rare, no doubt) of converting a plot of provincial land to *ager Romanus* was something Dio knew and, basically, understood – witness his account of the Republicans at Thessalonica doing just that in 49 B.C. (41.43.2–3).[14] If Dio had told about the consul's going to Messana to repeat his auspices, and why, or if Dio wrote of Cotta's going to Messana without explaining why, it is utterly implausible that Zonaras should have mistaken that for Rome. In Dio's lost account, the consul returned to Rome.

Finally, if it was possible to repeat the auspices *in agro Romano* at Messana in 252, why was it not possible to name a dictator there in 210? The rules about having to name a dictator *in agro Romano* had been relaxed to mean effectively anywhere in Italy as far back as the fourth century;[15] if Messana by 252 could count as part of *Italia* and contained a piece of *ager Romanus*, no obstacle existed. But commanders had to return to Rome *auspiciorum repetendorum causa* as late as 216 (the dictator M. Iunius Pera, Livy 23.19.3). As did Cotta, surely, in 252.

Texas A & M University C.F. KONRAD
konradc@tamu.edu
doi:10.1017/S0009838808000360

[14] The fact that Thessalonica is the only recorded instance of such a conversion overseas, and that Dio clearly treats it as an unusual event, should give us pause before assuming that the practice described by Servius Auctus had become routine in Cicero's day.

[15] Dictators had been named *in castris*, away from Rome – but within Italy, of course – for over a hundred years: e.g., in 352 (Livy 7.21.9), 327 (Livy 8.23.13), or 309 (Livy 9.38.13–14); evidently, a spot within the camp had been converted to *ager Romanus* in those cases.

ASCONIUS' FIFTY-THREE ROMAN COLONIES: A REGAL SOLUTION[1]

eamque coloniam (sc. Placentiam) LIII < > deductam esse inuenimus: deducta est autem Latina. duo porro genera earum coloniarum quae a populo Romano deductae sunt fuerunt, ut Quiritium aliae, aliae Latinorum essent (Asc. *Pis.* 3C).

LIII *spat. (iii litt. P, v S, viii M) MSS* : LIII <I ab u(rbe) c(ondita)> *Crawford* ut Quiritium aliae *Baiter* : itaque *MSS*

The difficulty raised by Asconius' report of Placentia as the fifty-third 'Roman' colony is well known. Mommsen saw that Asconius' total exceeded the number of

[1] This problem was drawn to my attention in E.H.Bispham's important recent piece, '*Coloniam deducere*: how Roman was Roman colonization during the Middle Republic', in G.Bradley and J-P.Wilson (edd.), *Greek and Roman Colonisation. Origins, Ideologies and Interactions* (Swansea, 2006), 73–160. I am grateful to him for letting me see this pre-publication. He comments that 'Asconius' source seems to be the only one to have reached us which uses the term *Quirites* of the inhabitants of what we call *Roman* colonies…, and the use of the term surprises in view of the *military* function often ascribed to these colonies' (at 81). But *Quirites* is a (rather dubious) emendation: I can suggest only the obelus. I am grateful to Dr. J. Briscoe, Mr. J. Paterson, and Prof. L.de Ligt for commenting on an earlier draft of this piece, and also to the anonymous referee. All mistakes are my own, and all references to Dion. Hal. are to the *Antiquitates Romanae*.

https://doi.org/10.1017/S0009838808000372 Published online by Cambridge University Press

colonies known from the literary tradition, but he did not offer an explanation.[2] Salmon argued that Asconius was correct if he was in fact referring to the recolonization of Placentia in 190 B.C. and thereby including foundations and refoundations up to that date.[3] But Crawford has declared any attempt to account for Asconius' calculation to be futile, because we do not know what a *colonia populi Romani* was in the eyes of a Roman of the late Republic.[4] This may be too pessimistic. That the true character of Roman colonization may have been far different from (or far more varied than) the picture in our late sources is a fundamental observation. But a clear demonstration of how Asconius (or his source) arrived at his figure might still help us to understand this later view. It is necessary therefore to return briefly to Salmon's calculation:

Latin colonies 338–218 B.C.	30
Citizen colonies 338–218 B.C.	10
New Latin colonies 218–190 B.C.	2
New citizen colonies 218–190 B.C.	8
Refounded Latin colonies 218–190 B.C.	3
Total	53

Salmon excludes only those pre-338 B.C. foundations which did not survive as Latin colonies after that date. In other words he includes Signia, Norba, Ardea, Circeii, Setia, Sutrium, and Nepet, but none of the other *priscae Latinae coloniae*.[5] This is problematic, for although it is possible that Asconius or his source thought in this way, it is more natural to think that in listing Roman colonial foundations (both Latin and citizen)[6] he should have included all those established before 338 B.C., regardless of their subsequent fate. Adopting these different criteria, we should need to add Fidenae, Cora, Velitrae, Antium, Labici, Vitellia, and Satricum. These additional seven colonies would give a total of sixty in 190 B.C., or forty-seven in 218 B.C. On either of these views Asconius' calculation would remain faulty.

[2] Th. Mommsen, *Geschichte des römischen Münzwesens* (Berlin, 1860), 860, n. 311, counting forty-five colonies to 218 B.C: thirty-four Latin (at 311–15) and eleven citizen (at 332) 'so dass uns also acht fehlen'. The only 'missing' colonies might be very early Latin colonies that did not survive, but Asconius too would have been ignorant of these: 'Abgesehen davon, dass uns einige ältere früh wieder weggefallene Colonien latinischen Rechts unbekannt geblieben sein mögen, ist die Liste geschlossen, da wir aus dem J.545 eine vollständige Aufzählung der damals vorhandenen dreissig Colonien besitzen und nachher erwiesener Massen nicht mehr als die vier namentlich bekannten hinzugekommen sind…' (at 311).

[3] E.T. Salmon, *Roman Colonization under the Republic* (London, 1969), 67–8.

[4] M.H. Crawford, 'La storia della colonizzazione romana secondo i Romani', in A. Storchi Marino (ed.) *L'incidenza dell'antico. Studi in memoria di Ettore Lepore* (Naples, 1995), 187–92, at 190: 'La verità è che non abbiamo la minima idea di ciò che significasse il termine colonia populi Romani per i Romani della fine della Repubblica…'.

[5] Cf. Salmon's list, (n. 3), 110–11. The procedure is not explicitly clear from his discussion: 'foundations before 338 not being counted of course since they were colonies of the Latin League, not of Rome (at 68)' is somewhat misleading, since foundations from before 338 B.C. were included in his list if they remained independent after that date.

[6] From Mommsen to Crawford it has been taken that LIII represents a total of both Latin and Roman colonies. This is implied in *deducta autem Latina* and by the subsequent description of the two types of colonies (the textual problem of *itaque* notwithstanding). It is difficult to imagine what might stand in the lacuna of at most eight letters which could undermine this view.

https://doi.org/10.1017/S0009838808000372 Published online by Cambridge University Press

B.A.Marshall has proposed an alternative route to a total of fifty-three or fifty-four colonies in 218 B.C.[7] He includes (*contra* Salmon) all the Latin colonies founded jointly by Rome and the Latin League, even if they became *municipia* in 338 B.C., and then wants to use 'one of Salmon's assumptions, that resettlements counted and apply it to the reorganisation of status for the seven joint colonies which remained Latin after 338' (i.e. Signia, Norba, Ardea, Circeii, Setia, Sutrium, and Nepet). Thus he calculates:

Latin colonies 338–218 B.C.	30
Roman colonies 338–218 B.C.	10
Latin colonies pre–338 B.C.	7
Latin colonies 'reorganised' 338 B.C.	7
Total	54

But there are two crucial objections which undermine this reconstruction. First, there is no reason at all to assume that the 'reorganised' colonies which remained independent in 338 B.C. counted as 'refoundations'; second, if we do include them in the total as 'refoundations', we must surely include also the (up to) twelve refoundations or reinforcements which are mentioned in our (incomplete) sources but ignored by Marshall.[8] These problems seem to me to highlight the contrived (if ingenious) nature of Marshall's explanation, and it must surely be rejected.

A convincing solution to this problem might seem a distant prospect. But it may be that Asconius' enumeration can still be salvaged, and without too much special pleading. This is because the lists of Salmon and others routinely exclude the citizen colonies reported by Dionysius of Halicarnassus for the early regal period. If Asconius' list included foundations which were no longer colonies in later times, there would have been no reason for him to exclude these early foundations: they may be unhistorical to us, but not necessarily to Asconius.[9]

These regal colonies are Caenina, Antemnae, Crustumerium, Medullia, Cameria, Nomentum, and possibly Collatia.[10] And these six or seven when added to the

[7] B.A. Marshall, *A Historical Commentary on Asconius* (Columbia, 1985), 90: a total of 54 (or 53 based on Kornemann's list [*RE* s.v. *coloniae*]).

[8] Fidenae (Romulus: Dion. Hal. 2.53.4; Livy 1.27.3) in 504 (Dion. Hal. 5.43.2), 498 (Dion. Hal. 5.60.4), and 429 (Livy 4.30.6); Circeii (Tarquinius Superbus: Dion. Hal. 4.63.1; Livy 1.56.3) in 393 (Diod. 14.102); Signia (Tarquinius Superbus: Dion. Hal. 4.63.1; Livy 1.56.3) in 495 (Livy 2.21.7) or perhaps 508 (Dion. Hal. 5.20; Plut. *Publ.* 16.2); Velitrae (494: Livy 2.31.4; Dion. Hal. 6.43.1) in 492 (Livy 2.34.6; Dion. Hal. 7.13.1) and 404 (Diod. 14.34.7); Antium (467: Livy 3.1.5–7; Dion. Hal. 9.59.1–2) in 338 (Livy 8.14.8); Setia (382: Vell. Pat. 1.14.2) in 379 (Livy 6.30.9; cf. S.P. Oakley, *A Commentary on Livy, Books VI–X* (Oxford, 1997–2005) ad loc.); Livy's report of colonists at Sora in 315 (9.23.2) is probably a mistake, since he later puts its foundation in 303 (10.1.1–2; cf. Oakley ad locc.), but this might still have been interpreted as a double foundation; Ostia is problematic, since its foundation under Ancus Marcius is sometimes described as a colony (Cic. *Rep.* 2.5, 33; *De Vir. Ill.* 5.3; Florus 1.4.2), sometimes not (Livy 1.33.9; Dion. Hal. 3.44.4; Eutrop. 1.5.2; Isid. *Etym.* 15.1.6), and the *urbs* is distinguished from the later (undated) *colonia* in Festus 214L: this too may have been seen by some as a refoundation.

[9] There were even foundation dates: Plut. *Rom.* 24.3 (Cameria); cf. 23.6 (Fidenae).

[10] In general it is Dionysius who gives us the necessary details, thus reflecting his sources much more closely than does Livy: he is precise about which locations received colonists or garrisons, and which were simply destroyed. Caenina and Antemnae (Dion. Hal. 2.35.5–7: colonies of 300;

https://doi.org/10.1017/S0009838808000372 Published online by Cambridge University Press

forty-seven up to 218 B.C. (including the *priscae coloniae Latinae*) give us a total of fifty-three or fifty-four. Fifty-three of course is the transmitted reading of Asconius, and fifty-four a possible emendation (see apparatus). It seems that starting from the regal period Asconius or his source simply made a chronological list of places which were reported as having received colonists from Rome.[11] Refoundations were evidently excluded, and Placentia came out as fifty-third or fifty-fourth on that list.[12] But how the sources used by Asconius came to include or exclude places as colonies remains as obscure as ever.

University of Leiden S.J. NORTHWOOD
s.northwood@let.leidenuniv.nl
doi:10.1017/S0009838808000372

Livy 1.11.4; Plut. *Rom.* 17.1); Crustumerium (Dion. Hal. 2.36.1; 3.49.4–6: recolonized; 6.34.4: has φρουροί in 494; Livy 1.11.4; Plut. *Rom.* 17.1); Medullia (Dion. Hal. 2.36.2; 3.1.2; 3.34.5; 3.38.1–4; Steph. Byz. s.v. Μεδυλλία: Ῥωμαίων ἀποικία (following Dion. Hal.); Livy 1.33.4: *praesidium*); Cameria (Dion. Hal. 2.50.4–5; cf. 54.1–2: φρουρά added; Plut. *Rom.* 24.3); Nomentum (Dion. Hal. 3.50.1: sharing in the same fate as Crustumerium, which received colonists for the second time). Collatia receives a garrison (Dion. Hal. 3.50.3: φρουρά installed: no seizure of land, but disarmament and a monetary fine as with the cities which explicitly receive colonists; Livy 1.38.1: *praesidium*). Antemnae, Crustumerium, and Medullia are all referred to as colonies again at Dion. Hal. 6.55.2. There are colonies to Fidenae (Dion. Hal. 2.53.4: φυλακή of 300; 3.40.3: φρουρά added; 3.58.3: ἔποικοί τε καὶ φρουροί added; 6.55.2; Livy 1.27.3; Plut. *Rom.* 17.1, 23.6), Signia and Circeii (Dion. Hal. 4.63.1; Livy 1.56.3), but these are already included in Salmon's list. Livy reports the capture of Apiolae, Corniculum, Ficulea Vetus, Cameria, Crustumerium, Ameriola, Medullia, and Nomentum, but none receives colonists (1.35.7; 38.4; cf. Dion. Hal. 3.49.1–3 and Valerius Antias fr.11P for Apiolae; Dion. Hal. 3.50.4–6 for Corniculum). Ostia (see above n. 8) is included by Salmon as a Roman colony *c.* 338 B.C.

[11] It seems unlikely that Asconius consulted Dionysius, whose information must have existed already in Roman sources. The details of later colonies were certainly presented in several sources: Asconius' list of the founding board differs from Livy's at 21.25.3–5, which itself has variant names. Note also that Plutarch may have had a different source from Dionysius, since the latter has no foundation dates (see n.9).

[12] The claim of Philip V of Macedon that Rome had sent out seventy colonies by 214 (*SIG* 543) seems less fanciful if we consider in addition the refoundations/reinforcements mentioned above (n. 6) and others which may have occurred in the period 292–219, for which we do not have Livy.

PROVINCIAL *DEDITICII* IN THE EPIGRAPHIC *LEX AGRARIA* OF 111 B.C.?

In 1992 and 1996 Lintott and Crawford published two re-editions of the important but fragmentary epigraphic *Lex agraria* of 111 B.C.[1] As a result of their efforts new light has been shed not only on the arrangement of the law's twelve surviving fragments and the shape of the bronze plate on which it was engraved but also on the meaning of many formerly obscure passages. Despite this, at least some parts of the

[1] A. Lintott, *Judicial Reform and Land Reform in the Roman Republic. A New Edition, with Translation and Commentary, of the Laws from Urbino* (Cambridge, 1992); M. Crawford, 'Lex agraria', in id. (ed.), *Roman Statutes* (London, 1996), 113–80.

https://doi.org/10.1017/S0009838808000372 Published online by Cambridge University Press