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SENTENTIA MINUCIORUM/TABULA POLCEVERA FROM 117 BCE – ARBITRATION AS AN INSTRUMENT FOR RESOLVING DISPUTES AMONG ALLIES DURING THE REPUBLICAN PERIOD AND A SOURCE TO ANALYSE ROME'S POLICY REGARDING SUBORDINATE LANDS

In 1506, near Villa Izo secco, not far from Pedemonte di Serra Riccò with the Church of Santa Maria di Pedemontana at its slope, at the bank of the Secca Stream, left tributary of the Polcevera River, some Agostino Pedemonte, living outside Genua, found a small plate of bronze. This was a precious find for him, and he intended to sell it in the nearby city. Fortunately, it caught the attention of Ligurian bishop of Genua Agostino Giustiniani, a humanist and cartographer, who got interested in forty-six lines of text in Latin on the plate. He informed the authorities of Genua about the find, and the authorities, convinced of the document's historical importance for the city, decided to purchase it and place it at the San Lorenzo Cathedral aside other precious items related to the history of the city. Since then, the important inscription was kept at places of prestige for Genua. The first edition of the document was published in Paris in 1520 on the initiative of Agostino Giustiniani. Slightly later, he included the contents of the inscription in his work devoted to the history of Genua: *Annali della Repubblica di Genova*, published in 1537 in Italian¹.

As A. Giustiniani rightly believed, the information contained therein was of high importance to the prestige of the city that competed with other Italian centres during the Renaissance period, but also for his own research on the ancient past of the city, among

¹ Giustiniani 1537 after *Annali della Repubblica di Genova*, I, ed. G.B. Spotorno, A. Giustiniani, Genova 1854, p. 116. As regards political situation in Genua in the 15th and 16th centuries, and the importance of *Tabula Polcevera* discovery for the situation, see: M. Stahl, *Herrschaftssicherung und patronale Fürsorge: Zum Schiedspruch der Minucier für Genua (CIL V 7749) und seiner Rezeption im frühen 16. Jh.*, "Historia" 1986, 35(3), pp. 280-283; 298-301. The location of the mysterious Izo secco/Iso secco estate where the Tabula was found was determined much later, based on the maps from mid-17th century, which helped to determine it precisely because the "villa Izo secco" itself has not existed for a long time, cf. V. Casella, M.F. Pettraccia, *The Roman Senate as arbiter during the Second Century BC. Two Exemplary Case Studies: the Cippus Abellanus and the Polcevera Tablet*, Turnhout 2019, p. 170; M. Tarpin, *La Sententia Minuciorum: la procedura finanziaria come chiave dell'interpretazione territoriale*, [in:] *I Liguri e Roma. Un popolo tra archeologia e storia, Atti del convegno Acqui Terme 31 maggio-1 giugno 2019*, eds. S.G. Bersani, M. Venturino, G. Amabili, "Studi e ricerche sulla Gallia Cisalpina" 2021, 29, pp. 199-200. I would like to thank Professor Lorenzo Gagliardi of the State University of Milan for all his comments and contributions.

others, with respect to determining the route of Roman *via Postumia*, built in 148 BCE on the initiative of consul Sp. Postumius Albinus, which reached the city of Genua.² The significance of the text was also confirmed later through references by many researchers, such as Th. Mommsen, E. De Ruggiero, M. Kaser, G. Luraschi, and others.³

Inscription *CIL* I² 584 = V 7749 = *ILS* 5946 = *ILLRP* 517, named after the place of its finding as *Tabula Polcevera*, contains a sentence (*sententia*) by two Roman officials, brothers Quintus and Marcus Minucius Rufus, whose *gentilicium* contributed to its other name: *Sententia Minuciorum*. It is a detailed description of legal and actual measures taken by Roman arbiters who were in charge of resolving the dispute between the residents of the allied Genua on the one hand⁴, and the Viturii Langenses/Langates from the nearby *castellum*⁵ and Ligurian tribes (Cavaturines, Dectunines, Mentovines, Odiates) inhabiting the areas around those both centres.⁶

² *Annali della Repubblica di Genova*, pp. 54; 553. Other epigraphic testimonies regarding *via Postumia* include the inscription in the Verona Museum: *CIL* I² 624 = V 8045. Cf. V. Casella, M.F. Pettraccia, *op. cit.*, pp. 172-173.

³ V. Casella, M.F. Pettraccia, *op. cit.*, p. 150 f. 506.

⁴ Genua was a Roman *civitas foederati* until the first century BCE, when its inhabitants were granted Roman citizenship. It is different in M. Pasquinucci, *Romans and "Marginal" Ligures in Northwestern Italy: The Polcevera Valley Case Study*, "Journal of Eastern Mediterranean Archaeology and Heritage Studies" 2019, 7(4), p. 474, who surprisingly, with respect to the second century BCE, refers to them as "*citizens of Roman Genua*" or to the city as "*Roman Genua*".

⁵ It seems that, in this case, the term *castellum* must be considered in the meaning of not only a fortified settlement (M. Pasquinucci, *op. cit.*, p. 470), or a small camp (M. Diaz Garcia, *El castellum de Puigpelat*, Fundació Privada Liber 2009, p. 210), but also in a legal-administrative aspect determining its status. This is because it occurs in important legal documents preserved in the epigraphic material, among others in fragments of *lex de Gallia Cisalpina* = *lex Rubria*: RS 28, c. II, il. 1-3; 25-27; 53-58, and in fragments of *lex Cornelia testamentaria* from 81. Cf. also Paul. *Sent.* IV 6 2. See U. Ewins, *Enfranchisement of Cisalpine Gaul*, "Papers of the British School of Rome" 1955, 23, pp. 92-95; G. Luraschi, *Foedus ius Latti civitas. Aspetti costituzionali della romanizzazione Transpadana*, Padova 1979, pp. 112-124; E. Bispham, *From Asculum to Actium. The Municipalization Italy from the Social War to Augustus*, Oxford 2007, pp. 74-89; 231-238; S. Sisani, *In pagis forisque et conciliabulis. Le strutture amministrative dei distretti rurali in Italia tra la media repubblica e l'età municipale*, Atti della Accademia Nazionale dei lincei, Roma 2011, pp. 702-740; B. Sitek, *Autonomie lokalne*, [in:] *Rzyskie prawo publiczne. Wybrane zagadnienia*, eds. A. Jurewicz, R. Sajkowski, B. Sitek, J. Szczerbowski, A. Świętoń, Olsztyn 2011, s. 257; E. Twarowska-Antczak, *Od „lex Iulia municipalis” do flawijskich „leges municipales”. Rozwój rzymskiej administracji municypalnej w okresie od Juliusza Cezara do Domicjana*, Poznań 2018, pp. 18-46; G. Choquer, *Les catégories de droitagraire à la fin du IIe s. av. J.-C. (sententia Minuciorum de 117 av. J.-C. et lex agraria de 111 av. J.-C.)*, Paris 2020, pp. 140-142; 150. Some researchers, however, believe that Langenses Viturii were local people of Ligurian origin, whose status can be referred to as *ad tributio* with respect to Genua: M. Stahl, *op. cit.*, pp. 292; 297; D. Faoro, *Gentes e civitates ad tributae. Fenomeni contributivi della romanità Cisalpina*, "Simbolos" 2015, 6, pp. 175-176. Cf. R. Haussler, *Becoming Roman? Diverging Identities and Experiences in Ancient Northwest Italy*, Walnut Creek 2013, p. 111; S. Pedemonte, *La tavola di bronzo della Val Polcevera e la via Postumia*, "Novinostra In Novitate" 2018, 6, pp. 26-27; V. Casella, M.F. Pettraccia, *op. cit.*, pp. 157; 158; M. Tarpin, *op. cit.*, p. 195 f. 5; 197 f. 13; 199. There are also hypotheses that the Langenses were Roman *socii*: L. Calderazzo, *Arbitrati romani in Cisalpina (197-89 a.C.): problemi e status quaestionis*, "Rivista di studi Liguri", 1996, 43/44, pp. 34-35.

⁶ A.N. Sherwin-White, *The Roman Citizenship*, Oxford 1973, p. 128; L. Calderazzo, *op. cit.*, pp. 34-36; 39-40; 41; V. Casella, M.F. Pettraccia, *op. cit.*, pp. 72-75; 133-168.

In the second century BCE, Rome rather frequently resorted to arbitration in disputes among Roman allies. The best known and the most precisely described are the Roman mediations in the Greek world, with very abundant source material in the form of mentions by ancient authors and, principally, rather large number of inscriptions. It was Rome's expansion to the Hellenistic world that affected the increasingly more frequent use by the Republic of this diplomatic instrument so popular among the Greeks. Rome, however, engaged in dispute resolution in the Greek world exclusively when the Romans clearly perceived it necessary. We have certified cases of disputing parties asking the Senate to resolve it, and facing refusal. The Senate undertook such a mission when it perceived it of benefit to Rome.⁷

While undertaking arbitration, the senators had to get acquainted with the object of the proceeding beforehand. Next, they appointed people to resolve the dispute, with powers delegated by way of *senatus consultum*. Most often, such tasks were entrusted to Roman officials, authorised legates or decemvirs with special instructions that awarded them with the right to resolve the matter on site and to implement the decisions and rulings.⁸ The procedure applied both to the Greek world and to Italy. What differentiated arbitration in Italy and the western part of the Roman state from the Hellenistic world, however, was the fact that the Republic appointed other Greek states to act as arbiters on its behalf.⁹

In Italy, where Rome had many *socii*, if they got involved in disputes among one another in conflicts with Roman officials, they certainly likewise addressed the Roman Senate to resolve those matters. There are many examples of solving conflicts through arbitration in northern Italy in the second century. Mentions about them have also

⁷ Among others, Liv. XXXVI 4. See A.J. Marshall, *The Survival and Development of International Jurisdiction in the Greek World under Roman Rule*, "ANRW" 1980, 2(13), pp. 626-662; S.L. Ager, *Interstate Arbitrations in the Greek World, 337-90 B.C.*, Berkeley 1996, pp. 26-30; F. Camia, *Roma e le poleis. L'intervento di Roma nelle controversie territoriali tra comunità greche di Grecia e d'Asia Minore nel secondo secolo a.C.: le testimonianze epigrafiche*, Atene 2009, p. 193. Cf. J. Linderski, *Ambassadors go to Rome*, [in:] *Les relations internationales*, eds. E. Frézouls, A. Jacquemin, Paris 1995, pp. 41-43; M. Piegdōń, *Roman arbitrations in Greek oikumene in the 3rd/2nd BCE. Some observations*, "Electrum" 2018, 25, pp. 42-43; V. Casella, M.F. Pettraccia, *op. cit.*, pp. 42-49; 58-60.

⁸ E. De Ruggiero, *L'arbitrato pubblico in relazione col private presso i Romani*, Roma 1893, pp. 36; 51-68; 109-110; 114-124; 136-181; 232-268; A.J. Marshall, *op. cit.*, pp. 626-662; S.L. Ager, *op. cit.*, pp. 26-30; F. Camia, *op. cit.*, passim. Arbitration of Fabius Labeon and App. Claudius Pulcher in the dispute between Gortyna and Knossos in 184: Polyb. XXII 15; Liv. XXXVII 60 3-6; S.L. Ager, *op. cit.*, pp. 262-263; 297-298. Cf. M. Cary, *A Roman Arbitration in the Second Century B.C.*, "Journal of Roman Studies" 1926, 16, pp. 196-200. The terms defining Roman envoys include *legatus*, *orator* and *deprecator/deprecator*: Cato *Origin.* I 22 (Peter, *HRR*, I 2 58); Ennius, *Annal.*, 207 Vahlen2 = 202 Skutsch; 582 Vahlen2; Varro *LL V* 86; VI 76; VII 41; *Vita Popul. Romani* (in Nonius p. 529 Mercierius = p. 850, Lindsay); Cic. *Leg.* II 20-21; *De off.* III 66; Liv. I 32 5-14; *ORF2* fr. 130; Festus, p. 196; p. 218, Lindsay. For sources and meaning of these terms, see: J. Linderski, *op. cit.*, pp. 45-51.

⁹ In general: F. Camia, *op. cit.*, passim. Cf. S.L. Ager, *op. cit.*, pp. 27; 321-328 (Mylasa as arbiter in the dispute between Magnesia and Priene); M. Piegdōń, *Roman arbitration...*, pp. 42-43; V. Casella, M.F. Pettraccia, *op. cit.*, pp. 43-44.

been preserved in various sources, both in testimonies by ancient authors, and in epigraphic material.¹⁰ Actually, disputes resolved by the Roman Senate can be classified into three categories: conflicts among the Roman *socii*; conflicts between Roman or Latin colonies and native settlements; disputes between the allies and Republican officials operating in northern Italy who, for example, violated the terms of alliance treaties concluded between their states and Rome.¹¹ Unfortunately, such proceedings are known from few sources, including inscriptions on border stones that inform us exclusively about the rulings, possibly indicting the parties and sometimes the names of Roman arbiters.¹² With high probability, it can be assumed that the same procedure applied in the case of other mediation measures taken by Roman officials in the second-century Italy as well, although mentions of them have not survived in the available source material. An insight into the procedure is provided exactly by *Tabula Polceveralsententia Minuciorum*.

Dispute resolution through arbitration or mediation has been present in most communities since the earliest times.¹³ In the 8th and 7th century BCE, the Greek world already featured two types of arbitration: private and institutionalised (public).¹⁴ Also in Rome, arbitration as a method for resolving private and public disputes was known at least from the 5th century BCE. Hellenic influence was very significant for the institution of arbitration, as well as for the entire Roman legislation.¹⁵

¹⁰ The dispute between Patavium and Ateste: *CIL* I² 633 725 = V 2491 = *ILS* 5944a = *ILLRP* 476; *CIL* I² 634 = V 2492 = *ILS* 5944 = *ILLRP* 476; *CIL* I² 2501 = *ILLRP* 476; L. Calderazzo, *op. cit.*, p. 32-33 (indicates the year 148 BCE); J. Zając, *Od Wenetów do Rzymian. Studia epigraficzno-antroponomastyczne (I w.p.n.e.-I w.n.e.)*, Toruń 1991, pp. 19-20 (dating: 117 BCE) The dispute between Ateste and Vicetia: *CIL* I² 636 = V 2490 = *ILS* 5945; J. Zając, *op. cit.*, pp. 19-20; A. Buonapane, *La duplice iscrizione confinaria di Monte Venda (Padova)*, [in:] *Rupesloquentes*, ed. L. Gasperini, Roma 1992, pp. 207-233; L. Calderazzo, *op. cit.*, p. 34. Cf. V. Casella, M.F. Pettraccia, *op. cit.*, pp. 67-72.

¹¹ Cf. L. Calderazzo, *op. cit.*, passim; M. Piegdoń, "...Legati, qui in Aetoliam ad similis motus comprimendos ierant..." M. Aemilius Lepidus and his predecessors in the arbitration of Patavium in 175/174 BCE, [in:] *Antiquitas Aeterna. Classical Studies Dedicated to Leszek Mrozewicz on His 70th Birthday*, eds. K. Balbuza, M. Duch, Z. Kaczmarek, K. Królczyk, A. Tatarkiewicz, Wiesbaden 2021, p. 305.

¹² *CIL* I² 633 = V 2491 = *ILS* 5944^a = *ILLRP* 476 (Cippo del Monte Venda); *CIL* I² 634 = V 2492 = *ILS* 5944 = *ILLRP* 476 (Cippo di Teolo); *CIL* I² 2501 = *ILLRP* 476 (Cippo di Galzigano); J. Zając, *op. cit.*, pp. 19-20; A. Buonapane, *op. cit.*, pp. 207-233; L. Calderazzo, *op. cit.*, p. 33. Generally: A. Kolb, *The Romans and the World's Measure*, [in:] *Brill's Companion to Ancient Geography. The Inhabited World in Greek and Roman Tradition*, eds. S. Bianchetti, M.R. Cataudella, H.-J. Gehrke, Leiden-Boston 2016, pp. 227-228.

¹³ D. Roebuck, *Ancient Greek Arbitration*, Oxford 2001, 6-7; 46-47; 300-302; V. Casella, M.F. Pettraccia, *op. cit.*, pp. 29-33.

¹⁴ E. Gruen, *The Hellenistic World and the Coming of Rome*, 1984, I, p. 96; D. Roebuck, *op. cit.*, pp. 26-47; 51-96.

¹⁵ D. Roebuck, B. de Loynes de Fumichon, *Roman Arbitration*, Oxford 2004, pp. 15; 22-24; 28-30; V. Casella, M.F. Pettraccia, *op. cit.*, pp. 42-49. Cf. M. Piegdoń, *Roman arbitrations...*, pp. 27-46.

Arbitration principally helped to resolve border conflicts, disputes among states regarding matters of prestige, debt, access to raw materials, or places of strategic importance, international treaties, as well as religious conflicts.¹⁶ Characteristic features of the institution of arbitration in the ancient world included: trust, neutrality of the arbiter, good relations of the parties with the arbiter, his good will, as well as his authority and reputation.¹⁷ The rule was that the parties initially agreed they would accept the proposed way of solving the dispute.¹⁸ There could be one arbiter or more. Arbitration could also be undertaken by a group of states or people, an institution, or persons appointed by the institution.

Accepting the function of an arbiter meant following specific rules. These principally included dispute presentation with the arbiter present. Hearing of the parties did not mean the end of his task because the arbiter's role included investigation into the matter on site (autopsy – seeing with one's own eyes). A decision about dispute resolution was made either on the disputed site or in the mediator's country of origin. Guarantees of arbiter's safety were provided by the parties to the conflict.¹⁹ If the resolution was not accepted, this could lead to another investigation of the case by new arbiters and re-investigation of the evidence. Not only did they announce their rulings *de iure*, but enforced them as well. Their sentences were published and announced to the parties. Documents confirming their decisions also included evidence, including testimonies of witnesses, which supported the rank of the adopted resolutions.²⁰

Such general principles of arbitration functioning in the ancient world are clearly visible in *Tabula*. The introduction to the document, verses 1-5, provides information that it was the Senate (the statement contains formula: *ex senati consulto*²¹) who ap-

¹⁶ As regards arbitration in Greek states, see: E. Gruen, *op. cit.*, I, pp. 96-99; S.L. Ager, *op. cit.*, pp. 6-10; A. Magnetto, *Interstate Arbitration as a Feature of the Hellenistic Polis: between ideology, law and civic memory*, [in:] *International Law and Civic Memory*, eds. H. Börm, N. Luraghi, Stuttgart 2020, pp. 85-108. Rome: M. Żołnierczuk, *Rzymskie sądownictwo polubowne (okres przedklasyczny i klasyczny)*, Lublin 1978, pp. 20-22; D. Roebuck, B. de Loynes de Fumichon, *op. cit.*, pp. 18; 29.

¹⁷ S.L. Ager, *op. cit.*, pp. 12-13; 15-19; D. Roebuck, *op. cit.*, pp. 354-358; D. Roebuck, B. de Loynes de Fumichon, *op. cit.*, pp. 114-192.

¹⁸ S.L. Ager, *op. cit.*, pp. 7; 17; 19; D. Roebuck, *op. cit.*, pp. 287-297.

¹⁹ S.L. Ager, *op. cit.*, pp. 14-15.

²⁰ L. Bablitz, *Roman Courts and Private Arbitration*, [in:] *The Oxford Handbook of Roman Law and Society*, eds. P.J. du Plessis, C. Ando, K. Tuori, Oxford 2016, pp. 235-244; C. Rosillo-López, *Arbitration in the Res Publica: a Novel Way of Solving Internal Political Conflicts in the 40s and 30s BC*, [in:] *Libertas and Res Publica in the Roman Republic. Ideas of Freedom and Roman Politics*, ed. C. Balmaceda, Leiden-Boston 2020, pp. 155-158.

²¹ In classic Latin, the most frequent formula is: *ex senates consulto*. In the sources, particularly from the Republican period, as in this case, one can, however, sometimes find variants resulting from mixing the paradigms of noun declination IV (such as *senatus*, gen. *senatus*) and declination II where nominatives singularis also ends with *-us*. Cf. e.g., Plaut., *Cas.* 536: *senati columen*; Cic., *Phil.* 3, 38: *uteae provinciae... in senati populiue potestate... sint* (on the other hand, see: Cic., *Phil.* 3, 24: *praeclara... senatus consulta*), Sisenna, frg 136 Peter = 39 Cornell: *simul et senatis consultis clarissimis amplificati*, and

pointed Q. and M. Minucius Rufus as arbiters. Appointees to resolve disputes usually had the authority and significant achievements within the framework of Roman *cursus honorum*, namely acted as consuls or praetors, and were familiar with the matters of the region where the arbitration took place. Nominations of the persons to resolve the dispute among the parties could thus not only be due to prestigious offices they held, but also to their own relations or those of their kin or ancestors with the region (including command of Roman legions, diplomatic mission, or participation in settlement campaigns in a given territory). The latter seems to have been the main argument for the Senate's appointment of Q. and M. Minucius Rufus as arbiters because their previous *cursus honorum* was rather modest.²²

The resolution of the arbiters was to be published, best on a plate of bronze, and be made known to all parties to the dispute, as the last verses of the *Tabula* state. It should be announced to the parties in Rome on "*Eidib(us)Decemb(ribus)*" (13 December) 117 BCE. The annual date of announcing the resolution can be deduced from the provided names of the consuls (abbreviated names, namely *praenomen*, *gentilicium*

particularly other inscriptions from northern Italy that result from sentences setting borders between disputing cities and undergoing arbitration, e.g.: *CIL* V 2501 = *AE* 1923, 64 = *ILLRP* 476: *L(ucios) Caicilius Q(uinti) f(ilius), pro co(n)s(ule), terminos/ finisque iuset statui ex senat/consulto inter Patavinos Atestinosque*; *CIL* I² 636 = *V* 2490 = *ILS* 5945 = *ILLRP* 477: *Sex(tus) Atilius M(arcii) f(ilius) Saranus, pro co(n)s(ule), ex senati consulto/inter Atestinos et Veiectinos/finis terminos que statui iusit*. One can expect that in the second century BCE, due to absence of the established grammatical standard, this phenomenon was more prevalent. Certainly, the issuers of the documents also relied on texts of resolutions issued earlier in similar cases, even against the dominant paradigm of declination.

²² Q. Minucius Rufus and M. Minucius Rufus were brothers, as well as sons of Q. Minucius Rufus. The latter was probably plebeian tribune from 121 BCE who, among others, proclaimed an act cancelling *lex Sempronia* establishing the colony of Iunonia at the place of destroyed Carthage, authored by the famous plebeian tribune of 123 and 122 BCE, C. Sempronius Gracchus: *Flor.* II 3; *Vir. Ill.* 65 5; *Fest.* 201; *Oros.* V 12 5. In 110 BCE, he was elected as consul, and later, in 109, he conducted military action against the Celtic Scordisci and the Thracian Bessi or the Triballi and the Dacians, conquered at the Hebros River. According to Frontinus (*Strategem.* II 4 3), his brother, Quintus, took part in this campaign as well; cf.: *CIL* I² 693. In return for his victories, the Senate awarded M. Minucius the right to hold a triumph in 106. He also founded a portico in the City of Rome and, together with Q. Minucius, they made votive offerings to Apollo in the Delphi for their victories; see: *CIL* I² 692 = *CIL* III 14203, 23 = *D* 08887 = *ILLRP* 00337 (p. 326) = *AE* 1897, 00088 = *AE* 1911, 00014. See also: Sallust. *Iugurr.* 35 2; *Cic. Philipp.* II 84; *Liv. Per.* 65; *Vell.* II 8; *Frontin. Strategem.* II 4 3; *Flor.* I 39 5; *Eutrop.* IV 27 5; *Ruf. Fest. Brev.* 9 2; *Amm. Marc.* XXVII 4 10. Cf. F. Münzer, *RE*, vol. XXX, 1956-1957; 1962-1965; T.R.S. Broughton, *The Magistrates of the Roman Republic*, New York 1951-1952, I, pp. 522; 543; 544; 547. They were also probably descendants of Q. Minucius Rufus, son of Caius, praetor of 200, and principally consul of 197 BCE, who fought in northern Italy against Celtic Boii and Ligures, for which the Senate awarded him *ovatio*: *Act. Tr.*, Degraffi 78f, 552; *Cic. Brut.* 18 73; *Liv.* XXXII 27-31; *Zonar.* IX 16. See: *Dio Halic.* II 11 1. Cf. C.G. Bruns, *Fontes Iuris Romanis antiqui*. p. I. *Leges et negotia (FIRA)*, Tübingae 1901, p. 402; F. Münzer, *RE*, vol. XXX, 1926; 1958-1962; T.R.S. Broughton, *op. cit.*, I, pp. 332-333; M. Stahl, *op. cit.*, p. 289 f. 20; pp. 294-295; 297; V. Casella, M.F. Pettraccia, *op. cit.*, p. 151 f. 510; 155; M. Tarpin, *op. cit.*, p. 196 (patronage of the Minucius Rufus House over the Ligurian lands).

and filiation of both), which allows us to recognise L. Caecilius Metellus Diadematus and Q. Mucius Scaevola, also known as Augur.²³ At the very end of the statement, there are names of persons probably representing both parties to the dispute: Moco Meticanio, son of Meticonio, and Plauco Pelianio, son of Pelioni²⁴.

The core part of the inscription includes a detailed listing of borders marked by the Roman arbiters, principally based on natural geographic features as watercourses (rivers, streams, tributaries, etc.), hills and mountains, as well as roads in the area (many names of watercourses, the Apennines, and *via Postumia* in *Sententia Minuciorum*).²⁵ In their ruling, the arbiters clearly marked the borders of *ager privatus* of the *castellum* of the Viturii Langenses/Langates and *ager publicus* to be used and leased by the inhabitants of *castellum* and Genua.²⁶ Within *ager publicus*, the *Minucii Rufi* brothers also determined the method of using such areas as pastures, forested areas, and meadows by the Viturii Langenses/Langates, the Genoese, and other Ligurian groups (Cavaturines, Dectunines, Mentovines, Odiates)²⁷ neighbouring the city and *castellum*. The activities related to actual physical border marking were obviously not undertaken by Roman arbiters themselves, but by *agrimensores* specially employed for that purpose.²⁸ Roman mediators stated exact deadlines for implementing their decisions, as well as compensation in money or in kind,²⁹ as well as any possible penalties

²³ CIL I² 584 = V 7749 = ILS 5946 = ILLRP 517: [...] *in re praesente cognoverunt et coram inter eos controversias compositiverunt / et qua lege agrum possiderunt et qua fineis fierent dixerunt eos fineis facere terminosque statui iuserunt* [...] See: M. Stahl, *op. cit.*, pp. 284; 298; G. Choquer, *op. cit.*, p. 135.

²⁴ E. Boccaleri, *L'ubicazione dell'agro compascuo genuate secondo la Tavola di Polcevera*, "Studi e Documenti di Storia Ligure. In onore di don Luigi Alfonso per il suo 85° genetliaco, Atti della società ligure di storia patria. Nuova Serie" 1996, 36(110) fasc. II, pp. 37-38.

²⁵ *Ibidem*, p. 38; M. Crawford, *Language and Geography in the Sententia Minuciorum*, "Atheaneum" 2003, 91(1), p. 208; M. Pasquinucci, *op. cit.*, pp. 476-478; S. Pedemonte, *op. cit.*, pp. 16; 21-22; 24-27; 31; V. Casella, M.F. Pettraccia, *op. cit.*, pp. 169-188; G. Choquer, *op. cit.*, pp. 90-94; 137-138; 142-143; M. Venturino, *L'identità nella morte. Le necropoli dei Liguri*, [in:] *I Liguri e Roma. Un popolo...*, pp. 66-69. On the rules for placing border stones by Roman *agrimensores*: Hyg. Grom. *De cond. agr.*, pp. 114-115L. = p. 74Th.; A. Pikulska-Robaszkiewicz, *Agrimensores – zawód mierniczego w starożytnym Rzymie*, "Kwartalnik Historii Nauki i Techniki" 1988, 33(4), pp. 946-949; A. Kolb, *op. cit.*, p. 229.

²⁶ The inscription points to the tendency, strongly rooted in the Roman mentality and thus in their legislation, to set clear borders between territories of different ownership and different legal status. About border setting, see: Hyg. Gromat. *De cond. agr.*, 66Th. = Z. 3-13. Cf. A. Pikulska-Robaszkiewicz, *op. cit.*, pp. 945-946; 950; A. Kolb, *op. cit.*, p. 229.

²⁷ *Dectunines*: Chr. Hülsen, *RE*, vol. IV, Stuttgart 1900, p. 2306; *Mentovini*: R. Philipp, *RE*, vol. XXIX, Stuttgart 1931, p. 968; *Odiates*: L. Banti, *RE*, vol. XXXIV, Stuttgart 1937, p. 1888. Cf. S. Pedemonte, *op. cit.*, pp. 26-27; 30; M. Venturino, *op. cit.*, p. 66 f. 12; pp. 85-87; 90-91.

²⁸ A. Pikulska-Robaszkiewicz, *op. cit.*, pp. 943-956.

²⁹ M. Stahl, *op. cit.*, pp. 287-291; S. Pedemonte, *op. cit.*, pp. 30-31; V. Casella, M.F. Pettraccia, *op. cit.*, pp. 165-168; G. Choquer, *op. cit.*, pp. 136-137; M. Tarpin, *op. cit.*, pp. 197-198. The fee was to be paid to Genua in *victoriati*, which were silver coins, popular in northern Italy in the 2nd century BCE, cf. D. Machado, *The Distribution and Circulation of the Victoriatus in Northern Italy*, "American Journal of Numismatic" 2019, 31, pp. 119-144.

for violating their ruling. At the same time, they announced amnesty for the Viturii Langenses/Langates imprisoned by the Genoese before the arbitration proceeding by the Roman mediators.³⁰ Most probably, the entire record of the sentence was placed in an important and prestigious place to be seen by all parties to the dispute, and possibly all parties received their own copies thereof. It was also filed at the Roman *aerarium*.

Sententia Minuciorum/Tabula Polcevera is principally an exceedingly precious document providing an insight into the Roman policy with respect to inhabitants of Italy subordinate to the Republic. Apart from other inscription referred to as *Cippus Abellanus*, which is another ruling by Roman arbiters, but from Campania, the record of the ruling by the *Minucii Rufi* brothers allows for a closer study of the instrument of arbitration, used by Rome as an important element its imperial policy on the Apennine Peninsula.³¹ Such documents record consecutive phases of Roman actions with respect to their subordinate lands – between the conquest and subordination and the universally understood processes of integration, acculturation, and assimilation that made the conquered become part of the *Imperium Romanum*. Roman activities between those two phases are often overlooked due to limited source material at hand. Therefore, it is so important to focus more on those few preserved sources, such as *Tabula Polcevera*, which help us better understand Roman activities that, in the longer perspective, led to subordination of the parties addressing Rome for mediation.³²

After conquering a given area, the Roman Republic had the task of organising the internal relations in the new situation when strong resistance against its military measures had already been quashed, and the most resisting groups had been either exterminated or expelled.³³ What remained was to manage the subordinate area and

³⁰ CIL I² 584 = V 7749 = ILS 5946 = ILLRP 517: [...] *Vituri es quei controversias / Genuensium ob iniurias iudicati aut damnati sunt sei quis in vinculeis ob eas res est eos omneis / solvei mittei leiber(are)ique Genuenses videtur oportere ante Eidus Sextilis primas sequoi de ea re* [...].

³¹ V. Casella, M.F. Pettraccia, *op. cit.*, pp. 117-131 (translation and commentary by *Cippus Abellanus*).

³² Cf. P. de Vingo, *Late antique mountain settlements in the Savona area and central-western Liguria*, [in:] *Archeology and rural landscape: rural settlements in their natural, economic and social environment. On the road again. L'Europeen mouvement*, eds. I. Cattedu, P. de Vingo, A. Nissen Jaubert, Genoa 2011, p. 203; M. Pasquinnucci, *op. cit.*, p. 469.

³³ Displacement of the Ligures: Polyb. XXXIII fragm. 7; 10-11; Liv. XXXIX 1-2; 20; 32; XL 25-28; 34; 41; 53; XLII 26; 28; XLV 12; 16; 44; *Per.* 46; CIL I² 623; IX 1455 (*Tabula alimentaria Ligurum Baebianorum*) and *Fasti Triumphales* from the years 166 and 155; J.L. Bastien, *Le triomphe romain et son utilisation politique à Rome aux trois derniers siècles de la république*, Rome 2007, p. 233. See: S. Dyson, *The Creation of the Roman Frontier*, Princeton 1985, 113-114; M. Stahl, *op. cit.*, p. 294; P. Arnaud, *Les Ligures la construction d'un concept géographique et ses étapes de l'époque archaïque à l'empire romain*, [in:] *Origines gentium*, eds. V. Fromentin, S. Gotteland, Paris 2001, pp. 338-339; M. Balbo, *Contrare i Ligures: il contesto del trasferimento degli Apuani nel Sannio*, [in:] *I Liguri e Roma. Un popolo...*, pp. 169-181; L.S. Reneses, *Deducti, traducti. Les déplacements de communautés organisés par Rome en Italie et dans la péninsule ibérique (268-13 av.n.è)*, Stuttgart 2022, pp. 28-43; 98-101.

use the local potential for the benefit of own citizens who would, on the one hand, become the first and foremost factor changing not only the ethnic composition, but also the legal-administrative status of the land – in this case these could be the Viturii Langenses/Langates and the inhabitants of the other *castellum*, Alianus, who could be (military?) settlers brought by Rome, controlling the territory and protecting its strategic artery: *via Postumia* that ran across the Apennines to Genua.³⁴ On the other hand, one had to establish the relations with the former residents who survived the first and most brutal phase,³⁵ sometimes close allies of the Republic, such as Genua mentioned in the *Tabula*,³⁶ and those whose presence on the conquered territory (the Odiates, Dectunines, Cavaturines, and Mentovines) did not point to the need, at least for now, for a military intervention. Establishment of internal relations principally required showing to all the entities on a given area that, despite regular troops leaving the land, it was Rome who decided about all local matters, and that it was Republic and its institutions, namely the Senate, as well as arbiters who would make decisions about who and what position they would have. It seems that all the parties in the region were well aware of that, so it is not surprising that the disputing settlers: the Viturii Langenses/Langates and the inhabitants of Genua decided to address the Roman Senate to send arbiters to resolve the dispute. It was also important for Roman institutions to show interest and understanding for the complex local problems, which convinced the Senate to appoint arbiters having relations with the very region, namely Q. and M. Minucius Rufus, descendants of consul from 197, Q. Minucius

³⁴ The alleged military status of the settlers in both centres: G. Choquer, *op. cit.*, p. 151. A similar situation could be observed on a territory similar in landscape and geography, namely on the Iberian Peninsula where, near today's Tarragona (*Tarraco*), there was a *castellum* next to the present Puigpelat: M. Diaz Garcia, *op. cit.*, pp. 210-225.

³⁵ In the period 187-179 BCE, every year, two consuls were to operate in Liguria: T.R.S. Broughton, *op. cit.*, I, pp. 367-368; 370; 372; 378; 381; 382; 384; 385; 387; 388; 392, in the following years, at least one of the consuls received Liguria as his *provincia*. In the period 176-172, it was again two consuls that received Liguria: E. Pais, *Ancient Italy*, Chicago 1908, pp. 355-365; T.R.S. Broughton, *op. cit.*, I, pp. 407; 410; M. Piegoń, *W cieniu „metus Gallicus”. Rzymsko-celtyckie zmagania o Italię północną w III w. p.n.e.*, Kraków 2017, pp. 153-158.

³⁶ The situation in Liguria, including Genua, is presented, among others, in: *Inscr. It.* 13 1 77; Polyb. II 32 1; 3-4; Strabo 4.6.7.(205-206C); Liv. *Per.* 20; XXI 32 5; XXX 1 10; XLI 8; 12; 17; XLII 7; Plin. *NH* III 7 48; Cass. Dio LIII 25 5; Eutrop. III 2; Oros. IV 11 10-12; Zonar. VIII 18. Cf. P. Brunt, *Italian Manpower 225 B.C.-A.D. 14*, Oxford 1971, pp. 187-188; W.V. Harris, *War and Imperialism in Republican Rome 327-70 B.C.*, Oxford 1992, pp. 225-226; S. Dyson, *op. cit.*, pp. 87-96; M. Stahl, *op. cit.*, p. 293; L. Gambaro, *La Liguria costiera tra III e I secolo a.C. Una lettura archeologica della romanizzazione*, Mantova 1999, pp. 37-43; M. Piegoń, *W cieniu „metus Gallicus”...*, pp. 126-131; V. Casella, M.F. Pettraccia, *op. cit.*, p. 158; M. Bellomo, *L'espansione romana nella seconda metà del III secolo a.C. e il caso della guerre liguri: tra “Grande Strategia” e competizione nobiliare*, [in:] *I Liguri e Roma. Un popolo...*, pp. 149-167.

Rufus,³⁷ active in the area in the early 2nd century BCE. Their task was, obviously, to conduct the investigation and bring the conflict to an end. It is worth pointing out that the Romans not only considered here their own authority and prestige, which certainly was of utmost importance to them, nevertheless, they cared to appreciate the merits of loyal allies in the region, for example Genua, which was also a strategic centre,³⁸ allowing the Romans to conduct campaigns in south Gaul, Spain, as well as Sardinia and Corsica. This probably was of significance for allowing the residents of the privileged city to use the nearby Roman *ager publicus* and for transferring most of the rental fees (*vectigal*) to the municipal *aerarium*.³⁹ One could not, however, entirely prohibit access to public lands, principally pastures and meadows to the local Ligurian tribes (the Odiates, Dectunines, Cavaturines, and Mentovines) who had used the lands for centuries, pasturing their herds and using the wood and hay, because that could lead to further unnecessary conflicts.⁴⁰ These could negatively affect the process of settlement by citizens and allies in the nearby territories of south Piemonte and Montferrato, and pose a threat to Roman centres such as the colony of Dertona, or to ally settlements, such as Genua, as well as traffic on the strategic road crossing the territories: *via Postumia*. The artery, constructed after the conquest of the lands was complete in mid-second century BCE, connected the Ligurian coast and the Adriatic, as well as former Celtic and Ligurian lands conquered by Rome in the 3rd and 2nd century BCE.⁴¹

³⁷ Q. Minucius Rufus and M. Minucius Rufus were probably descendants of Q. Minucius Rufus, son of Caius, praetor of 200, and principally consul of 197 BCE, who fought in northern Italy against Celtic Boii and Ligures, for which the Senate awarded him *ovatio*: *Act. Tr.*, Degrassi 78f, 552; *Cic. Brut.* 18 73; *Liv.* XXXII 27-31; *Zonar.* IX 16. See: *Dio Halic.* II 11 1. Cf. F. Münzer, *op. cit.*, 1956-1957; 1962-1965; T.R.S. Broughton, *op. cit.*, I, pp. 332-333; M. Stahl, *op. cit.*, p. 289 f. 20; pp. 294-295; 297; V. Casella, M.F. Pettraccia, *op. cit.*, p. 151 f. 510; 155; M. Tarpin, *op. cit.*, p. 196.

³⁸ A. Kolb, *op. cit.*, p. 227; M. Pasquinucci, *op. cit.*, p. 478. Cf. above.

³⁹ *CIL* I² 584 = V 7749 = *ILS* 5946 = *ILLRP* 517: [...] *videtur oportere pro eo agro vectigal Langenses / Veituris in poplicum Genuam dent in an(n)os singulos vic(toriatos) n(ummos) CCCC* [...]; [...] *Sei Langenses eam pecuniam non dabunt neque satis / facient arbitratuu Genuatium quod per Genuenses mo[r]a non fiat suo setius eam pecuniam acipiant tum quod in eo agro / natum erit frumenti partem vicensumam vini partem sextam Langenses in poplicum Genuam dare debento* [...]; [...] *Vectigal anni primi K(alendis) Ianuari(is) secundis Veituris Langenses in poplicum Genuam dare debento* [...]. See: D. Machado, *op. cit.*, p. 123.

⁴⁰ It is worth pointing out that such places as meadows and pastures were an important economic factor in the region where pastoralism was a vital area of agriculture, due to natural factors, such as the landscape. This is because transhumance had long been not only a way to secure food to bred animals (sheep, goats, cattle) during a year, which were necessary resources for the Ligurian communities, providing food (milk, meat, etc.), clothing, but also a crucial cause for their migration. See: P. de Vingo, *op. cit.*, pp. 202-208 (mainly for later times); M. Pasquinucci, *op. cit.*, pp. 466-468. One cannot, however, forget strong economic relations between the Ligurian tribes from the interior and Genua over the sea, referred to by Strabo of Amasia (5.1.3.(211C)) as *emporion*, cf. M. Pasquinucci, *op. cit.*, pp. 472-474.

⁴¹ *Tabula Polceverais* of major significance to determining the course of the Roman artery from Libarnato Genua across the Ligurian Apennines, which researchers attempt to determine pursuant to

Finally, the Roman Republic cared to support the settlement process at the foothills of the Apennines, on conquered lands near Genua, which allowed to release social tension, at least to some extent, related to poorer citizens' access to public lands recovered by the state, which smouldered since the reform movement of the Gracchi brothers in the 130s and the 120s BCE.⁴² Deprivation of any support for the settlers who probably established small *castella*-type centres among the pacified Ligurian tribes, such as Alianus mentioned in *Sententia Minuciorum*, and principally the *castellum* of the Viturii Langenses/Langates, did give the privilege of using the Roman *ager publicus* to Genua, who could use it at free will, and eliminate its other users, which formed the reason for addressing the Senate for arbitration between the city and the Viturii Langenses/Langates.⁴³ While appreciating the merits and strategic location of Genua, driven by the *divide et impera* doctrine, the Romans did not intend to support the important ally but, to the contrary, did not wish to allow it a dominant position in the region at the expense of smaller players or Ligurian groups from the interior, particularly the Roman settlers.⁴⁴ That is why the community of the Viturii Langenses/Langates not only was awarded the *ager privatus* that was not burdened with any fees but could also use *ager publicus* together with the Genoese, as well as

the names of watercourses, mountain peaks, and hills occurring in the inscription, as well as toponyms in later medieval documents that show similarity to those from the Roman inscription; for example, see: P. de Vingo, *op. cit.*, pp. 203-205; S. Pedemonte, *op. cit.*, pp. 12-36; V. Casella, M.F. Pettraccia, *op. cit.*, pp. 181-186. *Via Postumia* probably relief on previously used routes (e.g. through Serravalle and Tortona), which facilitated access to Genua and the Ligurian coast from the Padan Plain (Po Valley) across the Apennines; cf. M. Pasquinucci, *op. cit.*, pp. 473-474; S. Paltineri, *Dinamiche del popolamento ligure dal Bronzo finale alla romanizzazione*, [in:] *I Liguri e Roma. Un popolo...*, pp. 48-52. Determination of the route using GIS and Lidar research methods, see: S. Repetto, *La via Postumia tra Genova e Libarna. La funzione Least Cost Path di Arc GIS per una ricostruzione dell'antico percorso*, [in:] *I Liguri e Roma. Un popolo...*, pp. 345-349.

⁴² Cf. among others: E. Badian, *Publicans and Sinners. Private Enterprise in the Service of the Roman Republic*, Oxford 1972, pp. 668-731; A.H. Bernstein, *Tiberius Sempronius Gracchus. Tradition and Apostasy*, Ithaca and London 1978, pp. 102-225; D. Stockton, *The Gracchi*, Oxford 1979, pp. 40-61; F. Santangelo, *A survey of recent scholarship on the age of the Gracchi (1985-2005)*, "Topoi" 2007, 15(2), pp. 465-510; J. Rich, *Lex Licinia, Lex Sempronia: B.G. Niebuhr and the Limitation of Landholding in the Roman Republic*, [in:] *People, Land, and Politics. Demographic Developments and the Transformation of Roman Italy 300 BC- AD 14*, eds. L. de Ligt, S. Northwood, Leyden-Boston: 2008, 519-572; S.T. Roselaar, *Public Land in the Roman Republic. A Social and Economic History of Ager Publicus in Italy, 396-89 B.C.*, Oxford 2010, pp. 221-289.

⁴³ Contemporarily, the location of the *castellum* of the Viturii Langenses/Langates is set in the following places: at the Monte Castello hill (S. Pedemonte, *op. cit.*, p. 23), at the place of the present Langasco settlement or in the Langasco precinct, whose name derives from their ancient predecessor with the same name, already in the 16th through the 19th century considered as a centre located at the site of the *castellum* of the Viturii Langenses/Langates (V. Casella, M.F. Pettraccia, *op. cit.*, pp. 185-186; M. Pasquinucci, *op. cit.*, ss. 468-469; G. Choquer, *op. cit.*, p. 142; M. Tarpin, *op. cit.*, p. 200). In turn, *castellum* Alianus is currently located in various places: Bric Montaldo, Parrocchia dei Giovi, Monte Poggi/Monte Peuzu, Pian di Reste, Bric di Guana/Bric Guana, Vicino, etc.

⁴⁴ Cf. below.

pastures and meadows, and although it paid rent to Genua in money and in kind, it could co-decide about their allocation, use, and lease, having all these benefits guaranteed in the sentence awarded by the Minucii Rufi brothers.⁴⁵

Abbreviations

CIL – Corpus Inscriptionum Latinarum

FIRA – Fontes Iuris Romanianae Iustiniani²

ILLRP – Inscriptiones Latinae liberae rei publicae

ILS – Inscriptiones Latinae selectae

RE – *Realencyclopädie der classischen Altertumswissenschaft*, eds. A. Pauly, G. Wissowa, W. Kroll, Stuttgart 1893

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⁴⁵ The privileges of the *castellum* of the Viturii Langenses/Langates stated in the *Tabula*: *CIL* I² 584 = V 7749 = *ILS* 5946 = *ILLRP* 517: [...] *qua ager privatus casteli Vituriorum est quem agrum eos vendere heredemque/sequi licet is ager vectigal(is) nei siet Langatium fineis agri privati* [...] (marking the *ager privatus* with its borders); [...] *agri poplici quod Langenses possident* [...]; [...] *quem agrum poplicum / iudicamus esse eum agrum castelanos Langenses Veituros possidere fruique* [...] (handover for ownership and co-use of the *ager publicus*); [...] *e[i]s quei possidebunt vectigal Langensibus pro portione dent ita uti ceteri / Langenses qui eorum in eo agro agrum possidebunt fruenturque praeter ea in eo agro ni quis possideto nisi de maiore parte* [...] (fees to be paid by tenants of the land to the treasury of the *castellum* community), as well as the order to release the Viturii Langenses/Langates imprisoned by the Genoese. As regards the right to inheriting the land by inhabitants of Roman settlements, including the *castellum*, in Roman legislation, see: Paul. *Sent.* IV 6 2: *Testamenta in municipi<o>, colonia, oppid<o>, praefectura, vico, castello, conciliabulo facta in foro...*

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SENTENTIA MINUCIORUM/TABULA POLCEVERA FROM 117 BCE –
ARBITRATION AS AN INSTRUMENT FOR RESOLVING DISPUTES AMONG ALLIES
DURING THE REPUBLICAN PERIOD AND A SOURCE TO ANALYSE ROME'S POLICY
REGARDING SUBORDINATE LANDS

Summary

The Sententia Minuciorum/Tabula Polcevera gives an insight into the proceedings before the Roman arbitrators. It is not just a judgment of two officials, but a document that also describes the legal acts and actual actions taken by them in Liguria. The arbitrators dealt with the conflict between the inhabitants of Genua and the *castellum* of the Viturii Langenses/Langates and the tribes living in the neighboring areas for the use of the *ager publicus*. The inscription also allows you to get to know the backstage of Roman policy towards subordinate inhabitants. It is an example of a document showing the moment of arranging internal relations in the conquered territories, a phase that is usually missed due to the limited source material.

Keywords: *Sententia Minuciorum, Tabula Polcevera*, Roman arbitration, Rome, Genua, Liguria

ARBITRAŻ MINUCJUSZY/TABLICA ZNAD POLCEWERY 117 r. p.n.e. – ARBITRAŻ
JAKO NARZĘDZIE ROZWIĄZYWANIA SPORÓW MIĘDZY SPRZYMIERZENCAMI
W OKRESIE REPUBLIKI I ŹRÓDŁO DO ANALIZY RZYMSKIEJ POLITYKI
WOBEĆ PODPORZĄDKOWANYCH TERYTORIÓW

Streszczenie

Sententia Minuciorum/Tabula Polcevera daje wgląd w postępowanie przed rzymskimi arbitrami. Nie jest ona tylko orzeczeniem dwóch urzędników, ale dokumentem zawierającym także opis czynności prawnych i rzeczywistych działań podjętych przez nich w Ligurii. Arbitrzy zajmowali się konfliktem między mieszkańcami Genui a *castellum* Wituriejczyków Langensów/Langatów oraz szczepami zamieszkującymi sąsiadujące tereny o korzystanie z *ager publicus*. Inskrypcja pozwala również poznać kulisy rzymskiej polityki wobec podporządkowanych mieszkańców. Jest bowiem przykładem dokumentu ukazującego moment układania wewnętrznych stosunków na podbitych terytoriach, która to faza najczęściej umyka, w związku z ograniczonym materiałem źródłowym.

Słowa kluczowe: *Sententia Minuciorum, Tabula Polcevera*, arbitraż rzymski, Rzym, Genua, Liguria