

# THE EXILE OF L. CORNELIUS SCIPIO ASIAGENUS

Scipio Asiagenus (cos. 83)<sup>1</sup> was proscribed by Sulla. However, he managed to make his way to Massilia and was there allowed to live out his remaining years. For this rare indulgence scholars have entered various explanations. Scipio was the last descendant of his particular branch of the Cornelii; in Macedonia in 85 he had avoided a confrontation with Sulla; he had negotiated – albeit unsuccessfully – with Sulla in 83.<sup>2</sup>

Recently, however, C. S. Mackay has questioned this widely accepted reconstruction of events, arguing that Sulla most likely pursued Scipio to his place of refuge and there disposed of him as he did his other enemies.<sup>3</sup> I do not believe our evidence will support this revisionist view.

To begin with there is no explicit statement in any source to the effect that Sulla hunted down and murdered Scipio. Lest I be accused of deploying an ‘argumentum ex silentio’ it should be pointed out that all the other consuls of 83 and 82 met with violent ends which are well documented.<sup>4</sup> If Scipio had gone the same way I think we should have heard about it. Mackay<sup>5</sup> naturally emphasises Sulla’s relentless pursuit of his other enemies but in the absence of corroborating evidence I do not believe we necessarily have to infer from this that Scipio met the same fate.<sup>6</sup>

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1) MRR 2.62. All dates in this paper are B. C.

2) E. Badian, *Studies in Greek and Roman History*, Oxford 1964, 224; A. Keaveney, *Sulla the Last Republican*, London 1983, 155; F. Hinard, *Les Proscriptions de la Rome Républicaine*, Rome 1985, 345.

3) C. S. Mackay, *Sulla and the Monuments*, *Historia* 49, 2000, 161–210.

4) MRR 2.66,70.

5) Mackay (as n. 3) 201.

6) This is especially so if we are prepared to believe there were circumstances which would dispose Sulla to be lenient in Scipio’s case. If, as some hold, the latter’s

Notices of Scipio's sojourn in Massilia are in fact rather sparse. It used to be thought<sup>7</sup> that Cicero, Pro Sestio 7 refers to him when he describes Sestius as visiting Massilia to see a Scipio who had become his father-in-law. Some years ago, though, E. Badian argued that this Scipio is most likely the son of the consul of 83.<sup>8</sup> Mackay thought this detail decisive for his case.<sup>9</sup> This, however, is not necessarily so.

Assuming that we can infer from this passage, as Badian seems to do, that Scipio was dead by now, it does not necessarily follow his death was a violent one. Badian dates Sestius' visit to the sixties and as Scipio was probably born sometime before 130,<sup>10</sup> a natural death could not be ruled out. However to infer from the Cicero passage that Scipio was now dead may be unwarranted. Strictly speaking all Cicero is doing is speaking of the son. He has nothing at all to say of the father and, considering the context, there is no reason why he should. Yet the presence of the younger Scipio at Massilia is of great importance. It is not straining credulity to suggest that he came there with his father because of his role in the civil war.<sup>11</sup> Of his status now Cicero says, *fluctibus rei publicae, expulsus in alienis terris iacentem quem in maiorum suorum vestigiis stare oportebat*. This is vague. Badian thought *maiorum* ... *vestigii* meant the younger Scipio was suffering as the son of a proscribed man but *expulsus* suggests perhaps he himself had been proscribed.<sup>12</sup> But either interpretation is inimical to Mackay's thesis. If the younger Scipio was really proscribed then he is unlikely to have escaped if Sulla's agents had come looking for his father. On the other hand if he was merely the son of a proscribed man that tells us nothing about the fate of his parent.

Another sliver of evidence is presented in Schol. Bob. 126 St. where we are told Scipio either died at Massilia or *apud Stoechadas insulas*. Mackay<sup>13</sup> thought this could be taken to mean Scipio had fled to the islands to escape Sulla's agents. But he might have gone there simply to enjoy the amenities. These islands had lush vegetation and a mild climate.<sup>14</sup> The curt nature of the source will not allow us to choose between two such differing hypotheses. Thus it seems prudent to ask of it only what it can give: geographical information.

So we come to Vell. Pat. 2,25,2–3:

*Felici deinde circa Capuam euentu Scipionem Norbanumque consules superat: quorum Norbanus acie uictus, Scipio ab exercitu suo desertus ac proditus inuiolatus a Sulla dimissus est. Adeo enim Sulla dissimilis fuit*

willingness to negotiate was appreciated then the desire to wreak vengeance on his colleague Norbanus might be all the greater. Not only did Norbanus refuse to negotiate but he actually ill-treated Sulla's embassy: Liv. ep. 85.

7) At least as early as Schol. Bob. 126 St.

8) E. Badian, Sulla's Augurate, *Arethusa* 1, 1968, 44 n. 52.

9) Mackay (as n. 3) 201.

10) G. V. Sumner, *The Orators in Cicero's Brutus*, Toronto 1973, 104.

11) App. BC 1,85. If we suggest an element of filial piety can be detected in the trip to Massilia it could also be seen here.

12) For some further remarks on Cicero's vague terminology see A. Keav- eney, *The Life and Journey of Athenian Statesman Themistocles (524–460 BC?) as a Refugee in Persia*, *Lampeter* 2003, 109–111.

13) Mackay (as n. 3) 201.

14) H. G. Wackernagel, *Stoechades insulae*, *RE* 4 A.1 (1931) 55.

*bellator ac victor, ut dum vincit, [ac]iustissimo lenior, post uictoriam audito fuerit crudelior. Nam et consulem, ut praediximus, exarmatum Quintumque Sertorium, pro quanti mox belli facem! et multos alios, potitus eorum dimisit incolumes, credo ut in eodem homine duplicis ac diuersissimi animi conspiceretur exemplum.*

Mackay (as n. 3) 201–202 believed this must mean Velleius was saying Sulla behaved towards Scipio with cruelty after his victory. I would not agree. Velleius is not making Asiagenus the centre of his reflections. Rather he is making a general point: Sulla was merciful in war and cruel in victory. The function of Scipio, Sertorius and *multi alii* is to illustrate this point. They are examples of the clemency of Sulla the *bellator*. Nothing in the passages points to Scipio's eventual fate.<sup>15</sup>

Our final source is Cic. ad Att. 9,15,2:

*Nil expedio nisi ut aut ab hoc [sc. Caesare] tamquam Q. Mucius aut ab illo [sc. Pompeio] tamquam L. Scipio.*

For Mackay this could be taken to mean that Scipio was executed by Sulla.<sup>16</sup> In my view it does not. Cicero is contemplating two fates, both plainly unpalatable. At the hands of Caesar he could wind up like Scaevola i. e. murdered.<sup>17</sup> For there to be a contrast as here what he might expect from Pompey, must, while still unpleasant, differ in some way. And the point of the comparison chosen shows what it might be: suffered to live but politically impotent – a prospect Cicero surely would not have relished.

Such then is what an examination of our sources yields and I do not think it justifies revising the impression we have formed of Scipio. We may quarrel about why Sulla spared him but there seems little doubt that he did.<sup>18</sup>

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15) Compare 2,25,1 where Calabria and Apulia are not the centre of the narrative but are invoked as examples of the behaviour described.

16) The slightly convoluted arguments are set out in Mackay (as n. 3) 202. What follows here, I hope, implicitly refutes them.

17) App. BC 1,88.

18) Comments on an earlier version of this paper by Professor B. Manuwald have, I believe, helped to improve it. I alone am responsible for its contents.