

ROMAN AGRARIAN POLICY IN THE EARLY REPUBLIC: THE CITY-STATE
CONSTITUTION AND ATTENDANT EXPANSION

BY

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Submitted in Partial Fulfillment of the Requirements
for the Degree of
Master of Arts
in the
History
Program

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YOUNGSTOWN STATE UNIVERSITY

JUNE, 1992

PREFACE

The following essay is an attempt to understand the past; knowledge is sought not only of Rome itself, but also of its contribution to Western Civilization. I have focused narrowly upon the problem of Roman agrarian policy under the monarchy and early republic with the hope of discovering some truths about the way in which the Romans went about the business of governing themselves. The paucity of primary source material made it difficult to construct a model for understanding the Roman city-state. Nevertheless, I hope I have fully exploited what primary source material is available. Chief among this is of course Livy. Time and time again the great Roman historian has both served as a guide to and inspiration for writing Roman history.

I have sought to emphasize that Rome during this period was in a state of flux, and it is hoped that the reader sees not only the growth of the city-state constitution, but also the beginning of many of the governmental concepts that have influenced Western Society.

As place names are mentioned in the text, the reader is referred to the maps at the end of the essay. Also, the abbreviations used conform with those standard ones in the **Oxford Classical Dictionary**. I have made great effort to cite fully in the notes the primary sources, both literary and archaeological.

During my tenure at Youngstown State I have benefited by studying in the Departments of History and Foreign

Languages. Therefore, I would like to thank the following scholars. The guidance and scholarly criticism of Professors Domonkos and Friedman of the History Department has been greatly appreciated. I feel fortunate to have studied under Dr. Sarkissian of the Department of Foreign Languages, to whom a great debt is owed for both directing my thesis and guiding me in my quest for classical scholarship.

INTRODUCTION

The essay below deals with the policies the Roman state evolved in dealing with the disposition of lands coming under its control resulting from success in warfare in peninsular Italy. The idea is advanced that a cause-and-effect relationship existed between the well-being of the ruling class of Rome, the **nobiles**, and expansion in Latium during the fifth and fourth centuries B.C. To that end the first chapter relates the struggle the young city-state was engaged in with other Italic peoples over the possession of land from its beginning. The second chapter discusses the dissolution of the Latin League and the amassing of public land, and the creation by Rome of various municipalities in Latium whose purpose was to ensure that the city-state constitution of Rome would survive and prosper. Finally, after Roman agrarian policy of the period has been described, a conclusion will be offered as to the logic behind it. To this end let us begin by asking the following question: What was the basis of the economy of early Rome, and its impact on agrarian policy?

CHAPTER ONE

THE SYNOECISM OF ROME AND THE STRUGGLE FOR SURVIVAL: ROMAN AGRARIAN POLICY UNDER THE KINGSHIP AND THE EARLY REPUBLIC

The purpose of this chapter is to explore the relationship between the city-state structure of early Rome and ownership of land, for the basis of ancient societies in Italy during the first millennium B.C. was agriculture. The Roman government, both under the monarchy and the republic, pursued a definite policy in regard to the disposition of lands that came under its control arising from warfare. To the end of defining the agrarian policies of the early Roman state, the following areas will be investigated: the Roman economy, Roman intra-peninsular relations, and Roman land policy. After the evidence is presented, it will be apparent that by the mid-fourth century B.C. Rome began to act like an imperial republic, one driven by the need for new land.

In the eighth century B.C. Rome was one of a number of city-states in Latium. Its political constitution consisted of a monarchy governing with the consensus of the leaders of Roman society, the **patres conscripti**, who comprised the Senate. As Roman society was based in agriculture, its history under the kingship and under the early republic is to be seen in terms of a struggle with other Latin and Etruscan city-states for hegemony in international relations within peninsular Italy, the primary prize being the acquisition of

territory. As captured lands and movable property were the basis of wealth in early Roman society, those who controlled these resources in turn could claim political legitimacy and set governmental policy. The competition for these resources is a main causative factor in the history of early Rome.

After the monarchy was abolished in 510, Rome embarked upon a process of political unification of the Italian peninsula that was completed by the outset of the First Punic War which began in 264. The policy responsible for the unification of the peninsula was born out of the Latin War of 340-338 which Rome fought with its allies. Before examining in detail the Peace Settlement of 338, an understanding of the base of the Roman economy under the kingship and early republic must be gained.

The Roman Economy Under The Kingship And Early Republic

Although the tradition of the founding of Rome in 753 B.C. is to be disregarded, it can be said with certainty that the **Ager Romanus**, or national territory of the nascent Roman city-state, possessed a diameter of nine miles or less, and is to be dated circa 650 B.C., when the villages of the several hills of Rome were united in one city. The dating of Rome as a city-state is based on the fact that the extended cemetery (later the forum), which was located between the several villages, ceased to be used about that time, and its land was converted for public use. At this time Rome, whose monarchy was controlled by the elite and non-Roman governing

class of Etruscans, was one of six Latin city-states. Etruscan Rome was at this time on a par with Tibur, Praeneste, Alba Longa, Ardea, and Lavinium. By the close of the sixth century, around the time of the establishment an oligarchic republic, Rome had won the largest share of territory in Latium, arising out of competition with the other city-states. By comparison, the **Ager Romanus** comprised at the beginning of the Republic more than one-third of the total area of Latium, or about 307 square miles out of about 805. At this point Rome had incorporated a larger amount of territory than her other neighbors.

Although the economy in Rome at the end of the kingship was an agricultural one, a nascent manufacturing industry did exist from the earliest days. Plutarch mentions guilds of skilled labor which likely existed from late in the kingship. These could not have been substantial, as Rome's economy was never based on export. Evidence of Rome's real economic base is to be found in the first treaty between Rome and Carthage, dated 509-508 and preserved in Polybius. An examination of the text yields the following.

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Dating of Rome: The archaeological evidence of early Rome is collected in E. Gjerstad's Early Rome, Vols. I, II, & III (Sweden: Lund), 1953-1960. See also The Origins of Rome, Raymond Block (New York: Praeger Publishers), 1960, chapter four especially p. 90; An Economic Survey of Ancient Rome: Volume I Rome And Italy Of The Republic. Ed. Tenney Frank, (Baltimore: Johns Hopkins Pr.), 1933 pp. 2-3; Hannibal's Legacy: The Hannibalic War's Effects On Roman Life. Volume I: Rome And Her Neighbours Before Hannibal's Entry, by Arnold J. Toynbee, (London: Oxford University Pr.), 1965 pp. 116-117.

The primary concern of Carthage was the preservation of its maritime commerce, of Rome its sphere of influence in Latium. By the terms of the treaty the Romans were not to engage in commerce from the southern half of Sicily to Carthage: this was to be the sphere of Carthaginian interest. The Romans were to control Latium, and the text specifically mentions that the Carthaginians are to do no harm to the people of Ardea, Antium, Laurentium, Circeii, Tarracina, nor any of the other Latin peoples subject to Rome. This reading of Polybius, combined with the fact that the surviving fragments of the Twelve Tables (a formal writing of laws in existence during the fifth century) point to the problems of an agrarian city-state, lead to the conclusion that the main interests of Roman society at this time were based in

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land.

Legend ascribes the creation of land-tenure at Rome to Romulus, who is said to have divided the territory into three parts. One was reserved for public purposes, such as the maintenance of the king and of public cults, or **ager publicus**. A second was made common land, **compascua**. The third was divided among the **curiae**, (divisions of the Roman people) and was **ager privatus**, private land. As each family probably

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Early Roman Manufacturing: Plut. Vit. Num. 17.2; H. Last, chp. XIV sec. VIII: "The Rome of the Twelve Tables," pp. 462-67 in The Cambridge Ancient History Volume VII: The Hellenistic Monarchies and the Rise of Rome. Eds. S.A. Cook, F.E. Adcock, M.P. Charlesworth. (London: Cambridge University Press), 1964.

3

Polyb. 3.22.1-3.23; H. Last, CAH pp.462-467.

held a small plot of private land, the **compascua** was likely opened for grazing, and **ager publicus** was rented to tenants. Since land was the basis of wealth from the beginning of the Roman state, a process of competition emerged between Roman citizens as to the disposition of the land. This struggle solidified along class lines, as those citizens who had the means, economic and political, to get possession of the lands did so in disproportionate amount. Although the "Struggle of the Orders" is characterized by Roman historians as beginning during the early Republic (see below), this competition must have had its roots during the kingship. Therefore it was primarily a competition between rich and poorer citizens for the exploitation of the this major resource, and the attendant wealth and political power which accompanied its ownership. As the **patres** gained a larger share of the land, a demand by poorer citizens for more land coupled with the natural impulse to compete in Italian peninsular international relations with other Latin and Etruscan city-states set the Roman state into an expansionist mode. These factors influenced the Roman government's domestic and foreign policies during the kingship as well as in the fifth century. These policies dealt with the disposition of the ⁴ **ager Romanus**.

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Romulus and Land Tenure: Dion. Hal. Ant. Rom. 2.7.4.
Ager Publicus: Dion. Hal. Ant. Rom. 3.1.4. **Ager Privatus:** Land Varro Rust. 1.10.2--Romulus gave two iugera (a iugerum equaled about 5/8 of an acre) to each, and could be willed to heirs; Romulus and two iugera--Pliny H.N. 18.2.7; Festus,

The Roman **ager** was originally the territory outside of the city proper and was occupied by farmers working the land. Dionysius gives the account of the **ager** comprising individual land holdings organized into twenty-six **pagi**, or districts. These **pagi** were then in turn formed into the sixteen rural tribes sometime during the kingship. Therefore the Roman **ager** was based on citizens' freeholdings. With the institution of the republic and the conquest of land, the territory and number of citizens enrolled in each rural tribe was increased in accordance with territory conquered. The creation of another fifteen tribes, apart from the original ones, is to be dated at the end of the kingship. These must have consisted of landholders inscribed in accordance with land policy under the kingship; indeed, the policy of infusing citizens into outlying areas on the one hand both to settle and cultivate the land, and on the other to provide security through growth for an ancient state, must have begun early on under the monarchy, and cannot be attributed solely to the early republic. This free-holding population, many of whom probably owned small allotments, resided in the **ager Romanus**. Therefore at the end of the kingship, the **ager** extended on the left bank of the Tiber about twelve and a half miles to the mouth of the river, and about the same to the Alban

Gloss Lat. p. 476 L--attesting to alienation of land; Plut. **Vit. Publ.** 21.6; Livy, 4.47.7; 8.21.11. **Compascua**: H. Last, **CAH**, pp. 468-471. In general see Last, pp. 468 ff. **Early Land Policy**: Livy, Book 1 gives the history of land policy under the kingship.

Hills. On its other side it was restricted by the territory of Labicum, Praeneste, Pedum, Gabii, Tibur, Nomentum, and Fidenae. On the right bank of the Tiber it was checked by Veii. As was said, this territory was organized on a tribal basis, and the average area for the sixteen tribes at the end of the kingship would have been a little more than nineteen square miles each. It cannot be determined how much land was excluded from the tribes as **ager publicus**. Early agrarian policy was implemented through the tribes, and they were organized in the following manner.

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Three original Roman tribes were organized on a clan basis, the Tities, Ramnes and Luceres. Livy says the Roman King Servius Tullius divided the city into four urban tribes, and this organizational scheme was based on a topographical, not a clan, basis. The tribes corresponding to the **quattuor regiones** in the city were the Suburana, Esquilina, Collina, and the Palatina. During this period, the Greek city states were also changing from clan to place of residence for division of citizens, and this supports the dating of Servius' reforms to the latter part of the sixth century.

from 5 **cositia curiata**, which now dealt with lesser
 Pagi: Dion. Hal. **Ant. Rom.** 4.15. See also Lily Ross Taylor, **The Voting Districts of the Roman Republic**. Papers and Monographs of the American Academy in Rome, Volume XX. (Rome, 1960), pp. 4-5; 35-38; nt. 8, p. 38. Of rural tribes possessing gentilian names and existing during the first century of the republic, the following were represented in the chief magistrates: **Aemelia, Cornelia, Fabia, Horatia, Menenia, Papiria, Romilia, Sergia, and Voturia**. This fact attests to the control of the tribes by the leading citizens, and hence control of agrarian policy.

Here we can see the process at work whereby the Roman city-state was clearly in an expansionist mode, evidenced by the change of focus from ethnicity to locality for the organization of the tribes, which were the administrative units for the Roman state. As the new tribes were based on locality, they served the purposes of carrying out the census. The census could only be carried out with an on-site inspection of property holdings and place of residence.

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In regard to the economic base and thereby military and social structures of Roman society, a closer reading of Livy 1.43 is instructive, for it lays bare the connection between land-wealth and political power.

According to Livy, Servius is credited with reorganizing Roman society by a fixed scale of rank and means. As the census was administered by the censors and was a system of organization that was utilized in peace and war, it ranked men according to their property: contribution was in proportion to means. This reorganization created the **comitia centuriata**, a new Roman assembly based upon a timocratic scheme. It took over the most important legislative functions from the **comitia curiata**, which now dealt with lesser matters. On the timocratic principle the population was

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The Four Urban Tribes: Livy, 1.43.13; Dion. Hal. Ant. Rom. 4.14; Festus Gloss. Lat. 506 L; Theory of Reorganization: Taylor, The Voting Districts of the Roman Republic, p. 4-5.

divided into classes and "centuries" for purposes of voting in the Roman Assemblies. The first provided for the equipment of the infantry, the poor being exempted. All financial burdens were shifted onto the shoulders of the rich, who were compensated by political privilege. Universal suffrage was modified by a system that allowed each man a nominal vote, and through procedural mechanisms of voting, all political power was concentrated into the two highest classes, the knights, and first class. The wealthiest and most prominent Roman men composed the knights. The rest of the male citizens were put into five classes, which were ranked according to wealth. The first was composed of those just below the knights in worth. The second, third and fourth consisted of those of middle wealth.

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The fifth was composed of small landholders, and these possessed only two **iugera** of land. Here we see public and political worth based in property, the logic being that those with the most to protect contributed the greatest to the state. The connection between political power and land wealth is also evidenced by the fact that when the tribes became voting units under the republic in 471, the vote was weighted more heavily in favor of those with the largest landholdings. This proves that the basis of wealth in the Roman state was land. Let us now examine the size of the Roman **ager** at the end of the sixth century.

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7 The Oldest Roman Tribes: Taylor, *chp. 1 passim*; Livy *Census and Tribes*: Livy, *Ibid*: Cic., *Leg.* 3.7; *Lex repet.* (CIL 12 583) 77. In general see Taylor, *chp. 1 passim*.

**The Beginning Of The Republic And
Acquisition Of Land Through Warfare**

The **ager Romanus** at the beginning of the Republic (circa 509) extended to the southwest down both banks of the Tiber to Ostia; in the southeast it absorbed the whole territory of the former Latin city-state Alba Longa. The acquisition of Ostia gave Rome salt pans and a seaboard; the annexation of the territory of Alba gave it the caretaking of the most important national shrine of Latium, the Temple of Iuppiter Latiaris on the Alban Mount (Monte Cavo). This allowed Rome to supersede Alba Longa in honorary primacy among the Latin city-states, as they had to accept Rome's administration of the temple and the national festival that was celebrated there annually. The economic resources, population, and prestige that these extensions of the **Ager Romanus** had brought with them gave Rome the base with which it continued the domination of this part of Latium. Although this was the extent of the **ager** at the beginning of the Republic, and Rome benefited from the these factors, the acquisition of Ostia and Alba should be dated to the last phase of the regal period for two reasons. First, there is no record of these territorial gains during the initial phase of Roman Republican history; secondly, it is unlikely that a fledgling republic would possess the power to accomplish these

acquisitions. This is in accord with the tradition that the last Tarquin built a small empire in this part of Latium. The fact that Carthage concluded a treaty with the new Roman state showed that the monarchy exercised considerable power in Latium. Thus the recognition was one of a state whose primary interest was in land; that of Carthage, in overseas trade. The text of the treaty evidences such.

Also at this time there existed an alliance of the less powerful Latin city-states which needed a collective device to achieve parity with Rome in the struggle for the acquisition of new land, and the internal revolution that produced the Republic may have offered the Latins a perfect opportunity to reassert and ensure their independence through this coalition. The next phase of Roman agrarian policy began with the gradual conquest of the Italian peninsula, and was tied to the function of a league of city-states which included Rome and the Latins.

During the political unification of the Italian peninsula from sixth to the third centuries B.C., Rome embarked upon a policy of creating a federated league that would both ensure its own hegemony in peninsular international relations and provide a mechanism for future

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The Dating of the Republic: Polybius, at 3.22.1-13, gives the text of a treaty between Rome and Carthage, concluded immediately after the expulsion of the monarchy, circa 509-08; Livy, 1.49-57; See also Toynbee, Hannibal's Legacy p. 117.

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Toynbee, Ibid. - 120

expansion. Rome and the Latins made common cause against other Italic peoples outside of the league. The territory accruing to the Latins from successful warfare was settled by colonization; but because Rome was a unitary state, it dealt with its territorial acquisitions in a different way.

The populations and territories of the losing states were treated in the following manner. Those Italian peoples who were defeated by Rome were not enslaved, and their properties were not totally confiscated. Instead, portions of the territory that fell to Rome were disposed of in the following manner. Normally one-third of the new territory became **ager publicus populi Romani**, public land of the Roman People. The rest of the territory, which amounted on the average to two-thirds, was returned to those conquered. Those peoples would then be given a treaty that bound them to Rome. The amount of lands so confiscated was also determined by the degree of resistance displayed: for example, Privernum's revolt was punished by a loss of two-thirds of its lands in 341. The cultivated land was disposed of thus: in one part the Roman Government, in cooperation with the Latins, founded colonies, with citizens who were part-time farmers, part-time soldiers, and these served as military outposts, with both Romans and Latins sharing in the settlements. Another part was sold to private owners, and became **ager privatus**. A third part which was desolated by war was made available for occupation to the poor and indigent among the Roman citizens, on payment of a small rent into the public treasury. This was

also was **ager publicus**, and it was assigned on an individual basis, **viritim assignatus**. Because continual warfare existed throughout the Republic, the Roman state, guided by the policies set in place by the senatorial nobility, possessed a considerable amount of public land, especially early on in Italy. Later, **ager publicus** was augmented by the addition of provinces, and by domains foreign princes left by will to the
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 Romans.

With the acquisition of new land, disputes arose between the wealthy, established members of the ruling class, the **nobiles**, and the plebs and their popular leaders as to the use to which this third part, or state domain land, was to be put. This began early in the fifth century, because the **nobiles** wanted to maintain public ownership, under which they could occupy it as **possessores** and exploit the land to their own advantage by farming it. This they felt to be their right. Conversely, the plebs wanted the land to be distributed among themselves. Class is an important factor in the distribution of the **ager publicus**, as the wealthy individuals of the senatorial aristocracy fully exploited the

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Confiscation: App. BCiv. 1.7; Plut. Vit. Ti. Gracch. 8.1-3. Privernum: Livy 8.1.3. For the discussion of **ager publicus** in modern sources, see The Oxford Classical Dictionary, 2nd edit. Eds. N.G.L. Hammond and H.H. Scullard, (Oxford: Clarendon Press), 1970, s.v. **ager Publicus**, hereafter "OCD"; Social and Economic Commentaries On Classical Texts. Volume II: Cicero, De Lege Agraria Orationes Tres, by E.J. Jonkers. E.J. Brill, (Leiden: 1963), pp. 1-3; and The Cambridge Ancient History Volume IX: The Roman Republic 134-44 B.C. Eds. S.A. Cook, F.E. Adcock, M.P. Charlesworth. (London: Cambridge Uni. Press), 1951, p. 16.

process. This is consistent with the idea that the Roman class system of "patrician/plebeian" evolved out of economic conditions. It is probable that some became **domini** of extended fields and persons of influence in the state, while lesser individuals and groups were reduced to economic and political dependence upon them. The **domini** then legally secured predominance for themselves and their descendants; this in turn solidified into a social system which allowed "**patricii**" to hold offices of state. Additionally, feudalism never developed in Rome due to the need for the free, citizen soldier whose service was based on possession of property. Therefore, the Roman class structure evolved out of property relations.

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It is important to emphasize that the resolution of this issue involving a redistribution of land and thereby wealth and political power would dominate Roman politics and history throughout the remainder of the Republic. This struggle was carried on by the aristocracy in order to legitimize and maintain its political power by means of warfare and land confiscation. This process began in earnest during the early republic, and it becomes apparent that the acquisition of land by the aristocracy is coupled with the building of a defensive league. Therefore, a closer examination of the league is in order.

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App. **BCiv.** 1.1 ff. **OCD**, **Ibid.**; **Class Aspect**: Livy, 2. 41 ff. Tenney Frank, **Roman Imperialism**, (New York: McMillan Co.) 1929, pp. 5-7; Arnaldo Momigliano, "**Procum Patricium**," **JRS** 56, 1966, pp. 16-24.

In addition to Rome's acquisition of public land another result of the conquest of peninsular Italy, which was substantially achieved by the beginning of the First Punic War, was a Romano-Italian confederacy which provided for the defense of Italy. After wars with the Latins in the fifth century B.C. Rome became permanently allied with the Latin League, with the alliance being held together with the common goal of survival from the threats of the Gauls in the north and tribes to the south inhabiting the reaches of the Appenines. In 493 the confederation arose from a treaty between the Romans and the Latin cities. This was the **Foedus Cassianum**, signed by the consul Cassius on behalf of the Romans. Its relevant provisions for a discussion of expansion and agrarian policy were as follows: The Romans and the Latins became allied militarily, and were to share equally in the gains of their common wars. The Cassian Treaty basically provided a framework that allowed the tribes of Latium to retain self-government, exempting them from paying tribute; the right to furnish troops meant that they received a share of the loot acquired in subsequent war: this right gave them a vested interest in joint conquests. On the one hand the Latins took the spoils of war entitled to them, using colonization as the primary method of disposition, and on the other the Roman Government initiated a policy of expanding its holdings of **ager publicus**, which was in turn systematically exploited by the ruling class. Before the economic, social, and political consequences of the

exploitation can be examined, we first must sketch the framework of the new Confederacy because it was within it that *ager publicus* evolved.

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It is theorized that the original Latin Confederation was a balance of power arrangement meant to counter the Romans; but when a common threat emerged in Latium, composed of the *Volsci* and others, a new Romano-Latin Confederation was forged. A political concept of the Confederation was born out of the Cassian Treaty. Now that a threat loomed for the Latins, an alliance of Pomptine Volscians and the Aequi, the Latins and the Romans countered by their own alliance with the Hernici. According to Roman tradition, the Hernici, like the Latins, had fallen under Tarquinius the Second's hegemony and had subsequently been brought into treaty relations with Rome, on the pattern of the Romano-Latin treaty, by the same

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Spurius Cassius in 486.

13

Dion. Hal. Ant. Rom. 6.95.2 **Cassian Treaty**: Livy, 2.33.4 & 9; Jonkers, Social and Economic, p. 1. Momigliano, in his "Interim Report On The Origins Of Rome," discusses the problems with this area of historiography. JRS Vol. 7 1963, (pp. 95-121) pp. 95 ff. The opposing and unorthodox view regarding early Roman historiography that the surviving literary sources (Livy and Dionysius) are worthless is set forth by A. Alföldi, in Early Rome and the Latins. Ann Arbor, University of Michigan Press, [n.d.] See especially chapter IV: "The Projection of the Roman Conquest of Middle Italy back into the Dark Ages by Fabius Pictor." Spurius Cassius: T.R.S. Broughton, Magistrates of the Roman Republic. Volume I 509 B.C.--100 B.C., p. 14. American Philological Assoc. (New York: 1951), Number XV Vol I. The Confederation And Attendant Wars: Livy 2. 22, 33.4 speaks of a treaty with the Latins, and Dion Hal. Ant. Rom. 6.95 for its text. Livy at 2.24 speaks of a war with the Volscians (see also 2.30.8-31.6; 40.12). Dion. Hal. 6.25 & 27 also speaks of Volsci, Aurunci and Sabines as threats, and of the eventual war with them

This Romano-Latin-Hernician treaty, which in turn was the basis for even more territorial expansion, was used as an occasion by Cassius to propose agrarian reform legislation on behalf of the plebs, which is the first such known proposal. Livy states that an early attempt to dispose of *ager publicus* through colonization was made in 486. In that year the Consul Cassius is said to have proposed to the Senate agrarian reform that would distribute the two thirds of the recently conquered Hernician territory thus: half was to be divided among the Latin allies and half among the Roman plebs. His proposal also sought to add to the gift some part of that land which was supposedly held by individuals even though it belonged to the state. Many of the ruling senatorial aristocracy who were in possession of the land were alarmed that the proposal would take away what they considered to be their own property and economic interests. Livy comments on this class aspect: Those in possession feared the land would be used as a bargaining chip by one who aimed at taking away their "liberty." The other Consul, Proculus Verginius, was opposed to the measure and sided with the interests of the senators. Livy goes on to say this first

 (and the Aequi), 8.62.3; 63.2; 68.1.

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Confederation Theory: Toynbee, p. 120 loc. cit. and A.N. Sherwin-White, The Roman Citizenship (Oxford: Clarendon Press), 1973 p. 20 ff. **The Hernician Treaty:** Dion. Hal. Ant. Rom. 8.68.2, 69.1; Livy, 2.41.1. The Hernici were given a third of the conquered land, and booty (captured movable property). Dion. Hal. Ant. Rom. 8.77. 2-3.

proposal for agrarian legislation caused serious disturbances.¹⁵

In regard to this "first proposal" of distributing *ager publicus*, it must be emphasized that its existence is in doubt. Throughout his account of the fifth century there Livy mentions agitation by the plebs to distribute *ager publicus*. Although a shortage of land for pasture and cultivation was a factor in Roman economy at the time, the record of these proposals is to be rejected. The great majority of them should be considered abortive threats, which would never have been documented. But are they at least part of an oral tradition? In that case they should at least be considered to contain a kernel of truth. What exists in Livy is retrojection of the issues raised by the Gracchi. It must be clear that it is fruitless to suppose there were any real *leges agrariae* for this early period, and this conclusion is likely, based on the paucity of evidence. Therefore these laws of the early republic are a retrojection of *leges agrariae* of the age of the Gracchi, which were put in the

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The Alliance: Toynbee, *Ibid.* The Hernician Treaty: Dion Hal. *Ant. Rom.* 8.69. Livy, 2.41. There exists neither fact nor legend to prove or disprove the proposal, and although its existence is highly in doubt, it may be fruitful to examine it with an eye to later documented proposals and laws. At the least it offers a hint at what was thought of real *leges agrariae* in Rome among the ruling class later on as evidenced from what Livy says. Tradition speaks of a distribution of public lands in terms that resemble those of the Gracchan Laws. Tenney Frank agrees with other scholars and disregards the details as unworthy. *Economic Survey of Ancient Rome, Vol. I, p. 25.*

The First Attested Sale of Ager Publicus: Livy 20.40.4

narrative to explain the method Spurius Cassius used "when aiming at Royal Power." Furthermore, it is a fact that only with the large acquisition of **ager publicus** from the fourth century onwards, starting with the capture of Veii, did the need for such measures arise.

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The first attested sale of **ager publicus** was not until 205 in Campania, extending from the Fossa Graecia to the sea during the Second Punic War, when the quaestors were directed to sell off land due to a lack of money for war. In the process the Campanian citizens lost their land, and could only dwell where the Senate allowed.

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Colonization, like **leges agrariae**, is a controversial area of early Roman history. The problem lies in whether or not to credit Rome with being the leader of the alliances spoken of above. Our sources (Livy particularly) would lead us to believe that Rome was in charge; but scholars feel that Rome was at the most an equal partner who in conjunction with her Latin allies founded colonies and distributed various forms of citizenship. Livy's claims of the leadership role of the Romans before 338 is exaggerated. At this point in Roman

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"First Proposal" of **Ager Publicus**: Dion Hal. Ant. Rom. 8.69; Livy 2.41.3. **The Fifth Century**: From 482 through 410 there exists mention in Livy's account of agitation by the plebs to distribute **ager publicus** (in 482, 481, 476, 474, 467, 441, 424, 421, 420, 416, 414, 412, 410, **Livy, Book 2**: 43.3, 44.1, 48.2, 52.2, 54.2, 61.1, 63.2, 3. **Book 3**: 1.2, 4.43, 6.47, 8.49.11, 51.5, 52.2, 53.2; 5.12.3.) Also, see R.M. Ogilvie, **A Commentary On Livy: Books 1-5** (Clarendon Press: Oxford) 1970, p. 340; 607.

17

The First Attested Sale of Ager Publicus: Livy 28.46.4

history, colonization was joint; and in the last analysis it rested with the Latin League because each colony founded became another Latin commonwealth, independent and sovereign, admitted to the League. In conformity, any Roman who had joined such a colony forfeited his Roman citizenship and became a citizen of the new community. These are to be more properly considered **Priscae Latinae Coloniae**, not **Coloniae Romanae**, as Livy states.

Therefore, starting in the fifth century at the latest, a process developed where the portion of the conquered territory which was not set aside for the establishment of a **colonia** or allotted to private individuals who built large estates, was made available to Roman citizens upon suitable payment and on condition that the State could at all times reassume ownership of these properties. These are the **viritim** assignments, single allotments given to Roman citizens of modest means. They are distinct from those occupants who obtained the **possessio** (legal possession), but not **dominium** (full ownership). Only citizens with the requisite capital to exploit the land by building farms and purchasing agricultural instruments could make use of this occupation. As of yet, the urban poor could not have factored

18

Colonization: Livy, at 1. 23.3. paints early Rome as the master of other Latin city-states. See also E.T. Salmon, Roman Colonization Under the Republic, Cornell University Pr., (Ithaca: 1970), chp. 2. **Priscae Latinae Coloniae versus Coloniae Romanae:** Livy Books 1-8, *passim*. Frank, Roman Imp. p. 18 f, and Toynebee, Hannibal's Legacy. Vol. I p. 120 ff.

significantly into the political aspect of this process, because Rome in the fourth century was not glutted with a proletarian class, as it was from the late second century. A violent disagreement over the disposition of the *viritim* assignments coincides with the growth of a class of landless poor which solidified at Rome after the Punic Wars.¹⁹

Again, our sources speak of this process as an ongoing one from the outset of Roman Republican history, but it is difficult if not impossible to give a specific date. Appian speaks also about the rich getting possession of the greater part of the undistributed lands and then of those of the poor by prescription, purchase, and coercion. They then came to cultivate vast tracts instead of single estates, using slaves as laborers and herdsmen, so to have a ready and cheap supply of labor. This of course did not come to be at least until the middle republic. He cites this as creating a super-rich class of Romans, and the corresponding slave-based economy.²⁰ These of course are the *latifundia* of Italy.

But in the early period of the Republic, as the *ager publicus* grew out of conquest, the best was picked over by the rich, and part of it began to be assigned to citizens *viritim*, like some of the territory taken from conquered Veii in 393. It is with this, *Ager Veientanus*, that it can be said with a degree of certainty that Roman agrarian policy

19

Jonkers, *Social and Econ.* pp. 2-3.

20

Jonkers, *Ibid.*; *Latifundia*: App. *B.Civ* 3.1.7.

matured, and **ager publicus** was distributed in the fashion outlined above. When Rome reduced Veii, an Etruscan city, its territory was incorporated into the **Ager Romanus**. The Roman Government assigned parts to plebeians and created four additional tribes.

Ager Veientanus As Evidence of Solidified Agrarian Policy

Livy discusses the political issue of the disposition of the newly conquered ager Vientanus. In Rome a level of antigovernment agitation grew which had never existed before. The Senate made an attempt at appeasement by proposing to send 3000 settlers into Volscian territory, each settler being assigned two **iugera** of land. This proposal seemed inadequate to the people, who considered it an offer of exile to dwell among the Volsci especially when the rich and attractive ager Vientanus was ready for settlement near to Rome. This was the beginning of popular agitation for the settlement of Veii, and this feeling intensified during the period after the capture of Rome by the Gauls. The aristocracy violently opposed the settling of Veii by half

21

Fall of Veii and its Incorporation: Livy 5.21 ff.
Ager Veientanus: Livy, 5.30.7 and Ogilvie, Commentary, p. 639. **The Allotment:** Jonkers, "Social and Econ." p. 2; OCD s.v. **ager publicus**; Livy 5.30.8. **New Citizens and The Reorganization Into Four Districts:** Livy 6.4.4, says in 389 the Veientes, Capenates, and Faliscans were patiated and settled in the new area. At 6.5.8 he says that in 387 the new tribes enrolled were the Stellatina, Tromentina, Sabatina, and Arnensis, filling up the number of tribes to twenty-five.

plebs and half of the Senate; this would be the forming of a new polity. The tribunes of the plebs took a stance against the leaders of the government, who devoted all of the assets of Veii to the state (**ager publicus**). This struggle between the plebs and their tribunes on the one hand, and the patricians, on the other, continued through 390, when a compromise was reached. The senate decreed seven **iugera** from the estates of Veii to every plebeian, not only heads of families, but also to all freeborn males of every household. This would encourage them to rear children. So here is the reason behind the **viratim** assignments: Rome was in constant need of free, land-holding citizens for service in the army. Therefore, conquest, settlement, and more conquest is evident at this point, and was the driving force in the history of Rome of this period. The ruling class can be considered to have developed this process to ensure political legitimacy, class, the senatorial nobility.

22

The acquisition of the **Ager Veientanus** doubled Rome's territory, making it the largest city-state in Latium. The allotment of small holdings increased the size of the Roman army as property was the basis of service. Also the allotments gave political power to previously uninfluential plebeians of the city. These were now settled into four new tribes of small landowners. This very much strengthened the voting power of the plebeians in the assembly at Rome and

gave considerable power to the democratic element in the Roman state. The political victories of the plebeians after the destruction of the city by Gauls in 390 were in some measure due to this land distribution and its attendant enfranchisement and political power. Nevertheless, this acquisition of public land which could be rented and exploited by ambitious men injected into politics economic contention over the possession of conquered land. This rift continued throughout the remainder of the Republic and began to intensify around the time of the Gracchi during the late second century. Therefore, the acquisition of the **Ager Veientanus** is partly credited with laying the base from which a democratic movement was born. This is evidenced by the fact that in 366 plebeians gained the right to hold the highest office of state, the consulship. This is important, because in the future it was usually the popular leaders and factions that favored a policy of expansion. As Veii is considered the best evidence of agrarian policy under the early Republic, let us examine the way in which the tribe was used to control the Roman ager.

23

As the Roman ager grew, both old and new citizens were settled in newly conquered land. The area of an existing rural tribe was extended or, more commonly, a separate and new rural tribe was created. It must be emphasized that the

23

The Political/Economic Dimension: Livy, 5.24-.30; Frank, Roman Imperialism pp. 21-22, and Economic Survey, Vol. I, p. 23.

tribes actually consisted of the people enrolled in them, and the Latin word **tribus** refers to a subdivision of Roman citizens. The tribes functioned as administrative units for Roman territory, and the census worked through them to enroll citizens, value their property, register men for service and to collect the **tributum**, the citizen tax. Therefore the city of Rome and the **ager Romanus privatus** were assigned to the tribes, the remaining **ager Romanus** being **ager publicus**.²⁴

Individual property holdings in the respective tribes were increased in accordance with Rome's expansion during the early and middle republic. The way a preexisting tribe's numbers were increased was by the censors adding to the tribe's rolls Roman citizens and enfranchised **peregrini** (foreigners) who dwelt in the adjoining territory. This was the result of a successful war. This process is attested to by Festus in his discussion of the institution of the **Oufentia** tribe in **agro Privernate**. A closer examination of some aspects of the tribes is in order to show the connection between land and politics that existed in the Roman state.²⁵

24

Taylor, **Voting Districts of the Roman Republic**, chp 1. Census: Cicero, **Leg.** 3.7; **The Tribes and The Censors: Lex repet.** (CIL I2 583; Diod. 20.36.4--Citizens had the right to be enrolled in tribe they wished; Livy 8.17.11 & 38.36.9; Citizens required to list names and value of property, Dion. Hal. **Ant. Rom.** 4.15.6 & 5.75.3; Festus, **Gloss. Lat.** 212, 271 L.

25

Acquisition of Land and Increasing Size of a Tribe: Festus, **Gloss. Lat.** 212 L; Taylor **Voting Districts of the Roman Republic**, chp. 1 *passim*.

We are fortunate in that all new tribes instituted after 495 are recorded by Livy, who details the growth of the Roman ager, and he also gives describes the establishment of one created before 495, the Claudia. During the Sabine war of 504, Attius Clausus relocated in Rome along with a great band of his followers. He was given patrician status and land in the city, and for his followers land across the river Anio. This immigration was the basis of the **Claudia tribus**. Here we have a non-Roman being granted patrician status, and from this process the conclusion can be stated that patrician status was tied both to leadership status in society, and indeed was based in land holding. In 495, then, the Claudia was one of twenty-one Roman tribes in existence, the four urban and seventeen rural. Livy has the **ager Crustumeria** being conquered in 499, and this is linked with creation of the **Clustumnia tribus**. This tribe was likely organized at the same time as the Claudia, in 495.

26

It was Roman policy to place newly conquered territory in an adjoining, preexisting tribe when a new one was not created. This would extend the area of the existing tribe. This policy is evidenced in the gradual growth of the Poblilia, Terentia, Falerna, and the Velina. This policy was

26

The Claudia: Livy 2.16.4-5; Dion. Hal. Ant. Rom. 5.40.2-.3 **Twenty-One Tribal Districts**: Livy 2.21.7. The Clustumnia: Livy 2.19. See Taylor, Voting Districts of the Roman Republic, p. 36-37. **Veii and New territory**: Livy 2.48-58 relates the story of how the gens Fabia assumed primary

followed through the Social War (90-89 B.C.), although in modified form. A case in point is the enrollment of the community of Fidenae in the adjoining Claudia tribe.

Therefore the procedure was to absorb a conquered community on the borders of the Roman ager into the adjoining tribe.

These peoples would thus be enfranchised. The tribes functioned as socializing units, and were the precursors of

municipia, which were the later, primary locality that entailed a type of dual citizenship. The reason tribes were

expanded in this fashion was to allow the city-state constitution to survive, as a centralized government that

controlled expansion through the enlargement of tribal territory.

The normal process of adding on to a tribe was affected by politics in Rome. An example of this is shown by the disposition of Labicum. The **ager** of the Labici was annexed by Rome in 418, and the Senate passed a resolution to send settlers to Labicum, and 1,500 people left to settle there, receiving a grant of two **iugera**. This forestalled any attempt by the tribunes to propose a settlement there which would

responsibility for the war against Veii. The tribes Romilia and Galeria were probably expanded by Roman encroachment on Veintine land before the fall of Veii in 396. See Taylor, p. 40-41 p. 36-37. **Veii and New territory:** Livy [2.48-58] relates the story of how the gens Fabia assumed primary responsibility for the war against Veii. The tribes Romilia and Galeria were probably expanded by Roman encroachment on Veientine land before the fall of Veii in 396. Taylor, p. 40f

27

Roman Policy and the Growth of Tribes: Taylor, Voting Districts of the Roman Republic, pp. 41-42.

entail larger land grants than two *iugera*. In this instance
trouble over the whole question of land reform was avoided. 28

From 495 to until the fall of Veii in 396, no new tribes were created; the four urban and seventeen rural tribes made up the *populus Romanus*. The Lex Publilia of 471 gave the tribes the rights of electing Plebeian magistrates, and in 447 they became the elective body of the quaestors. After the Valerian-Horatian Laws of 449, they became an important legislative body. The number of tribes had to be maintained in unequal number for the purposes of voting, and this had impact on the creation of new tribes. This shows that their administrative function was the outcome of the policy of expansion--as *municipia* were later. 29

With the fall of Veii in 396, the Roman ager was increased by about fifty percent. Therefore four additional tribes were formed for the new citizens in 387: the Stellatina, Tromentina, Sabitina, and Arnensis. These raised the number of tribes to twenty-five, and were created for the Veientes, Capenates, and Faliscans. As new Roman citizens they received land grants in them. Patrician families were enrolled in the Veientine tribes. Two tribes were added in each of these years: in 358 the Pomptina et Publilia, in 332 the Maecia et Scaptia, in 318 the Ufentia ac

28

Ager Labicus: Livy 4.47.6

29

Lex Publilia: Livy 2.58. Tribes as elective body of Quaestors: *Tac. Ann.* 11.22. Valerian-Horatian Laws and Legislative body: Livy 3.55.

Falerna, in 299 the Aniensis ac Terentina and in 241 Velina et Quirina. By 241 the total number of thirty-five tribes was reached, covering, besides Veii's domain, most of greater Latium and parts of Campania, Sabine territory, and the neighboring Adriatic regions. Later, the number of tribes did not increase. Instead, Roman citizens were settled on public land and newly enfranchised peoples were placed in extensions or new divisions of the existing rural tribes. 30

The tribus Pomptina et Poblilia were added in 358-- bringing up the number to twenty-seven--and were located in the Pomptine field. A Latin colony was settled in the area in 382 and reinforced in 379; the rest of the land remained **ager publicus**. Livy says that this land was exploited by the patricians, and tribunes attempted unsuccessfully to distribute this land to the plebs. When the tribe Pomptina was established, then the plebs would have received a share of the land. It is conjectured that because the name Poblilia is plebeian in nature, the plebs secured a victory in getting settled in this tribe. Livy discusses the settlement of the **ager Pomptinus**. In 387 the tribunes of the plebs were trying to attract crowds to their meetings for proposals for agrarian laws. They held out hopes of the Pomptine district,

30

Tribes Created Under The Republic: Stellatina, Tromentina, Sabatina, Arniensis, Livy 6.5.6; Pomptina et Poblilia, Livy 7.15.12; Maecia et Scaptia 8.17.11; Ufentia ac Falerna 9.20.6; Aniensis ac Terentina 10.9.14; Velina et Quirina, Livy Per. 19. In general, see Taylor, Voting Districts of the Roman Republic, chapter one, passim.

of which Romans had then for the first time, since the defeat of the Volsci by Camillus, acquired undisputed control. The tribunes charged that the nobiles exploited the land by encroaching on it. The nobiles were taking violent possession of the **ager publicus**, and unless it should be parceled out before they seized it all, there would be no room there for the plebs. The tribunes were unsuccessful, as the plebs exhausted their money on building and had none left to stock the land.

From 389 until the consul C. Plautius secured a victory in 359 the Hernicians were in revolt from Roman hegemony. It is probable that the confiscated land was tacked on to the Poblilia tribe, and that old citizens from Rome and some faithful Hernicians were settled in this area. Therefore it is supposed that the Ager Hernicius was the old Poblilia. In this region a Latin colony Setia was settled, traditionally by Tarquinius Superbus, and it was later reinforced.

Therefore, this shows that agrarian policy was initiated under the kingship, and it was continued after its fall by the patricians. This may also be an explanation of the revolution: the patrician class interests in land and

wealth may have coalesced and made revolution a political necessity.

32

31

Pomptina Et Poblilia: Livy 7.15.12, 6.5.1-4, Taylor, Voting Districts of the Roman Republic, pp. 50-51.

32

Hernician Revolts: Livy 6.2, 7.15.9. **Tarquin & Signia and Circeii:** Tarquin sent out c. 510 surplus population to Signia and Circeii, Livy 1.56.3, 2.21.7.

The area of the new tribes was made up of viri-tane settlements, likely without walled towns. These were the *oppida*, as opposed to *coloni*. Additional land would have been reserved in these areas for *ager publicus*, along with provision for the native populations. The new tribes would be increased by enfranchisement and assignment of old citizens to the *ager publicus*. Therefore the censors would enroll in the new tribes Roman citizens, settled in the outskirts of the new units, and these are the *conciliabula civium Romanorum*. In addition, in the areas of the tribes Rome, in conjunction with the Latins, sent Latin colonies, composed of a mixture of Romans and allies. These lived in a walled fortress, the *oppidum*, designed to protect key geographic areas. In additional compensation for the loss of Roman citizenship when a Roman became a colonist, his land grants were considerably larger than those viri-tane ones given to citizens in the core tribal areas.

33

To put *ager publicus* into proper perspective, it should be noted that from 493 to the Gallic Invasion of Rome in 390, The Triple Alliance of Romans, Latins, and Hernicians

33

Oppida: For dates of these *Coloniae*, See PW s.v. *Coloniae*. Latin colonies were settled at Sutrium and Nepete. Livy 6.9.4--Camillus helping beleaguered Nepete and Sutrium from Etruscans, and Taylor, 49. See also E.T. Salmon *Rome and the Latins I* (The Phoenix, Vol. VII, 1953) p. 93 ff. Salmon discusses the exploitation of the *ager publicus* and colonization by Romans and Latins along with the sources. He concludes that before 338 the Latins colonized; the Romans effected viri-tane settlement. The *Priscae Latinae Coloniae* were disguised by Livy as *Coloniae Civium Romanorum*. See the next chapter on these points.

resulted in the acquisition of much territory by each of the three signatories. Rome took the lead on the alliance's northwestern front, as well as most of the territory. The Latins did the same on the southeastern front. But the territorial acquisitions had not been distributed entirely on this basis, since the gains on both fronts had been the result of joint military enterprises. The Latins had acquired the Volscian territories of Norba, Signia, Setia, and Circeii, the Faliscian territories of Sutrium and Nepet, and perhaps also the Aequian (previously Latin) territory of Labicum. The Hernici had also acquired the Volscian territory of Ferentium. Rome had acquired the Latin and Etruscan territories of Ficulea, Fidenae, Crustumerium, and Veii. The new territory was organized by the three partners on a differing basis, because each had different needs, and different political structures at the time of the various conquests. Rome, being a unitary state, organized the settlers on her new territories into five additional Roman tribal districts: the Clustumnia on the left bank of the Tiber and the Arnensis, Tromentia, Stellatina, and the Sabatina on the right bank.

34

34

The Triple Alliance: **Toynbee, Hannibal's Legac.** Vol. I p. 121 ff. **Latin Acquisitions:** Norba, 492, Livy 2.34 he credits only the Romans; Signia, 495, Livy 2.21; Setia, and Circeii, 393 1.56.3 (Livy says under the monarchy by Rome alone) & 8.3.9 (where the existence of these two colonies is attested by the fact that two Latin praetors bear the names of the colonies), and Faliscian territories of Sutrium and Nepet, 6.9.12 and perhaps also the Aequian (previously Latin) territory of Labicum, in 418 4.47.6-7 (credit to Romans

The Latin party to the alliance, being a federal state, organized the settlers on her new territories into four additional Latin city-states on ex-Volscian territory, and two on ex-Faliscian territory. These were admitted to membership in the Latin Confederation on the same terms as the original members. As for the Hernician Confederation's new territory Ferentium, Livy records that it had been evacuated by its Volscian inhabitants before its capture, and this suggests it was then occupied by Hernician settlers. Ferentium was a member-state of the Hernician Confederation in 361. The surviving Pomptine Volscian states seem to have been forced into an unwilling alliance with the Roman-Latin-Hernician League. Therefore this Triple Alliance which began soon after the inception of the Roman Republic had brought notable gains of territory to Rome and her two allies, and, in the case of Rome, is the causative factor of *ager publicus*. Within the territories that fell to Rome, *virginitim* assignments were made.

35

It is significant that patrician families were in control of this process, and probably received large

alone). **Hernician Acquisitions:** Ferentium, 413 Livy 4.51.7-8. Rome: Fidenae, Livy 4. 17 and Dio. Hal. Ant. Hal. 5.60.3-.4; Crustumerium, (sometime after 426--see Toynbee, p. 172 nt.); and Veii Livy 5.19 ff. See note 11 for the new tribes.

35

Toynbee, pp. 121-23. Ferentium: (Recaptured by the Romans) Livy, 7.9. **Early Colonial Acquisitions: Colonization Under the Republic,** Frank's Roman Imperialism and An Economic Survey of Ancient Rome: Volume I, and Toynbee's Hannibal's Legacy: The Hannibalic War's Effects On Roman Life, Volume I. Putting together a coherent list of these early colonial acquisitions is difficult because of the contradictions that exist in the ancient sources. This process has been debated

shares of land in the new territories. This shows there was a class aspect, that and a definite political policy of initiating conquests and controlling land settlements. But, what the patricians could not control were historical forces like the Invasion of the Gauls in 390. This event seriously threatened the existence of Rome, and as it suspended the policy of expansion and settlement of land for a time, it should be considered separately from the process.

The Gallic Invasion And Interruption of Settlement

The next challenge the Roman state had to face in establishing its hegemony in the upper part in Northern and Central Italy was a threat from "the Gauls," who were Celtic invaders from north of the Alps. Beginning in the late fifth century B.C. the Gauls, in various groups, began to cross the Alps and encroach on Etruscan territory in northern Italy. The Gallic encroachment was gradual, and it did not halt until the late fourth century B.C. While the Gauls were pushing to the south and defeating the Etruscan rule over the indigenous rural populations, Rome, after the fall of Veii, had continued its advance to the north, acquiring a buffer zone in the lower part of Etruria near the Po river.

36

in the modern sources.

36

The Gauls: Livy, 5.24-7.28; Dion. Hal. Antiq. Rom. 12-15; Plut. Vit. Camill. 200.9.43; Polyb. 1.6.2-4; 2.14-18; 2.22.4-5. **The Invasions Into Italy--Dating of the Migration:** Livy, at 5.34.1 gives the end of the seventh century B.C. as the date, but at 5.34-35.3 gives the end of the fifth century. It is a certainty, due to archaeological evidence, that the later date is correct.

The two movements came into conflict in 391 B.C. when the Romans and the Gauls first met in war at Clusium in Etruria. This was the result of two parallel and simultaneous processes: the conquest of northern Italy by the Gauls and the conquest of southern Etruria by the Romans.

37

After the battle of Alia on the left bank of the Tiber where the Roman army broke ranks and fled, the Gauls entered the city unopposed, plundered and burnt it, with the exception of the Capitoline.

38

Beside physical destruction, damage included economic stress and loss of power in international relations. The Gallic catastrophe caused stress on Roman domestic politics, and the period from 391 to 367 was one of decline of the Roman state both in terms of domestic and international relations. This was The Conflict of the Orders. This general crisis, including financial woes, was finally addressed by legislation of 367. The Licinian-Sextian Laws dealt with debt, possession of public land, and the reinstating of the consulship (after military demands of the period required a

Primitive Italy: The Beginnings of Roman Imperialism, L.P. Homo, ed. C.K. Ogden. London: Routledge & Keagan Paul, 1968, pp. 165-68. Buffer Zone: See V.W. Harris, Rome In Etruria And Umbria, Oxford, Clarendon Press, 1971. pp. 41 ff. For archaeological evidence on Etruria, see The Etruscan Cities And Rome, by H.H. Scullard. Cornell University Press, Ithaca, New York, 1967. In general, see Homo, CAH pp. 554-561.

37

The Simultaneous Movements of Gauls and Romans: Livy, 5.35.3-38.8; Homo, CAH, 555-560.

38

Alia and the Sacking of the City: Livy, 5.36-55; Diod. 14.114-16; and Plut. Vit. Camillus; Homo, CAH, pp. 561-565. See "The Gallic Fire and the Roman Archives," by

dictatorship) as the chief annual magistrate, with one consul to be chosen from the plebeian rank. Also, one-half of the priestly college was to be plebeian. The most important provision of the Laws for the study of agrarian policy was the limit it set on possession of land: 500 **iugera** of public land was the maximum amount allowed to be held. The question arises as to why a limit was set on the ownership of public land. Perhaps it was a tradeoff by the patricians to the plebs in support of the new policies needed for the state to rebuild. This is an important point, because it shows that when the ruling class's existence was threatened, it reformed itself. The Licinian-Sextian Legislation is just that--a reformation, or broadening of the ruling class, and the legislation appealed to the masses, the plebs, by a good-faith measure. Here, the limit of 500 **iugera** is to be seen as a good-faith attempt by patricians, ones who were in a position to fully exploit an unlimited amount of conquered land, to put a limit on that amount so as to have land to offer to landless plebs, to expand the city-state structure through colonization. It is also likely that the limit was a safeguard against any member of the privileged class gaining an inordinate amount of wealth and thereby power. A closer examination of Livy is in order to fully appreciate

Lucy George Roberts pp. 55-65. Memoirs of the American Academy in Rome: Volume II. New York: University Press, 1918. See especially pp. 64-65 where Roberts concludes that almost all of the international documents deposited in the Capitoline and other temples escaped destruction.

the complexities of the Roman economy at this time. 39

Livy details the political issues involved with the issue of debt relief. Starting in 385 there had been a vast piling up of debt, due to an overextension of credit in regard to building. The next year party strife began, and by 377, although successful wars were concluded, the violence of the patricians and the suffering of the plebs were increasing, the cause being the compulsion of paying off the debt. When a man could not meet his creditors' demands, he was sold into bondage. The patricians used this to their political advantage, and the plebs had to place their own in political office (the Tribunate) to gain relief. 40

In addition to the immediate physical damage Rome itself sustained, the Gallic invasion and conquest of the city dealt a serious blow to Roman prestige in international relations

39

Debt: Livy, 6.11.9, 6.31.1-2, & 6.34.2. See C.G. Starr, The Beginnings of Imperial Rome: Rome in the Mid-Republic. Ann-Arbor, Mich. (1980): p. 42, on public land; Social Struggles in Archaic Rome: New Perspectives on the Conflict of the Order, Ed. Kurt A. Raaflaub, Chapter XI "The Integration of Plebeians in to the Political Order After 366 B.C.," pp. 327-352. University of California Press: Berkely, 1986
 Legislation: Livy, 6.35.4-5. The provision of the legislation dealing with public tenancies is supported by: Livy, 7.16.9 (Stolo himself fined for transgressing the 500 iugera limit), 10.13.14, 10.47.4, 35.10.11 (various individuals were fined by the aediles for transgressing the same); Cato in a speech of 167 (Oratorum Rom. Frag. Malc., I.195; App. BCiv. 1.8; and Plut. Vit. Ti. Gracch. 8; Varro, Rust. 1.2.9; Vell., 2.6.3-4; Gell., 6.3.40. Frank, An Econ. pp. 27-28. The existence of the Licinian-Sextian legislation is sometimes argued against. See OCD, s.v. Stolo.

40

Debt Relief: Livy, 6.11.9; 6.31.1-2; 6.34.1-2; 6.35.

as Rome's hegemony in central Italy declined. Although Rome vigorously sought to rebuild, the power vacuum created by the Gallic disaster eventually led to the Latin War of 340. ⁴¹

Besides fortifying the city with a great wall and making needed military reforms, Rome initiated political reforms. The reconquest of central Italy was followed by the resumption of agrarian policy. The land of Veii was dealt with as follows. Some was allotted in small, **viritim** lots of seven **iugera** each in 393, some given back to the Vientanes in 388 who were received into the state as new citizens, and in 387 four additional tribes were formed out of new citizens, the Stellatina, Tromentina, Sabatina, and Arniensis. These filled up the number to twenty-five. New Latin colonies were founded, two in the south, in Volscian territory: Satricum in 385 and Setia in 382; and two in the north in Etruria, of the Sutrium and Nepete in 383. In 358 two new tribes, the Pomptina and Publilia, were added. Therefore it is assumed over 20,000 poorer citizens were settled in the six new tribes. The four Latin colonies most likely averaged 2,000 ⁴² men each.

⁴¹ Roman Prestige Suffers: Livy, 6.2; Homo, CAH, pp. 565-56.

⁴² Reform in the Wake of Damage: Ibid., 566-68. Resumption of Colonization: Veii, Diod. 14.102.4; Livy, 5.30.8; 6.4.4. Four Additional Tribes: Livy, 6.5.8. New Latin Colonies: Satricum Livy, 6.16.6 and Setia Livy, 6.30.9; Vell. Pat. 1.14.2 in Etruria, Sutrium and Nepete Livy, 6.21.4 & Vell. Pat. 1.14. See also Harris, Rome In Etruria And Umbria, pp. 41-48. Pomptina and Publilia: Livy, 7.15.12. See also Homo, CAH, 569. & Frank, An Econ. pp. 32-33. Tusculum:

Secondly, Rome, in keeping with the city-state constitution and at the same time enlarging the city, granted civic rights to those defeated in the reconquest, under the new form of **municipium**, which was first initiated with challenges in the south from rebellious Latins, Etruscans, Aequi, Volscians, and Hernici. During this period, the passage of the Licinian-Sextian Laws allowed the state to function fully in international relations. The lessening of the struggle between the orders allowed the Roman state again fully to assert itself against its neighbors. 43

The Gallic invasion of 390 had two main consequences. The first consequence was the beginning of the long sequence of Gallic wars, and the second was the rebellion of the allies or subjects of Rome--a resurfacing of activity among Rome's competitors for land and power. The repression of the revolts fomented in central Italy by Gallic intervention falls into four main series of events. In the north, Etruria was reconquered, and Southern Etruria was settled with four

was enfranchised after 381 in the tribus Papiria. Tusculum captured c. 382, Livy, 6.25 ff; Livy, at 6.27.1 speaks of qualities of Camillus in 380, mentions his success vs. Tusculum; Livy at 6.27.1 has the Romans successful in Tusculum around 380, and campaigning there during the same year, 7.27.7; and in 377 6.33.9 ff; and c. 370 they are described as fellow citizens of the Romans 6.36.2-3; Plutarch, **Camil.** 38.4; Dion. Hal. 14.6.9--Tusculum given full Roman citizenship. Sherwin-White, *Rom. Cit.* 19 f. 29, 56 f-- suggests citizenship of Tusculum was an experiment.; E.T. Salmon, *The Phoenix* 7 (1953) 131. See also Taylor, p. 80. nt. 3. and p. 43.

43

The City-State Constitution and Municipium: Livy, 6.26.8; Homo, Ibid.

new tribes, the Stellatina, Tromentia, Sabatina, and Arnensis. In Central Etruria Rome defeated Caere, and in 353 it obtained a hundred year truce. Tarquinii and Falerii were defeated and offered forty year truces. In the east, the defeat of the Aequi and the Hernici was achieved in 360. In the south there was the crushing of the Volsci and the conquest of part of their territory. The Volscian people were not totally defeated until 338; in 385 a colony was planted at Satricum, and in 358 Rome annexed the Pomptine plains and planted the new tribes of Pomptina and Popillia. 44

The most important achievement was the reestablishment of Roman hegemony in Latium. Tibur and Praeneste, the two most powerful cities of the region, tried to form separate confederations. The Latin colony of Velitrae supported the movement, along with Rome's traditional enemies, the Aequi and Volsci or the new one, the Gauls. The secession movement was not general: Tusculum, with the group of southern Latin towns consisting of Ardea, Arcia, Lanuvium, Lavinium, Cora, Norba, Setia and Signia, remained faithful to Rome and provided political and military bases for Roman operations in Latium. The seceding cities were: Praeneste; Antiates; Velitrae; Tibur; and Praeneste. In 358, Latium was forced to accept the renewal of the Foedus Cassianum, with new provisions that secured political and military leadership for

Rome in the federation. By 354 the separatist cities of Tibur, Nomentum, Pedum and Praeneste were forced back into the league. Therefore Rome was victorious in Latium, presiding as the strongest city-state there over a domain of 2,500 square miles. In 354 Rome concluded its first treaty with Samnium, and in 348 a second treaty was signed with Carthage, both proof that Rome was entering on the stage of wider international relations.

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At this point in the search for a definition of Roman agrarian policy, a few things may be stated. First, it has been shown that the basis of early Roman society was agriculture; indeed from the earliest days of Rome, the city-state was locked into competition for land with other city-states in Latium. During the early republic this process was controlled by the ruling class, the *nobiles*, who through the institution of the senate set agrarian policy. Two goals were achieved by means of the policy of expansion: the young Roman state survived and gained territorial security, and the *nobiles* got possession of the greater share of new land which provided both wealth and political legitimacy. Expansion and warfare was not without its costs; the leaders of Roman society had to constantly deal with the needs and demands of the general population. Therefore the *Foedus Cassianum* and subsequent warfare, culminating in possession of the *Ager Vientanus*, is seen as the solidification of early Roman

Roman agrarian policy, as a cause-and-effect relationship is seen between the existence of the ruling class and territorial expansion.

The policy of expansion was interrupted by the Gallic Wars which, although they devastated Rome, nevertheless were the historical force that transformed the Roman state around the middle of the fourth century B.C. into a republic that possessed the requisite political and military skills necessary to extend its hegemony into central Italy. At this point Rome began to act like an imperial republic, and the next phase of the political history of agrarian policy is to be seen in Rome's attempts at uniting Italy. Therefore let us proceed to an examination of the Latin Wars of the mid-fourth century B.C., which involved the growth of **ager publicus** and the creation of a new Italian locality, the **municipium**.

Therefore the change in geopolitical threats to the Alliance and the corresponding behavior of its signatories are the causative factors of the Latin War of 340. When the war was over in 338, the victorious Romans placed upon the defeated Latins a peace settlement that allowed for Rome's security, and created a framework for future expansion, which made possible thereafter the gradual political unification of the Italian peninsula by Rome. This unification involved wars with most, and diplomacy with some, of the Italian peoples in central and southern Italy; and with the peninsular Gauls to the northwest of Rome many wars were fought. The result of the unification policy was steady Roman expansion southwards.

CHAPTER TWO
THE DISSOLUTION OF THE LATIN LEAGUE: THE EVOLUTION OF
AGRARIAN POLICY BY MEANS OF THE AMASSING OF AGER
PUBLICUS AND THE DEVELOPMENT OF THE MUNICIPIUM

The next major phase in the evolution of Roman agrarian policy and the development of ager publicus is tied to the Latin Wars of the fourth century. As previously discussed, in the fifth century the Triple Alliance of Romans, Latins, and Hernicians, which arose out of the Cassian Treaty in 493, provided a system of alliances that acted as a buffer against the expansionist Aequi to the east, and Volsci to the south, and both of these threatened to take control of Latium. After the year 400, these two adversaries declined, and as the Triple Alliance was no longer needed, the Romans and Latins drifted apart. By 340 the Latini became convinced that Rome intended to extend its hegemony through all of Latium. Therefore the change in geopolitical threats to the Alliance and the corresponding behavior of its signatories are the causative factors of the Latin War of 340. When the war was over in 338, the victorious Romans placed upon the defeated Latins a peace settlement that allowed for Rome's security, and created a framework for future expansion, which made possible thereafter the gradual political unification of the Italian peninsula by Rome. This unification involved wars with most, and diplomacy with some, of the Italian peoples in central and southern Italy; and with the peninsular Gauls to the northwest of Rome many wars were fought. The result of the unification policy was steady Roman expansion southwards.

As this movement impinged on Samnium's sphere, the result was the series of Samnite Wars, and subsequent warfare with the Greeks of south Italy led by Pyrrhus. When these peoples in southern Italy in turn were defeated, Rome achieved on the eve of the First Punic War the political unification of the Italian peninsula. Although the scope of this work does not extend that far, an understanding of the peace settlement in the wake of the Latin War of 340-338 is essential, as it was the key to Rome's mastering of all of Italy.

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Latins and Hernicians Breaking Away from Rome and The Conquest of Central Italy: See C.I.L. 1.1, Fasti Consulares p. 17 f; C.I.L. ibid. Acta Triumphorum p. 43 f. esp. pp. 44-46 which lists triumphs over these Italian peoples for the period under consideration: Gauli, Hernici, Tiburtes, Privernates, Tusci, Antiates, Volsci, Samnites, Latini, Campani, Sidicini, Aurunci, Pedani, Lavinii, Veliterni, Calenii, Etruscii, Anagnii, Brutii, Vulsinii, Sallitini, Lucani, Brutii, Tarentines; and in the north the Picentes. See also R.S. Conway: Italic Dialects, Vols. I & II, Cambridge University Press, (England, 1967.) Conway, in Volume I (which is an examination of inscriptions,) discusses Rome's involvement with the following, and gives cites to the relevant primary source literature: Lucani, p. 11; Campania, p. 51 f.; The Samnite Tribes, p. 170 f.; Paeligni, Marrucini, Vestini, p. 233 f.; Volsci, p. 267 f.; Latini (Marsi, Aequi, Hernici, Praenestini, Sabini, & Falisci), p. 289 f.; Umbriani, p. 395 f.; Picentes (Picenum in 268 was the last conquest before the First Punic War), p. 449. The primary source literature for the period includes the following: App. Sam.: Book 3 on the Samnites (342) through the defeat of Pyrrhus (276) Plut. Vit. Pyrrh., Vit. Flam.; Dio Cass. bks. 7-10 (391- to 265--wars vs. Etruscans, Senones, & Gauls), and Zonar. 7.23-8.71 (Latin to Pyrrhic Wars) Dion. Halic. Ant. Rom. 5-20 (Gallic raid through war with Pyrrhus); Livy, 7-10; Epit. Per. 11; Pliny, H.N. 7.43.136--mentions Lucius Fulvius as consul of Etruscans at time of their revolt--evidence of Latin War; Frontin. Strat. 1.2.2, war with Etruria in 310; 1.6.1-2, war vs. Lucanians in Samnium; 1.8-.3.4, wars with Gauls, Umbrians, Etruscans, Samnites in 295, and in 290 vs. Sabines; 2.4.1-.2, wars vs. Samnites c. 293; 4.5.15, P. Decius cos. 340 died in the Latin War; and Oros. 3.8-.22, Gallic War to the Samnite, Etruscan and Picenum Gaul, bk. 4 deals with Pyrrhus. The Latin War: E.T. Salmon, The Making of Roman Italy. Cornell Uni. Press. Ithaca, NY. 1982, p. 40.

Until the Latin War, Rome had increased its size in the following two ways. The primary method of expansion was the annexation of part or all of the territory of a defeated foreign state, and the **ager Romanus** and **ager publicus** were increased accordingly. A secondary method was making treaties with foreign states, either for a set period or for an unspecified amount of time. The terms of the treaty were fashioned according to the relative strengths of the parties involved with Rome at the time when each treaty was made. ⁴⁷

The policy of annexation provided a successful method of expansion and thereby promoted conditions under which the Roman state steadily grew. During the period under consideration (that is, after the Gallic Disaster and before the outbreak of the Latin War), the Roman state had reached the limits of the area that could be annexed contiguously to the **ager Romanus**. Rapid and uncontrolled growth would have presented a threat to the city-state way of life. Because the political structure was in the form of the city-state with a small senatorial aristocracy, it could only effectively govern a narrow amount of territory and population directly. Continued annexation would result in the uncontrolled influx of both new local elites into the well-established **nobiles**, and citizens into the overall political structure. Although this process was controlled by the social institution of patronage, whereby the conquering consul would be the patron

of the new citizens, a large scale influx of new citizens would cause too great a realignment of political factions. From the Roman government's point of view, this would cause unwanted changes in domestic and foreign policies. Therefore further expansion through direct annexation was unacceptable to the Roman nobility. The second method, consisting of a system of alliances which became too widespread for a stable balance of power arrangement, had ended in a war with a coalition of almost all of Rome's allies. In this, the Latin War, the odds against Rome were great, and a quick assessment would conclude that it should have been defeated. But Rome possessed the advantage of being a unitary state with unified command and effort, battling it out with confederations and single city-states whose only bond was a common hostility to the Roman adversary. Rome had been saved by this quality, and by the fact that the secessionist coalition committed the strategic error of not making peace with Samnium. This mistake ended in its defeat by the combined forces of the Romans and Samnites.

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The coalition of Latins against Rome was extensive, and included the following: Tusculum, Lanuvium, Aricia, Nomentum, Pedum, Tibur, Praeneste, Antium, Setia, Circeii, Signia, Velitrae, Satricum, and Laurentum. The rebels were joined also by all the other members of the Latin Confederation,

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Salmon, "Rome and the Latins II" The Phoenix 7 (1953) p. 132, Toynbee, Hannibal's Legacy, Vol. I. p. 127.

including all the Pomptine Volscian states, as well as Fundi, Formiae, the Aurunci, the Sidicini, the Campanians, and Tusculum. Those Latins who did not rebel included the following: in Etruria, Sutrium, and Nepte; in the Latin South, Norba, Ardea and Lavinium; also, Gabii; the Hernician Confederation; and lastly the Faliscan state Capena.

The result of Rome's success was the accretion of much territory. It took effective possession of **Ager Pomptinus**,

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The Coalition of Latins: See C.I.L. 1.1, **Acta Triumphorum** p. 43 f. Tusculum, Livy, 8.7.1-7.5; Lanuvium, Livy, 8.12.7-12.8; 8.13.4-13.5; Aricia, Livy, 8.13.5 & 8.14.3; Nomentum, Livy, 8.14.3; Pedum, Livy, 8.12.7, 8.13-13.5; Tibur, Livy, 8.13.5-6, 8.14.9; Praeneste, Livy, 8.12.7, 8.13.4, & 8.14.9-14.10; Antium, Livy, 8.1.2-1.6, 8.12.7; 8.13.2 & 8.14.8; Setia, Livy, 8.5.7; Circeii was a Latin colony in 393 (OCD s.v. Circeii), and unmentioned in peace settlement, 8.14.10; Signia, Livy, 8.3.9; Velitrae, Livy, 8.14.5; Satricum, Livy, 8.1.2 & 8.1.4.10; and Laurentum Livy, 8.13.3. **Those Joining the Latin Rebels:** All other members of the Latin Confederation, 8.2.7, 8.2.12 & 8.14; the Pomptine Volscian States were defeated in 338 by the consul C. Maenius, Livy, 8.13 f (Fundii, and Formiae); the Aurunci, the Sidicini, see Toynbee, Vol I. 126 f. who asserts these two rebelled. They are not mentioned in Livy's account, (bk. 8) and in the case of the Aurunci, possibly they were not conquered until as late as 313 (OCD s.v. Aurunci. The Sidicini precipitated the First Samnite War in 342, and they may have come under Roman control during the Second Samnite War (after 327). I agree with Toynbee that because the two were weak, under the dominion of Rome, and were not mentioned by Livy as non-rebels, they fit into Livy's category at the end of 8.14 where he says other Latins were deprived of rights etc. Campanians, Livy, 8.2.7-7; and Tusculum, Livy, 8.7.1-5. **Non-Rebels:** Sutrium, Livy, 9.31.1; Nepte, Livy, 10.14.1-14.4; Norba Livy, 8.1.-Livy, 1.3; Ardea Livy, 8.11.2; Lavinium: because it formed one community with Laurentum, Livy may be referring to it when he mentions Laurentum as a non-rebel, 8.13.3-4, and OCD s.v. Lavinium; Gabii, possibly sacked in the Latin War, Livy, 3.8, 6.21 & see OCD s.v. Gabii; Hernician Confederation--alliance with Rome renewed in 356, Livy, 6.2. f, 7.6 f.; and the Faliscan state Capena, which was annexed after the fall, of Veii in 396, OCD s.v. Capena. In general, see Toynbee, **Hannibal's Legacy**, Vol. I. pp. 126-129.

and controlled both *Latium Vetus*, old Latium, and its extension, *Latium Adiectum*, which was the area to the southeast of Rome from the Circii-Setia line to the River Savo, and was inhabited by the Volsci and Aurunci. Roman control also extended to northern Campania (Capua, Casilinum, Atella, Calatia, Cumae, Suessula, Acerrae) and southern Etruria (as far as the Lacus Cimimius.) This geographical area was the base with which Rome spread its hegemony over all of Italy. This settlement of Latium proved to be the paradigm Rome used when creating its overseas empire. Therefore, a close study of the Peace settlement is in order.

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The peace settlement of 338 that Rome imposed on her secessionist ex-allies shows that the governing element in Rome, the new "patrician-plebeian nobility" learned from prior errors of policy. It must be realized that during this period the ruling class underwent a reformation, as an influx of new nobility from the oldest Latin communities nearest to Rome during the fourth century occurred. The Roman government used the victory to initiate a new system of alliances which was tied to land policy.

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During the war, however, discord existed within the

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Salmon, *Rome and the Latins* II p. 131; Toynbee, *Hannibal's Legacy*, Vol. I. p. 124-25.; Salmon, *The Making of Roman Italy*, pp. 40-41.

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Roman Politics and The Conduct of The War: Livy, 8.12.5 f.

government, and examination of a few passages of Livy provides a possible explanation why the old policy based upon the system of alliances became unstable. Livy discusses the political climate during the war: in 339 the consuls Tiberius Aemilius Mammercinus and Quintus Publilius Philo were more concerned with their own or their party's interests than with the general welfare of the country. Because the *nomen* of Publilius suggests plebeian origins, Livy's comments could be suggestive that the democratic faction in Roman politics during the period of the war was interested in expansion to provide land for the plebeians. This interpretation gains credence when it is read in conjunction with a related passage in Livy, in which he states that the cause of the war was that the Latins were incensed at the confiscation of their land during the period before the war. Furthermore, Aemilius' behavior as consul is instructive. After he heard that his colleague had been decreed a triumph, he demanded one for himself. The Senate denied him, and as revenge Aemilius organized political opposition to the Senate, as he took advantage of the dissatisfaction on behalf of the plebs regarding the small allotments decreed to them in the Latin and Falernian districts. It is evident at this point in the conduct of the war that factionalism in Roman politics was a contributing factor to Rome's lack of success in international relations, which now ended in war. This interpretation of factionalism during the war is supported by the political reform Publilius carried through when he was

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 appointed dictator in 339.

Publilius was considered a popular dictator (the office replaced the consuls in times of crises), because of his opposition to the Senate on the agrarian issue, and because of three laws he carried on behalf of the plebs. The first made the decisions of the plebs in their popular assemblies binding on all citizens. The second obligated the Senate to ratify measures proposed at the centuriate assembly before they were voted on. This eroded the Senate's traditional role in the legislative process, as a prior ratification took away their power to weaken any new proposal being put through an assembly. The third required that at least one of the two censors (who worked to register citizens, value their property, and revise the rolls of the Senate) be plebeian. All these reduced somewhat the power of the Senate in the Roman constitutional scheme, especially the first two. The conservative faction in the Senate saw these measures as detrimental to the increase in land and power that had resulted from their victory and management of the war. 53

The factionalism in the Roman government over the agrarian issue during the war reflected back upon prior behavior. The fact that the system of alliances Rome had created during the fourth century deteriorated with the 54

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Livy, *Ibid.* On The Part Of The Roman Government;

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Ibid. See, Hannibal's Legacy Vol. 1, p. 130 ff. Salmon,

The Making of Roman Italy, p. 41.

decline of the Aequi and Volsci during the earlier part of the century can be attributed to the Romans' taking advantage of opportunities to expand at the expense of their allies. The primary source material certainly points to aggressive expansion; the result of the aggression was war. After the war had ended, there existed no bureaucratic mechanism to administer the newly acquired territory and subjects, if direct annexation would be the sole means of disposing of the post-war territories. This fact, along with the desire to preserve the city-state constitution, prevented the Roman government from annexing all of the subjugated area. Instead, Rome implemented a policy of creating a patchwork of allied communities with varied rights based on ethnicity, and cultural ties of affinity that would allow Rome to both gain control of its military borders and romanize the peninsula, much as it had done in Latium. Greater Latium therefore remained in a condition of separate self-governing communities, with their interrelations being managed by Rome. So in broad terms, the new policy of the Romans was to reduce the number of alliances to a minimum. This was implemented in the following manner: first, directly by annexation, secondly by retaining weak satellite states, third by establishing *novae coloniae* (new colonies), and fourth by partially incorporating certain territories, establishing *municipia*.

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New Policy On The Part Of The Roman Government:

Livy, 8.14.1-.2; Sherwin-White, The Roman Citizenship, p. 38-39. Toynbee, Hannibal's Legacy Vol. I, p. 130 ff. Salmon, The Making of Roman Italy, p. 41.

By using these devices to define the relationship Rome would have to non-Romans, traditional type alliances could be kept to a minimum. Those areas forced to cede property and directly annexed were the following. Latium and Capua were deprived of territory. The Latin territory, with the addition of that belonging to Privernum, together with the Falernian which was **ager Campanus** as far as the river Volturnus, was allotted to the Roman plebs. The allotment was two **iugera** in Latium supplemented by three-fourths of a **iugerum** from Privernum; or, three **iugera** in the Falernian, a fourth of a **iugerum** being added to compensate for its remoteness. Peoples residing in the conquered territories in this first category were dealt with as follows. Antium was colonized, and the Antiates were permitted to become Roman citizens. The Tiburtes and Praenestini were also deprived of territory. The Veliterni were already Roman citizens before the war, and their status was continued. Therefore all these, and other unnamed Latins were given **civitas**, full Roman citizenship, and their lands were added directly to the **ager Romanus**.

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The controlling factors in these new settlements were the old citizens and the members of the ruling class who received land assignments in these areas. The creation of a new tribe was advantageous to the old citizen, who alone could afford to go to Rome and vote in the Assemblies, and

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Antium, Capua, Praeneste, Tibur, Velitrae et alii:
Livy 8.11.13 -14.7.

the new tribes gave members great influence in the Assemblies, because in the voting scheme the small number sent would count the same as larger ones from the older Roman rural tribes. Therefore, the new tribes induced older citizens to relocate and reap the rewards of larger land allotments, while for the most part, new citizens put into the existing rural tribes did not gain as much advantage in the Assemblies. This was so because a well-established social and political structure was already in place. ⁵⁶

The new settlers were soon afterwards registered in the Roman rural tribes, either in the existing twenty-three (whose territory was extended to accommodate them) or in two new tribes, the Maecia and Scaptia, which were created in 332. The creation of these two tribes some two years after the end of the war is to be considered a continuation of the settlement of the war. ⁵⁷

After seizing land and directly extending the *ager Romanus*, Rome next created weak satellite states. They were of two types: *civitates foederatae*, or allied states, and *coloniae Latinae*, Latin colonies. The loyal and relatively weak Hernician Confederation was left intact; the Latin Confederation was dissolved into separate city-states. Thus,

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Salmon, The Making of Roman Italy, pgs. 41, n. 207, 192; Taylor, The Voting Districts of the Roman Republic, p. 67.

57

Salmon, *Ibid.*; Taylor, *Ibid.*; *Maecia et Scaptia*: Livy, 8.17.11; 6.5.8.

ten states, previously Latin towns, were not annexed due to their useful status to Rome as independent city-states. These continued to be associated with Rome while retaining the full status of city-state with sovereignty. Their territories, along with that of the Hernician Confederation and that of the dissolved Capuan Confederation (made into **municipia**--see below), formed a geographical ring around the inland borders of what can now be called the **Roman Commonwealth**. An examination of the pre-war condition of Latium will elucidate the necessity of Rome's leaving independent states in existence after the Latin War. It will then become evident that although these were technically independent, nevertheless the existences and well-being of these ten Latin towns were directly tied to Rome.

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Livy, in a discussion of battle with Praeneste in 380, describes the balance of power relationship that existed in pre-war Latium. He says eight towns were under the sway of Praeneste, and that it was a powerful state. During the Latin War some territory was taken from Praeneste, but it was allowed to stand nominally independent in the peace settlement of 338, being allied to Rome. Tibur was similarly situated: it also was powerful until 338, and some territory was taken from it, therefore it stood in the same condition as Praeneste after the war. Additionally, one other state

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E.T. Salmon, Roman Colonization Under the Republic.
Cornell University Press, Ithaca New York, 1970, pp. 50-51.

existed in the condition of being "independent" and allied to Rome: Cora continued in this independent mode. These three were left with a type of home rule, but were required to contribute to Rome's military forces and to follow Roman foreign policy. The seven other Latin towns left nominally independent were legally of a different order, due to geostrategic purposes, and were treated in the following manner.

In order to secure **Latium Adiectum** (that is, the area southwest of Latium proper), Rome used the institution of the **colonia**. Before the Latin War, the settlement of colonies was achieved jointly with the Latin League. These were the **Priscae Latinae Coloniae**, the original Latin colonies. As Rome was victorious in the war, it disbanded the League, and by itself colonized. Therefore seven of the original Latin towns were left intact by Rome. These continued to be known as **coloniae Latinae**. They were not resettled, and their constitutional status was changed to that of a Latin colony. On the one hand, in law they were non-Roman; but, on the other, they were akin to Rome in ethnicity and culture.

Ardea is a prime example of one of these seven. It had

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Civitates Foederatae: Praeneste, Livy, 6.16.6-.19; 6.21.9; 6.28ff; 6.29.6; 7.12.8; 8.14.9. Tibur, Livy, 7.9.1 7.18.2; 7.19.1; 8.14.9; Cora: Mommsen, CIL 10, p. 645; OCD s.v. Cora.

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Coloniae Latinae: Sherwin-White, The Roman Citizenship pp. 36-37; p. 76. Salmon, Roman Colonization Under the Republic, p. 51

a long relationship with Rome. It had signed a separate treaty with Rome in 444. In 442 a Latin colony was sent there, and in 390 it was strengthened to stand against the Volsci. In 390 it was a strategic place for Camillus to use against the Gauls. Ardea remained loyal in the Latin War, and it became one of the new type Latin colonies. The others that were redefined like Ardea were Circeii, Nepete, Norba, Setia, Signia and Sutrium.

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These seven were to exist within defined limits as autonomous, independent Latin communities. The new-type colony could issue its own coinage and possessed its own magistrates and constitution. They were compelled to follow Rome's foreign policy, which included contributing a fixed number of troops to a new confederated army of Romans and allies. The purpose of their existence was to relieve Rome of the burden of permanently garrisoning its citizens at strategic points and frontiers. This would have presented a potential threat to the relatively small city-state existence of Rome, because these citizens armed in outlying areas might have caused a revolution. Also, to insure against the possibility of a reconstituted Latin League, the seven were not allowed to have economic and social relations with one another unless sanctioned by Rome. If they were to enlarge

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Septem Coloniae Novae: Ardea, Livy, 4.10; 8.12.2; OCD s.v. Ardea. Circeii, Livy, 8.3.9. Nepete, Livy, 6.21.4. Norba, Livy, 2.34. Setia, Livy, 8.3.9. Signia, Livy, 2.21. Sutrium, Livy, 6.9.3.; CIL 11, 489.

themselves by enlisting new colonists, they were required to gain Roman approval. On the positive side of the equation, they did retain all of their territory, and were granted the right to trade and intermarry with the Romans, the *iura commercium et conubii*. These two rights were most likely very coveted by the local elites, as they could now align themselves with powerful Roman families. Although the average citizen could partake in these, it should be noted that this provision was primarily intended for the benefits of the Roman upper classes and the new local elites. These clearly were a privileged group, and their status was superior to both the *Latini* forced into becoming Roman citizens *sine suffragio*, an inferior type of Roman citizenship that did not allow the voting right, and to the *Aurunci*, *Campani* and *Volsci* who had effectively been reduced to Roman subjects. Therefore these seven, apart from the three independent Latin communities were in law Latin, and their close economic, social, and cultural ties fostered favoritism with the Romans. They were a natural extension of, and a new resource for, the ruling class. The city-state constitution was expanding, although only slightly and under guarded conditions.

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Livy, at 32.6.6, in 199 describes *Norba* and *Signia* as worthy of faith enough to guard hostages; at 43.17, in 169, he discusses the obligation of the allies to provide troops. Although these occurrences are much later than the period under consideration, because our evidence is fragmentary it can be offered to show some of the functions of the new allies performed. **Lists Of Colonies:** See Livy, 27.9; Polyb.

To protect Latium from the sea, Rome utilized a new type of colony, *colonia civium Romanorum*, one composed of Roman citizens. These were a contiguous extension of the *ager Romanus*, and two were planted at the strategic coastal points of Ostia, and Antium in 338 on annexed territory. 63

In distinction from those Latin states that were not now partially incorporated into Rome's own body politic and remained in a nominal state of independence, Rome came up with a different way of dealing with newly subordinated towns. The *municipium*, like the citizen colony, was an urbanized *res publica* that had evolved independently from Rome. This type of community had been annexed and its citizens turned into Roman citizens by the Roman Assembly. Despite the loss of sovereignty, the *municipium* retained its native identity and its own religion, constitution, laws, language and customs, and it possessed a degree of local autonomy. Therefore, after the Latin War, it was possible for a citizen of a separate urban commonwealth, the *municipium*,

6.14.8; Salmon, "Roman Colonization From the Second Punic War to the Gracchi." *JRS* 26 (1936) sec III. Notes on the Rights of Latin Colonies in This Period, p. 55 ff. Taylor, Voting Districts of the Roman Republic, 107 n. 19 gives Two independent towns: Tibur and Praeneste; and the Hernician towns are considered also as a third area of independence. See also Salmon, Roman Colonization Under the Republic, pp. 51-53.

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Novae Coloniae Civium Romanorum: Livy, 27.38.3; 36.3.4-6; Antium: Livy, 2-8 esp. 8.14.8-9; Dion. Hal. Ant. Rom. 4-10. Sherwin-White, The Roman Citizenship, p. 77. Salmon, Roman Colonization Under the Republic, pp. 53-54. The dating of Ostia is uncertain. See Livy, 8.11.2; 36.3.4-.6, & OCD s.v. Ostia.

also to be a citizen of Rome, and this disassociated the legality of citizenship from land ownership and locality. This concept of dual citizenship allowed Rome to create a federated commonwealth with which it united the Italian peninsula, and with which it in turn created an overseas empire. This policy of dual citizenship also preserved the city-state constitution, which, as previously said, had evolved since the beginning of the Republic and was composed of a hereditary oligarchy.⁶⁴

All **municipes**, or "local" citizens were Roman citizens, but the local type of citizenship was a graded one. Like regular citizens residing in Rome, all **municipes** enjoyed the following rights: the right of appeal to the Roman people, **ius provocationis**, which in theory protected them from any abuse by a Roman magistrate; the private rights of **ius conubii et commercii**, which enabled Roman citizens to have valid marriages with, and to legally deal and contract with other citizens. Some **municipes** did not have the right to vote in the Roman Assemblies, **ius suffragii**, or to hold public office at Rome, **ius honorum**, or to become members of the

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Municipium Defined: Polyb. at 6.14 in a discussion of the voluntary right of exile gives evidence of **municipium**; Livy: at 8.17.12 says the people of Acerra in 332 became Romans under a statue proposed by a praetor, which granted them citizenship without the vote; 8.21.10--the Privernates were given citizenship **sine suffragio** by a measure in the Senate; at 38.36.7f the term for municipality (**municipium**) is finally expressed; see also Taylor, Voting Districts of the Roman Republic, p. 207, 17 f.; and Salmon, The Making of Roman Italy, pp. 44-45.

Roman Senate. Therefore they were not enrolled in the tribes and could not participate in Roman politics, but only in their own local assemblies and offices. This was the *civitas sine suffragio*, partial citizenship, or that without the vote. But some *municipes* enjoyed full citizenship, *cives optimo iure*. These enjoyed the *ius honorum* and membership in the Senate, and were registered in the Roman tribes. 65

On this point the case of Tusculum is instructive. The Romans, after annexing Latin Tusculum in 381 *sine suffragio*, finally gave its inhabitants full Roman citizenship before the War. The experience with Tusculum showed the Romans that annexation and thereby citizenship, could either be done *sine suffragio*, or *optimo iure*, and each was a feasible alternative to expanding the state contiguously. After the Latin War, the Romans decided to continue the municipal policy, and it was implemented on a large scale. *Municipia* of both types were created, Latinity and prior existence of ties being the criterion to determine the higher grade of citizenship. 66

Aricia, Lanuvium, Penum, Nomentum, and Antium were, like Tusculum, constituted *municipia* with full Roman citizenship.

65

Different Grades of Citizenship: Salmon, *The Making of Roman Italy*, pp. 45-46. On *Civitas Sine Suffragio* in general, see Sherwin-White, *The Roman Citizenship*, pp. 38-58.

66

Tusculum: Dion. Hal. *Ant. Rom.* 10.20; Livy, 6.27.8; 8.14.4; Salmon, *The Making of Roman Italy*, p. 6. *Municipia With Full Roman Citizenship*: Sherwin-White, *The Roman Citizenship*, p. 59. Salmon, *The Making of Roman Italy*, p. 47.

The defeated Volscian and Campanian communities were incorporated **civitates sine suffragio**. The leaders of rebellious Tusculum were executed, and its status was confirmed. The five **municipia** were then assigned to the following tribes: Tusculum, Aricia, and Nomentum went into Papiria, Horatia, and Cornelia, respectively. Pedum is unmentioned, but Lanuvium was put into the Maecian tribe, a new tribe established in 332 on surrendered Lanuvian territory. Also in 332 the tribe Scaptia was created for other Latin land that was at this time converted into **ager Romanus**. This was unusual because new tribes were set up for old citizens, as the Romans did not want a tribe controlled by newly enrolled citizens. The full autonomy of the five Latin **municipia** allowed them to manage their local life. Each possessed a local assembly and magistrates, and these were subject of course to guidelines set up by Rome, mostly in the area of foreign policy. The relatively small number of **populi Latini** thus integrated can be attributed to the desire on the part of the Romans to maintain the city-state constitution by controlling both its growth and the influx of new citizens with full rights into the Assemblies.

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The Volscian and Campanian communities were incorporated

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Municipia Sine Suffragio: Tusculum, Livy, 8.37.8-.12. Aricia, Festus, 155 L., OCD s.v. Aricia. Nomentum, Livy, 8.14.2-.3. Pedum, Livy, Ibid. Lanuvium, Livy, Ibid. Scaptia: Taylor, Voting Districts of the Roman Republic, pp. 54-55. In general see Sherwin-White, The Roman Citizenship, p. 61, and Salmon, The Making of Roman Italy, pp. 46-47.

into the Roman state as **municipia** also, but only as partial citizens because they did not possess the requisite level of Latin culture. The Volscian communities were treated thus. Velitrae was made a **municipium sine suffragio**. Antium, due to its perpetual hostility toward Rome, was replaced about 338 with a citizen colony, and was not elevated to **sine suffragio** status until 318. The northern Campanian state of Capua and its allies Atella, Calatia, and Casilinum, were incorporated. Cumae, Suesulla, and Acerrae were also turned into **municipia sine suffragio** during the same period. Capua, because its leading citizens did not join the fight against Rome at a crucial point during the Latin war, unlike any other Campanian community was allowed home-rule that was independent from Rome, except of course where it crossed into the area of foreign policy. Three more Volscian communities, Privernum, Fundi and Formiae, were also incorporated **sine suffragio**, due to an incident separate from the Latin War. This occurred when Setia, Norba, and Cora were raided by the combined force of Volscians from Privernum and Fundi: The Latin colonies were rescued by the Romans. In this episode Privernum was singled out especially for harsh treatment, as two-thirds of its territory was confiscated, and the rest incorporated into the polity, with the status of **municipium sine suffragio**. Rome's severity in dealing with Privernum may have been due to both the level of resistance displayed, and more importantly, its geostrategic position, as its southern part straddled the route leading from Rome to Capua through

Terracina. The unusually high percentage of territory taken demonstrated to the other Latin states that their well-being was tied to Rome only. The tribal districts Oufentia and Falerna, into which the Privernate and Campanian confiscated lands were converted respectively, were created in 318.

Partial citizenship was the result of defeat in war, and the sources indicate that it was never popular among the Italian peoples, and those who were forced into *civitas sine suffragio* hated the fact that they had been subordinated to Rome. The hatred stemmed from the imbalance inherent in the partial citizenship: although Roman citizens, the *municipes* were liable for military service to Rome, they were at the same time denied the privileges of full citizenship, such as membership in the Senate in the case of new, local nobles; and, in the case of the average man, voting in the assemblies and holding office. An extreme case in point is shown by the behavior of the Aequi, who refused the status. As only a small part of those Latin communities who rebelled in the war of 340 were made into *municipia*, others were treated according to the unique position of each. The list is as follows.

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Volscian and Campanian Communities: Velitrae, 8.3.9. Antium, Livy, 8.14.8; 9.20.10; Capua, Livy, 23.2-10; 26.16.9; 32.7.3; 38.28.3-6; Cic. *De leg. agr.* 1.7.19; Livy, 8.19-21. In general see Sherwin-White, *The Roman Citizenship* pp. 80-81; Toynbee, *Hannibal's Legacy*, Vol. I, p. 133. **The Case of Privernum:** Livy, 8.1; 8.20.7; 8.21.10. **Oufentia et Falerna:** Livy, 9.20.6.

Those Latin communities that were known as *Coloniae Latinae*, those jointly established before the Latin War by Rome and the Latin League were dealt with in the wake of the peace settlement as follows. Sutrium and Nepete, which were outside of Latium took no part in the war, were left as Latin colonies, but the bond between them and the Latin League was of course dissolved, and they were tied exclusively to Rome. These were important, because they controlled the northern approaches to the City. Laurentum did not revolt, and it did not receive punishment; its treaty was renewed. Circeii and Setia were dealt with in the same manner as Laurentum, as these guarded the southern approaches to Latium. As Sutrium and Nepete were the model for communities in this class, these four in addition to Signia, Norba, and Ardea, continued as Latin colonies. Their existences were tied exclusively to Rome. They were faithful Roman allies, and were independent *res publicae*, and were not directly managed by Rome.

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Popularity of Partial Citizenship: Diod. 19.76.3--the Campanians did not want the status; in 327 during negotiations with the Samnites, Privernum, Fundi and Formiae did not want Roman rule, Livy, 8.23.2; in 319 the Satricans went over to the Samnites, after being Roman citizens Livy, 9.16.2; in 314 Capua was in revolt against the rule Livy, 9.25.3; in 306 To the Hernici (Aletrium, Verulae, and Ferentium) there own laws were restored, because they preferred them to Roman citizenship, Livy, 9.43.23 f.; in 304 the Aequi refused citizenship, and war was declared on them Livy, 9.45.7f; at 22.13.2f in a discussion of central Italy in 217 Livy gives evidence of citizenship; 23.35.3 evidence Campania subject to Roman rule. See also Salmon, The Making of Roman Italy, pp. 50-51.

This new type of Latin colony was free to practice its own local government. It was not Roman; its citizenship was local. Although the language spoken there was Latin, its citizens could not become Roman magistrates, although they enjoyed the rights of intermarriage with Roman citizens, the *ius conubii*, the right of protection under Roman law, the *ius provocationis*, and the right of migration to Rome, the *ius migrandi*. When present in Rome, they only possessed a limited right of participation in the Roman Tribal assembly. In regard to Roman foreign policy, these seven functioned as a springboard with which Rome launched a campaign that spread the *Nomen Latinum*, or "Latin Name" past Latium throughout the rest of Italy, which was a new way of life based on Roman political and social cultures.

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After the peace settlement of 338, these Latin colonies composed the *Nomen Latinum*, that is, thereafter the inhabitants of *coloniae Latinae* were legally *Latini*. Ancient

70

Populi Latini Known As Coloniae Latinae: Sutrium became a Latin colony in 396, Livy, 6.9.3. Nepete also became a Latin colony in 396, Livy, 6.21.4. Laurentum: Livy, 8.11.15. Circeii, Setia: Livy, 8.3.9: Their existence is dated by the appearance of praetors before 340 bearing the names of the two colonies: this intimates the communities went Roman; ILLRP 663. Signia, 8.3.9; ILLRP 665. Norba: 8.19.5. Ardea: 8.11.2. See Salmon, The Making of Roman Italy, pp. 51-52.

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Peculiar Characteristics Of The Post-Latin War Colonia Latina: Livy 25.3.16--Latins have restricted right to vote at Rome; Dion. Hal. Ant. Rom.--the logic of the colonial system tied to Rome's expansion; 8.72.5 ff; Appian BCiv. 1.23--lists of participants; Salmon, The Making of Roman Italy, pp. 52-53.

writers, to distinguish these new *Latini* from the original Latin people, (the ones who populated the old Latin League), referred to the old as *Prisci Latini*. Besides the *municipia* and these seven, there were also communities that for ethnic or geographic reasons could not be considered *Latini*. These were the following.

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Tibur and Praeneste were in their own right communities of some consequence. Because each had rivaled Rome in strength, prior to 338 separate treaties (*foedera*) were signed with them. After fighting Rome during the Latin War, each ceded land, making them in effect independent but weak satellite states. In law they were no longer Latin. The town of Cora stood in the same status also. Because Lavinium, which had previously possessed treaty status with Rome, refrained from action during the war, it continued to be nominally independent. The status of two other archaic Latin communities, Fidenae and Gabil, is uncertain, as no evidence exists regarding them.

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72

The Nomen Latinum After 338: Livy, 27.9-.30: lists the thirty Latin communities in 212 allied to Rome; Asconius *In Pison.* 3; Livy, 31.7; 33.24.8f; Salmon, *The Making of Roman Italy*, p. 53.

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Those Communities of Latium That Were Ethnically Latin But Became Neither *Municipia* Nor *Coloniae*: Tibur and Praeneste: Tibur: Livy, *Per.* 7; 7.18.2; 7.19.1-.2; 8.14.9; 9.30; 34.57.7 f, Praeneste: Livy, 2.19.2; 6.29.6; 8.14.9. Pliny, *HN* 16.56.277. Separate Treaties (Tibur & Praeneste): Livy, 2.19.2; 3.18.5; 7.19.2; *Oxyrrhynchus Chron. ad Ol.* 106.3 Treaties after the War: Livy, 34.57.7f. **Those Legally Non-Latin:** Polyb. 6.14.8; Livy 8.14.9 f; 23.17.8; Appian, *BC* 1.65. **Cora:** *OCD* s.v. Cora. **Lavinium:** Livy, 8.13.3; ILS 5004, 6183; Servius *ad Aen.* 2.296; 3.12. In general see Salmon, *The Making of Roman Italy*, pp. 53-55.

After the peace settlement of 338, the city-state constitution was still based on conquest and the acquisition of land, but the maintenance of the constitution was not tied to a specific geographic base: Rome sought protection through the development of dispersed urban settlement. The new federated system placed in Latium allowed Rome to permanently control extended areas of territory without directly annexing them. This base which was set up in Latium in turn provided a system Rome drew upon in expanding throughout peninsular Italy. After the political unification of the Italian peninsula, the same system was used to acquire an overseas empire. This federalism made a large standing army, which could be hazardous to the city-state constitution, unnecessary. In terms of territory gained, the **ager Romanus** in 342 before the Latin War equaled approximately 775 square miles, and its population consisted of about 126,400. The collective territory of the secessionists was about 2,680 with an estimated population of 375,000. A few factors can be attributed to Rome's success during the war. First, Rome was a unitary state, as opposed to the rebels who were divided into two confederations based on their respective city-states, and this no doubt was an advantage to Rome. Also Rome quickly regained strength after Gallic disaster, and it found a resolution to domestic problems through the **concordia ordinum**, or domestic justice achieved between plebeians and patricians from 385-367. These advantages allowed for the Roman victory of 340-338 over the united forces of the rebel

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 Latin led coalition.

At this point the logic of the new political order becomes evident: the new federated polity, with Rome at its head, was held together by common fortune, and the motivation of the Roman ruling class is found in its self-perpetuation. This is evidenced by the new agrarian policy, especially by the planting of additional Latin colonies founded by Rome after the dissolution of the Latin Confederation. New colonization was the Roman Government's solution for the problem of reconciling its need to defend the advancing frontiers of its expanding dominions with the Government's determination to preserve Rome's own city-state constitution. The purpose behind the founding of these Latin colonies was to provide for the defense of the a state that had no professional army, and whose constitution required the enrolling of legions inside the city itself. This stricture was solved by Rome's sending off surplus population to set up a number of autonomous and weak satellite states. The policy allowed Rome to continue in the mode of a true city-state by decentralizing its army and giving proportional civic rights to those citizens who lived far out on the frontier. These qualified civic rights and the distance between them

and Rome made it impossible for the ruling class's political legitimacy to be challenged in any significant manner. Only those communities that were fully Roman in sentiment would be admitted to the political process: the influx of new local elites was a byproduct of the Latin Wars, and was a tightly controlled process. Rome, in line with this policy of preserving the city-state constitution, dealt effectively with those states left with a nominal independence.

The states that retained sovereignty were all situated in parts bordering on the **ager Romanus** which could not exist without the support of Rome, because of external threats from Italian peoples yet unconquered. This was the case especially in regard to those states, originally planted by the dissolved Latin confederation, which existed on what after the war was conquered Volscian and Etruscan areas.

The new allied states which retained their sovereignty after the Latin War were a small fraction of the total of Rome's previous allies. Their aggregate area was only 1,150 square miles out of the pre-war total of 2,680; their total population only 137,000 of the previous 375,000. All the rest of what had before been the territory of states allied to Rome under the arrangement of the Latin Confederation was absorbed into the Roman body politic, either being annexed to

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Toynbee, Vol. I, pp. 132 ff.

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Ibid.

the **ager Romanus** outright or through partial incorporation of **municipia**. The traditional method of outright annexation in this instance absorbed a small percentage of territory and population; the new method of turning formerly allied and sovereign states into **municipia**, a large percentage. The area directly annexed amounted to approximately 133 square miles, with a population of approximately 16,900. The aggregate area of the states now transformed from allies into **municipia** was approximately 1225 square miles, with a population of about 204,000.⁷⁷

Taking the above into account, in absolute terms the **ager Romanus** expanded to about 2,139 square miles, which contained an estimated 347,300 inhabitants. The peace settlement reduced the total area of the sovereign states associated with Rome to about 1150 square miles, containing about 137,000 inhabitants. Thus Rome had come to outnumber her allies by not much less than two to one in area, and two-and-a-half to one in population. Therefore after the Latin War of 340-338 Rome imposed a peace settlement that created a federated **Roman** state, effectively destroying the balance of power scheme that existed in the upper Italian peninsula, whose roots dated back to the eighth century, and the Etruscan city-states. The new federated state was forged out of war, guided by the Roman ruling class, who, in their characteristically statesman-like manner devised the

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Toynbee, Vol. I. 141 ff.

following. First, foreign and sovereign states were partially incorporated into the Roman state; second, **Coloniae Romanae** were founded, these being based on the old Latin Confederation's policy; and third, **Latin** colonies were settled with Roman citizens whose legal status was now changed to **peregrini**, foreigners.

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This new way of dealing with the political and administrative challenges that the success of the Latin War presented gave the Roman federated state a model for expansion, both in heretofore unconquered parts of Italy and, later, in the Mediterranean in general. At this point in its history, Rome was not a "state" in the modern sense, for it was held together by three key elements uncharacteristic of the modern state. The first was a land-based citizen army, with its manpower supplemented by the use of allies. The second binding element was the strategy of tying the respective fortunes of all **municipia** and satellite states to that of Rome. And third, the economy of the federation was an undeveloped one based in land. These three elements were controlled by the Roman governing class which was hereditary and self-perpetuating, and open only to a few new elites. This policy of control was done on the part of the ruling class in a conscious effort to perpetuate itself. It was open, because when it was faced with change or overthrow, it chose change, as it did with the **concordia ordinum**; it was

hereditary because once a family became part of the ruling class by placing one of its males in the office of consul, that family achieved hereditary nobility. It is imagined that the level of competition for the consulship and Roman magistracies in general was keen, and it probably took many families generations to achieve the status of nobility. The governing class was self-perpetuating because its existence was tied to conquest and its subsequent hold of power which the ownership of land brought. This is why the Romans were successful at this stage of their history: the ruling class sought its preservation through controlled conquest. This is proved by the elaborate system of alliances and defensive scheme--the "Roman Commonwealth"--that was put in place after the Latin War of the late fourth century. Its purpose was that of a fortress guarding the frontier, protecting the citadel which was the ruling Senatorial Aristocracy. This strategy of preservation was well-crafted and implemented; it served "Rome" handsomely during the Italian Unification phase of her history. Finally, I will sum up the evidence presented above and come to some general truths regarding Roman agrarian policy of the period under consideration.

CONCLUSION

From its earliest days, Rome was a city-state whose existence was tied to agriculture. All aspects of life for the inhabitants of the city and surrounding countryside, from culture to government, were determined by living in an urban environment that was directly supported by an economic system based in land. The ownership of real property was the ultimate form of wealth, and this in turn determined social as well as political relationships between Romans. Even early on, when monarchy was the form of government, Romans were part-time farmers, part-time soldiers. Chief policies of both the monarchy and early republic were concerned not only with the welfare of the people, but also with defending the young state and competing with other Italic peoples in the drive to expand the **ager Romanus**. After Rome became a republic the constitution of the city-state was fashioned so that real political power would be vested in the senate, which was composed of wealthy, well established individuals who formed a hereditary ruling class, the **nobiles**. Although the class structure was open, (as the censors enrolled new members who reached the requisite level of wealth and importance), early on in the republic the senate was comprised of like individuals who strove to set policy in accord with their own interest. Overwhelming evidence shows that the Roman state during the early republic was in an expansionist mode, and followed a prescribed domestic and foreign policy, one which consisted of the amassing of vast amounts of territory in

Latium. This was done at the expense of other city-states. Let us examine some specifics of this general policy of expansion.

The initial phase of agrarian policy under the republic began with the Triple alliance of Romans, Latins, and Hernicians. The three concluded the **Foedus Cassianum** which provided a framework for war against other Italic peoples. Captured territory was shared between the three; the Latins and Hernicians colonized, while the Romans disposed of land that had accrued to them by contiguous extension of the **ager Romanus**, a portion of which was **ager publicus**. Agrarian policy at this time was implemented through the tribes.

It was with the possession of the **ager Vientanus** in 396 that a definite statement can be made concerning agrarian policy. With the debate regarding the captured land of Veii, a class aspect entered into the disposition of **ager publicus**, as wealthy Romans exploited its possession at the expense of the poorer inhabitants of the republic. The struggle over control of the land saw the beginning of a democratic movement on the part of the plebeians and their political representatives, who demanded a fair share of the newly conquered lands. This movement intensified after the Gallic Invasion of Rome in 390, as the democrats took advantage of the weakness of the conservatives and scored political victories.

With the Licinian-Sextian legislation of 367, the plebs achieved substantial integration into the political order, as

the legislation provided the following. One of the consuls was to be plebeian, one-half of the priestly college was to be plebeian, and, most importantly, it set a 500-iugera limit on the ownership of **ager publicus**. It must be said that by this time plebeian leaders had gained enough wealth and stature in Roman society and politics to share power equally with their patrician counterparts.

Above all, the Licinian-Sextian legislation is evidence that a ruling class could reform itself when its existence was threatened. It broadened its scope to include new members, and set limits to the ethical behavior regarding ownership of public land. This last point is very important, because it shows that the livelihood of the republican city-state was tied not only to constant expansion through warfare, but also to a code of ethics that allowed the **nobiles** to share the wealth and attendant political offices. The result was that no particular individual could gain an inordinate amount of wealth, thereby creating a potential threat to the republican government. The ruling class consciously decided to forego unlimited opportunity in exchange for its perpetuation. Therefore in the period from the beginning of the republic down to the outbreak of the Latin Wars in 340, a cause-and-effect relationship existed between the welfare of the **nobiles** and Roman agrarian policy.

The next phase of agrarian policy was tied to the peace settlement that the victorious Romans imposed on their secessionist ex-allies in 338. Until the Latin war, Rome

disposed of newly conquered territories in two ways: either through direct annexation, or by *foedera*, treaties with other states. But the *ager Romanus* had reached the limits of expansion harmonious with the "city-state way of life." Continued annexation would have resulted in uncontrolled growth of the *ager*, an uncontrolled influx of new nobility, and new mass of citizens, some of whom were not quite "worthy" of being Roman. This was unacceptable to the Roman nobility, and the Latin War provided the opportunity to fashion a new policy.

In regard to the disposition of conquered territories, discord existed in the senate, and the outcome of the debate was a compromise: the democrats gained access for the people to new lands, and the *nobiles* created a network of communities allied to Rome that would work to protect the Roman government.

The victories of the people were achieved by the political programme of Publilius, who was dictator in 339. His measures brought about the policy that decisions of the plebs in popular assemblies were to be binding on all citizens. Henceforth the senate was obliged to ratify measures proposed in the centuriate assembly. Additionally, one of the two censors was to be plebeian, and new citizens, whom the censors worked to register, were plebeian unless specifically granted the patrician rank. All these measures brought the senate into a greater power-sharing relationship with the democratic institutions of the Roman constitution.

Livy himself comments that the conservative faction in the senate saw this as detrimental to the increase in land that their management of the war gained.

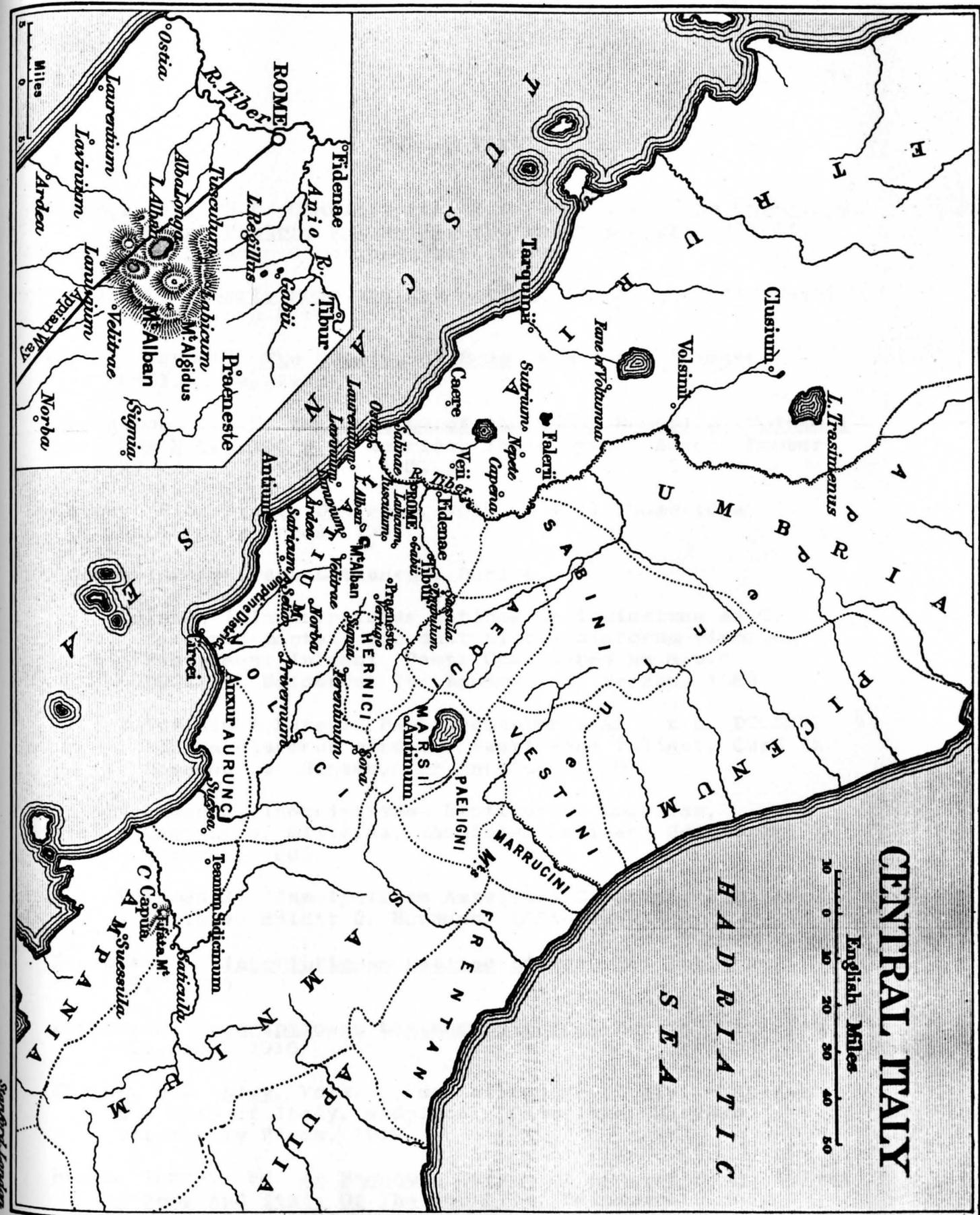
The **nobiles** benefited indirectly from the new communities instituted after the war. Because they were either unwilling or unable to create a bureaucracy to directly administer the new territories, a policy evolved based upon allied communities with varied rights, determined by the ethnic and cultural similarity each possessed in relation to Rome. This was done in order to allow Rome to control the military borders of the new commonwealth, and to begin the romanization of the peninsula. Henceforth greater Latium consisted of communities of different constitutional orders, and their interrelations were managed by Rome. The policy was divided into four parts. Direct annexation occurred in cases where the population was akin to Rome, such as in Latium and in Capua. Where the states were still too powerful to be incorporated, they were retained as weak satellite states. **Novae coloniae** were established where geography dictated. Lastly, some communities were partially incorporated. The creation of the institution of the **municipium** was by far the most important innovation, for it entailed dual citizenship.

The **municipium** was an independent **res publica** that had evolved separately from Rome. Although the **municipium** lost sovereignty, it retained its own religion, constitution, customs, laws, and language. The most important aspect of

dual citizenship is that no longer did a man have to live within the boundaries of the **ager Romanus** and own land there. Therefore citizenship was no longer based strictly upon locality. This allowed a federated commonwealth to exist, with the oligarchic Roman state at its head.

In closing, let it be said that during the early republic, the Roman constitution consisted of a hereditary oligarchy. The way in which the oligarchic ruling class protected itself was by dispersed urban settlement: after the Latin Wars of 340-338, its security and legitimacy was no longer based on direct annexation of land. Success in greater Latium provided a system Rome drew upon in expanding simultaneously to the north and to the south in Italy, and this system was later used in creating an overseas empire.

Therefore, it can be said that agrarian policy in the early Republic evolved from one based on survival to one intended to perpetuate the city-state way of life for the Romans: the decentralizing of the army and the giving of proportional civic rights to those living on the frontier made it impossible for the ruling class's political legitimacy to be challenged, and the resulting stability ensured the next stage in the development of Western Civilization.



(Source: Livy. B.O. Foster. Vol. 3. Cambridge: Harvard Univ. Press, 1919, endpiece.)

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