

## CICERO, *BRUTUS* 43. 159 ff., AND THE FOUNDATION OF NARBO MARTIUS

TOWARDS the end of his list of colonial foundations, writing with apparent precision, dating the event not only by the consuls of the year but back from his time of writing, and using it as a means of fixing the colonization of Eporedia, Velleius Paterculus records the foundation of Narbo Martius: 'Narbo autem Martius in Gallia Porcio Marcioque consulibus abhinc annos circiter centum quadraginta sex, deducta colonia est. Post duodeviginti annos in Bagiennis Eporedia Mario sextum Valerioque Flacco consulibus.'<sup>1</sup> If this is the offering of a gift horse, it has not always been graciously received. Velleius' date has been questioned and rejected in a searching article by Mr. H. B. Mattingly,<sup>2</sup> and more than once Mr. Mattingly's conclusions have been quoted with approval by Professor E. Badian.<sup>3</sup> Mr. Mattingly began his attack by casting doubt on the authority of Velleius' list as a whole: Velleius did not consult Livy at first hand, or any semi-official list, but used sources of differing value, one of them perhaps Greek.<sup>4</sup> Nor is his testimony really confirmed by any of the later writers who seem to agree with him: they lazily follow him without looking for independent evidence.

Mr. Mattingly's onslaught on the particular date given to the foundation of Narbo comes from two sides. First, he reviews the numismatic evidence and assesses the conclusions that Mommsen,<sup>5</sup> the elder Mattingly,<sup>6</sup> and Sydenham<sup>7</sup> have drawn from coin hoards that contain the serrate *denarii* issued (as Mattingly showed) in commemoration of the foundation. Before Mommsen's work it was generally thought that the coins were struck in 92, during the joint censorship of L. Licinius Crassus and Cn. Domitius Ahenobarbus; Mommsen used the evidence of hoards to take the coins back to 109–104; he was followed by Sydenham. Mattingly went further and pushed them back to the accepted year of the foundation, 118, but found himself in difficulties as a result: he had too many issues to place immediately before 118, and a scarcity in the years 117 to 110. This led H. B. Mattingly to conclude that either the coins were struck six years after the foundation of Narbo, or Velleius' date is badly astray.

<sup>1</sup> 1. 14. 5; cf. 2. 8. 1.

<sup>2</sup> H. B. Mattingly, 'The Foundation of Narbo Martius', *Hommages à Albert Grenier* (Brussels, 1962), iii. 1159 ff.

<sup>3</sup> E. Badian, *JRS* lvii (1961), 229: 'Like many true and obvious discoveries, this one will no doubt take time to penetrate the crust of vulgate opinion'; *Roman Imperialism in the late Republic*<sup>2</sup> (Oxford, 1968), 98 n. 32: 'almost decisive against the traditional view'. However, while Mattingly dates both foundation and speech to 110, Badian seems to put foundation in about 115 and speech in 113. E. S. Gruen, *Roman Politics and the Criminal Courts, 149–78 B.C.* (Cambridge, Mass., 1968), pp. 137, 143, holds a similar view.

<sup>4</sup> Mr. Mattingly cites C. H. Benedict, 'The Romans in southern Gaul', *AJP* lxiii (1942), 41 n. 10.

<sup>5</sup> Th. Mommsen, *Ann. dell'Ist. di corr. arch.* xxxv (1863), 55 f.; *Gesch. des röm. Münzwesens* (Berlin, 1860), p. 562, no. 178; cf. (tr. Blacas) *Histoire de la Monnaie rom.* ii (Paris, 1870), *CIL* i<sup>2</sup>. 200; cf. F. Münzer, *RE* iii (1899), 2856, no. 302.

<sup>6</sup> H. Mattingly, 'Some historical coins of the late Republic', *JRS* xii (1922), 230 ff.; 'The Roman "Serrati"', *Num. Chron.* ser. v, vol. iv (1924), 31 ff.

<sup>7</sup> E. A. Sydenham, *The Coinage of the Roman Republic* (London, 1952), pp. xxix, 63 ff.

Mr. Mattingly's own suggestion is 110: the Cloulius who struck *quinarii* as quaestor in 100 is probably the same man as the mint-master who seems just to have begun to issue his *denarii* when the Maserà hoard was buried,<sup>1</sup> and he would have been triumvir in the decade preceding his quaestorship. Mr. Mattingly's interpretation of the numismatic evidence has not won universal acceptance, however. In his recently published book, *Roman Republican Coin Hoards*, Mr. M. Crawford claims that 118 still seems most likely to be the correct date of the colony;<sup>2</sup> he thus reverts to the view put forward by the elder Mattingly forty-five years ago. Faced with these discrepant conclusions, the historian must either attempt to examine the numismatic evidence for himself and draw his own conclusions from it (a formidable task in the circumstances) or turn to other ways of coming at the truth.

Mr. Mattingly likewise launches an attack on Velleius from another flank. One of the commissioners charged with the foundation of the colony was the great orator L. Licinius Crassus, and Cicero, *Brutus* 43. 159 ff., gives a sketch of his career which, in Mr. Mattingly's view, is decisive against Velleius' date. It is important to quote the passage in full; I print the text of Jahn and Kroll, as revised in 1962 by Kytzler.

Versatus est in omni fere genere causarum; mature in locum principum oratorum venit. Accusavit C. Carbonem, eloquentissimum hominem, admodum adulescens [119 B.C.]: summam ingeni non laudem modo, sed etiam admirationem est consecutus. § 160. Defendit postea Liciniam virginem, cum annos xxvii natus esset [113 B.C.]; in ea ipsa causa fuit eloquentissimus orationisque eius scriptas quasdam partis reliquit. Voluit adulescens in colonia Narbonensi causae popularis aliquid attingere eamque coloniam, ut fecit, ipse deducere; exstat in eam legem senior, ut ita dicam, quam aetas illa ferebat oratio [118 B.C.?]. Multae deinde causae, sed ita tacitus tribunatus, ut nisi in eo magistratu cenavisset apud praeconem Granium idque nobis bis narravisset Lucilius, tribunum plebis nesciremus fuisse [107 B.C.]. § 161. Ita prorsus, inquit Brutus, sed ne de Scaevolae quidem tribunatu quicquam audivisse videor et eum collegam Crassi credo fuisse. Omnibus quidem aliis, inquam, in magistratibus, sed tribunus anno post fuit eoque in rostris sedente suasit Serviliam legem Crassus [106 B.C.]; nam censuram sine Scaevola gessit, eum enim magistratum nemo unquam Scaevolarum petivit. Sed haec Crassi cum edita oratio est, quam te saepe legisse certo scio, quattuor et triginta habebat annos totidemque annis mihi aetate praestabat. Eis enim consulibus eam legem suasit, quibus nati sumus, cum ipse esset Q. Caepione consule natus et C. Laelio [140 B.C.], triennio ipso minor quam Antonius. Quod idcirco posui, ut dicendi Latine prima maturitas in qua aetate exstitisset posset notari et intellexeretur iam ad summum paene esse perductam, ut eo nihil ferme quisquam addere posset, nisi qui a philosophia, a iure civili, ab historia fuisset instructor. § 162. Erit, inquit Brutus, aut iam est iste quem exspectas? Nescio, inquam. Sed est etiam L. Crassi in consulatu pro Caepione defensione iuncta [defensiuncula: see A. E. Douglas ad loc.] non brevis ut laudatio, ut oratio autem brevis [95 B.C.]; postrema censoris oratio, qua anno duodequingagesimo usus est [92 B.C.].

<sup>1</sup> *Contra* Sydenham, op. cit. 63 n. 516.

<sup>2</sup> M. H. Crawford, *Roman Republican Coin Hoards* (London, 1969), p. 5.

First of all Mr. Mattingly points out that of all the dated events in Crassus' career as an orator, only his speech in favour of the foundation of Narbo Martius is out of chronological order. He touches on the possibility that the arrangement is by subject: admittedly there is no such clear mark of temporal sequence between the defence of Licinia and the Narbo speech as there is between the attack on Carbo and the defence of Licinia, but there is (he claims) a sense of progress in time.

Mr. Mattingly's second point is that Crassus did not publish the speech against Carbo, while he put out only excerpts from the defence of Licinia; it was quite different with the Narbo speech and 'illa in legem Caepionis oratio' (§ 164), of which there were full versions published. Mr. Mattingly postulates a practice of publication gradually developed and abandoned after 106, when Crassus adopted Antonius' more prudent policy of putting nothing in writing. In that case, the Narbo speech should follow and not precede the defence of Licinia. Mr. Mattingly's belief is strengthened by the transition 'multae deinde causae', which follows mention of the Narbo speech; after that Crassus was in demand for all kinds of cases and advocacy until the strange silence of his tribunate; it would be awkward to suppose that the defence of Licinia, which had already received special mention, is included in the 'multae causae'. Rather we are already carried beyond it to the watershed of Crassus' career, the Narbo speech, which put Crassus among the leading orators of the day; 'mature' is amply justified in 112-110, when Crassus was still *adulescens*.

Thirdly, Mr. Mattingly points out that Cicero stresses Crassus' age at all key points, and that there is no reason to suppose that 'admodum adulescens' is interchangeable with 'adulescens'; each term may be as precise in its reference as the actual figures that Cicero gives elsewhere in the passage. In the *de Oratore* 1. 34. 154 Crassus himself is made to distinguish between *adulescens* and *adulescentulus*, which is the equivalent of *admodum adulescens*. This last term suits a man in his late teens or early twenties, *adulescens* a man in the late twenties or early thirties.<sup>1</sup> In the passage under discussion the sense conveyed by 'voluit adulescens' is that by the time Crassus made his Narbo speech he was almost beyond the normal age for making his mark as a *popularis*. As a possible dividing line between the two ages Mr. Mattingly suggests 23 or 25, the years when men respectively took up their military tribuneships and came of age. The attack on Carbo was a dazzling display of precocity; the Narbo speech revealed a mature man who had acquired weight and wisdom beyond that of a mere aspirant to the tribunate. The Senate had actually launched a bill designed to cripple the colony. Mr. Mattingly asks if a man of 22 could have resisted such pressure only three years after the fall of C. Gracchus.

That brings us to Mr. Mattingly's final argument. Why, he asks, was Narbo entrusted to two men so young? There is no parallel for that in other colonial commissions. The colony is better placed after 113 and at a time when both Domitius and Crassus were of quaestorian rank. Crassus is always named first on the coins, and he cannot have been quaestor before 111.

Thus the evidence of Cicero's *Brutus*, like the coinage itself, brings Mr. Mattingly to 110, and he can offer corroborating evidence. Two of the tribunes

<sup>1</sup> Crassus' publications came out when he was 'adulescens' (*de Orat.* 2. 2. 8), and the passage makes it clear that this was up to the age of thirty-four.

of 110, L. Annius and P. Lucullus, tried to secure re-election and were met with strong opposition from their colleagues: 'quae dissensio totius anni comitia impediēbat'.<sup>1</sup> Mr. Mattingly suggests that they had work requiring vigorous defence: the foundation at Narbo, which is revealed as a project that committed Rome to intervention in Aquitania and as an important factor in the development of a rift between senators and *equites*. The *concordia* of Opimius, cracked 112/11, was finally to be destroyed by Saturninus and Glaucia, and Narbo, a foundation pushed by the commercial class, played a role in its destruction.

In combination these arguments are weighty and all will have to be examined carefully; but the most impressive of them is the first: Cicero's arrangement of the material in his treatment of the career of Crassus. Yet if the passage is set out *in toto*, exhausting the narrative part while leaving out the discussion of Crassus' style that follows, it appears that the arrangement is more complex than Mr. Mattingly's selection from the paragraph would suggest; indeed, the reader who does not turn up the whole passage is liable to be misled. Cicero makes his intention quite clear at the opening of the passage: 'Versatus est in omni fere genere causarum'. After that we should know what to expect, namely an analysis of the kinds of *causa* in which Crassus was engaged: forensic (prosecution and defence) and political (*popularis* or senatorial).<sup>2</sup> But that is not all. In the second half of the sentence Cicero says: 'mature in locum principum oratorum venit.' A second point, Crassus' early rise to eminence, is going to be made, and it will complicate matters. Thus we have a basic plan in which a secondary idea is intertwined; and even this idea is not all that will tend to obscure the original framework: there is the form of the exposition, an informal conversation, in which each speaker may pick up an interesting point that has just been made and comment on it. The original thread comprises the following remarks: 'Accusavit C. Carbonem . . . Defendit postea Liciniam virginem' (prosecution and defence on criminal charges: note the contrast between the verbs and their emphatic position at the beginning of the sentences) and 'Voluit . . . in colonia Narbonensi causae popularis aliquid attingere . . . suavit Serviliam legem Crassus'. An interjection from Brutus breaks up these last two points, intruding the third factor that has to be taken into account. Cicero, however, is not to be put off by learned (but inaccurate) comment from Brutus, and reverts to the main thread of his thought. But it must be confessed that by this time it is wearing thin. The main points (Crassus' versatility and his early prominence) have been made in the first three sentences, and Cicero feels free to be more discursive. The rest of his sketch of Crassus' career as an orator settles into a natural chronological framework, the items dated by his age or the office he was holding at the time of each speech. The impression that the two main points have been driven home is conveyed also by the vague 'multae deinde causae', and this disposes of another difficulty which Mr. Mattingly would feel if Cicero were thought to have abandoned a strict chronological order: is the defence of Licinia included in the 'multae causae'? Mr. Mattingly's difficulties are of his own making: he has unduly restricted the reference of 'deinde'. That adverb leads on, not from the Narbo speech alone, but from all

<sup>1</sup> Sall. *Bj* 37. 2.

<sup>2</sup> So A. E. Douglas ad loc. (briefly). One must regret with Badian (*JRS* loc. cit.) that

Mattingly's arguments were not known to the editor; but Mattingly concedes the point: *Num. Chron.* ser. vii, vol. ix (1969), 96.

three of the speeches that Cicero has just mentioned: they *all* established his eminence.

The secondary idea (Crassus' early rise) is prominent in all the first three sentences: 'admodum adulescens . . . cum annos xxvii natus esset . . . adulescens'. In my view, Cicero is stressing, not just Crassus' *age* at key points, but (as he says in § 161) his *youth* and precocity. Since he does it in three successive sentences, he has to offer some little variety of expression; and there need be no more significance than that in the difference between 'admodum adulescens' and 'adulescens': 'admodum' merely emphasizes the idea contained in 'adulescens'.<sup>1</sup> The use of these two phrases should lead us to a conclusion very different from Mr. Mattingly's—that the attack on Carbo and the Narbo speech were delivered at about the same time. Once having delivered his shock phrase 'accusavit . . . eloquentissimum hominem admodum adulescens' ('when he was quite a youth') Cicero will not destroy the effect it has created by repeating it exactly: a mere 'adulescens' will bring it all back and reinforce it.

Mr. Mattingly's readers may well feel that he is trying to work Cicero's terms too hard. Not only does he believe that there is a contrast between 'admodum adulescens' and 'adulescens'; he believes also that the terms denote specific ages. So they should, but the ages are not clearly defined, and the dividing lines suggested by Mr. Mattingly (23 or 25) certainly will not do: as we learn from the article 'adulescentulus' in Lewis and Short, 'when 27 years old, Cicero calls himself *adulescentulus*, *Or.* 30 . . . So Sall. *C[atiline]* 49 calls Caesar *adulescentulus*, although he was then 33, or perhaps 35 [actually 36 or 37] years old.' Mr. Mattingly unduly restricts the significance and scope of these words by distinguishing them one from the other solely by the period of a man's life that they are supposed to cover. The efforts of ancient lexicographers and antiquarians and of modern scholars to discern rules that work along these lines (see the article 'adulescens' in Lewis and Short) always break down before an individual writer's own understanding of the terms and his conscious reason (or unconscious motive) for selecting one or the other and its peculiar nuance of meaning and tone.<sup>2</sup> In the passages referred to above the authors are intent on contrasting respectively the styles of the youthful and the mature Cicero and the age and standing of Q. Catulus and C. Caesar in 63 B.C.; hence the strained use of the word 'adulescentulus'. In the *Brutus* passage, as I have suggested, no such contrast is intended; style and form were the dominant factors; but the common use of the terms in a loaded sense such as Mr. Mattingly claims for them here has destroyed just the precision of reference which he is also demanding.

<sup>1</sup> Cf. Cic. *Phil.* 5. 17. 48: Africanus and T. Flamininus became consuls 'admodum adulescentes' (Africanus was about thirty). For the exaggeration, see below.

<sup>2</sup> They are not even exact grammatical equivalents. In *de Orat.* 1. 34. 154, 'adulescentulus' is certainly contrasted with 'adulescens', but the latter may have full force as a participle ('as I grew older'; 'j'étais alors un peu plus mûr', E. Courbaud). The passage is by no means favourable to Mattingly's interpretation of 'adulescens' in the sentence

about Narbo. Cicero's usage in the *pro Caelio* is illuminating. He regularly refers to Caelius, who was 25 years old, as 'adulescens' (e.g., 1. 1); when Caelius, at the age of 22, prosecuted a consular, he was 'admodum adulescens' (19. 47); as the experienced and mature Clodia's lover, at the age of about 22 to 24, he was 'adulescentulus' (14. 33, where R. G. Austin remarks, 'the word gives no clue to Caelius' age'; Clodia was about thirteen years older than Caelius).

So far we have dealt with the first and third of Mr. Mattingly's arguments. His theory of a developing policy of publication is surely not very weighty. Why does an orator publish his speeches? Two reasons suggest themselves. Speeches may be found useful as political propaganda some time after they are delivered, the published version being not always identical with the speech as delivered (Cicero's defence of Rabirius in 63 is an example).<sup>1</sup> Then there are aesthetic considerations—not that the two motives are necessarily mutually exclusive, or even distinct. But propaganda, as Mr. Mattingly observes, can be turned against the man who produces it; and Crassus was more open than most men to the charge of having changed his tune:<sup>2</sup> no wonder he abandoned publication. But if we ask why he began it we are conceding the point to Mr. Mattingly. What we have to ask is why an orator publishes one particular speech or another, and often we must confess that we do not know. The attack on Carbo was Crassus' first major enterprise (hence perhaps the particular nervousness it caused him),<sup>3</sup> of the kind normally expected of a *débutant*<sup>4</sup> and not perhaps considered one of his best speeches by the orator himself—we do not know. To attack the renegade Gracchan was of course the act of a *popularis*, but it was an obvious move, probably popular too with the *boni*, and we should perhaps be wary of attributing deep significance to this attack on an unworthy object.<sup>5</sup> Crassus himself used to say that he never regretted anything so much as that prosecution;<sup>6</sup> no wonder the text was not published. Narbo was a very different matter: a positive and defensible contribution to the welfare of the Roman people, commemorated on the coinage and (I shall suggest) defended by Crassus some time after the foundation. For the publication of excerpts from the defence of Licinia there would be an obvious propaganda motive, that of impressing on as many readers as possible the innocence of the Vestal and by implication the worthiness of her male kin (Licinia and Aemilia were each accused of *incestum* with the other's brother). Besides, a successful defence speaks for itself; this one failed, and only publication might redress the balance. But it was a speech of great merit ('eloquentissimus') and that fact too may have inclined the author to publish.

Our reading of the *Brutus* passage, then, affords no reason for rejecting the date given by Velleius for the foundation of Narbo Martius. It suggests, if anything, that Crassus' speech in favour of the foundation is not far distant in time from his attack on Carbo. Nor is it enough to cast doubts on the general value of Velleius' list of colonies. If he did not rely on Livy or on a semi-official list, that is good reason for treating each entry on its merits. Velleius himself distinguishes cases where he feels confidence from those where he is uncertain. Nothing could be clearer than his confidence in the case of Narbo Martius, which he contrasts with the preceding colony ('de Dertona ambigitur, Narbo autem Martius . . .'). I do not suggest for a moment that his counting from the foundation of Narbo to his own time and to the foundation of Eporedia confirms the consular dating, only that it shows Velleius certain enough of it to use it as datum for further calculation.

<sup>1</sup> Cf. Cic. *Brut.* 24. 91: 'pleraeque enim scribuntur orationes habitae iam, non ut habeantur'. The whole passage is instructive.

<sup>2</sup> Cic. *pro Clu.* 51. 140.

<sup>3</sup> Cic. *de Orat.* 1. 51. 221; cf. E. Badian, *JRS* xlv (1956), 94 n. 28.

<sup>4</sup> For the practice, see Cic. *pro Cael.* 30.

73, and below, p. 176, n. 3.

<sup>5</sup> See E. Gruen, *Roman Politics and the Criminal Courts*, pp. 108 ff. For the *boni*, see Cic. *de Leg.* 3. 16. 35.

<sup>6</sup> Cic. 2 *Verr.* 3. 1. 3. We do not have to accept the reason for regret that Cicero adduces.

If we opt for 118, we are left with Mr. Mattingly's last problem. Why was so important a project entrusted to men so young? (Cicero, it will be noted, draws attention precisely to the precocity of the speech that Crassus made: 'senior, ut ita dicam, quam aetas ferebat oratio'.) Mr. Mattingly is able to claim that previous colonial commissions contained men far senior to Crassus and Domitius.<sup>1</sup> But it was in more than this one respect that the foundation of Narbo was extraordinary. Not only was the colony, like Junonia, a foundation strongly opposed by senators, it was a novelty in another way too, in this point outdoing its notorious predecessor: it lay outside Roman territory, outside the boundary of any Roman province proper.<sup>2</sup> Irregular proposals may be accompanied by irregular procedure. Admittedly, the very *leges annales* were designed to ensure that only men of maturity and experience should hold high office and undertake responsible tasks; but at times of crisis, loyalty counted for more. Gaius Gracchus was only 21 when he joined his brother's agrarian commission in 133. With youth also might go boldness; even in later life Domitius Ahenobarbus was a firebrand.<sup>3</sup> And if the worst came to the worst young men would be easier to discard. Only the previous year, Crassus had attacked a renegade follower of the Gracchi. In that prosecution, it has plausibly been suggested,<sup>4</sup> Crassus was already acting in concert with the Metellan *factio* of which he later became one of the most prominent members (not that the revealing trial of the Vestals came so much later). However much he afterwards regretted it, Crassus achieved a total success in the suicide of his adversary. There may have been a reward:<sup>5</sup> approval of, if not open support for, a colonial project conceived by Domitius and himself (the bold, even outrageous plan looks like the brain-child of a young man); or, if the initiative came from more experienced politicians, the destruction of Carbo and the enthusiasm for the colony whipped up in *contiones*<sup>6</sup> by the young orator earned recognition: he and Domitius were officially entrusted with the *deductio*. If one asks through whose immediate agency they received their commission it is natural to think of a consul: Q. Marcius Rex—who bore the same name as one of the Vestals. Mr. Mattingly exaggerates the duration

<sup>1</sup> It would be interesting, however, to know the birth-dates of M. Atilius Serranus, colonial commissioner in 190 and probably identical with the praetor of 174, and of Q. Fulvius Nobilior, commissioner in 184, aedile 160, consul 153, censor 136. An unduly retarded career is an implausible solution when we are dealing with a Fulvius whose elder brother was aedile in 166 and consul in 159.

<sup>2</sup> E. Badian, 'Notes on Provincia Gallia in the late Republic', *Mélanges . . . offerts à André Piganiol* (Paris, 1966), ii. 901 ff.

<sup>3</sup> See F. Münzer, *RE* v (1905), 1324 ff., no. 21. For his motive in introducing the Lex Domitia of 104, and Crassus' comment on him ('os ferreum, cor plumbeum'), see Suet. *Nero* 2; for his quarrel with Crassus during their censorship in 92, see Cic. *Brut.* 44. 164. Even his coinage is eccentric: see H. A. Grueber, *Coins of the Roman Rep. in the Brit. Mus.* ii. 258 n. 1. On the recklessness

of young men in undertaking prosecutions, see Cic. 2 *Verr.* 3. 1. 3.

<sup>4</sup> E. Gruen, *Roman Politics and the Criminal Courts*, p. 108. Gruen draws attention to the Gracchan connections of Licinius Crassi, *ibid.* 51 f. Perhaps those connections were an important part of Crassus' attraction for the Metelli.

<sup>5</sup> I would not insist on the possibility that Crassus, having successfully prosecuted a man who was at the time a *triumvir agris dandis* or *coloniis deducendis* (the Gracchan land commission or a special African commission), was thought to be entitled to a comparable position. The evidence for Carbo's position, a fragmentary inscription, does not preserve the *praenomen* (see Broughton, *MRR* i. 522 n. 5, and E. Gruen, *Roman Politics*, pp. 99 f.).

<sup>6</sup> Crassus had no right to address the Senate in 118, and if it was then that 'quantum potest, de auctoritate senatus detrahit' one must think of a speech to the people.

of the reaction against the Gracchi. The murder of Gaius and his followers caused revulsion in its turn, and the years 119 and 118 present a fluid political situation, one in which even a *novus homo* ventured to cast off allegiance to his patrons and bring in a *lex tabellaria*.<sup>1</sup> That would be a *popularis* measure with which the Metelli did not feel in sympathy; the foundation of Narbo was a different matter, for without cost it would ensure that a group of men were settled by grace of the *factio* in an area of the utmost strategic importance.

Mr. Mattingly, in setting the foundation in 110, invokes the rift between Senate and *equites* that developed in 112/111. The nature of that rift has been carefully examined in work published since Mr. Mattingly wrote his paper.<sup>2</sup> The interests of the *equites* were narrow, and it cannot be assumed that they would automatically sympathize with the *populares* in any quarrel with the Senate. What they wanted after 112 was peace in Africa ('*pacis spes*'); conciliation or speedy conquest, it was all the same to them, and they did not make their decisive entrance until, as *milites et negotiatores*,<sup>3</sup> they secured the election of Marius to the consulship of 107. Nor has the common assumption that commercial interests were involved in the foundation of Narbo ever been confirmed by the citation of evidence from the epoch of the foundation.<sup>4</sup> It is not hard to discern other reasons than the preservation of a young colony for the attempt of Annius and Lucullus to prolong their tribunates in 110. They were opposed by their fellow tribunes, who included C. Mamilius Limetanus of the Mamilian commission: Carcopino ingeniously, though without any backing from Sallust, suggested<sup>5</sup> collusion between the two tribunes and the consul of the year, Sp. Postumius Albinus, who was under attack from the commission<sup>6</sup> and whose attempt to leave for Africa for a second time with his forces was hampered by tribunes<sup>7</sup>—perhaps by all except Annius and Lucullus.

Narbo was founded in 118. When were the coins struck? If we are to believe Mr. Crawford, in the year of the foundation. But, purely numismatic evidence aside, a later date would not be out of the question. A speech of Crassus on the subject of Narbo is mentioned elsewhere by Cicero: '[Crassus] in dissuasione rogationis eius quae contra coloniam Narbonensem ferebatur, quantum potest, de auctoritate senatus detrahit'.<sup>8</sup> This speech has been identified with the one we hear of in the *Brutus*,<sup>9</sup> delivered, as I have argued,

<sup>1</sup> Plut. *Vit. Marii* 4. On the politics of these years see especially E. Badian, 'P. Decius P. f. Subulo: an Orator of the Time of the Gracchi', *JRS* xlvii (1956), 91 ff., and E. Gruen, *Roman Politics*, pp. 106 ff. I do not believe that Marius returned tamely to the Metellan fold as early as some scholars (e.g. T. F. Carney, *A Biography of Marius* [Proc. Afric. Class. Assoc., Suppl. 1, 1961], 21) have held.

<sup>2</sup> See especially P. A. Brunt, 'The Equites in the late Republic', *Deuxième Conf. intern. d'Hist. écon.* (1962), pp. 131 ff.; E. Badian, *Roman Imperialism*, pp. 26 f.; E. Gruen, *Roman Politics*, pp. 140 ff.

<sup>3</sup> Sall. *BJ* 65. 4.

<sup>4</sup> See E. Badian, *op. cit.* 24, and Brunt, *loc. cit.* The name, like Cicero's characterization in the *pro Font.* 5. 13, stresses the military aspect of the town. But a dogmatic

approach is to be avoided. Cf. B. Levick, *Roman Colonies in Southern Asia Minor* (Oxford, 1967), p. 3, and E. Gruen, *Roman Politics*, pp. 112 and 136.

<sup>5</sup> G. Bloch et J. Carcopino, *Hist. rom.* ii (Paris, 1929), 297 f. One is reminded of the incident recorded by Livy iii. 64; but that attempt at *continuatio* is usually connected with the propaganda surrounding Tiberius and Gaius Gracchus' tribunates: see R. M. Ogilvie's commentary *ad loc.* I hope to deal with that topic elsewhere.

<sup>6</sup> Cic. *Brut.* 34. 128.

<sup>7</sup> Sall. *BJ* 39. 4.

<sup>8</sup> Cic. *pro Clu.* 51. 140.

<sup>9</sup> e.g., by E. Badian, *op. cit.* 98 n. 32. It is of course perfectly legitimate to identify the speeches if neither is considered to date from the discussion that preceded passing of the *lex*.

in 118. But there we have an 'in eam legem . . . oratio', and in the *pro Cluentio* a 'dissuasione rogationis quae contra coloniam . . . ferebatur'. These two speeches surely cannot be identical. Mr. Mattingly thinks of a bill launched by the senate to cripple the colony; were there then two rival bills simultaneously promoted? What could the 'senatorial' bill have proposed? More plausibly, it can be seen as a measure designed to cancel just the legislation that had brought Narbo into being, to nullify the town's charter and reduce it to the level of an unofficial settlement, like the Gracchan colony at Junonia, thus destroying the credit and prestige of its patrons. Such a bill might be launched at any opportune moment after the foundation; we are not compelled to think of a very short interval,<sup>1</sup> for its object would not be actually to bring the colonists home (where they might prove very troublesome indeed). It would be natural to expect some time to elapse, to offer the occasion for a swing in public opinion. There is no evidence that the attack on Narbo succeeded; the colony survived as a colony in due form, and the word *rogatio* used in the *pro Cluentio* is perfectly consistent with the failure of the measure. It might be seen as part of a general attack on the Metelli and all their works, made in the interest of more than one rival group or a number of individuals, an attack which was only partially successful. It is well known when one such attack came—in 114/13, with the trials of Vestals significantly named Aemilia, Marcia, and Licinia.<sup>2</sup> On the evidence of a slave<sup>3</sup> they were accused of *incestum* with (amongst others) M. Antonius<sup>4</sup> and Betucius Barrus, a native of Asculum who wrote speeches for members of the *factio* less eloquent than Crassus.<sup>5</sup> Marius' friend Cassius Subaco had been expelled from the Senate by the censors of 115,<sup>6</sup> Metellus Diadematus and Domitius Ahenobarbus, father of the commissioner; but in 114 Marius, who had himself only just managed to secure election to the praetorship<sup>7</sup> and who had not greatly distinguished himself in the office, proceeded to a governorship in Spain,<sup>8</sup> and M. Aemilius Scaurus suffered prosecution for *repetundae*, as did C. Porcius Cato in the following year.<sup>9</sup> The second and more effective attack on the Vestals likewise came in the consulship of Cn. Papirius Carbo, brother of the suicide.<sup>10</sup> The fortunes and influence of the Metelli and their friends were falling in 114 and 113. Those years may also have seen an attack on the colony at Narbo, and the striking of coins intended not just to commemorate the foundation, but to remind voters who had been responsible for it. 118 or 114/13, from a historical point of view, would do equally well for the coins, but if the arguments offered in this paper are accepted, the evidence of Velleius for the

<sup>1</sup> So Badian, loc. cit.

<sup>2</sup> Asc. in *Milon*. 46 C. On the identity of the Vestals, see Gruen, op. cit. 128 f. Q. Marcius Rex was consul in the foundation year. Colonies were still being named after deities (Narbo significantly is full in the Neptunia, Minervia, Junonia series), but Marcius may not have been displeased with the resemblance to his own *nomen* (but cf. C. H. Benedict, *A History of Narbo* (Princeton, 1941), p. 26 n. 4: 'the similarity is coincidental'). A Q. Rex was defended by M. Antonius (Cic. *de Orat.* 2. 28. 125).

<sup>3</sup> Dio, fr. 87. 5 (ed. Boissevain i. 332): *Μάνιος τις*. According to Plutarch, *Quaest.*

*Rom.* 83, he was the slave of Betutius Barrus.

<sup>4</sup> Val. Max. 3. 1. 9.

<sup>5</sup> Oros. 5. 15. 22: L. Veturius eques Romanus; Plut. *Quaest. Rom.* 83: *Βερούτιος Βάππος* [*Bourétios Π; βαββάπου Ω*]; cf. Porph. and Acr. *ad Hor. Sat.* 1. 6. 30. T. Betucius Barrus the orator: Cic. *Brut.* 46. 169.

<sup>6</sup> Plut. *Vit. Marii* 5. 3 ff.

<sup>7</sup> Val. Max. 6. 9. 14; Plut. *Vit. Marii* 6. 1.

<sup>8</sup> Plut. loc. cit.; Cic. 2 *Verr.* 3. 90. 209. See Broughton, *MRR* i. 535 n. 3.

<sup>9</sup> See Gruen, *Roman Politics*, pp. 125 f.

<sup>10</sup> See Cic. *ad Fam.* 9. 21. 3. He suffered prosecution by M. Antonius after his defeat by the Cimbri.

foundation date ought not to be impugned. However, it may be that those arguments are not acceptable; and in that case the paper will at least have the merit of drawing further attention to an article which appeared in an out-of-the-way place and for that reason has not yet received the notice it deserves.

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