The gens, a key social formation in archaic Rome, has given rise to much controversy in modern scholarship. In this comprehensive exploration of the subject, Professor Smith examines the mismatch between the ancient evidence and modern interpretative models influenced by social anthropology and political theory. He offers a detailed comparison of the gens with the Attic genos and illustrates, for the first time, how recent changes in the way we understand the genos may impact upon our understanding of Roman history. He develops a concept of the gens within the interlocking communal institutions of early Rome which touches on questions of land-ownership, warfare and the patriciate, before offering an explanation of the role of the gens and the part it might play in modern political theory. This significant work makes an important contribution not only to the study of archaic Rome, but also to the history of ideas.

C. J. Smith is Professor of Ancient History at the University of St Andrews. His previous publications include Early Rome and Latium: Economy and Society c. 1000 to 500 BC (1996), Trade, Traders and the Ancient City (1998), Religion in Archaic and Republican Rome (2000) and Sicily from Aeneas to Augustus (2000). He is the co-editor of Fragmentary Roman Historians (forthcoming).
This lecture series was established by public subscription, to honour the memory of William Bedell Stanford, Regius Professor of Greek in Trinity College, Dublin, from 1940 to 1980, and Chancellor of the University of Dublin from 1982 to 1984.
THE ROMAN CLAN

The gens from ancient ideology to modern anthropology

C. J. SMITH
For Susan
Contents

List of illustrations  ix
Preface  xi
List of abbreviations  xiii

General introduction  1

PART I THE EVIDENCE FOR THE GENS

1 The ancient evidence  12
1. Introduction  12
2. Etymology, meaning and definition  13
3. The gens: A definition  15
4. The nomen  17
5. The twelve tables  21
6. Gentilicial exogamy and the nature of the gens  30
7. Legendary and historical genealogies  32
8. Gentes, cults and mores  44
9. The gens at law  51
10. The gens in Cicero and Livy  55
11. Conclusion  63

2 Modern interpretations  65
1. Introduction  65
2. Carlo Sigonio  66
3. Giambattista Vico and his influence  71
4. Niebuhr and the beginnings of modern ancient history  81
5. Theodor Mommsen  85
6. Lewis Henry Morgan  88
7. Morgan’s Marxist legacy  99
8. Fustel de Coulanges  101
9. Henry Sumner Maine  104
10. The gens in the early twentieth century  108
11. Conclusion  112
Contents

3 The gens in the mirror: Roman gens and Attic genos 114
   1. Introduction 114
   2. Early views of the gens 115
   3. Bourriot and Roussel: A French critique 117
   4. The evidence: Philochoros and the Athenaion Politeia 121
   5. The evidence: Demotionidai and Dekeleieis 126
   6. The evidence: Genē and Cults 130
   7. The genē and the Eupatridai 133
   8. Reconstructing the genos 134
   9. The genos and the gens 140

4 Archaeology and the gens 144
   1. Introduction 144
   2. From Bronze Age to Iron Age 144
   3. The gens at Osteria dell’Osa 147
   4. The gens at Satricum 150
   5. The Auditorio site 153
   6. Summary 155
   7. The Etruscans 156
   8. Onomastical structures 158
   9. The evidence of chamber tombs 160
  10. Crisis 160
      Part I: Conclusion 164

Part II Towards an Interpretation of the gens

5 The Roman community 168
   1. Introduction 168
   2. Clientes and plebeians 168
   3. Historical outline 176

6 The Roman curiae 184
   1. Introduction 184
   2. The origins of the curiae 186
   3. Dionysius of Halicarnassus and the Roman curiae 192
   4. Curiae and Quirites 198
   5. The names and locations of the curiae 202
   6. The religious aspects of the curiae 205
   7. The military functions of the curiae 208
   8. The political functions of the curiae 210
   9. The lex curiata 217
  10. The political assemblies of the curiae 223
  11. Curiae and tribus 225
  12. The archaic curiae 230
## Contents

7 The patricians and the land
   1. Introduction 235
   2. *Gentes* and *tribus* 236

8 The patriciate
   1. Introduction 251
   2. *Patres, patricii*, and the senate 252
   3. Patrician privileges 258
   4. Priestly office 260
   5. *Auspicia* 263
   6. Political office 268
   7. *Patrum auctoritas* 273
   8. Patricians and plebeians 275
   9. The problem of the patriciate 278

9 Warfare in the regal and early Republican periods
   1. The early Roman army 281
   2. The *gens Fabia* at Veii 290
   3. Conclusion 295

10 Explaining the *gens*
   1. Introduction 299
   2. Patricians and *gentes* in the regal period 302
   3. Patricians and *gentes* in the early Republic 306
   4. Patricians, *gentes* and the community 315
   5. The *gens* in the Roman historical tradition 324

11 Roman history and the modern world 336

Appendix 1: *Dionysius of Halicarnassus on the Roman curiae and religion* 347
Appendix 2: *The missing curiae* 356

Select bibliography 363
General index 384
Index of ancient persons 388
Index of passages discussed 390
Illustrations

1 Schematic representation of relationship between *gens* and agnatic descent groups; after Linke (1995) page 16
2 Schematic representation of intermarriage between *gentes*; after Linke (1995) 35
3 The centuriate organisation 283
Preface

The origins of this book lie in my dissatisfaction with my own account of the *gens* in a previous account of early Rome. For almost a decade, I have been trying to improve upon a few sentences in an earlier book, and I am slightly horrified that the result is as long as it is. Perhaps that is a testament to my obsession, but I hope it also reflects the importance of the subject.

Over such a long period, more people have contributed in direct and indirect ways than any preface can acknowledge. Nonetheless it is a pleasure to bring to mind at least some of my debts. Early versions of parts of the argument were offered as papers to stimulating audiences at Leicester, Cambridge and St Andrews. The real impetus to put my thoughts down as a whole came from the very kind invitation from Trinity College Dublin to present this as the Stanford Lectures in spring 2001. I am immensely indebted to my friends and colleagues there for their hospitality, and the stimulating environment in which I was able to present an early version of these ideas – I hope now to have answered some of the questions so pertinently posed on those occasions. I was then fortunate enough to gain research leave from the AHRB, which gave an invaluable period of time to think, reflect and write.

By that stage the revision of H. Peter’s *Historicorum Romanorum Reliquiae* of which I am an editor was well under way. This has been an immensely formative intellectual journey for me, and much of what follows has been coloured by insights gained from that enterprise. It has deepened relationships already formed and created new ones, and to all involved I am very grateful.

Several colleagues kindly commented on all or part of a draft, and I am both lucky in my friends, and indebted to them. Michael Crawford and Jill Harries helped me with Roman law, and Robin Osborne and Robert Parker with the chapter on the *genos*; in so doing they improved the whole immeasurably. Ed Bispham, Guy Bradley and Fay Glinister provided insights and encouragement just when I needed them, and made me feel that the project
Preface

was worthwhile. Sally Humphreys provided immensely valuable comments; Nicola Terrenato was both a generous but also a discerning reader of the text, and I was enormously pleased to be able to talk through some of the issues with him and Laura Motta in Chapel Hill, where by good fortune I was also able to discuss Osteria dell’Osa with Anna Maria Bietti Sestieri. Andrew Lintott and Fergus Millar were immensely supportive, as always. Tim Cornell, Andrew Drummond and John Rich read between them several drafts, commented in great detail, and have improved, quite literally, every page of what follows by their good sense, acumen and scholarship. This was particularly kind, since I have from time to time had the temerity to disagree with them. There is but a pale reflection of the dialogue which I have enjoyed with each of them, and their published works, in this book. Colleagues in St Andrews have been remarkably tolerant of and responsive to my importuning in many ways, and not just in Classics; Nigel Rapport helped me with some of the anthropological issues, and the University Library staff were tremendously helpful; in this context I would also like to thank Sophia Fisher at the Institute of Classical Studies Library. I owe a particular debt to Iveta Adams for her helpful and extremely valuable copy-editing in the final stages.

I have learnt much from all those who have commented on the text, or discussed my ideas, and I have been hugely encouraged by their support. They are not responsible for the positions I have taken, or the errors I have made, but they, and many others who I have bothered and badgered, have contributed both to whatever is good in the book, and to my sense of purpose in writing it. In what follows, despite my best endeavours, much is prefaced by ‘perhaps’ and ‘maybe’ so one definitive statement seems appropriate. Susan, who has read this book several times, always with tremendous acuity and faith, and has lived with it for almost as long as I have, gave me the strength to finish what I often thought was beyond me; no dedication could ever say enough.
Abbreviations


CAH²  *The Cambridge Ancient History* (2nd edn.) (Cambridge, 1961–).

CIL  *Corpus Inscriptionum Latinarum* (Berlin 1862–).


Funaioli GRF  H. Funaioli (ed.), *Grammaticae Romanae fragmenta* (Leipzig 1907).


IG  *Inscriptiones Graecae* (Berlin 1873–).


TLL  *Thesaurus linguæ Latinæ* (Leipzig 1900–).