The Foundation Day of Roman "Coloniae"

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Published by: University of California Press

Stable URL: http://www.jstor.org/stable/25010742

Accessed: 24/02/2009 03:43
Roman colonies traditionally commemorated a definite day of the year as the day of their founding. This day was, in effect, the "birthday" of the colony; we know a few of them. The question to be considered in the following paper is: what action in the long sequence of actions necessary for the legal and practical founding of a colony did such a "birthday" commemorate and celebrate?

The standard answer to this question has been that of Mommsen. He asserted that the "Gründungsact" performed by the traditional commission elected by the Tribal Assembly to oversee the founding of a _colonia_ consisted of the performance of the first colonial _lustrum_ (purification ceremony), which followed the first colonial census; this census, in turn, occurred after all the land allotments within the _territorium_ of the colony had been distributed to the colonists. "Das Datum der Colonie- gründung entspricht der Datirung des Lustrum." Mommsen's hypothesis received quick acceptance. Recently, however, E.T. Salmon has proposed that the "birthday" of a Roman _colonia_ commemorated the day when the _forma_ (the detailed map of the land allotments distributed within the colony) had been set up in the town forum by the colonial commissioners, along with a copy of the _lex colonica_, while simultaneously the _groma_ (the surveying instrument used for distributing the land allotments) was finally removed. "These formalities terminated the colonization procedures . . . and the _colonia_ dated officially from that moment." Professor Salmon's hypothesis may very well now become
standard. In either of these two conceptions of the official founding of a colony, however, the official founding occurred only at the very end of the practical and actual process of establishing the colonists on the land. Put another way, the day officially commemorated as the “birthday” of a Roman *colonia* occurred only at the very end of the long sequence of actions necessary for its founding in a real and practical sense.

Mommsen’s conception of the official founding ceremony was based on Cic. *De div.* 1.102, a passage which implies that a *lustrum* was held before the *deductio* of a *colonia.* Salmon unfortunately fails to specify the ancient evidence behind his own conception of the official founding ceremony; it is certainly true, however, that one of the last actions in the practical establishment of a *colonia* was the setting up in bronze of the colonial *forma* and the *lex colonica,* along with the removal of the *groma* machine—cf. *Grom.* Vett. (M. Junius Nipsus), p. 295 Lachmann. Yet there is no necessary connection here between one of the final acts of the colonial commissioners following the physical settlement of the colonists on the land, and the day later celebrated as the day of the founding of the *colonia*; more importantly, Junius Nipsus, who is our sole source for the setting up of the *forma* and the *lex colonica* and the removal of the *groma,* makes no such connection. As for Cic. *De div.* 1.102, the passage will require detailed examination. However, it would be best to proceed by first examining the rather large number of other ancient references to the foundation ceremony, references found in a variety of ancient authors, including Cicero himself. In my opinion, these passages make it very likely that the day celebrated as the foundation day of a Roman *colonia* was neither the day of the original colonial *lustrum,* nor the day on which the *forma* and the *lex colonica* had been set up in the colonial forum and the *groma* removed. The foundation day, rather, commemorated the day on which the boundaries of the original colonial town-site had been marked out and established—marked out and established by the ritual plowing of a furrow around the town-site according to the archaic prescriptions of the *Etrusca disciplina,* immediately after sacrifices and the taking of auspices had been performed at the site. In the nature of things, this would mean that the foundation ceremony for a *colonia* occurred at the very beginning of the actual process by which the colonists were physically settled on the land (in fact, immediately upon their arrival from Rome at the prospective site of the colony), and not (as both Mommsen and Salmon would have it) at the very end of that process. If this is so, then we would have a major revision, a vital correction, of the standard explanations for the foundation day. We would also have something of an insight into the grip
that traditional ceremonies (as opposed to practical realities) could have on the Roman mind.10

Let us begin discussion with the one founding about which we have the most detailed information, the founding of Rome itself. The founding of Rome, like the founding of a Roman *colonia*, was commemorated and celebrated on a specific and particular day of the year—in this case 21 April, the day of the Parilia festival.11 April 21 was considered, literally, the *dies natalis* of the City (cf. Ovid *Fast.* 4.806: *natali . . . Roma, tuo*). What action was commemorated and celebrated at the Parilia? Our sources are explicit. April 21 was conceived of as the day upon which Romulus marked out the boundaries for the future town of Rome in accordance with Etruscan ritual: he plowed a furrow around the proposed town-site, using a plow with a special bronze blade, a plow drawn by a white steer and a white cow; where a gate was planned, he lifted the plow out of its furrow and carried it; in all this he acted under the advice of Etruscan priests, who were present (cf. Ovid *Fast.* 4.821ff; Plut. *Rom.* 11; Dion. Hal. 1.87.2; Diod. 7.6; Tac. *Ann.* 12.24; John Lydus, *De mensibus* 4.73, p. 124 Wunsch). These ritual actions performed by Romulus were considered to constitute the founding of the city, and were celebrated as such on the day of the Parilia festival ( . . . *cum condita Roma est*—Ovid *Fast.* 4.801; *natali . . . Roma, tuo*—*ibid.* 806; *urbis origo / venit*—*ibid.* 807-808; ἡ κτίσις—Dion. Hal. 1.87.3; ἡ κτίσις—Diod. 7.6; the Parilia, 21 April, as the festival of ἡ κτίσις—Plut. *Rom.* 12, twice; using the plowing ritual, ὁ Ἀρμύλος τὴν Ἀρώμην ἐπόλεσε—Lydus 4.73: cf. *condita urbs*—Livy 1.7.3.). Particularly noteworthy is the prayer given Romulus by Ovid as the poet depicts Romulus plowing the furrow: *condenti, Juppiter, urbem / et genitor Mavors Vestaque mater, ades* (Fast. 4.827-828).12

The issue here is not the historicity of the Romulus legend as compared to the true circumstances (whatever they were) of the founding of Rome.13 My point is only that the Romans in the historical period clearly believed that Rome had been founded by Romulus according to the precepts and rituals of the *Etrusca disciplina*, and that this ritual founding was what they celebrated every 21 April. One may add that they were well aware that the ritual, "augural" founding of Rome preceded the actual physical settlement of the city; the building of real walls and real houses supposedly followed the ritual founding by Romulus—the act celebrated on 21 April (cf. Dion. Hal. 1.87.2).

It has been important to establish the precise nature of what was celebrated at the Parilia festival for two reasons. First, the Parilia bears a *prima facie* resemblance to the founding days which, we know, were
celebrated by Roman *coloniae*. Second, the ancient evidence makes it clear that the same plowing ritual by which Romulus was supposed to have formally founded Rome also occurred during the establishment of *coloniae*, and (more importantly) was associated in the Roman mind precisely with the formal founding of *coloniae*.

A wide range of authors indicate that the plowing ritual was used whenever the Romans in general founded *novae urbes*; our ancient evidence is abundant, uniform and specific about this (cf. Cato the Elder fr. 18 Peter—the most detailed account we have of the plowing ritual; shorter accounts at Virg. *Aen.* 5.755, to which the Cato passage is appended as a commentary by Servius; Serv. Dan. [Aelius Donatus?] on *Aen.* 4.212; Festus, p. 270 Lindsay, s.v. “primigenius sulcus;” *ibid.*, p. 392 Lindsay, s.v. “sulci;” Macrobr. *Sat.* 5.19.13; Manil. *Astr.* 4.555; Isid. *Orig.* 15.2; for the connection between the founding ceremony at Rome and the later founding ceremonies of new towns founded by the Romans, cf. esp. Dion. Hal. 1.88.2). What is especially noticeable here is the direct connection frequently stated between the plowing ritual at new towns and expressions indicating their formal foundation. Thus, the plowing ritual is performed by *conditores enim civitatis* (Cato), *qui urbem . . . novam condet* (Isidore). And the plowing of the furrow occurs *urbis condendae causa, in nova urbe condenda* (Festus), *cum conderentur nova civitas* (Serv. Dan.), *cum conderentur urbes* (Macrobius). As Dionysius of Halicarnassus puts it: έξ οὖ (the founding of Rome by Romulus) Ἡρῳμαίοις τὸ έθνος τούτο τῆς περιαρόσεως τῶν χωρίων ἐν οἰκισμοῖς πόλεων παραμένει (1.88.2). The obvious conclusion to draw here, it seems to me, is that the official founding of *novae urbes* by the Romans consisted precisely in the ritual of the *aratum* (plow)—just as did the official founding of Rome itself. This conclusion is important for our discussion—because while *urbes* as a category is vague and general, *coloniae* were considered to be a specific group within the category of *urbes* (cf. Varro *LL* 5.143).

Moreover, *coloniae* were considered a specific group within the category of *urbes* precisely because, according to Varro, the plowing ritual was performed in their founding (*LL* 5.143, after describing the plowing ritual: . . . *ut ideo coloniae nostrae omnes in litteris antiquis scribuntur urbes, quod item conditae ut Roma . . .*). *Quod item conditae ut Roma . . .*: here we approach the heart of the matter. The evidence is abundant that the *aratum* ritual was performed at some point during the establishment of *coloniae*. But more specifically, as with *urbes* in general, so too with *coloniae* in particular the evidence is abun-
dant that the *aratrum* ritual was closely associated in the Roman mind precisely with the *official* founding of the town. The passage just cited from Varro, taken alone, is practically decisive here: after a detailed description of the plowing ritual by which in previous times . . . *oppida condebant in Latio Etrusco ritu multi*, Varro adduces Aricia and Rome as specific examples of such towns founded in this ritual manner—and then adds that Roman *coloniae* are founded in this *same* manner (*coloniae nostrae . . . item conditae ut Roma*).\(^\text{15}\) The obvious conclusion to draw here is that a *colonia* was considered officially *condita* (or *deducta*) following the conclusion of the *aratrum* ritual—just as was the case with Rome itself (cf. the Parilia festival, discussed above).

Moreover, there is other evidence to support the obvious implications of Varro’s statement. First, Aelius Donatus, the fourth-century A.D. grammarian and literary critic, in his commentary on Terence’s comedy *Adelphoe* (at line 583),\(^\text{16}\) explains the origin of the word *porta* as deriving from the fact that the *coloniae conditor et deductor*, when performing the *aratrum* ritual, carried the plow over the places planned for the gates into the town; thus *porta* derives *ab aratro portando*.\(^\text{17}\) Whatever the value of the etymology, it is clear that for Donatus, as for Varro, the plowing ritual was conceived of as something directly connected with the *conditus* or *deductio coloniae*. Second, there is the remark at Cic. *Phil.* 2.102, where Cicero excoriates Antony for having completely refounded the *colonia* of Casilinum on an enlarged scale, instead of simply adding the new colonists to the existing colonial rolls as *adscripti* (a complete and ceremonial refounding naturally enhanced Antony’s prestige):

> Tu autem insolentia elatus omni auspiciorum iure turbato Casilinum coloniam deduxisti, quo erat paucis annis ante deducta, *ut vexillum tolleres, ut aratrum circumduces . . .* (103)

> ab hac perturbatione religionum advolas, etc . . .

Cicero’s reference to the *vexillum* here has to do with the march of the new colonists to the colonial site,\(^\text{18}\) and will have relevance later; for now, the point to note is that in this passage Cicero clearly conceives of the *aratrum* ceremony as *the* ceremony connected with colony-founding once the colonists had indeed arrived at the colonial site (*ut aratrum circumduces . . .*). Antony’s corruption of this ritual for his own political ends is what Cicero primarily means by *omni auspiciorum iure turbato* and *perturbatione religionum*. It is surely significant for us that when Cicero here thinks of the founding of a *colonia*, what comes to his mind
is the *aratum* ceremony first and foremost—as was also precisely the case with Varro and Aelius Donatus. Finally, one may observe the frequency with which the *aratum* ceremony is depicted on the coins of coloniae (cf. above, n. 14); this seems further evidence of the close association in Roman minds between that ceremony and the existence of coloniae.¹⁹

The ancient evidence so far presented tells uniformly and strongly in favor of the idea that the plowing ceremony was conceived of by the Romans as constituting the formal founding of Roman coloniae, and implies that the founding days celebrated yearly by Roman coloniae commemorated the day upon which that original plowing ceremony had taken place. We have seen that the founding of Rome, celebrated every year at the Parilia festival, was the archetype of the subsequent foundings of Roman towns, and that the Parilia specifically commemorated (according to all our sources) the performance of the *aratum* ceremony by Romulus; that ritual was considered the formal founding of the City. Similarly, the foundings of urbes novae, and of coloniae in particular (item conditae ut Romae), are universally associated by our sources with the plowing of the ritual furrow around the prospective town-site.

Yet the orthodox scholarly position here is that the founding day of Roman coloniae commemorated a much later event in the actual process of setting up a colony: either the performance of the first colonial census and lustrum following the physical settlement of the colonists on the land (so Mommsen), or the setting up in bronze of the *forma* and the *lex colonica*, and the removal of the groma machine (so Salmon). Now, we have already seen (above, p. 86) that Salmon’s hypothesis has little ancient evidence behind it (solely, it seems, Junius Nipsus—*Grom. Vett.* p. 295 Lachmann—who mentions the *aes fixum* and the removal of the groma, but does not connect these events in any way with the formal founding of the *colonia*). We must therefore now turn our attention to Cic. *De div.* 1.102, the text from which Mommsen originally deduced his idea that a lustrum coming late in the establishing of a *colonia* constituted its formal founding.²⁰ It is worth pointing out that even if Mommsen’s interpretation of this passage were correct, it would still only constitute one piece of evidence; that piece of evidence would then have to be weighed against all the other evidence we have adduced indicating that the *aratum* ritual was considered by the Romans to be the formal founding of a *colonia*. However, I think a strong case can in fact be made that Mommsen may have misinterpreted Cicero’s meaning.

In *De divinatione* 1.102, in the course of discussing the proper
conduct of ritual sacrifices in order to ensure a good outcome, Cicero remarks:

in lustranda colonia ab eo qui eam deduceret, et cum imperator exercitum, censor populum lustraret, bonis nominibus qui hostias deducerent eligebantur.

Cicero here certainly connects the *deductio* of a *colonia* with the *deductor*'s performance of a *lustrum* or *lustratio* (that is, the ritual purification of a body of people by means of the *suovetaurilia* sacrifice, possibly in connection with a sacred fire).\(^{21}\) Mommsen assumed that this *lustrum* followed a census taken at the colonial site once all the colonists had been finally settled on their allotted land. However, Cicero by no means specifies where or when the colonial *lustrum* took place—and it may well be that the *lustrum* took place at Rome, before the colonists even set out on their march to the new colonial site.

Certain ritual elements contained in the two *lustra* with which Cicero at *De div.* 1.102 compares the colonial *lustrum* do not support Mommsen’s idea that the colonial *lustrum* occurred at the colonial site, at the very end of the settlement process. First, in the censorial *lustrum* the censor(s), having completed the drawing up of the new list of Roman male citizens, assembled the new *exercitus centuriatus quinquennalis* on the Campus Martius; there the lustral sacrifice was performed, and following this purification of the "army" it was led back to Rome behind the *vexillum*, a special standard.\(^{22}\) The march under the censorial *vexillum* occurred, therefore, following the *lustrum* which followed the census. It is striking in this context that the colonists destined for a new *colonia* marched out from Rome to the prospective colonial site *also* under a *vexillum*; in fact the *vexillum*, like the *aratum*, was a symbol of colonial foundation (cf. Cic. *Phil.* 2.102; *De leg. agr.* 2.86; Plut. *CG* 11).\(^{23}\) Moreover, it is well known that the men entrusted with the management of the founding of a colony drew up a list of colonists before the colonists ever left Rome; and the men on that list were divided into economic/military classes (cf. Ascon. *In Pis.* p. 3 Clark).\(^{24}\) To me, this procedure looks intriguingly like the taking of the census of male Roman citizens by the Roman censors before the censors performed the censorial *lustrum* and conducted the march *sub vexillo*. In other words, there seem to be significant parallels between the quinquennial censorial procedure at Rome and the preliminary procedure for the establishment of a Roman colony. In both cases, we have the drawing up of a list of male citizens on a military/economic basis, followed later (at the other
end of the procedure) by a ceremonial march *sub vexillo*: it is just that in
the one case the "army" marches back to Rome, while in the other case
it marches off to a new *colonia*. Given this situation, it is an easy hypo-
thesis to suppose that in the colonial procedure, the ceremonial purifica-
tion (*lustrum*) of the newly constituted town population occurred be-
tween the original drawing up of the list of members and the later march
to the colony *sub vexillo*—just as, in censorial procedure, the censorial
*lustrum* occurred between the original drawing up of the list of Roman
citizens and the later march back to Rome *sub vexillo*. That is, it is
tempting to assume that the colonial *lustrum* occurred just before the
colonists departed Rome for the new *colonia* (perhaps it even took place
on the Campus Martius itself). But if this is so, then depending on the
distance of a new *colonia* from Rome, much time could elapse between
the mustering of the *colonii*, their subsequent *lustrum*—and the date of
their first arrival at the colonial site, sometime following which (everyone
is agreed) the *colonia* was officially founded. 25

This hypothesis concerning the actual place of the colonial *lustrum*
in the sequence of actions leading to the official founding of a *colonia* is
supported by what we know of the other type of *lustrum* mentioned by
Cicero at *De div.* 1.102—the military *lustrum*. Roman commanders-in-
chief are known to have carried out ceremonial purifications of their ar-
 mies just before their departure from army winter quarters for the start
of the summer campaign, and also before the undertaking of such im-
portant actions as a long and uncertain march, or a major offensive. 26

Our sources also sometimes indicate that before this military *lustrum*
was performed by the army commander, there occurred a review and
enumeration of the troops available to him; that, of course, somewhat
resembled the census procedure. 27 For our purposes, what is striking
here is the element of ritual purification of a body of people involved in a
major endeavor *just before they start out* on that major endeavor—for
that is what uniformly occurs with the military *lustrum*. The resem-
blance here between what we know of the military *lustrum* and the
concept of the colonial *lustrum* proposed above is, I think, clear: for in
the above concept of the colonial *lustrum* ceremony, it occurs just before
the newly enrolled and enumerated colonists set out from Rome, in mil-
itary formation (*sub vexillo*), 28 for the march to the new *colonia*. The
characteristics which mark the military *lustrum* are therefore further
evidence for the place of the colonial *lustrum* in the sequence of prelimi-
nary colonial procedure. One may add that when Cicero wrote *De div.*
1.102, in 46 B.C., he must have been well aware of the sequential rela-
tionship between the performance of the military *lustrum* and the star-
ting out on a major military undertaking, for in 51 he had personally performed the *lustrum* for his own army at its base at Iconium on the Anatolian Plateau—before starting out the next day to defend Cilicia and Cappadocia from the Parthians (Ad Att. 5.20).29

I would conclude that it was only natural for Cicero to mention the three types of *lustra* together at De div. 1.102, because in essence their basic procedures, and their characteristic relationship to the starting out on a new and major enterprise, were so similar. Each *lustrum* ceremony purified a body of people grouped together as an “army,” before that “army” marched off (in military formation) to start on a new and important endeavor: for the *exercitus centuriatus quinquennalis*, it was the next five years at Rome (the censorial *lustrum*); for a Roman army in the field, it was the undertaking of some major military operation (the military *lustrum*); and for the body of colonists destined for a new home, it was the march to that home and the formal founding of it (the colonial *lustrum*).

Therefore, Mommsen was probably incorrect to use De div. 1.102 as evidence that the first colonial census and *lustrum* occurred at the very end of the physical settlement of the colonial site itself, and that the day when this census and *lustrum* were completed constituted the founding day of the *colonia*. On the contrary, what information we have about the character of lustral ceremonies in general, and about the actual preliminary colonial procedures in particular, combines to suggest that the first colonial census occurred at Rome (when the colonial commissioners drew up their list of colonists, divided into economic/military classes), and was then followed by the performance of a *lustrum* of the new colonists before they set out on their new and major enterprise of founding a colony. Indeed, how could colonists depart from Rome for the settling of a new home in a far away (and in early times often dangerous) place without first making certain that they had won the favor and support of the gods by being purified in a *lustrum* ceremony?30

The general conclusion to draw from the above discussion is, I propose, that the founding day of Roman *coloniae* commemorated the day upon which (the new colonists having arrived at the colonial site *sub vexillo* and sacrifices having been made and the omens taken) one of the colonial commissioners ritually plowed a sacred furrow around the proposed colonial town-site, following all the prescriptions of the antique *Etrusca disciplina*. This has not been the orthodox scholarly opinion, which has tended to see some action by the colonial commissioners at the very *end* of the actual, physical settlement of the *colonia* as signalling its official founding; that, I suppose, seems to us more “practical.” Yet all
our ancient evidence points to the aratrum ritual as the founding act of a colonia, and none (now that we have closely examined Cic. De div. 1.102) points in a different direction. And this makes sense. The Romans were a people of tradition, of religion. They believed that Rome itself had been founded according to the aratrum ritual, and they also believed in the vital importance of that ritual for the future of any other new foundation: for the point of the plowing of the sacred furrow was precisely to gain the protection of the gods for the new settlement.31 For the Romans, that was the utmost in practicality.32

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NOTES

This paper owes its origin to a stimulating discussion with Professor Robert C. Knapp, of the University of California at Berkeley. Professors Raphael Sealey and Erich S. Gruen, of Berkeley, also provided initial encouragement. An earlier version of the paper was read by Professors T. Robert S. Broughton and Agnes Kirsopp Michels, of the University of North Carolina at Chapel Hill; they provided much useful comment. Naturally, I wish to express here my gratitude to these scholars. The responsibility for any errors of fact or argument is, of course, my own.

1. Satucula: 1 January (Festus, p. 358 Lindsay); Brundisium: 5 August (Cic. Pro Sest. 131; cf. Ad Att. 4.14); Placentia: in all probability, 31 May (Ascon. In Pis. p. 3 Clark, with Madvig’s emendation; cf. now A. M. Eckstein, “Two Notes on the Chronology of the Outbreak of the Second Punic War,” forthcoming in RhM); Bononia: 28 December (Livy 37.57.7).

2. Throughout, I have considered the founding procedures and ceremonies (and the implications of those founding procedures and ceremonies) to be the same for both coloniae civium Romanorum and coloniae Latinae: the relevant texts seem to use the words civitates or coloniae (or πόλεις) as if no distinction in this respect were made (cf. Cato the Elder fr. 18 Peter; Varro LL 5.143; Dion. Hal. 1.87.2; Plut. Rom. 12 and CG 11; Aul. Gell. 16.13.9).

3. T. Mommsen, Römisches Staatsrecht1, 2:1 (Leipzig 1887) 636–638. On the lustrum or lustratio ceremony, see infra p. 91 and n. 20.

4. Mommsen (supra n. 3) 638 n. 5.


6. E. T. Salmon, Roman Colonization under the Republic (London 1969) 26. Professor Salmon’s hypothesis represents a modification of Mommsen’s ideas in that it emphasizes the completion of a different set of actions as the requirement for the official founding of the colonia; in fact, in his discussion of colonial foundation (pp. 19–26), Salmon makes no mention of Mommsen’s lustrum at all.


8. Mommsen (supra n. 3) 638 n. 5.


10. C. O. Thulin, “Die Etruskische Disciplin, III,” Göteborgs Hogskolas Arsskrift 15 (1909) 3–7, does not specifically address the question of whether the ritual plowing constituted the official foundation act for a Roman town—although he seems to take it for granted that it does (Thulin’s study also presents an extremely useful collection of the ancient evidence for the plowing ritual). J.
Collart, Varron. *De Lingua Latina, Livre V. Texte établi, traduit, et annoté*. Publ. de la Fac. des Lettr. de l’Univ. de Strasbourg, fasc. 122 (1954) p. 237, commenting on Varro LL 5.143, refers to the “démarcation officielle” of fields within the territory of coloniae by means of religious rites, but he does not refer to the ceremonial founding of coloniae themselves by such rites. R. M. Ogilvie, *A Commentary on Livy, Books 1–5* (Oxford 1965) 179, on Livy 1.44.3, refers to the plowing ritual as “demarcating an augurally constituted city” (in the sense that “the area so defined marked the limit of the auspicia urbana”), but Professor Ogilvie does not indicate whether he believes that the plowing ritual constituted the actual ceremonial foundation of a Roman city. O. A. W. Dilke, *The Roman Land Surveyors* (Newton Abbot 1971) 31–32, is even less clear on this point (it is an issue only peripherally relevant to his main subject, however). J. Rykwert, *The Idea of a Town: The Anthropology of Urban Form in Rome. Italy and the Ancient World* (Princeton 1976) 65, finds it obvious that the plowing of the ritual furrow was the most important part of the foundation ceremony for a Roman town, and that following it the new town was “fully constituted”: he correctly points to some of the ancient evidence for this, but seems unaware that he stands in opposition to the standard position of modern scholars on this question. We therefore have a rather odd scholarly situation. Of the three studies that have been concerned specifically with the question of the official founding of Roman coloniae, Mommsen does not mention the ritual plowing at all (supra n. 3, pp. 624–639), Kornemann (supra n. 5, col. 573) mentions the ritual plowing but believes that Mommsen’s *lustrum* constituted the founding act (col. 577), and Salmon discusses the ceremony (supra n. 6, p. 24 with n. 27 and plates 9–10) but believes that the *aes fixum* and the removal of the *groma* constituted the founding act (*ibid.*, p. 26 with n. 31). On the other hand, other scholars in other contexts have hinted at (or even pointed to) the importance of the plowing ritual for the founding of Roman towns, without specifically noticing how much this conflicts with the standard discussions of such foundings. This state of things is all the more reason to present explicitly the full case for the official founding of Roman colonies *Etrusco ritu*, and the problems connected with the positions on this question taken by Mommsen, Kornemann and Salmon—something that has not, to my knowledge, been done before.


14. Cf. Cic. *Phil.* 2.102 (discussed below); Donat. on Ter. *Ad.* (discussed below); Plut. *CG* 11: inscriptional evidence: *CIL* x.3825 (iussu imp. Caesarius qua aratrum ductum est at colonia Capua) and Bruns, *FIR*, p. 127 (ch. Ixiii of the *Lex coloniae Genetivae Juliae—ne intra fines . . . qua aratro circumductum erit*); for the numerous colonial coins depicting the *aratrum* ritual, cf. H. A. Grueber, *Coins of the Roman Republic in the British Museum* 1 (London 1910) pp. 353–356; 2 (London 1910) pp. 17 and 93, and Salmon (supra n. 6) 153. The performance of the *aratrum* ritual by the colonial commissioners is accepted by Kornemann (supra n. 5) col. 573 and Salmon (supra n. 6) 24, with n. 27 and plates 9–10; it is ignored by Mommsen (supra n. 3) 624–639.

15. Varro *LL* 5.143: *Oppida condehabant in Latio Etrusco ritu multii, id est functis bobus, tauro et vacca, interiore aratro circumagebant sulcum (hoc faciebant religionis causa die auspiciato), ut fossa et muro essent muniti. terram unde exculpserant fossam vocabant et introrsum iactam murum, postea qui fiebat orbis, urbis principium: qui quod erat post murum, postmoerium dic tum, eo usque auspicia urbana finiuntur. cippi pomeri stant et circum Ariciam et circum Romam. quare et oppida quae prius erant circumdueta aratro ab orbe et urvo urbes; et ideo coloniae nostrae omnes in litteris antiquis scribuntur urbes, quod item conditae ut Roma: et ideo coloniae et urbes conduntur, quod intro pomerium ponuntur.

16. The commentaries on Terence that appear under the name Aelius Donatus are, in fact, a
combination of other scholia with the actual work of Donatus himself; cf. *Aeli Donati, Commentum Terenti*, ed. P. Wessner, 1 (Leipzig 1902), Praef., pp. xiv-xlvi. However, this particular passage appears to be the work of Donatus himself (cf. Wessner, 1, p. xlvi, with the text of the commentary on *Adelphoe* line 583 as it appears in Wessner. 2, p. 120). Donatus was the teacher of St. Jerome.

17. Donat. on Ter. *Ad.* line 583: *Porta autem ab aratro portando dicta est, quod eo loco coloniae conditor et deductor, subiunctis vacca et tauro, aratrum, quo urbem designat, suspendit manu, ne imprimat suculos, ubi civitatis aeditus relinquendi sunt.*

18. Cf. Kornemann (supra n. 5) col. 572; Salmon (supra n. 6) 24.

19. As it is put by S. Stevenson, C. R. Smith and F. W. Madden, *A Dictionary of Roman Coins. Republican and Imperial* (London 1889/Hildesheim 1969), p. 75, s.v. "aratum": "the plough was a distinguishing symbol of Roman colonies, in allusion to the [aratrum] ceremony." The evidence of colonial coinage also has a bearing on the question of the ceremonies surrounding the founding of a *colonia* which was not established on a virgin site, but rather simply superimposed on an already fully existing city—a phenomenon especially of the Late Republic and the Early Empire. We have no direct evidence concerning the founding ceremonies for this latter type of colony (as opposed to the great variety of direct testimony we have for *coloniae* founded on virgin sites).

19. We therefore cannot know for certain if (or to what extent) such founding ceremonies differed from the ceremonies for colonies established on virgin sites. But it is striking that images of the plowing ritual appear on the coinage of such Triumviral and early Augustan *coloniae* as Lampscacus, Parium, Lystra and Patrae: cf. M. Grant, *From Imperium to Auctoritas* (Cambridge 1946), 246: 248-249; 250; 265. The *aratrum* ceremony also appears on the coinage of the Augustan *colonia* established at the ancient city of Berytus: cf. Rykwert (supra n. 10) 66-67, plates 33 and 34. The same holds true, at the other end of the Mediterranean, for the coinage of Caesaraugusta in Spain, the former Salubda: cf. A. Vives y Escudero, *La moneda hispanica* 2 (Madrid 1926) plate 147, with H. Galsterer, *Untersuchungen zum römischen Stadtwesen auf der iberischen Halbinsel* (Berlin 1971) 27 and n. 106. Therefore, one cannot exclude the possibility that some version of the *aratrum* ceremony was performed even for *coloniae* placed in already existing communities (note that a real plow seems to have been involved in Antony’s “re-founding” of the already existing *colonia Castilium*: Cic. *Phil.* 2.102). Thulin (supra n. 10) 15, believes that a Roman colony sent to an already existing city followed the Etruscan founding ritual in every respect except the building of new walls.

20. Supra n. 3, p. 638 n. 5.

21. On the *lustrum* or *lustratio* ceremony in general, cf. Ogilvie’s discussion at *Comm.* (supra, n. 10) p. 177. Ogilvie stresses the importance of sacred fire as a distinctive characteristic of the censorial *lustrum* in particular (cf. also his “Lustrum Condere,” *JRS* 51 [1961] 37-39) but he accepts the purification ceremony as essentially the same whether the *populus* or an *exercitus* was involved (*Comm.*, p. 177; Ogilvie does not specifically discuss the colonial *lustrum*, known to have existed solely because of Cicero’s passing reference to it here at *De div.* 1.102). For the sake of simplicity, I have used the term *lustrum* for the purification ceremony throughout; in Imperial times, the term was more and more replaced by *lustratio* (cf. H. Berve, *RE* 13, s.v. “lustrum,” col. 2055).

22. Varro *LL* 6.93: censor exercitium centuriato constituit quinquennalem cum lustrare et in urbem ad vexillum ducere debet. It looks as if the censors personally led the new “army” back to the gates of Rome, one of them carrying the *vexillum*: cf. Mommsen (supra n. 3) 412-413; Hülsen, *RE* 13, s.v. “lustratio,” col. 2034.

23. Cf. Kornemann (supra n. 5) col. 572; Salmon (supra n. 6) 24. Note that as with the censors in the censorial *lustrum* procedure, so too one of the colonial commissioners appears to have personally carried the *vexillum* on the march of the colonists to the new colony (Cic. *De leg. agr.* 2.86; *Phil.* 2.102).

24. On the lists of colonists drawn up by the colonial commissioners before the march from Rome began, cf. the sources assembled by Kornemann (supra n. 5) col. 571. R. E. Smith. “Latinis and the Roman Citizenship in Roman Colonies: Livy 34, 42, 5-6,” *JRS* 44 (1954) 18-19, notes the careful enrolling of individual names while the colonists were still in Rome (but cf. next note).

25. Smith (supra n. 24) 18 believes that in contrast to the original drawing up of a colonial list at
Rome, there later occurred a formal census at "the newly-founded colony." His position is similar in some respects to that of Mommsen; Smith cites no supporting ancient evidence, but he may have been thinking of Cicero's reference at De div. 1.102 to the colonial lustrum. Smith does not appear to regard the (hypothetical) census at the colony as the basis of the foundation ceremony itself (as Mommsen does), but he does not specifically state what act he believes did constitute that ceremony (it is a subject only peripheral to his main interest, however).

26. For the manifold ancient references (literary and epigraphical) to the military lustrum, cf. Hülser, RE 13, s.v. "lustratio," col. 2035.

27. Thus, when Brutus and Cassius had crossed from Asia into Europe in 42 B.C., they halted and τὸν στρατὸν ἔξετέχουσιν (App. BC 4.88); the resulting 80,000 infantry (in 19 legions) and some 20,000 cavalry were then ritually purified by a lustrum performed by the commanders (καθήραντες δὲ αὐτήν: 4.89), and the march to Philippi began. Generally, our sources on the military lustrum are very brief and totally lacking in detail, but the assumption that some sort of enumeration of the army preceded the purification of that army is often an easy one to make; cf. Tac. Ann. 15.26 (the listing of the units in Cn. Domitius Corbulus' army before he performed the lustrum and set off for Armenia, 62 A.D.); Livy 23.35.5 (the new slave volunteers assembled by Ti. Sempronius Gracchus at Sinuessa in 215 B.C., before he performed a lustrum and crossed the Vulturnus); App. Iber. 19 (the gathering together of the remnants of the Roman army in Spain by P. Scipio, followed by his performance of a lustrum and the beginning of the advance on New Carthage, 209 B.C.; for the figures of Scipio's army, and for those of the troops he left behind in the north of Spain, cf. Livy 26.42.1; Pol. 10.6.7). The original conceptual unity between the (practical) mustering of a Roman army and the (sacral) purification of it before major military operations is stressed by Berve (supra n. 21) coll. 2056-2057, and by Latte (supra n. 11) 119. This close conceptual association between the mustering of the army and the military lustrum is probably why modern translators are sometimes tempted to translate lustrare exercitum as "to review the army:" cf. D. R. Shackleton Bailey, Cicero's Letters to Atticus 3 (Cambridge, Mass. 1968), on Cic. Ad Att. 5.20; F. G. Moore on Livy 23.35.5 (Loeb); H. J. Edwards on Caes. BG 8.52 (Loeb).

28. Cf. Kornemann (supra n. 5) col. 572; Salmon (supra n. 6) 24.

29. On the chronology, cf. Shackleton Bailey (supra n. 27) 226 (commenting on Ad Att. 5.20).

30. Mommsen must have taken deducere at De div. 1.102 in the general sense of "to plant a colony." If, however, Cicero here is using the verb deducere not in its general sense of "to plant a colony" but precisely in its more technical (and just as common) sense of "to lead out colonists [from Rome] to a colony" (cf. CIL v.2501 = ILS 2460; CIL v.867 = ILS 1990; Cic. De rep. 2.3 and 2.4; De leg. agr. 2.25 and 2.26; Caes. BC 1.14, cf. Suet. Caes. 81; there are many other examples), then that would strengthen the above argument even further, since Cicero would then be connecting the colonial lustrum directly with the departure of the colonists from Rome sub vexillo: that, of course, is the very connection I have suggested. That the verb deducere at De div. 1.102 is meant precisely in this technical sense of "to lead out" colonists on the ceremonial march from Rome to their new colony is, in fact, the position taken by A. S. Pease, M. Tulli Ciceronis de Divinatone Liber Primus. Univ. of Ill. Studies in Lang. and Lit. 6 (1920) 283 (on De div. 1.102). The situation is somewhat complicated by the possibility that the phrase ab eo qui eam deduceret at De div. 1.102 may itself be a gloss (Pease, ibid.). If so, we have been reduced to conjecturing what an unknown scholiast on De div. 1.102 thought Cicero meant! In any case, it is clear that taking deducere at De div. 1.102 in its limited and technical sense is at least as plausible as taking it in its more general sense, as Mommsen seems to have done.

31. Thus Varro, after describing the aratrum ritual in detail: . . . (hoc faciebant religionis causa die auspicio) ut fossa et muro essent muniti (LL 5.143); cf. the remarks of Thulin (supra n. 10) 15.

32. The tradition of the aratrum ritual persevered: images of the ceremony persist on the coinage of coloniae down to the end of the second century A.D.; cf. Salmon (supra n. 6) 153. One of the last appears on coins of the Emperor Commodus, celebrating the refounding of Rome as colony Commodiana: cf. H. Mattingly, Coins of the Roman Empire in the British Museum 4 (London 1940) nos. 751, 825, 846. For an enormous gold statue in Rome of Commodus as conditor, complete with bull and cow, cf. Dio (Xiph.) 73.15.3.