

Publius Sulpicius Rufus and the Events of 88 B.C.

Thesis

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## ABSTRACT

Scholarship on Sulpicius Rufus has long been guided by an old paradigm of prosopography, which dictated that political events in the Roman Republic were based on long term alliances built through kinship ties and mutual ideology. While modern scholarship has changed to view Roman political alliances more fluidly, views of Sulpicius have not changed. Most scholars accept the view that Sulpicius was little more than a lackey of Marius, who switched to Marius' side after a bitter split with his former comrades, the *optimates*. Sulpicius' tribunate was a time of great change in Rome, at the eve of the Social War and the dawn of a new era of civil wars. Thus it is key to re-evaluate his actions and motives in light of more recent studies that give evidence of independent agency among Roman politicians, and especially among tribunes. Thus, this paper discusses the nature of power politics and the institution of the tribunate in the late Republic as well as argues that Sulpicius Rufus acted as an independent agent who made his own decisions rather than be the tool of another.

## DEDICATION

For my grandparents, Charles Benjamin Myers, Georgia Sanders Payne, Hazel Green Myers, and Philip Almon Payne, who are alone in wanting to read this paper.

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## Introduction

In Roman politics, there are few figures as problematic as the tribune. These elected officials, of whom ten were elected annually, were associated throughout the late Republic with popular legislation, mob violence, and novel innovations. The tribunate was so dangerous an office that for a time towards the end of the Republic it was stripped of power to discourage anyone from running. Tribunes capture the imagination as both rabble rousing demagogues and the very best sort of politician with a heart for the oppressed masses. However, in 88 B.C. when Publius Sulpicius Rufus was tribune, the tribunate was the stepping-stone for a serious political career, although it was introduced as a way of giving a voice and protection to Roman citizens. However, because the *cursus honorum*, or political ladder of offices, was a pyramid it was not likely all ten tribunes in a given year would ascend to the final prized office of consul, of whom two were elected annually. Thus the tribunate was a key position to becoming well-known and popular with the people. This was accomplished in different ways: by impressive rhetoric, especially on heated issues or by introducing popular legislation. Tribunes wanted to make a lasting impression on the public. So it was with Sulpicius Rufus, an energetic tribune who took office at a key moment in Roman history. In 88 the Social War, which had engulfed peninsular Italy, was just ending and within a year civil war would replace it when Sulla, a consul of 88, marched on Rome to regain control of the city from Sulpicius



and Marius, an old but ambitious Roman senator, leading to years of dictatorship and bloodshed.

Despite the pivotal nature of the year 88, the main sources for the year are often contradictory and fraught with bias. Plutarch wrote both a life of Sulla and of Marius around the first century AD, both of which chronicle 88, but the literary concerns in writing his parallel lives as well as the assumption that he was working from pro-Sullan sources make these documents problematic. Appian, one of the other main sources, wrote histories a few decades after Plutarch, with whose chronology he conflicts in key instances. Appian rarely mentions his sources. These two later authors provide the most cohesive narrative of 88. Cicero, who was a young man at Rome in 88, mentions Sulpicius Rufus in passing only, and his remarks, as seen below, are often a puzzle to scholars. Other ancient sources cited in this paper, like Asconius, are later antiquarians compiling anecdotes from now lost sources.

Thus the exact order of events in 88, which led to Sulla's unprecedented march on Rome, have long been unclear and the motives of the key participants even murkier. In the past, a number of very creative and pains-taking efforts have been made to reconstruct the events of 88 BC in such a way as to organize the bits of information from the ancient sources into a cohesive picture explaining the origin of violence and clarify the motivations and goals of Publius Sulpicius Rufus, the most well-known tribune of that year. Despite the number of articles written about 88 B.C. and the general narrative of both the year and Sulpicius Rufus' career, there is still no consensus concerning the detailed chronology or Sulpicius' motives. At this stage of impasse, past articles still hold primacy of place in the narrative leading up

to the civil war. However, much of previous scholarship falls short due to its reliance on now discredited ideas about the structure and nature of politics in the late Republic, ideas specifically relating to political alliances based on prosopography.<sup>1</sup>

This paper seeks to build upon newer ideas of political functioning and relationships among politicians in the Republic to analyze anew the events of Sulpicius' tribunate, his personal motivations, and to interpret the decisions he made. To clarify, the sharp demarcation that has been assumed in the past between the *optimates* and *populares* has been embedded in arguments about Sulpicius Rufus, and where his actions have seemed inconsistent in supporting one side or the other, scholars have assumed he had a dramatic and emotionally motivated reversal of political allegiance. Without this underlying assumption of political factions, the volte-face of Sulpicius Rufus falls apart, and the actions of Sulpicius need to be examined afresh.<sup>2</sup> I argue that Sulpicius Rufus is neither entirely subordinated to Marius nor acting either in conjunction with or in reaction to an established political group. Therefore, it is a modern exaggeration to speak too much of Sulpicius' volte-face.<sup>3</sup> Sulpicius acted independently, carefully sized up each opportunity as it came along and tried to reap the greatest possible personal benefits. Particularly, he kept an eye towards keeping political alliances with individuals by providing enough *beneficia* towards particular constituencies to reap *officium* from them later.<sup>4</sup> That is not to say Sulpicius had no ideological or altruistic motives, only that he exploited

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<sup>1</sup> North (1990) p 277-287 summarizes what he calls the old "frozen waste" theory of alliances and voter control, and then also a variety of recent criticism.

<sup>2</sup> Powell (1990) p. 456-7 states it well: "The apparent inconsistency on Sulpicius' part has been used as another piece of evidence to support the idea of a sudden political change on his part. This seems to me an unnecessary supposition; we only interpret it like that because it appears to fit in with the general pattern, but once the pattern is gone, the uncertainty becomes obvious."

<sup>3</sup> Mitchell (1975) p. 174

<sup>4</sup> Twyman (1972) p. 372.

even those motives for his own benefit. In particular, Sulpicius' actions combined to benefit an elite group of Italians and the *publicani*, though not all of his actions can be directly linked to these two groups. Sulpicius' desire to gain political influence and support through his work on behalf of these groups is the primary example of his methodology.

In order to prove Sulpicius' independent agency, this paper will place Roman politics in the broader Mediterranean world and explore the events of 88 BC in the order I believe they occurred. Each will be examined in turn, along with a discussion of probable motivation, the beneficiaries of each action, and with the relevant ancient sources and alternate interpretations from other modern scholars. By working chronologically, I hope to relate some of the immediacy of the situation and to show more clearly how Sulpicius Rufus made decisions stemming not from a pre-ordained plan but contingent upon the precise political moment.

Sulpicius Rufus took office on December 10, 89 B.C., with the intent of using his tribunate as an opportunity to garner the political support he would need later to run for higher office, and especially with an eye towards gaining the support of the new Italian citizens in the aftermath of the Social War. This is not to say Sulpicius Rufus had a pre-ordained outline of plans throughout the year to show his support for the new citizens, particularly those of equestrian rank, but rather that he intended to take advantage of every opportunity to benefit this particular constituency.

**I Exiles**  
***Cum P. Sulpicius tribunus plebes...leges promulgasset ut exsules  
revocarentur***<sup>5</sup>

The first issue Sulpicius was involved in was a bill concerning exiles. Livy's epitomator says that Sulpicius tried to recall exiles, and the Auctor of *ad Herrenium* agrees that Sulpicius recalled exiles, but adds this was a contradiction because he had previously vetoed a measure to recall the same exiles.<sup>6</sup>

**a. Who are the exiles?**

For some time it was assumed that these exiles were those exiled under the *lex Varia*, a *maiestas* court aimed at the followers and allies of Livius Drusus. However, Erich Gruen questioned this view, citing the many problems scholars failed to take into account, namely that Sulpicius would be first blocking the return of his supposed-*optimates* friends and then supporting their return, which flatly contradicts the volte-face theory, under which Sulpicius would have first supported then fought against the *optimates*.<sup>7</sup> Even without the volte-face theory, Gruen points out that there are only three known exiles under the *lex Varia* and one of them (C. Aurelius Cotta) did not return to Rome until 82 B.C., which would be unusual if he had been recalled over five years previously.<sup>8</sup> Ernst Badian follows Gruen in rejecting the *lex Varia* as the source of the exiles, but where Gruen believes further conjecture pointless, Badian believes there is hope for a solution.<sup>9</sup> If this is not evidence of a political reversal from blocking a bill to proposing a similar or identical one, what was the real purpose of Sulpicius' change of position? These laws appear to be fairly

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<sup>5</sup> *Per.* 77

<sup>6</sup> *Rhet. Her.* 2.45

<sup>7</sup> Gruen (1965) p. 72.

<sup>8</sup> Gruen (1965) p. 68; 72 n. 164

<sup>9</sup> Gruen (1965) p. 73. Badian (1969) p. 487.

mundane, but can clearly demonstrate Sulpicius' acting out of some degree of self-interest. Regardless of which particular group of exiles was being recalled, this move should be seen as an attempt to garner the *gratia* and *officium* of those recalled.<sup>10</sup> Sulpicius stood to gain the gratitude both of the exiles returning to Rome, and also of their friends lobbying for their return. Therefore, while this 'flip-flop' may be portrayed as political fickleness, it should be seen as politically savvy, and designed to maximize the political benefits towards Sulpicius.

### **b. Why recall exiles?**

While any recall of exiles would garner some degree of debt, I follow Badian in positing the particular exiles to be those from the *lex Licinia-Mucia*, which was passed in 95 B.C. and prosecuted all those who had illegally granted citizenship to Italians, or Italians who falsely claimed citizenship.<sup>11</sup> Gruen initially brings this argument forward, noting it would be in keeping with Sulpicius' attempts at garnering support from former Latins and Italians, but he then rejects the *lex Licinia-Mucia* as a possible source of exiles because it did not technically exile anyone.<sup>12</sup> Badian' counters this by noting there must have been some penalty—or threat of a penalty—beyond simply crossing names off the citizen rolls, and even after the *lex Julia* gave citizenship to the loyal allies there must have been some de facto exiles, or de facto exiles who were unsure of their legal status on *ager Romana* following the *lex Julia*.<sup>13</sup> These 'exiles' would not necessarily have been exiled from all Roman

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<sup>10</sup> Powell (1990) p. 457 does not specifically mention *officium* or *gratia* but is in general agreement

<sup>11</sup> Badian (1969) p. 488-9. Lewis (1998) argues for a failed attempt at recalling the Varian exiles, somewhat missing Badian's point noted here concerning the *lex Licinia-Mucia* as not being an exile law.

<sup>12</sup> Gruen (1965) p. 73.

<sup>13</sup> Badian (1969) p. 489-90.

territory but only prevented from openly conducting business in Rome as citizens. Whether or not Badian is correct in positing 10,000 affected persons, those affected would have found it necessary to stay away from Rome due to threat of prosecution.<sup>14</sup>

Furthermore, it is difficult to know how worried these de facto exiles would have been about repercussions under the law. The only case prosecuted under the *lex Licinia-Mucia* that has come down to us is that of Martrinius, who was enfranchised by Marius as a member of a colony that was never founded. Marius' personal *auctoritas* seemed to have more weight than any legal argument. Perhaps had L. Crassus, one of the law's authors, acted as defense the parameters of the law would have been clearer, and there would have been a precedent for who could and could not be prosecuted under the law.<sup>15</sup> The lack of trials seems to show that those who would have been prosecuted chose to stay away out of fear.

Even after their grant of citizenship, it is likely this law could still have acted retroactively and the affected persons would be at risk of prosecution. In his summary of expulsion laws, Husband determines that later observers saw the effect of the *lex Licinia-Mucia* to be the exile of foreigners, even if that was not the exact intent of the law.<sup>16</sup> Moreover, according to the Auctor in the *Rhetorica ad Herennium*, Sulpicius claimed his bill was not to recall exiles per se but those who were cast out by force as opposed to law.<sup>17</sup> This fits these de facto exiles from the *lex Licinia-Mucia* who were never formally charged, but still are unable to return to

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<sup>14</sup> Badian (1969) p. 489-90 posits that the group led by Poppaedi Silo referenced in Gell. XV ii.2 were likely to be affected by the *lex Licinia-Mucia*.

<sup>15</sup> Cicero *Balb.* 49

<sup>16</sup> Husband (1916) p. 321-323.

<sup>17</sup> *Rhet. Her.* 2.28.45

Rome because of the continuing threat of prosecution. The retroactive application of the law would make it a useful threat against those who should have been able to conduct business in Rome after the grant of citizenship, but had previously been doing so illegally. Thus Lintott's rebuttal of the *lex Licinia-Mucia* on the grounds that Italians who were not citizens could not be exiled and properly termed exiles seems superfluous.<sup>18</sup> It is precisely because they were not properly termed exiles, but are de facto exiles that the group needed a universal pardon and recall. Furthermore, though Plutarch typically vilifies Sulpicius and Marius, working both from pro-Sullan sources and hindsight, one bit of invective could be pertinent here.<sup>19</sup> Plutarch states that Sulpicius sold Roman citizenship to freedmen and—more importantly—immigrants, which is patently untrue but could be based on his working for the return of the Licinian-Mucian exiles.

As noted by Gruen above, this move would fit into Sulpicius' attempts to gain solid political support from the Italians, especially the business class, which would have been the most affected by their ability (or lack thereof) to transact business in Italy as Romans or allies. Many scholars have noted Sulpicius seems to have had some programmatic coherence and policy goals to aid the newly enfranchised Italians, and while he very well may have had altruistic motivations on some level, these were coupled with very pragmatic motivations.<sup>20</sup> Aiding a new, large group of citizens (as noted above, perhaps up to 10,000) could have gained him at least a temporary support base—something he would need soon. Censors had been

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<sup>18</sup> Lintott (1971) p. 453. Lewis (1998) p. 197 for more examples of 'exiles' denoting a larger group than convicted persons

<sup>19</sup> Plut. *Vit. Sull.* 8.1-2

<sup>20</sup> Lintott (1971) p. 442, n. 1 for modern scholars and their views.

elected in 89 and so a census would have been going on in which these men could be enrolled.

Furthermore, if he argued they were not true exiles, he could avoid some of the negative reaction associated with recalling exiles by claiming they had simply never been given due process under the *lex Licinia-Mucia*, and were now citizens under the *lex Julia*. Those who were affected by the *lex Licinia-Mucia* appear to be the best option for the exiles recalled by Sulpicius' law. He thus maximized the credit due to himself by sponsoring the bill, and showed a desire to get that credit and be associated very specifically with this cause (thus amplifying the political effect of his altruism) by blocking an earlier version of the bill before making it his own cause. Sulpicius' bill recalling exiles has too often been left unexamined by scholars who assume that because Sulpicius changed parties his change of position on this bill is not worth discussing but, as I have shown, Sulpicius' change on this bill was purposeful and unrelated to his political alliances.



## II. Debt

**νόμον δὲ κυρώσας μηδένα συγκλητικὸν ὑπὲρ δισχιλίας δραχμῶν ὀφείλειν<sup>21</sup>**

Like Sulpicius' exile law, it is difficult to place his debt law into the chronology of 88 B.C. and to divine his goal in proposing such a bill. The only mention of a debt bill is in Plutarch, where he says Sulpicius brought forward for ratification a law that no senator owe more than 2,000 drachmas but at the time of his death Sulpicius owed 3,000,000.<sup>22</sup> This statement is hard to understand because it is made amidst a laundry list of affronts: having a personal army, selling the citizenship, overreaching himself in evil intent, etc. Being deeply in debt is yet another blanket charge laid against Roman politicians, and thus the veracity of Sulpicius' debt is suspect. By the time of Plutarch's writing it was a trope to tie debt with excess and extravagance (like having a private army).<sup>23</sup> Similarly, the claim that Sulpicius' debt was so great as to warrant removal from the senate was also a trope to denote immorality.<sup>24</sup> To glean some bit of truth out of this sentence, we must at least recognize that Sulpicius could have been slandered with the claim of debt alone, and the addition of his bill to limit debt is an anomaly that should be addressed. Modern scholars have either not treated this question, or have only treated it in passing, presumably because of its problematic placement with these other hyperbolic charges.<sup>25</sup> However, it is worth discussing why Sulpicius would introduce such a bill,

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<sup>21</sup> Plut. *Vit Sull* 8.2

<sup>22</sup> Plut. *Vit. Sull.* 8.2; Plutarch uses the word *κυρώσας* which I am taking to be an ingressive aorist, considering the law does not seem to have taken affect. I must thank Greg Pellam for drawing my attention to this possibility.

<sup>23</sup> Edwards (1993) 178-80

<sup>24</sup> Edwards (1993) 183-4

<sup>25</sup> Powell (1990), Lintott (1971), Mitchell (1975); Keaveney (1983a) mentions that some scholars saw this as a strike at Sulla, who they assumed was in debt. Keaveney points out a few reasons Sulla was probably not in debt, but does not address what the actual aim of such a bill might be.

how it would affect his overall ambitions for the year and what it might say about him that Plutarch would list this bill among his evil deeds.

#### **a. The aftermath of the Social War**

In order to explain why a debt bill would have any political significance, it is important to recall the economic situation in 88 B.C., when there were severe financial difficulties both for the state and for individuals as a result of the Social War. The Social War required great expenditure by the state to pay soldiers with no chance of booty from the conquered Italians. Furthermore, the last areas of Italy to be subdued were Samnium, and Lucania, and there was fighting in Apulia and Campania right up to (and even just after) Sulla came back to Rome to stand for the consulship in 89.<sup>26</sup> Apulia and Campania were some of the most fertile agricultural regions of ancient Italy, and the burning of cities and battles must have disrupted the sale of goods at Rome, which would lead to higher prices on foodstuffs. Land, which was often the collateral for loans, was not as secure as it had been before the war because much of it had been under the control of the *socii* which would have made it difficult for the owner to collect whatever income the estate may have provided, and once the property was recovered, it is doubtful that the back rents could be recovered as well.<sup>27</sup> After the war, the value of the land would also have been uncertain because of the changed conditions. Thus it was not until the early 80s that the Social War was wrapped up enough to restore the confidence of creditors in the value of land, and for landowners to profit from their land.

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<sup>26</sup> Appian *B Civ.* 1.51-52

<sup>27</sup> Barlow (1980) p. 212. Frank (1933) p. 55.

## **b. Credit and Debt**

Immediately after relating the military action of the Social War, Appian relates that at the same time lenders were trying to collect their loans with interest their loans and debtors were delaying using the war as an excuse.<sup>28</sup> Civil unrest is a fairly good excuse for not paying back a loan, so why would the creditors be so insistent on repayment at this point? There are many indications that the end of the 90s and the beginning of the 80s was a period of deflation for Roman currency, which would make it an extremely lucrative time for creditors to demand repayment. In addition to presumably higher prices due to the limited imports from other areas of Italy, and great expenditure by the state, there was a drop in the amount of money in circulation.<sup>29</sup> At the beginning of the first century there was a sudden stagnation in the amount of money in circulation following fifty years of steady increase, an increase which was presumably part of the increased monetization of the empire. Rome was minting an average of 14 million *denarii* a year during this period, which means that if the money in circulation was the same, there were still approximately 30 million *denarii* missing from the money supply.<sup>30</sup> Added to this, by about 90, there was a further drop in circulation of 25 million *denarii*, besides that year's missing 14 million minted, although there was an increase from previous years, the 'missing' money was still unaccounted for.<sup>31</sup> By 88 some 50 million *denarii* had disappeared. A downturn in the money supply usually leads to shortage of money and credit, and a drop in coinage during a period of increased monetization leads to deflation. Deflation would account for the sudden desire by lenders to be repaid, and

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<sup>28</sup> Appian *B Civ.* 1.54

<sup>29</sup> Hopkins (1980) p. 109 Fig 2

<sup>30</sup> Hopkins (1980) p. 108

<sup>31</sup> Hopkins (1980) p. 109, Fig. 2

also why debtors would be loathe to do so. Deflation is also attested by the need for lighter coins which show an increased value in precious metals. Rome tried to provide for this need via the *lex Papiria* and Livius Drusus' attempts to inflate currency by minting silver-plated coin.<sup>32</sup> Thus debtors became even less capable than before of paying back their loans. The seriousness of the credit problem can be seen in 89 B.C. when a tribune, Asellio, had even been killed for attempting to reduce debt by prohibiting interest and preventing foreclosure on debts.<sup>33</sup> Despite a reward promised by the Senate for information, none was brought forward and no one was ever even tried for the murder—which reveals the political power the creditors had over their debtors.<sup>34</sup>

### **c. The Mithridatic War**

Besides the Social War, the fledgling Mithridatic War also had an effect on the financial situation in 88 B.C. We see lingering effects of the credit crisis and the lack of money in mid to late 88 when the Senate had to take money from temples to have enough liquid assets to begin the war against Mithridates.<sup>35</sup> It was assumed the war would be quick and profitable, which would make it ideal for investment by the *publicani*—provided they had the liquid capital to bid on the farming of taxes. However, over the course of 89 and early 88 it became apparent that the situation with Mithridates was quickly deteriorating and investments in Asia became more risky. As the situation in Asia worsened, and especially after Mithridates ordered all Italians and Romans killed, any investments in Asia were lost, and those capitalists

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<sup>32</sup> Pliny *Naturalis Historia* 33.13.46

<sup>33</sup> App. *B Civ.* 1.54

<sup>34</sup> App. *B Civ.* 1.55

<sup>35</sup> App. *Mith.* 22

could also no longer pay back their debts, further sending lenders into a panic to recoup their loans from those whom they could.<sup>36</sup>

#### **d. The effects of Sulpicius' proposition on debtors and creditors**

Sulpicius' bill, then, came into a highly tense environment where creditors—mainly of the equestrian class—were loathe to lose money, but desired to collect at least a part of what was owed from their debtors, who were either unwilling to pay back the deflated money or sell off property to make good their debts. Sulpicius' bill to prohibit senators from having more than 2,000 drachmas of debt would have been beneficial to the money-lenders who stood to receive their money back, money much more valuable than when it was lent. Although it may seem difficult to grasp to the modern financier (or debtor) to wait as long as possible to repay debt, Polybius makes it clear that it was very usual for Romans to hold onto money they had borrowed in liquid form until the day it was due.<sup>37</sup> Thus it is likely that Roman senators had the capital to repay their debts but were waiting to repay their creditors, perhaps until the period of deflation had passed. Therefore this debt bill would be beneficial to the equestrian moneylenders, perhaps even on two fronts.

If senators were expelled from the senate for too much debt, either they would be forced to pay back their creditors at a time when the creditors would hugely profit due to the deflation, or at the next census be removed from the senate. Thus the *equites* would be greatly enriched or possibly be in a position to replace the senators who were removed.<sup>38</sup> Although some have seen this bill as a personal attack on Sulla, who it is generally believed was in great debt, they have tended to

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<sup>36</sup> Barlow (1980) p. 215.

<sup>37</sup> Polyb. 31.27.10-11

<sup>38</sup> Evans (2007) p. 88

see it as an attempt to remove senators (or at least Sulla) rather than to enrich creditors. It seems more likely, in light of Sulpicius' attempts to build support for himself, that removing senators from the senate would have benefited him very little.

#### **e. Political Impact**

In this chronology, I have placed this debt bill neatly before the rather larger events to come, but it is also possible that this bill was introduced concurrently with other legislation beneficial to the *equites*. It seems even more likely that the creditors would have been the beneficiaries of this bill when one takes into account Sulla's legislation the next year to aid debtors and further aid inflation.<sup>39</sup>

Sulpicius' most likely goal, however, in this legislation was not in attacking Sulla or the senate, but was to put money back into circulation, which would ease the deflation and aid creditors. Although the senate was a minority of the population, their debt per capita was likely higher than other citizens, and the Social and Mithridatic Wars would have affected their wealth more than other segments of society. A best case scenario for Sulpicius would have been the collection of debt in order to financially benefit the *equites* and grant them a tangible benefit. In a worst case scenario, if the money was not collected or was minimal, the posture Sulpicius adopted and the gesture he made towards creditors was noteworthy. In fact, the posture of being pro-equestrian and anti-senatorial may have been Sulpicius' goal without an expectation of the bill to pass. Furthermore, though Plutarch makes this statement immediately before declaring Sulpicius a minion of Marius, this bill seems to have nothing to do with Marius or his ambitions despite his ties to the *equites*.<sup>40</sup>

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<sup>39</sup> Frank (1933) p. 56.

<sup>40</sup> Plut. *Vit. Sull.* 8.2

Again, seeing Sulpicius as simply having followed Marius' lead once they were in league together blinds scholars to how Sulpicius would have benefited from his own actions—not Marius. This bill was Sulpicius' own creation and he alone would gain the gratitude of the moneylenders.

#### **f. Debt and character**

As to why Plutarch would list this bill with a passage to vilify Sulpicius, there are several ways it could serve as invective. Firstly, it would associate him with the non-senatorial classes, which is a theme of Plutarch's character sketch: he sold the citizenship to freedmen and resident aliens, he had an equestrian army of young men, and lastly he collaborated with money-lenders. Plutarch further vilifies him as hypocritical by saying he left behind huge debt and would have been worthy of expulsion from the senate under his own legislation. This charge fits in with Plutarch's general picture of Sulpicius as rapacious (having huge expenses beyond his means, despite getting money in such despicable ways as selling citizenship) and generally driven by his passions. Therefore Sulpicius' debt bill and the association Plutarch points to, between Sulpicius Rufus and the *equites*, particularly those involved in money lending, is worth noting, similar to the relationship between Plutarch's comments about selling the citizenship and Sulpicius' support of the *lex Licinia-Mucia* exiles, even if Sulpicius' personal debt is hyperbole or fiction.

### III. C. Julius Caesar Strabo

***Gaius aedilicius quidem occisus est sed tantum in civitate potuit ut causa belli civilis contentio eius cum Sulpicio tr. fuerit***<sup>41</sup>

The next event of Sulpicius Rufus' tribunate was his altercation with C. Julius Caesar Strabo concerning the latter's desire to run for the consulship of 87 B.C. without having held the praetorship. This issue is a tricky one involving a number of smaller discussions concerning timing, the nature of Caesar Strabo's conflict with Sulpicius, the nature of Caesar Strabo's conflict with Marius, the questions of who was supporting and opposed to Caesar Strabo's candidacy, and their grounds of support or opposition. It is further complicated by unclear sources and arguments based on logic, grammar, inference, silence, and interpretation. Therefore though this discussion seems (and is) long, it is the most necessary to the overall argument of this paper concerning Sulpicius Rufus' volte-face. This conflict is usually seen as the turning point, which usually motivates the rest of an argument about interpretation and timing. However, this altercation should not be seen as an anomaly of Sulpicius' year in office. Rather, I will show how it fits in with Sulpicius' overall method of making decisions and acting on those decisions.

#### **a. The sources and the story**

According to asides in various sources, Caesar Strabo attempted gain permission to run for the consulship with having held the requisite previous office of *praetor*.<sup>42</sup> Other sources do not mention his attempt to run for consul, but simply

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<sup>41</sup> Ascon. *Scaur.* 25C

<sup>42</sup> Cic. *Brut.* 226, *Har Resp* 20.43; Ascon. *Scaur.* 25C,



that he and Marius both desired the Mithridatic command and fought over it.<sup>43</sup>

Sulpicius Rufus opposed this attempt in speeches and then with street violence.<sup>44</sup>

## **b. Chronology**

Though Badian has pointed out that it is possible for Caesar Strabo to have been attempting to run for the consulship of 88 B.C., possibility alone does not prove it was so, and Lintott points out how slim the probability really was.<sup>45</sup> Caesar Strabo could only have run for election in 89 at a time when Sulpicius would have been involved if the elections had been delayed until the very end of 89, and then only if the remaining consul for 89 had duties in the Social War that would not allow him to return to Rome long enough to hold the election. Sulpicius Rufus did not take office until December 10 of 89 BC and the conflict was over Caesar Strabo's attempt to be a candidate, which would naturally come before the election for the consulship. Because Caesar Strabo desired the consulship to gain the command against Mithridates, which was not yet a serious threat in 89, I will argue Sulpicius opposed him in 88, when he first began agitating to be allowed to run for 87.

The primary attraction of the early dating is not deduction but is based on two main ideas: first, that this event caused Sulpicius to go over to Marius' side from the optimate side and second, whoever was elected consul of 88 could hope for the Mithridatic command. The first implies that at some point in his opposition to Caesar Strabo, Sulpicius opposed him on behalf of the *optimates* and then on behalf of Marius, which raises more questions about political alliances and why each party

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<sup>43</sup> Diod. Sic. 37.2.12

<sup>44</sup> Ascon. *Scaur.* 25C, Quintillian *Inst Or.* 6.3.75

<sup>45</sup> Lintott (1971) 448-9. Keaveney (1983b) p. 57-8 assumes the early dating with no discussion., and Katz argues Caesar Strabo ran in 89 B.C. for 88 B.C. Lintott, Meier, Powell, and Mitchell argue he attempted to run in 88 B.C. for 87 B.C.

would oppose Caesar Strabo. Both Caesar Strabo and Sulpicius supported Livius Drusus several years previously, and thus prospographers argue that it would have been a break in Sulpicius' political alliances to oppose someone whose side he had been on previously. The second assumes that the Mithridatic command was the consular command for 88.

Therefore, without ideology influencing the chronology, let us turn to the sources. Diodorus 37.2.12 says in sequence that 1) the Marsic War had nearly ended 2) there was contention in the city over the Mithridatic command 3) Marius and Caesar Strabo were at odds and 4) Sulla, as consul, was still involved in the Social War at Nola before setting out against Mithridates. Badian, in a later rebuttal to Gruen concerning the timing of the election, argues the consular elections for 88 took place either late enough in the year that the tribunes of 88 had already taken office, or that there could even have been an *interregnum*.<sup>46</sup> Badian does not think the dating of Diodorus is quite as explicit as Gruen does. Badian sees this as a chronological sequence and dates the Marsic War to 89 B.C. with Sulla's consulship following it in 88 B.C., leading him to believe the conflict between Marius and Caesar Strabo dates to late 89 B.C. Thus Caesar Strabo was running for the consulship of 88 B.C. While Lintott argues this passage ignores (or condenses) the events around 88 B.C., particularly noting the omission of Sulla's march on Rome, he thinks the most precisely the Caesar Strabo affair can be dated is "some time in or after late 89."<sup>47</sup> Thus he does not discount Badian's conclusion, but does not think Diodorus is a clear chronological account. Badian's view presupposes that both the election

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<sup>46</sup> Badian (1969) p. 482

<sup>47</sup> Lintott (1971) p. 446-7, esp. p. 447 n. 2. Katz (1977) p. 46 follows Lintott in finding Diodorus ambiguous.

for the consulship of 88 and the *professio* of Caesar Strabo would have occurred after December 10 of 89. Gruen, however, rightly sees the events of Diodorus as simultaneous.<sup>48</sup> Whether these events are concurrent or sequential depends at least in part upon how the connective force of the particles in the Greek (which are γαρ and μεντοι, respectively) are interpreted.<sup>49</sup> I argue that the γαρ is clearly explaining the previous statement rather than saying the event happened later.<sup>50</sup> The μεντοι is emphatically assenting to the previous statement (that there were other disturbances at the same time) and clarifying it.<sup>51</sup> Even if the μεντοι were progressive rather than emphatic, I think it is a close link in time rather than a distant one.<sup>52</sup> Therefore, Diodorus does give a specific chronology dating the altercation during, rather than before, Sulla's consulship. Besides which, Sulpicius was dead and Marius in exile by the time the elections for 87 took place, which would have made it difficult for either to protest. However, the conflict was not about what happened at the election proper; it was about whether or not Caesar Strabo, having only held the aedileship and not the praetorship, could be a candidate at all and this surely would have happened during his vote-canvassing before the elections.<sup>53</sup>

### **i. The opponents to Caesar Strabo and their motives**

The question of who did and did not support Caesar Strabo's candidacy is almost entirely dependant upon the contemporary circumstances—that is, who he

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<sup>48</sup> Gruen (1965) p. 72 n. 161

<sup>49</sup> Diod. Sic. 37.2.12-13. "Γαίος τε γαρ Ἰούλιος καὶ Γαίος Μάριος ὁ ἑξακὶς ὑπατεύσας ἀντεφιλονεῖκουν, καὶ τὸ πλῆθος ἦν ἑκάτεροις συμμεριζόμενον ταῖς γνώμαις. Συνέβησαν δὲ καὶ ἕτεραι τὰρχαι. ὁ μὲντοι Σύλλας ὑπάτος ὢν, χωρισθεὶς τῆς Ῥώμῃς πρὸς τὰς περὶ Νῶλαν ἡθροισμένας παρεγένετο δυνάμεις, καὶ πολλοὺς τῶν πλησιοχωρῶν καταπληξάμενος ἠναγκάσεν παραδουναὶ σφὰς αὐτοὺς καὶ τὰς πόλεις"

<sup>50</sup> Denniston (1934) p. 66

<sup>51</sup> Denniston (1934) p. 399

<sup>52</sup> Denniston (1934) p. 406

<sup>53</sup> Luce (1970) p. 191 n. 128.

was running against—and thus it makes a great difference whether he was running for the consulship of 88, which was held by Sulla and Pompeius Rufus, or that of 87, which was held by Cn. Octavius and Cinna (and then Merula). Understanding Sulpicius' opposition in relation to the opposition of Marius and others is key to understanding whether or not he was involved in any sort of factional politics. Because Marius' opposition was based on his contention over the Mithridatic command, the dating of the Mithridatic command is key, and will be discussed later.

How would Sulpicius' conflict with Caesar Strabo cause a rift between Sulpicius and his political colleagues? Previous scholarship has posited several premises to argue this. Badian at first simply states Sulpicius' opposition to Caesar Strabo's candidacy is "on behalf of the *boni*", and only "by accident" was he working with Marius, and he assumes that Sulpicius (and by extension "the Metelli and their associates") were fighting Caesar Strabo because they wanted Sulla and Pompeius Rufus to have the consulship of 88.<sup>54</sup> Gruen rightly questioned this casual assumption of complicity with the Metelli, noting Badian's reliance on factions, as well as the early dating, pointing out that Diodorus places the conflict between Caesar Strabo and Marius during the consulship of Sulla, not before it.<sup>55</sup> Badian returned fire by pointing out that it is difficult to accept that the *optimates* would have supported an illegal candidate, a view Gruen implied when he argued Marius and the *optimates* were on opposite sides of the issue.<sup>56</sup> Where a faction of the *optimates* would stand on the issue is the next topic.

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<sup>54</sup> Badian (1958) p. 231

<sup>55</sup> Gruen (1965) 72, particularly n. 161 and (1966) p. 42

<sup>56</sup> Badian (1969) p. 482

## ii. The volte-face theory

Lintott's, Katz's, and Badian's decision to date the conflict to late 89 is based upon their assumption that Sulpicius had a political shift that must be placed somewhere in that year and upon an interpretation of Cicero in *de Har. Resp.* 20.43 which they believe supports this assumption.<sup>57</sup> This oft-cited passage is both the best and most disputed source for understanding the conflict between Caesar Strabo and Sulpicius Rufus. It is tempting to use this snippet of Cicero as an argument for an *optimatus/popularis* split because it describes the "*populis aura*" as carrying Sulpicius "*ab optima causa*." To make this the hinge upon which Sulpicius Rufus' allegiance swings, '*ab optima causa*' must be translated as 'from the *optimatus* cause,' and thus his status as a member of the *optimates* was either the origin of his resistance or he left the group because of his resistance. Powell has repudiated this reading in favor of arguing to simply read "from the best case."<sup>58</sup> Powell still ties his reading to Sulpicius' support of Marius, but has provided a helpful basis from which to read this extract. Mitchell and Lintott provide more insight by pointing out that this sentence should not be read out of context, but as part of Cicero's overall discussion of tribunes who began their year working through legal methods and eventually resorted to demagoguery.<sup>59</sup> Thus Cicero gives a concrete example of Sulpicius working through normal means: he made a good case in the legal arguments against Caesar Strabo's candidacy, a view backed up in another Ciceronian passage referring to Sulpicius' noted eloquence.<sup>60</sup> Therefore, *ab optima causa* does not need

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<sup>57</sup> Cic. *Har. Resp.* 20.43 "Sulpicium ab optima causa profectum Gaiusque Iulio consulatum contra leges petenti resistens longius quam voluit popularis aura provexit."

<sup>58</sup> Powell (1990) p. 457-8.

<sup>59</sup> Mitchell (1975) p. 199. Lintott (1971) p. 447.

<sup>60</sup> Cic. *Brut.* 226

to refer to the *optimate* position on the candidacy of Caesar Strabo, but the methodology Sulpicius used in the contest. Without the *optimate* faction in the passage to contrast a *popularis* faction against, the *popularis aura* should not necessarily be read as being a change in ideology, or political faction, but simply as an assertion that Sulpicius methods become more *popularis* than he initially desired.

Cicero's use of the word *popularis* can denote a range of meanings: emulation of Saturninus and the Gracchi, an ideology that is in support of the common people, some madness associated with the tribunate, or the rousing up of the people in vocal or physical support.<sup>61</sup> Cicero did use *popularis* as a singular adjective to describe politicians who individually act against the values of the senate or *boni* (not *optimates*), but not a group political stance, per se.<sup>62</sup> Clearly here it refers to his methodology of violence as an emulation of previous tribunes.

All of this discussion is necessary to show why scholars have tried to place the dating of Caesar Strabo's candidacy long before the other events of Sulpicius' tribunate. Scholars have looked specifically for support of their ideas concerning Sulpicius' volte-face and thus want to make this snippet show a shift in policy where there isn't one. It is much easier to explain Sulpicius' opposition to Caesar Strabo's candidacy in the framework of a volte-face if it is clearly demarcated from Sulpicius' other activities later in the year. However, if the pressure of the volte-face schema to make this event a turning point in Sulpicius' political views is removed, the primary impetus to argue for the earliest possible dating is removed. Thus, Caesar Strabo's candidacy should be re-inserted in the year chronologically closer to the other major

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<sup>61</sup> Emulation of previous tribunes *Dom* 24, *Sest.* 37.103; supporting the common people *Atti* 2.7.2, *Div. Caec.* 8; madness *Mil.* 22, *Brut.* 273; rousing up the people 2 *Verr.* 1.151, *Lig.* 37.

<sup>62</sup> Seager (1972a) p. 331f.

events; namely Sulpicius' re-distribution bill and Marius' acquisition of the Mithridatic command. This later dating is also supported in the ancient sources. If the candidacy of Caesar Strabo for had been the very first event of the year it is hard to see how Asconius could say this *contentio* with Sulpicius caused a civil war.<sup>63</sup> Either Asconius sees a far-reaching connection, or he means the violence of the civil war began with this altercation and continued escalating. In conjunction with the Cicero passage above, the latter seems more logical. The breeze of the 'popular' methods in his conflict with Caesar Strabo did not let up, but in the rest of the year grew until Sulpicius was far from the by-the-constitution legal methods used at the beginning of his tribunate.

### **iii. Caesar Strabo, Marius, and the Mithridatic command**

According to Diodorus, Caesar Strabo sought the consulship in order to gain the Mithridatic command, something Marius also desired.<sup>64</sup> Had the Mithridatic command been Sulla's second command of the year and a special command given to him when the situation in the east worsened mid-88 (i.e. if finishing the Social War at Nola was his original command and he was then given the Mithridatic command as a second, special command) it is possible that the Mithridatic command could have been handed over to one of the consuls of 87 as a consular command for the year. In this case, the conflict would be between Marius getting a special command for the duration of the war or Caesar Strabo having the command during his year as consul. At no point in the ancient sources is Sulpicius ever accused of blocking Caesar Strabo's candidacy because of what he might do as consul or on behalf of

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<sup>63</sup> Asc. *Scaur.* 25C.

<sup>64</sup> Diod. Sic. 37.2.12 See also Katz (1977) p. 46 and Lintott (1971) p. 483.

any third party, though as discussed previously, modern scholars assume Sulpicius must have been involved on behalf of either Marius or Sulla and Pompeius Rufus. Marius, on the other hand, was not concerned with the legality of Caesar Strabo's candidacy but only with the net result; namely a consular command against Mithridates. Therefore Marius' reason for conflict with Caesar Strabo as well as the dating of this conflict in relation to the Mithridatic command now must be discussed.

The biggest challenge to dating Caesar Strabo's attempt for the consulship to 88 B.C. is Diodorus' assertion that he and Marius were contending over the Mithridatic command. This is problematic because Appian and Plutarch give vague and perhaps conflicting accounts concerning the Mithridatic command.<sup>65</sup> Appian says in the *Civil Wars* that Sulla received the command by lot, which implies that it was his consular command from the beginning of the year, but then in the *Mithridatic Wars* says that Sulla was given the command (again, by lot—perhaps implying the senate chose between the consuls by lot) after Mithridates had invaded his neighbors. However, he also says that concurrently in Rome they were dealing with internal problems both in the city (presumably the internal problems of 88) and in Italy (the Social War), but he dates the massacre of Italians in Asia Minor, which was in March, after this.<sup>66</sup> Nowhere does Appian mention Sulla's continued fighting of the Social War during his consulship. Instead, Appian simply says that after the Social War ended, conflict in the city began over the Mithridatic command after Mithridates began to show himself as a real threat by invading his neighbors.<sup>67</sup> Plutarch says that Sulla thought more of the Mithridatic command than his

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<sup>65</sup> Plu. *Vit. Sull.* 7.1

<sup>66</sup> App. *B Civ* 1.55 App. *Mith.* 22

<sup>67</sup> App. *B Civ* 1.55



consulship, which is rather chronologically ambiguous. Thus from the ancient sources it is unclear whether the Romans considered Mithridates enough of a threat to make a command in Asia a pre-assigned consular command for 88 B.C.

To clarify, under the *lex Sempronia* the consular commands were decided prior to the election of consuls, and if the Mithradatic command were a consular command, the Senate had to deem Mithridates a large enough threat in 89 B.C. to send a consul out of Italy and away from the Social War to take care of it, and then perhaps prorogue the command if it took longer than expected. This is the course of events supposed by those who would date Caesar Strabo's candidacy to 89 for the consulship of 88 B.C. Even Powell, who places the conflict between Sulpicius Rufus and Caesar Strabo in 88, believes that it was already a consular command for 88, though he is never clear about how Caesar Strabo intended to gain it in that case.<sup>68</sup> Lintott does not deny the possibility that Sulla may have had the Mithridatic command from the beginning of 88 B.C., though he thinks Mithridates' attacks on Romans and Italians in March of 88 would have led Marius and Caesar Strabo to think the war would be ongoing.<sup>69</sup> In that case, if the Senate thought Mithridates was still the most important threat to Rome, they may have decided it should warrant a consul leading the war. This is how Caesar Strabo hoped to gain the command. Otherwise, the Senate would simply choose two commands for the consuls of 87, then decide whether to prorogue Sulla's command in the east or create a special command.

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<sup>68</sup> Powell (1990) p. 452.

<sup>69</sup> Lintott (1971) p. 450.

While Lintott's speculations may be correct, considering Sulla's first actions of the year are to finish the Social War, and that the senate had sent an embassy to Mithridates in 89 to stave off war, it seems a less convoluted and more likely scenario that Sulla's initial consular command was in Italy, and it was only after the attacks that the senate deemed military action necessary, as Mitchell argues.<sup>70</sup> If this is the case, as I argue, then in early 88 the Senate would have to decide whether to place one of the existing consuls (who already have commands) in command of the war against Mithridates, wait and send one of the consuls of 87 almost a year later, or create a special command and appoint a qualified non-consular commander. While this may seem to be a parenthetical argument to Sulpicius Rufus' tribunate, it is important to understand what was at stake and why Marius and Caesar Strabo were in this conflict. They both wanted the Mithridatic command, and both would have needed broad support to win it. For Caesar Strabo this meant winning a consulship and replacing Sulla as the consul in charge of the Mithridatic command. For Marius this meant winning enough popular support for the assembly to ratify special legislation granting him the command; something more difficult if the consul in office also wanted the command. Based on this argument, it is untenable to assume Sulla's command against Mithridates was the original consular command for 88, and that if Caesar Strabo's goal was the Mithridatic command he must have been attempting to run for the consulship of 88. Furthermore, it is clear that Marius' reasons for being in conflict with Caesar Strabo and Sulpicius' are not the same, and there is no need to assume Sulpicius' only opposition to the bill was related to his relationship with Marius.

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<sup>70</sup> Mitchell (1975) p. 202.

#### iv. Caesar Strabo, Sulpicius Rufus, and violence

The whole affair ended with violence, and this is variously thought to be the tipping point for the first civil war by some ancient sources, or for Sulpicius Rufus' transition from *optimatus* to *popularis*.<sup>71</sup> Why, then, would Sulpicius Rufus argue against the candidacy of Caesar Strabo, if not out of duty to a larger party or faction? Though I agree with Mitchell above in regard to his chronology and reasoning about Caesar Strabo and the Mithridatic command, I disagree with his assessment of Sulpicius' motivations. The flaw in Mitchell's argumentation is his assumption that Sulpicius countered Caesar Strabo out of a "personal objection on principle to opportunism and excessive ambition which sought to bypass laws specifically designed to curb the impatient reach for unusual distinction and influence."<sup>72</sup> Gaining a special dispensation to run for consul without meeting one of the requirements was not unprecedented to the extent that Caesar Strabo's attempt would be as shockingly novel and grasping as Mitchell seems to suggest.<sup>73</sup> It is true that those who had circumvented the laws before had done so in times of urgency, but the ideological precedent, that the Roman people may exercise their will to ignore their own laws if they so decide, had been set. The Senate may have felt his attempt was too ambitious to be allowed, whether the people wanted it or not. Therefore Sulpicius Rufus, like Livius Drusus before him, may have been supporting the interest of the Senate while it behooved him.

It is not necessary to see Sulpicius as acting on behalf of Marius or Sulla and Pompeius Rufus when there is a much simpler explanation readily available: namely

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<sup>71</sup> Ascon. *Scaur.* 25C

<sup>72</sup> Mitchell (1975) p. 201.

<sup>73</sup> Vell. Pat. 2.21.2 suggests Cn. Pompeius Strabo wanted to run for a successive consulship in 89. Marius, Scipio Aemilianus, and Flaminius also held irregular consulships.

his desire to be seen as an energetic and persuasive figure from the outset of his tribunate regardless of whether or not he felt real moral outrage concerning the consular candidates. This type of posturing was expected of tribunes. Sulpicius was known to be an excellent orator, and here was an opportunity to remind the people as well as his colleagues of his skill and, as the conflict escalated into violence, of his tenacity as well.<sup>74</sup> Sulpicius was showing his mettle by taking on a prospective consul in a legal contest. Sulpicius began his confrontation with Caesar Strabo on his own initiative to gain a name for himself, and it is only because of the unintended violence that the event became so pivotal.

Therefore, this event does not show any great change in Sulpicius' political views. Rather it fits in with his previous actions and over-arching plans for his tribunate and future political career. To the extent that Sulpicius used *popularis* methods does not mean his political goals were necessarily *popularis* or that he had larger political goals besides showing his own determination and skill, just as Livius Drusus did in his tribunate by proposing pro-senatorial legislation while using violently "popular" methods.<sup>75</sup> Interestingly, Cicero neither here nor elsewhere links Sulpicius Rufus to Marius, another sign Sulpicius was acting of his own initiative.

In the discussion of the *popularis aura* above, Cicero's usage revealed close ties between the adjective *popularis* and the office of tribune, violent methods and speech, and legislative goals. But when Cicero says it carried Sulpicius further than he wished, one is left to conjecture how far Sulpicius wished to be carried and where he ended up. Asconius says Sulpicius initially resisted lawfully, then later with

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<sup>74</sup> Evans (2003) p. 137-9 comments on Sulpicius' oratorical growth and career.

<sup>75</sup> Livius Drusus, tribune in 91 B.C., proposed a legislative package that could be construed as ultimately pro-aristocratic, but used the increasingly popular methods of the tribunate to attempt its passage. Lintott (1971) p. 448 also points this out.

weapons, and an anecdote of Quintillian tells of open street fighting between Sulpicius' and Caesar Strabo's men.<sup>76</sup> Cicero also says Sulpicius Rufus was a charming speaker without being overly staged and his comments about Sulpicius give an impression of a theatrical speaker more able to persuade with rhetorical flourishes than argumentation.<sup>77</sup> In speech then, he was able to persuade large crowds, presumably rousing the sort of fervor *popularis* rhetoric seems to embody, and in action was able to gather crowds of men to fight on his behalf. Even if he did not plan to resort to the degree of violence eventually used against Caesar Strabo, Sulpicius could not have come up with a mob to fight on his behalf overnight. This shows his ability to muster significant resources fairly early in the year and a solid base of support going into what were to be the most contentious events of the year.

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<sup>76</sup> Ascon. *Scaur.* 25C "cui cum primis temporibus iure Sulpicius resisteret, postea nimia contentione ad ferrum et ad arma processit" Quint. *Inst.* Vi 3.75

<sup>77</sup> Cic. *Har.. Resp.* 19.41; *Brut.* 55.203. Carney (1960) p. 109.

#### IV. Italian Suffrage

***Cum P. Sulpicius....leges promulgasset ut...novi cives libertinique in tribus distribuerentur*<sup>78</sup>**

Sulpicius' next measure was his Italian suffrage bill. I believe this measure was designed to expand Italian political power by redistributing the Italians among the established tribes in order to give their votes greater impact. Although the new Roman citizens had been given the right to vote in 91-90, they had been placed into eight or ten large tribes which voted last rather than mixed into the existing tribes with the old citizens.<sup>79</sup> Sulpicius' bill sought to change this.

##### **a. Background**

In order to understand the role this bill played in the overall ideology of Sulpicius Rufus, it is important to understand the history of recently proposed suffrage bills for Italians. Before the *lex Iulia* and *lex Plautia* of the Social War, Livius Drusus (tr. pl. 91) had proposed a far-reaching but unsuccessful suffrage bill, revealing the complex relationship between the diverse peninsular allies and the various strata of Roman society. Drusus' bill was much broader, and was proposed prior to the Social War giving it a very different context. Sulpicius Rufus and Livius Drusus had moved in the same group of friends earlier in their careers, but Livius Drusus' overall agenda reveals that though both men proposed suffrage bills, they were attempting to achieve very different goals and that Sulpicius Rufus had reason to believe the support and opposition to his bill would come from different constituencies than the ones that favored or resisted Drusus' bill. Livius Drusus introduced a somewhat balanced legislative package with benefits for the people,

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<sup>78</sup> *Per. 77*

<sup>79</sup> *lex Julia, lex Plautia Papiria*

the equestrians, and the senate, but his attempt to grant the Italians citizenship was not ultimately pro-Italian but pro-oligarchical.<sup>80</sup> His entire legislative package, though couched in some traditional *popularis* rhetoric and ideas, was not *popularis* legislation.

#### **b. The motives and actions of Sulpicius Rufus**

Sulpicius Rufus may well have supported Livius Drusus' measure when it was proposed as a first step towards the rights of the Italians rather than supporting the overall pro-senatorial goals. However, he had a different goal in his legislation for the re-distribution of Italians into the existing tribes. Whereas Livius Drusus' bill tried to strike a balance between offering the Italians enough of a share in Roman politics to offset the blow of his agrarian law, Sulpicius Rufus sought to give them a voice in politics without taking anything away from them and without giving anything to anyone else. The opposition to Sulpicius Rufus was much more pronounced for this very reason; it would have given him immense popular support once the Italians were re-enrolled into the existing tribes. Furthermore, Marius would almost certainly have supported this legislation as well due to his long relationship with the Italians and his desire not to lose his role as the patron to many areas of Italy where his veterans were settled. Sulpicius Rufus may have supported Livius Drusus and been supported by Marius while their goals were temporarily congruent without assuming a long-term common goal with either.

Because censors had been elected in 89 B.C., it may have been possible for the new citizens to be enrolled in their proper tribes quickly enough for Sulpicius' bill

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<sup>80</sup> Mouritsen does not follow this view of a 'legislative package' but the questions surrounding Livius Drusus' tribunate are too lengthy to address here

to have an almost immediate impact, regardless of whether they were distributed into the newly created or old tribes.<sup>81</sup> Appian and Livy's Epitomator give the clearest account of this proposal, which is not mentioned by Cicero or Plutarch. Presumably it was not discussed in more detail by other sources because the proposal came to nothing.<sup>82</sup> In light of the subsequent events, it seems that the final catastrophic event of Sulla's march obscured the violent build up, blending together the riot over the suffrage bill with the conflict over the Mithridatic command. Though hindsight may focus on the end result, taking the events of 88 BC as they built upon each other necessitates focusing on what Sulpicius hoped to achieve with his suffrage bill, the expected support and opposition to it, and then finally how he handled the violent opposition.

#### **i. Motives**

In terms of motive, Sulpicius Rufus may have had a real desire to see the Italians have a voice in Roman politics. However, he was also undoubtedly aware of the political debt these newly powerful voters would owe him. It was also a fitting cause for a tribune to take up. This bill was a tricky bit of legislation, because it was not popular among the old citizens who did not want the new citizens to have an equal vote to their own, nor among those senators who had been firmly opposed to Italian citizenship in the first place.<sup>83</sup> Thus it was necessary for Sulpicius Rufus to be well-prepared for opposition in his attempts to pass it. Only a few years earlier he had witnessed first hand Livius Drusus' fatal reward for attempting to aid the Italians,

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<sup>81</sup> Lintott (1971) p. 451, n. 4.

<sup>82</sup> While Sulpicius did pass the bill, it was not fully implemented before Sulla repealed it. The bill was reintroduced by Cinna.

<sup>83</sup> App. *B Civ.* 1.55



even when packaging his pro-Italian bill together with pro-senatorial legislation.<sup>84</sup> It would give Sulpicius Rufus far too little credit to assume that he planned to pass his re-distribution bill without any opposition and that he had not kept a close eye on the political climate in order to maximize his chances of passing the bill. Thus he could not have been so naïve as to think this bill would pass with great ease.

## **ii. Support from Marius**

With the difficulty of passing his legislation in mind, Sulpicius needed sure support. While his blocking of Caesar Strabo's candidacy may have won him some accolades because it was initially justifiable, his eventually violent methods probably made many more people uncomfortable. It was only at this point that Sulpicius and Marius reached a mutually beneficial arrangement. The extent of Marius' actual power at this time has been doubted, but he still had a large number of supporters throughout municipal Italy and among Italians residing in Rome whom he could call upon, supporters whom Sulpicius' bill was likely to benefit.<sup>85</sup> The pro-Sullan sources claim Marius was the mastermind behind Sulpicius' plan, and many modern scholars follow this bias in assuming he proposed this arrangement to Sulpicius.<sup>86</sup> However, if Marius' desire for the Mithridatic command was as public as it seems, Sulpicius may very well have approached Marius.<sup>87</sup> Marius had a history of working for Italian rights as well, which would have made the bill appealing to him. Furthermore, increasing the power of Italian votes would have helped him gain the Mithridatic

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<sup>84</sup> This is, of course, working from the assumption that Livius Drusus' proposals in 91 B.C. were aimed ultimately at furthering the aristocratic classes, and the pro-equestrian and pro-Italian legislation was part of a larger plan.

<sup>85</sup> Frank (1955) p. 150.

<sup>86</sup> Plu. *Vit. Sull.* 7.1; App. *B Civ.* 1.57

<sup>87</sup> Plu. *Vit. Mar.* 34; Diod. Sic. 37.2.12 again is pertinent here. Marius' conflict with Caesar Strabo refers to the general desire for the Mithridatic command.

command. Having recently shown his ability to gather crowds and lead them and now with Marius' backing, Sulpicius Rufus was well placed now to run the risk associated with such a bill.

### iii. Sulpicius Rufus and Pompeius Rufus

However, if Marius' support was not present from the beginning and Sulpicius Rufus already had this re-distribution bill in mind, how did he plan to pass the bill? While I do not think Sulpicius Rufus was embedded in a long-term faction, Cicero does say he was a very close friend of Pompeius Rufus, one of the consuls of 88 who had been tried under the *lex Varia*.<sup>88</sup> This law, as mentioned above, prosecuted those accused of trying to help Italians gain the citizenship. While personal *amicitia* did not necessitate political alliance, these sympathies may have led Sulpicius to believe his friend would support him.<sup>89</sup> Cicero also notes they had a surprising falling out during this year.<sup>90</sup> However, Pompeius Rufus' son was killed after taunting the crowd in the riots over the Italian suffrage bill, and if the ultimate fracture occurred after his death at the hands of the Sulpician mob or in Plutarch's more lurid version, at the hands of Sulpicius himself Cicero would hardly have characterized the falling out as surprising.<sup>91</sup> Thus the falling out presumably happened prior to the forcible passage of the Italian bill. When Cicero says Sulpicius and Pompeius were "coniunctissime et amantissime" it implies that they were friends beyond, or even apart from, any political relationship, and so Pompeius Rufus' lack of support for a

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<sup>88</sup> Cic. *Amic.* 1.2 Cic. *Brut.* 304.

<sup>89</sup> Brunt (1965) p. 13f.

<sup>90</sup> Cic. *Amic.* 1.2 "Cum saepe multa, tum memini domi in hemicyclo sedentem, ut solebat, cum et ego essem una et pauci admodum familiares, in eum sermonem illum incidere qui tum forte multis erat in ore. Meministi enim profecto, Attice, et eo magis, quod P. Sulpicio utebare multum, cum is tribunus plebis capitali odio a Q. Pompeio, qui tum erat consul, dissideret, quocum coniunctissime et amantissime vixerat, quanta esset hominum vel admiratio vel querella."

<sup>91</sup> App. *B Civ.* 1.56 Plu. *Vit. Sull.* 8.3

bill that might have been congruent with his previous legislative interests seems further to indicate that the break in friendship occurred earlier in the year. Therefore, I would posit Sulpicius may have previously expected consular support from his friend, but due to some private conflict broke off the friendship and then sought out other support for his suffrage bill, unsure of Pompeius Rufus' support or opposition. Regardless, Sulpicius may have thought the issue would not come to violence, and that the old citizens would back down in the face of strong support for the bill by Marius and his partisans. The street violence, consular reaction, and then Sulpicius' passage of the law by force seems to be a reaction to the immediate situation Sulpicius and the consuls found themselves thrown into rather than a planned series of responses.

### **c. Chronology for the suffrage bill and it's opposition**

The exact chronology of the bill's proposal, how long it took for the consuls to declare a moratorium on public business, when exactly the consuls left the city, and how soon afterwards Marius gained the Mithridatic command is hard to know. However, to summarize the main points, Sulla and Pompeius Rufus attempted to stop Sulpicius' passing his Italian suffrage bill by decreeing a stop in public affairs, then fled to escape the mob that was rioting in the forum. Before the consuls came back to declare order in the city Sulpicius, who ignored the cessation of public business, also passed a bill to grant Marius the Mithridatic command. Essentially, Sulpicius gained control of the government through mob violence. While a flare up of violence like the one discussed previously in reference to the Caesar Strabo affair, when there were some clashes in the streets, may have been forgiven as a situation simply getting out of hand, this was violence on a different level. The decision to use

violence to reverse a consular decision, regardless of whether Sulpicius believed himself to have legal grounds for doing so, could not have been taken lightly.<sup>92</sup>

Sulpicius' mob of supporters began to fight against older citizens opposed to the bill, and rather than give in to another escalation of violence, the consuls attempted to de-escalate the violence not by capitulating. Rather than allow a vote under the threat of violence, they declared a public holiday.<sup>93</sup> Sulpicius, however, recently having used street violence effectively against Caesar Strabo and now supported by Marius, refused to back down from holding a vote in the assembly.

Sulpicius, unwilling to relent, demanded that the consuls cancel the public holiday, and as the pressure rose, Pompeius' son, Sulla's son-in-law, said something inflammatory and was murdered by the mob.<sup>94</sup> Perhaps until this murder, the situation still could have been reversed and either the consuls or Sulpicius could have backed down and chalked it up to the cost of politics, but now that the violence was out of the control of either side, the participants could not do much more than react. In the ensuing violence, both consuls were forced to escape the mob. Sulla withdrew by ducking into Marius' nearby home, but it is unclear to where Pompeius Rufus escaped.<sup>95</sup> Sulla canceled the holiday and left to gather his army and take up the Mithridatic campaign, which had been granted to him in the midst of the year in

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<sup>92</sup> App. *B Civ* 1.56 Keaveny (1983a) p 57; (1983b) p 60; and Seager, CAH 169 Sulpicius' publicly declared the holidays illegal (presumably alleging they interfered with the right of the people to vote) and convinced the people to demand that they vote to rescind the holiday before privately going to the consuls and promising to have free and open voting concerning the suffrage bill.

<sup>93</sup> Lintott (1971) p 444 no 4 explains the different types of holidays that could have been used, though the difference ultimately is whether or not one is liable to prosecution for breaking the ban on public business.

<sup>94</sup> App. *B Civ* 1.57

<sup>95</sup> Plut. *Vit. Sull.* 8.4, *Vit. Mar.* 35.3 Sulla either flees the crowd, or purposefully is bargaining with Marius in order to get him to convince Sulpicius to call off the mob. Pompeius Rufus next appears in App. *B Civ.* 1.57 joining Sulla as he marches to Rome with his army.

reaction to the increased urgency of intervention in Pontus.<sup>96</sup> Once the hold on legislation was lifted and the consuls were gone, Sulpicius easily held the vote to re-enroll the new citizens and abolish the recently created tribes.

#### **d. Results**

In the end, Sulpicius passed the bill, granted the *beneficium* to the new citizens and gained control of the city, but at the cost of many lives and the support of those opposed to his violent methods. He may have thought he had succeeded where previous tribunes had failed by executing the will of the people in the face of huge opposition. He may have thought the rest of the year or even the rest of his career would now be settled. He may have been aware that neither Pompeius Rufus nor Sulla would be willing to be publicly humiliated and meanwhile sought to repair other relationships in hope of protection when the heavy end of the hammer fell. Speculation aside, these maybes are only to indicate that knowing the full story is made very difficult by the abrupt end of Sulpicius life and career. This momentary peace in the city seems overshadowed by Sulla's impending march on Rome, but even if Sulpicius suspected coming retribution he must surely have thought at this point, having survived the violence, that it would come in the form of legal prosecution and that he had the support to counter any threat. Having now admitted the new citizens to the old tribes (and presumably the censors would have registered

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<sup>96</sup> Plutarch's account here is confusing because he seems to be working from a pro-Sullan source, perhaps even Sulla himself. He portrays Sulla as going to his army after Sulpicius has already passed legislation to give the command to Marius. If this were the case, Sulla would be going to the army with full knowledge that it was not, in fact, still his army, but already planning to use this army to march on Rome. This does not seem to be the sort of flattering picture Sulla would want to paint of himself. Appian, on the other hand, clearly indicates that Sulla did not know the Mithridatic command was going to be taken away from him. All of this could indicate that Sulla thought the command was going to be for Marius the following year rather than immediately. Regardless of what Sulla thought was about to happen, for the purposes of this paper it is really only necessary to know he left the city, with Pompeius Rufus' whereabouts unknown, and Sulpicius with a free rein.

them very quickly), he was at least temporarily assured of massive support for his legislation and probably confident in his ability to handle anything else that could happen in his tribunate.

Overall, in a situation where the risks were high and the violence quickly became out of control, Sulpicius Rufus acted at every step to protect his own interests as well as possible given the climate. Against the very worst threats to his physical and political future he attempted to make the best decision he saw open to him, without the benefit of time or planning to think those decisions through. It is a mistake to think Sulpicius Rufus acted out of wounded pride, or that he was some sort of violent primordial force at Marius' command.<sup>97</sup> He was a Roman politician, and was working within the confines of the political system he knew. He was unaware that Sulla was about to reform the system by introducing his troops to the city.

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<sup>97</sup> Keaveney (1983a) p 58 calls him "outraged" and "desiring revenge for the slight he had just suffered" Plut. *Vit. Sull.* 8.2 gives the impression of Sulpicius as bloodthirsty to the extreme, and under the control of Marius rather than himself.

## V. The Mithridatic Command

*ὁ δὲ Σουλπίκιος... ἐκύρου τὸν νόμον καί... Μάριον εὐθὺς ἐχειροτόνει τοῦ πρὸς Μιθριδάτην πολέμου στρατηγεῖν ἀντὶ Σύλλα.*<sup>98</sup>

Once the consuls left the city, the final legislative action Sulpicius undertook was to hand the Mithridatic command over to Marius. Marius may have wanted to gain his prophesied seventh consulship at some point, but at this point, while his popularity was not as strong as it had been, it was probably not the time to consider it. This would be especially true since he could try to get the Mithridatic command without a consulship. If the Mithridatic command was not Sulla's initial command for 88, but he was appointed mid-year, it became likely his *imperium* would be prorogued into the next year. In that situation, either a private citizen or a successive magistrate would require some sort of special dispensation to supplant Sulla. However, at this point in the year, with Sulla and Pompeius Rufus out of the city, and Sulpicius having succeeded in his violent gamble, the Mithridatic command was given to Marius as a special command.

### a. How to give Marius the command

The precedent for this had been partially set in 107 when Metellus Numidicus had his proconsular command stripped by plebiscite in opposition to the senate.<sup>99</sup> However, in that situation Marius was an elected official with *imperium* not a private citizen. Marius could be invested with *imperium* but it would have been highly unusual. The last time a non-magistrate had lead an army was a hundred years previously when Scipio Africanus had been appointed to take over from his father in Spain. Even Scipio had failed to gain a command as a private citizen, despite

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<sup>98</sup> App. *B Civ.* 1.56

<sup>99</sup> Sall. *Iug.* 73, 82. Sherwin-White (1956) p. 5 notes the precedent and the surprise of Marius and Sulpicius that Sulla would not do what Metellus Numidicus did and give up the troops as ordered.

desiring a command against Aristonicus.<sup>100</sup> However, Marius used the same plan he had used to supplant Metellus Numidicus during his first consulship. In that situation Marius had partnered with a tribune to take an existing command away from its general. Though this plan was very novel, I believe it was the Italian re-distribution bill—not the transfer of the Mithridatic command—that caused the rioting in Rome already discussed. It was after these riots that Sulpicius pursued his bill granting Marius the Mithridatic command once the consuls left the city. This seems more likely because the redistribution bill was more inflammatory to the general populace than the change of command in the East, and because Sulla seems to have been away from Rome when the Mithridatic command was taken away from him.<sup>101</sup>

As the year wore on, the reports from the East had become more urgent, particularly when Mithridates ordered all Romans and Italians alike killed while Sulla was still fighting the Social War.<sup>102</sup> Although he would also have had a consular command for the year, Pompeius Rufus' command for the year is not discussed in the sources. Amid the rising panic, Marius, though old, had a proven military track record from the Jugurthine War, had held consecutive consular commands against the German barbarians, and even had served creditably in the Social War. He remained popular with the *equites* and also had some popularity with the lower classes. By no means was 88 BC the height of Marius' power and popularity, but he did still retain the pockets of influence where he had formerly based his support: the

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<sup>100</sup> Cic. *Phil* 11.18

<sup>101</sup> Plutarch, who gives more detail about the order of events in the rioting, does not mention the suffrage bill, while Appian places the riots with the suffrage bill. Plutarch's account also makes Sulla's trip to and from Rome hard to decipher.

<sup>102</sup> App. *Mith.* 5.22



*equites* throughout Italy, the lower classes, and even the *publicani*.<sup>103</sup> Marius may even have had his eye on such a command since 99-8 when he went to visit Asia, and had been waiting for the opportune moment to gain this chance.<sup>104</sup> Now that the command had become a higher priority to the Senate, and the momentum in the city was with Sulpicius, Marius may have had the chance to reclaim his former prestige, which he had initially won in the field. Furthermore, Sulpicius could appear both to be putting a famed general into an important role, a general who was famously popular with his soldiers, and who was also more recently successful in the Social War.<sup>105</sup> Simultaneously, he made a statement to the consuls who had acted in opposition to the populace by trying to stop his Italian legislation. By passing this bill, Sulpicius earned further favor with the people, who may have expected to gain from this war either directly as enlisted soldiers or by the more general increase of wealth in the city, as well as the *equites* who thought of Marius as an ally.<sup>106</sup> Another group likely to have been grateful for Marius' role as commander against Mithridates were the *publicani*. Marius was already associated with the *publicani* and Sulpicius stood to gain their support by putting a general likely to allow them free rein in Asia.<sup>107</sup> Their support was even more valuable at this point because those who were formerly Italian allies were now citizens—rich citizens—who could support Sulpicius directly and not merely through their wealth or local influence.

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<sup>103</sup> Diod. Sic. 2.12

<sup>104</sup> Plu, *Vit. Mar.* 31

<sup>105</sup> Plu, *Vit. Mar.* 9-10

<sup>106</sup> Badian (1958) p..135.

<sup>107</sup> Diod. Sic. 34.38

### **b. Motives of Sulpicius**

Thus, Sulpicius was not simply passing this bill because he was Marius' tool, but because he saw a benefit for himself as well. He stood to profit directly on a number of fronts by enacting a bill that was necessitated because of the increasing threat posed by Mithridates. Although the sources do not say how Sulpicius passed this special command, it seems certain that it was not brought before the senate but was passed directly by a plebiscite, despite Marius' position as a private citizen. As mentioned above, Marius had received a special command via plebiscite against the wishes of the senate previously, but that was a bill to change Marius' pre-assigned consular province. Once the assembly had passed the bill giving Marius the Mithridatic command, Marius and Sulpicius may have thought the Senate would be unable to muster support among the tribunes to overturn it with a counter-plebiscite, especially in light of the earlier violence of the year. If Marius had succeeded in moving quickly and defeating Mithridates, he could have returned to Rome victorious and in an even stronger position when he left, which would have made him difficult to prosecute. It is also possible that Sulpicius and Marius decided upon a special command in order to render Sulla powerless as quickly as possible, or took a pragmatic approach and simply wanted to do it before he left for Asia.

### **c. Response of Sulla**

This bill came while the momentum in the city was still with Sulpicius, and some time after Sulla left Rome. As mentioned above, it is unclear if Sulla knew before he left that the command was about to be taken from him. This uncertainty may be the result of pro-Sullan spin on the issue, which would want to paint Sulla in a good light, neither a coward who simply fled after being attacked in the forum, nor

so ruthless as to have planned the march on Rome in cold blood. It is also possible Sulla still thought Marius was simply going to run for another consulship, and that it would be in his best interest to take the army quickly east and accomplish a great military feat to allow him a dignified re-entry to the city. Sulla also could have recognized that he could do nothing from the city itself, since the mob in support of Sulpicius and his legislation was stronger than he could counter. Then, counting on previous precedents for consuls introducing weapons to citizens within the city, he could have gone to his troops at Nola with the full intention of returning with them to the city.<sup>108</sup> In fact, had Sulla not been able to gather this army, there may have been no other force—either political or military—to go against Sulpicius considering the other consul, Pompeius Rufus, was killed when he went to take up his army from Pompeius Strabo.

Believing that the situation was under control, Marius sent military tribunes to relieve Sulla of his command and hand the army over to him.<sup>109</sup> However, Sulla had already made his case to the citizen-soldiers at Nola, explained the legal injustices done to him as consul, and had begun to prepare them for the possibility of aiding the consul in restoring order in the city.<sup>110</sup>

Up to this point, Sulpicius Rufus had managed to be in control of the year's events or at least ride out the wave and make the best of changing circumstances. However, Sulla's march on Rome ruined Sulpicius' great success up to that point and he had few options to salvage the year and his career. His choices were to stay or flee. While Sulla may have felt he had a precedent for his march, the accounts of

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<sup>108</sup> Plut. *Vit. C. Gracch.* 14.4 for a consul introducing weapons in Rome in order to stop a problematic tribune. This is admittedly a weak precedent.

<sup>109</sup> Plut. *Vit. Sull.* 8.4

<sup>110</sup> App. *B Civ.* 1.57

Appian and Plutarch show how inconceivable it was to Sulpicius and Marius that Sulla would march on Rome at all, and especially that he would keep marching without negotiating first. Plutarch says that after the military tribunes were killed, the senate (not Sulpicius and Marius, though he also says the senate was under their control) sent praetors to block Sulla's march, while Appian mentions multiple embassies sent from the city to ask why he was marching on Rome to which Sulla replied he was freeing the city from tyrants.<sup>111</sup> Appian does not mention the praetors and Plutarch does not quote Sulla, but they both agree that the last delegation from the Senate asked Sulla to remain a certain distance from the city and that after agreeing to the request of the delegation, Sulla continued moving towards the city.<sup>112</sup> Aside from other discrepancies between the accounts, it is clear that the Senate expected that the offer to negotiate would be accepted and that Marius and Sulpicius agreed. Appian goes so far as to say Sulpicius and Marius agreed to meet with Sulla at the Campus Martius and discuss everything with him in person. Although Sulla very well may have believed that Sulpicius had acted illegally in passing both the Italian bill and Mithridatic command by force, and had seriously affronted him and his office, it is hard to understand why he would continue his plan of attack after being deserted by his officers and begged by the Senate to cease and desist long enough to consider their offer. Plutarch offers that Sulla was confident because of good omens, while also being afraid and unsure of the march

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<sup>111</sup> Plut. *Vit. Sull.* 9.2, App. *B Civ.* 1.9.57

<sup>112</sup> Plut. *Vit. Sull.* 9.5, App. *B Civ.* 1.9.57

before he actually went to Rome, but that once he entered the city and encountered resistance from the rooftops he was taken over by his own anger.<sup>113</sup>

The point of this discussion of Sulla is merely to show that even as his army approached Rome, Sulpicius and Marius were still slow to recognize it as an attack rather than an attempt at intimidation, and were slow to make real preparations in defense of the city. Appian says the delegations were mere delaying tactics in order for these preparations to take place, but certainly the repeated questioning of Sulla concerning why he was marching on Rome could point to a real confusion over Sulla's intent and goals.<sup>114</sup>

At this point, Marius stepped into the spotlight and it seems that Sulpicius became subordinate to him. Presumably because of Marius' greater military experience he would be able to gather what men were available to fight and assess Sulla's troops and their mood. Sulpicius, all along, had been an inflammatory speaker and a consummate politician, pushing his tribunician powers to their limits, and using mob violence in the city, but he was now out of his element in a contest where his greatest strengths were of little use. At the end of this conflict, Sulpicius, Marius, and a dozen others were declared *hostes* and Sulpicius himself was killed before he got out of Italy. Even in death, his ghost was a threat to Sulla, who not only repealed his legislation as illegally passed by force but also later attempted to prevent any tribune from following Sulpicius' path in exploiting the powers of the tribunate by severely curtailing the power of that office.<sup>115</sup>

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<sup>113</sup> Plut. *Vit. Sull.* 9.6-7

<sup>114</sup> App. *B Civ.* 1. 57

<sup>115</sup> Cic. *Phil.* 8.7

## Conclusion

At every point in the year, Sulpicius Rufus weighed out the risks and benefits of his decisions one at a time, and though he seemed to gain at the end of each, the cumulative result was a net loss. Looking back over the events of the year, most of Sulpicius' legislation went towards helping the *equites* and business classes of Italy and gaining their future support, but it is unclear if this coherency was intentional from the beginning, or whether Sulpicius simply took advantage of the contemporary political climate to help a constituency who needed a champion. Especially because Sulpicius' career was cut short, it is difficult to know what kind of overall political career he may have had if he had lived past his tribunate. With so few pieces to work with, it is unclear whether Sulpicius intended to form a symbiotic relationship with the Italian business classes or the new Italian citizenry at large, or if he was simply using them at this point as a source of power.

It is clear, however, that his goal was his own, not Marius' and not that of any other firm political group. Sulpicius did not mean to make a lifelong alliance with Marius—his life was simply cut short while still working with Marius. Certainly, Sulpicius worked with the politicians around him, but did not view himself or his career as a pawn in some larger game, but as his own to make what he would of it. The events of 88 B.C. were not part of a pre-planned agenda, but rather the result of a series of decisions made by an essentially independent politician attempting to make the best of each situation as it arose, while taking advantage of the contemporary political situation.

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