

THE *ELOGIUM* FROM POLLA AND THE FIRST SLAVE WAR*

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THE *elogium* from Polla reads as follows:

viam feci ab Regio ad Capuam et
in ea via ponteis omneis, miliarios
tabelariosque poseivei. Hinc sunt
Nouceriam meilia LI, Capuam XXCIII,
Muranum LXXIII, Cosentiam CXXIII,
Valentiam CLXXX ad Fretum ad
Statuam CCXXXI Regium CCXXXVII
Suma af Capua Regium meilia CCCXXI.
Et eidem praetor in
Sicilia fugiteivos Italicorum
conquaeisivei redideique
homines DCCCCXVII eidemque
primus feci ut de agro poplico
aratoribus cederent paastores.
Forum aedisque poplicas heic feci.¹

The first line of the inscription, which contained its authors' name, is missing. There have been a number of suggestions about the author's identity. From the Renaissance to 1800² its author was thought to be M'. Aquillius (*cos.* 101). Mommsen³ identified the author as P. Popilius Laenas (*cos.* 132); later Bracco⁴ argued for T. Annius Luscus (*cos.* 153); and most recently Wiseman⁵ has suggested T. Annius Rufus (*cos.* 128).

The inscription was thought to refer to M'. Aquillius because it was known that he had fought in the Second Slave War in Sicily. The second part of the inscription

mentions that the author of the *elogium* as praetor had returned 917 slaves to their Italian owners. The identification, however, cannot stand because Aquillius was consul and proconsul when he held command against the slaves.

Mommsen thought that the author must be P. Popilius Laenas for three reasons. (1) A Forum Popili is located in Lucania on the Tabula Peutingeriana and by the anonymous *geographus Ravennas* (4. 34) and Guido (43).⁶ A forum was usually built by and named after the builder of the road which it controlled. (2) Popilius was consul in 132 when the Gracchan land reforms began. Mommsen thought the third section of the inscription, *primus feci ut . . .*, referred to these reforms. (3) As Popilius would have been praetor at the earliest in 135, Mommsen thought the second part of the inscription referred to an action taken by Popilius in connection with the First Slave War.

Bracco thought that the inscription must refer to T. Annius Luscus (*cos.* 153), also for three reasons. (1) Sallust mentions a Forum Anni in Lucania which Spartacus overran (*Hist.* 3. 98). Since, as I mentioned above, a forum was usually built by and named after the builder of a road, Bracco thought that an Annii built the road from Capua to Rhegium. (2) A milestone,

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1. *CIL* I. 551 = *CIL* I². 638 = Degraffi, *ILLRP* 454 = *CIL* X. 6950.

2. A. Murzullo, "L'Elogium di Polla, la via Popilia e l'applicazione della lex Sempronia agraria del 133 a.c.," *RSS*, I (1937), 29, n. 3.

3. *CIL* I. 551, p. 154.

4. V. Bracco, "L'Elogium di Polla," *RAAN*, XXIX (1954), 5-38; and "Ancora sull'elogium di Polla," *RAAN*, XXXV (1960), 149-63.

5. T. Wiseman, "Viae Anniae," *PBSR*, XIX (1964), 21-37 = Wiseman I; and "Viae Anniae Again," *PBSR*, XXIV (1969), 82-91 = Wiseman II.

6. The *geographus Ravennas* seems to have lived in the seventh century after Christ (*Ravennatis Anonymi Cosmographia et Guidonis Geographia*, ed. M. Pinder and G. Parthey [Berlin, 1860], p. v). The exact relation of Guido's *Geography* to *geographus Ravennas* is disputed; see Berger, *RE*, VII. 1 (1912), 1931-32. Guido seems to have lived in the thirteenth century and to have used the *geographus Ravennas* as a source for his own *Geography*.

inscribed *T. Anni pr.*,⁷ was found at Valentia. The first part of the *elogium* states that its author saw to the placement of the milestones along the road. (3) In *CIL* VI. 31338a and 31370, a Via Annia is mentioned along with the Via Appia and Via Traiana in the south of Italy as being in need of repairs. Bracco thought that the Via Annia referred to in these inscriptions must be the road from Capua to Rhegium.

Wiseman, however, believed that T. Annius Rufus (*cos.* 128) was the author of the *elogium*. He combined the reasons that Bracco gave for his identification of the author as T. Annius Luscus (*cos.* 153) with the reasons Mommsen gave for his identification of the author as P. Popilius Laenas (*cos.* 132): (1) Sallust mentions a Forum Anni; (2) the milestone is inscribed *T. Anni pr.*; (3) the Via Annia is mentioned in *CIL* VI. 31338a and 31370; (4) T. Annius Rufus was consul in 128, shortly after the Gracchan land reforms had started; and (5) T. Annius (*cos.* 128) could have been praetor in Sicily during or immediately after the First Slave War.

While at best only one of these identifications could be correct, I believe not one of these men's careers satisfies the information contained in the *elogium*. The *elogium* reports that its author—presumably as consul, since his tenure of that office would be mentioned in the missing first line with his name—built the road from Capua to Rhegium. When he was praetor in Sicily, he returned 917 runaway slaves to their Italian masters in Italy. As a member of the Gracchan land commission, he was the first in Italy to take land from

herders and give it to farmers as part of the Gracchan land reforms. Finally, he built the forum and public buildings where this inscription was set up, most likely in connection with the road he had built from Capua to Rhegium.

The above summation adds two new elements. First, the *elogium* distinguishes the various stages of the author's political career and his accomplishments during each of them: i.e., the construction of the road when he was consul, his return of runaway slaves when he was praetor, and his part in the Gracchan land reforms when he served as a member of the land commission. Second, the runaway slaves he returned belonged to Italians living in Italy, not in Sicily. I would also add that this latter action could not have occurred during the First Slave War.

If such a distinction between his deeds as praetor, consul, and member of the land commission is not made, a number of difficulties arise. If the author did not build the road as consul, why does he insert *eidem praetor* in the second part of the inscription? It could only be that he is calling attention to what he did as praetor to contrast it with what he had done as consul. The author then boasts that he was the first (*eidemque primus feci*) to take land from the *pastores* and give it to the *aratores*, evidently as part of the Gracchan land reforms in southern Italy. We know of no land reform in Sicily carried out during the second century B.C., nor in Italy, except for the Gracchan land reform. For this land reform in Italy a board of three men was responsible, not the consuls.⁸ This explains

7. A. Degraasi, "Un nuovo miliario calabro della via Popilia e la via Annia del Veneto," *Philologus*, XCIX (1955), 259–65.

8. There is no evidence that there was any land reform in Sicily connected either with the Gracchan land distribution (despite Carcopino, "La Sicile agricole au dernier siècle de la république romaine," *YSG*, IV [1906], 166–67) or with any foundation of colonies. There were no plans to found any colonies in Sicily. The emphasis in the *elogium* on *pastores*

and *aratores* seems to indicate the context of the Gracchan land reforms: the rich abused the use of public land in pasturing their large herds of cattle and sheep. Scipio Aemilianus did try to have the duties of the commission transferred to the consuls (App. *BC* 1. 18–19). This move was unsuccessful. All the *termini* give the names of the members of the Gracchan land commission, not of any of the consuls. For the use of *primus* in the *elogium*, see below.

the double use of *eidem*. The first *eidem* in the second part of the inscription draws attention to what the author of the *elogium* did as praetor and distinguishes it from his accomplishment as consul. The second *eidem* without mention of office states plainly that the same man had been instrumental in the first land apportionments of the Gracchan land commission.

The second part of the inscription refers neither to the returning of fugitive slaves to Italians living in Sicily nor to any action taken in the First Slave War. Returning 917 slaves to Italian masters becomes a great feat worthy of mention only if the author of the inscription had to transfer them back to the mainland. He would have had to find out who their owners were, information that the slave himself may not have wished to contribute. Then the author would have had to make arrangements for their transfer, either individually or in groups, furnishing men to act as guards, boats to carry them across the strait, provisions, and land transportation, if any. In the author's tenure of office in Sicily he must certainly have caught other fugitive slaves who belonged to Sicilians or Romans living in Sicily. But for this *elogium* he singled out for special mention slaves belonging to Italians living in Italy, as the *elogium* is concerned with the author's accomplishments in southern Italy: e.g., the location of the road, the land reform, and the actual site of the forum, modern Polla.⁹

Also, this section of the inscription cannot refer to any praetor's action *during* the actual course of the First Slave War. It would have been ridiculous to return rebellious slaves in Sicily to their owners and not punish them, i.e., crucify them. Accordingly, the action referred to in the

inscription has been thought to refer to some action taken before the actual slave revolt began. Mommsen, following this line of reasoning, placed P. Popilius Laenas' praetorship in 135 and the war's actual beginning in 134. However, leaving aside for the moment whether this Popilius was the author of the *elogium* or not, a date as late as 135 for the action described in the *elogium* is questionable: the First Slave War most probably began before 138.

Determining in exactly what year the First Slave War began is a difficult question. It began, as Diodorus describes it, when Eunus and his followers captured Henna. Diodorus implies, however, that before Henna fell there was considerable lawlessness and banditry, which he considers a prelude to the actual rebellion (Diod. 34/35 2. 1-3). He does not specify, though, in what year Henna fell, nor how many years of guerrilla warfare preceded its fall.

Peter Green has written, "The First Sicilian Slave War presents us with some tricky chronological problems. When did the war actually begin? Every year between 143 and 134 has had its faithful adherents."¹⁰ It would be a pointless task for me to present all the arguments for the year of Henna's fall. Ciaceri¹¹ has already in fact done this. The complete lack of scholarly agreement shows that it is quite hopeless to expect that a specific year can be determined for the outbreak of the First Slave War. However, there is considerable evidence that the war began before 138 rather than after 135.

Florus (2. 7. 7) mentions four praetors ("capta sunt castra praetorum . . . Manli, Lentuli, Pisonis, Hypsaei") whom the slaves defeated before a consul was sent to command against them. However, Florus mentions these four praetors *after* he has

9. The *elogium* was found near Polla. It would seem reasonable to suppose the stone would not have been moved far from its original location. Polla also controls the Val di Diano, as it is located at the northern end of the valley.

10. Peter Green, "The First Sicilian Slave War," *P and P*, XX (1961), 70.

11. E. Ciaceri, *Processi politici e relazioni internazionali* (Rome, 1918), p. 70.

described how Eunus became the leader of the slave revolt. This suggests that the fall of Henna occurred before these four praetors suffered reverses at the hands of the rebel slaves, i.e., that the war began in 138 or before. Ciaceri¹² called attention to Florus' unreliability in reporting other events of Roman history, and on this basis he summarily rejected the evidence in Florus' account as unreliable. Basing his opinion on information in Obsequens, Orosius, and Livy *Periocha* 56, which I shall discuss shortly, Ciaceri placed the fall of Henna in 134. He thought that Florus had listed four praetors who had been defeated not by Eunus and his rebels after Henna had been taken, but by the robber bands of slaves mentioned by Diodorus (34/35. 2. 1–3). However, there is no proof, and Ciaceri offered none, that Florus is mistaken about the information he gives on the sequence of events.

But what information does the account of Diodorus give on the praetors mentioned by Florus? Diodorus mentions only one praetor, Hypsaeus, before a consul arrived. From the context it is clear that Henna had fallen either during or before Hypsaeus' praetorship, since in Diodorus' account the fall of Henna and the second revolt in the west led by Cleon are recorded before Hypsaeus' defeat at the hands of the rebels (Diod. 34/35. 2. 18). The order in which Florus lists the four praetors who served in Sicily before a consular arrived places Hypsaeus last. Florus, however, might easily have given their tenure of office in reverse order.¹³ There is nothing in the account of Diodorus to indicate how many praetors or consulars served in Sicily between Hypsaeus and Rupilius, who ended the revolt. The text (Diod. 34/35. 2. 18–20) indicates only the passage of an

undetermined period of time from Hypsaeus' defeat and further victories won by the slaves until (ἐως) Rupilius' victory at Tauromenium.

Diodorus' text could refer to a period of only three years (Manlius, Lentulus, and Piso, in that order, experienced defeat at the hands of slaves who had engaged in guerrilla warfare; Hypsaeus was relieved of office in 134, after the slaves had captured Henna, and was succeeded by Flaccus, consul in 134 [Livy *Per.* 56], Piso, consul in 133 [Val. Max. 2. 7. 9], and Rupilius, consul in 132). But Diodorus could just as easily refer to a period of some seven years (Hypsaeus, Piso, Lentulus, and Manlius, in that order, served as praetors 138–35; Henna fell in 138 or earlier; and Manilius was followed by the three consulars mentioned above).

While the account of Diodorus itself is of no help in ascertaining when the First Slave War began, there are a number of indications that the war must have begun closer to 140 than to 134. Diodorus (34/35. 2. 1) records that it was about sixty years after the capture of Carthage when the war began (Carthage surrendered in 201). If the war did begin in 134, a round figure of seventy years should have been given instead of sixty. Also, Valerius Maximus (3. 7. 3) mentions a grain shortage in Rome in 138:¹⁴ "Annonae caritate increscente C. Curatius tr. pl. productos in contionem consules [one of the consuls was P. Cornelius Scipio Nasica Serapio who held office in 138] conpellebat ut de frumento emendo adque id negotium explicandum mittendis legatis in curis referrent." Thus, because of the sixty years mentioned by Diodorus, the grain shortage mentioned by Valerius Maximus for 138, and the four praetors in Florus listed *after* Eunus had

12. Ciaceri, p. 79.

13. Broughton considers that this is what Florus has done, *MRR*, I, 483, n. 1.

14. The relation of this passage in Valerius Maximus to

the First Slave War was first pointed out by W. G. G. Forrest and T. C. W. Stinton, "The First Sicilian Slave War: A Communication," *P and P*, XXII (1962), 87–91.

begun the rebellion, it is most likely the war began in or before 138.

Other sources for the war's beginning, used by Ciaceri, are all unclear as to when the war actually began, i.e., when Eunus captured Henna. Obsequens 27 says the war began in 134: "P. Africano C. Fulvio consulibus. . . fugitivorum bellum in Sicilia exortum." However, Livy *Periocha* 56 merely says that in 134 the command of the war was given to the consular Fulvius: "bellum servile in Sicilia ortum cum opprimi a praetoribus non potuisset, C. Fulvio cos. mandatum est." Orosius (5. 6. 3) places the beginning of the war in 135: "Servio Fulvio Q. Calpurnio consulibus. . . in Sicilia bellum servile ortum est, quod adeo grave et atrox multitudine servorum, instructu copiarum, magnitudine virium fuit, ut, non dicam praetores Romanos, quos penitus profligavit, sed consules quoque terruerit."

Although all three probably derive ultimately from the lost account of Livy, they all give a different date for the beginning of the revolt. Obsequens places it in 134, Orosius in 135, and Livy *Periocha* 56 at the latest in 136 (*a praetoribus*, there having been praetors in Sicily for 135 and 136). *Periocha* 56 states, and Orosius implies, that before the command of the war was given to a consul there were praetors who had tried to suppress the revolt, but that they had been unsuccessful. But in all three sources there is nothing about the slaves' capture of Henna. Did it occur in 134, thus prompting the appointment of a consul as commander? This might explain why Obsequens placed the actual beginnings of

the war in 134, although the other two traced its beginnings back to the skirmishes in which earlier praetors had been engaged. Or did the fall of Henna occur during the praetorship of one of the unsuccessful praetors, and only in 134 did things become serious enough for the Romans to send a consular? This would explain why Orosius and Livy *Periocha* 56 placed the beginnings of the war earlier and why Obsequens, having omitted any mention of the war previous to the year 134, placed its beginnings at the time when a consular was given command. Thus, from these three sources, Obsequens, Orosius, and Livy *Periocha* 56, it is impossible to determine in what year the war began. It seems most reasonable then, on the basis of the information in Diodorus' account of the First Slave War and Florus' list of four praetors defeated after Eunus had assumed command of the slaves, combined with Valerius Maximus' account of grain shortage in Rome in 138,¹⁵ to conclude that the war began in or before 138.¹⁶

How then does the *elogium* from Polla fit in with the events of the First Slave War? It cannot, as I have mentioned, refer to an actual event in the war. It also cannot refer to the guerrilla action mentioned by Diodorus. The latter is what Mommsen supposed. He thought that the author of the inscription was one of those praetors who had been intimidated by the Roman knights (mentioned in Diod. 34/35. 2. 3 and 31): "Quorum praetorum e numero P. Popilius [Mommsen's candidate for the authorship of the *elogium*] hic fuit, qui latrones coercere conatus expeditione in

15. I must point out that there are no further references to any grain shortages after 138 in Rome. We know of no crop failures or any other reason to account for the grain shortage mentioned in Valerius Maximus. The outbreak of the First Slave War may, therefore, account for this temporary shortage. Grain may then have been brought in to Rome from the Po valley, a measure which was usually prohibitively expensive because of the cost of transporting the grain by land.

16. The problem of trying to determine when the First Slave War began is further complicated by Obsequens' and

Orosius' disagreement on the year in which other events connected with the war occurred. Orosius (5. 6. 3) for the year 135 lists three *prodigia*, a slave child born at Rome with double organs, the eruption of Mt. Aetna in Sicily, and the sprouting of grain on trees in Cisalpine Gaul. Obsequens, however, places the occurrence of the first *prodigium* in 136 and of the latter two in 135. Orosius interprets ("igitur in Sicilia bellum ortum est") these three *prodigia* as presaging the First Slave War.

eos suscepta captisque hominibus ad mille ausus non est in eos animadvertere, sed tanquam mere fugitivos eos Italicis dominis reddidit, unde hoc loco sibi tribuit laudes dupliciter turpe et fortitudinis et clementiae."¹⁷

Attributing such motivation to the author of the *elogium* is incorrect. First, the information contained in Diodorus is wrong, for he says that Roman knights intimidated the Roman governors because the knights had control of the courts which had jurisdiction over the governors of provinces. But this is anachronistic. The knights did not gain control of these courts until 122, ten years after the end of the First Slave War. The author of the *elogium* would have had no reason to return the slaves out of fear; besides, the owners mentioned in the inscription are Italians, not Roman knights nor even Roman citizens.¹⁸ Also, as I have tried to show, it makes little sense to single out in an inscription set up in southern Italy and concerned with affairs in southern Italy Italians who were living in Sicily. Second, Diodorus' text mentions nothing about runaway slaves engaging in banditry. On the contrary, the governors, according to Diodorus, were afraid to do anything that would interfere with the slaves, since they were supposedly acting as bandits with their owners' approval. Rounding up and returning runaway slaves whom their masters encouraged in banditry makes no sense if we suppose that the praetor was afraid of offending the owners.

The information in this inscription about the author's praetorship in Sicily will make more sense if we abandon any attempt to connect the inscription with the First

Slave War or with the guerrilla warfare that preceded it as Diodorus has described it. It is much simpler to suppose that the runaway slaves sent back to their Italian masters were slaves who had crossed over to Sicily from Italy before the beginning of the First Slave War, before 138.

To recapitulate: I have tried to show that the author of the *elogium* from Polla could not have been praetor in Sicily before 138. The action that he took as praetor, which is described in the *elogium*, cannot be put into the context of the guerrilla warfare that Diodorus describes as preceding the actual war. Also I have tried to show that the author of the *elogium* built the road from Capua to Rhegium as consul, that he was on the land commission established by Tiberius Gracchus, and that the inscription was aimed at southern Italians, as everything mentioned in the inscription is of special interest to them.

With this information let us look again at the men who have been identified as the author of the *elogium*. M'. Aquillius can be ruled out at once for the same reasons that I gave above: he served as consul and proconsul in the Second Slave War and could not have participated in the Gracchan land reforms.

The two Annii can be ruled out for a number of reasons. The milestone inscribed *T. Anni pr.* specifically states that whichever Annii it was, he was praetor when he placed it, whereas the author of the *elogium* was consul when he built the road. Neither Annii was a member of the Gracchan land commission. Indeed, both were hostile to the Gracchi.¹⁹

P. Popilius Laenas also can be ruled out. He too did not serve on the land commis-

17. *CIL* I. 551, p. 154.

18. I hope to show in further work that Diodorus in his introductory sections to the First Slave War is mistaken also about the existence of large numbers of Roman knights and Italian businessmen in Sicily.

19. On T. Annii Luscus' hostility to the Gracchi see Plut. *Ti. Gracch.* 14 and Livy *Per.* 58. T. Annii Rufus was his son. Wiseman II, p. 91, n. 70: "The filiation of T. Annii Rufus makes his parentage certain."

sion and was hostile to the Gracchan reforms.²⁰

But what is to be done with the stray pieces of information which Mommsen, Bracco, and Wiseman used to make their own identifications of the author of the *elogium*, i.e., the Forum Popili, the Forum Anni, the Via Annia, and the milestone inscribed *T. Anni pr.*?

The Forum Popili and Forum Anni

If the Forum Popili mentioned for Lucania existed and the road from Capua to Rhegium is then named a Via Popilia on the evidence of the name of this forum, there were two major roads in Italy named Viae Popiliae. For it is certain that P. Popilius C. f. Laenas (*cos.* 132) built a road in the north during his consulship. A milestone (*CIL* I². 637 = *CIL* V. 8007) has been found inscribed *P. Popilius C. f.* As Wiseman notes, "There is no parallel for two different roads being built by the same man in the same year (especially two roads at opposite ends of Italy . . .)." ²¹

The Forum Popili in Lucania mentioned by the two geographies and listed on the Tabula Peutingeriana doubtless existed. The three are unanimous in their listing of villages for the area.²² However, none of them mentions the Forum Popili in Campania listed in Ptolemy *Geog.* 3. 1. 59 and Pliny *NH* 3. 5. 64. This village in Campania is mentioned in two inscriptions (*CIL* X. 4722 and 4725), while no inscription has

been found in Lucania which mentions a Forum Popili. The main question, however, is whether this Forum Popili in Lucania is the village in which the *elogium* from Polla was set up. The surviving geographies and tabulae are hardly exhaustive. Notice also that the Forum Anni mentioned in Sallust is given neither in these geographies nor anywhere else. It is only by chance that we know of both of these fora's existence. These fora could have been built by any member of the *gens Popilia* or *Annia* at any time.²³ A section of the *elogium* from Polla, because it refers to the Gracchan land reform, has a *terminus post quem* of 133. We have no idea when these fora, the Forum Popili and the Forum Anni, were built. There are undoubtedly many fora which did not find a mention in the geographies or the Tabula. Indeed, the most important village in antiquity in the Val di Diano, Atina (modern Atena), is not listed in them.²⁴ Besides, the name of the modern village of Polla, which we think is near the site of the ancient village in which the *elogium* was set up, stems from neither the name Forum Popili nor Forum Anni. It doubtless comes from Apollonia, perhaps the ancient name of the city.²⁵

Via Annia

The inscriptions which contain the names of a Via Annia and the Viae Appia and Traiana do locate the road in the south of

20. The consuls of 132 were to investigate Tiberius Gracchus' supporters (*Cic. Lael.* 37 and *Val. Max.* 3. 7. 1). P. Popilius Laenas was exiled by C. Gracchus' law in 123 for these "investigations."

21. Wiseman I, p. 21.

22.

Geogr. Rav. (4. 34)	Guido 43	Tab. Peut.
Silarion	Silarum	Silarium
Nares Lucanis	Nares Lucanes	Nares Lucanos
Aceronia	Aceronia	Aceronia
Foro Populi	Forum Populi	Forum Popili
Vico Mendilegio	Vico Mendileio	Vico Mendileio (?)
Nerbulos	Herbulos	Herulos
Interamnium	Interamnium	Interamno
Capratia	Capracia	Capratis
Cratia	Cratia	Crater

23. The Forum Popili in Aemilia was not built in connection with the Via Popilia in the north of Italy, nor does the Forum Popili in Campania have any connection with a road. See Wiseman II, p. 89.

24. Atina is mentioned in *Cic. Div.* 1. 58, 2. 137, in Pliny *NH* 3. 98, and *Liber Coloniarum* 209. There is also a series of inscriptions from the town: *CIL* X. 330-71, 9097-9100.

25. V. Spinazzola, "Di un monumento funerario scoperto in Polla e del Forum Popili di Lucania," *Not. Scav.* (1910), 73, mentions this. He, however, prefers to derive the name of the village, Polla, from Forum Popili, believing that the *Forum* part of the name disappeared and the *pi* of *Popili* dropped out with a shift of accent. In Aemilia, however, the ancient Forum Popili is now called Forlimpopili.

Italy. But any Annii could have built the road referred to in these inscriptions. Also there are a number of roads in the south of Italy whose names are unknown. Any of these could have been the Via Annia referred to in the inscriptions.²⁶

The Milestone Inscribed *T. Anni pr.*

Once again a number of explanations could be given for this milestone. Degrassi²⁷ postulates that an Annii finished the road from Capua to Rhegium which had been started by the author of the *elogium*. It cannot be denied that this milestone is somehow connected with the main road that runs from the north to Rhegium. It was found, with the number 260 written on it, about five or six miles to the north of Valentia. The *elogium* states that it is 264 Roman miles from Valentia to Capua. An Annii may have either completed or repaired the road, as Degrassi suggests, and set up his own milestone(s). It is very difficult to believe that Annii while praetor in Sicily in 131 could have built the road, as Wiseman suggests. Why should a praetor in Sicily be entrusted with a road in southern Italy? Wiseman says:

In 131 B.C., the main emergency was in the new province of Asia, where Aristonicus' revolt had just broken out. The consul P. Crassus Mucianus was chosen by the people to take command, having, in his capacity as Pontifex Maximus, prohibited his colleague L. Valerius Flaccus, who was *flamen Martialis*, from setting foot outside the city. In Sicily, the slave war had been finally put down and the island reorganised by P. Rupilius as consul in the previous year, though there must still have been mopping-up operations to carry out. One pressing need was for a road through Lucania and Bruttium, to provide for communications with Sicily when weather or piracy made the sea im-

passable and to help police the mountainous interior of the mainland peninsula itself; with one consul in Asia and the other kept in Rome by his religious duties, it would be natural for the Senate to entrust its construction to the nearest holder of *imperium*, the 'praetor in Sicily.'²⁸

Annii, if he was praetor in Sicily, could only have held that office in 131. He was consul in 128, and we know the names of the praetors and consulars from 138 to 132 (see above). But we do not know from the *elogium* itself in what year the road was built, except that it was sometime around the Gracchan reforms. In fact, it is highly unlikely that a praetor in Sicily in 131 could have built the road. First, it would be unlikely that a praetor would build a road outside the jurisdiction of his own province. But granting that possibility for a moment, why would the praetor in Sicily, in a "mopping-up operation," return 917 rebellious slaves to their masters? These slaves must have taken part in the rebellion. If not, we must presume that they merely ran away and took no part in the rebellion, having been captured in the countryside, where they were disturbing no one. Hence, they were not punished. It is very difficult to believe that they did not participate in the rebellion if they were captured in 131. And if they did participate, they surely then would have been crucified.

These four stray pieces of information, the existence of a Forum Popili, of a Forum Anni, of a Via Annia, and of a milestone mentioning a T. Annii, are exactly what they appear to be—stray pieces of information which do not fit into the context of the *elogium*. The inscription itself shows that its author was consul when he built the road, praetor before the First Slave War (i.e., not one of those praetors whom

26. Indeed, the road running along the coast where the road described in the *elogium* runs in the interior may have been a Via Annia. The roads then meet on the coast and continue together to Rhegium. This may account for the milestone inscribed *T. Anni pr.* found on this stretch of the

road. An Annii may have repaired the part of the road from Capua to Rhegium mentioned in the *elogium*, as he continued on to Rhegium after his road met the inland route.

27. Degrassi, *ILLRP* 259.

28. Wiseman II, p. 90.

Diodorus describes as being intimidated by the Roman knights in Sicily), and a member of the Gracchan land commission. There is only one choice for the author of the *elogium*, as I have tried to picture his career, Ap. Claudius Pulcher (*cos.* 143). The other original members of the Gracchan land commission, Tiberius and Gaius Gracchus, never held the consulship or praetorship.

I realize that there are a number of difficulties with my suggestion. We do not have much information about the career of Ap. Claudius Pulcher (*cos.* 143). Only two events are well known: his war in the north against the Salassi and his "personal triumph," when the presence of his daughter (a Vestal) in his triumphal chariot foiled the tribunes' plans to use force to prevent the triumph. Although for most of his consulship he was fighting the Salassi, he had been assigned Italy as his *provincia*. The work in building the road in the south could have been completed under his sponsorship, even if he spent most of his time in the north waging a war.

The main point in his favor as the author of the *elogium*, in my estimation, is his membership on the Gracchan land commission. The third part of the inscription, if we are to make any sense of it, would seem to refer to the Gracchan land distributions. There may have been other land distributions in Italy, but we do not know of them. Indeed, the one attempt at legislating land distribution before Gracchus, made by Laelius Sapiens, was stopped in 140 at the large landowners' insistence (Plut. *Ti. Gracch.* 8. 3-4). The *elogium*'s mention of *aratores* and *pastores* seems to place the inscription in the context of the Gracchan reforms. The *Lex Agraria* reads: "...in eum agrum agri iugera non amplius

XXX possidebit habebitve; (i)s ager privatus esto" (Riccobono, *FIRA*², I, 105). This land would have come from the public land illegally held by the large landowners who used it for pasturage for their herds. Inscriptions (Degrassi, *ILLRP* 470 and 471) found near Atina show that the Gracchan land commission was active in the Val di Diano where the *elogium* from Polla was found.

However, an objection will immediately be raised as to the wording of the *elogium*. The author uses the word *primus*. How could a member of a commission of three call himself *primus* in the redistribution of land? This surely contradicts the most conspicuous feature of the Roman constitution, collegiality. "Die eigenen Magistrate für Landanweisung... sind alle collegialisch geordnet, die Zahl der Stellen aber ist sehr verschieden."²⁹ But in Appian *BC* 1. 9. 37, where the composition and function of the land commission are explained, the phrase *ἐναλλασσόμενους κατ' ἔτος* is used. J. Carcopino has interpreted this phrase to mean that each year one man was put in charge of distributing the land: "Littéralement, il (Appian) nous apprend qu'en vertu de la *lex Sempronia*, le surplus des lots de l'*ager publicus*... serait distribué aux citoyens pauvres par une commission de trois hommes élus une fois pour toutes—*αἵρετούς*—lesquels s'acquitteraient de cette mission à tour de rôle une année sur trois: *ἐναλλασσόμενους κατ' ἔτος*..."³⁰

While Carcopino's interpretation is bold,³¹ it is hard to see what else the Greek Appian uses could mean: each year one man out of the three elected to the commission directed the distribution of the *ager publicus*. As I mentioned, only members of the land commission could reapportion land. Consuls did not share in the duties involved. There are a number of inscrip-

29. Mommsen, *Staatsrecht*³, II. 1, 628.

30. J. Carcopino, *Autour des Gracques* (Paris, 1928), p. 153.

31. See E. Gabba, ed., *Appiani Bellorum civilium liber primus* (Florence, 1967), pp. 26 and 437.

tions, *termini*, of the land commission which have been found (Degrassi, *ILLRP* 467–75). All of them mention only members of the land commission. Thus, if Appius Claudius Pulcher (*cos.* 143) had been responsible primarily for the section of Lucania where the *elogium* was found, he would have been able to claim that he was *primus* to take land from the *pastores* and give it to the *aratores*. The other two members of the commission, Tiberius and Gaius Gracchus, would not have objected to this. Appius would have been in charge for that year, as Tiberius was tribune and Gaius was with Scipio at Numantia. Appius was also Tiberius' father-in-law. Their bond, both political and personal, would allow Appius' claim. If the distribution of land referred to in the *elogium* occurred after Tiberius' death, Appius would have assumed control of the commission as its eldest and most distinguished member. Also we must remember the nature of this inscription. It is an *elogium* erected by the author of the deeds described for his own glory; it served the purpose of reminding the local population who its benefactor had been.

But if only members of the land commission were involved in the distribution of land, on what basis can P. Popilius Laenas (*cos.* 132), T. Annii Luscus (*cos.* 153) or T. Annii Rufus (*cos.* 128) be considered the author of the *elogium*? Different arguments are advanced for the claims of each of these men; but the same reason is given for all of them in explaining how each could say he was *primus*: propaganda to counter the Gracchan or Claudian

factio. Wiseman explains: "Annii's third claim was topical and controversial, a defensive answer to the Gracchan centuriation that must have surrounded his settlement. As far as the Val di Diano itself was concerned it was no doubt strictly untrue, but in the political context of the time, and under the statue of a son of Ti. Gracchus' *inimicus* T. Annii Luscus, it is easy to see why it was made."³² F. T. Hinrichs, the most recent defender of Mommsen's identification, adopts the same defense: "Von der neuen These wird nicht berücksichtigt, dass der Satz: *eidem primus feci* . . ." jedenfalls mit der Gracchenreform im Zusammenhang steht, es sei im Sinne der Opposition . . ."³³

But how likely is this? To set up this inscription in the heart of the territory where the land commission was most active and to claim to be *primus* would hardly neutralize the effects of the land commission. How many *aratores* could an Annii or Popilius settle in building a road? Surely a small number compared to those settled by the land commission. Not many travellers would, first, use the road³⁴ and, second, then stop to read the *elogium*. Besides, the *inimici* of the Gracchi tried to stop the commission, not outdo it.³⁵

If my identification of the author of the *elogium* is correct, the road from Capua to Rhegium would then have been called a Via Appia. In the *Itinerarium Antonini Augusti* (106. 5–111. 5) a road from Rome to the Sicilian strait, which passed through Capua, Nuceria, and Cosentia, is called Via Appia. The road from Capua to Rhegium mentioned in the *elogium* passed

32. Wiseman II, p. 91.

33. F. T. Hinrichs, "Nochmals zur Inschrift von Polla," *Historia*, XVIII (1969), 254, where he tries to defend his use of Popilius as the author of the *elogium*. He had used the *elogium* with Popilius as its author in "Der römische Strassenbau zur Zeit der Gracchen," *Historia*, XVI (1967), 162–76, to prove that the roads built during the Gracchan reforms were intended to counteract the Gracchan land reforms. But once again, this seems a very expensive way to outdo the

Gracchi. The number settled this way could hardly match the numbers to whom the Gracchi gave land.

34. Wiseman notes that most traffic to Sicily would use the sea instead of a land route.

35. C. Sempronius Tuditanus (*cos.* 129) was to take over the judicial functions of the land commission, but instead he campaigned against the Iapydes (App. *BC* 1. 18–19). The effects of Spurius Thorius' law, which ended the distribution of land, are simply stated by Appian (*BC* 1. 27).

through these same towns. The distance from Capua to the strait for the road mentioned in the *Itinerarium Antonini Augusti* is 323 Roman miles (the total from Rome to the strait, 455, minus the distance from Rome to Capua, 132, equals 323). The *elogium* states it is 321 Roman miles from Capua to the strait (84 miles from the site of the *elogium* to Capua plus 231 miles from the site of the *elogium* to the strait). Both refer to the same road.

Strabo (6. 3. 7), describing the Via Appia which runs from Rome to Brindisi, also describes the road running from Capua to Rhegium. He does not call this road a Via Appia and clearly distinguishes it from the famous Via Appia. But it is interesting to note that he describes the road from Capua to Rhegium with the Via Appia, rather than in his description of western Italy. Both roads would naturally be considered a unit, both leaving Capua, one running south, the other east. If both were also called Via Appia, it would add to the tendency to consider them as one.³⁶

The *elogium*'s author, in my view, had to be Appius Claudius Pulcher (*cos.* 143). P. Popilius Laenas (*cos.* 132) was an enemy of the Gracchi and the land commission.

T. Annius Luscus (*cos.* 153) and T. Annius Rufus (*cos.* 128) were also *inimici* of the Gracchi. Also, the milestone inscribed *T. Anni pr.* specifies that, whichever Annius it was, he was praetor when he laid it, whereas the author of the *elogium* was consul when he built the road. The author of the inscription could not have been praetor in Sicily in 131, as Wiseman has suggested for Annius Rufus. To return 917 rebellious slaves to their masters without punishing them, when Rupilius punished the rebels he captured (Diod. 34/35. 2. 20–23), makes no sense. The *elogium* from Polla does not have any reference to the First Slave War. The author of the *elogium* held the praetorship before 138 (the outbreak of the war) and was a member of the Gracchan land commission. Appius Claudius Pulcher's political career is the only one which fits the information contained in the *elogium*. The purpose of the *elogium* was to remind the southern Italians who their benefactor was. The nature of the inscription, brash and proud, and its uniqueness among republican inscriptions would fit the traditional character of an Appius Claudius Pulcher.

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36. I am very grateful to Prof. E. T. Salmon for giving me the reference to the *Itinerarium Antonini Augusti* and for calling to my attention Strabo's mention of the road from

Capua to Rhegium in the context of the Via Appia that ran from Brindisi to Rome.