three to four months' active service before canvassing would have been recognized as a full year. And in the absence of an official method of scrutinizing records, a part of a year or even a few weeks of a year would no doubt have been accepted as part of the total. Election to a military tribunate might add a certain lustre to a career but, if this position was regularly or earnestly sought, it would obviously have retarded an ideal career by as much as two years. Only in the most abnormal circumstances, therefore, might twenty-six or twenty-seven still be regarded as a usual minimum age for a regular republican magistracy.

Since it was not a formal part of the political career, many aspiring politicians probably decided to forgo the military tribunate. Cicero indicates (*Planc.* 52) that L. Marcius Philippus (cos. 91), 'summa nobilitate et eloquentia', but not noted for his generalship, was never elected military tribune. The evidence shows, however, that many young Romans did serve in this capacity, which suggests that they did not bother to seek the political offices at the earliest possible time, but that if they wished to do so, there

was no controlling mechanism in place, with the exception of the *mos maiorum*, to prevent them from standing for a magistracy with little or no military experience. The so-called ten-year rule became so flexible that it almost disappeared, but at the same time young Romans tended to serve in the army over a much greater period of time simply because warfare was the natural pursuit for that element of republican society. In order to achieve a respectable reputation for participating in public life it was useful to obtain a good grounding in both military and administrative affairs. So *adulescentes* did not often serve in the army for a continuous period, but were expected to spend long periods away from active duty when they might acquire wider knowledge and other skills. Since it is highly unlikely that detailed records were kept of everyone's army service, this must have resulted in a wide range of actual military experience. Some senior politicians may have spent little time in the army while others, such as C. Gracchus or Marius, may have had much more than the hypothetical minimum. The traditional ruling was evidently not subject to legislation, probably because it was impossible to enforce and, the observance of what is described by Polybius in legalistic terms, must have been defunct soon after 150.

### The Vigintivirate

This college became a first official office of the political career only during the principate of Augustus, but the individual commissions themselves had been available from well beforehand. Although, for the most part they are thought to have been occupied by younger men, there is no conclusive evidence that this supposition should apply to all the offices involved. Cicero (*Leg.* 3.6), whose evidence probably applies only to the years following the *leges Corneliae*, lists membership of the vigintivirate before that of the quaestorship, and there is some evidence to show that candidates were elected, probably in the *comitia populi tributa*, presumably after the quaestorian elections and before those for the military tribunes (For the *IIIviri capitales* see Sall. *Cat* 55.1; Festus, 486L; C.G. Bruns, (ed.) *Fontes Iuris Romani Antiqui*, Tübingen 1909, 10.2, 16, 22, [*lex Acilia repetundarum*]; 8.15 [*lex Latina tabulae Bantinae*]; Wiseman, *New Men* 143 n. 3. For the *IIIviri monetales* see Cic. *Font* 3.5; K. Pink, *The Triumviri Monetales and the Structure of the Coinage of the Roman Republic*, New York 1952, 53; Crawford,

RRC 2.602-603; Mattingly, 1982: 10; cf. Wiseman *New Men* 148; A.M. Burnett, 'The Authority to Coin in the Late Republic and Early Empire', *NC* 37 [1977] 37-44, who argue that moneyers were nominated by the consuls).

The holders of the vigintivirate, therefore, need not already have been senators, but it is quite clear that, in the second century at least, the *IIIviri monetales* were not necessarily always young men and were, on occasion, politicians who had already held other offices. If such latitude was allowed for candidates to this commission, the rest of the vigintivirate may also have been filled with men of varying age and experience. Supervision of the annual coinage was arguably an office which demanded some men of more advanced years, but this could also have applied to those men in charge of executions (*capitales*), or those who presided over minor law suits (*stlitibus iudicandis*). Throughout the second and first centuries some moneyers were undoubtedly young: for example, C. Norbanus, M. Piso Frugi, M. Valerius Messalla, Ser. Sulpicius Rufus, who were all moneyers during their fathers' consulships in 83, 61, 53 and 51 respectively (Crawford, *RRC* 1.372, no. 357; 1.442-443, no. 418; 1.457, no. 435; 1.459-460, no. 438). But other *IIIviri monetales* must certainly have already been senators, some of whom were almost senior enough to hold a curule magistracy. For example, M'. Aquillius, consul in 101, was moneyer in 109/8 and L. Valerius Flaccus, consul in 100, was moneyer in 108/7 (Crawford, *RRC* 1.314, no. 303; 1.316, no. 306). Wiseman (*New Men* 148) argued that Sulla made the moneyership a pre-quaestorian office, and the arguments advanced by Mattingly (1982: 11-16) and by Hersh and Walker ('The Mesagne Hoard', *ANSMN* 29 [1984] 103-141) seem to put the issue beyond doubt, although some variation in the ages of the *IIIviri monetales* during Caesar's dictatorship is still evident (Mattingly, 1982: 12).

The constitutional reforms of Sulla, according to Mattingly (1982: 13), included 'down-grading the post of moneyer', possibly because this position had been abused in much the same way as the tribunate. Like the office of tribune of the plebs, the moneyership had become employed as a means of achieving a certain degree of public prominence with a view to winning higher offices. Sulla's law allowing automatic entry to the senate by all ex-quaestors probably had the effect of making the minor magistracies less attractive to men who aspired to senatorial offices. By the early Principate the vigintivirate was always filled by young men of pre-senatorial status, but

in the pre-Sullan period there were certainly senatorial moneyers and there may, by implication, have been other senatorial members of this college. Its position, officially outside the senate, was, therefore, somewhat anomalous during the period under discussion here.

### The Quaestorship

This was the most junior of the regular magistracies, for which Sulla prescribed a minimum age of thirty (E. B[adian], *OCD*<sup>2</sup> 906), an increase of between three and four years on what had been the previous traditional practice (Astin, 1958: 63-64). No ancient authority provides information about the ages of quaestors either before or after Sulla's legislation; and the consensus of opinion regarding a minimum age has arisen from the belief that military requirements were rigid and enforceable, and that Cicero's magisterial career, which he pursued *suo anno* (*Pis.* 2-3; *Leg. agr.* 2.2), must by then have been governed by statutory regulations. Appian (*BC.* 1.100) is the sole ancient writer to mention the quaestorship as a necessary part of a political career from Sulla's time, though he merely says that 'no one might become praetor before he had been quaestor, and that no one could hold the consulship until after he had won the praetorship' (νόμους τε ἐξέλυε καὶ ἑτέρους ἐτίθετο· καὶ στρατηγεῖν ἀπέειπε, πρὶν ταμιεῖσθαι, καὶ ὑπατεύειν, πρὶν στρατηγήσῃαι ...). There is no statement concerning a stringent stipulation controlling the ages of quaestors. The other writers cited for what is taken to be a new regulation are Cicero (*Phil* 5.47, 11.11; *Leg. Man.* 62; *Leg.* 3.9), Caesar (*BC.* 1.32) and Livy (7.42.2, 10.13.8), but not one of them has anything explicit to add either about the age of candidates for the quaestorship or its precise position in the senatorial career. This problem has been identified and addressed, but without significant conclusions (Astin, 1958: 63-64; Wiseman, *New Men* 155; Sumner, *Orators* 111; Paul, *Commentary* 235; Harris, *War and Imperialism* 31).

The observance of a ten-year military service rule determining the ages of quaestors before Sulla's dictatorship may now be discounted. However, much credence is attached to Livy's (25.5.8, 27.11.15) and Gellius' (10.28) affirmation that a young man's time in the army began after his seventeenth birthday, which would have foiled attempts at premature acquisition of a

quaestorship. Yet, in times of crisis, large numbers of young Romans could and did serve in the army before they were seventeen, as Livy himself indicates (22.57.9: 'ab annis septemdecim et quosdam praetextatos scribunt'). This service must also have counted towards the 'decem stipendia' (Liv. 25.5.8), and have allowed a man to canvass for the quaestorship at a younger age than his fellows who entered the army a little later. Ti. Gracchus, who is said to have been present at Carthage in the army of Scipio Aemilianus in 147-146, aged sixteen, won a quaestorship at the age of twenty-five in 138. Notwithstanding this possibly isolated example, which perhaps accounts for the fear of ambition for *dominatio* that Gracchus inspired among other senators, the evidence suggests that quaestors were normally closer to thirty, even above this age, by the time they had served in the army and in one of the lesser magistracies. The lack of an official minimum age for this office now becomes comprehensible and, the fact that it could be held between a man's mid-twenties and early thirties, shows that the same degree of latitude characterized the holding of this magistracy as there was for military service, the military tribunate and the vigintivirate.

1. *P. Licinius Crassus Mucianus* (cos. 131). He was apparently quaestor twenty years before his consulship (Val. Max. 2.2.1) with a postulated date of birth between 180 (Münzer, *RE* Licinius no. 72) and 178-177 (Sumner, *Orators* 52). A consular age near to fifty is not remarkable after 180 (Develin, *Patterns* 90: '46 or more'), and his age as quaestor was, therefore, between twenty-six and twenty-nine, provided the evidence of Valerius Maximus may be regarded as reliable (cf. Sumner, *Orators* 52: 'His quaestorship is dated to 152 on the basis of a curious anecdote'; *MRR* 1.454).

2. *C. Sempronius Tuditanus* (cos. 129). Cicero and Atticus evidently believed that he had been quaestor in 145 (*Att.* 13.4.1; *MRR* 1.470) and a praetor in 132 (*Att.* 13.32.3; *MRR* 1.498). They seem to have assumed that Tuditanus won his curule magistracies *suo anno*, but they do not provide evidence for a date of birth, which Sumner (*Orators* 47) presumed was in or just before 172. It is not inconceivable, however, that Cicero simply thought Tuditanus was thirty in 145, the minimum age in his own day. His age as praetor and consul would have been slightly above the minimum, which was not often achieved by politicians between 180 and 80 (Develin, *Patterns* 91: 'some 70% of the consuls were above

the minimum age ...'; Evans, *AHB* [1990] 69). Cicero's own words might imply 'certainty about Tuditanus' offices ('video enim curulis magistratus eum legitimis annis perfacile cepisse', Shackleton Bailey, *Atticus* 5.178), but he also admits the possibility that Tuditanus did experience some delay in his career ('sero praetor est'). At the very least, Cicero's evidence cannot be used to confirm a normal age for the quaestorship in the second century.

3. *Ti. Sempronius Gracchus* (trib. 133). Probably born in 163 or early 162 (Plut. *C. Gracch.* 1.2; Sumner, *Orators* 58), present at the final assault on Carthage (Plut. *Ti. Gracch.* 4.5; *MRR* 1.464), quaestor in 137 at Numantia, aged twenty-six, probably well before he had completed ten years under arms. The Third Punic War was over in 146, and there is no evidence that Gracchus served continuously in a province such as Spain or Africa afterwards. Moreover, in order to be sure of winning a quaestorship in 138 he may well have remained in Rome for that year.

4. *Q. Fabius Maximus Allobrogicus* (cos. 121). Sumner (*Orators* 60) calculated that the birth of Allobrogicus belonged to 164 since he was a son of the consul of 145, elder brother of Scipio Aemilianus. His quaestorship is securely dated to 134 (App. *Ib.* 84; *MRR* 1.491) at the age of thirty.

5. *Q. Fabius Maximus Eburnus* (cos. 116). Probably the quaestor of P. Rupilius (cos. 132) in Sicily (*MRR* 1.498 and n. 1). Since his father, adopted by a Fabius Maximus, was the eldest of the three Servilii Caepiones (consuls 142-140), who were all sons of the consul of 169, his senior offices must have been held fairly close to the minimum age, and Eburnus' birth may be dated to between 162 and 158.

6. *C. Sempronius Gracchus* (trib. 123). Quaestor in 126 aged twenty-seven or twenty-eight (Sumner, *Orators* 70) after serving twelve years in the army (Plut. *C. Gracch.* 2.5). He cannot have served continuously in the army for this length of time, however, for his duties as agrarian commissioner from 133 would surely have kept him at Rome for long periods.

7. *M. Antonius* (cos. 99). Born in 143 since he was three years older than L. Licinius Crassus (Cic. *Brut.* 161; Sumner, *Orators* 93). He was quaestor in 113 aged thirty (*MRR* 1.536).

8. *L. Appuleius Saturninus* (trib. 103). Quaestor *Ostiensis* in either 105 or 104 with a proposed date of birth not later than 132 (Sumner,

*Orators* 120). There is no reason to assume, however, that Saturninus must have been as young as Ti. Gracchus when he was quaestor. Indeed, his campaign for a third tribunate in 100 suggests that, while he was still too young to hold an aedileship, he intended canvassing for this curule magistracy in 99. His date of birth may, therefore, belong to 135, and he was a quaestor at the age of thirty.

9. *Cn. Domitius Ahenobarbus* (*cos.* 96). His tribunate is dated to either 104 or 103 (*MRR.* 3.82), and since he was a commissioner for the foundation of Narbo Martius between 118 and 114 and was a moneyer in 116 or 115 (Crawford, *RRC* 1.300-301, no. 285, unless this is a Domitius Calvinus), his birth-date is likely to have been between 141 and 139. His fellow commissioner and coeval, L. Licinius Crassus, was quaestor in 111 or 110, and Ahenobarbus probably held the office at the same time, aged twenty-nine to thirty-one.

10. *C. Claudius Pulcher* (*cos.* 92). He was *monetalis* after a quaestorship, according to his elogium (*Inscr. Ital.* 13.3, no. 70; *ILS* 45). Crawford (*RRC* 1.313, no. 300; *MRR* 3.57) dates his moneyership to 110 or 109, but Mattingly (1982: 44) to about 106. He probably reached the praetorship and consulship a year late, so 136 or 137 is a likely date of birth (cf. Sumner, *Orators* 100, for 141). He was quaestor aged between twenty-six and thirty.

11. *L. Licinius Crassus* (*cos.* 95) and *Q. Mucius Scaevola* (*cos.* 95). Held the quaestorship together in 111 or 110, both born in 140 (Sumner, *Orators* 94, 97).

12. *Cn. Pompeius Strabo* (*cos.* 89). His quaestorship is now dated to ca. 106 (*MRR* 3.165-166; Badian, *Klio* 66 [1984] 306-309), with a postulated birth-date of 135-132 (Sumner, *Orators* 104), hence quaestor aged twenty-six to twenty-nine.

13. *L. Licinius Lucullus* (*cos.* 74). Born in 118 (Sumner, *Orators* 114), his later career retarded by the civil wars, but quaestor in 88 aged thirty.

The average age of the politicians listed here is rather closer to thirty than to twenty-six, though freedom from a tight regulation is abundantly clear. Appian's evidence (*BC.* 1.100) implies that, prior to the *leges Corneliae*, the quaestorship had no official place, which opens the way for the suggestion that this office, like those in the vigintivirate, might be held during an

extended period of military-cum-civilian service. Indeed, the majority of quaestors were assigned to proconsular commands during which time they fulfilled a primarily military function. The time served under arms, the military tribunate, a lesser magistracy, and also the quaestorship could have been taken up over a period of about fifteen years, not necessarily in any specific order, but rather as it suited the individual. A senator's early career, therefore, becomes an informal mixture of military and administrative duties with a view to acquiring senatorial membership not in a man's mid-twenties, but by his mid-thirties after holding a quaestorship, tribunate or aedileship.

In a society where records were unquestionably relatively primitive in comparison to the present day, we need not look for precision on the part of the Romans with regard to ages. An approximation surely sufficed; and it would not be surprising to find quaestors aged between twenty-six and their early thirties who had all spent roughly the same amount of time in the army or engaged in civilian tasks. Thus C. Gracchus claimed he had spent a longer time in the army than was essential for a politician, before he became quaestor (Plut. *C. Gracch.* 2.5), but Sulla, with probably much less military service, could have employed his quaestorship to gain further experience. Sulla's quaestorship in Africa and his legateship and military tribunates in the Cimbric War added up to less than eight years army service before he campaigned in 99 for the praetorship (Plut. *Sull.* 5.1). The difference between these two prominent figures may be distorted by the nature of the sources for their lives, but probably, at least, indicates the absence of a uniform pre-senatorial career. A Roman who entered the army before seventeen could, in theory, reach a magistracy earlier, while a politician who sidestepped his military commitments could similarly leap-frog ahead. No evidence for a wholesale invasion of the quaestorship by *adulescentes* is attested, however, which means that the quest for military honours, at a junior level, remained a favoured pastime for a young man who had his heart set on a life in public.

Since the quaestorship was not a requirement for the praetorship and consulship before 80 (Astin, 1957: 613; 1958: 64; Wiseman, *New Men* 155; Sumner, *Orators* 111), it follows that there would be variable ages for politicians who held this post after a largely indeterminate period in the



army. Furthermore, there must also have been politicians who were never quaestors, especially perhaps among an age group which served in the army for a longer spell, or which had commenced a political career later when a more influential magistracy was more beneficial. Quaestorships are invariably assigned to republican politicians, possibly on the assumption that quaestorian status allowed admission to the *ordo senatorius*, and that all men were eager or available to enter the senate at the earliest time allowable. Yet we do not know whether all politicians were senators by the age of thirty, and we cannot be sure that the tribunate and plebeian aedileship were not equally attractive offices from which to claim senatorial status before the censors. When Saturninus was deprived of his quaestorian responsibilities (*MRR* 1.560) he may also have lost his status, and intended winning access to the senate as a *tribunicus* in 102 (cf. *MRR* 1.567. Appian, *BC*. 1.28, in describing the censorship of 102, refers only to Saturninus' tribunate, but names Glaucia as a senator). Possession of a tribunate or aedileship could provide an alternative route to the senate (Syme, *Sallust* 28)

The evidence for senators failing to hold a quaestorship may not be substantial, but does go some way towards supporting this contention. Thus Cicero (*Planc.* 52) was aware of one recent politician who had become consul after being defeated in elections for the quaestorship. The *MSS* has the name 'Q. Caelius' which is usually emended to 'C. Coelius' (Caldus) consul in 94, though Badian (*Studies* 152-153; cf. Astin, 1957: 612-613) has argued for Q. Lutatius Catulus, either the consul of 102 or 78. The substance of the argument has little relevance here for it is the existence of a non-quaestorian *consularis* which is of greater significance. Confusion over the name may appear to weaken the argument for an optional quaestorship, especially if Badian is correct in postulating the consul of 78, since his career could have been affected by the civil wars and, like L. Licinius Lucullus, granted a special dispensation by Sulla. However, unlike Lucullus who spent nearly a decade abroad with Sulla, Catulus remained in Rome throughout the 80's and could have contested quaestorian elections whenever he desired. Besides Catulus or Caldus, a number of politicians in the forty years before Sulla's dictatorship may be identified as possible non-quaestorian senior magistrates.

1. *M. Aemilius Scaurus* (*cos.* 115). He was born in 162/1 (Ascon. 22 C; Sumner, *Orators* 69) and was praetor in 119 (MRR 1.526) and aedile probably in 121 (MRR 1.517 and n. 3). He would have returned to Rome from Sardinia in 122 where he served as a legate under L. Aurelius Orestes, probably from the beginning of the campaign in 126. A quaestorship before 126 is possible but not attested, and there is little reason to suppose that he must have held the office. He could have entered the senate as an *aedilicius* in 120 during the censorship of Q. Caecilius Metellus Baliaricus and L. Calpurnius Piso Frugi (MRR 1.523), since in 121 he may not yet have been a senator (*Vir. Ill.* 73).
2. *P. Decius Subulo* (*pr.* 115). A possible political ally of Marius with whom he was praetor in 115. Badian (1956: 92) considers that Subulo's tribunate in 120, when he unsuccessfully prosecuted L. Opimius (*cos.* 121), was his first political office.
3. *C. Marius* (*cos.* I 107). Marius, already in his mid-thirties and with much military experience, may have chosen to avoid the quaestorship and campaign instead, like Decius above, for a tribunate. The suggestion that he tried and failed at his first attempt to win this position (Val. Max. 6.9.14; MRR 3.140) possibly also indicates a particular keenness to win this public office at Rome. The evidence for Marius' quaestorship is assumed from two notices in ancient literary sources (Val. Max. 6.9.14; *Vir. Ill.* 67.1) both of which, however, are rather vague. Moreover, a quaestorship is attributed to Marius on the Augustan *elogium*, but this source of information should not be regarded as an infallible guide to all his offices (Passerini, *Studi* 198-202; and see above Chapter 1). There is sufficient reason to suggest that he never held this magistracy.
4. *C. Servilius Glaucia* (*pr.* 100). Appian (*BC.* 1.28) clearly thought that Glaucia was a senator in 102 when he says that the censor Metellus Numidicus tried to expel him from the order (MRR 1.567; Sumner, *Orators* 121). However, the writer also believed that Saturninus had senatorial rank by virtue of his tribunate in 103, which may indicate that Glaucia, like his ally, was merely a *tribunicus* in that year. This would exclude the need for assuming an unattested quaestorship before 108. Moreover, this would strengthen the argument for a tribunate in 105/4 (Mattingly, *JRS* 60 [1970] 163; *CQ* 25 (1975) 259-260) as opposed to 101 (MRR 3.196). Glaucia's date of birth must precede

140 since he was praetor in 100 and a consular candidate for 99. Appian may also have conflated the date of Metellus' censorship with Saturninus' tribunate; the latter had 'already been elected tribune', but is not described as a senator. Given the evident confusion in the *Bella Civilia* at this juncture - Glaucia is said to have presided over tribunician elections as a praetor, and the date of the death of Saturninus and his allies remains unclear - it is not impossible that Appian was not fully aware of the precise status of either politician attacked by Metellus Numidicus during his censorship.

5. *T. Didius* (cos. 98). Another politician whose career is atypical. Tribune in 103 (*MRR* 1.563), just five years before his consulship, praetor in 101. His moneyership is dated to 113 or 112 by Crawford (*RRC* 1.308, no. 294). A quaestorship can be accommodated between 112 and 104, but is unattested.

6. *M. Livius Drusus* (trib. 91). He is usually ascribed both a quaestorship and an aedileship (*Vir. Ill.* 66), though the Augustan elogium (*ILS* 49), not the most dependable of guides, fails to mention either (Sumner, *Orators* 110-111). Recent opinion favours the argument that he was never quaestor (Marshall, 1987: 317-324. Note also Syme, *Sallust*, 28; D.C. Earl, 'The Early Career of Sallust', *Historia* 15 [1966] 306, who both note that Sallust, at a time when the quaestorship was supposedly compulsory, probably did not hold this office).

7. *C. Iulius Caesar Strabo* (aed. 90). By contrast, this politician's elogium (*Inscr. Ital.* 13.3, no. 6; *ILS* 48) refers to a quaestorship between two military tribunates and his aedileship. Caesar Strabo was born between 131 and 127 (Sumner, *Orators* 105), with the earlier date preferable if he was prevented from standing as a consular candidate in 89 or 88 merely because he had yet to hold the praetorship (*MRR* 3.109). His membership of the agrarian commission established by Saturninus in 103, followed by an extended period of service in the army, probably rules out a quaestorship during the period between 104 and 99, by which time the office may no longer have possessed much attraction for him.

8. *C. Norbanus* (cos. 83). Norbanus was quaestor either in 101 (Badian, 'The Silence of Norbanus', *AJP* 104 [1983] 156-171) or in 99 (*MRR* 3.149; Gruen, 'The Quaestorship of Norbanus', *CP* 61 [1966] 105-106). There is no problem about his quaestorship, but I include him here, because he

held this office after his tribunate. It was arguably an afterthought. Norbanus' career is pronounced 'very vicissitudinous' by Sumner (*Orators* 52) but, though delayed in its later stages, may simply be a good illustration of the way politicians followed not an orderly ascending series of steps to high office, but collected lesser magistracies in a rather arbitrary fashion. Norbanus was tribune in 103 (*MRR* 3.149) and he is unlikely to have been born much after 135. His quaestorship may have been the consolation for failure to win an aedileship either in 102 or 100.

In the century between the *lex Villia annalis* and Sulla's legislation, the quaestorship should be perceived as an office which was usually sought by politicians. It had a traditional place in the political career and the majority of republican politicians served in this capacity. However, there was no hard and fast rule because it was not a prerequisite for the consulship, and there was no minimum age for quaestors beyond that dictated by a very flexible army service. It cannot, therefore, have figured in the terms of the *lex Villia*. Thus attributing quaestorships to all prominent politicians, and basing their dates of birth solely on this criterion, may be exposed as a precarious exercise. If the phrase 'normal age' may still be applied to the most junior of the regular magistracies, then thirty easily emerges as the obvious average, which shows that Sulla did not indulge in sweeping changes to the age requirements for holding the office, but merely took cognizance of what was already generally accepted (Badian, 1984: 113 n. 27). Only rarely did a young man become quaestor under the age of thirty, a phenomenon which was perhaps viewed with suspicion and an indication of excessive *ambitio*. Service in the army was a favoured pursuit for the male offspring of wealthy families, and was undertaken probably over more than a decade, incorporating lengthy sabbaticals in other duties, all of which led to a *de facto* entry into the senate after the age of thirty. Furthermore, given that the censorship occurred only every five years or so, many politicians would have been closer to their mid-thirties before they officially achieved senatorial status (see also Hopkins & Burton, in *Death and Renewal* 47 n. 24, who confirm that thirty was the minimum age prescribed by Pompey for membership of senates in provincial cities, Pliny, *Ep.* 10.79). *Quaestorii* could be admitted to the *ordo senatorius*, but it was not the exclusive avenue by which senatorial status might be achieved; and the tribunate or plebeian

aedileship may have been singled out instead by some politicians, particularly those who were already in their thirties.

## The Tribunate

On account of its influential place in the established order, although not a magistracy as such, the tribunate was usually much sought after by younger politicians. There seem to have been no qualifications for holding the office, so no age minima governed its occupancy, and it would not have been cited in the *lex Villia*. Generally speaking, a man need not have served in the army before campaigning for the tribunate, nor did he have to hold a more junior office before becoming a candidate (Earl, 1965: 331). However, since the *tribunicii* could win admission to the senate through the *plebiscitum Atinium* (A. M[omigliano], *OCD*<sup>2</sup> 1092; Syme, *Sallust* 28), their military service may have come under some sort of scrutiny by the censors though, as we have seen above, this may have been no more than rudimentary. The possibility remains that a man might enter the senate with relatively little military experience, but with the possession of a tribunate.

The known ages of tribunes show a much greater variation than those of politicians who are known to have been quaestors. Ti. Gracchus was under thirty in his tribunate; C. Gracchus was elected when he was twenty-nine; his ally M. Fulvius Flaccus (cos. 125) was no less than forty-five (though his tribunate was perhaps in exceptional circumstances); C. Marius was tribune aged about thirty-eight; C. Servilius Glaucia and L. Appuleius Saturninus were both probably in their mid-thirties. L. Quinctius, tribune in 74, was, however, nearly fifty (Cic. *Cluent.* 110; Wiseman, *New Men* 166), as was P. Decius Subulo (*MRR* 3.81; Badian, 1956: 91; Wiseman, *New Men* 166 n. 3), and the tribunes P. Appuleius (trib. 43) and C. Helvius Cinna (trib. 44) were both in their forties (Cic. *Phil.* 14.16). T. Didius (cos. 98) was tribune five years before his consulship aged, at least, thirty-eight, but probably older. A. Gabinius (cos. 58) was tribune in 67, though born by 110 (*MRR* 3.97; Badian, 'The Early Career of A. Gabinius (Cos. 58 B.C.)', *Philologus* 103 [1959] 95-96), but C. Asinius Pollio (trib. 47) was just twenty-seven (*MRR* 3.26; Wiseman, *New Men* 99 and n. 2. M. Caelius Rufus (trib. 52) was more likely to

be mentioned in any law concerned with age restrictions. Moreover, Polybius, who claims that the political offices were open only to those who had served ten years in the army, probably meant to indicate curule offices, which did not include the quaestorship. If ten years under arms had been a statutory qualification for quaestors, such a clause was repealed within a generation of the *lex Villia*. It was evidently impossible to enforce a legally binding minimum age for the quaestorship because there was no method of recording individual military service, and had this ever existed, it had lapsed long before 100. Still, a narrow range of ages emerged for quaestors, but this was settled by the militaristic ambitions of the wealthy sectors of republican society. The quaestorship itself was, therefore, an informal component of a senator's career, perhaps expected of young politicians but not absolutely required, especially of men of more mature years. This office was also apparently held by politicians during a period of protracted military service, and probably formed a part of this experience. All such factors contributed to the difference in ages attested among quaestors.

We happen to know from Cicero (*Phil.* 5.48) that consular candidates had to be forty-two years of age, and that a politician must first have been a praetor before he could canvass for the highest magistracy (*Phil.* 11.11). No allusion is made to the observance of *biennia*, which may be traced back to Sulla's legislation rather than to the *lex Villia* and, furthermore, it is perhaps significant that Cicero never once refers to this law, but only to anonymous *leges annales* (*Phil.* 5.47). It is clear that the specific minimum age requirements as they affected the curule magistracies stood remarkably firm between 180 and Sulla's dictatorship and, therefore, must be regarded as the message contained in Villius' measure. The problem of the *biennium* disappears when it is seen to be an impossible regulation between the curule aedileship and the praetorship, for such a condition would actually have penalized those candidates successful in aedilician elections, allowing those who received *repulsae* to charge ahead. Moreover, the rule may not have applied officially to the plebeian aediles. Thus, the *lex Villia* may have laid down thirty-six years as the minimum age for candidates for the curule aedileship, though this contention cannot be proved beyond doubt. Those competitors defeated in aedilician elections would have been prevented from winning a higher office more quickly than their colleagues only by a provision which stated that candidates to the praetorship had to be thirty-nine. A statutory regulation

governed acquisition of the praetorship, but a doubt must remain that, since the number of unlucky aedilician candidates far surpassed the number of aediles, *mos maiorum* alone controlled the age for the aedileship. Finally, the example set by politicians such as Marius, aedilician candidate in 117 and successful competitor in praetorian elections in 116, and T. Didius, candidate for the tribunate in 104, and consul in 98, encapsulates the argument that only age was a factor in laws governing access to the two highest magistracies of the republic.

A plethora of informal guidelines influenced the careers of republican politicians at the lower and junior levels, and there was no attempt, in this period, to rationalize pre-senatorial training. Most young men, conditioned by the example set by their elders, seem to have wanted to gain experience in as many areas as possible but, at the same time, were not legally obliged to seek any particular office. At a later stage of their careers, politicians do not appear to have been overly concerned with the idea of winning magistracies at the earliest opportunity as the disparity between the ages of quaestors, tribunes, praetors and consuls more than adequately illustrates. Had compliance with *biennia* between the higher magistracies been more important than simply obeying age minima, there would not have been candidates for the curule aedileship, the competition for which was, on the contrary, very intense. At the pinnacle of the senatorial career the consulship became a prize of almost limitless possibilities; and to win the elections for this magistracy was a splendid achievement in itself, to be so successful at forty-two was, as Cicero honestly shows, a very unexpected bonus. The question of minimum age requirements was, therefore, less intrusive an issue for second century politicians than were the increasingly competitive elections. By concentrating too much on the minimum ages for public offices and on the personages who held these at the earliest prescribed time, a somewhat inaccurate picture has been created of the careers of senators and the way in which they sought their goals. The *lex Villia annalis* was not a regulatory force of a complicated political career structure, which had become consolidated at Rome in the two decades after the Second Punic War. Indeed, the terms of this law probably read as follows: 'A candidate for the consulship must be forty-two years of age, a candidate for the praetorship thirty-nine.' There is no profound message in this terse statement and no sight whatsoever of an attempt to produce a methodical or sophisticated

political career. The republican *cursus honorum*, if it is still entitled to be called one, was much more makeshift and bound up in tradition than its Augustan successor; and Livy's rather vague reference which, on reflection, was all that he needed to say, has allowed the construction of an edifice which bears little relation to its second-century original.



## APPENDIX 2

### THE MEMBERS IN THE *CONSILIIUM* ON THE *SENATUS CONSULTUM DE AGRO PERGAMENO*

The consensus of opinion is now moving towards full acceptance of the later date of 101 BC for the *senatus consultum*, which dealt with the question of the collection of tribute in the Roman province of Asia, formerly the Attalid kingdom of Pergamum. Mattingly (1972: 412-423) a supporter of the later date first proposed by Magie (*Roman Rule in Asia Minor*, 2.1055, n. 25), has reiterated his argument (*LCM* 10 [1985] 117-119), which drew qualified support from Badian (*LCM* 11 [1986] 14-16). Most recently, Broughton (*MRR* 3.24), an advocate of the earlier date of 129, recognizes the plausibility of the hypothesis for redating this law to 101 and, as a consequence, has tentatively altered his previous judgement. Passerini's brief survey of the *consilium* members (1937: 265-271) and Taylor's discussion of their voting tribes (*VDRR* 184-269) were both based on the earlier date. It seems appropriate, therefore, that an important decree, which was debated in the senate during Marius' fifth consulship, and probably also involved his active participation, and which is one of the very few primary sources for this period, should be subjected to a re-examination.

In what follows, a number of ideas may be consolidated regarding the identities of the fifty-five witnesses to this senatorial decree, forty-two of whom have their names preserved intact. It is, of course, impossible to advance firm evidence for each and every individual present on that occasion, yet much may be learned from the names of those who were included in this *consilium*. Moreover, some of these senators may, at last, be placed in a more realistic historical context. The members in the *consilium* are treated in the order in which they appear in Sherk's reconstruction (*RDGE* 63-73; cf. G. Petzl, *Inschriften griechischer Städte aus Kleinasien*, 24.1: *Die Inschriften von Smyrna*, 2.1, Bonn 1987, 52-53, 61-64), which has incidentally been confirmed as correct in the most up-to-date epigraphic evidence (Petzl, 'Reste eines ephesischen Exemplars des Senatusconsultum de agro Pergameno (Sherk,

*Roman Documents* Nr. 12), *EA* 6 [1985] 70-71). For several of the more unfamiliar names here little or nothing may be added to what has already been said, but the list is, nonetheless, given in its entirety for the sake of convenience and easy reference.

1. *Q. Caecilius Q.f. Aniensis*: As proposed by Mattingly (1972: 423), following Mommsen (*GS*<sup>2</sup> 8.350), *Q. Caecilius Metellus Baliaricus* (cos. 123) or, less likely, *Q. Caecilius Metellus Nepos* (pr. 101?) as suggested by Cichorius (*Lucilius* 3), and not now *Q. Caecilius Metellus Macedonicus* (cos. 143) as advanced by Sherk (*RDGE* 71). In 101 Metellus Nepos may have been praetor *peregrinus* or praetor *repetundarum* (Mattingly, 1972: 423) and, while not the most senior senator present, could have headed the *consilium* as the single magisterial incumbent. However, Baliaricus is a rather more attractive proposition since, by 101, he would have been one of the most senior members of the senate. Cicero (*Rab. perd.* 21) fails to mention this politician in 100 which, although not crucial, may indicate that he had died before the passage of the *senatus consultum ultimum* directed against Saturninus and his supporters in the second half of that year.

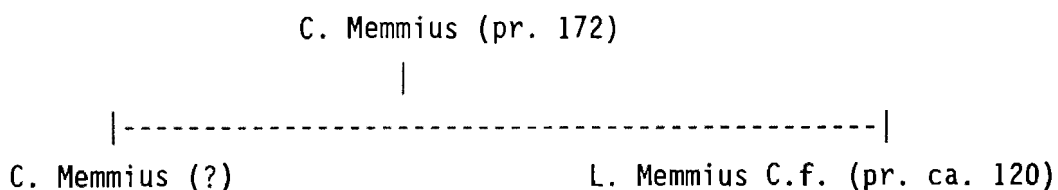
2. *C. ....ius C.f. Menenia*: Mattingly (1972: 422) suggested *C. Fannius*, a praetor before 118, and probably by the mid-120's since he had been a tribune about 142 (Sumner, *Orators* 54). He was a member of the commission to Crete ca. 113, when he was ranked above *P. Rutilius Rufus*, praetor in 118, (*MRR* 1.519, 1.536-537). Probably a son of the cos. 161 and a cousin of the more famous consul of 122 (F. Münzer, 'Fanniusfrage', *Hermes* 55 [1920] 437). He could have been the senior *praetorius* in the *consilium*, but *C. Atilius Serranus* (cos. 106) and *C. Flavius Fimbria* (cos. 104) are plausible alternatives (Mattingly, 1972: 422; Petzl, 1987: 61), as is an unknown brother or cousin of *L. Memmius* (5). Willems (*SRR* 700) proposed Marius himself in this position which, considering the importance of the decree, would be quite explicable. However, as Taylor (*VDRR* 232-233) has noted, the *Marii* belonged to the voting tribe *Cornelia*, which seems to exclude this politician as a witness to the decree. Clearly, the identity of the personage here, whether he was a *consularis* or a senior ex-praetor cannot be determined, but with Metellus Baliaricus present this witness may also have been an ex-consul.

3. *M. Pupius M.f. Scaptia*: A comparatively rare name, which probably indicates that this person is one and the same as the Pupius who adopted Calpurnius Piso Frugi, later consul in 61 (P. Willems, *Le Sénat de la république romaine*. Sa

*composition et ses attributions*, Louvain & Paris 1878-1883, 1.700; Passerini, 1937: 266; Petzl, 1987: 61). Mattingly (1972: 421) argued that Pupius' praetorship should be dated to shortly after 120, hence born about 160 and a coeval of Cn. Aufidius, father of the consul of 71, and Q. Mucius Scaevola (cos. 117). M. Pupius is likely to have been the senior *praetorius* present (cf. Broughton, *MRR* 3.176, who considers that his praetorship dates to before 129).

4. *C. Cornelius M.f. Stellatina*: Taylor (*VDRR* 207) postulated a son of M. Cornelius Cethegus (cos. 160) (cf. Willems, *SRR* 1.701; Petzl, 1987:61), but that he was a praetor before 129. C. Cornelius must certainly have been a *praetorius*, but his praetorship should be dated to roughly the same time as that of Pupius. It is, therefore, possible, that he was the father of a *monetalis*, dated to 115 or 114 by Crawford (*RRC* 1.302-303, no. 288), and father or uncle of the influential P. Cethegus (*Cic. Brut* 178). Mommsen (*GS*<sup>2</sup> 8.351) thought that this politician's *praenomen* excluded him from a patrician *gens* and, although a misplaced assumption, this does open the way for the possibility that this was a plebeian Cornelius, and a relative of the tribune defended by Cicero (*Ascon.* 57-59 C; *MRR* 2.122, 2.144).

5. *L. Memmius C.f. Menenia*: Taylor (*VDRR* 233-234) believed that this Memmius cannot have been the legate of ca. 112, on the basis of the earlier date for the decree. Sumner (*Orators* 87) held that he must have been praetor before 129 and was a son of the praetor of 172. While there is no reason to doubt Memmius' affiliation, he could easily have been born later than Sumner's proposed date, and have been about the same age as Pupius and Cornelius. He might well have been born after the death of a homonymous son by an earlier marriage. Generations in families do not recur with mathematical precision, and lengthy intervals between family members who achieved high office are not uncommon (Evans, *LCM* 10 [1985] 76). Memmius, a senior ex-praetor by 101, was either an elder brother of the consular candidate in 100 (*Cic. Brut.* 136) or more likely his uncle (cf. Sumner, *Orator* 87). L. Memmius, moneyer between 110 and 108, would have been his son or nephew, and the politician charged with *maiestas* before the Varian *quaestio* in 90 (Gruen, *RPCC* 217).



-----  (?)		
C. Memmius (trib. 111) L. Memmius (mon. 110-8)		
C. Memmius (q. 76/75)		
		C. Memmius (pr. 58)
		C. Memmius C.f L.n. (cos. 34)

6. *Q. Valgius M.f. ....lia*: As Taylor noted (*VDRR* 262), a rare senatorial name attested in only one other instance (*Bell. Hisp.* 13). His position in the *consilium* shows that he had been a praetor, probably soon after 120, a fact which illustrates how new men such as he and C. Billienus (*Cic. Brut.* 175) could reach high senatorial offices, but who are barely more than names to us. The loss of Livy's history after 166, which has preserved some of the more unusual *nomina* of politicians, is a serious impediment to clarifying the otherwise obscure picture of a senate filled not with famous names, but with a majority of unknowns (Badian, 1986: 16: 'the relative prominence of families unknown to us').

7. *L. Iulius Sex.f. Falerna*: Recognized as a son of the cos. 157, born by 160 (Mommsen, *GS*<sup>2</sup> 8.355; Sherk, *RDGE* 71; Mattingly, 1972: 211; Badian, 1986: 16; *MRR* 3.109) and father of the cos. 90 and the aedile C. Iulius Caesar Strabo. He probably became praetor a year or two after 120. *Falerna* should be regarded as an error for *Fabia*, *Suet. Aug.* 40.2; Taylor, *VDRR* 222. However, Sherk, *RDGE* 71 n.3, notes that both the Adramyttium copy (A) and that from Smyrna (B) contain *Falerna* not *Fabia*, which raises the interesting possibility that this Iulius was not a Caesar after all.

8. *C. Annius C.f. Arnensis*: Another ex-praetor in this *consilium*, who may belong to the family which won two consulships in the second century: T. Annius T.f. (or L.f., *MRR* 3.16; cf. Badian, 1990: 378) Luscus (cos. 153) and T. Annius T.f. Rufus (cos. 128). A third member of the family, C. Annius T.f. T.n., was praetor in the late 80's (*MRR* 3.15). Although Taylor (*VDRR* 190-191) thought that *Oufentina* should be identified as the voting tribe of the consular Annii, there is, in fact, no concrete evidence for this view. Note also L. Annius (*Sall. Iug* 37.1), a tribune in 110, possibly a son of L. Annius C.f. Pol. (Sherk, *RDGE* 56), C. Annius C.f. Cam. (Sherk, *RDGE* 56) and a M. Annius, quaestor 120/119 (*MRR* 1.526 and n. 2-3). The Annii, not attested in

the senate before the consul of 153 (Badian, 1990: 378) clearly proliferate in this period.

9. *C. Sempronius C.f. Falerna*: Taylor (VDRR 253) was obliged to argue that this politician, an ex-praetor, was a Longus since the earlier date excluded C. Sempronius Tuditanus (cos. 129). The later date removes this hurdle and shows that the next generation of Sempronii Tuditani was represented in the praetorship (Willems, *SRR* 1.706) and probably failed to win a consulship because of the iterations of Marius (Plut. *Mar.* 14.7).

10. *C. Coelius C.f. Aemilia*: Taylor (VDRR 199) believed that this politician was a 'Caelius' but, while the Smyrna copy of the decree is incomplete at this juncture (Mommsen, *GS*<sup>2</sup> 8.350), the copy from Adramyttium is quite specific with 'Κοίλιος' (Sherk, *RDGE* 65). Although Badian (1986: 16) has expressed misgivings about regarding this senator as C. Coelius Calvus (cos. 94) since a Coelius Antipater is a definite alternative, he does consider it likely that the former fills this place in the *consilium*. Calvus' consular colleague, L. Domitius Ahenobarbus, is, however, placed at (33), which poses some difficulties with this hypothesis, though the less than uniform nature of the senatorial *cursus* in the second century makes it possible for two politicians of similar age to have wide variations in their careers. Still, C. Coelius C.f. follows and is followed by putative *praetorii*, and Calvus is usually deemed to have been praetor in 99 (*MRR* 2.1), thus a Coelius Antipater should be preferred here (Cichorius, *Lucilius* 5; Petzl, 1987: 62). Moreover, it is worth noting that C. (Coelius) Antipater, murdered in 82 (App. *BC.* 1.91), could well occupy this place.

11. *P. Albius P.f. Quirina*: Taylor's objection (VDRR 188; cf. Passerini, 1937: 267) to identifying this politician with the Albius who was with Q. Mucius Scaevola in Asia in 120 (Cic. *de Orat.* 2.281) may now be discounted. He could easily have won a praetorship soon after 110, and may well be the *praetorius* dated to ca. 91 (*MRR* 2.23; Badian, 1986: 16).

12. *M. Cosconius M.f. Teretina*: The later date of 101 reveals the prominence of another family not well attested in the sources. The praetor of 135 (Liv. *Per.* 56) seemed to fill this place in the *consilium* for the earlier date (*IGRP* 4.134; *MRR* 1.489; Taylor, VDRR 208-209), but the main objection even for 129 is that Cosconius would have been too senior for this position. The list must be regarded as one in which a strict order of rank was observed. Thus the Cosconius present here was surely not a praetor from the mid-130's but his son



|-----|?  
 L. Rubrius (trib. 49?)                      M. Rubrius (leg. 46)

16. *C. Licinius C.f. Teretina*: Not a Licinius Crassus as suggested by Taylor (*VDRR* 225), but almost certainly to be identified as C. Licinius Nerva, whose tribunate may be dated to between 120 and 110 (Willems, *SRR* 1.704; Sumner, *Orators* 75; *MRR* 3.124). There are no firm grounds for supposing, following Sumner, that Nerva was one of the thirty-two senators expelled by the censors in 115 (*Liv. Per.* 62), and by 101 he could have been an ex-aedile. The date of his tribunate suggests that he was an elder brother of P. Nerva, mon. ca. 113 (Crawford, *RRC* 1.306-307, no. 292; *MRR* 3.124) and praetor about 104. Cicero has nothing good to say about C. Nerva (*Brut.* 129: 'Civis improbus ... non indisertus fuit') which implies that he had indulged in demagogic activities.

C. Licinius Nerva (pr. 143/142)

|-----|  
 C. Licinius Nerva (trib. 120-110)                      P. Licinius Nerva (pr. 104?)

17. *M. Falerius M.f. Claudia*: The sole attested Falerius from the Republic, and here probably among the *aedilicii* (*MRR* 2.564; Taylor, *VDRR* 213).

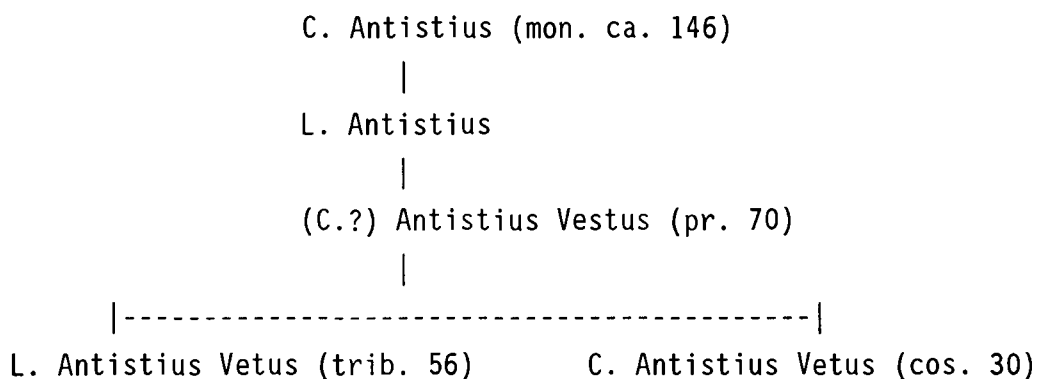
18. *M'. Lucilius M.f. Pomptina*: The M. Lucilius Rufus, *monetalis* in about the same year as this decree (Crawford, *RRC* 1.327, no. 324) may be a son or nephew of the politician named here. The satirist C. Lucilius may be a relative since his brother was also a senator (*MRR* 3.129), whose son became tribune in 53. However, the preponderance of the *praenomen* Gaius suggests a distant family connection only.

19. *L. Filius L.f. Horatia*: Another name attested nowhere else in the republican period (*MRR* 2.565; Taylor, *VDRR* 213-214).

20. *C. Didius C.f. Quirina*: T. Didius T.f. Sex.n. was consul in 98 and a *novus homo* and, therefore, not a close relative of this politician. C. Didius C.f. must have been an ex-aedile and is likely to have been a son of the tribune dated to about 143. The *praenomen* of this tribune is not known (*Macrob. Sat.* 3.17.6; *MRR* 1.472 and n. 4; cf. Münzer, *RE* Didius no. 1), but he cannot have been the father of the cos. 98 as claimed by Broughton.

21. *Q. Claudius Ap.f. Pollia*: A Patrician Claudius Pulcher, perhaps a son of the cos. 143, and a brother of C. Pulcher (cos. 92) and Ap. Pulcher (cos. 79). *Pollia* may be an error for *Palatina* (Taylor, *VDRR* 203-204; Petzl, 1987: 62). In this position in the list he should be regarded as an *aedilicius*, and so acts as a useful control on those who precede him - either *praetorii* or ex-aediles - and those who follow - *aedilicii*, ex-tribunes or *quaestorii*. However, the *praenomen* Quintus does not feature among the Claudii Pulchri and it is, therefore, possible that he was a descendant of Q. Claudius, tribune in 218, or he may have been related to the problematic Q. Claudius Flamen, praetor in 208 (*MRR* 1.238, 1.290 and n. 1). Note also the suggestion (Badian, 'The family and Early Career of T. Quinctius Flaminus', *JRS* 61 [1971] 107-108; *MRR* 3.178-179) that Claudius Flamen should be emended to Quinctius Claudus Flaminus, which is refuted by E. Rawson ('More on the Clientelae of the Patrician Claudii', *Historia* 26 [1977] 349-351).

22. *L. Antistius C.f. Menenia*: Antistii are recorded among the middle ranks of the senate from earliest times (*MRR* 2.530). Two appear in this *consilium*, but are from quite separate families. L. Antistius was possibly the son of the moneyer dated by Crawford (*RRC* 1.257-258, no. 219; *MRR* 3.17) to 146. In the first century the Antistii Veteres achieved a certain prominence in public life; their favoured *praenomina* Lucius and Gaius may indicate that they were descendants of this politician, present in the senate in 101 (Petzl, 1987: 62).



23. *Sp. Carvilius L.f. Sabatina*: Carviliii won consulships in the third century: 293, 272, 234 and 228. This politician may be a descendant, related also to Sp. Carvilius, tribune in 212, and to a legate of the same name in 171



(MRR 2.543; Taylor, VDRR 201). Cicero (*de Orat* 2.61, 249) mentions a certain Sp. Carvilius, who may be this senator.

24. *P. Silius L.f. Galeria*: Two Silii (M. and P.) are attested as tribunes of uncertain date (MRR 1.307). The position of this Silius, probably now among the *tribunicii*, would allow identification with one of these, or a relative since few Silii are known in the republican period (MRR 2.621; Taylor, VDRR 255). The *lex Silia de ponderibus publicis* may, therefore, belong to this decade (Fest. 288L; FIRA 3; G. Niccolini, *I Fasti dei tribuni della plebe*, Milan 1924, 394). P. Silius (Nerva), praetor in the 50's (MRR 3.199), and P. Silius P.f. Nerva (cos. 20) could be his descendants.

[L. Silius]

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|-----|

P. Silius L.f. (trib. 110-102)

M. Silius (trib. 110-100)

|

P. Silius (pr. 50's)

|

P. Silius P.f. Nerva (cos. 20)

25. *Cn. Octavius L.f. Aemilia*: On the basis that all the senatorial Octavii were descended from the cos. 165, Mommsen (*GS*<sup>2</sup> 8.352) believed that this senator was his grandson (Taylor, VDRR 239). Nevertheless, Badian (1990: 406) notes that this politician is more likely to have been Cn. Octavius Ruso, quaestor in 105 and praetor by 91 (MRR 2.20 and n. 2). In 101 he is unlikely to have been an *aedilicius* and should therefore be regarded as an ex-tribune rather than a senior *quaestorius*. Octavius acts as a second useful control on the ranks of the members in this *consilium*.

26. *M. Appuleius M.f. Camilia*: This Appuleius may be related to the tribune Saturninus, though Marcus is not noted as a *praenomen* in this family (Taylor, VDRR 192). The brothers Sex. Appuleius Sex.f. (cos. 29) and M. Appuleius Sex.f. (cos. 20) may be relatives of this senator who, in 101, was surely an ex-tribune or *quaestorius*. For the consular Appuleii see G.V. Sumner ('The Lex Annalis under Caesar', *Phoenix* 25 [1971] 362).

27. *L. Afinius L.f. Lemonia*: Not related to (14) and probably a senior *quaestorius* or ex-tribune in 101.

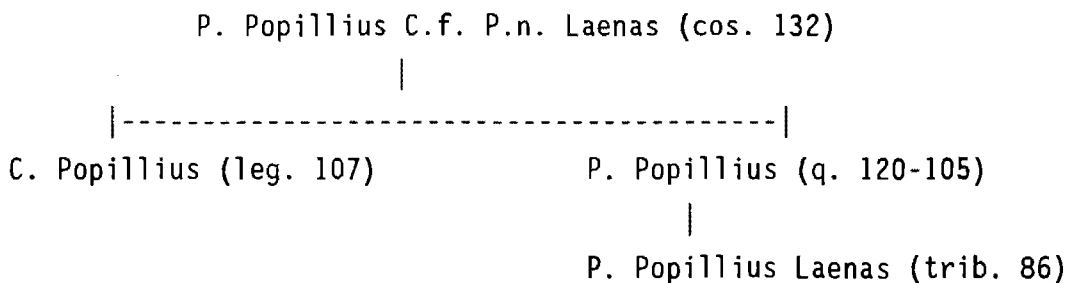
28. *C. Nautius Q.f. Veturia*: The Nautii were an old patrician family with long representation in the senate (*MRR* 2.594). This Nautius is probably a descendant, though Taylor (*VDRR* 237) postulates an 'isolated example of a plebeian Nautius'. At this place in the *consilium* Nautius is more likely to have been a *quaestorius* than an ex-aedile and is, therefore, another control over the status of the members listed.

29. *C. Numitorius C.f. Lemonia*: Mattingly (1972: 420), following Mommsen (*GS*<sup>2</sup> 8.352), proposed that this was the politician murdered in 87 (*App. BC.* 1.72), a son of the moneyer of the same name dated by Crawford to the late 130's (*RRC* 1.277-278, no. 246). He may be related to fifth-century Numitorii, and should be regarded as an ex-quaestor here.

30. *L. Cornelius M.f. Romilia*: If not a patrician, then perhaps a relative of the tribune of 67, C. Cornelius (Taylor, *VDRR* 207; *MRR* 3.18).

31. *Cn. Pompeius Cn.f. Crustumina*: Mommsen (*GS*<sup>2</sup> 8.352; Willems, *SRR* 706) suggested that this Pompeius was an uncle of Cn. Strabo (cos. 89), though it would be more attractive to assume that the filiation is wrong and that this is Strabo himself, quaestor about 106, and in exactly the right position in the *consilium* as a *quaestorius*. However, in the face of the firm epigraphic evidence, Mommsen's identification should stand, especially since Strabo is now credited with a tribunate in ca. 104 (*MRR.* 3.165-166; Badian, *Klio* 66 (1984) 306-309).

32. *P. Popillius P.f. Teretina*: An ex-quaestor here, and surely the son of the consul of 132 as suggested by Passerini (1937: 269; Mattingly, 1972: 419), and a brother of C. Popillius Laenas, legate in 107. However, he was not necessarily the elder brother since his father's filiation is 'C.f. P.n.' (Badian, 1990: 381). The P. Popillius Laenas attested as tribune in 86 was probably his son.



33. *L. Domitius Cn.f. Fabia*: This politician is unquestionably the younger son of the consul of 122 and consul himself in 94. In 101 he was ranked as a *quaestorius*, having held this office between 106 and 104 (Mattingly, 1972: 419).

35. *M. Munius M.f. Lemonia*: Although Mattingly (1972: 419) urged acceptance of a 'mixed *consilium*' consisting of both senators and *equites*, the more junior members named here (35-53) could all easily have been ex-magistrates (Sherk, *RDGE* 69-71) of recent quaestorian status; and some of these may be identified. Quaestors who held office in 103 and 102 would have gained admission to the senatorial order during the census of Q. Caecilius Metellus Numidicus and C. Caecilius Metellus Caprarius. M. Munius possesses a name recorded nowhere else in the Republic (*MRR* 2.594; Taylor, *VDRR* 236-237), but see Val. Max. 9.1.8, for a possible relative.

37. *Q. Popillius P.f. Romilia*: Not a relative of the earlier Popillius (32) (Taylor, *VDRR* 247).

39. *Q. Laberius L.f. Maecia*: Two other Laberii are attested for the republican period, trib. mil. 258 and 54 (*MRR* 2.225, 2.578). The name, obviously rare, may indicate that a family connection existed.

40. *C. Herennius*: This must be either a brother of M. Herennius M.f., consul in 93, or a son of C. Herennius, Marius' patron (Plut. *Mar.* 5.4). The name is sufficiently uncommon (*MRR* 2.572) for a familial link to be advanced with some confidence (cf. Badian, 1963: 134, who has doubts about whether this Herennius was a relative of the cos. 93. See also 1990: 405).

42. *M. Serrius M.f.*: Assumed to have been an error for 'Sergius' (Passerini, 1937: 270; *MRR* 2.617). M. Sergius Silus, who issued coinage as quaestor ca. 116 (Crawford, *RRC* 1.302, no. 286; *MRR* 3.193) could occupy this place, though at (42) a younger politician is perhaps indicated.

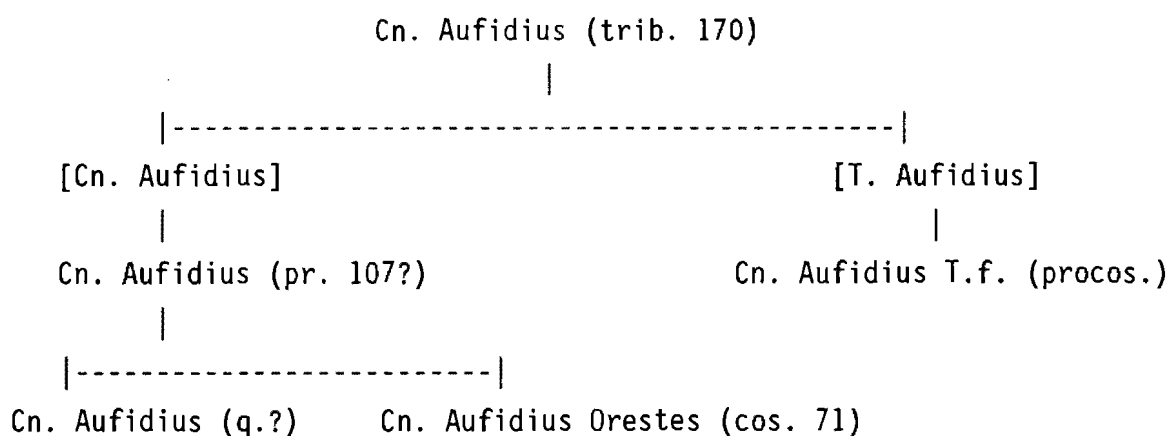
44. *L. Genucius L.f. Teretina*: A descendant of earlier Genucii who feature among the senate, and in particular of L. Genucius, leg. 210 (Passerini, 1937: 271; *MRR* 1.281).

46. *L. Plaetorius L.f. Papiria*: The Plaetorii, possibly a single family, are attested in the senate at this time (*MRR* 2.601; Taylor, *VDRR* 243). This junior figure is perhaps a brother of M. Plaetorius who died in the Sullan proscriptions (*MRR* 2.494), and father of the *monetalis* dated to 74 (Crawford, *RRC* 1.408, no. 396; *MRR* 3.157). M. Plaetorius M.f. Cestianus, praetor in the 60's (*MRR* 3.157), could be a relative.

48. *M. Lollius Q.f. Menenia*: Various Lollii achieved political prominence in the first century and during the early Principate. *M. Lollius Palicanus*, praetor about 69, who was possibly a consular candidate in 67 (Val. Max. 3.8.3) and again in 64 (Cic. *Att.* 1.1.1; Broughton, *Candidates* 27; Evans, *Acta Classica* 34 [1991] 121, 130 and n. 64, 135) may be a son of the Lollius listed here, as suggested by Passerini (1937: 271; Syme, *RR* 362 and n. 3). However, note that the *M. [----] f. Pop. Pallacinus* on the *SC de Panamara* (Sherk, *RDGE* 158-169) might be a son of the praetor, though Badian (1963: 137) suggests instead *M. Quinctius M.f. Pop./Pol. Plancinus*.

50. *....ilius Sex.f. Camilia*: Badian (1963: 132) noted that *Camilia* may have been the voting tribe of the *Atilii Serrani*, and identified this young senator as 'Sex. Atilius', a son of Sex. Atilius Serranus (cos. 136) (Petzl, 1987: 64). The later date would appear to preclude this possibility, but he may have been related to the consul of 106, C. Atilius Serranus, and the tribune of 57. Passerini (1937: 271; Münzer, *RE* Lucilius no. 15-16) thought that this senator might have been a Sex. Lucilius.

51. *Cn. Aufidius*: This could very well have been the natural son of Cn. Aufidius, the senator who later adopted L. Aurelius Orestes (cos. 71). A very recent quaestor in 101, born in the early 120's, which fits comfortably with the elder Aufidius' career. The premature death of the son would account for the adoption of an Orestes during the 90's. As Syme (*Historia* 4 [1955] 55-56) suggested, all second-century Aufidii belonged to the same family. The elder Aufidius may have governed Asia as proconsul in the last decade of the second century (*IG* 12.5.722; *MRR* 1.551 and n. 2, 553; *MRR* 3.29-30). Note also a Cn. Aufidius T.f., praetor or proconsul at Rhegium before 100 (*SIG*<sup>3</sup> 715; *MRR* 3.29).



53. *L. Antistius*: Possibly a son of *L. Antistius Gragulus*, moneyer about 135 (Crawford, *RRC* 1.269-270, no. 238).

The first senator in the *consilium* of the *Senatus Consultum de agro Pergameno* is probably a senior *consularis* followed by another ex-consul, about twelve *praetorii* (3-14), twelve *aedilicii* or ex-tribunes (15-26) and twenty-nine *quaestorii* (27-55). The large number of junior ex-officials is not remarkable, however, for with at least twelve, and possibly fourteen, quaestors and ten tribunes elected annually, who also gained no higher magistracies, the membership of the *consilium* fairly reflects the composition of the Roman senate at the end of the second century. Moreover, the opportunity for *pedarii* to acquire fame and prominence must have been slight; to be noted as contributing to an important decree, such as that promulgated in 101, undoubtedly had its attractions.

This discussion has also postulated a connection between several of the politicians present at that time with others, who may be their descendants and who subsequently won major senatorial offices. It seems highly improbable that politicians who later achieved eminent places in public life should all have emerged from utterly obscure backgrounds. This examination has illustrated the possibility, therefore, that some first-century politicians had relations among the senate, who would otherwise have remained unattested but for the survival of this inscription. Badian (1986: 16) was surely right to highlight the fact that the majority of the politicians in this *consilium* are historical unknowns, but is incorrect in assuming that from *M. Cosconius* (12) 'not one person is securely identifiable'. Nonetheless, though he might regard it as 'facile prosopography' to endeavour to shed more light on these politicians, it has been possible to offer, in some cases a tentative suggestion, in others a rather more firm proposal, for a historical figure. The acceptance of the earlier date for this decree had the negative effect of casting most of the senatorial witnesses present into a vacuum beyond the intricate relationships they must have possessed with known political figures, families and careers. Many of the obstacles which have been artificially created may, therefore, be removed.

APPENDIX 3  
MAGISTRATES IN THE PERIOD 120-86 BC

The following chronological list, with notes, contains a number of tentative magisterial dates. However, these deserve to be adumbrated because several of those politicians named have featured in the discussions above, especially in Appendices 1 and 2. Publications such as Broughton's Volume 3, Supplement to *MRR* and Crawford's *Roman Republican Coinage* have also resulted in a reassessment of the dates of moneyers, many of whom are included here. I have usually followed Crawford, *RRC* in putative dates for *IIIiviri monetales*, but have also noted adjustments proposed by, amongst others, Mattingly. The redating of the *SC de agro Pergameno* has, moreover, allowed previously unknown or less familiar republican magistrates to achieve greater prominence.

- 120: [consuls] P. Manilius, C. Papirius Carbo  
[censors] Q. Caecilius Metellus Baliaricus, L. Calpurnius Piso Frugi  
[praetors] L. Caecilius Metellus Diadematus (?), M. Pupius (?), C. Cornelius Cethegus (?)  
[tribunes] P. Decius Subulo, L. Calpurnius Bestia  
[moneyers] M. Tullius, M. Papirius Carbo

Pupius appears probably as the senior ex-praetor on the *SC de agro Pergameno* and his praetorship like that of Cethegus surely belongs to about this time. I have assumed that Bestia's tribunate dates to 120 since the civil disorder in 121 occurred in the second half of the year, leaving insufficient time for this tribune to pass his law recalling P. Popillius Laenas (cos. 132) from exile, *MRR* 1.524 and n.3; Niccolini, *FTP* 174. Crawford, *RRC* 1.295-297, nos. 276 & 280, dates Carbo to 122 and Tullius to 120; cf. Mattingly, 1982: 40, who places them together in 121/120.

- 119: [consuls] L. Caecilius Metellus Delmaticus, L. Aurelius Cotta

[praetors] M. Aemilius Scaurus, Sex. Pompeius, Q. Fabius Maximus  
Eburnus, C. Licinius Geta (?), L. Memmius (?), Q. Valgius (?)  
[tribunes] C. Marius  
[quaestors] M. Annius  
[moneyers] M. Furius Philus (Crawford, *RRC* 1.297, no. 281)

Since Scaurus' aedileship belongs to 121, he cannot have been praetor before 119. Memmius and Valgius were senior ex-praetors by 101. Memmius was already a senior member of the senate by 112, *MRR* 1.539, if he is to be identified with the legate to Egypt at about that time.

118: [consuls] M. Porcius Cato, Q. Marcius Rex  
[praetors] P. Rutilius Rufus, M. Caecilius Metellus, C. Porcius Cato  
(?), L. Iulius Caesar (?)  
[moneyers] Q. Marcius (Crawford, *RRC* 1.299, no. 283: '118 or 117')

The praetorship of Caesar dates to slightly later than that of Memmius and Valgius. Marcius' colleagues in the moneyership signed only their initials 'CF' and 'LR' and remain unidentifiable, but he could be a son of the consul in this year.

117: [consuls] L. Caecilius Metellus Diadematus, Q. Mucius Scaevola  
[praetors] M'. Acilius Balbus, C. Caecilius Metellus Caprarius, C.  
Porcius Cato (?)  
[moneyers] M. Calidius, Q. Caecilius Metellus Nepos (or Numidicus), Cn.  
Fulvius (Crawford, *RRC* 1.300, no. 284: '117 or 116')

E. Badian, 'The Legend of the Legate who Lost his Luggage', *Historia* 42 (1993) 203-210, suggests a proconsular command in Sicily for Cato in this year. The foundation of Narbo Martius occurred between 118 and 114; and the date remains disputed, Crawford, *RRC* 1.71-73. L. Licinius Crassus and Cn. Domitius Ahenobarbus were *Iiviri col. deduc.*, their colleagues, M. Aurelius Scaurus (cos. 108), L. Cosconius, C. Malleolus, L. Pomponius and L. Porcius Licinus were *curatores denariorum Flandorum*.

116: [consuls] C. Licinius Geta, Q. Fabius Maximus Eburnus

[praetors] M. Livius Drusus, M. Iunius Silanus (?), Cn. Papirius Carbo  
(?)

[quaestors] M. Sergius Silus (Crawford, *RRC* 1.302, no. 286: '116 or  
115')

[moneyers] Cn. Domitius Ahenobarbus, Q. Curtius, M. Iunius Silanus  
(Crawford, *RRC* 1.300-301, no. 285: '116 or 115')

Since I suggested above that Decius Subulo was probably *Pr. Urbanus* in  
115 and that Marius served as the peregrine praetor, the praetorship of  
Drusus more probably belongs to 116 (*Cic. Att.* 7.2.8; cf. *MRR* 1.532).  
Silanus is perhaps more likely to have been a son of the cos. 109 than  
the consul himself; cf. Crawford, *RRC* 1.301.

**115:** [consuls] M. Aemilius Scaurus, M. Caecilius Metellus

[censors] L. Caecilius Metellus Delmaticus (or Diadematus), Cn.  
Domitius Ahenobarbus

[praetors] C. Marius, L. Calpurnius Piso Caesoninus (?), P. Decius  
Subulo, Cn. Cornelius Sisenna (?)

[moneyers] C.? Cornelius Cethegus, M. Cippius (Crawford, *RRC* 1.302-304,  
nos. 288-289: '115 or 114')

Cn Cornelius L.f. Sisenna, mon. in the period 118-107 (Crawford, *RRC*  
1.318-319, no. 310), can hardly be the politician whose praetorship is  
usually dated to about 119, *MRR* 373. However, Mattingly, 1982: 43,  
suggests that Sisenna was praetor in 116/5, and that he governed  
Macedonia after, and not before, the consul Fabius Maximus Eburnus.  
Sisenna could, therefore, have been a moneyer in ca. 119 and a praetor  
four years later.

**114:** [consuls] M'. Acilius Balbus, C. Porcius Cato

[praetors] L. Calpurnius Bestia (?), P. Cornelius Scipio Nasica (?), M.  
Papirius Carbo

[moneyers] C. Fonteius, M'. Aemilius Lepidus (Crawford, *RRC* 1.304-306,  
nos. 290-291: '114 or 113')



- 113:** [consuls] C. Caecilius Metellus Caprarius, Cn. Papirius Carbo  
[praetors] L. Calpurnius Piso Frugi, Sp. Postumius Albinus (?), M.  
Minucius Rufus (?)  
[tribunes] Sex. Peducaeus  
[quaestors] M. Antonius, L. Manlius Torquatus (Crawford, *RRC* 1.308, no.  
295: '113 or 112')  
[moneyers] P. Licinius Nerva, L. Marcius Philippus, T. Didius  
(Crawford, *RRC* 1.306-308, nos. 292-294: '113 or 112')

If Marius governed Hispania Ulterior after his praetorship and his command was prorogued, Piso would have replaced him in 112. If Marius did not govern a province or spent less than a year abroad, Piso's praetorship could be dated to either 114 or 113, *MRR* 3.48; Sumner, *Orators* 72.

- 112:** [consuls] M. Livius Drusus, L. Calpurnius Piso Caesoninus  
[praetors] Ser. Sulpicius Galba (?), Q. Caecilius Metellus Numidicus  
(?)  
[tribunes] Sp. Thorius (?)  
[moneyers] Cn. Cornelius Blasio, T. Quinctius Flamininus, L. Caesius,  
(Crawford, *RRC* 1.309-312, nos. 296-298: '112 or 111')

Sulpicius Galba succeeded Piso Frugi in Spain in 112 or 111. The date of Thorius' tribunate is unattested, but is assumed to have been within a year or two of 111, *MRR* 3.205, since his legislation, replaced by the *lex agraria* of 111, had only a short life. The moneyer L. Thorius Balbus, dated to 105, should probably be regarded as a brother, Crawford, *RRC* 1.323. L. Caesius moneyer in 112/111 will surely have been the man hailed as *imperator* in Hispania Ulterior in 104, *MRR* 3.44.

- 111:** [consuls] P. Cornelius Scipio Nasica, L. Calpurnius Bestia  
[praetors] A. Postumius Albinus (?), L. Cassius Longinus, M. Aurelius  
Scaurus (?), Q.? Hortensius (?)  
[tribunes] C. Memmius, C. Baebius  
[quaestors] Sextius  
[moneyers] Ap. Claudius Pulcher, T. Manlius Mancinus (Crawford, *RRC*  
1.312-313, no. 299: '111 or 110')

Pulcher's elogium accords him a quaestorship prior to a moneyership, *MRR* 3.57. Crawford dates his moneyership to 110 or 109, but Mattingly, 1982: 44, prefers 106. His quaestorship dates, therefore, to either 112/111 or 108/7.

- 107:** [consuls] L. Cassius Longinus, C. Marius  
[praetors] Cn. Aufidius (?)  
[tribunes] C. Coelius Caldus, T. Manlius Mancinus, L. Licinius Crassus  
[quaestors] L. Cornelius Sulla
- 106:** [consuls] Q. Servilius Caepio, C. Atilius Serranus  
[praetors] M'. Sergius (?), C. Billienus (?), L. Aurelius Orestes (?),  
Q. Fabius Labeo (?), T. Albucius (?)  
[tribunes] Q. Mucius Scaevola  
[quaestors] Cn. Pompeius Strabo (?)  
[moneyers] L. Cornelius Scipio Asiagenes, C. Sulpicius, L. Memmius Gal. (Crawford, *RRC* 1.319-321, nos. 311-313)

Sergius is attested as proconsul in Hispania Citerior in the late second century. Labeo is also known to have served in the same province as 'procos', Wiseman, 1970: 140 n. 150; Richardson, *Hispaniae* 166-167, and should be identified as one and the same as the *monetalis* of ca. 120. Billienus must have been a praetor about 106 in order to be a consular candidate one or more times between 104 and 101, Cic. *Brut.* 175. The quaestorship of Pompeius Strabo, formerly dated to ca. 104, is now dated to about 106, *MRR*. 3. 165-166; Badian, *Klio* 66 (1984) 306-309. Albucius' praetorship presumably belongs to the same year, cf. *MRR* 3.14. C. Sulpicius was possibly a son of the pontifex who fell foul of the *quaestio Mamiliana* in 109, Crawford, *RRC* 1. 320, no. 312. However, Mattingly, 1975: 264-265, has also postulated that he may have been a brother of the tribune P. Sulpicius.

- 105:** [consuls] P. Rutilius Rufus, Cn. Mallius Maximus  
[praetors] P. Albius (?), C. Sempronius Tuditanus (?), C. Coelius Antipater (?)  
[tribunes] C. Servilius Glaucia (?)  
[quaestors] Cn. Octavius Ruso, Cn. Servilius Caepio (?)

[moneyers] L. Aurelius Cotta, L. Hostilius Tubulus, L. Thorius Balbus  
(Crawford, *RRC* 1.321-323, nos. 314-316)

C. Sempronius C.f. (Tuditanus) is a certain *praetorius* by 101 and, therefore, likely to have been a consular candidate during the period of Marius' iterated consulships. C. Coelius who appears tenth on the *SC de agro Pergameno* may have been an Antipater with a praetorship some years before 101. Albius may have been quaestor soon after 120, and surely a praetor by this year since he appears as eleventh on the *SC de agro Pergameno*. The date of Glaucia's tribunate remains uncertain, *MRR* 3.196, but the *lex Servilia repetundarum* may well date to 105/4, B. Levick, 'Acerbissima Lex Servilia', *CR* 17 (1967) 256-258; Mattingly, 1970: 163; 1975: 259-260; 1983: 302.

- 104: [consuls] C. Marius, C. Flavius Fimbria  
[praetors] L. Caesius, P. Licinius Nerva, L. Licinius Lucullus, C. Memmius (?), M'. Aquillius (?)  
[tribunes] L. Cassius Longinus, Cn. Domitius Ahenobarbus, L. Marcius Philippus (?), Clodius (?), Cn. Pompeius Strabo (?)  
[quaestors] L. Appuleius Saturninus  
[moneyers] C. Coelius Caldus (Crawford, *RRC* 1.324, no. 318)

Caesius was probably a praetor in 104, though attested only as 'IMP.' in that year. Pompeius Strabo is now credited with a tribunate in about this year, *MRR* 3. 166; Badian, *Klio* 66 (1984) 306-309. Caldus is dated by Crawford to 104; cf. Mattingly, 1982: 45, who favours 101, the year before his praetorship.

- 103: [consuls] C. Marius, L. Aurelius Orestes  
[praetors] L. Valerius Flaccus, M. Cosconius (?), P. Gessius (?), L. Afinius (?)  
[tribunes] L. Appuleius Saturninus, T. Didius, L. Aurelius Cotta (?), M. Baebius Tamphilus (?), C. Norbanus, L. (Antistius) Reginus  
[moneyers] Q. Minucius Thermus, L. Iulius Caesar (Crawford, *RRC* 1.324-325, nos. 319-320)

Cosconius, Gessius and Afinius are all likely to have been fairly recent ex-praetors by 101. See Appendix 2.

- 102:** [consuls] C. Marius, Q. Lutatius Catulus  
[censors] Q. Caecilius Metellus Numidicus, C. Caecilius Metellus  
Caprarius  
[praetors] M. Antonius, M. Marius (?), C. Servilius  
[aediles] P. Licinius Crassus (?)  
[tribunes] A. Pompeius  
[quaestors] L. (Veturius) Philo, A. Gabinius  
[moneyers] L. Cassius Caecilianus, C. Fabius Hadrianus (Crawford, *RRC*  
1.325-326, nos. 321-322)
- 101:** [consuls] C. Marius, M'. Aquillius  
[praetors] T. Didius, Q. Caecilius Metellus Nepos, L. Licinius Murena  
(?)  
[quaestors] C. Fundanius (?)  
[moneyers] L. Appuleius Saturninus, L. Iulius, M. Lucilius Rufus (*RRC*  
1.323-324, no. 317, 1.327, nos. 323-324)

Saturninus could not have been a moneyer in 104 as proposed by Crawford, *RRC* 1.323-324, and Mattingly, 1982: 45, suggests 101 instead, a date which fits more comfortably with his career. Fundanius is dated to 101 by Crawford, *RRC* 1.328, no. 326; cf. Mattingly, 1982: 41, for date in the mid-90's.

- 100:** [consuls] C. Marius, L. Valerius Flaccus  
[praetors] C. Servilius Glaucia, M. Porcius Cato, C. Coelius Caldus (?)  
[aediles] L. Licinius Crassus, Q. Mucius Scaevola  
[tribunes] L. Appuleius Saturninus, P. Furius, Q. Pompeius Rufus, M.  
Porcius Cato  
[quaestors] Q. Servilius Caepio, L. Calpurnius Piso Caesoninus, C.  
Saufeius  
[moneyers] L. Sentius, M. Servilius, P. Servilius Rullus (Crawford, *RRC*  
1.327-329, nos. 325, 327-328)

The aedileships of Crassus and Scaevola may belong to 102 or 104 since their tribunates date to ca. 107/106. They may also have been defeated in one or more aedilician elections. Calvus' praetorship dates to either 100 or 99; the later date is perhaps more likely if he does not feature on the *SC de agro Pergameno*. The moneyer L. Sentius is dated by Crawford to 101, but placed here in 100 since Saturninus occupies that year.

- 99:** [consuls] M. Antonius, A. Postumius Albinus  
[praetors] Cn. Domitius Ahenobarbus, C. Cassius Longinus (?), L. Cornelius Dolabella (?)  
[aediles] C. Claudius Pulcher, L. Valerius Flaccus  
[tribunes] L. Appuleius Saturninus, L. Equitius, Sex. Titius, C. Appuleius Decianus, Q. Calidius, C. Canuleius  
[quaestors] C. Norbanus (?), P. Sabinus (Crawford, *RRC* 1.331, no. 331)  
[moneyers] P. Cornelius Lentulus Marcellinus (Crawford, *RRC* 1.329-330, no. 329)

Norbanus' quaestorship belongs either to 101, Badian, *AJP* 104 (1983) 156-171, or to 99, Gruen, *CP* 61 (1966) 105-107. The moneyership of Marcellinus is dated here to 99 since no place remains for him in the college of 100.

- 98:** [consuls] Q. Caecilius Metellus Nepos, T. Didius  
[praetors] L. Licinius Crassus (?), Q. Mucius Scaevola (?), L. Domitius Ahenobarbus (?)  
[tribunes] P. Servilius Vatia (?)  
[quaestors] T. Cloelius (Crawford, *RRC* 1.331-332, no. 332)

- 97:** [consuls] Cn. Cornelius Lentulus, P. Licinius Crassus  
[censors] L. Valerius Flaccus, M. Antonius  
[praetors] L. Cornelius Sulla (?), M. Herennius (?)  
[tribunes] M. Duronius (?)  
[quaestors] C. Egnatuleius (Crawford, *RRC* 1.332, no. 333)  
[moneyers] L. Pomponius Molo (Crawford, *RRC* 1.332, no. 334: '?97')

- 96:** [consuls] Cn. Domitius Ahenobarbus, C. Cassius Longinus

[praetors] L. Marcius Philippus, L. (Sempronius) Asellio (?), C. Valerius Flaccus, P. Cornelius Scipio Nasica (?)

[aediles] L. Gellius Poplicola (?)

[moneyers] C. Publicius Malleolus, A. Postumius Albinus, L. Caecilius Metellus (Crawford, *RRC* 1.333-336, no. 335: '?96')

Scipio Nasica was either legate or proconsul in Spain about 94, *MRR* 3.72; Sumner, *Orators* 72.

95: [consuls] L. Licinius Crassus, Q. Mucius Scaevola

[praetors] L. Aurelius Cotta (?), C. Claudius Pulcher, L. Iulius Caesar (?), M. Perperna (?)

94: [consuls] C. Coelius Caldus, L. Domitius Ahenobarbus

[praetors] L. Gellius Poplicola, Sex. Iulius Caesar (?), C. Sentius  
[quaestors] Aesillas (?)

93: [consuls] C. Valerius Flaccus, M. Herennius

[praetors] P. Rutilius Lupus, L. Valerius Flaccus (?), Cn. Pompeius Strabo (?), Cn. Octavius Ruso (?), Q. Ancharius (?)

An Octavius, presumably Ruso, appears immediately after Gellius Poplicola in the *consilium* of Cn. Pompeius Strabo in 89, *MRR* 2.24 n. 2. His praetorship probably dates to either 94 or soon afterwards. Ancharius, killed in 87, may well have held his praetorship several years beforehand; cf. *MRR* 2.40 and n. 1.

92: [consuls] C. Claudius Pulcher, M. Perperna

[censors] Cn. Domitius Ahenobarbus, L. Licinius Crassus

[praetors] L. Sentius, C. Iulius Caesar (?), L. Porcius Cato (?), L. Cornelius Cinna (?), C. Sextius Calvinus (?), M. (Caecilius) Cornutus (?)

[tribunes] Cn. Papirius Carbo

[moneyers] C. Allius Bala (Crawford, *RRC* 1.336, no. 336)

L. Sentius was the senior witness to the *SC de Cormis* dated to ca. 80, Sherck, *RDGE* 112-113; *MRR* 3.191, and had, therefore, been a *praetorius*

probably of several years standing. He held a moneyership about 100, which fits well with a praetorship a decade later. Cinna was already an ex-praetor in the Social War, *MRR* 2.30 n. 3, and his office probably predates 91. Cornutus is styled 'an ex-Praetor who served as a Legate in the Social War', *MRR* 2.30 n. 2; his praetorship probably also belongs to about this year.

- 91:** [consuls] L. Marcius Philippus, Sex. Iulius Caesar  
[praetors] Q. Pompeius Rufus, L. Lucilius (?), C. Perperna (?), Q. Servilius (?), Q. Servilius Caepio, Ser. Sulpicius Galba (?)  
[aediles] M. Claudius Marcellus, Ap. Claudius Pulcher (?)  
[tribunes] M. Livius Drusus, Minicius (?), Saufeius, L. Sestius (?)  
[moneyers] D. Iunius Silanus (Crawford, *RRC* 1.336-339, no. 337)
- 90:** [consuls] L. Iulius Caesar, P. Rutilius Lupus  
[praetors] C. Caelius (?), C. Cassius (Longinus), L. Cornelius Merula (?), Cn. Octavius (?), L. Postumius, P. Servilius Vatia (?)  
[aediles] C. Iulius Caesar Strabo  
[tribunes] Q. Caecilius Metellus Celer, C. Papirius Carbo Arvina, Cn. Pomponius, C. Scribonius Curio, Q. Varius Hybrida  
[quaestors] Q. Sertorius  
[moneyers] L. Calpurnius Piso Frugi, Q. Titius, C. Vibius Pansa (Crawford, *RRC* 1.340-351, nos. 340-342)
- 89:** [consuls] Cn. Pompeius Strabo, L. Porcius Cato  
[censors] P. Licinius Crassus, L. Iulius Caesar  
[praetors] Q. Caecilius Metellus Pius, Ap. Claudius Pulcher, P. Gabinius, C. Cosconius (?), Cn. Papirius Carbo (?), A. Sempronius Asellio  
[tribunes] L. Calpurnius Piso Frugi, L. Cassius (Caecianus?), L. Memmius (?), C. Papirius Carbo (?), M. Plautius Silvanus  
[quaestors] Q. Minucius Thermus (?)  
[moneyers] M. Porcius Cato, L. Titurius Sabinus (Crawford, *RRC* 1.351-356, nos. 343-344)
- 88:** [consuls] L. Cornelius Sulla, Q. Pompeius Rufus

[praetors] Q. Oppius (?), M. Iunius Brutus, Servilius, L. Licinius  
Murena (?), C. Norbanus (?), P. Sextilius  
[aediles] Q. Caecilius Metellus Celer  
[tribunes] P. Antistius, P. Sulpicius  
[moneyers] Cn. Cornelius Lentulus Clodianus, C. Marcius Censorinus  
(Crawford, *RRC* 1.356-361, nos. 345-346), M. Fonteius  
(Crawford, *RRC* 1.361, no. 347: '?before 87')

Oppius is styled 'procos' by Livy, *Per.* 78, and so could easily have been praetor in 88 rather than 89; cf. *MRR* 2.33. With the exception of Val. Max. 6.5.7, there is no evidence that Sulpicius possessed the *cognomen* 'Rufus'.

- 87:** [consuls] Cn. Octavius, L. Cornelius Cinna  
[suffect] L. Cornelius Merula  
[tribunes] Sex. Lucilius, P. Magius, M. Vergilius, C. Milonius, M.  
Marius Gratidianus (?)  
[quaestors] L. Licinius Lucullus, C. Claudius Marcellus (?)  
[moneyers] L. Rubrius Dossenus, L. Memmius, C. Memmius (Crawford, *RRC*  
1.362-364, nos. 348-349)
- 86:** [consuls] L. Cornelius Cinna, C. Marius  
[suffect] L. Valerius Flaccus  
[censors] L. Marcius Philippus, M. Perperna  
[praetors] L. Cornelius Scipio Asiagenes (?)  
[aediles] P. Antistius (?)  
[tribunes] P. Popillius Laenas  
[quaestors] Hirtuleius (?)  
[moneyers] C. Gargonius, Ogulnius, M. Vergilius or Verginius (Crawford,  
*RRC* 1.364-366, no. 350<sup>A</sup>)



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