The Fifth Century Crisis[1]

ABSTRACT

This essay seeks to establish the parameters of our uncertainty concerning one of the most difficult periods of Roman history, the period between the traditional end of the Roman monarchy and the passing of the Licinio-Sextian legislation. In addition to some methodological observations, the essay attempts to offer a model for understanding Roman choices and decisions in a period of change and transformation.

This collection of essays offers a variety of approaches to what is in many respects the most complicated and least well understood period of Roman history, viz. the period from the end of the sixth century BC, which the ancient tradition associated with the fall of the monarchy, to the Licinio-Sextian legislation of the fourth century, which at least potentially represents the moment in which the Roman republican constitution, with two annual magistrates, became a stable feature of Roman history. Although the essays in this collection also cover earlier and later periods, I shall focus on the central problems of the first century and a half of the Republic.[2]

Modern authors have sometimes spoken of a fifth century crisis,[3] but I am using the term here to indicate not only the possibility of a genuine historical downturn but also the highly problematic nature of our engagement with this period. Paradoxically, whilst the sixth century BC is more distant in time, and arguably less well supported by the sources, it seems to some extent rather more comprehensible.[4] It is not that we have invented a crisis because the sources have let us down; rather, the problematic nature of the source material may itself be indicative of the problems faced by central Italy at this time.

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[1] I am very grateful to Jeremy Armstrong and James Richardson for the invitation to a highly stimulating conference and to contribute to this volume, and I am grateful also for their comments on this essay.

[2] The standard treatment in English is Cornell (1995) 215-345. See Flower (2010) 35-57 for the interesting argument that this period saw several 'republics.' *Contra* North (2010).

[3] Notably in the collection *Crise et Transformation* (1990).

[4] See now Lulof and Smith (eds) 2017. Part of the reason for the apparent familiarity may of course be that the ancient sources found it easier to fit the period of the kings into an existing historiographical mould, that of Greek tyranny.

Throughout this volume, the reliability of the sources is of course a (perhaps *the*) key problem,[5] and the approach I want to take is not to rehearse yet again that specific methodological challenge (for which see the introduction to this volume), but to argue that there are certain approaches which are required of us when dealing with this period. It is not impossible to construct a history of the fifth and early fourth centuries BC, even if we start from a position of considerable scepticism, but we need to be highly attentive to the leaps in reasoning we are making. I want therefore to offer a reconstruction of this period which I believe to be consistent with a fairly minimalist position. The end result is both informed by, but also a reaction to, the essays collected here. It is less a conclusion than an attempt to suggest some ways in which we might move forward from this welcome contribution on a poorly understood period.

After some methodological observations, I want to shape my thoughts around three main themes: first, the issue of continuity from the sixth century BC; second, an argument about military activity and how it may help us to create a model for what is happening at Rome in this period; and third, some comments on religion.

To start with our approach to the sources, one of the temptations offered by this period of Roman history is to read the sources against the grain, and to believe that one can fashion a history which is entirely different from that which the sources offer, but nonetheless using (some of) the evidence they provide.[6]

In other periods and places, this is a very plausible way of proceeding. It is not uncommon to wonder if one can write a very different history of the Athenian empire from the one we find in Thucydides, for instance, or to deconstruct Ciceronian rhetoric and Sallustian narrative. This is a key method for the ancient historian. We cannot and should not take our sources at face value; none, not even the inscriptions, are documentary in any value-neutral way (even assuming that such a concept exists). What is written down conceals and betrays at the same time the purpose of its production, which will always be to persuade and convince.

The critical difference between the sources just cited is that, for the most part, they refer to their own period, or one within living memory. Thus, when we read Thucydides against the grain, we do so knowing that he was aware of his own time, and had living sources.[7] He was engaged in a dialogue or an argument. For this reason, we tend to privilege Thucydides over

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[5] The challenges laid down by Finley (1985) remain pertinent. See now for an excellent account of the way to combine archaeology and the sources, Hall (2014).
[6] For an example of this approach, see Howarth (2006).
[7] See for example Badian (1993).

the much later Plutarch as a source. Plutarch is interesting in his own right and in his own times for the shape he gives to his material, but as a source he is of more significance for his testimony of traditions which have been otherwise submerged or lost.[8]

The difference between this and the case of the early Republic is obvious, but the consequence needs spelling out. It is possible to believe that Thucydides persistently misrepresents the character of Athenian imperialism, or that Cicero traduces Catiline, and to unearth a consistent shadow account, because we make a fundamental assumption that the factual structure remains the same for either account, and it is the interpretation which is different. It is not possible to make the same argument for the early Republic for two reasons: first, it is precisely the potential absence of a factual basis which is at stake; and second, but consequently, it is very difficult to argue that there is a consistent Tendenz which has distorted that factual basis.[9]

This creates a problem for any account which tries to create an alternative picture of the early Republic, but using the same evidential base. Modern accounts do exist which claim to uncover a consistent but hidden pattern underlying the sources.[10] I find this unconvincing methodologically because it presupposes that the ancient writers had a clear knowledge of a coherent factual base, which is then not only consistently manipulated but whose manipulation remains consistently transmitted such that it can be 'reversed' by the modern scholar.

Suppose instead that the material which the ancient historian had in front of him was a scattered muddle of conflicting legends, myths, lists, and untethered stories, and that the shape imposed on such material was to a large extent the product of stylistic choices, determined by the contemporary concerns of historians, reworked repeatedly. Recognise then that we have only two surviving sources which deal in detail with this period, Livy and Dionysius of Halicarnassus, both standing late in the tradition of historiography. It becomes less and less plausible to believe that they are a code which can be unlocked to reveal a consistent alternative reality, especially when we find scattered variants which cast a quite different light, as is often

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[8] See for instance Stadter (1992).

[9] For the purpose of this argument I leave aside the evident ways in which Greek historiography has shaped Roman narratives; see Trundle (this volume) and recently Griffiths (2013), and above n. 4. Griffiths' argument is that 'much of early Roman tradition will have been bootstrapped into existence when it was needed for reasons of cultural prestige,' and he attributes this to the work of Fabius Pictor, an argument not dissimilar from that of Alföldi (1965). For a suggestion that the acts of cultural translation are more complex, see for instance Feeney (2016). My main argument for the fifth and fourth centuries BC would be that models of Greek historiography may have been variously used in individual episodes, but that it is much harder to see a single overarching and distorting pattern in, say Dionysius of Halicarnassus or Diodorus Siculus. On Cassius Dio's independence, see Urso (2016); on Dionysius, see Wiater (2011), and on Greek historiography in the later republican period in general, see Yarrow (2006); Schmitz and Wiater (eds) (2011).

[10] See for instance Mora (1999).

the case with Diodorus Siculus. Had we all the ancient sources, we would almost certainly find them frequently irreconcilable, implying that there was no single 'truth' for us to hope to attain.[11]

Two areas where this kind of rewriting has been particularly common are the institutional history of Rome and the history of military events. When it comes to the first of these, the sceptic will lay much emphasis on the institution of the *praetor maximus*.[12] This office, especially if it reflects a single lead magistrate, negates the concept of the paired magistracy of the consulship. If we accept the argument that in fact Rome did not have the idea of the consulship until the middle of the fourth century, we can write a very different history – or indeed we can decide not to write a history at all, taking the view that the evidence is so corrupt that no intelligent reconstruction is possible.[13]

To a degree, the attraction of the *praetor maximus* thesis is that of the *lectio difficilior*. However, it is worth reflecting on just how unsubstantiated this version of Roman political history is. Why should we believe it? What problem did it solve when Varro, if it was he, unearthed it?[14] It has sometimes been suggested that the development of a multiple magistracy should be connected to the split of the legion from one into two units, but unfortunately we cannot date this move either, a move which depends on a brilliant but hypothetical reconstruction by Fraccaro. Justifying a rather unclear tradition on the leadership of the Roman political state by reference to a hypothesis regarding the development of the Roman army would be inherently and obviously dangerous.

Unfortunately, writing the history of the early Republic often proceeds by building hypothesis onto hypothesis. Similar processes are at work when we deconstruct the Roman story of military success. One way of doing this is to note doublets and apparently repeated episodes, and it may well be that such episodes are signs of a deeply suspect narrative.[15] They may also of course be signs of a style of warfare less decisive than the sources believed, so that, in the manner of the relatively frequent low-level warfare we associate with Greek *poleis* outside the cataclysm of the Peloponnesian War, there was a tendency for warfare to be

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[11] See Cornell (1991) for the case for a multiplicity of material. For fascinating accounts of Cassius Dio, an underestimated author for this period, and his awkwardly off-message narrative, see Urso (2005) and the important new collection, Fromentin *et al.* (2016).

[12] Livy 7.3.5 with Oakley (1997-2005) ad loc. and additional material in ibid. IV.547; cf. Fest. 152L; Paul. Fest. 249L; Varro, *Ling.* 5.80; ps.-Asc. 234.5-8. A radical treatment of the problem is offered by Bunse (1998).

[13] See Richardson and Drogula (this volume) for highly intelligent versions of this position, with references to the extensive bibliography, which goes right back to the beginning of the discipline of ancient history. See Ridley (1980).

[14] See Smith (2011).

[15] This is the method often used by Pais in his work; see below (n. 20) for an example.

repetitive. Critical to any progress here is the general recognition that the sources' account of the development of the Roman army may be anachronistic, but there is no easy proof which can decide between an account which simply maintains the lineaments of the Roman version, but changes the dates, and another which offers a radically different evolution.[16] And to a degree we tend to write the story of Roman expansion on the basis of the assumptions made about these other matters. So a small, weak, or disorganised army encourages a view that the Romans overstated their military progress; whereas a more positive view permits a version closer to the Romans' own account.[17]

All early Roman history is a matter of hypothesis, and we all choose the building blocks which suit us.[18] Take for example the hypothesis of warfare organised around clans. This is built almost entirely on the exploits of the Fabii at Cremera.[19] But historiographers know that that account has been massively tampered with, to say the very least. On the face of it the Fabii are located in the right place to battle with Veii and there is a gap in the consular *fasti* which could be attributed to a wipe-out of the family. However there is also a tradition about a massacre of 307 Roman prisoners at Tarquinii in 353 BC (Livy 7.15.10) and the two accounts may have influenced each other. The modern assumption tends to be that it is the Cremera episode which influenced the later story.[20]

Yet the argument that the Cremera story is secure depends on some awkward reasoning. Badian, in his review of Taylor's *Voting Districts of the Roman Republic* in *JRS* 1962, noted the fragility of the argument that put the Fabii next to Veii. In his notes to the reissue of Taylor's volume, Linderski dismissed this as 'cavils', and Rieger's allocation of Lavinium to

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[16] For a recent 'evolutionary' account, Minieri (2016), who also adduces *disciplina Manliana*, with the distinction between Manlius Torquatus' single combat, and his son's reckless engagement, for which he was executed by his father, as signs of a change in the way fighting took place: 'non può dubitarsi che essi siano rappresentativi di diversi modi di combattere e di diverse epoche nelle quali in particolare il combattimento individuale è prima consentito e poi non più permesso' (138). However, the first such episode, that of the death of the younger Postumius on the orders of his father Aulus Postumius in 431 BC (Livy 4.29.5; cf. Diod. 12.64, Gell. *NA* 17.21.7) has been seen as a negative exemplum of how not to conduct warfare when cohesion is required (Ogilvie [1965] ad loc.). Insofar as we can make anything out of these stories, a high degree of variation rather than a linear development might seem the more obvious conclusion, which fits well with Rich's adoption of van Wees' model of an 'open formation model of archaic warfare' (Rich [2015] 18; van Wees [2004]).

[17] Our understanding of the early Roman army is under increased scrutiny; see Armstrong (2016) and this volume; recent work on mercenaries, e.g. della Fina (ed.) (2013); and the thoughtful and balanced assessment of Rich (2007). On the archaeological evidence, for now we rely on Saulnier (1980) and Stary (1981).

[18] Beautifully illustrated by Ridley's account of modern versions of the story of Porsenna (this volume).

[19] Livy 2.48-50; Dion. Hal. *Ant. Rom.* 9.15-22; see Richardson (2012) 81-3 and *passim*, with bibliography; Armstrong (2016) 145-6 and *passim* for the fighting capacity of the *gens*; Trundle (this volume). Rich (2007) 16 suggests it was an 'episode in a public war,' with which I agree.

[20] The opposite was held by Pais; see for instance Pais (1906) 168-84; see the clear account by Dillery (2009) 88-90.

the *tribus Fabia* as 'ingenious and erudite, but not necessarily convincing'; but his own positive argument depends on weak logic:

> military undertakings spearheaded by clans and adventurers were a common feature of archaic Italy and Rome, as exemplified by the now famous inscription from Satricum recording a P. Valesius and his *sodales*.

However, we know next to nothing about the context of the Satricum inscription, and *sodales* are not *gentiles*.[21]

Another argument is that the Fabian event is rooted in Roman chronology. It is in some sources on the same day as the Battle of the Allia – but not in all; and Ovid claims to have better information on the Fabii.[22] Moreover a Fabius is already consul in 467 BC, so the argument that the *gens* was destroyed is belied by the *fasti*. Ironically, we could then have a family story disproved by a list which sceptics argue is the product of familial manipulation. Finally, there is no evidence, archaeological or otherwise, for a *gens* of some three hundred members.

The account of the Fabii at Cremera is desperately problematic, and has to be recognised as such. Yet the episode is used repeatedly to shore up theories on the *gens*, on Roman warfare, society, economy, settlement patterns, and even the transmission of information about the archaic period; and the equally obscure and potentially completely different story about the *sodales* of Valesius at Satricum is often used to shore up the validity of conclusions derived from the Fabian episode. Yet scarcely anyone I suspect believes that 300 Fabii marched against Veii with the permission of the Senate and were eventually caught by an ambush and killed down to the last boy.

Ultimately the most significant feature of the early Republic is how difficult it is to turn into a coherent historical narrative, and we have to focus on explaining that, and asking different kinds of questions of the evidence we do have. At the heart of this, of course, is the problem of the lists of magistrates, and their reliability, and ultimately that cannot be solved in its own terms, since the evidence can point in any direction. One way forward is to acknowledge that

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[21] Taylor (2013) 362-3. The Satricum inscription is in danger of being taken as more straightforward than it is; see Stibbe *et al.* (eds) (1980) for an early account. For a helpful recent summary of the context in which *sodales* may fit, see Di Fazio (2013) and now Armstrong (2016) 141-4.

[22] Ov. *Fast.* 2.195-242; Livy 6.1.11; Tac. *Hist.* 2.91.1; Macrob. *Sat.* 1.16.23; cf. Macer *FRHist* 27 F23. I note in passing that the critical issue in Macer is that the same *curia* had the *principium* in the year of the battles at Cremera and Allia. Palmer's clever suggestion that it was the *curia* not the *gens* that lost 300 men is unlikely to be right, but I suspect he may be right to think that Macer was onto something; see Palmer (1970) 234-5; Richard (1989). Oakley (1997-2005), on Livy 9.38.15 and in *FRHist* on Macer F23 is more sceptical.

the account has to be thinner and at a higher level of abstraction. The other, as is well illustrated by this volume and other recent work, is to look at this critical but difficult period within its wider context. And the third is to give greater weight to the least disputable aspects of the evidence, archaeology, the Twelve Tables, and the festival calendar.

If our focus is in part on why the fifth century is so problematic then we have to start with the sixth century and ask what continuities and discontinuities we can trace. Hopkins' recent book on Roman architecture reminds us that the divide around 500 BC is a largely modern one and is unhelpful.[23] At the same time, Glinister (this volume) reminds us that the transitions at the end of the monarchical period were not neatly focused on the expulsion of Tarquinius Superbus. In short, the period from the sixth to the mid-fifth century is a period of profound architectural activity, and insofar as we can tell, significant constitutional change.

Once we begin to think of building as a sign of a society under stress this makes rather more sense. There are plenty of parallels which show that building can take off in a dramatic way when it is being used to reinforce a society which feels a sense of insecurity, rather than operating as a sign of successful stable growth. This insecurity may have been heightened by the brutality of the labour demands.[24] Certainly the level of construction in the city of Rome, as attested by temples, is now far greater than we had thought, and this highly visible and powerful display was combined with major infrastructure projects and elite housing.[25] Instead of an index of stability, we may be seeing the exploitation of resources within an increasingly competitive world. Internal competition and peer-polity interaction are both likely factors if we can extrapolate from a Mediterranean-wide model.[26]

The flattening out of a messy model of competition into the canonical story of seven kings, whenever that occurred, makes the narrative of the archaic period very difficult to recover. However, there are two critical elements which have to be factored in. First, the simple size of Rome is an indication that we are dealing with a complex and sophisticated society. Every indicator places Rome as a leading city in central Italy: fortifications, infrastructure, number and size of temples, area of city, apparent hinterland.[27] Second, the quality and quantity of public spaces imply that there was some sort of civil society at work, however functional it may have actually been. This is perhaps the most controversial and difficult claim, but a

[23] Hopkins (2016).
[24] For the costs of building at Rome, see Cifani (2010); Volpe (2014). This is also the topic of forthcoming work by Seth Bernard.
[25] Winter (2009); Cifani (2007).
[26] Renfrew and Cherry (eds) (1986) remains the classic account.
[27] Cifani (2007) collects the evidence, and there is now even more; cf. Fulminante (2013).

condition of the utter subjugation of one's own populace (as opposed to others, such as the helots of Messenia) is out of kilter with experience elsewhere in small scale polities at this time.

The challenge therefore is to explain what happened as we head in to the fifth century. Luxury display in private contexts which are archaeologically visible, already in decline from the sixth century, reduces even further, and remains low.[28] By 450 BC, the pace of building work seems to have slackened, according to the sources and in the visible archaeology. Survey evidence shows a slow-down in the growth of settlements in the countryside around Rome.[29] At the same time we have in the middle of the fifth century, again according to the sources, the creation of the Twelve Tables, Rome's law code.[30]

It would be possible to deny the veracity of the tradition of the Decemvirate; it is a story which has been patently subject to many inventions. The alleged link to the Athenian law codes is surely spurious. Arguments about the dating, which depend on assumptions about the sort of society represented, are weak, since Rome was a small scale, predominantly agricultural community long after the middle of the fifth century BC. Perhaps the strongest argument to be adduced is the idea that to be sold *trans Tiberim* put one outside Roman territory, which is much more difficult after the defeat of Veii.[31] At the very least, the Twelve Tables should be, in their origin, the product of a phase before the Licinio-Sextian legislation. Unattached to individual magistrates in the way the Licinio-Sextian and Valerio-Horatian legislation was, and regarded as a collective product, they are consistently presumed to predate subsequent law-making.

Even if the contents have been horribly garbled by their transmission, and the date is less secure than we might hope, the importance of the Twelve Tables cannot be overstated.[32] If we accept at least a fifth century date, two things seem to me to follow. First, we have to acknowledge that Rome was operating according to the rule of law, and that implies also the

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[28] Colonna (1981); recently, Willemsen (2014).

[29] Patterson, Di Giuseppe, and Witcher (2004), showing genuine problems in south Etruria, which may relate to the conflicts in, and with, Veii; the historical outline is neatly sketched in Camporeale (2004) 90-3; see also *Crise et Transformations*. Attema *et al.* (2014) shows the abandonment of Crustumerium c. 500 BC; see Tol (2012) 370-1 for more continuity in the Pontine region, but weaker links with the settlements of Satricum and Antium. The evidence from the Suburbium now seems to show a fairly steady number of settlements but at the same time a rise in settlement continuity; Capanna and Carafa (2009); Fulminante (2013). See further below (n. 36).

[30] Many of these issues are conveniently discussed in Raaflaub (2005). See also Forsythe (2005) 201-33; Humbert (ed.) (2005).

[31] XII Tables 3.7 (Crawford).

[32] Bartlett (this volume), who is right to note that the terms of the law code were subject to change but that the fundamental concerns are those of a society based on law. The fact that the *gens* is critical in inheritance does not change the fact that the law code expressly codified the *gentes*' role, or that the preservation of property had a strong social benefit.

pressure of a civil society; Forsythe makes the good point that there is surprisingly little religion in these laws.[33] Second, legal codifications do not come from nowhere. The pressures and changes of the previous century will have led to the solutions which appear in the context of the Twelve Tables.[34]

This implies that in the hundred years or so prior to the Licinio-Sextian legislation, experiments in power will have taken place. Catching sight of this degree of change and transformation is difficult; it is one of the reasons why this volume and future studies will continue to focus so much on the transformation of *imperium*, which may trace an institutional development independent of the problematic evidence of the *fasti*. Yet even here, much of the traditional account is problematic, and there are suggestions that elements of the later settlement of 367 BC are retrojected to an earlier stage. However, there is perhaps enough to acknowledge how much more complicated Rome was than the simple patrician-plebeian dichotomy permits.[35]

At the same time the sources are unanimous on the fact of a substantial degree of military pressure on Rome between the sixth and fourth centuries BC.[36] There are signs of these pressures elsewhere, with the expulsion of the Etruscans from Campania in the first half of the fifth century. Successive challenges from central southern Italy seem clear, and we catch glimpses of the realignments which were later mapped onto peoples such as the Latins, Volscians, Hernicans, Aequians, and Aurunci.[37] This consistent ancient account of the geopolitics of the mobile peoples of central Italy is the sort of material we are told does survive on lists, such as the *fasti triumphales*, and even if we find them problematic in detail, one might accept the overall sense of military pressure (at least in the early fifth and early fourth centuries

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[33] Forsythe (2005) 213; Santalucia (1981) 48-9.

[34] Notably, the Twelve Tables may have legislated against expenditure on funerals, but changes in the archaeological record are visible a century or so earlier; Colonna (1981); Toher (2008).

[35] As argued in Cornell (1995) 256-8; Smith (2006).

[36] The gap, as noted by Rich (2007) and (2014), is in the later fifth century. Rich argues that the Latin settlement may have created stability with those settlements, that there was little expansion by Rome from the 490s to the sack of Veii, and that Livy reports 'Roman forces as in combat in only fourteen of the years between 454 to 411', Rich (2014) 214. This is however also one of the periods of the greatest concentration of military tribunes with consular power, with 16 instances (Cornell [1995] 335-6). Since consular tribunes never triumphed, warfare may be under-reported in the sorts of information which the annalists picked up, but that does not mean it was not happening. Another way of reading this period, and its relatively low ratio of triumphs, is of attrition until the breakthrough at Veii. This might also explain the slowdown in settlement growth, as Rome sought to consolidate (above, n. 29). Moreover, if we take more seriously the Roman account of their colonies, there are four foundations in this period (Ardea, Labici, Fidenae, and probably Bola), which may argue for different approaches to the control of territory; see below, n. 51.

[37] A useful summary of recent work in this area in Aberson, Biella, Di Fazio, and Wullschleger (eds) (2014).

BC) as a genuine survival.[38]   Indeed this is perhaps part of the reason why the notion of *imperium* was itself under such strain.[39]

This leads me to a suggestion as to how we might imagine what happens between the sixth and fourth centuries BC. The critical factors we have observed, which depend very little on the ancient narrative as opposed to evidence which might be found in the core material, such as laws, lists, and institutions, are a reduction in visible private expenditure; a rise in large-scale public monuments and infrastructure, which again reduces through the fifth century; evidence of the use of law to constrain and order society; and indications of military pressure on Rome, which are taken to have encouraged a shift in the organisation of the army at least by the earlier fourth century.[40]   Sadly, the evidence we have cannot be used to determine the nature of that change or its date.[41]   The reform of the army and the reform of the assemblies will have been connected, but both are equally uncertain.

A comparison with Spartan history in the seventh and sixth centuries offers some similarities and contrasts.[42]   As far as we can tell, on account of the confusion created by the 'Spartan mirage', Sparta went through a remarkable social change as a result of its difficulties with the Messenians.[43]   Whilst its own account of itself emphasises stability and an unchanging constitution, other evidence implies shifts of power balances between competing groups within a society which regarded itself as a group of equals, but was actually rather fragmented.

Three aspects of this development are heightened militarism, a corresponding reduction in artistic activity, and the introduction of the Great Rhetra (and its rider) which laid out the necessary divisions of society for the purposes of governance.[44]   The increasing significance

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[38] See now Lange and Vervaet (eds) (2014) with bibliography, and especially Rich (2014); see above n. 36 for an alternative to Rich's picture of relative peace in the later fifth century.

[39] For recent treatments, see Vervaet (2014); Drogula (2015), and several essays in this volume.

[40] The critical issue is how to balance two different sets of arguments. One is the implausibility of the sources' account of the Servian constitution, on which, see Thomsen (1980), Ampolo (1988), Cornell (1995) 173-97 against the more sceptical accounts, for instance, Forsythe (2005) 109-15 and Armstrong (2016) 75-86. The other is the apparent dominance of Rome in Latium, as attested by the first Roman-Carthaginian treaty, Polyb. 3.22, on which much ink has been spilt. The likelihood of it reflecting some version of reality c. 500 BC is enhanced, but not proved, by the discovery of the Pyrgi tablets; Smith (2016). A narrative which takes account of both a late 'Servian' constitution and the veracity of the treaty is not impossible, but the weaker the army structure at Rome, the more one has to argue for the relative weakness of her neighbours, to permit Rome to dominate.

[41] For modern views since Niebuhr, see the helpful historiographical essay by Cairo (2012).

[42] Works on Sparta are numerous, even if the evidence remains scanty; see the standard work of Cartledge (2002); and more recently Hodkinson (ed.) (2009); Powell and Hodkinson (eds) (2010); Kennell (2010).

[43] Welwei (2003).

[44] Plut. *Lyc*. 6: '[I {sc. Apollo} order you] having founded a temple of Zeus Syllanios and Athene Syllania, having tribed the tribes and obed the obes, having established thirty as a council of elders together with the leaders/kings, from time to time to celebrate Apollo [or to hold assemblies] between Babyca and Cnacion thus to bring in and to set aside. Ultimate authority and power are to be the people's. … [I order that] if the people speaks crookedly, the elders and leaders/kings are to set aside'. See, for recent treatments, Nafissi (2010); Lupi (2014).

of the ephorate as an oversight body inevitably reminds one of the development of the tribunate at Rome, even if Sparta kept its kings, as Rome clearly did not.[45]

Critically, a model of militarism within the context of political control makes sense for a period of intense military pressure and, as Rich stresses, warfare was a civic activity.[46] If we are right to believe that the fifth and early fourth centuries BC saw a ramping up of pressures across central Italian society, then a response which turned away from individual display toward communal action makes sense. But critically, that turning away was part of a social choice, a collective decision which rebooted Roman society as something distinctly different from what had gone before.[47]

The reorganisation of the Roman tribes may be precisely the trigger for the kind of new social order which was later evident in the fully worked-through centuriate order.[48] The one piece of solid evidence which we have about the early Republic, which is the overlapping of some clans with most of the early tribal names, is helpful to this reconstruction. This overlap gives a critical clue to the nature of the *gentes* at Rome, that they had a strong territorial base. Even that however shows something critical about their relationship to the centre – they were *tribus*, divisions of a whole, and it is on the survival of the whole that Rome's strength depended during the unrest which characterised most of the fifth century.

Insofar as we can understand the later fifth century, it must, to a degree, be understood as the backdrop to the dramatic intervention at Veii. Whilst Rome may not have destroyed the city as fundamentally as the Roman sources claim, it clearly radically reduced the political and military significance of Veii, and led to changes in Veii's hinterland of the Faliscans.[49]

The Roman victory over Veii, Rome's capacity to recover from the Gallic defeat, and the community's increasing control over Latium meant that, by early in the fourth century, Rome

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[45] On the tribunate, see now Lanfranchi (2015); Meunier (2011), (2015), who revives the old idea that the tribunes had a military function; and Pellam (2015), who argues that the tribunes were a natural rather than a radical development of the Roman constitutional process.

[46] 'From the early Republic on, aristocrats who sought to distinguish themselves for valor were striving to excel in activities in which ordinary citizens too were full participants', Rich (2007) 20.

[47] In this sense, the remarkable discovery of the warrior tomb at Lanuvium and the scattered high quality material from Rome and other sites become symbolic of the end of a specific form of display, but at Lanuvium, the importance of an athletic element as well as a military one points one towards public spectacles. We are precisely at the boundary between the limits of individual display within a communal context, and part of this is the adoption of Greek motifs and decorations which will become exceptionally rare. See the brilliant account of Zevi (1993).

[48] Cels-Saint-Hilaire (1995). The tribal organisation, which tended to work on a more representative model, had to be co-ordinated with the curiate and then the centuriate assemblies, but how and when this happened is not recoverable with certainty; see Smith (2006) on the *curiae*, Armstrong (2016) on the centuries, Cornell (1995) 190-7 and Bradley (2015) 107 for attempts to maintain an early date for the first centuriate reforms, and Grieve (1985) for a brilliant reconstruction of the reforms of the third century BC, which may have influenced the historiography in ways now difficult to recover. On the related problems of the *classis*, see below, n. 63.

[49] Cascino *et al.* (2012), (2015); Cifani (ed.) (2013).

was in a strong position, and less hemmed in by equals than its Etruscan neighbours. Yet this must have come at a cost. The unbalanced equation of time spent on non-agricultural labour and warfare, as opposed to the food supply needs of a substantial population, bedevilled early societies.[50] Sparta's solution of a subjugated population providing food for the Spartan Homoioi was not taken by early Rome as far as we can see; instead, if it is correct to see the price for Rome's neighbours of defeat and treaty with Rome as a demand for sharing in the military burden, presumably Rome both shared the pain and tried to predetermine victory by having a larger army in the field.

The Romans may also have experimented with different models of territorial control. Recent work on Roman colonisation has helpfully forced us to reconsider the purpose of colonies, and the impact they had.[51] The tensions between successful integration, violent repression and failure accompany all the narratives we have of Roman power in central Italy, and it is clear that simple models will not suffice.[52] Whatever system emerged in the aftermath of the Latin wars of the fourth century, it had deep roots, both in the geopolitics of central Italy, and in the management of Rome itself and its growing needs.[53]

In many respects, Rome's early republican settlement looks potentially unbalanced. There was a strong aristocratic element, but the emergence of the plebs suggests an element of conflict. Again, we could see this as pushed to the very beginning of the Republic by later writers, but Rome's highly segmented society had space for a group just below the aristocracy, and its economy certainly had potential for wealth generation. With a substantial territory, and the competitive forces identified in the archaic period still presumably an issue, choosing to become a more militaristic society may have been a logical decision, because it both bound society to a common purpose and provided resources for continuity. Subsequent arguments would have related to the distribution of those resources, but the notion of the *res publica* is

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[50] Above n. 24 for the problems arising from the major building works at Rome.

[51] See Stek and Pelgrom (eds) (2014); and their work needs to be put into dialogue with the transformation of our understanding of Greek colonisation, on which see now Donnellan, Nizzo, and Burgers (eds) (2016a, b). Bradley's helpful insistence (this volume) on mobility at all levels of society may offer new arguments which will encourage us to think that the early colonies in Roman history were conceptually more plausible than has sometimes been held. On the source tradition see Chiabà (2011).

[52] See Helm, in this volume, for a revisionist account of the fourth century alliance system.

[53] The conclusions of Fulminante (2013) are fundamental here. See also Palombi (2010).

highly significant,[54] and would have been critical to the major rethinking we see in the later fourth century.[55]

One of the interesting axes of comparison and future development may be a focus on the words which are used to define the Roman mindset. It has been well noted that, in Sparta, a key emotion was shame (*aidos*), and that this played a central role in encouraging cohesion in war.[56] For Rome, we would probably look to *virtus*.[57] Although McDonnell's thesis on Roman manliness as essentially beginning in belligerence has been criticised, and needs to be modified, he must be right that one element of the mix is indeed military.[58] Pretty much our earliest evidence, the Scipionic inscriptions, emphasise the balance between physical and mental *virtus* (*fortis vir sapiensque* is the pairing attributed to Cn. Cornelius Scipio Barbatus, before the phrase *quoius forma virtutei parisuma / fuit*).[59] Courage and fortitude are part of the fundamental moral universe of the Romans and their neighbours, and are ubiquitous in the artistic production of the time, both imported and locally manufactured.[60]

Intelligence, however, is critical in the Roman mindset, and there is a world of intellectual endeavour which we also need to be unearthing, insofar as it is possible. One way into this which has recently been explored by Viglietti is the possibility of understanding the economic anthropology of Rome, and here my previous reference to *virtus* (as part of Horden and Purcell's Mediterranean-wide system of honour) returns in force. Viglietti endeavours to trace a history of austerity at Rome, or *parsimonia*.[61] What is helpful about his account is the way it recovers a justification of economic constraint, in other words, a demonstration of the way in which having little was made into a positive virtue. This is one kind of response to the

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[54] *publicus* clearly relates to *populus*, and *populus* itself clearly has close links to the army, and possibly specifically to the *classis* (see Cornell [1995] 257-8), as demonstrated by the office *magister populi* as opposed to *magister equitum*, therefore distinguishing cavalry and infantry; for the formula to which Momigliano (1966) and (1967) drew attention, viz. of *populus plebesque*, see Cic. *Mur.* 1.1; Livy 25.12.10 from the *carmina Marciana* (on which, see North [2000]); the *carmen Saliare* for *pilumnoe poploe* (Fest. 224L), referring to the *pilum* or pike (Bishop and Coulston [1993] 48-51). The word *populor* means 'to ravage' or 'lay waste'. Some of this may emerge from, or have been elaborated by, later thinking, but there seems to be a deep connection between the actions of the military and the increase of the Roman commonwealth.

[55] Humm (2005) is the most thorough-going statement.

[56] Balot (2004) points out the ancient polemical contrasts between Athenian democratic courage and Spartan authoritarian shame. An alternative discourse is between Athenian recklessness and Spartan calmness. Sparta was slow to go to war (as the Corinthians complained, Thuc. 1.68-71, cf. 1.84), but then resolute in waging it.

[57] On Roman shame see Barton (2001), rather experimentally; Kaster (2005), predominantly along ethical lines; and, in a highly suggestive manner, Horden and Purcell (2000) 485-523, which brilliantly connects the Mediterranean system of honour to the fragility of the ecosystem within which it operated.

[58] McDonnell (2006).

[59] *CIL* I[2] 7; *ILLRP* 309; Etcheto (2012) 226-36; the inscription dates to the third century BC.

[60] For two very different entry points into this world, see Winter (2009) and Menichetti (1995).

[61] Viglietti (2011).

economic fragility of the Mediterranean ecosystem, and one which then reinforces behaviours which recursively sustain a particular set of behaviours.

It should immediately be noted, however, that a 'philological' approach is subject to the criticism that the literature it explores began in the third and not the fifth century BC at Rome. Studying the language of Plautus to uncover the realities of the fifth century BC is self-evidently problematic. At best we need to look for what may plausibly be regarded as deep continuities, and work looking at useful comparisons between Rome and the rest of the Mediterranean still needs to be done.[62]

For this reason, I think the comparison with Sparta may be enlightening. Equality may not have been the Roman watchword, but if the early army was a single *classis* with a similar economic background, it may have looked rather more like a group of Homoioi. Yet this would not exclude multiple other groups and we know that Spartan society was also far more complex than the picture of a group of equals might suggest.[63] Both Rome and Sparta created social institutions which at least sought to reinforce continuity, even if the reality was more complex. It is interesting that the self-definition of the leading groups at Rome as *patres* or *patricii* or *equites* relates to functions within the state, and insofar as there were hierarchical positions, such as for instance the *pontifex maximus* or *rex sacrificulus* or *flamen Dialis*, they are ringed around with strict constraints. Between the elite, formal distinctions are hard to find, which may be why group solidarity was so important in the face of attempts by the plebeians to access positions of authority. At the same time, it is a matter of considerable interest that Rome resolved a problem which Sparta signally failed to address, which is how to grow. Whilst Sparta in the fourth century was known for a chronic failure of manpower, Rome's army and

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[62] See Hansen (ed.) (2000) for an experiment in this direction.

[63] This assumes that the evident distinctions in armour later attested were not present from the beginning, but it does not exclude elements of heterogeneity (Rich [2007] 18). Richard's balanced account emphasises 'l'exigence égalitaire', but also the fluctuating nature of the army over time, Richard (1978) 355-89. On the *classis*, we have the intriguing evidence of Livy 4.34.6, and the triumph of the dictator Mam. Aemilius Mamercinus in 426 BC. Livy tells us that some of his predecessors wrote about a naval battle against Veii near Fidenae, but this was silly because the river was not wide enough. It has long been argued that someone prior to Livy had mistaken *classis* (army) for the subsequent word for navy (see Fest. 49L, 251L and Gell. *NA* 10.15.4, 1.1.1.3 for *classis* as *exercitus*, and Gell. *NA* 6.13.1 for only members of the first class being *classici* and the rest being *infra classem*, allegedly from a speech by Cato the Elder). Livy is probably right (see Ridley [2014] for other examples of the scrupulous historian). Weissenborn, in his edition of Livy (Berlin 1871), suggests that Livy implies that the descendants were seeking the *titulus* of a naval victory, as the inscription on a bust (cf. Livy 8.40.4 for *falsi imaginum tituli*). However, as Forsythe rightly notes (2005, 113), the mistake must have been based on something, unless we want to argue (as Fiebiger, *RE* s.v. *classis*) that this was in fact the first attested naval battle. (It is perhaps worth saying that whilst none of the early epitaphs in *ILLRP* mentions parts of the army, the Duilius epitaph does mention the navy; *ILLRP* 319). In other words, someone saw that Mamercinus had triumphed with the *classis*, and misinterpreted that as the fleet. In short, whatever else this passage does, it does not straightforwardly convict the historical accounts of containing family fictions.

population grew continually, and the expansion of the terms of entry into Rome's elite must have been part of this equation.

These arguments stretch far past my cautious certainties to a larger but still general claim. Most of the essays in this volume share it to some extent or another. The claim is that the Roman Republic was not invented in the mid-fourth century; that the prioritisation of the community over individual interests has a deep history. What Hopkins nicely calls the 'potential of a unified city' demands our attention as much as the fissive forces of ambition and self-interest.[64]

I conclude with religion, as a further illustration of continuity and change in the difficult period between the sixth and mid-fourth century. Archaic Roman religion is a morass of competing explanations, with comparative mythologists seeking deep Indo-European roots and more sceptical voices seeing later syncretism at work.[65] However, temple architecture remains an indisputable aspect of the fabric of early and republican Rome, and beneath that lies the genuine paradox of how Rome organised its temple dedications in the pre-republican period. Was it a specifically regal prerogative? Even if it was, the letting out of contracts for building the temple, or whatever process preceded what was later called *locatio*, must have involved others besides the king.[66]

Religion was everywhere in Rome, as a legitimising force, as a constraint, and as a growing and evolving narrative which accompanied Roman success. This seems to me to be a critical element of the story we need to be able to tell, but it is desperately elusive. However, once again it seems to me that the community is much in evidence, from Jupiter's various manifestations through to Saturnus and Castor, and through the festival calendar.

The three great temples – towering physically over the community which met in the Forum – offer a web of connotations, towards weather, war, crops, liberation and reversal, safety and divine support. The cult of Jupiter on the Capitol is, in some deep sense, connected with the very notion of Rome's history, and the custom of hammering a nail into it each year, the association, however legendary, with the first consuls and also with the triumph, mark out its dominance of the civic world.[67] Saturn is the most obscure. Possibly on the site of a previous shrine (Fest. 430L), the early republican temple contained within it the treasury of the Roman

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[64] Hopkins (2016) 123-5.
[65] Contrast, for instance, Dumézil's flawed but enthralling account (Dumézil [1996]) with the more careful but often equally radical account in Rüpke (2012).
[66] For the processes of temple construction, see Ziolkowski (1992). See also Badian (1972) 15-16.
[67] Purcell (2003). Literature on the temple itself is now vast; for three recent contributions see Potts (2015) 123-4; Hopkins (2016) 97-122; Cifani (2017).

people, the *aerarium populi Romani*. Yet our best understanding of Saturn as a deity appears to relate to his role at the turning of the agricultural year, which has a natural connection to the wealth of the Roman people.[68] The temple of Castor, securely dated to the early fifth century BC, marks a boundary of the Forum, and the cult's association with the safety of the Roman people, a distinctively Roman interpretation, has been well discussed recently.[69] There is a religious narrative here which is in some ways part of our most reliable text from the fifth century, and it points to a clear concept of a unified city.

The other aspect of this 'text' is the early festivals, which are distinguished in calendrical inscriptions from later ones. Of the forty-five such festivals, many reflect the concerns of a community. There is a good treatment of this by Forsythe, but his own reading belies his overall description, that 'the earliest festivals of the religious calendar clearly indicate that archaic Roman religion was the religion of the Roman peasant farmer, whose survival depended upon his success in agriculture.'[70] The *Armilustrium* is one of several military festivals; the *Quirinalia*, *Fordicidia*, and *Fornacalia* are distinctive gatherings of the citizen body. Even the agricultural festivals need to be seen in the context of a community – these are not the peasant's *sacra privata* but rather the civic expressions of interest in the agricultural regime. These are all part of a religious communication which is operating at a high level of sophistication – a conversation between elite and populace, and elite and the divine sphere, in the public arena, and with the gravest of consequences when failure occurs.[71]

The tension between cults of the people and cults of the clans is part of the heterarchic reconstruction of early republican Rome which has become increasingly significant,[72] but it is important to recognise that the cults and priesthoods belonged and responded to the broader community, and there seems every reason to assume that they are contemporary with the early phases of temple building. Down-dating the early priesthoods would be a radical and unwarranted step. Augurs, flamines, and pontifices seem to co-exist with the early development of political office at Rome, and perhaps precede it. Whilst the priesthoods were in the hands of the elite, they served the community.

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[68] Hopkins (2016) 142-4; Versnel (1993).

[69] Santi (2017). For the archaeology, see Hopkins (2016) 137-42, building on the exemplary Norwegian excavations.

[70] Forsythe (2005) 129-35; the quote is from page 129. See also Rüpke (2011).

[71] Scullard (1981) gives the basic information. For a valuable introduction to religious communication, see Rüpke (2015).

[72] See Terrenato (2011) 231-44. In this context it is interesting that the Claudii claimed a private cult of Saturn, which was worshipped in the Greek style. Here I wonder if we have a process whereby a private version of a state cult was adopted later than the introduction of the state cult, thus again questioning the standard evolutionist paradigm. See Palmer (1996).

We know that the Romans were influenced in their religious choices by the Etruscans, and the Greeks as well. There was an openness to experimentation and new cults throughout Roman history, but, underlying this, the Romans sought repeatedly to obey the *ius divinum*. Their early calendar reveals a world of gods and religious festivals. Especially connected with agriculture, but also politics, the whole map of the year reflected the needs of the market and the assembly. Whilst this undoubtedly reflects reality, Rome was fast moving away from any sense of an original community as its economy, territory, and population developed.[73] Roman religion was already, by the fifth and fourth centuries BC, referring symbolically to the interests of the community.

The interpenetration of these interests from the archaic period onwards is perhaps one of the mechanisms by which the sort of unity which permitted the types of social choices I am positing emerged. This was a world of fines and assessments of wealth, of sacrifice and punishment, of war and hopes of safety, expressed by and on behalf of a community. My contention is that the festival calendar and the concerns which the great sixth to fifth century BC temples addressed together constructed a script which underpinned the radical choices of a militarising Rome, and which helped to hold Roman society together when it came under great pressure. Any reading of the early Republic which takes the community out seems to me to offer an unhelpful model of an elite without an audience.

In conclusion, and with all due caution, it seems to me that as long as we try not to depend on the narrative, except in the very broadest outline, and use archaeology as evidence, with only the most certain topographical identifications, a general tradition of military pressure, the Twelve Tables, and the archaic calendar, we may glimpse the basis for a comparative account of early republican Rome. The essays in this volume, with various degrees of certainty, take us further, but one of our greatest challenges remains the question of how to argue any sort of case when so many of our premises are insecure. Profitable areas of future study will include much more comparative work and modelling, to offer possible ways of understanding the evidence we have, and finding new ways through the fifth century crisis.

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[73] Fulminante (2013) is again critical to this argument.

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