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PART I

From the origins to the early republic

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CHAPTER I

The genesis of a political community

Material conditions in archaic Latium

The early settlements that would eventually give rise to Rome and the other towns of *Latium vetus* were scattered over a landscape that did not differ greatly, at the start of the last millennium BC, from what we see today, except that the terrain was probably rougher, marked by steep hills and ravines. Densely forested areas, evoked in many archaic place names such as Querquetual (for oaks) or Fagutal (for beech trees), and vast wetlands contributed to the isolation of the early communities. The territory they inhabited was fairly circumscribed: to the north and west it was bounded by water – the River Tiber and the sea; to the east were the foothills separating the Latins from the Sabines, where two important towns, Tibur (modern Tivoli) and Praeneste (Palestrina), would later be established. In the south, the Alban hills blocked access to the great plain that extended south and west to the sea, toward the modern towns of Cisterna and Terracina, and the Circeo promontory.

The primitive economy of Latium's early inhabitants relied heavily on livestock. Besides sheep, pigs were long a staple and were well adapted to foraging in the woods, where they roamed freely. Spelt and barley were the main crops of the first, rudimentary form of agriculture, and fruit trees appear to have been cultivated at this time, especially figs, and, probably, olive trees. The grape vine, however, would be cultivated more extensively later.

As Latium's settlements became more prosperous, the circulation of both men and goods increased. The main trade routes traversed Latium's lowlands north to south, linking Etruria to Campania, where economic development began early. The Tiber presented an obstacle, however, and could be forded with ease in only a few places; one of these eventually became the site of Rome. Routes leading inland from the sea were no less important: by the first millennium BC there was already intense traffic on

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the Tyrrhenian, bringing goods that were offloaded at trading posts on the coast and then carried inland, across the plain separating the Alban hills in the south from the Palatine and Capitoline–Quirinal hills in the north. The still extant via Salaria in Rome was one of these routes, and its name attests to its ancient function as the road used to carry a crucial staple: salt.

Many villages were clustered in fairly close proximity in this region. They consisted of a few huts whose structure and appearance we can glean from the shape of the cinerary urns discovered in ancient burial grounds. Their inhabitants were united by kinship or pseudo-parental ties associated with the memory of an often legendary common ancestor. Not all of these communities would evolve into urban centers; some experienced no significant development, while other hamlets scattered over the countryside eventually fell back into near-complete isolation. Hampering material progress was the difficulty of exploiting the land fully, which would have required not only defending the territory, but especially gaining greater mastery over nature, a process that proved both arduous and slow. The small size of Latium's many settlements well into the ninth and eighth centuries BC is therefore not surprising.

In the past few decades, archaeological excavations have confirmed that a large number of settlements occupied a relatively small area, a fact also attested by the memory preserved of them in ancient sources. A suggestive reference is given us by Pliny the Elder, who states that *in Latio* there were not only small villages (*clara oppida*), but also many communities (*populi*) bound together by religion: the shared cult of Jupiter Latiaris, which took place *in Monte Albano* (now Monte Cavo), in the heart of the Alban hills. Pliny lists thirty such *populi*, a highly significant number given the later symbolic importance of the number 3 for the city of Rome, and he designates them generally as *Albenses*. He then names each of these groups: *Albani*, *Aesolani*, *Accienses* . . . *Coriolani*, *Fidenates*, etc. Together with the *oppida*, however, they would all "pass away without leaving any traces of their existence" (Pliny, *Nat. Hist.* 3.68).

Villages, rural districts, and religious leagues

It is quite difficult to ascertain these early settlements' cultural and structural features. Our only evidence is archaeological – the modest burial grounds that archaeologists are still uncovering despite the constant encroachment of modern cities on the landscape. The archaic tombs excavated throughout Latium do however provide valuable clues about the cultural significance of how the corpse was laid out and surrounded by items linked to daily life:

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containers with food, ornaments, men's arms, and women's weaving tools. These suggest that by the turn of the first millennium BC there was already a widespread belief in an afterlife, and the fact that the tombs are all similarly furnished is evidence of a remarkably uniform level of prosperity throughout the region. This is especially apparent in the important excavations conducted at Osteria dell'Osa, on the seaward outskirts of Rome.

The kinship and pseudo-parental ties binding these communities together were not necessarily confined to the family unit; they were largely determined by ancestor worship, underpinned by the proximity of small burial sites. Age and military functions were the prerequisites for leadership. Besides the elders, who had accumulated the knowledge and skills necessary to guide the community, and who presided over religious observances both of individual families and larger groups, it is likely that in times of crisis or danger authority was handed over to the most experienced and able warriors. At all times, in fact, those men old enough to bear arms constituted the core of each small community and probably shared in the decision making with the elders.

Since many of these villages were clustered in a fairly small geographical area, they developed a tight network of relationships. A common "culture" characterized this dense network of communities: they all spoke Latin and shared the same rituals and cults, of which significant traces remain. Further contributing to bind together this close-knit fabric were economic interests, among them the common or apportioned use of pastures and arable land, the control of communication routes and commercial traffic, the development and circulation of rudimentary agricultural technologies and of metal tools and artifacts, and the various ways of seasonally moving livestock between pastures at higher elevations and the lowlands, although these practices did not yet reflect a full-blown transhumance system.

The joint celebration of sacrificial rites, such as those practiced by the *triginta populi Albenses* mentioned above, was an important occasion within the more general system of communications and exchanges between different communities, and can even be said to have had a more properly "political" significance. Similarly (albeit latently) "political" was the archaic figure of the *rex Nemorensis*, the solitary high priest of the sacred grove near Nemi.[1]

[1] The grove was the site of a collective ritual in which several communities joined, as they did in other sacred places such as the *aqua* and *lucus Ferentinae* (the spring and grove near Ferentinum, a Hernician center that bordered *Latium vetus*); or at Lavinium, the site of an important archaic cult. The sanctuary dedicated to Diana in the woods between Aricia and Nemi was associated with a league, headed by the town of Tusculum, of more "developed" communities than those mentioned

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Latium's social and economic landscape appears to have undergone significant changes around the time traditionally given as that of Rome's "foundation," in the mid-eighth century BC. By this time, some degree of social stratification had occurred, as evidenced by the greater opulence of the furnishings found in a few tombs, as opposed to the vast majority of tombs of the same period, which are more modest. Opulent funerary displays are always linked, in primitive societies as indeed in any society, to the development of a social hierarchy and distinctions based on wealth. This striking contrast therefore signals the emergence of a group that was dominant in both economic and social terms, and that reflected a distinctly aristocratic outlook.

What made this process possible was the economic growth of the communities in which it occurred, where early forms of wealth accumulation took place concurrently with population growth. War, the most important collective enterprise of this early period, contributed to increasing inequalities in the distribution of goods, since individual prowess, as well as the possession of arms and the loot obtained in battle, created differences of prestige and position. The strongest warriors and their families thus gained greater numbers of followers, which in turn further increased hierarchical distinctions based on wealth and military dominance.

Archaeological evidence shows that a technological leap forward occurred at this time, as the manufacture of basic wares in the home, particularly of objects in terra cotta, gave way to specialized production. More objects were crafted out of metal than previously, which implies a high degree of technical proficiency and a sufficient concentration of resources. These economic developments also meant that not all members of the community needed to be involved in the production of the food required for subsistence; some could now specialize in artisanal production, thus giving rise to an early "market" where manufactured goods could be exchanged for agro-pastoral products.

One factor that appears to have contributed to this development was increased agricultural production, although it is unclear exactly to what extent it had supplanted livestock as the mainstay of these communities. This is an important shift, however, since more people could be fed by cultivating a tract of land than by leaving it as pasture.

It is very likely that a system of individual ownership of goods was in place by this time, which would have extended to smaller animals such

by Pliny; it included Rome, Cora, Laurentum, Lanuvium, Tibur, Praeneste, and Ardea: all cities that would long preserve their identity.

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as sheep and pigs, as well as those used for work and transportation, such as asses, horses, and oxen. There must also have been some early form of land ownership, at the very least of each hut and the space surrounding it, but also, probably, of the first small plots under cultivation. Together with the unequal distribution of livestock resources, this must have produced a gradual stratification among the *patres* of each community, ultimately strengthening some communities at the expense of others. Given the right conditions, this kind of inequality could give rise to instances of "synoecism" (from the ancient Greek for "to live together"), a term used in the ancient world to describe the creation of a larger community such as a city when smaller, scattered, settlements merged together.

The foundation of Rome

These developments set the stage for a process of city formation that led to the first sizable homogeneous settlements. In Latium, several settlements, such as Gabii, Aricia, Praeneste, and Tibur, took on different features and greater prominence compared to the villages of the earlier period. And this kind of proto-urban concentration began to take place on the Palatine hill as well, where previously scattered villages underwent the same process of synoecism, eventually also absorbing the large settlements on the Quirinal and Capitoline hills, and to a lesser extent those on the nearby Esquiline and Caelian hills. Later Romans would always consider the Palatine the city's original site, and it was associated with many ancient religious rituals and legends, including that of the twin infants rescued from the Tiber's waters: Romulus and Remus, who figure at the center of Rome's foundation myths.[2] The festival of Lupercalia also took place here, along a route that followed the *antiquissimum pomerium* (Gell. 13.14.2), the ancient boundary of the city reputedly traced by Romulus himself. After the villages on the Palatine merged with those on the Quirinal–Capitoline hills, the site took on great strategic importance, since the hills acted as natural fortifications protecting a fork in the river, one of the few places where the Tiber could be forded.

We can see very clearly here how a process that was already under way gained greater momentum, by contrast with other communities that stagnated and were left behind. An example of the latter is Alba Longa, which features so prominently in the legendary accounts of Latium's

[2] This is where the "house of Romulus" was located, and where a wild fig tree (the *ficus ruminalis*) supposedly stopped the basket containing the new-born twins from floating downriver.

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origins (discussed p. 4 below). As the center of a loose political and religious federation, it had its own distinct identity, but because it consisted of scattered communities rather than of a proto-urban concentration of settlements, it remained "backward" compared to the more recent "city" of Rome. Nor did Rome's expansion dovetail exactly with the map of pre-existing religious affiliations among local settlements. The territorial configuration of the archaic Roman city most familiar to us was the result of a merging process that won out over other, pre-existing kinds of associations among villages, and when this particular process of city formation prevailed, the "political" potential of the other types of associations faded, overshadowed by the historically winning framework of the *polis*.

In relation to the mythical date of Rome's "foundation" – 21 April 753 BC – we can therefore note that the legend of its sudden emergence is probably due to the rapid pace at which the city grew. What is most significant about the story told by the ancient sources is that Rome's "birth" marked a historical rupture. The importance of the developments occurring in the second half of the eighth century BC is often lost on those modern historians who set a later date, closer to the sixth century, for the full definition of the city's political organization. In my view, however, neither the archaeological evidence nor the rich tradition relating to Rome's origins supports their contention. To be sure, Rome's political institutions took shape over time, but this does not mean that the city did not yet exist by the mid-eighth century BC as an autonomous entity whose institutions were undergoing constant growth and change. It would thus be more useful to try to identify the moment when it became a functional new center, capable of generating innovation as a unit rather than from its constituent parts, since this would be the moment when archaic history can be said to have taken a radically new turn. From the standpoint of institutional history, therefore, the aim should be to identify the emergence of an entity that consists of something more than just clusters of villages, or kinship and tribal connections, and that is not simply a "confederation" of these, but is, rather, able to regulate all of these elements from within and to work autonomously toward its own further development. The ancient sources are unanimous on this point, and furthermore, the many institutional changes that followed during the regal period – including the transition from the *comitia curiata* to the *comitia centuriata*, and from the *montes* and *pagi* to the territorial tribes (on which see Chapter 3) – are more likely to have taken place over the arc of two-and-a-half centuries rather than a single century, and the same can be said for all the social and economic developments associated with them. Given that the system of *curiae* and

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of the three ethnic tribes already existed at the start of the regal period, I do not think it makes sense to reject the traditional dating of Rome's institutional origins in favor of a much later date.

And this, I would argue, is why the figure of Romulus had such symbolic power for later Romans; not in spite of, but precisely because of his legendary status. All the necessary components of a foundation myth, with no relation to actual historical events, are clustered in the figure of Romulus: a "birth" of global significance due to the extraordinary – and illegitimate – origin of the twins; their rescue from the river; and the fratricidal struggle that led to Romulus' ascendancy. And it was Romulus who ushered in the city's great organizational innovation, something that had not existed before: a "constitution."

According to legend, Rome's population was originally subdivided into the three tribes of Ramnes, Tities, and Luceres, each consisting of ten *curiae*, which in turn comprised ten *decuriae* each. The result was a pyramid-shaped distribution of the population into 300 *decuriae*, 30 *curiae*, and 3 tribes. War was the ultimate rationale for this distribution, since each *curia* would supply 100 foot soldiers and 10 mounted soldiers, making up the primitive legion of 3,000 infantrymen and a cavalry of 300 *celeres*, as they were then called. The rigorously ternary logic of this distribution is a clear indication of the artificial nature of the system.

But there is an ambivalent quality to Rome's sudden birth. On the one hand it marked a rupture, establishing a new order compared to the earlier period. But on the other hand it was also the result of the coalescence and reorganization of pre-existing elements. We have seen how the prehistoric villages on the Palatine and then on the Quirinal hills merged, blending their traditions, social practices, and identities. This process is discussed in greater detail below (pp. 12ff.), but we can note here that there are many fragmentary and often forgotten clues in the ancient sources that cannot be easily fitted into a straightforward narrative of events, suggesting a more circuitous historical process involving tensions, conflicts, and sudden, violent shifts.

The family and the social group

A common thread running through scholarship on the ancient world – and already present in ancient Greek philosophy – is that the city was the endpoint of a process of social growth whose starting point was the family, specifically a father and his direct descendants. This makes the smallest social unit, the family, directly continuous with the most developed political

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entity in classical antiquity: the city. I have already mentioned the kinship and pseudo-parental ties that held Latium's primitive village communities together, and we find these same bonds surviving, in modified form, in the system of *gentes* within the city.

Before looking more closely at the relation between early kinship ties and later forms of social aggregation, we should first clarify – albeit by reference to a later historical period – what we mean by *familia* and *gens*. Both were central to Roman society throughout its history. The term *familia* is most closely associated with what the Romans called the *familia proprio iure*, which underpinned both the law and the social order. It is the basic unit within a system centered on strictly monogamous marriage, and consisted of the married couple and their offspring, all of whom were usually members of the same household. A rigid patriarchal logic stipulated that kinship was transmitted exclusively through the male line: it was patrilineal, or "agnatic" (from the Latin *adgnatus*, meaning a blood relation on the father's side). First cousins born of a brother and sister would not be agnates, therefore. The agnatic system also applied beyond the confines of the nuclear family *proprio iure*, covering the extended family as well. An extended family would thus consist of all relations in the male line, into the sixth or seventh generation, who could trace their ancestry to the same male forebear.

A *familia proprio iure* was subject to the powerful authority, or *potestas*, of the father. The multi-generational household consisted of a father, his wife, his sons, and his unmarried daughters, as well as the families of all offspring in the male line. All were under the *potestas* of the head of the family until his death, although Roman jurists eventually placed some restrictions on the *pater*'s absolute authority. A daughter or granddaughter would leave the family upon marriage, at which point she joined her husband's family and came under the authority of its *pater*. Indeed, in the most ancient form of marriage, the *matrimonium cum manu*, the wife became part of her husband's family through a fictional mechanism that changed her status to that of her own husband's daughter. From the start, therefore, a typical characteristic of Roman society was that all legal transactions and private rights, especially of an economic order, were the exclusive prerogative of the *patres*, the other family members having no say in such matters.

By contrast, in historic times a *gens* was not confined to the family unit. Lasting well beyond the republic, the *gens* often encompassed many families bearing the same *nomen*. Cicero's definition is famous and straightforward:

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"*gentiles* are those who bear the same name, who are descended from *ingenui* [free-born citizens], and who among their ancestors have only *ingenui* who have not suffered any *capitis deminutio* [that is, who have not lost their legal status by losing their freedom, or their citizenship]" (Cic., *Top*. 6). And of course, their birth must be legitimate: without the parents' valid marriage, or *iustae nuptiae*, as the Romans called it, a child could not be recognized as a member of an agnatic family under the *potestas* of the *pater*, and could not be assimilated into the family's *gens*. For Roman citizens who belonged to a *gens*, the *nomen*, or second name, indicated the *gens*, while the first name, or *praenomen* (for example Gaius, Lucius, or Appius) was held individually, and was chosen from among a recurring set of names within the *gens*. This early dual naming convention applied exclusively to the upper ranks of society. Only in a later period, and again only for patrician *gentes*, did the custom of using a *cognomen*, or third name, emerge. The *cognomen* was held individually and designated a particular line of descent within a *gens* (as in Gaius Julius Caesar, Lucius Cornelius Scipio). The standard *tria nomina* of the Romans therefore consisted of a personal *praenomen*, a *nomen gentile*, and a *cognomen* passed from father to son.

We can now return to the settlements and tiny villages discussed earlier, to see how they merged into larger units, and later into the urban community. As each small settlement, with its lands and inhabitants, was absorbed into the larger community, the kinship and pseudo-parental ties that had originally held them together must inevitably have taken on a new meaning. Although these social structures did not disappear with the emergence of the city, they did have to be redefined, for they were no longer coextensive with the new, larger settlement, and could no longer serve as the sole basis for its political autonomy. This is why the various groups who were incorporated into the city began to define their identity by reference to their shared origins, their traditional burial grounds, the rituals and ancestor worship they had always practiced, and the territory they had originally inhabited. Instead of dissolving, each group thus preserved its heritage and social structure when it merged with others into the new community; it simply transferred them into the new homogeneous framework of the thirty *curiae*. Furthermore, each group had its own distinctive *nomen*, reflecting the same naming conventions used by the *gentes* in historical times. It is to these developments, therefore, that we can trace back the organization into *gentes* that was to characterize Roman society throughout its history. And we can also see the same continuity in the triadic organization of the primitive city into three tribes and thirty

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