

## THE TRIUMPH OF METELLUS SCIPIO AND THE DRAMATIC DATE OF VARRO, *RR* 3\*

‘sed ad hunc bolum ut pervenias, opus erit tibi aut epulum aut triumphus alicuius, ut tunc fuit Scipionis Metelli, aut collegiorum cenae, quae nunc innumerabiles excandefaciunt annonam macelli.’ Varro, *RR* 3. 2. 16. (‘But to make such a haul as this, you will need a public banquet, or somebody’s triumph, like Metellus Scipio’s then, or the dinners of the *collegia*, which are innumerable just now and send the price of provisions in the market blazing up.’)

The scene is the *villa publica*, on the day of the aedilician elections. Varro and his friend Q. Axius of Reate have taken refuge there from the heat of the day, and meet Ap. Claudius Pulcher, the augur, waiting in case he should be summoned to the *comitia* for consultation.<sup>1</sup> The conversation turns to the rearing of small birds for the table, a form of farming practised particularly in the villas outside the city. The alleged reason for discussing this topic is that Appius’ four companions in the *villa publica* all have bird-names for their *cognomina*.<sup>2</sup> Early in the discussion, after some preliminary witticisms about birds and villas, Varro informs an incredulous Axius of the vast profits to be made from this type of livestock, especially if some special event forces up the prices, and gives as an example, as quoted above, the triumph of Metellus Scipio.

This event is mentioned only here, and seems to have been overlooked in many recent discussions.<sup>3</sup> Triumphs were not everyday occurrences in the 50s,<sup>4</sup> and for that reason alone this one would be worth noting; but in addition the passage sheds further light on two interesting problems, the career of Q. Metellus Scipio himself, and the dramatic date of book 3 of the *Res Rusticae*.

### I. THE CAREER OF METELLUS SCIPIO

According to Varro, the triumph had already taken place before the time of this conversation, though not necessarily long before. The unemphatic use of *tunc* and *nunc* serves to contrast the occasional nature of a triumphal celebration (especially such a one as Scipio’s) with the current frequency of collegiate banquets ‘quae *nunc* innumerabiles’,<sup>5</sup> rather than to emphasise how long ago the former took place. When did Scipio triumph?

The campaign in which he achieved his victory must have been conducted in the *provincia* which he obtained as praetor, since he held no province after his consulship

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<sup>1</sup> Varro, *RR* 3. 2. 1–2.

<sup>2</sup> Ibid. 3. 2. 3–18.

<sup>3</sup> It is noted by K. D. White, *Roman Farming* (London, 1970), 400, discussing the economics of different patterns of agriculture. F. Münzer (*RE* 3 [1899], 1228) takes the passage to refer to Scipio’s farming interests.

<sup>4</sup> Degraffi lists only two, that of C. Pomptinus in November 54, and that of P. Lentulus Spinther in 51 (*Inscr. It.* xiii. 1. 566).

<sup>5</sup> Although ‘*nunc*’ is an emendation by Keil for the the ‘*tunc*’ or ‘*tunt*’ of the MSS, it is surely correct (H. Keil, *M. Porci Catonis de agri cultura, M. Terenti Varronis rerum rusticarum libri tres* II. 2 [Leipzig, 1891], 230–1).

with his son-in-law, Pompey, in 52; the provisions of Pompey's own law on the matter, passed that very year, imposed a five-year interval between the holding of a magistracy and the tenure of a province.<sup>6</sup> By the time his five years were completed, he was engaged on the Republican side in the war against Caesar, and died in the aftermath of Thapsus. His praetorship is tentatively dated by Broughton (*MRR* II. 215) to 55, being the latest possible date under Sulla's law, which required a two-year gap between the holding of the praetorship and candidacy for the consulship, which Scipio undertook in 53.<sup>7</sup> It is certain that the triumph cannot have taken place before 54. Fragment XXXIX of the *Fasti Triumphales Capitolini* records Pompey's triumph in the eastern provinces and over the pirates in 61, immediately followed by an entry for which only the year-date DCXCIX (i.e. 54 B.C.) survives. Degrassi restores here the triumph of C. Pomptinus over the Allobroges, which was celebrated in November 54 after a seven-year delay.<sup>8</sup> It could equally well record the triumph of Scipio, or alternatively be followed by such a record.

If January 54 is the earliest date at which this triumph could have been held, June 53 provides a *terminus ante quem*. A *tessera* from Rome bears the date ID.IUN./Q.MET.INT., and must refer to Metellus Scipio as *interrex* in 53, before the election of the consuls for that year in July.<sup>9</sup> In fact it is most unlikely, as will be shown below, that the dramatic date of *RR* 3 is in or after 53, which makes the first half of 54 the most probable date for the triumph.

A triumphal return to Rome in 54 presupposes a victorious campaigning season in some province during 55, which suggests that Scipio held the praetorship in 56 rather than in 55. He would then have been a colleague of M. Aemilius Scaurus, who was in Rome during his praetorship and presided at the trial of Sestius, went to Sardinia as governor, and returned to Rome at the end of May 54.<sup>10</sup> Scipio may well have followed a similar pattern. His province can only be guessed at. The governors of Sicily, Bithynia/Pontus and Africa are all unknown in 55. Of these, Africa is perhaps the most tempting, given both the Scipionic connection with the area, and Metellus Scipio's own command there during the Civil War. However the sources which report the choice of Scipio in 48 make no mention of any experience he himself might have had there, though they make much of the belief on the Republican side of the invincibility of the Scipios in Africa.<sup>11</sup>

If Metellus Scipio was praetor in 56, then he cannot have been curule aedile in 57, as Münzer believed.<sup>12</sup> However the reason for his suggestion was that in this year Scipio put on magnificent funeral games for his adoptive father, who had died in 63; the most economical explanation for this long delay is that Scipio was waiting for his aedileship, and that this would then provide a splendid prelude to the praetorian elections of the following year. However the passage of Cicero which mentions the games does not describe Scipio as aedile, nor does the Bobbian Scholiast in his commentary on it.<sup>13</sup> The games may have been intended to influence the praetorian elections of 57, rather than the following year, and it may have been with this in view that Scipio postponed them for so long.

<sup>6</sup> Dio 40. 56. 1.                    <sup>7</sup> Asconius 30–1 C.

<sup>8</sup> Degrassi, *Inscr. It.* XIII. 1. 84–5, 566.

<sup>9</sup> *CIL* I<sup>2</sup>. 2. 2663c; cf. F. Münzer, *Hermes* 71 (1936), 223; Broughton, *MRR* II. 229. On the election of the consuls for 53, see Dio 40. 45. 1.

<sup>10</sup> Scaurus as praetor: Cic. *Sest.* 101 and 116. Governorship and return: Asconius 18C.

<sup>11</sup> Dio 42. 57; Plutarch, *Cat. Min.* 57; *Caes.* 52. 4; Suet. *Caes.* 59.

<sup>12</sup> F. Münzer, *Hermes* 40 (1905), 97, followed by Broughton *MRR* II. 201 and 207 n. 1. On the interval between aedileship and praetorship, see Mommsen *StR* I<sup>3</sup>. 528.

<sup>13</sup> Cic. *Sest.* 124; Schol. Bob. p. 137 (St.).

II. THE DRAMATIC DATE OF *RR* 3

Until recently the accepted *mise en scène* of *RR* 3 was the aedilician elections of 54.<sup>14</sup> The reason for this dating was apparently the mention by Appius Claudius of a visit paid by him to Axius' villa, while dealing with a dispute between the people of Interamna and of Reate.<sup>15</sup> In a letter to Atticus, dated *a.d.vi Kal. Sext.*, Cicero mentions a visit paid by him to Axius' villa at Reate, in connection with his appearance on their behalf before a board consisting of the consuls and ten *legati* in a case concerning the Interamnates.<sup>16</sup> As Appius was consul in 54, the two passages have been linked.

Since 1965, however, a formidable array of scholars has raised objections to the traditional date.<sup>17</sup> Firstly it has been pointed out that the problem between Reate and Interamna, which involved the flooding of the river Nar, was of long standing, resulting from the activities of M'. Curius Dentatus (censor 272 B.C.) and continuing into the first century A.D.;<sup>18</sup> and that it is unlikely that the two visits to Axius' villa coincided, as Cicero does not mention Appius' presence. Secondly, if *RR* is dated to 54, then Appius was consul. Varro describes him simply as augur. Finally it is argued that there probably were no aedilician elections in 54 in any case. Certainly there were no consular elections, as the consuls of 53 did not take office until July 53, and a remark of Cicero's about *interreges* handling legal business suggests that there were no praetors in the early months of the year.<sup>19</sup> As Mommsen established, there was normally a strict ordering of the elections for the curule magistracies, with the aedilician elections following those for consuls and praetors. If the higher magistrates were not elected because of the disruption of the elections through the disorders of 54, then (it is argued) the aediles will not have been elected either.<sup>20</sup> For these reasons Taylor placed the dialogue 'probably within the two decades before 50 when Appius Claudius Pulcher, *cos.* 54, was an augur', and Nicolet at some point between 63 (when Appius is first mentioned as augur) and 55, arguing that 54 is impossible, and that Appius was away in Cilicia as proconsular governor from 53 to 51.<sup>21</sup>

Varro's mention of the triumph of Metellus Scipio precludes a dramatic date for *RR* 3 earlier than January 54. As Nicolet has pointed out, Appius Claudius was away from Rome between 53 and 51. It is not clear at what point in 53 he left the city. Cicero, writing to Lentulus Spinther in December 54, expected Appius to leave for his province at any moment, despite his difficulties with the *lex curiata*.<sup>22</sup> By the time of his first letter to Appius in Cilicia, the latter has already won a victory, and been acclaimed

<sup>14</sup> So R. Hirzel, *Der Dialog* (Leipzig, 1895), 553 n. 1, reporting A. Schleicher, *Meletem. Varron. spec.* (Bonn, 1846), 10, who apparently gave the date as *a.d.vi* or *v Id.* Quint. in the year 54 B.C. The traditional argument is given by H. Dahlmann, *RE* suppl. 6 (1935), 1192.

<sup>15</sup> *RR* 3. 2. 3.

<sup>16</sup> Cic. *ad Att.* 4. 15. 5, cf. id. *Scaur.* 27.

<sup>17</sup> D. R. Shackleton Bailey, *Cicero's Letters to Atticus* II (Cambridge, 1965), 208–10; L. R. Taylor, *Roman Voting Assemblies* (Ann Arbor, 1966), 135 n. 58; C. Nicolet, *REA* 72 (1970), 113 n. 2 & 116 n. 1; J. Heurgon, *Varron: Économie Rurale* I (Paris, 1978), xx.

<sup>18</sup> Shackleton Bailey, loc. cit.; L. R. Taylor, *Voting Districts of the Roman Republic* (Rome, 1960), 63 n. 63; cf. Tac. *Ann.* 1. 79.

<sup>19</sup> Dio 40. 45. 1; Cic. *ad fam.* 7. 11. 1; cf. Mommsen *StR* I<sup>3</sup>. 660–1.

<sup>20</sup> Shackleton Bailey, loc. cit.; Mommsen *StR* I<sup>3</sup>. 580–2.

<sup>21</sup> See above n. 17. Nicolet also excludes 59, the year in which Varro was a *vigintivir ad agros dividendos Campanos* (*RR* 1. 2. 10; see C. Cichorius, *Römische Studien* [Bonn, 1922], 198). A. W. Lintott, *Violence in Republican Rome* (Oxford, 1968), 71–3, argues for a dramatic date in July 55.

<sup>22</sup> Cic. *ad fam.* 1. 9. 25.

by his troops, as Cicero addresses him as *imperator*. The success does not seem to have been recent, since Cicero makes no mention of military activity at all in the letter.<sup>23</sup> The journey from Rome to Cilicia took Cicero three months in 51; the fastest letter we hear of in Cicero's correspondence from the province took 46 days to travel from Rome to Cybistra.<sup>24</sup> Even if Appius was hailed as *imperator* as soon as he arrived in his province, it would have taken four and a half months from his departure from Rome to the news reaching the senate. Cicero's letter to him must have been written before the death of his brother, P. Clodius, on 18 January 52, which is not referred to. All this suggests that Appius had left Rome by August 53 at the latest. One further piece of evidence points to a considerably earlier date. The city of Apamea in Phrygia, which at this date was attached to the province of Cilicia, minted cistophori during the late 50s bearing the name of the proconsul and of a local magistrate. Comparison of these coins with other parallel series produced in western Asia Minor at the same period indicates that these local officials were the eponymous annual magistrates of the city.<sup>25</sup> Four such are known from the period of Appius' governorship: the first in the series describes him as PRO.COS, and carries the name of an Apameian magistrate who also appears on a cistophorus from the governorship of Appius' predecessor, P. Lentulus Spinther; the other three describe him as IMP., and the local magistrate on one of these (presumably the latest) also appears on a coin from Cicero's governorship.<sup>26</sup> The appearance of four different local magistrates indicates that Appius was in the province for more than two years. He was still in Cilicia (and still acting as governor, much to Cicero's chagrin) in August 51, but left probably at the very end of that month or the very beginning of September.<sup>27</sup> In this case he must have been in the province in or before August 53, and have left Rome in May of that year at the latest. He could not therefore have been present at the elections in 53, which were not held before July, the month in which the consuls were elected;<sup>28</sup> nor could he have attended the elections of 52 or 51. His own election to the censorship of 50 took place in that year.<sup>29</sup> Of the other participants in the dialogue, Varro himself was in Spain, as one of Pompey's legates in 49, and had apparently been there for some time before the war began.<sup>30</sup> It is probable, though not certain, that he was already there by mid-50, in which case he could not have been present at the elections of that year.

The dramatic date of the dialogue must therefore be either 54 or 50, with the former

<sup>23</sup> Cic. *ad fam.* 3. 1. For commentary and date, see Shackleton Bailey, *Cicero: Epistulae ad familiares* 1 (Cambridge, 1977), 359.

<sup>24</sup> Cicero left Rome at the end of April or the beginning of May 51 (*ad Att.* 5. 1) and arrived at Laodicea on 31 July (*ad Att.* 5. 15. 1). For the rapid letter, see *ad Att.* 5. 19. 1 (cf. L. W. Hunter, *JRS* 3 [1913], 91 n. 4).

<sup>25</sup> Pergamum: B. M. Cat. Mysia, pp. 124–6, nos. 97–107, 109, 111–113, 116–124 (for the *pytanis* as the eponymous magistrate, see *Inscr. von Pergamon* no. 5 lines 15–16, and note ad loc.). Tralles: B. M. Cat. Lydia, p. 334, no. 51 (for the *stephanephoros* as eponymous, W. Ruge, *RE* VI A [1937], 2111–12). On the local magistrates on these coins, see M. Pinder, *Abh. Kön. Akad. Wiss. Berlin* 1855, 543–5. For a survey of proconsular types, J. M. Cody, *AJA* 77 (1973), 43–50.

<sup>26</sup> B. M. Cat. Phrygia, pp. xxxiii and 73. On the magistrates and organisation of Apameia, see D. Magie, *Roman Rule in Asia Minor* (Princeton, 1950), 126 and 983 n. 19; W. M. Ramsay, *Cities and Bishoprics of Phrygia* II (Oxford, 1897), 437–45.

<sup>27</sup> Cic. *ad Att.* 5. 16. 4, 17. 6; *ad fam.* 3. 6. 6.

<sup>28</sup> Above n. 19. For the consul presiding at this election, see *RR* 3. 5. 18.

<sup>29</sup> Cic. *ad fam.* 3. 10, 11 and 13.

<sup>30</sup> Caesar, *BC* 1. 38; Cic. *ad fam.* 9. 13. 1; J. E. Skydsgaard, *Varro the Scholar* (Copenhagen, 1968), 97; N. M. Horsfall, *BICS* 19 (1972), 120–1.

being the more likely. One further consideration confirms the earlier date. One of the speakers in the opening stages of the discussion cites an example:

'age, non M. Cato nuper, cum Luculli accepit tutelam, e piscinis eius quadraginta milibus sestertiis vendidit piscis?' (*RR* 3. 2. 17) ('Come, did not Marcus Cato recently, when he became the guardian of Lucullus, sell the fish from the fish-ponds for 40,000 sesterces?')

Cato's ward was M. Lucullus, the son of L. Lucullus, the consul of 74, and Cato's half-sister Servilia.<sup>31</sup> After Cicero's exile in 58 and Cato's departure for Cyprus, L. Lucullus retired to his estates, where he fell ill of a love-potion administered by his freedman Callisthenes. He consequently lost his wits, and his estate was administered by his brother. Shortly after this he died, and was buried by his brother on his Tusculan estate, the brother himself dying not long after.<sup>32</sup> The death of Lucullus occurred either in late 57 or early 56, as Cicero in the *de provinciis consularibus* of June 56 mentions the brother, M. Lucullus, as being among those distinguished senators present, and bewails the fact that L. Lucullus is no longer among them.<sup>33</sup> From this it would appear that he is speaking at a time between the deaths of the two brothers. It is not certain whether Cato became *tutor* to the young Lucullus as a result of the will of L. Lucullus, or following the death of the elder M. Lucullus, presumably on the ruling of a magistrate. A chance remark attributed to Cato by Cicero in the *de finibus* would suggest the former.<sup>34</sup> In either case, Cato's acceptance of the *tutela* was probably not earlier than late 57 nor later than late 56. As this is described as having happened 'nuper' in *RR* 3, it is likely that the dramatic date of the latter is 54 rather than 50.

### III. THE ELECTIONS OF 54

Of the three arguments brought against this date, the first (about the long-standing nature of the quarrel between Reate and Interamna) does not of course exclude the possibility that it was the investigation of 54 to which both Varro and Cicero refer.<sup>35</sup> Varro's failure to mention Appius' consulship is certainly odder, although the point of introducing him into the dialogue is that he is an augur surrounded by 'birds' in the shape of his four aptly named companions, a typically Varronian conceit.<sup>36</sup> In the circumstances the information that he was augur is integral to the construction of the work, while the fact that he was also consul is not, and might even cause confusion as he was not presiding at the election.

The third argument (that there would not have been any aedilician elections in 54, since there were no consular or praetorian elections) is less easily disposed of. If, as I have argued, 54 is virtually the only possible dramatic date, then it follows that either there *were* aedilician elections that year, or that Varro has been careless in the construction of the *mise en scène* for his dialogue. No doubt Varro wrote at great speed, and his prose style suffers accordingly;<sup>37</sup> but he was, after all, renowned not only in succeeding ages but also among his contemporaries as 'vir ingenio praestans omnique

<sup>31</sup> Cic. *de fin.* 3. 7–9; Plut. *Cat. Min.* 24 and 54.

<sup>32</sup> Plut. *Lucullus* 43; Pliny, *NH* 25. 25; *de vir. ill.* 74.

<sup>33</sup> Cic. *de prov. cons.* 22.

<sup>34</sup> Cic. *de fin.* 3. 8. On different forms of *tutela*, see W. W. Buckland, *A Textbook of Roman Law* (3rd ed., rev. P. Stein, Cambridge, 1975), 142–52.

<sup>35</sup> There is no reason to believe that the case was heard at Reate; indeed Cic. *Scaur.* 27 suggests that it was heard in Rome (so Shackleton Bailey, loc. cit. [n. 17]), in which case Appius and Cicero probably made separate excursions to gather information.

<sup>36</sup> Varro *RR* 3. 2. 2; see Hirzel, op. cit. 558–9.

<sup>37</sup> So E. Laughton, *CQ* n.s. 10 (1960), 1–28, more charitably than most.

doctrina'.<sup>38</sup> Cicero could be harsh with those who should have known their history but did not, as his later remarks about Metellus Scipio demonstrate,<sup>39</sup> and it is unlikely that Varro would have retained his enviable reputation if he were so imprecise in the setting of his (no doubt imaginary) conversation, an imprecision which would rapidly have been apparent to his readers in the mid-30s B.C.<sup>40</sup>

If Varro placed the aedilician elections in 54, a year in which neither consuls nor praetors were elected, this raises in an acute form the question of the ordering of the election of the curule magistrates (consuls, praetors and aediles) and of the quaestors; in particular it requires a re-examination of the evidence from which Mommsen, with his customary clarity and erudition, deduced that the schedule (consular, followed in order by praetorian, aedilician and quaestorian) must have been established by law.<sup>41</sup> There can be no doubt, as Mommsen shows, that under normal circumstances this order was followed. In the 50s, however, circumstances were not normal, and of the years 57 to 52 inclusive, only the elections of 55 for 54, and 52 for 51 seem to have been completed successfully before the end of the year, so that each of the years 56, 55, 53 and 52 began without a full complement of magistrates. It is to the elections of this period that special attention must be paid in order to elucidate the position in 54.

In 57 the aedilician elections, in which P. Clodius was a candidate, were postponed until 20 January 56 by the action of T. Annius Milo, who, as tribune of the plebs, prevented the consul Q. Metellus Nepos from taking the auspices which were the necessary preliminary to the meeting of the electoral assembly.<sup>42</sup> Dio notes, in a passage exhibiting considerable chronological confusion, that this also delayed the prosecution of Clodius by Milo on a charge of committing public violence, because no quaestors had been elected, as it was necessary for the aediles to be elected before the quaestors.<sup>43</sup> In 56 the elections were delayed by the intervention of three tribunes, led by C. Cato, and did not take place until January 55, when, according to Dio, the elections of the consuls, praetors and aediles took place; it seems likely that all the elections except those of the tribunes and plebeian aediles had been delayed on this occasion.<sup>44</sup> The bribery scandal which prevented the holding of the consular elections in July 54 related solely to the consular candidates and the consuls who were alleged to have conspired with them.<sup>45</sup> The result, according to Dio (and confirmed by other evidence), was that there were neither consuls nor praetors in office before July 53.<sup>46</sup> Similarly, in the case of the elections for 52, the disruption caused by the violence of Milo, Plautius Hypsaenus and Clodius affected the consular elections, so that (as both

<sup>38</sup> Cic. *Brut.* 205. Other ancient opinions are collected conveniently by H. Dahlmann, *RE* suppl. 6 (1935), 1178–9.

<sup>39</sup> Cic. *ad Att.* 6. 1. 17–18, on a statue set up by Scipio in Rome in 51.

<sup>40</sup> *RR* 1 was written in 37, in Varro's eightieth year (l. 1. 1). He was born, according to Jerome, *Chron.* 147H, in 116 B.C.

<sup>41</sup> Mommsen *StR* I<sup>3</sup>. 580 n. 2: 'Besonders nach dieser Stelle (Dio 39. 7. 4) ist nicht zu bezweifeln, dass diese Reihenfolge gesetzlich festgestellt war'. So also L. R. Taylor, *Roman Voting Assemblies*, 63 and 141 n. 12.

<sup>42</sup> Cic. *ad Att.* 4. 3. 3–4; Dio 39. 7. For the date of the election, Cic. *ad QF* 2. 2. 2.

<sup>43</sup> Dio 39. 7. 4. Cf. Mommsen, loc. cit. (n. 41). On the chronology, and Dio's confusion, see Ed. Meyer, *Caesars Monarchie* (3rd ed., Stuttgart, 1922), 109 n. 2.

<sup>44</sup> Cic. *ad Att.* 4. 16. 5–6, 15. 4; Livy, *ep.* 105; Dio 39. 27–31. P. Crassus, who issued coinage in this year, presumably as *monetalis*, was not present in Rome until January 55 (Dio 39. 31. 2; Cic. *ad QF* 2. 7. 2; M. H. Crawford, *Roman Republican Coinage* 1 [Cambridge, 1974], 88 and 454, no. 430).

<sup>45</sup> Cic. *ad Att.* 4. 15. 7, 17. 2–3.

<sup>46</sup> Dio 40. 45. 1–3. See above p. 458 and n. 19.

Asconius and Dio attest) the year 52 began without either consuls or praetors having been elected.<sup>47</sup>

The evidence from this turbulent period may be summarised as follows: obstructive measures, such as those of the tribunes of 56, could cause the postponement of the elections of all the magistrates of the *populus Romanus* in any year, even though the magistrates chosen by the plebs (the tribunes and the plebeian aediles) might still be elected as usual; secondly, interference with the aedilician elections could prevent the election of quaestors (as in 57/6); and thirdly, the postponement of the consular elections could prevent the praetors being elected (as in 54/3 and 53/2). It will be noted that in none of these cases does our evidence indicate that the delaying of the consular elections for any length of time affected the holding of the aedilician elections. The only case which suggests a link between the time-tabling of these two sets of elections (consular/praetorian and aedilician/quaestorian) is the remark of M. Caelius in a letter to Cicero, dated 1 August 51, in which he mentions the delay in the praetorian elections, and complains that he is uncertain about the outcome of his own candidature for the curule aedileship.<sup>48</sup> In this instance, however, the delay was only of a few weeks rather than the many months of the earlier cases examined above, and it may have seemed unnecessary to rearrange the normal order of the elections. In support of a distinction between the two sets of elections, there are other ways in which they differ from one another. The consular and praetorian elections were regarded as being closely connected, and different from all others. They were conducted under the same auspices, and earlier even on the same day.<sup>49</sup> On the other hand, there was a distinction between the auspices required for the consular and quaestorian elections, a distinction ignored by the dictator Caesar when he rushed through the election of Caninius Rebilus as consul on the last day of 45.<sup>50</sup> Again, the consular and praetorian elections took place in the *comitia centuriata*, while the others were held in the *comitia tributa*.<sup>51</sup> Consuls and praetors were potentially the commanders of Roman armies, which was not true of the other magistrates, and it would not be surprising if their election was regarded in a different light.

Mommsen's evidence does not seem to be strong enough to support his conclusion that the ordering of the elections from consular to quaestorian was laid down by statute. Needless to say, it is extremely difficult to argue precisely what was or was not allowed in the conduct of elections at so confused and violent a period as the mid-50s. Such confusion makes more likely rather than less the occurrence of aedilician elections, even though no consuls had been chosen.

One further consideration indicates that not only was it possible for these elections to take place in 54, but that they actually did so. Although the names of the curule aediles of 53 are unknown, two men are recorded to have served as quaestors during the year. One of these, M. Iunius Brutus, is said by the highly unreliable *de viris illustribus* to have accompanied his father-in-law, Ap. Claudius Pulcher, to Cilicia.<sup>52</sup> As has already been seen, Pulcher must have left for his province before July 53, when the consuls for that year were eventually elected; in which case, if the *de vir. ill.* is to

<sup>47</sup> Ascon. 30–31 C; Dio 40. 46. 3, who adds anachronistically that there was no *praefectus urbi* elected either. The connection between the praetorship and the consular elections is also made by Cicero, *de aere alieno* Milonis fr. 16, ap. Schol. Bob. p. 172 (St.).

<sup>48</sup> Cic. *ad fam.* 8. 4. 3.

<sup>49</sup> Mommsen *StR* I<sup>3</sup>. 99 n. 1, and 581.

<sup>50</sup> Cic. *ad fam.* 7. 30. 1.

<sup>51</sup> Mommsen *StR* II<sup>3</sup>. 80; *Rom. Forsch.* 1. 157 ff.

<sup>52</sup> *de vir. ill.* 82.

be trusted, Brutus must have been elected quaestor in 54. The other man was C. Cassius Longinus, who is attested by several sources, including Velleius, Plutarch and Dio, to have been serving under Crassus as quaestor at the time of the disaster at Carrhae, which took place on the feast of Vesta (i.e. June 9) in the year 53.<sup>53</sup> Again it is clear that he must have been elected to his magistracy in 54. If, as Dio asserts in connection with the election of the magistrates for 56, no quaestors could be elected until after the election of the curule aediles, then it follows that there were also aedilician elections in 54.<sup>54</sup>

The year 54 was marked by confusion and corruption on a scale previously unknown in the history of the Roman republic. It was a year in which extraordinary events occurred, soon to be overshadowed by the yet more calamitous happenings of the next decade. It has been the intention of this paper to show that it was precisely in the midst of this maelstrom of political and constitutional irregularity that Varro, writing some eighteen years later at the close of his life, set his dialogue about the ways in which a shrewd villa-owner might make a good profit from the luxurious tastes of Rome.

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<sup>53</sup> Vell. 2. 46. 4; Plut. *Crass.* 18; Dio 40. 25. 4; Eutrop. 6. 18; Festus, *brev.* 17; cf. Appian, *BC* 4. 59. Cicero addresses him as *pro quaestore* in 51 (*ad fam.* 15. 14). G. V. Sumner, *Phoenix* 25 (1971), 365 and J. Linderski, *CP* 70 (1975), 35–7 argue for 54 or 55 as the date for Cassius' quaestorship, the latter on the grounds that there were no elections for magistrates for 53 before July of that year. Linderski admits, however, that the evidence of the sources is overwhelmingly in favour of a quaestorship in 53.

<sup>54</sup> Above n. 43.