



<https://publications.dainst.org>

---

# iDAI.publications

---

ELEKTRONISCHE PUBLIKATIONEN DES  
DEUTSCHEN ARCHÄOLOGISCHEN INSTITUTS

Dies ist ein digitaler Sonderdruck des Beitrags / This is a digital offprint of the article

E. Badian

## Notes on a Recent List of Praefecti Fabrum under the Republic

aus / from

### Chiron

Ausgabe / Issue **27 • 1997**

Seite / Page **1–19**

<https://publications.dainst.org/journals/chiron/1000/5367> • urn:nbn:de:0048-chiron-1997-27-p1-19-v5367.6

Verantwortliche Redaktion / Publishing editor

**Redaktion Chiron | Kommission für Alte Geschichte und Epigraphik des Deutschen Archäologischen Instituts, Amalienstr. 73 b, 80799 München**

Weitere Informationen unter / For further information see <https://publications.dainst.org/journals/chiron>

ISSN der Online-Ausgabe / ISSN of the online edition **2510-5396**

Verlag / Publisher **Verlag C. H. Beck, München**

**©2017 Deutsches Archäologisches Institut**

Deutsches Archäologisches Institut, Zentrale, Podbielskiallee 69–71, 14195 Berlin, Tel: +49 30 187711-0

Email: [info@dainst.de](mailto:info@dainst.de) / Web: [dainst.org](http://dainst.org)

**Nutzungsbedingungen:** Mit dem Herunterladen erkennen Sie die Nutzungsbedingungen (<https://publications.dainst.org/terms-of-use>) von iDAI.publications an. Die Nutzung der Inhalte ist ausschließlich privaten Nutzerinnen / Nutzern für den eigenen wissenschaftlichen und sonstigen privaten Gebrauch gestattet. Sämtliche Texte, Bilder und sonstige Inhalte in diesem Dokument unterliegen dem Schutz des Urheberrechts gemäß dem Urheberrechtsgesetz der Bundesrepublik Deutschland. Die Inhalte können von Ihnen nur dann genutzt und vervielfältigt werden, wenn Ihnen dies im Einzelfall durch den Rechteinhaber oder die Schrankenregelungen des Urheberrechts gestattet ist. Jede Art der Nutzung zu gewerblichen Zwecken ist untersagt. Zu den Möglichkeiten einer Lizenzierung von Nutzungsrechten wenden Sie sich bitte direkt an die verantwortlichen Herausgeberinnen/Herausgeber der entsprechenden Publikationsorgane oder an die Online-Redaktion des Deutschen Archäologischen Instituts ([info@dainst.de](mailto:info@dainst.de)).

**Terms of use:** By downloading you accept the terms of use (<https://publications.dainst.org/terms-of-use>) of iDAI.publications. All materials including texts, articles, images and other content contained in this document are subject to the German copyright. The contents are for personal use only and may only be reproduced or made accessible to third parties if you have gained permission from the copyright owner. Any form of commercial use is expressly prohibited. When seeking the granting of licenses of use or permission to reproduce any kind of material please contact the responsible editors of the publications or contact the Deutsches Archäologisches Institut ([info@dainst.de](mailto:info@dainst.de)).

E. BADIAN

## Notes on a Recent List of Praefecti Fabrum under the Republic

In *Chiron* 25, 1995, 131–145 KATHRYN E. WELCH (henceforth W.) made what is surprisingly the first attempt ever to compile a complete list of *praefecti fabrum* attested under the Republic. There have been some partial lists, e.g. one by B. DOBSON in: *Britain and Rome* (see W.'s bibliography, p. 131 n.2) p. 63 – a brief preamble to his thorough discussion of those attested under the Empire – and one, less excusably incomplete, by J. HARMAND, *L'armée et le soldat à Rome* (cit. *ibid.*) p. 365, in a very unsatisfactory discussion of their duties. J. SUOLAHTI, *The Junior Officers of the Roman Army in the Republican Period*, 1955 – on which see more below – also has an incomplete and unsatisfactory section on these men (pp. 205–9).

W. sets out to compile a complete list. She discusses sixteen prefects, in chronological order, attaches numbers to them, and has something to say on their duties and employment. But if the task needed to be done, the result in this case is disappointing. Surprise is at once aroused by the fact that the men listed are not given their RE numbers (they are treated in RE in all but two cases). This is the invariable custom in such lists, best exemplified in T. R. S. BROUGHTON's *Magistrates of the Roman Republic*. It enables the user of the work for more than a casual reference to check what MÜNZER or his competent (and, on the whole, more accurate) successor H. G. GUNDEL had to say, usually with ample discussion of the sources. The reason for the omission in this instance soon becomes obvious: W. herself has not consulted most of those articles. As will become clear, she would obviously have profited by doing so, at least on many occasions. That this is not (as might be suspected) due to unwillingness to read long passages of scholarly German is shown by the equally surprising fact that there is not a single reference to the third volume (1986) of BROUGHTON's *Magistrates*, which, supplementing the entries in volumes I and II, will, together with those volumes, yield an almost complete list of the *praefecti*, with references to the main sources and at times brief discussion. As a consequence of this failure to consult obvious standard works, W.'s information is not always as complete and accurate as it should have been if such a list – which essentially contains no new ideas or insights – was to be really useful.

Another pervasive fault, as will appear in detail in some cases below, is that where W. does cite modern works or ancient sources, she has not in all cases read them carefully enough to transmit what they actually say: in fact, there are some

serious misunderstandings. Again, this impairs the value of such a list, since one ought to be able to trust the author's reports of what she found in primary and secondary sources, whether she accepts it or controverts it.

For a start, there is a question as to whether the list is quite complete. She states that «only two inscriptions mention the office» under the Republic. This is true as concerns the men she actually lists, but one ought to look further. Had she read the useful discussion by KORNEMANN, RE 6.2, 1909, 1920ff. s.v. Fabri (cited in her n.2 but not consulted), she would have found a reference to CIL XI 1934 [= ILS 2685 = ILLRP 638] from Perugia, in which C. Atilius A.f. Glabrio, a *IIIuir quinq(ennalis)*, states that he was *praef. fabr[um] delat. a cos.* The fact that he does not name the consul is more in line with what DOBSON disengaged as the practice of inscriptions under the Empire: in the Republic (where of course we have almost entirely literary texts) the consul or other patron is invariably named. But the date (before the destruction of Perugia by Octavian) is assured at least for the quattuorviral office.<sup>1</sup> Although the text is not very informative, a complete collection ought to include it. It probably also ought to include the mysterious fragment CIL I<sup>2</sup> 1912 (Asculum: interpuncts as printed):

]nus.duo.uir.

]r.cur.agr.

]us.fabrum.

No one has fully explained it, but perhaps someone might be stimulated to try. See GARUCCI, Sylloge, 1877, no.2123, cf.2122 = CIL I<sup>2</sup> 1911 (misleading).

These omissions are not as serious as actual errors. For the sake of convenience, I shall go over W.'s list, adding the missing RE numbers and, where it seems needed, further discussion. Her no. i, T. Turpilius Silanus, the first man reported in our sources as holding the office, will be left to the last, as after W.'s mistreatment of him he needs extensive reexamination.

---

<sup>1</sup> BORMANN's suggestion in CIL XI pp.352-3, that Perugia was governed by *quattuoruir* before its destruction and by *duumuiri* after its reconstitution by Augustus, has been universally accepted. Unfortunately the order in which Glabrio held his offices cannot be deduced. After his quattuorvirate and his *praefectura fabrum* he lists a prefecture of a *cohors Tyriorum sagittariorum*: a very rarely found unit. The only other certain attestation in CICHORIUS's old article RE 4.1, 1900, 345, s.v. cohors is a diploma from Moesia Inferior of AD 99. There is no entry for such a unit in G. ALFÖLDY's index to his extensive collection *Römische Heeresgeschichte*, 1987. That Perugia should have a quattuorviral administration at the end of the first century AD is quite impossible. We must take it that the unit, although not attested, had existed for quite a long time. The *praefectura fabrum* should in any case be not later than early Augustan and is quite probably (as in CIL, ILS and ILLRP) pre-Augustan. The *cognomen* Glabrio deserves comment. Apart from this man, it does not appear outside the consular family in the Italian volumes of CIL (vols. IX, XI, XIV) and only once in CIL VI (12680: a L. Ati(lius) Glabrio, who may be presumed to belong to the Perusine family). There may be some connection (intermarriage or at least clientship) with the Acilii Glabrones.

ii. L. Cornelius L. f. Vot. A fairly recent find, not yet in RE, extensively discussed by G. MOLISANI in its first publication (see W.'s p. 133 n. 9), useful in spite of some surprising errors. W. cites PALMER's important article (chiefly on the Vitruvii and Mamurra) in Athenaeum 61, 1983, as arguing (p. 344) that this text «overturns the theory that the *praefectus fabrum* had from an early period been separated from any command over engineers or troops» and advises us, at some length, that «caution is needed» before we use this stone «to cover the Imperial *praefecti*». Obviously, neither PALMER nor anyone else has ever thought of doing so: the warning is, at the least, supererogatory. But here as elsewhere W. has read carelessly. PALMER does not say what he is cited as saying and what the inscription does not justify. L. Cornelius describes himself as *praef. fabr.* of Q. Catulus in his consulship (78 BC) and his *architectus* in his censorship (65). PALMER rightly stressed the building activities attested for the consulship as well and noted that this *praefectus fabrum* certainly possessed engineering and building skills. Neither the text nor PALMER's article mentions command over troops, or indeed over engineers. Catulus did have a civil war against M. Lepidus to fight after his consulship, but if L. Cornelius was still serving under him in that war in 77, we do not know it: no source mentions it, nor does his own inscription.

W. thinks him of equestrian standing. This may well be correct, but she gives no evidence and there is none. It can only be deduced on the assumption, which in itself is not implausible, that equestrian status was regarded as a prerequisite for appointment to this prefecture. (W., p. 144, regards all except the unfortunate T. Turpilius Silanus as *equites*.) The name Cornelius does not inspire confidence in high social origin. This man cannot be one of Sulla's 10 000 Corneli (slaves freed by Sulla), but freedman descent is to be suspected, as is some connection with Sulla: Cornelius's patron Q. Catulus was in the end an ardent supporter of Sulla and his hand-picked consul for 78. MOLISANI points to the occurrence of Voturia (not a common tribe) at Ostia. One might speculate that the family had settled at Ostia, for purposes of trade, originally on behalf of its patron, and had made its fortune there. For the quick ascent of men from freedman birth to elevated rank and presumably wealth, we need not go down as far as Horace. We might compare another Cornelius (probably also not Sulla's freedman, but of that class) who ultimately rose even higher in the social scale: see Klio 75, 1989, 586 ff. on Q. Cornelius (admittedly speculative).

iii. Marcius (MÜNZER, RE 14.2, 1930, 1561, no. 69) Libo. Here family wealth and rank can be proved, but W., omitting consultation of RE, does not know it. She omits any reference to Q. Marcius Libo, surely an ancestor, in view of the rarity of the name, who was *monetalis* (according to CRAWFORD) in 148. (See RRC no. 215.)<sup>2</sup> W. would have found this recorded by MÜNZER, RE s.v. Marcius

<sup>2</sup> A Q. Marcius appears, as one of three moneyers, on RRC 283, dated by CRAWFORD 118-7. CRAWFORD considers him unidentifiable, and in a sense this is true, since we do not

no. 69–70, and could have checked in CRAWFORD for more recent information. *Monetales* were of at least equestrian family.

As regards the career of Libo's patron, the antiquarian Varro, I agree with W. that he was probably praetor «sometime in the seventies»; but she does not know that this cannot be taken for granted, and in this case it is important, since the praetorship must certainly be the occasion of Libo's service under him.<sup>3</sup> One must take account of CICHORIUS, RSt 201 ff. (p. 203 on the praetorship), who put it in 68, largely because he could not believe that Varro would have agreed to hold a tribunate under the Cinnani. I see no objection to this, since I argued, and still believe, that he served as quaestor under Cinna in 85<sup>4</sup> and the dates of his stay in Athens are not fixed. Varro could have been tribune in 83. If he then left for Athens, to avoid the *bellum Sullanum*, he would be ready for the praetorship around 75, though he may of course have had to wait a year or two. This needed discussing in order to fix the date of Libo's prefecture.

iv. The anonymous prefect of L. Murena (*cos.* 62). He of course could not gain entry to either RE or MRR, and it is as well that W. has saved him for us. Cicero has been misunderstood by some (e.g. SUOLAHTI and, probably following him, MOLISANI) who have interpreted him to mean that Murena himself was *praefectus fabrum*. His name, as W. says, is probably lost in the lacuna in the text that pre-

anywhere else hear of a person with whom he might be identified. However, he may certainly be regarded as a Q. Marcius Libo. The only other family of Marcii in the Roman upper class that uses the *praenomen* Q. are the Philippi, but the contemporary Q. Philippus, indeed also a moneyer, identifies himself as Q. Pilipus (RRC 259, dated 129). The moneyer of 118–7 could readily be regarded as the son of the man who held the same office thirty years earlier, and it may even be suggested that, if he were in his twenties at the time, he might be the father of Varro's prefect. A close relationship is in any case certain, and it illustrates the standing of the family.

<sup>3</sup> W. very properly suggests the praetorship as the most likely office, but agrees in principle with a suggestion frequently made by others, that it might be Varro's *legatio* under Pompey. However, there is no attestation of *praefecti fabrum* attached to *legati* and that idea must be rejected.

<sup>4</sup> See my *Studies in Greek and Roman History*, 1964, 230. CICHORIUS puts the quaestorship in 86, since Varro says that he returned his horse (i.e. on becoming a quaestor and a senator? compare Pompey's famous ceremonial return of his horse to the censors of 70 on becoming a consul and, for the first time, a senator!) to the censor and there were censors elected in 86. However, this is not a necessary conclusion. First, at that time the quaestorship did not automatically confer membership of the Senate: it was only Sulla who provided for this. Varro must therefore have been put on the *album*, as a quaestor or a quaestorian, by the censors before he could return his horse. Moreover, the censors always stayed in office until the year after their election, and of course quaestors in any case entered upon their office on December 5, twenty-five days before the consuls. Even if the *album senatus* had by then been compiled, it was surely still open and the censors could, at their discretion, make additions. 85 is therefore a reasonable date for Varro's ceremonial return of his horse and for his quaestorship, and it is difficult to find a later occasion when his service across the Adriatic might be fitted in.

cedes mention of his office (Mur.72–73). However, that lacuna appears to be quite small and could not possibly have contained the information that W. suggests was in it. It is given as one line in  $\Sigma$ ,<sup>5</sup> and cannot have been much longer. Since the preceding sentence had to be finished off and Cicero presumably gave the man's name, there would not be much room for anything else.

v. Sicca (MÜNZER, RE 2 A.2, 1923, 2186, s.v.), Cicero's *praefectus fabrum* in 63. This is well treated and needs no correction. (But the Vibius who lent Cicero books [W. p.134 n.16] is irrelevant, if only because Cicero never uses that name for the prefect, whether or not it was in fact his *nomen*.) MÜNZER, RE, was worth citing, at least for the speculative suggestion that Sicca may have come from Arpinum. Cicero's reference to Silius (see W.'s notes) shows no special friendship between Sicca and Silius: it was all a business deal. Who that Silius was we do not really know, despite SHACKLETON BAILEY's attack on the *communis opinio* that he was an A.Silius, not P.Silius Nerva himself.

vi. L.Cornelius (MÜNZER, RE 4.2, 1901, 1260 ff., no.69) Balbus. W. rightly follows all commentators in stressing the uniqueness of Balbus' accession to the consulship, when no other *praefectus fabrum* is known to have even entered the Senate. Whether he held a questorship and/or praetorship we do not really know. We must bear in mind that the number of quaestors and praetors was doubled by Caesar (to 40 and 16 respectively), no doubt in part to provide opportunities for patronage, and we know hardly any of them. Caesar was proconsul in Spain, not propraeor (W.'s error is not often seen nowadays); and she is right in stressing that Cicero's word *praetura* could refer to the promagistracy in Spain that followed. TLL, s.v., confirms. We do not know whether Caesar appointed him in 62 and then kept him on his staff, or only when he went to Spain.

Nor do we know when Balbus came to Rome: most probably with his patron Pompey in 71, one would think. Having become a Roman citizen, he would surely be eager to make his way into the society of the capital, not remain to cherish his new status in Punic Gades. His connection with Caesar, of course, will date from somewhat later. It would be some time during Pompey's absence in the East that he attached himself to Pompey's younger supporter Caesar. W.'s argument for his not being in Rome before 60 is weak. She regards Cicero's first reference to him (in Att.2,3,3) as an introduction to Atticus, who does not as yet know him. But Cicero is not describing him by his full name and there is no «air of introduction» about his phrase: *Cornelius, hunc dico Balbum, Caesaris familiarem*. In fact, it looks like a joke, a dig at the man's citizenship and Roman name and his friendship with Caesar: precisely the sort of thing that W. later points out regarding Theophanes and Pompey. In Att.7,3,11 Cicero calls Balbus *Tartessium istum tuum*. The reference in 2,3,3 seems to presume that Atticus knows all about the man's

---

<sup>5</sup> See OCT vol.I of the speeches, pp.iii–iv, on the quality of that manuscript, copied *reli-gione maxima* from the ninth-century Cluniensis.

background, even though it is the first we hear of him. Cicero never again, in the Letters, calls him Cornelius.

vii. Mamurra (MÜNZER, RE 14.1, 1928, 966 f., s. v.) and viii. C. Velleius (ZIEGLER, RE 8 A.1, 1955, 637, no. 2; cf. DIHLE, *ibid.* 637 ff., no. 5). I have no corrections, W. rightly accepts PALMER's treatment (see p. 3 above) of Mamurra. As for Velleius, it is hard to fit in another *praefectus fabrum* under Pompey in 49-8, yet Velleius Paterculus' account implies that this was the time of his service. He may have held the office in Greece, either before or after Theophanes, whose tenure we know only from a reported joke of Cicero's and cannot date precisely.

ix. L. Clodius (MÜNZER, RE 4.1, 1900, 65, no. 9). In denying the use of the *praenomen* Lucius among the Patrician Claudii Pulchri (and, according to Suet. Tib. 1, all Patrician Claudii!), W. ought to have noted the continued use of it in the family that provided the *rex sacrorum* L. Claudius of 57. MRR III would have provided useful references. (There is also a praetor L. Claudius of 174, but that depends on a poor manuscript of Livy.) Appius' prefect, especially in view of his association with Appius, must be descended from a freedman of the family, but had risen in status. (See on L. Cornelius above.) Despite some scholars' protests, he must surely be identical with the tribune designated for 42. As W. observes, he would then be the only *praefectus fabrum* apart from Balbus for whom progression to the Senate can actually be proved: he seems to have gained this by attaching himself to M. Antonius. This would confirm his equestrian status. The combination of names is not common in the Republican upper class.

It must however be firmly stated that we cannot exclude a rise to minor senatorial status for other members of this small group, except in one or two special cases. We know far too few *parvi senatores* to be able to establish even a *prima facie* case for such a negative.

x. Q. Paconius Lepta (MÜNZER, RE 12.2, 1925, 2070 ff., s. v. Lepta). This is a confused entry. W. has not read either MÜNZER or DESSAU whom she cites, or at least has not understood their arguments. The *nomen* Paconius is virtually certain: the evidence is overwhelming. Not only the Q. Paconius Lepta honoured at Cales (ILS 5771, where DESSAU was the first to give reasons for the identification) – incidentally, DESSAU and MÜNZER rightly think he may be either Cicero's friend or that man's son: there is no way of deciding, contra W.'s report of their opinion. There is also Cicero's commendation of Lepta's two *familiares* in Fam. 9.13, both from Cales. (MÜNZER wrongly refers to them as «nahe Verwandte» of Lepta; there is no mention of this in the letter. But special friendship suffices.) Oddly enough, W. first overlooks this strong argument for associating Lepta with Cales (hence with the Q. Paconius Lepta honoured there), then, in a different context, cites the letter as showing that Lepta was «concerned for his *municipium* of Cales». She does not tell us how she now knows that it is his *municipium*, and, if so, why she does not associate this with the man honoured there. She incidentally omits to tell us that Cicero knew Lepta as early as 54 (see MÜNZER for the reference, impossible to interpret in detail).

xi. L. Vibullius (H. GUNDEL, RE 8 A.2, 1958, 2010ff., no. 1) Rufus. W. opines: «Whether he was actually meant to command the troops he recruited in Picenum is in doubt. P. Lentulus Spinther was in the area and seems to have taken charge of them immediately» (p. 139). She later (p. 140) calls Vibullius' command «nominal». She cannot have read either the sole source for the incident concerning Lentulus (Caesar, BC 1,15,4) or GUNDEL's excellent treatment in RE. In fact, Caesar tells us that Vibullius took the remains of Lentulus' defeated forces from him, reorganised them, and sent him packing. (*Dimittere* is Caesar's word.) He finally had 14 cohorts, and both Pompey and Cicero were very pleased with his achievement. GUNDEL quotes Att. 8,2,4: *Vibulli res gestae sunt adhuc maximae*. That he could send the great consular Patrician away shows the extent of the powers he had been given by Pompey – and, incidentally, shows Lentulus in a better light than on other occasions: able to give up *Lentulitas* for the common good. It is particularly unfortunate that W. has missed all this. Had Vibullius been able to treat L. Domitius Ahenobarbus in the same way, history might have been different. In fact, Domitius took command of Vibullius' forces, with the results that we all know. This seems to have a bearing on the long-debated problem of the relations between Pompey and Domitius. But that of course cannot be treated here.

xii. N. Magius (MÜNZER, RE 14.1, 1928, 440, no. 9). W. mentions a variant reading in the manuscripts at Plut. Pomp. 63,3, giving Vibullius for Magius. She ought to have given a reference to where she found this, and made clear whether it occurs both times the name is mentioned. There is no mention of this in ZIEGLER'S Teubner text and I was unable to check it.

xiii. Theophanes of Mytilene (R. LAQUEUR, RE 5 A.2, 1934, 2090ff., no. 1). The length of this entry is perhaps out of proportion to the rest of the catalogue, since nothing new is said about the man. W. does not say how she came to think that he «may also have been an experienced military commander» when Pompey came to know him (p. 140). Strabo 13,2,3.617 (just about all we know about his past at Mytilene) says he was a historian and politician (πολιτικός ἀνὴρ) and that Pompey befriended him διὰ τὴν ἀρετὴν (τ)αὐτήν. (The emendation seems secure.) Strabo presumably meant his political skill, but may possibly also have been thinking of his skill as a historian. In any case, there is no mention of a military record. He never commanded any troops that we hear of for Pompey. Precisely when and for how long he was *praefectus fabrum* we do not know, except that it was in Greece. At some point we must also fit in C. Velleius (see above). W. duly describes his diplomatic services and the uneasiness with which some Romans (perhaps new men like Cicero more than socially secure *nobiles*) regarded the Greek adjutant. It is perhaps legitimate to suppose that, if Pompey had won, Theophanes might have entered the Senate, as Balbus in fact did. But, of course, the whole of subsequent history would have been different.

W. tells us that after Caesar's death he «attempted to make contact with Cicero on behalf of Sextus (Pompeius)» (p. 141 n. 68). She cites two passages in Att.



15,19,1 and 15,20,3. In the first Cicero writes that he has heard from Theophanes but does not know what he wants: he claimed that he had matters of common interest to discuss. (We do not hear whether Cicero ever saw him.) In the second passage he is not mentioned at all. I cannot see on what evidence W. bases her statement that he was now an agent for Sextus. What is worth noting, I think, is that after Pompey's death he chose to return to Caesar's Rome, where he apparently lived unmolested. In the end, as W. says, he went home to high honours, including deification. No Roman politician took any further notice of him. W. does not attempt to discuss his relationship with Balbus, as she perhaps ought to have done, since both of them held the office she discusses.

xiv. P. Volumnius (Eutrapelus?) (H. GUNDEL, RE 9 A.1, 1961, 875 f., no. 7, 878 f., no. 11). W. quite remarkably, and in detail, credits GUNDEL in RE with the suggestion that the prefect P. Volumnius should be identified with Cicero's friend Volumnius Eutrapelus (*praenomen* unknown). GUNDEL in fact reports the suggestion as being made in ORELLI-BAITER and supported by MÜNZER. He expresses his own opinion (with characteristic caution) that the identification is likely, but not entirely established («nicht völlig erwiesen»); he therefore gives the men two separate numbers. This once more shows W.'s careless reading of what she cites. The carelessness extends to ancient sources. She reports that Volumnius had the poet L. Iulius Calidus «placed on and then removed from the proscription lists in 42» (p. 142). This is false. In fact, Volumnius had him put on the list, but it was Atticus who managed to have him removed: Nepos (our only source) cites it among other examples of Atticus' good deeds (Att. 12,4; W.'s reference in n. 88 is mistaken). We do not know that he was appointed prefect in 42. GUNDEL suggested 43, but it seems quite likely that the appointment dates back to Antonius' consulship in 44 and was continued. As for the identification with Eutrapelus, the evidence ought to be fully set out and discussed, especially in view of GUNDEL's hesitation.

xv. C. Flavius (MÜNZER, RE 6.2, 1909, 2526, no. 11 and 13: see discussion). There are serious problems of identity here, quite unknown to W., since she had not consulted RE. Had she done so, she would have seen that there are two C. Flavii mentioned at the same time and their relationship has to be sorted out. A C. Flavius (RE 11) is called *praefectus fabrum* of Brutus by Plutarch (Brut. 51,2) and is said, in detail, to have died before Brutus himself at Philippi. Coins of Brutus (RRC 504) attest a C. Flavius Hemic. (CRAWFORD does not try to restore the *cognomen*: see Addendum) with the title *leg. pro pr.* MÜNZER identified this man with the prefect (no. 11) and thought the prefect had arrogated the higher title. He compares the younger Lentulus Spinther, quaestor of C. Trebonius, who in a letter to the Senate calls himself *pro q. pro pr.* However, the comparison will not work. MÜNZER, for once, had not looked at the facts. After his commander's death, Lentulus was entitled (indeed, probably obliged) to assume command with *ad hoc* praetorian *imperium*. Later, coining under Cassius and Brutus, he displays no title

at all, perhaps because he now had no appointment from Senate and People. (See RRC 500.)

To find a *legatus pro praetore* under Brutus is not surprising in itself. It is very likely that Brutus, like Pompey and Caesar before him, had been authorised to make such appointments. (Though one must wonder whether perhaps only by SC: it is doubtful if the measure would have been accepted by People or Plebs, or whether there was even a magistrate who would have presented it.) In any case, this had by now become one of the characteristic ways in which power was slipping out of the hands of Senate and People in the late Republic, with their own consent. However, at this time and for generations before, *legati* had to be senators; indeed, in the case of *legati pro praetore* this may even have been expressly stipulated.<sup>6</sup> *Praefecti fabrum*, on the other hand, were never (as far as we can tell) senators. It is unlikely that Brutus would have permitted such a flagrant breach of *mos maiorum*, perhaps even of law. The legate ought to be a senator.

CRAWFORD suggested that Plutarch may be mistaken in stating C. Flavius' rank. But this must be confidently rejected. Plutarch's whole description here is based on the account of Brutus' friend P. Volumnius (clearly a different man from Antonius' *praefectus fabrum* and another warning against facile identification) who is twice cited within a few lines. Volumnius had witnessed the events and later wrote a history of them. (See GUNDEL, RE 9 A.1, 1961, 876 ff., s. v. Volumnius 8 = 12.) We must conclude that Plutarch cannot be mistaken, hence that C. Flavius the prefect cannot be identical with C. Flavius Hemic., the former being (presumably) of equestrian rank, the latter of senatorial.

This might have been rejected by those given to the injudicious use of OCCAM'S Razor. Fortunately we do indeed know of another C. Flavius at the right time. Appian (BC 5,49,207) names a C. Flavius among men who are certainly senators and who were executed by Octavian after the capture of Perusia. (See MÜNZER, RE 6.2, 1909, 2526, s. v. Flavius 13.) As it happens, GARDTHAUSEN<sup>7</sup> long ago hit upon the idea of identifying this C. Flavius with the legate of Brutus. (He is cited for it in MENDELSSOHN-VIERECK's edition of Appian, ad loc.) The identification seems to have been a lucky guess. He shows no knowledge of Plutarch's *praefectus fabrum* and gave no reason for his identification. This is probably why it was ignored or, if cited, rejected by later scholars. (CRAWFORD, loc. cit., rejects it. And see MÜNZER, loc. cit., and, following him, BROUGHTON, MRR III 92.) The identity of the legate with the prefect has apparently come to be taken for granted, as a fact that needed explaining. Such is the temptation of OCCAM'S Razor, on which I have commented elsewhere.<sup>8</sup>

<sup>6</sup> See MOMMSEN, Römisches Staatsrecht II<sup>3</sup> 657 and 682.

<sup>7</sup> Augustus und seine Zeit II 1, 1891, 98 n. 21, without discussion.

<sup>8</sup> See PBSR 52, 1984, 49 ff., with plentiful examples from a single family.

Like GARDTHAUSEN, W. gets her part of the story right, by what must be called a lucky guess: the prefect C. Flavius did die at Philippi, as she reports, just as GARDTHAUSEN's legate did die at Perusia. But if GARDTHAUSEN can be excused for not knowing the other half of the story, which had apparently not come up for discussion in his day, W. cannot. As we have seen, the problem of which she was unaware had been discussed for decades in all the standard reference works she ought to have consulted. I have now tried to piece the two halves of the story together and tell the whole story, as she ought to have done.

xvi. C. Cornelius (STEIN, RE 4.1, 1900, 1342 ff., no. 164) Gallus. It is not enough to say that he «commanded an army in Cyrenaica» (p. 144, with no citation of source). In fact, co-operating with Octavian against M. Antonius who was in Egypt, he gained a diplomatic success by winning over the army of L. Pinarius Scarpus and then won a military victory against Antonius himself (Dio 51,9). This of course was his qualification that led to his being entrusted with the command of Egypt and its legions when Octavian did not trust any senator. Had W. looked at MRR III, she would have found the reference that would have given her the story.<sup>9</sup>

i. T. Turpilius (MÜNZER, RE 7 A.2, 1948, 1430 f., no. 10) Silanus. We must now deal with the most difficult of all these cases. Detailed discussions of the status of T. Turpilius Silanus go back at least a century: the earliest reference given by W. is to an article by A. H. J. GREENIDGE in CR 10, 1896. Much of this discussion has unfortunately been misdirected, looking for solutions by scrutiny of the historical and legal background, when the primary problem is clearly linguistic and textual. Unfortunately W. is at her worst here, following others in failing to see the principal points at issue and misunderstanding what she claims to have read. Unable to see her way to a rational treatment of the issue, she concludes that «we must regard Turpilius' status as being somewhat uncertain, but probably Latin» (p. 133 n. 8). Surprisingly she does not know what is probably the best discussion in English, in a work known to most English-speaking students who have had to read the *Bellum Iugurthinum*: G. M. PAUL's Historical Commentary on that work, of 1984. Whether or not one agrees with it, this was surely the obvious place to start looking. We shall come back to it after clearing some of the historical cobwebs away.

Referring to LAST, in CAH<sup>1</sup> IX 124, W. writes: «LAST acknowledges REID [in JRS 1, 1911, 68 ff.] but disagrees with his thesis while presenting no argument to the contrary.» There is no mention of REID on the page cited, nor was LAST's chapter the place for detailed discussion of incidental problems. What he actually wrote

---

<sup>9</sup> She would also have found a suggestion by SYME, *Roman Revolution*, 1939, 252 n. 4, that Gallus may have been *praefectus fabrum* under C. Asinius Pollio when he governed Cisalpina for M. Antonius in 41-40: perhaps worth mentioning on account of the name of its author. There is no evidence.

was: «Turpilius, though a Latin, was put to death.»<sup>10</sup> Claiming to cite my own brief note in *Foreign Clientelae*, 1958, 196 f., she writes: «E. BADIAN also regards Turpilius as an Equestrian . . . on the grounds that only such a Roman citizen could be *praefectus fabrum*.» Inspection will show that I nowhere maintained that Turpilius was an *eques*, even though I am in fact inclined to think that he may have been. All I did say is that he must have been a Roman citizen. It is W. who maintains (perhaps correctly) that all *praefecti fabrum*, naturally with the exclusion of Turpilius, who was a «Latin», must have been *equites* (p.144) – and I have had to say that she has not in all cases tried to give evidence for this. Next, she continues, regarding my alleged statement, «. . . a thesis which SUOLAHTI (202) by presenting seven other prefects of allied origin before the Social War enables us to refute».

There are two things wrong with this. First (and by now not unexpectedly) she has not read SUOLAHTI with proper care. The examples he gives, down to 133 (not down to the Social War: he did not find any in the intervening 40-odd years), are of *praefecti socium*, not of *praefecti fabrum*, for he was not aware of the fact that this was Turpilius' office. W. would, on consideration, be the first to admit that the status of other prefects (in particular, of *praefecti socium*) tells us nothing about the very different office of *praefectus fabrum*. The «refutation» is irrelevant to the point at issue.

But what must be said at this point is that, not only has she misread SUOLAHTI here and elsewhere, but the book cannot be used for serious study. The book is full of confusion and misrepresentation: statements on individual men have to be checked before use in each instance, and the statistics are useless because of the number of individual errors in the material on which they are based. Take the case of Turpilius. We have seen that SUOLAHTI gets his office wrong; but that is not all. Having twice asserted that Turpilius was a Latin (and he is cited for this by W., who did not look any further), he changed his mind by the time he came to compile his actual catalogue. There (p.404) he notes: «P. [sic] Turpilius Silanus was either a Roman citizen from Latium or an allied prefect who had Latin rights.» This, obviously, is not going to be very helpful to anyone wanting to learn Turpilius' status from this book. To continue in this limited field: if we scrutinise his list of «prefects appointed by the allies», the first on the list is C. Laelius the elder, the friend of Scipio Africanus, who «served in the navy, presumably as commander of the ships provided by (his home town)» (p.273). Elsewhere, and no doubt based on this, we are told (p.256) that he «was granted citizenship and rose, . . . backed by his powerful friend Scipio Africanus, . . . to the Senate, and to consulship in 190.» It is difficult to see where this fantasy came from. The *Fasti*

---

<sup>10</sup> It might be worth recording (as she would have noticed, had she read carefully) that LAST, while not mentioning REID, notes the textual crux and expresses agreement with a suggestion by H. STUART JONES.

Capitolini show his name as C. Laelius C. f. C. nepos: the family had been citizens for at least three generations, probably longer. On Cornelius Gallus we again find SUOLAHTI in two minds. On p. 268 «the Corneliū Galli» are descended from clients of a Patrician *gens*; on p. 286 the family (following SYME) comes from Gallia Narbonensis, i.e. the prefect was either a new citizen or at most the son of one. P. Volumnus, identified (without warning) with Eutrapelus (on this, see above), is «perhaps» a provincial who had only recently received citizenship (p. 269): again, there is no argument or evidence – or likelihood. On the same page we hear of «sons of freedmen bearing the name of a consular *gens*, but descending really from equestrians» (!). These few examples, all around the area of *praefecti socium* and *fabrum*, should suffice as a warning to anyone proposing to use conclusions advanced in that book.

That, in addition to the inherent faults of that book, W. has not read it at all carefully we have already seen in the particular case of Turpilius. Things do not improve. At the very end of her survey (p. 145 n. 98) she cites SUOLAHTI 274-5 for the statement that the office «of *praefectus fabrum* had served the same purpose [presumably the development «of a separate and honourable Equestrian career which depended on the patronage of an important senator» (thus in her text)] for patrons who wished to advance their friends among the allies.» In fact, SUOLAHTI is there speaking of prefects in general, not of *praefecti fabrum* in particular; and he does not mention important senators or an equestrian career.

As we have incidentally seen, the statement as such is not supported by the evidence. Of the sixteen *praefecti fabrum* listed, one becomes a consul and probably another one a tribune, while in the case of all but one of the rest we know nothing of any «career» (indeed, nothing except that particular office) and often cannot with any approach to certainty say that they did not later enter the Senate.<sup>11</sup>

To return to the specific problem of Turpilius. W. properly mentions the textual crux in the phrase *civis ex Latia* that appears in all the editions of Sallust: the apparatus shows that several manuscripts, including early and important ones, read *ex collatio*. Now, anyone who has ever looked at an apparatus to a page of a Latin text will know that corruptions, even corruptions producing nonsense, in some manuscripts are by no means rare. Indeed, we often enough get nonsense in all the manuscripts and modern critics have had to try to make the most plausible sense of what they have found. In this case at least one of the two words (*Latia* or *collatio*) must be corrupt. The obvious alternative to regarding *Latia* as correct is to regard it as an attempt to make sense of a word (*collatio*) which the scribes did not understand. Of course, *collatio* cannot be correct as it stands, but one might think it an easy corruption, by someone familiar with taxes, of an original *Collatia*, which, for reasons we shall see, might not make sense to a scribe. It is

---

<sup>11</sup> The only approach to an «equestrian career» is provided by Cornelius Gallus, and that of course under Augustus.

much harder to explain how the straightforward *Latio* could be corrupted to *collatio*: the preceding word *ex* provides no aid.<sup>12</sup>

But let us start with the accepted reading. W. never tells us what she thinks the phrase *ciuis ex Latio* means, on her interpretation. She only says that meaning should be preferred to Appian (Num. 3), where Turpilius is called a Roman citizen. Since she describes him as «probably a Latin citizen» (p.132), she presumably thinks that *ciuis ex Latio* «probably» means *ciuis Latinus*. As everyone concerned with this problem knows, the phrase is unique. There are not even remote parallels. REID quite rightly commented that the obvious way to say (if this was intended) that Turpilius was a Latin become a Roman citizen would be *ciuis ex Latino*. As a matter of fact, if we take *Latio* to be the superior reading, *Lati(n)o* would be a plausible emendation. REID, however, did not pursue it, since he wanted Turpilius to be a Latin and not a Roman citizen.

The phrase *ciuis Latinus* does not occur under the Republic, at least not in the material collected in TLL. (I have in fact not found it anywhere, but would not deny that it may appear in late Latin or in the Codes.) REID knew that the first time we find an approach to it is in the *lex Malacitana* of Flavian times, ch.53, where we find *ciues R. Latiniue ciues*: the phrase *ciues Latini*, so far from being taken for granted (e.g., one might write *ciues R. Latiniue*, or *L. ue*), is treated to a peculiar inversion. That it was not taken for granted is confirmed by the *lex Siarensis*, where we find *colonia c. R. aut Latinorum* (fr.IIa). It seems clear that *Latinorum* is parallel to the standard abbreviation *c. R.*: it would be special pleading to argue that the *c.* carries over along with *colonia* and that the writer intended *c. R. aut (c.) Latinorum*. The jurist Gaius, writing some time after the *lex Malacitana*, still refrains from using *ciues* with *Latini*. The only exception is the abbreviation *cohors c. L.*, clearly modelled on the standard *cohors c. R.*, when cohorts of both kinds begin to appear. And this unwillingness to speak of *ciues Latini* is inherent in the meaning of the word: a *ciuis* is a member of a community (a *polis*, to use the Greek term). A *ciuis Romanus* is a member of the Roman community, originally the city of Rome. As the Roman citizenship was extended, the community extends along with it until, as we know, the *urbs* becomes the *orbis*. Latium, however, was never a city or community of which one could strictly be a *ciuis*.

Once this is seen, and REID's attempt to obfuscate the point is dismissed, it is clear that *ciuis ex Latio* cannot stand (as W. is not the first to have thought) for *ciuis Latinus* – a phrase, and a concept, that simply did not exist in Sallust's day. On purely linguistic grounds, it could mean a Roman citizen from Latium, as SUOLAHTI finally thought possible. But if so, we must next ask: what is the point

---

<sup>12</sup> The textual point needs more detailed treatment than would be appropriate here. I hope to provide it elsewhere. For the textual tradition, see now the apparatus to REYNOLDS's OCT of Sallust on p. 111 – not always easy to interpret because of the limited space allowed for it.

of the phrase? Why should Sallust, who is not given to excessive verbiage, have taken pains to add the defining phrase? Why did he not simply say that Turpilius was *ciuis* or *ciuis Romanus*? Surely, to say that he came from Latium is entirely pointless. Sallust could never have intended this.

If Sallust meant that he was a Latin who had become a Roman citizen, then, as REID saw, we really have to emend to *ex Lati(n)o*. Does that provide an explanation for the use of the phrase?

This is where we must look at G.M. PAUL's treatment of the problem, as W. ought to have done. PAUL starts by making the point (p. 179) that, even if we ignore Appian's statement that Turpilius was a Roman citizen (I would add that we have no right to do that),<sup>13</sup> it is in any case likely that he would have been. If he was originally a Latin, he would certainly have been a member of the wealthy upper class of his town; he was therefore likely to have held a magistracy there, which would have given him the Roman citizenship. Moreover, there is the importance of the actual office: it is inconceivable that a non-citizen should have commanded Roman troops – we may add that he even had Roman tribunes, who were certainly of equestrian status, under him.<sup>14</sup> In the main section of his discussion (pp. 182-5) PAUL makes two further points of importance: first, that, whatever some scholars have read into the scant literary evidence, corporal, and even capital, punishment is well attested in the late Republic, for officers no less than for ordinary soldiers, and that Romans would never have agreed to take that power from commanders in the field; next, he (as far as I know, for the first time) sees that a reason for the use of the phrase is needed and proceeds to give one. He suggests that Metellus' treatment of Turpilius «resulted from Metellus' one great fault [in Sallust] of *superbia*».

Sallust does not mention Turpilius' previous personal relationship with Metellus (a relationship of *fides*) nor the trial of Turpilius in Metellus' *consilium*. All this we get out of Plutarch, and it is most unlikely to be invented: for one thing, Plutarch hardly knew enough about Roman institutions to invent it. We must conclude that, if Plutarch found it in his source, Sallust must have known it and chose to ignore it, for the sake of the literary effect he was trying to achieve. PAUL discounts «tendentious suppression» of Marius' part in the affair (also narrated by Plutarch), and we can admit that Marius' sinister part in the affair may

---

<sup>13</sup> REID provides no acceptable reason for ignoring it. The well-known fact that Appian seems to be confused in Book I of the Civil Wars over his use of Ἰταλιῶται, a confusion no doubt due to his misunderstanding or misremembering a Latin source, has no bearing on his statement in the Numidica that Turpilius was a Roman citizen.

<sup>14</sup> REID sees the difficulty, but shrugs it off (p. 79). This corresponds to his light-hearted treatment of the fact (well known to him) that *ciuis Latinus* is not attested until we have a form of it in the *lex Malacitana*: it was «doubtless common» (p. 79)! He can also contort the sources to provide him with the figment of *ciues Romani*, (*ciues*) *Latini*, (*ciues*) *peregrini*!

have been exaggerated by hostile historians. But it is basically not incredible: we must remember that Cicero, always full of praise for Marius in his public utterances, when writing for a more restricted audience (of men who also knew Marius and his story), describes his *municeps* as *uir callidissimus* (Att. 10,8,7) and even as *perfidiosissimus* (ND 3,80). In any case, Sallust must have known the tradition that Plutarch picked up; he clearly did not want to stress that aspect of Marius' character. As is well known, he tried to simplify and concentrate both the virtues and the vices of Marius, as of Metellus. He must surely also have known Turpilius' rank of *praefectus fabrum*. But he could not introduce it without bringing out the personal relationship between Turpilius and Metellus which that post implied (as every Roman reader would know), and that would have led him into complexities irreconcilable with his narratological purpose. Whether he also had «tendentious» reasons (reasons rooted in his political aims in the BJ) we cannot tell. But it is clear that the grossly simplified version of the Turpilius incident was due to his narratological decision to simplify the characters of both Metellus and Marius.

As PAUL was the first to realise, Metellus' key vice, his *superbia*, was meant to appear in his treatment of Turpilius, as of Marius. For this purpose, the conflicts of *officia*, the pangs of conscience, even the *perfidia*, that appear in the fuller version had to be eliminated. Turpilius, like Marius, was simply a man of humble origin who suffered under Metellus' *superbia*. We must remember that he also fails to note the complex earlier relationship between Marius and the Metelli.

If Turpilius was an enfranchised Latin, say *ciuis ex Lati(n)o*, that would meet the criteria. But the textual problem obtrudes. It is simply far more likely that *collatio* is the superior reading. The only obvious emendation, as we have seen, is *Collatia*. Again, this is not the place to go into full detail. But Pliny lists Collatia among numerous Latin *populi* that have disappeared without a trace (HN 3,68), no doubt from personal knowledge. In Cicero's day (and therefore in Sallust's) it still had a communal existence, sufficiently so to be mentioned in a deliberate mixture of small and more important Latin towns, all of them contrasted with the splendour of the *municipia* of Campania (leg. agr. 2,96). A century earlier still, it may well have been a healthy little town, sufficiently so to have an upper class to which Turpilius would belong. By the time when the mediaeval scribes produced our oldest *codices*, the word Collatia would merely puzzle them.

I hope that even this brief argument has shown that the probability that Sallust wrote *ciuis ex Collatia* is, from the textual point of view (which must be primary), a very high one, even though an emended version of the accepted reading would make sense. It remains to show that *Collatia* would also make sense. This is not difficult. The man from the tiny town of Collatia, even though his civic status would not be in doubt, would in Metellus' eyes (and we are speaking of Sallust's Metellus) rank well below the man from the large *municipium* of Arpinum. PAUL's recognition of Sallust's purpose in adding the qualifying phrase would make per-



fect sense on what appears to be the better reading, with no more emendation than is needed to make sense of the inferior accepted one.<sup>15</sup>

The case of the *praefectus fabrum* T. Turpilius Silanus is a complex and long handled one. But a scholar like W., attempting a special investigation into the office and its holders, ought surely not to have treated it so light-heartedly, content to take her explanation at second hand, from modern writers inaccurately reported.

Since discussion of the office as such was apparently part of her aim, we may conclude with a note on matters of a more general nature connected with the office, which one might have expected the scholar singling it out for special treatment to notice. All of them are mentioned in one or more of the works that she cites in her bibliography, but (as we have already seen) did not effectively consult.

There ought certainly to have been a reference to the remuneration received by these prefects. Although some have doubted it, I am inclined to agree with those who see in the official phrase for the appointment of a *praefectus fabrum*, *deferre* (sometimes with *ad aerarium*, apparently the full formal phrase), a reference to the salary. (W. does not mention the phrase, or the salary.) Needless to say – and this too was surely worth a mention – in the corrupt atmosphere of the late Republic personal favour could defraud the Treasury – as was true of the military tribunate in the hands of Caesar (see Fam. 7,8,1). A passage always cited for this is Nepos' account of Atticus' refusal to accept prefectures (Nep. Att. 6,4). It is rightly agreed that the only kind of prefecture a magistrate would dare to offer Atticus was the *praefectura fabrum*. No other prefecture was of sufficient standing.<sup>16</sup> A point mentioned by KORNEMANN (whom W. ought to have read, but did not) at-

---

<sup>15</sup> A word is needed on the *nam* that introduces Sallust's comment on Turpilius' civic status after the report of his execution: *nam is civis ex †Latio erat*. Once it is recognised that Sallust cannot have meant to say that Turpilius was *civis Latinus*, not to mention the uncertainty of the reading *Latio*, any possibility of taking the conjunction in its common and trivial meaning (= for, because) vanishes. It is clear that *nam* is here used in a more complex and rhetorical sense, introducing an explanation of a statement that the reader must supply for himself – a very suitable stylistic refinement for Sallust. On this use see HOFMANN-SZANTYR p. 505: «als Einleitung eines Begründungssatzes zu einem unterdrückten Zwischenglied gedacht». I should perhaps add that I took this for granted long ago, unfortunately without explicit argument: see my *Foreign Clientelae*, 1958, 190 n.2: «the *nam* being elliptical.»

<sup>16</sup> Naturally, Atticus also refused the remuneration, so we are told. Whether he could have had it without accompanying a commander to his *prouincia* is not explained. But he could certainly have had the salary without performing any duties if, e.g., he had accepted a prefecture under a consul in Rome. (One wonders whether Cicero was one who made Atticus such an offer and was refused.) The duties remain variable under the Empire. F. MILLAR, *JRS* 53, 1963, 196 f., suggested that the office «was normally a sinecure». DOBSON amply disproved this, but accepted (p. 64) that it was occasionally a sinecure. As we know, corruption did not end with the reign of Augustus.

tests the high standing of these officers. At Urso the governor's *praefectus fabrum* was entitled, as few others were (Roman magistrates and promagistrates, Roman senators and their sons) to special seating in the *orchestra* (ch.127). A great deal in that document is of course modelled on the institutions of at least some earlier Roman colonies: we can safely assume such privileges for the same circle in other colonies. However, the fact that colonial institutions are in part based on those of Rome prompts the question: did the *praefecti fabrum* of consuls (possibly of praetors) in Rome have similar privileges? We simply cannot answer the question, but it is an intriguing possibility. We hear so little of these men that it cannot be regarded as impossible: as in so many other cases of trivial facts known to all and taken for granted, nobody would bother to mention it.

The office of *praefectus fabrum* is an obscure element of the Roman social and political system. It is a pity that we know so little about it, and about the men who held it – much less, even, than we know about *scribae*. Since the first attempt to collect the data for the Republic was not satisfactory, I have tried to add to the little information that can be found by at least asking necessary questions, even if they cannot in all cases be answered.<sup>17</sup>

#### *Addendum*

Professor HEIKKI SOLIN, whose help I had asked for in trying to complete the name of the legate C. Flavius Hemic., has kindly supplied the answer: I ought to have found it for myself and was remiss in not checking the file of L'Année épigraphique.<sup>18</sup>

The answer is in AEp 1964, no.206, an inscription from Alba Fucens, *C. Flavio Hemicado*. It was published by F. DE VISSCHER in *MonAnt* 46, 1963, pp.388-9 and it fills a statue base from the Hercules complex in the centre of the town. DE VISSCHER, who convincingly dates the first and main period of construction in the area to the Sullan period, chiefly because of its *opus incertum*, assigned this inscription to the fourth century AD, on no intelligible grounds. The design of the text is certainly unskilful and the letters are carved somewhat unevenly. But that is not characteristic of any one period, and there seem, as far as one can judge from the photo, to be no positive features pointing to such a late period. A glance

---

<sup>17</sup> This article was drafted during a stay at the Kommission für Alte Geschichte und Epigraphik and written out at the Institute for Advanced Study in Princeton. I am grateful to both these institutions for providing the opportunity for study and writing of which this is a *parergon*.

<sup>18</sup> It is obviously not for me to be the first to cast a stone, but I find it surprising that CRAWFORD, about to publish a reference work that was intended for long use (and has deservedly enjoyed it), did not check recent volumes of AEp when composing his frequent prosopographical annotation.

at RITSCHL, *Priscae Latinitatis Monumenta Epigraphica*, 1862, Pl. LXXVII, L (= CIL IX 3907, described there as «litteris antiquis non pulchris») will show considerable irregularity of lettering even in the Republic, and *ibid.* Pl. LX, H is not much better; by contrast, Pl. LXX, F (= CIL IX 3906) shows a style almost as careful as in official monuments, except for apparently irregular interpuncts. Professor SOLIN would date the Hemicadus text to the first century AD, after Augustus. As far as I can judge, the interpuncts seem to fit in with local inscriptions of the Empire. Although the man whose statue stood at Alba therefore cannot be identified with the legate, he may well be the legate's homonymous grandson or even son. That he was a distinguished man is certain, but whether a local dignitary or even a senator we cannot tell.

There is more to be said about the legate. The name Hemicadus fits into a naming pattern after «Becher, Krüge», listed in SOLIN's *Namenbuch*.<sup>19</sup> Those names, where they can be checked, belong almost entirely to individuals of servile origin; only one is certainly free, indeed a *clarissima femina*, but of the third century and apparently Christian.<sup>20</sup> We can take it that the legate was either a freedman or at best the son of one, and it seems certain that his native town was Alba Fucens. He lived at a time when – temporarily, as it turned out – traditional social distinctions had broken down. Caesar's Senate, swollen to 900 members, is described as containing common soldiers and freedmen (Dio 43,47,1). SYME has warned against too lightly believing this.<sup>21</sup> Admittedly, we do not actually know the names of more than one or two men of freedmen birth who reached the Senate.<sup>22</sup> But they would of course be precisely among the more obscure senators, whose names we could not expect to hear; and they did not stay in the Senate very long. SYME himself, who is hesitant about accepting the figure of 900 (he gives no reason for this),

<sup>19</sup> H. SOLIN, *Die griechischen Personennamen in Rom. Ein Namenbuch*, 1982, pp. 1162-3.

<sup>20</sup> Of the three other persons marked as «Freigeborene», two girls are demonstrably of freedmen descent and the one man, P. Granius Diotus (if his name is correct), seems to be married to a freedwoman. Hydria Tertulla (PIR<sup>2</sup>H 236) is conspicuous as an exception. In view of her late date and unusual background, we are entitled to conjecture that her «Krug» name had been passed on through some generations, deriving ultimately from a freedman's daughter. We know nothing about the ultimate background of most new senators in the period of civil wars and under the reign of Septimius Severus. G. BARBIERI, *Epigraphica* 14, 1952, 12ff., collected 87 new senators under Severus (many of them, as he admits, very hypothetical); of these, 59 are classified as «d'ascendenza ignota». Although by then it is very unlikely that sons of freedmen won direct entry to the Senate, and most of the new senators will have been of equestrian standing, this only shifts the problem: we know nothing at all about the recruitment of the *ordo equester* at this time.

<sup>21</sup> In an essay of 1938, now accessible in *Roman Papers I* (for freedmen see pp. 100f.).

<sup>22</sup> For a striking example, mentioned by SYME, see my discussion in *Klio* 71, 1989, 584 and 586-9: the Q. Cornelius who was a *scriba* under Sulla and became quaestor under Caesar.

points to the reported statement by Claudius (Tac. ann. 11,24,4) that sons of freedmen were not unknown in the Senate of the Republic. There is no good reason to deny that men of that class would have been found in Caesar's Senate: he always rewarded faithful service to him, and we may be sure that they would be financially qualified. At a slightly lower level, we may compare the military tribune (hence of equestrian standing) Q. Horatius Flaccus, *libertino patre natus*, who, as it happened, was serving in the same army as Hemicadus.

Whether the family survived in honour we cannot tell. It is perhaps unlikely, since Augustus, before restoring the Republic to Senate and People in 28-7 BC, weeded out socially undesirable elements from the Senate (Dio 52,42; Suet. Aug. 35), which under the Triumvirs had increased in size to over 1000 members. The more probable conjecture is that the son of the legate, perhaps after himself being a member of the Triumviral Senate, was allowed (like the other undesirables) to withdraw without dishonour and retired to his native town, where he (or perhaps his son) could bask in the glory of remembered Roman distinction.

C. Flavius Hemicadus, his name rescued from a long-impenetrable abbreviation and his identity rescued from long confusion with another person, turns out to be an interesting specimen of the social history of the long period of civil wars.<sup>23</sup>

*Harvard University*  
*Cambridge, MA 02138*  
*USA*

---

<sup>23</sup> I must express my gratitude to Professor SOLIN and make it clear that he bears no responsibility for the views advanced in this appendix.