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VALERIE M. WARRIOR

The Chronology of the Movements of M. Fulvius Nobilior (cos. 189) in 189/188 B.C.¹

This paper examines the movements of M. Fulvius Nobilior (cos. 189) at the end of consular 189 and the beginning of 188. Fulvius campaigned in Greece in 189, but returned to Rome to conduct the elections of the annual magistrates for 188. From Livy's account it appears that Fulvius went to Rome after attending a meeting of the Achaean League at Elis.²

However, HOLLEAUX' chronology³ places the elections before not only the meeting at Elis but also an earlier meeting at Argos.⁴ This reconstruction has become generally accepted by scholars, but it distorts the sequence of events as given by Livy, and also requires the outright rejection of Livy's statements that Fulvius went to Rome from a meeting of the Achaean League (*a concilio ... profectus*) and that Fulvius was consul when the meetings at Argos and Elis took

¹ Professor E. Badian has explored with me various problems presented by Livy's narrative. Without his generous help, given during unstinted conversations, this paper could never have been written. My thanks go also to the editor for comments on an earlier version, and to T. A. Stone for editorial assistance. The remaining shortcomings are my own responsibility.

Throughout this article the convention of italicizing dates in an extrapolated Julian calendar will be adopted. At this time, the new consular year began on the Ides of March. Thus, the notation «the elections for 188» signifies the elections of the magistrates for 188, which were held in consular 189.

² L. 38.35.1: *a concilio, ubi ad consulem inter Achaeos Lacedaemoniosque disceptatum est, M. Fulvius, quia iam in exitu annus erat, comitiorum causa profectus Romam creavit consules M. Valerium Messalam et C. Livium Salinatorem*. Livy has earlier mentioned two meetings of the League, one at Argos (30.5–31.2) and another at Elis (38.32.3–5). A dispute between the Lacedaemonians and the Achaeans is specifically mentioned in the latter context. This sequence was accepted by G. De Sanctis, *Storia dei Romani* (Turin 1923) 4.1.396.

³ M. Holleaux, BCH 54 (1930) 1–41 and BCH 55 (1931) 1–10 = *Études* 5 (1957) 249–94. Holleaux' dating is followed by F. W. Walbank, Philip V (Cambridge 1940) 332–3 and A Historical Commentary on Polybius [henceforth HCP] 3 (Oxford 1979) 136, E. Badian and R. M. Errington, *Historia* 14 (1965) 16 ff. with nn. 1 and 12, Errington, *Philopoemen* (Oxford 1969) 136–8, who gives a summary of Holleaux' proposed sequence of the events in Aetolia and Greece in consular 189, and R. K. Sherck, *Roman Documents from the Greek East* (Baltimore 1969) 227–8.

⁴ Holleaux, BCH 54 (1930), 28–32 = *Études* 5 273–5.

place.⁵ Similarly, three other modern investigations have led to chronologies that turn out not to fit the ancient testimony as a whole.⁶

Thus, the time has come to re-examine Livy's testimony. Can the phrase *a concilio ... profectus* in fact refer to the meeting at Elis, as the sequence of events given in Livy's text undoubtedly implies?⁷

Livy's testimony in books 37 and 38 is our principal ancient source. The narrative often is paratactic, and the transitional phrases Livy does include tend to state approximate correlations rather than to establish firm connections. Thus, to answer our question, we must co-ordinate the evidence on Fulvius' movements with a wide range of events in Greece and Rome from 190 onwards. Key points in the ancient testimony are clarified by careful attention to the intercalation of 189.⁸ We will conclude that Livy's chronology can be accepted as accurate, despite the doubts of modern scholars.

I. Background and Outline

This section sets out background information and outlines the key elements of our argument. Section II reviews conclusions reached by earlier modern scholarship. Then, after these two preliminary sections, our main argument begins in Section III.

In the early second century, the annual elections of the magistrates for the following year were held at the end of the consular year, sometime between late January and 15 March, when the new consular year began.⁹ Thus, elections generally would occur only in the last two months of the consular year.

⁵ Between his departure for the Peloponnese and the meeting at Elis, Livy five times refers to Fulvius as *consul*: 38.30.1, 4 and 5; 31.5; 32.3.

⁶ E. CAVAIGNAC, *Mélanges Paul Thomas* (Bruges 1930) 120–126. J. A. O. LARSEN, *Representative Government in Greek and Roman History* (California 1955) 174–5, and R. ADAM, *Tite-Live XXXVIII* (Paris 1982) xlv–xlvii and 150. These are summarized below in section II.

⁷ Professor E. BADIEN drew my attention to the possibility that *a concilio ... profectus* might be correct, and suggested a re-examination of Livy's testimony in the context of the siege of Same and Fulvius' movements.

⁸ Attested by L. 37.59.2: *triumphavit (sc. L. Cornelius Scipio) mense intercalario pridie kal. Martias*.

⁹ Only four election dates have survived: 187 (L. 38.42.2: *ante diem duodecimum kal. Martias*); 178 (L. 40.59.5: *ante diem quartum idus Martias*); 171 (L. 42.28.4: *ante diem duodecimum kal. Martias*); 169 (L. 43.11.6: *ante diem quintum kal. Februarias*). The date of the elections for 168 was recorded but is now missing from the text (44.17.2–4). There are also several references to the elections of the annual magistrates for the following year being held at the end of the consular year, some variant of *in exitu anni* being the usual denotation: 193/2 (35.10.1), 191/0 (36.45.9), 189/8 (38.35.1), 188/7 (38.42.1), 186/5 (39.23.1), 172/1 (42.28.1), 169/8 (44.17.1). The phrase is also used in connection with, but not in the immediate context of, the elections for 200 (31.4.1) and 173 (41.28.1).

However, when an intercalation was made, an intercalary month of twenty-seven days was inserted one or two days after 23 February, the date of the *Terminalia*. *Intercalarius* fell within the election period and added twenty-two or twenty-three days to the consular year (the remaining five or four days of *Intercalarius* would merely be replacing days in February).¹⁰ Although there is no direct testimony in Livy that elections ever actually were held within *Intercalarius*, the elections for 187 and 171 are noted to have been held *ante diem duodecimum kal. Martias*, which could have been either 18 February or 17 *Intercalarius*.¹¹ In any event, insertion of the intercalary month delayed March and, thus, delayed the last days on which elections could be held.¹²

During consular 189 the Roman calendar was fifteen weeks in advance of the seasons.¹³ As a result, the period for election of the annual magistrates in Rome coincided with the end of the campaigning season.¹⁴ In his account of the events of 189/188 Livy fails to reconcile the Roman dates in his annalistic sources with the seasonal references in Polybius, apparently because he was unaware of the extent of seasonal dislocation in the official calendar.

However, we do know that there was an intercalation in consular 189, but only incidentally: Livy's notice dates L. Scipio's triumph at the end of *Intercalarius*, *triumphavit* (sc. L. Cornelius Scipio) *mense intercalario pridie kal. Martias*.¹⁵ This

¹⁰ L. 43.11.13: *hoc anno* (sc. consular 170) *intercalatum est: tertio die post Terminalia kalendae intercalariae fuere*; and L. 45.44.3: *intercalatum eo anno* (sc. consular 167); *postridie Terminalia kal. intercalariae fuerunt*. A. K. MICHELS, *The Calendar of the Roman Republic* (Princeton 1967) 160–3, interprets this and other testimony to indicate that the intercalary month always had 27 days. It included the last days of what would have been February, and it began on February 24, when 22 days were added, and on February 25, when 23 days were added. J. BRISCOE, *A Commentary on Livy, Books XXXIV–XXXVII* (Oxford 1981) [henceforth Comm. 2] 18 follows MICHELS' interpretation.

¹¹ P. BRIND'AMOUR, *Le calendrier romain* (Ottawa 1983) 150–1, suggests that the elections for 171 were held on 17 *Intercalarius*, rather than 18 February as most scholars have previously supposed.

¹² If elections had already taken place before the intercalary month, the insertion of the intercalary month gave the newly-elected magistrates a period of over two and a half months before they assumed office. This was the case after the elections of the magistrates for 169, which we know were held on 26 January 170 and were followed by an intercalation (attested by L. 43.11.13).

¹³ On the problem of the exact length of the discrepancy, see below section III.

¹⁴ See below section IV n. 54 with text, on the problem with the return of the consul for the elections of 193/2. Although there is no comment in the ancient sources, the discrepancy must have been very obvious to all Romans in 194, when the sacred spring had been performed in the winter months. Animals born between 1 March and 29 April of 194 were to be slaughtered (L. 34.44.1–3). The two possible Julian equivalents of these dates are 31 October or 22 November 195 and 1 or 23 January 194; see BRISCOE, Comm. 2 22.

¹⁵ L. 37.59.2. This notice occurs amidst a miscellany of events that apparently belong to the end of consular 189. Our knowledge of the use of intercalation is incomplete. In the early second century, we have direct testimony for only five intercalary years – consular 189

intercalation extended Fulvius' term of office as consul. As a result, Fulvius had extra time for his return to Rome from Greece in order to preside at the elections of the consuls and praetors for 188.

We should not be surprised that Livy takes no note of this implication of Fulvius' extended term as consul, for Fulvius is nowhere mentioned in the section of Livy's testimony which notes the intercalation. On the other hand, modern scholars consider Fulvius' movements mainly from the perspective of events in Greece. Apparently for that reason, they also fail to take full account of the possibilities opened up by the intercalation of 189.

In a recent specialised study on the Roman calendar, BRIND'AMOUR posits an intercalation in consular 190,¹⁶ implying that the official calendar was only twelve weeks in advance of the seasons during consular 189. HOLLEAUX assumes there was no intercalation in consular 190,¹⁷ which implies that the discrepancy was fifteen weeks during consular 189.

Careful examination of the ancient testimony on the movements of the Roman army and fleet before the battle of Magnesia reveals that there was no intercalation in 190. From that conclusion and a synchronism provided by an eclipse earlier in 190, we know that the *terminus ante quem* for the elections conducted by Fulvius for 188 was c. 19 November 189. However, to know that there was no intercalation in 190, we first must date precisely the time of arrival at the Hellespont of the Roman army, which we are able to do on the basis of Polybius' testimony on the crossing of the Hellespont viewed in light of the sacral law concerning the Salii. This analysis is presented in Section III.

With that *terminus ante quem* established, we begin our analysis of events in 189/188. Section IV focuses on the intercalation of 189 and its implications for when Fulvius would need to have arrived in Rome. Sections V and VI continue our disentangling of Livy's chronology, addressing issues which can only be resolved through careful reading of his paratactic narrative.

(L. 37.59.2), 177 (Fasti Triumphales, A. DEGRASSI, Inscriptiones Italiae, 13.1 [Rome 1947] 555), 170 (L. 43.11.13), 167 (L. 45.44.3), and 166 (Fasti Triumphales, DEGRASSI, Inscr. Ital. 13.1.556).

¹⁶ BRIND'AMOUR, Calendrier 146–7 and in the table on p. 317. His interpretation (pp. 146–7) of the testimony of Livy is inconclusive and open to question. BRISCOE's brief rejection in his review of BRIND'AMOUR, JRS 76 (1986) 290, does not examine the ancient testimony in any detail.

¹⁷ HOLLEAUX, BCH 54 (1930) 36 n. 3 = Études 280 n. 3, summarily dismisses the possibility of an intercalation in consular 190. This assumption has been followed by P. S. DEROW, Phoenix 17 (1973) 348 and BRISCOE, Comm. 2.25. WALBANK, HCP 3.105, has the proviso «if, as seems likely, A. U. C. 565 = 189 [sc. consular 190] was not an intercalary year».

II. Major Modern Interpretations of the Ancient Testimony

According to HOLLEAUX, Fulvius left his province for Rome sometime in late October to conduct elections for 188 held before c. 19 November 189. These Julian dates reflect HOLLEAUX' assumption that there was no intercalation in consular 190.¹⁸

A letter from C. Livius Salinator (cos. 188) to the Delphians, on an inscription at Delphi, indicates that the four-month siege of Same continued into consular 188.¹⁹ HOLLEAUX believes that *consul compositis rebus Cephalleniae, praesidio Samae imposito in Peloponnesum ... traiecit* indicates that the meeting of the Achaean League at Argos occurred after the end of the siege of Same. He re-examines this passage from Livy 38.30.1 in the light of the letter on the inscription, and realises that this dating of the meeting at Argos is incompatible with Livy's later statement at 35.1 that Fulvius went to Rome *a concilio ubi apud consulem inter Achaeos Lacedaemoniosque disceptatum est ... profectus*. HOLLEAUX rejects this subsequent testimony because he has dated Argos and Elis to after the end of the siege of Same, i.e., to January and February of 188.²⁰ Therefore, HOLLEAUX' chronology has Fulvius leave for Rome from Same soon after the beginning of the siege, before either the meeting at Argos or that at Elis.

However, HOLLEAUX does not address the question of the dating of the various stages of the rupture between Sparta and the Achaean League. He sees that it occurred in autumn, but fails to realise that the sequence of events as given by Livy suggests that the entire sequence of these events has a close chronological relationship to the meetings at Argos and Elis.²¹ This probably is because he has already decided that the meeting at Argos was after the completion of the siege of Same.

In a paper published the same year as that of HOLLEAUX, CAVAIGNAC concludes that the meeting of the Achaean League at Argos preceded Fulvius' departure for Rome.²² CAVAIGNAC, too, notes that the phrases *compositis rebus Cephalleniae, praesidio Samae imposito* ... (30.1) and *a concilio ... profectus* (35.1) seem temporally inconsistent, in the light of the letter of C. Livius Salinator. CAVAIGNAC suggests that the former passage distorts a Polybian original and concludes that Livy,

¹⁸ HOLLEAUX, BCH 54 (1930) 36 n. 3 = Études 280 n. 3. DEROW, Phoenix 17 (1973) 348 followed by WALBANK, HCP 3. 136 gives 21 November 189 as the equivalent of 15 March 188, whereas BRISCOE, Comm. 2.25, gives 19 November 189.

¹⁹ On the letter, see now SHERK, Roman Documents, 227–8, Rome and the Greek East to the death of Augustus (Cambridge 1984) 15–16.

²⁰ HOLLEAUX, BCH 54 (1930) 29 n. 7 = Études 274–5 n. 6, concludes that the phrase *a concilio* ... is a Livian invention which inaccurately attaches the annalistic notice of the elections to the preceding Polybian section on events in Greece.

²¹ HOLLEAUX, BCH 54 (1930) 31–2 = Études 276–7.

²² CAVAIGNAC, Mélanges 120–126.

after his account of the siege of Same, uses the transitional phrase *compositis rebus* ... to begin an account of earlier events in the Peloponnese, including the meeting of the Achaean League at Argos.

CAVAIGNAC then suggests that the meeting at Argos was the autumn *synodos* and posits that Fulvius left for Rome from Argos. He explains a *concilio* ... *profectus* as a phrase devised by Livy to effect the transition from Polybius to an annalistic source, but believes it refers to the meeting at Argos. CAVAIGNAC then dates the meeting at Elis to the following *January*.²³ He, too, distorts Livy's sequence of events. CAVAIGNAC's chronology is rejected by HOLLEAUX in a second paper,²⁴ and generally has been ignored in subsequent discussions of Fulvius' movements. However, the suggestion that the meeting at Argos was the autumn *synodos* reappears in the recent BUDÉ edition of Livy.²⁵

LARSEN's examination of the meetings of the Achaean League also re-organizes Livy's sequence of events. He discerns two *syncletoi* of the League to discuss the Spartan question (L. 38.31.1–3 and 32.1–2) and dates these to autumn 189, since he dates the Spartan raid on Las soon after Philopoemen's entry into office, i.e., at about the same time as the beginning of the siege of Same. But LARSEN also follows HOLLEAUX' dating of the meetings at Argos and Elis to winter in consular 188. Thus, he extrapolates the agenda related by Livy in the context of the Argos meeting (31.1–3) and ends with one more meeting than is warranted by a straight reading of Livy.²⁶

From the foregoing summary of modern scholarship, it is apparent that there is great potential for further distortion by future scholars unless the ancient testimony is re-examined in its complete and original context.

III. The Roman Calendar of 190/189 in the Light of Military and Naval Operations in the East

Our reading of the ancient testimony on Fulvius' movements in 189 will depend crucially on understanding the degree to which the Roman calendar was dislocated from the seasons that year.²⁷ We are fortunate in having a precise syn-

²³ CAVAIGNAC, *Mélanges* 126–7.

²⁴ HOLLEAUX, *BCH* 55 (1932) 1–10 = *Études* 286–294.

²⁵ ADAM, *Tite-Live* xlvii, states that the meeting at Argos was in the autumn, claiming as his support HOLLEAUX. However, in his note (p. 150) on L. 38.30, he rejects CAVAIGNAC's suggestion that the meeting took place in the autumn, as a distortion of Livy's chronology!

²⁶ LARSEN, *Representative Government* 174–5. He regards Philopoemen's proposal to change the meeting place of the League as the agenda for a *synodos* at Argos. On this problem and the distinction between a *synodos* and a *syncletos*, see below section VI nn. 82–87 with text.

²⁷ Modern scholars seem to overlook the implications of seasonal dislocation for elections. If there had been no intercalation in consular 190, consular 189 would have begun c. 8 November 190. If in 189 again there were no intercalation, consular 189 would have ended c. 26 October 189. In that case, the elections for 188 would have had to be held at a time when

chronism for the previous year. An eclipse, which L. 37.4.4 dates to 11 July 190, can be calculated to have occurred on 14 March 190.²⁸ Therefore, July 190 of the official calendar took place fifteen weeks in advance of the seasons. The question is, by how many weeks was the calendar in advance of the seasons at the beginning of consular 189? Because of the synchronism deriving from the eclipse, the answer must be either fifteen weeks or twelve, and the latter only if there had been an intercalation at the end of 190.

In two broad steps we show that there was no intercalation in 190. Firstly, we focus on the date of crossing of the Hellespont. Notwithstanding questions raised by modern scholars, we find that the ancient testimony (i) is consistent in its various references to this date and (ii) allows us to infer the actual date of the crossing. Secondly, we examine the ancient testimony on other military and naval events at the close of the campaigning season which ended with the battle of Magnesia. Again we find that the ancient testimony can be accepted, and within the testimony are two seasonal references which preclude an intercalation in 190.

According to Polybius, P. Scipio, as a *Salus*, was not allowed to change his residence for thirty days just when the army was about to cross the Hellespont.²⁹ Scipio was separated from his army and remained on the European side, while the army crossed and awaited him on the Asian side (P. 21.13.10–14). Livy does not specify the length of the period, but merely says that the army was in camp *aliquamdiu* at the Hellespont, while Scipio remained at a distance from them, since it happened that «the days on which the *ancilia* were moved» coincided with the march.³⁰ Nevertheless, since Livy tells us that preparations had been made in advance by Eumenes (L. 37.33.4), his testimony provides some additional evidence that there was no delay in the crossing.

there was little chance of the campaigning season having ended. This would have created serious difficulties for the return to Rome of a consul from his campaign, especially if he were serving overseas.

²⁸ F. K. GINZEL, *Handbuch der mathematischen und technischen Chronologie* (Leipzig 1911–1914) 2.529, and 210–218, DE SANCTIS, *Storia dei Romani* (Turin 1923) 4.1.368, HOLLEAUX, *BCH* 54 (1930) 1–38 = *Études* 249–281, MICHELS, *Calendar* 102 n. 31, DEROW, *Phoenix* 17 (1973) 346.

²⁹ P. 21.13.12, records that the *Salii* were not to change their residence, no matter in what place they happened to be. This requirement, which seems to make no sense as it stands, was probably a ritual modification of an earlier requirement to remain in Rome during this period, which might have prevented them from accepting commands overseas.

³⁰ Livy is evidently following Polybius 21.13.13, but his version of these events is confused. L. 37.33.6–7: *stativa deinde ad Hellespontum aliquamdiu habuerunt, quia dies forte, quibus ancilia moventur, religiosi ad iter inciderant. Idem dies P. Scipionem propiore etiam religione, quia salus erat, diiunxerant ab exercitu...* Livy seems to have misunderstood Polybius completely for, strictly interpreted, the above account makes no sense. Livy states that the army could not move because these days were *religiosi ad iter* and the same days kept P. Scipio, as a *Salus*, from joining the army. Therefore, except for Polybius' testimony, one might conclude that during these days (and only these days) a *Salus* was not allowed to be with an army.

The question is, when did the thirty days mentioned by Polybius begin? Long ago MATZAT suggested that the period of restriction began at the time of the *Regifugium* (*a. d. vi kal. Mart.*).³¹ According to a mutilated passage of Festus, cited by MATZAT and now restored on the basis of a note in the Praenestine calendar, the Salii and the King sacrificed in the *Comitium* at this festival.³² Also at this time in the religious calendar, the Salii were involved in a number of other ceremonial duties. They moved the *ancilia* on 1, 9, and 23 March, the last date being the religious festival *Tubilustrium*, and they took part in the *Quinquatrus*, which began on 19 March.³³ Thus, our references to ceremonial duties of the Salii cover exactly 28 days, five before March³⁴ and twenty-three in March. Thirty days is literally correct if Polybius is describing a period of restriction beginning the day before the *Regifugium* and extending through to the day after *Tubilustrium*, a perspective which seems natural enough, especially in light of the Roman and Greek conventions by which days elapsed were counted inclusively.

However, BRISCOE asserts that the period of restriction began on 1 March,³⁵ even though nowhere within the official Roman calendar is there a month or other period of thirty days. But if we accept Polybius' testimony that the restriction was for thirty days, a restriction starting the day before the religious festival *Regifugium* is plausible, and all the more so because the twenty-eighth day is *Tubilustrium*, whereas a start on the first day of a month of the official calendar is implausible.³⁶

In Livy we find two additional approximate synchronisms for the crossing. L. Scipio is said to have heard the news of the victory at Myonnesus and of the abandoning of Lysimacheia before he reached the Chersonese and crossed the Hellespont.³⁷ There is, however, no indication in the sources of the precise date

³¹ H. MATZAT, *Römische Zeitrechnung für die Jahre 219 bis 1 v. Chr.* (Berlin 1889) 204 n.2, followed by DE SANCTIS, *Storia* 4.1.392, and WALBANK, *HCP* 3.105.

³² Fest. 346 L.: [*Regifugium dies notatur in fastis dies a. d. vi kal. [Mart., qui creditur sic dict]us, quia [eo die Tarquinius rex fugerit ex Urbe], quod fal[sum est: nam e castris in exilium abisse eum r]ettul[erunt annales, rectius explicabit qui regem e]t Salios [hoc die - facere sacri]ficium in [Comitio eoque perfecto illum inde fugere n]overit;* DEGRASSI, *Inscr. Ital.* 13.2. 415-6, and H. H. SCULLARD, *Festivals and Ceremonies of the Roman Republic* (Ithaca 1981) 81-2.

³³ DEGRASSI, *Inscr. Ital.* 13.2. 417-419, 421, 426-430; SCULLARD, *Festivals* 85, 88, 92-5.

³⁴ *a. d. vi kal. Mart.* means five days before March inasmuch as 1 March would be the sixth day.

³⁵ BRISCOE, *Comm.* 2.338: «The sacred dances began on 1 March ... and it is reasonable to regard the whole of March as the forbidden period».

³⁶ If one posits that the period began on 1 March, the end of the restriction would have coincided with neither the end of the month nor any significant festival, so that that date is no more inherently plausible than any other.

³⁷ L. 37.33.1-4: *per idem fere tempus consuli, transgresso Aeniorum Maronitarumque fines, nuntiatur victam regiam classem ad Myonnesum relictamque a praesidio Lysimachiam esse* There was a pause at Lysimacheia for a few days (33.3 *paucos dies*) and then they marched through the Chersonese and came to the Hellespont.

of the battle of Myonnesus, although it is apparent that it preceded the crossing because L. Aemilius Regillus, after his victory in that battle, had gone to Ephesus and then to Chios, where ships were repaired and thirty of them sent to assist in the crossing of the Hellespont (37.31.5–6).

The second additional synchronism is with events in Rome. Livy relates that *litterae* from L. Aemilius the praetor were brought to Rome with news of the Roman victory at Myonnesus and of L. Scipio's crossing into Asia. This news is said to have arrived *eodem tempore* as the enrolling of colonists by the consul who had returned to Rome to conduct the elections.³⁸ Thus, both for Myonnesus and for the crossing of the Hellespont, the news apparently arrived at Rome at the time of events that occurred *exitu anni*.

Although scholars have no problem in accepting the ancient testimony that news of Myonnesus arrived in Rome before the end of consular 190, both MATZAT³⁹ and BRISCOE⁴⁰ believe the time between the crossing and the end of consular 190 to have been too short for that news to have reached Rome by year's end, as Livy asserts it did. However, neither presents evidence or argument to support his scepticism,⁴¹ and a question of method is raised if one of the two items in Livy's notice is rejected and transferred to the events of the following consular year. The account of events *exitu anni* includes the information that a one-day supplication was held for the naval victory and another for a successful outcome because a Roman army had for the first time encamped in Asia. Thus, the entire passage seems to derive from an annalistic source for the end of consular 190.

The reference to *litterae* poses a minor problem, as it could refer either to one despatch or to two separate ones. Since we have already noted that the battle of Myonnesus preceded the crossing of the Hellespont, it is more likely that *litterae*

³⁸ L. 37.47.1–4: *haud ita multo post, cum iam consularium comitiorum appeteret tempus, C. Laelius consul ex Gallia Romam redit... eodem tempore litterae L. Aemilii praetoris adlatae de navali pugna ad Myonnesum facta, et L. Scipionem consulem in Asiam exercitum traiecissee. Victoriae navalis ergo in diem unum supplicatio decreta est, in alterum diem, quod exercitus Romanus tum primum in Asia posuisset castra, ut ea res prospera et laeta eveniret.* The actual elections are reported at 47.6–8.

³⁹ MATZAT, *Römische Zeitrechnung* 202 n. 3, although he dates the crossing before the *Regifugium*.

⁴⁰ BRISCOE, *Comm.* 2.364, rejects Livy's notice that the news of the crossing reached Rome during the election period, since he had earlier (p. 338) concluded that the period of restriction on Scipio's movements began on 1 March.

⁴¹ BRISCOE, *Comm.* 2.364: «it is hard to see how news of this could have reached Rome before the elections, even if they did take place on the last day of the consular year.» We find it difficult to estimate the length of time it would have taken news to reach Rome. However, it seems likely that, on orders of the Senate, measures would have been in place to facilitate the despatch. News from the army and fleet would be expected. Thus, we regard it as far from impossible that word could have been conveyed in fourteen days or less by couriers and beacon signals. Without evidence or argument, we have no warrant to draw an inference contrary to the ancient literary testimony.

refers to two despatches. In his sources for consular 190, Livy probably found references to two different despatches from Aemilius, which he combined and related amidst the events that occurred at the end of the consular year.⁴² A less likely solution is that *litterae* refers to a single despatch, in which (i) the crossing of the Hellespont was announced for the first time and (ii) the news of Myonnesus was repeated as a reminder of Aemilius' earlier success. Under either reading, Livy's notice of the arrival of the one or more dispatches refers to the end of consular 190. The phrase *eodem tempore* (37.47.3) simply implies that, in his sources, Livy found indications that news of Myonnesus and of the crossing of the Hellespont arrived in Rome sometime close to the end of consular 190.

We have now concluded that the ancient testimony dates the Roman crossing of the Hellespont as occurring c. one day before *Regifugium*. In a normal year, when there was no intercalation, the *Regifugium* was celebrated on 24 February, the day after the *Terminalia*. However, if there was an intercalation, the *Regifugium* was celebrated on 23 *Intercalarius*.⁴³ Thus, the crossing was c. 23 February or c. 22 *Intercalarius*. An eclipse earlier in consular 190 gives us a synchronism with the Julian calendar. From that synchronism we can calculate that the crossing of the Hellespont was c. 29 October 190 by the Julian calendar, or c. 20/21 November 190 if there was an intercalation in consular 190.

Now we are in a position to examine the question of whether there was an intercalation in consular 190. The answer is evident from the ancient testimony, now that we have identified the date of the crossing of the Hellespont.

After thirty days of delay, the army would have resumed its march on either (i) 27 November 190 if there had been no intercalation or (ii) 19/20 December 190 if there had been one.⁴⁴ Livy's testimony includes two seasonal references which preclude the possibility that the march began on the later date. These references, *priusquam hiems opprimeret* and *instare hiemem*, probably derive from Polybius⁴⁵

⁴² *Litterae* with a plural meaning is found in L. 22.57.1, 23.21.1, 32.31.6, 35.6.1.

⁴³ The *Fasti Antiates maiores* indicate that, when an intercalation was made, the *Regifugium* was celebrated on its regular date, *a. d. vi Kal. Mart.*; see MANCINI, *Not. Scav.* 1921, 122, MICHELS, *Collection Latomus* 58 (1962) 1174–78, 26 and *Calendar* 160–3, DEGRASSI, *Insc. Ital.* 13.2.315, 366, 415–6.

⁴⁴ Although we have seen that it is more likely that the crossing was at the time of the *Regifugium*, we should also note the possible Julian equivalents of a period of restriction that began on 1 March. In this case, if there was no intercalation at the end of consular 190, it would have begun on 4 November and extended until 2 December 190. However, if there was an intercalation, it would have extended from 25 November to 24 December 190.

⁴⁵ L. 37.37.5: *inde* (sc. the Caicus river) *plurium dierum praeparatis cibariis consilium erat ire ad hostem priusquam hiems opprimeret*; L. 37.39.2: *instare hiemem*; *aut sub pellibus habendos milites fore, aut, si concedere in hiberna vellet, differendum esse in aestatem bellum*. *Opprimere* with *hiems* only occurs in one other place: 30.39.3, and forms of *instare* are also used with *hiems* at 28.4.3; 29.35.13; 32.4.7; 32.36.6; 33.41.9; 36.10.12. L. 37.37.4 indicates that conditions at sea had also deteriorated. See below n. 53 with text.

and indicate that the march from the Hellespont to Magnesia was undertaken *before* the onset of winter. Thus, there was no intercalation in consular 190 for, if there had been an intercalation, the march would have begun less than one week before the winter solstice.

This understanding of the references to *hiems* is confirmed by a careful reading of Livy's account of the march from the Hellespont, in which several further chronological details are given. When considered in conjunction with the seasonal references, these further chronological details tell us that the campaign in Asia Minor extended from late *November* to late *December*.

The march from Ilium to the mouth of the Caicus river (i.e., to Elaea) took six days (L. 37.37.2–4). Here they were joined by Eumenes, who had had problems getting his fleet into winter quarters because of adverse winds. He went back to Pergamum to get supplies and brought them to the army (L. 37.37.4–5). This would have caused a delay of at least five days. The illness of P. Scipio (37.37.6–8) may also have caused some further delay. At this point, the Roman intention was to march against the enemy *priusquam hiems opprimeret* (37.37.5). There was a four-day march to Thyatira (37.38.1), after which the Romans went to Magnesia. They had been encamped there for six days, when the consul called a council in which he referred to the imminence of winter (*instare hiemem*). The battle followed on the third day after the consul's speech.⁴⁶

Thus, if we reckon three days for the journey from the Hellespont at Abydos to Ilium, may be one day at Ilium, one to two days for the march from Thyatira to Magnesia, and about ten days for the time at the Caicus river and Scipio's illness, perhaps as much as thirty days elapsed between the departure from the Hellespont and the actual battle at Magnesia.⁴⁷ If the army did not leave the Hellespont until c. 19/20 *December*, the battle of Magnesia was not fought until sometime in the last third of *January*, and Livy's references to the «imminence» of *hiems* during the march into Asia Minor must be rejected as inaccurate. But if the march began on 27 *November* the battle would have been fought soon after the winter solstice.⁴⁸ Indeed, Livy's reference *instare hiemem* may be to the solstice itself.

It is now possible to date the battle of Myonnesus. The Roman army crossed

⁴⁶ L. 37.38.5: *biduum deinde silentium fuit... tertio post die...; 8: per quadriduum insequens... quinto die...; 39.1: consul... postero die in consilium advocavit...; 39.5: tertio signa in medium campi prolata et instrui acies coepta est.*

⁴⁷ There were approximately seventeen days of actual marching. The approximate distance, keeping mainly to the coast, is 140 miles. WALBANK's estimate of twenty-five days from the Hellespont (Philip 332) probably does not take sufficient account of the delays related by Livy.

⁴⁸ DEROW, *Phoenix* 27 (1973) 348–9, and BRISCOE, *Comm.* 2.29, date the battle to *December*. WALBANK, Philip 332 gives both a date in *December* and one in *January*, but in HCP 3, since he has concluded that there was probably no intercalation in consular 190 (p. 105), he dates it to *mid-December* (p. 108). Cf. A. H. McDONALD in the *Oxford Classical Dictionary*, 2nd. edition (1970), s.v. Scipio Asiaticus, where *mid-January* is suggested.

the Hellespont c. 29 October 190, i.e., c. 23 February of consular 190. News both of the crossing and of the battle fo Myonnesus arrived in Rome before the end of consular 190. It follows that the battle of Myonnesus occurred not long before the crossing, i.e., in early October.⁴⁹

It remains to coordinate the chronologies of land and naval operations. In so doing, we must carefully distinguish use of *hiems* between reference to the army and reference to the fleet, since it usually was possible to continue land campaigns for some time after the season for naval operations had ended.⁵⁰ In his account of the naval operations of L. Aemilius Regillus after Myonnesus, Livy indicates that, after the surrender of Phocaea, Regillus chose that harbor as the winter station for the fleet *quia hiems iam appetebat*.⁵¹ It is likely that the siege of Phocaea began not long before the Roman crossing of the Hellespont because, before he gives his account of the siege, Livy relates that Aemilius sent thirty ships to assist the crossing.⁵² Thus, given our conclusion that the crossing was c. 29 October 190, the fleet would have been stationed at Phocaea by mid-November, awaiting the arrival of the army.

Livy's notice (37.37.4) of Eumenes' arrival at the Caicus river and of the weather problems that he had encountered by sea also shows that the season of naval operations was drawing to a close.⁵³ Since we know that the Romans reached the Caicus about ten days after leaving the Hellespont, Eumenes' arrival can probably be dated to after the first week of December. It is also in this context that Livy (37.37.5) speaks of the urgency of getting provisions for the army *priusquam hiems opprimeret*.

⁴⁹ Cf. BRISCOE, Comm. 2.29, who, comparing the synchronism of L. 37.33.1, considers that it was in September. WALBANK, Philip 332 and HCP 3.105, also suggests September. The date proposed by BRIND'AMOUR, Calendrier 146, late August or early September, is too early. BRISCOE, Comm. 2.29 n. 3 and JRS 76 (1986) 290, refutes the suggestion revived by BRIND'AMOUR that 24 August, the date of the dedication of the temple of the Lares Permarini, is the date of the battle of Myonnesus.

⁵⁰ V. M. WARRIOR, AJAH 6 (1981) 24–26.

⁵¹ L. 37.32.14: *et, quia hiems iam appetebat, Phocaeae portus ad hibernandum classi delegit*. See E. N. BORZA, Alexander's Communications in Ancient Macedonia (Salonica 1977) for a table of data obtained from Air Force Command, Hellenic National Meteorological Service, which gives the mean number of days with wind force at least Beaufort 6 (which «is held to be an uncertain and risky condition for ancient vessels») for various stations in Greece and the Aegean. For Lemnos, the nearest station to Phocaea, this gives 7.1 days for November, 11.9 for December, and 12.5 for January. This strongly suggests that the fleet would have gone into winter quarters before the end of November.

⁵² L. 37.31.5–6. There is no indication of the length of the siege beyond a reference to a five-day period of deliberations before the final surrender (L. 37.32.10). Cf. BRISCOE, Comm. 2.337, who, citing his earlier work in Historia 26 (1977) 248 n. 29, thinks that the phrase *quia hiems iam appetebat* refers to the end of October.

⁵³ L. 37.37.4: *eo (sc. the Caicus river) et Eumenes rex, primo conatus ab Hellesponto reducere classem in hiberna Elaeam, adversis deinde ventis cum aliquot diebus superare Lecton promunturium non potuisset*.

Thus, from temporal references in Livy's description of the march through Asia Minor, and from references to the imminence of *hiems* in the context of the operations by both by land and sea, we have concluded that there could not have been an intercalation in consular 190. Read in the light of that conclusion, the ancient testimony as it stands provides a coherent chronology for events between Myonnesus and Magnesia.

IV. The Intercalation of 189 and the Elections for 188

We now are in a position to consider more fully the date by which Fulvius would have needed to return to Rome to conduct the elections of the magistrates for 188. Given our conclusion that there was no intercalation in 190, the dislocation at the beginning of consular 189 was fifteen weeks. Thus, without an intercalation in 189, consular 188 would have begun c. 26 October 189. In fact, there was an intercalation in 189, but we still should consider the situation facing the Senate at the beginning of that year.

The discrepancy between the official calendar and the seasons had caused a problem in 193 with regard to the elections for 192. The consul to whom the conduct of the elections had been allotted was unable to return to Rome because of his military involvement (L. 35.6.2–3). That year, however, the other consul was able to leave his command in Italy at the end of the campaigning season and return to Rome to conduct the elections.⁵⁴

Consular 189 was the first time both consuls were sent to provinces outside Italy. Fulvius, the consul to whom Aetolia was allotted, was ordered to return *si per commodum rei publicae facere posset* (37.50.6–7) to Rome to conduct elections. As the other consul would be in Asia, a late decision to have him conduct the elections would not be possible.

Had there been no intercalation in 189, Fulvius would have had to leave for Rome in late *September* in order to conduct the elections for 188. That is much too early for a commander to absent himself unless a victory has been achieved and peace proposals made. With an intercalation in 189 (which in fact occurred), consular 188 would begin c. 19 November 189. There would be a greater probability that the campaigning season would be over so that Fulvius could be absent from his command to conduct the elections in Rome.⁵⁵

⁵⁴ L. 35.6.1–7. At that time, the discrepancy was the length of a calendar season, probably sixteen weeks. It is likely that there were only two intercalations between 203/2 and 191/0, and this results in the Julian equivalent of the Ides of March 192 being 15 November 193. See table in BRISCOE, Comm. 2.25 for the various combinations of hypothetical intercalations and their Julian equivalents. If there had been three intercalations before 192, the equivalent would be 8 December 193. BRISCOE, Comm. 2.21–4, argues for an intercalation in 193/2, but not on the grounds of the election problem.

⁵⁵ On the question of determining the time of the termination of the campaigning season, see WARRIOR, AJAH 6 (1981) 24–6, where the thesis of P. PÉDECH, *La méthode historique de*

When the provinces of Asia and Aetolia were allocated, the Senate apparently had foreseen a problem with Fulvius' return. Fulvius was about to embark on a campaign against the Aetolians. Clearly it was impossible then, at the beginning of the consular year, to predict when that campaign would end. Thus, the consul to whom Aetolia was allotted was ordered to return *si per commodum rei publicae facere posset* to Rome in order to conduct elections. His instructions were that, if anything detained him, he was to inform the Senate (37.50.6–7).

Although not mentioned in the context of this election, there were two other procedures for conducting the elections of the magistrates, *dictatura comitiorum habendorum* and *interregnum*. Use of the *dictatura comitiorum habendorum* meant that the consul had to name a dictator.⁵⁶ The naming of a dictator by a consul who was not on Roman territory had proved a problem in 210.⁵⁷ The *interregnum* had last been used in 217, though its use is mentioned in the context of the elections for 192, evidently as a last resort (35.6.4–6). It was a cumbersome procedure, after which there would be no magistrates in office for at least the first six days of the new consular year.⁵⁸

Thus, it was clearly preferable that a consul preside at these elections. Though an intercalation would not guarantee Fulvius' return, it would make his return more likely. The decision to intercalate may well have been made before Fulvius left for Aetolia.⁵⁹

In the context of the Senate's mandate, reference also is made to an election of censors.⁶⁰ This implies that censors also were to be elected at the end of consular 189 at the same time as the consuls and praetors for 188. Examination of the testimony for other censorial elections indicates that electing censors at the end of the consular year constituted a departure from the norm.⁶¹

Polybe (Paris 1964) 461, that Polybius' winter began c. 7 November with the cosmical setting of the Pleiades, is refuted.

⁵⁶ On the naming of a dictator by a consul, see L. 22.33.12, 25.2.3, 27.5.14, 27.29.5, 28.10.1, 29.10.2, and 30.39.4.

⁵⁷ L. 27.5.16: *patres extra Romanum agrum-eum autem Italia terminari-negabant dictatorem dici posse*.

⁵⁸ An *interrex* could only remain in power for five days; L. 1.17.6: *unus cum insignibus imperii et lictoribus erat; quinque dierum spatio finiebatur imperium*... The first *interrex* could not hold elections; Asconius 43, Clark: *non fuit autem moris ab eo qui primus interrex proditus erat comitia haberi*; Schol. Bob. 116 Stangl: *erat in vetere consuetudine ut non is qui primus interrex sed qui loco secundo crearetur comitia haberet*. See also, MOMMSEN, St. R. 1.3.649–661.

⁵⁹ I hope to discuss elsewhere other evidence for the time of the decision to intercalate.

⁶⁰ L. 37.50.6–8: *mandatum eidem (sc. consuli) ut, si per commodum rei publicae facere posset, ut ad comitia Romam veniret; nam, praeterquam quod magistratus annui subrogandi essent, censores quoque placere creari. Si qua res eum teneret, senatum certiolem faceret se ad comitiorum tempus occurrere non posse. Aetolia M. Fulvio, Asia Cn. Manlio sorte evenit*.

⁶¹ In 199 the election of the censors (32.7.1–3) is the first of all the domestic events of 199 to be recorded. Among the first events of 194, Livy records the allocation of the provinces (34.43.3–9), the impending *ver sacrum* (44.1–3) and then the election of censors (44.4), fol-

If censors in fact had been elected at the beginning of 189, there is no apparent reason for Livy to have failed to report their election at 37.51.1–7 amidst the other events he describes as occurring before the departure of the consuls and praetors for their provinces. Although there is no mention of the election of censors in Livy's account of the elections conducted by Fulvius upon his return to Rome (38.35.1–2), there is a fairly extended account of the election of T. Quinctius Flamininus and M. Claudius Marcellus at the end of book 37 (57.9–58.2) amidst a miscellany of events that apparently belong to the end of consular 189.

There may also have been another tradition according to which censors had been elected in 189 before the consuls left Rome for their provinces.⁶² However, if we apply the principle of the superiority of the more unusual reading, the inclusion of the election of censors in the Senate's mandate to Fulvius would indicate the authenticity of the whole passage. It has perhaps been taken unchanged from an annalistic account, and we may even have the original wording of the *senatus consultum*.

Electing censors at the same time as consuls and praetors for 188 suggests that the Senate intended an additional incentive for Fulvius to return. Thus, it is likely that, at the beginning of consular 189, decisions were taken (i) to have an intercalation so that Fulvius would have more time to return to conduct the elections for 188 and (ii) to hold an election of censors at the end of that consular year.

The account of the elections for 188 gives no hint of any difficulty with Fulvius' return. Livy indicates (38.35.1) that the consul came to Rome *quia iam in exitu annus erat*, and presided at the election of the consuls and praetors. Although it is not possible to determine the length of time required between the announcement of an election date and the voting, evidence from two earlier elections for 214 and 191 shows that the election date could be announced in advance of the consul's arrival in Rome.⁶³

lowed by the celebration of the *ver sacrum*, which we know was held sometime after the beginning of May (34.3). For 184, see L. 39.41.5: *secundum comitia censorum consules praetoresque in provincias profecti praeter Q. Naevium* ... For 179, L. 40.45.6 for the election, and 53.1 for the departure of the consuls two days after the *lectio senatus*. There is no extant notice of the election of 174, but the *lectio senatus* (L. 41.27.1) is followed by the departure of the consuls (L. 41.27.3). In 169, the elections were announced and held early in the year and the censors helped with the levy: L. 43.14.1–10.

⁶² Livy records the *lectio senatus*, the choice of the *princeps senatus*, the review of the *equites* and the contracts for public works at 38.28.1–3 *sub anno 189* after his account of the campaign in Asia but before Fulvius' crossing to Cephallenia.

⁶³ MICHELS, Calendar, 95 n.7, comments that the evidence for a *trinundinum* in the late third and early second century is «weak». L. 24.7.11 for 214 indicates that all that was necessary at this time was for the presiding officer to announce the elections for the next comitial day: *inde Romam comitorum causa veniens in eum quem primum diem comitialem habuit comitia edixit atque ex itinere praeter urbem in campum descendit*. This testimony, of course, excludes any possibility of a *trinundinum*. In the elections for 191, the case is not so clear –

Thus, we need not assume that Fulvius arrived in Rome until shortly before the end of the consular year, i.e., sometime in *mid-November*. This means that he did not need to leave his province until late *October*. Even if he arrived in Rome as late as 7 March (c. 10 November 189), there still would be a few comitial days, on which elections could be held.⁶⁴ The election of censors would not have added more than a day to his activities before 15 March 188.⁶⁵

Livy gives an approximate synchronism between the *terminus ante quem* for Fulvius' arrival in Rome and events in Greece: *a concilio, ubi ad consulem inter Achaeos Lacedaemoniosque disceptatum est, M. Fulvius, quia iam in exitu annus erat, comitiorum causa profectus Romam creavit consules ...* (35.1). This temporal reference marks an abrupt transition, (i) *from* the account of the war between the Achaean League and Sparta, which was fought principally in the campaigning season of 188 (32.4–34.9), (ii) *back to* an account of the elections of the magistrates for 188 which took place at the end of consular 189. The *last* mentioned meeting is that at Elis (32.3), which Fulvius himself called as a result of disturbances in the Peloponnese after the Achaean League had voted to make war on Sparta and there had been raids by land and sea. From that proximity in the text we would expect *a concilio* to refer to Elis. This is confirmed by the description of the meeting, *ubi ad consulem inter Achaeos Lacedaemoniosque disceptatum est*. Thus, Elis is the referent of *a concilio*.

Since Fulvius returned to Rome from Elis to conduct the elections for 188, the meeting at Elis must have taken place sometime before the end of *October*, according to Livy. Next we will show that HOLLEAUX was incorrect in thinking that this portion of Livy's testimony should be rejected.

V. Approximate Dating of the Meetings at Argos and Elis

After his crossing from Aetolia to Cephallenia, could Fulvius have attended the meetings at Argos (30.5) and Elis (32.3) and then, after both meetings, have returned to Rome to conduct elections in *mid-November*? To discern an answer we must dissect Livy's narrative from the crossing to Cephallenia through the elections for 188.

L. 35.24.2: *itaque senatus consultum factum est, ut M. Fulvius praetor litteras extemplo ad consulem mitteret, quibus certior fieret senatui placere ... Romam reverti eum et ex itinere praemittere edictum, quo comitia consulibus creandis ediceret.*

⁶⁴ In the late Republican calendar, 3–6 March and 9–12 March were comitial days, and 13 was *Endotercisus*, i.e., *nefastus* in the morning and evening; see MICHELS, Calendar, table 3.

⁶⁵ In his miscellany of events at the end of consular 189 at the conclusion of book 37, Livy describes the rivalry between candidates for the censorship, which resulted in a trial (37.57.9–58.2). It is likely that this had occurred as part of the *petitio* before Fulvius returned to Rome. On his return, all Fulvius had to do was preside at the elections of consuls, praetors and censors.

Four separate journeys by Fulvius can be identified: to Cephallenia from Aetolia (28.5), to Argos from Cephallenia (30.5), to Elis from Cephallenia (32.3), and to Rome apparently from Elis (32.3 correlated with 35.1). However, the narrative is often paratactic, without precise connectives relating one section of text to another. Within the narrative covering these four journeys, Livy includes what clearly are interpolated details about events that preceded and followed, but the frequent lack of connectives leaves unclear both the chronology of Fulvius' movements and his precise whereabouts.

Earlier we noted that HOLLEAUX⁶⁶ rejects a literal reading of the testimony *a concilio, ubi ad consulem inter Achaeos Lacedaemoniosque disceptatum est, M. Fulvius ... profectus*. He suggests that this is an autoschediastic phrase, and adds this to the collection of such phrases discerned by DE SANCTIS in books 37 and 38.⁶⁷ DE SANCTIS apparently uses «autoschediastic» to characterize phrases improvised by Livy to provide *approximate* temporal correlations. But the phrase *a concilio ... profectus* is more precise than any of the phrases identified as autoschediastic by DE SANCTIS. Furthermore, Livy would have no reason to resume his account of Fulvius' movements with such precise words unless he had a source. Although Livy's source for the actual elections for 188 undoubtedly is annalistic, an annalist would have no reason to note a meeting of the Achaean League.⁶⁸ This opening phrase is more likely to derive from a section of Polybius on events in Greece, perhaps restated by Livy.

Some solution other than HOLLEAUX' rejection must be sought, so let us review his argument. HOLLEAUX rejects *a concilio ...* because it apparently conflicts with the statement *consul compositis rebus Cephalleniae, praesidio Samae imposito, in Peloponnesum ... traiecit* (30.1). Three points are clear: (i) The latter phrase follows on from 29.11 and so refers to the time immediately after the plundering of the town of Same (*direpta urbe*). (ii) Livy has previously stated that the siege of Same lasted four months (29.9). (iii) The letter of C. Livius Salinator to the Delphians indicates that the siege continued into consular 188. From these three points, HOLLEAUX concludes that Fulvius' journey to Argos took place after the

⁶⁶ HOLLEAUX, BCH 54 (1930) 29–30 n. 7 = Études 274–5 n. 6.

⁶⁷ DE SANCTIS, Storia 4.1.396–7, citing L. 37.60.1: *eodem fere tempore et Cn. Manlius consul in Asiam et Q. Fabius Labeo praetor ad classem venit*, 38.12.1: *eodem non aestate solum, sed etiam iisdem prope diebus quibus haec a M. Fulvio consule in Aetolia gesta sunt, consul alter Cn. Manlius in Gallograecia bellum gessit*, 28.5: *ab Cn. Manlio consule bello in Asia cum Gallis perfecto, alter consul M. Fulvius perdomitis Aetolis cum traiecisset in Cephalleniam*, 30.1: *compositis rebus Cephalleniae*. HOLLEAUX seems to regard these phrases as inaccuracies which may simply be disregarded, rather than as information which is imprecise but otherwise valid unless proved otherwise.

⁶⁸ Cf. WALBANK, Philip 333 and HCP 3.136, who considers the whole passage to be annalistic.

completion of the siege of Same in January 188.⁶⁹ This reconstruction of Fulvius' movements has been followed by several scholars.⁷⁰

But it is the phrase *compositis rebus Cephalleniae* that is autoschediastic, as DE SANCTIS originally suggested.⁷¹ So, likewise, is *praesidio Samae imposito*. These two phrases form an imprecise transition intended to date the Argos meeting to some time earlier in the siege of Same, as CAVAGNAC suggested.⁷² By contrast, a *concilio, ubi ad consulem inter Achaeos Lacedaemoniosque disceptatum est, M. Fulvius ... profectus* describes Fulvius' journey to Rome as «setting out from a meeting at which a dispute between the Spartans and the Achaeans was discussed». Because this phrase is precise, regardless of whether it is correct, it is *not* autoschediastic in DE SANCTIS' sense.

Scrutiny of the narrative which includes the siege of Same and the meeting at Argos suggests that Livy did *not* intend these two ablative absolutes to mean that the meeting at Argos was held after the *completion* of the siege of Same. In Livy's account of the siege there is little attention to chronological sequence, and there is no report of the actual conclusion of the siege. Moreover, it is in the middle, not at the end, of his chapter (29.9) that Livy says Same held out four months. Evidently the whole account of the Same incident is a *pasticcio* based on more extended materials.

What Livy *did* say, as HOLLEAUX correctly saw, is that the meeting at Argos was held immediately after the plundering of Same (*direpta urbe*). The question is, when was Same plundered?

At the end of his chapter describing the siege of Same, immediately before his account of Fulvius' crossing to the Peloponnese, Livy narrates that the Romans entered the forum, whereupon some Samaeans with their wives and children took refuge in the larger of two citadels (29.11). There follows a report that, on the following day, the Romans plundered the town and sold the inhabitants (29.11).

It is very unlikely that the major part of the Roman army, supported by all the siege equipment that had just taken Ambracia, a larger town, remained engaged

⁶⁹ HOLLEAUX, BCH 54 (1930) 23–26 = Études 268–271.

⁷⁰ WALBANK, Philip 333: «a Polybian passage in Livy sets the Peloponnesian visit after the fall of Same»; and more recently in Comm. 2.136: «After the fall of Same, according to Livy, xxxviii 30.1, following P., Fulvius went to the Peloponnese, and according to the annalistic account in Livy, xxxviii 35.1, he went from there to Rome to hold the elections for 188.» Cf. the title of the paper of A. AYMARD, A propos d'une assemblée achaïenne (l'assemblée d'Argos: début de 188 B.C.) in Mélanges Glotz (Paris 1932) 49 ff.; also BADIAN and ERRINGTON, Historia 14 (1965) 11 ff. A Meeting of the Achaean League (Early 188 B.C.) with note 1: «The date seems (my italics) to have been satisfactorily established by M. HOLLEAUX, BCH ...». ERRINGTON (Philopoemen 138) dates the meeting at Argos to February.

⁷¹ DE SANCTIS 4.1.397.

⁷² CAVAGNAC, Mélanges 126.

for fully four months on a minor operation like the siege of Same, a small settlement, yet we are told the siege lasted that long (29.9). It is likely that only the larger citadel held out for four months, the rest of the town having been taken soon after the initial revolt.

On this reading, Same excepting the larger citadel was plundered the day after the Romans took the forum *at the beginning of the siege*. The ablative absolute *compositis rebus* refers to the quelling of the troubles throughout Cephallenia *excepting* the larger citadel at Same. After taking the forum (29.10) and leaving a garrison for the siege of the larger citadel (*praesidio Samae imposito*, 30.1), Fulvius went from Same to the Peloponnese, first to Aegium and then to Argos. He would have known that it was only a matter of time before the remaining citadel would surrender.

In summary, our reading entirely eliminates the incompatibility perceived by HOLLEAUX and CAVAIGNAC between *a concilio ...* and the passage *consul compositis rebus Cephalleniae, praesidio Samae imposito, in Peloponnesum ... traiecit*. Soon after the siege began, but after the major part of the town had surrendered, Fulvius left Same for the Peloponnese to attend a meeting of the Achaean League which was ultimately held at Argos.

This interpretation, that Fulvius went to the Peloponnese from Same during the early part of the siege and before his return to Rome, is substantiated by chronological evidence in Livy's account of the meeting itself. Throughout the section covering the departure from Cephallenia for Aegium and the meetings at both Argos and Elis, Livy consistently refers to Fulvius as consul and not as proconsul,⁷³ as he would have been according to HOLLEAUX' reconstruction placing these meetings in the winter of 188. These five instances have been either overlooked or rejected as a probable error by recent scholars who follow HOLLEAUX' proposed chronology.⁷⁴

A further flaw is apparent in HOLLEAUX' reconstruction. He seems to have assumed that Livy's reference to *hiems* (32.1) meant that «la mauvaise saison» had already begun at the time of the Achaean declaration of war.⁷⁵ But Livy says only that *hiems impediit* full-scale war, not that the season had actually started. Indeed

⁷³ L. 38.30.1, in the context of Fulvius' actual departure for the Peloponnese; 30.4, at Aegium; 30.5 at Argos; 31.5, after the killings at Las, in the context of the Spartans sending ambassadors to Fulvius in Cephallenia; 32.3, after the meeting at Elis.

⁷⁴ This was noted as a problem by WALBANK, Philip 333 n. 9, BADIAN and ERRINGTON, *Historia* 14 (1965) 13. LARSEN, *Representative Government* 175, does not discuss the question, but simply refers to Fulvius as proconsul. That Livy took care to distinguish between *consul* and *proconsul* is indicated at 38.37.1 *ad Cn. Manlium consulem primum, dein pro consule, hi-bernantem in Asia*, whereas Polybius 21.40.1 merely refers to Manlius as *strategos*.

⁷⁵ HOLLEAUX, BCH 54 (1930) 31-2 = Études 276: «La mauvaise saison commençante retarde seule l'ouverture des hostilités régulières» He defines «la mauvaise saison» as beginning a little after the autumn equinox.

Livy mentions some small-scale operations (L. 38.32.2). Thus, the Achaean decision to declare war could have been made sometime in *October*, when it was clearly too late to muster an army and begin a regular campaign.

Livy's entire narrative of the dispute between Sparta and the Achaean League (30.6–32.1), through to the declaration of war by the Achaeans, indicates that these events belong to autumn of 189, before Fulvius returned to Rome to conduct the elections for 188. If the sequence of events related from 30.1 to 32.1 is accepted as it stands, surely we must conclude that the meeting at Argos occurred in the autumn of 189, rather than in *February 188*.

The parataxis continues. Livy notes Fulvius' crossing to the Peloponnese «where the Aegians especially and the *Lacedaemonii* had long been summoning him» (30.1),⁷⁶ but his discussion of the meeting which Fulvius attended does not follow immediately. Instead, Livy mentions a custom whereby meetings of the Achaean League always took place at Aegium. Philopoemen was preparing to change this custom so that future meetings would be held in rotation in all the cities which belonged to the League (30.2–3). However, we hear no more of this proposal, nor is there anything to indicate that this particular proposal of Philopoemen was even discussed at either Aegium or Argos.⁷⁷

Livy's next report is that, at the approach of the consul, Philopoemen summoned the meeting to Argos, although the *damiourgoi* were summoning it to Aegium (30.4). Fulvius evidently went to Aegium but, when he saw that almost everyone was going to Argos, he went there (30.5). Thus, we must infer that the Achaean League did not actually meet at Aegium, although a meeting had originally been scheduled for that place by the *damiourgoi*.⁷⁸

There follows a frustratingly cryptic sentence which says there was an argu-

⁷⁶ L. 38.30.1: *in Peloponnesum iam diu accersentibus Aegiensibus maxime ac Lacedaemoniis* ... This whole phrase is questionable, and seems to have been devised by Livy as an introduction to events in the Peloponnese. The reference to *Lacedaemonii* seems to be an error for Laconians; see below n. 79. The Aegians are not mentioned again. They may well have wanted Fulvius' support against Philopoemen's proposal, but this was not a matter that came within his official competence as a Roman consul at a *synkletos*; on this see below section VI nn. 83–87 with text.

⁷⁷ L. 38.30.3: *hunc morem Philopoemen eo primum anno labefactare conatus legem parabat ferre, ut in omnibus civitatibus quae Achaici concilii essent in vicem conventus agerentur*. See below section VI n. 87 with text.

⁷⁸ If we are correct in our conclusion that the matter discussed at Argos was the Spartan question (see below n. 80 with text), the reason for Philopoemen wanting the meeting to be held at Argos rather than Aegium probably lies in the traditional hostility between Argos and Sparta, which had recently been exacerbated by the actions of Nabis of Sparta. On this see AYMARD, *Les Premiers Rapports de Rome et de la Confédération Achaïenne* (Bordeaux 1938) 132–138, and WALBANK, Philip 163–165. Philopoemen probably realised that, if a meeting were summoned at short notice in Argos, the cause of the Laconians would stand a better chance, since at Argos there was likely to be a greater proportion of people who would be sympathetic to complaints against Sparta.

ment and, when Fulvius saw that things were not going his way, he abandoned his undertaking: *ubi cum disceptatio fuisset, et rem inclinatam cerneret, incepto destitit* (30.5). Next a dispute between the Achaean League and the Spartans is introduced by the words (30.6) *Lacedaemonii deinde eum* (sc. *Fulvium*) *in sua certamina averterunt*.⁷⁹ Although Livy relates Fulvius' journey to Argos, there is no reference to him in the context of the actual meeting (31.1–2), nor is there any mention of his departure from Argos. There is no mention of Fulvius after 30.6 until 31.5, where there is a report that ambassadors from Sparta went to him in Cephallenia after the Spartans had voted to break the alliance with the Achaean League. Thus, it is possible that Fulvius left Argos after the *Lacedaemonii* had unsuccessfully tried to get his attention, but before the official meeting of the League began.⁸⁰

The next brief section (30.6–9) evidently is a temporal flashback, in which Livy gives the background to the dispute. He describes the situation in Laconia and the Spartan attack on Las, which caused the people of Laconia to send an embassy to the Achaean League. Then (31.1) the narrative apparently turns back to the meeting at Argos. We are told that Philopoemen gave those who complained against Sparta an audience (*concilium*) before the Achaean League (31.1–3). As a result of this audience, a decree was passed that those responsible for the Spartan attack on Las should be handed over to the Achaean League. This seems to be all that happened at the meeting.

Immediately after his description of the meeting at Argos, Livy gives an uninterrupted account of the Achaean-Spartan dispute through to the defeat of the Spartans at the end of the campaigning season in consular 188. After quoting the decree passed by the League against Sparta, Livy says that messengers were sent to Sparta to demand the surrender of some Spartans. When presented with the Achaean demand, the Spartans executed thirty of Philopoemen's faction, broke the alliance with the Achaean League, and sent ambassadors to Cephallenia to

⁷⁹ Since there is no further indication in Livy's narrative of the presence at Argos of any embassy from Sparta itself, it is unlikely that there was a reference in Polybius to an embassy from Sparta at the meeting at Argos. The *Lacedaemonii* who tried to get Fulvius' support were probably people from Laconia whose complaints were subsequently heard at the meeting of the League granted by Philopoemen (31.1). Livy has apparently been careless in his use of the term *Lacedaemonii* at 30.1 and 6. He was probably confused about the identity of the various parties involved in the Spartan problem. His confusion may have arisen because of a later embassy sent by the Spartans to Fulvius in Cephallenia (32.5). The three occurrences of *Lacedaemonii* at 30.7, 9, and 31.1 probably derive from Polybius.

⁸⁰ If Fulvius had been present at the formal meeting of the League at Argos, it is very unlikely he would have failed to make some statement, and it is equally unlikely that Polybius, followed by Livy, would have neglected to mention Fulvius' reaction to the Achaean resolution. In making the transition into the account of the Spartan problem, Livy has omitted to mention Fulvius' departure from Argos.

beg the Roman consul to come to the Peloponnese and receive Sparta *in fidem dicionemque populi Romani* (31.3–6).⁸¹

The Achaean League declared war on Sparta, an act which would have required a meeting of the League. Full-scale war could not be prosecuted because *hiems impediit*, but there were raids by land and sea, which brought Fulvius back to the Peloponnese and caused him to summon the meeting at Elis (32.1–3).

At Elis, Fulvius failed to reconcile the two sides, but he ordered them to refrain from war until they had sent ambassadors to Rome (32.4). Likewise, the Senate failed to effect a reconciliation (32.5–10). Philopoemen invaded Laconia at the beginning of spring 188 (*veris initio*, 33.1). There follows an account of the campaign which resulted in the defeat of Sparta (33.1–34.9).

Only then does Livy return to consider events at the end of consular 189. His introduction to the elections for 188 is the statement *a concilio, ubi ad consulem inter Achaeos Lacedaemoniosque disceptatum est, M. Fulvius ... profectus* (35.1), with which we began our entire investigation.

We should note that Livy's sequence of events implies that there were exactly three meetings of the Achaean League from Argos to Elis, the middle of the three being that which declared war on Sparta. Furthermore, our analysis of 28.5–32.1 has concluded that Livy's testimony ought to be accepted as it stands. The events related, from the crossing to Cephallenia through to the meeting at Elis, should be regarded as taking place during the end of Fulvius' consulship, as Livy implies by reference to the consular title and through seasonal references. That dates these events to autumn 189.

VI. *More Precise Dating of the Crossing to Cephallenia, the Siege of Same, and the Meetings at Argos and Elis*

A careful reading of Livy's paratactic testimony has revealed that the meetings at Argos and Elis took place in the autumn of 189, not in the winter early in 188. Our next step is to fix the dates of the crossing to Cephallenia and of the beginning of the siege of Same. Then we will establish the entire sequence of events, from Fulvius' crossing to Cephallenia through to the meeting at Elis, to see whether it is possible that Fulvius began the siege at Same, went to Argos, returned to Cephallenia, received the request from Sparta, summoned and attended a meeting of the League at Elis, and went from there to Rome by *mid-November*.

As we noted at the end of the preceding section, there were apparently three meetings of the Achaean League in the autumn of 189. At the first, originally

⁸¹ The ambassadors were to ask Fulvius *ut veniret in Peloponnesum ad urbem Lacedaemonem in fidem dicionemque populi Romani accipiendam* (31.6). We are not told whether Fulvius accepted the Spartan surrender *in fidem*. However, to judge by subsequent events, he probably did not.

scheduled for Aegium but held at Argos, Philopoemen granted a *concilium* to the embassy from Laconia. War with Sparta was voted at the second, held at an unspecified location. Fulvius summoned the third at Elis to discuss the dispute between the Achaean League and Sparta.

Two types of meeting were held by the Achaean League: the *synodos* which met at Aegium four times a year, probably at fixed times, and the *syncletos*, an extraordinary meeting that apparently could be held at short notice at any time in the year.⁸² Thus, if one of these meetings should prove to be a *synodos*, we would have a date from which we could calculate the dates of the other meetings.

It is apparent from Polybius 22.12.6 (*sub anno* 185) that one of the distinctions between a *syncletos* and a *synodos* was that of agenda: a *syncletos* was summoned when it was necessary to decide on alliance or war, or to receive a communication from the Roman Senate.⁸³ On this definition, both the meeting that passed the declaration of war on Sparta and that which Fulvius summoned to Elis were *syncletoi*.⁸⁴ It is also evident that the *concilium* granted by Philopoemen to complainants against Sparta (30.1–2) was a *syncletos*. Since our analysis of the events as described in Livy's narrative indicates that this *concilium* took place at Argos, we conclude that the meeting at Argos was a *syncletos*, too.⁸⁵

Some scholars have asserted that the meeting at Argos was a *synodos*. They then proceed to identify the time as autumn 189 or spring 188, depending on their interpretation of the chronology.⁸⁶ This conclusion, that the meeting at Argos was a *synodos*, would follow if Philopoemen's proposal (38.30.3) had been

⁸² Although the ancient sources on these meetings are very scanty, it is generally agreed that one *synodos* was convened in the autumn, probably at the time of the equinox. In the early second century, magistrates were probably elected at the autumn *synodos*, AYMARD, *Les Assemblées de la Confédération Achaïenne* (Bordeaux 1938) 239–240; see below n. 98 with text.

⁸³ On this, see WALBANK's excellent discussion, HCP 3.412–4.

⁸⁴ AYMARD, *Assemblées* 237, BADIAN and ERRINGTON, *Historia* 14 (1965) 16, and WALBANK, HCP 3.138, all agree that the meeting at Elis was a *syncletos*.

⁸⁵ Cf. LARSEN, *Representative government*, 174, who discerns two *syncletoi*, one that passed the decree against Sparta and a second which soon after voted for war against Sparta. He dates both of these to autumn 189. However, since he follows HOLLEAUX, he suggests that the meeting at Argos was a different meeting, probably a *synodos*, which did not occur until February 188.

⁸⁶ HOLLEAUX, BCH 55 (1931) 1–10 = *Études* 287–92, suggests it was the spring *synodos*, whereas CAVAIGNAC, *Mélanges* 126, suggests that it was the autumn *synodos*. Although WALBANK, Philip 333, follows AYMARD, *Mélanges* Glotz (Paris 1934) 61–2 and *Assemblées* 302–5 and identifies it as a *syncletos*, more recently, despite his excellent analysis of P. 22.12.6 (HCP 3.412–4), he now considers it was the spring *synodos* (HCP 3.137–8). LARSEN, *Representative Government* 174, also considers that the meeting at Argos was the spring *synodos*. BADIAN and ERRINGTON, *Historia* 14 (1965) 16–17, think that the meeting at Aegium was to have been the spring *synodos*, but that it was superseded by a *syncletos* at Argos.

brought up and passed at Argos, since such a proposal to change the meeting place of the League would have required a *synodos*.⁸⁷

However, the imperfect tense of *parabat* in Livy's text (30.3) merely indicates that Philopoemen was preparing to make this change. Nothing indicates that the proposed change ever came up at the time Philopoemen transferred the meeting to Argos.

Thus, on the basis of the ancient testimony, we conclude that the meeting at Argos was a *synkletos* concerned solely with the Spartan question. In fact, we are never told when or where the proposal about *synodoi* was actually enacted. All we know is that by 185 *synodoi* were being convened in places other than Aegium.⁸⁸ Philopoemen's proposal could have been passed at a *synodos* held sometime after the meeting at Argos, or even in his next *strategia*.⁸⁹

In brief, none of the three meetings of the Achaean League referred to in 31.1–32.3 can be identified as the autumn *synodos*. We must look elsewhere for indications of when the meeting occurred.

We have established that the *synkletos* at Argos occurred sometime in the autumn. The question is: at what point in the autumn was this meeting? If we can show that it is possible that Fulvius was at Argos at the beginning of *October*, then it becomes likely that he went to Elis at the end of that month and from Elis to Rome to conduct the elections before *19 November 189*. Such a demonstration would vindicate not only the chronological sequence of events as given by Livy but, most especially, the authenticity of his reference *a concilio ... profectus* at 35.1.

There are two *termini post quem* for the meeting at Aegium/Argos: (i) the date of the beginning of the siege of Same and (ii) the date of entry into office of Philopoemen, who as *strategos* summoned the meeting to Argos.⁹⁰ Livy's narra-

⁸⁷ LARSEN, Representative Government 174: «At that meeting (sc. at Argos, which he identifies as a *synodos*) a rule was adopted that thereafter *synodoi* were to be held in various cities of the Confederacy in rotation.» ERRINGTON, Philopoemen 137, apparently relying on *iam diu accersentibus Aegiensibus* (30.1), considers that the people of Aegium appealed to Fulvius because of Philopoemen's proposal, and then (p. 138) he asserts: «Philopoemen's proposal was successfully passed». WALBANK, HCP 3.137, apparently assumes that Philopoemen's proposal was the sole agenda for both Aegium and Argos. AYMARD, Assemblées 302–305, followed by BADIEN and ERRINGTON, Historia 14 (1965) 16–7, thinks that the motion was passed at a *synkletos* at Argos. However, this scholarship antedates our current understanding of the distinction between a *synodos* and a *synkletos*, deriving from WALBANK's discussion (HCP 3.412–4) of Polybius 22.12.6. Note also that WALBANK, HCP 3.137, specifically refutes the section of BADIEN and ERRINGTON cited just above.

⁸⁸ For example, at Megalopolis in 185 and 182: P. 22.7.2; 23.16.12; at Corinth in 169/8, 154/3, and 148: P. 29.23.8; 33.16.2; 38.12.2; see LARSEN, Representative Government 175 ff.

⁸⁹ Philopoemen was probably again *strategos* in 187/6; see WALBANK, HCP 3.9 and 178 with bibliography.

⁹⁰ L. 38.30.4: *et sub adventum consulis damiurgis civitatum, qui summus est magistratus, Aegium evocantibus Philopoemen – praetor tum erat – Argos conventum edixit.*

tive implies that the revolt and siege of Same occurred shortly after Fulvius' arrival in Cephallenia (38.28.5–7). In order to discern more precisely when the siege of Same began, we must re-examine the chronological evidence concerning Fulvius' crossing from Aetolia to Cephallenia.

There are two correlations for the crossing to Cephallenia. In making the transition from his account of Cn. Manlius Vulso's campaign in Asia Minor to an account of events at the end of the campaigning season in Greece, Livy states *ab Cn. Manlio consule bello in Asia cum Gallis perfecto, alter consul M. Fulvius perdomitis Aetolis cum traiecisset in Cephalleniam* ...⁹¹ This autoschediastic phrase produces an approximate synchronism when correlated with his earlier account of the end of Vulso's campaign which occurred when *iam medium autumni erat*.⁹²

The second correlation looks more rewarding. In Polybius, Fulvius seems to wait around Amphilochian Argos for the Aetolians to ratify the truce. As soon as he heard that they had done so, he went back to Ambracia to prepare for the crossing to Cephallenia, while the Aetolians appointed and sent ambassadors to Rome (21.30.12–15).⁹³ Since one of these ambassadors was *strategos* in 189, it has been assumed that he would not have left for Rome until after the autumn equinox, when his office had expired.⁹⁴ Thus, it has generally been accepted that Fulvius' crossing from Aetolia to Cephallenia cannot be dated before the last week in *September*.⁹⁵

However, since Livy's *perdomitis Aetolis* is an autoschediastic phrase, which gives no specific temporal notation, a date shortly after the autumn equinox is not necessarily the *terminus post quem* for all these actions.⁹⁶ We are not told by Polybius that Fulvius waited for the Aetolian ambassadors to depart. Indeed, it is

⁹¹ L. 38.28.5. Cf. the original mandate: L. 37.50.5: *nec cum Aetolis solum bellum gerere, sed etiam in Cephalleniam insulam traicere*.

⁹² The account of the campaign in Galatia concludes with a reference to the establishing of winter quarters at Ephesus (38.27.9): *ipse* (sc. Manlius) – *iam enim medium autumni erat* – *locis gelidis propinquitate Tauri montis excedere properans victorem exercitum in hiberna maritimae orae reduxit*. L. 38.28.5 is one of the phrases identified by DE SANCTIS, Storia 4.1.396, as autoschediastic.

⁹³ Livy 38.10.2 has combined Damoteles' telling Fulvius of the Aetolian ratification with the despatch of the Aetolian ambassadors to Rome, thus confusing the chronological sequence. In Polybius, however, it is apparent that Damoteles came to Fulvius in Argos, whereas the despatch of the ambassadors is related after notice of Fulvius' return to Ambracia and his preparations for crossing.

⁹⁴ P. 4.37.2 (*sub anno* 219) relates that the Aetolian elections were immediately after the autumn equinox. Since there is nothing in the sources for the late third or early second century to suggest a different date, we may assume that the date of the Aetolian elections was unchanged. This assumption finds some support in the notice (*sub anno* 192) that Phaeneas the *praetor* (192/1) introduced Antiochus to the Aetolian council (L. 35.44.1).

⁹⁵ HOLLEAUX, BCH 54 (1930) 20–22 = Études 264–268, and WALBANK, Philip 332 and HCP 3.130, infer that the crossing was in late *September*.

⁹⁶ DE SANCTIS, Storia 4.1.396.

very unlikely that he stayed any longer than was necessary. He would have been anxious to get to Cephallenia. The truce could have been ratified early in *September*, whereupon Fulvius would have embarked for Cephallenia, whereas the Aetolians, after ratifying the truce, may have waited until Nicander's office had expired before making the appointments. None of these possibilities is excluded by the wording in Polybius.

Therefore, the crossing to Cephallenia could have occurred in early or mid-*September*. The lower town of Same, as we have suggested, is unlikely to have held out long and may have been taken before the end of *September*, so that Fulvius was free to attend the meeting in Aegium/Argos by early *October*.

Next, since Livy implies that Philopoemen had entered office shortly before the meeting at Argos,⁹⁷ we must ask whether there is independent evidence to indicate that he had assumed office by the beginning of *October*. Here, too, there is a problem, since it is not at all clear from the ancient testimony precisely when the Achaean *strategoi* were elected or entered office. The sources on meetings of the League (both *synodoi* and *syncretoi*) are so meagre that we cannot discern when the electoral *synodos* may have met.⁹⁸ Moreover, we cannot exclude the possibility that there was an interval between election and assumption of office.⁹⁹ In a note (*sub anno* 219) on the date of the Aetolian elections which were held immediately after the autumn equinox, Polybius (4.37.2) contrasts the date of the Achaean elections which were then (τότε) held at the time of the rising of the Pleiades (c. 22 *May*). This implies a change in the time of the Achaean elections between 219 and the time when Polybius was writing.¹⁰⁰

It is difficult to discern precisely when the change in the time of the Achaean

⁹⁷ L. 38.30.4: *et sub adventum consulis ... Philopoemen – praetor tum erat – Argos conventum edixit.*

⁹⁸ AYMARD, *Assemblées* 209–212, considers that normally Achaean magistrates were legally elected by a *synodos*, and this occurred at the autumn *synodos* (pp. 239–40).

⁹⁹ AYMARD, *REA* 30 (1928) 2 n. 4, notes a lack of distinction between the date of the election and that of the entry into office. His own conclusion is that the election was in the last ten days of *September* but that one cannot assume that entry into office followed immediately.

¹⁰⁰ Polybius' account of his own election as *hipparchos* and that of Archon as *strategos* for 170/69 has unfortunately been suppressed by the excerptor. We hear of the decision concerning Archon's candidacy (πρὸς τὴν στρατηγίαν ἔδοξεν αὐτοῖς εὐθέως προσπορεύεσθαι). The account then moves to the time when Archon was in office and the first meeting (ἡ πρώτη ἀγορά) was being held (P. 28.6.9–7.3); for a discussion of the meaning of these terms, see WALBANK, *HCP* 3.334. However, even if ἡ πρώτη ἀγορά was the first *synodos* of the official year, it is not apparent whether the elections had been held at this meeting, or at an earlier one. The only other elections in the second century for which we have any appreciable information are those for the election of successors to Philopoemen and Critolaus, which occurred under unusual circumstances. In the context of the death of Critolaus in 146, Polybius (38.15.1) states that the law was that he should be succeeded by his predecessor until the next regular *synodos* should be held. On the question of how the successor to Philopoemen was elected, see WALBANK, *HCP* 3.241, 258–9 and 407–8.

elections occurred. A notice that the battle of Mantinea was fought less than eight months after Philopoemen had started training the army (P. 11.10.9) shows that by 208 *strategoï* were no longer entering office in *May*, since otherwise the battle would have been fought in *January*.¹⁰¹ The date of the elections, or at least the assumption of office, evidently had been changed to sometime in the autumn.

Modern scholars have held that, by the beginning of the second century, entry into office occurred at any time from the autumn equinox to early *November*.¹⁰² However, this inference is based on the ancient testimony for a mere three occasions. The first occasion is the battle of Mantinea, probably fought in *August* or *September* 207, but before the end of Philopoemen's first *strategia*.¹⁰³ The second occasion is provided by a reference in Livy, *sub anno* 200, which gives an approximate correlation with the entry into office and confirms it to have been occurring in the autumn.

¹⁰¹ On the date of the battle of Mantinea, see ERRINGTON, Philopoemen 249, who argues that it was in *September* 207. WALBANK's suggestion (HCP 2.282) that it was in *June* 207 is unlikely since he presumes that the entry into office was in *November* and that the eight months' period of training began at once. Moreover, he does not take account of Plut. Phil. 11.1, although he cites it elsewhere (p. 279). Plutarch indicates that at the Nemea, when he was *strategos* for the second time, Philopoemen was applauded for his victory at Mantinea. Since the Nemea were only held every other year (in the odd Julian years), this must be the Nemea of *July* 205 (on the date of the Nemea, see WALBANK, HCP 2.279). Thus, Plutarch's testimony implies that the battle of Mantinea had not been fought at the time of the Nemea of *July* 207. As ERRINGTON notes, a reference to clouds of dust being raised by the armies in the battle (P. 11.13.2) suggests that Mantinea was fought in *August* or *September* (207). Thus, it is likely that the period of training is to be calculated from just before the beginning of the campaigning season of 207 rather than from the time that Philopoemen assumed office.

¹⁰² AYMARD, REA 30 (1928) 2: «La seule affirmation possible est que l'élection et l'entrée en charge du stratège ont lieu chaque année entre la fin de septembre et le début de novembre». WALBANK, Philip 300 n.3, comparing AYMARD, REA 30 (1928) 1–2, asserts that throughout the second century the entry into office occurred «at the autumn equinox», but in HCP 1.630 and 2.220, and 538 he dates the entry as «in autumn». See also HCP 2.282, where he takes *November* as the time of entry into office. ERRINGTON, Philopoemen 250, merely states that the official year started «in the autumn». Cf. A. MOMMSEN, *Philologus* 24 (1866) 17–19 and 47, who, on the basis of an inscription (see H. COLLITZ, F. BECHTEL and O. HOFFMANN, *Sammlung der griechischen Dialektinschriften*, Göttingen 1883–1915, II No. 1774) notes a synchronism for 170/69 between the Delphic month *Endyspoitropios* and the seventh month of the Achaean calendar. This synchronism is cited by AYMARD, *Assemblées* 239–40 n. 4, and from this synchronism AYMARD infers that the Delphic month *Heraios* is the equivalent of the first Achaean month and also of the Attic *Pyanepsion*. He then states that this occurs «en moyenne à notre octobre». However, he does not give the basis for this assertion, although it may derive simply from his assumption that this is the time that Achaean magistrates entered office. Nevertheless, MOMMSEN's equation is applicable only to the year 170/69, since the Delphic calendar used intercalary months, whereas the Achaean, which numbered its months, is not attested as so doing. On this see A. SAMUEL, *Greek and Roman Chronology* (Munich 1972) 74.

¹⁰³ See above n. 101.

While reporting a meeting of the Achaean League in autumn 200, shortly after relating the arrival of the Roman army in Greece *autumno ferme exacto* (L. 31.22.4), Livy refers (25.2–3) to the transfer of power from Philopoemen to Cyliadidas as apparently recent (*tralato imperio a Philopoemene ad Cyliadem*).¹⁰⁴ The date of the Roman arrival in Greece is notoriously difficult to date precisely. The phrase *autumno ferme exacto* by itself suggests a date well after the autumn equinox, but the narrative describes military activity which could not have occurred so late. The Romans fought a naval campaign off Athens and Euboea (31.22.5–23.12), albeit brief, and there also was military activity in Illyria before the end of the campaigning season. Thus, the term *autumnus* is probably used to denote the latter part of the campaigning season, and *autumno ferme exacto* means that the Romans arrived in Greece in early or mid-September.¹⁰⁵

Although the sequence of events in Livy's narrative indicates that the meeting of the Achaean League followed the naval campaign, it is clear that the entry into the *strategia* had occurred some time earlier, since it is the effects of the change of office that were being discussed. Thus, Cyliadidas' entry into office probably occurred early, rather than late, in the autumn of 200.

The third occasion is a meeting of the Achaean League at Sicyon in 198. When Flamininus was besieging Elatia, a hope emerged that the Achaean League would shift from an alliance with Philip to *amicitia* with Rome (32.19.1). A *syncretus* of the Achaean League was held at Sicyon and the change of alliance was eventually approved.¹⁰⁶ A very approximate indication of the time of the meeting is given in Livy's report of the Romans abandoning the siege of Elatia, for Livy notes that Flamininus was anticipating seeking winter quarters.¹⁰⁷

However, *hiems* could not have been very imminent, since Livy later (32.19.3–5) relates that Flamininus decided to send ambassadors to the Achaean League before a naval attack was made on Corinth.¹⁰⁸ As we had occasion to note much earlier, naval operations generally ceased before the end of the campaigning season on land. The references to naval warfare and to the campaigns that occurred after the meeting of Sicyon suggest that the meeting was held in early September.

¹⁰⁴ L. 31.25.2–3; Philip V of Macedon appeared at a meeting at Argos which was discussing the renewal of the war against Nabis, who had increased hostilities because the military power of the Achaeans had declined with the transfer of power. This meeting was probably held in the late part of the campaigning seasons.

¹⁰⁵ WALBANK, Philip 317, dates it to mid-September; BRISCOE, Comm. 1.115–6, considers that it was «the beginning or middle» of September.

¹⁰⁶ L. 32.19.6–23.2.

¹⁰⁷ L. 32.18.1: *nec rationem procul a mari et in evastatis belli cladibus locis hibernandi ullam cernebat*.

¹⁰⁸ AYMAR, Premiers Rapports 80 n. 49, holds that the attack on Corinth did not occur until after the autumn equinox.

ber.¹⁰⁹ The Achaean *strategos*, who was active both before and at the meeting at Sicyon, was Aristaenus, who we know held office in 199/8.¹¹⁰ Since the meeting at Sicyon would have been near the end of his *strategia*, we have an approximate *terminus post quem* for the change of office.

These three occasions offer no positive evidence to indicate a *strategos* entering office as late as *November*. That month would seem to be a *terminus ante quem* resulting from modern interpretations of seasonal references in the ancient sources, e.g., the end of *autumnus* or the period at which the non-campaigning season, *hiems*, was thought to begin. But as we have just seen, closer examination of these references indicates that Achaean magistrates were entering office in late *September*. Apparently the time of election and entry into office of the Achaean magistrates had been brought into alignment with the practice with regard to the Aetolian magistrates, i.e., immediately after the autumn equinox.¹¹¹

Thus, Philopoemen could have entered office by late *September 189*, probably after election at the autumn *synodos*. Since it seems that he immediately changed the location of the meeting from Aegium to Argos, the *terminus post quem* for the *synkletos* at Aegium/Argos should be late *September 189*, i.e., very soon after the autumn *synodos*.

Now we are in a position to state the chronology of the events that Livy narrates in chapters 28.5 to 35.1. Fulvius crossed to Cephallenia around *mid-September*. By the end of *September*, he had settled affairs in the island (*compositis rebus Cephalleniae*, 30.1) except with regard to those Samaeans who held out in the larger citadel. The major part of Same had been taken at the outset of the siege (cf. 29.11), and Fulvius had left a garrison (*praesidio Samae imposito*, 30.1) and crossed to the Peloponnese (*in Peloponnesum ... traiecit* 30.1). He went first to Aegium and from there to Argos. The journey to Aegium probably took one to two days, and that from Aegium to Argos another two days. Thus, the meeting at Argos could have been in the first week of *October*.

As we have noted in our examination of the paratactic style of Livy's narrative, Fulvius may have left Argos almost immediately after his arrival, without even attending the actual meeting.¹¹² Once he saw how a vote on the Spartan question would go, he would have been anxious to get back to Same and try to ensure that the last citadel was taken before the end of the campaigning season, since that would enhance his chances for a triumph upon his return to Rome. Fulvius

¹⁰⁹ AYMARD, *Premiers Rapports* 80 n. 49, dates it around 15 *September*. WALBANK, Philip 342, dates it to *October 198* which, given consideration of naval warfare, seems too late.

¹¹⁰ L. 32.19.1–2: *Elatiam obsidenti consuli rei maioris spes adfulsit, Achaeorum gentem ab societate regia in Romanam amicitiam avertendi ... Aristaenus, qui Romanis gentem iungi volebat, praetor erat.*

¹¹¹ P. 4.37.2. Although modern scholars generally assert that the Achaean elections were at this time, they usually fail to cite the ancient evidence and admit the paucity thereof.

¹¹² See above section V n. 80 with text.

probably was away from Same at least eight or nine days, but he still could have been back at the siege as early as 10 October.

However, at the Argos meeting the Achaeans passed the decree against the Spartans and sent ambassadors to demand the surrender of those responsible for the attack on Las. Probably all this happened after Fulvius had left Argos. The Spartans reacted by killing thirty of Philopoemen's supporters, broke the alliance with the Achaean League, and sent ambassadors to Fulvius, who probably had only just arrived back in Cephallenia, to beg him to come to the Peloponnese and receive Sparta *in fidem dicionemque populi Romani*. Meanwhile, the Achaean League declared war on Sparta at a meeting for which this declaration is our only reference, but the approaching *hiems* prevented (*impediit*) the prosecution of full-scale war.

It is likely that the Achaean League anticipated the Spartan reaction to their demands and so, before the *syncletos* at Argos was dismissed, they announced the date of the *syncletos* which was to declare war on the Spartans. In view of the violent Spartan reaction after the announcement of the Achaean terms, the ambassadors' stay in Sparta was probably no more than two days. The lapse of time between the end of the *syncletos* at Argos and the declaration of war may have been only seven to ten days. Thus, the declaration of war by the Achaean League could have occurred by mid-October. There followed some raids against Sparta and a Spartan complaint to Fulvius, which caused Fulvius to call a *syncletos* at Elis.

If we allow some time for notice of the meeting at Elis, it is likely that Fulvius went to Elis at the very end of October.¹¹³ This, however, prevented him from ending the siege of the citadel of Same, which he probably left until it was starved into surrender some three months later.

Thus, it is chronologically possible that the meeting at Argos was held early in October and that Fulvius attended the council of Elis at the end of that same month, before he departed for Rome. The journey from Elis to Rome probably took around ten days.¹¹⁴ Fulvius could have conducted the elections in the last

¹¹³ L. 38.32.3: *hic tumultus consulem Peloponnesum adduxit, iussuque eius Elin concilio indicito Lacedaemonii ad disceptandum acciti*. This reference to Fulvius as consul at Elis confirms the dating of Elis to autumn 189. See above section V n.73 with text.

¹¹⁴ HOLLEAUX estimates, BCH 54, 1930 15 n.3 = Études 261 n.4, that the journey from Brundisium to Rome (c. 340 Roman miles = c. 290 miles) could have been easily covered in eight days. Citing L. 45.41.3 = Diod. 31.11, he also notes that the crossing from Corcyra to Brundisium could be made in one day. We should probably add at least a day for the journey from Elis to Corcyra, and perhaps a day of rest. However, HOLLEAUX estimates that a visit to the Peloponnese would have added at least fifteen or twenty days to the duration of his absence from his province. This seems an excessive estimate, even if he returned from Argos. A journey from Elis would be at least three days less than from Argos. HOLLEAUX apparently did not realise that, even if Fulvius did not leave Same until the latter part of October, it is chronologically possible that he visited the Peloponnese before going to Rome in time to hold the elections before 15 March.

days of consular 189 (i.e., before 19 November) even after attending both the meeting at Argos and the meeting at Elis.

From this detailed reconstruction, it appears that Livy's transition *a concilio, ubi ad consulem inter Achaeos Lacedaemoniosque disceptatum est* ..., which introduces the account of the elections for 188, does indeed refer to the council of Elis. The chronological schedule proposed for October through mid-November is tight but not overly difficult. Nevertheless, it also is quite clear that Fulvius' movements from Argos to Elis to Rome would not have been possible without the intercalation of consular 189.

We do not know when Fulvius returned from Rome to Cephallenia. Since the larger citadel of Same apparently did not surrender until January, he may not have returned until shortly before the surrender. There was no urgency, since starvation would produce the desired result. His presence in Rome probably ensured the prorogation which Livy mentions.¹¹⁵ Fulvius probably discussed the peace terms to be offered to the Aetolians and gave a general report on events in Greece. He would undoubtedly have also reported on the impending war between the Achaean League and Sparta. On Fulvius' advice at Elis, the Achaeans and Spartans were sending embassies to Rome (32.1–5). Fulvius may still have been in Rome when these ambassadors came before the Senate. At the beginning of spring Philopoemen invaded Sparta.¹¹⁶

VII. Conclusion

Our proposed chronology for the movements of Fulvius accepts Livy's testimony entirely as it stands. Our chronology is consistent with temporal references in Livy and Polybius, with Livy's seasonal notations *hiems impediit* and *veris initio*, and with the consular title Livy assigns to Fulvius. By contrast, HOLLEAUX' reconstruction distorts the sequence of events as given by Livy and must reject both the consular title and a precise interpretation of some seasonal references.

¹¹⁵ L. 38.35.3. The dislocation of the calendar was making *prorogatio* essential.

¹¹⁶ L. 38.33.1–34.9: *qui veris initio exercitu indicto castra in finibus Lacedaemoniorum posuit*. Because HOLLEAUX, BCH 54 (1930) 24–5 = Études 269–70, dated the meetings at Argos and Elis sometime after January 188, he was forced to conclude that the phrase *veris initio* was used imprecisely. He suggests that it merely implies the beginning of the campaigning season, which in this instance he thinks was mid-April. This is followed by WALBANK, Philip 333, whereas ERRINGTON, Philopoemen 138, dates the invasion to May. Both of these dates are clearly too late for «the beginning of spring» in a Greek land campaign. Immediately before this account of the Achaean-Spartan war, Livy makes the comment *Philopoemeni continuatur magistratus* (38.32.10). This phrase, which comes rather unexpectedly and awkwardly at the end of a section, cannot mean that Philopoemen had just been elected, or re-elected. It has been the subject of some controversy, but ERRINGTON, Philopoemen 252, is probably correct in discerning that it is probably an attempt on Livy's part to explain what he failed to understand from a chronological point of view. We have seen that Livy was evidently unaware of the date of the Achaean elections, and was trying to explain how Philopoemen was still in office.

The meetings at Argos and Elis took place in autumn 189 when Fulvius was still consul. Our translation of Roman dates to dates in an extrapolated Julian calendar is based on the exact synchronism of 15 March 188 with 19 November 189. We have shown this Julian equivalent to be the sole possible start of consular 188, by starting from a synchronism provided by an eclipse in 190 and then considering events in the eastern theater of war during 190 and 189.

In consular 189 the official year needed to be brought more closely into alignment with the end of the campaigning season. Without the intercalation that year, Fulvius would not have had time to return from his province to preside at the elections of the annual magistrates. Livy himself did not see this connection between the intercalation and Fulvius' return to conduct the elections for 188. We also have inferred that censors were elected at the same time as the consuls and praetors. This was a departure from normal practice, which we suggest may have been made as an additional inducement for Fulvius to return from his campaign.

Several disputed points of chronology have been resolved. Our examination of Livy's testimony on events at the end of consular 190 has confirmed, against a recent suggestion, that there was no intercalation that year. The sequence of movements of the Roman army and navy before the battle of Magnesia has been coordinated with events at Rome at the end of consular 190 and the beginning of consular 189. Our re-evaluation of Polybius and Livy, as their testimony concerns the restriction on the movement of P. Scipio as a *Salus*, shows that the crossing of the Hellespont was c. 29 October 189, i.e., c. one day before the *Refugium* (*a.d. vi kal. Mart.*). The news of this crossing could indeed have reached Rome before the end of the consular year, as Livy says it did.

Livy's transition *a concilio ... profectus* (38.35.1) is not to be rejected. The phrase probably derives from Polybius and refers in fact to a *syncretos* at Elis, which was held in late October. This part of our examination involved an attempt to define some of the limits on our actual knowledge regarding the working of the constitution of the Achaean League at this period, and also led us to examine the dates at which Achaean and Aetolian magistrates entered office.

In brief, this study demonstrates that we have no reason to reject Livy's chronological references for the sequence of events in Rome, Greece, and Asia Minor from consular 190 to the beginning of the campaigning season in consular 188. Despite several instances of imprecision, largely the result of a paratactic style, there is no evidence for outright inaccuracies in Livy's narrative.

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