THE CONDEMNATION OF SP. POSTUMIUS ALBINUS
(COS. 110)

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It is generally agreed that the quaestio Mamiliana set up in 109 was strongly motivated by a desire for revenge on those ‘nobiles’ the plebs considered its enemies. Sallust says the bill was passed ‘magis odio nobilitatis, cui mala illa parabatur, quam cura rei publicae; tanta lubido in partibus erat’, and Earl has demonstrated that of the five men named by Cicero as condemned by the Gracchani iudices four are clearly, or arguably, anti-Gracchan. The odd man out is Sp. Postumius Albinus, consul in 110, the year when Jugurtha killed Masinissa’s grandson Massiva, and provoked war with Rome. Albinus, unable to cope with Jugurtha’s delaying tactics, was forced to return to Rome to hold the elections, leaving his army in the hands of his brother Aulus.

Sallust, not surprisingly, has dark suspicions of Albinus’ honesty. ‘Avidus belli gerundi’, he had persuaded Massiva to ask the Senate for the throne of Numidia knowing that this would provoke Jugurtha, and his failure to defeat Jugurtha suggested to many people deceit rather than incompetence. That Albinus, who was anxious to return to Rome, should nevertheless have acquiesced in delay, albeit for money, Sallust does not apparently find inconsistent. There was, in fact, every reason for him to be in a hurry, for the other consul was also out of Rome campaigning in Macedonia and Thrace, and Albinus presumably expected to have only a few months in which to defeat Jugurtha. As it happened, the elections were delayed by the actions of two tribunes, seeking re-election despite opposition from their colleagues, but that could not have been anticipated.

Albinus cannot therefore really be blamed for leaving his army in the hands of his brother, though the result was Aulus’ ignominious defeat and a humiliating peace. Hatred of Albinus became so great that when he returned to Africa at the end of the year the new tribunes vetoed his attempt to take another army with him, leaving him with his brother’s demoralised troops, whom he made no attempt to discipline, and C. Mamilius proposed his court of enquiry at which Albinus and the others were condemned.

Gruen has reminded us that there is a Gracchan connection in Albinus’ case also, for Plutarch records that rivalry with a certain Sp. Postumius, whose reputation as an orator exceeded his own, was one of the motives that prompted Tiberius to introduce his lex agraria. Gruen immediately adds, however, ‘But previous misdeeds need not be conjectured in this case’, and this attitude seems to be typical: Gracchan sympathies on the jurors’ part had little or nothing to do with Albinus’ condemnation. The purpose of this article is to suggest that they may have played a larger role—that Albinus was in fact regarded as a representative of the anti-Gracchan faction.
The starting point should be the identity of Tiberius' rival. It is tempting to suggest that the young orator and the consul of 110 are the same man, a temptation resisted by most scholars, for identification would mean that the consul of 110 achieved that office very late, if he was born about 163 (the date of Tiberius' birth). Unfortunately we know nothing of his filiation or his early career, or the later career of Tiberius' rival. If the latter was regarded as at least as good an orator as Tiberius (only Tiberius' absence at Numantia allowed Spurius to surpass him), then he must have had considerable talent, for Cicero described Tiberius as 'ingeniosissimus' and a 'summus orator', a judgement based on contemporary views. As such, we would expect Spurius to be included in Cicero's list of orators in the Brutus, but only one Sp. Postumius is described there as an orator—Sp. Postumius Albinus Magnus, cos. 148, whose age puts him out of consideration. Also mentioned, however, is a Postumius Albinus, identified only as a flamen, and placed chronologically in the last years of the second century, who is described by Cicero as 'in numero . . . habitus disertorum'. Sumner has postulated that if he was flamen Martialis (a position held by many Postumii) he may have succeeded L. Flaccus (cos. 131) about 128/7, and may also be identified with the monetalis L. Postumius Albinus, who has been dated to the same period. It is just as plausible to amalgamate two known orators and suggest the flamen was Tiberius' rival, but speculation is really pointless.

The consul of 110 cannot therefore be safely identified with Tiberius' rival, though obviously there is a family connection. The consul can, however, be linked with Ti. Gracchus in another way. His brother Aulus, placed in command of the army, was forced to agree to a humiliating peace treaty with Jugurtha, which included going under the yoke, and the Senate, consulted by Spurius, repudiated the treaty. The obvious precedent for such an action was the Numantine treaty arranged by Gracchus in 137 and repudiated by the Senate in 136, despite pleas by Tiberius that the treaty should be honoured. There are interesting ramifications. It is now widely accepted by scholars that the details of the affair, which involved the surrender of the consul Mancinus, lie behind the Livian account of the Roman surrender to the Samnites at the Caudine Forks in 321, in which the enforced treaty was repudiated by the handing back to the enemy of the consuls concerned. The annalists on whom Livy relied, it is agreed, transposed the details of the Numantia episode back into the fourth century.

Recently there has been an intriguing variation of the original argument. Crawford has convincingly shown that in 137/6 there must have been a version of the Caudine Forks disaster in which the peace treaty was kept, and, relying on this, Wikander has argued that in the debate on whether to repudiate Mancinus' treaty or not, both sides looked for precedents. The belief that the consul responsible for the Caudine Forks treaty argued for his own surrender thus originated with the anti-Mancinus/Ti. Gracchus side. It is possible to go further. The patriotic consul of 321, whose action was favourably compared to
the 'devotio' of P. Decius Mus, was Sp. Postumius Albinus, and it is surely not too much to suggest that the orator of whom Ti. Gracchus was jealous made much of his ancestor's unselfishness; he may, in fact, have been responsible for the story of the noble surrender so that the treaty could be invalidated. It was possible to be proud of such an ancestor, while one who had merely been disastrously defeated was an embarrassment. That Ti. Gracchus was badly affected by the way in which his treaty was rejected is well known—the Latin tradition consistently gives 'invidia' as a motive for his actions in 133.

Numantia and rivalry with Sp. Postumius thus come together for Ti. Gracchus, and give an air of irony to the situation confronting the quaestio Mamilliana. Just as the disaster of the Caudine Forks was invoked in 137/6, so Numantia would have been invoked in 109, and the Gracchan iudices may well have regarded it as poetic justice to condemn Sp. Postumius Albinus for an action similar to that for which Ti. Gracchus had suffered a generation earlier.

There were thus definite links between Sp. Postumius Albinus and the Gracchan period. Further information can be found in an earlier period, when two generations of Postumii were numerically significant. While it is dangerous to assume that all members of a family always thought alike, it is clear that the three Postumii brothers Aulus (cos. 180, censor 174), Spurius (cos. 174) and Lucius (pr. 180, cos. 173) were closely linked politically, together with their cousin Spurius (cos. 186, the year in which Aulus was praetor). In 180 Lucius had as a praetorian colleague the elder Ti. Gracchus, and it is possible to trace the relationships between the two men.

Gracchus, assigned the province of Hither Spain, strongly opposed the request of its governor Q. Flaccus to bring his army home, casting doubt on his claim to have pacified the province, and Flaccus then tried to win a decisive victory before Gracchus' arrival, of which he was informed by a message sent via Postumius, on his way to his province of Further Spain. Clearly Flaccus and Gracchus were not on the best of terms, and Livy's remark that when they eventually met it was in perfect harmony is rather pointless unless something different might have been expected.

The relationship between L. Postumius and Gracchus also seems to have been prickly. During 179 they agreed on military tactics, Gracchus campaigning against the Celtiberians, Lucius against the Lusitanians, but as far as Livy is concerned it was Gracchus to whom the greatest praise should go. In fact, Livy makes the interesting comment that some writers, whom he does not name but with whom he clearly does not agree, belittled Gracchus' achievements while they praised Lucius. One of the writers was surely A. Postumius Albinus (cos. 151), seeking to glorify his family, but it is possible that he was reflecting a contemporary argument, when Lucius tried to assert the supremacy of his achievements.

It is quite understandable he would want to make the most of his military successes, quite apart from the normal Roman desire for 'gloria'. The Postumii had a poor record in this field. On the debit side were the incompetence of M.
Postumius Regillensis at Veii in 426, for which he was fined three years later, the murder of M. Postumius Regillensis by his own men in 414, and finally the defeat at the Caudine Forks. On the credit side only three earlier Postumii had celebrated triumphs—P. Postumius Tubertus in 505 (and possibly also in 503), A. Postumius Albus Regillensis in either 499 or 496 (the famous battle of Lake Regillus) and L. Postumius Albinus Megellus in 294 and 291, the first of which was unauthorised.18

Other Postumii had been deprived of a chance to shine. In 242 A. Albinus, consul and flamen Martialis, was forbidden to leave Rome by the new pontifex maximus L. Caecilius Metellus, thus preventing him from helping to end the war against Carthage. Sp. Albinus (cos. 186) was assigned Liguria, but was detained in Rome the whole year coping with the Bacchanalian investigation.19 It is not surprising that Spurius' cousin Lucius was proud of his achievements, nor that later Postumian monetales, seeking illustrious ancestors, drew attention to the Spanish successes of 179/8 as well as to the victory of Lake Regillus.20

Later events suggest that there was indeed rivalry between Lucius and Gracchus, for on their return to Rome in 178 both men celebrated triumphs and distributed the same amount in donatives to their troops, though Lucius displayed less silver in his procession.21 Presumably he had won less booty from his victories but did not want to be overshadowed by Gracchus, who nevertheless outstripped him by becoming consul the next year, 177, perhaps partly as a result of his generosity. Lucius had to wait until 173. Although he was thus four years junior as a consularis, he stood for the censorship the same year as Gracchus, which suggests an attempt to catch up. The other patrician candidates were C. Valerius Laevinus (cos. suff. 176) and C. Claudius Pulcher, Gracchus' former praetorian and consular colleague, who presumably ran a joint campaign. In this they were successful, and their censorship is mainly noted for their trouble with the publicani, prompted by their refusal to accept tenders from any contractors who had worked for the previous censors. The censors whose judgement was thus publicly called into question were Q. Fulvius Flaccus (whom Gracchus had replaced in Hither Spain in 180) and the eldest of the three Postumii brothers, Aulus.22

It thus seems that between the Postumii and the elder Ti. Gracchus there was little love lost, and the rivalry was obviously carried on in the next generation with the younger Tiberius and his rival in oratory, Sp. Postumius. That we hear nothing of any more senior Postumii in connection with the tribune may not be entirely due to the paucity of sources for this period. The death of L. Postumius during his consulship in 154 is recorded, but other Postumii of his generation may also have been dead by 133. A. Postumius Albinus the historian (cos. 151) is last heard of in 146/5 as a member of the commission sent to help Mummius in reorganising Greece after its defeat. In view of his own and the whole family's well-known interest in eastern affairs, as well as his experience in Greece with Mummius, it is hard to believe he would not have been included in the group sent after Ti. Gracchus' death to organise the new province of Asia (and to get Scipio
Nasca Serapio safely out of Rome). Arguments from silence are obviously dangerous, but it is reasonable to suggest that Aulus may have died some time between 145 and 133. If he was alive in 133, he is unlikely to have approved of Tiberius’ high-handed activity, after his own experience with radical tribunes in 151. Of Sp. Postumius Magnus (cos. 148) nothing is known concerning either his earlier or his later career, and nothing can therefore be said except that his experience of popular sovereignty as expressed in the consular elections over which he presided and which saw the election of Scipio Aemilianus would not have endeared Ti. Gracchus to him either.

There is little or nothing in their own careers that would therefore have made any of the Postumii sympathetic to Gracchus or his cause. There may also have been links between the Postumii and other anti-Gracchan families. It has been argued that the Popillii and Postumii were political allies, in which case a clash between M. Popillius Laenas and Ti. Gracchus the elder in 176 becomes interesting. Gracchus had been allotted Sardinia as his proconsular province, and the praetor Popillius successfully urged that he remain there during 176 instead of being replaced. Although Popillius, his appointed successor, argued that Gracchus stay on because he was doing such a good job, Gracchus was far from pleased. It is tempting to see the hand of Gracchus’ rival L. Postumius behind the move, for Lucius and Popillius became consuls at the elections held in 174, when one Postumius brother was consul and the other censor, in a campaign that involved a large number of candidates and was conducted ‘magna contentione’. The enmity of Popillius’ nephew P. Popillius Laenas (cos. 132) to the adherents of Ti. Gracchus the tribune is well known. In 109 he would have been very much in the news, for L. Calpurnius Bestia, who as tribune in 120 introduced the bill to recall him from exile, was among those convicted by the quaestio Mamiliana.

Similarly an alliance between the Postumii and another anti-Gracchan family, that of the Calpurnii Pisones, has been suggested by Astin, on the grounds that the first two Pisones to reach the consulship had Postumian colleagues, A. Postumius Albinus Luscus in 180 and Sp. Postumius Magnus in 148. Moreover, C. Piso (cos. 180) was praetor in 186, when Sp. Postumius Albinus was consul. This seems very much like the patron/client relationship of an established patrician family and the plebeian novus homo carrying on into the next generation as ‘amicitia’. As with Popillius Laenas, the hostility of L. Calpurnius Piso (cos. 133) to C. Gracchus is well known. It is interesting that in his History Piso dated the decline of Roman virtue quite specifically to the year 154, when a Postumius (Lucius) was consul.

Lucius’ colleague in the consulship of 154 was Q. Opimius, father of the anti-Gracchan consul of 121 and a novus homo (only one earlier senatorial Opimius is known, a quaestor in 294, when a Postumius was consul). Once again it would appear that a Postumius had helped a newcomer to success, for there are later Postumian/Opimian links in a group of moneyers that included L. Postumius Albimns and L. and M. Opimius, who can be dated to the later half of
the period 150 to c. 125. It is possible that L. Opimius is the consul of 121 himself. 31

I am not suggesting that Sp. Postumius Albinus, consul in 110, automatically and of necessity was also an anti-Gracchan. He may well have been, but in the climate of 109, when the quaestio Mamiliana was set up, it would be sufficient that his name (if not his person) could be identified with the anti-Gracchan tradition. That the Postumii were so identified seems confirmed by an incident from early Roman history. The consular tribune M. Postumius Albinus Regillensis, stoned to death by his soldiers in 414, has already been mentioned. Ogilvie has pointed out that the details of his death reflect the murder of A. Albinus at the hands of his own men during the Social war in 89, while his political opponent, the tribune Sextius, is invented and the land bill borrowed from the agrarian scheme of Sp. Maecilius in 416. The episode then becomes part of the senatorial/plebeian struggle whose popularis colouring is obviously derived from Licinius Macer. 34 What Ogilvie does not consider is why anyone would want to involve Postumius in a struggle over agrarian reform. His soldiers were already angry with him before his outspoken opposition to Sextius' proposals, and a further provocation to justify their mutiny was not really necessary. 35 The explanation surely is that Postumian opposition to a land distribution was known and could thus be transplanted back into the fourth century. 36

As a postscript something more should be said of A. Postumius Albinus, the incompetent legate of 110. Although his condemnation is taken for granted by some scholars, there is no record of conviction and it has been suggested that he is the A. Postumius Albinus who became consul in 99. 37 Certainty is impossible, but if the latter is a different A. Postumius he is clearly a relation. It is not therefore surprising to find that he was elected in the aftermath of the violent Glaucia/Saturninus campaign that had a strong Gracchan element. 38 After the passing of the SCU and the killing of Glaucia, Saturninus and Equitius (among others), Aulus may well have succeeded because he (or his family) was recognisedly anti-Gracchan. The consul is to be identified with the Sullan legate in the Social War who was killed by his own men in 89, which seems to confirm his optimate leanings. 39

The gens Postumia had been of importance since the early Republic, producing a consistent string of consuls, and was particularly successful in the second century, when Postumian influence was strong enough, it seems, to help novi homines to the consulship. After 109 the situation is very different. The consul of 99 was clearly second-rate, elected presumably because there was no one else, and the paucity of sources for that year cannot be blamed for the fact that we know nothing of what he did. Clearly he was overshadowed by his famous colleague, the orator M. Antonius, who opposed the tribune Sex. Titius and propitiated the gods when the shields of Mars moved. 40 And he was the last Postumius to become consul. In fact, the family seems never to have fully recovered from the events of 110/109 and its members were unable to achieve
pre-eminence even though they (perhaps wisely and deliberately) sided with both Marius and Sulla in the 80s and with both Caesar and Pompey in the 40s. The last Postumius of all seems to have personified this trait—he had a foot in each camp in the final conflict in the 30s, for he was with Antony in 31 but incurred suspicion (of supporting Octavian?) and was killed. It seems an appropriate end to a gens, one of whose members had paid the penalty for partisanship in 109.

NOTES

4. Ibid. 37,1-2.
5. Ibid. 39-40; 44. Albinus presumably came into the category of those who had accepted bribes from Jugurtha as envoys or commanders, even if he was not held responsible for his brother's surrender.
7. As indicated by F. Müntzer, RE XXII, 900. Postumius no. 23, Tiberius' Spurius is probably a descendant of Sp. Magnus (cos. 148) or of one of the three brothers from the senior branch of the family who became consuls in 180, 174 and 173.
9. Ibid. 155.
11. Livy IX, 1-11. The link between the two episodes was first pointed out by H. Nissen, 'Der Caudinische Friede', PdM 25 (1870) 1-65.
12a. In his lectures at the University of Sydney in the sixties, E.A. Judge argued that Sp. Postumius opposed Gracchus in the Mancinus debate. My interest in the orator was originally stimulated by Professor Judge.
13. Wikander, op. cit. 102 refers to Postumius' speech in Livy IX, 8-9 as 'obviously false'. Note that Postumius suggested all the guarantors should be surrendered. A.E. Astin, Scipio Aemilianus, Oxford 1967, 95 has tentatively suggested that the Postumii Albini may have been allies of Mancinus (via the Calpurnii Pisones). The connection is extremely tenuous. If my argument is right, then they were not allies.
15. Livy XL, 35-36. There was also the problem that Flaccus' army was demanding its discharge. The Senate agreed to recall all those who had been in Spain since before 186.
16. Livy XL, 40.
17. Livy XL, 50.
18. Sources under the relevant years in T.R.S. Broughton, Magistrates of the Roman Republic, New York 1951-60, Vol. 1. See also E. Pias, Fasti triumvinales populi Romani, Vol. 1, Rome 1920 and A. Degrassi, Fasti Capitolini, Turin 1954. The unpopularity and political failures of the Postumii between 440 and 410 are discussed by R.M. Ogilvie, A Commentary on Livy Books 1-5, Oxford 1965, 609, who draws attention to the bad press they received. Livy IX, 44 records that L. Megellus also celebrated a triumph with his colleague Ti. Minucius Augurinus during their
The historian A. Postumius Albinus (cos. 151) may have helped distort the tradition, though consulship in
agree, as they also do for the battles in Magellus' second consulship in 295 (X, 37, 13–16).

Spain is unrecorded, though he has been suggested as one of Paullus' legates purely because of
(Livy XLII, 35, 7)? Perhaps, he, too, would have been prosecuted. Livy says that the presiding
concerning Megellus' unpopularity with the Senate.

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Gallus (Livy XLIII, 2). Paullus, who had governed there from 191 to 189, was an obvious
means. When in 171 the Spanish provincials complained of the behaviour of various governors,
the people from Farther Spain chose as their patrons L. Aemilius Paulus and C. Sulpicius
Gallus (Livy XLIII, 2). Paulus, who had governed there from 191 to 189, was an obvious
choice (as were Cato and Scipio Nasica to represent His ter Spain), but Gallus' connection with
Spain is unrecorded, though he has been suggested as one of Paullus' legates purely because of
his role in the trial. See MRR, Vol. 1, 355. In any case, he is clearly younger and of less importance
than the other three, for he did not become consul until 166. Why wasn't Postumius, a consularis
by 171, chosen? Was he absent the whole year on the embassy to Masinissa and Carthage
(Livy XLII, 35, 7)? Perhaps, he, too, would have been prosecuted. Livy says that the presiding
practor, L. Canuleius Dives, left for his province (Spain!) to prevent the accusation of more
men (Livy XLII, 2, 11).

Livy XLII, 10. 4. Opinions differ on whether the Postumii were pro- or anti-Fulvian.
H.H. Scullard, Roman Politics 220–150 B.C., Oxford 1951, 196–193, argues for Postumian
opposition to the Claudi and Fulvii, thus following F. Münzer, Römische Adelsparteien,
Stuttgart 1920, 199–233. On the other hand, J. Briscoe, ‘Q. Marcus Philippus and nova
sapientia’, JRS 54 (1964) 66–77 thinks the Postumii and Fulvii were allies. He restated his
Aemilianus, Oxford 1967, 342–343. Scholars too frequently fall into the trap of assuming that
all members of a particular gens automatically form a monolithic block—that, for example,
Fulvii Nobiliores and Fulvii Flacci ought to be and can be classified as simply Fulvian.
Scullard is particularly unsatisfactory in this regard, claiming that the expulsion of the censor
Fulvius Flaccus’ brother in 174 was carried out by Postumius despite his colleague (op. cit. 192).
If Fulvius objected, could he not have vetoed the expulsion? See also Briscoe’s criticism, op. cit.
74. (The identity of the expelled Fulvius, which is confused and uncertain, is discussed in MRR,
Vol. 1, 391.) Whatever the relationship of Postumii and other Fulvii, the two censors of 174
certainly cooperated, and we should not disbelieve Livy’s statement that their censorship was
harmonious (XLII, 10, 4).

Together with his colleague L. Lucullus he was imprisoned—part of the on-going trouble
over conscription for Spain (Livy Per. XLVIII: Appian Iber. 49).

Astin, op. cit. 91–92 argues convincingly that the Postumii were generally on unfriendly
terms with Scipio Aemilianus. My argument concerning Sp. Postumius the orator in the
Numantine affair in no way invalidates this. It was certainly possible to oppose both Scipio
and Ti. Gracchus, and in any case Postumius probably argued for the surrender of all
those involved (see n. 13), while we know that Scipio was responsible for preventing the
surrender of all the junior officers, including Tiberius, who nevertheless criticised him for not
saving Mancinus also (Plut. Ti. Gracchus 7). The relationship between Scipio and the Gracchi
was not broken by the incident, for the younger Gracchus, Gaius, went with Scipio to Numantia
in 134 in a volunteer army that comprised Scipio’s friends and clients (Appian Iber. 84; Plut.
Ti. Gracchus 13).
25. J. Briscoe, JRS 54 (1964) 74–75 and Latomus 27 (1968) 150–151. His strongest argument is, it seems to me, the sequence of consulships 175–172: P. Mucius Scævolus and M. Apronianus Lepidus in 175; Sp. Postumius Albinus Paullinus and Q. Mucius Scævolus (brother of cos. 175) in 174; L. Postumius Albinus (brother of cos. 174) and M. Popilius Laenas in 173; C. Popilius Laenas (brother of cos. 173) and P. Aelius Ligus in 172 (Latomus 150). While collegiality and sequence of offices is by no means an automatic guarantee of political affiliation, this pattern is remarkable. See the comment (on a similar, later pattern) by E. Badian, ‘Caepio and Norbanus’, Studies in Greek and Roman History, Oxford 1964, 36–37.

26. Livy XLI, 15, 6–9.
27. Livy XLI, 28, 4.
28. C. Amic. 37; Val. Max. III, 7, 1; Plut. C. Gracchus 4.
29. Astin, op. cit. 95. As mentioned earlier (n. 25), the argument that collegiality in office proves political alliance can be and frequently is exaggerated. One has only to think of Bibulus and Caesar, who shared their aedileship, praetorship and consulship, to indicate the dangers. In certain circumstances, however (as with Cato the elder and Valerius Flaccus), the argument is reasonable.

30. Piso is described as ‘C. Graccho capitalis inimicus’ (Schol. Bob. in Cic. Flacc. 96 Stangl). Gaius’ attacks, prompted by Piso’s reaction to the lex frumentaria, are given in ORF frags. 39, 41–43. In 133 Piso was in Sicily fighting against the rebellious slaves, so one can only guess at how he would have reacted to Ti. Gracchus. D.C. Earl, ‘Calpurnii Pisones in the second century B.C.’, Athenaeum 38 (1960) 283–298, suggests that he may have initially supported him.

31. Plin. NH XVII, 245. For Piso and his History see E. Badian, ‘The Early Historians’ in Latin Historians (D.R. Dudley and T.A. Dorey eds.), London 1966, 12–13. The main significance of the year undoubtedly lay in the outbreak of the so-called fiery war in Spain (Pol. XXXV, 1), the course of which clearly revealed the decline in morality and political cohesion, but a general feeling of malaise was also revealed that year by the opposition of the pontifex maximus, Scipio Nasica Corculum, to the censors’ desire to build a permanent theatre, an attempt by the censor C. Cassius Longinus to dedicate the capital to Concordia, whose statue he had moved there, and perhaps the death of the consul Lucius, who was also the flamen Martialis, allegedly at the hands of his wife Publilia. Full sources for all events in MRR, Vol. I, 449–451.

32. M. Crawford, Roman Republican Coin Hoards, London 1969, Table X.
33. Originally identified by Th. Mommsen, Geschichte des römischen Münzwesens, Berlin 1860, 33, which fits this dating.
34. Ogilvie, op. cit. 609–610; cf. 606–607 for the problems associated with the land bill of Maccilius and his probably invented colleague Metilius.
35. Livy IV, 49, 10, following Macer, mentions this only to reject the more favourable view that the soldiers’ anger was originally due to a shortage of booty in the captured town of Bolae rather than to Postumius’ refusal to allow them to plunder, thus breaking his promise. The more favourable version is given in Dio (Zonaras VII, 7, 20) and may derive from the historian A. Postumius Albinus.
36. Also reminiscent of the Gracchan period is the immediate attempt to institute a senatorial inquiry into Postumius’ death, vetoed by the tribunes, and eventual tribunician approval to allow the consuls of 413 to investigate the matter. The senatorial investigation into Ti. Gracchus’ death and C. Gracchus’ enactment that only the people could authorise a court dealing with capital crimes are well known.
37. Münzer, RE XXII, 908 f. distinguishes between the legate of 110/109 (Postumius no. 32) who, he suggests, went into exile on Chios, and the consul of 99 (no. 33). F. Lübker, Reallexikon des klassischen Altertums, Berlin, 1914 849, nr. 5, thinks they are the same, as does Broughton, MRR, Vol. II, Suppl. 50. See also Summer, op. cit. 82 and 84. There was apparently no question of surrendering the legate to Jugurtha. As Crawford, ‘Foedus and Sponsio’, PBSR 41 (1973) 4 has pointed out, treaties could be repudiated without the surrender of the Roman responsible.
38. The most obvious Gracchan sign was the candidacy and election to the tribunate of L. Equitius, who claimed to be the son of T. Gracchus. E. Rawson has convincingly argued that the cult of the Gracchi mentioned in Plutarch (C. Gracchus 18) should be dated to this period (‘Religion and Politics in the late second century BC at Rome’, Phoenix 28 (1974) 207). According to Appian BC 1, 32 the original consular candidates were M. Antonius, Glauca and Memmius. Postumius in that case stood only after Memmius’ murder during the election.
39. Plut. Sull. 6, 9; Liv. Per. LXXV, Val. Max. IX, 8, 3. He is described by Orosius XV, 18, 22 as ‘consularis’. See E. Badian, ‘Caepio and Norbanus’, op. cit. 52–66 for an analysis of the
political sympathies of the two consuls of 90 and their legates. Sulla also had with him at Nola a haruspex named Postumius (Cic. div. I, 72).

40. Cic. Or. II, 48; Aul. Gell. IV, 6, 1–2. In fact, Albinus seems to be almost a non-person, for he is not even included in Cicero’s list of those who sprang to Rome’s defence in December 100 when the SCU was passed (Cic. Rab. perd. 21). Antonius’ role in the crisis is mentioned in ch. 26.

41. See the comment of R. Syme, *The Roman Revolution*, Oxford 1939, 64, on divisions within the families in the Caesar/Pompey war. It is not my intention to discuss the last century Postumii, nor get involved in the vexed question of their identity. It is sufficient to mention that an Albinus (no other name) was a Marian commander killed at the Colline gate in 82 (Appian BC I, 93; cf. Vell. Pat. II, 27), while an A. Postumius Albinus A.f. Sp.n. was a Sullan monetalis in 81 (M. H. Crawford, ‘The coinage of the Age of Sulla’, *Numismatic Chronicle* 4 (1964) 144 lists him among the ‘loyal nonentities who were moneyers under Sulla’. From his filiation he is frequently assumed, e.g. by Münzer, *RE* XXII, 910, nr. 35, 36 to be the grandson of the consul of 110.). In 49 both Caesar and the Senate appointed a Postumius to Sicily, where an otherwise unknown M. Postumius had served as Verres’ quaestor in 73 (Cic. Verr. II, 2, 44; Appian BC II, 48; Cic. Att. VII, 15, 2). Finally, there is D. Brutus Albinus, the adopted son of the consul of 99, who changed from a loyal supporter of Caesar to one of his murderers.

42. Dio L, 13, 7.
Acta Classica is published annually by the Classical Association of South Africa. The journal has been in production since 1958. It is listed on both the ISI and the SAPSE list of approved publications.

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