

THE HISTORY OF ROME

BOOKS 1-5



LIVY

TRANSLATED, WITH
INTRODUCTION AND NOTES, BY
VALERIE M. WARRIOR

THE HISTORY OF ROME

Books 1–5

LIVY

THE HISTORY
OF ROME

Books 1–5

Translated, with Introduction and Notes, by
Valerie M. Warrior

Hackett Publishing Company, Inc.
Indianapolis/Cambridge

Copyright © 2006 by Hackett Publishing Company, Inc.

All rights reserved

12 11 10 09 08 07 06 1 2 3 4 5 6 7

For further information, please address:

Hackett Publishing Company, Inc.

P.O. Box 44937

Indianapolis, IN 46244-0937

www.hackettpublishing.com

Cover design by Abigail Coyle

Text design by Jennifer Plumley and Chris Downey

Composition by Agnew's, Inc.

Printed at Edwards Brothers, Inc.

Library of Congress Cataloging-in-Publication Data

Livy.

[Ab urbe condita. Liber 1–5. English]

The History of Rome, books 1–5 / Livy ; translated, with introduction
and notes, by Valerie M. Warrior.

p. cm.

Includes bibliographical references and index.

ISBN-13: 978-0-87220-724-0 (cloth)

ISBN-10: 0-87220-724-2 (cloth)

ISBN-13: 978-0-87220-723-3 (paper)

ISBN-10: 0-87220-723-4 (paper)

1. Rome—History—Kings, 753–510 B.C. 2. Rome—History—
Republic, 510–265 B.C. I. Warrior, Valerie M. II. Title.

PA6452.A5 2006

937—dc22

2006043351

e-ISBN: 978-1-60384-058-3 (e-book)

Contents

Introduction	vi
Note on the Text and Translation	xxvii
Select Bibliography	xxix
Chronology	xxxiii
Map of Italy	xxxvi
Map of the Hills of Rome	xxxvii
Map of Rome in the Period of the Kings	xxxviii
Map of Latium in the Period of the Kings	xxxix
Map of the Center of Rome in the Early Republic	xl
Map of Latium and Surrounding Areas in the Early Republic	xli
Map of the Major Roads of Central Italy in the Mid-Republic	xlii
Stemma of the Tarquins	xliv
<i>History of Rome</i>	1
Preface	1
Book 1	5
Book 2	84
Book 3	163
Book 4	253
Book 5	332
Appendix 1: Some Prominent Political Figures in the Early Republic	405
Appendix 2: Livy's Attitude Toward Augustus	421
Appendix 3: Roman Religion in Livy's First Pentad	425
Glossary	435
Index	443

Introduction

Livy: His Life, Work, and Times

Titus Livius, a Roman citizen, was born in 64 or 59 BCE in Patavium (modern Padua, Padova), the wealthiest city in the province of Cisalpine Gaul (northern Italy).¹ Despite the fame of his *History of Rome*,² few details are known of Livy's life apart from his birth and death in Patavium. An epitaph from that city commemorating a Titus Livius, his two sons, and a wife is probably the historian's.³ Nonetheless, he must have spent considerable time in Rome, given his familiarity with Roman topography, legends, and monuments, which is evident throughout the surviving books of his history.

Although Livy's narrative reveals a keen awareness of politics, there is no evidence that he held political office. Nor is there any known connection with the other major literary figures of his time, such as Virgil (70–19 BCE), Horace (65–8 BCE), or Ovid (43 BCE–17 CE). Asinius Pollio (see more later in Introduction), a contemporary historian whose work has not survived beyond a few quotations, made a derogatory remark about Livy's *patavinitas*, possibly alluding to his use of provincial rather than urbane figures of speech or to the moral rectitude for which Patavium was famous.⁴ With the exception of this snobbish (and probably self-serving) remark by Pollio, there is no reference to Livy until the last few years of the emperor Augustus' reign (27 BCE–14 CE), when Livy is said to have encouraged the emperor's young great-nephew, the later emperor Claudius (10 BCE–54 CE), in the writing of history.⁵ About the same time, Augustus (63 BCE–14 CE) called Livy "the Pompeian," apparently a witticism alluding to Livy's partisanship for Pompey (106–48 BCE) in his account of the civil war (49–48 BCE) between

1. Badian 1993: 10–1 makes the case for Livy's birth in 59 BCE rather than in 64 BCE.

2. The Latin title of the work, *Ab urbe condita*, literally means "From the Foundation of the City," but the work is generally referred to as "History of Rome."

3. *Corpus Inscriptionum Latinarum* 5.2975, *Inscriptiones Latinae Selectae* 2919.

4. Quintilian, *Training in Oratory* 1.5.56, 8.1.3; Pliny the Younger, *Letters* 1.14.

5. Suetonius, *Claudius* 41. Claudius was born in 10 BCE, so the incident probably dates between 6 and 14 CE, the date of Augustus' death. For discussion, see Appendix 2, pp. 421–2.

Pompey and Julius Caesar (100–44 BCE).⁶ Neither of these references, however, indicates that Livy had close personal ties with either Augustus or the young Claudius, as has often been assumed.

Livy's early years would likely have been influenced by the political upheavals and civil wars that were fought not only in Italy but throughout the Mediterranean world: first the struggle between Pompey and Caesar in the early 40s BCE and then, after Caesar's assassination in 44 BCE, the struggle for supremacy between Antony (83?–30 BCE) and Octavian, who later became the emperor Augustus. Though Octavian, Julius Caesar's great-nephew and posthumously adopted son, was only nineteen years old at the time of Caesar's assassination, he was not slow to assert himself, feuding with Antony who had assumed control after Caesar's death. Then Octavian raised a private army of Caesarian loyalists and successfully demanded the consulship of 43 BCE after both consuls perished in northern Italy at the battle of Mutina. During the fighting in this area, the people of Patavium refused to cooperate with Asinius Pollio who, as governor of Cisalpine Gaul, was attempting to enlist the loyalty of the Patavians on Antony's behalf. Pollio's later gibe about Livy's *patavinitas* might also stem from this incident.

Octavian, now consul, made an alliance with Antony and Lepidus (early 80s–13 or 12 BCE), another of Caesar's associates, to form the Second Triumvirate. Proscriptions were authorized, listing the triumvirs' enemies who were to be killed with impunity. Among the victims was the orator, writer, and former consul Cicero (106–43 BCE), who had attacked Antony in a series of speeches known as the *Philippics*. Strife among the triumvirs soon developed between Antony and Octavian. In an attempt to assert himself, Lepidus seized power in Sicily in 36 BCE. Octavian soon disarmed and removed Lepidus from the triumvirate, but not from the office of pontifex maximus. Lepidus spent the rest of his life in exile. Antony's military ambitions in the east and his liaison with Queen Cleopatra of Egypt (69–30 BCE) ultimately led to war with Octavian. The suicides of Antony and Cleopatra after their defeat at Actium in 31 BCE left Octavian as the virtual master of the Roman world. But his victory did not bring an immediate end to fears of further civil strife. In 27 BCE, he received the title of *Augustus* and declared that he had returned all his powers to the senate and the Roman people, thus nominally restoring the republic. But doubts about the stability of Augustus' "restoration of the republic" would have persisted throughout the 20s and well into the following decade, only to be replaced with concern for

6. Tacitus, *Annals* 4.34. For the timing of this incident and discussion of Livy's attitude toward Augustus, see Appendix 2, pp. 421–2.

what would happen in the event of his death. It is only with hindsight that we know that Augustus succeeded in bringing peace to the Roman world. For Livy and his contemporaries there was no such certainty.

What opportunities were there in Rome for an educated but obscure young man from the province of Cisalpine Gaul in such turbulent times? In an earlier generation, Cicero, who came from a small town in central Italy, had established himself as the leading orator in Rome, achieving the consulship, though none of his ancestors had held that office. At the time of Cicero's death in the proscriptions of 43 BCE, the year in which the Patavians opposed Asinius Pollio, Livy would have been fifteen years old (assuming he was born in 59 BCE) and about to proceed from his studies in language and literature to the study of rhetoric. In more settled times, he would have been sent to a *rhetor* in Rome and then to Athens or Rhodes to study with the leading rhetoricians and philosophers. Whether Livy completed his education in Patavium or Rome is unknown, but it seems unlikely that he went to Greece. Whatever the case, the speeches that he composed for various figures of Roman history are proof of his rhetorical expertise, an outstanding example of which is the speech of Camillus at the end of Book 5.

By the late 40s and early 30s BCE, making a name as an orator and then entering political life was no longer a viable option for a young man. Cicero, however, had observed that Roman literature was deficient in history, a genre that he remarked was especially close to oratory but had been "overlooked or neglected" by his fellow Romans. The works of the early Roman historians were, in his opinion, "lifeless."⁷ In his treatise *On the Orator*, he defines history as "the witness of the times, the light of truth, the life-force of memory, life's teacher, and the messenger of the past," while also asking "whose voice, except that of the orator, can entrust history to immortality?"⁸ Cicero's remarks may well have been Livy's inspiration.

The date at which Livy began to compose his *History of Rome* is much disputed, since there are no references that can be dated precisely. In the Preface, references to "the evils that our age has seen," the consequent anxiety (Pref. 5), the inability to bear "our own vices" and "their remedies" (Pref. 9), and the overall pessimism are too general to permit speculation about the date of its composition.⁹ These allusions merely reflect the uncertainty and

7. This quotation and the previous one are from Cicero, *On the Laws* 1.5–6.

8. Cicero, *On the Orator* 2.36; see also 2.62: "Don't you see what a great task history is for an orator?" On Cicero's discussion of historiography, see Woodman 1988: 70–116.

9. See Badian 1993: 17–8.

apprehension that were prevalent throughout the 30s and 20s BCE. Nor is it inconceivable that the Preface did not reach the polished form in which we now have it until after the first five books had been completed.

Within the narrative the evidence for dating the composition of the first pentad (Books 1–5) is sparse and imprecise. There are two references to Caesar Augustus (1.19 and 4.20), indicating that these passages were written after January 27 BCE, when Octavian took the name *Augustus*. In Book 1 Livy refers to a closing of the temple of Janus after the war at Actium by “Caesar Augustus.” The reference in Book 4 indicates that the pentad was still incomplete in 27 BCE.¹⁰ However, the fact that Livy does not mention Augustus’ second closing of the temple of Janus in 25 BCE provides a terminal date for the publication of the pentad. But this dating does not exclude the likelihood that most of the narrative had been written earlier and that the references to Caesar Augustus are later insertions. Indeed, most scholars consider that the passage on the closing of the temple of Janus was inserted in a revised edition of Book 1 that was published before 25 BCE, together with the Preface and Books 2 through 5.¹¹

Two references in Books 9 and 28 suggest that Livy had written at least the second pentad by the time of the publication of the first five books. A reference to the conquest of Spain “under the leadership and auspices of Augustus Caesar” (28.12) indicates that Book 28 was written before 19 BCE, when Agrippa began another series of campaigns in Spain.¹² At the end of the famous digression on Alexander the Great in Book 9, Livy declares that the Romans had beaten off more formidable armies than those of Alexander, and that they will continue to do so “if only the love of peace in which we now live and our concern to maintain civil concord endure.” The reference, however, to a state of peace and a concern to maintain civil concord could have been written anytime after the battle of Actium and the first closing of the temple of Janus, probably soon after Augustus’ “restoration of the republic.”¹³

If we assume that Livy began writing his history in 35 BCE, as some scholars think, and continued until the time of his death in 17 CE, he would have

10. For discussion of 4.20, see Appendix 2, pp. 422–4.

11. Luce (1965: 218, 232) and Badian (1993: 18 with n. 27). Oakley (1997: 109) dates the publication between 28 and 26 BCE.

12. Augustus himself had campaigned in Spain in 26 and 25 BCE. On the dating of Book 28, see Oakley 1997: 109.

13. Livy 9.19. Badian (1993: 19) considers that this passage was written in 26 or 25 BCE. Compare Oakley (1997: 109), who favors a date “not too far removed from Actium.”

averaged 2.8 books per year. If he began in 30 BCE, the average would have been 3 books per year.¹⁴ These calculations, however, assume a steady and consistent pace and do not take into account the varying length of the books, the complexity of the sources, or the question of the date of composition as opposed to that of publication. Livy may well have begun writing Book 1 before Actium, accumulating and shaping his material as he gave readings to various audiences,¹⁵ revising, and then finally publishing the first pentad shortly before 25 BCE, when he had almost completed the second pentad.

By the end of his life Livy had narrated, in 142 books, the history of Rome from the city's beginnings through his own times (c. 753 BCE–9 CE), thereby amply filling the deficiency in Roman literature discerned by Cicero. Of these books, only Books 1 through 10 and 31 through 45 have survived. Also surviving are two different kinds of summaries: *Periochae* (of all the books except 136 and 137) and *Epitomes* (of Books 37–40 and 48–55).¹⁶ Livy also wrote philosophical dialogues, though these are no longer extant.¹⁷

Sometime after their original publication, Livy's 142 books were variously abridged and summarized, probably because of the expense involved in having a complete version of all the books and the time required to read such a massive work. The poet Martial (born between 38 and 41 CE) remarked that he owned a version of "huge Livy" that was "compressed into fewer volumes," because his library did not have room for the complete work.¹⁸ The biographer Suetonius (born c. 70 CE) said that the speeches Livy attributes to kings and generals were published as a special collection.¹⁹ Pliny the Younger (c. 61–c. 112 CE) was in the area of Naples in southern Italy when Vesuvius erupted; he preoccupied himself with writing down excerpts from a volume of Livy, trying to behave as if nothing was amiss.²⁰ All of these references suggest that Livy's work quickly became the standard account of Rome's history. His achievement, moreover, was such that no one attempted to surpass it.

14. See Badian 1993: 17–8, and Oakley 1997: 109–10.

15. The *Suda* or *Suidas*, a late-10th-century CE lexicon or historical encyclopedia, notes that Livy gave readings to small, but appreciative, audiences (*Suda*, s.v. Kornutos).

16. Several quotations from the lost books of Livy's history are preserved in later writers; see vol. 14 of Foster's Loeb translation for these fragments and for the different summaries of the later lost books. Parts of Books 41 and 43 through 45 are also lost.

17. Seneca, *Letters* 100.9.

18. Martial 14.190.

19. Suetonius, *Domitian* 10.

20. Pliny the Younger, *Letters* 6.20.

The early books of Livy's history are organized into pentads, or blocks of five, although a decadic structure also operated, thus marking distinctive periods of Rome's history. The first five books cover the period from Rome's foundation (c. 753 BCE) to its sack by the Gauls in 390 BCE. Books 6 through 10 deal with Rome's conquest of central Italy, including her struggle to defeat the Samnites (390–292 BCE). The next ten books cover Roman expansion into southern Italy, the war with Pyrrhus of Epirus, the First Punic War, its aftermath, and events through to 219 BCE. Books 21 through 30 focus on the Second Punic War (219–201 BCE) against the Carthaginian Hannibal (247–183? BCE), who invaded Italy. The dominant theme of the next fifteen books (31–45) is Rome's wars in the east (201–167 BCE): the war against Philip of Macedon (238–179 BCE), that against Antiochus of Syria (242–187 BCE), and the Third Macedonian War, which concludes with Rome's triumph over Macedon and the end of the Macedonian monarchy. The loss of the remaining books makes it difficult to discern the overall scheme of the history.

In his lifetime Livy achieved such renown that a man is said to have come all the way from Spain—"from the ends of the earth"—just to see the famous author and then immediately return home.²¹ People are said to have listened to Livy's son-in-law, who was a notoriously bad orator, merely out of respect for Livy.²² That Livy enjoyed the task that made him famous is implied at the beginning of one of his later (now lost) books, where he remarks that he already has achieved enough fame for himself and could have retired to leisure were it not for the fact that his restless mind finds sustenance in work.²³ Several decades after Livy's death, the historian Tacitus (born 56 CE) called Livy "the most eloquent of ancient writers."²⁴ The literary critic and rhetorician Quintilian (born c. 35 CE) remarked on the "creamy richness" of Livy's style and his "elegance of exposition."²⁵ Later Quintilian remarked on Livy's "wonderful charm and brilliant transparency in narrative" and the eloquence of his set speeches, deeming Livy the equal of Herodotus, whom Cicero had called the Father of History.²⁶ Quintilian's approbation indicates that Livy had succeeded where, in Cicero's estimation, the early Roman historians had failed.

21. Pliny the Younger, *Letters* 2.3.8.

22. Seneca the Elder, *Controversiae* 10, Pref. 2.

23. Quotation is preserved by Pliny the Elder, *Natural History*, Pref. 16.

24. Tacitus, *Agricola* 10.3; see also *Annals* 4.34: "Titus Livius, famed especially for his eloquence and reliability."

25. Quintilian, *Training in Oratory* 10.1.32.

26. Quintilian, *Training in Oratory* 10.1.101; Cicero, *On the Laws* 1.5.

Roman History and Historiography before Livy²⁷

Livy was acutely aware of the problematic nature of the evidence for Rome's early history, as many of his authorial comments in Books 1 through 5 indicate. In a brief retrospective offered at the beginning of Book 6, Livy observes that Rome's history from its foundation to its capture by the Gauls (c. 390 BCE) deals with "matters that are exceedingly obscure because of the passage of time." For him, written records are "the only trustworthy place for the safe-keeping of historical memory." He admits, however, that such records are few and far between for the period before the Gallic attack.²⁸

In addition to the problems discerned by Livy, the modern scholar is faced with the fact that the works of the few early Roman historians named by him are now lost, save for fragmentary excerpts quoted by other ancient authors.

The earliest known written source for Roman history is Quintus Fabius Pictor, a Roman senator who wrote, in Greek, a history of Rome from the earliest times to his own day, the end of the third century BCE. In the first five books of his history, Livy cites Pictor three times, at 1.44, 1.55, and 2.40, where he calls Pictor "by far the oldest authority." Also cited are Lucius Calpurnius Piso (1.55, 2.32, 2.58), who was consul in 133 BCE, and the first-century BCE writers Valerius Antias (3.5, 4.23), Licinius Macer (4.7, 4.20, 4.23), and Aelius Tubero (4.23). Livy also makes four references to Linen Books (*Libri Linteï*), an otherwise-unknown source that apparently contained a list of magistrates that was at variance with other records he consulted.²⁹ Apart from these specific references, Livy's attribution to a source is usually a simple acknowledgment of accepted tradition, such as "they say," "there is a tale," or "the tradition is." With good reason Kraus and Woodman have remarked, "it is of great importance that readers should be aware

27. The word *history*, as Kraus and Woodman (1997: 1) note, "can refer both to events and to the account of events as written by a historian." The term *historiography*, however, is generally used to refer to the writing of history that also involves reading, research, and interpretation. The term can also denote the study of a particular historian's written work and, in a more general sense, the theory and study of historical writing. Thus, history and historiography are interdependent; for further discussion, see Kraus and Woodman 1997: 1–2.

28. Livy 6.1; for detailed notes, see Kraus 1994: 83–8, and Oakley 1997: 381–6.

few and far between: this claim is probably exaggerated; see Oakley 1997: 382: "though much in books ii–v is uncertain, it is self-evident that much authentic material about the fifth century survived for the annalists to use."

29. See Livy 4.7, 4.13, 4.20, 4.23 with notes, and also Oakley 1997: 27–8.

that the very nature of Roman historiography has been subjected to severe questioning and that the debate continues."³⁰

In comparing the early Roman historians with their Greek predecessors, Cicero remarks that Roman historiography began as a mere compilation of annals (a year's events), which were committed to writing by the chief priest (*pontifex maximus*) and displayed on a whitened board for the information of the people. Known as the *Annales Maximi* (Great Annals), these annals were maintained until the pontificate of Publius Mucius Scaevola (c. 133–c. 115 BCE). This kind of historiography was practiced by writers who merely recorded dates, personalities, places, and events, without any rhetorical adornment.³¹ In another comparative critique of Greek and Roman historiography, Cicero observes that the annals of the chief pontiff were unimaginably dry and that nothing could be more lifeless than the works of several early historians of Rome, including Fabius Pictor, Cato, and Piso.³² Most early Roman historians aimed at brevity and so were mere reporters or tellers (*narratores*), not elaborators (*exornatores*).³³

The pontifical records provided an authoritative chronological framework for the political, military, and religious events of individual years. That the *Annales Maximi* were a source for the early Roman historians, who are generally known as "annalists," is implied by a fragment from Cato's *Origins*, a work that covered the history of Rome from its beginnings probably through the mid-fifth century BCE. Cato (234–149 BCE) remarks that he did not want to include in his work the kind of material that was in the *Annales*, such as eclipses or increases in the price of grain.³⁴ But when did the Romans begin to keep these annalistic records? Scholars have generally considered that Roman record-keeping did not begin until the late sixth or early fifth century BCE.³⁵ However, the discovery at Gabii, a Latin town twelve miles to the east of Rome, of an inscription in Greek characters dating to the eighth century BCE suggests that the Romans acquired the use of writing by adapting the alphabet of the Greeks considerably earlier.³⁶

30. Kraus and Woodman 1997: 6.

31. Cicero, *On the Orator* 2.52–3. On Cicero's discussion of historiography, see Woodman 1988: 70–116.

32. Cicero, *On the Laws* 1.6.

33. Cicero, *On the Orator* 2.52–4; for discussion, see Woodman 1988: 77–8.

34. Cato, *Origins* fr. 77P.

35. See Cornell 1995: 14–6.

36. Cornell 1995: 103 and Grandazzi 1997: 186–7.

The Greeks had colonies in southern and central Italy, and archaeological discoveries indicate that at least by the sixth century BCE, Rome was greatly influenced by the culture of her Greek neighbors. Writing was probably first used to record and so preserve such religious material as calendars, noting the dates of festivals and ceremonies, details of rituals, and the formulaic prayers—the secret lore that Roman priests kept to themselves to guard against change.³⁷ As a result of recent archaeological discoveries in Rome and central Italy, scholars who initially considered that many stories of early Rome had little if any historical basis are reassessing their previous assumptions about the reliability of the earliest literary sources.

It is generally agreed that the literary sources for the stories of regal and early republican Rome were:

- (i) Lost accounts of the annalists—such as Pictor, Cato, and Piso—and the *Annales* of Ennius (239–169 BCE), an epic poem covering the history of the Roman people from Aeneas' flight from Troy to the author's own time.
- (ii) Accounts of the archaic Roman world written by Greek historians.
- (iii) Family records of the great noble families, which both Cicero and Livy note were prone to exaggeration and falsification.³⁸
- (iv) Documents and archives, including the *Annales Maximi*, lists of the chief elected magistrates from the beginning of the republic (*Fasti Consulares Capitolini*), lists of the men who celebrated military triumphs (*Fasti Triumphales*), and texts and inscriptions recording ancient laws and treaties. Of these sources, only fragments of the consular and triumphal lists have survived, but these generally corroborate the literary record.
- (v) The antiquarians, the most famous of whom is Varro (116–27 BCE).

This meager information about Roman historiography before the late first century BCE leaves a hiatus of more than 500 years between the traditional date of the foundation of Rome (c. 753 BCE) and the time of Fabius Pictor. Although little is known about Pictor and his work, the fact that he wrote in Greek strongly suggests that he relied on the canons and methods of Greek historiography.³⁹ It is also reasonable to suppose that he used the

37. On literacy and its uses, see Cornell 1995: 103–5, and Grandazzi 1997: 187.

38. Cicero, *Brutus* 62, Livy 8.40; see Oakley 1997: 28–33.

39. Thus Cornell 1995: 5. Much of what follows is a summary of Cornell 1995: 1–30, “Introduction: The Evidence.”

annalistic framework that is evident in the surviving fragments of the *Annales* of Ennius, which comprise approximately 20 percent of the total work. The stories of early Rome that figured prominently in the work of Ennius and probably also Pictor must surely have been current long before the end of the third century.⁴⁰ A fragment from Cato's *Origins* indicates that the Romans already had a sense of identity and curiosity about their origins before their "history" was put into writing. Cicero quotes Cato, "that most weighty authority," as noting, "It was the custom among our ancestors for guests at banquets to take turns singing, to the accompaniment of the flute, the praises and virtues of famous men."⁴¹

Despite Cicero's reference to oral performance at banquets, scholars have generally overlooked the oral tradition of the preliterate society in which many of the stories of early Rome must surely have originated.⁴² More recently, however, this oversight has been redressed by the work of Peter Wiseman and Tim Cornell.⁴³ Wiseman has shifted the emphasis from "history from documents" to an alternative model of "history from dramatic fiction."⁴⁴

In his study of the mythical figure of Remus, he remarks, "It is ludicrous to imagine that during the previous half-millennium the Romans never reflected on the origins and nature of their community, and had no way of expressing their idea of themselves in narrative or dramatic performance."⁴⁵ He envisages late sixth-century Rome as a prosperous and cultural urban center, a "city with a history of its own, and a place in the international story-world of Greek mythology."⁴⁶ Noting Livy's reference (1.35) to the institution of the Roman Games by the elder King Tarquin (617–578 BCE), he suggests that dramatic performances on historical themes at such games were a

40. Purcell (2003: 12–40) challenges the generally accepted view that the Romans' sense of their own history was a relatively late development. He makes the case for the development of their historical consciousness at least by the end of the sixth century BCE, despite the absence of extended historiographical texts.

41. Cicero, *Tusculan Disputations* 4.3–4; see also *Brutus* 75, *Tusculan Disputations* 1.3, and Valerius Maximus 2.1.10.

42. A notable exception is Zorzetti (1980: 289–302), who argues for a tradition of banquet songs in archaic Rome in emulation of a similar tradition in archaic Greek culture. See Grandazzi 1997: 187–9.

43. For an appreciation of Wiseman's work, see the papers in his honor, edited by Braund and Gill (2003), especially Purcell's "Becoming Historical: The Roman Case," pp. 12–40 (see n. 41), and Cornell's "Coriolanus: Myth, History and Performance," pp. 73–97.

44. For quotation, see Wiseman 1994: 5; see also Wiseman 1998: 1–24.

45. Wiseman 1995: 129; see also the entire chapter "The Uses of a Myth," pp. 129–50.

46. Wiseman 1994: 8.

part of the Romans' celebration of their civic identity and their ancestors' achievements.⁴⁷ As Cornell remarks, "There existed more than one formal means of oral transmission, and there can be no objection in principle to the suggestion that the traditional stories might be based on fact."⁴⁸

One of the likely topics for dramatic performance was the siege of Veii. After relating the siege operations in detail and the Roman general's invitation to the Veientine gods to desert their city and move to Rome, Livy gives a vivid description of the capture of the city. As the king of Veii was sacrificing an animal to the gods, Roman soldiers burst out of a tunnel that they had made into the city and seized the victim's entrails. On this incident Livy remarks, "These events are more appropriate to be displayed on the stage, which rejoices in miracles, than to be believed" (5.21), an allusion cited by Wiseman in support of his hypothesis that dramatic representations of historic events familiarized the Romans with their history.⁴⁹ After describing the ceremonial transfer of the statue of Juno from Veii to Rome, Livy comments that "either under divine inspiration or in youthful jest," one of the young men who was transporting the statue asked the goddess whether she wanted to go to Rome, whereupon all the other young men cried out that she had nodded her assent. Finally Livy notes another addition to the tale in which "a voice was also heard to say that she was willing" (5.22). From this entire episode, we can see the evolution of a mythic tradition centered on a historic event.

Another likely topic for dramatic performance was the story of Coriolanus (2.33–5 and 39–40), a traitor who marched against Rome and only withdrew when confronted by his mother's reproaches. Cornell's recent analysis of this story corroborates his work on the early history of Rome and Italy as well as that of Wiseman.⁵⁰ He argues that, although much of the myth has been generally dismissed as historically impossible, it reflects the aristocratic society of central Italy in the late sixth and early fifth centuries BCE. He suggests that Coriolanus was a historical figure, an independent warlord with a retinue of companions or followers operating as a private army, who became "the archetype of the disgruntled aristocrat, driven into exile by adverse political circumstances and admitted to a position of leadership by his country's enemies."⁵¹

47. Wiseman 1994: 10.

48. Cornell 1995: 12.

49. Wiseman 1994: 18.

50. Cornell 2003: 73–97.

51. Cornell 2003: 90.

The Roman historical consciousness goes back at least to the reign of the elder Tarquin, offering Fabius Pictor and his successors “the collective, and accepted, oral memory of the nation” on which to draw for their written narratives.⁵² This collective memory would not only have been maintained by a tradition of dramatic performances on historical themes; it would have also been preserved by monuments, statues, and toponyms (place names that commemorate a particular event or story).⁵³ The places mentioned by Livy in connection with a particular story would have been familiar to many of his readers as visible reminders of a particular tradition. The temple of *Fortuna Muliebris* (Women’s Fortune) was said to have been built to commemorate the glory of the Roman women who went to plead with Coriolanus not to attack Rome (2.40). The Quinctian Meadows were in the area where Lucius Quinctius Cincinnatus was living in poverty when he was named dictator (3.26). The Gallic Pyres in the Roman forum marked the place where the Gauls burned their dead during the occupation of Rome (5.48). History pervaded the city, reminding the Romans of both the glorious and inglorious deeds of their ancestors. From these reminders the Romans were to “choose for yourself and for your state what to imitate and what to avoid.”⁵⁴

Cornell writes of “a living tradition that formed part of the consciousness of the entire community of Roman citizens” and “an ideological construct, designed to control, to justify and to inspire.”⁵⁵ Traditional stories were constantly reassessed, adapted, and reinterpreted to reflect current social and political needs. The process was probably not unlike the evolution of Homer’s *Iliad* and *Odyssey* (late eighth century BCE), which also derive from oral tradition. As Wiseman observes, “It might seem paradoxical to invoke a strong and vivid memory of a half-forgotten epoch; but we are not concerned here with the genuine memory of real events as they actually happened. . . . Some part of the events, mixed with much that never happened, becomes a story, to be told and retold, adjusted and elaborated, shaped by the narrator’s art.”⁵⁶

Livy’s Preface to His History

Greek and Roman historians traditionally set the tone and declared the scope and aims of the work they were undertaking in a variety of prefatory remarks.

52. Oakley 1997: 23.

53. On toponyms see Oakley 1997: 35–8, and Jaeger 1997.

54. Livy, Pref. 10.

55. Cornell, “The Formation of the Historical Tradition of Early Rome.” 1986: 83.

56. Wiseman 1994: 11.

In the case of Livy's history, such remarks form a separate and elegant historiographical essay that is nonetheless integral to the understanding of the ensuing narrative. With apparent diffidence, Livy initially engages the reader with this disarming statement: "Whether I am going to receive any return for the effort . . . I do not really know. Nor, if I did know, would I dare to say so" (Pref. 1). In a series of authorial statements, he declares his theme, "the history of the Roman people from the foundation of the city," acknowledging that this is "an immense undertaking" (Pref. 1 and 4). It will, however, be a "pleasure to have celebrated, to the best of my ability, the memory of the past achievements of the greatest people on earth" (Pref. 3). Nonetheless, despite the personal forms of address and authorial comments, Livy reveals very little about himself. In both the Preface and the narrative, he remains an elusive personality. As Kraus has observed, Livy's *persona* "sends thoroughly mixed signals," since he "adopts a position of nearly incredible modesty, a combination of magisterial assurance and polite uncertainty that will recur throughout the work."⁵⁷

Despite allusions to the greatness of Rome, the overall mood of the Preface is one of regret and pessimism that is alleviated only by the brief conclusion in which Livy prays for good omens and the blessing of success as he begins his great enterprise. He expects that the majority of his readers will find "less delight" in the earlier history of Rome because of their haste to get to the events of recent times "in which the might of a most powerful people has long been destroying itself" (Pref. 4). He himself deplores "the evils that our age has seen," the gradual collapse of discipline, the disintegration of morals, and the final collapse whereby "we have reached the present times in which we can tolerate neither our own vices nor their remedies" (Pref. 5 and 9). And so the reader is urged to direct close attention to "the kind of lives men lived; what their moral principles were; by what individuals and by what skills, both at home and in the field, our dominion was born and grew" (Pref. 9). The purpose of history is "to behold object lessons of every kind of model as though they were displayed on a conspicuous monument." Livy finally addresses the reader directly: "From this you should choose for yourself and for your state what to imitate and what to avoid as abominable in its origin or abominable in its outcome" (Pref. 10).⁵⁸ History is essentially

57. Kraus 1994: 2.

58. See the brief but incisive comments in the section "This Means You," in Kraus 1994: 13–4 with bibliography.

didactic, a series of moral lessons that constitute “the particularly healthy and productive element of history” (Pref. 10).⁵⁹

His moralizing zeal notwithstanding, Livy underscores the problematic nature of the evidence for the early history of Rome, as he declares the intent “neither to affirm nor refute the traditions that belong to the period before the foundation of the city or the anticipation of its foundation, for these are embellished with poetic tales rather than based on uncorrupted records” (Pref. 6). He grants to antiquity “the indulgence of making the beginnings of cities more impressive by mingling human affairs with the divine” but states that he himself will not regard such things “as of great importance” (Pref. 7 and 8).⁶⁰ In this way he distances himself, perhaps deliberately, from anything he may imply. As an example, Livy cites the Romans’ claim that their father, and the father of their founder Romulus, was the god Mars. The subsequent conditional clause, however, challenges the reader to decide for himself whether to accept this claim: “If any people should be allowed to sanctify their origins and reckon their founders as gods, surely the military glory of the Roman people is such that . . . the nations of the world tolerate this claim with the same equanimity with which they tolerate our dominion” (Pref. 7). Well may the reader ask, “With what kind of ‘equanimity’ was Roman dominion tolerated?” Similarly nuanced remarks in the narrative raise further questions about Livy’s intent.⁶¹

Although Livy professes the intent “neither to affirm nor refute” the traditions of early Rome (Pref. 6), direct and indirect authorial comments are interspersed throughout the narrative as a challenge to the reader to assess the evidence for himself. The subtle distinctions between “as I suppose” (*ut credo*), “there is sufficient agreement” (*satis constat*), “they say” (*ferunt*), or “the tradition is” (*tradunt*) can easily escape the notice of the unwary reader.⁶² These and similar editorializing comments, which enable Livy to moralize without being overly didactic, reveal not only his precision as a historian but also his genius as a storyteller.

59. See Miles 1995: 14–8, and Chaplin 2000: 1–31.

60. See Wiseman, “History, Poetry and *Annales*” 2002: 331–8, especially p. 337: “What we see in him [Livy] is not so much Augustan piety as a tolerant and patriotic form of Ciceronian skepticism.”

61. See Appendix 2, pp. 421–4, on the question of Livy’s attitude toward Augustus.

62. Forsythe (1999) makes a quantitative rather than a qualitative analysis of Livy’s editorial comments; see pp. 22–38 for tabulation of these remarks. See also Miles 1995.

Livy as Storyteller and Historian in Books 1 through 5

History is very close to the poets. It is, in a way, a poem in prose that is written to tell a story, not to convince. . . .

—Quintilian, *Training in Oratory* 10.1.31

This comment by an ancient scholar underscores a major difference between the Roman concept of history and historiography and our own.⁶³ In observing that history is closer to the storytelling of poets than to the attempts of orators to persuade a judge or jury, Quintilian was reacting to Cicero's view that history is "the one task that is especially close to oratory" (*On the Laws* 1.5), a reaction that apparently applies to Livy's achievement. For, though Quintilian did not think that Livy's narrative was sufficiently clear to make a judgment about credibility (*fides*), he nevertheless remarked on the "creamy richness" (*lactea ubertas*) of Livy's style and "elegance of exposition."⁶⁴ Later Quintilian gives a more detailed analysis of the characteristics of Livy's work, putting Livy on a par with the fifth-century BCE Greek historian Herodotus:

Herodotus would not resent having Livy as his equal. For Livy not only has a wonderful charm and brilliant transparency in narrative, but he is eloquent beyond description in his set speeches; so well are all the spoken words adapted to the circumstances and the characters. As for the emotions, especially the more attractive ones, the least I can say is that no historian has presented them better.⁶⁵

Quintilian's observations enable us to approach Livy's *History of Rome* with a greater understanding of the expectations of the ancient reader, while also offsetting some of our modern preconceptions about "history." For, as Woodman has observed, "Though we today see poetry, oratory and historiography as three separate genres, the ancients saw them as three different species of the same genus—rhetoric. All three types of activity aimed to elaborate certain data in such a way as to affect or persuade an audience or readership."⁶⁶

63. On the standards of Roman historiography, see Woodman 1988: 70–116.

64. Quintilian, *Training in Oratory* 10.1.32: "Nor will Livy's creamy richness give clear enough information for a judge who looks, not for elegance of exposition, but for credibility [*fides*]."

65. Quintilian, *Training in Oratory* 10.1.101.

66. Woodman 1988: 100.

In the early books of his history, Livy selects, shapes, and elaborates a rich variety of traditional stories, creating a continuous narrative that mingles these stories with more factual information. Each book has its own structure and organization but, at the same time, is an integral part of the ongoing narrative.⁶⁷ Book 1 covers the period from the foundation of the city (traditionally c. 753 BCE) to the end of the monarchy (c. 510 BCE). In his account of the reign of Romulus, whom he portrays as a fierce warrior, Livy continually reminds the reader of the problematic nature of the received tradition by frequent reference to rumor or report (*fama*), a tale (*fabula*), tradition (*ferunt*, literally “they say”), and by occasional, but significant, authorial comments. After a brief outline of the story of Aeneas’ arrival in Italy, Livy raises the question of whether Creusa or Lavinia was the mother of Ascanius, asking, “Who could confirm as a certainty something that is so ancient?” (1.3). At the beginning of the story of the birth of Romulus and Remus, Livy implies his skepticism by interpolating the authorial comment “as I suppose” in his attribution of Rome’s origin to the fates. The twins’ mother, a Vestal, merely “claimed that Mars was the father of her doubtful offspring” (1.4). These and other such authorial comments are integral parts of Livy’s skills both as storyteller and historian; through such comments, he keeps the reader’s interest and at the same time reminds us of the problems inherent in the historiography of early Rome.

In contrast to Romulus, Numa is characterized as a man who “was famed for his justice and his sense of obligation to the gods (*religio*)” (1.18). Insisting on historical accuracy, Livy systematically refutes a tradition that the Greek philosopher Pythagoras (mid-sixth century BCE) was Numa’s teacher, first on chronological grounds and then by a series of questions that demonstrate the unlikelihood of such a connection. He concludes with the strong assertion that Numa “was trained not by foreign learning, but by the strict and severe teaching of the Sabines” (1.18). After relating the details of Numa’s inauguration and the closing of the temple of Janus, Livy tells how Numa instilled the fear of the gods in his people by inventing the story that he had nocturnal meetings with the goddess Egeria, who advised him to establish rituals that had the gods’ approval (1.19).

Numa was followed by the warlike Tullus Hostilius, in whose reign the ancient ritual of making a treaty was established (1.24). The ritual for declaring war was attributed to Tullus Hostilius’ successor Ancus Marcius, a man whose disposition “was midway between that of Romulus and that of

67. The book divisions are Livy’s, but the chapter or section divisions were made in the Renaissance.

Numa" (1.32–3). The story of the punishment of Mettius Fufetius by King Tullus Hostilius (1.28) is one of the most memorable object lessons that were promised in the Preface (10). Fufetius, an ally who had attempted to double-cross the Romans, was bound, spread-eagled, to two chariots; his body was then torn apart when the horses were whipped in different directions. To the doomed Fufetius, King Tullus declared, "As you divided your mind between the Fidenates and the Romans, so now you will give your body to be torn apart." The punishment is described as "a conspicuous lesson to all" and "an abominable spectacle" from which "everyone averted his eyes" (1.28).⁶⁸

Factual details, some of which can be corroborated by archaeology,⁶⁹ become a greater part of Livy's narrative as he recounts the reigns of the last three kings of Rome: Tarquinius Priscus, Servius Tullius, and Tarquinius Superbus. Included in the later portions of this book are the expansion of the city, the establishing of the temple of Diana on the Aventine (1.44–5), the building of the Circus Maximus and the temple of Jupiter (1.35, 1.38, 1.55), and the construction of the Cloaca Maxima, the Great Drain (1.56). Book 1 ends with the dramatic story of the rape of Lucretia and the avenging of her death, which culminates in the overthrow of the monarchy and the selection of two consuls in place of a king.

Starting with Book 2, Livy presents the history of the republic year by year, prefacing the narrative for each year by noting the elected magistrates; the year's events are generally divided into domestic and foreign affairs. In the case of variants or discrepancies in the written sources, he displays caution and common sense. For example, on the question of whether the battle of Lake Regillus occurred in 499 or 496 BCE, he admits that the great antiquity of events and sources makes it impossible to discern which consuls followed which or what happened in each particular year (2.21).

After announcing the new theme of *libertas* (freedom or liberty), Livy traces events from 509 through 468 BCE, recounting particular stories as object lessons depicting the struggle to keep that freedom. Brutus, who had been instrumental in driving the Tarquins from Rome, became the first con-

68. On the concept of "beholding" history, see Pref. 10, and Feldherr 1998: 1–4. The image of the punishment of Fufetius is included by Virgil in his description of Aeneas' shield (*Aeneid* 8.642–5).

69. See Grandazzi 1997: 149–53, on recent excavations in the area at the foot of the Palatine, dating to the period after 550 BCE. Four or more large houses, probably belonging to the aristocracy, have been discovered built on a large earth platform. Also discovered, along the lower northeast slope of the Palatine, are the remains of a wall built of clay and timber on a stone foundation, dating between c. 730 and 720 BCE, which may well be the sacred boundary of the city (*pomerium*) attributed to Romulus by the ancient literary sources.

sul. His official position, however, obliged him to condemn his sons to death for their attempted betrayal of the new republic and also to witness their execution (2.5). Horatius Cocles defended the Tiber bridge against the Etruscans, finally plunging into the river and swimming to safety when the bridge was destroyed by his fellow Romans. On Horatius' exploit, Livy remarks that it was "a deed of daring that was destined to obtain more fame than credibility with posterity" (2.10). Spurius Cassius was killed for aiming at kingship, and Coriolanus defects from Rome and is only stopped from attacking his native city by his mother's pleas (2.39–41).

These tales of the early heroes and villains of the republic are set in the annalistic framework of the accounts of Rome's almost incessant warfare with her various neighbors and the major political events—most notably the beginning of the plebeian struggle for access to political office, the first secession of the plebs with the parable of the belly and the limbs, and the institution of the plebeian tribunate. It is in the context of this struggle that Livy fleshes out the figures of Appius Claudius, the consul of 495 BCE, and later Appius Claudius' son, who was consul in 471 BCE (both father and son are portrayed as the vehement opponents of the plebeians).⁷⁰ Several episodes in the conflict between patricians and plebeians are described in terms of the political struggles of the late republic, resulting in a number of apparent anachronisms. But, as Cornell has argued, this "modernizing process was for the most part the result of an honest attempt at historical explanation and the source of unconscious error. It was not, as some scholars have supposed, a dishonest literary device for filling gaps in the record and making the narrative more entertaining."⁷¹

The problem, of course, is to discern genuine historical fact from the later superstructure or embellishment, be it in the context of politics, economics, or warfare. For example, the Fabian family is prominent in accounts of warfare against the Veientes, with members of the family holding one of the two consulships every year from 485 to 479 BCE. Finally, as if they were a private army, the Fabii undertook the Veientine war at their own expense. However, after establishing a garrison by the river Cremera, the Fabii were ambushed and killed to one man because of their recklessness and overconfidence. Livy (2.50) reports that "306 men lost their lives; one alone remained, who was hardly more than a boy." The introductory *caveat* "there is sufficient agreement" suggests, however, that he was skeptical about at least this part of the Fabian tradition.⁷²

70. On the Claudii, see Appendix 1, pp. 406–11.

71. Cornell, "The Value of the Literary Tradition Concerning Archaic Rome." 2005: 60.

72. At the end of Book 8, Livy deplores the unreliability of family records, noting that he

Book 3 covers the years 467 to 446 BCE and has a greater focus on domestic politics, though warfare with Rome's neighbors continues. The central part of the book, and thus the pentad, deals with the institution of the decemvirate, the formulation of the Laws of the Twelve Tables whereby Roman law was first codified, the fall of the decemvirate, and the restoration of the consulship and plebeian tribunate (3.33–59). Two moralizing stories punctuate the narrative of political and military events. The first is that of Lucius Quinctius Cincinnatus, an impoverished noble who epitomizes the ideal of public service.⁷³ Working as a farmer outside Rome, Cincinnatus responded immediately when called by the senate to assume the dictatorship and rescue a Roman army that was besieged by the Aequi. As soon as he had defeated the enemy, Cincinnatus resigned from office and returned to his farm (3.26–9). The story of the decemvir Appius Claudius and his lust for the maiden Verginia is interwoven with the accounts of the first and second decemvirates. The plebeian Verginius chose to preserve the chastity of his unmarried daughter by killing her, rather than yield her to the libidinous decemvir. The people's outrage led to the fall of the decemvirate and the trial and death of Appius Claudius (3.44–58).

In both of these stories, it is hard to discern fact from the layers of fiction in Livy's depiction of the traditional stereotypes of the tyrannical decemvir Appius Claudius and the upright dictator Lucius Quinctius Cincinnatus. This difficulty is also apparent in the actions attributed to Valerius and Horatius in the stories of the restoration of the consulship and the plebeian tribunate. Near the end of the book, the continuing discord between patricians and plebeians is the theme of a rousing speech by Titus Quinctius Capitolinus (brother of Cincinnatus), in which he severely reproaches the Roman people by pointing out that their discord only served to invite further attacks from their neighboring foes.

In Book 4, which covers the years from 446 through 406 BCE, there is less storytelling and consequently few extended characterizations of individual figures, as Livy focuses on the continued failure of the plebeians to gain high office. In relating the struggle to remove the ban on marriage between patricians and plebeians, Livy again demonstrates the eloquence of his set speeches, as Canuleius, a plebeian tribune, refutes the patrician case for retaining the ban (4.3–5). The institution of the military tribunate with con-

thinks "the records have been vitiated by funeral eulogies and lying inscriptions under portraits, with every family falsely appropriating victories and magistracies to itself" (8.40); see also Cicero, *Brutus* 62.

73. On the Quinctii, see Appendix 1, pp. 415–8.

sular power and the censorship are reported together with the renewal of the treaty with Ardea (4.7). When civil strife breaks out at Ardea, the Romans intervene and colonize Ardea (4.9–10). Later, Livy gives an extended account of the killing of Spurius Maelius, who established a grain dole and was thought to be aiming at kingship. The aged Lucius Quinctius Cincinnatus was appointed dictator to deal with the situation, and Livy continues to portray the Quinctian brothers as upholders of aristocratic values (4.13–5). One of the prominent episodes in the wars during this period is the digression concerning the award of the spoils of honor (*spolia opima*) to Aulus Cornelius Cossus, who had killed the King of Veii (4.19–20). The book ends with Rome's acquisition of Anxur (later known as Terracina) and the beginning of the siege of the Etruscan city of Veii.

In Book 5 Livy creates an epic narrative with an abundance of stories about the Romans' capture of Veii and the Gauls' capture of Rome. The central figure of the book is Marcus Furius Camillus, whose involvement in the second of these two historic events has long been regarded as highly suspect. Much of the heroizing of Camillus is fictitious, a series of stories that developed over time to obscure the ignominy of Rome's capture by the Gauls. As a character he is unreal, a composite of various stereotypes:⁷⁴ the destined or fated leader at the time of his command at Veii; the triumphing general whom the people thought was committing sacrilege by using white horses to draw his triumphal chariot, seemingly making him the equal of Jupiter and the Sun (5.23); and also "a man who was most diligent in his attention to religious obligations" (5.50). When "fortune" granted him "an opportunity to show the valor that he had already displayed in war," he nobly refused the offer of the schoolmaster of Falerii to betray that city (5.26–7). Later, as Fate began her assault on Rome after the Romans had disregarded the gods' warnings of the Gauls' approach, Camillus, "Rome's only human help," was sent into exile (5.32) and so had no part in the Roman defeat at the Allia. After the Gauls had occupied most of Rome, "Fortune herself" brought a band of plundering Gauls to Ardea (5.43). And so Camillus, the destined leader, made a dramatic comeback. He was again appointed dictator and returned to Rome in the nick of time to drive out the Gauls.

Quintilian's observation of the "brilliant transparency" and unsurpassed portrayal of human emotions in Livy's narrative are exemplified by the following episodes of the Gallic invasion: the battle of the Allia, when men were drowned in the swirling waters of the Tiber, unable to swim or weakened by

74. Cornell 1995: 317: "the lifeless figure of Camillus, the most artificially contrived of all Rome's heroes."

the weight of their corselets and other armor; the eerie suspense in Rome as the Gauls approached the city but did not enter immediately; and the elderly senators who refused to take refuge on the Capitol, preferring to die in their own homes, wearing the insignia of the highest public offices they had held. The last scene is described through the eyes of the Gauls: "With a feeling akin to veneration, they saw beings seated in the vestibules—beings who . . . seemed most like gods in the majesty of their faces and gravity of expression" (5.41). The Romans besieged on the Capitol are described as being "more to be pitied than any other people who have been besieged because they were under siege, cut off from their fatherland, yet able to see all their possessions in the power of the enemy." It was "as if they had been placed there by fortune to view the spectacle of their country's demise" (5.42).

Near the end of Book 5, a magnificent speech is attributed to Camillus in which he eulogizes the city of Rome, her history, and her religious traditions as he advocates rebuilding the city rather than relocating to Veii. The pentad concludes with an omen confirming the decision to rebuild Rome and the beginning of the reconstruction, thus recalling one of the early stories of Book 1: the original foundation of Rome.

Note on the Text and Translation

My translation attempts to be literal rather than free. This approach aims to help the modern reader appreciate Livy as not only a superb literary artist but also as a historian whose achievement has all too often been underestimated in modern times.

In so far as is possible, original metaphors have been preserved in order to retain the effects intended by Livy. Care also has been taken to avoid the importation of new or false metaphors. On the other hand, particularly complex Latin sentences have been broken up into shorter and simpler sentences closer in style to conventional English. These practices help keep the translation exact in literal meaning while also conveying the vitality and flow of Livy's narrative.

Minimal background in Greco-Roman culture is assumed. The notes are intended both for general readers and for students with more specialized interests. Readers are encouraged to consult the *Oxford Classical Dictionary* (3rd edition, revised 2003) and to examine other translations, while also taking note of the original Latin. To this end, key Latin words are given where appropriate.

My translation uses the 1974 Oxford Classical Text of Livy 1–5, edited by R. M. Ogilvie (referred to throughout the text as *OCT*), and reference is made in the notes to Ogilvie's 1965 commentary on the same books. For notes on historical and historiographical questions, the basic reference is Cornell's *The Beginnings of Rome* (1995).

Three appendices following the translation outline the careers and the genealogies of the major figures in the early republic, discuss Livy's attitude toward Augustus, and examine Roman religion in Livy's first pentad.

Acknowledgments

Davina McClain has been unstinting with her perceptive and constructive advice. I am most fortunate to have had her as a reader, and Julie Laskaris as a second reader. My editor, Rick Todhunter, provided continual encouragement and patient support. Working with the entire Hackett team has been a pleasure. Finally, my appreciation and gratitude go to Ernst Badian, Cynthia Damon, and Jerzy Linderski.

Cambridge, Massachusetts
April 2006

Select Bibliography

Reference Works

- Beard, M., J. North, and S. Price. 1998. *Roman Religions*. Vol. 1, *A History*. Cambridge: Cambridge University Press.
- Beard, M., J. North, and S. Price. 1998. *Roman Religions*. Vol. 2, *A Sourcebook*. Cambridge: Cambridge University Press.
- Broughton, T. R. S. 1952. *The Magistrates of the Roman Republic*. 3 vols. Reprinted edition 1984–1986. Atlanta, GA: Scholars Press.
- Cornell, T. J. 1995. *The Beginnings of Rome: Italy and Rome from the Bronze Age to the Punic Wars, c. 1000–264 BC*. London and New York: Routledge.
- Corpus Inscriptionum Latinorum*. 1863. Berlin.
- Dessau, H., ed. 1892–1962. *Inscriptiones Latinae Selectae* 2919. Reprinted 1962. Berlin.
- Foster, B. O. 1919. *Livy*. 14 vols. Loeb Classical Library. Cambridge, MA: Harvard University Press.
- Glare, P. G. W., ed. 1982. *Oxford Latin Dictionary*. Oxford: Oxford University Press.
- Hornblower, S., and A. Spawforth, eds. 2003. *Oxford Classical Dictionary*. Revised 3rd edition. Oxford: Oxford University Press.
- Ogilvie, R. M. 1965. *A Commentary on Livy, Books 1–5*. Oxford: Oxford University Press.
- Ogilvie, R. M., ed. 1974. *Oxford Classical Text of Livy, History of Rome, Books 1–5*. Oxford: Oxford University Press.
- Packard, D. W. 1968. *A Concordance to Livy*. Cambridge, MA: Harvard University Press.
- Richardson, L., Jr. 1992. *A New Topographical Dictionary of Ancient Rome*. Baltimore, MD: Johns Hopkins University Press.
- Steinby, E. M. 1993–2000. *Lexicon Topographicum Urbis Romae*. Rome: Quasar.

Further Reading

- Badian, E. 1993. "Livy and Augustus." In *Livius: Aspekte seines Werkes*, edited by W. Schuller. Konstanz: Universitätsverlag Konstanz.

- Braund, D., and C. Gill, eds. 2003. *Myth History and Culture in Republican Rome: Studies in Honour of T. P. Wiseman*. Exeter: University of Exeter Press.
- Bruun, C. 2000. "What Every Man in the Street Used to Know: M. Furius Camillus, Italic Legends and Roman Historiography." In *The Roman Middle Republic: Politics, Religion, and Historiography, c. 400–133 B.C.*, edited by C. Bruun. Rome: Institutum Romanum Finlandiae.
- Chaplin, J. D. 2000. *Livy's Exemplary History*. Oxford: Oxford University Press.
- Cornell, T. J. 1986. "The Formation of the Historical Tradition of Early Rome." In *Past Perspectives*, edited by I. S. Moxon, J. D. Smart, and A. J. Woodman. Cambridge: Cambridge University Press.
- Cornell, T. J. 2003. "Coriolanus: Myth, History and Performance." In *Myth History and Performance*, edited by D. Braund and C. Gill, pp. 73–97. Exeter: University of Exeter Press.
- Cornell, T. J. 2005. "The Value of the Literary Tradition Concerning Archaic Rome." In *Social Struggles in Archaic Rome: New Perspectives on the Struggle of the Orders*, edited by Kurt Raaflaub. 2nd edition, Malden, MA: Blackwell.
- Davies, J. P. 2004. *Rome's Religious History: Livy, Tacitus and Ammianus on Their Gods*. Cambridge: Cambridge University Press.
- Edwards, C. 1996. *Writing Rome*. Cambridge: Cambridge University Press.
- Feldherr, A. 1998. *Spectacle and Society in Livy's History*. Berkeley: University of California Press.
- Forsythe, G. 1999. *Livy and Early Rome: A Study in Historical Method and Judgment*. Stuttgart: Steiner.
- Forsythe, G. 2005. *A Critical History of Early Rome: From Prehistory to the First Punic War*. Berkeley: University of California Press.
- Grandazzi, A. 1997. *The Foundation of Rome: Myth and History*. Translated by J. M. Todd. Ithaca: Cornell University Press.
- Holloway, R. R. 1994. *The Archaeology of Early Rome and Latium*. London: Routledge.
- Jaeger, M. 1997. *Livy's Written Rome*. Ann Arbor: University of Michigan Press.
- Kraus, C. S., ed. 1994. *Livy. Ab Urbe Condita, Book VI*. Cambridge: Cambridge University Press.
- Kraus, C. S., and A. J. Woodman. 1997. *Latin Historians*. Oxford: Oxford University Press.
- Levene, D. S. 1993. *Religion in Livy*. Leiden and New York: Brill.
- Linderski, J. 1990. "The Auspices and the Struggle of the Orders." In *Staat und Staatlichkeit in der frühen römischen Republik*, edited by W. Eder. Stuttgart: Steiner.
- Linderski, J. 1993. "Roman Religion in Livy." In *Livius: Aspekte seines Werkes*, edited by W. Schuller. Konstanz: Universitätsverlag Konstanz. Reprinted in *Roman Questions*, 1995.

- Linderski, J. 1995. *Roman Questions*. Stuttgart: Steiner.
- Luce, T. J. 1965. "The Dating of Livy's First Decade." *Transactions of the American Philological Association* 96: 209–40.
- Luce, T. J. 1977. *Livy: The Composition of His History*. Princeton, NJ: Princeton University Press.
- Luce, T. J., trans. 1998. *The Rise of Rome, Books 1–5*. Oxford: Oxford University Press.
- Miles, G. B. 1995. *Livy: Reconstructing Early Rome*. Ithaca, NY: Cornell University Press.
- Moles, J. 1993. "Livy's Preface." *Proceedings of the Cambridge Philological Society* 39.
- Oakley, S. P. 1997. *A Commentary on Livy Books VI–X*. Vol. 1. Oxford: Oxford University Press.
- Oakley, S. P. 1998. *A Commentary on Livy Books VI–X*. Vol. 2. Oxford: Oxford University Press.
- Oakley, S. P. 2002. Appendix in Livy, *The Early History of Rome*, translated by A. de Selincourt, with an Introduction by R. M. Ogilvie and a Preface and additional material by S. P. Oakley. London: Penguin.
- Orlin, E. M. 1997. *Temples, Religion and Politics in the Roman Republic*. Leiden: Brill.
- Purcell, N. 2003. "Becoming Historical: The Roman Case." In *Myth History and Performance*, edited by D. Braund and C. Gill, pp. 12–40. Exeter: University of Exeter.
- Raaflaub, K. A. 2005. *Social Struggles in Archaic Rome: New Perspectives on the Conflict of the Orders*. Expanded and updated 2nd edition, Malden, MA: Blackwell.
- Ridley, R. T. 1986. "The 'Consular Tribune': The Testimony of Livy," in *Klio* 68: 444–65.
- Treggiari, S. M. 1991. *Roman Marriage*. Oxford: Oxford University Press.
- Vasaly, A. 1987. "Personality and Power: Livy's Depiction of the Appii Claudii in the First Pentad," *Transactions of the American Philological Association* 117: 203–26.
- Vasaly, A. 1999. "The Quinctii in Livy's First Pentad: The Rhetoric of Anti-rhetoric," in *Classical World* 92: 513–30.
- Warrior, V. M. 2002. *Roman Religion: A Sourcebook*. Newburyport, MA: Focus Press.
- Watson, A. 1993. *International Law in Archaic Rome: War and Religion*. Baltimore, MD: Johns Hopkins University Press.
- Wiseman, T. P. 1979. *Clio's Cosmetics*. Leicester: Leicester University Press.
- Wiseman, T. P. 1986. "Monuments and the Roman Annalists." In *Past Perspectives*, edited by I. S. Moxon, J. D. Smart, and A. J. Woodman, pp. 87–101. Cambridge: Cambridge University Press. Reprinted in *Historiography and Imagination: Eight Essays on Roman Culture*. Exeter: University of Exeter Press, 1994, pp. 37–47.
- Wiseman, T. P. 1994. "The Origins of Roman Historiography." In *Historiography and Imagination: Eight Essays on Roman Culture*. Exeter: University of Exeter Press.

- Wiseman, T. P. 1995. *Remus: A Roman Myth*. Cambridge: Cambridge University Press.
- Wiseman, T. P. 1998. *Roman Drama and Roman History*. Exeter: University of Exeter Press.
- Wiseman, T. P. 2002. "History, Poetry and *Annales*." In *Clio and the Poets: Augustan Poetry and the Traditions of Ancient Historiography*, edited by D. S. Levene and D. P. Nelis. Leiden: Brill.
- Woodman, A. J. 1988. *Rhetoric in Classical Historiography*. London: Croom Helm.
- Zorzetti, N. 1980. "The *Carmina Convivialia*." In *Symptica: A Symposium on the Symposium*, edited by O. Murray. Oxford: Oxford University Press.

Chronology

All dates are BCE and follow the Varronian chronology; many are traditional or approximate.

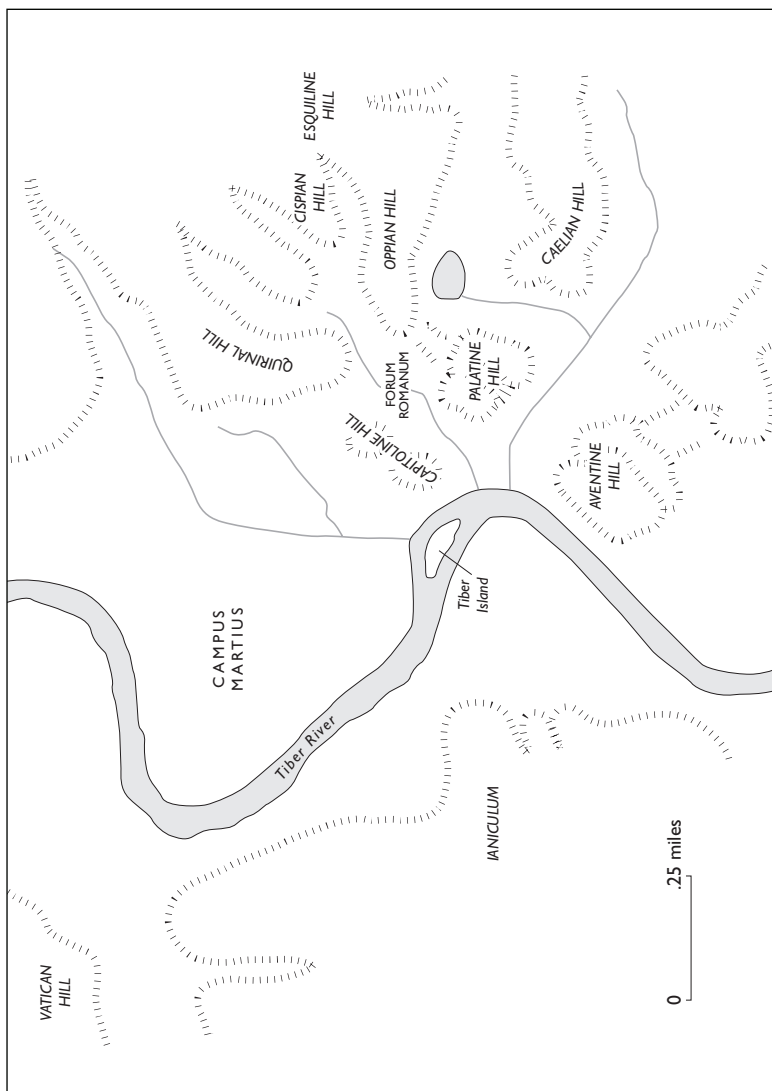
c. 753	Traditional date of the foundation of Rome.
753–716	King Romulus.
716–653	King Numa.
653–641	King Tullus Hostilius.
641–617	King Ancus Marcius.
617–578	King Tarquinius Priscus.
578–535	King Servius Tullius.
535–510	King Tarquinius Superbus.
c. 509	Expulsion of the kings; beginning of the republic with institution of two annual magistrates (consuls); dedication of temple of Jupiter Capitolinus.
508–507	King Lars Porsenna, king of Clusium, attacks and besieges Rome.
504	Migration of Claudian family to Rome.
501	Appointment of first dictator.
499	Battle of Lake Regillus between Rome and Latin League.
495	Consulship of Appius Claudius; problem of debtors.
494	First Secession of the Plebs; institution of the tribunate of the plebs.
493	Treaty of Spurius Cassius with the Latins.
491	Coriolanus defects to the Volsci.
488	Coriolanus marches against Rome but withdraws.
486	Treaty of Rome with the Hernici; intermittent warfare with Volsci and Aequi over the next fifty years; Spurius Cassius proposes an agrarian bill.

- 485 Spurius Cassius is indicted, condemned, and executed.
- 482–474 War with Etruscan city of Veii.
- 477 Defeat of the Fabii near the river Cremera.
- 471 Publilian law transfers election of tribunes to the Tribal Assembly; their number is increased to five. Consulship of Appius Claudius, son of the consul of 495.
- 470 Appius Claudius is indicted and is reported to have died before his trial.
- 468 The Romans capture Antium.
- 462 Plebeian tribune Terentilius' bill to limit the power of the consuls by having written laws is shelved.
- 461 Livy's first mention of the Sibylline books.
- 460 Capitol is seized by exiles and slaves led by the Sabine Appius Herdonius. The consul Valerius is killed in the recovery of the Capitol.
- 458 Cincinnatus, as dictator, defeats the Aequi on Mount Algidus.
- 457 Ten tribunes of the plebs are elected.
- 456 Aventine hill is opened for settlement.
- 454 Terentilius' bill is abandoned; envoys sent to consult the laws of Solon.
- 451 Appointment of the First Decemvirate. Ten laws are written and passed.
- 450 The Second Decemvirate. Publication of Laws of the Twelve Tables.
- 449 The decemvirs continue in power; secession of the plebs; Valerio-Horatian laws are passed, restoring the power of the tribunate.
- 445 Canuleian law removes ban on marriage between patricians and plebeians. Three military tribunes with consular power elected in place of two consuls.
- 444 Rome's treaty with Ardea renewed.
- 443 Censorship established.

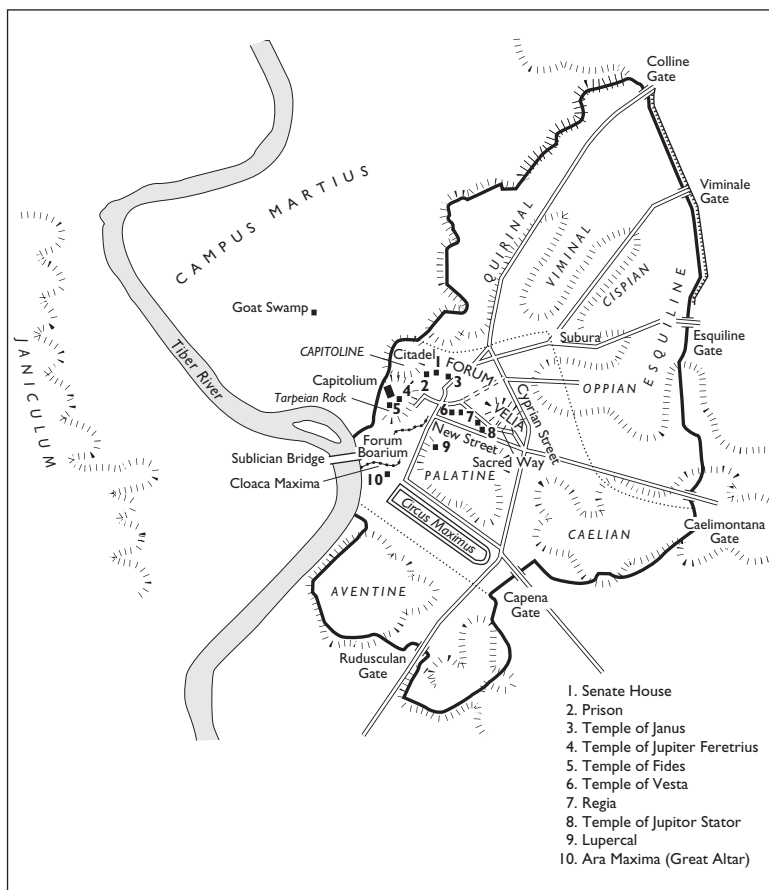
- 440/439 Spurius Maelius institutes a grain dole and is killed while resisting arrest.
- 437 Aulus Cornelius Cossus kills the king of Veii and wins the *spolia opima*.
- 431 The Romans defeat the Aequi and Volsci near Mount Algidus.
- 426 Rome captures Fidenae.
- 421 Number of quaestorships increased to four; office opened to plebeians.
- 409 Three plebeians elected as quaestor.
- 406 Capture of Volscian Anxur (Tarracina).
- 399 First celebration of *lectisternium*.
- 396 Capture of Veii.
- 391 Gauls defeat Romans at battle of the Allia.
- 390 Gauls sack Rome and then withdraw.



Italy



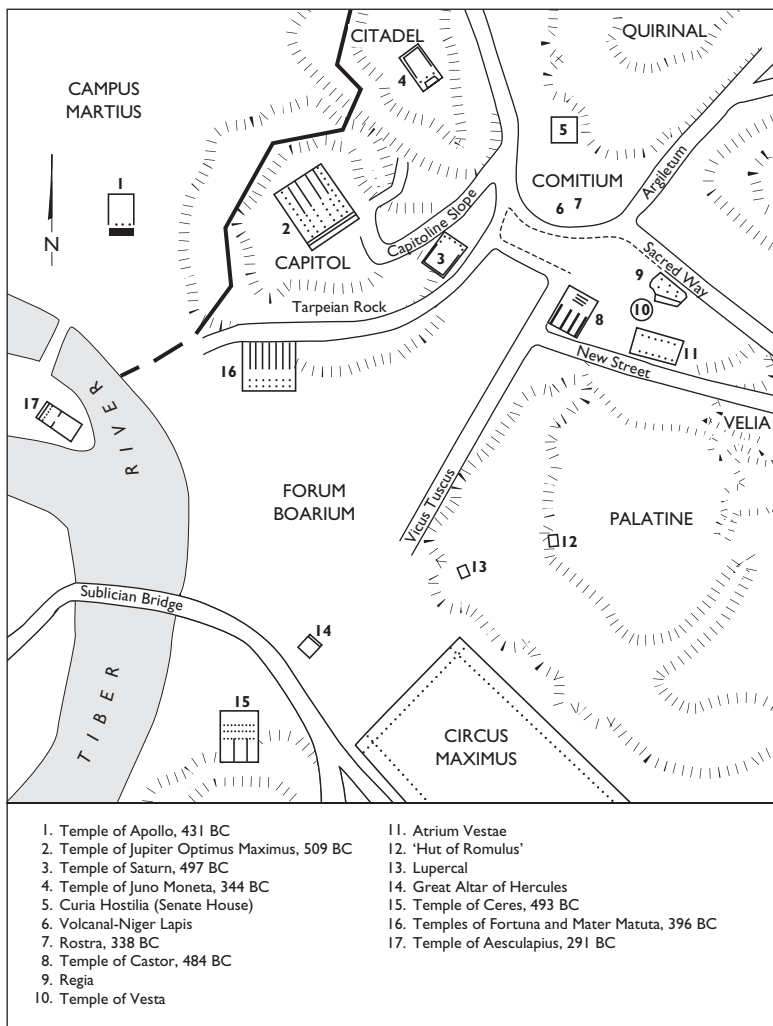
The Hills of Rome



Rome in the Period of the Kings



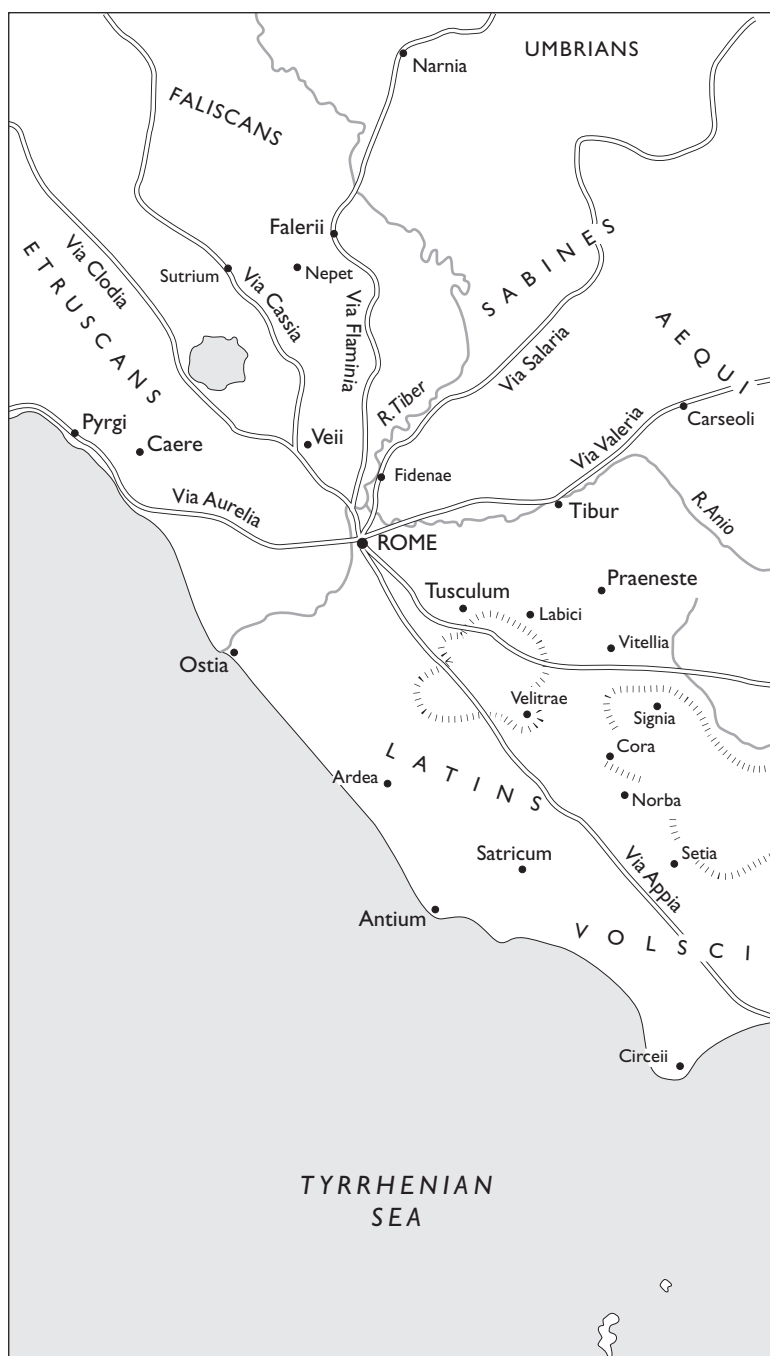
Latium in the Period of the Kings



The Center of Rome in the Early Republic



Latium and Surrounding Areas in the Early Republic

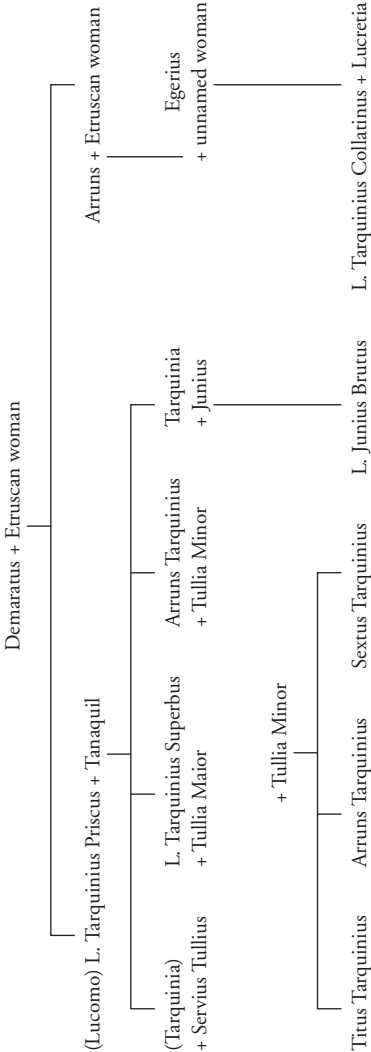


The Major Roads of Central Italy in the Mid-Republic

0 5 10 15 20 miles



STEMMA*
Tarquin Family Tree



*This stemma courtesy of T. Davina McClain.

BOOK 1

Preface¹

(1) Whether I am going to receive any return for the effort if I record the history (*res*) of the Roman people from the foundation of the city, I do not really know.² Nor, if I did know, would I dare to say so. (2) Indeed I see that the subject is both old (*vetus*) and generally known, because new writers always believe either that they are going to bring some greater authenticity to the subject matter or that they will surpass the unpolished attempts of antiquity (*vetustas*) in literary style.³

(3) However that will be, it nevertheless will be a pleasure to have celebrated, to the best of my ability, the memory of the past achievements of the greatest people on earth.⁴ If my own reputation should remain obscure amid

1. It was a tradition for ancient historians to set the tone and establish the aims and focus of the work they were undertaking by making some prefatory remarks. The length and elaboration of Livy's Preface, however, sets it apart from those of previous historians, since it forms a separate historiographical essay that is, nonetheless, integral to the understanding of the narrative. For analysis of this Preface, see Moles 1993: 141–68, and also Woodman 1988: 128–34.

2. The first words of the Latin (*facturusne operae pretium sim*) form the first three and a half feet of a dactylic hexameter, as Quintilian noted (*Training in Oratory* 9.4.74). This hexameter opening poses a question about the relationship between poetry and historiography; see Moles 1993: 163 with n. 3. The final sentence of the Preface (13), noting “if we had the same custom as the poets,” returns to this theme; see n. 18.

return for the effort: the Latin *operae pretium* literally means “a return or recompense for effort or trouble (*opera*).” The theme of work, effort, or undertaking recurs throughout the Preface, as evinced in the words *opera*, *opus*, and *labor*. The phrase *operae pretium* recurs at 3.26 and 5.21 in the first pentad.

3. *greater authenticity*: the Latin *certius aliquid* means “more certain, more reliable.”

unpolished attempts of antiquity: the Latin phrase *rudis vetustas* literally means “crude or unpolished antiquity,” with the noun *vetustas* recalling the earlier occurrence of the adjective *vetus*, which in turn contrasts with the new writers (*novi scriptores*) with whom Livy implicitly identifies himself. By the end of the Preface, however, it is apparent that he intends to surpass them all.

4. *memory of the past achievements*: Latin *rerum gestarum memoria*. The Latin *memoria* literally means “memory, remembrance, recollection,” and hence, as here, collective memory, tradition, and also history; see Kraus and Woodman 1997: 51.

such a crowd of writers, I would console myself with the renown and greatness of those who stand in the way of my fame. (4) The subject, moreover, is an immense undertaking, since it goes back more than 700 years and, having started from small beginnings, has so increased that it is now laboring under its own size.⁵ I have no doubt that the earliest origins and the immediately succeeding period will give less delight to the majority of readers who are hurrying to these recent times in which the might of a most powerful people has long been destroying itself.⁶

(5) But, on the contrary, I shall seek this additional reward for my labor so that I may turn away from the contemplation of the evils that our age has seen for so many years and, for the short time that I am absorbed in retracing those early days, be wholly free from the concern, which, even though it could not divert the writer's mind from the truth, might nonetheless cause anxiety.⁷

(6) The intent is neither to affirm nor refute the traditions that belong to the period before the foundation of the city or the anticipation of its foundation, for these are embellished with poetic tales rather than based on uncorrupted records of historical events.⁸ (7) To antiquity is granted the indulgence of making the beginnings of cities more impressive by mingling

5. *undertaking . . . laboring . . .*: the Latin *opus* (undertaking) has the same root *opera* in the opening sentence of the Preface. Note also the verb *laboret* (labors), which introduces a new synonym that is picked up in the following paragraph by *laboris praemium* (reward for labor), which, in turn, is a subtle variant on the opening phrase *operae pretium*.

6. *these recent times*: Latin *ad haec nova*. The adjective *novus* means new, young, fresh, recent. The Latin *res nova*, literally "a new thing," can mean a novelty or innovation but also can mean revolution. Livy's phrase thus has a double meaning: recent *and* revolutionary times.

7. *evils that our age . . .*: the Latin *mala*, literally "bad things," is a general reference to the political upheavals of the late republic and to the anxieties of "recent times" (see n. 6), the period in which Livy was writing. Compare Woodman (1988: 132–4), who takes this and the previous sentence as an allusion to the civil wars of the 30s, suggesting that Livy wrote the Preface before the battle of Actium, while these wars were still in progress. But it is only with hindsight that it is apparent that Octavian's victory over Antony and Cleopatra at Actium in 31 BCE marked the end of the civil wars that had plagued the Mediterranean world since Julius Caesar crossed the Rubicon in 49 BCE. Octavian's assumption of the title of *Augustus* in 27 BCE would not have immediately lessened the fears of those who remembered the proscriptions of the late 40s and the subsequent elimination of virtually all his opponents; see Introduction, pp. vii–ix.

8. *The intent is . . .*: implicitly Livy's own intent, but here, as in the impersonal reference to "the writer" in the previous sentence, he has abandoned the first-person usages that are so marked in the preceding sentences, before returning to the first-person singular in (8).

uncorrupted records: Latin *incorrupta monumenta*. The Latin *monumentum* is literally "something that brings to mind, a remembrancer"; thus, a memorial or monument, and hence, as here, a record. See also (10) with n. 14. On the problem of the corrupting of public records, see 8.40 and Introduction, p. xiv.

human affairs with the divine.⁹ And if any people should be allowed to sanctify their origins and reckon their founders as gods, surely the military glory of the Roman people is such that, when they claim that their father and the father of their founder was none other than Mars, the nations of the world tolerate this claim with the same equanimity with which they tolerate our dominion.¹⁰ (8) But these and similar things, however they will be regarded and judged, I shall not for my own part regard as of great importance.

(9) The following are questions to which I would have every reader direct close attention: the kind of lives men lived; what their moral principles were; by what individuals and by what skills, both at home and in the field, our dominion was born and grew.¹¹ Then let him follow how at first, as discipline gradually collapsed, there was, as it were, a disintegration of morals; then note how more and more they slipped and finally began to fall headlong until we have reached the present times in which we can tolerate neither our own vices nor their remedies.¹²

(10) This is the particularly healthy and productive element of history:¹³ to behold object lessons of every kind of model as though they were displayed on a conspicuous monument.¹⁴ From this, you should choose for

9. *impressive*: the Latin word *augustiora* is the same epithet that Augustus adopted as his title in 27 BCE, an occurrence that could be more than coincidental, depending on when the Preface was completed.

10. For Livy's treatment of this story, see 1.3–4 with notes and Introduction, p. xxi.

11. *born and grew*: note the metaphor of birth and growth that is followed by metaphors indicating physical collapse, remedies, and reference to “the healthy and productive element of history” (10).

12. *discipline gradually collapsed* . . . : The OCT reads “*labante . . . dissidentes*,” the former from *labo*, *labare* (give way, totter), and the latter from *disideo*, *dissidere* (fall apart, disagree). Thus we have first a metaphor of a house collapsing and disintegrating, followed by a different metaphor: slipping (from *labor*, *labi*, *lapsus*—slip, glide) and falling headlong down a slope. The *lab-* roots, though etymologically unconnected, are reminiscent of the noun *labor* and the verb *laborare*; see (4) and (5) with n. 5.

the present times in which we can tolerate . . . : another probable allusion to the continuing anxieties of the post-Actium years. Woodman (1988: 132–4), however, suggests that *vitia* are a reference to the civil wars and *remedia* to the prospect of autocracy or dictatorship. Note also the recurrence of the verb “tolerate” (*pati*, to suffer, put up with, endure).

13. *healthy and productive*: the Latin *salubre* and *frugiferum* recall the metaphor of *remedium* in the previous sentence.

14. *behold*: the primary meaning of *intueri* is to “behold, look, or gaze at”; hence, contemplate. On this section, see the comments of Feldherr 1998: 1–12.

object lessons: Latin *exempli documenta*. See Kraus and Woodman (1997: 56), who emphasize the distinction between *documentum*, “a lesson or teaching tool,” deriving from *docere* (to teach), and *exemplum*, “something to be copied.”

conspicuous monument: according to the *Oxford Latin Dictionary* (referred to throughout this translation as “OLD”), the Latin *illustre* literally means “bright, pervaded with light” (OLD

yourself and for your state what to imitate and what to avoid as abominable in its origin or as abominable in its outcome.¹⁵

(11) But either the love of the task I have undertaken deceives me, or there has never been a state that is greater, or more righteous, or richer in good examples.¹⁶ Nor has there been one where greed and luxury migrated so late into the citizenry, nor where there has been such great respect for small means and thrift.¹⁷ (12) The less men had, the less was their greed. Recently riches have brought in avarice, and excessive pleasures have led to a desire to ruin ourselves and destroy everything through excess and self-indulgence.

But complaints are bound to be disagreeable, even when they will perhaps be necessary; so at least let them be absent from the beginning of this great enterprise. (13) Rather we would begin with good omens and, if we had the same custom as the poets, with prayers and entreaties to the gods and goddesses to grant us the blessing of success as we start this great undertaking.¹⁸

1). As Kraus and Woodman (1997: 55) note, *monumentum* is a word that can denote either a physical structure or a literary work. This, moreover, is a “conspicuous” *monumentum* on which *exempla* are to be viewed and contemplated. On the theme of the commemorative monument in Livy, see Jaeger 1997. On a different level, Moles (1993: 154–5) sees Livy’s use of *monumentum* as possibly deriving from the poet Ennius, while also evoking Thucydides’ claim (1.21) that his work would be a possession forever. Thus, despite the disclaimer in the second sentence of the Preface, Livy wants his history to be a *monumentum* forever.

15. *you should choose for yourself and for your state*: note the change to the second-person singular, as Livy addresses and thus involves both the reader and his state in the study of the lessons of history; see Kraus and Woodman 1997: 53–4.

abominable: the Latin adjective *foedus* means “foul, loathsome, shameful, unseemly, appalling”; it, or the cognate noun, recurs in a number of particularly shocking incidents, e.g., 1.6 and 1.28, the deaths of Remus and Mettius Fufetius.

16. *task*: the Latin *negotium* literally means “business, occupation.”

more righteous: the Latin *sanctus* is connected with the verb *sancire*, “to make sacred or inviolable,” and means being conscientious in religious matters, doing the right thing, and thus being “pious” or “dutiful.”

17. *migrated so late into the citizenry*: a marked metaphor, implying that greed and luxury were alien characteristics that eventually became Roman, in the same way that many immigrants and foreign peoples were granted Roman citizenship.

18. *Rather we would begin . . .*: note the shift back to the first-person plural in these concluding remarks, as Livy becomes more explicit about the relationship between historiography and poetry.

if we had the same custom . . .: writing in the late first century CE, Quintilian (*Training in Oratory* 10.1.31) says that historiography is very close to poetry and, in a sense, a poem in prose, written to tell a story, not to prove a point. See also n. 2 on the opening words of the Preface, which form the first three and a half feet of a dactylic hexameter, the meter of epic poetry.

great undertaking: in this final sentence, the Latin *tantum operis* recalls the “immense undertaking” (*inmensi operis*) of (4); see n. 5.

Book 1

1. The story of the arrival in Italy from Troy of Antenor and Aeneas. Aeneas allies with King Latinus, marries his daughter Lavinia, and founds Lavinium.

Now, first of all, there is sufficient agreement that when Troy was captured, vengeance was visited upon the other Trojans. In the case of Aeneas and Antenor, however, the Greeks observed the ancient right of hospitality and did not impose the right of conquest on these two men, since they had always advocated peace and the return of Helen.¹ Each of them had different adventures. Antenor is said to have come to the uppermost gulf of the Adriatic sea, together with a group of Eneti who had been driven from Paphlagonia by revolution.² They had lost their king, Pylamenes, at Troy and were seeking a home and a leader. Driving out the Euganei who lived between the sea and the Alps, the Trojans and Eneti took possession of this territory. The place they first landed is named Troy, and so the district is called Trojan. The entire people are known as Veneti.

Aeneas was an exile from his home because of a similar disaster; but the fates guided him to initiate greater achievements. First he came to Macedonia, then he sailed to Sicily as he sought a place to settle, and from Sicily he held course for the territory of Laurentum.³ This place is also called Troy. There the Trojans disembarked. Having nothing except their arms and ships

1. *there is sufficient agreement that . . .* : with these words Livy begins a long passage in reported speech, thus distancing himself from the stories of early Rome that he is about to tell (cf. Pref. 6). Livy concedes the power of the tradition, but the modifier “sufficient” implies neither his belief nor his disbelief in these particular stories. For discussion of this section, see Miles 1995: 23–31.

Aeneas and Antenor: Trojans who escaped from Troy when it was taken by the Greeks. Aeneas, son of the goddess Venus and the mortal Anchises, eventually arrived in Italy, where his descendant Romulus later founded Rome. Antenor went to a different part of Italy, where he founded Patavium, modern Padua, the birthplace of Livy.

Helen: wife of the Greek Menelaus. She was abducted by the Trojan prince Paris, thus causing the Trojan War.

2. *Paphlagonia*: an area on the southern shore of the Black Sea.

3. *Laurentum*: an area in Latium about fifteen miles south of Rome. The poet Virgil covers this story in the first six books of the *Aeneid*.

after their almost endless wanderings, they began to plunder the fields. King Latinus and the Aborigines, the occupants of the region at that time, armed themselves and rushed from the city and fields to repel the violence of the invaders.

At this point, there are two versions of what happened next. Some sources say that Latinus was conquered in battle, made peace with Aeneas, and contracted a marriage alliance. Others report that when the battle lines were drawn up, Latinus came forward among his chieftains before the signal could be given and summoned the foreigners' leader to discuss the situation. He asked what kind of men they were, where they had come from, what misfortune had caused them to leave their home, and what they wanted in Laurentine territory.⁴ He was told that they were Trojans; their leader was Aeneas, son of Anchises and Venus; their fatherland had been burned; they were exiles from their home and were looking for a place to settle and a site on which to found a city. Latinus marveled at the noble renown of the race and the man, and at his spirit, prepared alike for war or peace. So, he offered his right hand as a pledge of their future friendship. A treaty was made between the leaders, the armies saluted each other, and Aeneas became a guest in the house of Latinus. There, before his household gods, Latinus added a domestic treaty to the public one by giving his daughter in marriage to Aeneas.

This event strengthened the Trojans in the hope that their wanderings were at last ended and that they were settled in a permanent abode. They established a town that Aeneas called Lavinium after the name of his wife, Lavinia.⁵ Soon a child was born of the recent marriage, a boy whom his parents named Ascanius.

4. *what kind of men they were*: the Latin *mortales* in this context suggests that Latinus wondered whether they were more than "men"—i.e., immortal or divine; compare 1.7 with n. 26, where Evander recognizes Hercules as being more than a mortal and asks him which hero he was. A hero was an individual who was believed to have been deified after his death and so was worshiped as a demigod, a class between gods and men.

5. *Lavinium*: a town nineteen miles south of Rome. This town was an important federal center of the Latin peoples. Thirteen large altars dating from the sixth to the second centuries BCE and a fourth-century BCE shrine to a hero (*heroon*) built over a seventh-century burial mound have been discovered there; see 1.16 with n. 55, for the likelihood that such a *heroon* was built for Romulus in the Roman forum. The Penates, the ancestral gods of Rome, said to have been brought by Aeneas from Troy, were venerated here, and Roman magistrates and priests were required to attend the annual ceremonies; see Cornell 1995: 66–8, and Beard 1998(2): 12–3.

2. Aeneas fights with the Rutulians and Etruscans. He is killed in battle and subsequently worshiped as a local version of Jupiter.

War was soon made on the Aborigines and Trojans alike. Turnus, the king of the Rutulians, had been engaged to Lavinia before Aeneas' arrival.⁶ Angry that a foreigner had been preferred to him, he attacked both Aeneas and Latinus. The outcome of the conflict did not bring joy to either side. The Rutulians were conquered; the Aborigines and Trojans, though victorious, lost their leader Latinus. Discouraged by the situation, Turnus and the Rutulians turned for help to the realm of the Etruscans and their king, Mezentius, who ruled over Caere, a wealthy town at that time.⁷ From the beginning, Mezentius had been by no means pleased with the birth of the new city, thinking that the Trojan state was growing far too much for the safety of its neighbors. So, he readily joined forces with the Rutulians.

Confronted with such a formidable war and the need to win over the minds of the Aborigines, Aeneas called both peoples Latins so that everyone would not only be under the same law, but also the same name. From that time on, the Aborigines' dedication and loyalty to King Aeneas was no less than those of the Trojans. Aeneas relied on the spirit of these two peoples, who daily became more united. But Etruria was so powerful that not only the lands, but also the sea along the extent of Italy from the Alps to the straits of Sicily were filled with the glory of her name. Although he had the power to drive an enemy from the city walls, Aeneas nonetheless led his troops into the field to fight. The Latins were successful in battle, but it was the last of Aeneas' mortal labors. Whatever it is lawful and right that he be called, be it god or man, he is buried by the river Numicus. Men call him Jupiter Indiges.⁸

6. *Rutulians*: an Italic people living in the area of Ardea, south of Lavinium.

7. *Etruscans*: a non-Indo-European-speaking people who, according to the Greek historian Herodotus 1.94, came from Asia Minor (southwest Turkey). They lived to the north of the Tiber and were eventually conquered by the Romans. Scholars continue to debate the origins of the Etruscans, also known as Tuscans.

Caere: modern Cerveteri, an ancient Etruscan city thirty miles north of Rome.

8. *lawful and right*: the Latin *ius* is the law of man, civil law, as opposed to *fas*, what is lawful or right in the eyes of the gods. Livy shows a cautious piety in his handling of Aeneas' deification, perhaps even implying skepticism.

he is buried: see 1.1 with n. 5, on the possible *heroon* at Lavinium.

Numicus: a small river near Lavinium.

Jupiter Indiges: probably a local deified hero, with whom Aeneas became identified.

3. *Ascanius founds Alba Longa. The list of Alban kings, from Ascanius down to Numitor and Amulius, spans the period from the years after the fall of Troy (c. 1200 BCE) through the early eighth century and the traditional date of the founding of Rome by Romulus (c. 753 BCE).*

Aeneas' son Ascanius was not yet old enough to rule. Nonetheless his realm remained intact until he reached manhood, thanks to Lavinia. She was such a strong character that the Latin state and kingdom of Ascanius' grandfather and father stood firm in the meantime, under a woman's guardianship. I shall not dispute this matter—for who could confirm as a certainty something that is so ancient?—whether it was this Ascanius or an elder brother whom Creusa bore while Troy still was intact, the one who was his father's companion in his flight and whom the Julian family claims as the founder of its name.⁹ This Ascanius, wherever he was born and whoever his mother was—it is certainly agreed that his father was Aeneas—left Lavinium to his mother (or stepmother),¹⁰ since it was already a comparatively flourishing and wealthy city with an excess of people. He founded another new town at the foot of the Alban Mount, which was called Alba Longa because it stretched along a ridge. Between the foundation of Lavinium and the establishing of the colony of Alba Longa, there was a period of thirty years.¹¹ Their resources had increased so greatly, especially after the defeat of the Etruscans, that neither Mezentius nor the Etruscans nor any other neighbors dared stir up war; not even after Aeneas' death, nor later during the woman's guardianship and the young man's first attempts at ruling. Under a peace treaty, the river Albula, which men now call the Tiber, became the boundary between the Etruscans and Latins.

Silvius, the son of Ascanius, was the next to reign; he happened to have been born in the woods.¹² He was the father of Aeneas Silvius. Next came Latinus Silvius. He planted several colonies that were called the Ancient

9. *Creusa*: Aeneas' first wife, who was lost in the flight when Troy was captured. In the *Aeneid*, Virgil follows the tradition that Ascanius was the son of Creusa.

Julian family: Julius Caesar asserted his family's claim to be descended from Venus via Aeneas and his son Ascanius, who is also known as Iulus; see Virgil, *Aeneid* 1.267–8.

10. Note Livy's almost humorous interpolation concerning Ascanius' paternity and the question of whether Lavinia was his mother or stepmother.

11. *Alba Longa*: a Latin town in the Alban hills near modern Castel Gandolfo; see Beard 1998(2): 11–2.

12. *Silvius*: an adjective deriving from *silva*, meaning “woods” or “forest.”

Latins. All those who ruled at Alba had the name Silvius. From Latinus came Alba; from Alba, Atys; from Atys, Capys; from Capys, Capetus; from Capetus, Tiberinus. This last king was drowned while crossing the river Albula, thus giving to posterity the river's famous name. Then came Agrippa, the son of Tiberinus. Romulus Silvius ruled after Agrippa, receiving the kingship from his father. He was struck by a thunderbolt and was succeeded by Aventinus, who is buried on that hill which is now part of the city of Rome, thus giving his name to the hill. Proca, the father of Numitor and Amulius, was the next ruler. He bequeathed the ancient kingdom of the Silvian family to Numitor, his eldest son. But violence was more powerful than the father's wishes or respect for age. Amulius drove his brother out and became king. Adding crime to crime, he killed his brother's male children and, under the pretext of honoring his brother's daughter Rhea Silvia, selected her to be a priestess of Vesta.¹³ By condemning her to perpetual virginity, he deprived her of the hope of bearing children.

4. The story of the birth of Romulus and Remus, their exposure, and their rescue.

To the fates, as I suppose, was owed the origin of this great city and the beginning of the mightiest empire that is second only to that of the gods.¹⁴ The Vestal was raped and produced twins. She claimed that Mars was the father of her doubtful offspring, either because she believed this or because it was more honorable to put the blame on a god.¹⁵ But neither gods nor men protected her or her children from the king's cruelty. The priestess was put in chains and imprisoned, and the king ordered the baby boys to be thrown into the current of the river. By some heaven-sent chance, the Tiber

13. *Vesta*: goddess of the hearth who was worshiped as a living flame in a circular shrine in the Roman forum. This flame was tended by her priestesses, the Vestals, who had to remain chaste for the duration of their service to the goddess. The penalty for unchastity was burial alive. In historical times the Vestals were chosen from young girls of Roman noble families. They entered the goddess' service between the ages of six and ten, and were free to leave and marry after thirty years. The original number of four Vestals was later raised to six.

14. *as I suppose*: note the implied skepticism of the authorial first person. Also to be noted throughout this episode is the variety of attributions to different anonymous sources that distances Livy from the tales that he is reporting.

15. *Mars*: originally an Italic god of vegetation who soon became associated with the Greek war god Ares. See Pref. 7 for Livy's comment on the Roman claim that Mars was the founder of the Roman people.

had overflowed its banks, forming stagnant pools that made it impossible to approach the actual river. The men who brought the children hoped they might be drowned despite the sluggish water. Making a pretense of discharging the king's orders, they exposed the children on the edge of the floodwater where the Ruminalis fig tree now stands. Formerly, they say, it was called the Romularis.

The area at that time was a vast deserted region. The story persists that the floating basket in which the children had been exposed was left high and dry by the receding water. Coming down from the surrounding mountains, a thirsty she-wolf heard the infants' cries and turned in their direction. She gave the infants her teats so gently that the master of the royal flock found her licking them with her tongue. This man's name was Faustulus, as the story goes. He took the children to his hut to be reared by his wife Larentia. There are some who think that this miraculous story originated because Larentia was called "she-wolf" among the shepherd community, since she had been a prostitute.¹⁶ This, then, was the birth and rearing of the boys. As soon as they were grown to manhood, they began to hunt in the forests, while also working on the farm and with the flocks. In this way they achieved strength of body and mind. They not only confronted wild beasts but attacked robbers who were laden with plunder. What they took they divided among the shepherds, joining them in work and play as their group daily grew larger.

5. While celebrating the festival of the Lupercalia, Romulus and Remus are ambushed by robbers. The capture of Remus leads to the discovery of the twins' parentage and the killing of Amulius.

Tradition has it that the merry festival of the Lupercalia was already established on the Palatine. This hill was named Pallantium after Pallanteum, a city in Arcadia; it later became Palatium.¹⁷ Evander, an Arcadian who in-

16. she-wolf: *lupa* is also the Latin word for "prostitute."

17. *Lupercalia*: an ancient festival of purification celebrated annually on February 15, the origins and purpose of which are obscure. The name evidently derives from *lupus* ("wolf"), though goats and dogs were sacrificed as part of the celebration. Young men, naked except for goatskin girdles, ran around striking bystanders, especially women, with goatskin thongs, perhaps to promote fertility.

Palatine: the derivation of Palatine, one of the seven hills of Rome, from Pallanteum is dubious, but Livy is especially fond of giving explanations for the names of well-known locations. From Palatium derives our word "palace," since it was on the Palatine that prominent wealthy Romans, and subsequently the emperors, had their palatial dwellings.

habited the area many years before, is said to have established the annual rite, importing it from Arcadia. At this festival young men run about naked, sporting and frolicking as they honor Lycaean Pan, whom the Romans afterward called Inuus.¹⁸ The day of the ritual was generally known. So when Romulus and Remus were engrossed in this celebration, they were ambushed by some robbers who were angry at the loss of their plunder. Romulus forcibly defended himself, but Remus was captured and handed over as a prisoner to King Amulius. Accusations were freely made, the main charge being that the youths had attacked Numitor's fields and plundered them with an organized gang of youths, just like an enemy. And so, Remus was handed over to Numitor for punishment.

Now right from the start Faustulus had hoped that the children he was rearing were of royal birth. He knew that children had been exposed on the king's order and that the time matched the very time that he rescued them. He had, however, been unwilling to reveal the matter prematurely until either opportunity or necessity intervened. Necessity came first. Forced by fear, he revealed the facts to Romulus. By chance Numitor was also reminded of his grandsons. For he had heard of the twin brothers while Remus was in his custody. Then he had thought about their age and temperament, which was not at all slavish. And so, after making further enquiries, he had all but acknowledged Remus. From all sides, a net of guile was being woven against King Amulius. Romulus made his attack on the king, though not with his band of youths—he was not yet strong enough to use open violence. He ordered his men to come by different routes to the king's palace at an appointed time. Remus collected another group and came to their assistance from Numitor's house. And so he killed the king.¹⁹

18. *Arcadia*: a mountainous area of the Peloponnese in Greece.

Lycaean: the name derives from a mountain in Arcadia where Pan was worshiped.

Pan: a Greek god whose name means "guardian of flocks." He was represented as half man, half goat. His father was Hermes.

Inuus: the fertilizing god; literally, "the one who enters."

19. *he killed*: Livy does not specify the subject of this verb, perhaps intentionally. Since Remus is the subject of the last clause, he would seem to be the killer and thus both a regicide and the killer of his great-uncle. Foster's Loeb translation and the Luce translation (1998), however, assume that Romulus did the deed, presumably because Romulus' actions dominate the rest of the section.

6. *Numitor is restored to the kingship. Romulus and Remus decide to found a new city but then quarrel. They consult the gods to resolve who should give his name to this city and who should be king.*

At the beginning of the disturbance, Numitor kept insisting that an enemy had invaded the city and attacked the palace. He drew off the Alban fighting men to defend and garrison the citadel. After the killing of Amulius, he saw the young men approaching to congratulate him. He immediately summoned a council and revealed his brother's crimes against him, his grandsons' parentage—how they had been born, reared, and recognized—and lastly the killing of the tyrant, for which he was responsible. Romulus and Remus marched with their men through the midst of the assembly and saluted their grandfather as king. From the entire crowd there arose a unanimous shout of assent, thus ratifying the king's name and his power.

After entrusting the government of Alba to Numitor, Romulus and Remus were seized by a desire to establish a city in the places where they had been exposed and raised. The number of Albans and Latins was more than enough; in addition to this group, there were also the shepherds. All of these men easily created the hope that Alba and Lavinium would be small in comparison with the city that they were founding. But these thoughts were interrupted by the ancestral evil that had beset Numitor and Amulius—desire for kingship. From quite a harmless beginning, an abominable conflict arose.²⁰ Since Romulus and Remus were twins and distinction could not be made by respect for age, they decided to ask the protecting gods of the area to declare by augury who should give his name to the new city and who should rule over it after its foundation. Romulus took the Palatine and Remus the Aventine, as the respective areas from which to take the auspices.²¹

20. *abominable conflict*: the adjective *foedus* means “loathsome, shameful, shocking”; see Pref. 10 with n. 15.

21. *augury*: a sign from the gods that indicated their approval of a proposed course of action. Compare English “to augur well” and “to inaugurate.”

auspices: literally, “the observation of birds,” but also more widely applied to other types of divination—i.e., interpreting the will of the gods from various signs.

7. *Livy gives two versions of the death of Remus. In context of Romulus' fortification of the Palatine, Livy tells the story of the institution of the cult of Hercules at the Great Altar in Rome by Evander, a Greek exile.*

Remus is said to have received the first augury, six vultures. This augury had already been announced when twice the number appeared to Romulus. Each man was hailed as king by his own followers. Remus' men based their claim to the throne on priority; Romulus' followers on the number of birds. Arguments broke out, and the angry conflict resulted in bloodshed. Amid the throng, Remus was struck dead. The more common story is that Remus leaped over the new walls, jeering at his brother. He was killed by the enraged Romulus, who added the threat, "So perish whoever else shall leap over my walls." Thus Romulus became the sole ruler and the city, so founded, was given its founder's name.

Romulus' first act was to fortify the Palatine where he himself had been raised.²² He offered sacrifice to the other gods according to the Alban ritual, and to Hercules according to the Greek ritual instituted by Evander.²³ There is a tradition that, after killing Geryon, Hercules drove his cattle into this area.²⁴ He swam across the Tiber river, driving his exceptionally fine cattle in front of him. Wary from his journey, he lay down near the river in a grassy spot where he could let the cattle rest and refresh themselves with the

22. *fortify the Palatine*: the Latin verb *munire* can mean "to fortify, build, strengthen, or protect." Recent excavations have uncovered the remains of a wall built of clay and timber on a stone foundation, dating c. 730–720 BCE, along the lower northeast slope of the Palatine hill. The question is whether this was the *pomerium* (the sacred boundary of the city) or simply a fortification wall; see Grandazzi (1997: 148–59 with bibliography), who strongly favors the hypothesis that this is the *pomerium* attributed to Romulus by the literary sources. Thus "fortify the Palatine" could well be an allusion to the story of Romulus' establishing the *pomerium*, which is related in detail by Plutarch, *Life of Romulus* 11.

23. *the Alban ritual*: the Alban, later the Roman, mode of sacrifice was with the head covered, whereas in Greek practice the head was uncovered.

Hercules: a Greek hero who was worshiped in Rome at the Great Altar (*Ara Maxima*) in the Cattle Market (*Forum Boarium*) near the Tiber. After his death he was recognized as the son of Jupiter (Zeus), deified and worshiped as a hero; compare the deification and subsequent hero-worship of Aeneas, who also had a divine parent.

Evander: a Greek who had come to Rome from Arcadia; see 1.5. The name means "Good-man," as opposed to the shepherd called Cacus, "Badman."

24. *Geryon*: the killing of Geryon, a triple-bodied or triple-headed monster, was the tenth of Hercules' labors and is said to have taken place in Spain. Compare Virgil's version of this story in *Aeneid* 8.184–279.

abundant pasture. Heavy with food and wine, he fell into a deep sleep. A ferociously strong shepherd called Cacus, an inhabitant of the area, was taken with the beauty of the cattle and wanted to steal them. But he realized that if he drove them directly into his cave, the tracks would lead their master there when he began to look for them; and so he dragged the finest animals backward by the tail into the cave. At dawn Hercules awoke, looked over the herd and realized that some were missing. He went to the nearest cave to see whether by chance the tracks led in that direction. But all the tracks faced in the opposite direction and did not lead anywhere. Confused and puzzled, he began to lead the herd out of the strange place. While they were being driven away, some of the cows lowed because, as often happens, they missed the bulls that were left behind. The responding low of those that were shut in the cave caused Hercules to turn around. As he advanced to the cave, Cacus forcibly tried to keep him off. Calling in vain for the shepherds to help him, he was struck by Hercules' club and fell dead.

At that time, Evander, an exile from the Peloponnese, controlled the area more by personal authority than sovereign power. He was revered for his wonderful skill with the alphabet, a novelty among men who were untutored in such arts. He was even more revered on account of his mother, Carmenta, who was believed to be divine and was admired as a prophetess before the Sibyl's arrival in Italy.²⁵ Evander was aroused by the throng of shepherds who were excitedly mobbing the foreigner and accusing him of blatant murder. Seeing that the man's bearing and stature were greater and more impressive than those of a human, Evander listened to what had happened and the reason for the deed. Then Evander asked which hero he was.²⁶ On hearing his name, father, and country of origin, he said, "Hail Hercules, son of Jupiter! My mother, a truthful interpreter of the gods, declared that you would increase the number of the gods and that here an altar would be dedicated to you, which the race that was destined one day to be the most powerful on earth would call the Greatest Altar, tending it with rites in your honor."

Hercules offered his right hand, saying that he accepted the omen and would fulfill the prophecy by establishing and dedicating an altar. A fine cow was taken from the herd, and the first sacrifice was made to Hercules. Offi-

25. *Sibyl*: the Sibyl of Cumae, the priestess of Apollo. Cumae, a Greek colony in southern Italy near Naples, was founded c. 730 BCE. In Virgil's *Aeneid* (Book 6), the Sibyl gives Aeneas an inspired prophecy and is his guide to the underworld. On the Sibylline books of prophecy, see 3.10 and 5.13 with notes.

26. *which hero he was*: Evander recognizes the extraordinary nature of Hercules, calling him a "hero" (*vir*); compare Latinus' greeting of Aeneas at 1.2, n. 4.

ciating at the feast were the Potitii and Pinarii, families who at that time were especially prominent in the area. By chance it happened that the Potitii arrived on time and were offered the victim's entrails. The Pinarii, however, came after the entrails had been eaten but in time for the rest of the feast. Thus, as long as the family of the Pinarii endured, the practice remained that they did not eat entrails at this festival. Trained by Evander, the Potitii officiated at this sacrifice for many generations until the whole family died out when this solemn family function was handed over to public slaves.²⁷ This was the only foreign rite undertaken by Romulus. Even then Romulus was already honoring the immortality that is won by valor, an honor to which his own destiny was leading him.²⁸

8. After attending to religious matters, Romulus gives his people laws and assumes symbols of authority. He increases the population by opening a refuge for slaves and freemen alike and appoints a hundred senators.

After duly performing the religious observances, Romulus summoned his men to an assembly and gave them laws, since there was no way other than by law that they could become a unified community. He thought the rustic population more likely to be bound by these laws if he made himself venerable by adopting symbols of office. Not only did he make himself more impressive in his way of dressing, but he also assumed a retinue of twelve lictors.²⁹ Some sources think that this number derived from the number of birds that had augured and portended his rule. But I have no problem with the opinion of those who consider that the attendants and their number derive from the neighboring Etruscans, who also are the source of the magistrates' curule chair and the *toga praetexta*.³⁰ The Etruscans had this number

27. Livy tells this story at 9.29. In 312 BCE, the censor Appius Claudius taught the ritual to the public slaves. The tradition is that this change in the ritual caused offense to the gods. As a result of the gods' anger, the family of Potitii died out within the year, and Appius later became blind.

28. *immortality*: Livy here foreshadows the deification of Romulus reported in 1.16, as Romulus pays cult to the deified Hercules. Note also in the text that Evander immediately recognized Hercules' superhuman nature, as Evander asked Hercules which hero he was.

29. *lictors*: minor state officials who preceded the king, and later the consuls, carrying axes and rods (*fusces*) to symbolize the right to execute and flog wrongdoers.

30. *curule chair* and *toga praetexta*: a chair inlaid with ivory and a toga with a broad purple

because each of their twelve communities contributed one lictor after they united to elect a king.

Meanwhile the city was growing as the Romans included one area after another within the city's defenses. They were building more in expectation of a future population than for the number of men they currently had. Then, so that this large city was not empty, Romulus resorted to a plan for adding to the population that had long been used by founders of cities, who gather a host of shady, low-born people and put out the story that children had been born to them from the earth. In this way, Romulus opened a place of asylum in the area that is now enclosed between the two groves as you come down the Capitoline. The entire rabble from the neighboring peoples fled there for refuge. They came without distinction, slaves and freemen alike, eager for a fresh start. This was the first move toward beginning the increase of Rome's might.

Now that he was satisfied with Rome's strength, Romulus prepared to add deliberation to strength. He appointed a hundred senators, either because that number was sufficient or because there were only a hundred men who could be made senators. They were called "fathers" (*patres*) because of their rank, and their descendants were called "patricians."

9. Denied intermarriage with the neighbors, the Romans invite them to a festival and carry off their women.

Already Rome was so strong that she was the equal of any of the neighboring states in war. But the lack of women meant that Rome's greatness would only last for the current generation, since the Romans neither had the hope of offspring at home nor intermarriage with their neighbors. On the advice of the senators, Romulus sent ambassadors around the neighboring tribes to seek alliance and intermarriage for the new people. The envoys argued that cities too, like everything else, start from the most humble beginnings; that great wealth and a great name are achieved by those cities that are helped by their own valor and the gods. It was enough to know that the gods had attended Rome's birth and that its people's valor would not fail. The Romans were men like themselves, and so, as neighbors, they should not be reluctant to mingle their blood and stock with them.

stripe were the insignia, under the republic, of the most important magistrates—censors, consuls, praetors, and curule aediles.

Nowhere did the embassy get a kindly reception. The neighboring peoples rejected them, at the same time fearing, for both themselves and their descendants, the great power that was growing in their midst. Dismissing the envoys, many asked whether the Romans had also opened a refuge for women, since that at least would be a way to get wives who were their equals. The young Romans resented this attitude, and things were undoubtedly beginning to look violent. In order to arrange an appropriate time and place for his plan, Romulus hid his resentment and carefully prepared a solemn festival in honor of Neptune as patron of horses, which he called the *Consualia*.³¹ Then he ordered that the spectacle be announced to the neighboring peoples. With all the pageantry within the knowledge and resources of those times, the Romans prepared to celebrate this festival, publicizing it to create expectation.

Many people came in their eagerness to see the new city, particularly the nearby inhabitants of Caenina, Crustumium, and Antemnae.³² All the Sabines came too, together with their children and wives. They were hospitably entertained in every home, and, after seeing the layout of the city with its walls and numerous buildings, they marveled at the rapidity of Rome's growth. The time for the show arrived, and, while everyone's eyes and thoughts were intent upon it, the prearranged violence broke out. At a given signal, the Roman youths rushed in every direction to seize the unmarried women. In most cases the maidens were seized by the men in whose path they happened to be. But some exceptionally beautiful girls had been marked out by the leading men of the senate and were carried off by plebeians who had been given that task.³³ One girl who far outshone the rest in appearance and beauty was seized, as the story goes, by the gang of a certain Thalassius. When asked to whom they were taking her, they kept shouting "To Thalassius" to prevent anyone else from violating her. This is the origin of the wedding cry.³⁴

31. *Neptune*: Poseidon, later identified with the Roman Neptune, is said to have produced a horse by striking the ground with his trident.

Consualia: a festival in honor of Consus, a Roman god of the granary. Horse races were held in his honor, hence the association with Neptune.

32. *Caenina*: probably northeast of the site of Fidenae in the Tiber valley.

Crustumium: some three miles farther east of Caenina.

Antemnae: probably near the mouth of the Anio, where it joins the Tiber.

33. *plebeians*: the less privileged group of Roman citizens, as opposed to the senators or patricians.

34. An etiology invented to explain the origin of the Roman wedding cry *Talassio*, which could be the dative of the name *Thalassius*, meaning "to Thalassius."

The games broke up in fear and confusion. The maidens' parents fled, charging the Romans with the crime of violating hospitality. They invoked the god to whose solemn rite they had come only to be deceived in violation of religion and good faith.³⁵ The abducted maidens were no more hopeful of their plight, nor less enraged. But Romulus himself went around, telling them that this had happened because of their parents' arrogance in refusing intermarriage with neighbors. Nevertheless, he said, women would have the full rights of marriage, having a share in their possessions, Roman citizenship, and the dearest possession that the human race has—children.³⁶ They should calm their anger and give their hearts to those to whom chance had given their bodies. For, he said, often affection has eventually come from a sense of injustice. They would find their husbands kinder because each would try not only to fulfill his obligation, but also to make up for the longing for their parents and homeland. The men spoke sweet words to them, trying to excuse their action on the grounds of passionate love, a plea that is particularly effective where a woman's heart is concerned.

10. Romulus kills the king of Caenina and dedicates the spoils of honor (spolia opima) to Jupiter Feretrius.

The resentment of the abducted women had already been greatly mollified, but their bereft parents, wearing squalid garments, were arousing their states to action with tears and lamentations.³⁷ Nor did they confine their expressions of anger to their hometowns, but converged from all directions on the house of Titus Tatius, king of the Sabines. Embassies also came there because of the greatness of Tatius' name in the area. The people of Caenina, Crustumerium, and Antemnae who were most affected by this injustice thought that Tatius and the Sabines were slow in taking action. So, these three peoples prepared a joint campaign. Yet not even the peoples of Crustumerium and Antemnae moved quickly enough to satisfy the burning anger of the people of Caenina, who invaded Roman territory on their own. But Romulus encountered them with his army as they were scattered and engaged in plundering. In a quick fight he taught them the futility of anger without strength. He routed their army, put them to flight, and pursued

35. *religion and good faith*: an old legal formula.

36. Romulus' offer articulates the Roman ideal of family and civic values.

37. *wearing squalid garments*: the ritual dress of mourners who traditionally wore soiled and torn clothing.

them in their disarray. In the fighting, he killed the king and stripped the armor from the corpse. Once the enemy leader was dead, Romulus took the city at the first attack.

Romulus then led back the victorious army. Magnificent in action, he was no less eager to publicize his achievements. So, he hung the spoils of the slain enemy commander on a frame made to fit the purpose and went up to the Capitol, carrying it himself. He set it down by an oak tree sacred to the shepherds and, at the same time as he made his offering, marked out the boundary of a temple to Jupiter and gave the god an additional title, declaring: "To you, Jupiter Feretrius, I, Romulus, victor and king, bring spoils taken from a king.³⁸ On this site that I have just marked out in my mind, I dedicate a precinct to be a place for the spoils of honor (*spolia opima*) that men of the future, following my example, will bring to this place when they have slain kings and enemy commanders." This was the origin of the first temple that was consecrated in Rome.

In the ensuing years, it has been the will of the gods that the words of the temple's founder were not in vain when he declared that posterity would bring spoils to this place; nor has the honor of the gift been cheapened by many sharing it. Twice since then, over so many years and so many wars, have the spoils of honor been won: so rare is the good fortune of winning that distinction.³⁹

11. Antemnae and Crustumerium are defeated and colonized. Romulus grants amnesty and citizenship to the parents of the abducted Sabine women, but the traitor Tarpeia enables the Sabines to enter the Roman citadel. Livy gives three different versions of her death.

While the Romans were busy in Rome, the army of the Antemnates took the opportunity of their absence to raid Roman territory. But a Roman legion was quickly led against them; scattered in the fields, the Antemnates were overwhelmed.⁴⁰ At the first shout and attack, the enemy was routed

38. Livy here connects the title *Feretrius* with the verb *fero, ferre* (bring or carry) and the noun *ferculum*, meaning "the frame on which the spoils were carried."

39. *twice since then*: Aulus Cornelius Cossus won the spoils of honor in 437 BCE; see 4.20 and 4.32 with notes. Marcus Claudius Marcellus won them in 222 BCE after killing the king of the Insubrian Gauls, an event recorded in a lost book of Livy; see also Appendix 2, pp. 422–4.

40. *legion*: a smaller group of soldiers than an army. With considerable hyperbole, Livy attributes to Romulus an army to deal with the Caenenses (1.10) and now a mere legion to deal

and their town taken. As Romulus was exulting in his double victory, his wife Hersilia, wearied by the entreaties of the abducted women, begged him to grant amnesty to their parents and grant them citizenship, saying that by this means the state would grow in strength and harmony. Her request was easily granted. Romulus then set out against the people of Crustumium who were marching on Rome. In this case, there was even less of a struggle, because their spirit had collapsed as a result of the defeat of the others. Colonists were sent to both places, although more people were found to enroll their names for Crustumium because of the fertility of its soil. On the other hand, a number left and migrated to Rome, particularly parents and relatives of the abducted women.

The last war was with the Sabines, and it was by far the greatest. These people were not acting through anger or greed. Nor did they show any hint of war before the actual attack. Deception was also added to their strategy. Spurius Tarpeius was in command of the Roman citadel. With gold Tatius bribed this man's maiden daughter to let armed men into the citadel. By chance the girl had gone outside the walls to get water for a sacrifice.⁴¹ Once inside, they overpowered her with their weapons and killed her, either to make it appear that the citadel had been taken by force or to set an example that no one should anywhere keep faith with a traitor. There is also a tale that, because the Sabines generally wore heavy gold bands on their left arms and magnificently studded rings, she made a deal for what they had on their left hands. But instead of gifts of gold, they piled their shields on her. There are those who say that, in keeping with the agreement to hand over what they had in their left hands, she asked outright for their weapons, and, when it was apparent that she was tricking them, she perished by the reward she had demanded.

12. In the struggle between the Sabines and Romans, Romulus vows a temple to Jupiter the Stayer. The Sabine leader, Mettius Curtius, is plunged into a swamp.

Whatever the case, the Sabines got control of the citadel. The next day, when the Roman army was drawn up, covering the ground between the Palatine

with the army of the Antemnates. In both cases, Roman discipline triumphs over the disarray of the enemy, who are indulging in plunder.

41. One of the Vestals' tasks was to draw water from a spring outside the Capena Gate. But, unlike Virgil and Plutarch, Livy does not specifically identify the girl as a priestess of Vesta,

and the Capitoline hill, the Sabines did not come down to level ground until the Romans were coming up the hill on the attack, their minds goaded by anger and eagerness to recover the citadel. On either side the commanders led the fighting: Mettius Curtius leading the Sabines, and Hostius Hostilius the Romans. In the front line, though on unequal ground, Hostius upheld the Roman cause with courage and daring. When he fell, the Roman line immediately collapsed and was routed. Even Romulus himself was driven by the mob of fugitives to the old gate of the Palatine. Raising his weapons to the sky, he said, "Jupiter, it was at the bidding of your augural birds that I laid the city's first foundations here on the Palatine. The citadel has been bought by a crime and is in the hands of the Sabines. They have conquered the valley between the two hills and are now upon us, sword in hand. But, father of gods and men, keep them back, at least from here. Rid the Romans of their terror and stay their shameful flight! I hereby vow a temple to you as Jupiter the Stayer, to be a memorial for posterity that the city was saved by your presence and help." With this prayer, as if he realized that his words had been heard, he cried, "It is here, Romans, that Jupiter the Best and Greatest bids us stand and renew the fight!" As if bidden by a voice from the sky, the Romans made a stand, and Romulus himself rushed into the front line of battle.

On the Sabine side, Mettius Curtius had led the charge from the citadel, driving the Romans in disarray over the whole area of the forum. Now he was not far from the Palatine gate, shouting, "We have beaten our faithless hosts, a cowardly enemy.⁴² Now they know that it is one thing to steal maidens, another to fight with men." As he was uttering these boasts, Romulus attacked him with a band of the most ferocious Roman youths. Mettius happened at the time to be fighting on horseback. For that reason, he was more easily driven back. The Romans pursued him in his flight. Fired by their king's audacity, the rest of the Roman battle line put the Sabines to flight. Mettius' horse was terrified by the din of pursuit and plunged him into a swamp. The danger to their great hero caused the Sabines to wheel around. Mettius, his spirit encouraged by the support of the throng as his men gestured and shouted to him, made his escape. Romans and Sabines renewed the fighting in the valley that lies between the two hills. But the Romans had the upper hand.

nor does he name her. In other versions of the story her name is Tarpeia, the feminine form of her father's name, Tarpeius. The story of her treachery was probably invented to explain the name of the Tarpeian Rock from which traitors were traditionally thrown.

42. *hosts* . . . *enemy*: here Livy plays on the similarity between *hospites* (hosts) and *hostes* (enemy).

13. The Sabine women intervene and stop the battle. Romulus and Tatius are reconciled and rule jointly in Rome. Romulus divides the people into thirty wards and creates three centuries of knights.

At that point the Sabine women, whose abduction had given rise to the war, dared to advance amid the flying weapons, their womanish fear overcome by the terrible situation. With loosened hair and torn garments, they rushed in from the side, parting the battle lines and checking the battle rage.⁴³ Appealing on the one side to their fathers, on the other to their husbands, they begged fathers-in-law and sons-in-law not to defile themselves with impious bloodshed, nor stain with parricide the offspring of their blood—grandfathers their grandchildren, fathers their children.⁴⁴ “If you cannot bear the relationship between you,” they cried, “If you cannot bear the marriage bond, turn your anger upon us. We are the cause of war; we are the cause of wounds and death to our husbands and our fathers. Better that we die than live as widows or orphans, without either of you.” Their appeal moved both leaders and the rank and file. There was silence and a sudden hush.

Then the leaders came forward to make a treaty. They made not only peace, but also one state from two. They shared the kingship, transferring all power to Rome. In this way the city was doubled, and, so that the Sabines should be given something, the citizens were called Quirites, a name deriving from Cures.⁴⁵ As a memorial (*monumentum*) of the battle, they gave the name of Curtian Lake to the place where Curtius’ horse first emerged from the deep swamp and set him in the shallows.⁴⁶ The sudden joyful peace after such a grievous war made the Sabine women dearer to their husbands and parents, and above all to Romulus himself. And so, when he divided the people into thirty wards, he named the wards after the women.⁴⁷ Although

43. *loosened hair and torn garments*: ritual signs of mourning; see 1.10 with n. 37.

44. *parricide*: the act of killing one’s father or other close blood relative. Such an act was regarded as impious, incurring religious pollution; see 1.26 with n. 85, and 1.27 with n. 89.

45. *Cures*: a Sabine town. The derivation of *Cures* from *Quirites*, however, is unlikely. Connection with *curiae*, wards, is more probable; thus *Quirites* would mean “wardsmen.”

46. *Curtian Lake*: a depression in the Roman forum. Livy tells a different story about the origin of this name at 7.6; on this and other toponyms, see Introduction, p. xvii.

47. *wards*: Latin *curiae*, these were the oldest units of the Roman people, probably created for political and military purposes. Each ward consisted of a number of families and had its own religious rites. The organization of the people into three tribes (not specifically mentioned

the number of women was undoubtedly considerably more than thirty, the tradition does not say whether those who gave their names to the wards were chosen by lot, age, or according to their own rank or that of their husbands. At the same time, three centuries of knights were formed.⁴⁸ The Ramnenses were named for Romulus, the Titienses for Tatius; the reason for the name and origin of the Luceres, however, is unknown.⁴⁹ From this time the two kings ruled not only jointly, but also harmoniously.

14. *Death of Tatius and war with Fidenae.*

Several years later, relatives of King Tatius assaulted envoys of the Laurentians who protested under the law of nations. Tatius, however, was more influenced by partiality for his relatives and their pleas. As a result of this, he got what should have been their punishment. A mob gathered and killed him when he had gone to Lavinium for the annual sacrifice.⁵⁰ The story is that Romulus took this less badly than was proper, whether because of the disloyalty that is inherent in shared rule or because he thought that Tatius' murder was not unjustified. Consequently Romulus refrained from war but renewed the pact between Rome and Lavinium in order to expiate the insults to the envoys and the murder of the king.

Against all expectation, there was peace with the Laurentians. But another war broke out much nearer, indeed almost at the very gates of the city. The men of Fidenae,⁵¹ perceiving the increasing strength of such a close neighbor, decided to make war before Rome achieved the might that she clearly would. They sent out an armed band of young men who plundered the territory lying between Rome and Fidenae. Then, because the Tiber

by Livy) and thirty *curiae* is the oldest political system known at Rome, though it perhaps dates to the period when the Etruscan kings ruled Rome.

48. *centuries*: a military unit, theoretically consisting of one hundred men.

knights: the Latin *equites* literally means "horsemen, cavalry."

49. The names for these centuries may derive from Etruscan family names, although Romulus and his people had not yet encountered the Etruscans. Thus, we are perhaps dealing with an anachronistic tradition attributing this organization to Rome's founder.

50. *Lavinium*: the chief town of Laurentum, where Aeneas is said to have settled; see 1.1 with n. 5.

51. *Fidenae*: an Etruscan city, some five miles to the north of Rome on the left bank of the Tiber.

prevented them on the right, they turned left, causing devastation and great fear among the farmers. The sudden stampede from the fields into the city served as the announcement of war. Romulus immediately reacted—war with a neighbor made delay impossible. He led out the army and pitched camp a mile from Fidenae. Then, leaving a small guard, he marched on with all his forces, ordering some of the soldiers to lie in ambush in concealed positions amid the dense undergrowth. He himself set out with the greater number of the troops and all the cavalry.

By making a disorderly and menacing assault in which the cavalry rode almost to the very gates, he achieved his aim of drawing out the enemy. The same cavalry engagement provided a less surprising reason for their retreat, which had to be feigned. The cavalry were apparently undecided whether to fight or flee, and the infantry also began to retreat. At this point the enemy suddenly thronged the gates, pouring forth as the Roman battle line gave way. And so, in their eagerness to press on and pursue, the Fidenates were drawn into the place of ambush. There the Romans suddenly sprang out and attacked the enemy's flanks. To add to the panic, the standards of those who had been left on guard were advancing from the camp. Almost before Romulus and his men could rein in their horses and wheel around, the men of Fidenae turned tail and ran, stricken with terror from every direction. They made for the city in much greater disarray than that of the pretended fugitives whom they had previously pursued, though this time the flight was real. But they did not escape the enemy. The Romans followed close behind them, and, before the gates could be closed, both pursuers and pursued burst into the city, as if in a single line.

15. A Roman success against Veii. The conclusion of Romulus' reign.

The people of Veii were aroused by the war fever that spread from Fidenae, and by their kinship with the people of Fidenae, for they too were Etruscans.⁵² A further stimulus was the very proximity of Rome, should Roman arms be directed against all their neighbors. The Veientes invaded Roman territory more like marauders than men on a regular campaign. They did not pitch camp or wait for the enemy's army but returned to Veii with

52. *Veii*: a large Etruscan city, ten miles to the north of Rome on the other side of the Tiber. This city was captured by the Romans in 396 BCE after a long siege, one of the two main episodes of Book 5.

the booty they had seized from the fields. The Romans, when they did not find the enemy in the fields, crossed the Tiber, prepared and eager for a decisive fight. On hearing that the Romans were pitching camp and would be making an attack on the city, the people of Veii went out to meet them, preferring to fight a regular battle rather than to be besieged and forced to fight for their homes and city. By sheer force and without employing any strategy, the Roman king prevailed simply by the might of his seasoned army. He routed the enemy and pursued them up to the walls. But he refrained from attacking the city itself, since it was strongly fortified by both its walls and natural position. On his return he plundered the fields, more from a desire for revenge than for booty. The people of Veii, impelled by this disaster no less than by their defeat in battle, sent envoys to Rome to sue for peace. They were deprived of part of their land and given a truce for one hundred years.

These were the main achievements of Romulus' reign, at home and in the field. None of them is incompatible with the belief in his divine origin and the divinity that is attributed to him after his death—neither his spirit in recovering his grandfather's kingdom, nor his wisdom in founding the city and strengthening it by both war and peace. Indeed, the strength that he gave to Rome enabled her to have untroubled peace for the next forty years. He was more popular with the people than with the senators. Far above all, however, he was dearest to the hearts of the soldiers. Not only in war, but also in peace, he had 300 armed men as a bodyguard, whom he called the Swift Ones.

16. The mysterious disappearance of Romulus and a highly nuanced account of his subsequent deification.

After accomplishing these mortal deeds, Romulus was one day holding an assembly of the people on the Campus Martius near the Goat Swamp to review the army. Suddenly a storm arose with loud claps of thunder, enveloping him in a cloud so dense that it hid him from the view of the people. From then on Romulus was no longer on earth. The Roman people finally recovered from their panic when the turbulence was succeeded by a bright and sunny day. Seeing the king's throne empty, they readily believed the assertion of the senators who had been standing nearby that he had been snatched up on high by the storm. Nevertheless, they remained sorrowful and silent for some time, stricken with fear as if they had been orphaned. Then, on the initiative of a few, they all decided that Romulus should be hailed as a god,

son of a god, king, and father of the city of Rome.⁵³ With prayers they begged his favor, beseeching him to be willing and propitious toward the Roman people and to protect their descendants forever.

I suppose that there were some, even then, who privately claimed that the king had been torn into pieces by the hands of the senators.⁵⁴ This rumor also spread, though in enigmatic terms. But men's admiration for the hero and the panic felt at the time have given greater currency to the other version, which is said to have gained additional credence thanks to the plan of a single man.⁵⁵ The citizens, however, were troubled by their longing for the king and were hostile toward the senate. So, Proculus Julius, a man of authority, as the tradition goes—he was, after all, vouching for an extraordinary event—summoned a public assembly.⁵⁶ “My fellow citizens,” he declared, “Today at dawn, Romulus, the father of this city, suddenly descended from the sky and appeared before me. Overcome with fear and awe, I stood there, beseeching him with prayers that it might be permissible for me to gaze on him. But he said, ‘Depart, and proclaim to the Romans that it is the gods’ will that my Rome be the capital of the world. So let them cultivate the art of war; let them know and teach their descendants that no human strength has the power to resist the arms of Rome.’ With this pronouncement,” concluded Proculus, “Romulus departed on high.” It is astonishing

53. *on the initiative of a few*: a possible allusion to the decision of the triumvirs Antony, Lepidus, and Octavian to deify the assassinated Julius Caesar; see also nn. 56–7.

54. Note the authorial voice, “I suppose” (*credo*), and the implied similarity with the assassination of Julius Caesar.

55. *for the hero*: here Livy uses the same term that he used for Hercules, whom Romulus had worshiped, one of his first actions after fortifying the Palatine; see 1.7 with n. 23. For the heroizing of Aeneas, see 1.2 with n. 5. All three heroes were of divine parentage. Hero-cults had become widespread in Greece in the eighth century BCE, although divine parentage was not claimed for all heroes. In the Roman forum, a sanctuary (c. 580 BCE) was found containing an altar, perhaps a statue base, and the famous Black Stone with an archaic Latin inscription of the early sixth century bearing the word *recei*, from which the Latin *rex* (king) clearly derives. The stone is badly mutilated and difficult to interpret. The ancient sources conflict in their interpretation: some seem to have thought that it was the tomb of Romulus, though it did not contain his body; others that it commemorates the place where he met his death and disappeared. Cornell suggests that the former interpretation indicates that it was a *heroon*, a tomblike shrine to a hero, even though it did not contain a body; see Cornell 1995: 94–5.

56. *Proculus Julius*: the name can hardly be coincidental, thus inviting further comparison with the assassination of Julius Caesar and his subsequent deification that was proclaimed by his adopted son Octavian, who later became Augustus.

what credence was given to this man's story, and how the longing for Romulus felt by the people and army was alleviated by belief in his immortality.⁵⁷

17. *The interregnum.*

Meanwhile an ambitious struggle for the kingship engaged the minds of the senators. It had not yet come to a question of individuals, since no one in the new populace was particularly preeminent. There was a struggle between factions from two groups. Those of Sabine origin wanted the king to be chosen from their own body, because they had had no king from their side since the death of Tatius and so they did not want to lose control of government, despite their equal status. The original Romans, on the other hand, rejected the idea of a foreign king. Nevertheless, despite their different inclinations, all wanted to be ruled by a king, for they had not yet experienced the sweetness of liberty.⁵⁸ Then, since many neighboring states were disaffected, the senators became alarmed that a state without government and an army without a commander would be assailed by violence from outside. It was decided that there should be some head of state, but nobody could make up his mind to yield to another. And so the hundred senators shared the power among themselves, setting up groups of ten and appointing one man for each group to preside over the government. Ten men exercised authority, but only one had the insignia of command and the lictors; the command was limited to a period of five days and passed to all in rotation. For a year the kingship (*regnum*) lapsed. This interval was called an *interregnum*, a name that it still has today.

The people were grumbling that their servitude had been multiplied: they now had a hundred masters instead of one. It was apparent that they would allow nothing except a king, one chosen by them. When the senators realized that these ideas were stirring, they thought that they should spontaneously offer what they were about to lose. So, they won the people's favor by granting them supreme power on such terms that they gave away no more of their privilege than they retained. They decreed that, when the people had chosen a king, their choice should be valid only if it was ratified

57. *It is astonishing what credence . . .* : probably an ironic comment on the effect of Romulus' deification and another possible allusion to Octavian's proclamation of Julius Caesar's deification.

58. *liberty*: Livy here foreshadows the main theme of Book 2.

by the senators. Today also, the same right is exercised in voting for laws and magistrates, though it is robbed of its force because the senators ratify the outcome of an election in advance, before the people can vote.⁵⁹ Then the *interrex* summoned the assembly and said, "Citizens, may what you are about to do be propitious, favorable, and fortunate.⁶⁰ Choose your king! This is the will of the senate. Then, if you choose one who is worthy to succeed Romulus, the senate will ratify your choice." This so pleased the people that they did not want to give the appearance of being outdone in goodwill, and so they merely resolved that the senate should decide who should be king in Rome.

18. Numa Pompilius is chosen as king. Livy refutes the story that Numa and Pythagoras were contemporaries.

In those days, Numa Pompilius was famed for his justice and his sense of obligation to the gods.⁶¹ He lived in the Sabine town of Cures and was most learned—inasmuch as anyone of that time could be—in all law, both divine and human. In default of another name, people claim that Pythagoras of Samos was his teacher. But it is established that Pythagoras lived in the reign of Servius Tullius, which was more than a hundred years later, and that he gathered bands of devoted disciples on the distant shores of Italy around Metapontum, Heraclea, and Croton.⁶² So, even if he had belonged to that time, how could his fame have reached from that area to the Sabines? What common language would he have used to excite anyone with a desire to learn? How could a solitary man have safely made his way through peoples so different in speech and customs? Therefore, I think that Numa's mind and moral principles derived from his own native disposition. He was trained not by foreign learning, but by the strict and severe teaching of the Sabines, the most incorrupt of ancient peoples.

59. This change was initiated by the Publilian Law of 339 BCE.

60. *propitious, favorable, and fortunate*: this is the ritual form of prayer that prefaced every public and private undertaking.

61. The Latin *religio* literally means "a sense of obligation to the gods, religious respect, awe." Other translators often use "piety"; see Appendix 3, pp. 425–6.

62. The traditional dates of Numa's reign are 715 to 673 BCE, whereas the Greek philosopher Pythagoras came to southern Italy c. 530 BCE. Servius Tullius is said to have reigned from 578 to 535 BCE.

Metapontum, Heraclea, and Croton: Greek colonies in southern Italy.

When Numa's name was proposed, the Roman senators thought that the power would shift to the Sabines if the king were chosen from them. Nevertheless nobody dared to propose himself, anyone of his own faction, or indeed any other of the senators or citizens in preference to this great man. So they unanimously decided that the kingship be offered to Numa Pompilius. When summoned, Numa ordered that, just as Romulus had assumed the kingship by augury at the foundation of the city, so too the gods should be consulted in his case. Then he was led to the citadel by an augur who thereafter, as a mark of honor, held a sacred office that became a permanent function of the state.⁶³ Numa sat on a stone, facing south. On his left sat the augur, his head covered, holding in his right hand a crooked staff without knots, which is called a *lituus*. There, looking out over the city and countryside, he prayed to the gods and marked the regions from east to west, designating those to the south as "right," and those to the north as "left." He fixed in his mind a sign opposite him, as far as the eye can reach. Then, transferring his staff to his left hand and placing his right hand on Numa's head, he uttered the following prayer: "Father Jupiter, if it is the will of the gods that this man, Numa Pompilius, whose head I am touching, be king in Rome, then reveal to us sure signs within the boundaries that I have set." Then he specified the auspices that he wished to be sent. Sent they were, and so Numa was declared king and came down from the sacred area of augury.

19. To ensure peace, Numa builds a temple to Janus and attempts to replace fear of the enemy with fear of the gods. Livy notes the recent closing of the temple of Janus by Augustus. Numa attributes his religious measures to the advice of a goddess, Egeria.

Having received the kingship in this way, Numa prepared to give the new city that had been founded by force of arms a new foundation in justice, law, and proper observances. But he realized that it was not possible in the midst of wars to accustom men whose minds were brutalized by military service to such changes: the warlike spirit of his people must be softened by their giving up the use of arms. He therefore built a temple of Janus at the foot of the Argiletum, as an indicator of peace and war so that, when open, it

63. *augur*: a specialist in divination. Augurs belonged to one of the four major colleges of priests.

signified that the state was at war; when closed, that all the surrounding people were pacified.⁶⁴ Twice since the reign of Numa, it has been closed: once during the consulship of Titus Manlius after the First Punic War, and the second time, which the gods granted our generation to see, after the war at Actium, when the commanding general Caesar Augustus achieved peace on land and sea.⁶⁵

Numa closed the temple after he had first won over the minds of all the neighboring peoples with alliances and treaties. But he was afraid that relief from foreign dangers might cause the spirit that had been held in check by military discipline and fear of the enemy to become soft from idleness. The first thing to do, he thought, was to instill in them a fear of the gods, on the assumption that it would be most effective with a populace that was unskilled and, for those days, primitive. Since he could not get through to their minds without inventing some miraculous story, he pretended that he had nocturnal meetings with the goddess Egeria. On her advice, he said, he was establishing rites that had the highest approval of the gods and he was appointing priests for each of the gods.

First of all, he divided the year into twelve months, according to the revolutions of the moon. The moon, however, does not supply thirty days for each individual month, and so the lunar year is eleven days short of the full year that is marked by the sun's revolution. Accordingly, he inserted intercalary months in such a way that in the twentieth year, the solar and lunar calendars would again coincide, the days coming round to the same position of the sun from which they had started.⁶⁶ He also appointed days on which state business could or could not be done, since it would be desirable to have times when nothing could be brought before the people.

64. *Argiletum*: an area north of the Roman forum.

65. The First Punic War ended in 241 BCE. Titus Manlius was consul in 235 BCE. Octavian defeated Antony and Cleopatra at Actium, in Greece, in 31 BCE, closed the gates of the temple of Janus in 29 BCE, and took the title *Augustus* in 27 BCE. The gates were closed again in 25 BCE after Augustus' campaign in Spain, thus suggesting that at least this part of Book 1 was written between 27 and 25 BCE; on this problem, see Introduction, p. ix.

66. During the republic, the Roman calendar year consisted of 355 days. Thus it was necessary to add an additional, or intercalary, month on a regular basis in order to maintain a synchronism with the seasonal or solar calendar. This calendar is attributed to Numa but apparently derives from the fifth-century Greek astronomer who devised a nineteen-year intercalary cycle; see Ogilvie 1965: 95–6.

20. *Numa establishes new priesthoods; the flamens of Jupiter, Mars, and Quirinus; and the office of pontiff. The functions of the pontiffs are elaborated, including their protection of the gods' rights.*

Numa then turned his attention to the appointment of priests, but he himself performed most rites, especially those that now belong to the *flamen Dialis*.⁶⁷ He realized, however, that in a warlike nation there would be more kings like Romulus than like himself, and that they would go off to war. So, he appointed the *flamen Dialis* as a permanent priest, distinguishing him with special dress and a regal curule chair. To him he added two *flamens*, one for Mars and the other for Quirinus.⁶⁸ He chose virgins for the service of Vesta, a priesthood that originated in Alba and was thus associated with the race of Rome's founder. For them, so that they might be perpetual attendants of her temple, he decreed a stipend from the public treasury, marking their revered and inviolable status by their chastity and other signal honors.⁶⁹ Likewise he chose twelve *Salii* for Mars Gradivus, granting them the distinction of wearing an embroidered tunic and, over the tunic, a bronze breastplate. He ordered them to carry the shields from heaven called *ancilia* and to go through the city, singing hymns and dancing their triple-beat war dance.⁷⁰

Next from the senators he chose Numa Marcius, son of Marcius, as pontiff, entrusting to him all the written and authenticated sacred rites that specified with what victims, on what days, and in which temple sacrifices should be made, and from what sources they should be funded. All other public and private rituals he made subject to the decrees of the pontiff, so that there should be somebody to whom the people could come for advice to prevent

67. *flamen Dialis*: a special priest (*flamen*) of Jupiter, who was subject to a number of taboos that made it virtually impossible for him to take part in war. He was not allowed to be absent from Rome for a night, nor touch a corpse, nor see the army arrayed for battle.

68. *curule chair*: see 1.8 with n. 30.

Quirinus is regularly identified with the deified Romulus, whose father was Mars.

69. On Vesta and the Vestal virgins, see n. 13.

70. *Salii*: the leaping or dancing priests of Mars Gradivus, who presided over the beginning of war. The epithet *Gradivus* is probably to be connected with *gradus* (step).

shields from heaven: these sacred shields (*ancilia*) are said to have fallen into the hands of Numa at a time of plague.

ancilia: one shield is said to have fallen from the sky, and eleven replicas were made to prevent the original from being stolen.

any disturbance of the gods' rights as a result of the neglect of the ancestral rituals and the adoption of foreign ones.⁷¹ The same pontiff was to teach not only the ceremonies of the gods above, but the proper funeral rites and appeasement of the spirits of the dead, and also what prodigies sent by lightning or other visible signs were to be recognized as significant and requiring attention.⁷² To elicit this information from the minds of the gods, Numa dedicated an altar on the Aventine to Jupiter Elicius [the Eliciter or Enticer] and consulted the god by augury to find out what portents were to be recognized.

21. The success of Numa's peaceful policy. He establishes the cult of Faith and of the Argei.

Consideration and attention to these matters turned the thoughts of the entire people away from violence and arms. They had something to occupy their minds, and, since the heavenly powers seemed to have an interest in human affairs, the people's constant preoccupation with the gods had imbued the hearts of all with such devotion (*pietas*) that the state was governed by regard for good faith and oaths, rather than by fear of punishment under the law.⁷³ And since Numa's subjects were modeling themselves on the character of the king as their unique example, so too the neighboring peoples—who had previously felt that a military camp, not a city, had been put in their midst to disturb the general peace—came to feel such a respect for the Romans that they considered it sacrilege to do violence to a nation that had so entirely turned to the worship of the gods.

There was a grove watered by a never-failing spring that flowed through its midst from a dark cave. Here Numa frequently went, without witnesses,

71. *to prevent any disturbance of the gods' rights*: if the gods did not receive the rights or privileges of worship that were traditionally due to them, they would become angry and withdraw their favor from the state. Thus one of the pontiff's duties was to ensure that there was no change in state religion that would jeopardize the favor of the gods (*pax deorum*) on which Rome's well-being depended; see Appendix 3, pp. 426–8.

72. *prodigies . . . to be recognized . . .*: a prodigy (*prodigium*) was an unusual or unnatural phenomenon that was considered to have been sent by the gods as an indication that the *pax deorum* had been broken or was about to be broken. As opposed to a portent (*portentum*), the term "prodigy" should strictly apply to a sign that had been accepted by the state authorities as a sign of the gods' anger. Once a prodigy was "recognized as significant" by the authorities, expiatory measures were recommended for dealing with it in order to restore the gods' favor; see Linderski 1993: 57–9 = 1995: 612–4.

73. On the distinction between *pietas* (devotion) and *religio*, see Appendix 3, p. 426 with n. 6.

as if to meet the goddess. He dedicated this grove to the Camenae, because, he said, they gave advice to his wife Egeria.⁷⁴ He also established an annual cult of Faith.⁷⁵ He ordered that the *flamens* should drive to this shrine in a two-horse, covered carriage, and should make sacrifice with their hands wrapped as far as the fingers, thus signifying that faith must be kept and that, when men clasp hands, there too is the sacred temple of Faith. He established many other rites, as well as the places for sacrifice that the pontiffs call the Argei.⁷⁶

But the greatest of all his works is that, throughout his entire reign, he safeguarded peace no less than he did his kingdom. Thus two successive kings, each in a different way, promoted the state: the one by war, the other by peace. Romulus ruled thirty-seven years, Numa forty-three. The state was not only strong but moderated by the arts of both war and peace.

22. *The accession of Tullus Hostilius, who picks a quarrel in order to declare war on Alba Longa.*

On the death of Numa, the state reverted to an *interregnum*. As their king, the people then chose Tullus Hostilius, grandson of the Hostilius who had fought with distinction against the Sabines at the foot of the citadel. Their choice was ratified by the senate. He was not only unlike the previous king, but even more ferocious than Romulus.⁷⁷ Not only his youth and strength but also the glory of his grandfather were a spur to his spirit. Thinking that the state was becoming enfeebled from inaction, he looked all around for an excuse to stir up war. It so happened that Roman farmers were driving off cattle from Alban territory, while the people of Alba were likewise plundering Roman territory. The ruler of Alba at that time was Gaius Cluilus.

74. *Camenae*: originally Italian deities of springs and fountains who became identified with the Greek muses. Their shrine was outside the Capena Gate.

Egeria: see 1.19, where she is called a "goddess."

75. *cult of Faith*: the Latin *fides* implies faith, loyalty, trustworthiness, or keeping one's word.

76. *Argei*: twenty-seven shrines, called Argei, located throughout the city. The name was also given to twenty-seven puppets made of rushes that were thrown into the Tiber annually on May 14 by the Vestal virgins. The significance of this ritual is obscure.

77. *ferocious*: the epithet *ferox* (ferocious or fierce) recurs throughout Livy's characterization of Tullus Hostilius, whose last name means "the hostile or warlike one." Ferocity also characterizes the Horatian brothers; see 1.25–6. One of the daughters of Servius Tullius is also characterized as fierce (1.46).

Almost simultaneously, each side sent ambassadors to seek restitution. Tullus ordered his envoys to do nothing beyond carrying out his orders. For he knew full well that the Albans would refuse their demands, and so war could be righteously declared. The Alban envoys were rather lax in their procedure. They were received by Tullus with gracious and kind hospitality and were enjoying a convivial banquet with the king. In this short time, the Romans had already asked for restitution and, being denied it, made a declaration of war that would take effect in thirty days. This they announced to Tullus.

Then Tullus gave the Alban envoys an opportunity to say what requests they had brought. They, unaware of everything that had happened, at first temporized by making excuses. They said that they were unwilling to say anything that would offend Tullus, but they were under orders. They had come to seek restitution; if it were not given, they were ordered to declare war. To this, Tullus replied, "Announce to your king that the Romans call the gods to witness which of these two peoples was the first to reject and dismiss the legates who were demanding restitution. On them let all the disasters of this war fall!"

23. The death of King Cluilius. Mettius Fufetius, the Alban dictator, confers with Tullus rather than fight a pitched battle.

The Albans delivered this message in their hometown. Both sides prepared for war with all their resources. It was like a civil war, virtually between fathers and sons; for both sides were of Trojan origin, since Lavinium had been planted from Troy, Alba from Lavinium, and the Romans were descended from the line of Alban kings. The outcome of the war, however, made the struggle less pitiable, since there was no pitched battle. The two peoples were merged into one community, and the buildings of only one of the cities were destroyed. The Albans were first in the field, invading Roman territory with a large army. They pitched camp not more than five miles from the city, surrounding it with a trench that, for several centuries, was known as the Cluilian trench until it and its name vanished in the course of time. In this camp the Alban King Cluilius died, and the people of Alba appointed Mettius Fufetius as dictator.

Meanwhile Tullus became especially ferocious after the king's death. He asserted that the mighty power of the gods, which had begun by striking down the head of state, would soon exact punishment for this unjustified war from all who bore the Alban name. Marching by night past the enemies' camp, he led a hostile army into their territory. This drew Mettius from his

camp. Leading his troops by the nearest route to the enemy, he sent an envoy ahead with orders to announce to Tullus that they needed to confer before fighting. If they could meet, he said, he was confident that he would make an offer that concerned the Roman state no less than it did the Alban. Tullus did not reject the suggestion but nevertheless drew up his troops even though it was a futile offer. On the other side, the Albans also formed up.

When both sides were standing in battle array, the leaders advanced into the middle of the field, accompanied by a few of their nobles. Then the Alban began, "Our King Cluilius, I seem to have heard, gave as the cause of this war pillage and the failure to make the restitution demanded in accordance with our treaty; and I have no doubt, Tullus, that you take the same position. But if the truth is to be spoken, rather than a show of words, it is a desire for dominion that is goading two related and neighboring peoples to take up arms. I am not discussing the rights and wrongs of the matter. That would have been the consideration of the man who undertook the war. I am the man whom the Albans have appointed as commander to wage the war. But I would like to give you this warning. You know better than I, since you are nearer, how great is the Etruscan power that surrounds both you and us. Their strength on the sea is even greater than on land. Therefore, when you give the signal for battle, be mindful that the Etruscans will be watching the spectacle of our two armies, so that they may simultaneously attack both victor and vanquished when we are both weary and exhausted.⁷⁸ And so, in heaven's name, since we are not content with the certainty of liberty but are casting dice for slavery or dominion, let us find a way whereby it can be determined which side will rule the other, without great loss of life or bloodshed on either side." Tullus made no objection, although he was more ferocious in his spirited disposition and his hope of victory. While both sides were seeking what to do, they hit on a plan for which fortune herself provided the means.

24. The war is to be decided by combat between the Horatii and Curiatii. Livy describes the ancient ritual of making a treaty.

In each army there happened to be a set of three brothers who were not unlike the other in age and strength. It is generally agreed that their names were Horatii and Curiatii, almost no other ancient tradition being better known.

78. *watching the spectacle*: throughout this episode and the subsequent accounts of the battle of the triplets, the return of the surviving Horatius, the punishment of Mettius Fufetius, and

Despite such a famous story, there is uncertainty, regarding their names, as to which nation the Horatii belonged and to which the Curiatii. The authorities are divided. But I find that more call the Horatii Roman, and theirs is the opinion that I am inclined to follow. The kings proposed to these young men a combat in which each should fight for his own country, with dominion going to the side that was victorious. There being no objection, a time and place were fixed. Before they fought, a treaty was made between Romans and Albans on the following terms: the people of whichever nation prevailed in that conflict would rule over the other nation in peace and goodwill.

One treaty differs from another in its terms, but the same procedure is always followed. We hear that the following was done in this case, and tradition has not preserved any treaty that is more ancient. The fetial priest asked King Tullus,⁷⁹ "Do you order me, O king, to make a treaty with the *pater patratus* of the Alban people?"⁸⁰ When the king ordered him to do so, he said, "I demand of you, O king, a tuft of sacred grass." The king replied, "You shall take it free from impurity." From the citadel the fetial brought a tuft of grass that was free from impurity. After this he asked the king, "Do you make me the royal spokesman of the Roman people of the Quirites, with my utensils and companions?" The king answered, "I do this inasmuch as it may be done without harm to myself and the Roman people of the Quirites."⁸¹ The fetial was Marcus Valerius. He made Spurius Furius *pater patratus*, touching his head and his hair with the sacred plant. The *pater patratus* is appointed to administer the oath—that is, to make the treaty inviolable. This he does with many words expressed in a long formula that is not worthwhile quoting. When the terms are read aloud, he says, "Hear, Jupiter; hear, *pater patratus* of the Alban people; hear, people of Alba. The Roman people will not be the first to depart from these terms, as they have

the destruction of Alba Longa, Livy makes the reader a spectator of the dramatic events he is so vividly describing; see Feldherr 1998: 125–44.

79. *fetial priest*: the fetials were priests who belonged to a college that originally dealt with the making of treaties and declaration of war. Later, when Rome became involved in wars overseas, their duties were modified, but they retained the performance of the religious rituals connected with these two functions; see also 1.32.

80. *pater patratus*: an ancient title. The exact meaning of the epithet *patratus* is disputed but perhaps means "one who is made a father," because this man acted as the surrogate father of his people. The Roman *pater patratus* was chosen by the college of fetials from their own number.

81. *Quirites*: an ancient title of the Romans; see 1.13. By carrying a tuft of grass that still held soil from the Capitol and touching the head of the *pater patratus* with it, the fetials maintained contact with Rome and thus their inviolability, which they transmitted to the treaty.

publicly been read out from beginning to end without malice aforethought, from these tablets inscribed on wood or wax, and as they have been fully understood here today. If they should be the first to depart from them with malice aforethought by public consent, then great Diespiter,⁸² so strike the Roman people as here today I will strike this pig. And, insofar as your power and might are greater, do you strike them so much the harder.” When Spurius had spoken these words, he struck the pig with a flint. Likewise, through the dictator and their priests, the Albans performed their own formulas and oaths.

25. The three Curiatii and two of the Horatii are killed in combat.

Once the treaty was struck, the triplets took up their arms as had been agreed. Each side shouted encouragement to their own champions, reminding them that the eyes of their country's gods, their country and their parents, the citizens at home, and the men in the army were focused on their weapons and their hands. Fierce in their inborn courage, filled with the cries of encouragement, the triplets advanced into the space between the two battle lines. The two armies were stationed on either side, each in front of its own camp, free from immediate danger but nonetheless apprehensive: sovereignty was at stake, and it depended on the valor and good fortune of these few men. Alert and tense, they fixed their attention on this disconcerting spectacle (*spectaculum*).

The signal was given and, like battle lines advancing with drawn swords, the three young men from each side rushed to attack each other, displaying the courage of mighty armies. Neither this side nor that thought of the danger to himself, but rather of sovereignty or enslavement and the subsequent fate of their country that they themselves would determine. At the first onset there was a clash of arms, swords flashed, and a mighty dread paralyzed the onlookers. As long as neither side had the advantage, they could hardly speak or breathe. Then, in the hand-to-hand fighting that ensued, they beheld not only the movement of bodies and the interplay of weapons and shields, but also wounds and blood. The three Albans were wounded, but two Romans fell, one upon the other, as they breathed their last. At their fall

82. *tablets inscribed on wood or wax*: note the allusion to the use of literacy, at least in a religious context; see Introduction, pp. xiii–xiv, and Grandazzi 1997: 186–7.

Diespiter: an alternative form of *Jupiter*, found in old religious formulas.

the Albans cried out in joy. All their hopes, but not their anxiety, deserted the Roman soldiers, who were terrified at the plight of the lone man who was surrounded by the three Curiatii.

By chance Horatius was unharmed. Though no match for the three of them together, he was fierce to take them on one at a time. To divide their attack, he fled, reckoning that each would pursue him with such speed as his wounded body would allow. He had already fled some distance from where the previous fighting had occurred when, looking back, he saw them following at wide intervals. One of them was not far from him. Horatius wheeled round in a mighty attack. While the Alban army was shouting to the Curiatii to help their brother, Horatius had already killed him and, victorious, was seeking his next fight. Then, with a cheer typical of supporters when something unhoped for happens, the Romans shouted encouragement to their champion who made haste to be done with the combat. And so, before the third brother could catch up—and he was not far behind—Horatius had dispatched the second.

Now the fight was even, with one man surviving on either side. But they were unequal, both in hope and vigor. One, emboldened by his double victory, his body unscathed, was fierce for a third encounter. The other dragged himself along, his body wearied by his wound, wearied by running. Overwhelmed by the previous slaughter of his brothers, he faced a victorious foe. There was no combat. Exulting, the Roman cried, “Two brothers have I given to the shades of the dead. The third I will offer to the cause of this war, so that Rome will rule Alba.” His opponent could barely support his armor. With a downward thrust, the Roman plunged his sword in the Alban’s throat, stripping him of his arms as he lay there. The Romans welcomed Horatius with jubilation and thanksgiving, their joy all the greater because they had come so close to despair. Then the two sides attended to the burial of the dead, though with very different feelings: one nation’s sovereignty was increased, whereas the other had been subjugated. The tombs still stand in the place where each man fell, the two Roman ones in one place quite near Alba, and the three Alban facing Rome, but at intervals, just as they had fought.

26. In anger, Horatius kills his sister who is grief-stricken at the death of her fiancé, one of the Curiatii. He is tried for treason and pronounced guilty, but is acquitted after appealing to the people who were influenced by his father’s pleas.

Before they departed, Mettius, in accordance with the treaty, asked Tullus what his orders were. The king ordered him to keep the young men under

arms, saying that he would use their services in the event of war with Veii. The armies went home. At the head of the Roman army came Horatius, displaying the triple spoils. His unmarried sister, who had been engaged to one of the Curiatii, came to meet him in front of the Capena Gate. When she saw on her brother's shoulders the military cloak that she herself had made for her fiancé, she loosened her hair and called out his name, weeping.⁸³ His sister's lamentation enraged the impetuous youth, coming as it did at the time of his victory and such great public rejoicing. Drawing his sword and, at the same time, vehemently denouncing her, he stabbed the girl. "Be gone from here with your premature love," he cried. "Go to your beloved, since you have forgotten your brothers, both the dead and the living, and forgotten your own country."⁸⁴ So may it be for every Roman woman who mourns an enemy!"

Savage as this deed seemed to the senators and people, it was offset by his recent action in the field. Nevertheless, Horatius was seized and brought before the king for trial. The king, to avoid taking responsibility for so grim and unpopular a judgment and the ensuing punishment, summoned a council of the people, saying, "In accordance with the law, I appoint a two-man board to judge Horatius on a charge of treason."⁸⁵ The horrendous formula of the law was as follows: let a two-man board judge him guilty of treason. If he shall appeal from the board to the people, let the appeal be tried. If the board's ruling wins, let the lictor put a hood over the guilty man's head; he shall bind and suspend him with a rope on a barren tree; he shall scourge him either inside or outside the *pomerium*.⁸⁶ A two-man board was appointed in accordance with this law. They thought that they could not acquit even an innocent man under that law. Giving a verdict of guilty, one of them pronounced, "Publius Horatius, I judge you guilty of treason. Lictor, go and bind his hands." The lictor had approached and was starting to bind him. Then Horatius, at the prompting of Tullus who put a merciful interpretation on the law, cried, "I appeal!"

83. *loosened her hair*: a ritual sign of mourning; see 1.13 with n. 43.

84. *premature love*: because she was not yet married, her allegiance should be to her family of birth and thus to Rome.

85. *treason*: Latin *perduellio*. By presuming to kill his sister as a traitor to Rome, Horatius had usurped the state's right to punish her. But by killing her, he was also guilty of *parricidium*, murder of a blood relative; see n. 89.

86. *barren tree*: the Latin *infelix* means "unfruitful, barren, unlucky, unfortunate, miserable, and thus accursed." In primitive law, condemned criminals were traditionally hanged from trees that were no longer productive; see *OLD* 895.

pomerium: the sacred boundary of the city; see 1.44 with n. 134.

And so the appeal was taken before the people. In that trial people were especially influenced by Horatius' father, who asserted that his daughter had been justly killed. If that were not the case, he would have exercised his right as a father to punish his son himself.⁸⁷ Reminding them that, a short time ago, they had looked on him as the father of an exceptional family, he implored them not to make him childless. Embracing the youth, the old man pointed to the spoils of the Curiatii that were set up in the place called the Horatian Spears.⁸⁸ "This man," he cried, "whom you recently saw advancing, honored and jubilant in victory, can you bear to see him bound beneath a wooden yoke, being scourged and tortured? Even the Albans could hardly endure such a hideous spectacle. Go lictor, bind the hands that served a short while ago to win dominion over Alba for the Roman people. Go, cover the head of this city's liberator with a hood! Hang him from a barren tree! Scourge him inside the *pomerium*—provided that it be amid the spears and spoils of the enemy. Or do so outside the *pomerium*—provided that it be amid the tombs of the Curiatii! For where can you take this youth that his glorious deeds will not vindicate him from such an abominable punishment?" The people could not endure either the father's tears or the courage of the young man who was steadfast in every peril. They acquitted him in admiration more for his valor than for the justness of his cause.

In order to atone by some ritual of purification for what was clearly parricide, the father was ordered to make expiation for his son, though at public expense.⁸⁹ He offered certain expiatory sacrifices that then became traditional in the Horatian family. Erecting a beam across the street, he made his son pass beneath it, with covered head, as if under a yoke. It remains today, after being restored several times at public expense. It is called Sister's Beam. A tomb of hewn stone was built for Horatia on the spot where she had been struck down.

87. A Roman father (*pater familias*) had complete power over all his family (*patria potestas*), including the right to punish and even inflict death.

88. *Horatian Spears*: *pila Horatia* can mean either "column" or "spears."

89. *parricide*: the murder of a close blood relative incurred pollution, which had to be atoned for, or expiated, by a ritual purification that usually involved some kind of sacrifice. As *pater familias*, Horatius' father undertakes this duty.

27. The treachery of Mettius Fufetius in Rome's war with Veii and Fidenae. But Tullus Hostilius manages to save the day.

But the peace with Alba did not last long. The people were resentful that the dictator had entrusted the fortune of the state to three soldiers. This broke Mettius' weak character, and, since straightforward measures had not proved successful, he tried to win back the favor of the people by crooked ones. And so, just as in war he had sought peace, now in peace he sought war. Perceiving that his citizenry had more courage than strength, he stirred up other peoples to make war openly after a formal declaration. For his own people, however, he reserved treachery under the guise of the alliance with Rome. The people of Fidenae, a Roman colony, and the Veientes, whom they made accomplices in their design, were induced to take up arms by a promise that the Albans would cross over to their side. When Fidenae openly revolted, Tullus summoned Mettius and his army from Alba and marched against the enemy. Crossing the river Anio, he pitched camp at its confluence with the Tiber. The army of Veii had crossed the Tiber between there and Fidenae. In the battle line, the Veientes held the right flank near the river, whereas the troops of Fidenae were stationed on the left nearer the hills. Tullus positioned his men against the hostile Veientes, placing the Albans opposite the contingent from Fidenae. But the Alban commander had no more courage than loyalty. He did not venture either to hold his ground or desert, but gradually withdrew in the direction of the hills. Then, when he thought he was close enough, he led the battle line uphill and, still hesitating, spun out the time by marshaling them line by line. His plan was to swing his forces to the side that fortune favored.

At first the Romans, who were nearest to the Albans, were amazed when they realized that the withdrawal of their allies had exposed their flanks. Then a horseman galloped to the king to announce that the Albans were making off. In this crisis Tullus vowed twelve Salii and shrines to Pallor and Panic.⁹⁰ Then he reprimanded the horseman in a loud voice, so that the enemy would overhear, ordering him to return to the battle. He declared that there was no need for alarm; he himself had ordered the Alban army to swing round and attack the unprotected rear of the Fidenates. He also commanded the cavalry to raise their spears. This maneuver hid the sight of the retreating Alban army from a large part of the Roman infantry. Those who saw

90. These shrines are not mentioned elsewhere and are possibly an elaboration deriving from Homer (*Iliad* 11.37). On the Salian priests, see 1.20. Tullus apparently vows a second group of such priests.

what was happening fought more keenly, believing what they had overheard the king say. Now it was the enemy's turn to be alarmed. They had heard Tullus' loud assertion and the majority of Fidenates understood Latin, since they had Roman colonists in their midst. So, they fled to avoid being cut off from their town by the onset of the Albans from the hills. Tullus pressed on the Fidenates' heels, routed their wing, and returned, fiercer than ever, to deal with the Veintines. Shaken by the Fidenates' panic, they did not withstand him. But the river behind them stopped their headlong flight. On reaching the river, some blindly rushed into the water, shamefully throwing away their arms; others were overwhelmed before they could make up their minds whether to flee or fight. No previous Roman battle was more savage.

28. *The punishment of Mettius Fufetius.*

Then the Alban army, the spectator of the battle, was led down into the plain. Mettius congratulated Tullus on defeating the enemy, and Tullus gave a kind response. With a prayer for success, the king ordered the Albans to join the Roman camp. He then prepared a sacrifice of purification for the next day.⁹¹ At dawn, when all the customary preparations had been made, he gave the order, summoning both armies to a meeting. The heralds began at the far side of the camp, summoning the Albans first. Excited by the novelty of the situation, the Albans stood very near so that they could hear the king addressing the army. Armed, the Roman troops surrounded them, as previously arranged; the centurions had instructions to execute orders without delay.

Then Tullus began as follows: "Romans, if ever in any previous war you have had reason to give thanks first to the immortal gods and then to your own valor, it was in the battle yesterday. For we were fighting not so much with the enemy as with the treachery and disloyalty of our allies, a harder and more dangerous kind of fight. To relieve you of a false impression, it was not on my orders that the Albans went up into the hills. What you heard was not my command, but a strategy and the pretense of a command, so that you wouldn't realize that you were being deserted and so be distracted from the battle. At the same time, my hope was that the enemy would think that they were being surrounded from the rear and so would flee in panic. But I am not charging all

91. *sacrifice of purification*: purification was necessary after bloodshed. In this case, however, the sacrifice was to be Mettius Fufetius, one of the Albans from whom the Romans claimed descent, thus involving the crime of parricide; see 1.26 with n. 89.

the Albans with guilt. They followed their leader, as you also would have done, had I wanted to lead you off somewhere. It is Mettius over there who led the way, the same Mettius who devised this war, Mettius who broke the treaty between Rome and Alba. Another may dare such deeds if I do not mete out to this man a punishment that will be a conspicuous lesson to all.”

The armed centurions surrounded Mettius. The king continued as he had begun: “May it prove good, propitious, and fortunate for the Roman people and for me and for you, people of Alba! It is my intention to bring the entire Alban population to Rome, give citizenship to the people, enroll their leaders in the senate, and make one city and one state. As formerly the state of Alba was divided from one people into two, let it now return to being one.”⁹² At these words, the Alban youth, unarmed, surrounded by armed men, were nevertheless constrained by their common fear, whatever their different wishes might be. And so they kept silent.

Then Tullus said, “Mettius Fufetius, if you were able to keep your word and abide by treaties, then I would have been your teacher and let you live. But your temperament is incurable. By your punishment you will teach the human race to hold sacred the bonds that have been violated by you. As you divided your mind between the Fidenates and the Romans, so now you will give your body to be torn apart.” Then he brought up two four-horse chariots and had Mettius spread-eagled and bound to each of them. The horses were whipped in different directions, bearing his torn body on each of the chariots, with parts of his limbs remaining bound in their fastenings. Everyone averted his eyes from such an abominable spectacle.⁹³ This was the first and last time that the Romans applied the kind of punishment that ignores the laws of humanity. In other cases, we can boast that no other nation has decreed more humane punishments.

29. *The destruction of Alba Longa.*

While this was happening, horsemen had been sent to Alba to bring the inhabitants to Rome. Then the legions were brought to demolish the city. When

92. *divided from one people* . . . : an allusion to Rome’s foundation from Alba Longa; see 1.6.

93. *abominable spectacle*: the Latin words *foeditas spectacula* are highly marked. The epithet *foedus* (foul, appalling, abominable) occurs in the Pref. 10, in the context of things to be avoided. Words of seeing, *spectare* and *spectaculum*, are especially prominent in this episode, as in the earlier narrative of the battle of the Horatii and Curiatii. Note also the emphasis on teaching and learning, also promised in Pref. 10.

they entered the gates, there was not the uproar and panic that usually attends the capture of a city when gates are broken down, walls laid low by the battering ram, and the citadel captured by force; when shouts of the enemy and the rush of armed men throughout the city create havoc with fire and sword. Grim silence and speechless grief so overwhelmed the minds of all that, in their fear, they could not decide what they should leave behind and what they should take with them. In their indecision they kept asking each other's advice, standing now on their doorsteps, now wandering randomly through the houses they were seeing for the last time. When the call of the cavalry ordering them to depart became insistent, already they could hear the crash of the buildings that were being destroyed in the outskirts of the city. When the dust rising from distant places had filled everywhere like a gathering cloud, hastily they took whatever each could and departed, abandoning the *lar* and *penates*, and the homes in which each had been born and raised.⁹⁴

A continuous line of emigrants filled the streets. As they caught sight of each other, their tears flowed anew in their mutual anguish. Plaintive cries began to be heard, especially from the women as they went by the venerable temples that were now occupied by armed men, leaving their gods, so it seemed, as captives. When they had departed from the city, the Romans indiscriminately leveled to the ground all the buildings, both public and private, utterly destroying in a single hour the work of the 400 years in which Alba had stood. But the temples of the gods were spared, for thus it had been decreed by the king.

30. Rome increases in size and population. War with the Sabines.

Rome meanwhile grew as a result of the destruction of Alba: the number of citizens was doubled, and the Caelian hill was added to the city. Tullus chose this site for the king's house, in order to attract more people to move there, and from then on lived there himself. He enrolled the leading Albans as senators so that this part of the state would also be increased; these were the Julii, Servilii, Quinctii, Geganii, Curiatii, and Cloelii. To accommodate this enlarged body, he consecrated and built a senate house (*curia*), which was still called the Curia Hostilia in the time of our fathers.⁹⁵ He enrolled ten

94. *lar*: the protecting deity of the household, worshiped in a shrine in the home.

penates: the deities who protected the store cupboard and thus the household.

95. *consecrated*: the *curia* was a *templum*—i.e., consecrated space. The Curia Hostilia burned down in 52 BCE and was eventually replaced by the Curia Julia.

squadrons of cavalry from the Albans so that the strength of all the orders should receive an addition from the new people. From the same source he filled up the old legions and enlisted new ones.

Relying on these forces, Tullus declared war on the Sabines, a people second only to the Etruscans in the wealth of its men and arms. Wrongs had been committed on both sides, and requests for restitution had failed. Tullus complained that Roman traders had been arrested at a crowded market near the shrine of Feronia; the Sabines alleged that earlier their men had taken refuge in the grove and had been detained in Rome.⁹⁶ These were given as the causes of war. The Sabines were fully aware that part of their might had been settled in Rome by Tatius and that the Roman state had recently been increased by the addition of the Alban population. And so they looked around for outside help. Etruria was nearby, and, of the Etruscans, the closest were the Veientes. Because of the resentment remaining from earlier wars, they were easily roused to defection and offered some volunteers. The promise of pay was a powerful attraction to various vagrants from poverty-stricken groups. But the Sabines did not get any official aid from Veii; loyalty to their treaty with Romulus held firm, something that is less surprising in the case of the other Etruscan states.

Both sides were doing everything they could to prepare for war, and the outcome seemed to depend on who should attack first. Taking the initiative, Tullus crossed into Sabine territory. There was a fierce battle near the Malitiosa Wood, in which the Romans prevailed because of the strength of their infantry, but more because of the recent additions to their cavalry. The Sabine ranks were thrown into confusion by the cavalry's sudden onset. From then on they were unable, without heavy loss, to make a stand or to extricate themselves by retreating.

31. A prodigy is followed by plague, and an outbreak of religiosity is initiated by Tullus Hostilius. The strange death of Tullus.

After the defeat of the Sabines, when King Tullus and the Roman state were enjoying great glory and prosperity, news was brought to the king and senators that there had been a rain of stones on Mount Alba. Since this was

96. *grove*: the asylum established by Romulus on the Capitoline; see 1.8.

shrine of Feronia: a shrine in a grove north of Rome, between Capena and Falerii. Feronia was an Italic goddess, probably of Sabine origin.

scarcely credible, envoys were sent to inspect the prodigy.⁹⁷ They witnessed a shower of stones falling from the sky, like hailstones piled up on the ground when driven by the wind. They also thought they heard a loud voice from a grove at the top of the mountain, bidding the Albans to sacrifice according to the rites of their ancestors. The Albans had neglected their own rituals, acting as if they had abandoned their gods together with their city. They had either adopted Roman rituals or, as often happens, abandoned the gods' worship because of anger at their own misfortune. In response to this same prodigy, the Romans held a public sacrifice over a nine-day period, whether because of the divine utterance that issued from Mount Alba—for this also is a tradition—or on the advice of soothsayers.⁹⁸ Whatever the case, it remained a regular custom that there should be a nine-day observance whenever the same prodigy was reported.

Not very long after this, Rome was troubled by a plague. This caused a reluctance to take up arms, yet the warlike king gave them no respite from military service. He believed that men of military age enjoyed better health in the field than at home, until he himself suffered a lingering illness. Then his famed ferocious spirit was broken along with his physical health. The man who before had thought that nothing was more unworthy of a king than attending to sacrifices suddenly became a slave to every superstition, both great and small, filling even his people with religiosity. Everywhere, men wanted to return to the situation under Numa, believing that the only help for their sick bodies was to seek favor and pardon from the gods.⁹⁹ Tradition has it that the king himself was perusing the commentaries of Numa when he discovered certain occult sacrifices performed in honor of Jupiter Elicius. He hid himself away, busying himself with these rites. But the ritual was incorrect, either in the undertaking or in the performance. Not only was Tullus denied a divine manifestation, but his perversion of religion provoked the anger of Jupiter. Struck by a thunderbolt, he perished in the flames of his palace. Tullus reigned for thirty-two years, winning great fame in war.

97. On prodigies, see 1.20 with n. 72; on this episode, see Appendix 3, p. 428.

98. *neglected their own rituals*: such neglect had angered the gods; see 1.20 with n. 71. *soothsayers*: interpreters of signs believed to have been sent by the gods.

99. Note the specific reference to the favor (*pax*) of the gods. Evidently the nine-day public sacrifice had not been a sufficient expiation.

32. *Ancus Marcius becomes king, restores religious observances, and institutes fetial procedure for formal declaration of war.*

Upon the death of Tullus, the government reverted, as had been the practice from the beginning, to the senators who appointed an *interrex*.¹⁰⁰ This official held an assembly, the people elected Ancus Marcius as king, and the senate confirmed their choice. Ancus Marcius was a grandson of Numa Pompilius on his mother's side. When he began to rule, he was mindful of his grandfather's reputation, reflecting that the recent reign, outstanding in other respects, had been unsuccessful in one area, because of either neglect of religion or perversion of ritual. Believing it was by far the most important thing to perform the public sacrifices just as Numa had established them, he ordered the pontiff to copy all the details from Numa's commentaries and display them on a whitened board in a public place.¹⁰¹ Both the citizens who yearned for peace and the neighboring states were led to hope that Ancus would adopt the character and institutions of his grandfather.

Accordingly the Latins, with whom a treaty had been made during the reign of Tullus, revived their spirits and raided Roman territory. When the Romans called on them to make restitution, they sent an arrogant reply, thinking that the Roman king was going to while away his reign amid altars and shrines. But Ancus' disposition was midway between that of Romulus and that of Numa; he was mindful of both. He was convinced that, in his grandfather's reign, a people that was both young and ferocious had a greater need of peace; but he also believed that the absence of war without being exposed to injustice would not fall as easily to him as it had to Numa. His restraint was being tested and, having been tested, was the object of contempt. The times were more suited to a king like Tullus than Numa. Nevertheless, since Numa had set up religious practices in time of peace, he wanted to hand on a ceremony for war so that wars might not only be waged, but also declared with some kind of ritual. Therefore, he copied from the ancient tribe of the Aequicoli the law of seeking restitution that the fetials now have.¹⁰²

100. *interrex*: see 1.17.

101. *Numa's commentaries*: another example of the use of literacy in a religious context; see 1.24 with n. 82.

whitened board: during the republic, official notices were posted on such a board in the forum by the praetor or other officials.

102. *fetials*: see 1.24, n. 79. The whole procedure was intended to show that in the gods' eyes the war was just. There were three stages: the *denuntiatio*, or seeking of reparation;

When the envoy arrives at the frontier of those from whom restitution is demanded, he covers his head with a cap—the covering is of wool—and says: “Hear, Jupiter, hear, boundaries of”—(he names whatever nation to which they belong)—“let divine law hear! I am the official herald of the Roman people. I come as an envoy, sanctioned by justice and religion; let there be trust in my words.” Then he recites his demands. Next he takes Jupiter to witness: “If I unjustly or impiously demand that this property and these men be surrendered to me, then never let me have enjoyment of my native land.” He recites these words when he crosses the boundary line, again to the first person he meets, again when entering the town gate, and again when he has entered the marketplace, with only a few changes in the formula and wording of the oath. If his demands are not met within thirty-three days (this is the customary number), he declares war as follows: “Hear, Jupiter, and you Janus Quirinus, and all you heavenly gods, and you gods of the earth, and you gods of the underworld, hear! I call you to witness that this people”—(he names whatever people it is)—“is unjust and does not make just reparation. But regarding these matters, we will consult the elders in our fatherland as to how we may obtain our due.” Then the envoy returns to Rome for the consultation.

Immediately the king would consult the senators with words something like this: “With regard to the property, disputes, and causes, concerning which the *pater patratus* of the Roman People of the Quirites has made demands on the *pater patratus* of the Ancient Latins and the men of the Ancient Latins, with regard to those things that they have not delivered, nor done, nor discharged, being things that ought to have been delivered, done, and discharged, speak out.”¹⁰³ Here he would turn to the man whose opinion he asked first, “What is your vote?” And that man would reply, “I deem that these things must be sought in a war that is just and righteous. Thus I agree and so vote.” The others would then be asked the question in order of rank. When the majority of those present had voted for the same opinion, war had been agreed upon.

the calling of the gods to witness that the Roman cause was just; and the actual declaration of war. Long before Livy's time, fetial procedure had been modified to deal with the exigencies of making war at considerable distances from Rome against non-Italic peoples. Legates were appointed by the senate to deal with the diplomatic details, but it is also apparent that fetials continued to perform certain, albeit modified, rituals.

Aequicoli: another name for the Aequi, an Italic tribe living east of Rome.

103. *pater patratus*: see 1.24 with n. 80.

The usual procedure was for the fetial to carry to the boundary of the other nation a spear of iron or fire-hardened cornel wood and,¹⁰⁴ in the presence of not fewer than three adult males, to say: "Inasmuch as the tribes of the Ancient Latins and the men of the Ancient Latins have committed acts and offenses against the Roman People, and inasmuch as the Roman People of the Quirites has ordered that war be made on the Ancient Latins, and the senate of the Roman People has approved, agreed, and voted that there be war with the Ancient Latins, I and the Roman People therefore declare and make war on the tribes of the Ancient Latins and the men of the Ancient Latins." With these words, he would hurl the spear into their territory. This is the procedure by which restitution was sought from the Latins and war declared at that time, and the custom has been accepted by subsequent generations.¹⁰⁵

33. Ancus makes war on the Latins. The Aventine and Janiculum are added to the city. A wooden bridge of piles is made across the Tiber and a settlement is established at Ostia near the salt pans.

Ancus entrusted care of the sacrifices to the *flamens* and priests and set out with a newly enlisted army. He took the Latin town of Politorium by storm. Following the custom of earlier kings, he augmented the Roman state by giving citizenship to the enemy and transferred the whole population to Rome. The Palatine was the settlement of the original Romans, whereas the Capitol and the citadel were occupied by the Sabines and the Caelian by the Albans. So, the Aventine was assigned to the newcomers. Not long after, captives from Tellenae and Ficana were also sent there as new citizens.¹⁰⁶

104. *iron or . . . cornel wood*: such materials were thought to have magical properties. On the interpretation of *sanguineus* as "cornel" rather than "bloody" as in Foster's Loeb, see Ogilvie 1965: 135.

105. Octavian revived this procedure when he declared war on Cleopatra (Dio 50.4.5). To avoid the problem of a fetial traveling to a foreign land, it had become customary to declare an area near the temple of Bellona in Rome as enemy territory, where the spear would then be hurled.

106. *Politorium*: the exact site is unknown, but it was probably southwest of Rome, between Ficana and Tellenae.

Tellenae: a town probably some twelve miles south of Rome.

Ficana: a settlement some five miles east of Ostia.

Politorium was then attacked a second time, because, when empty, it had been seized by the Ancient Latins. This gave the Romans an excuse to destroy the town so that it did not continually serve as a refuge for their enemies. Finally all the Latin forces were thrust back to Medullia, where for some time the fighting was indecisive and victory shifted from one side to another.¹⁰⁷ The town was protected by fortifications and defended by a strong garrison. From their camp in the open plain, the Latin army several times engaged in close combat with the Romans. Making a mighty effort with all his forces, Ancus at last prevailed in a pitched battle and returned to Rome in possession of huge spoils. Then he granted citizenship to many Latins, settling them in the area called Admurciae to link the Aventine and Palatine. The Janiculum was also added, not because of a shortage of space, but to prevent it from becoming an enemy stronghold. It was decided not only to fortify it, but also to connect it with the city and so facilitate traffic by a bridge of wooden piles, the first bridge ever built over the Tiber. The Quirites' Ditch, no small defense work on a more level approach to the city, was also the work of King Ancus.

The enormous increase in the population of the city resulted in a blurring of the distinction between right and wrong. Many crimes were being committed in stealth. To deter this growing lawlessness, a prison was built in the city, overlooking the forum. Under this king, not only did the city grow, so too did her lands and boundaries. The Maesian Forest was taken from the Veientes and Rome's power advanced to the sea. At the mouth of the Tiber, the city of Ostia was founded, and saltworks were established nearby.¹⁰⁸ Because of Rome's outstanding achievements in war, the temple of Jupiter Feretrius was enlarged.

34. Tarquinius Priscus comes from Tarquinii to settle in Rome. As he approaches the city, a prodigy occurs. The new immigrant wins the favor of King Ancus Marcius.

During the reign of Ancus, Lucumo, an energetic and wealthy man, took up residence at Rome, mainly because of his desire and expectation of

107. *Medullia*: the exact site is unknown, but it was probably some thirteen miles east of Rome on the Via Salaria (Salt Road), northeast of Nomentum.

108. Many scholars reject this date for the foundation of Ostia northeast at the mouth of the Tiber, noting that the foundations of a fortified settlement at Ostia date between 380 and 350 BCE; Ogilvie (1965: 139–40), however, suggests that the “oldest settlement will have been

achieving the high position that he had not been able to get in Tarquinii.¹⁰⁹ Though he came from there, he was of foreign origin, being the son of Demaratus of Corinth who had been exiled from his home by political faction. Demaratus had settled in Tarquinii, married, and produced two sons whose names were Lucumo and Arruns. Lucumo survived his father, inheriting all his property. Arruns died before his father, leaving a pregnant wife. The father did not long survive the son, but, being unaware of his daughter-in-law's pregnancy, died without providing for his grandson in his will. The son was born after his grandfather's death without any share in his property and so was called Egerius [Needy One] because of his poverty.

On the other hand, Lucumo was the heir to the whole estate. His wealth was already giving him self-confidence, but his fortunes were increased by his marriage to Tanaquil, a woman of upper-class birth who would not easily tolerate a situation as a wife that was inferior to that into which she had been born. The Etruscans despised Lucumo as the son of a foreign exile, and Tanaquil was unable to bear this indignity. Prepared to disregard her natural love for her fatherland provided that she could see her husband in a position of honor, she got the idea of leaving Tarquinii. Rome seemed to be the most promising place for her purpose. Among a new people, where nobility was quickly acquired and based on merit, there would, she reckoned, be room for a brave and energetic man. The Sabine Tatius had held the kingship; Numa had been summoned to rule from Cures; Ancus was born of a Sabine mother and had only one noble ancestor, Numa. Tanaquil had no trouble in persuading a man who was yearning for high office and whose claim to Tarquinii as his native city was only on his mother's side.

And so they took their possessions and moved to Rome. They happened to have reached the Janiculum when an eagle came gently down, poised on its wings and, as Lucumo was sitting in the wagon with his wife, removed his cap. Then, after flying over the wagon with loud screeches, it deftly replaced the cap on his head, sent, as it were, by the gods for this purpose. This augury, it is said, was joyfully accepted by Tanaquil, a woman skilled in interpreting prodigies from the sky, as Etruscans generally are. Embracing her husband, she told him to expect a high and exalted position. The type of

not at the *castrum* (fort) but at the *salinae* (salt pans)," a hypothesis that is developed by Grandazzi (1997: 76–9), who emphasizes the importance of salt and the salt trade. The wars with Veii were probably fought for access to and control of the salt pans, which were on the right (Etruscan) bank of the river, not where the remains of a later colony were found.

109. *Tarquinii*: an important Etruscan town some fifty-six miles north of Rome, and three and a half miles inland.

bird was significant; likewise the area of the sky from which it had come and the god whose messenger it was.¹¹⁰ It had performed the auspice around the highest part of a man; it had removed the adornment placed on a mortal's head, only to put it back with divine approval.

Such were their hopes and reflections as they rode into the city. They bought a house and announced his name as Lucius Tarquinius Priscus. His newness and wealth made him conspicuous among the Romans. He himself advanced his good fortune, winning support wherever possible by his friendliness, courteous hospitality, and generosity until his fame reached the king's palace. His acquaintance with the king soon developed into the privileges of a family friend because of his generous and efficient service. He was involved equally in state and private decisions, in both war and domestic affairs. Finally, after being tested in every way, he was named in the king's will as guardian of his children.

35. Tarquin secures his election as king. War with the Latins. After a military victory, he builds the Circus Maximus and institutes the Great Games.

Ancus reigned for twenty-four years, a king who was the equal of his predecessors in the arts of war and peace and in the glory he achieved. Since Ancus' sons were now almost adults, Tarquin was becoming all the more insistent that an assembly to choose a king be summoned as soon as possible. The meeting was proclaimed and, as the time drew near, he sent the sons off on a hunting expedition. Tarquin is said to have been the first to canvass votes for the kingship and make a speech that was designed to win over the hearts of the people. He pointed out that he was not seeking anything unusual: he was not the first—a move that might have occasioned indignation and surprise—but the third foreigner in Rome to aspire to the kingship. Tatius had become king after being not only a foreigner, but also an enemy; Numa was a stranger to the city and, without seeking the kingship, had been invited to come and take it. He himself, when he had become his own master, had moved to Rome with his wife and all his property. For the larger part of life in which men serve their city, he had lived in Rome, rather than in the city of his birth. Both in domestic and military matters, he had had no mean teacher, King Ancus himself; and so he had learned Roman laws and

110. The eagle was considered the messenger of Jupiter.

Roman rites. He had emulated everybody in obedience and deference to the king, rivaling the king himself in his goodwill to others.

As he recounted these claims that were by no means false, the Roman people chose him as king, with a huge consensus. This man, so outstanding in other ways, continued even when king the same kind of politicking that he had employed in seeking the kingship. Thinking as much of strengthening his own position as enlarging the state, he added a hundred members to the senate who were called senators of the “lesser families.” They belonged, of course, to the faction of the king to whose favor they owed their admission to the senate.

Tarquin’s first war was with the Latins, and he took the city of Apiolae by storm.¹¹¹ Returning with more booty than reports of the war had led him to expect, he gave games that were more lavish and elaborate than those of the earlier kings. It was then, for the first time, that the area was marked out for a circus, the one that is now called the Circus Maximus. Places were set apart for senators and knights, where they could each have viewing stands for themselves.¹¹² They were called *fori*, “seating sections.” They watched the spectacles from seats raised on props, twelve feet from the ground. Horses and boxers, mostly imported from Etruria, provided the entertainment. From then on, the games were held at regular annual intervals, being variously called the Roman and Great Games.¹¹³ The same king also apportioned to private citizens building sites around the forum; colonnades and shops were also erected.

111. *Apiolae*: the site is unknown, but it was probably in southern Latium, near Volscian territory.

112. *set apart for senators and knights*: this is an anachronistic reflection of the seating arrangements in the republic. Special seats were first reserved for senators in 194 BCE (Livy 34.44) and for the equestrian order under a law of 67 BCE. Originally the knights (*equites*) were the cavalymen, but later the term came to be used to indicate the equestrian order that came below the senatorial order on the social scale.

113. *Roman and Great Games*: these games were celebrated in honor of Jupiter Optimus Maximus, whose temple was built by Tarquin and his son, Tarquinius Superbus (1.38 and 1.56).

36. *Tarquin tries to increase the number of cavalry without taking the auspices beforehand. The story of the augur Attus Navius who cuts a grindstone with a knife to prove the power of augury, thus confirming the need to take auspices before initiating any state business.*

Tarquin was also preparing to surround the city with a stone wall when war with the Sabines interrupted the undertaking. The invasion was so sudden that the enemy were crossing the Anio before the Roman army could march out and stop them. In Rome there was panic. The first encounter was indecisive, with great slaughter on either side. The enemy forces withdrew into their camp, giving the Romans time to prepare anew for war. Tarquinius thought that his cavalry was especially lacking in strength. To the Ramnes,¹¹⁴ Titienses, and Luceres that Romulus had enrolled, he decided to add others and to distinguish them by giving them his own name. But because Romulus had done this only after taking the auspices, Attus Navius, a famous augur of that time, said there could be no change or innovation unless the birds gave their consent.¹¹⁵ This angered the king, who mocked his skill, as the story goes, with the words, "Come, inspired seer, determine by augury whether what I am now thinking can actually be done." Attus took the auspices and replied that it would surely come to pass. Then the king said, "What I have in mind is that you will cut a grindstone in two with a razor. Here, take these things, and do the thing that your birds foretell can be done." Then, they say, the augur split the grindstone in two without hesitation. There was a statue of Attus, his head covered, in the *Comitium*, on the very steps at the left of the senate house, on the spot where the event took place.¹¹⁶ Tradition has it that the stone also was placed in the same spot to be a memorial of that miracle for posterity. Whatever the case, such great honor accrued to augury and the office of augur that thereafter nothing was done, either at home or in the field, unless auspices had been taken, whether it be assemblies of the people, mustering of armies, or the most vital affairs—all were postponed if the birds did not give their consent.

114. *Ramnes*: an alternative form of *Ramnenses*; see 1.13.

115. Compare Tarquin's earlier assertion that "he had learned Roman laws and Roman rites" (1.35).

116. *Comitium*: originally a rectangular enclosure north of the forum, at the foot of the Capitoline hill, oriented to the four points of the compass, with the senate house to the north. It was a consecrated area where the people assembled when summoned by officials.

Tarquin made no change in the organization of the centuries of knights but doubled their numerical strength so that there were now 1,200 knights in three centuries. The centuries kept the same names, but those that were added were called the Later Ones. Now, however, the centuries are known as the six centuries because their number was doubled.

37. The Sabines are routed in a second battle.

After the expansion of the cavalry there was a second conflict with the Sabines. But in addition to their increased strength, the Roman army was also helped by a covert stratagem. Men were sent to ignite a great quantity of firewood lying on the bank of the Anio and throw it into the river. With the help of the wind, the wood blazed up and the greater part, packed on rafts, lodged against the piles of the bridge, setting it on fire. This also alarmed the Sabines during the battle, hindering their flight once they were routed. Many escaped the enemy only to perish in the river. Their arms were recognized as they floated down the Tiber toward the city, making the Roman victory apparent even before the official news could arrive. In this battle the cavalry especially distinguished themselves. The story is that they were placed on either flank and rushed in from both sides when the center line of their infantry was driven back. They not only checked the Sabines who were pressing fiercely on the heels of the Roman infantry as they gave ground, but suddenly routed them. Scattered in disarray, the Sabines were running toward the hills and a few of them made it. But the majority, as was mentioned earlier, were driven into the river by the cavalry.

Tarquin thought that he ought to go after the enemy while they were in a state of panic. So, he sent the booty and captives to Rome and made a huge pile of the enemies' arms, setting it on fire in fulfillment of a vow to Vulcan.¹¹⁷ Then he proceeded to lead his army into Sabine territory. Although things had gone badly for the Sabines and they could not hope to do any better, they nevertheless took the field with a hastily levied army, since circumstances did not give time for deliberation. They were then routed a second time and, in an almost desperate situation, sued for peace.

117. *Vulcan*: the Roman god of fire who was worshiped from earliest times at a shrine, the Volcanal, at the foot of the Capitoline. He is often identified with the Greek god Hephaestus.

38. The surrender of Collatia is followed by the conquest of other Latin towns between the Tiber and Anio. Tarquin drains the low-lying areas of Rome and lays the foundations for a temple to Jupiter on the Capitoline.

Collatia and whatever land the Sabines held on the side of the town nearer to Rome were taken from them.¹¹⁸ Egerius, the son of the king's brother, was left in Collatia with a garrison. I find that the people of Collatia capitulated according to the following formula for surrender. The king asked: "Are you the envoys and spokesmen who have been sent by the people of Collatia to surrender yourselves and the people of Collatia?" "We are." "Are the people of Collatia free to make their own decisions?" "They are." "Do you surrender yourselves, the people of Collatia, your city, territory, water, boundary markers, shrines, movables, and all things belonging to gods and men into my control and that of the Roman people?" "We do." "And I receive the surrender." At the conclusion of the Sabine war, Tarquinius returned to Rome and triumphed.¹¹⁹ Then he made war on the Ancient Latins. In this campaign there was no general battle to decide the whole issue, but the king subdued the entire Latin race by leading his troops against each town individually: Corniculum, Old Ficulea, Cameria, Crustumerium, Ameriola, Medullia, Nomentum.¹²⁰ These were the towns that were captured from the Ancient Latins or from people who had gone over to the Latins. Peace was then made.

Thereafter, Tarquin undertook the tasks of peace with a greater enthusiasm than he had expended in war, with the result that the people had no more rest at home than on campaign. He prepared to surround the unfortified parts of the city with a stone wall, the beginning of which had been interrupted by the Sabine war. He drained the lowest parts of the city around the forum and the other valleys between the hills. There was no easy runoff for the waters from the flat areas, and so he constructed sewers that sloped down toward the Tiber. On the Capitol, in a spirit that foresaw the future

118. *Collatia*: a town some ten miles east of Rome, near the crossing of the Anio river and the road from Veii to Gabii.

119. *triumphed*: celebrated a victory parade on his return to Rome. In later times, triumphs were granted by the senate to commanders whose victories met certain standards. Triumphs were celebrated with great pomp and ceremony; see 2.7 with n. 12.

120. *Corniculum* . . . : towns to the east of Rome, situated between the Tiber and Anio rivers. The exact locations of Medullia, Ameriola, and Cameria are unknown; see Ogilvie 1965: 154–5.

grandeur of the site, he laid the foundations for a temple to Jupiter that he had vowed in the Sabine war.¹²¹

39. Tanaquil the queen recognizes a miraculous flame that appears around the head of the infant Servius Tullius as a prodigy signifying his future greatness.

A prodigy occurred in the palace at this time, miraculous in both its manifestation and outcome. The story is that the head of a child named Servius Tullius burst into flames as he was lying asleep, a sight that many people saw.¹²² The king and queen were aroused by the great uproar caused by this amazing miracle. One of the household slaves was bringing water to put out the flame, but the queen restrained him. Calming the uproar, she ordered that the boy not be moved until he awoke of his own accord. Soon, as sleep left him, so too did the flame. Then Tanaquil took her husband aside and said, “You see this boy that we are raising in such humble circumstances? We should realize that he will be a beacon for us when we are in jeopardy and a safeguard for our royal house when it is stricken.¹²³ Henceforth let us rear him with every indulgence that we can, since he will be a source of great distinction to the state and our family.” From then on, Servius was looked on as their son and trained in those skills by which men are roused to aspire to great fortune. It worked out easily because it was the will of the gods.

The youth turned out to be truly of a regal disposition. When Tarquinius was looking for a son-in-law, none of the Roman youth could be compared to Servius in any skill, and so the king betrothed his daughter to him. For whatever reason such a great honor was conferred upon him, it is difficult to believe that he was the son of a slave woman and was himself a slave in his childhood.¹²⁴ I am more of the opinion of those who say that, after the capture of Corniculum, the pregnant wife of Servius Tullius, the slain leader of that city, was recognized among the other captives; then, because of her outstanding nobility, she was rescued from slavery by the Roman queen. And so the woman gave birth in Rome in the house of Priscus Tarquinius.

121. The last two projects were completed by Tarquin's son, Tarquinius Superbus; see 1.56.

122. A similar prodigy occurs twice in Virgil's *Aeneid*, at 2.681–6 (Ascanius) and 7.71–7 (Lavinia).

123. *We should realize*: the Latin *scire licet* literally means “it is permitted to know.” On Tanaquil's skill in interpreting prodigies, see 1.34.

124. The name *Servius* means “servile,” or “slavish,” deriving from *servus* (slave). Later the

Because of this act of generosity, a friendship developed between the two women and the child was held in affection and esteem, since he was raised in the palace from infancy. The belief that he was born of a slave woman is the result of his mother's misfortune to have fallen into the hands of the enemy upon the capture of her native city.

40. Ancus Marcius' sons arrange the assassination of Tarquin.

Some thirty-eight years after the beginning of Tarquin's reign, Servius Tullius was held in the greatest esteem, not only by the king, but also by the senators and the people. The two sons of Ancus had always been outraged that they had been driven from their father's throne by their tutor's deceit and that Rome was ruled by a stranger who was not of neighboring stock, still less Italian. Their sense of outrage was vastly increased at the prospect that the kingdom would not return to them even after Tarquin's death but would fall headlong into the possession of slaves. In the same state where, a hundred or so years earlier, Romulus, son of a god and himself a god, had reigned as long as he was on earth, the royal power would be held by a slave, the son of a slave woman. It would be a disgrace shared not only by the Roman name, but particularly by their family if, while Ancus' sons still lived, the Roman kingship should be open not just to foreigners, but also to slaves. They decided to prevent the insult by murder. But resentment at their injustice spurred them on against Tarquin more than Servius. For if the king survived an assassination attempt, he would be a more formidable avenger than a private citizen. But if Servius was killed, Tarquinius was likely to choose another son-in-law and make him his heir. For these reasons, the plot was aimed at the king himself.

Two of the most ferocious shepherds were chosen to do the deed. Armed with their usual rustic implements, they feigned a brawl in the forecourt of the palace, and by making as much of a disturbance as possible, they attracted the attention of all the king's attendants. As they called out the king's name, their shouts reached the innermost part of the palace. So, they were summoned into the king's presence. At first both raised their voices, each one trying to shout the other down. They were restrained by a lictor who ordered them to speak in turn. When finally they stopped railing at each other,

emperor Claudius, an expert on Etruscan history, recorded a tradition that Servius was an Etruscan called Mastarna (*Inscriptiones Latinae Selectae* 212.1.8–27); see the discussion of Cornell 1995: 131–41.

one of them began his speech as arranged. While he had the king's full attention, the other raised an axe and brought it down on the king's head. Leaving the weapon in the wound, both of them dashed for the doors.

41. Tanaquil secures the succession of Servius.

As those around him took the dying Tarquin in their arms, lictors seized the fugitives. There was an uproar as people rushed in, wondering what was going on. In the midst of the commotion, Tanaquil ordered the palace to be closed and threw out all the witnesses. At the same time, as if hope still remained, she busily got together what was needed for healing a wound, while also preparing other safeguards in case her hopes should fail. Quickly she sent for Servius and showed him her husband's almost lifeless body. She took his right hand, begging him not to allow the death of his father-in-law to go unavenged nor his mother-in-law to become the laughingstock of her enemies. "The kingship is yours, Servius, if you are a man," she cried. "It does not belong to those who used the hands of others to commit this terrible crime. Arouse yourself and follow the leadership of the gods who long ago surrounded your head with divine fire, portending your future fame. May that flame from heaven now stir you! Now be truly awakened! We too were foreigners and yet we reigned. Consider who you are, not your birth. If your mind is too numb to make plans in this sudden crisis, at least follow mine."

Since the shouting and pushing of the crowd could scarcely be withstood, Tanaquil addressed the people from the upper story of the house through the windows that faced onto New Street (the king lived near the temple of Jupiter Stator). She bade them be optimistic, saying that the king had been rendered unconscious by a sudden blow, but the weapon had not gone deep into his body. He had already regained consciousness; the blood had been wiped away and the wound examined. All the signs were healthy. She was confident that they would see him in a day or so. Meanwhile she ordered the people to obey Servius Tullius: he would dispense justice and perform the king's other duties. Servius appeared in the royal robe, attended by lictors. Sitting in the royal seat, he made some decisions and pretended that he would consult the king about others. And so, for several days after Tarquin had already breathed his last, his death was concealed, as Servius strengthened his position by pretending to act on another's behalf. Then at last, when the ritual lament was raised in the palace, it became clear what had happened. Servius surrounded himself with a strong guard and was the first to assume the kingship without being chosen by the people. He did, however,

have the consent of the senators. Ancus' sons had already gone into exile in Suessa Pometia, when the hired killers had been caught and the announcement made that the king still lived and Servius was in control.¹²⁵

42. Servius strengthens his power by marrying his daughters to Tarquin's sons and by making war on Veii. He then turns his attention to constitutional reform.

Servius now proceeded to secure his position by private as well as public measures. Fearing that Tarquin's sons might show the same animosity toward him that Ancus' sons had exhibited to Tarquin, he married his two daughters to the king's sons, Lucius and Arruns Tarquinius. But his human wisdom did not break the force of destiny. Even among his own family, jealousy for the kingship created an atmosphere of distrust and hostility. Most opportunely for the peaceful maintenance of the prevailing situation, a war was undertaken against the Veientes (the truce had now expired) and other Etruscans. In that war, the bravery and good fortune of Servius Tullius shone forth. He routed a huge enemy army and returned to Rome, having proved himself the undisputed king in the minds of both senators and people.

Then Servius embarked on what was by far his most important peacetime work. Just as Numa had been the author of divine law, so posterity would regard Servius as the one who established all the distinctions among the citizen body and the ranks whereby there is a clear differentiation between the various grades of wealth and prestige. He instituted the census, a most useful thing for a state that was to achieve such great dominion.¹²⁶ A man's duties in war and in peace would be determined, not indiscriminately on an individual basis as before, but in proportion to a man's wealth. It was at this time that Servius distributed the people into classes and centuries in accordance with the census, an arrangement that was suitable for either peace or war.¹²⁷

125. *Suessa Pometia*: a town to the southeast of Rome, now plausibly identified as Satricum, several miles northeast of Antium, in Volscian territory in the foothills of a mountain range; see Cornell 1995: 209–10.

126. *census*: rating or assessment of Roman citizens that was based on capital, not income. It was used for the recruitment of troops, voting, and taxation.

127. There is general agreement that the system described here by Livy, and also by Dionysius of Halicarnassus (*Antiquities* 4.16–8), cannot go back to the regal period but rather belongs to the late fourth or third centuries BCE. The original organization was evidently designed for

43. *The constitutional reforms attributed to Servius Tullius.*

For those who possessed 100,000 *asses* or more, Servius created eighty centuries, forty each of seniors and juniors.¹²⁸ These were all known as the first class; seniors were to be prepared to guard the city, juniors to wage war in the field. These men were required to supply a helmet, a round shield, greaves, and breastplate, all of bronze, to act as protection for their bodies; their offensive weapons were a spear and sword. To this class were added two centuries of craftsmen who were to serve without arms. Their task was to attend to the siege equipment in war. The second class came from those whose rating was between 100,000 and 75,000 *asses*; from these, twenty centuries were enrolled for seniors and juniors. They were required to supply an oblong shield rather than a round one, and everything else except for a breastplate. Servius set the rating of the third class at 50,000 *asses*; it had the same number of centuries as the second and the same age distinctions. Nor was there any change in the arms, except for the omission of greaves. In the fourth class, the rating was 25,000 *asses*; they formed the same number of centuries, but there was a change in the arms: they were given nothing except a spear and a javelin. The fifth class was made larger, forming thirty centuries. They carried slings and stones for missiles. Added to these were the trumpeters and horn-blowers, distributed over three centuries. The rating of this class was 11,000 *asses*. Those whose rating was less than this formed the rest of the population; they were put in one century and were exempt from military service.

military purposes and later adapted for political purposes, becoming known as the *Comitia Centuriata*; see Cornell 1995: 179.

centuries: originally a military unit, consisting theoretically of one hundred men. In practice, however, the centuries of the *Comitia Centuriata* varied in size, but the vote of each century carried the same weight as that of the other centuries, regardless of the size of a particular century. The distribution of the centuries into five classes, moreover, was based on wealth, and the number of centuries in the first two classes was greater than that in the remaining classes. Since voting was successive, starting with the first and wealthiest class, the lowest classes were rarely called to cast their votes, as Livy notes in the next section; see Cornell 1995: 179 with Table 2, which shows the organization of the 193 centuries.

128. The *as* was a unit of weight, used as a measure of value; one *as* was the equivalent of a pound of bronze. Since the Romans did not issue coins until the early third century BCE, some scholars attribute these references to a second-century BCE historian who has translated the original type of assessment into terms of coinage; see Cornell 1995: 180–1.

seniors: men between forty-six and sixty years of age.

juniors: men between seventeen and forty-five years of age.

When he had organized the distribution and equipment of the infantry, Servius enrolled twelve centuries of knights from the leading men of the state. He likewise formed six other centuries, three of which had been instituted by Romulus, keeping the same names that they had received by augury.¹²⁹ For the purchase of horses, they were given 10,000 *asses* each from the state treasury. Unmarried women were assessed for the maintenance of these horses, and they had each to pay 2,000 *asses* per year.¹³⁰

All these burdens were shifted from the poor to the rich. The latter were then granted a special privilege. Under the tradition handed down by Romulus and preserved by the other kings, the vote of each individual implied an equality of rights and power. But now suffrage was no longer given indiscriminately to all. Gradations were made in such a way that no one seemed to be excluded from voting, but all power was in the hands of the leading men of the state. For the knights were called upon to vote first, and then the eighty centuries of the first class. At that point, if there was any disagreement—which rarely happened—the order was given to call on the second class. Almost never did they descend as far as the lowest citizens.

Nor should we be surprised that the present organization is not consistent with the total number of centuries instituted by Servius Tullius, for the former came into existence after the number of tribes had increased to thirty-five and their number had been doubled in the centuries of the juniors and seniors.¹³¹ When Servius divided the city into four parts according to the areas and hills that were inhabited, he called them “tribes,” a word that, I think, derives from “tribute.”¹³² He also planned a method of collecting tribute equitably, on the basis of the census. But these four tribes were not connected with the distribution or number of the centuries.

129. *instituted by Romulus*: the Ramnenses, Titienses, and Luceres; see 1.13. For the other three Later Ones, see 1.36. When the *Comitia Centuriata* was functioning as a political body, these six centuries voted first.

130. *unmarried women*: the Latin *viduae* means “women lacking husbands.” The majority of such a group would have been widows and heiresses.

131. The meaning of this passage is obscure and difficult to interpret. Tribes were a division of the citizen body, originally based on place of residence. The number of tribes reached its maximum of thirty-five in 241 BCE, and it is to this year, or slightly later, that scholars date the reorganization of the *Comitia Centuriata*, whereby the voting groups (centuries) were correlated within the five classes and with the thirty-five tribes, four of which were in the city itself (the “urban” tribes) and the rest (the “rustic” or “rural” tribes) in territory appropriated by the Romans. On the problem of the centuries and the tribes, see Cornell 1995: 190–4.

132. For a discussion of the problem of these four tribes, see Cornell (1995: 173–9), who suggests that Servius divided the whole of the then-existing Roman territory into four tribes. Livy’s etymology is probably mistaken: *tributum* (tribute) more likely derives from *tribus* (tribe).

44. *Servius completes the census, purifies the army, enlarges the city, and extends the pomerium.*

Servius expedited the completion of the census by passing a law that threatened those who failed to register with death or imprisonment. He then proclaimed that all Roman citizens, both cavalry and infantry, were to assemble at dawn on the Campus Martius, each in his own century. When the whole army was drawn up there, he purified it with the sacrifice of a pig, sheep, and bull (*suovetaurilia*). This was called the “closing of the *lustrum*” because it marked the end of the census. Eighty thousand citizens are said to have been registered at this census. Fabius Pictor, our oldest written authority, adds that this was the number of people capable of bearing arms.¹³³ Given this large number, it was apparent that the city also needed to be expanded. Servius added two hills, the Quirinal and Viminal, and then developed the Esquiline, living there himself in order to enhance its prestige. He surrounded the city with a mound, ditch, and wall, and so extended the *pomerium*.¹³⁴ Those who look only at the meaning of the word derive it from *postmoerium*, “the part behind the wall”; but rather it is *circamoerium*, “the area on both sides of the wall”—the space that the Etruscans, whenever they founded a city and selected a site for a wall, used to consecrate after taking auspices at fixed points along the boundary. They did this so that, on the inner side, the buildings should not touch the walls (the general practice today is to join them) and, on the outside, there should be some space that was kept clear and free from human use. The space where divine law (*fas*) forbade habitation or cultivation is called the *pomerium*, as much because the wall was behind it as because it was behind the wall. Whenever the constant growth of the city created a need to advance the walls, the consecrated boundary stones were also moved forward.

45. *A temple to Diana is built on the Aventine hill by both Romans and Latins; Rome’s dominion over the Latins is confirmed by the fulfillment of a prophecy.*

The king had promoted the state by enlarging the city and arranging domestic affairs to meet the needs of both war and peace. Then, to avoid

133. *Fabius Pictor*: an early Roman historian (late third century BCE), who was also a senator and who wrote, in Greek, a history of Rome from earliest times to his own day. Note that this is the first time Livy has named a specific source.

134. *pomerium*: the sacred boundary of the city, said to have been established by Romulus

always being dependent on force of arms for asserting Roman interests, he tried to increase his dominion by means of diplomacy, at the same time adding splendor to the city. Already at that time, the temple of Diana at Ephesus was famous, reputedly built as a joint enterprise by the cities of Asia. Servius lavishly praised this cooperation and community of worship to the Latin leaders, with whom he had assiduously cultivated ties of hospitality and friendship in both a private and official capacity. By reiterating the same points, he convinced the Latin peoples to join with the Roman people in building a temple to Diana at Rome.¹³⁵

This was an admission that Rome was the capital city—an issue that had so often caused armed conflict. Although this had apparently now ceased to be a concern to the Latins after their many unsuccessful efforts, there was one of the Sabines who imagined that he had a chance of recovering their dominion by a plan of his own. It is said that a heifer of wondrous size and beauty was born in Sabine territory, on the property of a certain head of a family. For many generations, its horns have been fastened up in the vestibule of the temple of Diana to commemorate this marvel. This heifer was considered to be a prodigy, as indeed it was. Soothsayers prophesied that dominion would belong to the state whose citizen should sacrifice the animal to Diana. The priest of Diana's temple had heard of this prophecy. On the first suitable day for sacrifice, the Sabine led the heifer to the temple of Diana in Rome and set it before the altar. The priest was impressed by the famed size of the victim but, mindful of the prophecy, asked him, "Stranger, what do you think you are doing? Surely you aren't going to make a sacrifice to Diana without first purifying yourself? Why don't you first bathe in running water? The Tiber is flowing down there in the valley." The stranger, touched by a sense of religious obligation, immediately went down to the Tiber because he wanted to do everything with the proper ritual so that the outcome would match the prediction. Meanwhile the Roman sacrificed the heifer to Diana, an act that was wonderfully gratifying to both the king and the citizens.

(Ovid, *Fasti* 4.825–6; Plutarch, *Romulus* 11). It is not to be confused with the city wall, though at some points it may have coincided with the wall; this boundary demarcated the augurally constituted city, as Livy's description indicates. On the earlier *pomerium* attributed to Romulus, see Grandazzi 1997: 154–9.

135. There was already a temple to Diana at Aricia in the Alban hills, which served as the federal cult center of nine Latin communities to which Rome, being under Etruscan domination, did not belong. Servius Tullius' building of a temple to Diana in Rome is evidently a bid to outdo the cult at Aricia.

46. *Servius gets the people to ratify his rule. Tarquin and the younger Tullia conspire to gain the kingship, so first they dispose of their spouses, Arruns and the older Tullia.*

Servius was now undoubtedly king *de facto*, but he kept hearing that the young Tarquin was from time to time making remarks that the king was ruling without the consent of the people. So, first he won over the goodwill of the people by dividing the territory captured from the enemy among all the citizens; then he ventured to ask the people whether they were willing to vote for him as their king. Servius was declared king with a unanimity as great as that accorded to any previous king. But this event did not diminish Tarquin's hopes of obtaining the kingship. Indeed, he had realized that Servius' action of giving land to the people was contrary to the wishes of the senators, and so he thought that he had been given an opportunity to censure the king in the senate and increase his own power in that body. He himself was a young man of fiery spirit, and he had a wife, Tullia, who goaded the restlessness of that spirit.¹³⁶ For even the royal house of Rome produced an example of a crime worthy of Greek tragedy, in order that hatred of kings might hasten the coming of liberty and the last kingship be one that was obtained by a criminal act.¹³⁷

This Lucius Tarquinius—it is not at all clear whether he was the son or grandson of King Tarquinius Priscus, though I follow the majority of sources, and so would declare that he was the son—had a brother, Arruns Tarquinius, a young man of a gentle nature. These two young men, as noted above, were married to the king's two daughters, who were very different in their characters. By chance it happened that the two violent characters were not married to each other—thanks, I suppose, to the good fortune of the Roman people—so that Servius' reign would be prolonged and the state's traditions become established. It was distressing to the fierce Tullia that her husband did not have the stuff of ambition and boldness. So, she turned completely from him to his brother; he was the one she admired, calling him a man and one of true royal blood. She despised her sister, because, as she said, now that the other woman had a real man as a husband, she had lost the boldness that a woman should have. Similarity quickly brought the two together, as usually happens, since evil is most drawn to evil.

136. *Tullia*: Tarquin's second wife, the younger daughter of Servius Tullius. Her older sister, Tarquin's first wife, was also named Tullia, since Roman women are known by the feminine form of their father's family name; see stemma, p. xlv.

137. *a crime worthy of Greek tragedy*: an allusion to the murder of Agamemnon by his wife Clytemnestra and her lover Aegisthus.

But it was the woman who began all the trouble. She got into the habit of conversing secretly with another woman's husband and spared no insults when speaking about her husband to his brother, nor about her sister to her husband. She said that it would have been better for her to be unmarried and for him to be without a wife than for them to be married to their inferiors. In the present situation, however, they had to remain inactive because of others' cowardice. If the gods had given her the husband she deserved, she would soon have seen in her own house the royal power that she now saw in her father's. Quickly she filled the young man's mind with her own recklessness. Deaths followed in quick succession, ensuring vacancies in their homes for new spouses. And so Lucius Tarquinius and the younger Tullia were married. Servius did not prevent the marriage but hardly gave his approval.

47. Goaded by the ambitious Tullia, Tarquin solicits support, takes a bodyguard, seats himself on the throne, and maligns Servius.

From that time on, Tullius' old age was increasingly a source of danger, and his rule became more endangered day by day. Already the woman was looking from one crime to another, and she did not allow her husband any peace either by night or day, urging him not to let the murders they had committed prove ineffective. She had not wanted a husband simply to be called his wife and endure slavery with him in silence. What she had lacked was a man who thought himself worthy to be a king, who remembered that he was the son of Tarquinius Priscus, and who preferred to have the throne rather than to hope for it. "If you are the man that I think I married," she said, "I salute you both as husband and king. But if not, then the situation has changed for the worse, for crime is compounded by cowardice. Why don't you rouse yourself to action? You don't come from Corinth or Tarquinii. Unlike your father, you don't have to take over a foreign kingdom. Your household gods, the gods of your ancestors, your father's image, the royal palace and the royal throne in your home, and the name of Tarquin declare and summon you to be king.¹³⁸ Or, if you have so little nerve for this, why do you disappoint the citizens? Why do you allow yourself to be seen as a prince? Get out of here

138. *father's image*: an allusion to the busts (*imagines*) of ancestors that were kept in the *atrium* of a Roman noble's house and paraded at funerals of prominent family members; see Polybius 6.53. These images represented a family's illustrious past.

and go to Tarquinius or Corinth; take yourself back to your roots! You are more like your brother than your father.”

With these and other taunts, she goaded the young man. She herself could not bear the thought that Tanaquil, a foreign woman, had had the nerve to be kingmaker twice in succession, once for her husband and then for her son-in-law; whereas she, a king's daughter, was unable to have any influence in making and unmaking a king. Tarquin, spurred on by his wife's frenzy, went round soliciting the senators, especially the heads of the lesser families.¹³⁹ He reminded them of his father's kindness to them, seeking their favor in return. The young men he attracted by gifts, increasing his influence everywhere not only by extravagant promises but also by slandering the king. Finally, when it seemed the time for action, he surrounded himself with a band of armed men and rushed into the forum.

Then, amid the general consternation and panic, he seated himself on the royal throne in front of the senate house and ordered a herald to summon the senators to come before King Tarquin at the senate house. They came immediately, some by prearrangement, others fearing that their nonappearance might prove harmful to them. Astonished at this strange miracle, they thought that Servius was finished. Then Tarquin began by maligning the king, going back to his family origins. Servius, the son of a slave woman, was a slave himself who, after the undeserved death of Tarquin's own father, had seized the kingdom, thanks to a gift given by a woman. There had been no *interregnum* as on previous occasions; no elections had been held; there had been no vote of the people or ratification by the senators. Such was Servius' birth; this was how he came to be king. He had promoted the lowest types of society, to which he himself belonged. His hatred of others' noble birth had caused him to take land from the leaders of the state and divide it among the rabble. All the burdens that had formerly been shared, he had transferred to the city's foremost men. He had initiated the census to make the fortunes of the rich a conspicuous mark for envy and a source for extravagant gifts that he could give to the most needy whenever he wished.

48. The murder of Servius Tullius. His daughter drives her carriage over her father's dead body.

Servius, alerted by this alarming news, interrupted this harangue, calling out in a loud voice from the vestibule of the senate house, “What's all this about,

139. *lesser families*: see 1.35.

Tarquin? How dare you have the audacity to summon the senators and take my seat while I yet live?" Tarquin ferociously replied that he was occupying his own father's seat; a king's son was a much better heir to the throne than a slave. Too long had Tullius had the license to mock and insult his masters. Shouts arose from the partisans of each man. People rushed to the senate house. It was clear that the victor would become king. Then Tarquin was forced by sheer necessity to dare the ultimate. Being far stronger because of both his age and vigor, he seized Servius around the waist, carried him out of the senate house, and flung him to the bottom of the steps. Then he returned to the senate house to control the senators. The king's companions and attendants fled. Servius himself, faint from loss of blood and half dead, was making his way back home without his royal retinue when the men that Tarquin had sent in pursuit caught up with him, and he was killed.

There is a belief that Tullia suggested this deed, which is not inconsistent with the rest of her wickedness. In any case, it is generally agreed that she drove in a carriage into the forum and, unafraid of the men who had gathered there, summoned her husband from the senate house and was the first to hail him as king. He ordered her to get out of the fray. On her way back home, she came to the top of Cyprius Street, where the shrine of Diana recently stood. As she sought to turn to the right toward the Urbian slope to reach the Esquiline hill, her driver recoiled in terror and, pulling in the reins, pointed out to his mistress the murdered king lying there. Abominable and inhuman is the crime that is said to have ensued. The place itself is a reminder, for they call it the Street of Wickedness. Crazy by the avenging spirits of her sister and husband, Tullia is said to have driven her carriage over her father's body. Spattered and defiled by the blood of her murdered father, she brought some of it on her vehicle to the gods of her own household and those of her husband's. These deities, in their anger, saw to it that the evil beginning of this reign was soon followed by a similar end.¹⁴⁰

140. *crazed by the avenging spirits* . . . : in the closing sentences of this section, Livy presents the story in terms of a Greek tragedy, a comparison he made earlier in 1.46; see also n. 137. One of the most familiar stories in Greek tragedy is that of Orestes, the son of Agamemnon, who killed his mother Clytemnestra to avenge his father's death and so was pursued by the Erinyes, or furies, his mother's avenging spirits. But he was finally absolved and purified by Apollo, whereas Tullia finds no such expiation; see 1.59.

spattered and defiled: not only is Tullia polluted as a result of the murder of her sister and her first husband, she is now polluted by the blood of her father, for whose death she was partly responsible.

followed by a similar end: these words and the subsequent reference to Servius' "plans to give freedom to his country" foreshadow the expulsion of the Tarquins and the institution of the republican form of government in Book 2.

Servius Tullius ruled for forty-four years. His reign was such that even a good and moderate successor would have found it difficult to match him. But this renown has been enhanced by the fact that just and legitimate kingship perished along with him. Mild and moderate as his rule was, some sources say that he intended to resign because it was rule by a single individual. This he would have done had not wickedness within his own family interrupted his plans to give freedom to his country.

49. *The beginning of Tarquin's tyrannical reign.*

Such was the beginning of the reign of Lucius Tarquinius, who, because of his actions, was given the name of Superbus.¹⁴¹ He forbade the burial of his own father-in-law, asserting that Romulus had also not received burial after his death.¹⁴² Then he killed those leading senators whom he believed had been Servius' supporters. Aware that the precedent he had set of seeking the kingship by criminal means might be used against him, he surrounded himself with a bodyguard; for he had no judicial right to the kingship, since he ruled without the bidding of the people or consent of the senators. In addition, his rule had to be protected by fear, since he had no hope of the citizens' affection. To instill this fear into the majority, he alone, without advisers, carried out the investigation of capital charges.¹⁴³ For this reason, he was able to execute, exile, or fine not only those whom he suspected or disliked, but also those from whom he had nothing to gain but plunder. It was mainly senators whose numbers were depleted in this way. Tarquin, moreover, was determined not to replace them, so that the fewness of their number would bring more contempt on the senate, which, in turn, would be less able to express anger at its lack of participation in state business.

Tarquin was the first of the kings to break with the custom of consulting the senate on all matters, a custom handed down by his predecessors. He

141. *Superbus* is more accurately translated as "arrogant," though he is more usually called Tarquin the Proud as opposed to Tarquin the Elder (*Priscus*). *Superbia* (arrogant and excessive behavior) is the equivalent of the Greek *hybris* and is the dominant characteristic of this king that ultimately leads to the downfall of his dynasty—a further reflection of the theme of a Greek tragedy to which Livy has already alluded. Tarquin is also portrayed as the stereotypical Greek tyrant (*tyrannos*), who takes a band of armed men, seizes power by force, and surrounds himself with a bodyguard. Not only Greek tragedy but also Greek history has left a mark on the Roman tradition.

142. *forbade the burial*: an act of impiety; see 1.20 where provision is made by Numa for "proper funeral rites and appeasement of the spirits of the dead."

143. *capital charges*: charges affecting a man's status as citizen—i.e., his life, freedom, and civic rights.

governed the state by consulting only members of his own family. On his own initiative, without the consent of the people or the senate, he made and unmade war, peace, treaties, and alliances, dealing with whomever he wanted. He concentrated on winning over the Latin peoples, in order that assistance from abroad might give him greater safety among the citizens at home. He created not only ties of hospitality with their leading men, but also marriage ties. He gave his daughter in marriage to Octavius Mamilius of Tusculum, who was by far the most important of the Latin peoples, being descended, if we believe the report, from Ulysses and Circe.¹⁴⁴ Through this marriage he gained ties with Mamilius' many relatives and friends.

50. Turnus of Aricia stirs up the Latins against Tarquin. His complaints are cut short by Tarquin's late arrival.

Tarquin's influence among the Latin leaders was already considerable when he proclaimed a day for them to assemble at the grove of Ferentina, saying that there were matters of common interest that he wanted to discuss. They gathered in large numbers at dawn. Tarquin himself did indeed keep the appointment but only arrived shortly before sunset. Throughout the day there had been much discussion in the council on various topics. Turnus Herdonius from Aricia made a vehement attack on the absent Tarquin, saying that it was no wonder that he had been given the name Superbus in Rome—for already that name was current, though whispered behind his back.¹⁴⁵ Could anything be more arrogant than to make a mockery of the entire Latin race as he was doing? Their leaders had been brought from their distant homes, whereas the very man who had proclaimed the council was not present. Clearly his aim was to try their patience. If they submitted to the yoke, he would press them into servitude. Who couldn't see that he was aiming at sovereignty over the Latins? If his own citizens had done well in entrusting power to him, or if it had been entrusted and not stolen by parricide, then the Latins also should entrust it to him. But no, not even in that case, because he was

144. *Tusculum*: a Latin town some fifteen miles southeast of Rome, near the modern Frascati.

Ulysses and Circe: the story of Ulysses, the Greek Odysseus, and Circe, the enchantress who turned men into pigs, is said to have taken place at Circeii on the coast of Latium.

145. *Ferentina*: a goddess, protector of the Latin League.

Aricia: a town sixteen miles southeast of Rome.

Superbus: the Latin means "arrogant," though it is frequently translated as "proud."

of foreign birth. But if his own people were discontented with him—indeed, one after another they were being butchered, exiled, and deprived of their property—what better prospect was portended for the Latins? If they would listen to him, each man would go back to his own home, thereby keeping his appointment at this meeting no better than did the man who had called it.

These and other pertinent remarks were being uttered by Turnus, a rebel and troublemaker who had won influence in his hometown by employing these very skills, when Tarquin arrived. This put an end to the speech. All turned to greet Tarquin. Silence was imposed and Tarquin, warned by those near him that he should apologize for the time of his arrival, said that he had been arbitrating a dispute between a father and his son and had been delayed by his concern to reconcile them. Because the matter had taken up that day, he would deal with his agenda the following day. Turnus is said not to have let even this pass without comment, remarking that there was no shorter legal investigation than that between father and son. It could be dealt with in a few words: if a son did not obey his father, it would be the worse for him.

51. By planting false evidence, Tarquin secures Turnus' death.

With this gibe against the king of Rome, the man from Aricia left the council. Tarquin was considerably more angry than he seemed. Immediately he began to plot Turnus' death, so that he might inspire in the Latins the same fear that he had used to oppress the spirit of the citizens back home. Because his power at Rome did not enable him to kill Turnus openly in this place, he trumped up a false charge and so destroyed an innocent man. Through some of the opposing faction in Aricia, he bribed one of Turnus' slaves with gold to permit a large quantity of swords to be brought secretly into the place where Turnus was staying. This was accomplished in one night.

Then, shortly before dawn, Tarquin summoned the Latin leaders, pretending to have received some alarming news. He said that by some divine providence, his late arrival had proved to be both his and their salvation; for he had been told that Turnus was plotting to kill both him and the peoples' leaders in order to gain sole control over the Latins. He would have made his attack in the council on the previous day, but the attempt had been put off because his main target, the man who had summoned the council, was not there. This was the reason for Turnus' invective against him in his absence, because his delay had frustrated the Arician's hopes. There was no doubt, if this information was true, that Turnus would come at dawn when the meeting assembled, armed and attended by a band of conspirators. A

large number of swords were said to have been brought to his lodging. Whether or not this was an empty rumor could be immediately discovered. So, he asked them to accompany him to Turnus' quarters.

Turnus' fierce disposition, his speech the previous day, and Tarquin's delay made the accusation plausible, because it seemed likely that the massacre might have been postponed on that account. So, they went with the king, inclined to believe his story but prepared to think the rest of the charges false if they did not find the swords. On their arrival, they awoke Turnus, surrounded him with guards, and seized the slaves who, out of concern for their master, were preparing to use force. Then the swords that were hidden in every part of the lodging were produced. Everything seemed clear. Turnus was put in chains, and, amid a great commotion, the council of the Latins was immediately summoned. The sight of the swords placed in their midst aroused such fierce hostility that, without being given a hearing, Turnus was condemned to a novel kind of execution: he was plunged into the source of the Ferentine Water and drowned beneath a wicker crate heaped up with stones.

52. Tarquin persuades the Latins to renew the treaty made with Tullus Hostilius, while also ensuring that they do not have their own commanders.

Tarquin then summoned the Latins back to the council and praised them for giving the rebellious Turnus the punishment that a murder plot deserved. He went on to say that he was empowered to act in accordance with an ancient right, the treaty made by King Tullus Hostilius, whereby the entire state of Alba, together with its colonies, had come under Rome's control. Since all Latins originated from Alba Longa, they were bound by that treaty. But he thought that the interests of all would be better served if the treaty were renewed. In this way, the Latin people would share in the good fortune of the Roman people, rather than continually expecting or suffering the destruction of their cities and devastation of their land that they had endured first under Ancus, and then in his own father's reign.

The Latins were easily persuaded, though Roman interest was uppermost in that treaty. But they saw that the Latin chiefs stood with the king and were in agreement with him. For everyone there was the recent lesson of the danger of opposing Tarquin. So, the treaty was renewed and the Latin men of military age were ordered to assemble on a fixed day at the grove of Ferentina, armed and in full force, in accordance with the treaty. Recruits from all the peoples assembled in response to the king's command. But Tarquin did want

them to have their own leaders, or a separate command, or their own standards. He therefore divided the existing fighting units into two, forming new ones with one half taken from the Latins, the other from the Romans. Centurions were put in command of the recombined units.

53. The Romans begin warfare against the Volsci. The spoils from Suessa Pometia are set aside for building a temple of Jupiter. Sextus Tarquinius pretends to be a deserter and is welcomed at Gabii.

Unjust as the king was in peacetime, he was not a bad general in war. Indeed he would have equaled his predecessors in military skill if his glory in this sphere too had not been offset by his degeneracy in other matters. He was the first to make war on the Volsci, a struggle that would last for 200 years after his time. He took Suessa Pometia by storm and raised forty talents of silver by selling off the booty.¹⁴⁶ He envisioned a temple to Jupiter whose magnificence would be worthy of the king of gods and men, of the Roman empire, and of the majesty of the site itself. To build this temple, he set aside the money from the captured city.

Then Tarquin became engaged in a war that took longer than he expected. After attempting in vain to storm the neighboring city of Gabii, hope of a siege was also lost when he was driven back from the walls.¹⁴⁷ Finally he resorted to guile and trickery, a thoroughly un-Roman stratagem.¹⁴⁸ Pretending to have given up the war and to be concentrating on laying the foundations of the temple and other urban projects, Tarquin arranged for Sextus, the youngest of his three sons, to go as a deserter to Gabii and complain of his father's unbearable cruelty to him. His father's arrogance toward strangers, Sextus said, was now directed against his own family. The king was also annoyed by the large number of his children and wanted to create the

146. *Volsci*: an Italic people living on the coastal plain and slopes of the Apennines, from southern Latium to Campania. Over the next several decades, they and the Aequi were threatening Latium, causing wars and social disruption; see Forsythe 2005: 188–92.

Suessa Pometia: see n. 125. Excavation reveals that the site was particularly rich at this time; see Cornell 1995: 210.

talents: the talent was a Greek monetary unit of high value.

147. *Gabii*: an ancient Latin city twelve miles east of Rome.

148. The story of the capture of Gabii is an elaboration deriving from a conflation of two episodes in Herodotus: the feigned deserter Zopyrus and the taking of Babylon (3.154), and the unspoken communication between Thrasybulus and Periander (5.92).

same solitude in his own house as he had in the senate, so as to leave no descendant and no heir to the kingship. Indeed he himself had escaped from the midst of his father's weapons and swords, believing that his only safety lay with Tarquin's enemies. They should make no mistake: the war still remained. It was a pretense that it had been abandoned. Tarquin would seize an opportunity to invade when they were off their guard. But if they had no place for suppliants, he would wander all over Latium and then seek out the Volsci, Aequi, and Hernici until he reached men who knew how to protect children from the cruel and impious tortures inflicted by a father.¹⁴⁹ Perhaps he would even find some enthusiasm for war against a most arrogant king and his most ferocious people.

When it appeared that he was going to depart in anger if they disregarded him, the people of Gabii gave him a generous welcome. They told him not to be surprised that in the end the king had treated his children as he had treated his citizens and allies. If all else failed him, he would finally vent his cruelty upon himself. Indeed, they were glad that Sextus had come and believed that, with his assistance, the war would soon be shifted from the gates of Gabii to the walls of Rome.

54. Sextus becomes all-powerful at Gabii. Acting on his father's unspoken advice, he executes the leading citizens and hands the city over to his father.

Then Sextus was invited to their councils of state, in which he said that he deferred to the long-established residents of Gabii on matters about which they were better informed. Over and over again, however, he advocated war. He assumed a special knowledge in this sphere because he was acquainted with the strength of both peoples and knew that the king's arrogance was hateful to his citizens, since even his children had not been able to put up with it. In this way, little by little, he was prodding the leaders of Gabii to reopen the war. He himself went out to plunder and reconnoiter, together with the boldest Gabinian youths. All his words and deeds were designed to

149. *suppliant*: one who begs for help, usually invoking the protection of the gods. The person who is supplicated is thus bound to honor the request.

Aequi: an Italic tribe living in the mountains behind Tibur and Praeneste.

Hernici: an Italic tribe living in the mountains southeast of the Anio, who, like the Aequi, were encroaching upon the foothills and into Latium.

deceive, increasing their misplaced trust. Finally he was chosen as their war leader. The people had no idea of what was going on, but when skirmishes broke out between the Romans and the people of Gabii, in which the latter generally gained the upper hand, then all the citizens of Gabii, both high and low, enthusiastically believed that Sextus Tarquinius had been sent as a gift from the gods to be their leader. By sharing in their dangers and hardships and by liberally distributing the booty, he so won the affection of the soldiers that the son became as powerful in Gabii as his father Tarquin was in Rome.

When Sextus saw that he had amassed enough strength for any enterprise, he sent one of his followers to Rome to ask his father what he wanted him to do, since the gods had granted that he was the only one who controlled public affairs at Gabii. King Tarquin said nothing in reply, because, I suppose, the messenger seemed of questionable loyalty. He went into the garden as if to ponder, followed by his son's messenger. There, as he walked up and down without speaking, he is said to have struck off the heads of the tallest poppies with his stick. Tired of asking and waiting for a reply, the messenger returned to Gabii, his mission apparently unfulfilled. He reported what he himself had said and what he had seen. Whether from anger, he said, or hatred, or his innate arrogance, the king had not uttered a word. When Sextus realized what his father wanted and what he was telling him by his unspoken enigmas, he killed the city's leaders, accusing some before the people and taking advantage of the unpopularity of others. Many were executed openly; others, in whose case an accusation was less plausible, were murdered in secret. Exile was open to those who chose it, or else they were forced into it. The property of exiles and murdered alike was made available for distribution. Largesesse and booty ensued, and the sweetness of personal gain eliminated the sense that the state was being wronged. In the end, deprived of anyone to advise or help, Gabii was handed over to the king of Rome without a fight.

55. Tarquin builds the temple of Capitoline Jupiter. During the construction, two portents signal Rome's future greatness.

Once he had possession of Gabii, Tarquin made peace with the Aequi and renewed the treaty with the Etruscans. Then he turned his attention to affairs in the city. His first concern was to leave a temple to Jupiter on the Tarpeian Mount as a memorial (*monumentum*) of his reign and of his family, indicating that of the two Tarquins, both of them kings, the father made

the vow and the son fulfilled it.¹⁵⁰ But because he wanted the site on which he was building the temple of Jupiter to be free from all other religious associations, he decided to deconsecrate the several sanctuaries and shrines that had been first vowed by King Tatius in the crisis of his battle against Romulus, and later consecrated and inaugurated. There is a tradition that, when the foundations were first being laid, the gods exerted their will to show the greatness of this mighty empire. Although the birds permitted the deconsecration of all other shrines, they refused their consent in the case of the sanctuary of Terminus.¹⁵¹ This was interpreted as an omen and augury: the fact that the seat of Terminus was not moved and that he alone of all the gods was not summoned from his consecrated boundaries portended that everything would be stable and secure. After this auspice of permanence had been received, another prodigy portending the greatness of empire ensued. It is said that a human head, its features intact, was found by the men who were digging the foundations of the temple. This phenomenon undoubtedly foretold that this was to be the citadel of empire and the head or capital of the world. This was the interpretation of soothsayers, both those in the city and those who were summoned from Etruria to advise on the matter.

The king's enthusiasm to spend money on the project increased. The spoils from Pometia that had been intended to complete the building right up to the roof scarcely sufficed for the foundations. I am inclined to believe the figure of a mere 40 talents given by Fabius (apart from the fact that he is the earlier source), rather than that of Piso, who writes that 40,000 pounds of silver were set aside for this project.¹⁵² The latter is a sum of money that could not be expected from the booty of a single town of that time, and one that would exceed the cost of the foundations of any building, even in modern times.

150. *Tarpeian Mount*: one of two summits on the Capitoline hill. Traitors and murderers were thrown from the Tarpeian Rock; see 1.11. This temple, to Jupiter, Juno, and Minerva, was not dedicated until after the expulsion of Tarquin; see 2.8. The remains of the temple platform still exist.

the father made the vow: see 1.38.

151. *the birds*: birds sighted by the augur performing the deconsecration.
Terminus: the god of boundaries.

152. *Fabius*: Fabius Pictor, Rome's earliest historian; see 1.44 with n. 133.

Piso: Lucius Calpurnius Piso, a Roman historian of the mid-second century BCE, who wrote seven books of annals from earliest times to his own day. He also had a political career, becoming consul in 133 BCE and censor in 120 BCE. Piso wrote in Latin, whereas Fabius Pictor wrote in Greek, and so gives the value in talents, a Greek unit of monetary value (see n. 146).

56. *Tarquin uses forced labor to construct the Cloaca Maxima. In response to a portent, Tarquin sends two of his sons together with Brutus to consult the oracle of Apollo at Delphi. Brutus makes his own interpretation of the response.*

Intent on completing the temple, Tarquin called in workmen from everywhere in Etruria, using not only public funds but also laborers conscripted from the people. The work was considerable and was in addition to their military service. The people, however, were less annoyed that they were building temples of the gods with their own hands than they were later, when they were transferred to other, less spectacular projects that were considerably more laborious. These were the erection of seats in the Circus and the construction of the Cloaca Maxima, which served as the drain for the whole city.¹⁵³ The new splendor of modern times has scarcely been able to match the greatness of these two original structures. After making the people labor on these projects, Tarquin felt that their large numbers were a burden on the city when there was no work for them. Wishing to extend the limits of Roman power by sending out colonies, he sent colonists to Signia and Circeii to protect the city by land and by sea.¹⁵⁴

While he was busy with this, a terrible portent (*portentum*) was seen: a snake glided out from a wooden column, causing people to flee in terror into

153. *Circus*: the Circus Maximus, which Livy earlier said was “marked out” in the reign of Tarquinius Priscus (1.35).

Cloaca Maxima: the Great Sewer or Drain, originally an open drainage ditch that was probably not enclosed until the early second century BCE. In 33 BCE, Agrippa, one of Augustus’ foremost supporters, repaired and restored the sewer system of Rome. We also know that the Circus Maximus was damaged by fire in 31 BCE. Thus this passage would have had a contemporary ring for Livy’s audience.

154. *Signia*: a town in the Volscian mountains, occupying a commanding position in southern Latium between the Aequi and Volsci. A Latin colony was founded there in 495 BCE. The tradition of a foundation by Tarquin has been generally rejected but is now accepted by Cornell (1995: 209–10) as part of “the ambitious and successful foreign policy of the later kings” in establishing an extensive hegemony in Latium.

Circeii: the tradition of an Etruscan takeover of this coastal town in Volscian territory should also probably be accepted. However, Circeii evidently soon fell into Volscian hands and was only recovered and recolonized by the Romans in 393 BCE (Diodorus 14.102); see Cornell 1995: 303, 313. Circeii is mentioned along with Ardea, Antium, Lavinium, and Terracina as cities of the Latins that were subjects of Rome in Polybius’ account of a treaty between Rome and Carthage, which dates to the first year of the republic (Polybius 3.22). This treaty is not mentioned by Livy in the context of the beginning of the republic, though both he and Diodorus mention a treaty in 348 BCE (Livy 7.27, Diodorus 16.69); on this and other related problems, see Cornell 1995: 210–2.

the palace.¹⁵⁵ The king himself was not so much stricken with sudden panic; rather, his heart was filled with anxious foreboding. Only Etruscan seers were summoned to deal with state prodigies, but Tarquin was so alarmed by this apparition, which he regarded as affecting his own household, that he decided to consult Delphi, the most famous oracle in the world. Not daring to entrust the oracle's reply to anyone else, he sent two sons to Greece, through lands unknown at that time and over seas yet more unknown. Titus and Arruns set out. Lucius Junius Brutus, the son of the king's sister Tarquinia, also went with them as their companion, a young man of a far different character from what he pretended to be. After hearing that the leading men of the state, including his own brother, had been executed by his uncle, Brutus had determined to leave nothing either in his own conduct for Tarquin to fear, or in his possessions for Tarquin to desire. He would secure his safety by being despised in a situation where justice offered little protection. And so he deliberately put on an act of being stupid, allowing himself and his property to become the spoil of the king. Nor did he refuse the name Brutus, so that under its cover, the great spirit that was to free the Roman people might lie low and bide its time.¹⁵⁶ This was the man who was taken to Delphi by the Tarquins, more as a buffoon than as a companion. He is said to have brought as a gift to Apollo a golden staff enclosed within one of cornel wood that was hollowed out to fit it, an enigmatic representation of his own character.

When they arrived and had carried out their father's instructions, the two Tarquins were possessed by a desire to ask which of them would succeed to the kingship. From the depths of the cave, so the story goes, came the reply: "Whoever of you shall be the first to kiss his mother will hold the highest power in Rome." The Tarquins ordered the matter to be kept absolutely secret, so that Sextus, who had been left in Rome, should be unaware of the response and thus excluded from power. They themselves decided by lot which of them should be the first to kiss their mother on their return. But Brutus thought that the Pythia's words had a different meaning.¹⁵⁷ Pre-

155. *portent*: the report of this incident clarifies the distinction between a portent and a prodigy; see n. 72. Tarquin erred in treating the apparition "as one affecting his own household," not the state. A snake was thought to portend a death, but in this case, it portended the end of the monarchy; see Appendix 3, p. 429.

156. *Brutus* means "stupid" or "dull"; see also the stemma, p. xliv.
to free the Roman people: these words foreshadow Brutus' role in the overthrow of the monarchy.

157. *Pythia*: Apollo's priestess, who delivered the oracular responses.

tending to slip, he fell and touched the earth with his lips, evidently regarding her as the mother of all mortals. Then they returned to Rome, where preparations for war with the Rutulians were vigorously underway.

57. During the siege of Ardea, the young princes engage in a contest to test the virtue of their wives. Sextus Tarquinius becomes obsessed by Lucretia.

Ardea was held by the Rutulians, a race that, for both that time and place, was extremely wealthy.¹⁵⁸ Their wealth was the cause of the war, since the Roman king, impoverished by his magnificent public works, wanted to enrich himself while also mollifying the feelings of the people with booty. For they were hostile to his rule, not only because of his general arrogance, but also because they were angry that the king had kept them employed for so long, like workmen doing the job of slaves. The Romans tried to capture Ardea at the first assault. When that did not succeed, they began to blockade the city with siegeworks. Here in their permanent camp, as usually happens in a war that is protracted rather than intense, furloughs were rather freely granted; more freely, however, to the leaders than the soldiers. The young men of the royal house were whiling away their free time in feasting and drinking among themselves. They were drinking in Sextus Tarquinius' quarters, where Tarquinius Collatinus, the son of Egerius, was also dining, when the subject of wives happened to come up.¹⁵⁹ Each man praised his own wife in extravagant terms. Then, as the rivalry became inflamed, Collatinus said that there was no need for words: in a few hours they could discover how his Lucretia far excelled the rest. "Come!" he cried. "If we have the vigor of youth, why don't we mount our horses and see for ourselves what kind of women our wives are? Let us each regard as decisive what meets his eyes when the woman's husband shows up unexpectedly." They were heated with wine. "Right! Let's go," they all cried. At full gallop, they flew off to Rome.

Arriving there at early dusk, they went on to Collatia.¹⁶⁰ There they found Lucretia occupying herself differently from the king's daughters-

158. *Ardea*: a town some twenty miles from Rome and three miles from the sea. It served as the port of Latium. On the Rutulians in the legendary time of Aeneas, see 1.2. Archaeology corroborates that they were wealthy in the time of Tarquin.

159. On Egerius, see 1.34 and 1.38. For discussion of this and the following episodes, see Feldherr 1998: 194–203.

160. *Collatia*: a small town about ten miles east of Rome, the home of Collatinus.

in-law. These they had seen whiling away their time at a luxurious banquet with their young friends. In contrast, though it was late at night, they came upon Lucretia sitting in the middle of the house busily spinning, surrounded by her maidservants who were working by lamplight.¹⁶¹ The prize of honor in this contest about wives fell to Lucretia. As her husband and the Tarquins approached, they were graciously received. The victorious husband courteously invited the young royals to be his guests. It was there that Sextus Tarquinius was seized by an evil desire to debauch Lucretia by force. Not only her beauty but also her proven chastity spurred him on. Meanwhile they returned to the camp after their youthful nocturnal prank.

58. Sextus Tarquinius rapes Lucretia. She summons her father and husband and makes them swear to avenge her. She then kills herself, rather than set a precedent for unchastity.

After the lapse of a few days, Sextus Tarquinius went to Collatia with just one companion. He was graciously received by a household unaware of his purpose. After supper he was led to the guest bedroom. Burning with passion, once he saw that it was safe all around and everyone was asleep, he drew his sword and went to the sleeping Lucretia. Pressing his left hand on her breast, he said, "Keep quiet, Lucretia! I am Sextus Tarquinius. My sword is in my hand. You will die if you utter a sound!" Terrified out of her sleep, Lucretia saw no help at hand, only imminent death. Then Sextus confessed his love and pleaded with her, mingling threats with prayers and trying in every way to play on her feelings as a woman. When he saw that she was resolute and unmoved even by fear of death, he added the threat of disgrace to her fear: after killing her, he would murder a slave and place him naked by her side, as evidence that she had been killed because of adultery of the lowest kind. With this terrifying threat, his lust prevailed as the victor over her resolute chastity. Sextus Tarquinius departed, exulting in his conquest of a woman's honor. Lucretia, grief-stricken at this terrible disaster, sent the same message to her father in Rome and her husband in Ardea, bidding each to come with a trustworthy friend. This they must do and do quickly; a terrible thing had happened. Spurius Lucretius came with Publius Valerius, the son of Volesus;¹⁶² Collatinus with Lucius Junius Brutus, with

161. Etruscan tomb paintings and sarcophagi indicate that Etruscan women generally had a greater freedom than their Roman counterparts.

162. *Publius Valerius*: he would later replace Collatinus as consul in 509 BCE; see 2.2.

whom he happened to be returning to Rome when he encountered his wife's messenger.

They found Lucretia sitting in her bedchamber, grieving. At the arrival of her own family, tears welled in her eyes. In response to her husband's question, "Is everything all right?", she replied, "Not at all.¹⁶³ What can be well when a woman has lost her honor? The marks of another man are in your bed. But only my body has been violated; my mind is not guilty. Death will be my witness. But give me your right hands and your word that the adulterer will not go unpunished. Sextus Tarquinius is the man. Last night he repaid hospitality with hostility when he came, armed, and forcibly took his pleasure of me, an act that has destroyed me—and him too, if you are men."¹⁶⁴ All duly gave her their pledge. They tried to console her distress by shifting the guilt from the woman who had been forced to the man who had done the wrong, saying that it is the mind that errs, not the body. For where there has been no intent, there is no blame.¹⁶⁵ "You shall determine," she replied, "what is his due. Though I absolve myself of wrongdoing, I do not exempt myself from punishment. Nor henceforth shall any unchaste woman continue to live by citing the precedent of Lucretia."¹⁶⁶ She took a knife that she had hidden in her garments and plunged it in her heart. Falling forward onto the wound, she died as she fell. Her husband and father raised the ritual cry for the dead.

59. Brutus leads the people against the royal house of the Tarquins, swearing to abolish the monarchy.

While the rest were absorbed in grief, Brutus took the knife from Lucretia's wound and held it up, dripping with blood, as he proclaimed, "By this blood, most chaste until it was defiled by a prince, I swear and take you, O gods, to witness that I will pursue Lucius Tarquinius Superbus, together with his wicked wife and all his children, with sword, fire, and indeed with whatever violence I can. Nor will I allow them or anyone else to be king at

163. *Is everything all right?*: an archaic greeting that "is only found in deliberately archaic and emotional passages of Livy" (Ogilvie 1965: 224).

164. *repaid hospitality with hostility*: again a pun on the similarity of *hostis* (enemy) and *hospes* (host); see 1.12 with n. 42.

165. Livy has the men invoke the principles of Roman law.

166. *precedent*: here the Latin word is *exemplum*; see Pref. 10 with n. 14.

Rome.”¹⁶⁷ Then he handed the knife to Collatinus, and from him to Lucretius and Valerius. They were stunned at the miracle, wondering what was the source of the new spirit in Brutus’ heart. They swore as bidden. Switching from grief to anger, they all followed Brutus’ lead as he summoned them to overthrow the monarchy. They carried Lucretia’s body out of the house and took it down to the forum, attracting crowds in amazement and indignation at this strange event, as generally happens. Everybody made his own complaint about the criminal rape committed by the prince. They were moved not only by the father’s grief but also by Brutus, who reprimanded them for their tears and idle complaints, urging them, as befit men and Romans, to take up arms against those who had dared such acts of hostility. All the boldest young men seized their weapons, offering their service, and the rest also followed. Then, leaving a garrison at Collatia and posting guards to prevent anyone taking news of the uprising to the royal family, the rest of the armed force set out for Rome under Brutus’ command.

Arriving there, the armed populace caused panic and confusion wherever it advanced. But when the Romans saw the leading men of the state marching at the head of the forces, they realized that, whatever it was, this was no random business. The dreadful event created no less an emotional uproar in Rome than it had in Collatia. People rushed from every part of the city into the forum. As soon as they were assembled there, a herald summoned the people before the tribune of the Swift Ones, an office that Brutus happened to hold at that time.¹⁶⁸

There he gave a speech that was quite inconsistent with the spirit and disposition that he had feigned up to that day. He spoke of Sextus Tarquinius’ violent lust, his unspeakable rape of Lucretia, her pitiful death, and the loss sustained by her father Tricipitinus, for whom the reason for his daughter’s death was more outrageous and pitiful than her death itself. In addition, he spoke of the arrogance of the king himself and the wretched forced labor of the people who were plunged into ditches and sewers and forced to clean them out. The Romans, conquerors of all the surrounding peoples, had been changed from fighting men into workmen and stonecutters. Invoking the gods who avenge parents, he recalled the shameful murder of Servius Tullius and how his daughter had driven over her father’s body with her accursed carriage. With these and, I suppose, recollections of other more savage deeds, the sort suggested by an immediate feeling of outrage that is by no means

167. Livy’s description would have evoked memories of the assassination of Julius Caesar, when another Brutus claimed to be restoring liberty.

168. *Swift Ones*: the king’s bodyguard, initiated by Romulus; see 1.15.

easy for historians to relate, he inflamed the people, driving them to revoke the king's power and order the exile of Lucius Tarquinius, together with his wife and children.

Brutus himself enrolled a band of young men who voluntarily offered their names. Arming them, he set out for the camp at Ardea to stir up that army against the king. He left Lucretius in control of Rome as prefect of the city, a position he had been given by the king some time before. In the midst of this revolt, Tullia fled from her house, cursed wherever she went, as men and women called down upon her the furies that avenge the wrongs done to parents.¹⁶⁹

60. The Tarquins are banished and two consuls chosen in place of a king.

When news of these events reached the camp, the king, terrified by this unexpected crisis, set out for Rome to suppress the revolt. Brutus had anticipated the king's arrival and so changed his route to avoid encountering him. At almost the same time, though by different routes, Brutus arrived at Ardea and Tarquin at Rome. Tarquin found the city gates closed and his exile pronounced. But the camp received the city's liberator joyfully and the king's sons were driven out. Two followed their father and went into exile at Caere in Etruria.¹⁷⁰ Sextus Tarquinius set out for Gabii, as if returning to his own kingdom, and was killed there by men avenging old feuds that he himself had stirred up by murder and pillage.¹⁷¹

Lucius Tarquinius reigned for twenty-five years. The rule of kings at Rome, from the foundation of the city to its liberation, lasted 244 years. Two consuls were then chosen in the *Comitia Centuriata* under the presidency of the prefect of the city, in accordance with the precepts laid down in the commentaries of Servius Tullius.¹⁷² Lucius Junius Brutus and Lucius Tarquinius Collatinus were chosen.

169. *furies*: again a theme from Greek tragedy; see 1.48 with n. 140.

170. *Caere*: modern Cerveteri, an ancient Etruscan city some thirty miles north of Rome.

171. *his own kingdom*: see 1.53–4.

172. *two consuls*: see 3.55, where Livy notes that the original title of the consul was “praetor.” *commentaries*: a reference to some kind of procedural manual attributed to Servius Tullius.

BOOK 2

1. *Livy outlines his new theme, libertas, freedom or liberty, and he explains the basic elements of the republican system of government.*

The freedom of the Roman people, their achievements in peace and war, government by annually elected magistrates, and the rule of laws that overrides the rule of men will be my theme from now on. This freedom was all the more joyous as a result of the arrogance of the last king. His predecessors had ruled in such a way that, not undeservedly, they are regarded as the successive founders of at least those parts of the city that they had annexed to provide new homes for the increase in population that each of them had brought to Rome. Nor is there any doubt that the same Brutus, whose expulsion of Tarquinius Superbus won him so much glory, would have acted in the worst interests of the state if, in a premature desire for freedom, he had wrested the kingship from any of the earlier kings. For what would have happened if a people of shepherds and refugees, deserters from their own peoples who were under the sacred protection of asylum, had obtained either freedom or at least impunity?¹ Released from fear of a king's power, they would have been buffeted by the storms of tribunician demagogues, creating quarrels with the senators (*patres*) of a city that was not their own, before pledges of a wife and children and love of the very soil—a characteristic that develops over a long period—had created a sense of community.²

1. *people*: the Latin word *plebs* foreshadows a major theme of this and ensuing books: the so-called struggle of the orders, between the patricians (*patres*) and the people or plebeians (*plebs*). On the plebs, see Cornell 1995: 257: "The likelihood is that . . . the organized plebeian movement embraced an undifferentiated mass of poor people who shared a common sense of distress and were united by their commitment to the cause."

The patricians were a privileged group of Roman citizens who originally dominated political offices and retained a monopoly of the major priesthoods until the end of the fourth century BCE. Patrician status generally depended on birth. See Livy 1.8 for the tradition that Romulus appointed one hundred senators "who were called fathers (*patres*) because of their rank, and their descendants were called patricians (*patricii*)."³ For more detailed discussion, see Cornell 1995: 245–50.

2. *tribunician demagogues*: an allusion to the office of tribune of the plebs, which would be created in the early stages of the struggle of the orders; see 2.33.

The state would have disintegrated into dissension before it reached maturity. But the calm and moderate exercise of government nurtured the state to the point at which its mature strength enabled it to bear the good fruits of liberty.

One should realize that the birth of freedom was due to the limitation of the consuls' power to one year, rather than to any lessening of the power that the kings had possessed. The first consuls had all the rights and all the insignia of the king. There was only one precaution: to avoid doubling the fear that they inspired, both consuls were not allowed to hold the *fascēs* at the same time.³ By agreement with his colleague, Brutus was the first to hold the *fascēs*, proving as keen a guardian of freedom as he had been its champion. First of all, while the people were still eager for the new freedom, he avoided the possibility that they might be turned from their purpose by the entreaties or bribes of the princes, by having them swear an oath that they would allow no man to be king in Rome. Then, to increase the strength of the senate (it had been depleted by the murders committed by the king), he brought its number up to 300 by enrolling the leaders of the equestrian class. From that time, it is said, the tradition developed that when the senate was summoned into session, they were called on as Fathers and the Conscripted, since those he enrolled—that is, the new senate—were called *conscripti*. It is amazing how much this contributed to the harmony of the state and to uniting the plebs with the senators (*patres*).⁴

senators: throughout his account of the struggle of the orders, Livy uses the term *patres*, which denotes both patricians and senators. "Patricians" and "senators" are almost synonymous, although not all senators were of patrician birth; see n. 4. Therefore, I will generally translate *patres* as "senators" in a governmental context, reserving "patricians" for contexts that emphasize the class struggle.

3. *all the insignia of the king*: the consuls did not, however, wear royal dress.

fascēs: a bundle of rods surmounted by an ax that was part of the insignia carried by the licitors, symbolizing their power to flog or execute wrongdoers.

4. *he brought its number up to 300 . . .*: this number is unlikely for this period.

leaders of the equestrian class: another probable anachronism; see Ogilvie 1965: 236.

Fathers and the Conscripted: Latin *patres et conscripti*. This and the following sentence indicate a tradition that plebeians could be members of the senate in the early republic. See Cornell 1995: 246–51.

2. 509 BCE. The consul, Tarquinius Collatinus, is forced to abdicate, because he belongs to the Tarquinian family.

Religious matters were the next to receive attention. Because the kings had performed certain public sacrifices in person, an official called “king of sacrifices” was appointed, so that nowhere would there be a desire for kings. This priesthood was made subordinate to the pontiff, so that the honor attached to the title should in no way be detrimental to freedom, which was then the primary concern. I somehow feel that they went too far in protecting their freedom, even in the most trivial matters. For example, the name of one of the consuls was hateful to the citizens, though he had given no other offense. People said that the Tarquins had become excessively accustomed to monarchy. It had begun with Priscus; then Servius Tullius had been king. But not even this interval had made Tarquinius Superbus forget the throne, even though it belonged to another; he had regarded it as his hereditary right and used crime and violence to recover it. And now, though Superbus had been expelled, power was in the hands of Tarquinius Collatinus! The Tarquins did not know how to live as private citizens. Their name was displeasing, a danger to freedom.

At first such talk had a gradual effect on men’s minds; then it spread through the whole state. Brutus summoned the anxious and suspicious plebs to an assembly. First of all, he read out the oath taken by the people that they would not allow anyone to be king, nor anyone to be in Rome who might be a danger to freedom. This oath, he said, must be protected by every means, and they should not disregard anything that might be relevant to it. He personally was reluctant to speak because of the man in question; he would not have spoken had not his love for the republic prevailed. The Roman people, he continued, did not believe that they had recovered absolute freedom. The royal family and the royal name were not only present in the state, but they were also in power. This was an obstacle and impediment to freedom. “Of your own accord, Lucius Tarquinius,” he cried, “remove this fear! We remember, we admit, that you drove out the kings. Complete your good work by ridding us of the royal name. On my authority, your citizens will not only give you your possessions, but if you need anything, they will make a generous addition. Depart as a friend; relieve the state of what is perhaps a groundless fear. People are convinced that kingship will depart from Rome together with the Tarquinian family.”

Astonishment at this new and sudden turn of events prevented Collatinus from uttering a word. Then, as he began to speak, the leading men of the state surrounded him, making the same request with many entreaties.

Others had little effect on him, but Spurius Lucretius, an older and more respected man who was also his father-in-law, began his pleas, now begging and now persuading Collatinus to allow himself to yield to the unanimous opinion of the citizen body. The consul became fearful that, once he left office, he would encounter not only the same problems, but also confiscation of his property and other additional humiliation. So, he resigned the consulship, transferred all his possessions to Lavinium, and withdrew from the Roman state. In accordance with a senatorial decree, Brutus proposed to the people that the entire Tarquinian family should be exiled. In the *Comitia Centuriata*, he declared Publius Valerius elected as his colleague, the man who had helped him expel the kings.⁵

3. Disgruntled young nobles pose an unexpected threat to the freedom of the new republic.

Although no one doubted that war with the Tarquins was imminent, it came later than everyone expected. But Rome's freedom was almost lost through deceit and betrayal, factors they had not feared. There were, among the Roman youth, a number of young men, sons of families of some importance whose pleasures had been less restricted under the monarchy. Being of the same age as the young Tarquins, they had been their companions and become accustomed to living like princes. Now that everyone had equal rights, they missed the license that had once been theirs. So, they complained among themselves that the freedom granted to others had resulted in their own enslavement. A king was a man who would grant one's request, whether just or unjust. There was scope for receiving and doing favors. A king could be angry and could grant pardon; he knew the difference between a friend and an enemy. The law, however, was deaf and inexorable, more helpful and better for the weak than for the powerful; it was inflexible and lacking indulgence, if one exceeded the limit. Amid so much human fallibility, it was dangerous to rely on innocence alone.

They were already disgruntled when envoys from the royal family arrived, asking merely to recover their property—no mention was made of the Tarquins' return. The senate, after giving them a hearing, spent several days debating the matter, fearing that a refusal to make restitution would furnish a pretext for war, whereas restitution would provide them with the means and

5. Brutus was related to the Tarquins on his mother's side; see 1.56 and 2.4, and stemma, p. xliv.

Publius Valerius: see 1.58–9. On the Valerian family, see Appendix 1, pp. 418–20.

resources for waging one. Meanwhile the envoys were working on other matters. While ostensibly seeking to recover the property, they secretly devised plans to restore the monarchy. They went around as if they were carrying out their professed mission, but they were actually sounding out the disposition of the young nobles. To those who gave them a friendly hearing, they delivered a letter from the Tarquins, talking with them about secretly admitting the royal family into the city by night.

4. The two sons of Brutus join the conspiracy. A slave betrays the nobles' plot to the consuls and the conspirators are arrested.

The matter was first entrusted to the brothers Vitellii and Aquilii. The sister of the Vitellii was married to Brutus, and there were sons of this marriage who were already young men, Titus and Tiberius, whom their uncles recruited to share in the planning. In addition, there were several other young nobles who were recruited as accomplices, but their names have been lost in the passage of time. Meanwhile a senatorial majority decided that the property should be restored. This gave the envoys an excuse to linger in the city, since the consuls had granted time to obtain wagons on which the royal property could be transported. All this time the envoys spent in consulting with the conspirators, pressing and urging them to give them a letter for the Tarquins. How else, they asked, would the princes believe that the envoys' statements on such important matters were reliable?

The letter, given as a pledge of their loyalty, gave clear proof of the crime. On the day before envoys set out to join the Tarquins, there happened to be a dinner party at the house of the Vitellii. Sending all witnesses away, the conspirators had talked in detail, as was natural, about their revolutionary plan.⁶ But one of the slaves overheard their conversation. He had already realized what was going on but was waiting for the opportunity that the delivery of the letter to the envoys would provide, since its seizure would prove the matter. When he saw that the letter had been handed over, he reported the matter to the consuls. They set out from their homes to arrest both the envoys and the conspirators. They crushed the whole plot without any disturbance, taking particular care not to destroy the letter. The traitors were immediately thrown into prison, but there was doubt for a while about what to do with the envoys. Although they seemed to have acted like enemies, the law of nations nevertheless prevailed.

6. *revolutionary plan*: the Latin epithet *novus* means "new, novel," and thus revolutionary.

5. The consecration of the Tarquins' former land as the Campus Martius and the story of the formation of the Tiber island. The anguish of the consul Brutus as he is obliged to order and witness the execution of his sons.

The question of royal property that they had earlier voted to return was referred to the senate for renewed discussion. Overcome by anger, they refused to return it, and refused to put it into the state treasury. It was given to the plebs for them to plunder, so that their contact with the spoil of kings would cause them to dismiss forever any hope of peace with the Tarquins. The Tarquins' land that lay between the city and the Tiber was consecrated to Mars and became the Campus Martius. By chance, it is said, there was a crop of spelt, ripe for harvesting. Since, for religious reasons, the produce of the Campus could not be consumed, a large body of men was sent to cut the grain together with the straw, carry it in baskets, and throw it into the Tiber, which was flowing with a feeble current, as is usual in midsummer.⁷ The heaps of grain stuck in the shallows and settled down, overlaid with mud. From these and other chance materials brought down by the river, an island gradually formed. Later, I suppose, embankments were added and work done so that the area became high and firm enough to support a temple and porticoes as well.⁸

After the kings' property had been pillaged, the traitors were condemned and punished, a punishment that was more conspicuous because the consulship imposed on a father the duty of inflicting the penalty on his sons. The one who should not have been a spectator was the very man whom fortune made the executioner.⁹ Young men of the highest birth stood bound to a stake. The consul's sons drew the eyes of all away from the others who became, as it were, anonymous. Men felt grief as much for the crime for which the youths were being deservedly punished as for the punishment itself. To think that in this year, above all others—when their fatherland had been liberated, their own father had been its liberator, and the consulship had begun with their own Junian family—to think that these young men could have conceived the intention of betraying the senators, plebs, and all the

7. *together with the straw*: usually the grain was cut close to the ear, but in this case, it was cut close to the ground to destroy the crop completely.

8. The temple of Aesculapius, the Greek god of healing, was built on the island in the early third century BCE.

9. *removed from the spectators*: note the emphasis on words of spectacle and sight throughout the concise account of this incident; see Feldherr 1998: 200–3.

gods and men of Rome to a man who had formerly been a tyrannical king and was now an enemy exile.

The consuls proceeded to their seats and the lictors were dispatched to execute the sentence. The youths were stripped, scourged, and beheaded. Throughout the whole time, the gaze of everyone was directed to the expression on Brutus' face, which revealed his natural feelings as a father as the state's retribution was administered. After the guilty had been punished, the informer was rewarded with money from the treasury, emancipation, and citizenship to provide in all respects an outstanding deterrent to further crimes. This slave is said to have been the first to be freed by *vindicta*. Some think that also the word *vindicta* was derived from his name, saying that his name was Vindicus.¹⁰ Thereafter it was the practice to regard those who were freed in this way as having been admitted into citizenship.

6. Tarquin, with support from Veii and Tarquinii, engages in battle with the Romans. Brutus and Arruns Tarquinius attack and kill each other.

When news of what had happened was reported to Tarquin, he was enraged with not only disappointment at the collapse of his great hopes, but also hatred and anger. Seeing that the way was now closed to deceitful means, he realized that he had to prepare openly for war. So, he went as a suppliant to the cities of Etruria, begging the people of Veii and Tarquinii in particular not to allow one who had been born among them and who was of the same blood to perish along with his grown sons before their very eyes, an impoverished exile who had but recently ruled a great kingdom. Rome's other kings had been brought in from outside to rule. But he, as king, while he was increasing Rome's power by war, had been driven out by his own kinsmen in a wicked conspiracy. These men had seized and divided the power of kingship among themselves because no one of them seemed worthy enough to be king. They had given his goods to the people so that everyone should share in their crime. He wanted to regain his country and throne, and to punish his ungrateful citizens.

Tarquin begged for aid and assistance, saying that they should also avenge their long-standing injustices, the frequent slaughter of their armies, and the loss of their lands. This last point moved the Veientes, each man belliger-

10. *vindicta*: a legal process by which a master declared the freedom of his slave before a magistrate, who then ratified the emancipation.

ently exclaiming that, at least under a Roman general, they should wipe out their humiliations and recover what they had lost in war. The people of Tarquinius were influenced by his name and kinship: it seemed glorious that one of their own stock should rule in Rome. So, two armies from the two states followed Tarquin to restore the monarchy and make war on the Romans. After they reached Roman territory, the consuls went out to confront the enemy. Valerius led the infantry in defensive formation; Brutus went ahead with the cavalry to reconnoiter. The enemy cavalry was similarly at the head of their march, under the command of Arruns Tarquinius, the king's son. The king himself followed with the legions. Arruns perceived the consul from afar because of his lictors. Then, as he drew nearer, he recognized Brutus' face with greater certainty. Blazing with anger, he cried, "There is the man who drove us into exile from our native land. Look! How he parades in magnificence, decked out in our regalia! O gods, avengers of kings, be with us now!"

Spurring his horse, he charged straight for the consul. Brutus realized that the attack was directed at him. In those days, it was the honorable thing for the leaders themselves to take part in the actual fighting, so he eagerly threw himself into the contest. They rushed at each other with such hostility that neither thought to protect his own body, if only he might wound his opponent. And so, each man was pierced through the shield by the other's thrust. Impaled on the two spears, they fell from their horses, dying. At the same time, the rest of the cavalry also began to fight, and, not long after, the infantry also arrived. The battle was equally matched, with victory shifting back and forth: on each side, the right wing prevailed and the left was defeated. The Veientes, accustomed to being defeated by the Roman army, were routed and put to flight. The people of Tarquinius, a new enemy, not only stood their ground but also drove back the Romans from their side.

7. Publius Valerius returns in triumph to Rome and buries his colleague. However, because he was building a house at the top of the Velian hill that overlooked the forum, he is suspected of aiming at kingship.

Although the fighting concluded in this way, Tarquin and the Etruscans were so overcome with fear that they abandoned the project as lost and the two armies from Veii and Tarquinius left by night, each for their own homes. The following miraculous events are connected with this battle: in the silence of

the following night, a voice was heard coming from the Arsian forest that was believed to be the voice of Silvanus.¹¹ These are said to have been his words: "One more Etruscan than Roman has fallen in the battle line; the Romans are victors in the war." Whatever the case, the Romans departed as victors and the Etruscans as the vanquished. When the dawn came and no enemy was in sight, the consul Publius Valerius gathered the spoils and returned to Rome in triumph.¹² He celebrated his colleague's funeral with as much pomp as possible. But the grief of the people was a far greater honor for the deceased, being especially marked because the matrons mourned him for a year, as if for a father, since he had been such a fierce avenger of the violation of a woman's chastity.

Then the surviving consul became unpopular; so fickle are the minds of the mob. Valerius' popularity turned to hatred and suspicion, and cruel charges were leveled against him. There was a rumor that he was aiming at kingship, because he had not replaced his colleague and was building a house on the highest part of the Velia: an impregnable citadel was being constructed in a high and fortified place. This gossip was widespread and generally believed, causing the consul great distress and a sense of outrage. He summoned the people to a meeting and entered the assembly with *fascēs* lowered. This was a welcome sight to the people, that the symbols of authority were lowered for them, thus acknowledging that the people's power and might were superior to that of the consul.

Ordering them to listen, the consul then praised the good fortune of his colleague who, after freeing his country and attaining the highest office, had died fighting for the state at the height of his glory, before it turned to envy.¹³ But as for himself, he had outlived his glory to face envy and accusations. From being the liberator of his country he had fallen to the level of the Aquilii and Vitellii. "Will you never be able to view a man's excellence without it being marred by suspicion? How could I possibly have feared that I, the fiercest enemy of kings, would myself come under the charge of aiming at kingship? Even if I were living on the very citadel and Capitol, how could

11. *Silvanus*: a deity connected with woods and forests.

12. *triumph*: this is the first triumph under the republic that is recorded by Livy. The triumphing general rode in a parade into the city, accompanied by his soldiers, and went up to the Capitol, where he dedicated a part of his spoils to Jupiter. The general was dressed as Jupiter, with his face painted red. A slave held a crown above the general's head, repeating the words "Look behind," a warning to consider the future and not become arrogant, and so provoke the anger of the gods; see also 3.29 with n. 67.

13. *envy*: the Latin *invidia* means "envy, jealousy, unpopularity" and is often used, as here, in a political context.

I have believed that I would be an object of fear to my fellow citizens? Does my reputation with you depend on such a trivial factor? Does your confidence in me rest on such a slight foundation that it is of more importance where I am than who I am? Fellow citizens, the house of Publius Valerius will not be an obstacle to freedom. The Velia will be safe as far as you are concerned. I shall not only bring my house down onto level ground, but I shall locate it at the foot of the hill, so that you may live above me, the citizen that you suspect. Let those build on the Velia who can be better entrusted with freedom than Publius Valerius!" Immediately all the building material was brought down below the Velia, and his house was built at the bottom of the slope where the temple of Vica Pota is now.

8. Public opinion shifts in favor of the consul Valerius, who carries two laws favoring the people and then holds an election to replace his colleague. The temple of Jupiter on the Capitoline is dedicated.

Laws were then passed, which not only cleared the consul from the suspicion of aiming at kingship but also took the opposite direction of making him popular; thus he was given the *cognomen* Publicola, "the People's Friend."¹⁴ Above all, two laws were pleasing to the people: one granting the right of appeal to the people against the decision of a magistrate, and the other pronouncing a curse on the life and property of a man who plotted to seize the throne.¹⁵ After proposing these measures on his own, so that the favor accruing from them should be solely his, Valerius finally held an election to replace his colleague. Spurius Lucretius was elected as consul, but his great age did not give him sufficient strength to undertake the duties of the consulship, and he died within a few days. Marcus Horatius Pulvillus was elected in Lucretius' place. I do not find Lucretius listed as consul in some ancient sources that put Horatius immediately after Brutus. I suppose the record perished, because no achievement gave distinction to Lucretius' consulship.

14. *cognomen*: an additional (third) name; thus his full name was Publius (*praenomen*) Valerius (family name, or *nomen*) Publicola. Compare Marcus Tullius Cicero and Gaius Julius Caesar. Publicola derives from the adjective *publicus*, "belonging to the people," and the verb *colere*, "to tend or care for"; thus it means the one who cares for the interests of the people, "the People's Friend."

15. Since similar laws of appeal are attested for 449 and 300 BCE, many scholars question the authenticity of such a law of appeal at this time. Cornell (1995: 196–7, 276–7) argues convincingly that some right of appeal was granted in the early republic.

The temple of Jupiter on the Capitol had not yet been dedicated. The consuls, Valerius and Horatius, drew lots to decide which of them should dedicate it. The lot fell to Horatius, and Publicola set out to make war on the people of Veii. With more ill feeling than was seemly, the supporters of Valerius resented that the dedication of such a renowned temple was being granted to Horatius. They tried to block it by every means; when all other efforts had failed and the consul was already holding the doorpost, in the midst of his prayers to the gods, they produced the frightful news that his son was dead, saying that he could not dedicate the temple while his family was in mourning.¹⁶ Whether he did not believe that this had happened, or whether he possessed great strength of mind, tradition does not say for certain, nor it is easy to interpret. In the face of this news, he was not diverted from his purpose except to order that the body should be carried out for burial. Keeping his hand on the doorpost, he finished his prayer and dedicated the temple.

These are the events, both at home and in the field, of the first year after the expulsion of the kings.¹⁷

9. 508 BCE. The Tarquins beg Lars Porsenna of Clusium to make war on Rome and restore the monarchy. The senate takes measures to ensure the loyalty of the plebs.

Publius Valerius, for the second time, and Titus Lucretius were the next consuls. By this time the Tarquins had fled to Lars Porsenna, the king of Clusium.¹⁸ With a combination of advice and entreaties, they begged the king not to allow them, Etruscans of the same name and blood, to suffer the poverty of exiles, warning him not to let the growing custom of expelling kings go unpunished. Liberty did have considerable attractions. But if kings did not defend their thrones with as much energy as states sought liberty, the highest would be brought down to the level of the lowest. There would be nothing exalted in the state, nothing that stood out above the

16. A death in the family necessitated a purification ceremony after the burial of the deceased and the mourning period before the survivors could perform religious acts. Since Horatius had begun the dedication before he heard the news and the ceremony was already in progress, he was not polluted or contaminated by the death; see Ogilvie 1965: 254.

17. On the problems of chronology concerning the date of the first year of the republic, see Cornell 1995: 218–23.

18. *Clusium*: modern Chiusi, an Etruscan town, about a hundred miles north of Rome.

rest. The end was at hand for monarchy, the finest institution known to gods and men.

Porsenna thought that it was not only a good thing for the Etruscans to have a king in Rome but an honor to have that king be an Etruscan, so he marched on Rome with a hostile army. Never before had such fear assailed the senate: so strong was Clusium at that time, and so great the name of Porsenna. They feared not only the enemy but also their own citizens, lest the Roman plebs be stricken with fear and admit the kings into the city, accepting peace even if it entailed slavery. The senate consequently granted many favors to the plebs throughout this period. Since there was particular concern about the grain supply, men were sent to procure grain, some to the Volsci and others to Cumae.¹⁹ Control of the salt supply, the price of which was very high, was taken from private individuals and assumed entirely by the state. The plebs were freed from customs duties and taxes. These were taken on by the rich who could afford them; the poor paid enough dues if they were raising children. This liberality on the part of the senators so maintained the harmony of the state in the harsh times of siege and famine that were to come, that the name of “king” was abhorrent to high and low alike. Nor was there any individual in later years whose demagogic skills made him as popular as the senate was at that time because of its good governance.

10. Horatius Cocles defends the Tiber bridge (Pons Sublicius) against Lars Porsenna's attack from the Janiculum.

At the approach of the enemy, all the country-dwellers came into the city on their own initiative, and the city itself was fortified with garrisons. Some places seemed safe because of the walls; others, because the Tiber was a barrier. The wooden pile bridge almost gave the enemy an entrance into the city, had it not been for one man, Horatius Cocles, whom the city of Rome was fortunate to have as its bulwark on that day. He happened to be guarding the bridge when he saw that the Janiculum had been captured by a sudden attack, and the enemy were charging down the hill at a run while a mob of his fellow citizens abandoned their arms and their ranks. Grabbing individuals and blocking their way, he swore by all that was sacred to gods and men that their flight was in vain, once they deserted their post. If they left the bridge in their rear for the enemy to cross, there would be more of the

19. *Cumae*: a Greek colony in Campania, near Naples, under the rule of the tyrant Aristodemus.

enemy on the Palatine and Capitoline than on the Janiculum. Therefore he advised and urged them to break down the bridge using weapons, fire, and whatever force they could. He himself would take the brunt of the enemy's attack, insofar as it could be withstood by a single body.

Then he strode to the head of the bridge. Conspicuous amid those who were clearly fleeing and shirking the fight, he brandished his weapons, ready to fight hand to hand, thereby stunning the enemy with amazement at his audacity. A sense of shame kept two men by his side, Spurius Larcius and Titus Herminius, both distinguished for their high birth and their achievements. With them, for a while, he withstood the dangerous first onset and the stormiest part of the battle. Then he forced them also to make for safety, since very little of the bridge remained and those who were cutting it down were calling them to come back. Darting savage and threatening glances at the Etruscan leaders, Horatius now challenged them individually, now taunted them collectively, calling them the slaves of arrogant kings who had come to attack the freedom of others, unmindful of their own. They hesitated for a moment, each looking around for another to begin the fight. Then a sense of shame moved the battle line. Raising the battle cry, they hurled weapons at their solitary foe from all sides. All the spears stuck fast in his opposing shield, but, no less resolute, he held the bridge with his mighty stance. Now they were trying to dislodge the hero by a charge, when their assault was checked by the sudden panic caused by the crash of the broken bridge and the simultaneous cry that arose from the Romans exulting in the completion of their task. Then Cocles cried, "Father Tiberinus, I solemnly pray that you receive these arms and this soldier in your propitious stream." With this prayer, he leaped fully armed into the Tiber and, with many missiles falling upon him, swam across to his own men unharmed, a deed of daring that was destined to obtain more fame than credibility with posterity.²⁰

The state was grateful for such valor. Horatius' statue was set up in the *Comitium* and he was given as much land as he could plow in one day.²¹ The enthusiasm of private citizens was conspicuous amid his official honors. Despite the great hardship, each individual contributed something from his private store, depriving himself of sustenance.

20. In an earlier version of this story by the Greek historian Polybius (6.55), Horatius deliberately sacrificed his life.

21. *Comitium*: the place of assembly in the forum, close to the senate house.

11. The Romans, blockaded within the city, trick the Etruscans into a skirmish in which many are killed.

Porsenna, driven back from this first attempt, abandoned his plan of storming the city and turned to besieging it. Posting a garrison on the Janiculum, he himself pitched camp on level ground on the banks of the Tiber. He collected ships from everywhere, both as a protection to prevent any grain from being brought into the city, and to send troops across the river to plunder, as opportunity might offer in one place or another. In a short time, he made all the Roman countryside so unsafe that its people were forced to bring within the city walls everything from the fields, including all their livestock; nor did anyone dare to drive the flocks outside the gates. The Etruscans were accorded this degree of license as much by design as by fear. For the consul Valerius was intent on finding an opportunity to make an unexpected and simultaneous attack on a large number when they were scattered in disarray. He was not concerned with avenging small matters but was reserving serious punishment for greater offenses.

To lure the plunderers, he gave orders to his people that, on the following day, large numbers of them should drive out their flocks by the Esquiline Gate, which was farthest from the enemy. He thought that the Etruscans would hear of it because unfaithful slaves were deserting on account of the siege and famine. Indeed they did learn of it from the report of a deserter and crossed the river in far greater numbers, in the hope of carrying off all the booty. Publius Valerius then ordered Titus Herminius to lie in ambush at the second milestone on the road to Gabii with a small number of troops. Spurius Larcius was to stand at the Colline Gate with a body of light-armed troops until the enemy should go by. He was then to block their return to the river. The other consul Titus Lucretius went out of the Naevian Gate with several maniples of soldiers, and Valerius himself led selected cohorts from the Caelian hill. These were the first to be seen by the enemy. When Herminius perceived the skirmish, he rushed from his ambush and slaughtered the Etruscans from the rear as they were confronting Lucretius. On the right and the left, on this side from the Naevian Gate and on that from the Colline, the battle cry was raised. Caught in the middle, the plunderers were slaughtered. Cut off from every path of escape, they were no match for the fighting strength of the Romans. This was the last time the Etruscans raided so indiscriminately.

12. The siege continues. Mucius Scaevola attempts to assassinate Lars Porsenna.

Nonetheless the siege continued, as did the shortage of grain and its consequent high price. Porsenna was hoping that he would take the city just by sitting tight, when Gaius Mucius, a young Roman noble, intervened. Mucius thought it an outrage that the Roman people, who had never been besieged in war by any enemy when they were under the subjection of a king, were now, though free, being besieged by those same Etruscans whose armies they had often routed. Thinking that this outrage must be vindicated by some great and bold deed, he first decided to penetrate the enemy's camp on his own initiative. But then he feared that, if he went without consular orders and without telling anyone, he might be caught by the guards and brought back as a deserter—a charge made plausible by the city's fortunes at that time. So, he approached the senate. "Senators," he said, "I want to cross the Tiber and, if I can, enter the enemy's camp. My aim is not to plunder nor to exact vengeance for their raids, but, with the gods' help, I have in mind a greater deed."

The senators gave their approval. He hid a sword in his clothing and set out. Arriving there, he stood in the thick of the crowd near the king's tribunal where the soldiers happened to be receiving their pay. A secretary, who was sitting with the king and wearing much the same kind of clothing, was busy and dealing generally with the soldiers. Mucius was afraid to ask which was Porsenna, lest his ignorance of the king's identity betray him. Fortune led him to make a random choice and he cut down the secretary instead of the king. As he marched off, making a path for himself through the frightened crowd with his blood-stained blade, the king's guards rushed in the direction of the outcry. He was seized and dragged back.

There, alone before the king's tribunal and confronted with such threats to his fortunes, he was more to be feared than afraid himself. "I am a Roman citizen," he cried. "Men call me Gaius Mucius. As an enemy, I wished to kill an enemy. My intent is to die, just as it was to kill. To act and suffer bravely is the Roman way. Nor am I the only one who is of this mind toward you. After me is a long line of men who seek the same honor. If this is your pleasure, prepare yourself for this struggle in which you must fight for your life from hour to hour. You will always have an enemy at the entrance to your palace, sword in hand. This is the war that we, the youth of Rome, declare on you. It is not action in the field and pitched battles that you should fear. The issue will be for you alone, against one enemy at a time."

The king, at once incensed with rage and terrified at his danger, tried to intimidate him by ordering that he be burned alive if he did not immediately reveal the plot that lay behind his obscure threats. At this, Mucius exclaimed, "Look and see how cheaply the body is regarded by those who look to great glory." With these words, he thrust his right hand into the fire that was kindled for sacrifice. As he scorched his hand, his mind seemed detached from all sensation, dumbfounding the king with this miracle. Leaping from his seat, Porsenna ordered the young man to be removed from the altar. "Depart!" he cried. "You have dared to be a greater enemy to yourself than to me. I would invoke success upon your courage, if that courage were in the service of my country. Now I send you away from here, untouched, unharmed, and free from the laws that apply to prisoners of war." Then, as if to repay his generosity, Mucius replied, "Since you honor courage, my gratitude will give you the information that your threats could not extort. We are 300, the foremost youths of Rome, who have sworn to seek you out in this way. The first lot fell to me; the others, in whatever order the lot falls to them, will be here, each in his own time, until fortune grants us the opportunity to kill you."

*13. Porsenna releases Mucius and offers peace terms.
The Romans are forced to give hostages. One hostage, Cloelia,
escapes with a band of Roman women.*

The release of Mucius, who was afterward given the *cognomen* Scaevola because of the damage to his right hand, was followed by the dispatch of envoys to Rome by Porsenna.²² The king was disturbed, not only by the occurrence of this first attack that had only been averted by his assailant's error, but also by the thought that he would have to undergo the struggle as many times as there were conspirators. So, he voluntarily proposed peace terms to the Romans. In these terms Porsenna suggested in vain that the Tarquins be restored to the monarchy; he did this more because he himself was unable to refuse the Tarquins' demand than because he was unaware that the Romans would refuse it. His request that the lands of the Veientes be restored was successful, and the Romans were forced to hand over hostages if they wanted the garrison to be withdrawn from the Janiculum. Peace was made on these

22. *Scaevola*: the *cognomen* probably derives from the Greek word *skaios*, "left-handed"; see OLD 1698, *scaeuus*.

terms, and Porsenna led his army down from the Janiculum and withdrew from Roman territory. Because of his courage, the senators gave Gaius Mucius land across the Tiber that was later called the Mucian Meadows.

This honoring of courage also aroused the women to patriotic deeds. The maiden Cloelia, one of the hostages, eluded her guards when the Etruscans happened to have encamped not far from the Tiber bank. Leading a band of maidens, she swam the Tiber amid a shower of enemy weapons, bringing all of them safely to their relatives in Rome. When this was announced to the king, at first he was incensed with rage and sent envoys to Rome to demand the hostage Cloelia, saying that he was not concerned about the others. His anger turned to admiration as he declared that her action was greater than those of Cocles and Mucius. He professed that if the hostage were not returned, he would regard the treaty as broken; but if she were restored to him, he would send her back untouched and unharmed. Both sides kept their word. The Romans returned the pledge of their peace in accordance with the treaty, and the Etruscan king not only protected but also honored the courageous girl. Praising her, he said that he was giving her some of the hostages; she herself should choose the ones that she wanted. When they had been brought out, it is said, she chose the young boys, because it was both seemly for a maiden and, by the agreement of the hostages themselves, it was appropriate that the age group that was most susceptible to mistreatment should be freed from the enemy. When peace was renewed, the Romans rewarded this courage that was unprecedented in a woman with an unprecedented honor: a statue of a maiden seated on a horse was set up at the top of the Sacred Way.

14. The problem of the custom of auctioning "King Porsenna's property." Porsenna's son Arruns attacks Aricia and is defeated, thanks to help from Cumae.

The king's peaceful departure from the city is not consistent with the custom of auctioning "King Porsenna's property" that has been handed down by antiquity and endures among other rituals right up to our time. The origin of this custom must have arisen during the war and been retained in peace, or else it had a more peaceable origin than the notice of a sale of enemy property would suggest. From the traditional stories, the one nearest the truth is that, when Porsenna was leaving the Janiculum, he handed over his camp, which was well stocked with provisions brought in from the nearby fertile Etruscan fields, as a gift to the Romans, because the city was

short of food after the long siege. These supplies were then put up for sale to prevent the people from plundering them like an enemy. It was called the “property of Porsenna,” because the title signified gratitude for the gift, rather than an auction of the king’s property, which, after all, the Roman people did not possess.

After giving up his war with the Romans, Porsenna sent his son Arruns with part of his forces to attack Aricia in order to avoid the appearance of having led his army into the area to no effect. The unexpected event at first paralyzed the people of Aricia. Then the auxiliaries summoned from the Latin peoples and also from Cumae gave them such hope that they dared to engage in a pitched battle. At the beginning of the battle, the Etruscans made a concerted onslaught with the result that they routed the Aricians at the first charge. The levies from Cumae, using skill to counter force, swerved a little and, when the enemy had rushed by in disarray, they wheeled around, attacking them from the rear. The Etruscans, almost victorious, were caught in between the two forces and cut to pieces. A very small number of them, after losing their leader and having no nearer place of refuge, ended up in Rome, without arms, like the suppliants that fortune had made them. They were given a kindly reception and assigned hospitality among the citizens. When their wounds had been cared for, some set out for their homes, reporting the kindness they had received. Many decided to remain in Rome due to affection for their hosts and the city. They were given a place to live that thereafter was called the Tuscan Quarter.

15. 506 BCE. Porsenna’s last appeal for the restoration of the kingship to the Tarquins.

The next consuls were Publius Lucretius and Publius Valerius Publicola.²³ This year was the last time an embassy came to Rome from Porsenna to discuss the restoration of Tarquin to the kingship. The senate replied that they would send messengers to the king and immediately dispatched its most distinguished members. It would, they said, have been possible to send a brief reply that the restoration of kings was impossible, but they preferred to send him chosen delegates from the senate rather than give a reply to his envoys in Rome. Their aim was to put an end to discussion of the matter for all time and to avoid irritation, since they both enjoyed mutual good relations. The

23. Livy has completely omitted the year 507 BCE; see Ogilvie 1965: 270–1, and also Livy’s comment on chronological problems with the sources for this period at 2.21.

king was seeking what was contrary to the freedom of the Roman people, whereas the Romans, unless they were willing to acquiesce in their own destruction, were refusing the request of a man to whom they would not willingly have denied anything. The Roman people were not living under a king, but in freedom. They had resolved to open their gates to an enemy, rather than to kings. They were united in this vow that the end of liberty in the city would be the end of the city. Therefore they begged that, if the king wanted the well-being of Rome, he should allow her to be free.

Overcome by respect, the king said, "Since this is your firm resolve, I shall not exhaust you by repeating the same vain pleas, nor will I deceive the Tarquins with hope of help that it is not mine to grant. Let them seek a place of exile elsewhere, whether war or peace is their objective, so that nothing hinders my peace with you." To these words he added greater deeds of friendship. He returned the rest of the hostages and restored the Veientine land that he had taken under the treaty made on the Janiculum. Cut off from all hope of returning, Tarquin went to Tusculum to his son-in-law, Mamilius Octavius.²⁴ Thus the peace between Rome and Porsenna was faithfully maintained.

16. 505–503 BCE. Because of political strife, Attus Clausus, a Sabine, and his family and clients migrate to Rome, where he becomes known as Appius Claudius. The Romans make war on the Sabines and Aurunci.

Marcus Valerius and Publius Postumius became consuls. In this year there was a successful war against the Sabines, and the consuls triumphed. The Sabines then prepared for war with a greater effort. To confront them and prevent any sudden danger arising from Tusculum, where war was suspected though not readily apparent, Publius Valerius was made consul for the fourth time and Titus Lucretius for the second. Political strife broke out among the Sabines between the advocates of war and peace, resulting in the transfer to Rome of a considerable part of their strength. Attus Clausus, who afterward was known at Rome as Appius Claudius, himself an advocate of peace, was pressured by the turbulent war party. Being no match for this faction, he fled from Inregillum to Rome, accompanied by a large band of clients.²⁵ They

24. *Mamilius Octavius*: see 1.49.

25. *clients*: a client was a free man who entrusted himself to another as a patron, receiving protection in return. A client was expected to support the patron both in his political and pri-

were given citizenship and land across the Anio. Later, when new tribesmen had been added who came from that area, they were called the Old Claudian Tribe. Appius was enrolled in the senate and before too long was regarded as one of its leading members.

The consuls led an offensive into Sabine territory. By devastating their land and then defeating them in battle, they so devastated the Sabines' resources that there could be no fear of them renewing war for a long time. The consuls returned to Rome and celebrated a triumph. The following year, in the consulship of Agrippa Menenius and Publius Postumius, Publius Valerius died, a man regarded by all as a leader in the skills of war and peace. His reputation was immense, but his household so poor that there was no money for his funeral; so it was supplied by the state. The matrons mourned him as they had Brutus.

In the same year, two Latin colonies, Pometia and Cora, defected to the Aurunci.²⁶ War was begun with the Aurunci. After the defeat of a huge army that had boldly encountered the consuls as they invaded their territory, the entire Auruncan war was concentrated on Pometia. The slaughter was unrestrained, both during and after the battle. Considerably more were killed than captured, and the captives were butchered indiscriminately. The rage of war did not even spare the hostages, of whom 300 had been received. In this year too, a triumph was celebrated in Rome.

17. 502 BCE. The destruction of Pometia, despite its last-minute surrender.

The next consuls, Opiter Verginius and Spurius Cassius, besieged Pometia at first by force and then by using movable sheds and other siege equipment. The Aurunci rushed out against them, more because of their implacable hatred than from any hope or opportunity. Since more of them were armed

vate life, going to his house each morning to greet him and attending him on all public occasions. Clientship was a hereditary social status that was recognized but not defined or enforced by law. On the Claudian family, see Appendix 1, pp. 406–11.

26. *Pometia*: a town several miles northeast of Antium that was captured by Tarquinius Superbus. The spoils from this town were sold to finance the temple of Jupiter in Rome; see 1.42 with n. 125 and 1.53 with n. 146.

Cora: a Latin community on the northwestern edge of the Volscian mountains.

Aurunci: an Italic, Oscan-speaking people, living on the borders of Latium and Campania, between the Liris and Volturnus rivers.

with firebrands than with swords, they filled everything with slaughter and fire. The sheds were burned, many of the enemy wounded and killed, and one of the consuls—the sources do not say which—was seriously wounded, fell from his horse, and was almost killed. Given this failure, the Romans returned to the city. Among the wounded, they brought the consul, who lay between life and death.

After the lapse of a short time that sufficed to heal wounds and resupply the army, they again advanced against Pometia with greater anger and also increased forces. The sheds and the rest of the equipment had been repaired, and they were already at the point where the soldiers were about to scale the walls when the town surrendered. But, although the Aurunci had surrendered, their suffering was just as terrible as if they had been taken by storm. Their leaders were beheaded and the rest of the colonists sold into slavery. The city was demolished and its territory sold. The consuls celebrated a triumph more because Rome's anger had been so savagely avenged than because of the magnitude of the war they had concluded.

18. 501 BCE. Sabine youths abduct some prostitutes, giving cause for war. The Romans appoint a dictator for the first time, a move that temporarily defers war.

The following year, the consuls were Postumus Cominius and Titus Larcus. In this year, during the games in Rome, some prostitutes were seized by some Sabine youths as an act of wantonness. People gathered and a brawl broke out that almost became a battle. It looked as if a trivial matter was going to cause a renewal of war. In addition to fear of war with the Sabines, there was the additional fact that it was well known that the thirty Latin peoples were conspiring at the instigation of Octavius Mamilius. These apprehensions caused great anxiety among the citizens, and it was at this time that the idea of appointing a dictator was first suggested.²⁷ But there is no agreement in which year this happened, nor which consuls were distrusted because they supported the Tarquins—this is included in the tradition—nor who was the

27. *Octavius Mamilius*: a leader at Tusculum and the son-in-law of Tarquinius Superbus, to whom Tarquin had fled; see 1.49 and 2.15 (where the text refers to him as “Mamilius Octavius”).

dictator: the power of a dictator overrode that of the consuls. A dictator was usually only appointed in times of emergency and held office for a maximum of six months or until the problem was solved, after which he was expected to resign from office.

first man to be named dictator. In the oldest sources, however, I find that Titus Larcus was the first dictator and that Spurius Cassius was his master of the horse.²⁸ They chose men of consular rank, since this was the prescription of the law that was passed concerning the dictatorship. Therefore I am led to believe that it was Larcus, an ex-consul who was appointed as the director and superior of the consuls, rather than Manius Valerius, son of Marcus and grandson of Volesus, a man who had not yet held the consulship. Moreover, if they had particularly wanted a dictator to be chosen from that family, they would have much preferred to choose his father, Marcus Valerius, a man of proven excellence and an ex-consul.²⁹

When they had appointed a dictator for the first time at Rome and men saw the axes borne before him,³⁰ great fear came over the plebs, causing them to be more intent on obeying orders. For there was no help from a second person as there was in the case of the consuls who had equal power, nor was there the right of appeal, nor any recourse except scrupulous obedience. The appointment of a dictator also caused fear in the Sabines, all the more so because they thought that they were responsible for the appointment. So, they sent envoys to beg for peace. When they asked the dictator and senate to pardon the young men for their error, the response was that young men could be pardoned, but not old men who had sown the seeds of one war after another. Nevertheless negotiations for peace were begun, and it would have been granted if the Sabines could have brought themselves to pay the expenses incurred in the war, as the Romans demanded. War was declared, but a tacit truce kept a state of peace for the year.

28. *master of the horse*: an officer, captain of the cavalry, who was appointed by the dictator and was subordinate to him.

29. *Manius Valerius, son of Marcus and grandson of Volesus*: no consulship is recorded for this man, and he is not to be confused with his uncle, the third son of Volesus, who was dictator in 494 BCE, also without having been consul; see Appendix 1, pp. 418–20 with stemma, and 2.30 with n. 50.

30. *axes*: the axes that surmounted the *fascēs* (see 2.1, n. 3) that the lictors carried before the dictator. The consuls, however, were obliged to remove the axes from the bundle of rods (*fascēs*) when they were in the city. This was not the case with the dictator. Thus the sight of the twenty-four axes symbolized the people's loss of the right of appeal, in addition to the fact that supreme power was in the hands of one, not two, magistrates; on the right of appeal, see 2.8 with n. 15.

19. 500–499 BCE. *The battle of Lake Regillus.*

Nothing worthy of note happened in the consulship of Servius Sulpicius and Manius Tullius. The next consuls were Titus Aebutius and Gaius Vetustius. During their consulship, Fidenae was besieged, Crustumeria was captured, and Praeneste defected from the Latins to the Romans.³¹ The war with the Latins that had been festering for several years was delayed no longer. Aulus Postumius as dictator and Titus Aebutius as master of the horse set out with great forces of infantry and cavalry and encountered the advancing column of the enemy near Lake Regillus, in the territory of Tusculum. Because the Romans heard that the Tarquins were with the army of the Latins, they were so enraged that they could not be restrained from attacking immediately. The ensuing battle was fought with considerably more determination and savagery than any other had been. The leaders were not only in the field to direct the engagement with their strategy, but they joined in the fighting, throwing themselves into the fray.

Almost none of the nobles on either side came out of the battle unscathed, except for the Roman dictator. Postumius was in the front line encouraging and drawing up his own troops when Tarquinius Superbus, though burdened by age and his failing strength, rode full tilt against him. The old man was wounded in the side, but his men rushed in and took him to safety. On the other wing, Aebutius, master of the horse, charged Octavius Mamilius. But the Tusculan leader saw him coming and spurred his horse against Aebutius. Their spears clashed with such great force that Aebutius was pierced through the arm and Mamilius was struck in the chest. The Latins received Mamilius into their second line, but Aebutius retired from the fray, unable to handle a weapon because of his wounded arm. The Latin leader, in no way deterred by his wound, urged on the fighting. Seeing his men in retreat, he summoned a unit of Roman exiles who were under the command of a son of Lucius Tarquinius.³² They fought with greater passion because of the confiscation of their property and loss of their native land, and revived the battle for a while.

31. *Crustumeria* and *Fidenae*: two towns northeast of Rome that were critical to Rome's control of the left bank of the Tiber. Crustumeria is a variant of Crustemmerium, mentioned in Book 1.

Praeneste: modern Palestrina, a town twenty-three miles east-southeast of Rome.

32. *son of Lucius Tarquinius*: this is Titus Tarquinius, mentioned at 1.56, since Sextus' death is related in 1.60, and that of Arruns in 2.6.

20. The Roman Marcus Valerius (consul of 505 BCE) and the Latin Octavius Mamilius are killed in battle. The dictator Postumius vows a temple to Castor and celebrates a triumph.

Since the Romans were now retreating from that part of the field, Marcus Valerius, the brother of Publicola, caught sight of the young Tarquin, who was making a show of bravado in the front line of the exiles. Fired by his brother's glory, Valerius determined that the honor of killing the tyrants should also go to the same family that had driven them out. Digging his spurs into his horse and leveling his spear, he charged at Tarquin. But the Etruscan drew back into the ranks of his followers to avoid his enemy's attack. As Valerius recklessly careened into the line of exiles, one of them blindsided him and ran him through. But the rider's wound did not slow his horse. Dying, the Roman slid to the ground, his arms falling on top of him. Seeing the fall of such a brave fighter, and realizing that the Roman exiles were advancing boldly on the double whereas his own men were checked and giving ground, the dictator Postumius ordered his own cohort, a picked band that he kept with him as a bodyguard, to treat any Roman whom they saw fleeing as an enemy. This twofold fear stopped the Roman flight. Once again they faced the enemy and the fighting was renewed. Then, for the first time, the dictator's cohort entered the fray. Fresh in body and spirit, they attacked the weary exiles and cut them down.

Then another battle between the leaders broke out. Mamilius, the Latin general, seeing the cohort of exiles almost surrounded by the Roman dictator, took some companies from the reserves and rushed with them into the front line. But a lieutenant, Titus Herminius, caught sight of them as they were getting into formation and recognized Mamilius in their midst from his distinctive uniform and armor. He attacked the enemy commander with so much more violence than the master of the horse had shown a little earlier that with one thrust he pierced Mamilius through the side and killed him. But Herminius himself was struck by a spear as he stripped the arms from the enemy's body. He was carried victorious back to the camp but expired just as his wound was being tended. Then the dictator rushed up to the horsemen, imploring them to dismount and enter the fight since the infantry was exhausted. They obeyed his command, leaped from their horses, and dashed to the fore, using their shields to protect those in the front ranks. The infantry immediately recovered their spirits when they saw the leading young nobles on equal terms with themselves, sharing in the danger. Then, at last, the Latins were checked; their battle line was broken and forced to give way. The horses were brought up for the cavalymen so that they could pursue the enemy, and the infantry followed.

At this point, the dictator, neglecting no divine or human help, is said to have vowed a temple to Castor and to have announced rewards for the first and second soldiers to enter the enemy camp.³³ Such was the Romans' ardor that in one attack they routed the enemy and took their camp. Such was the battle at Lake Regillus. The dictator and his master of the horse returned to Rome and celebrated a triumph.

*21. The problem of the date of the battle of Lake Regillus.
Tarquinius Superbus dies at Cumae in 495 BCE.*

For three years after this, there was neither stable peace nor open war. The consuls Quintus Cloelius and Titus Larcus were followed by Aulus Sempronius and Marcus Minucius. During the consulship of the latter, a temple to Saturn was dedicated, and the Saturnalia established as a festal day.³⁴ The next consuls were Aulus Postumius and Titus Verginius. I find that some authorities date the battle of Lake Regillus to this year [496 BCE] rather than earlier [499 BCE]. They say that Aulus Postumius abdicated from the consulship because his colleague's loyalty was questionable and so he was made dictator. One is involved in so many chronological uncertainties, with different sources giving different lists of the magistrates, that the great antiquity of both events and sources makes it impossible to discern which consuls followed which, or what happened in each particular year.

Then Appius Claudius and Publius Servilius were elected consuls. This year was marked by news of Tarquin's death. He died at Cumae, where he had taken refuge with Aristodemus after the power of the Latins had been broken.³⁵ The senators were cheered by this news, as were the plebs. But the senators indulged too much in their joy. The nobles began to mistreat the plebs, whose interests up to that time they had most diligently served. In

33. *Castor*: a temple to Castor and Pollux, the Dioscuri, was built in the Roman forum and dedicated in 484 BCE. Other sources relate that these gods appeared at the battle and that this was the point at which Postumius made his vow.

34. *Saturn*: the origins of this god are controversial. One theory is that he was the god of seed corn, the god of sowing; some scholars suggest that he was of Etruscan origin, while others think that he was a Roman-Italic god. The temple of Saturn was in the Roman forum.

Saturnalia: this festival was originally celebrated on December 17 but was later extended to cover seven days. Occurring around the time of the winter solstice, it was a period of rest, festivity, gift-giving, and a relaxing of the normal social rules. Slaves and masters are said to have reversed roles, with the masters waiting on the slaves at a banquet.

35. Aristodemus was a Greek tyrant, a sole ruler, as Tarquin had been at Rome; see 2.9 n. 19.

that year, the colony of Signia that King Tarquin had founded was supplied with a number of colonists and established for the second time.³⁶ At Rome, twenty-one tribes were formed.³⁷ The temple of Mercury was dedicated on May 15.³⁸

22. 495 BCE. The Volsci renew hostilities with Rome and seek alliance with the Latins. The Latins seize the Volscian envoys and hand them over to the Romans, who then make a treaty with the Latins.

There had been neither war nor peace with the Volscians during the war with the Latins. The Volscians had raised support troops to send to the Latins and would have sent them had not the dictator moved quickly. But move quickly he did to avoid having to deal with both Latins and Volscians in one and the same battle. In anger, the consuls led their troops into Volscian territory. This unexpected action surprised the Volscians, who had no fears of being punished for their plan. They had no thought of taking up arms and so handed over as hostages 300 children of the nobility from Cora and Pometia. The Roman legions were withdrawn without a conflict.

Nor was it long before the Volscians' natural inclinations returned, once they were relieved of their fears. Again they secretly prepared for war and made a military alliance with the Hernici. They also sent out envoys in all directions to stir the Latins to rebellion. But the recent disaster they had sustained at Lake Regillus had so filled the Latins with anger and hatred of anyone who urged them to go to war that they did not even refrain from violating an embassy. They seized the Volsci, took them to Rome, and handed them over to the consuls; evidence was given that the Volsci and Her-

36. *Signia*: see 1.56 with n. 154. The Romans were evidently trying to maintain the hegemony established by Tarquin in this area; see Cornell 1995: 209–10.

37. *tribes*: Roman citizens belonged to tribes according to their place of residence. Four urban tribes are said to have been established by Servius Tullius; see 1.43 with notes. Thus by 495 BCE there were seventeen rural tribes in addition to the original four urban tribes. The Tribal Assembly worked on the group-vote system, with the majority of votes within a tribe determining the vote of that tribe. By 241 BCE the total number of tribes was thirty-five, a number that was never exceeded. In 471 BCE a bill was passed that the tribunes of the plebs should be elected in the Tribal Assembly; see 2.56–7 with n. 99.

38. *Mercury*: the god of commerce and trading. The reestablishing of Signia, the formation of the tribes, and the dedication of the temples of Saturn and Mercury are indications of Rome's recovery after the expulsion of the Tarquins.

nici were preparing war against the Romans. When the matter was brought before the senate, the senators were so gratified that they released to the Latins 6,000 captives and referred the question of a treaty to the incoming magistrates—a matter that they had all but refused ever to negotiate. Then indeed the Latins rejoiced in their action, and the advocates of peace were held in high esteem. They sent a golden crown to Capitoline Jupiter. With the envoys and the gift came a massive throng of captives who had been restored to their own people. They went to the homes where each had been held in captivity and gave thanks for the liberal treatment and respect that they had enjoyed in their adversity. Then they made a pact of hospitality.³⁹ Never before had there been a greater public or private bond between the Latin people and the Roman state.

23. An uproar breaks out in the forum between patricians and plebeians, since many of the latter had been all but enslaved because of debt. The consul Appius Claudius wants to make arrests, but his colleague favors conciliation.

Not only was war with the Volsci imminent, but discord was flaring up in the state as a result of hatred between the senators and the plebeians, especially on the question of those who were “bound over” to their creditors for debt.⁴⁰ These men were grumbling that, though they fought abroad for freedom and dominion, at home they had been enslaved and oppressed by their fellow citizens. The freedom of the plebeians, they said, was safer in war than in peace, amid enemies rather than amid fellow citizens.

The animosity was spontaneously increasing, but it was inflamed by an extraordinary calamity that had befallen a single individual. An elderly man

39. *pact of hospitality*: Latin *hospitium*, a permanent relationship between host and guest that could be established between states, municipalities, and individuals.

40. *plebeians*: Latin *plebs*. Cornell remarks (1995: 256–7), “The *plebs* was not formed in opposition to any particular group, but rather had its own identity and its own agenda that distinguished it from the rest of the population. . . .” The *plebs* probably came from the poorest and most disadvantaged, and they are not to be identified with any particular group, such as farmers or urban artisans. Initially, their aims were protection and defense.

bound over: the precise details of this practice, which was abolished in 326 or 313 BCE, were obscure to the ancients themselves. Apparently a man could “bind himself” to work for his creditor until he had paid off the debt. The creditor could put such a bondsman in chains, but the debtor still kept his citizen rights and so was in a better situation than was a slave. Though theoretically possible, it was unlikely that he would ever regain his freedom.

rushed into the forum, bearing all the visible signs of his misfortunes. His clothing was covered with filth and the condition of his body was even more hideous: he was wasted, pale, and emaciated. In addition, his long beard and hair brutalized his appearance. Despite his appalling condition, he was recognized by the bystanders, who said that he had been a company commander. Pitying him, they spread the general word that he had won other military honors. He bared his chest, displaying his scars as evidence of his honorable service in several battles. A crowd gathered around him as if it were a public assembly, asking him how he came to be in such an appalling condition. He replied that while he was serving in the Sabine war, not only had he lost his crops because of the enemy's pillaging, but his farmhouse had been burned, all his goods plundered, and his flocks driven off. Then, at this inopportune time, a war tax had been levied and so he had borrowed money. As the interest piled up, he lost first the land that had belonged to his father and grandfather, then the rest of his property; and finally debt had affected his body, like a wasting disease. He had been carried off by his creditor, not into slavery, but to a prison and torture house. Then he showed them his back, disfigured with fresh traces of the lash.

A huge uproar arose when the people heard and saw these things. The disturbance was no longer confined to the forum, but spread throughout the entire city. From all sides, bondsmen, chained and unchained, rushed out in public, begging their fellow citizens for protection. Nowhere was there a lack of volunteers to join the riot. Far and wide, crowds thronged all the streets, shouting as they dashed into the forum. Great was the danger of those senators who happened to be in the forum and encountered the mob. The people would not have refrained from violence if the consuls, Publius Servilius and Appius Claudius, had not quickly intervened to suppress the rebellion. But the crowd turned on them, showing their chains and other appalling marks. These, they said, were the rewards they had earned, as they bitterly recounted the military service that each had performed in different areas. With threats rather than supplications, they demanded that the senate be summoned. They surrounded the senate house in order to witness and control the deliberations of the state.

The consuls gathered only a few senators whom they happened to meet. Fear kept the rest away from not only the senate house but also the forum. No business could be done because they lacked a quorum. Then the crowd thought they were being mocked and put off: the missing senators were staying away not by chance, nor from fear, but in order to prevent action. The consuls, they said, were being evasive and were clearly treating the plebeians' miseries as a joke. It had almost reached the point at which not even respect

for the consuls could restrain the passions of the crowd, when the missing senators at last entered the senate, uncertain whether they would incur greater danger by delaying or by coming. When they at last had a quorum, not only the senators but even the consuls themselves were unable to agree. Appius, a man of impetuous temperament, thought the matter should be settled by the use of consular power: the arrest of one or two men would calm the rest.⁴¹ Servilius, a man more inclined to a less confrontational solution, thought it not only safer but easier to assuage their fury than to crush it.

24. News of an impending Volscian attack causes the plebs to refuse to enlist. The consul Servilius resolves the immediate problem by releasing the debtors to perform military service and guaranteeing that their families and property will be safeguarded.

Another, greater fear arose in the midst of all this, when some Latin cavalymen galloped up with the disturbing news that the Volscian army was coming to attack the city. The reactions of senators and plebeians to this report were very different—to such an extent had the discord created two civic communities in place of one. The plebs were exultant in their joy, saying that the gods were avenging the senators' arrogance. They encouraged one another not to enlist: it was better to die along with everyone else than alone. Let the senators do the military service; let the senators take up arms so that the same people who got the rewards of war should also experience its dangers. But the senate, dispirited and panicked in the face of this twofold fear from both citizens and enemy, begged the consul Servilius, whose temperament had a greater appeal with the populace than that of Appius, to extricate the state from the terrors that beset it.

Then the consul adjourned the senate and called a public meeting. There Servilius declared that the senators were concerned to consult the interests of the plebs; fear for the entire state had taken precedence over their deliberations about what was, indeed, the greatest part of the citizen body, but nevertheless only a part. Nor was it possible, since the enemy was almost at the gates, for anything to have priority over the war. Even if there was some respite, it was not honorable for the plebs to refuse to take up arms for their country without first receiving some recompense. Nor was it fitting for the senate to discuss the afflictions of their fellow citizens at a time of fear, rather

41. *a man of impetuous temperament*: on the portrayal of Appius, see Appendix 1, pp. 406–8.

than later, when they would do it of their own free will. Servilius confirmed the trust of the assembly by issuing an edict that no one should keep a Roman citizen in chains or confinement, thus denying him the possibility of enlisting in the consuls' levy. Nor should anyone seize or sell the goods of a soldier while he was on military service, nor harass his children or grandchildren. When this edict had been issued, the debtors who were present immediately enlisted. From all over the city, people burst forth from their houses where their creditors no longer had the right to hold them, rushing into the forum to take the military oath. It was a large band of people, and no others outshone them in courage and service during the Volscian war. The consul led his forces against the enemy and pitched camp a short distance away.

25. The consul Servilius conducts a brief and successful campaign against the Volsci.

The next night, the Volsci, relying on the discord among the Romans, attacked their camp on the chance that darkness might cause desertions or treachery. But the sentries perceived them and the army was roused. After the signal was given, there was a rush to arms, thus frustrating the Volscian design. Both sides devoted the rest of the night to sleeping. At dawn on the following day, the Volsci filled in the ditches and attacked the rampart. Already on every side the fortifications were being torn down. Everywhere all the soldiers, especially the debtors, were clamoring for the consul to give the signal. Servilius waited a short while to test his soldiers' mettle. When he was satisfied with the intensity of their ardor, he finally gave the signal to break out and released the soldiers, eager for the fray. At the first charge, the enemy was driven back. The fugitives were cut down from the rear as long as the infantry could pursue them. The cavalry drove them in panic right back into their camp. Soon the legions had surrounded the camp itself, and, when panic had driven out the Volsci, it was captured and plundered. On the following day, the Roman legions were led to Suessa Pometia, where the enemy had fled. In a few days the town was captured and given up to be plundered.⁴² The proceeds gave some much-needed relief to the soldiers. The consul led his army back to Rome, with great honor to himself. As he was

42. *Suessa Pometia*: see 2.16–7 for the destruction of this town by the Romans in 503 BCE. By 495 BCE, however, it evidently was under the control of the Volsci; see 2.22. Earlier it had been sacked by Tarquinius Superbus; see 1.53.

setting out for Rome, he was approached by ambassadors from the Volsci of Ecetra, who were alarmed for their own situation after the capture of Pometia.⁴³ They were granted peace by a decree of the senate, but their land was confiscated.

26. Two quick encounters with the Sabines and Aurunci end these wars.

Immediately after this, the Sabines caused an alarm at Rome, but it was more truly a disturbance than war. During the night, news reached the city that a Sabine army had come as far as the river Anio on a plundering raid. There had been widespread looting and burning of farmhouses. Aulus Postumius, who had been dictator during the war with the Latins, was immediately dispatched with all the cavalry forces. The consul Servilius followed with a picked group of infantry. The cavalry surrounded many stragglers, and, as the line of infantry advanced, the Sabine troops offered no resistance. Wary from not only their march but also their night of plunder, a great part of them had stuffed themselves with food and wine in the farmhouses and so had scarcely the strength to flee.

The Sabine war was finished the same night that it was discovered. The following day, there were great hopes that peace had been secured on all sides, when legates from the Aurunci approached the senate, declaring that there would be war unless the Romans evacuated Volscian territory. The Auruncan army had set out from home at the same time as the legates. The report that their army had already been seen not far from Aricia threw the Romans into such a state of confusion that it was impossible to consult the senate in the regular way. Nor could they give a peaceful answer to people who were already bearing arms, while they themselves were taking up arms. On the offensive, the Romans marched to Aricia, joined battle with the Aurunci not far from there, and finished the war in a single fight.

43. *Ecetra*: a town often mentioned in these early wars and listed by Pliny the Elder among the lost cities of Latium (*Natural History* 3.69). It was probably on the fringe of Volscian territory, southeast of Velitrae (see 2.30, n. 52).

27. Despite Servilius' pledge, Appius Claudius has the debtors bound over again. Servilius temporizes and becomes as unpopular as Appius. There is strife between the two consuls for the rest of their term.

After routing the Aurunci and being victorious in so many wars in so few days, the Romans were expecting the consul to fulfill his promises and the senate its word. But Appius was pronouncing the harshest possible judgments in suits to recover debts, partly because of his inborn arrogance and partly because he wanted to frustrate his colleague's pledge. Those who had previously been bound over were handed back to their creditors, and others were bound over for the first time. Whenever this happened to a soldier, he would appeal to Appius' colleague. People rushed to Servilius' house. They repeated his promises, reproaching him with the service they had performed and the scars they had received. They demanded that he should either refer the matter to the senate or that he, as consul, should come to the aid of his fellow citizens; or, as general, to the aid of his soldiers. Their pleas moved the consul, but the situation forced him to equivocate, so strongly was not only his colleague inclined to the other side but also to the entire faction of nobles. And so, by steering a middle course, Servilius neither avoided the hatred of the plebs nor won the goodwill of the senators. The latter considered that he was soft and courting popularity, whereas the plebs deemed him deceitful. In a short time it was apparent that he and Appius were equally hated.

A struggle had broken out between the consuls over which of them should dedicate the temple of Mercury.⁴⁴ The senate referred the matter to the people. Whichever consul should be granted the dedication by the command of the people was also to be in command of the grain supply, to set up a guild of merchants, and to perform the solemn rites in the presence of a pontiff. The people granted the dedication to Marcus Laetorius, a centurion of the first rank, not so much as an honor to him—for he had been given a commission that was far above his station in life—but rather to humiliate the consuls. Appius and the senators were consequently enraged, but the confidence of the plebs increased and they proceeded in a far different way from that in which they had first begun. Despairing of help from the consuls and senate, whenever the plebs saw a debtor being led into court, they flew to his aid from every side. The consul's decree could not be heard above the din and the shouting, and once it had been pronounced, no one

44. *temple of Mercury*: this was on the southwest slope of the Aventine; see 2.21 with n. 38.

obeyed it. Violence was beginning to prevail. All fear and danger to personal liberty had shifted from the debtors to the creditors, who were being singled out and abused by the masses in full view of the consul.

In addition to all this came fear of war with the Sabines. When a levy was decreed, no one enlisted. Appius was furious and blamed Servilius' desire for popularity. Servilius, he said, was betraying the state by staying silent to court the people; in addition to refusing to hear cases concerning debt, he was not even holding the levy in accordance with the senate's decree. Nevertheless, the state had not been completely abandoned, nor consular power wholly rejected. Alone, he would be the champion of the majesty that belonged to him and the senators. Since the usual crowd of bystanders was angry and unruly, Appius ordered the arrest of one of the conspicuous leaders of the disturbances. But this man appealed as he was being dragged off by the lictors.⁴⁵ The consul would not have yielded to his appeal—for he had no doubt what the people's judgment would be—had not his stubbornness been overcome, though with difficulty, more by the advice and influence of the leading men than by the popular outcry, so excessive was Appius' determination to withstand unpopularity. From then on, the trouble grew worse day by day, with not only open protests but, what was far more dangerous, secret gatherings and conferences. At last, these consuls who were so hated by the plebs went out of office. Servilius had the goodwill of neither side, but Appius was amazingly popular with the senators.

28. 494 BCE. The new consuls are unable to get the plebs to enlist, increasing the likelihood of conflict.

Aulus Verginius and Titus Vetustius then entered the consulship. The plebs, uncertain what sort of consuls they were going to have, began to meet at night, some on the Esquiline, others on the Aventine, to avoid being intimidated into making sudden decisions and conducting business in a rash and haphazard way when they were in the forum.⁴⁶ The consuls regarded this behavior as pernicious (as indeed it was), and so referred the matter to the senate. But they were not allowed to discuss the matter in an orderly manner. On all sides, there was a clamorous uproar as the senators expressed their indignation that the consuls should shift onto them the unpopularity for a

45. On the question of a right of appeal at this time, see 2.8 with n. 15.

46. *meet at night*: meetings, especially at night, in places other than the forum aroused suspicions of a conspiracy against the state.

matter that should have been settled by consular authority. Assuredly, if there were real magistrates in the state, there would be only one assembly in Rome, that of the people. But as it was, the government was broken up and dispersed into 1,000 senates and meetings. By Hercules, one single *man*—a better word than consul—like Appius Claudius, would have broken up those meetings in a moment!⁴⁷

Thus reprimanded, the consuls asked the senators what they wanted them to do, saying that they would not act with any less decisiveness or severity than the senate wished. It was decided that they should hold the most stringent levy possible: idleness made the plebs unruly. When the senate was dismissed, the consuls mounted the platform and called out the names of the younger men. When no one responded to his name, the crowd surrounded the consuls as if it were a public meeting, saying that the plebs could no longer be deceived. Unless the state gave a guarantee, they would never get a single soldier. Liberty must be restored to every single individual before arms were given him. They would fight for their fatherland and fellow citizens, not for masters who owned them. The consuls were aware of what the senate had ordered. But of all those who had spoken boldly within the walls of the senate house, none was visibly present to share in the unpopularity. A terrible struggle with the plebs was apparent. Before going to extremes, therefore, the consuls decided to consult the senate a second time. Then all the youngest senators rushed up to the consuls' seats, bidding them resign the consulship and lay down the power that they lacked the spirit to defend.

29. After an uproar in the forum, the senate convenes and Appius Claudius proposes the appointment of a dictator.

Now that they had made sufficient trial of both courses open to them,⁴⁸ the consuls finally said: "Don't say that you weren't warned, Conscript Fathers, but a mighty revolt is upon us. We demand that those who are foremost in charging us with cowardice stand by our side while we conduct the levy. We will do this job with the most severe of you there to arbitrate, since that is your pleasure." They returned to the tribunal and deliberately ordered one of those who was standing within sight to be called on by name. But he stood there without answering and a small group of men clustered around

47. *by Hercules*: an appeal to Hercules, the hero who became a god; this was a strong imprecation, generally made by males. See also 3.19 with n. 47.

48. *both courses*: persuading the senate to yield to the plebs' demands, or coercing the plebs.

to prevent him from being manhandled. So, the consuls sent the lictor to him, but the lictor was driven back. Those of the senators who were near the consuls cried out that this was an outrage and rushed down from the tribunal to help the lictor. Then the mob turned from the lictor, whom they had merely prevented from making an arrest, and attacked the senators. The brawl was calmed by the intervention of the consuls, without any stones or weapons being involved. It was more a matter of anger and shouting than of any physical injury. In the uproar, the senate was summoned and deliberated with even more uproar. Those who had been jostled demanded a judicial inquiry, with the wildest members shouting and yelling, rather than expressing their opinion formally.

The senators' anger at last subsided as the consuls reprimanded them for showing no more sanity in the senate house than in the forum. Then they began to deliberate in an orderly manner. There were three proposals: Publius Verginius was against general debt relief, recommending that they consider only those who had relied on the promise of the consul Publius Servilius and served in the wars against the Volsci, Aurunci, and Sabines. Titus Larcus thought that this was not the time merely to recompense the military service rendered: all the plebeians were sunk in debt and the matter could not be settled unless the interests of everyone were considered. But if some were treated differently from others, the discord would be inflamed rather than settled. Appius Claudius, harsh by nature and brutal because of his hatred of the plebs on the one hand and the senators' adulation on the other, said that such a great uproar had arisen, not because of the plebs' miserable lives, but because of license: the plebs were more out of control than enraged. This evil had its origins in the right of appeal. Consuls had the power to threaten, but not to command, when a wrongdoer was permitted to appeal to his fellow offenders. "Come," he said, "let us appoint a dictator from whom there is no right of appeal."⁴⁹ Then this madness that has set everything ablaze will abate. Then let anyone strike a lictor, when he knows that the right to scourge and execute is in the hands of that one man whose authority he has violated."

49. On the dictatorship: see 2.18 with n. 27.

30. 494 BCE. Though Appius' proposal passes, he is not appointed dictator. War again breaks out, and the plebs only enlist when the dictator reenacts an edict similar to that of Servilius. The consul Verginius wins a quick victory over the Volsci and takes Velitrae.

Many thought Appius' proposal savage and horrifying, as indeed it was. But then again, the proposals of Verginius and Larcus set unhealthy precedents, especially that of Larcus, since it would undermine all credit. The most reasonable and moderate plan was thought to be that of Verginius. But Appius prevailed because of factional politics and consideration for private interests that have always stood in the way of public deliberations and will continue to do so. Indeed he was almost appointed dictator, a move that would have alienated the plebs at a most dangerous time, since the Volsci, Aequi, and Sabines all happened to take up arms at once. But the consuls and senior senators were anxious that an office of such formidable power should be entrusted to a man of humane temperament. They appointed Manius Valerius, a son of Volesus, as dictator.⁵⁰ Although the plebs saw that he had been appointed to oppose them, nevertheless, since they had the right of appeal as the result of his brother's law, they had no fear of harsh or arrogant action from that family. Their confidence was soon strengthened by an edict that was promulgated by the dictator, since it was essentially in keeping with the edict of the consul Servilius. Thinking it was better to trust the man and his office, the plebs abandoned the struggle and submitted their names. Never before had there been such a large army. Ten legions were enrolled, three being given to each of the consuls and four to the dictator.

War could not be delayed any longer. The Aequi had invaded Latin territory. Emissaries from the Latins begged the senate either to send help or to allow them to take up arms themselves to protect their boundaries. It seemed safer to defend the Latins without arming them than to allow them to resume the use of weapons.⁵¹ The consul Vetusius was dispatched, and that was the end of the pillaging. The Aequi withdrew from the plains and secured themselves on the mountain ridges, relying on their position rather than their

50. *Manius Valerius, a son of Volesus*: a third son of Volesus who had not yet held a magistracy; for sources, see Ogilvie 1965: 306–7, and Broughton 1986(1): 14. On the Valerian family, see Appendix 1, pp. 418–20.

51. Although Livy did not mention this earlier, the Latins apparently were not to take up arms without permission of the Romans, a condition that may have been imposed as a result of the battle of Lake Regillus.

weapons. The other consul set out against the Volsci. To avoid a similar waste of time, he ravaged their fields and provoked the enemy to draw nearer to his camp and fight a pitched battle. In the middle of the plain between the camps, each side formed its battle lines in front of its own palisade.

The Volsci were considerably superior in numbers, and so they went into the battle in careless disarray. The Roman consul did not move his line forward, nor did he allow a response to the enemy's battle cry. He ordered his men to plant their spears in the ground and stand still until the enemy was at close quarters. Then they were to attack with all their might and settle the business with their swords. The Volsci, weary with running and shouting, bore down on the Romans, who seemed numb with fear. But when they realized that the opposite was the case and saw the swords flashing in their faces, they were thrown into confusion, fleeing as if they had fallen into an ambush. They did not have enough strength even for flight because of their rush into battle. The Romans, on the other hand, because they had stood quietly at the beginning of the battle, were physically strong and easily caught up with the exhausted Volsci. They captured their camp by assault, driving the enemy from it and pursuing them to Velitrae.⁵² Victor and vanquished burst into the city in one body. More blood was shed there in the indiscriminate slaughter of every kind of person than in the actual battle. Pardon was granted to a few who gave up their arms and surrendered.

31. The Sabines, Volsci, and Aequi are defeated. Unable to fulfill his pledge to the plebs, the dictator resigns.

While this was happening on the Volscian front, the dictator routed the Sabines—by far Rome's greatest enemy—and drove them from their camp. By sending in the cavalry, he threw the enemy's center line into confusion, since the Sabines had extended their wings too widely and thus had failed to strengthen the line's depth.⁵³ The Roman infantry then attacked them in their confusion. In one and the same onslaught, the camp was captured and the war ended. After the battle at Lake Regillus, no other battle in those years

52. *Velitrae*: a Volscian town some twenty miles from Rome, on the southern rim of the Alban hills.

53. *by sending in the cavalry* . . . : this passage is generally agreed to be puzzling, but Ogilvie (1965: 308) makes the plausible suggestion that the redeployment of Sabine troops in an attempt to deepen their lines had created gaps that were penetrated by the Roman cavalry.

was more famous than this one. The dictator entered the city in triumph. In addition to the customary honors, he was granted a viewing position in the circus and a curule chair was placed there, too.⁵⁴ The defeated Volsci were deprived of the territory of Velitrae. Colonists were sent from Rome and a colony was established.

Shortly afterward there was a battle with the Aequi, though the consul Vetusius was against it because they had to engage the enemy on unfavorable ground. The soldiers charged the consul with attempting to drag out the campaign so that the dictator would resign his office before they could return to the city, thus avoiding the fulfillment of his promises, just like the previous consul. They forced Vetusius to advance rashly and haphazardly up the mountains that confronted them. This ill-advised undertaking turned into a success as a result of the enemy's cowardice. Even before the Romans came within range, the Aequi, stunned by the Romans' audacity, rushed down into the valleys on the other side of the ridge and abandoned their camp, which was in a well-fortified position. There was considerable booty and a bloodless victory.

Despite the triple success in war, both senators and plebs remained concerned about the outcome of domestic affairs. The money-lenders had arranged matters with such influence and artfulness that they frustrated not only the plebs but also the dictator. After the consul Vetusius' return, the first business that Valerius brought before the senate on behalf of the victorious people was to ask the senators to declare their policy about the treatment of those bound over for debt. When his motion was rejected, Valerius said, "You don't like it when I urge harmony. You will soon wish, I guarantee, that the Roman plebs had patrons like me. As far as this business concerns me, I shall not frustrate my fellow citizens further, nor shall I be frustrated as dictator. Discord at home and war abroad created a situation in which the state needed this office. Peace has been secured abroad, but at home it is obstructed. My involvement in this revolt will be as a private citizen, rather than as dictator." And so he walked out of the senate house and resigned the dictatorship. It was clear to the plebs that he had resigned from office in anger at their plight. So, as if he had kept his pledge—it was not his fault that it was not being fulfilled—they escorted him to his home, praising his support.

54. *curule chair*: see 1.8, n. 30.

32. The first secession of the plebs. Menenius Agrippa's parable of the limbs and the belly.

Then fear assailed the senators that secret meetings and conspiracies would again break out if the army were disbanded. And so, although the levy had been conducted by the dictator, they considered that the soldiers were still bound by their oath, since they had been sworn in by the consuls. Under the pretext of renewed war with the Aequi, they ordered the legions to be led out of the city. This action brought the revolt to fruition. At first, it is said, the plebs discussed killing the consuls in order to be released from their oath. When they were told a criminal act would not resolve their sacred obligation, then, without the order of the consuls and on the advice of one Sicinius, they withdrew to the Sacred Mount, which is across the Anio river, three miles from the city. This version of the story is more common than that of Piso, who says that they withdrew to the Aventine.⁵⁵ There, without any general, they quietly fortified their camp with a stockade and a trench, taking nothing beyond what was necessary for their subsistence. They kept to themselves for several days, without harassing anyone or being themselves harassed.⁵⁶

In the city there was great panic; mutual apprehension caused all activities to be suspended. The plebs, abandoned by their supporters, feared violence at the hands of the senators. The senators feared the plebs who were left in the city, being unsure whether they wanted them to remain or depart. For how long would the multitude that had seceded remain quiet? What would happen if a foreign war should arise in the meantime? They realized that the only hope left was in harmony among the citizens: this must be restored to the state, by fair means or foul.

And so the senators decided to send Menenius Agrippa as an emissary to the plebs, an eloquent man who was dear to the people because he was one of their own by birth. He was admitted into their camp and is said to have told the following parable in an old-fashioned, rough style of speech. At the time when men's bodily parts were not as coordinated as they are now and each limb its own way of thinking and its own voice, the other parts were angry that they had the worry, trouble, and effort of providing everything for the belly; whereas the belly had a quiet time in their midst, doing nothing except enjoying the good things that they supplied. So, they made a conspiracy that the hands should not carry food to the mouth, nor should the

55. *Piso*: the second-century BCE annalist Lucius Calpurnius Piso; see 1.55 with n. 152.

56. Some scholars question the historicity of this secession and the institution of the tribunate of the plebs during this year; see Cornell 1995: 258–61.

mouth receive what it was given, nor the teeth chew it. While they wanted to starve the belly into submission, their anger caused all the limbs and the entire body almost to waste away. It was then apparent that the function of the belly was by no means idle: not only was the belly nourished, but it also provided nourishment, since it supplied to all parts of the body the source of our life and strength—our blood, which it apportions to the veins after it is enriched with the food it has digested. With this parable, he showed the similarity between the internal revolt of the body and the anger of the plebs toward the senators, and so won over men's minds.

33. 494–493 BCE. The institution of the tribunate of the plebs and the making of a treaty with the Latins, which is generally known as the Cassian Treaty. The Romans capture Corioli, thanks mainly to Coriolanus.

Negotiations then began to restore concord, and agreement was reached on the following terms. The plebeians should have their own magistrates, who would be sacrosanct.⁵⁷ These officials should have the right to give help (*auxilium*) to the plebeians in actions against the consuls, but no senator should be allowed to hold this office. And so, two tribunes of the plebs were elected, Gaius Licinius and Lucius Albinus, and they chose three others to be their colleagues. It is agreed that one of these three was Sicinius, the instigator of the revolt. There is less agreement about who the other two were. Some sources say that only two tribunes were elected on the Sacred Mount and that this was where the law of sacrosanctity was enacted.⁵⁸

During the secession of the plebs, Spurius Cassius and Postumus Cominius became consuls. In their consulship, a treaty was made with the Latin peoples.⁵⁹ One consul remained in Rome to make this treaty, while the other was sent to fight the Volsci. He routed and put to flight the Volsci of An-

57. *sacrosanct*: if a person laid violent hands on a tribune, he would be accursed (*sacer*) and could be killed or sacrificed to the gods with impunity, since his action was deemed to have harmed the gods. Killing the offender was a sacred duty and did not incur a penalty or blood-guilt.

58. See 2.58, where Livy notes that the annalist Piso stated that originally there were only two plebeian tribunes. In either case, the number was five from 471 BCE (2.58) until it was raised to ten in 457 BCE (3.30).

59. Livy says little more about this important treaty, except to note later that the inscription indicates that it was made by Spurius Cassius alone. It was a bilateral agreement between

tium, driving and pursuing them into the town of Longula, which he captured. From there he immediately took Polusca, another Volscian town. Then he directed a mighty force against Corioli.⁶⁰

In the camp at that time, Gnaeus Marcius was one of the leaders of the younger soldiers. He was resourceful both in tactics and in fighting, and later he was given the *cognomen* Coriolanus.⁶¹ The Roman army was besieging Corioli and concentrating on the townspeople penned within the walls. They had no fear of the imminence of an attack from outside, when they were suddenly attacked by a Volscian contingent from Antium and, at the same time, the enemy burst forth from the town. Marcius happened to be on guard duty. With a picked band of soldiers, he not only repelled the attack of the townspeople but boldly burst through the open gate. Killing those in the nearest part of the city, he randomly seized a firebrand that lay at hand and hurled it at a building that overtopped the wall. The shrieks of the townspeople, mingling with the wailing of women and children that usually breaks out at the first alarm, put courage into the Romans. The Volsci, however, were thrown into confusion, since the city they had come to help had been captured by the enemy. And so, the Volsci from Antium were routed and the city of Corioli captured. Marcius' glory has so eclipsed the consul's reputation that, were it not for the inscription on the bronze column of the treaty with the Latins, which records that it was made by Spurius Cassius alone in the absence of his colleague, there would have been no record that the Volscian war was waged by Postumus Cominius.

In the same year, Menenius Agrippa died, a man beloved throughout his life by senators and plebeians, who became even dearer to the plebeians after the secession. But this promoter and mediator of civil harmony, the ambassador of the senators to the plebs and the man who had brought the plebs back to Rome, did not leave enough money for his burial. The plebs buried him, with each individual contributing a copper coin.

the Romans and the Latins, making peace between the two parties and a defensive alliance that each would help the other if attacked. The main source is Dionysius of Halicarnassus 6.95; see Cornell 1995: 299–301.

60. *Antium*: modern Anzio, a coastal city in southern Latium. Originally Latin, it had come under Volscian control after the expulsion of the Tarquins.

Longula: a settlement on the road from Antium to Ardea, twenty-six miles from Rome.

Polusca: a settlement twenty miles from Rome and fifteen miles from Antium.

Corioli: northwest of Polusca, on the road to Rome; on these locations, see Ogilvie 1965: 318–9.

61. *cognomen*: see 2.8, n. 14. For discussion of the possible origins of the story of Coriolanus, see Ogilvie 1965: 314–6; Cornell 2003: 72–97; and Introduction, p. xvi.

34. 492–491 BCE. *Coriolanus advocates using the occasion of a grain shortage to annul the rights given to the plebs.*

The next consuls to be elected were Titus Geganius and Publius Minucius. In that year, when there was respite from war abroad and the discord at home had been healed, a much more serious problem afflicted the state. First the price of grain rose because of failure to cultivate the fields during the secession of the plebs. This was followed by the kind of famine that usually befalls people under siege. Slaves and plebeians would certainly have reached the point of starvation if the consuls had not had the foresight to send agents everywhere to buy up grain—not only into Etruria, northward along the coast from Ostia, and southward by sea past the Volsci to Cumae, but in Sicily, too—in such distant places did her neighbors' hatred force Rome to seek help. Grain was purchased at Cumae, but the ships were detained by the tyrant Aristodemus, in compensation for the property of the Tarquins, whose heir he was.⁶² No purchases could be made in the territory of the Volsci and Pomptini, and the grain agents were even in danger of attack from the inhabitants.⁶³ Etruscan grain was imported by way of the Tiber, and this kept the plebs alive. Given such a scarcity of provisions, the Romans would have been troubled by an inopportune war had not a great plague struck the Volsci just as they were taking up arms. The enemy were so terrified by this calamity that their minds were still in the grip of fear even when it was over. So, the Romans increased the number of colonists at Velitrae and sent out a new colony to Norba in the mountains, to serve as a stronghold in Pomptine territory.

Next year, in the consulship of Marcus Minucius and Aulus Sempronius, a large amount of grain arrived from Sicily, and the senate debated at what price it should be granted to the plebeians. Many thought that the time had come to repress the plebeians and recover the rights that had been forcibly wrested from the senators as a result of the secession. Foremost among them was Marcius Coriolanus, an enemy of tribunician power. "If they want grain at the old price," he said, "let them give the senators their former rights. Why do I see plebeian magistrates, why do I see Sicinius empowered, while I have been sent under the yoke and, as it were, ransomed from bandits?⁶⁴ Shall I endure these humiliations any longer than is necessary? Shall I put up with

62. See 2.5, and 2.21 with n. 35.

63. *Pomptini*: inhabitants of the area of the Pomptine Marshes, between Antium and Terracina.

64. *sent under the yoke*: an act symbolizing defeat and submission, inflicted on a defeated enemy.

Sicinius when I didn't put up with Tarquin as king? Let him secede now, let him call forth the plebeians; the way lies open to the Sacred Mount and to other hills. Let them seize the grain from our fields as they seized it two years ago. Let them enjoy the price of grain that they created in their madness. I am emboldened to say that they will be so tamed by this disaster that they will cultivate the land rather than use armed secession to prevent its cultivation." Whether this ought to have been done is not easy to say. But I think that by setting conditions for reducing the price of grain, the senators were in a position to annul the tribunician power and take from the plebs all the rights that they had unwillingly granted.

35. 491 BCE. Coriolanus is indicted, but he anticipates a verdict by going into exile among the Volsci, where, with the Volscian leader Attius Tullius, he begins to plan war against Rome.

This proposal seemed too harsh even to the senate, and the plebs were so angry that they almost took up arms. They were, they said, already being starved out as if they were an enemy, cheated of food and necessities of life. Foreign grain, the sole source of sustenance unexpectedly given them by fortune, was being snatched from their mouths unless the tribunes were handed over in chains to Gnaeus Marcius and he should have his fill of beating the plebeians. In him a new executioner had arisen who ordered them to die or be enslaved. Marcius would have been attacked as he was leaving the senate house had not the tribunes opportunely brought an indictment against him. Their anger then subsided, as each man saw that he himself was the master of whether his enemy would live or die.⁶⁵

At first Marcius listened with contempt to the tribunes' threats, alleging that their office had been given the right to help, not punish. They were, he said, the tribunes not of the senators but of the plebs. But the hostility of the plebs had been roused to such a point that the senators had to give up one of their own as a scapegoat. They nevertheless resisted despite the unpopularity that ensued, as each individual employed the strength of their entire order. At first an attempt was made to see whether they could break up the proceedings by positioning their clients to scare and so prevent individuals from assembling and holding meetings.⁶⁶ Then, in a body, they formed

65. *live or die*: this implies an indictment by tribunes before a popular assembly, a procedure that was not adopted until the third century BCE; see Ogilvie 1965: 325–6.

66. *clients*: see 2.16 with n. 25. The clients would probably have been plebeians.

a procession—you would have said that all of the senators were on trial—as they prayed and begged the plebeians, if they were unwilling to acquit an innocent man, to grant them one citizen, one senator, despite his apparent guilt. When Marcius did not appear on the day of the trial, the anger of the plebs persisted. Condemned in his absence, Coriolanus went into exile in Volscian territory, making threats against his country and even then showing his hostile intentions.

On his arrival, the Volsci received him with kindness, becoming kinder as the days passed and his anger toward his own people mounted, with his complaints and threats becoming noticeably more frequent. His host was Attius Tullius, who was at that time the most prominent Volscian leader and always hostile to the Romans. And so, spurred on—the one by inveterate hatred, the other by recent resentment—they made plans for war against Rome. But they had difficulty in believing that the Volscian people could be forced to take up arms after their previous unfortunate experiences; their spirit had been broken by many frequent wars, by plague, and finally by the loss of their young men. Since hatred had ceased with the lapse of time, they would have to employ devious means in order to provoke the Volscians' hearts with some fresh anger.⁶⁷

36. The Great Games have to be repeated because an incident had offended Jupiter, who expresses his displeasure through a dream.

It happened that a repeat performance of the Great Games was being prepared.⁶⁸ The reason for the repetition was as follows. Early in the morning of the games, before the show had begun, a certain householder had placed a yoke on a slave's neck, whipping and making a spectacle of him in the midst of the circus. Then the games began, as if this incident had in no way affected

67. Specific reference to the consular years 490 and 489 BCE is lacking in the ensuing narrative. The story of Coriolanus is resumed in 2.39, apparently in the consulship of Spurius Nauius and Sextus Furius, 488 BCE. The story of the repeat performance of the Great Games and the expulsion of the Volsci provides the reason for Coriolanus' march on Rome.

68. *Great Games*: see 1.35, n. 113.

repeat performance: the incident of the slave being whipped before the games would have constituted a flaw in the conduct of the games, thus incurring the anger of Jupiter, in whose honor the games were celebrated. A similar story is related by Cicero (*On divination* 1.55). See also Appendix 3, p. 429.

the sanctity of the celebration. Not long after, Titus Latinus, a plebeian, had a dream in which Jupiter appeared to him, saying that he was displeased with the leading dancer at the games.⁶⁹ Unless the games were lavishly repeated, the city would be in danger. He should go and warn the consuls. Although Latinus' mind was not unaffected by a sense of obligation to the gods, his respect for the majesty of the magistrates conquered his fear, for he did not want to be a laughingstock in men's eyes. His hesitation cost him greatly; within a few days, he lost his son. Lest there be any doubt about the cause of this disaster, the same apparition manifested itself to the anguished man as he slept, asking whether he had been sufficiently rewarded for spurning the will of the gods, and saying that a greater recompense was imminent unless he went quickly and told the consuls. Now he was closer to recognizing the issue. But as he hesitated and delayed, he was struck by a violent illness that suddenly debilitated him.

Then, at last, the anger of the gods got through to him. Worn out by his past and present troubles, he summoned a family council and explained what he had seen and heard—Jupiter's frequent appearances in his dreams and the god's angry threats that had been fulfilled by his own misfortunes. With the unquestioning consent of those who were present, he was carried on a litter to the consuls in the forum. On the order of the consuls, he was taken to the senate house where, to the great amazement of all, he told the same story to the senators. Then, behold! There was another miracle. For tradition has it that though all his limbs were paralyzed when he was carried into the senate house, he returned home on his own feet, once he had discharged the duty owed to the god.

37. The senate decrees a repeat of the games. Attius Tullius, the Volscian leader, tricks the Romans into expelling the Volscians from the city before the games begin.

The senate decreed games of the greatest possible magnificence. At the instigation of Attius Tullius, a great number of Volsci came to these games. Before the games began, Tullius went to the consuls as he had arranged back home with Marcius. He said that there were matters of state that he wanted to discuss in private with them. When the bystanders had been sent away, he said, "I don't like to say something about my fellow citizens that might be somewhat unfavorable. Still, I don't come to accuse them of committing

69. *leading dancer*: the games began with dancers at the head of a procession in honor of the gods. In this case, however, the dancer was the slave.

any crime, but to issue a warning, lest they commit one. The temperament of our people is much more fickle than I would like. We have realized this as the result of many disasters. We have survived unharmed, not because we deserve it, but because of your patience. A great number of Volsci are now here in Rome; there are games; and the state will be intent on the spectacle. I recall what the Sabine youths did in this city on the same occasion.⁷⁰ My mind shudders at the thought that something ill advised and rash may occur. I thought that I should tell you this beforehand, both for your sake and for ours. As far as I am concerned, my intention is to go home to avoid being implicated in some word or deed and compromised by my presence here.” With these words, he departed.

The consuls reported this dubious story that came from a well-known source to the senators. But the source, as happens, had more effect than the story and caused them to take precautions, even though these might prove superfluous. The senate decreed that the Volsci should leave the city. Heralds were sent to order them all to depart before nightfall. At first they were struck with great panic as they ran to their lodgings to collect their belongings. Then, as they set out, indignation overwhelmed them as they realized that they had been excluded from the games like polluted criminals, on a festal day when gods and men are gathered together.

38. Attius Tullius incites the Volsci to rebellion by alleging religious reasons for their exclusion from the games.

As they made their way in an almost continuous line, Tullius went ahead to the Ferentine headwaters to meet each of the leading men with complaints and indignation.⁷¹ They eagerly listened to his words, which were in keeping with their own anger, and with their help, he led the rest of the throng into a field that lay below the road. Then, as if he were addressing an assembly, he rehearsed the old injustices inflicted by the Romans and the disasters suffered by the Volscian people. “Although you should forget everything else,” he said, “how do you feel about today’s insult when our humiliation marked the opening of the games? Or didn’t you realize that today they celebrated a triumph over us? Were you unaware that, as you departed, you were a spectacle for everybody—citizens, foreigners, and all the neighboring peoples? That your wives and your children were a laughingstock in the eyes of the world? What do you think were the thoughts of those who heard the

70. For this incident, see 2.18.

71. *Ferentine headwaters*: a meeting place of the Latin League, near Aricia; see 1.50–1.

words of the herald, or those who saw us departing, or those who encountered us in this humiliating procession? What do you think they supposed, except that our presence at the spectacle would be an abomination, that we would pollute the games and incur a need for expiation?⁷² Isn't this the reason why we are being driven from the assembly and council of god-fearing people? Doesn't it occur to you that we are alive thanks to our hasty departure—if, indeed, this is a departure and not a flight? Don't you regard this city as a city of enemies, since, if you had stayed there for one day, you would all have had to die? War has been declared on you—but those who made the declaration will greatly regret it, if you prove your valor.” These words and their own inclinations filled them with spontaneous anger and provocation. So, they went their separate ways, each stirring up his own people. In this way, they brought about a revolt of the entire Volscian nation.

39. 488 BCE. Coriolanus marches toward Rome, refusing to discuss peace unless territory is restored to the Volsci.

As commanders for this war, all the Volscian peoples agreed on the choice of Attius Tullius and Gnaeus Marcius, the Roman exile. Considerably more was expected of Marcius than of Tullius. Nor did Marcius disappoint these expectations, thus indicating that Rome's strength lay in her leaders rather than her army. First he marched to Circeii, drove out the Roman colonists, and handed over the liberated city to the Volsci.⁷³ Then he crossed to the Latin Way by crossroads and took Satricum, Longula, Polusca, Corioli, and Mugilla, all recent Roman acquisitions. Then he took Lavinium; from there Corbio, Vetelia, Tolerium, Labici, and Pedom. Finally, he led his army from Pedom toward Rome, pitching camp at the Cluilian trench five miles from the city.⁷⁴ From there he ravaged Roman territory, sending guards along with pillagers to preserve the patricians' farms intact, either because of his hostility to the plebs or to promote discord between senators and plebeians. And discord would surely have arisen—the tribunes were provoking the already headstrong plebs by making accusations against the nation's leaders—when fear of invasion, the greatest bond of harmony, began to unite their feelings,

72. *abomination*: the Latin *nefas* implies something that is unlawful in the eyes of the gods.

73. *Circeii*: see 1.56 with n. 154.

74. There are two distinct campaigns: the first on the coastal plain west of the Alban hills, and the second in the Praenestine gap, northeast of the Latin Way; on these locations, see Ogilvie 1965: 331–3, and the map on pp. xlii–xliii.

despite their mutual suspicion and hostility. On one point only, there was no agreement: the senate and consuls put all their hopes in arms, whereas the plebeians preferred anything to war.

Spurius Nautius and Sextus Furius were now the consuls [488 BCE].⁷⁵ When they were reviewing the legions and distributing garrisons throughout the city and in other places where it had been decided to locate sentries and watchmen, a great crowd of people demanding peace first terrified them with their rebellious clamor. Then the consuls were forced to summon the senate and propose that envoys be sent to Gnaeus Marcius. The senators accepted the proposal when they saw the plebeians' resolve wavering. So, emissaries were sent to Marcius to discuss peace. Stern was the reply they brought back. Peace could be discussed if their land were restored to the Volsci. If the Romans wanted to do nothing but enjoy the spoils of war, Marcius would bear in mind the injustice of fellow citizens and the kindness of his current hosts; he would strive to show that exile had provoked his spirit, not broken it. When the same men were dispatched a second time, they were not received into Marcius' camp. Tradition has it that priests also went as suppliants to the enemy camp, wearing their distinctive veil and insignia. This no more bent Marcius' resolve than did the envoys.

40. 488–487 BCE. Confronted by his mother's anger, Coriolanus finally yields and withdraws with his army.

Then the married women gathered in large numbers at the house of Veturia, the mother of Coriolanus, and his wife Volumnia. I cannot discover whether this was the state's plan or the result of fear on the part of the women. At any rate, the women prevailed upon Veturia, an older woman, and his wife Volumnia to accompany them to the enemy camp, taking Marcius' two young sons. Since the men could not defend the city with arms, the women would defend it with their prayers and tears. When they reached the camp, Coriolanus was told that large bands of women were present. But he was even more intransigent when confronted with the women's tears, just as one would expect of a man who had been unmoved by the majesty of the state's

Satricum: probably the former Pometia; see 1.42, n. 125.

Vetelia: probably to be identified with Vitellia, mentioned at 5.29.

Cluilian trench: see 1.23.

75. Livy has omitted the years 490 and 489 BCE; see 2.21 for Livy's comment on chronological problems for this period.

envoys and the sense of religious obligation presented to the sight and mind by the priests.

Then one of his friends recognized Veturia, who was conspicuous in her sadness, as she stood amid the rest of the women, between her daughter-in-law and grandchildren. "Unless my eyes deceive me," he said, "your mother, wife, and children are here." Coriolanus leaped from his seat, almost out of his mind, and was rushing to embrace his mother when her prayers turned to anger. "Before I receive your embrace," she cried, "permit me to know whether I have come to an enemy or a son; whether I am a captive or a mother in your camp. Have my long life and unhappy old age brought me to this: to see you here, an exile and then an enemy? How could you ravage the land that bore and nurtured you? However bitter and hostile you felt as you advanced, didn't your anger fall away from you as you crossed the boundary? Didn't it occur to you when Rome was before your eyes, 'Within those walls are my home and my household gods, my mother, wife, and children'? Indeed, if I had not borne you, Rome would not be under siege. If I had had no son, I would have died a free woman, in a free land. But I cannot suffer anything that is more disgraceful for you or more wretched for me. However, wretched though I am, I will not be so for long. It is these people here that you must consider. For untimely death or long enslavement awaits them, if you press on." His wife and children then embraced him.

The weeping of the entire crowd of women and their lament for themselves and their country finally broke the man. Embracing his family, he sent them back and withdrew his forces from the city. The tradition is that he perished, overwhelmed by the hatred caused by his act, after he had withdrawn his army from Roman territory. There are, however, different accounts of his death. I find in Fabius, by far the oldest authority, that Coriolanus lived well into old age.⁷⁶ Fabius reports that as the years advanced, Coriolanus would often say that exile becomes far more wretched for an old man. The men of Rome did not envy the praise won by the women—people at that time did not disparage another's glory. The temple of *Fortuna Muliebris* [Women's Fortune] was built and dedicated to commemorate their action.

Then the Volsci returned to Roman territory together with the Aequi, but the latter would no longer tolerate Attius Tullius as their leader. There was a struggle as to whether the Volsci or Aequi should provide a commander for the joint army; then there was a revolt followed by a fierce battle, in which the good fortune of the Roman people destroyed two armies in a struggle that was as ruinous as it was stubborn. In the consulship of Titus Sicinius

76. *Fabius*: on Fabius Pictor, see 1.44, n. 133.

and Gaius Aquilius [487 BCE], Sicinius had the Volscian war as his command, and Aquilius was to deal with the Hernici—for they too had taken up arms. In that year the Hernici were defeated, but the campaign against the Volsci was inconclusive.

41. 486 BCE. A treaty with the Hernici. The proposal of the consul Spurius Cassius to distribute land to Latins and the plebs arouses great opposition, especially from his colleague. Suspected of aiming at kingship, Cassius is condemned and executed after leaving office.

Spurius Cassius and Proculus Verginius were the next consuls to be elected. A treaty was made with the Hernici, and two-thirds of their territory was taken from them. The consul Cassius proposed to divide half of this among the Latins and the other half among the plebeians. He added to this gift a considerable piece of land that, he charged, was occupied by private citizens, though it belonged to the state. This frightened many of the senators who were holders of this land, since it put their property in jeopardy. But the senators were also concerned for the state, thinking that by his largesse the consul was building up an influence that endangered freedom. This was the first time that a land bill was proposed, a measure that, from that day to within present memory, has never been brought up without causing great upheavals.⁷⁷ With the backing of the senators, the other consul resisted this largesse. Some of the plebs were even opposed to him, since, from the beginning, they had been averse to citizens sharing this gift with the allies. In public meetings they often heard the consul Verginius declaring, as if he were a prophet, that his colleague's gift was pernicious, that those lands would bring slavery to those who received them, and that this was becoming the road to kingship. Why were the allies and Latins being included? Why the Hernici, who, a short while ago, had been enemies? Why was a third of the land that had been taken from them being restored to them, unless the aim was that they should have Cassius as their leader in place of Coriolanus?

77. *great upheavals*: the account of Spurius Cassius' bill is usually considered to have been influenced by the political struggles of the late republic, especially the land bill of Tiberius Gracchus, tribune in 133 BCE, who was thought to be aiming at kingship and so was assassinated. But throughout the republic there is a history of several such proposals that were aimed at gaining political support, as Livy observes. The land bills of the late republic, however, are better documented in the extant record. For discussion of the historicity of this episode, see Forsythe 2005: 193–5.

Verginius' arguments against the law and his vetoing of the land bill now began to win him popular support. Each consul pandered to the plebs, like competitors. Verginius said that he would allow the lands to be assigned, provided that they were not assigned to anyone but citizens. Cassius, whose agrarian bill constituted a bid for the support of the allies, thus lessening his esteem in the eyes of the citizens, wanted to win back the citizens' support by giving another gift. So, he ordered that the money received from the sale of Sicilian grain be given back to the people. But the plebs rejected this as an obvious bribe to get the kingship. Their inborn suspicion of kingship was such that Cassius' gifts were rejected as if they had an abundant supply of everything.

The sources agree that Spurius Cassius was condemned and executed as soon as he left office. There are those who say that his father was responsible for his punishment; the case was tried in his house; the son was scourged and killed; and his personal property consecrated to Ceres.⁷⁸ From this a statue was made with the inscription: "A gift from the Cassian family." I find in certain authors—and this is the more credible account—that Cassius was prosecuted for treason by the quaestors Caeso Fabius and Lucius Valerius, he was found guilty in a court of the people, and his house was pulled down by the state. The site is in front of the temple of Tellus [Earth]. But whether he was tried by his family or the state, he was condemned in the consulship of Servius Cornelius and Quintus Fabius [485 BCE].

42. 484–483 BCE. Domestic strife continues, interrupted by warfare abroad. The Fabii hold three successive consulships.

The people's anger against Cassius did not last long. Once its author had been removed, the land bill seemed attractive in its own right. The people's desire for it was inflamed by the stinginess of the senators, who, after the defeat of the Volsci and Aequi in that year, cheated the soldiers of their booty. Whatever was captured from the enemy was sold by the consul Fabius and put in the state treasury. The Fabian name was hateful to the plebs on account of the last consul; the patricians nevertheless succeeded in getting

78. *his father was responsible*: An exercise of his rights as *pater familias*, head of the family. The father had the power of life and death over his son, and the son remained under the control of his father until the latter's death.

personal property: Latin *peculium* referred to the property or goods given by the head of the family to his sons and slaves, another manifestation of the power of the *pater familias*.

Fabius Caeso elected to the consulship together with Lucius Aemilius [484 BCE]. This increased the hostility of the plebs, whose seditions at home stirred up a foreign war. Then civil strife was interrupted by war. Patricians and plebeians united to make war under the leadership of Aemilius, defeating the Volsci and Aequi in a successful battle. The enemy sustained greater losses in flight than in the actual fighting, so relentlessly did the cavalry pursue them in their rout. In the same year, on July 15, the temple of Castor was dedicated. It had been vowed during the Latin War by the dictator Postumius.⁷⁹ His son was one of a board of two men chosen for the dedication, and he performed the ceremony.

The attractions of agrarian legislation aroused the feelings of the plebs in this year, too. The tribunes of the plebs advertised their power with the people by a popular law. But the senators shuddered at the thought of hand-outs and incitements to rash behavior, thinking that there was more than enough madness among the masses without rewarding it. The consuls were most strenuous in leading the senatorial opposition. Their faction consequently prevailed, not only in the current year, but also for the coming one, electing Marcus Fabius, the brother of Caeso, and Lucius Valerius, a man who was even more hated by the plebeians because of his prosecution of Spurius Cassius [483 BCE].

In this year too there was conflict with the tribunes. The law did not pass and its sponsors were discredited because they had boasted of something they failed to deliver. Then the name of the Fabii was held in great repute after three successive consulships; all of them, following a similar course, had been tested in the conflicts with the tribunes. And so, for some time, the consulship remained well invested, as it were, in that family.⁸⁰ Then war with Veii began and the Volsci revolted. Rome's strength was almost more than enough for foreign wars but was abused by infighting. To add to everyone's apprehension, there were prodigies from the heavens, signaling almost daily threats in both the city and the countryside. Both publicly and privately, seers inspected entrails and observed the flight of birds, declaring that the reason for the divine displeasure was nothing less than that the sacred rites had not been properly performed. These fears eventually resulted in the condemnation of the Vestal Oppia for unchastity and her punishment.⁸¹

79. *Castor*: this temple had been vowed at the battle of Lake Regillus; see 2.20 with n. 33.

80. *for some time*: the next four years, making a total of seven successive years in which the Fabii held one of the consulships. See Appendix 1, p. 412 for the stemma of the Fabian family.

81. The loss of the Vestal's virginity invalidated the rituals she had performed, thus incurring the gods' anger. The punishment was burial alive, outside the Colline Gate.

43. 482–480 BCE. *Wars against the Aequi and Veientes. The proposal of a land bill is thwarted. The plebs' animosity increases, manifesting itself even on the battlefield as they refuse to pursue the fleeing enemy.*

Quintus Fabius and Gaius Julius were the next consuls [482 BCE]. This year the discord at home did not slacken, and the war abroad was more violent. The Aequi took up arms, and the Veientes also invaded Roman territory and ravaged it. Caeso Fabius and Spurius Furius became consuls amid increasing concern about these wars [481 BCE]. The Aequi were besieging Ortona, a Latin city,⁸² while the Veientes had had their fill of plunder and were threatening to lay siege to Rome itself. These terrors, which ought to have restrained the plebeians' animosity, actually increased it. They resumed their custom of refusing military service, though not on their own initiative. Spurius Licinius, a tribune of the plebs, thought that the time had come to force a land bill on the patricians by an extreme measure, and so he had undertaken to obstruct military preparations. But all the hatred connected with tribunician power was turned against his initiative. His colleagues were just as keen as the consuls to attack him. And so, the consuls held the levy with tribunician help.

Armies were enrolled at one and the same time for two wars. Fabius was to be the commander against the Veientes, while Furius was to oppose the Aequi. Nothing worthy of note was done against the Aequi. Fabius had considerably more trouble with his fellow citizens than with the enemy. He alone, as consul, saved the state that the army was betraying insofar as it could, because it so hated the consul. In addition to the many other leadership skills that he had manifested in preparing and conducting the war, the consul drew up the battle line in such a way that he routed the enemy simply by sending in the cavalry. The foot soldiers, however, refused to pursue the fleeing enemy. Not even their own disgrace—not to mention the bidding of their hated general, nor the immediate dishonoring of the state, nor the subsequent danger that would arise should the enemy recover their nerve—could force them to hasten their steps or, if nothing else, keep to their places in the ranks. Without orders they retreated and returned to their camp in dejection—you would have thought that they had been defeated—as they cursed now their commander and now the cavalry's successful effort. The commander found no remedy for this ruinous and unprecedented behavior. Men of exceptional talent are more often deficient in the skill of gov-

82. *Ortona*: a town probably located south of Tusculum.

erning their fellow citizens than in that of defeating an enemy. The consul returned to Rome with his military glory not so much enhanced as his soldiers' hatred of him was aggravated and exacerbated. Nevertheless the senators held out to keep a consulship in the Fabian family. They elected Marcus Fabius as consul, with Gnaeus Manlius as his colleague [480 BCE].

44. 480 BCE. Appius Claudius points out how the tribunician veto can be used against the tribunes themselves. Rome's civil strife and the behavior of the plebs in battle encourage the Etruscans to rearm.

This year also produced a tribune who sponsored a land bill, Tiberius Pontificius. He set out on the same road trodden by Spurius Licinius and obstructed the levy for a while. Again the senators were thrown into confusion, but Appius Claudius told them that the tribunician power had been defeated in the previous year when it was discovered that the strength of the office was the source of its own undoing. This was the case in the present situation and for all time. They would never lack a tribune who would be willing not only to seek for himself a victory over a colleague but also to ingratiate himself with the better element for the good of the state. There would be more tribunes, if more were necessary, who were prepared to help the consuls. One was enough, even to oppose all.⁸³ Just let the consuls and the leading senators make the effort to get some, if not all, of the tribunes on the side of the state and senate. On Appius' advice and instructions, the senators united in addressing the tribunes in a courteous and friendly manner. Those of consular rank who had private claims on individual tribunes used both their political influence and their authority to ensure that tribunes were willing to use the power of the tribunate for the good of the state. The consuls conducted the levy with the help of four tribunes, against the one who would have thwarted the public good.

Then they set out for war with Veii, where auxiliary forces had gathered from all parts of Etruria. The Etruscans were spurred on, not so much by goodwill toward the Veientines, as by their hope that Rome could be destroyed by her internal strife. The leading men in all the councils of the Etruscan peoples were grumbling that the power of the Romans would last

83. *oppose all*: by use of the veto; see also Appendix 1, pp. 407–10. This passage has echoes of the Gracchan period, when the tribunes Marcus Octavius and Livius Drusus opposed Tiberius and Gaius Gracchus, respectively.

forever unless they turned their rage upon themselves in civil strife. This was the only poison; this was the decay that had been found to work on wealthy states, making great empires subject to mortality. For a long time the Romans had withstood this evil, partly because of the senate's advice, partly because of the plebeians' forbearance; but now matters had come to a crisis. Two states had been created from one, each having its own magistrates and its own laws. At first they had customarily raged against the levies, yet in war these same men had obeyed their leaders. Whatever the state of affairs in the city, they had been able to make a stand as long as military discipline remained. But now the habit of disobeying the magistrates was following the Roman soldiery even into camp. In the latest war, in the very battle line, in the very conflict, the army had been unanimous in handing victory to the defeated Aequi.⁸⁴ They had abandoned their standards, deserted their general in the line of battle, and, without his orders, returned to camp. Under such pressure, Rome could be defeated through her own soldiers. Indeed, all they had to do was to make a declaration and a show of war. The fates and the gods would automatically do the rest. These hopes armed the Etruscans, men who had experienced the vicissitudes of victory and defeat.

45. Confronted by the taunts of the Etruscans, the consul Marcus Fabius succeeds in restraining his soldiers and gets them to swear a new oath before he gives the order for battle.

The Roman consuls dreaded nothing except their own forces and military might. Recollection of the terrible precedent in the recent war deterred them from engaging in battle in a situation where two lines of combatants were to be feared. Restrained by this double danger, they kept within their camp, thinking that perhaps time and circumstance might soothe the soldiers' anger and bring them to their senses. For this reason, the Veientes and other Etruscans were in greater haste to act. They attempted to provoke the Romans to battle first by riding up to their camp and challenging them to come out. Finally, when this had no effect, they shouted insults at both the consuls themselves and the army, charging that the pretense of civil discord

84. *the defeated Aequi*: this reference to the defeated Aequi is inconsistent with Livy's earlier notice that nothing memorable was done against the Aequi and his account (2.43) of Caeso Fabius' inability to command the infantry when fighting the Veientes in 481 BCE. This is either a mistake on Livy's part or a change of source. Ogilvie (1965: 350–1) inclines to the former. There is a further inconsistency at 2.46; see n. 85.

was the remedy they had invented for their fear. The consuls distrusted their men's fighting ability as much as their loyalty. It was a new kind of mutiny when armed men were silent and inactive. To these taunts they added others regarding the newness of their race and origin—some false, some true.

The consuls were not bothered by this noisy jeering beneath the very rampart and gates. But now indignation, now shame, stirred the hearts of the inexperienced rank and file, diverting them from thoughts of their grievances back home. They did not want the enemy to get away with this, yet they did not want either the consuls or the patricians to succeed. Hatred of the enemy vied in their minds with hatred for their fellow citizens. Finally the former feeling prevailed, so arrogant and insolent was the enemy's mockery. The soldiers gathered in large numbers at the general's headquarters, demanding battle and asking for the signal to be given. The consuls put their heads together, as if they were deliberating, and conferred for a long time. They were eager to fight, but their eagerness had to be restrained and concealed so that, by opposition and delay, they might add to the vehemence of the already aroused soldiery. The reply was given that it was premature to act; the time for battle had not yet come; they must keep within the camp. Then the consuls issued an order that they should abstain from fighting: if anyone fought without orders, he would be punished as if he were an enemy. With these words, the soldiers were dismissed. The more they believed the consuls did not want battle, the more their ardor increased.

The enemy inflamed them even more fiercely when it was known that the consuls had decided not to fight. Clearly they could insult the Romans with impunity; the Roman soldiers could not be trusted with weapons; absolute mutiny was about to erupt; the end of Roman power had come! Relying on such notions, the enemy charged at the gates, hurled their insults, and scarcely held back from storming the camp. At this point, the Romans could no longer tolerate the outrage. From everywhere in the entire camp, they rushed to the consuls. It was no indirect request, as before, made through the leading centurions, but a clamor from all sides. The time was ripe, but the consuls demurred. His colleague was already relenting in the face of the growing uproar and the fear of mutiny, when Fabius commanded silence with a blast from the trumpet. "I know, Gnaeus Manlius, that these men can win," he said, "but they have acted in such a way that I do not know whether they want to win. Therefore it is my resolve and determination not to give the signal unless they swear that they will return victorious from this battle. In the line of battle, the Roman soldiers once broke their oath to a Roman consul, but they are never going to break their oath to the gods." A centurion, Marcus Flavoleius, one of the leading agitators for battle, de-

clared, "Marcus Fabius, I will return victorious from the field." He invoked the anger of Father Jupiter, Mars Gradivus, and other gods, if he should break his oath. Then the whole army took the same pledge, each man individually. Once they had sworn, the signal was given. They took up their arms and went into battle, filled with anger and hope. Now let the Etruscans hurl their insults! Now that they were armed, let the ready-tongued enemy face them! On that day, the valor of all was exceptional, both of plebs and of patricians. But the Fabian name was especially preeminent. In that battle they were determined to regain the goodwill of the plebs, whom they had alienated in the course of many political struggles.

46. The Fabian clan distinguishes itself in battle, but Quintus Fabius (consul of 485 and 482 BCE) is killed.

The battle line was drawn up. The Veientine and Etruscan levies did not hold back. There was the almost certain expectation that the Romans would no more fight against them than they had against the Aequi.⁸⁵ In addition it was not too much to hope that their performance would be even worse, given their exasperation and the critical situation. The outcome was far different. Never in any previous war had the Romans gone into battle with keener hostility—the enemy's insults and the consuls' procrastination had so provoked them. The Etruscans scarcely had time to deploy their battle line when the Romans, after randomly hurling some javelins in the first excitement of battle instead of taking careful aim, were already engaged in the most brutal kind of fighting, hand to hand with the sword.

In the forefront was the distinguished Fabian clan, a spectacular example to their fellow citizens. One of them, Quintus Fabius, who had been consul three years earlier, was leading the attack on the close-packed line of the Veientes when an Etruscan, bold in his strength and fighting skill, caught him unawares in the midst of a crowd of enemy forces and ran his sword through Fabius' chest. As the weapon was withdrawn, Fabius fell headlong on his wound. Though it was only the fall of one man, both sides were aware of it. The Romans were beginning to withdraw from that position when the consul Marcus Fabius leaped across the prostrate body, covering it with his shield and crying, "Men, was this the oath that you swore, to return to the camp in flight? Do you fear the most cowardly of enemies more than you do Jupiter or Mars, in whose names you took the oath? Though I have taken

85. *Aequi*: another inconsistency on Livy's part; see 2.44 with n. 84.

no oath, either I shall return victorious or I shall fall fighting near you, Quintus Fabius." At this, Fabius Caeso, consul in the previous year, shouted, "Do you think, brother, that your words will make them fight? It is the gods by whom they swore, who will make them fight. Let us—as befits nobles, as is worthy of the Fabian name—let us fire up the hearts of the soldiers by fighting, rather than by exhortation." With that, the two Fabii flew into the press of battle, their spears ready to strike, moving the whole line along with them.

47. The Romans are victorious, but the consul Manlius is killed. The other consul, Marcus Fabius, refuses a triumph because of the deaths of his brother and colleague.

This saved the battle in one part of the field. On the other wing, the consul Gnaeus Manlius was urging on the fight no less strenuously, when there was an almost similar turn of fortune. For just as had happened to Quintus Fabius on the other wing, so the consul Manlius, eagerly followed by his men, was driving the enemy in a near rout when he was severely wounded and retired from the fray. Thinking he was dead, his men turned back. They would have abandoned their position had not the other consul ridden up at a gallop, together with a cavalry squadron, and stopped their wavering. He cried out that his colleague was alive, and that he himself was victorious after routing the other wing and had come to help them. Manlius himself also made an appearance to restore the line of battle. The sight of the two consuls fired the spirit of the soldiers.

At the same time, the enemy battle line had been depleted; relying on their excessive numbers, they had withdrawn their reserves and sent them to storm the Roman camp. These troops forced their way without much opposition but wasted time, because their thoughts were on plunder rather than fighting. The Roman reserves from the third line, which had been unable to withstand the first onset, sent word of their situation to the consuls. Regrouping, they returned to headquarters and, of their own accord, renewed the fighting. The consul Manlius rode back to the camp and cut off the enemy's exit routes by posting soldiers at all the gates. Desperation inflamed the Etruscans with rage, rather than boldness. Rushing wherever there appeared to be hope of an exit, they made several ineffectual attacks. One group of young men attacked the consul himself, who was conspicuous because of his arms. The first volley of javelins was sustained by those surrounding him, but the violence could not be withstood. The consul fell, mortally wounded, and all around him fled. The Etruscans' boldness increased. Fear drove the Romans in terror right

through the camp. The situation would have been desperate had not lieutenants seized the consul's body and opened up a way for the enemy by one of the gates. The Etruscans broke out by this exit. Escaping in disarray, they encountered the victorious consul. There, for a second time, they were cut down, scattering in all directions.

An outstanding victory had been won, but it was saddened by the deaths of two distinguished men. When the senate decreed him a triumph, the consul Fabius replied that if an army could celebrate a triumph without its general, he would readily consent in view of his troops' outstanding performance in the war. As for himself, since his family was in mourning for his brother's death and the state was half-orphaned by the loss of the other consul, he would not accept a laurel that was marred by both public and private grief.⁸⁶ His refusal of a triumph was more famous than any triumph that was celebrated: occasionally, timely rejection of glory sometimes serves to increase it. The consul then conducted the funerals of his colleague and his brother, one after the other, giving the same eulogy for each, while also earning the greatest praise for himself by yielding his own glory to the deceased. Nor was he unmindful of winning over the hearts of the plebeians, a policy that he had adopted at the beginning of his consulship. He placed the wounded soldiers in the care of patricians. Most were assigned to the Fabii, and nowhere else did they receive greater care. Then the Fabii began to enjoy popular favor, a favor won by a skill that promoted the health of the state.

48. 479 BCE. After inconclusive and sporadic warfare with the Veientes, the Fabii offer to fight them at their own expense.

And so, with the enthusiasm of the plebeians as much as that of the senators, Caeso Fabius was elected as consul together with Titus Verginius. His first concern was neither war nor a levy, nor anything other than strengthening the unity of purpose between senators and plebeians, now that the prospect of harmony had been started. At the beginning of the year, he proposed that, before any tribune should rise up and advocate a land bill, the senators themselves should preempt the business and grant the captured land to the plebeians with as much impartiality as they could. For it was right that it should be possessed by those who had won it by their blood and sweat. But the senators rejected the proposal, and some even complained that Caeso was exulting in his excessive glory, with the result that his once-vigorous talents were declining.

86. The triumphing general wore a crown of laurel leaves.

Yet there were no outbreaks of civil strife. The Latins were harassed by incursions of the Aequi. Caeso was sent with an army and crossed into Aequian territory to plunder it. The Aequi retreated into their own towns and stayed within the walls. And so there was no memorable battle. The Romans, however, suffered a defeat at the hands of the Veientes because of the rashness of the other consul, and the army would have been destroyed had not Caeso Fabius opportunely come to its rescue. From that point there was neither peace nor war with the Veientes, but something like brigandage. At the approach of the Roman forces, the enemy soldiers would retreat into their city; but when they saw that the forces had withdrawn, they would raid the fields, alternating the avoidance of war with peace and peace with war. And so, the matter could neither be abandoned nor completed. Other wars, too, were immediately pressing, like those with the Aequi and Volsci, who were peaceful only as long as the pain of recent defeat was receding—and it was apparent that the ever bellicose Sabines and all of Etruria would soon start hostilities.

But the Veientes, a persistent rather than a serious foe, were more of a nuisance than a danger with their insolent behavior, because at no time could they be disregarded nor did they allow the Romans to turn their attention elsewhere. The Fabian clan then approached the senate, with the consul acting as their spokesman. “Gentlemen, as you know, a continuous force rather than a large defensive force is needed for the war with Veii. You attend to other wars, and leave the Fabii to oppose the Veientes. We undertake to safeguard the majesty of the Roman name in that area. It is our intention to wage this war at our own expense, as if it were a family feud. There is no need for the state to provide soldiers or money.” The senate expressed great gratitude. The consul came out of the senate house accompanied by the Fabii in marching formation—they had been standing in the vestibule, awaiting the senate’s decision—and he returned home. The Fabii were ordered to present themselves armed the next day at the consul’s house. Then they went home.

49. 479–478 BCE. Three hundred and six men from the Fabian clan set out from Rome, establish a garrison by the river Cremera, and plunder Etruscan territory. The new consul defeats an Etruscan army.

The news spread through the entire city. People praised the Fabii to the skies. One family had shouldered the burden of the state. The Veientine war had become a private concern, a private war. If there were two other clans of

equal might in the city, one could take on the Volsci and the other the Aequi. Then all the neighboring people could be subdued while the Roman people enjoyed peace and tranquility. On the following day, the Fabii took up their arms and assembled at the appointed place. Wearing a general's cloak, the consul came out into the vestibule and saw the whole clan drawn up in marching order. Going into their midst, he ordered the standards to be advanced. Never before had such a small, yet distinguished and admired, army marched through the city: 306 soldiers, all patricians, all of the one clan. No famous army would reject any one of them as a leader in any period of history.⁸⁷

So, the might of one family went forth, threatening to destroy the people of Veii. A crowd followed. Some were their own kinsmen and close friends, their minds set on boundless possibilities, not the ordinary emotions of hope and anxiety. Others, dumbfounded in their enthusiasm and amazement, were stirred by concern for the state. They bade them march bravely, with good fortune, bringing back results that matched the beginning of their undertaking. In return, they could expect consulships, triumphs—every reward and official position. As the Fabii passed the Capitol, the citadel, and other temples, they prayed to whatever gods they saw or thought of, asking them to send the army forth with favor and good fortune and bring them back soon and safely to country and kin.

But their prayers were in vain. Setting out by the unlucky way, the right arch of the Carmental Gate, the Fabii came to the river Cremera, a position that seemed suitable for establishing an outpost.⁸⁸

Lucius Aemilius and Gaius Servilius were then elected consuls [478 BCE]. As long as nothing more than plundering was involved, the Fabii sufficed to safeguard the outpost. In all the area where Etruscan territory adjoined that of Rome, they patrolled the border on either side, ensuring complete safety for their own citizens while also being a nuisance to the enemy. Then there was a brief intermission in the plundering. Summoning an army from Etruria, the Veientes attacked the garrison at the Cremera. The consul Lucius Aemilius brought up the Roman legions and engaged in hand-to-hand combat with the Etruscans in a pitched battle. The Veientes scarcely had time to draw up their battle line. At the first alarm, as the ranks were falling in behind the standards and the reserves were being positioned, a division of

87. On the reading of "army" (*exercitus*) rather than "senate" (*senatus*), see Ogilvie 1965: 363.

88. *Carmental Gate*: this gate came to be associated with bad luck because of the defeat of the Fabii; see also Ogilvie 1965: 363–4.

Cremera: a small tributary of the Tiber, about six miles from Rome.

Roman cavalry suddenly attacked their flank, depriving them of the ability not only to begin fighting but even to hold their ground. And so, the Veientes were driven back to Red Rocks, where they had pitched camp.⁸⁹ They sued for peace as suppliants. This was granted, but, true to their ingrained fickleness, they wearied of the pact before the Roman garrison was withdrawn from the Cremera.

50. At the Cremera, all the Fabii except one are ambushed and killed because of their overconfidence and recklessness.

The struggle between the Fabii and the people of Veii resumed, but there was no preparation for a larger war. There were raids on the farmlands or sudden attacks on the raiding parties, and from time to time they fought on level ground in battle array. A single clan of the Roman people frequently won a victory over an Etruscan state that was the most powerful of its time. At first the Veientes felt bitter resentment, but then they came up with a plan to trap the ferocious enemy in an ambush. They even rejoiced when they saw that the great success of the Fabii was making them reckless. So, from time to time, they would drive flocks in the path of the plunderers, as if they had come there by accident. The fields would be abandoned and deserted because the farmers had fled. Rescue parties of armed men sent to defend against pillaging would also flee in a panic that was more feigned than real. The Fabii had developed such contempt for the enemy that they thought themselves invincible and not to be withstood, regardless of place or time.

This confidence reached such a pitch that, when they saw flocks ranging at a distance from the Cremera over a wide expanse of the plain, they rushed down, despite evidence here and there of enemy forces. In their disorganized rush, they did not see the ambush that had been laid on either side of their path, and so passed beyond it.⁹⁰ Scattering, they began to seize the flocks that were wandering this way and that, as flocks do when panicked. Suddenly the enemy arose from the ambush, opposing them in front and on every side. At first the battle cry terrified the Romans as it echoed around. Then weapons were falling on them from every direction. As the Etruscans converged, the Romans were fenced in by a continuous line of armed men.

89. *Red Rocks*: modern Prima Porta, five miles from Rome on the later Via Flaminia.

90. *passed beyond it*: this interpretation follows that of Luce (1998: 349), who rejects Ogilvie's suggested textual emendation (1965: 365).

The more the enemy advanced, the smaller became the area into which the Fabii were forced to contract their circle. This maneuver made apparent not only the fewness of their numbers but also the size of the Etruscan forces that became deeper in the restricted space. The Romans gave up fighting in all directions at once, and concentrated themselves in one place, forcing their way, in wedge formation, with both their bodies and weapons. Their path lay up a gently rising hill.

There, at first, they made a stand. Soon, when the higher ground gave them time to catch their breath and recover from their great fright, they even drove back those who were coming up from below. With the help of this position, the small band of men would have prevailed had not a detachment of Veientes been sent round behind them over the ridge. And so the enemy emerged on the top of the hill, once again having the advantage. All the Fabii were slain to a man, and their garrison stormed. There is sufficient agreement that 306 men lost their lives; one alone remained, who was hardly more than a boy. But he would carry on the Fabian line and so bring the greatest help to the Roman people in times of crisis, both at home and in the field.⁹¹

51. 477–476 BCE. The Romans are hard-pressed for grain. The Etruscans seize the Janiculum but, like the Fabii, are lured into an ambush. Reckless and desperate action by both consuls eventually results in success.

At the time of this disaster, Gaius Horatius and Titus Menenius had begun their consulship [477 BCE]. Menenius was immediately sent to confront the Etruscans, who were elated by their victory. Again the Romans were unsuccessful in battle, and the enemy occupied the Janiculum. In addition to the war, the city was hard-pressed by a shortage of grain—the Etruscans had crossed the Tiber—and would have been besieged had not the consul

91. *There is sufficient agreement: satis convenit* is similar to 1.1, *satis constat*, where Livy reports the stories of Aeneas and Antenor after the capture of Troy. Livy gives the generally accepted version but also implies his skepticism. Dionysius of Halicarnassus (9.1–9) dismisses the story of the lone survivor as a “false report,” while also pointing out that it was impossible that all the Fabii who went out from the fortress were unmarried or childless. The survivor became consul in 467 BCE; see 3.1.

greatest help . . . in times of crisis: an allusion to Quintus Fabius Maximus Cunctator (the Delayer), who changed Rome’s strategy of engaging in pitched battles after disastrous defeats at Trasimene and Cannae during the Hannibalic War in the late third century BCE.

Horatius been recalled from the Volscian campaign. The war came so close to the city that battles were fought first at the temple of Hope, where there was no decisive result, and then at the Colline Gate.⁹² There, although the Romans only gained a slight advantage, the engagement revived their old spirit, making them better soldiers for the battles that were to come.

Aulus Verginius and Spurius Servilius became consuls [476 BCE]. After the defeat they had suffered in their last fight, the Veientes avoided pitched battles and took to plundering. From the Janiculum, as from a citadel, they made attacks far and wide on Roman territory. Neither flocks nor farmers were safe. Then the enemy was caught by the same trick with which they had caught the Fabii. Having pursued the flocks that had deliberately been placed in their way as a decoy, the Veientes fell into an ambush. Just as their numbers were greater than those of the Fabii, so too were their losses.

The savagery of the Veientes' anger as a result of this disaster was the cause and beginning of an even greater disaster. They crossed the Tiber by night and tried to storm the camp of the consul Servilius. There they were routed with great losses and, with difficulty, retreated to the Janiculum. Immediately the consul himself crossed the Tiber and fortified a camp beneath the Janiculum. At dawn on the following day, partly emboldened by the successful battle of the previous day, but more because lack of grain was driving him to headstrong measures that had to be rather speedy, Servilius recklessly led the army up the Janiculum to the enemy camp. But he suffered a more shameful repulse than he had inflicted the day before. He and his army were only saved by the intervention of his colleague. Caught between the two battle lines, the Etruscans turned their backs first on one and then on the other and were massacred. Thus the Veientine invasion was ended by a recklessness that had a fortunate outcome.

52. 476–475 BCE. Grain is imported from Campania. Civil strife again breaks out, and tribunes indict two former consuls, Titus Menenius and Spurius Servilius. Menenius is convicted and dies; Servilius is acquitted.

Peace brought the city relief from the grain shortage. Grain was imported from Campania, and when individuals had ceased to fear for their own future needs, they produced the stores they had concealed. Abundance and

92. *temple of Hope*: an ancient shrine on the Esquiline.

idleness again made the Romans irresponsible; once they no longer had troubles abroad, they sought the old problems at home. The tribunes began to stir up the plebs with their usual poison, a land bill. The senators resisted, but the tribunes incited the people against them, not only as a body, but individually. Quintus Considius and Titus Genucius, proposers of the agrarian law, indicted Titus Menenius. He was unpopular because of the loss of the garrison at the Cremera, since as consul he had had a permanent camp not far from there. This crushed him, although the senators supported him no less than they had Coriolanus, and the popularity of his father Agrippa had not yet faded. By imposing a fine, the tribunes showed restraint, even though they had indicted him on a capital charge. He was convicted and fined 2,000 *asses*.⁹³ But it affected his life. They say that he could not endure the shame and consequent ill health, and so he fell sick and died.

Then another man, Spurius Servilius, was put on trial when his consulship expired. The tribunes indicted him at the very beginning of the consulship of Gaius Nautilus and Publius Valerius [475 BCE], but unlike Menenius, he did not counter the tribunes' attacks with pleas made by himself or by the senators. Instead he showed great confidence in his innocence and popularity. In his case, the charge was connected with the battle with the Etruscans near the Janiculum. But he was a man of burning spirit, which was as much in evidence at a time of danger to himself as when the state was endangered. In a fierce speech, he berated not only the tribunes but also the plebs, rebuking them for the condemnation and death of Titus Menenius, whose father had secured the restoration of the plebs and the possession of those offices and laws that they were now using to vent their savagery. His boldness dispelled the danger. His colleague Verginius helped him, coming forward as a witness and sharing his own glory with Servilius. But the trial of Menenius was even more influential—so changed were men's minds.

53. 475 BCE. The Romans defeat the Veientes and Sabines. The Latins and Hernici harass the Volsci and Aequi; a Roman consul is sent against the Volsci.

Strife at home was ended, but war broke out with the Veientes, who were joined by the Sabines. The consul Publius Valerius was dispatched to Veii

93. *capital charge*: such a charge involved a loss of *caput*; i.e., civic rights, the full legal status of a Roman citizen. This could mean banishment or even death.

asses: see 1.43, n. 128.

with an army and auxiliaries summoned from the Latins and the Hernici. He immediately attacked the Sabine camp that had been placed in front of their allies' walls. This threw the enemy into such consternation that, while they were running hither and thither in small groups to repel the Roman forces, Valerius captured the gate against which he had directed his initial attack. Inside the stockade, there ensued a massacre rather than a battle. The uproar from the camp penetrated even the city. Panic-stricken, the Veientes rushed to arms as if Veii had been captured. Some went to the aid of the Sabines; others attacked the Romans, who were totally preoccupied with the camp. For a short time the Romans were beaten back and thrown into disorder. Then they faced in both directions and made a stand. The consul sent in the cavalry, which routed the Etruscans, putting them to flight. In one and the same hour, two armies belonging to two of the greatest and most powerful nations were defeated.

While this action was going on at Veii, the Volsci and Aequi had pitched camp in Latin territory and were plundering the countryside. The Latins, acting independently but with the assistance of the Hernici, drove them from their camp without either a general or help from Rome. They obtained great booty in addition to recovering their own property. Nevertheless the consul Gaius Nautius was sent against the Volsci. The Romans, I suppose, did not approve of the practice of their allies waging wars by means of their own forces and strategy, without a Roman commander and army.⁹⁴ There was no kind of disaster or indignity that was not inflicted upon the Volsci, but they could not be forced into a pitched battle.

54. 474–473 BCE. A forty-year truce is granted to the Veientes. The tribune Genucius arrests the ex-consuls but is found dead on the day of the trial.

Lucius Furius and Gaius Manlius were the next consuls. The command against the Veientes fell to Manlius, but there was no war. A forty-year truce was granted in response to a request by the Veientes; grain and a financial indemnity were exacted from them. Discord at home followed immediately upon peace abroad. The plebs were in a frenzy, goaded by the tribunes' proposal of a land bill. The consuls were in no way intimidated by

94. *without a Roman commander*: apparently the earliest treaty with the Latins was an equal treaty (*foedus aequum*) that left them free to act on their own initiative whenever they liked; see Ogilvie 1965: 371 and Cornell 1995: 299–301. On the Cassian treaty, see 2.33 with n. 59.

the condemnation of Menenius, nor the danger to Servilius, but resisted with the utmost violence. As their term expired, the tribune Gnaeus Genucius arrested them.

Lucius Aemilius and Opiter Verginius became consuls (473 BCE). I find the name Vopiscus Julius listed in place of Verginius in some sources. In this year—whoever the consuls were—Furius and Manlius went among the people as defendants, dressed in mourning, seeking out the younger patricians as well as the plebeians.⁹⁵ They advised and warned them not to seek office and public administration. They should regard the consular *fascēs*, *toga praetexta*, and curule chair as nothing but the pageant of a funeral. Such splendid insignia marked one out for death, like the ribbons placed on a sacrificial victim. But if they found the consulship so attractive, they should by now realize that the office of consul had been captured and taken over by the power of the tribunes. Like one of the tribunes' lackeys, a consul had to do everything at their command and behest. If he should take the initiative, if he should think about the senators, if he should imagine that there was any other element in the state besides the plebs, let him remind himself of Gnaeus Marcius' exile and Menenius' conviction and death.

Inflamed by these words, the senators began to hold councils, not in public, but privately, where the majority of people could not learn of them. There was general agreement that the defendants must be rescued, whether it be by fair means or foul. The most extreme suggestions received the most backing, and there was no lack of an agent to do the deed, whatever its daring. On the day of the trial, the plebs were standing in the forum, agog in their expectation. At first they were amazed that the tribune did not appear. Then, as the delay continued, they became increasingly suspicious. Believing that he had been frightened off by the nobles, they complained that he had abandoned and betrayed the people's cause. Finally those who had presented themselves at the tribune's vestibule announced that Genucius had been found dead in his house. When this report went through the whole assembly, they all slipped away in different directions, like an army scattering on the death of its commander. The tribunes were especially panicked, taking the death of their colleague as a warning that the laws that made them sacrosanct had no power whatsoever to protect them.⁹⁶ Nor did the senators restrain their joy appropriately. So little regret did anyone have for the unjust act that even the

95. *dressed in mourning*: defendants regularly dressed in mourning to attract attention and arouse pity.

96. On sacrosanctity and the tribunes' right to protect the plebeians against the consuls, see 2.33 with n. 57.

innocent wanted to be thought responsible for it, and men openly said that the power of the tribunes must be curbed by evil means.

55. 473 BCE. Genucius' death intimidates the tribunes, who do nothing to help Publius Volero when he resists conscription. Volero appeals to the plebs and an uproar breaks out.

After this victory that set a very bad precedent, the levy was proclaimed and completed by the consuls without the tribunes interceding: so afraid were they to use their veto. But then the plebs began to be enraged, more because of the tribunes' silence than the consuls' power. They said that it was all over as far as freedom was concerned; the old ways were back again. Tribunician power was dead and buried with Genucius. They would have to think of some other means of resisting the senators. There was only one strategy: since there was no other means of protection, the plebs must defend themselves.⁹⁷ Twenty-four lictors attended the consuls, all of them plebeians. Nothing was weaker or more contemptible than men's contempt, which was only great and fearful because individuals imagined it to be so.

They had incited each other with such arguments, when the consuls sent a lictor to Publius Volero, a plebeian, who denied their right to make him serve as an ordinary soldier since he had been a centurion. So, Volero called upon the tribunes. When no one came to his aid, the consuls ordered him to be stripped and the rods prepared. "I appeal to the people," said Volero, "since the tribunes prefer to see a Roman citizen being flogged rather than let themselves be murdered in their beds by you."⁹⁸ The more ferociously he shouted, the more roughly the lictor tore his clothing and stripped him. Then Volero, who was himself a powerful man, was helped by those he summoned to his assistance. Together they drove off the lictor. Plunging into the thick of the crowd, where the shouting was the fiercest, he cried out: "I appeal and implore the support of the plebs. Help, citizens! Help, fellow soldiers! You can expect nothing from the tribunes. They are the ones who need your help."

Men were aroused as if preparing for battle. It looked as if the situation had reached a point of crisis: nothing was sacred; no one would respect

97. *means of protection*: the original function of the tribunes of the plebs was to give aid or help (*auxilium*) against actions of the consuls; see 2.33. Note the continued reference to aid, help, and protection throughout this episode.

98. *I appeal to the people*: on the people's right of appeal, see 2.8 with n. 15.

public or private law. The consuls, confronted by this great storm, quickly learned that majesty is insecure unless accompanied by force. The lictors were manhandled, the *fascēs* broken, and the consuls driven from the forum into the senate house, not knowing how Volero might exploit his victory. Then, as the uproar quieted down, they summoned the senators, complaining of the insults they had suffered, the plebs' violence, and Volero's outrageous behavior. Many harsh proposals were made, but the older senators prevailed. They had no wish for a confrontation between an angry senate and the reckless plebs.

56. 472–471 BCE. Elected as tribune of the plebs, Volero proposes a bill that the plebeian tribunes should be elected by the Tribal Assembly. The bill is opposed by Appius Claudius. Another tribune, Laetorius, attempts to thwart Appius' efforts. Appius is rescued by his consular colleague, Quinctius.

The plebs took Volero into their favor and elected him as tribune at the next elections, in the consulship of Lucius Pinarius and Publius Furius [472 BCE]. Contrary to the expectation of all who believed that he would spend his tribunate persecuting the consuls of the previous year, he put the interests of the state above his private grievance. Without attacking the consuls with as much as a word, he brought a bill before the people proposing that the officers of the plebs should be elected by the Tribal Assembly. It was no trivial matter that he proposed under this heading, although at first sight it seemed harmless. But it deprived the patricians of all their power of using their clients' votes to elect the tribunes they wanted.⁹⁹ This measure was very popular with the plebs, but the patricians resisted it with all their might. Yet the only effective force for resistance was to get one of the tribunes to use his veto. But neither the authority of the consuls nor that of

99. *Tribal Assembly*: this assembly worked on the principle of the group vote. In 495 BCE there were twenty-one tribes, four of which were urban tribes; see 2.21 with n. 37. Under this system, the rural tribes would have a say, making the voting more democratic and the voting procedures quicker and less cumbersome than voting on the centuriate system. Note also Livy's comment that Volero's proposal was "no trivial matter." It is, however, unclear how tribunes were elected before Volero's measure; see Cornell 1995: 258–61.

clients' votes: these votes apparently had less influence than they did in the *Comitia Centuriata*.

the leading senators was able to achieve this. Nevertheless, the matter was of such grave importance that it was protracted by party strife until the end of the year.

The plebs reelected Volero as tribune. The patricians, thinking that the matter would become a critical fight, elected as consul Appius Claudius, son of Appius, a man whose unpopularity and hostility to the plebs went back to struggles between their fathers. As colleague, they gave him Titus Quinctius.¹⁰⁰ Right at the beginning of the year, nothing took precedence over discussion of the law. Although Volero was the one who originated the bill, his colleague Gaius Laetorius proved to be a more vigorous and acrimonious advocate. His great military glory emboldened him, since no one of that generation was a readier fighter. Since Volero spoke of nothing except the law and refrained from attacking the consuls, Laetorius launched into an attack on Appius and his family, who were most arrogant and cruel to the Roman plebs. When he maintained that the patricians had elected not a consul but a butcher to harass and torture the plebs, his unpracticed soldier's tongue failed to express the freedom of his mind. As words began to fail him, he cried, "Since it is not so easy for me to speak as it is to make good my words, Quirites, come here tomorrow and give me your support. I shall either push the law through or die in your sight."

The tribunes occupied the speaker's platform. On the following day, the consuls and the nobles stationed themselves in the assembly to block the law.¹⁰¹ Laetorius ordered the removal of all those who were not voting. The young nobles stood there, refusing to give way to the tribune's attendant. Then Laetorius ordered some of them to be arrested. The consul Appius denied that a tribune had the right to arrest anyone but a plebeian, since he was a magistrate not of the people, but of the plebs. Nor was he himself empowered by ancestral custom, not even by virtue of his power (*imperium*), to remove anyone, since the formula was: "If it seems good to you, then go, Quirites."¹⁰² Appius was easily able to throw Laetorius into confusion by speaking of his rights in such contemptuous terms. Blazing with anger, the

100. See 2.27 and Appendix 1, pp. 407–8 and 415–8, on the stereotyping of the Claudian and Quinctian families.

101. Here I follow the punctuation of the *OCT* (contra Foster's Loeb translation); the implication is that the tribunes had occupied the speaker's platform overnight.

102. *go, Quirites*: tribunes, unlike consuls, did not have *imperium*. As consul, Appius could only advise the people to "go." He could not order them. Thus Laetorius, as tribune, had even less right to give such orders; see Ogilvie (1965: 379) for another possible explanation.

tribune sent his attendant to the consul. Then the consul sent a lictor to the tribune, exclaiming that Laetorius was a private citizen, without power and without a magistracy. The tribune would have been manhandled had not the entire assembly risen in fierce support of the tribune against the consul, as men rushed to the forum in an excited throng.

But Appius stubbornly withstood this mighty storm, and there would have been a bloody battle had not Quinctius, the other consul, entrusted the senators of consular rank with the business of getting his colleague out of the forum by force, if they could not achieve it by other means. Quinctius himself now soothed the raging plebs with entreaties, and now he begged the tribunes to dismiss their council. They should, he said, give their anger some time; time would not rob them of their force but would add wisdom to their strength. The senators would be subject to the people and the consul subject to the senators.

57. 471 BCE. Thanks to Quinctius, Appius finally yields and the bill is passed.

With difficulty, Quinctius calmed the plebs, but it was much more difficult for the senators to calm the other consul. At last the Council of the Plebs was dismissed and the consuls convened the senate. Fear and anger produced shifting and conflicting opinions. But as more time elapsed, their minds were drawn from aggression to consultation, as they increasingly drew back from a fight. They even went so far as to propose a vote of thanks to Quinctius, because it was through his efforts that the conflict had been mitigated. They begged Appius to agree that the majesty of the consulate should only be as great as could be compatible with the harmony of the state. While consuls and tribunes were each pulling in their own direction, there was no strength left in the middle. The state was torn and mangled. The question was in whose hands the state belonged, rather than how it might be safe. Appius, on the other hand, called men and gods to witness that the state was being betrayed through fear and abandoned. It was not the consul that was failing the senate, but the senate the consul. This law was harsher than those accepted on the Sacred Mount.¹⁰³ Nevertheless, he calmed down, prevailed on by the unanimity of the senate. The law was carried without opposition.

103. *Sacred Mount*: an allusion to the first secession of the plebs; see 2.32–3.

58. Five tribunes of the plebs are elected by the Tribal Assembly. Appius Claudius, as commander in the field, persists in his hatred of the plebs, who resist him by doing the opposite of his orders.

Then, for the first time, tribunes were elected by the Tribal Assembly. That three were added to their number, as if there had only been two before, is attested by Piso.¹⁰⁴ He also gives the names of the tribunes: Gnaeus Siccus, Lucius Numitorius, Marcus Duillius, Spurius Icilius, and Lucius Maecilius.

During this internal strife at Rome, war broke out with the Volsci and Aequi, who had ravaged the fields so that the Roman plebs would have a place of refuge if they should secede. When things were settled, they withdrew their camp. Appius Claudius was sent against the Volsci, and the command against the Aequi fell to Quinctius. Appius displayed the same savagery (*saevitia*) in the field as he had in the city, only he was more free since he was not constrained by the tribunes. He hated the plebs with a hatred that surpassed his father's. He realized that he had been defeated by them. Although he had been elected consul as a man uniquely fitted to oppose the power of the tribunes, a law had been passed that former consuls had blocked with less effort and by no means such expectation of success on the part of the patricians. This anger and indignation goaded his fierce spirit to torment the army with the savage exercise of his power.

But the soldiers could not be subdued by any violence, this struggle had so intoxicated their minds. Sloth, idleness, negligence, and insubordination were in everything they did. Neither shame nor fear constrained them. If Appius wanted the column to advance more quickly, they deliberately marched more slowly. If he stood by encouraging their work, all would spontaneously slacken the effort they were making. In his presence they lowered their gaze, silently cursing him as he went by until that famous spirit, undefeated by the plebs' hatred, was shaken from time to time. After every harsh measure had failed, he had nothing to do with the soldiers, saying that the army had been corrupted by the centurions; sometimes he jeered at them, addressing them as "tribunes of the plebs" and even "Voleros."

104. *Piso*: the second-century BCE annalist; see 1.55 and 2.32.

59. The plebs continue to defy Appius Claudius. When he finally orders his troops to withdraw, they are defeated by the Volsci. Appius orders the execution of those who had lost their arms or deserted the ranks. One in ten of the remaining soldiers is executed.

All of this was known to the Volsci, who were putting more pressure on the Roman army in the hope that they would exhibit the same spirited opposition that they had shown to the consul Fabius.¹⁰⁵ But the army was even more antagonistic toward Appius than toward Fabius. They were not unwilling to conquer like Fabius' army, but they wanted to be conquered. When drawn up in battle order, they made for their camp in a shameful flight. They did not make a stand until they saw the Volscian standards advancing on their fortifications and inflicting a disgraceful slaughter on their rearguard. Then they exerted themselves to fight, dislodging the enemy from the stockade when they were on the point of victory. It was quite clear that the only thing that the Roman soldiers refused to allow was the capture of their camp, and that everywhere else they rejoiced in their own defeat and shame.

Appius' fierce spirit remained unbroken. Wanting to vent his rage, he was summoning an assembly when the lieutenants and tribunes rushed up to him and warned him not to put his authority to the test, since it depended for its effectiveness on the willingness of those under his command to obey. Everywhere, they said, the soldiers were saying that they would not go to the assembly. Voices were heard demanding that the camp be moved from Volscian territory. A short time ago, the victorious enemy had almost been in the gates and on the rampart. A huge disaster was not only to be suspected; it was confronting them, clearly in view, before their very eyes. Defeated at last, since the soldiers were gaining nothing but a postponement of their punishment, Appius canceled the assembly and gave the order for a march on the following day.

At dawn he had the order signaled by a trumpet. At the very moment the column was getting clear of the camp, the Volsci attacked the rear, as if they had been aroused by the same signal. The uproar spread, panicking those in the front and throwing the standards and lines into such confusion that it was impossible to hear the commands or form a battle line. Nobody thought of anything but flight. The column was in such confusion as men escaped

105. *the consul Fabius*: see 2.43.

over slaughtered bodies and discarded arms that the Volscians stopped their pursuit before the Romans stopped fleeing. When the soldiers were finally collected after their scattered rout, the consul pitched camp in friendly territory, after following his men in a futile attempt to call them back. Summoning an assembly, he berated them, not without reason, as an army that had betrayed military discipline and deserted the standards, asking them individually where their standards were, where were their arms. He ordered the unarmed soldiers, the standard-bearers who had lost their standards, and also the centurions and recipients of a double ration who had quit their ranks to be scourged with rods and beheaded with an ax.¹⁰⁶ Of the remaining number, every tenth man was selected by lot for execution.¹⁰⁷

60. Quinctius' campaign against the Aequi. Livy comments on the results of Volero's bill.

In the Aequian campaign, on the other hand, the consul and the soldiers vied with each other in goodwill and mutual support. By nature Quinctius was more gentle, and the disastrous savagery of his colleague made him all the more content with his own character. Confronted by this great harmony between the army and its general, the Aequi did not dare to offer any opposition but allowed the enemy to range through their territory in search of plunder. In no other previous war had booty been taken from a wider area. It was all given to the soldiers, and to this was added the general's praise, which gladdens a soldier's heart no less than do material rewards. The army returned more obedient both to its leader and, because of that leader, to the senators. They noted that the senate had given a father to them; but to the other army, a master.

This had been a year of varying fortunes in war and fierce discord at home and in the field, but it was chiefly distinguished by the Tribal Assembly, a matter more important because of the victory in the struggle the plebeians had undertaken than in its practical results.¹⁰⁸ The loss to the assembly's prestige, caused by the removal of the patricians, was greater than the power gained or lost by the senators.

106. *recipients of a double ration*: men who had previously distinguished themselves in valor received additional food.

107. This punishment is known as "decimation."

108. See 2.56 with n. 99.

61. 470 BCE. *Appius Claudius is indicted by two tribunes, but the trial is adjourned and protracted. Appius dies and is given the customary funeral and a eulogy.*

There followed a more turbulent year under the consuls Lucius Valerius and Titus Aemilius [470 BCE], not only because of the struggle of the orders over the land bill, but also because of the trial of Appius Claudius. He was indicted by Marcus Duillius and Gnaeus Siccus, since he was the most bitter opponent of the law and was upholding the cause of those who were occupying the public land as if he were a third consul. Never before had a defendant who was so hated by the plebeians been brought to trial before the people, filling them with rage against both himself and his father. Nor had the senators ever made such determined and reasonable efforts on anyone's behalf: this champion of the senate, protector of their dignity—who had opposed all the troublemaking of the tribunes and plebeians, though he had perhaps gone beyond the limit in the struggle—this man, Appius Claudius, was being exposed to the anger of the plebeians.

Appius Claudius was the only one of the senators who was unconcerned about the tribunes, plebeians, and his own trial. Neither the threats of the plebs nor the prayers of the senators were able to prevail on him to put on mourning or seek support as a suppliant. He refused to soften and subdue the customary harshness of his words in the slightest degree when he had to plead his case before the people. He exhibited the same facial expression, the same defiant look, and the same spirit in his speech, so much so that a large part of the plebeians feared Appius the defendant as much as they had feared him as consul. Once only did he plead his case in the prosecutorial spirit with which he had always done everything, and he so dumbfounded both tribunes and plebs with his steadfastness that they themselves voluntarily adjourned the trial and then allowed the matter to be protracted. Not much time intervened, but, before the appointed day arrived, Appius fell sick and died.¹⁰⁹ The tribunes of the plebs tried to prevent his eulogy, but the plebs did not want to cheat the great man of the customary honors on the day of his funeral. They listened to the praises of the dead man with the same receptiveness that they had accorded his accusers when he was alive, attending his funeral in large numbers.

109. *Appius fell sick and died*: this report of Appius' death has to be rejected if, as most modern historians do, one accepts the testimony of the *Fasti Capitolini*, which identifies the consul of 471 BCE with the decemvir of 451–0 BCE; see 3.33 with n. 75, and Appendix 1, pp. 407–9.

62. *Campaigns against the Aequi and Sabines.*

In the same year, the consul Valerius set out with an army against the Aequi. Being unable to draw the enemy into battle, he began to attack their camp. He was stopped by a frightful storm that descended from the heavens with hail and thunderclaps. When he sounded the signal for retreat, the sky became clear again. This created such amazement that it was deemed a sacrilege to make a second attack on a camp that was apparently protected by some divine force. All the Romans' anger and hostility were directed to ravaging the countryside. The other consul, Aemilius, waged war in Sabine territory. There too the countryside was devastated, since the enemy kept within their walls. Later they aroused the Sabines by setting fire to not only farmhouses but also villages where the people lived close together. The Sabines had an encounter with the pillagers but scattered after an indecisive engagement, withdrawing their camp to a safer position. The consul decided that this was sufficient reason to consider the enemy defeated, and so he retired with the war scarcely begun.

63. *469 BCE. A Volscian incursion postpones passage of the land bill. Warfare occupies the energies of the plebs.*

Amid these wars and the lingering discord at home, Titus Numicius Priscus and Aulus Verginius were elected consuls [469 BCE]. It was apparent that the plebeians were not going to tolerate any further postponement of the land bill. Final measures were being prepared when smoke from the burning farmhouses and fugitives from the countryside made them realize that the Volsci were nearby. This event repressed the rebellion that was developing and had almost erupted. The consuls, under immediate pressure from the senate, led the young men out of the city to make war, thus calming the remaining plebeians. The enemy beat a hasty retreat after doing nothing more than causing the Romans needless fear.

Numicius set out for Antium against the Volsci, and Verginius against the Aequi. In the latter campaign, an ambush nearly resulted in a big defeat, but the courage of the soldiers saved a situation that had almost been lost through the consul's negligence. The Volscian campaign was better directed. The enemy were routed in the first battle and driven in flight to Antium, a very wealthy city for that time. The consul did not venture to attack it but

took Caeno, another town of far less wealth, from the Antiates.¹¹⁰ While the Aequi and Volsci kept the Roman armies busy, the Sabines reached the gates of the city on a plundering raid. A few days later, they were confronted by two armies, as anger drove each consul to invade their territories. The Sabines sustained greater losses than they had inflicted.

64. 469–468 BCE. The plebs refuse to vote in the consular elections. The campaigns against the Sabines and Volsci continue; the Volsci receive large reinforcements, expecting that the Romans will withdraw. The consul Quinctius tricks them and keeps them on the alert all night.

By the end of the year, there was a brief period of peace; but, as always, peace was disturbed by the struggle between patricians and plebeians. Enraged, the plebs refused to take part in the consular elections. So, Titus Quinctius and Quintus Servilius were elected consuls by the votes of the patricians and their clients [468 BCE]. Their year of office was similar to the previous one: political strife at the beginning, then a foreign war followed by tranquility. The Sabines marched swiftly into the plains around Crustumerium, burning and killing in the area of the river Anio. When they were almost at the Colline Gate and the city walls, they were driven back, though they carried off a large amount of booty, both men and cattle. The consul Servilius pursued them with his army but was not able to catch them on level ground to engage them. Nevertheless, he devastated the area so extensively that he left nothing untouched by the campaign, returning with many times the plunder that had been taken from the Romans.

Against the Volsci, the efforts of both general and soldiers also produced success. First there was a pitched battle on level ground, causing much slaughter and bloodshed on both sides. The fewness of their numbers made the Romans more sensitive to their losses, and they would have retreated had not the consul rallied the battle line by shouting out that the enemy were fleeing on the other wing. This was, in fact, a lie, but it saved the situation. The Romans charged and, believing that they were winning, won. The consul gave the signal for retreat, fearing that the struggle would be renewed if he pressed too hard.

110. *Caeno*: a town some three miles southeast of Antium.

A few days passed, giving both sides a respite, as if they had tacitly agreed on a truce. Meanwhile a huge force from all the people of the Volsci and Aequi came and encamped. They were sure that the Romans, if they perceived them, would retreat during the night. So, about the third watch, they advanced to storm the Roman camp. Quinctius calmed the uproar that the sudden alarm had caused, ordering the men to remain quietly in their tents. He led out a squadron of Hernici to an outpost and ordered the trumpeters and buglers to mount the horses and blow their instruments in front of the rampart, thus keeping the enemy in suspense until dawn. For the rest of the night, everything was so quiet in the camp that the Romans were even able to get some sleep. But the sight of the armed soldiers led the Volsci to suppose that they were Romans and more numerous than they actually were. In addition, the stamping and whinnying of the horses, which were enraged not only because of their unfamiliar riders but also because of the din in their ears, kept the Volsci on the alert as if the enemy were about to attack.

65. 468 BCE. The next day, the wearied Volsci retreat. The Roman forces insist on pursuing them but are almost overwhelmed. The Romans prevail and take Antium.

When it was light, the Romans, fresh after a good sleep, were led into the battle line. At the first charge they beat back the Volsci, who were weary after standing on guard duty all night. It was a withdrawal, however, rather than a rout, since there were hills behind them, offering a safe refuge into which the ranks withdrew in good order under cover of the first line. When they reached the rising ground, the consul ordered the line to halt. But the infantry could hardly be restrained, shouting and demanding to be allowed to press on against those they had beaten. The cavalry was even bolder. Surrounding the general, they cried out that they were going to go ahead of the standards. The consul hesitated, confident in the valor of his men, but less trustful of the terrain. The infantry, however, shouted that they were going, as they acted on their words. Planting their spears in the ground so that they would be less encumbered for their ascent, they went up at a run. The Volsci discharged their javelins at the first onset and then flung down the stones that were lying at their feet, as the enemy came up from below. The Romans were hard-pressed, thrown into confusion by the constant blows raining down on them from above. Their left wing was almost overwhelmed and

was already retreating when the consul put them to shame and shook the fear out of them by berating both their rashness and their cowardice.

At first they made a resolute stand. Then, holding their ground, they began to revive and even dared to advance. Renewing the battle cry, they moved the line forward. Then, regaining their momentum, they struggled and surmounted the difficulty of the terrain. They were just emerging onto the top of the ridge when the enemy turned and fled. Running at full speed in almost a single line, pursued and pursuers rushed into the camp. In the panic, the camp was captured. Those Volscians who were able to flee made for Antium; to Antium the Roman army also marched. After a siege of a few days, the town surrendered, not because the besiegers had made any new attack, but because the Volsci had already lost heart after their unsuccessful fight and the capture of their camp.

BOOK 3

1. 467 BCE. The consul's support of a tribunician land bill arouses senatorial opposition. As a compromise, the other consul proposes that a colony be established at Antium, but the plebs express their preference for land near Rome.

After the capture of Antium, Titus Aemilius and Quintus Fabius became consuls [467 BCE]. This was the Fabius who was the sole survivor of the family that was wiped out at the Cremera.¹ In his earlier consulship, Aemilius had already supported the granting of land to the plebs. And so, in his second consulship, not only those who wanted a land bill had raised their hopes of a law, but the tribunes also supported the cause because they thought that a measure they had often attempted to pass in opposition to the consuls could be won if they had a consul's cooperation. And the consul continued to be of the same mind. The occupiers of the land (and a great number of them were senators) complained that a leader of the state was behaving like a tribune and making himself popular by giving away other people's property. And so they diverted the unpopularity for the whole matter from the tribunes to the consul. A fierce struggle was imminent, had not Fabius settled the matter with a plan that did not cause bitterness to either side.

He pointed out that, in the previous year under the leadership and auspices of Titus Quinctius, a considerable amount of land had been captured from the Volsci. So, a colony could be planted at Antium, a well-situated coastal city. The plebs could get farmland without causing the land-holders to complain, and the state would then be harmonious. This proposal was accepted. Fabius appointed Titus Quinctius, Aulus Verginius, and Publius Furius as commissioners for granting the land. Those who wished to receive land were ordered to hand in their names. But, as usually happens, abundance immediately created aversion, and so few persons submitted their names that Volscian colonists were added to fill up the number. The rest of the populace preferred to demand land near Rome rather than receive it elsewhere. The Aequi begged Quintus Fabius for peace when he invaded their territory and invalidated it themselves by making a sudden raid on Latin territory.

1. See 2.50.

2. 466–465 BCE. *After refusing to discuss peace, the Aequi are defeated by two consular armies on Mount Algidus but remain unyielding.*

In the following year, Quintus Servilius, who was consul with Spurius Postumius [466 BCE], was sent against the Aequi. He established a permanent camp in Latin territory,² where the army was afflicted with a plague that enforced a period of inactivity. The war dragged on into its third year, the consulship of Quintus Fabius and Titus Quinctius [465 BCE]. An extraordinary command against the Aequi was given to Fabius because he had defeated them and granted peace.³ He set out with the sure hope that the glory of his name would bring the Aequi to terms. And so he sent envoys to the Aequian council with orders to announce that Quintus Fabius the consul said that, whereas earlier he had brought peace from the Aequi to Rome, he was now bringing war from Rome to the Aequi. Furthermore, the same right hand that he had earlier extended to them in peace was now armed. The gods had witnessed those who had broken faith and committed perjury, and would soon exact vengeance. Whatever the case, he would rather that the Aequi repent of their own accord than suffer hostilities. If they should repent, they would find a safe refuge in the clemency they had previously experienced. But if they rejoiced in perjury, they would be waging war more against the angry gods than against their enemies. These words had such a lack of effect that the Roman envoys were all but assaulted, and an army was sent to Mount Algidus to oppose the Romans.⁴

When this news reached Rome, the insult, rather than the danger, brought the other consul out of the city. Two consular armies, drawn up in battle array, approached the enemy, ready to engage them immediately. But since it happened that not much of the day was left, one of the enemy sentries cried out, “Romans, this is making a show of war, not waging it. You are drawing up your battle line as night is coming on. We need more light for the impending struggle. Return to the battle line tomorrow at sunrise.

2. Normally in areas close to Rome an army would move around, pitching camp in different locations.

3. *extraordinary command*: Fabius was given this command without the customary drawing of lots by the consuls.

4. *Mount Algidus*: the easternmost section of the edge of the Alban Mount, which was pierced by a narrow pass, dominating the route (the later Via Latina) to Hernican territory. The pass was seized by the Aequi in the 480s BCE and was the scene of much fighting in the ensuing decades, until the Romans finally prevailed in 431 BCE.

There will be plenty of fighting, never fear!” Irritated by these words, the troops were led back into camp to await the next day, thinking that the night that delayed the battle would be long. Then they refreshed themselves with food and sleep. The following day, when it was light, the Roman battle line took up its position considerably earlier than did that of the enemy. At last the Aequi marched forth. There was fierce fighting on both sides because the Romans were fighting in anger and hatred; whereas the Aequi, aware that the danger was of their own making, despaired of ever being trusted again, and so they were forced to risk and try everything. They did not, however, withstand the Roman battle line. They were driven back, but once they had retreated into their own territory, their minds were in no way inclined to peace. A fierce mob of soldiers criticized the commanders for staking the issue on a pitched battle, a type of warfare in which the Romans excelled. The Aequi, they said, were better at raiding and plundering; many small bands here and there were more effective at waging war than was the great mass of a single army.

3. 465 BCE. An unexpected raid by the Aequi creates panic in Rome and the suspension of all state business. The consul Quinctius calms the city and Fabius deals a deadly blow to the raiders as they return home.

Leaving a garrison in their camp, the Aequi marched out and invaded Roman territory, causing such confusion that the terror reached even as far as Rome. The unexpectedness of this move caused more alarm, because the last thing anyone could have feared was that an enemy who had been conquered and almost besieged in his camp would think of making a raid. The panicked countryfolk tumbled inside the gates, crying out that this was neither a raid nor small bands of pillagers. Exaggerating everything in their baseless fear, they cried out that armies and legions of the enemy were rushing toward the city in an armed attack. The bystanders heard these unsubstantiated reports and passed them on to others with further exaggerations. The running and shouts of men as they called “To arms!” was almost like the panic in a captured city. By chance, the consul Quinctius had returned from Algidus to Rome. This was the remedy for their fear. When he had stilled the uproar and reprimanded them for being afraid of a conquered enemy, he stationed guards at the gates. Then he summoned the senate and proclaimed a suspension of public business in accordance with a proposal passed

by the senators.⁵ Leaving Quintus Servilius in charge of the city, he set out to protect Rome's borders but did not find the enemy in the countryside.

Fabius, the other consul, was highly successful. Knowing where the enemy would come, he attacked them when they were weighed down with booty and thus impeded in their progress, and brought death upon their raid. Few escaped from the ambush, and all the booty was recovered. The return of his colleague Quinctius put an end to the suspension of business, which had lasted four days. The census was then taken, and Quinctius performed the closing of the *lustrum*.⁶ It is said that 104,714 citizens were enrolled, in addition to orphans and widows. Thereafter there was no memorable action against the Aequi, who retired to their own towns and allowed their farms to be burned and ravaged. After making several hostile raids throughout enemy territory, the consul returned to Rome with great praise and booty.

4. 464 BCE. The Aequi and Volsci again threaten war, and a revolt at Antium is imminent. The consul Spurius Furius is blockaded in his camp, and emergency forces are enrolled from the allies.

The next consuls were Aulus Postumius Albus and Spurius Furius Fusus [464 BCE]. Some writers spell Furius as Fusius; I note this to avoid anyone thinking that the different spelling indicates different men. There was no doubt that one of the consuls would make war on the Aequi. And so, the Aequi sought help from the Volsci of Ecetra.⁷ This was eagerly offered—to such an extent did these states vie with each other in their everlasting hatred of Rome. Preparations for war were begun with the utmost vigor. The Hernici realized this and warned the Romans that Ecetra had defected to the Aequi. The colony of Antium was also under suspicion because a large force of men had fled from there when the town was captured, taking refuge with the Aequi. These soldiers had fought very fiercely throughout the Aequian war. Then, when the Aequi had been shut up in their towns, this large group escaped and returned to Antium, where they won the support of the colonists who were already disaffected for their own part with the Romans. Their plot

5. During a suspension of public business (*iustitium*), all state business ceased and the courts were closed.

6. *lustrum*: on the closing of the *lustrum*, see 1.44.

7. *Ecetra*: see 2.25 with n. 43.

was not yet complete when the news was brought to the senate that a revolt was imminent. And so the consuls were commissioned to summon the colony's leading men to Rome and find out what was going on. These men were not reluctant to come, but, when introduced to the senate by the consuls, they replied to the questions they were asked in such a way that they were dismissed under greater suspicion than they had been when they arrived.

War was then in no doubt. Spurius Furius, one of the consuls, was allotted the Aequi as his province.⁸ He set out and came upon the enemy plundering in the territory of the Hernici. Unaware of their numbers because they had never been sighted en masse, he rashly engaged an army that was no match for their forces. Driven back at the first attack, he retreated into his camp. This was not the end of the danger. Both that night and the following day, the camp was under such vigorous siege and attack that not even a messenger could be sent to Rome. The Hernici reported the defeat and blockade of the consul and his army, striking such terror into the senators that they commissioned the other consul Postumius to see to it that the state suffered no harm—a form of senatorial decree that is always considered to indicate the most dire emergency.⁹ It seemed best that the consul himself should remain in Rome to enroll all those capable of bearing arms, and that Titus Quinctius should be sent in place of the consul to relieve the camp with an army from the allies.¹⁰ To fill up this army, Latins, Hernici, and the colony of Antium were ordered to supply “emergency soldiers”—this was the name of hastily levied auxiliaries in those days.

5. The consul's brother is killed in a sortie, and the consul wounded. Titus Quinctius rescues the beleaguered army.

Throughout these days there were many maneuvers and many attacks here and there, because the enemy with his superior numbers tried to erode Rome's strength in many places at once, in the expectation that the Romans would not be able to react to all of them. At the same time that the camp

8. *province*: originally a province (*provincia*) was a special function, often a military command, assigned by lot to an elected magistrate. Later it also came to mean the area to which a magistrate was sent as governor.

9. *see to it . . . no harm*: this formula was first used in a senatorial decree against Gaius Gracchus in 121 BCE and is here anachronistically attributed to the period of the early republic.

10. *Titus Quinctius*: Titus Quinctius Capitolinus had been consul in the previous year (465 BCE) and also in 471 and 468 BCE.

was under attack, part of the army was sent to plunder Roman territory and attack the city itself, should the opportunity arise. Lucius Valerius was left to guard the city, while the consul Postumius was sent to protect the borders from pillagers. Nowhere was there any relaxation from vigilance or effort. Watches were set in the city, outposts stationed outside the gates, and troops placed on the walls. And, as was essential amid such confusion, there was a suspension of public business for several days.

Meanwhile in the camp, the consul Furius at first endured the siege quietly. Then he broke out by the decuman gate and caught the Aequi off their guard.¹¹ He could have pursued them, but he stopped for fear that the camp might be attacked from another direction. The charge carried Furius, the military legate who was the consul's brother, too far into the field. In his eager pursuit, he did not see his own men turning back, nor the enemy attacking from the rear. And so he was cut off, and, after many futile attempts to force his way back to the camp, he fell, fighting bravely. On the news that his brother was surrounded, the consul returned to the battle and was wounded while rushing into the midst of the fray with more recklessness than caution. He was barely rescued by those around him, causing his own troops to be dispirited and making the enemy even more ferocious.

The Aequi, fired up by the death of the legate and the wounding of the consul, could hardly be withstood by any force. The Romans were driven back into their camp and would again have been under siege, no match for the enemy either in confidence or strength, and the entire operation would have been endangered had not Titus Quinctius come to their rescue with foreign troops, an army of Latins and Hernici.¹² As the Aequi were concentrating on the Roman camp and boldly displaying the legate's head, Quinctius attacked them from the rear at the same time that a sortie was made from the camp in response to a signal he had given from a distance. In this way he surrounded a large force of the enemy. As for the Aequi who were in Roman territory, fewer were killed, but more scattered in flight. These men were ranging around collecting booty, when Postumius attacked them at various points where he had opportunely positioned his troops. The fugitives were wandering in disarray when they encountered the victorious Quinctius, who was returning with the wounded consul. Then, in a splendid fight, the consular army avenged the wounding of the consul and the slaughter of the legate and his cohorts.

11. *decuman gate*: a gate lying farthest from the enemy; it was so called because the tenth cohort of each legion was usually stationed there.

12. Here I follow the *OCT* and Ogilvie 1965: 401–2.

During these days, great losses were inflicted and sustained on both sides. In a matter of such antiquity, it is difficult to confirm with a precise and reliable number just how many fought or died. Valerius Antias, however, dares to draw up the totals, saying that 5,800 Romans fell in Hernican territory.¹³ Of the Aequian pillagers who were wandering and plundering in Roman territory, 2,400 were killed by the consul Postumius. The rest of the group that encountered Quinctius as they were driving off their booty did not get off so lightly. Antias gives the number of their dead down to the last detail: 4,230. When the army returned to Rome, the suspension of public business was ended. The sky was seen to blaze with a great fire, and other portents were either actually seen or falsely imagined by terrified observers.¹⁴ A three-day religious holiday was declared, during which all the shrines were filled with people begging for the favor of the gods.¹⁵ Then the Latin and Hernican cohorts were thanked by the senate for their energetic service and sent back home. A thousand men from Antium, who arrived after the battle and thus too late to be of help, were dismissed almost in disgrace.

6. 463 BCE. Plague causes overcrowding and devastation in the city, preventing the Romans from helping the Latins and Hernici against the invading Aequi and Volsci.

The elections were then held, and Lucius Aebutius and Publius Servilius became consuls [463 BCE]. On August 1, which at that time was the beginning

13. This is Livy's first mention of Valerius Antias, an annalist of the first century BCE, who wrote a history of Rome in at least seventy-five books, which is known only from quotations in other authors' works. When Livy cites him by name in context of battle numbers, exaggeration is generally implied. Livy accuses him of lying (26.49), exaggeration (32.6), and inadequate research (39.43). The numbers cited in 3.8 may also derive from Antias. See also 4.23.

14. *portents*: unnatural phenomena or occurrences that were thought to have been sent by the gods as indications of future events; see also 1.20, n. 72. Strictly speaking, a portent could only become a prodigy if so decreed by the state authorities, but both ancient and modern writers often refer to more unfavorable or sinister portents as prodigies (*prodigia*). In this case, these portents were apparently interpreted as a prodigy and expiated by the three-day religious holiday; see Appendix 3, pp. 429–30.

15. *favor of the gods*: Latin *pax deum* or *deorum*. This is one of the few specific mentions by Livy of this concept. Portents and prodigies were thought to indicate that the gods had withdrawn their favor from Rome or were about to do so. Hence the need for the three-day period of public prayers. Apparently the attempt to restore the gods' favor was not successful, since in the following year Rome was stricken by plague. There are two further mentions of the *pax deum* at 3.7 and 3.8.

of the year, they entered office.¹⁶ It was an oppressive time and also happened to be a year of plague afflicting both men and beasts, in the city and countryside alike. Because of the fear of enemy pillaging, beasts and countryfolk were brought into the city, thus increasing the virulence of the disease. Amid this conglomeration of every kind of living creature, the city-dwellers were stifled with strange smells and the countryfolk with heat and lack of sleep, packed as they were into narrow quarters. Mere contact spread the disease as they tended each other. They could barely endure the stress of these calamities, when envoys from the Hernici suddenly announced that the Aequi and Volsci had joined forces, had pitched camp in their territory, and were using this as a base from which to plunder their lands with a huge army. Not only did the sparse numbers of the senate show their allies that the state was stricken with plague, but the envoys received the dismal response that the Hernici, together with the Latins, must defend their property on their own. The sudden anger of the gods was causing the city of Rome to be devastated by disease.¹⁷ If some respite from this suffering should occur, they would help their allies as they had done the previous year and on every other occasion. The allies departed, taking home a gloomier message in return for their gloomy news: they had to endure this war by themselves, a war that they would have had difficulty in enduring even with the powerful support of the Romans.

No longer did the enemy confine themselves to Hernican territory. From there they proceeded to invade the Roman fields that had already been desolated, even without the ravages of war. After encountering no one there—not even an unarmed man—and passing through areas that were neither defended nor cultivated, they reached the third milestone on the Gabinian Way. The consul Aebutius had died, and there was little hope for his colleague Servilius, who was scarcely breathing. Most of the leading men were sick, as were the majority of the senate and almost all the men of military age. Consequently they not only did not have the strength to mount the ex-

16. *beginning of the year*: during the early republic, the date of the beginning of the civil year varied considerably. For example, in 450 BCE it began on May 15; see 3.36. In 462 BCE, the consuls entered office on August 11 after several *interregna*; see 3.8. In 423 and 402 BCE, it began on December 13, although in the latter case the new magistrates took office early, on October 1, because the previous magistrates had been forced to resign; see 4.37 and 5.9. In 391 BCE, the new consuls took office on July 1, again because the previous magistrates had resigned (5.32). In the late third century and until 153 BCE, the consular year began on March 15. Thereafter it began on January 1. The religious year, however, always began on March 1.

17. *anger of the gods*: the expiation of the portents had evidently not restored the gods' favor; see 3.5 with nn. 14–5, and Appendix 3, pp. 429–30.

peditions that such an emergency required, but they scarcely had the strength for guard duty. The senators whose age and health permitted acted as sentries. The inspection and supervision of the watch were in the hands of the plebeian aediles.¹⁸ To them had come the supreme control and majesty of consular power.

7. By divine providence, the Volsci and Aequi withdraw to attack Tusculum. After so many deaths from disease and war, the senate orders the people to supplicate the gods.

The city was completely desolate, without a leader and without strength, when Rome's guardian deities and good fortune saved her, inspiring the Volsci and Aequi with the mentality of looters rather than that of enemies. The enemy entertained no hope of getting possession of the city, let alone approaching its walls. The distant sight of Rome's houses and towering hills so deterred their spirits that grumbling started throughout the camp. They began to ask why they were wasting time in devastated and desolate fields amid the rotting carcasses of beasts and men, sitting idle without any booty, when they could attack healthy places like the territory of Tusculum that was abounding in riches. And so they suddenly tore up their standards and went by crossroads through the territory of Labici to the hills of Tusculum, where the entire might and storm of war were now focused.

Meanwhile the Hernici and Latins were moved, not only by pity, but also by a sense of shame, if they should fail to oppose a common enemy that was attacking Rome and to help their beleaguered ally. And so they joined forces and proceeded to Rome. When they did not find the enemy, they followed reports and traces of their march and encountered them as they were coming down from the Tusculan valley into that of Alba. The engagement was by no means on equal terms, and, for the moment, loyalty to their allies did not produce success.

In Rome, deaths caused by disease were no fewer than the number of their allies who died by the sword. The surviving consul died. Also dead were other famous men: Marcus Valerius and Titus Verginius Rutulus, who were augurs, and Servius Sulpicius, the chief *curio*.¹⁹ The violence of the plague

18. *plebeian aediles*: junior magistrates, but the term is used anachronistically, since originally the aedile was a religious official in charge of the temple of Ceres. Aediles later became responsible for the maintenance of the city, food supply, and certain religious celebrations.

19. *curio*: each of the thirty *curiae*, "wards" (see 1.13 with n. 47), had a priest called a *curio*,

also ranged far and wide throughout the nameless populace. The senate, finding no human help, directed the people to pray to the gods, bidding them go with their wives and children to supplicate the gods and beg for their favor. Summoned by the authority of the state to do whatever their individual distress forced upon them, the people filled all the shrines. Everywhere, matrons were prostrate, their hair sweeping the floors of the temples, as they begged the angry gods for pardon and an end to the plague.²⁰

8. *After a setback, the consuls of 462 BCE defeat the Volsci.*

After that, whether the gods granted their favor or whether the oppressive time of year had now passed, little by little those who had survived the disease began to regain their health. Attention then turned to the business of the state. When several *interregna* had elapsed, Publius Valerius Publicola, on the third day after beginning his *interregnum*, declared the election to the consulship of Lucius Lucretius Tricipitinus and Titus Veturius Geminus (Vetusius is an alternative spelling).²¹ These men took office on August 11, when the state was already so strong that it could not only protect itself but could even take the offensive. And so, when the Hernici announced that the enemy had encroached on their territory, help was promptly offered. Two consular armies were enrolled. Veturius was sent to take the initiative against the Volsci, whereas Tricipitinus, who was positioned to defend the allies' territory from pillaging, proceeded no farther than the land of the Hernici. In his first engagement, Veturius routed the enemy and put them to flight. But Lucretius, encamped among the Hernici, missed a company of pillagers who marched over the mountains near Praeneste and descended into the plain.²² Then they devastated the territory of Praeneste and Gabii and turned from the area of Gabii to the hills of Tusculum.

who presided over the ward's religious ceremonies. The *curio maximus*, or chief *curio*, presided over the priests of the thirty wards.

20. *their hair sweeping* . . . : the women have let their hair fall loose, one of the rituals of mourning, as they pray to the gods in supplication, lying face down on the temple floor.

21. During the republic, an *interregnum* was instituted when both consuls had either died, resigned, or not yet been elected. It was a period of five days in which the state was in the hands of an *interrex*, who would propose two names for the assembly to ratify. If the names were rejected, the process was repeated by successive *interreges* until approval was achieved. On the first *interregnum*, see 1.17. On the alternative spelling "Vetusius," compare the spelling of Fusius/Furius at 3.4.

22. *Praeneste*: see 2.19, n. 31.

This caused great fear even in the city of Rome, more on account of the surprise than because of a lack of ability to defend themselves. Quintus Fabius was in charge of the city.²³ By arming the young men and stationing them here and there as guards, he ensured complete calm and safety. Consequently the enemy did not dare to approach the city, though they had seized booty from the neighboring areas. They were returning by a round-about route, becoming more careless the farther they were from the enemy's city. Then they encountered the consul Lucretius, who had already reconnoitered their line of march and now, reinforced with auxiliary troops, was eager to do battle. Thus the Romans were mentally prepared as they attacked the enemy, who were suddenly stricken with panic. Though considerably fewer in number, the Romans routed and put to flight a huge multitude. They drove them into deep valleys from which it was not easy to escape and then surrounded them. The Volscian nation was all but wiped out.

I find in some sources that 13,470 fell in the battle and flight, 1,750 were captured alive, and 27 military standards taken. Although there may be some exaggeration of the numbers, there was certainly great slaughter.²⁴ The victorious consul obtained huge booty and returned to his permanent camp. Then the consuls combined their camps, while the Volsci and Aequi united their shattered forces. There was a third battle in that year, and fortune again gave victory to the Romans. The enemy were routed and their camp was also captured.

9. 462 BCE. In the absence of the consuls, a tribune, Gaius Terentilius Harsa, proposes a bill to limit their power. Fabius, the city prefect, vehemently opposes the measure, which is shelved.

Rome was thus restored to her former condition, and her military success immediately aroused disturbances in the city. Gaius Terentilius Harsa was tribune of the plebs in that year. Thinking that the absence of the consuls offered an opportunity for the tribunes to take action, he spent several days complaining to the plebs about the arrogance of the patricians, criticizing in particular the power of the consuls as excessive and intolerable in a free state. Only in name, he said, was it less hateful than that of king; in reality it was almost more outrageous, since they had gotten two masters in place of one.

23. *Quintus Fabius*: the consul of 467 and 465 BCE and the survivor of the disaster at the Cremera (see 3.1), who was acting as prefect of the city in the consuls' absence.

24. These numbers probably derive from Valerius Antias; see 3.5 with n. 13.

These magistrates had unrestrained and infinite power; free and unbridled themselves, they turned all the terrors of the law and all its punishments upon the plebs. To prevent their license from going on forever, he was going to propose a law that five men should be elected to write up laws concerning the power of the consuls.²⁵ The people would decide what sanctions a consul could use against them. The consuls' whims and license would not serve in place of laws.

When the law was proposed, the senators were afraid that, in the absence of the consuls, they would be forced to submit. Then the senate was summoned by Quintus Fabius, the city prefect. He made such a fierce attack on the proposal and its proposer that if both consuls had been there to oppose the tribune, there was no threat or terror that they could have added to his invective. Terentilius, he said, had laid an ambush and picked an opportune time to attack the state. If the gods in their anger had given them a tribune like this in the previous year amid war and plague, there would have been no withstanding him. With the two consuls dead, the citizenry lying sick, and everything in a mess, Terentilius would have proposed laws to do away with consular power and would have led the Volsci and Aequi in an attack on the city. But what was his motive? If the consuls had acted arrogantly or cruelly toward one of the citizens, was he not empowered to summon them into court and accuse them before a jury of the very people who had experienced the outrage? It was not the power of the consuls that Terentilius was making hateful and unbearable, but that of the tribunate—a power that had been reconciled and brought into harmony with the senators but was now being reduced to its old, evil ways.

But, he said, he was not imploring Terentilius to abandon his undertaking.²⁶ "We beg you other tribunes," said Fabius, "first of all to reflect that tribunician power was designed to help individuals, not to destroy us all. You were elected to be tribunes of the plebs, not enemies of the senators. That the state is being attacked when it is defenseless makes us unhappy, whereas it makes you unpopular. You will diminish not your authority, but your unpopularity, if you plead with your colleague to leave the question alone until the arrival of the consuls. Last year, when both consuls perished, not even

25. This measure marks the first step in a movement to codify and publish the laws that ultimately resulted in the appointment in 451 BCE of a board of ten men, the decemvirate, and the publication of the Laws of the Twelve Tables (see 3.33ff.). The aim of having the laws written down and published was to limit the power of the senators, whose strength lay in their interpretation and administration of unwritten laws.

26. Note the change from indirect to direct speech at the end of Fabius' speech.

the Aequi and Volsci were so arrogant or cruel as to continue the pressure of war on us.” The tribunes pleaded with Terentilius, and, after the measure had been ostensibly postponed but actually thwarted, the consuls were immediately summoned.

10. 462–461 BCE. The consuls return. Terentilius holds up the granting of a triumph but eventually yields. A prodigy foretells an attack on the city. The tribunes protest that the patricians have invented reports of imminent invasion by the Volsci and Aequi in order to block Terentilius’ law.

Lucretius returned with huge booty and even greater glory. On his arrival, he increased his glory by displaying all the booty for three days on the Campus Martius, so that everyone could identify and take what belonged to him. The rest was sold when no owner showed up. There was universal agreement that the consul had earned a triumph, but the matter was postponed because the tribune was pushing for his law. This was the more important issue for the consul. The proposal was debated for several days, not only in the senate but also among the people. Finally the tribune yielded to the authority of the consul and desisted. Then the general and his army were granted their due honor. He triumphed over the Volsci and Aequi, and his legions followed him in the triumphal procession. The other consul was granted an ovation to enter the city without soldiers.²⁷

In the following year, the new consuls, Publius Volumnius and Servius Sulpicius [461 BCE], were confronted by the Terentilian law, which was brought up by the whole tribunician college. In that year the sky was seen to blaze with fire and the earth was shaken by a huge quake. A report that a cow had spoken was given credence, though such a report had not been believed in the previous year. Among other prodigies, there was a rain of flesh that is said to have been seized upon by a large number of birds as they flew in its midst. What was scattered on the ground lay there for several days without making any smell. The Sibylline books were consulted by the two officials in charge of the sacred rites.²⁸ Danger was predicted from a concourse

27. *ovation*: a lesser distinction than a triumph. For a description of a triumph, see 3.29.

28. *Sibylline books*: this is Livy’s first reference to the Sibylline books of prophecies that were kept in the temple of Jupiter on the Capitoline and were said to have been purchased from the Sibyl of Cumae by Tarquinius Superbus, though Livy does not mention this story. These books

of foreigners lest they attack the highest places of the city and cause bloodshed.²⁹ Among other things, there was a warning to refrain from political strife. The tribunes were charging that this prophecy was intended to hinder the law. A mighty struggle was imminent when—lo and behold!—in order to repeat the same cycle, the Hernici announced that the Volsci and Aequi were again equipping their armies, despite their losses. Antium, they said, was the center of the undertaking; colonists from Antium were openly holding public meetings at Ecetra. This was the source and strength of the war. After this report in the senate, a levy was declared. The consuls were ordered to divide the administration of the war between them; one was to deal with the Volsci, the other with the Aequi.

The tribunes openly and loudly proclaimed in the forum that the story of the Volscians was a fiction, alleging that the Hernici had been prepared for their role. Now the liberty of the Roman people was not even being suppressed by honorable means, but frustrated by artifice. New enemies were being sought now that no one believed that the Volsci and Aequi could possibly prepare for war on their own initiative after their virtual massacre. So, the patricians were maligning a loyal neighboring colony. War was being declared on the innocent people of Antium, but it was being waged against the Roman plebs. The plebs were the people whom the consuls would load with arms, leading them out of the city on a hasty march, to take vengeance on the tribunes by exiling and banishing the citizens. By this means—and they should not think of any other motive—the law was already defeated. The only alternative was for the plebeians to see that they were not driven from the city and subjected to the yoke, while the question was still open and they were resident in Rome, wearing the toga. If they were courageous, help would not be lacking; the tribunes were all of one mind. There was no fear of foreign enemies, no danger. The gods had seen to it in the previous year that liberty could be safely defended. Such were the points made by the tribunes.

could only be accessed by the board of two officials in charge of sacred rites (duumvirs), which was later increased to ten (decemvirs) and then to fifteen (quindecimvirs). Another member was added, but the name *quindecimvir* remained. These books were consulted for advice at a time of crisis or disaster, or when a particular prodigy was difficult to interpret; see also 4.25, 5.13, and Appendix 3, p. 430 with n. 13.

29. *a concourse of foreigners . . .*: this prophecy is fulfilled when the Capitol is seized by the Sabine Appius Herdonius; see 3.15–8.

11. 461 BCE. The tribunes prevent the consuls from holding a levy. A young noble, Caeso Quinctius, has almost defeated the tribunes when he is indicted by one of them.

But on the other side of the forum, the consuls placed their chairs in view of the tribunes and began to hold the levy. The tribunes ran over to them, drawing the people along with them. A few men were called up as a test. Violence immediately arose. Whenever a lictor arrested a man on the consul's order, a tribune ordered his release. It was not an individual's rights that moderated his behavior, but the confidence he had in his physical strength. Force had to be used to get what one wanted. The tribunes employed the same behavior in preventing the levy as the senators did in blocking the law that was brought up every day that a voting assembly could be held. A brawl started because the patricians refused to move when the tribunes ordered the people to separate into their voting units. Almost no older nobles were involved in this matter, which was not to be guided by wisdom, but was given over to reckless bravado. For the most part, even the consuls held back, in order to avoid an affront to their dignity in this mess.

There was a young man, Caeso Quinctius, emboldened by not only his noble birth but also his physical strength and size.³⁰ To these god-given gifts, he himself had added many honors in warfare and an eloquence in the forum, with the result that no one in the state was considered to be a readier speaker or soldier. When he took his place in the midst of a group of patricians, he towered above the others as if he represented all the dictators and consuls in his voice and physique. He alone withstood the attacks of the tribunes and the storms of the demagogues. He often took the lead in driving the tribunes from the forum, routing and putting the plebs to flight. A man who encountered him would come away mauled and stripped. It was quite apparent that if they were to let him behave this way, the law was defeated.

Then, when the other tribunes had almost been beaten down, one of their college named Aulus Verginius indicted Caeso on a capital charge.³¹ This action inflamed rather than terrified Caeso's fierce nature. He opposed the bill all the more fiercely, stirring up the plebs and harassing the tribunes as if he

30. *Caeso Quinctius*: a son of Lucius Quinctius Cincinnatus and nephew of Titus Quinctius Capitolinus, who had been consul in 471, 468, and 465 BCE; see Appendix 1, pp. 416–7 with stemma. There is no record that Caeso held a magistracy, and the whole story is probably fictitious.

31. *capital charge*: such a charge involved loss of *caput*; i.e., civic rights, the full legal status of a Roman citizen. In this case, the penalty envisaged was banishment, as is apparent in the next section.

were fighting a real war. His accuser allowed the defendant to rush around fueling the flames of unpopularity and so adding to the charges against him. Meanwhile Verginius introduced the law, not so much in the expectation of having it passed, as to provoke Caeso's recklessness. So many things that had often been ill-advisedly said or done by the young nobles were blamed solely on Caeso, since his character was under suspicion. Nevertheless he continued to resist the law. Aulus Verginius repeatedly said to the plebeians, "Now don't you realize, Quirites, that you can't at the same time have Caeso as fellow citizen and the law that you desire? And yet why do I say 'law'? It's your liberty that he is opposing. He surpasses all the Tarquins in his arrogance. Just wait until this man becomes consul or dictator—this private citizen whom you see ruling by virtue of his strength and audacity!" There were many who agreed with the tribune, complaining of the beatings they had received, and so they freely urged him to see the matter through to the end.

12. The leading men speak on Caeso's behalf.

The day of the trial was already drawing near, and it was generally clear that men believed that their liberty depended on Caeso's condemnation. Then, at last, he was forced, though with great disdain, to canvass the support of individuals. His relatives, leading men of the state, followed him around. Titus Quinctius Capitolinus, who had been consul three times, repeated the many honors that he and his family had held, declaring that never in the Quinctian family, nor in the state, had there been such inborn qualities that had matured into such excellence. Caeso had been his foremost soldier; he personally had often watched him fighting an enemy. Spurius Furius declared that Caeso had been sent to him by Quinctius Capitolinus and had come to his aid when he was in danger. There was no one person, he thought, whose efforts had contributed more to saving the situation.

Resplendent in his recent glory, Lucius Lucretius, consul in the previous year, shared his praise with Caeso, recalling the battles and recounting Caeso's outstanding deeds on raids and on the field of battle. He persuaded and advised the people to prefer that this outstanding young man should be a citizen of no state except their own, raised as he had been with every advantage of nature and good fortune, a man who would be of the greatest importance to whatever state he might go. As for his offensive qualities, impetuosity and recklessness, these were diminishing daily as he grew older, whereas the prudence that he lacked was increasing day by day. As his faults faded, so his good qualities matured. They should allow such a great man to grow old as

a citizen of Rome. His father, Lucius Quinctius, whose last name was Cincinnatus, spoke on his behalf. He did not reiterate his son's praises, lest he add to his unpopularity, but asked them to pardon his youthful errors, begging them to acquit Caeso as a favor to his father, who had offended no one in word or in deed. But some rejected his prayers, either through embarrassment or fear. Others, complaining of the injuries they and their friends had received, revealed how they intended to vote by their harsh response.

13. A former tribune, Marcus Volscius Fictor, alleges that Caeso was responsible for his brother's death. Caeso is allowed to give bail but goes into exile.

In addition to his general unpopularity, there was one charge that was damaging to the accused. Marcus Volscius Fictor, who had been a tribune of the plebs a few years earlier, came forward as a witness, saying that not long after the plague in the city, he had run into a band of young men who were having a riotous time in the Subura.³² A brawl had arisen, and his older brother, who had not yet sufficiently recovered his strength after the plague, had collapsed after being struck by Caeso's fist. Half alive, he was picked up and carried home. Volscius thought that his brother's subsequent death had resulted from this. Under the consuls of the previous years, however, he had not been permitted to avenge that savage assault.

As Fictor shouted this story, men were so excited that Caeso was almost killed by the onrush of the people. Verginius ordered him to be arrested and led off to prison. The patricians resisted force with force. Titus Quinctius shouted out that a man who had been charged with a capital crime and whose trial was pending ought not to be subject to physical violence before his case had been heard or sentence passed. The tribune said that he was not going to punish a man who had not been condemned; he should, however, be kept in prison until the day of the trial so that the people would have the opportunity to punish a man who had committed homicide. The other tribunes, when appealed to, exercised their right of protection by offering a compromise:³³ they forbade his imprisonment but announced their decision that

32. *Fictor*: the name means "fashioner" or "molder" and is surely intentional. That Fictor's story is indeed a fiction is not revealed by Livy until 3.24.

Subura: an undesirable, densely populated area lying in the hollow between the Quirinal, Viminal, and Esquiline.

33. *exercised their right of protection*: the tribunes are protecting a patrician, although, strictly speaking, this right only extended to plebeians.

the defendant should appear in court and that money be pledged to the people in case he should fail to appear. The amount of money that was reasonable was a matter of doubt. It was referred to the senate, and the defendant was retained in state custody while the senators were consulted. They decreed that sureties should be given and fixed one surety at 3,000 *asses*. How many sureties should be given was left to the tribunes to decide. They fixed it at ten. With this number of sureties, the accuser granted bail to the accused. This was the first instance of a man giving public bail.

After being allowed to leave the forum, Caeso went into exile among the Etruscans that night. On the day of the trial, the excuse was made that he had changed his residence and become an exile, but nonetheless Verginius summoned the people to assemble in court. An appeal, however, was made to his colleagues, who dismissed the assembly. The money was mercilessly exacted from his father, who had to sell up all his property and live for some time in a remote hovel on the other side of the Tiber, as if banished.

14. The younger patricians manage to control the plebs and block Terentilius' law. The tribunes are reelected.

This trial and the promulgation of the law agitated the citizens, but there was a respite from foreign wars. Now that the patricians were defeated by Caeso's exile, the tribunes behaved like victors, believing that the law had all but passed. As far as the older senators were concerned, they had relinquished their hold on government, but the younger senators, especially Caeso's associates, were even angrier at the plebs; they did not lessen their resolve but furthered their cause by tempering their impulses with a certain moderation. At the first attempt to pass the law after Caeso's exile, they were organized and ready. As soon as the tribunes gave them an excuse by trying to remove them from the assembly, they attacked the tribunes with a large army of clients. No individual went home distinguished either for his glory or unpopularity, and the plebeians complained that a thousand Caesos had arisen in place of one.

In the intervening days when the tribunes took no action on the law, nothing was more peaceful or quiet than these same young nobles. They would give the plebeians a courteous greeting, converse with them, invite them to their homes, support them in their business in the forum, and allow the tribunes themselves to hold the rest of their assemblies without interruption. Neither publicly nor privately were the young men harsh toward anyone, except when discussion of the law began; in every other way they

were like the popular faction. The tribunes carried through their other measures without opposition and were even reelected for the following year, without any objection being raised, not to mention violence. The young nobles had tamed the plebs, soothing and controlling them little by little.³⁴ By such devices, the law was avoided for the whole year.

15. 460 BCE. The struggle over Terentilius' law continues. In a surprise attack, a Sabine, Appius Herdonius, seizes the Capitol, aiming to restore exiles and free slaves.

The consuls Gaius Claudius, son of Appius, and Publius Valerius Publicola took over quite a peaceful state. The new year brought no new problem: the state was gripped with anxiety either about passing the law or having to accept it. The more the younger patricians tried to ingratiate themselves with the plebs, the more keenly the tribunes fought back. By bringing charges against the young nobles, the tribunes aimed to make the plebs suspicious of them. They alleged that a conspiracy had been made; Caeso was in Rome; plans had been hatched to kill the tribunes and butcher the plebs. The older patricians had charged the younger ones with the business of eliminating tribunician power from the state, so that the citizenry might be the same as it had been before the occupation of the Sacred Mount. There was also fear of war from the Volsci and Aequi, a situation that was now a regular and almost annual ritual.

Unexpectedly a new problem arose nearer to home. Exiles and slaves, some 4,500 of them, occupied the Capitol and citadel by night, under the leadership of the Sabine Appius Herdonius.³⁵ Immediately all those in the citadel who refused to join the conspiracy and take up arms were slaughtered. Amid the confusion some rushed headlong to the forum, panic-stricken. Alternating cries were heard, "To arms" and "The enemy is in the city." The consuls were afraid both of arming the plebs and of leaving them unarmed, since they were uncertain what kind of trouble had suddenly

34. The verb *mansuescere*, "soften" or "tame," suggests an allusion to the taming of animals; see also 3.16 with n. 38.

35. *some 4,500*: for discussion of this reading, see Ogilvie 1965: 424, and the *OCT*. The inclusion of slaves, particularly such a large number, is clearly anachronistic and would have reminded Livy's readers of the revolt of Spartacus (73 BCE) and the conspiracy of Catiline (63 BCE), who recruited a large number of slaves into his army. Cornell (1995: 145) suggests that the story of Herdonius reflects "the dim memory of an unsuccessful coup."

befallen the city: whether it was from within or without; whether it was the result of plebeian hatred or the treachery of slaves. They tried to calm the uproar, but sometimes efforts at calming only increased it. Nor could the terrified and panic-stricken mob be controlled by their authority. Nevertheless they gave arms not to everyone but only to a number that would ensure a sufficiently loyal garrison in the face of an unknown enemy. Anxious and uncertain who the enemy was or what their numbers were, they spent the rest of the night posting guards at suitable points throughout the city.

Dawn revealed the war and its leader. From the Capitol, Appius Herdonius was summoning the slaves to freedom, declaring that he had taken up the cause of all the unfortunate so that he might restore to their native land the exiles who had been unjustly driven out and release the slaves from their heavy yoke.³⁶ He preferred that this be done with the authority of the Roman people. But if there were no hope of this, he would go to the utmost extreme and stir up the Volsci and Aequi.

16. The tribunes of the plebs take advantage of the senators' fear of a slave revolt and try to pass Terentilius' bill.

The situation became clearer to the senators and consuls. Nevertheless, in addition to the threats that had been declared, they were afraid that this was a plan on the part of the Veientes or Sabines. Since so many enemies were in the city, Sabine and Etruscan legions might soon make a prearranged attack. Then their perpetual foes, the Volsci and Aequi, might come, not to plunder their territory as before, but to the city itself now that it was partly captured. Many and various were their fears, but above all the rest their fear of the slaves was preeminent. Each man was afraid that he had an enemy in his own household whom it was neither quite safe to trust nor, from lack of confidence, to distrust, lest he become more hostile.³⁷ Establishing harmony scarcely seemed possible.

With other mounting and overwhelming problems, no one feared the tribunes or the plebs. That problem had been tamed.³⁸ It was something that

36. *the cause of all the unfortunate*: an echo of Sallust, *Catiline* 35.

37. A statement reflecting the fears that would have been prevalent during the revolt of Spartacus in 73 BCE and were to remain a constant concern, especially to the owners of large numbers of slaves.

38. *tame*: the same word (*mansuescere*) that was used in 3.14 regarding the young nobles "taming" the plebs.

always happened when there was a respite from other problems, but now it seemed to have quieted down, lulled to sleep as a result of this foreign terror. But in fact it almost proved to be the one thing that weighed most heavily upon their sinking fortunes. Such madness gripped the tribunes that they maintained that it was not war but the empty image of war that had taken possession of the Capitol, devised in order to divert the minds of the plebs from their concern about the law. Once they realized that the law had been passed and their insurrection had been in vain, the friends and clients of the patricians would depart more silently than they had come. Summoning the people to lay down their arms, the tribunes held an assembly to pass the measure. Meanwhile the consuls were holding a meeting of the senate, where fear of the tribunes was greater than that caused by the enemy's night attack.

17. The plebs respond to the tribunes' summons to vote on the law, but the consul Valerius tries to rally the people to take up arms and rescue the gods who are under siege. The senators attempt to break the impasse.

On hearing that the men were laying down their arms and abandoning their posts, Publius Valerius left his colleague to keep the senate in session and rushed from the senate house into the area where the tribunes were holding their meeting. "Tribunes, what's going on?" he cried. "Are you going to overthrow the state under the leadership and auspices of Appius Herdonius? Has the man who could not start a slave revolt succeeded in corrupting you? When the enemy are upon us, are you choosing to abandon your arms and go off to vote?"

Then he turned to address the crowd: "If you are touched by no concern for your city, Quirites, or for yourselves, then at least show respect for your gods who have been captured by the enemy. Jupiter the Best and Greatest, Queen Juno, Minerva, and the other gods and goddesses are under siege. A slave camp has possession of the guardian deities (*penates*) of your country.³⁹ Does this seem to you to be a healthy state? A large number of enemy forces are not only inside the walls but on the citadel, overlooking the forum and the senate house. Meanwhile, in the forum there is an assembly, and the senate

39. *guardian deities* . . . : the guardian deities (*penates*) of the state were said to have been brought from Troy, first to Lavinium, then to Alba Longa, and finally to Rome; they were sometimes identified with Castor and Pollux. Each household had its own *penates*; see the end of this section for reference to the guardian deities of both the state and the individual household.

is in the senate house. As if peace prevails, a senator is voicing his opinion and other citizens are casting their vote! Shouldn't every patrician and plebeian, the consuls, tribunes, gods, and men have taken up arms and helped, rushing to the Capitol and bringing freedom and peace to that most revered house of Jupiter the Best and Greatest? Father Romulus, grant to your descendants the spirit that you showed when you regained the Capitol from these same Sabines who had captured it with gold. Order them to advance along the same path that you and your army took. Behold! I, the consul, will follow you and your footsteps, insofar as I, a mortal, can follow a god."

He ended his speech by proclaiming that he was taking up arms and summoning all the Quirites to arms. If anyone resisted, he would forget consular authority, tribunician power, and the laws of sacrosanctity; whoever the man, wherever he might be, on the Capitol or in the forum, he, Valerius, would regard him as a public enemy. Since the tribunes forbade an attack on Appius Herdonius, let them order that arms be taken up against the consul Publius Valerius. He would deal with the tribunes as boldly as the head of his family had dealt with the kings.⁴⁰

It was apparent that extreme violence would ensue, affording the enemy the spectacle of sedition among the Romans. Yet the law could not be passed, nor could the consul proceed to the Capitol. Night put an end to the struggle. The tribunes yielded as night fell, fearing the armed might of the consuls. Once the leaders of the sedition were out of the way, the senators circulated among the plebs, mingling with them in groups and planting words that were appropriate to the situation. They advised them to consider the crisis they had brought upon the state: it was not a struggle between patricians and plebeians. Rather, the patricians and plebeians alike, the city's citadel, the gods' temples, and the guardian deities of the state and of each household were being surrendered to the enemy. While this was going on in the forum to calm the discord, the consuls had set out to make their rounds of the walls and gates in case Sabine or Veientine foes were on the move.

40. *head of his family*: Publius Valerius Publicola, one of the first consuls; see 1.58, 2.7–8, and Appendix 1, pp. 418–20.

18. Unasked, Tusculum sends forces to Rome. With their help, the consul Valerius Publicola retakes the Capitol but is killed in the fighting.

That same night, news of the capture of the citadel, the occupation of the Capitol, and the general state of disorder in the city reached Tusculum. Lucius Mamilius was then dictator at Tusculum.⁴¹ He immediately summoned the senate and, after introducing the messengers, strongly recommended that they should not wait for envoys to arrive from Rome seeking help. The danger itself, the crisis, the gods of their alliance, and their loyalty to the treaty demanded this course of action. The gods would never give them such a good opportunity to put so powerful a neighboring state under an obligation by doing it a service. The senate decided to help; young men were enrolled and arms issued. As they approached Rome at dawn, from afar they looked like enemies. It seemed that the Volsci or Aequi were coming.

When the terror turned out to be unfounded, they were received into the city and marched in a line down into the forum. Publius Valerius had left his colleague to protect the gates and was already there drawing up the battle line. His personal influence had prevailed, and he had given the following assurance: when the Capitol was recovered and peace restored to the city, if they would allow him to explain what hidden trickery of the tribunes lay in the proposed law, he would be mindful of his ancestors and his *cognomen*, the People's Friend, which his forebears had handed down to him like a legacy.⁴² Furthermore, he would not interfere with the Council of the Plebs.

Following him as their leader, despite the vain cries of the tribunes, the battle line advanced up the Capitoline slope, accompanied by the contingent from Tusculum. Allies and citizens vied with each other for the honor of recovering the citadel, as each leader urged his own men on. Then the enemy began to tremble, having no confidence in anything but their position. As they trembled, the Romans and their allies advanced their standards against them. They had already broken through to the vestibule of the temple, when Publius Valerius was killed as he spurred on the fighting in the front line. Publius Volumnius, a former consul, saw him fall and ordered his men to cover the body.⁴³ Volumnius flew into the consul's place and took

41. *dictator*: the name of the chief magistrate in Tusculum and also in other Latin towns.

42. *People's Friend*: Livy here plays on the name Publicola, "the People's Friend." See 2.8 with n. 14.

43. *Volumnius*: see 3.10.

over his role. In the heat of the attack, the realization of this important happening did not reach the soldiers. They were victorious before they realized that they were fighting without their commander. Many of the exiles defiled the temples with their own blood; many were taken alive; Herdonius was killed. And so the Capitol was recovered. The captives were punished each according to their status, whether they were free or slaves.⁴⁴ The people of Tusculum were thanked, the Capitolium cleansed and ceremonially purified. It is said that the plebeians tossed small coins into the consul's house so that he might have a more distinguished funeral.

19. Lucius Quinctius Cincinnatus, elected as consul in place of Publicola, reprimands all the citizens—patricians, plebs, and tribunes—for their behavior in the recent crisis.

When peace had been established, the tribunes then began to press the patricians to fulfill Valerius' promise and to urge Gaius Claudius to absolve his colleague's shade from deceit and allow the law to be discussed.⁴⁵ The consul replied that he would not allow discussion of the law until he had completed the election of a colleague. These disputes continued right up to the time when the assembly met to fill the vacant consulship. In December, Lucius Quinctius Cincinnatus, the father of Caeso, was elected as consul with the huge support of the senators, to assume office immediately. The plebs were dismayed that they were going to have an irate consul whose power came from the support of the patricians, his own worth, and his three sons, none of whom was inferior to Caeso in greatness of spirit, but who, when occasion demanded, surpassed him in wisdom and restraint.

On entering office, Cincinnatus gave a series of harangues from the tribunal and was just as vehement in restraining the plebs as in castigating the senate.⁴⁶ It was because of the senate's apathy, he said, that the tribunes of the plebs were now exercising continuous rule with their speeches and accusations, as if they were in a disorderly household rather than the commonwealth of the Roman people. Valor, steadfastness, and all the honors that young men could win in war and civil life had been driven from Rome

44. *free or slave*: free men were beheaded; slaves, crucified.

45. *deceit*: an allusion to Publicola's unfulfilled promise to explain the intricacies of the tribunician law; see 3.18.

46. On Livy's portrayal of the Quinctii as role models of ideal aristocratic leaders who promote concord within the state, see Vasaly 1999: 513–30, especially 518–20.

and put to flight, along with his son Caeso. Garrulous and seditious, sowing the seeds of discord, the tribunes were obtaining office a second and third time by employing the worst means and acting with a lawlessness that was typical of kings. “Did Aulus Verginius,” he cried, “deserve less punishment than Appius Herdonius, just because he was not on the Capitol? By Hercules, if one were willing to be fair, he deserved somewhat more.⁴⁷ If nothing else, by declaring himself your enemy, Herdonius proclaimed that you should take up arms. But Verginius, by denying the existence of a war, took away your weapons and left you exposed to your slaves and to exiles. But—with due respect to Gaius Claudius and the deceased Publius Valerius—did you advance the standards up the Capitoline slope without first removing these enemies from the forum?

“What happened is a disgrace to gods and men. When the enemy was in the citadel and Capitol, their leader—a commander of exiles and slaves—desecrated all the sacred places and even lived in the shrine of Jupiter the Best and Greatest. Arms were first taken up in Tusculum, not Rome. It was not clear whether Lucius Mamilius, the Tusculan commander, or Publius Valerius and Gaius Claudius, the consuls, would liberate the citadel of Rome. In the past we did not allow the Latins to arm themselves, even in their own defense, when they had an enemy within their borders.⁴⁸ And we would now have been captured and wiped out had the Latins not taken up arms spontaneously. Is this what you tribunes call ‘helping the plebs,’ when you expose them, unarmed, to be slaughtered by the enemy? If the humblest of your plebs—a part of the people that you have cut off, as it were, from the rest, making them a second state and a country that belongs entirely to you—if one of these men were to announce that his home had been put under siege by an armed band of his household slaves, you would surely think that help should be given. Didn’t Jupiter Best and Greatest deserve some human help when he was besieged by armed exiles and slaves? And do these tribunes demand that they be considered sacred and inviolate when, in their view, the gods themselves are neither? Yet, overwhelmed as you are by crimes against both gods and men, you nonetheless keep saying that you are going to pass the law this year. By Hercules, the state was badly served on the day that I was elected consul, far worse than when Publius Valerius perished, if indeed you do pass it.

“Now, first of all, fellow citizens, I and my colleague intend to lead the legions against the Volsci and Aequi. We are somehow fated to have the gods

47. *by Hercules*: see 2.28, n. 47.

48. *we did not allow the Latins . . .*: on this prohibition, see 2.30 with n. 51.

on our side to a greater extent when we are making war than when we are at peace. How great a danger these people would have presented had they known that the Capitol was besieged by exiles is better left for you to imagine from past events than to experience in reality.”

20. 460 BCE. The tribunes fail to stop a levy, but there are rumors that the assembly is going to meet at Lake Regillus to annul tribunician legislation and that Cincinnatus will appoint a dictator.

The consul's speech impressed the plebs. The senators were encouraged, believing that the state had been restored to its old self. The other consul, more spirited as a supporter than as an initiator, readily allowed his colleague to take the lead in such important matters but claimed for himself a share in the duties of the consulship when it came to carrying them out. Then the tribunes, mocking what they deemed Quinctius' empty words, persisted in asking how the consuls were going to lead an army when no one was going to allow them to hold a levy. "But we have no need of a levy," said Quinctius. "When Publius Valerius gave arms to the plebs to recover the Capitol, everyone swore that they would assemble at the bidding of the consul and not depart without his orders. Therefore we command that all those who took the oath assemble in arms tomorrow near Lake Regillus."

Then the tribunes began to quibble, wanting to release the people from their religious obligation. They pointed out that Quinctius had been a private citizen at the time they had been bound by the oath. But the disregard of the gods that now grips our times had not yet arrived.⁴⁹ Nor did everyone interpret oaths and laws to suit his own convenience but rather adapted his own behavior in accordance with them. And so, since there was no hope of preventing the levy, the tribunes acted to delay the army's departure, especially because a rumor had gone around that the augurs had been ordered to be present at Lake Regillus. There they were to inaugurate a place where auspices could be taken and the people's assembly could meet; the purpose of the assembly was to annul any measure that had been enacted as a result of tribunician violence. Everyone, according to the rumor, would vote as the consuls wanted, since the right of appeal did not extend more than a mile from the city; the tribunes, should they come there, would be subject to the

49. *disregard of the gods* . . . : compare this pessimistic authorial comment regarding his own times with his remarks in Pref. 4, 9, and 12.

consuls' power along with the rest of the crowd of Roman citizens. This was what terrified them. But the greatest terror that bothered them was that Quinctius was repeatedly saying that he would not hold the consular elections. The sickness of the state was not one that could be stopped by the usual remedies. The state needed a dictator, so that anyone who tried to disturb the status quo of the polity would realize that the dictatorship carried no right of appeal.

21. The tribunes yield to the authority of the senate and a compromise is reached. Terentilius' law is again shelved. Although the senate passes a decree against the reelection of serving officials, the tribunes are reelected. Cincinnatus argues against his own reelection.

The senate was in session on the Capitol. The tribunes came there with the plebs, who were in a state of agitation. With a huge outcry the crowd begged the trust, now of the consuls and now of the senators. They did not move the consul from his intent until the tribunes promised that they would submit to the authority of the senators. The consul then brought up the demands of the tribunes and the plebs, and the senate decreed that the tribunes should not proceed with the law in that year, nor should the consuls lead the army out of the city. As for the future, the senators gave their judgment that it was contrary to the interests of the state for magistrates to succeed themselves and for tribunes to be reelected. The consuls were influenced by the senators, but the tribunes were reelected despite the consuls' protests. In retaliation, the senators also tried to get Lucius Quinctius reelected as consul.

During the entire year, no speech of the consul was more vehement than the following. "Am I to be surprised," he said, "if your authority with the plebs is ineffectual? You are the ones who diminish it. Because the plebs have nullified the senate's decree regarding successive terms, you also want to nullify it to avoid giving in to the rashness of the crowd, as if superior power in the state were the equivalent of irresponsibility and lawlessness. It is more irresponsible and ineffectual to nullify one's own decrees and resolutions than those of others. Conscript Fathers, go and imitate the thoughtless crowd. You senators, who ought to be setting an example for others, go and make the mistake of following the example of others, rather than letting them do right by following your example. But I will not imitate the tribunes, nor will

I allow myself to be proclaimed as consul contrary to the senatorial decree. And I urge you, Gaius Claudius, to restrain the Roman people from this lawlessness and, as far as I am concerned, to be assured that I will not feel that you prevented my reelection to office.⁵⁰ Rather I will think that the renown of this office will have been increased by my rejection of it, and that the unpopularity that would attend its continuation will have been diminished.” The senators united and issued an edict that no one should vote for Lucius Quinctius as consul. If anyone so voted, they would disregard his vote.

22. 459 BCE. *The consul Fabius drives the Volsci from their camp outside Antium.*

Elected as consuls were Quintus Fabius Vibulanus, for the third time, and Lucius Cornelius Maluginensis [459 BCE]. The census was taken in that year, but there was a religious problem with closing the *lustrum* on account of the capture of the Capitol and the slaying of the consul.⁵¹ The consulship of Quintus Fabius and Lucius Cornelius was turbulent right from the start. The tribunes were goading the plebeians. The Latins and Hernici were reporting that the Aequi and Volsci were preparing a great war: Volscian legions were already at Antium, and there was a great fear that the colony itself would revolt. With difficulty the tribunes were persuaded to allow the war to take precedence.

Then the consuls were allocated their provinces. Fabius was assigned to lead the legions to Antium, and Cornelius was to garrison Rome, in case some part of the enemy should come on a plundering raid, as was the custom of the Aequi. In accordance with the treaty, the Hernici and Latins were ordered to furnish soldiers. Two-thirds of the army were allies, one-third citizens. When the allies arrived on the prearranged date, the consul pitched camp outside the Capena Gate. Then, after purifying the army, he set out for Antium and took up a position not far from the town and the permanent camp of the enemy.⁵² Because an army had not yet arrived from the Aequi, the Volsci did not dare to fight but prepared to stay quiet and protect themselves within the rampart.

50. It was customary for one of the outgoing consuls to conduct the election of the consuls for the following year; hence the appeal to Gaius Claudius.

51. *closing the lustrum*: this involved a religious ceremony of purification; see 1.44.

52. *purifying the army*: the last act in enrolling an army involved the sacrifice of a pig, sheep, and bull (*suovetaurilia*).

On the following day, instead of drawing up one battle line combining allies and citizens, Fabius drew up the three peoples in three separate battle lines around the enemy's rampart. He himself was in the middle with the Roman legions. He ordered them all to watch for the signal so that he and the allies might coordinate the beginning of the engagement and the withdrawal, if he should sound the retreat. He placed the cavalry belonging to each detachment behind its first line. Then he advanced in three sections and surrounded the camp. Pressing from all sides, he dislodged the Volsci from their entrenchments, for they were unable to withstand his attack. He crossed the fortifications and drove the panic-stricken mob in a single direction, expelling them from their camp. As they fled in disarray, the cavalry, which had had difficulty in surmounting the rampart and had thus been spectators of the battle, now had a clear field and enjoyed their part of the victory as they cut down the terrified foe. Great was the slaughter of the fugitives, both in the camp and outside the fortifications, but the booty was even greater because the enemy had barely been able to carry away their weaponry. The army would have been destroyed had not the forests covered their flight.

23. The Aequi, in a surprise attack, occupy the citadel of Tusculum. The consul Fabius hastens from Antium and starves them into submission.

While this was happening at Antium, the Aequi had meanwhile sent their best troops and seized the citadel of Tusculum in a surprise night attack. With the rest of the army, they took up a position not far from the walls of Tusculum to stretch the enemies' forces. This news speedily reached Rome, and from Rome to the camp at Antium, having the same effect on the Romans as if it were news of the capture of the Capitol. The service rendered by Tusculum was so recent and the danger so similar that repayment of the help they had given seemed imperative. Fabius dropped everything else and hastily took the booty from the camp to Antium. Leaving a moderate-sized garrison there, he hastened by forced marches to Tusculum. He allowed the soldiers to take nothing but their weapons and whatever prepared food was at hand. The consul Cornelius sent regular supplies from Rome.

The war at Tusculum went on for several months. The consul attacked the Aequian camp with part of his army, assigning another part to the Tusculans to recover the citadel. The place could not be approached by assault. Starvation finally drove the enemy out. When they had been reduced to this extremity, they were sent under the yoke by the Tusculans, stripped and

without weapons. As they withdrew in shameful flight to their homes, the Roman consul caught up with them on Mount Algidus and killed them all to a man. Victorious, he led the army back to a place called Columen and pitched camp.⁵³ The other consul set out from Rome, now that the defeat of the enemy had removed the danger to the city's defenses. Then the two consuls invaded the enemy's borders at two points, competing with each other in devastating the Volsci on this side and the Aequi on that. I find in a good many sources that the people of Antium revolted in this year and that the consul Lucius Cornelius conducted that war and took the town. I would not dare to confirm this as a certainty because there is no mention of this event in the older sources.⁵⁴

24. The deceit of Marcus Volscius Fictor is revealed, but his prosecution is delayed. Despite the consuls' opposition, the tribunes are reelected.

When this war was over, war against the tribunes at home alarmed the patricians. The tribunes exclaimed that the army was fraudulently being kept in the field—a trick intended to frustrate the passage of the law; nonetheless they would complete their undertaking. But the prefect of the city, Lucius Lucretius, obtained the postponement of any tribunician action until the consuls returned. There was also a new cause for unrest. The quaestors Aulus Cornelius and Quintus Servilius indicted Marcus Volscius because he had undoubtedly given false testimony against Caeso.⁵⁵ From many indications it was emerging that Volscius' brother not only had never been seen in public from the time that he became ill, but he had not even left his sickbed and had died after a wasting disease that lasted many months. Nor had Caeso been seen in Rome during the time that Volscius charged he had committed the crime. Those who had served with him affirmed that he had regularly been with them in the field and had taken no furloughs. To refute this, many people proposed that Volscius bring the question before a private prosecutor. Since he did not dare to go to arbitration, everything pointed in one

53. *Algidus*: see 3.2 with n. 4.

Columen: the modern town of La Colonna.

54. *older sources*: this included Pictor and Piso, who have already been mentioned, and probably also Cato; see Introduction, pp. xii–xv.

55. *Marcus Volscius*: Marcus Volscius Fictor, who alleged that Caeso, Cincinnatus' son, was responsible for the death of Fictor's brother; see 3.13 with n. 32.

direction, putting Volscius' condemnation in no more doubt than that of Caeso had been as a result of Volscius' testimony.

The tribunes delayed the matter, saying that they would not allow the quaestors to hold an assembly for his trial until one had been held to discuss the law. And so, both matters dragged on until the consuls arrived. They entered the city in triumph with their victorious army, and, since nothing was said about the law, the majority believed that the tribunes had been defeated. But they were aiming at a fourth tribunate—it was now the end of the year—and they turned the issue from the law to a dispute about the elections. And although the consuls held out against their reelection to the tribunate just as if a law to diminish their own power were being promulgated, the tribunes were victors in the struggle.

In the same year, peace was granted to the Aequi in response to their request. The census that had been begun in the previous year was completed, and this, they say, was the tenth *lustrum* since the foundation of the city.⁵⁶ One hundred and seventeen thousand, three hundred and nineteen citizens were enrolled. The consuls won great glory in this year, both at home and in the field; they achieved peace abroad, and, though the state was not yet harmonious at home, it was less troubled than at other times.

25. 458 BCE. Titus Quinctius Capitolinus takes up the cause of his nephew Caeso. An invasion of the Aequi further delays the passage of Terentilius' law. The tribunes try to prevent the levy.

Lucius Minucius and Gaius Nautius were the next consuls, taking up the two causes left over from the previous year [458 BCE]. As before, the consuls tried to block the law, and the tribunes Volscius' trial. But the new quaestors had greater force and influence. Titus Quinctius Capitolinus, who had been consul three times, was quaestor along with Marcus Valerius, the son of Manius and grandson of Volesus. Since it was not possible to bring Caeso back to his family nor the finest of her young men to the state, Capitolinus waged war, as justice and family loyalty required, against the perjured witness who had deprived an innocent man of the ability to speak in his own defense. Among the tribunes, Verginius was especially active in advocating the law. An interval of two months was given to the consuls to examine the law so that they could instruct the people as to what hidden trickery it contained;

56. The *lustrum* marks the end of the taking of the census, which, at this time, was performed at irregular intervals. Later it was taken every five years.

then they would allow a vote. The granting of this interval calmed the situation in the city. But the Aequi did not give them a lasting respite. They broke the treaty that had been made with the Romans the year before and entrusted the command of their forces to Gracchus Cloelius, by far the most outstanding leader among the Aequi.

With Gracchus as their general, they invaded first the territory of Lanuvium and then that of Tusculum.⁵⁷ Loaded with booty, they pitched camp on Mount Algidus. Quintus Fabius, Publius Volumnius, and Aulus Postumius came from Rome to their camp to complain of the wrongs and to demand satisfaction in accordance with the treaty. The Aequian general ordered them to give their orders from the Roman senate to the oak tree, saying that meanwhile he would get on with other business. The oak, a huge tree, overhung the general's headquarters, offering a resting place in its dense shade. Then one of the envoys, as he departed, said, "Let the sacred oak and whatever gods there are hear that the treaty has been broken by you. Let them support our complaints now and later our arms when we shall avenge the simultaneous violation of the rights of gods and of men." When the envoys returned to Rome, the senate ordered one consul to lead the army to Algidus against Gracchus, charging the other to plunder the territory of the Aequi. The tribunes, as was their custom, tried to prevent the levy and might perhaps have held out to the end, but suddenly a new terror arose.

26. The Sabines again invade Roman territory, and the consul Minucius is besieged in his camp. Lucius Quinctius Cincinnatus is appointed dictator and returns to Rome from his farm.

A huge force of Sabines made a plundering raid and almost reached the walls of Rome; the fields were despoiled and the city stricken with terror. At this, the plebs willingly took up arms. The protests of the tribunes were in vain; two large armies were enrolled, one of which Nautius led against the Sabines, pitching camp near Eretum.⁵⁸ He made small raids, mostly night attacks, and created such devastation in the Sabine countryside that, in comparison, the Roman territory seemed almost untouched by war. Minucius had neither the same good fortune nor the forceful purpose in the execution of his assignment. He pitched camp not far from the enemy and, after sustaining a mi-

57. *Lanuvium*: a city in the Alban hills, some twenty miles south of Rome.

58. *Eretum*: a location some seventeen miles east of Rome on the Via Salaria.

nor defeat, took fright and stayed inside the camp. When the enemy realized this, their boldness increased as a result of their opponents' fear, as happens. They attacked by night and, when open force did not produce results, surrounded the camp with siegeworks the next day. But before these could be completed to close all the exits, five cavalymen were sent to Rome through the enemy's outposts with the news that the consul and army were under siege. Nothing more surprising or unexpected could have happened. The panic and fear were just as great as if the enemy were besieging the city, not a camp. They sent for the consul Nautius. But since he did not seem equal to the task, it was decided to appoint a dictator to restore their stricken fortunes. Lucius Quinctius Cincinnatus was nominated by unanimous consent.

What followed deserves the attention of all those who reject all human qualities in preference for riches and think that there is no room for great honors or valor except amid an abundance of wealth.⁵⁹ The sole hope of the rule of the Roman people, Lucius Quinctius Cincinnatus, cultivated a field of some four acres across the Tiber, an area known as the Quinctian Meadows, opposite the place where the dockyards are now.⁶⁰ There he was found by the delegation from the senate. Whether he was bending over his spade as he dug a ditch or plowing, he was certainly, as is generally agreed, intent on the job of working the land. After they had exchanged greetings, he was asked to put on his toga and listen to the senate's mandate, which, they prayed, might turn out well for him and the state. Amazed, he asked, "Is everything all right?" as he ordered his wife Racilia to bring his toga quickly from the hut.⁶¹ Wiping off the dust and sweat, he put on his toga and stepped forward. The delegates saluted him as dictator, congratulated him, and summoned him to the city, explaining the terrifying situation in the army. The state had provided a boat for Quinctius, and, as he reached the other side, his three sons came to meet him, followed by his other relatives and friends and then most of the senators. Attended by this throng, with

59. *deserves the attention*: this is a somewhat free translation of the Latin *operae pretium* (a return for the effort), a phrase that is identical with the second and third words of the Preface, thus marking a bid for particular attention to the ensuing story of Cincinnatus' dictatorship. In the first pentad, there are only two occurrences of this phrase, which is an introductory rhetorical formula, here and 5.21.

60. *rule of the Roman people*: the Latin *imperium*, translated by Foster in the Loeb as "empire," is used both for a magistrate's power to command and for the object or area of his command.

Quinctian Meadows: a toponym memorializing Cincinnatus' stay in this area.

61. *Is everything all right?*: this greeting was also used by Tarquinius Collatinus to his wife Lucretia at 1.58.

lictors leading the way, he was escorted to his home. There was also a large gathering of plebeians, who were not so pleased to see Quinctius because they thought that the power of the dictatorship was excessive and that this man would prove too extreme as a result of that power. Nothing more was done that night except to keep watch in the city.

27. 458 BCE. Cincinnatus immediately makes preparations to relieve the beleaguered consul, sets out from the city before nightfall, and reaches Algidus in the middle of the night.

On the following day, the dictator went into the forum before dawn and named as his master of the horse Lucius Tarquinius, a man of patrician birth who, because of his poverty, had served in the infantry but was nonetheless considered to be by far the best of the Roman warriors.⁶² With his master of the horse, Cincinnatus came before an assembly of the people and proclaimed a suspension of public business, ordered the shops throughout the city to be closed, and forbade anyone to engage in any private business. He then commanded all the men of military age to assemble in arms on the Campus Martius before sunset, bringing cooked rations for five days and twelve stakes.⁶³ Those who were too old to go on campaign he ordered to cook rations for their neighbors who were serving as soldiers, while the latter were preparing their weapons and in search of stakes. And so the young men ran off in different directions to look for stakes, taking whatever was nearest to hand. No one was stopped. They all presented themselves promptly, as the dictator had decreed. He then drew up the column to be ready as much for fighting, should the need arise, as for marching. The dictator himself led the legions, and the master of the horse the cavalry. In each line they voiced the words of encouragement that the situation demanded: they should speed up; they needed to hurry so that they could reach the enemy while it was still night. A consul and Roman army were under siege and had been cut off for three days. What each day and night might bring was uncertain. The turning points of great events often hinged on a single mo-

62. *Lucius Tarquinius*: the first mention of a Tarquin in Rome since the expulsion of the kings and Lucius Tarquinius Collatinus (consul of 509 BCE).

63. *stakes*: three or four stakes of wood were the usual allocation per soldier. These stakes were some four and a half feet in length, for use in making a palisade or rampart. The additional number indicates the urgency of the situation: the Romans intended to make a rampart immediately on arrival and not take time to obtain wood on Algidus.

ment. The soldiers also pleased their commanders by shouting to each other, "Hurry up, standard-bearer!" "Men, follow his lead!" In the middle of the night they reached Algidus and halted when they realized that they were now close to the enemy.

28. Cincinnatus surrounds the besiegers with a palisade. After fierce fighting, the Aequi surrender and Cincinnatus humiliates them by making them pass under the yoke.

The dictator rode around and observed, as best he could in the darkness, the extent and shape of the camp; then he directed the military tribunes to order the men to throw their packs into one place and return to their ranks with their weapons and stakes. His orders were carried out. Then, keeping the order of their march, he surrounded the enemy camp with his entire army in an extended line. He ordered them to raise a shout when the signal was given; after shouting, each man was to dig a ditch and make a rampart in front of his own position. The signal followed close on the issuing of these commands. The men carried out his orders. The shouts resounded all around the enemy, went over their camp, and reached the camp of the consul Minucius. In the one place, it caused panic; in the other, great joy. The Romans were thankful that the shout came from their fellow citizens and that help was at hand. They even took the initiative, threatening the enemy with attacks from their outposts and guard stations. Minucius said that they must not delay: that shout signified not only the arrival of help but also the beginning of battle. It would also be surprising if the enemy camp were not already under attack from outside. And so he ordered his men to take up arms and follow him. The battle began in darkness. With a shout, they signaled to the dictator's legions that for their part, too, they were in the fight.

The Aequi were already preparing to prevent the efforts to surround them when the fighting was begun by the enemy from within their camp. To prevent a sortie through the middle of their camp, they turned from fighting those who were entrenching themselves to face the forces attacking from within, thus giving the encircling forces the rest of the night to continue their work. The engagement with the consul lasted until dawn. At first light the Aequi were already enclosed by the dictator's rampart and were having difficulty withstanding the battle against one army. Then their rampart was stormed by Quinctius' army, which had taken up their weapons as soon as they had completed their siege work. Here a new battle threatened, and there had been no letup in the other. Then, under the pressure of this

double danger, the Aequi turned from fighting to praying as they begged the dictator on the one side and the consul on the other not to make their victory end in a massacre, but to take their weapons and let them go.

The consul ordered them to go to the dictator, who, in his anger, added humiliating conditions to their surrender.⁶⁴ He ordered that Gracchus Cloelius, their chief, and other leading men be brought to him in chains and that the town of Corbio be evacuated.⁶⁵ He said that he did not need Aequian blood; they were permitted to go. But in order to exact a confession that their people had been defeated and subjugated, they were to pass under the yoke. A yoke was made from three spears; two of these were fixed in the ground and the third laid across them and bound. Under this yoke the dictator sent the Aequi.

29. Cincinnatus reprimands the consular army, awards booty only to his own men, and demotes Minucius. He celebrates a triumph and resigns from the dictatorship immediately after the condemnation of Volscius. The tribunes are reelected for the fifth time.

The captured enemy camp was full of all kinds of supplies—Cincinnatus had sent the Aequi away with nothing—and he gave all the booty exclusively to his own soldiers, reprimanding the consular army and the consul himself. “Soldiers,” he said, “you will not have a share of the booty from the enemy whose booty you almost became. And as for you, Lucius Minucius, until you have the spirit of a consul, you will command these legions as a lieutenant.” So, Minucius resigned from the consulship and, as ordered, remained with the army. But the spirit of this army was so obedient and submissive toward a superior commander that they remembered the good he had done rather than his reprimand and voted the dictator a golden crown weighing one pound, saluting him as their patron as he departed.⁶⁶

In Rome, the senate, convened by Quintus Fabius, who was in charge of the city, ordered Quinctius to enter the city in triumph with his troops in the same formation as that in which they had marched. The enemy leaders were led in front of his chariot, military standards were carried at the head

64. The referral to the dictator is because he was the supreme commander.

65. *Corbio*: a town near Algidus, some fifteen miles south of Rome near Labici.

66. *patron*: the implication is that they all became his clients.

of the procession, and the army followed, laden with booty. Feasts are said to have been set before all the houses; the soldiers followed the dictator's chariot, feasting as they marched, singing the triumphal song, and shouting gibes like revelers.⁶⁷ On that day, with everyone's approval, citizenship was given to Lucius Mamilius of Tusculum.

The dictator would immediately have resigned from office had not the trial of Marcus Volscius, the false witness, held him back. Fear of the dictator prevented the tribunes from blocking the trial. Volscius was condemned and went into exile at Lanuvium. On the sixteenth day, Quinctius resigned from the dictatorship, though his term was for six months.⁶⁸ During that time, the consul Nautius fought a successful battle near Eretum against the Sabines, who suffered this new defeat in addition to the devastation of their fields. Fabius was sent to Algidus to succeed Minucius. At the end of the year, there was agitation by the tribunes about the law. However, because two armies were abroad, the senators maintained that no proposal should be brought before the people. The plebs succeeded in electing the same tribunes for the fifth time. They say that wolves chased by dogs were seen on the Capitol. Because of this prodigy, the Capitol was purified.⁶⁹ Such were the events of this year.

30. 457 BCE. The Aequi kill the garrison at Corbio and take Ortona. Fear of the Aequi and Sabines enables the plebeians to get the senators to allow the number of tribunes to be increased to ten. The Roman consul recovers Corbio and Ortona.

Quintus Minucius and Marcus Horatius Pulvillus were the next consuls. At the beginning of this year, although there was peace abroad, the same tribunes and the same law caused strife at home. The situation would have developed further—so inflamed were men's minds—had not the news arrived, as if by design, that the garrison at Corbio had been wiped out by a night

67. *shouting gibes*: ribaldry and insults directed at the general were a customary part of a Roman triumph. Such ribaldry was thought to be a warning against excessive arrogance and to avert envy and the anger of the gods.

68. By resigning as soon as possible, Cincinnatus showed not only how quickly he had completed his mission but also that he was not aiming at kingship.

69. The prodigy apparently indicated that the gods had not been satisfied with the purification noted in 3.18. The wolves symbolized the Roman people, thus recalling the raid of Ap-pius Herdonius and the slaughter on the Capitoline; see Appendix 3, p. 430.

attack of the Aequi.⁷⁰ The consuls summoned the senate and were ordered to enlist an emergency army and lead it to Algidus. Then the struggle over the law was laid aside and a fresh dispute arose over the levy. The consuls' authority was being defeated by the tribunes' intervention, when there was an additional alarm. Intent on plunder, a Sabine army had descended on the Roman fields and was coming toward the city. This fear had such a striking effect that the tribunes permitted the enrollment of troops, but only after making an agreement that, since they themselves had been frustrated for five years and had consequently given the plebs little protection, ten tribunes should henceforth be elected. Necessity forced this upon the senators, but they accepted it on the condition that they did not see the same tribunes in office thereafter. Tribunician elections were held immediately, lest this measure, like all the others, should be annulled once the war was over. In the thirty-sixth year after the first election of tribunes of the plebs, ten were elected to office, two from each class, and it was stipulated that they should be elected in this way thereafter.⁷¹

The levy was then held and Minucius set out against the Sabines, but he did not find the enemy. Since the Aequi had killed the garrison at Corbio and also captured Ortona, Horatius fought on Algidus. He killed many men, driving the enemy in flight, not only from Algidus, but from Corbio and Ortona. He destroyed Corbio because of the betrayal of the garrison.

31. 456–454 BCE. The Aventine is opened for settlement, and there is another battle on Algidus. Again frustrated in their attempts to pass Terentilius' law, the tribunes abandon it on the condition that new legislation is proposed. A commission is sent to investigate the constitutions of Greek states.

Then Marcus Valerius and Spurius Verginius became consuls [456 BCE]. The situation was quiet both at home and abroad, but there was a grain shortage because of excessive rains. A law was passed that opened the Aventine for settlement.⁷² The same tribunes were reelected, and, in the following year when

70. *Corbio*: see 3.28 with n. 65.

71. *two from each class*: the five property classes of the *Comitia Centuriata*, described at 1.42–4.

72. *Aventine*: this area had become the place where most plebeians lived and emigrants from Latium and abroad settled. The law is known as the "Icilian law"; see 3.32, and Cornell 1995: 261–2.

Titus Romilius and Gaius Veturius were consuls [455 BCE], they kept bringing up Terentilius' law in their meetings. They were ashamed, they said, of the increase in their numbers, which was futile if this matter were to lie in abeyance during their two years of office, as it had in the five preceding years. When this agitation was at its greatest, disquieting news came from Tusculum that the Aequi were in Tusculan territory. That city's recent service made the Romans ashamed to delay sending help. Both consuls were sent with an army and found the Aequi in their usual place, Mount Algidus. There a battle was fought. More than 7,000 of the enemy were slain and others were put to flight. Much booty was obtained, which the consuls sold because the treasury was depleted. This made them unpopular with the army, while also giving the tribunes grounds for impeaching the consuls before the plebs. Consequently, when they went out of office and were succeeded by Spurius Tarpeius and Aulus Aternius [454 BCE], they were indicted: Romilius by Gaius Calvius Cicero, a tribune of the plebs, and Veturius by Lucius Alienus, a plebeian aedile. To the great indignation of the senators, both were convicted, and Romilius was fined 10,000 *asses*, Veturius 15,000. But the misfortune of their predecessors did not make the new consuls less energetic. It was possible, they said, that they too would be convicted, but it was not possible for the plebs and the tribunes to pass the law.

Then the tribunes abandoned the law that had grown old in the time since its promulgation. They began to hold more moderate discussions with the senators, proposing that their disputes should at last be ended. If they disliked plebeian laws, they should allow lawmakers to be appointed jointly from plebeians and patricians who would pass measures that were advantageous to both sides and would ensure equality before the law. The patricians did not reject the general idea but said that no one except a patrician should propose laws. Since they were in agreement about the legislation and only differed about the legislators, Spurius Postumius Albus, Aulus Manlius, and Publius Sulpicius Camerinus were sent on a mission to Athens, with orders to write down the famous laws of Solon and acquaint themselves with the institutions, laws, and customs of other Greek states.⁷³

73. Modern scholars are skeptical about the historicity of this mission to Athens, but, as Cornell points out (1995: 275), "The cultural life of archaic Rome was profoundly hellenised, [so] it would indeed be astonishing if the Twelve Tables did *not* show signs of Greek borrowings." He suggests, however, that the source of this influence may well have been the Greek colonies of southern Italy and Sicily rather than Athens. Whatever the model, the Romans wanted to have an authoritative written version of their laws instead of relying on the oral interpretation of unwritten laws.

Solon: an Athenian who codified and published Athenian laws, exhibiting them in the

32. 453–452 BCE. *All is quiet at home and abroad, but plague causes many deaths. On the return of the commissioners from Greece, a decision is made to appoint a board of ten senators to codify the laws.*

That year was quiet as far as foreign wars were concerned, but the following year, the consulship of Publius Curiatius and Sextus Quinctilius [453 BCE] was even quieter thanks to the tribunes' continued silence. At first everyone was waiting for the envoys who had gone to Athens and for the foreign laws; then two enormous problems arose at the same time, starvation and plague, destructive to man and beast alike. The countryside was devastated and the city emptied by incessant funerals. Many famous families were in mourning. Servius Cornelius, the *flamen* of Quirinus, died, and also the augur Gaius Horatius Pulvillus. In place of the latter, the augurs chose Gaius Veturius all the more eagerly because he had been condemned by the plebs. The consul Quinctilius died, and four tribunes of the plebs. The year was marred by multiple disasters, but Rome's enemies were peaceful.

The next consuls were Gaius Menenius and Publius Sestius Capitolinus [452 BCE]. There was no foreign war in this year, but disturbances arose at home. The envoys had now returned with the Athenian laws. The tribunes consequently pressed harder that a start should at last be made to write down the laws. It was decided to appoint a board of ten men, decemvirs, whose decisions should be subject to no right of appeal, and to have no other magistrates appointed for that year. Whether plebeians should be involved was disputed for a while. Finally the plebs yielded to the patricians, but only on the condition that the Icilian law and other sacred laws not be annulled.⁷⁴

33. 451 BCE. *The constitution is changed and power passes to a board of ten, the First Decemvirate.*

Three hundred and two years after the foundation of Rome, the form of her government was again changed: power was transferred from the consuls to the decemvirs, just as before it had passed from kings to consuls. The change

marketplace. These reforms of the early sixth century BCE helped the underprivileged, weakened the aristocracy, and strengthened the assembly and judicial system.

74. *Icilian law*: the law to settle the Aventine, mentioned at 3.31 with n. 72.

sacred laws: the laws regarding the sacrosanctity, or inviolability, of the plebeian tribunes; see 2.33 with n. 57.

was less remarkable because it did not last long. The propitious beginnings of this magistracy grew to excessive proportions and consequently collapsed quite soon. Then the practice of entrusting two men with the name and power of consuls was resumed.

Chosen as decemvirs were Appius Claudius, Titus Genucius, Publius Sestius, Titus Veturius, Gaius Julius, Aulus Manlius, Publius Sulpicius, Publius Curiatius, Titus Romilius, and Spurius Postumius. Claudius and Genucius were given the office in place of the consulship to which they had been elected.⁷⁵ Sestius, one of the consuls of the previous year, was appointed because he had referred the constitutional measure to the senators despite his colleague's opposition. The next to be appointed were the three envoys who had gone to Athens, not only so that the office might be a reward for so distant a mission but also in the belief that their knowledge of foreign laws would be useful in establishing the new laws. The rest made up the number. It is said that old men were chosen for the last places because they would offer less vigorous opposition to the measures of others.

The guidance of the whole board of magistrates was in the hands of Appius Claudius, who had the support of the plebs. He had assumed a new temperament, and, instead of being the fierce and savage persecutor of the plebs, he suddenly emerged as their supporter as he seized on every breath of popularity.⁷⁶ Each decemvir dispensed justice to the people in rotation, one day in ten. On that day, the twelve *fascēs* were in the hands of the man who was administering justice, and his nine colleagues were each assigned one attendant. Among themselves they maintained a singular harmony, a consensus that sometimes might not be helpful to private citizens, but in this case they treated others with the utmost fairness.⁷⁷ As proof of

75. *Appius Claudius*: since Livy noted the death of the consul of 471 BCE at 2.61, the newly elected consul ought to be the son of that consul. The *Fasti Capitolini*, however, list the consul of 471 BCE as holding a second consulship in 451, followed by his appointment as decemvir (for sources, see Broughton 1986(1): 45–6). Most modern historians accept the evidence of the *Fasti*, thus implicitly rejecting the notice of Appius' death at Livy 2.61; Ogilvie 1965: 376, 386–7. But, with two exceptions (3.33 with n. 76, and 3.35 with n. 80), Livy consistently treats the decemvir as a separate individual, emphasizing that he is the nephew of Gaius Claudius, the consul of 460 (3.35, 3.40, and 3.58); see Appendix 1, pp. 406–11 with stemmata.

76. *assumed a new temperament, and, instead of . . .*: these words could support the hypothesis that the decemvir is to be identified with the consul of 471 BCE, despite notice of his death at 2.61; see Appendix 1, pp. 407–11.

77. *a consensus that sometimes might not be helpful to private citizens*: this consensus was not continued in the Second Decemvirate because the new decemvirs "agreed to remove the right of vetoing each other"; see 3.36.

their moderation, it will be sufficient to note a single example. Although they were appointed to an office from which there was no appeal, yet when a corpse was found buried in the house of Lucius Sestius, a patrician by birth, it was produced at a public assembly.⁷⁸ Clearly this was an atrocious case of murder. Gaius Julius, the decemvir, indicted Sestius and acted as prosecutor in a trial before the people. Julius had the legal right to act as judge; but he gave up this right so that he might add to the liberty of the people what he had removed from his power as a magistrate.

34. The decemvirs consult the people, and the amended Laws of the Ten Tables are passed in the Comitia Centuriata. The people want to elect decemvirs again in order to add two more tables.

While the decemvirs were dispensing to high and low alike this ready justice that was as uncorrupted as if it came from an oracle, they were also busy framing laws. Great were men's expectations when they set up ten tables and summoned the people to an assembly. With a prayer that it might be good, propitious, and fortunate for the state, themselves, and their children, they ordered the people to come and read the laws they were proposing.⁷⁹ Insofar as the talents of ten men could make such provisions, they had framed laws that gave equal rights to all, both high and low. But since the talent and advice of many was of greater avail, they should consider each point in their own minds, discuss it in conversation, and then say in public what excess or shortcoming there was in each item. The Roman people would have the kind of laws that their unanimity might seem not only to have passed but also to have proposed.

When the laws seemed to have been sufficiently amended in accordance with the comments made about each section, the Laws of the Ten Tables were passed in the *Comitia Centuriata*. Even now, amid the great pile of

78. *Lucius Sestius*: not the decemvir. The case illustrates two provisions of the Twelve Tables: the right of appeal to the *Comitia Centuriata* in the case of a capital offense (Table 9) and the prohibition on burying or burning a corpse within the city (Table 10); see Ogilvie 1965: 458.

79. *tables*: tables or tablets on which the laws were written.

read the laws: very few of the population at this time would have been able to read. Nevertheless, having written laws available for interpretation was a stabilizing factor and a safeguard against unauthorized changes to the law. For publication of the *Laws of the Twelve Tables*, see 3.57; for discussion of the laws, see Cornell 1995: 278–92, and Forsythe 2005: 224–30.

statutes heaped one on top of another, they are the fountainhead of all public and private law.

Then the word spread that two tables were lacking, the addition of which would complete the body, as it were, of all Roman law. As election day approached, this expectation made the Roman people want to elect decemvirs again. The plebs, in addition to the fact that they hated the name of “consul” just as much as that of “king,” did not even seek the return of tribunician help (*auxilium*), since the decemvirs recognized the right of appeal from one to another.

35. Appius Claudius courts the plebs, and his colleagues appoint him to conduct the elections in the hope of disqualifying him as a candidate. He secures the defeat of three prominent aristocrats and declares himself and several nonentities elected as decemvirs.

But when the election of decemvirs had been announced to take place in twenty-four days' time, the canvassing became extremely heated. Even the leaders of the state—through fear, I suppose, that the possession of such great power would be open to less worthy men if they should leave their office vacant—seized on the voters, humbly begging the plebeians with whom they had struggled for an office that they had opposed with all their might. The risk of losing dignity at his time of life, after holding all the offices he had held, was a spur to Appius Claudius.⁸⁰ You would not have known whether to count him among the decemvirs or the candidates. At times he was more like one seeking office than exercising it. He attacked the aristocrats, while praising all the most fickle and low-born candidates.⁸¹ In the midst of former tribunes like Duilius and Icilius, he flew around the forum, using them to sell himself to the plebs. Finally even his colleagues, who had been singularly devoted to him up to that time, looked askance at him, wondering what he wanted. Clearly there was nothing genuine about it. Such affability in an arrogant man was not for nothing, that much was certain. To

80. *all the offices he had held*: a possible reflection of the tradition that the decemvir is the consul of 471 BCE; see n. 75. Later in this section, however, Appius is referred to as the “youngest colleague” of the decemvirs; see Appendix 1, p. 409.

81. *aristocrats*: Latin *optimates*. This is an anachronistic use of the political terminology of the late republic. This scene would have reminded Livy's readers of the activities of the demagogues of the late republic—especially the notorious Publius Clodius Pulcher, plebeian tribune in 58 BCE, who was a descendant of this Appius Claudius.

force himself excessively upon the rank and file and mingle with private citizens was not so much the sign of a man hastening to get out of office as of one seeking the path to continuation in office.

Not daring to oppose his desire openly, they attempted to soften his intensity by indulging him. They unanimously appointed him to conduct the elections, as he was their youngest colleague. This was a device so that he could not declare himself elected, a thing that no one had ever done, except for the tribunes (and that in itself was a very bad precedent). But he indeed, with a prayer that it would turn out well, promised that he would hold the elections and then seized the obstacle as an opportunity. By collusion, he defeated two Quinctii, Capitolinus and Cincinnatus, as well as his uncle Gaius Claudius, a most consistent supporter of the aristocrats, and other citizens of the same high rank, declaring as elected men who were by no means their equals in excellence and announcing his own name among the first.⁸² Good men's disapproval was as great as their earlier belief that he would not dare to do such a thing. Elected with him were Marcus Cornelius Maluginensis, Marcus Sergius, Lucius Minucius, Quintus Fabius Vibulanus, Quintus Potitilius, Titus Antonius Merenda, Caeso Duilius, Spurius Oppius Cornicen, and Manius Rabuleius.⁸³

36. 450 BCE. The new decemvirs behave like tyrants, terrifying the people by exhibiting the symbols of power and by harsh and arbitrary judgments of the lower classes.

That was the end of Appius' wearing an alien mask. From then on he began to live according to his own nature and mold his new colleagues after his own character, even before they entered office. Daily they met without witnesses. There they were instructed in tyrannical plans that they cooked up in secret. Because they no longer concealed their arrogance, they were rarely approachable and difficult to address. Such was their conduct through May 15, which, at that time, was the date for beginning a term of office.⁸⁴

82. *his uncle Gaius Claudius*: the consul of 460 BCE and brother of the consul of 471 BCE; see also 3.40, 3.58, and Appendix 1, p. 408.

83. This decemvirate is highly controversial. See Cornell 1995: 273: "The second Decemvirate may or may not be factual; for it to be damned as fictitious, something more convincing is needed than the observation that it contains plebeian names."

84. On the variation of dates for the beginning of the civil year, see 3.6, n. 16.

On entering office, they marked the first day of their administration with a demonstration of terror. For whereas the earlier decemvirs had observed the rule that only one man should have the *fascēs* and that this emblem of royalty should circulate and pass from one to another, these decemvirs all suddenly appeared, each with twelve *fascēs*. One hundred and twenty lictors filled the forum, carrying before them the axes bound up with the rods. They explained that there was no point in removing the axes, since they had been elected without the right of appeal.⁸⁵ They looked like ten kings, increasing the terror of not only the low-born but also the leaders of the senate, who thought that the decemvirs were seeking a pretext to begin a bloodbath. If anyone should utter a word that was reminiscent of liberty, either in the senate or before the people, the rods and axes were immediately at the ready, if only to frighten the rest. In addition to the fact that the people had no protection now that the right of appeal had been taken away, the new decemvirs had agreed to remove the right of vetoing each other, whereas their predecessors had allowed their judgments to be amended on appeal to one of their colleagues, and they had referred to the people certain matters that might seem to be within their own competence.⁸⁶

For a while the terror affected everyone equally, but gradually it began to focus entirely on the plebs. The patricians were left untouched, but the lower orders were dealt with in an arbitrary and cruel way. It was entirely a matter of who a person was, not the merit of his case, since political influence had the force of justice. They made up their judgments in private and announced them in the forum. If anyone appealed to a colleague, he came away regretting that he had not stood by the earlier decision. An unsubstantiated report had come out that they had conspired to commit these outrages not just for the present; they had made a secret agreement and sworn not to hold elections but, by means of a perpetual decemvirate, to continue to exercise power now that they had acquired it.

85. *no point in removing the axes*: when a consul reentered the city after a military campaign, he removed the axe from the *fascēs*, thus symbolizing that he no longer had the power of summary execution and that there was a right of appeal against his judicial decisions; see 2.18. The ensuing description (3.36–8) of these decemvirs and their behavior may well have reminded Livy's readers of the excesses of Antony, Lepidus, and Octavian during the Second Triumvirate; see Introduction, pp. vii–viii.

86. See 3.33 with n. 77.

37. The patricians are unwilling to oppose the decemvirs' treatment of the plebs, and some younger nobles even profit from the injustices. There is no sign of an election.

Then the plebeians began to look at the expressions on the faces of the patricians, catching a breath of freedom from the very people that they had feared would subject them to slavery—a fear that had resulted in the state being reduced to its present plight. The leading senators hated the decemvirs and hated the plebs. They did not approve of what was happening, but they thought that the plebs had gotten what they deserved. They were pleased that they had fallen into slavery as a result of their greedy rush for liberty, but at the same time they were reluctant to pile on maltreatment as well. Their aim was that the plebeians would tire of the present situation and yearn for a return to consular government and the former constitution.

Already the greater part of the year had passed and two tables of laws had been added to the ten of the previous year; no reason remained for the republic to need the decemvirate, once the new statutes had also been passed by the *Comitia Centuriata*. People were waiting to see how soon the assembly for the election of consuls would be announced. Only one thing bothered the plebs: how would they restore tribunician power, the bulwark of their liberty, which had been suspended? Meanwhile there was no mention of an election. And the decemvirs, who at first had made a show to the plebs of being surrounded by former tribunes as a way of courting popularity, now had a retinue of young patricians protecting them. Their squads besieged the tribunals, bullying and robbing the plebs of their possessions and property, as if the stronger had the right to take whatever he coveted. And now they did not even refrain from physical abuse; there were beatings and some were beheaded. And so that this cruelty might not be unrewarded, execution was followed by the award of the victim's property to his executioner. Corrupted by these rewards, the young nobles not only did not resist such injustice but openly preferred license for themselves, rather than liberty for everyone.⁸⁷

87. *young nobles*: this description would have reminded Livy's readers of the horrors of the proscriptions under the Second Triumvirate, especially the actions of the young Octavian.

38. 449 BCE. There is no election, and the decemvirs continue in power but find themselves increasingly hated and isolated. War on two fronts causes them to summon the senate, but at first the senators do not respond. The plebs resent the senators' eventual compliance.

May 15 arrived. No magistrates had been elected. Now private citizens, not decemvirs, they appeared in public, their intention undiminished—to hold on to power and the insignia that was their claim to office. This indeed was blatant tyranny. Liberty was mourned as gone forever. There was no avenger, nor did it seem likely that one would appear. Not only were the people despondent, but they began to be held in contempt by the neighboring peoples, who were resentful of being ruled by men who had lost their liberty.⁸⁸ The Sabines invaded Roman territory with a large band, causing widespread devastation. With impunity they drove off booty, both men and beasts, and withdrew their army to Eretum after ranging far and wide.⁸⁹ There they pitched camp, putting their hopes in the discord at Rome, which, they thought, would prevent the levying of troops. Not only the news but also the flight of the countryfolk who threw the Romans into trepidation throughout the city. The decemvirs discussed what they needed to do; they felt abandoned amid the hatred of both senators and plebeians. Then fortune sent an additional terror: on another front the Aequi pitched camp on Algidus, from which they made plundering raids into Tusculan territory. Envoys from Tusculum arrived with the news, begging for help.

This panic drove the decemvirs to consult the senate, since the city was surrounded by two wars at the same time. They ordered the senators to be summoned to the senate house, although they were not unaware of the great storm of unpopularity that threatened them. They realized that everyone would heap on them the blame for the devastation of their territory and the imminent dangers. There would be an attempt to abolish their office unless they united and suppressed the efforts of the rest by ruthlessly exercising their power against a few overly bold critics. When the herald's voice was heard in the forum summoning the senators to meet the decemvirs in the senate house, it was like a novelty because for so long they

88. The implication that the Romans had hegemony over the Sabines and Aequi is anachronistic. The question is whether the anachronism is Livy's or whether he was simply following the historical tradition.

89. *Eretum*: see 3.26, n. 58.

had suspended the custom of consulting the senate. The plebs wondered what had happened and why they were reviving an obsolete custom after so long an interval. They felt they ought to thank the enemy and the war, because at least something that was usual in a free state was happening. They looked everywhere in the forum for a senator but hardly recognized one anywhere. Then they saw the senate house with the decemvirs sitting there, alone. The decemvirs explained the senators' failure to convene as being due to the universal hatred of their power, but the plebeians thought it was because private citizens did not have the right to summon the senate. A head start was already being made toward the recovery of their freedom, if only the plebs allied with the senate and refused the levy, just as the senators, when summoned, had not convened. Such were the murmurs among the plebs.

Of senators, there was hardly a single one in the forum and but few in the city. In anger at the situation, they had withdrawn to their farms and were concerning themselves with their private affairs and neglecting those of the state. For they felt that the farther they removed themselves from contact and association with their despotic masters, the safer they would be from being harmed. When they did not convene after their summons, officers were sent around their houses, both to exact fines and to find out whether their refusal was deliberate. They reported that the senate was in the countryside. This news was more pleasing to the decemvirs than if the senators had rejected their authority while still in town. The decemvirs ordered them all to be summoned and proclaimed a meeting of the senate for the following day. This session was considerably better attended than they had expected. When this happened, the plebeians thought that freedom had been betrayed by the senators, since the senate had obeyed men who had already gone out of office and were thus private citizens who, except for their use of force, employed compulsion as if it were theirs by right.

39. The senators convene and Marcus Horatius Barbatus makes a vehement speech against the decemvirs and their abuse of power.

But we hear that the senators' obedience in coming to the senate house was greater than their submissiveness in expressing their views. Tradition has it that, after Appius Claudius had proposed a motion but before opinions were called for in order of precedence, Lucius Valerius Potitus demanded leave to

speak about the state of the nation.⁹⁰ When the decemvirs tried to block him with threats, he created an uproar by announcing that he would go before the plebs. No less fiercely, Marcus Horatius Barbatus then entered the fray, calling them “ten Tarquins” and warning that the Valerii and Horatii had led the expulsion of the kings. It was not the name of “king” that had nauseated men—after all, it was right to call Jupiter by this name; also Romulus, the founder of the city, and the subsequent kings; and it had also been kept for religious rites as a solemn title.⁹¹ No, what they had hated was the arrogance and violent behavior of a king. And if these characteristics were intolerable in a single king and the king’s son, who was going to tolerate them in the case of so many private citizens?⁹²

Let them beware, lest their ban on free speech in the senate house stir up talk outside that house as well. He could not see, Horatius continued, how it was less permissible for him as a private citizen to summon the people to an assembly than for them to convene the senate. Let them find out, by experience, whenever they wanted, how much stronger a man’s anger was in defending his freedom than was their eagerness to defend unjust despotism. The decemvirs were talking about war against the Sabines as if it were a greater war for the Roman people than was their war against men who, though elected to propose laws, had left no law in the state—men who had done away with elections, annual magistracies, changes of command from one to another—the one means of equalizing liberty. And yet here were these men, though private citizens, holding the rods of office and kingly power! After the expulsion of the kings, patrician magistrates had been elected; then, after the secession of the plebs, plebeian magistrates. To what party, he repeatedly asked, did they belong? The people’s? What had they done through the people? Did they belong to the aristocrats?⁹³ For almost a year they had not held a meeting of the senate, but now that they had, were they preventing discussion of the state of the nation? Let them not put too much trust in other men’s fears. What men were now enduring seemed more oppressive than any fear they might have.

90. *Lucius Valerius Potitus*: this man is the grandson of Poplicola, suffect consul 509. On the Valerian family, see Appendix 1, pp. 418–20.

91. *solemn title*: the *rex sacrorum* or *rex sacrificulus*, “king of sacrifices”; see 2.2.

92. *in a single king*: the text at this point is corrupt. I follow the reading favored by Ogilvie (1965: 470), *in rege uno tandem*. The reference is to Tarquinius Superbus and his son Sextus.

93. *aristocrats*: see 3.35, n. 81.

40. *Gaius Claudius speaks, indicating his opinion that the decemvirs were no longer magistrates. The brother of another decemvir recommends shelving the question until they have dealt with the wars.*

While Horatius was holding forth, the decemvirs did not know what measure of anger or forbearance to show, nor could they see how the situation would turn out. Then Gaius Claudius, the uncle of Appius the decemvir, gave a speech that was more of an entreaty than a reproach, as he begged him by the shade of his own brother, Appius' father, to remember the citizen society into which he had been born, rather than the pact that he had impiously made with his colleagues.⁹⁴ He begged this more for Appius' own sake than for that of the state. Indeed, the state would seek justice from them whether the decemvirs were willing to grant it or not. Great passions, he said, were almost always aroused as a result of a great struggle, and he shuddered at what might come out of this. Although the decemvirs were trying to prevent discussion of any proposal other than theirs, a sense of shame stopped them from interrupting Claudius. He concluded by proposing that no decree of the senate should be issued. Everyone took this to mean that Claudius judged the decemvirs to be private citizens. Many of the ex-consuls simply gave their assent. Another proposal, which was ostensibly harsher but actually somewhat less forceful, directed the senators to assemble to proclaim an *interrex*.⁹⁵ For, by passing any sort of decree, they were judging those who convened the senate to be magistrates, whereas the man who had proposed that there be no senatorial decree had deemed them private citizens.

As the decemvirs' cause began to collapse, Lucius Cornelius Maluginensis, brother of the decemvir Marcus Cornelius, who had deliberately been reserved as the last speaker of the ex-consuls, protected his brother and his brother's colleagues by pretending to be concerned about the war. He wondered, he said, by what destiny it had come about that the decemvirs were being attacked by those who, either solely or especially, had themselves sought the office of decemvir. Why, he asked, was it that, during the many months that the state was at peace, no one had brought up the question of whether proper magistrates were in charge of the state; whereas now, with the enemy almost at their gates, they were sowing civil discord? They evidently

94. *uncle of Appius the decemvir . . . shade of his own brother*: apparent assertions by Livy that the decemvir is not to be identified with the consul of 471 BCE; see Appendix 1, p. 408.

95. *interrex*: see 3.8 with n. 21.

thought that in turbulent times it would not be as easy to see what was going on. Furthermore, it was not right to prejudge such an important matter at a time when men's minds were preoccupied with a greater concern.⁹⁶

Regarding the charge by Valerius and Horatius that the decemvirs' office had expired on May 15, he proposed that this question be brought before the senate for settlement once the impending wars were over and the state had been restored to tranquility. As for Appius Claudius, he should be prepared to realize that he had to give an explanation of the assembly that he, as decemvir, had held for the election of decemvirs: whether these men had been elected for one year or until the laws that were still missing should be passed. For the present, he thought that everything except the war should be disregarded. If they thought that the rumor of war had been spread falsely and that not only the messengers but also the envoys from Tusculum had brought empty rumors, he suggested that they ought to send out scouts to bring back more definite information. But if they trusted both messengers and envoys, a levy should be held as early as possible and the decemvirs should lead the armies wherever it seemed best to them, giving precedence to no other business.

41. Despite further efforts by Valerius and Horatius, the decemvirs prevail. A levy is held, and Appius Claudius is left in charge of the city.

The younger senators were on the point of forcing a division on this proposal when Valerius and Horatius again arose, more impassioned than before, shouting that they be permitted to speak about the state of the nation. They would speak before the people if a factional group did not permit them to do so in the senate. Private citizens could not prevent them, whether in the senate house or in an assembly, nor would they yield to phony *fascēs*. Then Appius thought that it was close to the point at which his power would be defeated unless he resisted their vehemence with equal boldness. "The better course," he exclaimed, "is not to utter a word that does not pertain to the subject under debate." But Valerius said that he would not be silenced by a private citizen, and so Appius ordered a lictor to seize him. Valerius, from the threshold of the senate house, was imploring his fellow citizens outside for their support, when Lucius Cornelius threw his arms around Appius

96. The Latin text is again corrupt at this point; hence the translation is only approximate; see Ogilvie 1965: 472–3.

and stopped the quarrel, thus helping the latter and not, as he pretended, Valerius.⁹⁷ Thanks to Cornelius, Valerius was granted the favor of saying what he wanted. But freedom went no further than his words. The decemvirs held to their purpose. The ex-consuls and older senators still hated tribunician power, thinking that the plebeians missed it more keenly than they missed the power of the consuls. And so they almost preferred that the decemvirs should voluntarily resign from their office at some later date, rather than that hatred for the decemvirs should cause another uprising of the plebs. They thought that if they handled the situation more gently and restored consular power without a popular outcry, the intervention of wars or the consuls' moderation in the exercise of their power could induce the plebs to forget the tribunes.

The senators were silent as the levy was announced. The younger men answered to their names, since there was no right of appeal. After the legions were enrolled, the decemvirs arranged among themselves who should go to war and who should command the armies. The leaders among the ten were Appius Claudius and Quintus Fabius. The war at home was clearly greater than the one abroad. Appius' violent nature, it was thought, was more suited to suppressing city disturbances, whereas Fabius' character was not so much actively bad as lacking in steadfastness. The decemvirate and his colleagues had so changed Fabius, a man once distinguished in civic and military affairs, that he preferred to be more like Appius than his former self. He was assigned the war with the Sabines and given Manius Rabuleius and Quintus Poetelius as colleagues. Marcus Cornelius was sent to Algidus with Lucius Minucius, Titus Antonius, Caeso Duilius, and Marcus Sergius. They decided that Spurius Oppius should assist Appius Claudius in protecting the city and that these two should have the same powers as the entire decemvirate.

42. In their hatred of the decemvirs, the Roman armies allow themselves to be defeated.

The state was served no better in the field than at home. The fault of the generals was merely that they had made themselves detested by the citizens. The rest of the blame lay with the soldiers, who resolved that nothing should succeed under the command and auspices of the decemvirs; and so they allowed themselves to be defeated, to their own disgrace and that of their com-

97. Although it appeared that Cornelius was helping Valerius, he was also acting in Appius Claudius' interests by preventing Appius Claudius from making a public outburst.

manders. Their armies were routed, both by the Sabines near Eretum and on Algidus by the Aequi. From Eretum they fled in the silence of the night and built a camp nearer the city, on an elevation between Fidenae and Crustumeria. When the enemy followed up on them, they nowhere entrusted themselves to fight in open battle but protected themselves by their position and rampart, not by the valor of their arms. The disgrace on Algidus was greater, and an even greater disaster was sustained. The camp was lost and the soldiers, stripped of all their supplies, fled to Tusculum to live off the loyalty and pity of the inhabitants, who did not fail them.

Such great horror stories were brought to Rome that the senators now laid aside their hatred of the decemvirs and voted to establish watches in the city. They ordered that all those who were of an age to bear arms should guard the walls and do sentry duty in front of the gates. They also decreed that arms and reinforcements be sent to Tusculum, and that the decemvirs come down from the citadel of Tusculum and keep the soldiers in camp. The other camp should be moved from Fidenae into Sabine territory; they should then take the offensive and deter the enemy from attacking the city.

43. 449 BCE. The decemvirs have a disgruntled soldier assassinated, causing their reputation to plummet.

To the disaster sustained at the hands of the enemy, the decemvirs added two unspeakable crimes: one in the field, the other at home. Lucius Siccus was serving on the Sabine campaign. Because of the hatred of the decemvirs, he was scattering hints in secret conversations among the common soldiers about an election of tribunes and a secession. So, the decemvirs sent him to scout out a place for a camp. The soldiers whom they sent to accompany him were charged with the business of attacking and killing him once they reached a suitable place. But the murder was not unavenged. Several assassins fell around him as he fought back, for he was very strong and, though surrounded, defended himself with a spirit that matched his strength. The survivors returned to the camp and reported that they had fallen into an ambush: Siccus had put up an outstanding fight, and several soldiers had been lost with him. At first the messengers were believed; but then, with the decemvirs' permission, a cohort was sent out to bury those who had fallen. They saw that none of the bodies had been stripped of their arms and that Siccus lay in their midst with all the bodies facing toward him, with no corpse of an enemy or signs of a withdrawal. And so they brought back his body and reported that he had undoubtedly been slain by his own men. The

camp was filled with indignation: there was a resolution to take Siccus to Rome immediately, but the decemvirs hurried to give him a military funeral at public expense. Great was the soldiers' grief at his burial, and the decemvirs' reputation among the rank and file was at its lowest.

44. Appius Claudius lusts after a plebeian virgin and has one of his clients claim her as his slave.

Another unspeakable happening occurred in the city as a result of lust; this was as abominable in its outcome as was the rape and death of Lucretia that had driven the Tarquins from the city and kingship. And so, not only did the same end befall the decemvirs as befell the kings, but the same cause also deprived them of power.⁹⁸ A lust to violate a plebeian virgin seized hold of Appius. The maiden's father, Lucius Verginius, was a high-ranking soldier on Algidus, an exemplary character both at home and in the field. His wife had been brought up in the same principles, and his children were being trained in the same way. He had promised his daughter to Lucius Icilius, a former tribune, who was energetic and of proven courage in the plebeian cause.⁹⁹ Crazy with passion, Appius tried to entice this beautiful and nubile maiden with presents and promises, but when he realized that her modesty was proof against all advances, he turned his mind to cruel and tyrannical force. He charged his client, Marcus Claudius, to claim the maiden as his slave and not to yield to those who would lay legal claim to her until the question of her free status was decided. He thought that the absence of the girl's father gave him an opportunity to wrong her.¹⁰⁰

98. Modern scholars differ on the question of the historical basis for the story of Verginia. For example, Ogilvie (1965: 477) considers that it is "entirely devoid of historical foundation," whereas Cornell remarks (1995: 275), "it is perfectly conceivable that it has some basis in fact." Several inconsistencies indicate that it is the result of elaboration over a considerable period of time. Although the story bears some resemblance to that of Lucretia (1.57–8), the emphasis is rather on the chastity of an unmarried girl, as opposed to that of the married Lucretia. For a detailed analysis of the thematic connections between the Lucretia story and that of Verginia, see Feldherr 1998: 203–12.

abominable in its outcome: a similar phrase occurs in Pref. 10, involving the adjective *foedus*, meaning "foul, loathsome, shocking."

99. *Icilius*: the tribune who sponsored the law opening up the Aventine in 456 BCE; see 3.31 with n. 72.

100. *free status* . . . : from the legal point of view, Verginia would have still been under the control of her father (*patria potestas*), but she presumably would have had a guardian act on her

As Verginia was coming into the forum (there were schools in the market area nearby), the servant of the decemvir's lust laid his hand upon her, called her the daughter of his own slave woman and a slave herself, and ordered her to follow him.¹⁰¹ If she hesitated, he said, he would drag her off by force. The panic-stricken girl was dumbfounded, but a crowd rushed up as her nurse cried out, imploring the help of her fellow citizens. Since the name of her father Verginius and fiancé Icilius were well known among the people, their political reputation won their supporters over to the girl's side, and the crowd was won over by the outrage of her situation. She had already been protected from violence, and so the claimant said that there was no need for the crowd to become excited: he was acting lawfully, not by force. He then summoned the girl to court, and the bystanders advised her to follow.¹⁰²

And so, they came before Appius' tribunal. The prosecutor Marcus Claudius acted out the play that was familiar to the judge, since he was the author of the plot.¹⁰³ The girl had been born in his house and had been secretly taken from there to Verginius' house and passed off to him as his child. He had good proof of this and would prove it even to Verginius, were the latter the judge. For Verginius was the one who had suffered the greater part of the wrong. Meanwhile it was just that the slave girl follow her master. The girl's supporters said that Verginius was absent and was in the service of his country, but would come in two days if he were given notice. It was unjust to fight over a man's children in his absence. They therefore requested Appius to leave the matter alone until the father arrived, since the law that he himself had passed gave interim possession of the girl to those who defended her freedom. He should not allow a grown maiden to endanger her reputation before her free status had been decided.

behalf to confirm her free status. One of the laws established by the First Decemvirate stated that when a person's freedom was in question, he should be presumed free until a court could decide. The danger was that the case would go by default, which is what Appius is depicted as wanting.

101. *market area*: an allusion to shops that were not built until the second century BCE. Also anachronistic is the mention of attending school, which was probably inserted to connect Verginia with that area of the forum; see 3.48, and Ogilvie 1965: 480–1.

102. Here my translation follows the punctuation of Ogilvie 1965: 482, and the *OCT*.

103. *acted out the play*: note the language of drama in this sentence. The Latin for “play” is *fabula*, which is also the word for “tale” or “story.” On the connection between drama and history, see Wiseman 1994: 17–8, and also Introduction, pp. xv–xvi.

45. Icilius makes a vehement protest when Appius refuses to release Verginia from the custody of his client, Marcus Claudius.

Before making a decision, Appius said that the law that Verginius' friends offered in support of their claim made it clear how much he favored freedom. But, he said, it would only offer firm support for freedom if there were no variation in its application to cases or persons. In the case of those who were claimed to be free, the request was legal, since anyone could bring an action. But in the case of a woman who was under the legal control of her father, there was no other person to whom the master could yield the custody. He therefore resolved that the father be summoned and that meanwhile the claimant should not lose his right of taking the girl and producing her when her alleged father arrived.

Against the injustice of the decree, though many were seething, there was no one individual who dared protest until the girl's grandfather Publius Numitorius and her fiancé Icilius intervened. A path was made through the throng, since the crowd believed that Icilius' intervention would be particularly effective in resisting Appius. But then the lictor cried that the decision had been made and pushed Icilius aside as he began to protest. Such a savage wrong would have inflamed even a placid disposition. "Appius," cried Icilius, "you will have to use a sword to remove me if you want to avoid an outcry as you carry out what you wish to conceal. I am going to marry this maiden, and I intend that my bride be chaste. Go ahead and summon all your colleagues' lictors as well. Order the rods and axes to be made ready. Icilius' future bride will not remain outside her father's house. No! Even if you have deprived the Roman plebs of the help of the tribunes and the right of appeal, the two bastions that protect liberty, you have not been granted the power of a king to satisfy your lust and force yourself on our wives and children. Vent your rage on our backs and necks. But at least let their chastity be safe. If that be violated, I will invoke the loyalty of the citizens here present to protect my bride; Verginius will call upon the soldiers to protect his only daughter; and we will all invoke the protection of gods and men. You will never carry out that decree without shedding my blood. I bid you, Appius, consider over again and again where you are heading. Let Verginius see what he will do about his daughter when he comes. But he should just know this: if he gives in to this man's claim, he will need to seek another marriage for his daughter. As for me, I shall sooner die in defense of my bride's free status than prove disloyal."

46. Appius backs down for the moment, and Verginia is sent back to Verginius' house after bail is given by the people. Appius fails to prevent Verginius' return from camp.

The crowd was aroused and conflict seemed imminent. The lictors had surrounded Icilius, but they had not yet gone beyond threats. Appius kept on saying that Icilius was not acting in defense of Verginia but rather behaving like the tribune he once had been, making trouble and looking for an opportunity to stir up strife. He would give him no excuse for strife at present; he would neither pronounce judgment that day nor enforce his decree. Icilius, however, should realize that he was not yielding to his impudence, but rather in deference to the absent Verginius, a father's name, and the claim of liberty. He would not pronounce judgment on that day nor give a decision. He would ask Marcus Claudius to withdraw his right and allow his claim on the girl to be decided the next day. But if the father were not present then, he gave notice to Icilius and the likes of Icilius that the proposer of his law would not fail to support it, nor would the decemvir be lacking in firmness. He would not, in any event, summon his colleagues' lictors to restrain the leaders of sedition but would be content with his own.

When the time of the injustice had been postponed, the girl's supporters went off by themselves and decided first that Icilius' brother and Numitorius' son, energetic young men, should go straight to the city gate and summon Verginius from the camp as quickly as possible: the girl's safety turned on his presence the next day in time to defend her from injustice. Once ordered, they set out, galloping their horses, and brought the message to her father. Meanwhile, when the girl's claimant pressed him to give securities to guarantee her appearance, Icilius said that he was doing just that (he was carefully spinning out the time until the messengers who had been sent to the camp should get a head start on their journey). On all sides the crowd raised their hands, each person showing Icilius his readiness to guarantee the money. In tears, Icilius said, "Thank you. Tomorrow I shall use your help; I have enough securities for now." On the security of her relatives, Verginia was released. Appius delayed a short time so that he did not appear to have sat just for this case. But nobody came up to him, since all other matters had been forgotten in their concern for this one thing. So, he went home and wrote to his colleagues in the camp, telling them not to grant leave to Verginius and also to detain him under guard. His wicked plan was too late, as it should have been. Verginius already had his leave and had set out in the first night watch. The letter to detain him was delivered in the morning of the following day, to no effect.

47. *Despite Verginius' pleas, Appius rules against him.*

In the city at dawn, as the citizens were standing in the forum in eager anticipation, Verginius came down into the forum, wearing the ragged garb of mourning and escorting his daughter, who was dressed in a shabby garment and attended by a number of matrons.¹⁰⁴ Accompanied by a large group of supporters, he began to circulate and canvass people, not only begging for their help as a favor, but also seeking it as his due. Daily, he said, he stood in the battle line in defense of their children and their wives. No other man was on record for performing so bravely and energetically in war. But what good was it if, though the city was unharmed, their children had to endure the frightful things that followed a city's capture? So he went around, speaking as if he were addressing a public assembly. Similar remarks were addressed to them by Icilius. But the silent weeping of the women attendants was more moving than any words.

Confronted by all this but with his purpose stubbornly fixed—so great was the force of the madness (a more truthful definition than passion) that had disturbed his mind—Appius mounted the tribunal. The plaintiff Marcus Claudius was actually making a few complaints that his rights had not been granted the day before because of the wrangling when, before he could finish his demand or Verginius was given the opportunity to reply, Appius interrupted him. The ancient sources have perhaps preserved something of the true speech with which Appius prefaced his decision. However, since I have nowhere found one that is plausible in view of the enormity of his decision, it seems necessary to set forth the bare fact that he decided in favor of the plaintiff: the girl was his slave.

At first everyone was stunned with amazement at such an outrage. For a while, silence gripped them. Then, as Marcus Claudius was going to seize the maiden from the group of matrons surrounding her, the women received him with wailing and lamentation. Verginius shook his fist at Appius, exclaiming, "It was to Icilius, not you, Appius, that I promised my daughter. I raised her to be married, not debauched. Animals and wild beasts fornicate indiscriminately. Is this what you want? I do not know whether these people here will tolerate this. But I don't expect that those who have arms will do so."

As the claimant to the girl was being driven back by the ring of women and supporters surrounding her, silence was commanded by a herald.

104. *ragged garb of mourning* . . . *shabby garment*: such clothing was regularly worn by defendants and suppliants to attract attention and sympathy; see 2.54, n. 95.

48. Appius is preparing to use armed men to enforce his decision when Verginius kills his daughter and flees, protected by the crowd. Icilius expresses his outrage.

The decemvir, out of his mind with lust, declared that he knew, not only from Icilius' abuse the day before and Verginius' violent behavior that the Roman people had witnessed, but also from definite information, that meetings had been held throughout the night to promote sedition. Aware of the impending fight, he had come to the forum with armed men, not to do violence to any peaceable citizen, but to exercise the dignity of his office and restrain those who were disturbing the peace. "It will be better," he said, "if you are peaceable. Go, lictor, remove the mob and make a path for the master to seize his slave." Filled with rage, he thundered these words and the crowd parted of its own accord, leaving the girl standing there, a prey to injustice.

Then Verginius, seeing no help anywhere, cried, "I ask you, Appius, first to pardon a father's grief, if I spoke too harshly against you. Allow me, in the presence of my daughter, to ask the nurse what this is all about. If I have falsely been named as the girl's father, then I will go away with more equanimity." Permission was granted. He led his daughter and her nurse aside, near the shrine of Cloacina by the shops that are now called the New Shops.¹⁰⁵ Seizing a knife from a butcher, he cried, "Daughter, I am claiming your freedom in the only way that I can." He then stabbed the girl to the heart and looked back at the tribunal, saying, "With this blood, Appius, I declare you and your life accursed."

An uproar broke out at this terrible deed. Appius jumped up and ordered Verginius to be arrested. But with his weapon Verginius made a path for himself wherever he went until, under the protection of a crowd of followers, he reached the gate. Icilius and Numitorius lifted the lifeless body and showed it to the people, lamenting Appius' crime, the girl's unfortunate beauty, and the necessity that had driven her father to such a deed. Following them, the matrons cried out, "Is this what it means to have children? Are these the rewards of chastity?"—and the rest of the pitiful complaints that women's grief drives them to utter in such a situation, a grief that is all the more sad because of their emotional nature, and the more pitiable as they readily give way to lamentation. The men's talk, especially that of Icilius, was entirely

105. *Cloacina*: the divinity of the *cloaca* (i.e., the Great Drain or Sewer), constructed by Tarquinius Superbus (1.56). In time, the divinity Cloacina came to be identified with Venus and was known as Venus Cloacina. The shrine was directly in front of the later Basilica Aemilia.

about tribunician power, the right of appeal to the people that had been wrested from them, and the state's sense of outrage.

49. With the support of the crowd, Lucius Valerius and Marcus Horatius challenge Appius, who is trying to arrest Icilius. Appius flees. Realizing defeat, a colleague, Spurius Oppius, summons the senate.

The crowd was stirred up partly because of the atrocity of the crime, and partly in the hope of using the opportunity to regain their freedom. Appius first ordered that Icilius be summoned; then, on his refusal, that he be arrested. Finally, since the attendants could not get near him, Appius himself marched through the crowd with a band of patrician youths and ordered Icilius to be put in chains. By this time, there was not only a crowd around Icilius but also the crowd's leaders, Lucius Valerius and Marcus Horatius. They drove the lictor back, saying that if he were acting according to the law, they were protecting Icilius from prosecution by a private citizen.¹⁰⁶ But if he was resorting to violence, they were a match for that, too.

A fierce brawl broke out. The decemvir's lictor made a rush at Valerius and Horatius, and the *fascēs* were broken by the crowd. Appius mounted the platform to address the people, followed by Horatius and Valerius. The assembled crowd listened to them but shouted the decemvir down. Already acting as if he were a magistrate, Valerius ordered the lictors to stop serving a man who was a private citizen; whereupon Appius, his spirit broken and fearing for his life, covered his head and fled to a house near the forum, unnoticed by his adversaries. Spurius Oppius burst into the forum from another direction to help his colleague. He saw that force had prevailed over his authority as a magistrate. An agitated discussion followed. In trepidation, Oppius agreed now with one and then with another of his many advisers on every side. Finally he ordered the senate to be summoned. This move calmed the crowd, because the majority of the patricians seemed to disapprove of the decemvirs' actions. The hope was that the senate would put an end to their power. The senate decided that the plebs should not be provoked, realizing that it was much more important to see to it that Verginius' arrival did not cause a disturbance in the army.

106. The argument is that, if Appius thought he had the legal right to arrest Icilius, they had the right to act as tribunes, although that office no longer existed.

50. After hearing Verginius' story, the soldiers leave their camp and seize the Aventine, telling the senate that they will talk with Valerius and Horatius.

And so, some younger senators were sent to the camp, which was then on Mount Vecilius; they announced to the decemvirs that they should make every effort to restrain their soldiers from mutiny.¹⁰⁷ There Verginius stirred up greater commotion than he had left in the city. As he approached, not only was he seen to be accompanied by almost 400 men from the city, who had joined him in their anger at the outrage he had suffered, but his unsheathed weapon and the blood with which he was spattered drew the attention of the whole camp. The sight of togas all over the camp had produced the appearance of a considerably larger crowd of civilians than it actually was.¹⁰⁸ When asked what the problem was, Verginius wept and for a long time did not utter a word. At last, when the bustle and confusion of the gathering had settled and there was silence, he explained everything in the order that it had happened.

Then with palms upraised, he called on them as fellow soldiers, praying that they would not consider him responsible for Appius Claudius' crime nor regard him as one who had murdered his child. His daughter's life would have been dearer to him than his own if she had been allowed to live in freedom and chastity. But when he saw her being hurried off like a slave to be debauched, he had thought it better to lose a child to death than to outrage. The pity he felt had occasioned him to commit an act of apparent cruelty. Nor would he have outlived his daughter had he not hoped to avenge her death by getting the help of his fellow soldiers. For they too had daughters, sisters, and wives. Appius Claudius' lust had not died with Verginia, but the longer it went unpunished, the more unbridled it would become. The calamity that had befallen another gave them a warning to guard against a similar outrage. As far as he, Verginius, was concerned, fate had robbed him of his wife; now his daughter had died a pitiful but honorable death, since she would have no longer lived in chastity. Now there was no opportunity in his house for Appius' lust. He would defend his own body from Appius' further violence with the same spirit that he had defended his daughter. The rest should look out for their own interests and those of their children.

107. *Mount Vecilius*: otherwise unknown, probably part of the Algidus range.

108. *sight of togas*: the presence in a military camp of a large number of unauthorized men wearing civilian dress would have posed a visible threat to the authority of the commanders, bringing the reality of the political struggle into the camp.

As Verginius shouted these words, the crowd cried out in support that they would not fail to avenge his grief and vindicate their own freedom. The civilians mingled with the crowd of soldiers, making the same laments and telling them how much more outrageous the events would have appeared if they had seen them rather than simply heard about them. At the same time they announced that the government in Rome was already overthrown. Others arrived, saying that Appius had almost been killed and had gone into exile. All this drove the soldiers to proclaim the call to arms, tear up the standards, and set out for Rome. The decemvirs, thrown into confusion by what they were seeing and by what they heard had happened in Rome, rushed in different directions throughout the camp, trying to quell the mutiny. Mild talk got no response from the soldiers. If one of them tried to impose his authority, he got the reply that they were men and were armed. They marched to the city in a column and took possession of the Aventine, urging the plebeians they encountered to regain their freedom and elect tribunes of the plebs. No other violent proposals were heard.

Spurius Oppius convened the senate, and it was decided to take no harsh measures, since they themselves had provided the opportunity for sedition. Three ex-consuls were sent as envoys to ask, in the name of the senators, who had ordered them to abandon the camp, what their aim was in seizing the Aventine with arms and capturing their native land after abandoning a war with the enemy. The men did not lack a response, but they did lack someone to give that response since they had no definite leader, nor as individuals were they sufficiently daring to risk such an invidious position. The crowd simply cried out in unison that the senators should send Lucius Valerius and Marcus Horatius; to them they would give a reply.

51. The army on the Aventine elects its own officials, tribunes of the soldiers; Icilius has the other army do the same. Valerius and Horatius refuse to go and negotiate with the armies until the decemvirs resign. The decemvirs, however, refuse to resign until their laws are passed.

When the envoys were dismissed, Verginius warned the soldiers that they had been thrown into confusion a few moments before over an unimportant matter because, as a group, they lacked a leader. Their answer, though a good one, was the result of a fortuitous consensus rather than a concerted plan. He rec-

commended that ten men be appointed as leaders and that they be given a military title, “tribunes of the soldiers.” When this honor was offered to him as the first appointee, he said, “Keep your judgment about me until the situation has improved both for you and for me. No official honor can be pleasing to me as long as my daughter is unavenged. Nor, while the state is in such confusion, is it helpful for you to have in office men who are exposed to political hatred. If I am of service to you, that service will be no less if it comes from a private citizen.” And so they chose ten tribunes of the soldiers.

Nor was the army on the Sabine front quiet. There too, at the instigation of Icilius and Numitorius, there was a mutiny against the decemvirs. Men’s feelings were stirred anew by the memory of Siccus’ murder no less than they were kindled by the news of the girl who had been so shamefully sought to gratify a man’s lust. Icilius, when he heard that tribunes of the soldiers had been appointed on the Aventine, was afraid that the assembly in the city might follow the precedent of the military assembly by making these same men tribunes of the plebs. Since he was experienced in popular politics and had designs on the office for himself, he had his soldiers elect the same number with equal power before they went to the city. Under their standards, they entered the city by the Colline Gate, proceeding in a column right through the middle of the city to the Aventine. There they joined the other army and charged the twenty tribunes of the soldiers to appoint two of their number to the supreme command. The tribunes appointed Marcus Oppius and Sextus Manilius.

The senators were alarmed about the state of the nation. But, although they were meeting every day, they were spending more time in recriminations than in deliberation. They blamed the decemvirs for the murder of Siccus, Appius’ lust, and the disgraces in the military sphere. It was resolved that Valerius and Horatius should go to the Aventine. But they said that they would only go if the decemvirs would lay down the symbols of office that had expired a year ago. The decemvirs, complaining that they were being forced to return to the ranks, said that they would not lay down their power until the laws for which they had been appointed were passed.

52. Given the stalemate, the plebs move to the Sacred Mount, and cries for the senate to take action increase.

The plebs were told by Marcus Duilius, a former tribune of the plebs, that nothing was being achieved by the senate’s continual bickering. So, they

moved from the Aventine to the Sacred Mount, since Duilius assured them that the senate would not feel any concern until they saw the city deserted. The Sacred Mount would warn them of the plebs' steadfastness; the patricians would find out whether it was possible to restore the harmony of the state without reinstating tribunician power. They set out by the Via Nomentana, which was then called Ficolensis, and pitched camp on the Sacred Mount, copying the restraint of their fathers who had done no pillaging. The plebs followed the army, with no one who was physically able refusing to go. They were attended for some distance by wives and children who asked pitifully who was going to protect them, abandoned in a city where neither chastity nor liberty was sacred.¹⁰⁹

An unaccustomed emptiness had made all of Rome desolate. There was no one in the forum except a few older men; when the senators were in the senate house, the forum seemed deserted. Then more than just Horatius and Valerius began to make their voices heard. "What will you wait for, senators?" they asked. "If the decemvirs won't put an end to their obstinacy, are you going to allow everything to be ruined and go up in flames? What is this power, decemvirs, that you are clinging to so tenaciously? Are you going to give laws to roofs and walls? Aren't you ashamed that an almost greater number of your lictors are to be seen in the forum than the rest of the citizens? What are you going to do if the enemy should come to the city? What if the plebs were to come soon and in arms, while we are unmoved by their secession? Do you want your power to end with the downfall of the city? And yet, either we must have no plebeians or we must have plebeian tribunes. We will be deprived of patrician magistracies more quickly than they will lack plebeian offices. They wrested from our fathers a new and untested power. But now that they are captivated by its charm, they would not bear its loss, especially since we are not so moderate in the exercise of our power that they need no help." Assailed by these taunts from all sides and defeated by the consensus, the decemvirs agreed that they would submit, since it seemed best, to the power of the senators. They only asked, giving a warning, that they be protected from hatred and that their blood not be the means of accustoming the plebs to punishing senators.

109. The historicity of this secession is disputed by some scholars; see Cornell 1995: 276–8; for example, see Forsythe 2005: 230–3.

53. Valerius and Horatius negotiate with the plebs on the senate's behalf. Icilius acts as spokesman for the plebs.

Then Valerius and Horatius were sent to the plebs to negotiate conditions for their return and make a settlement. They were also ordered to safeguard the decemvirs from the anger and violence of the people. They set out and were received into the camp to the plebeians' great joy, as the undisputed champions of freedom both at the beginning of the disturbance and in its outcome. On their arrival they were thanked, and Icilius made a speech on behalf of the crowd. And, when the conditions were being discussed and the envoys were asking what the plebs demanded, Icilius presented their demands in accordance with a plan that had been made before the envoys' arrival. He made it clear that their hopes lay in an equitable settlement rather than the use of arms; the recovery of tribunician power and the right of appeal were what they sought—those things that had been the plebs' safeguards before the election of the decemvirs. The plebeians also wanted a guarantee that it would not be held against anyone that he had roused either soldiers or plebs to regain their freedom by seceding. Their only harsh demand was for the punishment of the decemvirs. They thought it just that the decemvirs be handed over to them and threatened to burn them alive.

In response to these proposals, the envoys said, "The demands are the product of deliberation and are so fair that they should have been granted to you voluntarily. You are seeking them as guarantees of liberty, not as license to make attacks on others. But your anger is to be excused rather than indulged. Your hatred of cruelty is driving you headlong into cruelty, and, almost before you are free yourselves, you are wanting to lord it over your foes. Will our state never have a rest from senators punishing plebeians, or plebeians punishing senators? You need a shield rather than a sword. It is enough and more than enough for a low-born citizen to enjoy equal rights in the state and neither inflict nor suffer injustice. Even if, at some future date, you show that you are to be feared, it will be after you have recovered your magistrates and laws when you have jurisdiction over our lives and fortunes;¹¹⁰ then you will make a decision as each case comes before you. Meanwhile it is enough to regain your freedom."

110. *when you have jurisdiction . . .*: this statement anticipates the situation in the late republic when many of the patrician families had died out and the number of plebeians holding office far exceeded that of the patricians.

54. 449 BCE. *The settlement of Valerius and Horatius is accepted and the decemvirs resign. The plebs return, elect tribunes, and pass a bill restoring the consulship, subject to the right of appeal.*

When the people all agreed that Valerius and Horatius should do as they saw fit, the envoys assured them that they would return when they had completed the settlement. They set out, and, when they had explained the plebs' demands to the senators, the other decemvirs made no objection since, contrary to their expectation, there was no mention of punishment for them. But Appius, because of his savage temperament and his extraordinary unpopularity, measured other men's hatred of him by his own hatred of them, exclaiming, "I am not unaware of the fortune that threatens me. I see that the struggle against us is being postponed until weapons are handed to our adversaries. Their antagonism demands the offering of blood. I have no hesitation in resigning from the decemvirate." The senate decreed that the decemvirs should abdicate their office as soon as possible; that Quintus Furius, the *pontifex maximus*; should conduct an election for tribunes of the plebs; and that the secession of the soldiers and the plebs should not be held against anyone.¹¹¹

When the senatorial decrees had been passed and the senate dismissed, the decemvirs went before the people and abdicated their office, to everyone's great joy. These happenings were announced to the plebs. Whatever people were left in the city followed the envoys. This throng was met by another joyful crowd running out from the camp. They congratulated each other on the restoration of freedom and harmony to the state. The envoys addressed the people: "May this be favorable, fortunate, and happy for you and for the republic. Return to your native city, to your household gods, to your wives and children. But as you go, take into the city that same restraint that you have shown here, where no man's land was violated, though so many things were useful and necessary for so great a throng. Go to the Aventine, from where you set out. There, in the auspicious place where you made the first beginnings of liberty, you will elect tribunes of the plebs. The *pontifex maximus* will be there to hold the election."

These words quickly drew huge applause, as the crowds gave their approval to everything. They tore up the standards and set out for Rome, their

111. *pontifex maximus*: Cicero (*In defense of Cornelius* 25) notes that the *pontifex maximus* presided over this election "because there was no magistrate."

joy vying with that of those who came to meet them. Armed, they went in silence through the city to the Aventine. There Quintus Furius, the *pontifex maximus*, immediately held an assembly, and they elected tribunes of the plebs: first of all Lucius Verginius; then Lucius Icilius and Publius Numitorius (Verginia's maternal uncle), the instigators of the secession;¹¹² then Gaius Sicinius, the son of the man who is said to have been the first tribune elected on the Sacred Mount; and Marcus Duilius, who had distinguished himself in the tribunate before the election of the decemvirs and who had not failed the plebs in their struggle with the decemvirs. Elected more for their promise than their service were Marcus Titinius, Marcus Pomponius, Gaius Apronius, Appius Villius, and Gaius Oppius. As soon as they had taken office, Lucius Icilius proposed to the plebs, and they approved, that secession from the decemvirs should not be held against anyone. Immediately Marcus Duilius carried a resolution to elect consuls with the right of appeal. All this was enacted by the Council of the Plebs in the Flaminian Meadows, which they now call the Circus Flaminius.¹¹³

55. After the rapprochement between senators and plebeians, the new consuls, Valerius and Horatius, pass laws regarding plebiscites, the right of appeal, and sacrosanctity.

Then, through an *interrex*, Lucius Valerius and Marcus Horatius were elected to the consulship and took up office immediately [449 BCE]. Their term of office favored the people without wronging the patricians, but not without offending them; for they believed that whatever was done to protect the plebs diminished their own power. First of all, since it was virtually an undecided point of law whether patricians were legally bound by decisions of the plebs, they carried a law in the *Comitia Centuriata* that what the plebs should pass when voting by tribes should be binding on the people, a bill that gave tribunician proposals a very sharp weapon.¹¹⁴ Then the consuls not only

112. *maternal uncle*: Latin *avunculus*. In 3.45 and 3.57, Numitorius is called Verginia's grandfather (*avus*). The discrepancy may indicate the use of a different source.

113. The Circus Flaminius was built in 220 BCE in the southern part of the Campus Martius.

114. *what the plebs should pass when voting by tribes* . . . : two similar measures are recorded for 339 BCE (*lex Publilia*) and 287 BCE (*lex Hortensia*), causing many scholars to doubt the historicity of this measure in 449 BCE; see Cornell (1995: 277–8), who gives a hypothetical, but plausible, reconstruction of the evidence for such a measure in the context of 449 BCE and

restored another consular law about the right of appeal, the sole defense of liberty, that had been overturned by the power of the decemvirs, but they also strengthened it for the future by the solemn enactment of a new law that no one should declare the election of a magistrate without right of appeal.¹¹⁵ Anyone who did so could be killed according to both human and divine law, and such a homicide would not be considered a capital offense.

When they had given sufficient safeguards to the plebs, through the right of appeal on the one hand and tribunician help on the other, in the interests of the tribunes they restored the principle of sacrosanctity, a thing that had almost been forgotten.¹¹⁶ They revived long-neglected ceremonies and renewed them. They made tribunes inviolate, not only on the principle of religion but also by a statute that stipulated that anyone who harmed tribunes of the plebs, aediles, or the ten-man panel of judges should forfeit his life to Jupiter, and his possessions should be sold at the temple of Ceres, Liber, and Libera.¹¹⁷ Legal experts say that this statute does not make someone sacrosanct but marks anyone who has harmed one of these officials as accursed.¹¹⁸ Thus an aedile may be arrested and imprisoned by the higher magistrates—an act that, though it may be illegal (since harm is being done to a man who, under this statute, should not be harmed), is nevertheless proof that an aedile is not considered to be sacrosanct. The tribunes, on the other hand, are sacrosanct by virtue of an ancient oath taken by the plebs

subsequent years. Whatever the date of this measure, Livy's comment that the bill "gave tribunician proposals a very sharp weapon" is in keeping with his earlier observations on the institution of the Tribal Assembly for the election of tribunes; see 2.56, n. 99, and 2.60, n. 107.

115. On the Valerian law on the right of appeal (*provocatio*) of 509, see 2.8; on the allusions to such appeal, see 2.27 and 2.55. The sources record three laws concerning the right of appeal—for 509, 449, and 300 BCE—and attribute each to a member of the Valerian family. Cornell (1995: 277) notes, "As far as the 449 law is concerned, the sources themselves indicate that its specific purpose was not to grant the right of appeal *per se*, but to prohibit the creation of magistracies not subject to appeal."

116. Cornell (1995: 276) remarks that the effect of this law (if authentic) would have been "to give statutory recognition to the plebeian organization, and as such it was a great victory for the plebs."

117. *aediles*: the aediles at this time were religious officials, not civic magistrates; see 3.6 with n. 18.

ten-man panel: perhaps to be identified with a later board that adjudicated questions of freedom and slavery; see Ogilvie 1965: 501.

Ceres, Liber, and Libera: the cult was probably established in 493 BCE.

118. *accursed*: the Latin word is *sacer*, which underscores the distinction between the one who was protected from violation (*sacrosanctus*) and the violator, who was *sacer*—"accursed, outside the law," and thus an outlaw; see 2.33 with n. 57.

when their power was first established. There were those who interpreted this Horatian law as also applying to consuls and likewise to praetors, because they were elected under the same auspices as the consuls: the consul, they said, was called “judge.” But this interpretation is refuted by the fact that, in those days, it was not yet the custom to call the consul “judge,” but rather “praetor.” These were the laws enacted by the consuls.

Also instituted by these consuls was the practice of taking senatorial decrees down to the aediles at the temple of Ceres. Previously these decrees were suppressed or falsified at the discretion of the consuls. Marcus Duilius, a tribune of the plebs, then proposed a bill to the plebs, which the plebs passed, that whoever left the plebs without tribunes and whoever declared the election of a magistrate without appeal should be scourged and beheaded. All these measures were passed against the will of the patricians, though they did not oppose them because their harshness was not yet directed at any one person.

56. Verginius begins the prosecution of Appius Claudius, who demands the right to appeal as he is arrested and led off to prison.

Once the tribunician power and the freedom of the plebs had been firmly established, the tribunes thought it safe and timely to attack individuals.¹¹⁹ So, they chose Verginius to bring the first accusation and Appius to be the defendant. On being indicted by Verginius, Appius came down into the forum surrounded by a throng of young patricians. Immediately everyone recalled his appalling power as they saw the man himself and his satellites. Then Verginius said, “Oratory was invented for dubious matters. Therefore I shall not waste your time by making a formal accusation of a man from whose cruelty you have freed yourselves with arms, nor will I allow him to add to his other crimes the effrontery of making a defense.¹²⁰ Appius Claudius, I am overlooking all the impious and wicked deeds that you dared to commit, one after another, over the last two years. On one charge only will I give the order for your imprisonment—unless you agree to go before

119. Having dealt with the Valerio-Horatian laws, Livy returns to the dramatic story of Verginia as he relates the indictment of Appius by Verginius, which balances Appius’ “trial” of Verginia.

120. Verginius is not preventing Appius from defending himself but rather advising Appius to curtail the preliminary proceeding, as Verginius himself has just done.

a judge and prove that you did not illegally award the ownership of a free person to a man who claimed her as his slave.”

Appius had no hope that the tribunes would help him, nor that the people would decide in his favor. Nevertheless he called on the tribunes and, when none of them would stay for the proceedings and he had been arrested by an attendant, he cried, “I appeal.” The sound of this cry, the sole safeguard of liberty, coming from the same lips that had recently denied a claim to freedom produced silence. The people muttered, each man to himself, that after all the gods did exist and were not indifferent to human affairs; punishment for arrogance and cruelty was coming, late but in no small measure. They realized that the man who had annulled the right of appeal was himself making an appeal; the one who had trampled on all the rights of the people was now imploring the people’s protection; the one who had consigned a free person to slavery was being dragged off to prison, in need of his own right to freedom!

The voice of Appius was heard amid the murmurs of the assembly as he begged for the protection of the Roman people. He reminded them of his ancestors’ services to the state both at home and in the field, and of his own unfortunate zeal for the Roman plebs that had caused him to give up his consulship and offend the senators in order to establish equality under the law.¹²¹ Finally he reminded them of the laws he had passed that still were in place, though their proponent was being led off to prison. But as for the good and bad points of his case, he would put these to the test when he had the opportunity to plead his defense. For the present, he asked that, as a Roman citizen under indictment, he be granted the right they all shared: the right to speak and to be judged by the Roman people. He was not so afraid of unpopularity that he had no hope of the fairness and pity of his fellow citizens. But if he were to be led off to prison without pleading his case, he appealed a second time to the tribunes of the plebs, warning them not to imitate the people they hated. But if the tribunes were to confess that they were bound by the same agreement to annul the right of appeal—a charge that they alleged the decemvirs had conspired to annul—he still appealed to the people, invoking the consular and tribunician laws on the right to appeal that had been passed in that very year. Who, he asked, would make an appeal if a man who had not been condemned, whose case had not been heard, were not allowed to appeal? What protection was there in the laws for a low-born plebeian if there was none for Appius Claudius? His case would

121. *give up his consulship*: see 3.33 with n. 75, where Livy notes that Claudius had been elected to the consulship but had not yet taken up office.

be proof of whether tyranny or freedom had been established under the new laws and whether the appeal to tribunes and that to the people against mistreatment by magistrates were merely a display of meaningless written words or a reality.

57. Verginius prevails and Appius is imprisoned, pending trial. There is no problem in levying troops. The Twelve Tables are set up in bronze in a public place.

In response, Verginius asserted that Appius Claudius was the one man who had no claim on either the laws or the agreements that bind citizens and men. They should look at the tribunal, that fortress of all criminality, where Appius, as decemvir in perpetuity, had attacked the property, persons, and lives of the citizens, threatening everyone with the rods and axes; despising gods and men; surrounded by butchers, not lictors. His mind had turned from plunder and slaughter to lust, and, before the eyes of the Roman people, he had torn a free-born Roman girl from her father's embrace as if she were a war captive, giving her as a gift to a client who was acting as his pimp. This tribunal was where Appius, by his cruel decree and unspeakable judgment, had put a weapon into a father's hand to use against his daughter. Here, motivated more by his own frustrated lust than by her death, Appius had ordered the girl's grandfather and fiancé to be taken to prison as they were lifting up her dying body. The prison that he used to call the "home of the Roman plebs" had been built to house him, too. Just as Appius would appeal to the people over and over again, so too would he, Verginius, over and over again challenge him to go before a judge and prove that he had not awarded the ownership of a free person to one who claimed her as his slave. If he did not go before a judge, Verginius ordered him to be imprisoned as one who had been condemned. Though no one objected, there were great misgivings as Appius was thrown into prison, since the plebs saw that in punishing such an important man, their liberty was already becoming excessive. The tribune announced a date for the trial.

In the midst of these events, envoys came to Rome from the Latins and Hernici to congratulate them on the harmony between patricians and plebeians. On this account, they brought a gift for Jupiter Best and Greatest; this was a golden crown of no great weight, since their states were not wealthy and their religious practices were dutiful rather than magnificent. From the same sources it was learned that the Aequi and Volsci were preparing war with all their might. The consuls were ordered to divide the provinces

between them by lot. The Sabines fell to Horatius, and the Aequi to Valerius.¹²² When they had proclaimed a levy for these wars, their popularity with the plebs was such that not only the younger men but also a large number of volunteers who had served their time were there to hand in their names. And so the army was even stronger because of both the number and caliber of soldiers, thanks to the inclusion of veterans. Before leaving the city, the consuls had the decemviral laws, which are called the Twelve Tables, inscribed in bronze and set up in a public place.¹²³ Some sources say that the aediles performed this function on the orders of the tribunes.¹²⁴

58. Appius' uncle attempts to intercede, but Verginius again prevails and Appius kills himself. Oppius also commits suicide, and the rest of the decemvirs go into exile.

Gaius Claudius, who loathed the decemvirs' crimes and was more opposed than anyone to his nephew's arrogance, had retreated to Regillum, the ancestral home of the Claudii.¹²⁵ He was now advanced in years, but returned to Rome to intercede for the man from whose wickedness he had fled. Wearing mourning garments he went about in the forum, accompanied by his kinsmen and clients, soliciting the support of individuals and begging them not to brand the Claudian family with infamy and not to think its members deserving of imprisonment and chains. A man whose funeral mask would be held in the highest esteem by posterity, the framer of statutes and the founder of Roman law, was lying shackled among night-prowling thieves and robbers.¹²⁶ They should turn their minds for a moment from anger to recognition and reflection; they should pardon one man in response to the

122. The war against the Sabines is apparently that mentioned in 3.51 (cf. 3.61). The war against the Aequi and Volsci is described in 3.60.

123. For summary and discussion of the economic implications and social distinctions of the Twelve Tables, see Cornell 1995: 278–92.

124. *aediles*: the aediles probably did these tasks in their capacity as keepers of the archive of the senatorial decrees; see Ogilvie 1965: 507.

125. *Regillum*: a town in Sabine territory. The name is given as Inregillum at 2.16.

nephew: literally “brother's son,” a further assertion that the decemvir is not to be identified with the consul of 471 BCE; see 3.35 and 3.40 with notes.

126. *funeral mask*: Roman nobles kept masks or likenesses (*imagines*) of their prominent ancestors in special cupboards in the *atrium* of their house and wore them at family funerals, thus impersonating the deceased.

entreaties of so many Claudii, rather than reject the prayers of many because of their hatred of one individual. He was doing this, Gaius said, for his family's name and not because he had been reconciled with the man whom he wanted to help in his adversity. Liberty had been recovered by courage; the harmony of the orders could be made secure by clemency.

There were some whom he moved more by his family loyalty than by the cause of the man for whom he was pleading. But Verginius begged them rather to pity him and his daughter and listen to the prayers, not of the Claudian family whose lot it was to tyrannize over the plebs, but rather to those of Verginia's relatives, three tribunes of the plebs, who had been elected to help the plebs and who now were imploring the plebs to protect and help them. Their tears seemed to present a more just claim. And so Appius, cut off from hope, took his own life before the day appointed for his trial.

Thereupon, Spurius Oppius, the next in unpopularity, was arrested by Publius Numitorius because he had been in the city when the unjust verdict was pronounced by his colleague. Yet an injustice committed by Oppius occasioned more unpopularity than the wrong he failed to prevent. A witness was produced who, after listing twenty-seven campaigns during which he received eight military decorations that he wore for all to see, tore open his garment and displayed his back, scarred by the rods, and challenged Oppius, if he could name a crime for which he was guilty, to vent his rage, albeit as a private citizen, by whipping him a second time. Oppius was also taken to prison and put an end to his own life before the day of his trial. The tribunes confiscated the property of Claudius and Oppius. The other decemvirs went into exile and their property was confiscated. Marcus Claudius, who had laid claim to Verginia, was indicted and condemned, but Verginius had the extreme penalty remitted. On being released, Claudius went into exile at Tibur. The ghost of Verginia, more fortunate in death than in life, was finally at peace after wandering from house to house in search of vengeance, now that no guilty person remained.

59. The tribune Duilius curbs tribunician power by instituting a year's ban on indictments and imprisonment.

A great fear had come upon the senators because already the tribunes were looking just like the decemvirs, when Marcus Duilius, a tribune of the plebs, imposed a healthy restraint on their excessive power. "Our liberty and the punishment of the enemy have gone far enough," he cried. "This year, therefore, I am not going to allow anyone to be indicted or put in prison. Now

that recent wrongs have been expiated by the punishment of the decemvirs, it is not good to seek old wrongs that already have been forgotten. Moreover, the unceasing concern of both consuls to protect your liberty is a guarantee that no wrongdoing will be committed that might need the intervention of tribunes.”

The tribune’s moderation at first relieved the senators of their fear, but it also increased their dislike of the consuls, since the latter had been so completely on the side of the plebeians that it had been a plebeian rather than patrician magistrate who had been the first to be concerned for the senators’ safety and freedom. Their opponents, moreover, had become sated with punishing the senate before the consuls showed any intention of blocking the people’s license. There were many who said that the senators had been too soft in backing the measures proposed by the consuls. Nor was there any doubt that, in the turbulent state of the nation, the senators had bowed to the exigencies of the times.

60. The wars against Rome’s neighbors resume. Valerius is cautious in committing his troops to battle and only attacks the Volsci and Aequi when many of them are away from camp on plundering raids.

After settling affairs in the city and establishing the position of the plebs, the consuls set out for their respective commands. Valerius faced the armies of the Aequi and Volsci, who had already joined forces on Mount Algidus, but deliberately refrained from engaging them. If he had immediately tried his luck, I think it likely that the struggle would have caused him great losses, given the morale of the Romans and their foes under the unfortunate auspices of the decemvirs.¹²⁷ He kept his troops in the camp that he had pitched a mile from the enemy. The enemy repeatedly drew up their forces in battle order in the space between the two camps, challenging the Romans to fight. But no Roman responded. At length, tired of standing and waiting in vain for battle, the Aequi and Volsci thought that the Romans had virtually conceded victory. So, they withdrew to plunder, some against the Hernici and others against the Latins, leaving behind what was a garrison for a camp rather than a force that was sufficient for a pitched battle.

127. *unfortunate auspices of the decemvirs*: a reminder of the importance of the auspices. The implication is that the gods had withdrawn their favor from the Romans during the Second Decemvirate.

Realizing this, the consul repaid the fear that he had been made to feel. Drawing up the battle line, he took the initiative in provoking the enemy. Aware of their reduced strength, they refused battle. The Roman morale immediately increased, and the soldiers regarded the troops cowering within the rampart as beaten men. After standing the whole day intent on battle, the Romans withdrew at nightfall. Filled with hope, they took rest and refreshment. The enemy, however, were in a different frame of mind; in trepidation, they sent messengers in all directions to recall the plunderers. The nearest of these rushed back, but those at a farther distance were not found. When it was light, the Romans came out of their camp, intending to storm the rampart if there was no opportunity to fight. After much of the day had passed and there was no movement on the part of the enemy, the consul ordered an advance. As the battle line moved forward, the Aequi and Volsci were indignant that their victorious armies were protected by a rampart, rather than by their courage and arms. They received the signal for battle after demanding it from their leaders. Already part of the army had gone out of the gates, and the rest were keeping good order as each took his place in the line, when the Roman consul advanced the standards before the enemy line could position itself in full strength. The attack came before all the enemy had been led out and before those who had been led out could be fully deployed, as the Romans rushed upon little more than a mob of frightened men, who were surging this way and that, looking around to see where they and their fellow soldiers were. The shouting and force of the attack increased the confusion in their minds. At first they retreated. Then they recovered their wits, as their leaders on all sides demanded whether they were going to yield to men they had defeated. And so the fighting was renewed.

61. Valerius raises the morale of his men, reminding them that once again they are free, fighting for a free city. They storm the enemy camp, inspiring the army on the Sabine front to emulate them.

On the other side, the consul ordered the Romans to remember that on that day they were fighting as free men, on behalf of a free city. They were going to conquer for their own sakes; as victors, they would not become the spoil of decemvirs. It was not Appius who was their commander, but the consul Valerius, descendant of the liberators of the Roman people, and himself a

liberator.¹²⁸ They should show that their defeat in earlier battles had been the fault of the commander, not the soldiers. It was shameful to have shown more spirit against fellow citizens than against the enemy, and to have been more fearful of slavery at home than abroad. No one's chastity but Verginia's had been endangered in time of peace; no citizen but Appius had been possessed of a dangerous lust. But if the fortune of war should incline against them, the children of all of them would be in danger from countless thousands of foes. Yet he did not want to predict the things that neither Jupiter nor Father Mars would allow to befall a city that had been founded with such auspices.¹²⁹ He reminded them of the Aventine and the Sacred Mount, urging them to bring Roman power back, undiminished, to the place where freedom had been won a few months earlier. They should show that the Roman soldiers' nature was the same after the expulsion of the decemvirs as it had been before their election, and that the courage of the Roman people had not been lessened by equality before the law.

After giving this speech amid the infantry's standards, he rushed up to the cavalry. "Come, young men," he cried, "surpass the infantry in courage as you surpass them in rank and privilege. At the first onset, the infantry has dislodged the enemy. Now that they are driven back, give rein to your horses and chase them from the field. They will not withstand your attack; even now, they are hesitating rather than resisting." Spurring their horses on, they charged against the enemy, who were already thrown into disarray by the infantry's attack. Breaking through the enemy lines, the cavalry was carried through to the rear. Another division circled around on the unoccupied ground and, finding the enemy in flight on all sides, blocked most of them from their camp by riding ahead and frightening them off. The line of infantry, the consul himself, and the entire battle force swept into the enemy camp and, after much slaughter, took possession of the survivors and even greater booty.

The report of this battle reached not only the city but also the other army on the Sabine front, causing a joyful celebration in the city and inspiring the minds of the soldiers in the camp to emulate their comrades' glorious exploit. By engaging his men in raids and skirmishes, Horatius had already accustomed them to have trust in him, rather than remember the disgrace they had incurred under the leadership of the decemvirs. These small engage-

128. *descendant of the liberators* . . . : on the Valerii as defenders of the people, see Appendix 1, pp. 418–20.

129. *he did not want to predict*: suggesting the possibility of defeat could be tempting fate, since it might be interpreted as asking for it to happen.

ments had brought them to the point of expecting complete success. But the Sabines did not stop their provocation and threats, emboldened as they were by their success in the previous year. Why, they asked, did the Romans waste their time skirmishing in small companies, like brigands, running back and forth, and so shredding the issue of a single war into numerous little fights? Why didn't they confront them in a pitched battle and allow fortune to decide the matter once and for all?

62. Horatius gives his men the option of prolonging or ending the campaign. In the ensuing battle, the Roman cavalry comes to the rescue of the hard-pressed infantry.

In addition to recovering their self-confidence, the Romans were fired with indignation. The other army, they said, was already about to return to the city in victory, whereas they were being freely insulted and abused by the enemy. When would they be a match for the enemy if not then? After the consul realized that these mutterings were going on in the camp, he summoned an assembly. "Men," he said, "I guess you've heard how things went on Algidus. The army conducted itself as the army of a free people should. Victory was obtained by the strategy of my colleague and the courage of his soldiers. As for me, whatever strategy and spirit I am going to use will be up to you soldiers. It is possible either to prolong the war advantageously or to speedily bring it to an end. If it is to be prolonged, I will apply the same discipline that I have instituted and see to it that your hopes and courage increase day by day. If you already have sufficient spirit and want the war to be decided, come then; raise the kind of shout that you are going to raise in the line of battle, as an indication of your courage and willingness." The shout was raised with great eagerness; the consul prayed for success, promising that he would do as they wished and lead them into battle the next day. The rest of the day was spent preparing their arms.

The next day, as soon as they saw the Roman battle line being drawn up, the Sabines moved into position, for they had long been eager to fight. It was the kind of fight that takes place between two confident armies; the glory of one was ancient and uninterrupted; the other was elated by the recent, unaccustomed victory. The Sabines employed a stratagem to enhance their strength. When they had matched their line with that of the Romans, they kept 2,000 men in reserve to attack the Romans' left wing once the fighting was under way. These troops, attacking on the flank, had almost surrounded that wing and were overpowering it, when about 600 cavalry from two

Roman legions leaped down from their horses and rushed to the front, where their fellow soldiers were already giving ground. There they opposed the enemy and fired the spirits of the infantry, first by sharing equally in their danger and then putting them to shame. For it was disgraceful that the cavalry should be fighting both their own and someone else's battle, too, and that the infantry should not be as good as horsemen fighting on foot.

63. Although Valerius and Horatius are successful in restoring the soldiers' morale and defeating the enemy, the senate grants them only a one-day supplication and refuses a triumph. On the proposal of the tribune Icilius, the people vote a triumph.

And so, the infantry went into the fray that they had given up as lost and made for the position from which they had retreated. Instantly, not only was the battle restored, but the Sabine wing was even giving way. Protected by the infantry ranks, the cavalry went back to their horses and flew across to the other part of the army, announcing their victory to their men. At the same time, they also made a charge against the enemy, who were already panic-stricken, since the stronger wing of their force had been routed. In that battle the courage of no other troops outshone that of the cavalry. The consul provided for every contingency, praising the brave and reprimanding any who held back from fighting. Those who were reproved immediately performed like warriors, aroused by shame just as praise had roused the others. Renewing the battle cry on all sides, the Romans made a concerted effort and drove the enemy back. From then on the force of the Romans could not be withstood, and the Sabines fled in all directions throughout the countryside, leaving their camp for the enemy to plunder. There the Romans regained not the property of their allies as they had on Mount Algidus, but their own that they had lost because of the raids on their farms.

Though a double victory had been won in two separate battles, the senate spitefully decreed only a one-day supplication in the name of the consuls.¹³⁰ Unbidden, the people went in large numbers also on the second day,

130. *spitefully*: the patricians finally express their dislike of the Valerio-Horatian laws. On the hostility of the patricians to the Valerio-Horatian laws, see 3.55: "Their term of office favored the people without wronging the patricians, but not without offending them. . . ."

supplication: a ritual of collective prayers offered by the state. Originally the ritual was performed in order to secure the favor of the gods after some dire omen, such as plague. The victory supplication was a later development.

to make supplication. This unorganized supplication by the people was almost more enthusiastically attended than the first. The consuls, who had arranged to approach the city on the same two days, summoned the senate to the Campus Martius. When they were reporting their achievements, the leading senators complained that the senate was being deliberately held in the midst of the soldiers in order to intimidate the senators. And so the consuls, to allow no room for accusation, moved the meeting to the Flaminian Meadows, where the temple of Apollo now is (at that time, it was already known as Apollo's precinct).¹³¹ When a huge consensus of the senators refused to grant a triumph, the plebeian tribune Lucius Icilius brought a motion for a triumph before the people. Many came forward to dissuade him—especially Gaius Claudius, who shouted out that the consuls were wanting to celebrate a triumph over the senators, not the enemy; they were seeking a favor in return for a personal service to the tribune, not recognition for their courage. Never before, he said, had a triumph been granted by the people. The evaluation and decision to grant that honor had been in the hands of the senate. Not even the kings had encroached upon the power of Rome's highest order. The tribunes should not include everything under their control, to the extent of disallowing deliberation of public policy. The state would finally be free and the laws equal if each order kept its own rights and its own dignity. Although many speeches expressing the same opinion were made by the rest of the older senators, all the tribes voted for the motion. Then, for the first time, a triumph was celebrated at the bidding of the people, without the authorization of the senate.¹³²

131. *Apollo*: as a non-Roman god, Apollo was worshiped outside Rome's sacred boundary (*pomerium*). A temple was built to him in the late 430s BCE; see 4.25 and 4.29. In order to grant a triumph, the senate had to come outside the city to meet with the consul who was requesting the triumph, because the consul would have to give up his military command before crossing the *pomerium*.

Flaminian Meadows: this venue was probably a compromise, since the location was outside the *pomerium* but nearer the city than the original Campus Martius. The senate had clearly decided not to grant a triumph to either man.

132. *all the tribes voted*: Icilius' proposal was evidently in accordance with the Valerio-Horatian laws concerning plebiscites that were voted in the Tribal Assembly (*Comitia Tributa*).

without the authorization of the senate: such unauthorized triumphs took place outside Rome on the Alban Mount and were celebrated at the expense of the triumphing general, not the state.

64. The tribunes try to get themselves reelected but are thwarted by Duilius, who has the support of the outgoing consuls. The consuls refuse reelection; only five tribunes are elected.

This victory of the tribunes and plebs almost led to an unwholesome excess as a result of a conspiracy of the tribunes to get themselves reelected and also, in order to make their ambition less conspicuous, to return the consuls to office. They gave as their reason the unanimity of the senators who, by their insolent behavior toward the consuls, had weakened the rights of the plebeians. What would happen if, while the laws were not firmly established, the senators attacked the new tribunes through consuls who belonged to their own faction? There would not always be consuls like Valerius and Horatius, who would put the freedom of the plebs before their own interests. By a chance that proved useful in this emergency, the conduct of the elections fell by lot to Marcus Duilius, a man of foresight who discerned the imminent hatred that would result from continuation in office. When he said that he would not accept the candidacy of any of the old tribunes, his colleagues fought him, urging that he either allow the tribes to vote as they wished or yield the presidency of the elections to his colleagues, who would hold the elections in accordance with the law rather than with the will of the patricians. A dispute arose. Summoning the consuls to his bench, Duilius asked them what they intended to do about the consular election. They replied that they would elect new consuls. Finding that he had popular supporters of an unpopular policy, he went with them before the assembly. The consuls were brought before the people and asked what they would do if the Roman people, mindful of their help in recovering their freedom at home and mindful of their achievements in the field, should again elect them as consuls. The consuls did not change their opinion.

After praising the consuls for persisting to the end in differing from the decemvirs, Duilius held the election. Five plebeian tribunes were elected, but no other candidates obtained a majority of the tribal votes because of the eagerness with which nine incumbents were openly seeking reelection. So, he dismissed the assembly and did not subsequently convene it for an election. He said that the law had been satisfied, since it nowhere stipulated a specific number but only provided that the office not be left vacant; he ordered that colleagues be co-opted by those who had been elected. He read out the formula of the statute, in which there was the following: "If I shall call you to vote for ten tribunes and if, for any reason, you shall today elect fewer than ten tribunes, then let those whom the elected tribunes co-opt as their colleagues be lawful plebeian tribunes according to the same law as are those

whom you shall have elected as plebeian tribunes today.” Duilius persisted to the end in saying that the state could not have fifteen tribunes of the plebs. Having defeated the selfish desires of his colleagues, he resigned from office, to the approval of patricians and plebeians alike.

65. 448 and 447 BCE. A tribunician bill is passed stating that voting should continue until ten tribunes are elected. Peace at home and abroad depends on preserving harmony (concordia) between senators and plebeians.

The new tribunes of the plebs favored the wishes of the senators in co-opting their colleagues. They even chose two who were patricians and ex-consuls, Spurius Tarpeius and Aulus Aternius.¹³³ The new consuls, Spurius Herminius and Titus Verginius Caelimontanus [448 BCE], were not greatly inclined either to the cause of the patricians nor to that of the plebs; and so they had peace at home and abroad. Lucius Trebonius, a tribune of the plebs, was angry with the senators because he said that he had been cheated by them in the co-optation of the tribunes and had been betrayed by his colleagues. So, he proposed a bill stating that a man who called on the Roman plebs to elect tribunes should continue the voting until he has ten tribunes elected. He spent his tribunate pursuing the senators and so got the *cognomen* Asper, meaning “harsh.”

Then Marcus Geganius Macerinus and Gaius Julius became consuls [447 BCE] and calmed the disputes that had arisen between the tribunes and the young nobles, without attacking the tribunes’ power, yet maintaining the senators’ dignity. When a levy had been ordered for war with the Volsci and Aequi, the consuls restrained the plebs from sedition by putting the matter on hold, asserting that everything abroad was peaceful during a time of domestic peace; it was discord in Rome that raised the spirits of foreign foes. Their concern for peace also produced internal harmony. But the one order was always a problem for the moderation of the other. The plebs were quiet, but the younger patricians began to maltreat them. When the tribunes helped the low-born, at first they had little effect. Then they did not even escape violence themselves, especially in the last months, since not only were

133. *Spurius Tarpeius and Aulus Aternius*: the consuls of 454 BCE who had passed a law giving the plebs some legal protection for fines by establishing a monetary conversion rate; see Ogilvie 1965: 582 on Livy 4.30. Note the exception to the stipulation that no senator should be allowed to hold the office of plebeian tribune (2.33).

injustices perpetrated through cabals of the more powerful, but every magistrate's power generally languishes somewhat in the latter part of his term. Already the plebeians were putting some hope in the tribunate, if they could have tribunes like Icilius: for the past two years, they had had mere names. On the other hand, the older senators, though thinking their young men too headstrong, preferred to have their excessive spirit on their own side rather than that of their adversaries, if moderation had to be disregarded.

So difficult it is to be moderate in the defense of freedom. By pretending to want equality, an individual raises himself up in order to put another down. By protecting themselves against fear, men actually make themselves the object of fear, and, when we have defended ourselves from injustice, we proceed to injure others, as if it were a necessity either to do or to suffer wrong.

66. 446 BCE. In Titus Quinctius Capitolinus' fourth consulship, the Aequi and Volsci appear before Rome's walls, flaunting their booty.

Titus Quinctius Capitolinus (for the fourth time) and Agrippa Furius were the next consuls [446 BCE]. They experienced neither sedition at home nor war abroad, though both possibilities threatened. Discord among the citizens could no longer be suppressed. Both tribunes and plebs were aroused in opposition to the patricians, and the indictment of one or another of the nobles was continually throwing the assemblies into confusion with new disputes. At the first uproar in these meetings, the Aequi and Volsci took up arms as if they had received a signal. Their leaders, eager for booty, had also persuaded them that for two years it had not been possible for the consuls to conduct the levy that had been proclaimed, since the plebs rejected their authority. This was why armies had not been dispatched against them. Roman military tradition was breaking down because of lawlessness. Rome was no longer a united homeland. All the anger and animosity the Romans had felt toward foreigners was now being turned against themselves. Now that the wolves were blinded with rage against each other, it was time to destroy them.¹³⁴

And so the Aequi and Volsci combined their armies and first ravaged Latin territory. Then, when no one appeared to oppose them, the advocates of war exulted as their forces came plundering right to the walls of Rome, in

134. *wolves*: an allusion to the wolf that suckled Romulus and Remus, and thus to the Romans themselves; compare the prodigy of 458 BCE related in 3.29 with n. 69.

the area of the Esquiline Gate, insolently showing the inhabitants of the city the plunder from their lands. When no one retaliated, they went to Corbio, driving their booty before them. At this point, the consul Quinctius called the people to an assembly.

67. In a rousing speech to the people, Quinctius Capitolinus points out that discord between the orders only serves to encourage attacks from their foes.

The following, I hear, was the tenor of his speech:¹³⁵ “Although I am aware of no wrongdoing, fellow citizens, nevertheless it is with great shame that I come before this assembly to confront you. To think that you know, to think that posterity will hear that the Aequi and Volsci, who recently were scarcely a match for the Hernici, have in the fourth consulship of Titus Quinctius approached the walls of the city of Rome—armed and unopposed! Although life has been like this for so long now, the state of affairs is such that my mind could foresee nothing good; yet had I known that a disgrace such as this was threatening this particular year, I would have avoided it either by exile or by death, if there were no other way of escaping office. If there had been real armed warriors at our gates, Rome could have been captured in my consulship. I had enjoyed enough of high office, enough and more than enough of life; I ought to have died in my third consulship! Who was it, I ask, that this most cowardly of enemies despised? Was it us, the consuls, or you, my fellow citizens? If the blame is ours, take away the power that we do not deserve; and if that is not enough, punish us as well. But if the blame is yours, my fellow citizens, may it be no god or man that punishes your mistakes; may you simply repent of them! It was not your cowardice that they despised, nor was it their own courage in which they put their trust. Indeed, so many times have they been routed and put to flight, stripped of their camps, deprived of their land, sent beneath the yoke, that they know both themselves and you. What raised their spirits was the discord between the orders and the poison of this city, the struggles between patricians and plebeians, as all the while we set no limit to our power, nor you to your freedom; and you became disgusted with the patrician magistrates, and we with the plebeian officials.

“In the name of the gods, what is it that you want? You yearned for tribunes of the plebs; we granted them for the sake of harmony. You desired

135. For analysis of this speech, see Vasaly 1999: 521–5.

decemvirs; we allowed them to be appointed. You became very tired of the decemvirs; we forced them to resign. When your anger against them persisted even after they had retired into private life, we allowed these distinguished men of the highest nobility to suffer death and exile. You wanted to elect plebeian tribunes again; you elected them. You wanted to appoint consuls who supported your cause; we watched as even the patrician magistracy became a gift to the plebs, though we saw that it was unfair to the patricians.¹³⁶ Protection by the tribunes, the right of appeal to the people, resolutions of the plebs binding on patricians, the suppression of our rights under the pretext of equality before the law—all this we have endured and are now enduring. What end will there be to this discord? When will we be allowed to have a unified city, a fatherland that we all share? We are more equable and peaceful in our defeat than you are in your victory. Isn't it enough that we must fear you? It was in opposition to us that the Aventine was taken, in opposition to us that the Sacred Mount was occupied. We saw the Esquiline almost captured by the enemy, and the Volscians scaling the rampart. Yet no one drove off the enemy. It is against us that you show your valor; against us you have taken up arms!"

68. Quinctius rallies the people by detailing the results of their shameful and unpatriotic behavior.

"Come now, go outside the Esquiline Gate with the same bold spirit that you have shown here in besieging the senate house, in making the forum a place of hostility and filling the prison with our leading men. Or, if you do not even dare to do that, look from the walls at your fields devastated by fire and the sword, the livestock being driven off, and the smoke of the buildings burning far and wide. But, it might be said, it is the community that is the worse for all this: the land is burned, the city besieged; the glory of war belongs to the enemy. So think about it. In what condition are your private possessions? Soon every single one of you will be getting news of his personal losses. What resources, I ask, do you have to make up these losses? Will the tribunes restore and replace them for you? They will assail you with as many words and phrases as you want, accusations against the leading men, laws one after another, and assemblies. But from those assemblies, not one of you

136. *consuls who supported your cause*: an allusion to the plebeian sympathies of Valerius and Horatius, both of whom were patricians; see 3.55.

has ever come back home with your fortune or situation improved. Has any one of you brought back to his wife and children anything but animosities, complaints, and grudges, both public and private? It is not your own courage and innocence that always protects you from these sorts of things, but rather someone else's help.

"But, by Hercules, when we consuls were your commanders, not the tribunes, you served in the camp, not in the forum. In the battle line your shout made the enemy shudder, not the senators in the assembly. Booty was won, land captured from the enemy; and you came back to your home and household gods in triumph, bringing an abundance of wealth and glory both for the state and for yourselves. But now you allow the enemy to go off laden with your possessions. Stay here fixated with your assemblies and live in the forum; the necessity to fight, which you are trying to escape, pursues you. It was a chore to march against the Aequi and Volsci; so now, the war is at your gates. If it is not driven back, it will soon be within the walls, climbing the citadel and Capitol and pursuing you into your homes. A year ago, the senate ordered a levy to be held and the army to be led to Mount Algidus. Now we are sitting idly at home, arguing among ourselves like women, enjoying the present peace without perceiving that after a brief respite the war will come back, greatly multiplied.

"I know that other things are more pleasant to say than this. But necessity compels me, even if my own instincts were not telling me to speak the truth rather than pleasantries. Indeed, I would like to please you, fellow citizens, but I much prefer that you be safe, no matter what your feeling toward me will be. Human nature is such that the man who addresses the people in his own selfish interests is more popular than the one whose mind sees nothing except what is advantageous to the state; unless, perhaps, you think that these flatterers of the people—I mean men who cultivate the plebs and won't allow you to be either at peace or at war—have your interests in mind when they goad and incite you. By becoming aroused, you promote either their political careers or their enrichment. Moreover, because they see that they are nonentities as long as the state is harmonious, they are willing to be the leaders of a bad cause, rather than no cause at all—standard-bearers of seditious mobs. If disgust at this situation is finally able to take hold of you and you are willing to resume your fathers' and your own old-style ways in place of these newfangled ones, you can punish me however you wish if, within a few days, I haven't routed and put to flight these devastators of our land, stripped them of their camp, and shifted from our gates and walls to their cities this fear of war that now has you thunderstruck."

69. Capitolinus' speech is successful, and the levy is completed promptly.

Rarely has the speech of a popular tribune been better received by the plebs than this one, delivered as it was by the sternest of consuls. Even the young men, who habitually considered that refusal of military service amid such fears was their sharpest weapon against the senators, began to look forward to war and arms. The flight of the countryfolk, people robbed and wounded while on their farms who reported more appalling happenings than those visible to the citizens—all this filled the entire city with rage.

When the senate met, indeed all turned to Quinctius as the sole champion of Rome's greatness. The leading senators said that his speech was worthy of his consular power, worthy of his many earlier consulships, and worthy of his entire life, filled as it had been with the offices he had so often held but more often deserved. Other consuls had either flattered the plebs by betraying the dignity of the patricians or made the masses more difficult to subdue by harshly protecting the rights of their order. But Titus Quinctius had made a speech that was mindful of the dignity of the patricians, the harmony of the orders, and, above all, the current crisis. They begged him and his colleague to take control of the state; they begged the tribunes willingly to join with the consuls in a single-minded effort to drive the war from the walls and to show to the patricians that the plebs were obedient in this alarming situation. The state they all shared appealed to the tribunes and begged for their help, now that the fields were devastated and the city virtually under siege.

With everyone's agreement, a levy was proclaimed and held. The consuls announced in the assembly that there was no time to consider excuses; all men of military age should present themselves at dawn on the following day in the Campus Martius. They would, they said, take time when the war was over to consider the excuses of those who did not enlist; anyone whose excuse they did not approve would be considered a deserter. The next day, all the men of military age appeared. The cohorts each chose their centurions, and two senators were put in charge of each cohort. We hear that all this was completed so promptly that the standards were brought from the treasury by the quaestors on that very day, then taken to the Campus, and carried from the Campus by midmorning. The newly recruited army, with a few cohorts of veterans following voluntarily as an escort, camped overnight at the tenth milestone. The next day brought the enemy within sight, and the Romans pitched camp close to that of the enemy, near Corbio. On the third day, the Romans were exasperated with anger, and the enemy with despair

and an awareness of their guilt at having revolted so often. And so there was no delay in beginning the fight.

70. Capitolinus assumes supreme command and defeats the Aequi and Volsci but does not demand a triumph.

Since there were two consuls of equal authority in the army, Agrippa yielded the supreme command to his colleague, a most salutary move in dealing with important matters. Quinctius, now the superior, responded courteously to his colleague's readiness to subordinate himself by sharing his plans and his glory and by treating Agrippa as an equal, though he was not. In the battle line, Quinctius held the right wing, Agrippa the left. A lieutenant, Spurius Postumius Albus, was put in charge of the center; and they put another lieutenant, Publius Sulpicius, in command of the cavalry. The infantry on the right wing fought with distinction against vigorous resistance from the Volsci. Publius Sulpicius broke through the middle of the enemy's line with his cavalry.

Although he could have returned to his men by the same path, it seemed better to attack the enemy from the rear before they had time to regroup their scattered troops. It would have taken only a moment to charge them from behind, terrifying and scattering them with the two attacks; but the Volscian and Aequian cavalry engaged Sulpicius with his own kind of fighting and kept him in check for some time. Then he cried out that this was not the time to hesitate—unless they made a forceful effort to finish the cavalry battle, they were surrounded and cut off from their fellow soldiers. It was not enough to rout the enemy and let them get away unscathed. The Romans should kill both horses and men to prevent anyone from riding back into the fray and renewing the fight. The enemy, whose massed line of infantry had given way, were now incapable of resistance. Sulpicius' words did not fall on deaf ears. In a single charge, the Romans routed the entire enemy cavalry, hurling a great number from their horses and stabbing both men and horses with their javelins. This was the end of the cavalry battle. They then attacked the infantry and, when the enemy's line began to give way, sent messengers to report their success to the consuls.

This news increased the resolve of the conquering Romans and struck consternation into the retreating Aequi. The latter's defeat began first in the center, where the onset of the cavalry had thrown their ranks into disorder. Then the left wing began to be driven back by the consul Quinctius, but the greatest effort was on the right wing. There Agrippa—bold, strong, and in the prime of life—seeing that things were going better on every front but his own,

seized the standards from the bearers and began to carry them forward himself, even hurling some into the close-packed ranks of the enemy. Aroused by fear of disgrace, his men rushed at the enemy. And so all parts of the line were equal in their victory. Then a message came from Quinctius, saying that he was victorious and was now threatening the enemy camp, but did not want to break into it until he knew that the fighting was also finished on the left wing. If Agrippa had already routed the enemy, he should bring up his standards so that the entire army might take possession of the spoils at the same time. Victorious, Agrippa joined his victorious colleague near the enemy camp, and they congratulated each other. The few defenders were quickly put to flight, and the Romans broke into the entrenchments without a struggle. The consuls led their army back, in possession of a huge amount of booty, as well as recovering the property that had been lost in the pillage of their fields.

I hear that the consuls did not ask for a triumph, nor did the senate offer them one. Nor is there any report of their reason for their rejecting or not requesting that honor. My guess, after so long an interval of time, is as follows.¹³⁷ Since the senate denied a triumph to the consuls Valerius and Horatius, who, in addition to beating the Volsci and Aequi, had won glory for finishing the Sabine war, Quinctius and Agrippa felt a sense of shame (*verecundia*) in asking for one when their own achievement was only half as great. Even if their request had been granted, it might seem that account had been taken of who they were, rather what they had achieved.

71. The military victory is marred by a judicial wrangle in Rome. A veteran intervenes in the mediation of a territorial dispute between Aricia and Ardea, claiming that the land in question belongs to Rome.

This glorious victory over the enemy was spoiled by the shameful judgment of the Roman populace concerning their allies' boundaries.¹³⁸ The people of

137. *I hear . . . Nor is there any report . . . My guess:* Latin *accipio*, *traditus*, and *conicio*. The marked sequence of three authorial comments with two uses of the first-person singular underscores the subsequent reference to Quinctius' sense of shame and to his respect for the old patrician values that he had expressed earlier in his speech. This respect contrasts with the precedent set by Valerius and Horatius, who owed their triumph to a plebeian tribune, not the senate (3.63 with nn. 130 and 132). See also 3.55 for the patricians' dislike of the laws carried by Valerius and Horatius, two fellow patricians who had supported plebeian interests.

138. This episode provides a dramatic conclusion to the book, while also introducing the theme of Ardea and providing a bridge to the next book. The "human interest" story of

Aricia and Ardea had often gone to war over some disputed territory. Worn out by the many defeats they had inflicted on each other, they asked the Roman people to adjudicate the matter. When they came to plead their cause and the magistrates had granted them an assembly of the people, they argued their claims with great contention. After the testimony had been taken and it was time for the tribes to be summoned and the people to vote, Publius Scaptius, an aged plebeian, stood up and said, "Consuls, if I am permitted to speak in the interests of the state, I will not allow the people to make a mistake in this case." When the consuls said that he was untrustworthy and should not be heard, he shouted out that the cause of the state was being betrayed. They then ordered him to be removed, and so he appealed to the tribunes. The tribunes, who are almost always ruled by the crowd rather than ruling it, gratified the plebs who were eager to hear and allowed Scaptius to say what he wanted.

He began by saying that he was eighty-two years old and had done military service in the disputed area, not as a youth, but in the twentieth year of his service, when they were fighting near Corioli. The matter had been forgotten with the passage of time, but it was fixed in his memory that the disputed area had been part of the territory of the people of Corioli, and that it had become the property of the Roman people by right of war when Corioli was captured.¹³⁹ He wondered how the people of Ardea and Aricia had the face to hope to steal from the Roman people territory that they had never claimed while Corioli was still unscathed, and then to appoint the real owners of the land to act as judges. Little of his life remained, he said. Yet he had not been able to convince himself that, even though he was old and had strength only in his voice, he should not defend the land that he had played his part as a soldier in capturing. He strongly urged the people not to condemn their own cause because of a useless sense of propriety.

72. The consuls oppose Scaptius, but the Roman people judge that the disputed territory belongs to them.

When the consuls perceived that Scaptius was being listened to, not only in silence, but even with approval, they invoked gods and men to witness that a great outrage was being done and sent for the leaders of the senate. Together

Scaptius has its sequel in the story of the maid of Ardea, in which the Roman injustice to Ardea is resolved by Roman intervention in the civil strife of that city (4.7–10).

139. Corioli was captured in 493 BCE (see 2.33), and it was now 446 BCE.

they went round the tribes, begging them not to commit an act that, utterly wrong in itself, would set an even worse precedent: that of judges awarding disputed property to themselves.¹⁴⁰ Moreover, they pointed out, even if it were right for a judge to be concerned for his own advantage, they would not gain as much by snatching the land as they would lose by wronging and alienating their allies. The loss of reputation and trust was greater than could be estimated. Was this to be the report the envoys would take home? Would this be the general talk? Was this what allies and enemies would hear? What grief it would cause the one, and what joy the other! Or did they think that the neighboring peoples would attribute this to Scaptius, an aged babbler in the assembly? Scaptius would be famous with this on his memorial, whereas the Roman people would be playing the role of corrupt judges and appropriators of other people's property. For what judge in a private suit would have awarded himself the object of litigation? Even Scaptius, whose sense of propriety had predeceased him, would not do this.

These arguments were loudly urged by both consuls and senators. But greed and Scaptius, the instigator of that greed, prevailed. The tribes were called and voted that the land belonged to the Roman people. It is undeniable that it would have been the same if the case had gone to another court. But in the circumstances, the disgrace of the judgment was in no way mitigated by the merits of the case. Moreover, it seemed just as appalling and harsh to the senators as to the people of Aricia and Ardea. The rest of the year remained peaceful, without any disturbances at home or abroad.

140. *tribes*: on the power of the Tribal Assembly, see 3.63, n. 114; Livy's comments at 2.56 with n. 99; and 3.55, n. 114.

BOOK 4

1. 445 BCE. *The tribune Canuleius makes two proposals: one to remove the ban on intermarriage between patricians and plebeians, and the other to allow plebeians to be elected to the consulship. News arrives of a revolt at Ardea and hostile actions by the Volsci and Aequi. Canuleius threatens to block the levies if his proposals are not passed.*

The next consuls were Marcus Genucius and Gaius Curiatius [445 BCE]. It was a troublesome year, both at home and abroad. At the beginning of the year Gaius Canuleius, a plebeian tribune, proposed a bill concerning marriage between patricians and plebeians, which the patricians thought contaminated their blood and subverted the privileges of their families.¹ The suggestion, advanced tentatively at first by the tribunes, that it should be lawful to elect one of the consuls from the plebs went so far that nine tribunes proposed a bill empowering the people to elect consuls as they wished, either from the plebeians or patricians.² The patricians believed that if this happened, control of the government would not only be shared with the lowest of the citizens but would be completely taken from their leaders and

1. In codifying the laws, the decemvirs had forbidden marriage between patricians and plebeians. It is likely that this law, the eleventh table, was aimed at stopping the already existing practice of intermarriage; see Cornell 1995: 255. For definition of patricians and plebeians, see 2.1, n. 1.

privileges of their families: privileges or rights (*iura*), including the religious rituals (*sacra*) that were peculiar to each family (*gens*). As the gods had their rights (see 1.20 with n. 71), so too did the patricians; only the patricians had the right to take the auspices (*auspicia*). Linderski (1990: 34) notes that the auspices were “the bulwark and mainstay of their divinely ordained power.” Thus, the plebeians were effectively debarred from holding the consulship since, as the story of the augur Attus Navius (1.36) shows, auspices were the necessary preliminary to the initiation of public business, including military campaigns.

2. Canuleius’ proposal concerning intermarriage is generally accepted as historical, but the proposal that the plebeians be eligible for the consulship raises a number of problems. The record indicates that several of the consuls in the years before the decemvirate belonged to families that are later denoted as plebeian; on the question of these consuls “of uncertain status” and the “closing of the patriciate,” see Cornell 1995: 252–6.

transferred to the plebs.³ They were consequently delighted to hear that the people of Ardea had revolted because of the unjust decision that had deprived them of their land; that the Veientes had ravaged the Roman frontier; and that the Volsci and Aequi were grumbling about the fortification of Verrugo, so greatly did they prefer even an unfortunate war to an ignominious peace.⁴

The senators exaggerated this news, in order that the tribunes' proposals would be silenced amid the din of so many wars. They ordered levies to be held and preparations for war to be made with the utmost energy and, if possible, even more intensely than in the consulship of Titus Quinctius. Then Gaius Canuleius held forth briefly in the senate, saying that it was futile for the consuls to divert the plebs from their concern for the new laws by terrorizing them. While he was alive, they would never hold a levy, not until the plebs had voted on the measures that he and his colleagues had proposed. Then he immediately called an assembly.

2. The consuls argue against Canuleius' measure. Their arguments depend on the patricians' claim that they alone have the right to hold auspices.

At one and the same time, the consuls were rousing the senate against the tribune, and the tribune was rousing the people against the consuls. The consuls were saying that the tribunes' madness could no longer be tolerated:⁵ the end had now been reached; there was more war being stirred up at home than abroad. The fault lay as much with the plebs as with the senators, as much with the consuls as with the tribunes. Whatever activity was rewarded in a state was the one that always thrived the most. In this way, good men were produced, both in war and in peace. But in Rome the greatest reward

3. The record indicates that no identifiable plebeian achieved the consulship in the second half of the fifth century. Although plebeians became eligible for election as military tribunes with consular power in 445 BCE (an office that replaced the consulship in certain years), they were successful in only two of the forty-four years between 444 and 401 BCE (444 and 422 BCE); see Cornell 1995: 335–7 with table.

4. *Verrugo*: "one of the summits of the Alban Hills guarding the passage of the Via Latina through Algidus" (Ogilvie 1965: 529). This is the first mention of this place by Livy. The name means "wart" or "protuberance."

5. Livy puts the patrician case entirely in indirect speech, as opposed to Canuleius' longer presentation in direct speech in 4.3–5.

was for sedition; this was what was invariably honored by each and every one. The patricians should recall the majesty of the senate that they had inherited from their fathers, which they were likely to pass on to their children in a diminished state; whereas the plebs could boast of their growing strength and importance.⁶ There was no end to this, nor would there be one as long as the leaders of sedition gained office in proportion to the success of their sedition.

Just consider what Canuleius was trying to do! He was aiming to defile their families and create confusion in both public and private auspices, so that nothing should be pure, nothing unpolluted; so that once every distinction had been removed, no one would recognize himself or his own kin.⁷ What would be the effect of indiscriminate marriage, except to have patricians and plebeians mating almost like the beasts? A son would not know to what family he belonged, nor to what religious rites he was entitled. Half of him would belong to the patricians and half to the plebeians, and he would be at war with himself.

Apparently it was not enough to throw all divine and human institutions into confusion; the leaders of the rabble were now getting themselves ready for the consulship. At first they had merely suggested in conversation that one consul be elected from the plebs. Now they were proposing that the people elect consuls as they wished, either from the plebeians or patricians. And, no doubt, they would elect the most seditious plebeians, resulting in consuls who would be the likes of Canuleius and Icilius. The consuls called on Jupiter Best and Greatest not to allow the power that once belonged to kings to fall so low. They, the consuls, would rather die 1,000 deaths than allow such a disgrace to come about. They were certain that their ancestors too would rather have faced any conflict than let these laws be imposed upon them, had they divined that every concession would make the plebeians not more amenable but more exacting; and that the granting of the first demands would result in others, with each being more unfair than the last. Because they had given way then, on the question of tribunes, they had given way a second time. There could be no end if, in the same state, there were both

6. The text at this point is corrupt, though the general meaning is clear; see Ogilvie 1965: 531.

7. *defile their families* (gentes) *and create confusion in both public and private auspices*: since the auspices were the privilege of the patricians, marriage with a plebeian would contaminate a patrician family and jeopardize its line of communication with the gods, when auspices were taken on behalf of the family or the state. Compare the concern at 1.20 “to prevent any disturbance of the gods’ rights as a result of the neglect of the ancestral rituals and the adoption of foreign ones.”

plebeian tribunes and patricians. One or the other must go—the patriciate or the tribunate.

Better late than never, but the tribunes' rashness and audacity had to be opposed. Were the tribunes to be allowed to get away first with sowing the seeds of discord and stirring up wars with their neighbors, and now preventing the state from being armed and defended against those wars that they themselves had stirred up? When they had all but invited the enemy in were they refusing to allow armies to be enrolled against that enemy, while Canuleius had the audacity to announce in the senate that he would not allow the levy to be held unless the senators allowed his laws to be passed, as if he were the victor? What was this but a threat to betray his native land and allow it to be besieged and captured? What encouragement these words would bring not to the Roman plebs but to the Volsci, the Aequi, and the people of Veii! Wouldn't these enemies hope that they could scale the Capitol and the citadel, with Canuleius as their leader? If the tribunes had robbed the senators of their courage along with their rights and dignity, they, the consuls, were still prepared to take the lead in opposing the criminality of citizens before taking the field against the enemy.

3. Citing several examples of non-Romans who had held power in Rome, Canuleius asks why the plebeians are denied the right of intermarriage and access to the consulship.

At the very time that this was happening in the senate, Canuleius delivered a speech in support of his laws and in opposition to the consuls. "I seem to have often observed on previous occasions how greatly the senators despised you, Quirites; how they considered you unworthy to live in the city within the same walls as themselves; but no more so than now, when they have risen in such fierce opposition to these laws of ours. But what else are we reminding them of, except that we are their fellow citizens and that we inhabit the same native land, even though we do not possess the same wealth? In one bill we seek the right of intermarriage that is customarily given to neighbors and foreigners. In fact we have given citizenship, which is more than the right of intermarriage, even to defeated enemies. In the other bill, we are proposing nothing new, but we are reclaiming and seeking to exercise a right belonging to the people, that the Roman people entrust offices to the men that they want.

"Why should they turn the world upside down? And why was I almost attacked in the senate just now? Why are they saying that they will not re-

frain from force, proclaiming that they will violate our sacrosanctity? If a free vote is given to the Roman people to entrust the consulship to the men that they want, and if each plebeian is not cut off from the hope of achieving the highest office, provided that he is worthy of the highest office, won't the city be able to stand? Is her rule over and done? Is the question of making a plebeian consul the same as if someone were to say that a slave or a freedman is going to be consul? Don't you realize in what an atmosphere of contempt you live? They would deprive you of part of the daylight, if they could. They resent the fact that you breathe, that you speak, that you look like human beings. Indeed, if the gods allow me to say so, they say that it is a religious abomination to elect a plebeian consul.⁸

"I ask you, if we do not have access to the intricacies of the calendar or the commentaries of the pontiffs, are we then also ignorant of what even all foreigners know—namely that consuls took the place of kings, and that they have all the privileges and dignity that belonged to the kings before them?⁹ Or have you never heard the story that Numa Pompilius was summoned from Sabine territory—a man who was not a patrician nor even a citizen of Rome—and that he ruled at Rome, on the orders of the people and with the approval of the senators? Then how about Lucius Tarquinius, who was not of Roman stock nor even an Italian, since he was the son of Demaratus of Corinth? Tarquin came to Rome from Tarquini and became king, though the sons of Ancus were still living. What about his successor, Servius Tullius, son of a captive woman from Corniculum, whose father was a nobody and his mother a slave? He held the kingship because of his innate ability and excellence. What am I to say about Titus Tatius, a Sabine, with whom Romulus himself, the father of our city, shared the kingship?

"As long as no stock was spurned that was prominent for excellence, Roman dominion increased. So, do you now object to a plebeian consul,

8. *if the gods allow me to say so*: a rather loose translation of *si dis placet* (literally, "if it is pleasing to the gods"), denoting a fear that the gods may be offended at such a thought.

religious abomination: here the Latin word is *nefas*, a crime from a religious point of view, thus alluding to the consuls' argument that the auspices would be thrown into confusion; see 4.2 with n. 7.

9. *access to the intricacies of the calendar*: the Roman calendar (*Fasti*) was highly complex, marking not only the religious festivals but also the days on which it was lawful to pass judgments. Such information was vital to any would-be politician, but the calendar was controlled by the pontiffs, who apparently withheld such information until the last moment. The *Fasti* were not publicly posted in the Roman forum until 304 BCE; see Livy 9.46.

commentaries of the pontiffs: handbooks kept by the pontiffs, detailing their decisions and procedures in both religious and legal matters.

although our ancestors did not spurn foreign kings, and despite the fact that the city was not closed to foreign excellence, even after the expulsion of the kings? Indeed it was after the expulsion of the kings that the Claudian family came from Sabine territory; and we not only gave them citizenship but even admitted them to the patriciate. Can a foreigner become a patrician and then a consul, whereas a Roman citizen will be cut off from hope of the consulship, should he come from the plebs? Or do we believe it impossible that a brave and vigorous man who has shown his worth, both in war and in peace, should come from the plebs—a man like Numa, Lucius Tarquinius, or Servius Tullius? Or, if there were such a man, will we not even allow him to approach the rudder of the state? Or are we going to have consuls who are like the decemvirs—the vilest of mortals who were all patricians nonetheless—rather than have as consuls individuals who are like the best of the kings, even though they all were newcomers?”¹⁰

4. Canuleius refutes the objection that there is no precedent for electing a plebeian consul by citing various innovations, including the decemvirs' recent ban on intermarriage.

“But, you will object, no plebeian has been consul since the expulsion of the kings. What then? Must no innovation be made? Ought something that has not yet been done—and in the case of a new people there are many things that have not yet been done—not be done, even if it is expedient? There were no pontiffs or augurs during the reign of Romulus; they were created by Numa Pompilius. There was no census and division by centuries and classes; that was done by Servius Tullius. There had never been any consuls; they were created after the expulsion of the kings. Neither the power nor the name of dictator existed; these began in the time of our fathers. There were no tribunes of the plebs, aediles, or quaestors; it was decided that there should be. Within the last ten years, we elected decemvirs to codify the laws, and we removed them from the state. Who doubts that, in a city that is founded for eternity and is growing immeasurably, new powers, priesthoods, and rights of families and individuals should be established?

10. *newcomers*: the Latin *novi homines* (new men) is a political term customarily used in the republic to denote men who were the first in their family to hold the consulship; e.g., both Cato the Elder and Cicero were new men. In this context, however, the term is used of kings who were new to power in Rome and also non-Roman by origin.

“As for the ban on intermarriage between patricians and plebeians, didn’t the decemvirs pass this a few years ago, thus setting the worst precedent and causing the greatest injustice to the plebs? And can there be any greater or more significant insult than that part of the state be considered unworthy of marriage, as if it were contaminated? What is this but suffering exile within the same walls and banishment? But the patricians avoid being involved with us in marriage or kinship to avoid mingling their blood with ours. If this pollutes this fine nobility of yours—which many of you who are of Alban or Sabine origin possess,¹¹ not by virtue of family or blood, but through co-optation into the patriciate, having been chosen either by the kings or, after the kings’ expulsion, on the orders of the people—why couldn’t you keep that nobility pure by your own private counsels, by not marrying a woman from the plebs and not allowing your daughters and sisters to marry out of the patriciate? No plebeian man would offer violence to a patrician maiden: that lust is the prerogative of the patricians.¹² No one would have compelled anyone to make a marriage contract against his will.

“But to prohibit this by law and ban marriage between patricians and plebeians is indeed an insult to the plebeians. Why don’t you propose a law banning marriage between rich and poor? Everywhere it has always been a matter of private policy that a woman marry into whatever family has been arranged for her, and that a man marry a woman from a family with which he has made a pledge. But you are subjecting this policy to the restraints of a most arrogant law, thereby destroying our civic union and making two states out of one. Why don’t you ordain that no plebeian may be a neighbor of a patrician, go along the same road, attend the same banquet, or even stand in the same forum? What difference does it make if a patrician marries a plebeian wife, or a plebeian a patrician wife? What right is changed? The children obviously take the father’s status.¹³ There is nothing we seek to gain from intermarriage, except that we be counted as men and as citizens. Nor is there any reason for you to be contentious, unless it gives you pleasure to vie with each other in insulting and humiliating us.”

11. *Alban or Sabine origin*: the Julii, Servilii, Quinctii, Geganii, Curiatii, and Cloelii all came from Alba Longa; see 1.30. The Appii Claudii came from Sabine territory; see 2.16. Men from all these families held the consulship in the period before 450 BCE.

12. *prerogative of the patricians*: an allusion to the story of Appius Claudius and Verginia.

13. *children . . . father’s status*: a principle of Roman law that only applied when there was *conubium*. Otherwise, children took the status of their mothers; see Treggiari 1991: 43–9 and Linderski 1990: 48.

5. *Canuleius summarizes his demands after threatening to use his veto against a levy.*

“Finally, I ask, does the ultimate power belong to the Roman people or to you? Did the expulsion of the kings give the power of domination to you, or did it give equal liberty to all men? Should the Roman people, if they so wish, be allowed to enact a law? Or, as each proposal is made, will you proclaim a levy by way of retaliation? And as soon as I, the tribune, begin to summon the tribes to vote, will you immediately force the younger men to take the military oath and lead them off to camp, with threats both to the plebeians and their tribune? Haven’t you already twice discovered the power of your threats against the united will of the plebeians?¹⁴ I suppose you refrained from a struggle because you wanted to consult our best interests. Or was there no fight because the stronger side was also the more restrained? There won’t be a struggle now, citizens. They will always test your spirit, but they won’t risk a trial of your strength.

“And so, consuls, the plebeians are ready for your wars, be they genuine or false, on the following conditions: if you finally unify this citizen body by restoring the right of intermarriage; if they are enabled to unite, be connected and joined with you in the ties of family and kinship; if brave and vigorous men are given hope and access to high offices; if they are granted a share in the partnership of government; and if, as is the mark of true liberty, they are allowed to take their turn, both in obeying the annually elected magistrates and in exercising magisterial power. If anyone prevents these measures, you may talk of wars and exaggerate them by rumor-mongering, but no one is going to enlist; no one is going to take up arms; no one is going to fight for arrogant masters with whom we have no share in the offices of state, nor the right of intermarriage in private life.”

6. *The ban on intermarriage is lifted, but the deadlock over the levy is only broken by the compromise of electing military tribunes with consular power from patricians and plebeians alike.*

After the consuls had entered the assembly and the matter had turned from set speeches to wrangling, the tribune asked why a plebeian should not be

14. *twice discovered*: an allusion to the secessions of the plebs in 494 BCE (2.31–3) and in 449 BCE (3.52–54).

elected consul. He was given a reply that was perhaps true, but hardly helpful for the present dispute: because no plebeian held the auspices, the decemvirs had forbidden intermarriage to prevent the auspices from being thrown into confusion by people of uncertain origin.¹⁵ At this the plebs blazed with indignation, because they were denied the possibility of consulting the auspices as if they were hated by the immortal gods. Nor was there any end of the argument, since the plebeians had found a very fierce advocate in this tribune and they were just as determined as he was. But then the senators, finally defeated, allowed the law on intermarriage to be passed, primarily because they thought that the tribunes would either abandon the question of plebeian consuls entirely or postpone it until after the war, and that the plebs, contented for the meantime with the right of intermarriage, would be ready to enlist.

But Canuleius' greatness as a result of his victory over the senators and his popularity with the plebs fired the other tribunes to take up the struggle. So, they fought for the bill with all their strength, blocking the levy as talk of war increased day by day. The consuls held their deliberations in the homes of the leading men, since nothing could be enacted in the senate because the tribunes were interposing their veto. It was clear that they had to concede victory either to the citizens or to the enemy. The only ex-consuls who did not participate in their deliberations were Valerius and Horatius. Gaius Claudius proposed that the consuls use armed force against the tribunes.¹⁶ The Quinticii, Cincinnatus and Capitolinus, were appalled at the prospect of bloodshed and doing violence to men whose sacrosanctity they had recognized when they made their agreement with the plebs. As a result of these consultations, they reached the conclusion that they should allow military tribunes with consular power to be elected from patricians and plebeians alike, and that there should be no change from the method of electing consuls.¹⁷ Both tribunes and plebeians were content with this.

15. *because no plebeian held the auspices*: tribunes of the plebs and plebeian aediles never took the auspices—unlike the later plebeian consuls who, after 300 BCE, were allowed to take auspices—but were merely “using” them for their year of office by courtesy, as it were, of the patricians who legally had *dominium*, as opposed to *possessio*; see Linderski 1990: 41–2.

prevent the auspices from being thrown into confusion . . .: for a similar argument, see 4.2 with n. 7 and 5.14 with n. 25.

16. On the stereotypical behavior of the ex-consul Claudius, see Appendix 1, pp. 408–10.

17. *military tribunes with consular power*: this is their full title (*tribuni militum consulari potestate*), which is frequently abbreviated by Livy in the ensuing narrative to military tribunes (*tribuni militum*) and even simply to tribunes (*tribuni*), where there is no danger of confusion with the plebeian tribunes. Modern scholars often style these officials as “consular tribunes.”

An election was proclaimed to elect three tribunes with consular power. As soon as it was proclaimed, anyone who had said or done anything of a revolutionary nature, especially former tribunes, began to canvass and gather in the entire forum, wearing the white robes of candidacy.¹⁸ The result was that the patricians were reluctant to stand, at first in despair of attaining office (so provoked were the plebeians), and then in indignation that they would have to hold office with such people. Nevertheless, they were finally forced by their leaders and became candidates in order to avoid the appearance of having withdrawn from control of the government. The outcome of the election was a lesson indicating how different are men's minds when they are contending for liberty and prestige from when they have stopped their struggles and their judgment is unbiased: all the tribunes elected by the people were patricians, so content were the people that account had been taken of the plebeians.¹⁹ Where will you now find in one individual that moderation, fairness, and loftiness of mind that characterized the entire people at that time?

7. 444 BCE. Three military tribunes with consular power take office but are forced to resign because of a flaw in their election. After an interregnum, consuls are elected. An embassy from Ardea complains about Roman injustice, and the treaty with Ardea is renewed.

In the 310th year after the foundation of Rome, military tribunes took office in place of consuls for the first time: they were Aulus Sempronius Atratinus, Lucius Atilius, and Titus Cloelius.²⁰ During their tenure, harmony at

I shall translate the title as given by Livy. The origins and significance of this office have long been debated by scholars; see Ogilvie 1965: 539–40, Ridley 1986: 444–65, Cornell 1995: 334–7, and Forsythe 2005: 234–9.

no change . . . i.e., the election should remain in the *Comitia Centuriata*.

18. *white robes of candidacy*: men running for office wore whitened togas to mark themselves as candidates; the Latin *candidatus* literally means “wearing a whitened toga.”

19. As Cornell (1995: 335) notes, “Livy may be right to suggest that it was one thing for plebeians to be allowed to stand, another for them to be elected.” Since voting in the *Comitia Centuriata* was weighted in favor of the more affluent and there was no secret ballot, clients were susceptible to the influence of their patrician patrons.

20. In the years between 445 and 367 BCE, military tribunes with consular power were elected fifty-one times, as opposed to twenty-two elections of consuls; see table in Cornell 1995: 336.

home even produced peace abroad. Some sources say that three military tribunes were elected because of a war with Veii that broke out in addition to the war with the Aequi and Volsci and the defection of Ardea, since two consuls were unable to confront so many wars at the same time (these sources do not mention the proposal of a law about electing consuls from the plebs). The military tribunes had the authority and insignia of the consuls. But the power of that magistracy was not yet established on a firm footing, since they resigned in the third month after entering office, when the augurs decreed that there had been a flaw in their election because Gaius Curiatius, who had presided over the elections, had not pitched the tent correctly.²¹

Ambassadors came to Rome from Ardea. Their complaints about the injustice they had suffered were such that it was clear that they would abide by the treaty and remain friendly, if recompense were made by the restoration of the land.²² The senate's reply was that a judgment of the people could not be rescinded by the senate, not only because there was no precedent or legal right for them to do this, but also because they had regard for the harmony of the orders. But if the people of Ardea were willing to bide their time and entrust the decision of mitigating their injustice to the senate, they would be glad that they had restrained their anger. They would also realize that the senators had been equally concerned that no injustice should happen to them, nor should any that had occurred be long-lasting. And so the ambassadors were courteously dismissed after saying that they would reopen the entire matter.

Since the state had no curule magistrate, the patricians met and chose an *interrex*.²³ A dispute as to whether consuls or military tribunes should be appointed kept the state in an *interregnum* for several days. The *interrex* and the senate maintained that consuls should be elected, whereas the plebeian

Lucius Atilius: although Livy has asserted at the end of 4.6 that all three men elected were patrician, an Atilius is later denoted as a plebeian (5.13).

21. *the augurs declared that there had been a flaw*: the finding of a flaw in a ritual could invalidate a entire religious procedure, provided that the augurs decided that a flaw had actually occurred. Since only patricians were eligible to hold the augurate, it is possible that the finding of this flaw was a political ploy intended to invalidate the election of the military tribunes, in the hope of electing consuls. Such ploys were not uncommon in the middle and later republic.

pitched the tent: on the selection of a site on which to pitch the augural tent from which the sighting of birds could be made, see 1.6 and 3.20.

22. On the injustice to Ardea, see 3.71–2.

23. *curule magistrate*: magistrates who were entitled to the use of an official chair (the *sella curulis*), made of ivory. In later times, censors, consuls, praetors, and curule aediles were entitled to this privilege.

tribunes and the plebs were in favor of military tribunes. The senators prevailed because the plebs gave up a futile contest over whether to confer the former or the latter office upon the patricians; and the plebeian leaders preferred an election in which no account should be taken of them, rather than one in which they would be passed over as unworthy. The tribunes of the plebs also abandoned the ineffectual contest as a favor to the senatorial leaders. Titus Quinctius Barbatus, as *interrex*, declared the election of Lucius Papirius Mugillanus and Lucius Sempronius Atratinus as consuls. In their consulship [444 BCE] the treaty with Ardea was renewed, which is the indication that these men were consuls in that year, although they are not found in the ancient annals, nor in the lists of magistrates. I suppose that because there were military tribunes at the beginning of the year, the names of the suffect consuls were left out, just as if the military tribunes had been in office for the entire year.²⁴ Licinius Macer attests that names of these consuls were in the treaty with Ardea and in the Linen Books that were placed in the temple of Moneta.²⁵ There was quiet both at home and abroad, despite the many fears occasioned by Rome's neighbors.

8. 443 BCE. *The initiation of the censorship.*

This year, whether it had tribunes only or tribunes replaced by consuls, was followed by one with consuls about whom there is no question: Marcus Geganius Macerinus, for the second time, and Titus Quinctius Capitolinus, for the fifth time. This same year was the beginning of the censorship, which began in a small way but then increased to such proportions that it controlled the regulation of the morals and discipline of the Romans. The censors also had the power to distribute honor or dishonor in the centuries of the senate and knights and to adjudicate disputes concerning public and pri-

24. *suffect consuls*: consuls elected to fill a vacancy caused by the death or resignation of an incumbent.

25. *Licinius Macer*: an annalist who was tribune of the plebs in 73 BCE and praetor in 68 BCE. He was convicted of extortion in 66 BCE and committed suicide. He wrote a history of Rome in at least sixteen books that reflected a bias toward his own family and the plebeian or popular cause; see Livy 7.9.

Linen Books: Latin *libri lintei*. These texts written on linen contained lists of magistrates; they are also mentioned in 4.13, 4.20, and 4.23.

Moneta: literally "the Remembrancer." The temple of Juno Moneta was on the citadel and was built in 345 BCE, replacing the house of Marcus Manlius Capitolinus, which was destroyed in 384 BCE (see Livy 6.20).

vate property; the revenues of the Roman people were at their beck and call.²⁶ The office originated because the people had been not been assessed for many years: the assessment could not be postponed; and the consuls did not have time to attend to that business, since wars with so many people were imminent. A motion was brought before the senate that such an onerous and nonconsular job needed a magistracy of its own that would manage the scribes and have custody of the records, while also controlling the rules for the assessment.

Although it was a small matter, the senators joyfully accepted the proposal in order to have more patrician magistrates in the state.²⁷ They thought, I suppose, as it actually turned out, that the resources of those who held office would soon add to the power and prestige of the office itself. The tribunes regarded it as administrative business that was necessary (which it was at that time) rather than showy, and so they did not hold out against it, so as not to be awkward and difficult even in small matters. When the office was rejected by the leading men of the state, the people elected Papirius and Sempronius (the men whose consulship is questionable) to hold the censorship, so that they might fulfill their incomplete consulship with this office. The name “censor” derives from their function.

9. Civil strife breaks out at Ardea after a dispute over a proposed marriage between a noble and a plebeian girl. The Ardeate nobles enlist the help of the Romans, whereas the plebs summon the Volsci. The Romans surround the Volsci, who had laid siege to Ardea.

While this was happening in Rome, ambassadors came from Ardea begging, in the name of their ancient alliance and the treaty they had recently renewed, assistance for their city, which was all but ruined. They were not

26. *distribute honor or dishonor*: an allusion to the censors' task of reviewing the citizen rolls to ensure that the orders were correctly assessed according to their wealth and of removing from the lists anyone deemed guilty of reprehensible conduct. The censors would put a mark or brand (*nota*) against the names of such people, who were disqualified from voting, though they still had to pay taxes. The censors also let out state contracts for the building or repair of temples and for the collection of taxes.

27. It would have been necessary to have patricians in this position, since the censors had special religious duties to perform: e.g., closing the *lustrum* (see 1.44) and kindling the ritual fire. The title *censor* derives from (*in*)*cendere*, “to ignite.”

permitted to enjoy the peace that had been preserved through the Romans' wise counsel because of civil war. Tradition has it that the cause and origin was factional strife, which has brought and will continue to bring destruction to more people than have foreign wars, famine, disease, or other national disasters that men attribute to the anger of the gods.

Two youths were courting a plebeian girl who was famed for her beauty. One was the girl's equal in birth and relied on the approval of her guardians, who were themselves of the same social group.²⁸ The other was a noble who was captivated by nothing except her appearance; but he had the support of aristocrats, which brought party strife into the girl's family. The noble was preferred by the mother, who wanted her daughter to make as splendid a match as possible. Her guardians, mindful of political interests even in this matter, held out for one of their own. The matter went to court, since it could not be settled within the home. After hearing the pleas of the mother and the guardians, the magistrates gave the mother the right to decide about the marriage. But force was more powerful. The guardians held an open meeting in the forum among the people of their own party, concerning the injustice of the decision. Then they gathered a group of men and seized the girl from her mother's house. A more bellicose contingent of aristocrats rose up against them, led by the young man who was incensed at the injustice he had suffered. A fierce fight ensued. The plebs were driven back, but, unlike the Roman plebs, they armed themselves, withdrew from the city, seized a hill, and made raids on the nobles' farms with fire and sword. Accompanied by a crowd of artisans who had been attracted by hope of plunder, they were even preparing to besiege a town that had previously been untouched by any strife. Every manifestation of war and disaster was present, as if the state were infected with the madness of two youths who were seeking a death-bringing marriage through the overthrow of their native land.

Neither party thought it enough to rely on their own weapons of war. The aristocrats summoned the Romans to aid their beleaguered city, whereas the plebs called on the Volsci to help them storm Ardea. The Volsci, under the leadership of the Aequian Cluilius, reached Ardea first and threw up a rampart against the walls. When this was announced at Rome, the consul Marcus Geganius set out with an army and encamped three miles from the enemy. Since daylight was already fading fast, he ordered the soldiers to take rest and refreshment. Then, in the fourth watch, he marched forward and

28. Livy treats this matter as if Ardeate law were the same as Roman law. Unmarried women were under the control of their father or, in the event of his death, a guardian whose duty was to ensure that heritable property did not pass out of the father's side of the family.

began an earthwork. The Roman operation made such progress that at dawn the Volsci saw that they had been surrounded by a stronger fortification than the one they had put round the city. On another side, the consul also had connected an earthwork reaching to the wall of Ardea so that his own men could go in and out of the town.

10. The consul Geganius refuses to make a deal with the Volsci, defeats them, and settles the revolt at Ardea by executing the plebeian ringleaders. The other consul Quinctius distinguishes himself in the civil sphere.

The Volscian commander, who until that day had fed his men not with provisions procured in advance but with grain seized from the day-to-day plunder, was suddenly without any supplies and hemmed in by the rampart. He summoned the consul to a discussion and said that if the Romans had come to lift the siege, he would withdraw the Volscians. To this the consul replied that it was for the defeated to accept terms, not propose them. Although the Volsci had come of their own volition to attack allies of the Roman people, they would not have the same option in their departure. He ordered that the commander be surrendered and their arms laid down. They were to admit defeat and obey his commands. If they did not, he would be their determined enemy whether they departed or stayed; he would rather take back to Rome a victory over the Volsci than a treacherous peace. With all other hope cut off, the Volsci made trial of the little hope that their arms offered. In addition to the rest of their disadvantages, they assembled for battle on unfavorable ground that was even more unfavorable for flight. Cut down on all sides, they turned from fighting to entreaties. After handing over their commander and surrendering their arms, they were sent beneath the yoke and dismissed, each with one garment, overwhelmed by the disgrace of the disaster. They encamped not far from the city of Tusculum and were attacked in their defenseless state by the Tusculans, who had long hated them. They suffered such punishment that there was scarcely anyone left to report the massacre.

The Roman commander settled the disturbances and sedition in Ardea by beheading the leaders of the revolt and transferring their property to the public treasury of the Ardeates. The people of Ardea thought that the great service of the Roman people canceled the injustice of their earlier decision.²⁹

29. *decision*: the judgment to award themselves the land that was in dispute between Ardea and Aricia (3.71 and 4.1).

But the Roman senate thought that something still needed to be done to wipe out the reminder of the state's greed. The consul returned in triumph to the city, parading the Volscian leader Cluilius in front of his chariot and displaying the spoils taken from the disarmed enemy before he sent them under the yoke.

In civil life, the consul Quinctius equaled the glory of his military colleague—not an easy thing to do. By tempering justice to high and low, he maintained a concern for harmony and peace at home, with the result that the patricians regarded him as a strict consul, whereas the plebs thought him quite mild. He also held his own against the tribunes, more by his authority than by contentiousness. Five consulships administered with the same principles and a life lived as befit an ex-consul made the man almost more revered than was his office. Consequently there was no talk of military tribunes during the consulship of these men.

11. 442 BCE. Ardea is colonized by Romans and Rutulians.

Marcus Fabius Vibulanus and Postumus Aebutius Cornicen were elected as consuls [442 BCE]. As consuls, Fabius and Aebutius realized that they were coming after a period of greater renown both at home and abroad, a year that had been especially memorable among the neighboring allies and the enemy because of the Romans' concern in coming to the aid of Ardea at its time of such great peril. So, they worked all the harder to wipe the infamy of the earlier injustice from men's minds. They formulated a senatorial decree that colonists should be enrolled to serve as a garrison against the Volsci, since the citizen body of Ardea had been reduced to a few men as a result of their internal troubles. Such was the wording of the decree that was openly displayed in order to conceal from the plebs and tribunes the fact that they were initiating a plan to rescind the earlier judgment.³⁰ However, the senators had agreed that a much larger number of Rutulians than Romans should be enrolled as colonists and that no land should be apportioned except that which had been acquired by the infamous judgment.³¹ Nor should any piece of soil be assigned to any Roman until the Rutulians had had their share. In this way, the land reverted to the people of Ardea. A board of three men was appointed to establish the colony, consisting of Agrippa Menenius, Titus Cluilius Siculus, and Marcus Aebutius Helva. In addition to this being an

30. The senatorial decree would have to be ratified by the people in the *Comitia Centuriata*.

31. The Rutulians inhabited the territory around Ardea; see 1.2.

unpopular task because they offended the plebs by assigning land to the allies that the Roman people had judged belonged to them, these commissioners did not even satisfy the leading senators, because they did not show favoritism to anyone. When they were summoned by the tribunes to appear before the people, they avoided harassment by remaining in the colony that was a witness to their integrity and justice.

12. 441–440 BCE. A year of relative tranquility is followed by a severe famine. Lucius Minucius, prefect of the grain supply, only aggravates the situation.

There was peace both at home and abroad in this and the following year, the consulship of Gaius Furius Pacilus and Marcus Papirius Crassus [441 BCE]. The games that had been vowed by the decemvirs in accordance with a decree of the senate, during the secession of the plebeians from the senators, were held in that year.³² The tribune Poetilius failed in his attempt to cause civil strife, though he was elected for the second time by promising the same measures. However, he was unable to prevail on the consuls to bring before the senate a bill to assign land to the plebs, and, after a great struggle, he forced the senate to discuss whether consuls or tribunes should be elected. The decision, however, was for the election of consuls. When the tribune proclaimed that he would hold up the levy, his threats became a laughing-stock, since the neighboring people were quiet and there was no need for war or preparations for war.

Following this tranquil period came the consulship of Proculus Geganius Macerinus and Lucius Menenius Lanatus [440 BCE], a year that was marked by many deaths and dangers: civil strife, famine, and the near acceptance of the yoke of kingship as a result of the attractiveness of free handouts. The one thing that was missing was a foreign war; had that aggravated the situation, resistance would have scarcely been possible, even with the help of all the gods. The troubles began with a severe famine. Either it was a bad year for the crops, or the attraction of public meetings and city life had caused men to abandon the cultivation of the land; both explanations are in the tradition. The patricians accused the plebs of laziness, and the plebeian tribunes accused the consuls now of deception, now of negligence.

Finally, with no opposition from the senate, the tribunes drove the plebs to elect Lucius Minucius as prefect of the grain supply. In that position, he

32. The vowing of these games was not mentioned in Livy's account of the decemvirate.

would turn out to be more fortunate in guarding freedom than in attending to his official assignment, though in the end he earned and received gratitude and glory for relieving the grain shortage. He sent many legations by land and sea to neighboring peoples but had no success, except for the small amount of grain that was imported from Etruria. And so, since he had no impact on the grain supply, he resorted to distributing the little that remained by forcing men to declare what grain they had and to sell anything in excess of a month's supply. He cheated the slaves of their daily ration of food and brought charges against the grain dealers, subjecting them to the people's anger. By this acrimonious process, he revealed, rather than alleviated, the scarcity. The result was that many of the plebs lost hope and, rather than suffer torture by prolonging their existence, covered their heads and threw themselves into the Tiber.³³

13. 440–439 BCE. Spurius Maelius institutes a grain dole and aims at kingship. The aged Cincinnatus is persuaded to assume the dictatorship.

Then Spurius Maelius, a wealthy man for those days and a member of the equestrian order, attempted a useful measure that set a very bad precedent and had an even worse motive.³⁴ Through the agency of his friends and clients, he bought up grain from Etruria with his own money—this, I believe, hindered the state's efforts to reduce the price—and he began to give free handouts of grain. The plebs were enticed by this gift and followed him around wherever he went; his conspicuousness and importance were beyond that of a private citizen. Doubtless the plebs' support and expectations offered the promise of the consulship. He himself, as the human spirit is never satisfied with fortune's promises, aimed at something higher and illicit. Since

33. *covered their heads*: a ritual practice before death, especially in cases of suicide.

34. The story of Spurius Maelius bears some resemblance to that of Spurius Cassius, who also aimed at kingship and was killed (2.41). On the problems of attempting to analyze the multilayered story of Maelius, see Ogilvie 1965: 550–1, and Forsythe 2005: 239–41.

Several aspects of this story would have recalled the tribunate of Gaius Gracchus in 123 and 122 BCE, his death, and that of his older brother, Tiberius Gracchus, tribune in 133 BCE, who was alleged to have been aiming at kingship. Desire for kingship was also a factor in the assassination of Julius Caesar.

equestrian order: Spurius Maelius, a plebeian, was ranked in the eighteen centuries of the cavalrymen or knights (*equites*) of the *Comitia Centuriata*, as opposed to the members of the senatorial class.

even the consulship would have to be torn from the unwilling senators, he began to think about becoming king. This, he thought, would be the only reward worthy of the elaborate plans and the sweat that would need to be put into this mighty struggle.

It was already time for the consular elections, but these overtook Maelius because his plans were not sufficiently advanced. Titus Quinctius Capitolinus was elected consul for the sixth time, a man who was not to be taken lightly by a revolutionary. His colleague was Agrippa Menenius, whose *cognomen* was Lanatus [439 BCE]. Lucius Minucius was the prefect of the grain supply, but it is uncertain whether he was reelected or had been elected for as long as the situation required. There is no agreement in the sources, although in the *Linen Books* the name of the prefect is written among the magistrates for each year.³⁵ This Minucius was performing the same function as a state official that Maelius had undertaken as a private citizen. Since the same dealers were coming and going in both their houses, Minucius discovered the affair and reported it to the senate. Weapons, he said, were being brought into Maelius' house; he was holding meetings in his home; and undoubtedly there were plans to make him king. The time for action, Minucius said, was not yet fixed, but everything else was agreed. The tribunes had been bribed to betray liberty, and tasks had been assigned to the leaders of the mob. Minucius said that he had delayed these matters almost longer than was safe, in case he was vouching for something that was false or uncertain.

After hearing this, the leading senators on every side blamed the consuls of the previous year, because they had allowed free handouts and meetings of the plebs in a private house. They also blamed the new consuls, because they had waited until the prefect of the grain supply had brought this important matter before the senate, a matter that needed a consul not only to report it but also to punish it. Then Quinctius said that the consuls did not deserve to be blamed. They were constrained by the laws of appeal that had been passed to break their authority; they did not have the power in their office to punish the offense as its wickedness deserved, although they had the spirit to do so. What was needed was not only a brave man, but one who was free and exempt from the shackles of the law. He would, therefore, name Lucius Quinctius Cincinnatus as dictator; this man's spirit would be equal to such great power. Despite everyone's approval, Quinctius at first refused, asking why they wanted to subject him to such a great battle at his advanced age. Then—since on all sides they said that there was not only more wisdom

35. *Linen Books*: see 4.7 with n. 25.

but also more valor in this old man's spirit than in everyone else's combined, and since they loaded him with the praise he deserved and the consul still did not relent—finally, after praying to the immortal gods that his old age not be a disgrace or detriment to the state in this dangerous situation, Cincinnatus was named as dictator by the consul. He himself then named Gaius Servilius Ahala as his master of the horse.³⁶

14. 439 BCE. Maelius resists arrest and is summarily killed by the master of the horse, Servilius Ahala.

The following day, after posting guards at various points, Cincinnatus went down into the forum. This strange and surprising sight attracted the attention of the plebeians. Maelius' supporters and their leader himself realized that the force of this mighty office was directed against them. But those who did not know of the plans for kingship asked what uprising or sudden war had required either the magisterial office of dictator or Quinctius, a man of more than eighty years of age, to direct the state. Servilius, the master of the horse, was sent by the dictator to Maelius. "The dictator summons you," he said. When the trembling Maelius asked what he wanted, Servilius replied that Maelius must stand trial and clear himself of a charge that Minucius had laid before the senate. Then Maelius retreated into his band of supporters and at first, looking around, began to equivocate. Finally, on the orders of the master of the horse, an attendant was trying to lead him away, when he was rescued by the bystanders. As he fled, he called on the Roman plebs to protect him, declaring that he was being overthrown by a patrician cabal because he had been kind to the plebs. He begged them to help him in his extremity and not allow him to be butchered before their very eyes. As he was screaming these pleas, Servilius Ahala caught up with him and cut him down. Then, bespattered with blood and surrounded by a band of young patricians, Ahala announced to the dictator that Maelius, when summoned, had repulsed the attendant and was inciting the mob; he had received the punishment he deserved. "Well done, Gaius Servilius!" the dictator then cried. "The state has been freed!"

36. For skepticism concerning Cincinnatus' dictatorship, see Ogilvie 1965: 550–1, and Vasaly 1999: 527.

15. *Cincinnatus defends the killing of Maelius, arguing that Maelius was justly killed because he was aiming at kingship.*

The crowd was in an uproar, not knowing what to make of the deed. Ordering them to assemble, the dictator announced that Maelius had been justly killed; even if he was innocent of the charge of aiming at kingship, he had not come to the dictator when summoned by the master of the horse.³⁷ He himself had taken his seat to examine the case, he said, and if the hearing had been completed, Maelius would have received the fortune that his case merited. But, in offering violence to avoid trial, he had been checked by violence. Furthermore, he should not have been dealt with as a citizen. This was a man who had been born among a free people that had rights and laws, in a city from which he knew that kings had been expelled; and in the same year, the sons of the king's sister, children of the consul who had liberated his country, had been beheaded by their father because their plan to bring back the kings had been exposed.³⁸ In this city, the consul Tarquinius Collatinus had been ordered to resign from office and go into exile because his name was so hated. Here, a few years later, Spurius Cassius had been punished for aiming at kingship. Here the decemvirs had recently suffered confiscation, exile, and death because of their regal arrogance. And yet, in this city, Spurius Maelius had entertained the hope of becoming king. Who was this fellow? Even though nobility, office-holding, and good service did not open the path to tyranny, nevertheless the Claudii and Cassii, with their consulships, decemvirates, and their own and their ancestors' office-holding, had been emboldened to attempt the forbidden.³⁹

But Spurius Maelius, a rich grain dealer for whom the plebeian tribunate should have been something to wish for rather than expect, had imagined that he had bought the freedom of his citizens for two pounds of grain apiece. By throwing them food, he thought that he could entice into slavery a people who were victorious over all their neighbors. He even imagined that

37. *justly killed*: an echo of the speech of Scipio Aemilianus, delivered in 131 BCE, concerning the death of Tiberius Gracchus; see Ogilvie 1965: 555–6.

38. *sons of the king's sister*: this is inexact. Brutus, consul in 509 BCE, was the son of Tarquinia, sister of Tarquin the Proud (see 1.56). Brutus' sons, therefore, were not Tarquinia's sons, but her grandsons. For Brutus' execution of his sons, see 2.3–6.

consul who had liberated his country: this reference to Brutus' action in 509 BCE would have recalled the claim of Brutus and Cassius, the assassins of Julius Caesar in 44 BCE. Note also the cry, "The state has been freed!" at the end of the previous section.

39. *Claudii and Cassii*: the allusions are to Appius Claudius, the decemvir, and to Spurius Cassius (2.41–2).

a state that could hardly have stomached him as a senator would put up with him as a king, holding the insignia and power of Romulus, its founder who was descended from the gods and who had been received back into their number.⁴⁰ It was not to be regarded so much as a crime but as a monstrosity. Nor was it enough to have expiated this with his blood; the dwelling and walls within which such madness had been conceived were to be demolished, and the goods that had been contaminated by the price of buying kingship sold at public auction. And so Cincinnatus ordered the quaestors to sell Maelius' goods and put the proceeds into the state treasury.

16. 438 BCE. Minucius is honored, and, although three tribunes succeed in having elections for military tribunes, three are elected, all of whom are patricians, including a son of Cincinnatus.

Then Quinctius ordered that Maelius' house be immediately pulled down so that the site should be a reminder of the suppression of his nefarious scheme. The place was called *Aequimaelium*.⁴¹ Lucius Minucius was honored with a gilded ox outside the Trigemina Gate, with no opposition from the plebs because he shared Maelius' grain among them at the price of one copper coin per measure.⁴² I find in certain sources that this Minucius transferred from the patricians to the plebs, was co-opted as an eleventh plebeian tribune, and calmed the strife stirred up by the killing of Maelius.⁴³ But it is scarcely credible that the senators allowed the number of tribunes to be increased, and that this particular precedent should have been introduced by a patrician; nor that the plebs did not hold on to this concession once it was granted, or at least did not try to do so. But above all, the falsity of the

40. *stomached him*: a marked metaphorical use of *concoquere* (to digest, endure); probably a political colloquialism.

41. *Aequimaelium*: the first part of the name derives from *aequus*, which means both "just" and "level"; thus Maelius is justly leveled.

42. *gilded ox*: the authenticity of this offering is questionable, since we otherwise do not hear of gilded statues until 181 BCE; other sources, including numismatic evidence, indicate a column surmounted by a statue. It is possible that an ox with gilded horns was given to Minucius for him to sacrifice; see Ogilvie 1965: 556–7.

43. *transferred from the patricians to the plebs*: it is not impossible that such a transfer was made for political reasons, even at this early date. Mention of Quintus Junius as tribune of the plebs, which will follow, suggests that such a transfer may have happened in the family of the Junii Bruti. The tradition concerning the definition of patrician and plebeian families at this period is confused and conflicting; see Cornell 1995: 252–7.

inscription on Minucius' funeral mask is proved by the proviso passed a few years earlier that the tribunes could not co-opt a colleague.⁴⁴

Quintus Caecilius, Quintus Junius, and Sextus Titinius were the only members of the tribunician college who had not supported the law conferring honors on Minucius.⁴⁵ They had never stopped accusing both Minucius and Servilius before the plebs, complaining that Maelius' death was undeserved. Consequently they prevailed in providing for the election of military tribunes rather than consuls. They had no doubt that some plebeians would be elected to the six vacant positions (this was the number that could now be elected), if the candidates promised to avenge Maelius' murder. But the plebs, although they had been aroused by the many and various disturbances during that year, elected no more than three tribunes with consular power; among these was Lucius Quinctius, the son of Cincinnatus, whose unpopular dictatorship was being used as a reason for the disturbance. Mamercus Aemilius came first in the voting, a man of the highest standing; Quinctius came next; and Lucius Julius was elected third (438 BCE).⁴⁶

17. 438–437 BCE. The Fidenates defect to Veii and kill three Roman envoys, allegedly on the orders of the Veientine king, Lars Tolumnius. After severe losses in a successful battle, the Romans appoint a dictator and drive the enemy out of Roman territory. The Romans cross the Anio and prepare for battle.

During the term of office of these military tribunes, Fidenae, a Roman colony, defected to Lars Tolumnius and the Veientes. A greater wickedness was added to this defection: on Tolumnius' orders, the Fidenates killed the Roman

44. *funeral mask*: noble families preserved masks (*imagines*) of their ancestors for generations, displaying them in a cupboard in the atrium of the house and wearing them at the funerals of prominent family members. The inscriptions on the masks indicated the high points of the deceased's career. These inscriptions, however, were often elaborated or falsified to enhance the reputation of the deceased and thus that of his family; see Livy 8.40.

the proviso: evidently the Trebonian law of 448 BCE, reported at 3.65, requiring the election official to continue the voting until ten tribunes had been chosen.

45. *Quintus Junius*: since it is likely that Marcus Junius Brutus, the consul of 509 BCE, was a patrician, it is possible that the family later transferred into the plebs. Another possibility is that the family had died out with the execution of Brutus' sons (2.5), and that the tribune Quintus Junius was descended from freed slaves who took their former master's name but not his patrician status; see Cornell 1995: 253.

46. All three men came from patrician families.

envoys, Gaius Fulcinius, Cloelius Tullus, Spurius Nautius, and Lucius Roscius, who were seeking the reason for this new policy. There are those who try to make light of the king's action, saying that an ambiguous utterance by the king on a lucky throw of the dice apparently gave orders for their killing, and that this was taken by the Fidenates as a reason to kill the envoys.⁴⁷ But it is incredible that the king, when interrupted by the Fidenates—his new allies who were consulting him about a murder that was bound to violate the law of nations—would not have withdrawn his attention from the game or that, if it did happen this way, the deed would not have been explained as a mistake. It is more believable that he wanted the people of Fidenae to be bound by their awareness of such a crime in order that they could not hope for any reconciliation with the Romans. Statues of the ambassadors slain at Fidenae were set up at public expense on the Rostra in the forum.⁴⁸ A fierce fight was now impending with the Veientes and Fidenates, not only because they were neighboring peoples, but because of the impious act with which they had caused the war.

Because the plebs and the tribunes were quiet this year out of concern for the national welfare, there was no trouble when Marcus Geganius Macerinus, for the third time, and Lucius Sergius Fidenas were elected as consuls [437 BCE]. I suppose that the latter's name derives from the war that he then waged, for he was the first to fight a successful battle on this side of the Anio with the king of Veii. But he did not win a bloodless victory, and the grief for the citizens who were lost was greater than the joy at the enemy's rout. As was usual in a perilous situation, the senate ordered the appointment of a dictator, Mamercus Aemilius. As his master of the horse, he named a man who had been his colleague in the previous year as a military tribune with consular power, Lucius Quinctius Cincinnatus—a young man worthy of his father. Veteran centurions experienced in war were added to the levy conducted by the consuls, and the losses of the last battle were made good.

The dictator ordered Titus Quinctius Capitolinus and Marcus Fabius Vibulanus to attend him as his lieutenants. The greater power of that office and the man who was equal of that power drove the enemy from Roman territory across the Anio. The enemy withdrew their camp and occupied the

47. *dice . . . for their killing*: in a Roman game involving dice, a successful throw could occasion the cry "kill" (*occide*). But as an Etruscan, Tolumnius would have been playing a Greek, not a Roman, game of dice; see Ogilvie 1965: 559–60 for discussion of this problem.

48. *Rostra*: the speakers' platform in the forum, though it was not given this name until after 338 BCE, when it was adorned with the beaks (*rostra*) of the ships that were captured in the battle off Antium.

hills between Fidenae and the Anio; nor did they come down into the plains until the forces of the Faliscans had come to their help.⁴⁹ Then, at last, the Etruscans pitched camp in front of the walls of Fidenae. The Roman dictator took up his position on the banks of both the Tiber and the Anio at their confluence, making a rampart where he was open to attack by the enemy.⁵⁰ On the following day, he drew up his battle line.

18. 437 BCE. The Romans confront Etruscan forces from Veii, Fidenae, and Falerii.

The enemy were of several minds. The Faliscans, intolerant of serving so far from home and quite self-confident, demanded battle. The Veientes and Fidenates put more hope in prolonging the war. Tolumnius, although more pleased with the strategy of his own people, announced that he would fight on the following day, in case the Faliscans would not put up with serving far from home. The dictator and the Romans were encouraged that the enemy had declined battle. On the following day, because the soldiers were murmuring that they would attack the camp and the city unless they had the opportunity for a battle, the two armies marched forth into the middle of the plain between the two camps. Since the Veientes had men to spare, they sent them around the mountains to attack the Roman camp amid the fighting. The army of the three peoples was positioned in such a way that the Veientes held the right wing and the Falisci the left, with the Fidenates in the center. The dictator advanced on the right against the Falisci, and Quinctius Capitolinus on the left against the Veientes. In front of the center, the master of the horse led the attack with the cavalry.

For a short time, there was a hushed silence, since the Etruscans were not going to fight unless they were forced; and the Roman dictator kept looking back to Rome's citadel so that he might receive a signal from the augurs, as arranged, as soon as the birds proved propitious. The moment he saw the signal, the battle cry was raised. First he sent the cavalry against the enemy, and the infantry followed with a mighty onrush. In no place did the Etruscan legions withstand the Roman attack. Their cavalry put up the greatest resistance, by far the bravest of them being the king who prolonged the struggle by riding in the path of the Romans as they scattered everywhere in pursuit.

49. The Faliscans came from the area of Falerii, some thirty miles north of Rome.

50. *open to attack by the enemy*: the text is corrupt at this point. I have followed Ogilvie's suggested interpretation (1965: 561).

19. 437 BCE. Cossus, a military tribune, kills the king of Veii and routs the enemy.

At that time, there was among the cavalry a military tribune called Aulus Cornelius Cossus, who was extraordinarily handsome, equally strong and courageous, and mindful of his birthright. He had inherited a glorious name that he greatly enhanced and bequeathed to his descendants. Seeing the Roman squadrons panicking wherever Tolumnius directed his attack, and recognizing the king from his regal dress as he flew along the whole battle line, Cossus cried, "Is this the breaker of a treaty made by men and the violator of the law of nations? If the gods wish there to be any sanctity in this world, I shall soon offer him as a sacrificial victim to appease the shades of the envoys." Digging in his spurs and leveling his spear, he bore down on this one foe. After striking the king and throwing him from his horse, Cossus immediately leaped to the ground with the help of his spear. As the king tried to get up, Cossus threw him back on the ground with the boss of his shield, pinning him to the earth as he repeatedly stabbed him with his spear. Then he stripped the armor from the lifeless body and cut off the head. Parading it in victory on the point of his spear, he routed the enemy in terror at the sight of their slain king. Even the cavalry was routed, the one element that had put the outcome of the struggle in doubt. The dictator pressed hard on the fleeing legions, slaughtering them as he drove them toward their camp. A large number of the Fidenates, knowing the area, fled into the mountains. Cossus crossed the river with the cavalry and brought huge booty from Veientine territory back to the city.

During the battle, there was also a fight near the Roman camp against the part of Tolumnius' forces that had been sent against it, as was mentioned previously. Fabius Vibulanus at first defended the rampart with a circle of men. Then, when the enemy were focusing their efforts on the rampart, he went out of the main gate on the right and made a sudden attack on them. The slaughter caused by their panic was less because they were fewer in number, but their fear as they fled was as great as that in the main battle line.

20. The dictator celebrates a triumph, and Cossus dedicates the spolia opima. Digression on whether Cossus was military tribune or consul when he killed the king of Veii.

Successful on every front, the dictator returned to the city and celebrated a triumph granted by a senatorial decree and at the people's bidding. By far the greatest spectacle in the triumph was Cossus, bearing the spoils of honor

(*spolia opima*) of the slain king. The soldiers sang impromptu songs about him, comparing him to Romulus.⁵¹ With a solemn dedication, he fastened up the spoils as an offering in the temple of Jupiter Feretrius, near the spoils of Romulus, which were the first to be called *opima* and were at that time the only ones.⁵² Cossus had drawn the gaze of the citizens away from the dictator's chariot onto himself, and the enjoyment of that day's crowded celebration was virtually his alone. The dictator, at the bidding of the people and at public expense, presented to Jupiter on the Capitol the gift of a golden crown weighing one pound.

Following all previous writers, I have stated that Aulus Cornelius Cossus was a tribune of the soldiers when he brought the second spoils of honor to the temple of Jupiter Feretrius.⁵³ But, in addition to the fact that those spoils that are properly called *spolia opima* are those that one commander has stripped from another commander, and because we know that the only commander is the one under whose auspices the war is waged, the very title inscribed on the spoils proves both them and me to be wrong, since it indicates that Cossus took the spoils as consul.⁵⁴ I have heard that Augustus Caesar, the founder and restorer of all temples, entered the temple of Jupiter Feretrius, which he restored after it had collapsed with age, and himself read

51. *spolia of honor*: on the story of Romulus winning these spoils, see 1.10.

52. This digression on the *spolia opima* involves not only the question of whether Cossus won the spoils as military tribune in 437 BCE or as consul in 428 BCE but also the problem of Livy's attitude toward Augustus. See Appendix 2, pp. 421–4.

53. *Following all previous writers, I have stated*: Livy firmly states that Cossus was a tribune of the soldiers when he won the *spolia opima*. This position in the army as a junior military officer is not to be confused with the military tribunes with consular power who, in some years, replaced the consuls. Livy's final statement on the subject of Cossus' *spolia opima* at 4.32 is again unequivocal: "Aulus Cornelius, the master of the horse, would prove himself the same man in battle as he had been in the earlier war when, as a tribune of the soldiers, he had carried the *spolia opima* to the temple of Jupiter Feretrius." For detailed discussion of this digression, see Appendix 2, pp. 422–4.

54. The legalistic precision with which Livy defines the conditions for obtaining the *spolia opima*, especially the interpolation "we know" and the definition of a commander as "the one under whose auspices the war is waged," arouse suspicion about Livy's sincerity in what follows.

The historian Dio reports that Marcus Licinius Crassus, who had killed an enemy chief, was not allowed to dedicate the *spolia opima* because he was not the supreme commander (Greek *autokrator* = Latin *imperator*). Both Crassus and Augustus were granted triumphs, but, unlike Augustus, Crassus did not receive the title *autokrator* (Dio 51.24–5). It is therefore likely that Crassus was probably denied the *spolia opima* on the technicality that the war was not waged under his auspices. For it would have been in Augustus' interests to show that Cossus was the supreme commander, not a mere tribune of the soldiers, since the latter case would have provided a precedent for Crassus' claim.

the inscription on the linen breastplate.⁵⁵ Therefore I thought that it would be almost sacrilegious (*prope sacrilegium*) to rob Cossus of Caesar, the restorer of that very temple, as the witness to his spoils.⁵⁶

It is up to everyone to decide for himself where the error in this matter lies. In the old annals and in the books of magistrates that are written on linen, placed in the temple of Moneta, and cited from time to time by Licinius Macer as his authority, Aulus Cornelius Cossus is recorded to have won the spoils ten years later as consul, when his colleague was Titus Quinctius Poenus.⁵⁷ There is an additional factor that makes it impossible to transfer such a famous battle to the later year: Cossus' consulship fell in a period of about three years when there were no wars because of plague and a shortage of crops, and so certain annual records, like death lists, give nothing beyond the names of the consuls. In the third year after his consulship [426 BCE], Cossus was a military tribune with consular power, and in the same year he was master of the horse, fighting in another outstanding cavalry engagement in that capacity. That gives freedom for conjecture that I nonetheless think is pointless. You may subject the matter to every opinion, but Cossus, who fought the battle, when he placed his newly won spoils in the sacred place, was looking almost at Jupiter himself, to whom he had vowed the spoils, and at Romulus—witnesses not to be despised where a false title is concerned. And Cossus wrote that he was consul.⁵⁸

55. *I have heard that . . .*: these words do not mean that Livy heard this directly from Augustus; for detailed discussion, see Badian 1993: 14–6. Compare Foster's misleading Loeb translation: "Having heard from the lips of Augustus."

Augustus Caesar: this title was only assumed by Augustus in 27 BCE, thus indicating a *terminus post quem* for the composition of this book.

inscription on the linen breastplate: a linen breastplate bearing an inscription is unlikely to have survived for 400 years, especially since Livy notes that the temple in which the spoils were housed had fallen into disrepair. Thus it is likely that the breastplate and inscription read by Augustus were restorations, perhaps initiated by him when he restored the temple. In the latter case, the implication would be that Augustus had falsified the evidence in order to show that Cossus was consul when he won the spoils.

56. *Therefore I thought that it would be almost sacrilegious to rob*: an authorial remark that is probably tongue in cheek.

57. According to 4.30, Cossus was consul in 428 BCE; hence the emendation of the manuscript from seven to ten years.

the books of magistrates that are written on linen: evidently the Linen Books, already mentioned at 4.7 and 4.13, and again at 4.23. That the Linen Books and testimony of Macer were unreliable, or at least at variance with other records, seems to be implied in each of those sections.

the temple of Juno Moneta: see 4.7 with n. 25.

58. The implication is that Cossus would not have risked sacrilege by misidentifying him-

21. 436–435 BCE. The Romans plunder Faliscan and Veientine territory but return because of plague at Rome. The Faliscans take advantage of the plague to invade Roman territory, getting support from Veii. A dictator is appointed.

In the consulship of Marcus Cornelius Maluginensis and Lucius Papirius Crassus [436 BCE], armies invaded Veientine and Faliscan territory, driving off men and beasts as booty. Nowhere in the countryside did they find the enemy, nor was there any opportunity for fighting. The cities, however, were not besieged, because a plague attacked the people. Seditions were attempted at home but did not succeed. Spurius Maelius, a tribune of the plebs, had imagined that he would create a stir because of the popularity of his name. So, he indicted Minucius and proposed a law to confiscate Servilius Ahala's property. He maintained that his namesake Maelius had been overthrown by Minucius on false accusations; he also brought a charge against Servilius for killing a citizen who had not been condemned. To the people, these charges were more inane than was their author. But the increasing virulence of the disease was of greater concern, as were alarming signs and prodigies, especially because there were reports of buildings collapsing because of frequent earthquakes in the countryside. A supplication was made by the people, with the board of two directing the ceremony.⁵⁹

The plague was worse the next year, when Gaius Julius (for the second time) and Lucius Verginius were consuls [435 BCE], causing such fear of devastation in the city and the countryside that no one went beyond Roman territory to plunder, nor did the senators or plebeians have any thought of making war. But the Fidenates, who at first had kept to the mountains or their walls, actually came down into Roman territory, intent on plunder. Then they summoned an army from Veii—neither Rome's misfortunes nor the prayers of their allies could drive the Faliscans into renewing war—and the two peoples crossed the Anio, setting up their standards not far from the Colline Gate. The panic in the city was no less than in the countryside. The consul Julius stationed his troops along the rampart and walls, and Verginius consulted the senate in the temple of Quirinus.⁶⁰ It was decided

self; but the tone seems ironic, further suggesting that Augustus himself had falsified the historical tradition.

59. *board of two*: the duumvirs, priests who were in charge of the performance of sacred rites. They would have dictated the recitation or chanting of the prayer of supplication. On the question of whether the duumvirs had consulted the Sibylline books, see Appendix 3, p. 430.

60. Although the temple of Quirinus on the Quirinal was not vowed until 325 BCE, there

to appoint as dictator Quintus Servilius, to whom some sources give the *cognomen* Priscus; others give Structus. Verginius delayed until he could consult his colleague and then, on getting his consent, that night he named the dictator, who appointed Postumus Aebutius Helva as master of the horse.

22. The dictator routs the Etruscans, who flee to Fidenae. The Romans besiege the city, tunnel into the citadel, and take the Etruscans by surprise.

The dictator ordered everyone to be outside the Colline Gate at dawn. All who were able to bear arms were present. The standards were taken from the treasury and brought to the dictator. While all this was happening, the enemy withdrew to higher ground. The dictator advanced with arms at the ready. Not far from Nomentum, he joined battle with the Etruscan forces and put them to flight. Then he drove them into the city of Fidenae and surrounded it with a rampart. But it was a high and well-fortified city and consequently could not be captured with scaling-ladders. Nor was there any point in a siege, since the inhabitants had not only sufficient grain for their needs but even an abundant supply from what they had previously collected. Having lost hope of either storming the city or forcing it to surrender, the dictator began to make a tunnel into the citadel, starting on the far side of the city, which was the least guarded because its very nature made it the safest (the area was also familiar because it was near to Rome).

He divided his army into four parts so that they might take over from each other in the attack and approach the city walls from different directions. And so, with continuous fighting by day and night, he distracted the enemy from perceiving the earthwork until a tunnel had been dug through the hill from the camp and a passageway made into the citadel. The Etruscans were on the alert against empty threats rather than the real danger, when shouts of the enemy above their heads revealed that their city had been captured.

In that year, the censors Gaius Furius Paculus and Marcus Geganius Macerinus approved the building of the Villa Publica on the Campus Martius, and the census was conducted there for the first time.⁶¹

could have been an earlier temple or shrine on the same site, which was near the Colline Gate. Since meetings of the senate had to be held in an augurated building, they were often held in temples.

61. *Villa Publica*: "State House."

23. Discrepancies in the sources concerning the chief magistrates for 434 BCE. When the Veientes and Faliscans get support for a meeting of the Etruscan League, the Romans appoint a dictator.

I find that Licinius Macer records that the same men were reelected as consuls for the following year [434 BCE]: Julius for the third time and Verginius for the second. Valerius Antias and Quintus Tubero, however, give Marcus Manlius and Quintus Sulpicius as consuls for that year. But, despite their great discrepancy on this point, both Tubero and Macer cite as their source the Linen Books. Neither hides the fact that the older sources recorded that there were military tribunes for that year.⁶² Licinius decides to follow the Linen Books without hesitation. Tubero is uncertain of the truth. Let this also be regarded as uncertain amid all the other matters that are shrouded by their antiquity.

There was consternation in Etruria after the capture of Fidenae. Not only were the Veientes terrified by the fear of a similar destruction, but the Faliscans recalled that they had begun the war in alliance with the Fidenates, though they had not helped them in their revolt. The two states had consequently sent ambassadors around the twelve cities and obtained their consent to having a council proclaimed at the shrine of Voltumna.⁶³ As if a great uprising were imminent, the senate ordered that Mamercus Aemilius again be appointed dictator. He named Aulus Postumius Tubertus as his master of the horse. War was prepared with much greater effort than the previous time, since the danger from all Etruria was so much greater than that from the two cities.

62. *Licinius Macer*: see 4.7.

Valerius Antias: see 3.5.

Linen Books: see 4.7, 4.13, and 4.20.

Tubero: Quintus Aelius Tubero, an annalist of the late first century BCE who wrote a history of Rome from earliest times down to the 30s BCE.

older sources: Fabius Pictor, Calpurnius Piso, and Cato.

On this problem, see Ogilvie 1965: 570–1, and Broughton 1986(1): 61–2.

63. *twelve cities*: the cities that constituted the so-called Etruscan League.

Voltumna: virtually nothing is known about the location and nature of this Etruscan goddess; see Ogilvie 1965: 571.

24. The dictator imposes a term limit of eighteen months on the censorship, resigns from the dictatorship, and is then downgraded by the censors.

The affair ended more quietly than anyone had expected. It was reported by traders that the Veientes had been denied help and ordered to finish the war with their own resources, since it had been their idea to start it. Nor were they to seek as allies in their misfortune men with whom they had not shared their original hopes. Then the dictator, to avoid having been appointed for nothing, was eager to have some peaceful achievement to memorialize his dictatorship, now that he was deprived of the means of seeking glory in war. So, he prepared to weaken the censorship, either because he thought its power excessive or because he was offended, not so much by the greatness of the office, but by its long duration. Summoning an assembly, he said that the immortal gods had undertaken to manage the foreign policy of the state and keep everything safe; he himself would do what needed to be done inside the city to defend the liberty of the Roman people. Currently its greatest safeguard was that great power should not be long-lasting and that a term limit should be imposed on men to whom the law could not be applied.⁶⁴ Other magistracies lasted one year, whereas the censorship was for five. It was a serious matter to live under such an obligation to the same men for a great part of one's life. So, he was going to propose a law whereby the censorship should last no more than a year and a half. With great agreement on the part of the people, Mamercus passed the law on the following day with the words, "Fellow citizens, so that you may know how displeasing prolonged power is to me, I hereby resign from the dictatorship." And so, having laid down his own magistracy and imposed a term limit on the other, he was escorted to his home with great rejoicing and popular support.

But the censors were angry that Mamercus had weakened a magistracy of the Roman people. They removed him from his tribe, assessed him at

64. *great power* (*magna imperia*) *should not be long-lasting* . . . : this phrase and the following sentences would have had a resonance for Livy's readers. In recent decades, the Romans had experienced extended dictatorships under Marius, Sulla, and Caesar, followed by the extraordinary powers of the Second Triumvirate. At the time Livy was writing this book in the mid-20s BCE (see Introduction, pp. ix–x), many must have doubted the sincerity of Augustus' claim that he had transferred the republic from his own power to that of the senate and Roman people, and that he possessed no more official power than others who were his colleagues in the several magistracies (Augustus, *Achievements* 34). It is only with hindsight that we know that Augustus' restoration of the facade of the republic succeeded, giving way to hereditary one-man rule under Tiberius.

eight times his former tax, and put him in the lowest rank of citizens.⁶⁵ They say that he bore this with great spirit, looking at the reason for the disgrace rather than the disgrace itself. The leading senators, so they say, though they had not wanted the jurisdiction of the censorship to be weakened, were immediately offended at this example of censorial ruthlessness, since each saw that he would be subject to the censors for a longer period and more often than he would hold the censorship. At any rate, the people are said to have been so indignant that no man's authority except that of Mamercus himself could have protected the censors from their violence.

25. 433–432 BCE. A temple to Apollo is vowed because of plague. Military tribunes, all patricians, are elected in both years. In vain the plebeians agitate about their failure to be elected to the military tribunate, and the senate orders that consuls be elected for 431 BCE.

The tribunes of the plebs were preventing the consular elections by their persistent opposition. When the matter had almost reached an *interregnum*, they finally succeeded in having military tribunes with consular power elected. But they did not get the reward for their victory that they sought, the election of a plebeian. All those elected were patricians: Marcus Fabius Vibulanus, Marcus Folius, and Lucius Sergius Fidenas.

In this year [433 BCE], pestilence gave a respite from other problems. A temple was vowed to Apollo on behalf of the people's health. On the advice of the books, the board of two did many things to placate the anger of the gods and ward off the plague from the people.⁶⁶ Nevertheless, a great disaster

65. Removing him from his tribe would have deprived him of the right to vote in the Tribal Assembly. In addition to his taxes being increased eightfold, putting him in the lowest rank of citizens would have meant that he was no longer eligible for military service in the legion, nor was he likely to be called to vote in the *Comitia Centuriata*.

66. *Apollo*: a Greek god who was already worshiped in the Campus Martius area; see 3.63 with n. 131. The vow and the later dedication of a temple (4.29) mark Apollo's formal acceptance into the Roman pantheon. As a non-Roman god, however, his temple was outside the *pomerium*, the sacred boundary of the city. It is also important to note that his original cult in Rome was that of Apollo the Healer (*Medicus*), not that of the oracular Apollo at Delphi and Cumae.

board of two: the duumvirs; see 4.21, n. 59.

advice of the books: since the duumvirs are mentioned, it is likely that these are the Sibylline books; see 3.10 with n. 28. However, since Livy reports the vowing of the temple *before* he

was sustained in both the city and countryside, as men and cattle perished indiscriminately. They were also afraid that the plague would result in famine, since many of the farmers were affected by the disease. So, they sent to Etruria, the Pomptine district, Cumae, and finally to Sicily as well, to ask for grain. There was no mention of consular elections; military tribunes with consular power were elected, all of whom were patrician: Lucius Pinarius Mamercus, Lucius Furius Medullinus, and Spurius Postumius Albus [432 BCE]. The virulence of the disease abated in this year, and there was no danger of a shortage of grain because measures had been taken earlier. Plans to stir up war were discussed in councils of the Volsci and Aequi, and in Etruria at the shrine of Voltumna. There the project was put off for a year and a decree passed that no council be held before that date. In vain the Veientes complained that the same fate that had destroyed Fidenae also threatened them.

Meanwhile, at Rome, the leaders of the plebs, who had long been frustrated in their eager hopes for higher office while there was peace abroad, began to hold meetings at the houses of the plebeian tribunes. There they discussed their secret plans. They complained that they were so despised by the plebs that, although for so many years military tribunes with consular power were being elected, no plebeian had ever gained access to that office. Their ancestors had taken care to ensure that the plebeian magistracies were not open to patricians—otherwise they would have had to have patricians as tribunes of the plebs! Even their own class regarded them as dirt; they were despised as much by the plebs as by the senators. Others exonerated the plebs, putting the blame on the patricians. Because of the patricians' skill in canvassing, the road to high office was blocked to the plebeians. If the plebeians were allowed to have a breathing-space from the combined entreaties and threats of the nobles, they would remember their friends as they went to vote, and, with the tribunician help they had already won, they would also achieve magisterial power.⁶⁷

mentions the books, it cannot be assumed that this vow was included in the oracular response; see Appendix 3, p. 430 with n. 16.

67. *breathing-space . . . combined entreaties and threats*: at this time, there was no secret ballot. The nobles were present as the plebs went to the voting area and could see how they voted. Thus the plebs were open to mental and even physical pressure from their patrons.

tribunician help . . . magisterial power: tribunician *auxilium* would help them gain the *imperium* of the military tribunate.

In order to do away with canvassing, they decided to propose a law that no one be allowed to whiten his toga in order to announce his candidacy.⁶⁸ This might now seem a trivial matter and hardly to be taken seriously, but at that time it inflamed a huge struggle among the patricians and plebeians. Nevertheless, the tribunes prevailed and passed the law. It was clear that the minds of the plebeians were so provoked that they would support the men of their own order. To deny them the freedom to do this, the senate decreed that consuls should be elected.

26. 431 BCE. Confronted again by war with the Aequi and Volsci, the senate wants to appoint a dictator, but the consuls refuse to cooperate. The senators appeal to the tribunes of the plebs, who threaten to imprison the consuls. A dictator is appointed.

The senate's reason [for the election of consuls] was a disturbance on the part of the Aequi and Volsci, reported by the Latins and Hernici. Titus Quinctius Cincinnatus, the son of Lucius (the same man who also has the *cognomen* Poenus), and Gaius Julius Mento were elected consuls [431 BCE]. The fear of war was not long in coming. After holding a levy under a sacred law, which was their most effective means of collecting forces, strong armies set out from both nations and met on Algidus.⁶⁹ There the Aequi pitched camp in one place; the Volsci, in another; and their leaders were more careful than ever in making fortifications and drilling their men. This news added to the terror in Rome. The senate decided that a dictator should be appointed because, though often conquered, these peoples had renewed war with greater efforts than ever before; moreover, a considerable number of young Romans of military age had died of plague. Above all, the perverseness of the consuls, the lack of harmony between them, and their arguments over every strategy were terrifying. Some sources say that these consuls were defeated on Algidus and that this was the reason for appointing a dictator. There is sufficient agreement that, though the consuls disagreed on other matters,

68. *whiten his toga*: candidates habitually wore whitened togas to signify that they were seeking office; see 4.6, n. 18.

69. *sacred law*: a *lex sacrata* whereby anyone who failed to report for military service was declared *sacer*, "accursed in the eyes of the gods." Such an individual could be killed with impunity. The practice of regarding fighting as a religious duty is found among other peoples of Italy: the Etruscans, Samnites, and Ligurians.

they were of one mind in opposing the senators' wish that they appoint a dictator.

But then, as the news grew more and more terrifying and the consuls refused to admit to the authority of the senate, Quintus Servilius Priscus, who had served with distinction in the highest offices, cried out, "Since we have reached the extreme, the senate calls on you, tribunes of the plebs, to use your power to force the consuls to name a dictator in this great national crisis." Hearing these words, the tribunes thought they had been offered an opportunity to increase their power. So, they withdrew and made an announcement on behalf of the college that they were resolved that the consuls should obey the will of the senate; if the consuls held out against consensus of that most distinguished order, the tribunes would order them to be imprisoned. The consuls preferred to be defeated by the tribunes rather than the senators. They declared that the power of the highest magistrates had been betrayed by the senators and the consulship subjected to the yoke of tribunician power, since apparently a tribune could use his power to put pressure on the consuls and even imprison them—and what could a private citizen fear more than this?

It was determined by lot that Titus Quinctius should name the dictator, since the two consuls could not even agree on this. He named as dictator Aulus Postumius Tubertus, his father-in-law, a man of the sternest authority. Lucius Julius was named by him as the master of the horse. A levy and cessation of public business were simultaneously proclaimed: throughout the city there was to be no other activity except preparation for war. Examination of those claiming exemption from military service was postponed until after the war, with the result that even doubtful cases were inclined to enroll. Soldiers were also demanded from the Latins and Hernici, each of whom eagerly obeyed the dictator.

27. The dictator and one of the consuls withstand a night attack. The enemy's camp is taken by surprise.

All this was done with great speed. Gaius Julius the consul was left behind to guard the city, and Lucius Julius, the master of the horse, was to deal with the sudden demands of war so that those in the camp should not be hampered, should some need arise. The dictator, with Aulus Cornelius the *pontifex maximus* dictating the words, vowed to celebrate the Great Games if he

should quell the uprising.⁷⁰ Then, dividing his army with the consul Quinctius, he set out from the city and reached the enemy. Seeing the two enemy camps with little space between them, they also encamped apart, about a mile from the enemy, the dictator at Tusculum and the consul nearer to Lanuvium. In their midst, the four armies and their corresponding encampments had an open space in between them that was sufficient not only for small preliminary skirmishes but also for drawing up the battle lines on either side. From the time that they pitched camp, the Romans did not hold back from light skirmishes, since the dictator was quite content to let his men match their strength against that of the enemy, anticipating eventual victory by gradually testing the outcome of these contests.

Consequently the enemy abandoned all hope of a regular battle and made a night attack on the consul's camp, committing themselves to the outcome of a risky enterprise. The sudden raising of the battle shout not only aroused the consul's sentries and then the entire army, but it also awoke the dictator. When the situation demanded immediate help, the consul lacked neither resolve nor strategy. Part of the soldiers reinforced the sentries at the gates, and part encircled the rampart. In the other camp where the dictator was, there was less of an uproar, and so there was greater perception of what was needed. Reinforcements were immediately sent to the consul's camp under the command of the lieutenant Spurius Postumius Albus.

The dictator himself, taking part of his forces by a short detour, made for a place that was particularly isolated from the uproar so that he might make an unexpected attack on the enemy's rear. He put Quintus Sulpicius, a lieutenant, in charge of the camp and assigned the cavalry to Marcus Fabius, another lieutenant, ordering him not to move his contingent until dawn, since it would be difficult to exercise control amid the confusion of the night. Everything that any wise and active commander could have ordered and done in such a situation he duly ordered and did. An outstanding example of his strategy and resolve that does him no ordinary credit is the fact that he took the initiative in sending Marcus Geganius with some chosen troops to storm the enemy's camp (reconnaissance had shown that the enemy had marched out of it with the greater proportion of their men). The men Geganius attacked were concerned about the danger besetting others rather than

70. *Aulus Cornelius*: evidently Cossus, the winner of the *spolia opima*.
pontifex maximus: chief pontiff.

Great Games: also known as the Roman Games, which were not annually performed at this time but were votive—i.e., vowed for a specific occasion. See 1.35 with n. 113.

their own situation; their guards and outposts were consequently neglected, and so Geganius took the camp almost before the enemy realized that they were under attack. He sent up a prearranged smoke signal that was seen by the dictator, who immediately proclaimed the capture of the enemy's camp and ordered the news to be announced far and wide.

28. Early in the day, the Romans are victorious, but then a Volscian rallies the enemy. The dictator, the consul, and a lieutenant are wounded.

It was already dawn and everything was visible. Fabius had attacked with his cavalry, and the consul had made a sortie against the enemy, who were already panicked. The dictator, in another area, had attacked the auxiliaries and the second line, sending the victorious infantry and cavalry in all directions to oppose the enemy, who had wheeled round to face the dissonant shouts and sudden uproar. Already surrounded on every side, the enemy would have paid the penalty for their rebellion down to the last man had not Vettius Messius, a Volscian who was more distinguished for his deeds than his birth, called out with loud reprimands to his men who were already closing into a circle: "Are you going to offer yourselves to the enemies' weapons without defending and avenging yourselves? Why do you carry arms, and why did you take the initiative in making war? In peacetime you are turbulent, but in war you are sluggish. What hope do you have as long as you just stand here? Or do you think that some god is going to protect you and get you out of this? The way out of here must be made by the sword. So come, follow where you see me taking the lead, if you intend to see your homes, your parents, your wives and children. It is not a wall or rampart that stands in the way, but armed men who oppose your arms. In courage you are a match for them; but necessity, the ultimate and greatest weapon, makes you their superior."

They renewed the battle cry, following him as he spoke, and acting on his words. They charged against the opposing cohorts of Postumius Albus, forcing the victors to give ground until the dictator came up to his retreating troops. The entire battle was focused in this area. The enemies' fortune depended on one single warrior, Messius. Many were the wounds on either side, and great the indiscriminate slaughter. Now even the Roman leaders bled as they fought. Only Postumius left the battle, his head struck and gashed by a rock. A wounded shoulder did not remove the dictator from the critical fighting; nor would Fabius retire, despite his thigh

being pinned to his horse; nor the consul, though his arm had been slashed.⁷¹

29. The dictator captures the Volscian camp and celebrates a triumph. Livy questions the story of the dictator beheading his son. The dedication of the temple of Apollo and a note on a Carthaginian expedition to Sicily.

His onslaught carried Messius, along with a band of the bravest youths, over the slain bodies of their foes to the Volscian camp, which had not yet been captured. The entire battle converged on this area. The consul pursued the scattered enemy as far as the rampart, attacking both camp and rampart. The dictator also brought up his troops from another side. The assault was just as vigorous as the battle had been. There is a story that the consul even hurled his standard into the stockade to make his soldiers keener in their assault; as they tried to recover the standard, the first breach was made. The dictator had also taken the battle into the camp, once the rampart was broken. Then the enemy everywhere began to throw down their arms and surrender. When both the camp and its men were captured, all the enemy were sold into slavery except the senators. Part of the booty was returned to those of the Latins and Hernici who recognized their own property, and part was auctioned off by the dictator. Putting the consul in charge of the camp, he himself returned in triumph to the city and abdicated his office.

The memory of his outstanding dictatorship is grim, since there is a tradition that Aulus Postumius beheaded his victorious son because he had abandoned his post when he was tempted by the opportunity of a good fight. But one is reluctant to believe this, and the diversity of opinion allows for disbelief. A counterargument is that we use the term “Manlian discipline,” not Postumian, whereas the one who was the first to establish such a savage precedent would have taken a title signifying his cruelty. Moreover, Manlius was given the *cognomen Imperiosus* (Disciplinarian), but Postumius is distinguished by no such grim mark.⁷²

71. Ogilvie (1965: 579) points out the similarity with Homer’s *Iliad* (11.252, 11.378, and 11.437), where Agamemnon is wounded in the arm, Diomedes in the leg, and Odysseus in the side and shoulder; the Trojan Hector is forced to retire, concussed by a boulder (*Iliad* 14.409–32).

72. The story of Manlius’ son, who was executed for defying his father’s orders as consul, is recounted at Livy 8.7.

mark: Latin *nota*, the technical term used for the mark placed by the censors against the name of a man who was to be removed from his ranking on the citizen rolls.

The consul Gaius Julius dedicated the temple of Apollo in the absence of his colleague, without drawing lots. Quinctius resented this when he returned to the city after dismissing his army and complained to the senate, but to no effect. To a year that was distinguished for its great events was added a record that was then regarded as irrelevant to the Roman state: the Carthaginians, who were destined to be such mighty foes, for the first time sent an army to Sicily to help one side in the factional strife of the Sicilians.⁷³

30. 430–427 BCE. A fairly peaceful period, but drought and plague are followed by an outbreak of non-Roman religion. War is declared on Veii.

In the city, the plebeian tribunes agitated for the election of military tribunes with consular power but were unable to prevail. Lucius Papirius Crassus and Lucius Julius were elected as consuls [430 BCE]. Ambassadors from the Aequi asked the senate for a treaty, but instead of granting a treaty, the senate suggested that they surrender. They then requested and obtained a truce for eight years. The Volsci, in addition to the disaster they had sustained on Algidus, were involved in wrangling and strife because of an obstinate struggle between the advocates of war and peace. As far as the Romans were concerned, it was peaceful everywhere. One of the tribunes betrayed his colleagues and told the consuls that they were preparing a law concerning the valuation of fines, a measure that was greatly favored by the people. So, the consuls anticipated their action and proposed it themselves.

The next consuls were Lucius Sergius Fidenas (for the second time) and Hostus Lucretius Tricipitinus [429 BCE]. Nothing worthy of mention was done during their consulship. They were followed by the consuls Aulus Cornelius Cossus and Titus Quinctius Poenus, who was elected for the second time [428 BCE].⁷⁴ The Veientes made attacks on Roman territory. There was a rumor that some youths from Fidenae had taken part in the pillaging. The investigation of this matter was entrusted to Lucius Sergius, Quintus

73. Here Livy foreshadows the Punic Wars (264–146 BCE). The First Punic War (264–241 BCE) was related in the lost second decade of his history; the Second Punic War (218–201 BCE) is the main theme of Books 21 to 30; and the Third Punic War (149–146 BCE) was related in Books 49 to 51, now lost.

74. On Cossus and the *spolia opima*, see 4.20 with notes, and Appendix 2, pp. 422–4.

Servilius, and Mamercus Aemilius. Some of the suspects were banished to Ostia because it was not clear why they had been absent from Fidenae during the relevant days. A number of colonists were added at Fidenae, and they were assigned land that had belonged to men who had been killed in war.

There was much hardship in that year because of a drought. Not only was there a lack of rain, but even the earth was deprived of its natural moisture and could scarcely supply the rivers that flow year-round. In some places around the parched springs and streams, the lack of water caused animals to perish from thirst. Others died of mange, and by contagion their diseases spread to men. At first these illnesses attacked the countryfolk and slaves; then they became rife in the city. Not only were men's bodies affected by plague, but various kinds of religious practice, mostly foreign, assailed their minds, because men who make a profit from superstition-prone people were posing as seers and introducing new rituals of sacrifice into Roman homes. In the end, the impropriety of such public activities reached the leaders of the state, as they saw alien and unfamiliar expiations being offered in every street and shrine in the quest for the gods' favor. Then the aediles were given the task of seeing to it that none but Roman gods be worshiped and that they be worshiped only in the ancestral way.⁷⁵

The anger against the Veientes was postponed until the following year, when Gaius Servilius Ahala and Lucius Papirius Mugillanus were consuls [427 BCE]. Then a religious question prevented the immediate declaration of war and dispatch of armies. The senate resolved that fetials should first be sent to seek restitution.⁷⁶ There had recently been a battle with the Veientes near Nomentum and Fidenae, after which a truce, not peace, had been made. This had now expired, and they had renewed war even before its expiration. Nevertheless fetials were sent. But their words were not heeded when they asked for reparation after taking the ancestral oath. Then there was a dispute over whether war should be declared by the people or whether a senatorial decree would suffice. By announcing that they would hinder the levy, the tribunes prevailed with the result that the consul Quinctius brought the question of war to the people.⁷⁷ All the centuries voted for it. The plebeians

75. On this episode, see Appendix 3, p. 431.

76. *fetials*: priests who originally dealt with the declaration of war and the making of treaties.

77. *the consul Quinctius*: this notice and the note that Quinctius "had just been consul" (4.31) when he became military tribune with consular power conflict with Livy's earlier notice that Titus Quinctius was consul in 428 BCE (4.30); on this problem, see Broughton 1986(1): 65–6, n. 1, and Ogilvie 1965: 566, 584.

brought the question of war to the assembly: it was one of the functions of the *Comitia Centuriata* to accept or reject a decision to declare war.

also won, because they succeeded in not having consuls elected for the following year.

31. 426 BCE. Disagreement among three military tribunes results in a minor defeat for the Romans and the appointment of a dictator. The people of Fidenae renew war and massacre the new colonists.

Four military tribunes with consular power were elected: Titus Quinctius Poenus, who had just been consul; Gaius Furius; Marcus Postumius; and Aulus Cornelius Cossus.⁷⁸ Of these, Cossus was in charge of the city; the other three set out for Veii after holding the levy and proved how counter-productive it is to have more than one commander in war. Each pursued his own strategy, and, since they had different strategies, they gave the enemy occasion to take advantage of them. The Veientes opportunely attacked a confused battle line, as some were giving the order to advance while others were ordering a retreat to be sounded. The nearby camp received the demoralized fugitives, and so it was more of a disgrace than a disaster. The state, unused to defeat, was sorrowful. People detested the tribunes and demanded a dictator: in him, they felt, lay the hope of the state. Since there was also a religious problem that forbade a dictator from being named by anyone but a consul, the augurs were consulted and dealt with the problem. Aulus Cornelius named Mamercus Aemilius as dictator, and he himself was named by Mamercus as master of the horse.⁷⁹ And so, when the fortune of the state required true worth, the censors' earlier degradation of Mamercus in no way prevented a man from a family that had been undeservedly stigmatized from being asked to direct the state.⁸⁰

Elated by their success, the Veientes sent envoys around to the peoples of Etruria, boasting that they had routed three Roman generals in a single battle. However, although they did not arouse any general support from the

78. *Aulus Cornelius Cossus*: the winner of the *spolia opima* (4.20) and the consul of 428 BCE, who was also *pontifex maximus* (4.27).

79. On this religious problem, see Linderski (1990: 45), who suggests that the power and auspices held by military tribunes with consular power were regarded as inferior to those held by consuls. Aulus Cornelius Cossus was an appropriate choice to name the dictator, since he would already have held the auspices as consul in 428 BCE.

80. *earlier degradation*: the censors had virtually disenfranchised Mamercus because, as dictator, he had limited the censors' term of office to eighteen months; see 4.24.

league, they attracted volunteers from all areas by the hope of booty. Only the people of Fidenae decided to renew war. As if it were impious to begin war without a crime, they stained their swords with the blood of the new colonists, just as they had before with the blood of the envoys. Then they joined the Veientes, and the leaders of the two peoples discussed whether they should take Veii or Fidenae as the headquarters for the war. Fidenae seemed the better position, and so the Veientes crossed the Tiber and transferred the war to Fidenae. Great was the terror at Rome. The army, shattered by its defeat, was recalled from Veii and encamped in front of the Colline Gate. Armed men were posted on the walls; a suspension of public business was declared and the shops were closed. Everything was more like a camp than a city.

32. The dictator Mamercus rallies the citizens by reminding them of their earlier victories over the Fidenates and Veientes. Aulus Cornelius Cossus, the master of the horse, is identified as the man who earlier won the spolia opima as a tribune of the soldiers in 437 BCE. The Romans engage the enemy near Fidenae.

The dictator sent heralds throughout the streets, summoning the terrified citizens to an assembly, where he reprimanded them for being overwrought at trivial shifts of fortune. The loss they had suffered was small, and it had happened as a result of disagreement among the generals, not as a result of the enemy's valor or the cowardice of the Roman army. Yet now they were afraid of the Veientes, a foe they had defeated six times, and of Fidenae, a town captured almost more often than attacked! Both the Romans and their enemies were the same as they had been for so many generations: they had the same spirit, the same physical strength, the same weapons. He too was the same Mamercus Aemilius who had earlier routed the armies of Veii and Fidenae, along with the Faliscans, near Nomentum.⁸¹ Aulus Cornelius, the master of the horse, would prove himself the same man in battle as he had been in the earlier war when, as tribune of the soldiers, he had carried the *spolia opima* to the temple of Jupiter Feretrius, after killing Lars Tolumnius,

81. *near Nomentum*: Mamercus Aemilius is not mentioned in context of the engagement near Nomentum in 435 BCE (4.22). Aemilius' victory over the Veientes, Fidenates, and Faliscans as dictator in 437 BCE is related in 4.17–20.

the king of Veii, in full view of the two armies.⁸² They should therefore take up arms remembering that theirs were the triumphs, theirs the spoils, theirs the victory; whereas the enemy had committed a crime against the law of nations by killing envoys, slaughtered the colonists of Fidenae during peacetime, broken the truce, and unsuccessfully rebelled a seventh time. As soon as they pitched camp near the enemy, he was confident that the wicked foe would no longer rejoice over the Roman army's humiliation. The Roman people would then realize how much better the state was served by the men who had named him dictator for the third time than by those who had marred his second dictatorship because he had robbed the censorship of its kingly power.⁸³ Then, after making vows to the gods, the dictator set out and pitched camp a mile and a half on this side of Fidenae, protected by the mountains on his right and the Tiber on his left. He ordered his lieutenant Titus Quinctius Poenus to secure the mountains and secretly occupy the ridge that was in the enemy's rear.

On the following day, the Etruscans came out to battle, filled with confidence from that earlier day when their luck had been better than their fighting. The dictator delayed for a while until scouts reported that Quinctius had reached the ridge near the citadel of Fidenae. Then he advanced the standards, drew up the infantry in the line of battle, and led them on the double against the enemy. He ordered the master of the horse not to begin fighting without his orders: he would give the signal for the cavalry to help when they were needed. Then Cossus could engage, mindful of his battle with the king and mindful of his glorious offering, of Romulus and of Jupiter Feretrius.⁸⁴ With a mighty onrush, the armies clashed. The Romans were inflamed with hatred, dubbing the people of Fidenae godless, the Veientes brigands; calling them treaty-breakers, faithless allies, and cowardly enemies who were stained by the impious slaughter of the envoys and drenched with the blood of the Roman colonists. With deeds and words alike, the Romans sated their hatred.

82. Here Livy emphatically returns to his original assertion that Cossus was a tribune of the soldiers when he won the *spolia opima*; see 4.20 with notes, and Appendix 2, pp. 422–4.

83. *those who*: the censors who degraded Mamercus; see 4.24 with n. 83.

84. *mindful of his battle* . . . : further corroboration that Cossus won the *spolia opima* as a tribune of the soldiers, as asserted in Mamercus' speech.

33. The second battle of Fidenae: armed with firebrands, the people of Fidenae break out of the city, and Cossus devises a new cavalry ploy.

The Romans had immediately shattered the foe at the first onset, when suddenly the gates of Fidenae were opened and there burst forth a strange battle line that had never before been heard of or seen. A huge mob, armed with fire and blazing torches, lit up everything as they rushed against the enemy, seemingly driven by frenzied madness. For a moment this unusual kind of fighting terrified the Romans. Then the dictator summoned the master of the horse and the cavalry and sent for Quinctius to come from the mountains. Stirring up the fight, he rushed to the left wing, which had given way in terror at the flames, encountering a conflagration rather than a battle line. "Will you be defeated by smoke and driven from your position like a swarm of bees?" he cried in a loud voice. "Will you yield to an enemy that is unarmed? Why don't you put out the fire with your swords? If we have to fight with fire rather than javelins, won't you seize these firebrands and use them against the enemy? Come, be mindful of the Roman name, your fathers' valor, and your own. Turn this fire against the enemy's city, and destroy Fidenae with its own flames, a city that you were unable to win over by your acts of kindness. This is what the blood of your envoys and colonists, and your devastated fields exhort you to do." The entire battle line acted on the dictator's command. Some picked up the brands that had been hurled, while others seized them by force. Each line of battle was armed with fire.

Cossus, the master of the horse, also devised a new cavalry stratagem. Ordering his men to release their horses' reins, he himself led the way. Digging in his spurs, he was carried right into the midst of the flames on his unbridled horse. The rest of the horses were also spurred on, bearing their riders with free rein into the enemy. Dust arose, mingled with smoke, obscuring the sight of both men and horses. But the sight that had terrified the soldiers held no terror for the horses; wherever the cavalry advanced, they spread destruction like toppled buildings. Then a new battle cry was heard, attracting the astonishment of both battle lines. The dictator cried out that Quinctius the lieutenant and his own men had attacked the enemy from the rear. The battle cry was renewed, and the dictator advanced the standards more fiercely. The Etruscans were surrounded, with two different battles pressing them from both the front and the rear. They had no way to flee, neither back to their camp nor to the mountains where a new enemy blocked them. The horses, with loose reins, had carried their riders far and wide.

Most of the Veientes scattered, seeking the Tiber, while the Fidenates who survived made for Fidenae. Their flight brought them, panic-stricken, into the midst of the slaughter. They were cut down on the river banks; others were forced into the water and borne away by the current. Weariness, wounds, and panic weighed down even experienced swimmers. Few of their large number managed to swim across. Another division was carried through the camp into the city. Their momentum drove the pursuing Romans in the same direction, especially Quinctius and those who had just come down with him from the mountains and were the freshest for military action, since they had arrived late in the battle.

34. The dictator captures the enemy camp and the city of Fidenae, returns to Rome in triumph, and resigns from office.

Mingling with the enemy, Quinctius' troops entered the city gate, mounted the walls, and from the wall raised a signal to their men that the city had been captured. When the dictator saw this (he had already penetrated as far as the enemy's deserted camp), despite the soldiers' eagerness to scatter in search of booty, he led them to the gate, after inspiring them with the expectation that there was more booty to be had in the city. Then he entered the walls and marched to the citadel, where he saw the mob of fugitives rushing. The slaughter in the city was no less than that in the battle. Finally they threw down their arms and surrendered to the dictator, asking for nothing except their lives. City and camp were plundered. On the following day, the cavalry and centurions were allocated one captive apiece, while those who had shown exceptional bravery received two;⁸⁵ the rest of the captives were put up for auction. In triumph, the dictator led his victorious army back to Rome, enriched with booty. After ordering his master of the horse to resign from office, he himself resigned on the sixteenth day, surrendering in peace the power he had received in a time of war and crisis.

Certain annalists record that there was also a naval battle with the Veientes near Fidenae, an event that is as difficult as it is incredible. Even now the river is not wide enough for this, and at that time it was even narrower, as we hear from the older writers. Perhaps, however, there were a few ships assembled to block the river crossing and writers exaggerated this, as often happens, adding a false claim to a naval victory.⁸⁶

85. Ordinary soldiers obtained their own booty.

86. *naval battle*: the Latin literally means that there was fighting with the fleet (*classis*). Livy

35. 425–424 BCE. *Truces are made with Veii and the Aequi. After two more years of patrician military tribunes, the plebeian tribunes agitate about the plebs' failure to achieve high office.*

The next year there were military tribunes with consular power [425 BCE]: Aulus Sempronius Atratinus, Lucius Quinctius Cincinnatus, Lucius Furius Medullinus, and Lucius Horatius Barbatus. The Veientes were granted a twenty-year truce and the Aequi one of three years, although they had asked for a longer one. There was even a respite from civil disturbances. The following year [424 BCE] was distinguished neither for war abroad nor strife at home, but it was famous for the games that had been vowed during the war. The military tribunes produced a splendid celebration that was attended by a throng of neighboring peoples. These tribunes with consular power were Appius Claudius Crassus, Spurius Naevius Rutilus, Lucius Sergius Fidenas, and Sextus Julius Iulus. The spectacle was even more pleasing to the visitors because of the courtesy of their hosts, who had agreed on this as a matter of public policy.

After the games, the tribunes of the plebs held seditious public meetings in which they berated the people because they were keeping themselves in everlasting servitude, dumbfounded with admiration for those they hated. Not only did they not dare to aspire to participation in the consulship, but they did not even take thought for themselves or their fellow plebeians when electing military tribunes, a function in which patricians and plebeians shared. Therefore they should stop wondering why no one did anything for the benefit of the plebs. The hope of rewards and high office depended on toil and risk. If great rewards were offered for great undertakings, there was nothing that men would not attempt. But they should not expect or demand that some tribune of the plebs should rush blindly into a struggle at great danger to himself and with no reward, when he could be sure that the patricians against whom he was striving would pursue him with relentless warfare and that the plebeians for whom he was fighting would do nothing to help him gain higher office.

Great courage, they said, comes along with high office. No plebeian would despise himself when plebeians were no longer the object of contempt. It was time that they used one or two test cases to determine whether there was some plebeian fit to hold high office, or whether it was almost a

is rightly suspicious of this report and plausibly suggests that an exaggeration of the number of ships deployed has resulted in a false claim to a naval victory.

portent and a miracle that a brave and vigorous man could come from the plebs. It had taken the utmost force to get the concession that military tribunes with consular power might be chosen even from the plebs. Men conspicuous both in the field and in domestic politics had sought the office. During the first years, they had been beaten up, rejected, and mocked by the patricians. So, finally, they had stopped exposing themselves to insult. They did not see why they should not repeal a law that permitted something that would never happen. Indeed it would be less shameful to accept inequality under the law than to be passed over because of one's unworthiness.

36. 424 BCE. A few plebeians are aroused to seek the military tribunate. In the absence from Rome of most plebeians, the senators pass a decree that consuls be elected because they had heard of a threat from the Volsci.

Speeches of this kind were heard with approval, arousing some men to seek the military tribunate. Each made different promises about proposing measures to benefit the plebs during his term of office. Hopes were displayed of dividing up the public land and establishing colonies, and getting money to pay the soldiers by levying a tax on the occupants of the land. Then the military tribunes seized a time when the general populace was out of town. The senators were recalled by a secret notification for a certain day, and, in the absence of the tribunes of the plebs, a decree was passed that, since there was a report that the Volsci had come and plundered Hernican territory, the military tribunes should set out to investigate the matter and that consular elections be held. The tribunes set out, leaving Appius Claudius, son of the decemvir, as the city prefect. He was an energetic young man who had been imbued from the cradle with hatred of the plebeians and their tribunes.⁸⁷ Since it was a *fait accompli*, the tribunes of the plebs could not contest it, either with Appius or the absent officials who had framed the senatorial decree.

87. On the Claudii and stereotyping, see Appendix 1, pp. 409–11.

37. 423 BCE. *The Samnites capture Capua; the Volsci take advantage of the consul's lax discipline and the low Roman morale.*

Gaius Sempronius Atratinus and Quintus Fabius Vibulanus were elected consuls. A foreign event, but one that is worthy of record, is ascribed to this year. Volturnum, an Etruscan city that is now Capua, was captured by the Samnites and named Capua from their general Capys, or—and this is nearer the truth—from its surrounding plain.⁸⁸ They captured it when the Etruscans, worn out with war, had admitted the Samnites to share in the city and its territory. Then, on a festal day when the old inhabitants were heavy with sleep and feasting, the new colonists attacked and slaughtered them during the night.

After these events, the above-mentioned consuls assumed office on December 13.⁸⁹ By this time, not only those who had been sent for this purpose reported that war with the Volsci was imminent, but also envoys from the Latins and Hernici were bringing news that never before had the Volsci been more intent on choosing leaders and enlisting troops. They said that people were generally grumbling that they must either forget arms and warfare forever and accept the yoke of subjection, or they must not be inferior to the men with whom they were fighting for supremacy in military prowess, endurance, and discipline. There was substance in what they said, but the senators did not react. Gaius Sempronius, to whom this command fell by lot, relied on fortune as if it were an absolute constant, because he was the commander of a victorious people against foes whom they had previously defeated. Everything he did was so rash and careless that there was more Roman discipline in the Volscian army than in the Roman. And so, as on many other occasions, fortune followed military prowess.

In the first battle, which Sempronius entered without caution or deliberation, the fighting began before he had strengthened the battle line with auxiliaries and placed the cavalry in a suitable position. The battle cry was the first indication of the way the engagement would turn out. The enemy's shout was louder and stronger, whereas the Romans' was dissonant and

88. *Samnites*: these warlike people came from the mountains of central Italy. They were to prove formidable enemies to the Romans. Thus, as Livy notes, the taking of Capua was "worthy of record," a remark that foreshadows his account of the Samnite wars in the late fourth and early third centuries BCE. The area surrounding Capua was known as Campania; hence the allusion to "plain" (*campus*).

89. On the different dates recorded for the beginning of the civil year, see 3.6 with n. 16.

uneven, becoming more sluggish as it was repeated. And so, by the uncertainty of their battle cry, the army betrayed the panic in their hearts. This caused the enemy to charge more ferociously, pushing forward with their shields and flashing their swords. On the other side, helmets wavered as the Romans looked around, trembling in their uncertainty and clustering together. Now the standards were resisting; the next moment they were abandoned as the front-rank fighters fell back. Then there was a retreat into their own maniples. It was not yet a definite rout, nor yet a victory. The Romans were protecting themselves rather than fighting, whereas the Volsci advanced, pressed the Roman line, and saw more of their enemies killed than put to flight.

38. Tempanius, a cavalry commander, restores the situation by having the cavalry dismount and fight on foot.

The Romans were now giving way in every direction, as the consul Sempronius vainly shouted both reprimands and encouragement. Neither his power nor his authority was of any avail. They would soon have been in full retreat had not Sextus Tempanius, the leader of a ten-man cavalry group, had the presence of mind to come to the rescue just as everything was collapsing. In a loud voice, he cried out that those cavalrymen who wished to save the state should jump down from their horses. The horsemen of every squadron responded as if it were the consul's command. "Unless this cohort uses its shields to stop the enemy," Tempanius cried, "Rome's power is done for. Follow my spear instead of the standard. Show Romans and Volsci that no cavalry is your equal when you are mounted, nor any infantry when you fight on foot." His words of encouragement were met with a shout of approval as he advanced, brandishing his spear aloft. Wherever they advanced, they forced a path. Holding their rounded shields up in front of them, they charged where they saw their own men under the greatest pressure.⁹⁰ The fighting was renewed wherever their onset took them. If such a small number of men could have been everywhere at the same time, there is no doubt that the enemy would have retreated.

90. The cavalry carried a rounded, smaller shield (*parma*), in contrast to the larger, more unwieldy shield used by the infantry (*scutum*).

39. The Volscians cut Tempanius' cavalry off from the consul's troops. Night stops the fighting, and both Romans and Volscians abandon their camps, as if in defeat. The next day, the cavalry make their way back to Rome.

Since the cavalry could nowhere be stopped, the Volscian commander gave the signal to give ground to the enemy's new cohort with their rounded shields until the Romans were carried forward in their onrush and thus cut off from their own forces. When this was done, the horsemen were intercepted and unable to break through by the same route as they had come, since the enemy had amassed in the area where they had made their path. When the consul and his troops could nowhere see the soldiers who had so recently shielded the entire army, they took every risk to save so many brave men from being surrounded and overwhelmed by the enemy. The Volsci were fighting on two fronts. On one side they were withstanding the consul and the legions; on the other they were harassing Tempanius and the horsemen who had been unable to break through to their own men, despite frequent attempts. After seizing a mound, the cavalrymen had formed a circle and were protecting themselves while also taking vengeance on the enemy. The battle did not end until nightfall. Nor did the consul let up anywhere but kept the enemy engaged as long as there was daylight. Night put an end to the uncertainty. Such a great panic gripped both camps as a result of their ignorance of the outcome that both armies abandoned the wounded and a great part of their baggage, retreating into the neighboring mountains as if defeated.

Nevertheless, the mound was besieged well into the middle of the night. When the news reached the besiegers that their camp was deserted, they thought that their side was defeated, and so each fled wherever his panic carried him in the darkness. Tempanius feared an ambush and restrained his soldiers until dawn. Then he himself went off with a few men to reconnoiter. Questioning a few wounded enemy troops, he learned that the Volscian camp was deserted. So, he joyfully called his men down from the mound and made his way through to the Roman camp. There he found everything ravaged and deserted—the same disgraceful situation as in the enemy camp. Before the realization of their mistake could bring the Volsci back, he took with him as many of the wounded as he could; not knowing where the consul had gone, he made for the city by the most direct route.

40. The cavalry's return is greeted with great joy. A plebeian tribune interrogates Tempanius about the consul's performance in battle.

The rumor of an unsuccessful battle and the abandoned camp had already reached Rome. The cavalry had been especially mourned, with public as well as private lamentation. In response to the terror that even affected the city, the consul Fabius was stationing guards in front of the gates when the cavalry was seen from afar, causing considerable terror because it was not clear who they were. But they were soon recognized and fear turned to such joy that the city was filled with the cries of people giving thanks for the cavalry's safe and victorious return. From houses where shortly before they had bewailed their loved ones, the mourners ran out into the streets. In their joy, trembling mothers and wives forgot decorum as they ran up to the line of men, flinging themselves wholeheartedly into the arms of their loved ones, scarcely able to control themselves for joy.

The tribunes of the plebs, who had indicted Marcus Postumius and Titus Quinctius because of their responsibility for the defeat at Veii, thought that the recent hatred of the consul Sempronius offered an opportunity to renew the previous consuls' unpopularity.⁹¹ And so, they summoned a meeting and loudly declared that the state had been betrayed by its generals at Veii; then, because they had gone unpunished, the army on the Volscian campaign had been betrayed by the consul, the bravest horsemen handed over to be slaughtered, and the camp shamefully deserted. Gaius Junius, one of the tribunes, ordered the cavalryman Tempanius to be summoned and addressed him face to face. "Sextus Tempanius," he said, "I ask you whether you think that the consul Gaius Sempronius joined battle at the right moment. Did he strengthen his line with auxiliaries? Did he in any way perform his duty as a good consul should? Did you yourself, when the Roman legions were defeated, on your own initiative decide to dismount your cavalry and renew the fight on foot? Then, when you and your cavalry had been cut off from our battle line, did the consul himself come to your assistance, or did he send reinforcements? Finally, on the following day, did you ever receive any reinforcements, or did you and your cohort break through to your camp by your own valor? Did you find any consul in the camp, any army? Or did you find a deserted camp and wounded soldiers who had been abandoned? In the name of your valor and loyalty, which alone have saved the state in this war, you must answer these questions today. Finally you must say where Gaius

91. *defeat at Veii*: on the actions of these men at Veii in 426 BCE, see 4.31–2.

Sempronius and our legions are. Were you deserted, or did you desert the consul and the army? And lastly, are we the victors or the vanquished?"

41. Tempanius gives a report of the battle in which he avoids incriminating the consul Sempronius. The consul and his army return. Of the commanders at Veii in the previous year, Postumius is fined, whereas Quinctius is acquitted.

Tempanius' response is said to have been unpolished but impressive in a military way, neither rendered futile by self-praise nor taking pleasure in blaming others. Regarding Gaius Sempronius' expertise in warfare, it was not up to a soldier to evaluate a commander; that had been the job of the Roman people when they elected Sempronius to be consul. Therefore they should not ask him about a commander's strategy or a consul's skills. Only men of ability and intelligence should be asked to consider such matters. But what he had seen he was able to report. Before he was cut off from the battle line, he had seen the consul fighting in the front line, giving encouragement and moving amid the Roman standards and the enemy's missiles. Later, though he had been carried far from the sight of his fellow soldiers, he had nevertheless realized from the shouting and din that the struggle had been prolonged until night-fall. He did not believe that they could have broken through to the mound that he had held, given the great number of the enemy.

He said that he did not know where the army was but thought that the consul had occupied a safer place than the camp in order to save his army, just as he had protected himself and his men in a perilous situation by taking a defensible position. Nor did he believe that the situation of the Volsci was any better than that of the Roman people. Chance and darkness had created much confusion on both sides. Then, it is said, he begged them not to detain him, since he was exhausted by his effort and his wounds. And so he was dismissed with great praise, not only for his valor but also his restraint. While this was happening, the consul had already reached the shrine of Rest on the Labican road. Wagons and baggage animals were sent from the city to bring back an army weary from the battle and the night journey. Shortly after, the consul entered the city, seeking as much to extol Tempanius with well-deserved praise as to exonerate himself from blame.

While the citizens were grieving over their defeat and expressing anger at their commanders, Marcus Postumius, who had been a military tribune with consular power at Veii, was brought before them for trial and condemned to pay a fine of 10,000 pieces of heavy bronze. His colleague Titus Quinctius,

because he had been successful both in Volscian territory under the auspices of the dictator Postumius Tubertus and at Fidenae as lieutenant to the other dictator Mamercus Aemilius, shifted all the blame for this episode onto his colleague who had already been convicted. Thus he was acquitted by all the tribes. It is said that the memory of his father Cincinnatus, a venerable man, helped him, and also Quintius Capitolinus who, now advanced in years and had but a short time to live, supplicated and begged them not to allow him to be the bearer of such grim news to Cincinnatus in the underworld.⁹²

42. 422 BCE. Military tribunes with consular power are elected. A plebeian tribune indicts the ex-consul Sempronius but abandons the prosecution when Sempronius is supported by four plebeian tribunes.

The plebs elected in their absence Sextus Tempanius, Marcus Asellius, Tiberius Antistius, and Spurius Pullius as plebeian tribunes, men whom the cavalry, at the instigation of Tempanius, had also appointed to act as their centurions.⁹³ Since the name of “consul” was offensive because of the hatred felt for Sempronius, the senate ordered the election of military tribunes with consular power. Lucius Manlius Capitolinus, Quintus Antonius Merenda, and Lucius Papirius Mugillanus were elected.⁹⁴

Right at the beginning of the year, Lucius Hortensius, a tribune of the plebs, indicted Gaius Sempronius, the consul of the previous year. With the Roman people looking on, his four colleagues begged him not to persecute their commander, who was innocent and could not be faulted for anything except his bad luck. But Hortensius did not tolerate this, believing that his perseverance was being tested and that the defendant was putting his trust not in the tribunes’ entreaties, which were merely offered for the sake of appear-

92. An echo from Homeric epic, where the newly dead take a message to those who had predeceased them; see *Iliad* 13.414–6. See also Virgil (*Aeneid* 2.547–9), where Achilles’ son Pyrrhus, who is about to kill Priam, tells Priam to take a message to Achilles, reporting Pyrrhus’ action.

93. *centurions*: infantry officers; a reference to the cavalry fighting as infantry (4.38–9). These are the men who defend Sempronius against the charges brought by Hortensius later.

94. *Quintus Antonius Merenda*: he and Atilius (military tribune in 444 BCE; see 4.7 with n. 20) belong to families that are later attested as plebeian. Thus they are perhaps the only two plebeians elected to the military tribunate before 400 BCE; see Cornell 1995: 335–7. Neither instance is noted by Livy.

ances, but rather in their power of assistance (*auxilium*). He therefore turned to Sempronius and asked him where that famous patrician spirit was, where the courage that put its trust and reliance in innocence was. Had a former consul sought shelter in the shadow of the tribunate? Then, turning to his colleagues, he said, "What are you going to do if I proceed with the prosecution? Are you going to rob the people of their rights and overthrow the power of the tribunate?" They replied that the power of the Roman people was sovereign over both Sempronius and all men; they neither wished nor had the power to annul the people's judgment. But if their entreaties on behalf of a commander who had been like a father to them did not avail, they would put on mourning with him. At this, Hortensius declared, "The Roman plebs will not see their tribunes wearing mourning clothes. I will detain Sempronius no longer, because he, as commander, has so won the affection of his soldiers." The loyalty of the four tribunes was pleasing to plebeians and patricians alike, no less than Hortensius' disposition to yield to justifiable entreaties.

Fortune no longer favored the Aequi, who had embraced the dubious victory of the Volsci as if it were their own.⁹⁵

43. 421–420 BCE. Consuls are elected for 421 BCE. A proposal to increase the number of quaestors is dropped. Tribunician agitation results in the appointment of several interreges. Finally a compromise is suggested: the election of military tribunes and four quaestors from plebeians and patricians indiscriminately.

The following year, Gnaeus Fabius Vibulanus and Titus Quinctius Capitolinus, the son of Capitolinus, were consuls [421 BCE]. Under Fabius' leadership (he had been assigned the command against the Aequi by lot), nothing worthy of note was accomplished. The Aequi displayed an irresolute battle line and were routed in shameful flight, but it was hardly to the consul's credit. Consequently he was denied a triumph but was allowed to celebrate an ovation as he entered the city, because he had lessened the ignominy incurred by Sempronius' defeat.⁹⁶

Although the war was concluded with less fighting than had been feared, in the city an unexpected mass of quarrels between plebeians and senators

95. The later division of Livy's narrative into sections makes this transition to the subject of the Aequi appear somewhat abrupt.

96. *ovation*: a lesser distinction than a triumph.

broke out after a period of tranquility. It originated in the question of doubling the number of quaestors. This measure—that, in addition to the two city quaestors, there be two others elected to assist the consuls in the administration of wars—was proposed by the consuls and strongly approved by the senators. But the plebeian tribunes put up a fight to have some of the quaestors elected from the plebeians—for up to that time patricians had been elected. At first both consuls and senators made strong opposition to this move. Then they conceded that the people should be free to decide about the quaestors just as they had done in the case of tribunes with consular power. When they made no progress with this, they dropped the whole question of increasing the number of quaestors. The tribunes then took up where they had left off, and other revolutionary proposals emerged, one after another, among which was an agrarian law. Because of these disturbances, the senate wanted consuls rather than tribunes to be elected, but it was not possible to pass a senatorial decree on account of tribunician vetoes. And so the state passed from the consuls to an *interrex*, though this did not come about without a great struggle, because the tribunes kept preventing the senators from meeting.

The greater part of the following year [420 BCE] was taken up with struggles between the new plebeian tribunes and a number of *interreges*. Now the tribunes were preventing the senators from meeting to appoint an *interrex*; next they were vetoing the *interrex* to prevent the senate from passing a resolution to hold consular elections. Finally Lucius Papirius Mugillanus was named *interrex*. By reprimanding now the senators, now the tribunes of the plebs, he reminded them that the state, though abandoned and neglected by men, had been protected by the foresight and concern of the gods and was still standing thanks to the truce with Veii and the dilatory behavior of the Aequi. But if some fear should emerge from that area, did they want the state to be overwhelmed because it had no patrician magistrate? Did they want to have no army and no leader to enroll an army? Or were they going to repel a foreign war while a civil war was going on? If both of these should coincide, the gods' assistance could scarcely stop the destruction of the Roman state. Why then didn't they create a bond of harmony by the compromise of each party giving up something of its full rights—the senators by allowing the election of military tribunes with consular power, and the plebeian tribunes by not vetoing the measure that four quaestors be chosen indiscriminately from patricians and plebeians by a free vote of the people?

44. 420 BCE. No plebeian is elected either as military tribune with consular power or as quaestor for 420 BCE. Unable to indict Aulus Sempronius, the tribunes of the plebs prosecute and fine his brother Gaius (consul of 423 BCE) for his conduct in the Volscian war. Postumia, a Vestal virgin, is tried for unchastity and acquitted. Cumae is captured by the Campanians.

The election of tribunes was held first. All the tribunes elected with consular power were patricians: Lucius Quinctius Cincinnatus for the third time, Sextus Furius Medullinus for the second time, Marcus Manlius, and Aulus Sempronius Atratinus [420 BCE]. The last named conducted the election for quaestors, and among several plebeian candidates were a son of the plebeian tribune, Aulus Antistius, and the brother of another, Sextus Pollius.⁹⁷ But neither their political influence nor their support was strong enough to prevent the people from preferring the nobility of men whose fathers and grandfathers they had seen in the consulship.

All the plebeian tribunes were enraged—above all, Pollius and Antistius, who were incensed at the defeat of their own relatives. What, they asked, was going on? Despite their own services, despite the wrongs inflicted by the patricians' injustice, despite the desire to exercise a right that previously had been denied but was now permitted, not a single plebeian had been elected, not even as quaestor, let alone as military tribune!⁹⁸ Of no avail had been a father's entreaties for his son, a brother's for his brother; both of them plebeian tribunes, a powerful office that had been made sacrosanct to protect the people's liberty. Indeed, there was some fraud going on here. Aulus Sempronius had shown more skill than honesty in his conduct of the elections. It was because of his wrongdoing, they complained, that their relatives had been rejected for office. Therefore, since they could not attack the man himself (he was protected by his innocence and the office he held), they turned their anger on Gaius Sempronius, the brother of Aulus Sempronius Atratinus' father, and with the help of their colleague Marcus Canuleius, they indicted Sempronius for the disgrace suffered in the Volscian war.⁹⁹

97. *Sextus Furius Medullinus*: on the reading "Sextus" rather than "Lucius," see Ogilvie 1965: 600.

Aulus Antistius, Sextus Pollius: These names are probably manuscript errors. They may refer to Tiberius Antistius and Spurius Pullius, the centurions who were elected as plebeian tribunes in 422 BCE; see 4.42.

98. *let alone as military tribune*: this remark overlooks the possible examples of Atilius and Antonius in 444 and 422 BCE; see 4.7 with n. 20, and 4.42 with n. 94.

99. Gaius Sempronius had been consul in 423 BCE (see 4.37, 4.40, and 4.42), whereas Aulus

Then the same tribunes raised in the senate the question of dividing up public land, a proposal that Gaius Sempronius had always resisted most fiercely. They reckoned—and this was the case—that he would give up the cause and would consequently have less influence among the senators; alternatively, if he persevered, he would offend the plebeians right up to the time of his trial. He chose to be exposed to political odium and damage his own cause, rather than fail the state. He stood by the same conviction that there should be no handouts, since that would give support to the three tribunes. Their objective, he declared, was not land for the plebs but odium for him. But he also declared that he would confront that storm with a brave spirit. The senate should not regard him or any other citizen as of such great importance that its leniency to one individual would result in harm to the state. His spirit was in no way diminished when the day of his trial came and he pleaded his own case. In vain the senators did everything to mollify the plebs; he was fined 15,000 *asses*.

In the same year, the Vestal virgin Postumia was put on trial for unchastity. Though innocent, she was suspect because her dress was more attractive and her demeanor more free than befitted a maiden. Judgment was deferred, and then she was acquitted in a second trial; but the *pontifex maximus*, acting on behalf of the pontifical college, ordered her to refrain from levity and to dress in a manner more suited to sanctity than fashion.¹⁰⁰ In the same year, the Campanians captured Cumae, a city held at that time by the Greeks.

The following year had, as military tribunes with consular power, Agrippa Menenius Lanatus, Publius Lucretius Tricipitinus, and Spurius Nautius Rutilus [419 BCE].

was still in office and acting as presiding officer at the elections. So, Gaius is tried as a surrogate, despite escaping prosecution on a similar charge in 422 BCE (4.42).

100. On the condemnation of a Vestal for unchastity, see 2.42. The case would seem to have been political, since the Vestal was the sister of Postumia, who married Titus Quinctius (see 4.26). On the trial of Marcus Postumius and Titus Quinctius in 423 BCE, see 4.41.

45. 419–418 BCE. A slave conspiracy is discovered. The people of Labici are preparing to join the Aequi in war with Rome. Three military tribunes with consular power are elected. War is declared on Labici.

It was a year that was marked by great danger rather than a disaster, thanks to the good fortune of the Roman people. Slaves conspired to set fires in different parts of the city and to seize the citadel and Capitol with an armed force while the people were busy everywhere saving their houses. But Jupiter frustrated their impious plans. On the evidence of two of the slaves, the guilty were arrested and punished. The reward for the informers was their freedom and a sum from the treasury, 10,000 *asses* for each of them, which was considerable wealth at that time.

Then the Aequi again began to prepare for war. News reached Rome from reliable sources that new enemies, the people of Labici, were cooperating with the old. The citizens had become accustomed to fighting with the Aequi, as if it were an annual event. The envoys sent to Labici came back with an ambiguous reply, from which it was apparent that war was not being prepared at that time, but that peace would not continue for long. So, the people of Tusculum were given the task of seeing that no new disturbance should occur at Labici.

The next year [418 BCE], there were military tribunes with consular power: Lucius Sergius Fidenas, Marcus Papirius Mugillanus, and Gaius Servilius, son of Priscus, who as dictator had captured Fidenae.¹⁰¹ At the beginning of their term of office, envoys came, announcing that the Labicans had taken up arms, plundered Tusculan territory along with the Aequi, and pitched camp on Algidus. Then war was declared on the Labicani, and the senate decreed that two of the tribunes should set out for war and that one should take care of the situation in Rome. A dispute suddenly broke out among the tribunes. Each of them promoted himself as the better leader in war, rejecting the care of the city as a thankless and ignoble task. As the amazed senators watched this unseemly dispute between colleagues, Quintus Servilius said, "Since there is no respect for this body or for the state, a father's authority will put an end to this quarrel. Without drawing lots, my son will take charge of the city. I just hope that those who are eager to fight the war will conduct it with more consideration and harmony than they have shown in seeking the command."

101. *son of Priscus*: Quintus Servilius Priscus was dictator in 435 BCE; see 4.21–2.

46. 418 BCE. *The two military tribunes in command of the army cannot agree on strategy; they hold the supreme command on alternate days, and one is deceived into fighting under unfavorable conditions. The Romans are routed and their camp abandoned. Quintus Servilius Priscus is appointed dictator and marches against the enemy.*

It was decided to hold a levy, not from the whole population at large, but ten tribes were drawn by lot. From these, the two tribunes enrolled the men of military age and led them to war. Their disputes that had begun in the city were all the more inflamed in the camp because of the same desire to command. There was nothing that they agreed on, and they fought for their own point of view. Each wanted his own strategy and thought that his were the only orders to be obeyed. Each despised the other and was in turn despised. Finally, when their lieutenants reproved them, it was arranged that they hold the supreme command on alternate days. When this news reached Rome, it is said that Quintus Servilius, a man schooled by age and experience, prayed to the immortal gods that the discord of the tribunes not prove more damaging to the state than that at Veii had been;¹⁰² moreover, as if certain defeat were imminent, he pressed his son to enroll soldiers and prepare arms.

He was not a false prophet. Under the leadership of Lucius Sergius, whose day it was to exercise command, the Romans were in an unfavorable position close to the enemy camp. They had been drawn there in the vain hope of capturing it, since the Aequi had retreated to the rampart in pretended fear. But the Aequi made a sudden attack, driving the Romans right down a sloping valley. Many were overwhelmed and slaughtered, as they tumbled rather than fled. The camp was held with difficulty on that day; but on the following day, when almost completely surrounded by the enemy, they abandoned it by a shameful flight through an opposite gate. The generals, their lieutenants, and those forces that had stayed around the standards made for Tusculum. The rest scattered here and there throughout the fields and hastened to Rome by many routes, bringing news of a greater defeat than had actually been sustained. There was less consternation because the outcome had corresponded with men's fears, and the military tribune had prepared reserves that they could look to in the event of danger.

102. *that at Veii*: in 426 BCE, the failure of three military tribunes to agree on a strategy had resulted in a minor defeat (4.31).

It was also on Servilius' orders that scouts were hastily sent out, once the lesser magistrates had calmed the uproar in the city. They reported that the generals and the army were at Tusculum and the enemy had not moved camp. What especially raised morale was the appointment, in accordance with a senatorial decree, of Quintus Servilius Priscus as dictator. His foresight in public affairs had been enjoyed by the state on many previous occasions but particularly at this point of the war, because he was the only one who had been suspicious about the struggle among the military tribunes before their defeat. As master of the horse, he appointed his son, the military tribune who had named him as dictator. This is what some sources say, but others write that Servilius Ahala was master of the horse in that year. The dictator then set out for the war with a fresh army, summoned the troops that were at Tusculum, and made his camp two miles from the enemy.

47. The dictator defeats the Labicans and Aequi, returns to Rome, and abdicates. Labici is colonized. Military tribunes are elected for 417 and 416 BCE.

As a result of their success, the arrogance and carelessness that had been typical of the Roman generals had passed to the Aequi. And so, right at the beginning of the battle, after throwing the enemy's front ranks into confusion by sending in the cavalry, the dictator ordered the legions to advance rapidly, even killing one of his own standard-bearers who hesitated. So eager were the Romans for the fray that the Aequi did not withstand their attack. Their battle line defeated, they made for their camp in disordered flight. The camp was stormed in even shorter time and with less struggle than in the battle itself. After the camp was captured and plundered, the dictator gave the booty to the soldiers. The cavalry, after pursuing the enemy as they fled from their camp, reported that all the defeated Labicans and a great number of the Aequi had taken refuge in Labici. On the following day, the army marched to Labici. The town was encircled, captured by scaling-ladders, and plundered. The dictator returned to Rome with his victorious army on the eighth day after his appointment and resigned from office. And before the tribunes of the plebs could make trouble over a land bill by mentioning the division of Labican territory, the senate took the opportunity to resolve, in a crowded session, that a colony be planted at Labici. Fifteen hundred colonists were sent out from Rome and each received two *iugera*.¹⁰³

103. The *iugerum* was about five-eighths of an acre.

The year after the capture of Labici, there were military tribunes with consular power [417 BCE]: Agrippa Menenius Lanatus, Gaius Servilius Structus, and Publius Lucretius Tricipitinus, all for the second time, together with Spurius Rutilius Crassus. In the following year, the office was held by Aulus Sempronius Atratinus for the third time, and Marcus Papirius Mugillanus and Spurius Nautius Rutilus, both for the second time. Over the two-year period, there was quiet abroad but discord at home as a result of agrarian legislation.

48. 416 BCE. Two tribunes of the plebs propose a land bill to redistribute land acquired by conquest. Appius Claudius, grandson of the decemvir, suggests that the senators persuade the other tribunes to use their veto against their colleagues, and so the bill is withdrawn.

Those who stirred up the mob were plebeian tribunes: Spurius Maecilius for the fourth time, and Marcus Metilius for the third, both of whom had been elected in their absence.¹⁰⁴ They proposed that the land captured from the enemy should be divided up and allotted to individuals, a plebiscite that would have involved the confiscation of the fortunes of a large part of the nobles. There was almost no land that had not been won by force of arms, as is typical of a city situated on alien soil; nor, when land was sold or assigned by the state, did the plebeians ever secure it.¹⁰⁵ The setting for a fierce struggle between the plebs and patricians was apparent. The military tribunes were unable to find a strategy, either in the senate or by holding private meetings with the leading men, when, as the story goes, Appius Claudius—the grandson of the man who had been decemvir for writing the laws, the youngest in the council of senators—said that he was bringing them an old and familiar strategy from his family; his great-grandfather had shown the senators that the only way to break tribunician power was by their colleagues' veto.¹⁰⁶ It was easy, he said, for the leading men to use their authority to in-

104. The dates of their earlier tribunates are unknown.

105. At this point, the text is corrupt, and I have followed Ogilvie's suggestion (1965: 607) and the *OCT* reading of *unquam* for *praeterquam*.

106. *great-grandfather*: this would be the case according to the Capitoline Fasti, which indicate that the decemvir was consul in 471 and 451 BCE. Livy, however, reports the death of the consul of 471 BCE at 2.61, thus indicating that the consul of 471 BCE and the decemvir were

duce new men to change their opinion, if from time to time they adopted a rhetoric that was mindful of the situation rather than their own grandeur.¹⁰⁷ The minds of such people varied according to their fortunes. When they saw that their colleagues had won the entire favor of the plebs by taking an active lead and that no room was left for themselves, then they would readily swing over to the cause of the senate, ingratiating themselves not only with the entire order but with the leading senators.

Everyone approved, especially Quintus Servilius Priscus, who praised the young man for living up to his Claudian heritage. Each senator was entrusted with the task of enticing whomever he could of the tribunician college to use his veto. The senate was dismissed and the tribunes canvassed by its leading members. By persuasion, advice, and promises that their action would win the personal favor of individual members, as well as that of the senate as a whole, they got six men to use their veto. On the following day, as agreed, the senate discussed the sedition that Maecilius and Metilius were causing with their proposal of free handouts—the worst possible precedent. Each of the leading senators got up to say that he had no solution to suggest for himself and that he saw no help anywhere, except by asking for the tribunes' assistance. Like a helpless private citizen, the beleaguered state was resorting to protection under the power of the tribunate. It was a splendid thing, both for the tribunes and the power of their office, that the tribunate had as much strength to resist unprincipled colleagues as it did to harass the senate and promote discord between the orders. Shouts arose from the entire senate as the tribunes were called on from every part of the house. Then, after silence had been imposed, those who had been won over by the influence of the leading senators indicated that they would veto their colleagues' proposal, since the senate considered it subversive of the state. The senate thanked those who used their veto. The proposers of the motion convened an assembly, calling their colleagues betrayers of plebeian interests and slaves of the consular establishment, and fiercely denouncing them in other ways. Then they withdrew their proposal.

two individuals. In which case, the consul of 494 BCE, who showed how to break tribunician power (2.44), would have been the great-great-grandfather of this Appius Claudius who became military tribune in 403 BCE; see 5.1. On this problem, see Appendix 1, pp. 406–11 with stemmata.

107. *new men*: Latin *novi homines*, men whose ancestors had never held high office like the consulship.

49. 415–414 BCE. *The Romans take and retake Bolae. The military tribune Postumius alienates his soldiers and then the citizens. A tribune of the plebs seizes the opportunity to provoke Postumius while also reprimanding the plebs for pandering to the senators.*

There would have been two wars in the following year—when Publius Cornelius Cossus, Gaius Valerius Potitus, Quintus Quinctius Cincinnatus, and Gnaeus Fabius Vibulanus were military tribunes with consular power—had not war with the Veientes been delayed because of the religious fears of their leaders, when the Tiber overflowed its banks and devastated their farms, especially the farm buildings.¹⁰⁸ At the same time, their defeat of three years earlier prevented the Aequi from helping the Bolani, a people of their own race, who had raided the neighboring territory of Labici and made war on the new settlers. They had hoped that they would have the support of the Aequi in avoiding the responsibility for this action, but they were abandoned by their own people. In a war that was not even memorable, the Bolani lost their town and territory after a siege and a single skirmish. The attempt of Lucius Decius, a tribune of the plebs, to pass a bill sending colonists to Bolae, as they had to Labici, was shattered by the veto of his colleagues, who showed that they would allow no plebiscite to pass unless it had the senate's backing.

In the following year [414 BCE], the Aequi recovered Bolae and strengthened the town with new forces by establishing a colony there. At Rome, Gnaeus Cornelius Cossus, Lucius Valerius Potitus, Quintus Fabius Vibulanus (for the second time), and Marcus Postumius Regillensis were military tribunes with consular power. The war against the Aequi was entrusted to Postumius, a perverse individual, as became evident more in victory than during the war.¹⁰⁹ After energetically enrolling an army and leading it to Bolae, he broke the spirit of the Aequi in some skirmishes and finally forced an entry into the town. Then he turned the struggle from the enemy against his

108. Such a flood would have been regarded as a portent or prodigy indicating the anger of the gods and possible further disaster if it were not expiated.

109. *Postumius*: another example of the negative tradition concerning this family. The dictator Postumius (dictator in 431 BCE) is said to have killed his own son (4.29); the military tribune Marcus Postumius (426 BCE) was fined for incompetence at Veii (4.41); the Vestal virgin Postumia was tried and acquitted in 420 BCE (4.44); and this Postumius was stoned to death by his own soldiers (4.50).

own citizens. During the siege, he had proclaimed that the booty would be for the soldiers, but he broke his word when the town was captured. I am more inclined to believe that this was the reason for the army's anger than the fact that there was less booty than the tribune had predicted in a recently plundered town with new settlers.

This anger was increased by a stupid and almost insane remark that Postumius made in an assembly. At his colleagues' request, Postumius had returned to the city because of tribunician disturbances. Marcus Sextius, a plebeian tribune, was introducing an agrarian bill, and, at the same time, he said that he was also going to propose that colonists be sent to Bolae, since it was appropriate that the city and territory of Bolae should belong to those who had captured it by force of arms. Postumius was heard to say, "If my soldiers don't keep quiet, it will be the worse for them!" The senators soon heard of this remark and were just as offended as the assembly. The plebeian tribune, a sharp individual who was not lacking in eloquence, had found among his opponents a man of arrogant disposition and unrestrained tongue, whom he could irritate and provoke into saying things that would make not only the man unpopular but also his cause and the entire senate as well. And so he involved Postumius in debate more often than he challenged the rest of the college of military tribunes.

On this particular occasion, after that savage and inhuman remark, Sextius said, "Citizens, do you hear him threatening his soldiers with punishment as if they were slaves? Will this beast seem to you more worthy of high office than those who send you out to colonies and give you a city and lands, who provide a home for you in your old age, and who fight for your interests against such cruel and arrogant adversaries? You should begin to wonder why so few people are taking up your cause. What are they to expect from you? Those high offices that you prefer to give to your adversaries, rather than to the champions of the Roman people? You groaned just now when you heard his remark. What does that mean? If you were to vote at this very moment, you would still choose this man who threatens you with punishment rather than the men who want to give you security of land, home, and fortunes."

50. 414 BCE. *Postumius returns to camp to restore discipline and is stoned to death by his own soldiers. The plebeian tribunes veto an investigation and also consular elections. The state reverts to an interregnum.*

When Postumius' remark reached the soldiers, it stirred up much greater indignation in the camp: was this the man who had deprived and cheated his soldiers of their booty and even threatened to punish them? Since they were grumbling openly, the quaestor Publius Sextius thought that the mutiny could be put down with the same violence that had provoked it. So, he sent a lictor to one of the soldiers who was ranting. This caused shouting and brawling to break out. Sextius was hit with a stone and retreated from the mob, while the man who had wounded him yelled out that the quaestor had received what the general had threatened to give his soldiers. When summoned to this uproar, Postumius made everything more rancorous with his harsh questions and cruel punishments. Finally, as his anger went beyond all bounds and men were rushing toward the screams of those whom he had condemned to die under a wicker crate, Postumius ran down from his tribunal in a frenzy toward those who were trying to stop the execution.¹¹⁰ There, when the lictors and centurions moved in and tried to break up the mob, indignation erupted to such a point that the military tribune was stoned to death by his own army.

After this terrible deed was reported in Rome, the military tribunes tried to get the senate to hold an investigation into their colleague's death, but the plebeian tribunes vetoed it. The dispute was dependent on another struggle because the senators had become concerned that the plebeians, in their anger and fear of investigations, would elect military tribunes from the plebs. And so they were doing everything they could to have consuls elected. Since the plebeian tribunes would not allow the senatorial decree to be passed and they were also vetoing consular elections, the state reverted to an *interregnum*.

110. *wicker crate*: compare the punishment of Turnus Herdonius at 1.51.

51. 413 BCE. Granted an investigation into Postumius' murder, the plebeians entrust the task to the consuls. The plebs remain resentful that their long-term interests are still neglected. Ferentinum is captured from the Volsci.

Victory then lay with the senate. Acting as *interrex*, Quintus Fabius Vibulanus held an election, and Aulus Cornelius Cossus and Lucius Furius Medullinus were elected as consuls [413 BCE]. In their consulship, at the beginning of the year, a senatorial decree was passed that the tribunes should bring the investigation of Postumius' murder before the plebs at the first possible opportunity and that the plebeians should put whomever they wished in charge of the investigation. With the agreement of the people, the plebs referred the matter to the consuls. Although they acted with the utmost moderation and leniency, punishing only a few individuals who are generally believed to have then committed suicide, the consuls were unable to prevent great resentment on the part of the plebs. The latter felt that measures proposed in their interests lay neglected all this time, whereas a law concerning their lives and their punishment had been passed immediately and forcefully put into effect. Now that the mutiny had been avenged, it would have been a most appropriate time to appease their anger by offering to divide the Bolan territory. If the senators had done this, they would have lessened the desire for the agrarian bill that was aimed at driving the senators from their wrongful occupation of public land. As it was, a sense of indignation tormented their minds: not only were the nobles stubbornly holding on to the public land that they held by force, but they would not even divide among the plebeians the vacant land that had recently been captured from the enemy and that soon would become, like all the rest, the booty of a few men.

In the same year, the Volsci plundered Hernican territory, and the legions were led out against them by the consul Furius. When they did not find the enemy there, they captured Ferentinum, where a great number of Volsci had gathered.¹¹¹ There was less booty than expected, because the Volsci had removed their possessions by night and abandoned the town, since there was little hope of defending it. When it was captured on the following day, it was almost deserted. The town itself and its territory were given to the Hernici.

111. *Ferentinum*: a town some forty miles southeast of Rome on the *Via Latina*.

52. 412–411 BCE. *The tribune Icilius begins to stir up trouble. A year of plague is followed by one of famine. The Romans get grain from Sicily and Etruria, but not from Capua and Cumae.*

After a year that had been peaceful as a result of the tribunes' moderation came the plebeian tribunate of Lucius Icilius, when Quintus Fabius Ambustus and Gaius Furius Paculus were consuls [412 BCE]. Right at the beginning of the year, as if it were the allotted task of his name and family, Icilius began stirring up strife by proposing agrarian laws.¹¹² Then a plague broke out that, though it was more threatening than deadly, diverted men's thoughts from the forum and its political struggles to their homes and the care of the sick; it is believed to have been less damaging than sedition would have been. The state had experienced very few deaths in comparison with the large numbers who were sick when, in the consulship of Marcus Papirius Atratinus and Gaius Nautius Rutilus [411 BCE], a shortage of grain followed upon the year of plague because, as generally happens, the cultivation of the fields had been neglected. Already the famine would have become more grim than plague had not the grain supply been supplemented by sending envoys to all the people living on the Etruscan seaboard and along the Tiber, in order to buy grain. The Samnites who held Capua and Cumae arrogantly prevented the envoys from doing business, whereas the tyrants of Sicily were generous in their assistance. The largest supplies were brought down the Tiber, thanks to the eager support of the Etruscans.¹¹³ The consuls experienced a shortage of men in the stricken citizen body and were forced to add two men from the equestrian class when they did not find more than one senator for each embassy. Apart from disease and the grain shortage, there was no trouble at home or abroad during these two years. But when these anxieties were gone, all the customary political troubles broke out—discord at home and war abroad.

112. *Icilius*: presumably the son of the Icilius who was the opponent of the decemvir Appius Claudius and supporter of Valerius and Horatius in the overthrow of the decemvirs; see 3.44–6, 3.48–9, 3.51, 3.53–4.

113. A decade earlier, the Samnites had taken control of Campania, an important grain-producing area, taking Capua from the Etruscans and Cumae from the Greeks (see 4.37 and 4.44). The Etruscans were consequently anxious to exploit the Samnite rebuff of the Romans and not lose the Roman market to Sicily. For earlier references to Rome obtaining grain from Sicily, see 2.34, 2.41, and 4.25.

tyrants of Sicily: the term *tyranni* (tyrants) is used rather loosely, since there were no tyrants in Sicily at this time, and Dionysius I of Syracuse did not come to power until 409 BCE; it probably means no more than “rulers.” This was a period of political turmoil after the defeat of the Athenian expedition in 413 BCE.

53. 410 BCE. A plebeian tribune Menenius is blocking the levy when news arrives of the capture of Carventum. Nine tribunes side with the consul, and the levy is completed, though a few recalcitrants are imprisoned. Carventum is captured, and consular elections are held to prevent a plebeian candidacy.

In the consulship of Marcus Aemilius and Gaius Valerius, the Aequi were preparing for war, and the Volsci, though they did not take up arms as a matter of national policy, followed as volunteers and served as mercenaries. In response to a report of their hostility (they had already crossed into Latin and Hernican territory), the consul Valerius was conducting a levy, and Marcus Menenius, a plebeian tribune and proposer of an agrarian law, was obstructing him. Everyone who was unwilling to serve was relying on the tribune's protection and refusing to take the oath. Suddenly it was announced that the citadel of Carventum had been captured by the enemy.¹¹⁴ This humiliation not only gave the senators an opportunity to stir up hostility against Menenius but also provided the rest of the tribunes, who were already prepared to veto the agrarian bill, with a more justifiable reason for opposing their colleague.

For a long time the dispute dragged on. The consuls called both gods and men as witnesses that, whatever disaster or humiliation they had sustained at the hands of the enemy, or whatever was impending, the blame would lie with Menenius for hindering the levy. Menenius, on the other hand, was shouting that he was prepared to stop opposing the levy if the illegal masters would withdraw from their occupation of public land. At this point, nine tribunes put an end to the struggle by interposing a resolution. In the name of the college, they proclaimed that they would support the consul Gaius Valerius if, for the sake of the levy and despite their colleague's veto, he applied a fine and other forms of coercion to those who refused to serve. Armed with this decree, the consul dragged off to prison the few who were appealing to the tribune; in fear, the rest took the oath.

The army marched to the citadel of Carventum, and, although the soldiers and the consul detested each other, they vigorously drove out those who were in the garrison, recapturing the citadel as soon as they arrived. There was an open opportunity for attack because of the negligence that had allowed men to slip out of the garrison to plunder. From the constant raids, there was considerable booty that had all been amassed into one place for

114. *Carventum*: a town south of Tusculum and Labici, near the pass of Algidus.

safety. The consul ordered the quaestors to auction it and put the proceeds into the state treasury, proclaiming that the army would share in booty when it did not refuse to serve. This increased the anger of the plebs and soldiers toward the consul. And so, when he entered the city in an ovation as the senate had decreed, the soldiers exercised their license by alternating their *impromptu verses*, first abusing the consul and then lavishing Menenius' name with praise.¹¹⁵ At every mention of the tribune, the support of the bystanding populace competed with the soldiers' voices in cheers and applause. This caused the senators more concern than the soldiers' license toward the consul that was virtually a ritual. And so, apparently on the assumption that Menenius would surely win if he were a candidate for the military tribunate, a consular election was held, thus excluding Menenius.

54. 409 BCE. Plebeian resentment finally results in the election of three plebeian quaestors. Three members of the Icilian family are elected as plebeian tribunes. The senators consequently want consular elections.

Elected as consuls were Gnaeus Cornelius Cossus and, for the second time, Lucius Furius Medullinus [409 BCE]. On no other occasion were the plebs more annoyed that they were not allowed to choose military tribunes. They showed their resentment at the elections of quaestors and then took their revenge by electing plebeian quaestors for the first time. Amid the four elected officers, a place was left for only one patrician, Caeso Fabius Ambustus. Three plebeians, Quintus Silius, Publius Aelius, and Publius Pupius, were preferred to young men from very distinguished families.

I find that the Icili were the ones who encouraged the people to be so free in their voting. Three members of a family that was most hostile to the patricians were elected as plebeian tribunes for that year, after making a massive show of great proposals to a people who were most eager for such things.¹¹⁶ The Icili had vowed that they would make no move unless at least in the election of quaestors—the only election that the senate had left open to both classes—the people had sufficient courage to do what they had for

115. *their impromptu verses*: see 3.29, n. 67 for details of the kind of ribaldry that accompanied a triumphal procession. In this celebration, however, Menenius is included and praised, to the detriment of the military commander.

116. On the Icili, see 4.52 with n. 112.

so long wanted and what they were permitted under the laws. The plebs reckoned that this was a huge victory. They did not weigh the value of the quaestorship by the limits of the office itself but felt that it opened up a place for new men to proceed to consulships and triumphs. On the other hand, the patricians were seething, as they regarded the offices not as shared, but as lost. If this were to go on, they said, they ought not to raise their children. After being driven from the places held by their ancestors and seeing others in possession of their honors, their children would be left, without political power or authority, to do nothing except sacrifice on behalf of the people, as *Salii* or *flamens*.¹¹⁷

The feelings of both sides were provoked. The plebs had taken heart and had three leaders from a distinguished family championing the people's cause; whereas the patricians realized that every election would be like that of the quaestors, with the plebs being allowed to choose either a patrician or a plebeian. So, they pushed for consular elections, which were not yet open to all. On the other hand, the *Icili* said that military tribunes should be elected and that high offices finally be shared with the plebeians.

55. Impending war with the Aequi and Volsci gives the plebeian tribunes an opportunity to block the levy and demand the election of military tribunes. News of the capture of Carventum enables the tribunes to force some concessions. The Romans fail to retake Carventum but capture Verrugo.

But the consuls were not doing anything that the tribunes could oppose in order to wring from them what they wanted. Then, with amazing timeliness, news arrived that the Volsci and Aequi had crossed the border to raid Latin and Hernican territory. In accordance with a senatorial decree, the consuls began to hold a levy to deal with this war. Then the tribunes vigorously opposed the levy, remarking that this invasion was fortune's gift to themselves and the plebs. There were three of them, all very active and already of good family, considering that they were plebeians. Two of them undertook the task of keeping each consul under constant surveillance, and one

117. *Salii* or *flamens*: two priesthoods of great antiquity that were never open to plebeians, unlike other priesthoods. The *flamen* was a priest of a particular god: Jupiter, Mars, or Quirinus. The *Salii* were associated with Mars as god of war and performed ritual dances in connection with the sacred shields (*ancilia*).

had the duty now of restraining the plebs, and now of rousing them. The consuls could not hold the levy, nor the tribunes the kind of election they were seeking. Then, as fortune was leaning toward the plebeian cause, news came that the Aequi had invaded the citadel of Carventum and killed the few guards when the soldiers garrisoning the citadel had slipped out to plunder. Some of the garrison had been slaughtered as they ran back to the citadel, others as they were wandering in the fields. This setback for the state added strength to the tribunes' agenda. Attempts to stop them from impeding the war were in vain. They did not yield when confronted by either the state's need or their own unpopularity. Finally they prevailed and a senatorial decree was passed for the election of military tribunes. Specific provision, however, was made that no one should be accepted as a candidate who was tribune of the plebs in that year, and that no tribune of the plebs be reelected. Without doubt, the senators were stigmatizing the Icili, who, they alleged, were seeking the consulship as reward for the sedition during their tribunate.¹¹⁸

Then, with the consent of all the orders, the levy was begun and preparations made for war. The sources are divided on the question of whether both consuls set out for the citadel of Carventum, or whether one stayed behind to conduct the elections. But this is certain (and the sources do not disagree): the Romans retreated from the citadel of Carventum after a long and futile siege but, with the same army, recaptured Verrugo in Volscian territory, creating great devastation and gathering huge booty both in Aequian and Volscian territory.¹¹⁹

56. 408 BCE. A trick is said to have been used to get three patricians elected as military tribunes. The Volsci and Aequi are massing at Antium. The senators' wish to appoint a dictator is opposed by two of the military tribunes, who appeal in vain for the help of the plebeian tribunes.

In Rome, though the plebs had been victorious in getting the elections they preferred, the senators prevailed in the results of those elections. Contrary

118. *stigmatizing: denotare* is the technical term for the censors putting a mark (*nota*) against the names of those who were to be demoted or degraded.

consulship: more precisely, the consular power of the military tribunate.

119. *Verrugo*: see 4.1 with n. 4. Its loss has not been mentioned.

to everyone's expectations, three patricians were elected as military tribunes with consular power [408 BCE]: Gaius Julius Iulus, Publius Cornelius Cos-sus, and Gaius Servilius Ahala. The patricians are said to have employed a ruse, with which the Icilius charged them even at the time. They mixed a bunch of unworthy candidates among the deserving and turned the people away from the plebeian candidates in disgust at the conspicuous worthlessness of certain of the choices.

Then news arrived that the Volsci and Aequi had arisen in full force for war, whether in hope because they had held on to the citadel of Carventum or because of their anger at the loss of the garrison at Verrugo. The Antiates were the source of the trouble. Their envoys had gone around to the peoples of both nations, reprimanding them for their cowardice because they had hidden within their walls the year before, allowing the Romans to pillage their lands and the garrison at Verrugo to be overwhelmed. Already, they said, not only armed forces but also colonies were being sent to their territories. Not only had the Romans divided up their property, but they had also taken Ferentinum from them and given it to the Hernici. These words inflamed men's minds, and, wherever the envoys went, a number of young men enlisted. And so the young men of military age from all the peoples gathered at Antium, where they pitched camp and awaited the enemy.

When this news reached Rome, it caused an uproar even greater than the situation warranted. The senate immediately ordered a dictator to be appointed—their ultimate recourse in an emergency. It is said that Julius and Cornelius objected to this and the matter was discussed with great animosity. In vain, the leading senators complained that the military tribunes were not amenable to senatorial control. They eventually appealed to the plebeian tribunes, reminding them that the force of their power had restrained consuls in a similar situation. The plebeian tribunes rejoiced at the lack of harmony among the senators and said that they had no assistance to offer to men who did not regard them as citizens, let alone human beings. If someday high office were open to all men and government were shared, then they would see to it that senatorial resolutions were not frustrated by the arrogance of magistrates. Meanwhile, the patricians should exercise tribunician power by themselves, since they had no respect for laws and magistrates.¹²⁰

120. The text is corrupt and the translation consequently approximate; see Ogilvie 1965: 619–20.

57. Servilius Ahala, the third military tribune, intervenes to stop the dispute, names a dictator, and is himself appointed master of the horse. The enemy is easily defeated. Elections for military tribunes are held, and the patricians succeed in securing all the positions.

This dispute, so inopportune since such a great war was at hand, had taken possession of men's thoughts, as first Julius and then Cornelius argued that it was not fair that the office conferred on them by the people should be taken from them, since they themselves were quite capable of directing that war. Then Servilius Ahala, the third military tribune, said that he had remained silent for so long, not because he did not know what to think—for what good citizen considers his own interests as separate from those of the state?—but because he had wanted his colleagues to yield to senatorial authority of their own accord, rather than let the senate beg for the tribunes' help against them. Even then, if the situation permitted, he would willingly have given his colleagues time to retreat from their excessively stubborn position. But since the necessities of war did not wait on men's deliberations, he would put the welfare of the state before political loyalty to his colleagues. If the senate stood by its opinion, he would name a dictator that night; and if anyone should veto the senate's resolution, he would be content to abide by its authority. This action gained him the well-deserved praise and support of everyone. He named Publius Cornelius as dictator and was himself named by that man as master of the horse. Those who compared him with his colleagues saw an example of how political favor and high office sometimes come more readily to those who do not desire them.

The war was unmemorable. In a single battle, and an easy one at that, the enemy were cut down near Antium. The victorious army plundered Volscian territory and took by storm a fortress near the Fucine Lake, where 3,000 men were captured;¹²¹ the rest of the Volsci were driven within their walls, leaving their fields undefended. The dictator, after conducting a war that seemed merely to be the result of luck, returned to the city and laid down his office, enhanced more by his good fortune than by military glory. The military tribunes, without mentioning electing consuls (I suppose because of their anger at the appointment of a dictator), announced elections for military tribunes. At this the patricians became more seriously con-

121. *Fucine Lake*: a large lake in the mountains of central Italy, some sixty miles east of Rome.

cerned, since they saw their cause being betrayed by their own members. And so, just as in the previous year they had made people disgusted with all the plebeian candidates, even the worthy ones, by promoting the most unworthy, so at this time, by putting forward the most distinguished and popular leading senators as candidates, they secured all the positions so that there was no opening for any plebeian. Four men were elected, all of whom had held the office before [407 BCE]: Lucius Furius Medullinus, Gaius Valerius Potitus, Gnaeus Fabius Vibulanus, and Gaius Servilius Ahala, who was continued in office not only for his other good qualities but also because of the popularity he had recently won by his exceptional moderation.

58. 407–406 BCE. The Roman garrison at Verrugo is killed. Rome prepares to declare war on Veii, but the soldiers grumble about further military commitments. The plebeian tribunes repeatedly remind the plebs how they are exploited by the senate.

In that year, because the term of the truce with Veii had expired, they began to seek restitution through ambassadors and fetials. When they reached the border, they were met by a delegation of Veientes who asked them not to proceed to Veii until they themselves had approached the Roman senate. Since the Veientes were hard-pressed by civil discord, the senate granted their request that they not be asked for restitution; so far were the Romans from taking advantage of other people's problems. A disaster was sustained in Volscian territory with the loss of the garrison at Verrugo. Time was critical in this situation. The soldiers under siege by the Volsci were begging for help, and they could have been relieved if the Romans had made haste. But the army sent to relieve them only arrived in time to overwhelm the enemy who had scattered in search of booty, just after slaughtering the garrison. The reason for the delay lay as much with the senate as with the military tribunes who, because they heard that the garrison was resisting with all its might, failed to realize that no valor can transcend the limit of human strength. Nevertheless, those brave soldiers were not unavenged, either living or dead.

In the following year [406 BCE], Publius and Gnaeus Cornelius Cossus, Gnaeus Fabius Ambustus, and Lucius Valerius Potitus were military tribunes with consular power.¹²² War broke out with Veii because of the arrogant

122. On the question of 406 BCE as the date for the beginning of the war with Veii, see Ogilvie 1965: 629. The Roman (annalistic) chronology was four years out of synchronization

reply of the Veientine senate, which ordered that the envoys who were seeking restitution be given the response that, unless they quickly got out of the Veientine city and borders, they would get what Lars Tolumnius had given other envoys.¹²³ This angered the senators who decreed that, on the first possible day, the military tribunes should bring before the people a motion to declare war on the Veientes. As soon as this was promulgated, the young men of military age grumbled that the war with the Volsci was not yet finished; two garrisons had been slaughtered, and the camp was being held at great risk. There was no year in which there was not a pitched battle and, as if they did not have enough trouble, a new war was being prepared against very powerful neighbors who were bound to stir up all of Etruria.

This spontaneous agitation was further inflamed by the tribunes of the plebs who repeatedly said that the senators' biggest war was with the plebeians. These were the men the senators deliberately exposed to the hardships of military service and to slaughter by the enemy. These were the men they kept in exile far from the city, lest, if they were living quietly at home, they should start thinking about liberty and colonies and agitate for public land or the free exercise of their votes. Canvassing veteran soldiers, the tribunes counted each man's campaigns and his wounds and scars, asking what space there was on his body to receive fresh wounds, or what blood he had left that he could shed for his country. By reiterating these arguments in conversation and assemblies, they made the plebs reluctant to undertake the war and so delayed the time of voting for a proposal that was clearly going to be rejected if subjected to such hostility.

59. 406 BCE. The Romans capture Anxur, modern Terracina, and the senate institutes pay for military service.

Meanwhile it was decided that the military tribunes should lead an army into Volscian territory; only Gnaeus Cornelius was left in Rome. After it became clear that the Volsci did not have a camp anywhere and were not going to expose themselves to a fight, the three tribunes divided the army and went off in different directions to plunder the countryside. Valerius made for Antium

with Greek chronology, since the capture of Rome occurred in the summer of 386 BCE according to the latter, whereas Roman sources would date it to 390 BCE; see Cornell 1995: 401–2. Thus Roman sources date the siege of Veii from 406 BCE to 396 BCE, thereby likening it to the ten-year siege of Troy.

123. For the killing of these envoys, see 4.17.

and Cornelius for Ecetrae; wherever they went, they plundered the farm buildings and land far and wide in order to separate the Volscian forces. Fabius did no plundering but approached Anxur, their main objective, in order to besiege it. Anxur, which is now Tarracinae, was a city that sloped down toward the marshes.¹²⁴ From this area, Fabius made a show of an assault, while four cohorts were sent with Gaius Servilius Ahala to a hill that overhangs the city. This they took, and from the higher position where there was no garrison, they stormed the walls with great shouting and uproar. Those who were defending the lower city against Fabius were dumbfounded at this uproar, giving him an opportunity to bring up his scaling-ladders.

Everywhere was filled with enemy troops who, for a long time, ruthlessly cut down both those who fled and those who resisted, armed and unarmed alike. The defeated were forced to fight because there was no hope for them if they yielded, when suddenly an announcement was made that no one should be hurt except those who carried weapons. At this, the entire mass of survivors voluntarily laid down their arms, and about 2,500 were taken alive. Fabius kept his soldiers away from the rest of the booty until his colleagues should arrive, saying that these armies had also contributed to the capture of Anxur, since they had diverted the rest of the Volsci from defending that place. When they arrived, the three armies plundered a town that had the wealth of a long period of prosperity. This generosity on the part of the commanders was the beginning of the reconciliation of the plebeians and patricians. Then, by a timely gift of the leading men to the people, the senate, without any suggestion on the part of the plebs or their tribunes, decreed that the soldiers should be paid from public funds, whereas up to that time every man had served at his own expense.

60. The plebs are delighted with the offer of pay for military service and contribute to the newly instituted war tax, despite the plebeian tribunes' warnings. A mostly volunteer army sets out against Veii.

Nothing, it is said, was ever received by the plebs with such joy. They rushed to the senate house, grasping the hands of the senators as they came out, saying that they were rightly called "fathers," and confessing that this would mean that no one, as long as he had any strength, would spare his life's blood

124. *Anxur* was probably the Volscian name. Tarracinae is now known as Terracina.

in the service of such a generous country.¹²⁵ Not only were they pleased to have the advantage that their property would be secure at least for the period of their military service to the state, but their joy was multiplied and their gratitude increased because this had been freely offered to them, without any agitation by plebeian tribunes or demands of their own.

The plebeian tribunes were the only ones who did not share in the general joy and harmony of the orders. They said that the measure would not bring much joy to the senators as a whole, nor would it make the plebeians as prosperous as the latter believed. It was a plan that would prove to have been better at first sight than when actually put into effect. Where could the money be obtained, except by imposing a war tax on the people? The senators' largesse, therefore, was at other people's expense. The tribunes said that, even if the rest would tolerate it, those who had already served their time would not allow other men to serve on better terms than they had, nor would those who had paid the expenses for their own campaigns be willing to contribute also to the expenses of others. With these arguments, they influenced some of the plebs. Finally, when the war tax had been announced, the tribunes even declared that they would protect anyone who did not contribute to this tax for paying the soldiers.

The senators had made a good start and persevered in defending the tax. They themselves were the first to contribute, and, because there was as yet no silver coinage, they brought uncoined bronze on wagons to the treasury, making a show of their contribution. After the senate had made their contributions most faithfully according to their census rating, the leaders of the plebs, friends of the nobles, began to make their contributions as arranged. When the crowd saw that these men were praised by the senators and regarded as good citizens by the men of military age, they rejected the tribunes' help and suddenly rivaled each other in making contributions. After a law had been passed declaring war on Veii, the new military tribunes with consular power led an army that consisted mostly of volunteers to Veii.

61. 405–404 BCE. Veii is besieged; but in the second year, some forces are diverted to deal with the Volsci. After the capture of Ardena, the Romans concentrate on Veii.

The consular tribunes were Titus Quinctius Capitolinus, Quintus Quinctius Cincinnatus, Gaius Julius Iulus (for the second time), Aulus Manlius,

125. *fathers*: on the origin of this name, see 1.8.

Lucius Furius Medullinus (for the third time), and Manius Aemilius Mamercus [405 BCE]. These men were the first to besiege Veii. Soon after the beginning of the siege, at a well-attended meeting at the shrine of Voltumna, the Etruscans could not decide whether the entire nation should go to war in defense of the Veientes.

In the following year [404 BCE], the siege was rather slack, because some of the tribunes and the army had been called away to the Volscian war. The military tribunes with consular power for this year were Gaius Valerius Potitus (for the third time), Manius Sergius Fidenas, Publius Cornelius Maluginensis, Gnaeus Cornelius Cossus, Caeso Fabius Ambustus, and Spurius Nautius Rutilus (for the second time). There was a pitched battle with the Volsci in the area between Ferentinum and Ecetra, and fortune favored the Romans. The tribunes then began to besiege Artena, a Volscian town.¹²⁶ After attempting to break out, the enemy was forced back into the city, giving the Romans the opportunity to force an entrance; everywhere except the citadel was captured. A band of armed men retreated into the citadel, which was naturally fortified. Below the citadel, many were slaughtered or captured. Then the citadel was besieged. But it could not be taken by force because it was well garrisoned in proportion to its area; nor did it offer hope of surrender, since the city's entire grain supply had been brought into the citadel before the city was captured. The Romans would have given up and withdrawn had not a slave betrayed the citadel, admitting some soldiers where the route was steep. They captured it, and, after they had massacred the guards, the rest of the crowd surrendered, overwhelmed by sudden panic. After the destruction of the citadel and town of Artena, the legions were withdrawn from the Volsci, and the entire Roman force concentrated on Veii. In addition to his freedom, the traitor was given the property of two families as a reward, and he was named Servius Romanus. There are those who believe that Artena belonged to the Veientes, not to the Volsci. The fact that there was a city of the same name between Caere and Veii causes this mistake. But the Roman kings destroyed the place that belonged to Caere, not to Veii. The other city of the same name, whose destruction is described above, was in Volscian territory.

126. *Artena*: on the question of the location of this town, see Ogilvie 1965: 625.

BOOK 5

1. 403 BCE. The Romans elect eight military tribunes, whereas the Veientes choose a king who loses the support of the Etruscan league. The Romans build siegeworks at Veii on two fronts: one facing Veii and the other, the Etruscans.

Peace was established elsewhere, but the Romans and Veientes were warring with such anger and hatred that the end was clearly at hand for those who were conquered.¹ Each people held an election that was very different from the other. The Romans increased the number of military tribunes with consular power. Eight were elected, an unprecedented number: Manius Aemilius Mamercus for the second time, Lucius Valerius Potitus for the third time, Appius Claudius Crassus, Marcus Quinctilius Varus, Lucius Julius Iulus, Marcus Postumius, Marcus Furius Camillus, and Marcus Postumius Albinus.²

The Veientes, on the other hand, because they were tired of the annual competition for office that had periodically been the cause of discord, elected a king. This action offended the feelings of the peoples of Etruria, who hated kingship as much as they did the king himself. He had been a problem to his people for some time because of his wealth and arrogance, since he had

1. This opening sentence strikes an epic note as Livy begins the story of the fall of Veii. The story of the ten-year siege emulates that of Troy. Fate or destiny (*fatum*) and attention to *religio* are the dominant themes of this book, with the figure of Camillus, the *fatalis dux* (5.19)—“destined or fated leader”—providing a link between the two sections, the capture of Veii and the capture of Rome (5.1–31 and 5.35–55). Although war with Veii was declared in 406 BCE, little had been accomplished because of wars with the Volsci; on the chronological problems, see 4.58 with n. 122.

2. *Marcus Furius Camillus*: this is the first mention of Camillus by Livy; nothing is known of his earlier career. His *cognomen* probably derives from *camillus*, a young boy who acted as an attendant at religious ceremonies. Since Camillus is portrayed as paying special attention to *religio*, this is evidently an example of a “speaking name”; see Bruun 2000: 65–6, and cf. Marcus Volscius Fictor at 3.13. Bruun also develops a hypothesis that Camillus is largely a fictitious character whose *cognomen* was “grafted onto a figure who was already present in Roman history” (p. 59). That figure, he suggests, was Lucius Furius Medullinus, who had already held two consulships and two military tribunates and would be military tribune five more times. Ogilvie, however, suggests (1965: 631) that Camillus may have been a brother of Medullinus. For problems about the inclusion of Camillus in the list of military tribunes for 403 BCE, see Broughton 1986(1): 82 with n. 1. See also Appendix 1, pp. 413–5 with stemma.

forcibly broken up a religious festival that was sacrilegious to interrupt. Angry at his rejection when the votes of the twelve peoples preferred a man other than himself as priest, he suddenly led off the performers (most were his slaves) in the middle of the games.³ And so the Etruscans, who above all other peoples are devoted to religious matters because they excel in the art of attending to them, decided to refuse their help to the Veientes as long as the latter were subject to a king. Mention of this decree was suppressed at Veii through fear of the king, who regarded the reporter of any such word as a leader of sedition, not as the source of idle gossip. Although the Romans had news from Etruria that things were quiet there, nevertheless, because it was reported that the subject of Veii came up at every meeting, they constructed their earthworks in such a way that there were fortifications on two fronts: some were directed toward the city to oppose sorties by the townsfolk, and others faced Etruria to obstruct any help that might come from there.

2. The Roman generals plan to initiate year-round campaigning. The plebeian tribunes use this as a pretext to stir up the plebs.

Since the Roman generals put more hope in a siege than in an assault, they also began to construct winter quarters, which was revolutionary for the Roman soldiery.⁴ The plan was to continue the war throughout the winter. When this was announced in Rome, the tribunes of the plebs, who for a long time had found no cause for a revolutionary measure, leaped into the assembly and stirred up the minds of the plebeians, saying that this was the reason for granting pay to the soldiers. They had not been mistaken in their realization that their opponents' gift would be smeared with poison. The liberty of the plebeians had been sold. Their young men had been permanently removed and banished from city and state. Not even in winter, nor at the change of season, were they allowed to visit their homes and attend to their affairs. What did they think the reason was for making military service continuous? Indeed they would find no other reason than this: to prevent the presence of large numbers of men of military age, in whom lay all the strength

3. *twelve peoples*: the so-called Etruscan League that met at the shrine of Voltumna; see 4.23 with n. 63.

4. *revolutionary*: Latin *res nova*; literally "a new thing, a novelty." The term was often used to denote revolution; hence, in this case, the term is doubly loaded, since it is the patrician generals who were introducing "a new thing," whereas it is noted later in this paragraph that the plebeian tribunes had "found no cause for a revolutionary measure."

of the plebeians, so that such men could not do anything to help them. The Roman military, moreover, was harassed and oppressed far more severely than were the Veientes, who were spending the winter under their own roofs, protecting their city with its outstanding walls and natural defenses. The Roman soldiers, on the other hand, were overwhelmed with snow and frost, enduring toil and hardship in tents, without even laying down their arms in the winter period, which was a time of respite from all wars, both on land and sea.

Neither the kings, nor those arrogant consuls before tribunician power was created, nor the grim command of a dictator, nor the unbridled decemvirs had imposed such servitude. But this was what the military tribunes were doing—acting like tyrants over the Roman plebs by making military service continue throughout the year. What would these men do if they were to become consul or dictator, these men who had made the semblance of consular power so savage and harsh? Yet the people deserved to have this happen to them. Not even among eight military tribunes was there a place for a single plebeian. Previously the patricians had been in the habit of filling three places only after the greatest effort, but now the team of an eight-horse chariot was coming to keep its hold on power.⁵ And not even in that mob was there any plebeian as a hanger-on, if only to remind his colleagues that the men serving in the army were free and fellow citizens, not slaves. At least in winter these soldiers should be brought back to their house and home and given some time of the year to visit their parents, children, and wives; to exercise their freedom; and to elect magistrates.

As they voiced these and other such arguments, they found an equal opponent in Appius Claudius, who had been left behind by his colleagues to suppress tribunician sedition. He was a man who was steeped from his youth in struggles with the plebs. Several years earlier, as noted above, he had proposed that the tribunician power be broken by using the intervention of their colleagues.⁶

3. Appius Claudius responds to the tribunes' charges, questioning their motives.

Appius not only had a ready mind but was also a practiced speaker, and on this occasion he delivered a speech something like this: "If ever there has

5. *team of an eight-horse chariot*: a metaphor from chariot racing in the Circus Maximus.

6. *Appius Claudius*: grandson of the decemvir; see 4.48 with n. 106, and Appendix 1, pp. 409–11.

been any doubt, Quirites, whether it is in your interest or their own that tribunes of the plebs have always been the promoters of sedition, I am certain that the doubt has ceased in this year. I not only rejoice that an end of your long misunderstanding has at last been made, but I also congratulate you and, on your account, the state, because this misunderstanding has been removed at a time when your affairs are prospering. Or is there anyone who doubts that the plebeian tribunes have never been so offended and aroused by any wrongs you may have suffered—if perchance there were such wrongs—as they are now, as a result of the senators’ beneficence toward the plebeians when pay was instituted for the soldiers? What do you believe they feared then or want to disturb today, except the harmony of the orders, which they think is aimed at breaking tribunician power? And so, by Hercules, they go round like quack physicians, looking for work. Indeed they want there to be some sickness in the state, so that there is something that you can employ them to cure.

“Are you tribunes defending the plebs or fighting against them? Are you the adversaries of the soldiers, or are you defending their cause? Unless perhaps this is what you are saying: ‘Whatever the senators do is displeasing to us, whether it is for or against the plebs.’ And just as masters forbid their slaves to have anything to do with strangers, and likewise think it fair that no one has contact with their slaves for good or ill, so you are forbidding the senators to have dealings with the plebs, in case by our kindness and generosity we appeal to the plebs and they listen to us, obedient to our word. If you have any humanity in you (I do not say concept of citizenship), how much more ought you to have favored and, as far as you could, encouraged the kindness of the senators and the complaisance of the plebeians? And should this harmony last, who would not dare to promise that our power will soon be the greatest among the neighboring people?”

4. Appius addresses the question of pay for military service and points out the need for year-round campaigning.

“Later I shall discuss how this plan of my colleagues is not only useful but even essential—the plan whereby they have refused to withdraw the army from Veii as long as their task is incomplete. Now I want to speak about the actual conditions of military service. If I were to give this speech not only to you but also in the camp, I think that the army itself would judge it to be fair. And even if no arguments were to come into my mind, I would indeed be content with my opponents’ speeches. Recently they said that pay should

not be given to the soldiers because it never had been given. How then can they now be indignant that men who have received some new benefit are proportionately given new toils? Nowhere is effort without recompense, nor is recompense generally without the expenditure of effort. Toil and pleasure, though dissimilar by nature, are joined together by a kind of natural bond.

"Previously a soldier was aggrieved that he was working for the state at his own expense; yet he was happy to cultivate his own land for part of the year and seek the means of supporting himself and his family, both at home and in the field. Now he is happy that the state is a source of income, and he joyfully receives his pay. He should therefore be fair-minded about being away from his home and family a little longer, since his expenses are not heavy. But if the state were to summon him to a reckoning, would it not deservedly say, 'You have a year's pay, do a year's work. Or do you think it fair that you receive full pay for half a year's work?' I pause unwillingly at this point in my speech, Quirites, for this is the way employers of mercenaries should speak. But we want to deal with you as citizens, and we think it fair that you deal with us as you would with your native country.

"Either the war should not have been undertaken, or it should be conducted in accordance with the dignity of the Roman people and completed as quickly as possible. And it will be completed if we keep the pressure on the besieged; if we do not withdraw before we have fulfilled our hopes by capturing Veii. By Hercules, if for no other reason, the very indignity of the situation should have forced us to persevere. A city was once besieged for ten years by the whole of Greece, for the sake of one woman.⁸ How far from home were the Greeks? How many lands, how many seas separated them from their homes? Yet we are reluctant to endure a yearlong siege, though we are less than twenty miles away and almost within sight of Rome.

"But, someone will object, the reason for war is trivial, and we do not have a justifiable grievance to goad us to persevere. Seven times they have renewed war. In peace they have never kept their word. A thousand times they have pillaged our fields. They forced the Fidenates to defect from us. They killed our colonists there. In violation of the law of nations, they instigated the impious slaughter of our envoys.⁹ They wanted to stir up all Etruria against us, and this is their objective today. When our envoys were seeking redress, they came close to assaulting them."

7. Cf. Cicero, *Against Catiline* (1.18), where Cicero has the state address Catiline.

8. *A city* . . . : Troy.
one woman: Helen.

9. On this incident, see 4.17.

5. *Appius points out the folly of withdrawing the army from Veii now that the siegeworks are so advanced.*

“Should we be soft and dilatory in waging war with such people? If such a justified hatred does not move us, I beseech you, won’t even the following considerations do so? The city is surrounded by huge earthworks that confine the enemy within his walls. He has not cultivated his lands, and what was cultivated has been devastated by war. If we withdraw our army, who is there who doubts that they will invade our fields, not only through desire for revenge, but also through necessity that forces them to plunder from others, since they have lost their own possessions? So, by that strategy of yours, we are not postponing the war but receiving it within our own borders.

“What about the particular concern of the soldiers whom the gallant plebeian tribunes then wanted to rob of their pay, whereas now they suddenly want to consult their interests? The soldiers have made a rampart and a ditch, each a huge undertaking that covers a great distance. At first they built a few forts, later making more as the army grew. They have set up fortifications facing not only the city but also Etruria, should help come from there. Why should I mention towers, movable sheds, and protective screens, and the other equipment for storming towns?¹⁰ Since so much effort has been expended and they have at last reached the end of their task, do you think that all this should be abandoned in order for them to sweat and toil again next summer to begin these works anew? How much less effort is it to protect completed projects, to press on and persevere and be done with the struggle! Indeed it will be a short business, if it is accomplished without a break, and if we ourselves do not protract our hopes with these interruptions and pauses.

I am talking about the waste of effort and time. And what about the risk that we run by postponing the war? Do the frequent councils in Etruria about sending help to Veii allow us to forget this? As the situation is now, the Etruscans are angry and resentful, saying they will not send help. As far as they are concerned, we may capture Veii. But who would guarantee that,

10. *towers*: high wooden structures, sometimes on wheels, from which missiles could be fired into a besieged city.

movable sheds: huts on wheels (*vineae*, sometimes translated as “penthouses” or “mantlets”) that could be positioned close to a city wall and contained men who would thus be protected against enemy missiles while carrying out such tasks as undermining the walls or operating a battering ram.

protective screens: Latin *testudines* (literally “tortoises”), these offered protection against missiles and were used by soldiers when approaching the walls of a city.

if the war is postponed, they would be of the same mind thereafter? If you grant a respite, there is bound to be greater and more frequent diplomacy. Furthermore, what now offends the Etruscans—the election of a king at Veii—could be changed with the lapse of time, either by agreement of the citizens to win back the feelings of the Etruscans or by the will of the king himself, who would not want his rule to stand in the way of the citizens' well-being.

See how many unproductive consequences follow that way of thinking: the loss of the work that has been done with such great effort, the imminent devastation of our territory, and a war stirred up with the Etruscans over the question of Veii. This, tribunes, is your strategy. By Hercules, it is no different from gratifying a sick man's desire for food or drink and so prolonging the illness, perhaps making it incurable, when the patient could immediately recover if he bravely allowed himself to be cured."

6. Appius emphasizes that winter campaigning is essential for maintaining military discipline and for Rome's future reputation in siege warfare. He contrasts the discipline inside Veii with the "freedom" in Rome that is the result of the tribunes' agitation.

"By the god of truth, if it were of no relevance to this war, it is assuredly of the greatest importance for military discipline that our soldiers become accustomed not only to enjoying the fruits of victory but also, if a campaign is even more protracted, enduring boredom and awaiting the outcome of their hopes, however delayed; and, if a war is not completed in a summer, waiting out the winter and not, like summer birds, looking around for shelter and a retreat as soon as autumn approaches. I ask you this: doesn't the desire and pleasure of hunting cause men to rush through snow and frost into the mountains and forests? In the necessities of war, therefore, shall we not apply the same endurance that sport and pleasure customarily arouse? Do we think that the bodies of our soldiers are so effeminate, their minds so soft, that they cannot endure one winter in camp, away from home; that they must wage war like sailors, taking advantage of fair weather and watching the time of year, unable to bear heat or cold? Indeed they would blush if someone were to reproach them in this way. They would maintain that manly endurance was engrained in their minds and bodies; that they could wage war in winter and summer alike; that they had not given their tribunes a mandate to protect softness and idleness; that they remembered that it

was not in the shadow of their homes that their ancestors created tribunician power.¹¹

“It is worthy of your soldiers’ valor and Rome’s name that you look not simply to Veii and this current war; rather, you should seek for posterity a reputation that will serve you in other wars among other peoples. Or do you think it will make little difference in men’s opinion of us whether our neighbors end up thinking that the Roman people are such that, if a city withstands the first attack for a very short time, it has nothing further to fear; or whether the terror inspired by our name be such that neither the boredom of a long siege nor the violence of winter can dislodge a Roman army once it has laid siege to a city; that the Roman army knows no other end of war than victory; and that it wages its wars as much by perseverance as by direct assault? Perseverance is essential in every kind of warfare but especially in besieging cities, since fortifications and their natural sites make most of them impregnable. Time itself prevails and assaults a city through hunger and thirst—just as it will take Veii by assault, unless the plebeian tribunes help our enemies and the Veientes find in Rome the assistance that they vainly seek in Etruria.¹²

“Could the Veientes wish for any better happening than that first the city of Rome be filled with sedition and then, as if by contagion, the camp? By Hercules, there is such subservience among your enemy that no revolution (*novatum*) has occurred from weariness, either with the blockade or even with the monarchy. Nor has the Etruscans’ denial of help provoked their feelings. For anyone who advocates sedition will immediately die. Nor will anyone be allowed to say the sort of things that are said with impunity among you. A Roman soldier who abandons the standards or deserts the garrison is punished by being beaten to death. Yet those who advocate deserting the standards and quitting camp are given a hearing not by one or two soldiers but openly in a public meeting, by whole armies. As citizens, you habitually listen to whatever a plebeian tribune says, even if it involves betraying the city or undermining the state. Captivated by the allure of tribunician power, you allow whatever wickedness is in that power to lie hidden. It only remains for the tribunes to publicize in the camp and among the soldiers what they have voiced here, to corrupt armies and prevent them from obeying their leaders. This is what freedom in Rome has come to mean:

11. *shadow of their homes*: an allusion to the secession of the plebs; see 2.32–3.

12. *assault*: the verb *expugnare* is used in both cases and can mean to take by storm or to subdue or conquer. In the case of Veii, the city will be taken by storm.

no respect for the senate, the magistrates, the laws, the ancestral customs, the institutions of our fathers, or military discipline.”

7. Appius' arguments prevail. News that a surprise attack from Veii had destroyed the Roman siegeworks causes men to volunteer for extraordinary cavalry and infantry service, an offer that the senate finds most gratifying.

Appius was already a match for the plebeian tribunes, even in public meetings, when suddenly a disaster occurred near Veii, the least expected source, making Appius the winner in the argument, while also strengthening the concord of the orders and increasing the ardor to besiege Veii more vigorously. When the earthwork had been pushed toward the city and the movable sheds had been brought almost into contact with the walls—more attention was being given to building the works by day than to guarding them at night—suddenly the gate was opened and a huge crowd, armed mostly with torches, hurled fire onto the siegeworks. In the space of an hour, fire devoured the mound and the sheds that had taken so long to make. Many men perished by the sword or fire, as they tried in vain to help.

When this was reported at Rome, it caused grief to all. The senate was concerned and afraid that sedition could now not be contained, in either the city or the camp; that the plebeian tribunes would exult over the state's defeat as if they had caused it. Then, suddenly, those who were rated as equestrians but had not received horses from the state came to the senate after holding a council among themselves.¹³ Given permission to speak, they promised to serve in the cavalry with their own horses. They were profusely thanked by the senate, and the report spread to the forum and city. Suddenly the plebeians made a rush to the senate house, declaring that they now belonged to the order of foot soldiers and were offering extraordinary service to the state, whether the senate wanted to lead them to Veii or to anywhere else.¹⁴ If they were led to Veii, they said that they would not return from there until the enemy city had been captured.

13. *rated as equestrians*: see 1.43 for the establishing of the equestrian centuries. However, reference to equestrians who had not received horses from the state implies a change in the Servian constitution. A provision to supplement the cavalry with volunteers who provided their own horses may well have originated during the siege of Veii, when it would have been essential to have a good cavalry escort for communication with the army; see Ogilvie 1965: 642.

14. *order . . . extraordinary service*: there was no order (*ordo*) of foot soldiers, and Livy is

Then indeed the overflowing joy could hardly be restrained. The magistrates were not given an order to praise them, as in the case of the cavalry, nor were the plebs summoned into the senate house to receive a response. The senate did not stay within the confines of the house but each senator cried out from above to the crowd that was standing in the *Comitium*, signifying the state's joy with words and gestures. As a result of this harmony, they said, the city of Rome was blessed; it was invincible and eternal. They praised the cavalry, praised the plebs, and extolled the day itself with praise, confessing that these offers surpassed the goodwill and generosity of the senate. Senators and plebeians rivaled each other in the flow of their tears of joy until the senators were summoned back into the house. There they passed a decree that the military tribunes should summon an assembly and give thanks to the infantry and cavalry, declaring that the senate would remember their dutiful service to their country. It was, moreover, the senate's will that pay be given to all those who had volunteered to serve outside their proper order. A fixed sum of money was also given to the cavalry. Then, for the first time, cavalrymen began to serve with their own horses. The volunteer army was led to Veii and not only replaced the works that had been lost but also began new ones. Supplies were sent from the city with more careful attention than before, so that such a deserving army would not lack anything.

8. 402 BCE. The garrison at Anxur is lost. The Capenates and Faliscans come to the aid of Veii. The Romans suffer great losses because of the personal animosity between two commanders, Sergius and Verginius.

The next year had military tribunes with consular power: Gaius Servilius Ahala for the third time, Quintus Servilius, Lucius Verginius, Quintus Sulpicius, Aulus Manlius for the second time, and Manius Sergius for the second time. In their term of office, while everyone's concern was focused on the war with Veii, the garrison at Anxur was neglected: the soldiers were being furloughed and Volscian traders admitted indiscriminately. Suddenly the guards at the gates were overpowered and the town was taken. Relatively few soldiers died because, with the exception of the sick, they were all elsewhere,

punning on the use of *ordo*. As the equestrians had offered to serve outside their *ordo* (*extra ordinem*), so now the general populace, who did not have the property qualification even for infantry service, offered to serve in a newly constituted *ordo*; see Ogilvie 1965: 642–3.

trafficking in goods in the country and neighboring towns, like camp-followers.

Nor were things any better at Veii, the source of all the state's concerns at that time. The Roman leaders were more angry with each other than spirited in dealing with the enemy. The warfare also increased as a result of the sudden arrival of the Capenates and Falisci. These two peoples of Etruria, because they were located so near to Veii, believed that they would also have war with Rome if Veii were defeated. The Falisci had their own reason for hostility, because the Fidenates had earlier involved them in war with Rome.¹⁵ So, there was a speedy exchange of embassies, and, after binding themselves by an oath, they unexpectedly approached Veii with their armies. By chance they attacked a camp in the area commanded by Manius Sergius the military tribune, causing great terror because the Romans believed that the whole of Etruria had been summoned from their cities and was coming with a massive force. The same belief aroused the Veientines in their city. So, the Roman camp was attacked on two fronts. The soldiers rushed together, carrying the standards this way and that, but they were unable to keep the Veientines sufficiently within the siege lines, nor could they ward off the attack on their own fortifications and protect themselves from the enemy outside. Their one hope was that help would come from the larger camp, so that the legions might face in different directions: some confronting the Capenates and Faliscans, and others the attack of the townsfolk.

But Verginius was in command of that camp, a man who personally hated Sergius and was detested by him. Though it was reported that most of the forts had been stormed, the siegeworks had been overwhelmed, and the enemy was advancing on two fronts, Verginius restrained his men under arms, as he repeatedly said that if his colleague needed help, he would have sent for him. Verginius' arrogance was equaled by the other man's obstinacy. To avoid the appearance of asking his personal enemy for help, Sergius preferred to be conquered by the foe rather than conquer with the help of a fellow citizen. For a long time, the Roman soldiers were slaughtered between the two armies. Finally the siegeworks were abandoned and a very small number escaped to the larger camp, while the largest number and Sergius himself made for Rome. Since he put all the blame on his colleague, it was decided to summon Verginius from the camp, leaving lieutenants in command there for the meantime. The matter was discussed in the senate, as the colleagues competed in reviling each other. A few men supported the interests of the state,

15. See 4.17–8 with n. 49.

whereas most favored this one or that, according to each individual's personal interest or political bias.

9. The senate, disgusted with the behavior of Sergius and Verginius, decides to elect new magistrates. When these two military tribunes refuse to resign, the plebeian tribunes threaten to imprison them unless they submit to the senate. The situation is saved by Ahala, another military tribune.

The leading senators decided that, whether this shameful disaster was due to the fault or to the bad luck of the commanders, they should not wait for the regular time for the elections; but new military tribunes should be elected immediately, to take office on October 1. When they were voting on this motion, the rest of the military tribunes raised no objection. But Sergius and Verginius, who were clearly the cause of the senate's dissatisfaction with the magistrates of that year, at first deplored the disgrace. But then they vetoed the senate's resolution, declaring that they would not go out of office before December 13, the regular day for entering office.¹⁶ In the midst of this, the plebeian tribunes, who had reluctantly kept quiet as long as there was harmony and the state prospered, suddenly threatened the military tribunes, saying that unless they submitted to the senate's authority, the plebeian tribunes would order them to be imprisoned.

Then Gaius Servilius Ahala, a military tribune, said, "As far as you and your threats are concerned, plebeian tribunes, I would gladly put it to the test whether your spirit is as great as the illegality of your position. But it's wrong to go against the senate's authority.¹⁷ Therefore stop looking for an opportunity for mischief in our quarrels. Either my colleagues will do what the senate decrees, or, if they are too stubborn in their opposition, I shall immediately name a dictator to force them to resign from office." His speech met with everyone's approval, and the senators rejoiced that they had found another and greater force for restraining the magistrates, without using tribunician power as a scare tactic. Defeated by the general consensus, the magistrates held an election for military tribunes to take office on October 1. Then, before that date, they resigned from office.

16. On the different dates for entering office, see 3.6, n. 16.

17. For this reading and punctuation, see Ogilvie 1965: 646.

10. 401 BCE is a year of considerable unrest. There is difficulty with the levy and collection of the war tax. The plebeian tribunes aggravate the latter problem. Two men are co-opted as plebeian tribunes, thus contravening the Trebonian law.

There was great activity, both at home and abroad, when the following men were military tribunes with consular power: Lucius Valerius Potitus for the fourth time, Marcus Furius Camillus for the second time, Manius Aemilius Mamercus for the third time, Gnaeus Cornelius Cossus for the second time, Caeso Fabius Ambustus, and Lucius Julius Iulus. There was warfare on several fronts at the same time, in the areas of Veii, Capena, and Falerii; and also in the territory of the Volsci, in order to recover Anxur from the enemy. In Rome, there were problems with both the levy and the payment of the war tax; there was strife over the co-optation of plebeian tribunes; and considerable commotion was stirred up by the trials of the two men who had shortly before exercised consular power.

The first task of the military tribunes was to hold a levy. Not only were younger men enrolled, but also older men were forced to enlist to guard the city. But the more the number of soldiers was increased, the more money was needed for their pay. This was contributed by taxation, but those who remained at home contributed that money reluctantly because, while protecting the city, they also had to do the work of soldiers and serve the state. In seditious speeches, the plebeian tribunes made these tasks that were burdensome in themselves seem even more outrageous. They argued that pay for the soldiers had been introduced so that one part of the plebs would be enfeebled by military service and the other by taxation. A single war was now being dragged out into its third year and was deliberately being mismanaged in order to wage it over a longer period. Armies had been enrolled for four wars in a single levy, dragging off even boys and old men. Now there was no distinction between winter and summer, giving no respite for the wretched plebeians who now were finally subject to taxation. And so, when they dragged their bodies home, enfeebled by toil, wounds, and finally old age, they would find everything untended because of the owners' long absence. They would pay the tax from their depleted holdings, returning their military pay to the state many times over, like a high-interest loan.

Because of the levy, the war tax, and the preoccupation with greater concerns, the number of plebeian tribunes could not be filled at the elections. Then there was a fight to co-opt patricians into the vacant positions. When they were unable to do this, in order to undermine the law, they managed

to get Gaius Lacerius and Marcus Acutius co-opted as plebeian tribunes, doubtless through patrician influence.¹⁸

11. A plebeian tribune, Trebonius, complains about the recent co-optation of two plebeian tribunes, but the citizens' anger is diverted by the indictment of Sergius and Verginius.

Chance brought it about that Gnaeus Trebonius was a plebeian tribune in that year, and he seems to have fulfilled the duty that he had inherited from his family name. He loudly complained that only after an initial setback had some senators secured what they wanted by exploiting the military tribunes. They had subverted the Trebonian law and co-opted tribunes of the plebs by using the power of the patricians, not a vote of the people. Things had regressed to such an extent that they were forced to have either patricians or patrician minions as plebeian tribunes; their sacred laws were being torn away, and tribunician power wrested from them. This, he charged, had been done by the deceit of the patricians and the criminal betrayal of his own colleagues.

Not only the senators but also the plebeian tribunes were ablaze with resentment—both those who had been co-opted and those who had co-opted them—when three of the tribunician college, Publius Curiatius, Marcus Metilius, and Marcus Minucius, fearful for their own situation, attacked Sergius and Verginius, who had been military tribunes in the previous year. By indicting them, the three turned the anger and resentment of the plebeians away from themselves. They reminded their hearers of those who were burdened by the levy, the war tax, the long military service, and the length of the war; those who were grieving because of the defeat at Veii, whose families mourned the loss of sons, brothers, kinsmen, and relatives—all these people had now been given the right and power to avenge both the public and private grief by making the two guilty ones pay.

18. *to co-opt patricians*: from the beginning of the plebeian tribunate, it was stipulated that no patrician could hold that office; see 2.33. But in 448 BCE, when only five plebeians were elected, it was decided that these five should co-opt colleagues to fill the vacancies. However, two ex-consuls who were patricians were co-opted. Therefore a bill was passed, the Trebonian law, which prescribed that an election for plebeian tribunes should continue until ten plebeian tribunes had been chosen; see 3.64–5.

to undermine the law: the Trebonian law of 448 BCE that forbade co-optation to the tribunate; see 3.65.

The cause of all their troubles lay with Sergius and Verginius. The defendants themselves were presenting the argument of the prosecution. Each of the guilty men put the responsibility on the other, with Verginius blaming Sergius for his flight and Sergius charging Verginius with treachery. Their madness had been so unbelievable that it was much more likely that it had been set up by mutual agreement, with the collusion of the senators. In order to prolong the war, they had earlier given the Veientes the opportunity to set fire to their siegeworks, and now they had betrayed the army and handed a Roman camp over to the Faliscans. Everything was being done in order to keep the Roman youth at Veii until they were old, and to prevent the tribunes from bringing before the people the question of land and other advantages for the plebs and from pushing their measures in a well-attended assembly and thus resisting the patricians' conspiracy.

The plebeian tribunes declared that the defendants had already been judged by the senate, the people, and their own colleagues. The senatorial decree had removed them from government. When they had refused to resign from office, their colleagues had coerced them by threatening a dictatorship; and the Roman people had appointed tribunes to take office immediately on October 1, not on the regular date of December 13, because the state could endure no longer if these men remained in office. Yet nonetheless, though knifed and prejudged by so many adverse verdicts, Sergius and Verginius were coming to the people for judgment, thinking that they had been discharged and paid enough of a penalty because they had become private citizens two months before their time.¹⁹ They did not understand that this was not a punishment; the intent was to deprive them of the power to do further harm. Indeed, their colleagues had also been removed from office, though they certainly had done no wrong.

The tribunes urged their fellow Romans to recall their feelings at the time of the recent disaster, when they saw the army panicking in flight, wounded and fearful, tumbling into the city gates, accusing not their luck or any of the gods, but these very leaders. There was surely not a man standing in the assembly who had not on that day damned and cursed the lives, houses, and fortunes of Lucius Verginius and Manius Sergius. It was completely inappropriate for the people to fail to exercise their power against two men on whom all of them had called down the anger of the gods. Indeed, this was their legal and moral right. The gods themselves never laid hands on the

19. *knifed*: a vivid metaphor from *confodire* (to pierce or stab); this is the only occurrence of this word in Livy's *History*.

guilty; they were content to arm those who had been wronged with an opportunity for revenge.

12. Sergius and Verginius are fined, and the plebeian tribunes continue to block the war tax. There is little success in the various campaigns. A plebeian is elected as military tribune in the elections for 400 BCE, and the plebeian tribunes withdraw their opposition to the war tax.

Aroused by these words, the plebeians condemned each man to pay 10,000 pieces of heavy bronze, even though Sergius blamed the fortune of war that is shared by all, and Verginius implored that he might not be more unlucky at home than in war. Directing the people's anger against these men obscured the memory of the tribunes' co-optation and the evasion of the Trebonian law.

To give the plebs an immediate reward for their verdict, the victorious tribunes proposed a land bill and prevented the collection of war tax, although pay was needed for so many armies whose campaigns, though successful, had not brought any war to a conclusion. The camp lost at Veii was recovered and strengthened with fortresses and garrisons, under the command of the military tribunes Manius Aemilius and Caeso Fabius. No hostile forces were found outside the city walls, either by Marcus Furius in the area of the Falisci or Gnaeus Cornelius in the territory of Capena. They drove off booty, burned farmhouses and crops, and devastated the land, attacking but not besieging the towns. In Volscian territory, the fields were ravaged, but an attack on Anxur was unsuccessful because of its elevated situation. When force was of no avail, they began to besiege it with a rampart and a ditch. The Volscian assignment had fallen to Valerius Potitus.

While this was the situation in the field, unrest at home aroused greater energy than was expended on the wars. The war tax could not be collected because of the tribunes; money was not being sent to the commanders; the soldiers were demanding their military pay; and so the contagion of the urban unrest also infected the camp, all but disrupting it. Amid the plebeians' anger toward the senators, the tribunes of the plebs were now saying that it was time to establish liberty and transfer high office from the likes of Sergius and Verginius to brave and energetic plebeians. In the exercise of their right, however, they got no further than having one plebeian elected as military

tribune with consular power: Publius Licinius Calvus. The others elected were patricians: Publius Manlius, Lucius Titinius, Publius Maelius, Lucius Furius Medullinus, and Lucius Publilius Volscus [400 BCE].²⁰

The plebeians themselves were amazed that they had obtained so much. For the man who was elected was not only one who had no previous experience of high office, but he was merely a long-standing senator who was advanced in years.²¹ There is no agreement as to why he was thought to be the first and most suitable to taste this new honor. Some think that his elevation to this high office was due to the support of his kinsman Gnaeus Cornelius, who, as military tribune the year before, had given three times the amount of pay to the cavalry in the previous year.²² Others think that Licinius made a timely speech about the harmony of the orders that won the support of both senators and plebeians. Exulting in this election victory, the plebeian tribunes withdrew their opposition to the war tax, which had been the greatest hindrance to the operation of the state. It was dutifully paid and sent to the army.

13. 400–399 BCE. Anxur is recovered. Only one of the six military tribunes elected for 399 BCE is a patrician. Because of plague, the Sibylline books are consulted and the first lectisternium is celebrated in Rome.

Volscian Anxur was quickly recovered on a festal day when the guard posts were not fully manned. The year was outstanding for a frosty and snowy winter, resulting in the roads being blocked and the Tiber being unnavigable. The price of grain did not change, because a supply had been collected in advance. Publius Licinius held office in the same way that he had obtained

20. *The others elected were patricians*: this statement is problematic since, like Atilius in 444 BCE (4.7, n. 20) and Antonius in 422 BCE (see 4.42 with note), Titinius, Maelius, and Publilius are from families that are later attested as plebeian. Only the patrician births of Manlius and Furius are certain; see Ogilvie 1965: 652, and Cornell 1995: 336.

21. *long-standing senator*: since Licinius apparently was not a senator by virtue of being an ex-magistrate, he was probably one of the “conscripted”; i.e., a man who was chosen by the consuls to make up the number of the senate; see Livy, 2.1 with n. 4.

22. *kinsman*: the Latin *frater* (brother) can also mean adoptive brother, half-brother, or cousin. The connection of the plebeian Licinius with the patrician Cornelius raises the possibility that Licinius was a brother-in-law. Livy does not mention a pay raise in 401 BCE, the year of Cornelius’ military tribunate, but notes one in 403 BCE (5.7).

it, without any disorder and pleasing the plebs more than angering the senators. Consequently the people were well disposed to vote for plebeians at the next election of military tribunes [399 BCE]. Marcus Veturius was the only patrician candidate to win election. The remaining military tribunes with consular power were elected by almost all of the centuries: Marcus Pomponius, Gnaeus Duilius, Volero Publilius, Gnaeus Genucius, and Lucius Atilius.

The severe winter was followed by an oppressive summer that brought plague to all living creatures, either because of a sudden change from the unusual weather to the opposite extreme or for some other reason. Since no cause or end was found for this incurable malady, the Sibylline books were consulted on the advice of the senate. The board of two for the performance of sacred rites then celebrated the first *lectisternium* ever held in Rome. For a period of eight days, Apollo and Latona, Hercules and Diana, Mercury, and Neptune were honored; three couches were spread for them with all the splendor that was possible at that time.²³ The ritual was also observed in private homes. Throughout the entire city, so they say, the doors were open, and all kinds of food set out for everyone to eat. All comers were welcomed, known and unknown alike; courteous and kind conversation was exchanged even with personal enemies; people refrained from quarrels and litigation; prisoners were released from their chains for those days; and respect for the gods prevented the imprisonment of those whom the gods had helped.

Meanwhile, at Veii, the fear was multiplied, as three wars became one. Just as before, the Capenates and Faliscans suddenly came to the relief of Veii and there was fighting around the siegeworks, with the Romans fighting against three armies attacking from two sides. What especially helped them was the recollection of the conviction of Sergius and Verginius. Troops were led out from the larger camp, where the problem had arisen on the previous occasion. Taking a short cut, these troops attacked the Capenates from behind as they were facing the Roman rampart. The beginning of this fighting also terrified the Faliscans, and a timely sortie from the camp drove them away in trepidation. The victors pursued them as they were driven back, causing great slaughter. Not long after, chance, as it were, made the stragglers an easy target; those who were ravaging the territory of the Capenates

23. *Sibylline books*: see 3.10 with n. 28, 4.25, and Appendix 3, p. 430 with n. 13.

lectisternium: originally a Greek practice. Statues of the gods were placed on couches in front of the temples, so that the gods could share in the festival, including the sacrificial feast; see Appendix 3, p. 431.

Latona: the mother of Apollo and Diana. Their father was Zeus.

came upon the survivors of the battle and destroyed them. Many of the Veientes were cut down in front of the gates as they retreated into the city, since their fellow citizens, fearing that the Romans might also break in, had barred the doors and shut out the last men.

14. 398 BCE. The patricians promote their most famous members as candidates for the military tribunate and raise religious questions about the previous two elections; all six men elected are patricians.

Such were the events of that year. Already the elections of military tribunes were approaching, causing the senators almost more concern than the war, since they realized that they had not merely shared supreme power with the plebs but almost lost it. And so they arranged that their most famous members should be prepared to seek office, men whom they believed the voters would be ashamed to pass over. Nonetheless, as if they were all candidates, they tried every means, calling on not only men but also the gods, and raising religious questions about the elections of the last two years. The year before last the winter had been unbearable, like divine prodigies. The following year, they did not experience prodigies but their outcome: a pestilence had come upon the countryside and the city, doubtless because of the anger of the gods, whom, it was discovered in the books of fate, must be propitiated in order to avert the plague.²⁴ The gods were displeased that elections held under their auspices had resulted in high office being demeaned and family distinctions being thrown into confusion.²⁵

In addition to the dignity of the candidates, men were awed by the religious element. So, all the men elected as military tribunes with consular power were patricians, and generally the most distinguished candidates [398

24. *they did not experience . . .* : the extraordinary winter was a divine warning of the anger of the gods that was manifested in the plague. The implication is that the bad winter should have been regarded as a prodigy and expiated.

books of fate: not only the Sibylline books, which had advised the *lectisternium*, but also other books of prophecy.

25. *high office being demeaned*: the Latin *honores volgari* literally means that the offices were being “vulgarized,” spread to the common people (*vulgus*), an allusion to the election of plebeians as military tribunes for 400 and 399 BCE.

family distinctions being thrown into confusion: for similar arguments in the context of intermarriage of patricians and plebeians, see 4.1, 4.2, and 4.6.

BCE]: Lucius Valerius Potitus for the fifth time, Marcus Valerius Maximus, Marcus Furius Camillus for the second time, Lucius Furius Medullinus for the third time, Quintus Servilius Fidenas for the second time, and Quintus Sulpicius Camerinus for the second time. These men did absolutely nothing memorable at Veii. All their strength went into pillaging. The two chief commanders, Potitus at Falerii and Camillus at Capena, drove off huge booty, leaving nothing untouched that could be harmed by fire or the sword.

15. When the Alban lake overflows, an elderly Veientine man prophesies that the Romans will not capture Veii until they draw off the waters. He is captured and taken before the senate. But the Romans take no action, preferring to wait for a response from Delphi.

Meanwhile many prodigies were reported, most of which were not believed but were rejected because only one witness vouched for each of them. Also, since the Romans were at war with the Etruscans, whom they used to interpret prodigies, they had no soothsayers.²⁶ Everyone's concerns were focused on one thing: the lake in the Alban Wood rose to an unprecedented height, without any rains or other cause to make it less than a miracle. Envoys were sent to Delphi to enquire what the gods portended by this prodigy.²⁷ But a nearer interpreter of the fates presented himself in the person of an elderly Veientine. Amid the jeers of the Roman and Etruscan soldiers, he prophesied like an inspired seer, declaring that the Romans would never take Veii until the water was drained from the Alban lake. This at first was rejected as an idle remark; then they began to discuss it, until one of the Roman guards asked a townsman who was nearest to him (as a result of the long duration of the war, they used to talk with each other) who the man was who was talking in riddles about the Alban lake. This Roman was a man whose mind was

26. *soothsayers*: the Romans often called in *haruspices*, priests who specialized in interpreting omens and portents and in inspecting the entrails of sacrificial victims. Originally *haruspices* came from Etruria; hence Livy's rather amusing remark about the shortage of interpreters.

27. The oracle of Apollo at Delphi in Greece was famed throughout the Mediterranean world and had long been consulted by non-Greeks. That the Romans consulted the oracle at this point is a further indication of the influence of Greek religion on Roman practices that we have already seen in the adoption of the cult of Apollo in 433 BCE (4.25 and 4.29) and, more recently, the *lectisternium* of 399 BCE (5.13). See also 1.56 for the story of the consultation of the oracle by Tarquin, the last king of Rome.

not unaffected by religious matters. Hearing that the old man was a soothsayer, he pretended that he wanted to consult him about a private portent, if he had the time, and so drew the man into conversation. When the two of them had gone some distance away from their friends, unarmed and without any fear, the powerful young Roman seized the feeble old man in sight of everyone and carried him back to his fellow soldiers, despite the useless uproar created by the Etruscans.

After being brought before the general, the old man was sent to the senate in Rome. In response to the question of what he had meant by his pronouncement about the Alban lake, he replied that the gods must surely have been angry with the Veientine people on the day that they had put it into his mind to reveal the destruction fated for his fatherland.²⁸ What he had uttered under the inspiration of a divine spirit could not be recalled as if unspoken. Perhaps no less an impiety (*nefas*) was committed by keeping silent about those matters that the gods wanted known than by declaring what ought to be concealed. For thus it was written in the books of fate and in Etruscan lore that, when the Alban waters should overflow, then the Romans would be granted victory over the Veientes, if they should draw off the water with due rites; until that was done, the gods would not abandon the walls of Veii. He then proceeded to explain the appropriate method of draining it. But the senators made light of his authority, thinking him insufficiently trustworthy on such an important matter. So, they decided that they must await the ambassadors and response of the Pythian [Delphic] oracle.

16. 397 BCE. Six military tribunes are elected. The men of Tarquinii make a raid on Roman territory, but the Romans quickly retaliate. The reply from Delphi corresponds with that of the Veientine seer.

Before the envoys returned and an expiation of the Alban prodigy was found, new military tribunes with consular power entered office [397 BCE]: Lucius Julius Iulus, Lucius Furius Medullinus for the fourth time, Lucius Sergius Fidenas, Aulus Postumius Regillensis, Publius Cornelius Maluginensis, and Aulus Manlius. In that year, the people of Tarquinii emerged as a new enemy. They saw that the Romans were busy with many wars at the same time

28. *destruction fated for his fatherland*: for the increasing emphasis on fate or destiny, see 5.16, 5.19, 5.32, and 5.33 with notes.

—against the Volsci at Anxur, where the garrison was under siege; against the Aequi, who were attacking the Roman colony at Labici; in addition to warfare against the Veientes, Faliscans, and Capenates. Nor were affairs in the city any quieter, on account of the struggles between the senators and plebeians. Thinking that this offered an opportunity to harm the Romans, the people of Tarquinii sent light-armed troops to plunder Roman territory. For they reckoned that the Romans would either let the wrong go unpunished to avoid the burden of a new war, or pursue them with a small or insufficiently strong army. But the Romans' indignation was greater than their concern about the devastation caused by the men of Tarquinii. The matter was handled without much effort, nor was it long delayed. Aulus Postumius and Lucius Julius did not hold a regular levy—for they were prevented by the plebeian tribunes. In a stirring rally, they collected a band of virtual volunteers and went through the territory of Caere by cross-country paths.²⁹ There they overwhelmed the men of Tarquinii as they were returning from their raids laden with booty. They slew many, stripped them all of their baggage, and returned to Rome, having recovered everything that had been taken from their fields. Two days were given for the owners to identify their property. On the third, everything that had not been identified—mainly the property of the enemy—was put up for auction and the proceeds divided among the soldiers.

The outcome of the other wars, especially the one at Veii, was uncertain. Already the Romans had despaired of human help and were looking to the fates and the gods, when the envoys returned from Delphi, bringing a response from the oracle that was consistent with the words of the captive seer: "Roman, beware of keeping the Alban water contained within the lake; beware of allowing it to flow in its own channel into the sea. You shall draw it off and irrigate the fields; you shall get rid of it by dispersing it in channels.³⁰ Then boldly press on against the enemy's walls, mindful that victory over the city that you have besieged for so many years has been given to you by the fates that are now revealed. When the war is over and you are victorious, bring to my temple a magnificent gift and perform the sacred rites of your country that have been neglected, by renewing them in their customary mode."

29. *Caere*: an Etruscan city some thirty miles northwest of Rome. On Caere's friendly relations with Rome, see 5.40 and 5.50.

30. A functional tunnel providing an outflow from the Alban lake still exists today. The date of its construction, however, is disputed. The connection of this tunnel with the fall of Veii is also problematic; see Ogilvie 1965: 658–9.

17. 397 BCE. *The Veientine seer expiates the Alban prodigy. A religious flaw in the elections of the military tribunes is discovered, and so they resign. The Capenates and Faliscans beg the Etruscan League to help Veii. Their request is refused because of the threat posed by the presence of newcomers into Etruria.*

From then on, the captive seer began to be held in great repute, and the military tribunes Cornelius and Postumius proceeded to use him to expiate the Alban prodigy and propitiate the gods with the appropriate rites. At last the reason was discovered for the gods' charge that their rituals had been neglected or a solemn rite omitted. Indeed it was simply that the election of the magistrates had been flawed, resulting in the improper proclamation of the Latin festival and sacrificial rite on the Alban Mount. The only expiation for this was that the military tribunes should resign from office, the auspices be taken anew, and an *interregnum* be initiated.³¹ These things were done by decree of the senate. There were three *interreges* in succession: Lucius Valerius, Quintus Sergius Fidenas, and Marcus Furius Camillus. Meanwhile there was no letup in the civil disturbances, as the plebeian tribunes blocked the election until it should be agreed that the majority of military tribunes should be chosen from the plebeians.

While this was happening, the council of the Etruscans met at the shrine of Voltumna. When the Capenates and Faliscans demanded that there be a common resolution and plan for all the people of Etruria to rescue Veii from siege, they received the reply that they had previously refused the Veientes' request because they should not seek help in such a great matter from a source whose advice they had not sought in the first place. But now their own misfortunes essentially denied the request. In much of Etruria, there was an unknown race, new settlers, with whom neither peace was sufficiently trustworthy nor war a certainty.³² Nevertheless, because of regard for the blood and name and the present dangers of their kinsmen, they granted that

31. A religious flaw in the election of magistrates automatically invalidated any religious rite performed under their auspices. Therefore they had to resign. This incident is authentic in its technical details, but there is no record of this resignation in the *Fasti Capitolini*; see Broughton 1986(1): 87.

Latin festival. . . on the Alban Mount: a festival of great antiquity held in honor of Jupiter Latiaris on the Alban Mount, the original meeting place of the Latin League. As part of their duties the consuls, or military tribunes with consular power, participated in this annual festival.

32. *an unknown race*: the Gauls. Here Livy foreshadows the second major topic of this book.

they would not prevent any young men who wanted to volunteer for that war from doing so. At Rome it was rumored that a large number of the enemy had arrived at Veii. Consequently, the internal discord began to calm down, as generally happens when there is a fear that is shared by all.

18. 396 BCE. Publius Licinius Calvus, elected as military tribune, withdraws in favor of his son. Two of the military tribunes are ambushed by the Faliscans and Capenates, causing great panic in Rome and in the camp at Veii.

The senators were not displeased when the centuries that voted first elected Publius Licinius Calvus as military tribune, though he was not a candidate.³³ He was a man of proven moderation in his earlier magistracy, but already advanced in years. It was clear that all his colleagues of the same year would also be reelected: Lucius Titinius, Publius Maenius, Gnaeus Genucius, and Lucius Atilius [396 BCE].³⁴ But before their election was declared to the duly assembled tribes, Publius Licinius Calvus made the following speech by permission of the *interrex*: “I see that you are seeking an omen of harmony for the following year, Quirites, something that is especially useful at this time, when in your voting you are mindful of our former magistracy. You are reappointing the same colleagues, who are even better through experience. In me, however, you do not see the same man; only the shadow and name remain. My bodily strength is weakened, my sight and hearing impaired, my memory failing, and the vigor of my mind dulled. See,” he said as he embraced his son, “here is a young man who is the image and likeness of the

33. *centuries that voted first*: in the *Comitia Centuriata*, one of the centuries was chosen by lot to vote first. Since there was no secret ballot at this time, the results were known and thus tended to influence the subsequent voting.

Publius Licinius Calvus: see 5.12, with nn. 20 and 21, for his election in 400 BCE. The story of his election in 396 BCE and his subsequent withdrawal in favor of his son is probably a later addition to the tradition. Livy's source for this incident is probably the historian Licinius Macer; see Ogilvie 1965: 666–7.

34. *it was clear . . .*: an allusion to the fact that, in the *Comitia Centuriata*, one century was chosen by lot to vote first. The results of this vote were regarded as a propitious sign; hence the reference to “the omen of harmony” at the beginning of Licinius' speech.

all his colleagues . . .: the only name in this list that tallies with the list of six given at 5.12 is that of Titinius. “Maelius” (who is listed in 5.12), however, is a likely alternative reading for Livy's “Maenius” here; see Broughton 1986(1): 88, n. 1. Genucius and Atilius appear in the list for 399 BCE at 5.13; see also Ogilvie 1965: 667–8.

man whom you earlier elected as the first military tribune from the plebs. He has been raised in accordance with my principles, and so I give and dedicate him to the state, to serve in my place. And I beg you, Quirites, to grant the office that you gave to me, though I did not seek it, to him who seeks it, in deference to my prayers on his behalf.” The father’s request was granted and his son, Publius Licinius, was declared military tribune with consular power together with those whom we have named above.

The military tribunes Titinius and Genucius set out against the Falisci and Capenates and fell into an ambush while they were waging war with more spirit than strategy. Genucius atoned for his rashness by an honorable death, fighting before the standards in the front line. Titinius regrouped the soldiers after their great panic and restored the battle line on a rising hillock but did not risk an engagement on level ground. It was more of a disgrace than a disaster, though it almost turned into a great disaster, causing great terror not only in Rome, where an exaggerated report had arrived, but also in the camp near Veii. With difficulty the soldiers were restrained from flight, since a rumor had spread through the camp that the generals and army had been slaughtered and that the victorious Capenates and Falisci, together with all the manpower of Etruria, were nearby. Even more disturbing reports were believed in Rome: already the camp at Veii was being stormed; already part of the enemy was advancing to attack the city. There was a rush to the walls, and the married women, aroused from their homes by the general panic, were offering prayers in the temples, beseeching the gods to ward off destruction from the houses, temples, and walls of Rome and to turn the terror on Veii, if the sacred rites had been properly repeated and the prodigies expiated.

19. 396 BCE. Camillus becomes dictator and sets out for Veii. The siege is tightened, and the Romans begin to tunnel into the city.

Already the games and the Latin festival had been repeated; already the water had been drawn from the lake onto the fields; the fates were attacking Veii. And so the commander who was fated to destroy that city and save his country, Marcus Furius Camillus, was appointed dictator, naming Publius Cornelius Scipio as his master of the horse.³⁵ The change of commander

35. *the fates were attacking . . . commander who was fated . . .* with these two sentences, the emphasis on fate or destiny becomes especially marked; see 5.15 with n. 28; 5.32, “Fate began her assault” (in the context of the approach of the Gauls); 5.33, “disaster approached the fated

suddenly changed everything. Men's hopes were different, their spirits different; even the fortune of the city seemed different. First of all, Camillus inflicted the customary military punishment on those who had fled in panic from Veii, proving that the enemy was not the worst thing that the soldiers had to fear.³⁶ Then he declared a levy for a fixed day, meanwhile hastening in person to Veii to strengthen the soldiers' morale. From there he returned to Rome to enroll a new army; no one refused to serve. Even foreigners, Latins and Hernici, came to this war, promising their help, and the dictator thanked them in the senate. After making sufficient preparations for this war, Camillus vowed, in accordance with a senatorial decree, to celebrate the Great Games, if he should capture Veii, and also to restore and rededicate the temple of Mater Matuta, which had previously been dedicated by King Servius Tullius.³⁷

Setting out from the city with his army, where he left more of a feeling of suspense than hope, he first engaged the Faliscans and Capenates in Nepesine territory.³⁸ All his actions were carried out with consummate planning and strategy and so, as is usual, were attended with good fortune. He not only routed the enemy in battle but also stripped them of their camp and obtained huge booty. The greatest part of this was handed over to the quaestor, and not much to the soldiers.³⁹ Then the army was led to Veii, and forts were constructed closer together. The soldiers were withdrawn from the random skirmishing that frequently occurred between the wall and the rampart. Camillus issued a decree forbidding anyone to fight without orders, and the men were employed on siegeworks. By far the greatest and most laborious work was a tunnel that they began to dig into the enemy citadel. To avoid the work being interrupted and the men becoming exhausted by continuously laboring underground, he divided the number of workers into six

city" (in context of Clusium's appeal for help against the Gauls); and 5.35, "the fates were now pressing upon the Roman city" (in the context of the Fabii taking up arms against the Gauls in contravention of the law of nations).

36. *customary military punishment*: the punishment for desertion was to be beaten to death by one's fellow soldiers; see 2.59 and 5.6.

37. *Great Games*: see 1.35 with n. 113.

Mater Matuta: an ancient Italic goddess of fertility. Her temple was in the *Forum Boarium* (Cattle Market).

38. *Nepesine territory*: Nepes was about five miles south of Falerii, lying between that town and Veii.

39. *handed over to the quaestor*: the rank-and-file soldiers were usually allowed to keep their plunder. The quaestor was responsible for financial matters.

groups, rotating them in six-hour shifts. There was no letup by night or day until they had made a way into the citadel.

20. Camillus refers the question of the disposition of the booty to the senate. Licinius' suggestion that each man keep the booty he has taken is adopted.

The dictator saw that victory was already in his grasp, that a very wealthy city was on the point of being captured, and that there would be more booty than in all the previous wars combined. To avoid incurring either the soldiers' anger because of a stingy division of the spoils or the senate's hostility because of extravagant largesse, he sent a letter to the senate, saying that Veii would soon be in the power of the Roman people, thanks to the kindness of the immortal gods, his own strategy, and the soldiers' endurance. What did they think should be done about the booty? Two opinions divided the senate. One was that of the aged Publius Licinius, who, they say, was the first man that his son called on to speak.⁴⁰ He advised making a public proclamation that anyone who wanted a share in the booty should go to the camp at Veii. The other opinion was that of Appius Claudius, who charged that such largesse was unprecedented, extravagant, unfair, and ill-advised. If the senate should decide once and for all that it was sacrilegious that money captured from the enemy should be put in a treasury that was depleted by wars, he proposed that the money be used to pay the soldiers, so that the plebeians would pay less war tax. All families alike would feel that they were sharing equally in this gift, and the hands of the idle townsfolk, greedy for pillage, would not grab the rewards of the brave warriors. Moreover, he said, it often turns out that the slower a man is to pillage, the more he seeks his special share of the toil and danger.

Licinius, on the other hand, said that the money would always be a source of suspicion and jealousy, supplying a reason for accusations before the plebs, and then for sedition and revolutionary laws. It was therefore preferable to win over the minds of the plebs by this bounty; to help them, exhausted and

40. *called on to speak*: as military tribune with consular power, the son was presiding over the senate. But, unless his father was the leading man of the senate (*princeps senatus*), to call on him first would have been an irregular procedure, since the younger Licinius would have passed over the patrician senators; he would, moreover, have been calling on a plebeian, two further indications that this part of the story is a later addition to the tradition, probably deriving from the family records of the Licinian family via Licinius Macer; see 5.18, n. 33.

drained as they were by taxation over so many years; and to let them have the enjoyment of the booty from a war in which they had almost reached old age. A man would feel more pleasure and joy in bringing home what he had captured from the enemy with his own hand than if he received many times its value by another's decision. The dictator himself was avoiding unpopularity and the charges that might arise; it was for this reason that he had handed the question to the senate. The senate likewise should refer the matter in turn to the plebs and allow each man to keep what the fortune of war might grant him. This seemed the safer opinion, since it would make the senate popular. And so it was decreed that all who wanted to share in the Veientine plunder should set out for the dictator's camp.

21. The dictator "evokes" the goddess Juno Regina (Queen Juno), vowing a temple to her in Rome. The Romans successfully storm the city, taking an unexpected amount of plunder. Livy reports some of the more implausible traditions about the taking of the city.

A huge throng set out, filling the camp. Then, after taking the auspices, the dictator came out and ordered the soldiers to take up their arms. "Under your leadership," he cried, "Pythian Apollo, and inspired by your divine will, I go forth to destroy the city of Veii. To you I vow a tenth part of its spoils. At the same time, Juno Regina, you who now dwell in Veii, I pray that you follow us in our victory into the city that is ours and will soon be yours, where there will be a temple worthy of your greatness to receive you."⁴¹ After this prayer, he attacked the city from all directions with overwhelming numbers in order to minimize the perception of the danger that was coming from the tunnel. The Veientes were unaware that they had already been betrayed by their own seers and by foreign oracles; that their gods had already been summoned to share in their city's spoils; that others had been summoned away from their own city by prayers and were now looking to the enemies' temples and new homes; that they themselves were living their

41. *I pray that you follow*: with these words, Camillus performs the ritual of *evocatio*, the summoning of an enemy's tutelary deity to desert the city and its inhabitants, come over to the Romans, and accept a new home in Rome. Note also the appeal to Pythian Apollo, the god worshipped at Delphi, who had requested a gift in return for the oracle regarding the Alban lake; see 5.16, and Appendix 3, pp. 431–2.

last day. No fear was further from their minds than the thought that their walls had been undermined by a tunnel and that the citadel was already filled with the enemy. Each man took up arms for himself, running to the walls, wondering why the Romans, who for so many days had not moved from their sentry posts, were now recklessly rushing toward the walls as if stricken with sudden madness.

At this point, a tale is introduced. As the King of Veii was sacrificing, the soldiers in the tunnel overheard the seer saying that victory would be given to the man who cut up the entrails of the victim. This impelled the soldiers to open the tunnel, seize the entrails, and take them to the dictator. But in matters of such antiquity, I would be content if things that are like the truth are taken as being true. These events are more appropriate to be displayed on the stage, which rejoices in miracles, than to be believed. Nor is there any return for the effort (*operae pretium*) of affirming or refuting them.⁴²

The tunnel, which by that time was filled with picked troops, suddenly discharged armed men into the temple of Juno, which was on the Veientine citadel. Some attacked the enemy on the walls from behind; others tore off the bolts of the gates; others fired the buildings from which women and slaves were throwing stones and tiles. Everywhere was filled with shouting, as the wailing of women and children mingled with various cries of panic and terror. In an instant, armed men were everywhere thrown from the walls and the gates flung open. Some of the Romans rushed in a column; others mounted the now deserted walls; and the city was filled with the enemy. Everywhere there was fighting. Then, after great slaughter, the fighting died down, and the dictator ordered the heralds to declare that the unarmed should be spared. That was the end of the bloodshed. Then the unarmed began to surrender, and, with the permission of the dictator, the soldiers scattered in search of booty.

When the plunder was brought for him to see, the dictator realized that it was of considerably greater value than he had thought or hoped. He is said

42. *more appropriate to be displayed on the stage*: see Wiseman (1994: 17–8) for the suggestion that dramatic performances of historical events were a medium through which the general populace would be familiar with such events as the fall of Veii. The episode is introduced as a tale (*fabula*), which recalls the “poetic tales” of Pref. 6. See also Introduction, p. xvi.

any return for the effort: these words recall the opening of the Preface.

affirming or refuting: this phrase recalls Pref. 6: “The intent is neither to affirm nor refute the traditions that belong to the period before the foundation of the city . . . for these are embellished with poetic tales. . . .” Thus Livy underscores his awareness of the apocryphal nature of this part of the tradition, while also taking the opportunity to tell it himself.

to have raised his hands to the sky, praying that, if his fortune or that of the Roman people seemed excessive to any god or man, he might be allowed to mitigate that resentment with the minimum of harm to his own private interests or the public welfare of the Roman people. There is a tradition that he slipped and fell as he turned in the midst of this prayer.⁴³ Later, when men connected this omen with the outcome, it seemed to refer to the condemnation of Camillus himself and then to the capture of Rome, a disaster that happened a few years later. And so that day was spent in slaughtering the enemy and plundering a most wealthy city.

22. After enslaving the inhabitants of Veii, the Romans take the statue of Juno Regina from Veii to Rome.

On the following day, the dictator sold all the free-born inhabitants into slavery. This was the only money that went into the state treasury, not without angering the plebs. They gave the credit for the booty they brought back home not to their general, who had referred to the senators a matter that was his responsibility because he wanted support for his stinginess; nor to the senate; but to the Licinian family, whose son had referred the matter to the senate and whose father had proposed such a popular measure.

When the wealth that belonged to men had been carried out of Veii, then they began to remove the gods' gifts and the gods themselves but did so more in the manner of worshipers than plunderers. Young men were chosen from the whole army and were assigned the task of bringing Juno Regina to Rome. After ritually cleansing their bodies, they reverently entered the temple wearing white robes.⁴⁴ At first they were in awe of approaching her with their hands, because according to Etruscan ritual only a priest from a certain family was accustomed to touching this statue. Then one of them, either under divine inspiration or in youthful jest, said, "Juno, do you want to go to Rome?" At this, all the others cried out that the goddess had nodded her assent. An addition was later made to the tale that a voice was also heard to say that she was willing. At any rate, we hear that she was moved from her place almost effortlessly with poles, as if she were following, and that she was

43. *He is said . . . There is a tradition:* the insertion of these phrases implies Livy's skepticism about these two incidents.

44. *after ritually cleansing:* such purification was essential after being involved in bloodshed.

light and easy to transport.⁴⁵ She was carried, undamaged, to the Aventine, her eternal home where the prayers of the dictator had summoned her, and where Camillus later dedicated the temple that he had vowed.

This was the fall of Veii, the wealthiest city of the Etruscan people, which showed her greatness even in her final overthrow. For ten continuous summers and winters she was besieged, inflicting more disasters than she sustained. In the end, when even fate was against her, she was taken by siegeworks and not by force.⁴⁶

23. Camillus' extraordinary triumph, the problem of fulfilling his vow to Apollo, and his increasing unpopularity.

When it was announced at Rome that Veii had been captured, though the prodigies had been expiated and the responses of the seers and the Pythian oracles were known; and though insofar as all help had been employed through human counsel by appointing Marcus Furius Camillus, the greatest of all commanders, as their general; nevertheless, because they had fought there with varying success for so many years and suffered many disasters, the joy was unbounded, as if the result had been unexpected. Even before the senate could pass a decree, all the temples were filled with Roman matrons giving thanks to the gods. The senate decreed supplications for four days, a longer period than in any previous war. The dictator's arrival in the city was attended by larger numbers than that of anyone before, as all the ranks of society poured out to meet him; his triumph far outdid every customary measure of honor for that day. He himself was especially conspicuous as he rode into the city in a chariot drawn by four white horses, seemingly superior to not only citizens but also mortals. Men thought it tantamount to sacrilege that the dictator was making himself the equal of Jupiter and the Sun by using these horses.⁴⁷ This was the one overriding factor that made his triumph

45. *an addition was later made to the tale . . . At any rate, we hear:* further indications of Livy's skepticism about these traditions.

almost effortlessly with poles . . . : terra-cotta statue bases with slots of seven centimeters in diameter have been discovered at Veii. Poles would be inserted through these slots for transporting the statues in processions.

46. The finale of this episode was evidently intended to recall accounts of the fall of Troy.

47. *tantamount to sacrilege:* the Latin *in religionem trahere* literally means "dragging or drawing into *religio*," a question of religious scruples. Although it was the custom for the triumphing general to be dressed like Jupiter (see 2.7, n. 12), the tradition of the white horses and the Sun introduces the theme of *hubris*, thus foreshadowing the story of Camillus' exile.

more impressive than pleasing. Then he contracted for the temple of Juno Regina on the Aventine and dedicated one to Mater Matuta.⁴⁸ After dealing with these religious and secular matters, he resigned from the dictatorship.

Discussion then began about a gift to Apollo, to whom Camillus said he had vowed a tenth part of his spoils. The pontiffs thought that the people were under a religious obligation to pay it, but there was no easy way of ordering the people to return their spoil so that the due part of it could be set aside for the sacred gift. Finally they resorted to what seemed the best compromise: whoever wished to release himself and his household from the religious obligation should assess the value of his own share of the spoils and bring a tenth part of that sum to the state treasury in order that an offering of gold, worthy of the grandeur of the temple and the god's divinity, should be made in accordance with the greatness of the Roman people. This collection of funds further alienated the plebs' affections from Camillus. In the midst of this, envoys came from the Volsci and Aequi to ask for peace. Their request was granted, more to give the state a respite after such a long war than because their request was deserving.

24. 395 BCE. War with the Capenates and Faliscans. A proposal to establish a colony in Volscian territory causes the plebeians to declare that they would prefer to be sent to Veii.

In the year after the capture of Veii, six military tribunes with consular power were elected: the two Publii Cornelii, Cossus and Scipio; Marcus Valerius Maximus for the second time; Caeso Fabius Ambustus for the second; Lucius Furius Medullinus for the fifth; and Quintus Servilius for the third. War with the Faliscans fell by lot to the Cornelii, and that with the Capenates to Servilius. They did not attempt to take cities either by force or siegeworks but devastated the land and robbed the farmers of their possessions, leaving no fruitful tree nor any productive crop in their territory. This disaster subjugated the Capenates, and peace was granted in response to their request. The war against the Falisci continued.

At Rome, meanwhile, there were many kinds of disturbances. To calm the situation, the senate had voted to send a colony to Volscian territory where 3,000 Roman citizens would be enrolled. A board of three men was appointed, and they decided to allot three and seven-twelfths *iugera* per

48. *Mater Matuta*: see 5.19, n. 37.

man.⁴⁹ A movement began to reject this largesse because people thought that it was a consolation prize to divert their hopes for greater things. Why, they asked, should the plebeians be banished to Volscian territory when there was, within sight, the most beautiful city of Veii and the Veientine territory, richer and more extensive than that of Rome? They even preferred that city to the city of Rome, whether for its situation or for the magnificence of its public and private buildings and its areas. Indeed, this was also the beginning of the proposal to move to Veii that became more popular later, after the capture of Rome by the Gauls. They intended that Veii should be populated partly by plebeians and partly by senators, saying that the Roman people could inhabit the two cities under a common government.

The patricians were so opposed to this that they said that they would rather die in sight of the Roman people than allow any of this to be put to a vote. Indeed, they asked, when there was so much dissension in one city, what would there be in two? How could anyone prefer a conquered city to a victorious one, or allow Veii to enjoy greater fortune after her capture than when she was unharmed? Their final point was that they were prepared to be abandoned by their fellow citizens in their native land; no violence would ever force them to abandon their native land and citizens; nor would they follow Titus Sicinius—he was the plebeian tribune who made this proposal—to establish Veii and so abandon Romulus, god and son of a god, the father and founder of the city of Rome.⁵⁰

25. Camillus stops the political wrangling over the proposal to move to Veii by pointing out that his vow has not properly been discharged. The pontiffs rule that both movable and unmovable Veientine possessions were included in the vow. The women help make up the deficit for a golden bowl that is to be sent to Apollo at Delphi.

All this went on with disgraceful contentiousness, for the senators had won over some of the plebeian tribunes. The only thing that forced the plebs to stay their hands was that, whenever a shout was raised to start a brawl, the leading senators were the first to confront the mob, ordering the plebeians

49. *three and seven-twelfths iugera*: the Latin *iugerum* was about two-thirds of an acre.

50. *Sicinius*: probably a member of the same family as the plebeian who had initiated the secession to the Sacred Mount in 494 BCE (see 2.32–3).

to attack, strike, and even kill them. Although the age of these men, their dignity and high office protected them from violence, a sense of respect also prevented the angry plebs from making further similar attempts.

Camillus harangued the people over and over again, in every place. It was not surprising, he said, that the state had gone mad, because, though obligated by a vow, it was more concerned about everything else than about discharging its religious obligation. He was not saying anything about their contribution, which was more truly a pittance than a tenth part, since each man had made his pledge as an individual and freed the people as a whole. But he declared that his conscience did not allow him to be silent on the definition of the tenth part, which was calculated merely on the booty that was movable; there was no consideration of the city and the captured land, which were also included in the vow.

The senate was of two minds about this and referred the dispute to the pontiffs. After consulting Camillus, they decided that a tenth part of what had belonged to the Veientes before the vow had been made, and had subsequently come into the power of the Roman people after the vow, was sacred to Apollo. Thus the city and its territory came into the calculation. Money was taken from the treasury, and the military tribunes with consular power were given the task of using it to buy gold. Since there was not enough gold, the matrons held meetings to discuss the matter. By a common decision, they promised the gold to the military tribunes and brought all their adornments to the treasury. This was as pleasing to the senate as anything ever has been. The tradition is that, because of their generosity, the matrons were given the honor of riding in a four-wheeled carriage to religious rituals and games, and in a two-wheeled vehicle on festal and working days. When the gold received from individuals had been valued so that the amount owed was paid off, it was decided that a golden bowl be made and taken to Delphi as a gift to Apollo.

As soon as men's minds were relieved of their religious obligation, the plebeian tribunes renewed their political unrest, arousing the crowd against all the leading men, but especially against Camillus. They accused him of reducing the Veientine spoil to nothing by making it public and sacred property. The leading men were denounced in their absence, but whenever they willingly confronted their angry opponents, they were respected. As soon as the people realized that the situation was being protracted into the next year, they reelected the plebeian tribunes who were backing the bill to move to Veii, while the senators strove for the reelection of the bill's opponents. And so, for the most part, the same men were reelected as plebeian tribunes.

26. 394 BCE. *Camillus is elected as military tribune, campaigns against the Faliscans, and besieges Falerii.*

At the election of military tribunes, the senators succeeded in getting Marcus Furius Camillus elected, after the greatest effort. They pretended that they wanted a general because of the wars, but what they really wanted was someone to oppose the tribunes' largesse. Elected with Camillus as military tribunes with consular power were Lucius Furius Medullinus for the sixth time, Gaius Aemilius, Lucius Valerius Publicola, Spurius Postumius, and (for the second time) Publius Cornelius [394 BCE]. At the beginning of the year, the plebeian tribunes made no move until Marcus Furius Camillus set out against the Falisci (this war had been assigned to him). Then there were delays and the matter went into abeyance; while Camillus, the adversary whom they especially feared, increased his renown in the Faliscan campaign. Although at first the enemy stayed within their walls, thinking that this was the safest policy, Camillus forced them to come out of the city by plundering their fields and setting fire to the farmhouses. But fear prevented them from going too far, and so they pitched camp about a mile from the city, trusting that it was safe enough simply because of the difficulty of approach, since the paths around it were rough and broken, now narrow and now steep.

But Camillus used a prisoner from the area as a guide, moved camp in the dead of night, and at dawn appeared in a considerably higher position. The Romans worked on their fortifications in three shifts, with the rest of the army standing by ready for battle. When the enemy tried to hinder the work, Camillus routed them and put them to flight. The Faliscans were thrown into such panic that, in their disordered flight, they were carried past their own camp, which was nearer, and made for the city. Many were slaughtered and wounded before they could rush inside the gates in their panic; and so their camp was captured. The booty was turned over to the quaestors, much to the anger of the Roman soldiers who, though subdued by the severity of Camillus' command, nonetheless both hated and admired his valor. Then the town was blockaded and siegeworks constructed. From time to time, as opportunity offered, the townsfolk attacked the Roman outposts and there were small skirmishes. Time wore on, with hope inclining to neither side. The besieged, who had earlier collected stores, had a larger supply of grain and other supplies than the besiegers. It seemed that the effort was going to be as long as that at Veii, had not fortune granted the Roman general an opportunity to show the valor (*virtus*) that he had already displayed in war, and so win a ready victory.⁵¹

51. *had not fortune granted*: note the shift to "fortune" rather than fate or destiny in the

27. Camillus refuses the offer of a Faliscan schoolmaster who brings the children of the leading Faliscans to his camp and sends him back to Falerii. The Faliscans willingly surrender to the Romans.

It was the custom of the Faliscans to employ the same man as schoolmaster and companion of their children; a number of boys were entrusted to the care of one individual, a practice that still remains in Greece today. As often happens, a man who seemed to excel in knowledge was the teacher of the children of the leading men. In peacetime, he had established the practice of leading the boys out in front of the city for games and exercise; and he did not stop this custom in time of war, leading them sometimes shorter, sometimes longer distances from the gate as they variously played and talked. When the opportunity offered, he led them farther than usual among the enemy guard posts and from there into the Roman camp and to Camillus' headquarters. There he followed a criminal deed with a more incriminating speech, saying that he had given Falerii into the hands of the Romans by delivering into Camillus' power the children whose fathers were the heads of state.

Hearing this, Camillus said: "A criminal yourself, you have come with a criminal gift to a people and a general who are not like you. Our alliance with the Falisci is not a pact that is made by man, but one that nature has implanted in both of us for now and for the future. There are the laws of war as well as of peace, and we have learned to exercise them justly, no less than bravely. We do not use our weapons against people of an age that is spared even when cities are captured, but against those who themselves are armed and who, without being wronged or provoked by us, attacked the Roman camp near Veii. You have defeated these people the only way you could, by unprecedented criminality. I shall conquer them by Roman skills, valor, siegeworks, and arms, just as I did at Veii." Then he had the man stripped, his hands tied behind his back, and gave him to the boys to be led back to Falerii, handing them rods with which they were to beat the traitor as they drove him back into the city.

At first the Faliscans rushed to see this spectacle, but, when the magistrates summoned the senate to deal with this unprecedented event, such a change

earlier accounts of Camillus' exploits. The change probably reflects Livy's skepticism about this part of the tradition; see also 5.43 with n. 93, and 5.49 with n. 104.

valor: the Latin *virtus* implies excellence, courage—the best qualities of a man (*vir*), in all aspects of life. The word is also used in reference to Camillus earlier in this chapter.

of heart came over men who recently had been brutalized by anger and hatred, almost wanting to be destroyed like Veii rather than granted peace like Capena, that the entire citizen body was now united in demanding peace. Roman fair dealing and their commander's sense of justice were praised in the forum and senate house.⁵² By unanimous consent, envoys went to Camillus in his camp and from there, with his permission, to the senate in Rome to surrender Falerii. Led before the senate, they are said to have spoken as follows: "Conscript Fathers, you and your commander have won a victory over us that neither a god nor man could begrudge. Defeated, we surrender ourselves to you, thinking that we shall live better lives under your rule than under our laws—nothing can be more glorious than this to a victor. As a result of this war, two salutary precedents have been given to humankind. You preferred fair dealing in war to immediate victory. Challenged by your fair dealing, we have willingly presented you with victory. We are in your power. Send men to receive our arms, hostages, and the city—the gates are open. You will not regret our trust, nor we your rule." Camillus was thanked by both the enemy and his fellow citizens. The Faliscans were ordered to supply the funds for paying the soldiers that year, so that the Roman people should be exempt from the war tax. After the granting of peace, the army was brought back to Rome.

28. Camillus is absolved of his vow. The envoys taking the golden bowl to Delphi are captured by pirates, who escort them to Delphi and bring them back to Rome. Two military tribunes fight against the Aequi and achieve success after a setback.

Camillus returned to the city, distinguished by a far better kind of glory than when the four white horses had drawn him in triumph into the city, since he had conquered the enemy by justice and fair dealing. Though he made no mention of his vow, the senators were so uncomfortable with his reticence that he was freed from it without delay. The envoys appointed to carry the golden bowl as a gift to Apollo at Delphi were Lucius Valerius, Lucius Sergius, and Aulus Manlius. They were sent in a single warship but were captured by Liparaean pirates not far from the Sicilian straits and taken to Lipara.⁵³ It was the custom of these people to divide up the booty they had

52. *fair dealing*: the Latin *fides* means "trust, fidelity, trustworthiness, loyalty," and thus fair dealing.

53. *Lipara*: one of a small group of islands forming an archipelago off the northern coast of Sicily.

obtained by a kind of state piracy. By chance, a certain Timasitheus was the chief magistrate that year, a man who was more like the Romans than like his own people. Respecting the title of the envoys and their gift, as well as the god to whom it was being sent and the reason for the offering, he filled the people, who almost always are like their ruler, with a proper sense of religious obligation. After entertaining the envoys at the expense of the state, he sent them on to Delphi with a protecting escort of ships and brought them safely back to Rome. By decree of the senate, Timasitheus was given an agreement of guest-friendship and gifts at the expense of the state.⁵⁴

In the same year [394 BCE], warfare with the Aequi had such mixed results that it was uncertain, both among the armies themselves and at Rome, whether they had conquered or been conquered. The Roman commanders were two of the military tribunes, Gaius Aemilius and Spurius Postumius. At first they fought a joint campaign. Then, when they had routed the enemy in a regular battle, they decided that Aemilius should hold Verrugo with a garrison while Postumius ravaged the countryside. The latter was proceeding rather negligently in an irregular formation after a success with his troops, when the Aequi attacked, driving the Romans in terror to the nearest hills. From there the panic also reached Verrugo and the other garrison. Postumius, after securing the safety of his men, summoned an assembly and reprimanded them for their terror and flight, saying that they had been routed by the most cowardly and flight-prone of enemies. The entire army cried out that they deserved to hear his reprimand and admitted they had been in the wrong. They promised to set things right, declaring that the enemy's joy would not last long. They demanded that he immediately lead them against the enemy's camp—it was pitched within sight on the plain—saying that he could inflict any punishment he wished on them if they had failed to storm the camp by nightfall. After praising them, Postumius ordered them to rest and take food and be ready at the fourth watch.

The enemy was blocking the road that led to Verrugo in order to prevent the Romans from fleeing by night from the hill that they had occupied. Battle was joined before dawn, but the moon shone all night. Fighting was no more difficult than in daytime. The shouting, however, reached Verrugo, where the soldiers believed that the Roman camp was being attacked. This

54. *guest-friendship*: an agreement to offer hospitality on a reciprocal basis for future official delegations. *Publicum hospitium* was a formal relationship between a state and an individual citizen of another state (Aulus Gellius 5.13). The historicity of the story of Timasitheus and the Roman envoys is corroborated by the testimony of Diodorus (14.93) that the rights of Timasitheus' descendants were preserved when the Romans annexed the Liparaean islands in 252 BCE. *Timasitheus* means "the one who honors the gods."

caused such panic that, despite the efforts and pleas of Aemilius, they fled in disarray to Tusculum. From there the rumor reached Rome that Postumius and the army had been slaughtered. But when dawn removed the fear of an ambush by wide-ranging pursuers, he rode up and down the battle line, reminding them of their promises and inspiring them with such ardor that the Aequi could no longer withstand their attack. The slaughter of the fugitives went on until they were all wiped out, as happens when men act more with rage than valor. The city's panic proved needless when a laurel-wreathed letter from Postumius followed upon the grim news from Tusculum, announcing the victory of the Roman people and the destruction of the Aequian army.

29. 393 BCE. Agitation for the bill to move to Veii continues. Consuls are elected after fifteen years of the military tribunate. The Aequi capture a Roman colony but are quickly defeated. Two plebeian tribunes are fined for supporting the senators and vetoing the Veientine bill. Camillus takes up the senatorial cause.

Because the measures of the plebeian tribunes were still undecided, the plebs endeavored to keep the proposers of the bill in office, whereas the patricians wanted to reelect those who had opposed it.⁵⁵ But in their own elections, the plebeians had more power. The senators avenged their chagrin by passing a senatorial decree to elect consuls, a magistracy hateful to the plebeians. After an interval of fifteen years, consuls were elected: Lucius Lucretius Flavus and Servius Sulpicius Camerinus. At the beginning of the year, since no one from the college was going to use his veto, the plebeian tribunes vigorously united to pass the bill; and for that reason the consuls were no less active in opposing it. While the entire citizen body was focused on this one concern, the Aequi stormed the Roman colony of Vitellia, which lay within their territory.⁵⁶ The majority of the colonists escaped unharmed to Rome, since the place was betrayed and captured by night, allowing them to flee unopposed through the opposite part of the town. It fell to the lot of the consul Lucius Lucretius to deal with this situation. Marching out of Rome with an army, he conquered the enemy in battle and returned in victory to Rome to face a considerably greater struggle.

55. *the bill*: the proposal that part of the Roman population should move to Veii; see 5.24.

56. *Vitellia*: a location some five miles south of Praeneste; see also 2.39, where it is called Vetelia.

Two plebeian tribunes of the previous year, Aulus Verginius and Quintus Pomponius, had been indicted, and the senators were unanimous that they were honor-bound to defend them. No one was bringing a charge against their lives or the conduct of their magistracy, except that they had vetoed the tribunician bill as a favor to the senators. But the anger of the plebeians prevailed over the senate's political influence, and a very bad precedent was set, with innocent men being condemned to pay 10,000 heavy *asses*. The senators did not tolerate this easily. Camillus openly charged the plebs with wrongdoing, since they had turned against their own and failed to understand that they had subverted their veto by their perverse judgment of the tribunes and, by subverting their veto, overthrown tribunician power. They were deceived in their hope that the senate was going to put up with the unbridled license of that magistracy. If tribunician violence could not be resisted with tribunician help, the senators would find another weapon. He reprimanded the consuls because they had silently allowed those tribunes who had relied on the senate's authority to be cheated of the state's protection. By saying this openly in public meetings, Camillus angered the people more with each passing day.

30. Emphasizing religious considerations, Camillus urges the senators to oppose the bill to settle Roman citizens in Veii and so it is rejected. The senators decree that the plebeians be granted seven iugera of Veientine land.

Nor indeed did Camillus stop inciting the senate to oppose the bill. He urged them, when the day for the passage of the law came, to go down to the forum with but one thought in mind: the need to fight for their altars and hearths, the gods' temples, and the soil on which they had been born. As far as his own interests were concerned, if indeed it should be right to think of his own glory when his country was fighting for its existence, it would be an honor for him that the city he had captured be thronged with people; that he daily enjoy the reminder of his glory and have before his eyes the city that had featured in his triumph; and that all men tread in the footprints of his fame.⁵⁷ But he thought it was a sacrilege that a city that had been deserted and abandoned by the immortal gods should be inhabited;

57. *featured in his triumph*: replicas of the captured city were customarily carried in the triumphal procession.

that the Roman people should dwell on captured soil, exchanging their victorious native land for one that had been conquered.

The leading senators, old and young, were aroused by these exhortations. When the law was proposed, they formed a line and came into the forum. Dispersing to their own tribes, they embraced their fellow tribesmen and tearfully began to beseech them not to abandon the fatherland for which they and their fathers had fought with the greatest bravery and good fortune.⁵⁸ They pointed to the Capitolium, the temple of Vesta, and the rest of the surrounding temples, begging them not to drive the Roman people into the city of their enemies, exiled and banished from their native soil and their household gods. Nor should they bring things to such a pass that it would have been better that Veii had not been captured, if this meant that Rome would not be abandoned. Since the patricians were using not force but prayers and amid these prayers there was much mention of the gods, most people were affected by a sense of religious obligation, and so one more tribe rejected the bill than voted for it. This victory gave such pleasure to the senators that the following day, on the motion of the consuls, a senatorial decree was passed that seven *iugera* of Veientine land be apportioned to every plebeian; and not only to the heads of families, but in such a way that account was taken of all the free-born members of a household, in the hope that they would want to raise children.⁵⁹

31. 392 BCE. Consuls are elected, and there is war with the Aequi, Volsinii, and Sapienates. The consuls are afflicted with plague and forced to resign. Six military tribunes are elected in their place.

The plebeians were appeased by this largesse, and so there was no contention about holding consular elections. Elected as consuls were Lucius Valerius Potitus and Marcus Manlius, who later was surnamed Capitolinus [392

58. The tradition suggests that voting was in the Tribal Assembly; see 2.56, n. 99; 2.60, n. 108; and 3.55, n. 114 for Livy's comments on this system of voting.

59. *seven iugera*: a handsome offer, especially since the land was so near Rome.
not only to heads of families . . .: a further indication of the generous offer. See the advice of the Greek poet Hesiod, who in the context of a similar peasant economy, warns a farmer to have only one son to support the family and increase its wealth, while also remarking that if one has a second son, one needs to die old (*Works and Days* 376–8).

BCE].⁶⁰ These consuls held the Great Games that Marcus Furius the dictator had vowed during the Veientine war. In the same year, a temple was dedicated to Juno Regina that had been vowed by the same dictator in the same war, and the tradition is that the dedication was attended with great enthusiasm by the married women.⁶¹

An unmemorable war was fought on Algidus with the Aequi, in which the enemy were put to flight almost before they could join battle. Valerius was decreed a triumph because he had been more persistent in slaughtering the fugitives, and Manlius was granted the honor of entering the city in an ovation. In the same year, a new war with the people of Volsinii broke out.⁶² It was impossible to lead an army against them because famine and plague broke out in Roman territory as a result of drought and excessive hot weather. And so the Volsinians, joined by the Sapienates, were puffed up with arrogance and wantonly invaded Roman territory.⁶³ Then war was declared on both peoples.

Gaius Julius the censor died, and Marcus Cornelius was elected in his place, an occurrence that later became a matter of religious concern because Rome was captured in this *lustrum*. Since then, a censor has never been elected in place of one who has died in office. Since the consuls also caught the plague, it was decided to renew the auspices by means of an *interregnum*.⁶⁴ By decree of the senate, the consuls accordingly resigned from office and Marcus Furius Camillus was appointed as *interrex*. He named as his successor Publius Cornelius Scipio, and he named Lucius Valerius Potitus, who

60. *who later was surnamed Capitolinus*: see 5.47 for the story of how he saved the Capitol from the Gauls.

61. This temple was on the Aventine hill, outside the city boundary (*pomerium*), since this cult of Juno was Etruscan, not Roman or Italic. The tradition of Roman matrons' devotion to Juno recurs in later reports (21.62, 22.1) that women made special devotions to her at the beginning of the war with Hannibal. There also seems to be a traditional connection between Camillus and the matrons; in his later speech at 5.52, he recalls this devotion. Note also that the matrons made up the necessary amount for the gift to Apollo vowed by Camillus (5.25) and will make up the deficit in the ransom for the Gauls (5.50).

62. *Volsinii*: an Etruscan city about sixty-five miles north of Rome (modern Orvieto).

63. *Sapienates*: there is controversy over the spelling of their name and likewise over their location.

64. *lustrum*: the five-year period originally allotted to a censorship, see 3.22 with n. 51, 3.24 with n. 56, and 4.24.

renew the auspices: the plague was viewed as a sign of the gods' anger. Compare the enforced resignation of the military tribunes of 397 BCE, when it was discovered that their elections, and thus their auspices, were flawed; see 5.17 with n. 31.

conducted the election of six military tribunes with consular power so that the state would still have a supply of magistrates, should any of them be ill.

32. 391 BCE. War with the Volsinians and Sapienates is brief. A nonhuman voice warns of the approach of the Gauls but is disregarded. Threat of prosecution drives Camillus into exile.

The following men entered office on July 1⁶⁵: Lucius Lucretius, Servius Sulpicius, Marcus Aemilius, Lucius Furius Medullinus (for the seventh time), Agrippa Furius, and (for the second time) Gaius Aemilius. The Volsinians were assigned to Lucius Lucretius and Gaius Aemilius, and the Sapienates to Agrippa Furius and Servius Sulpicius. The first encounter was with the Volsinians. It was a huge war in enemy numbers but not difficult to fight. Their battle line was routed at the first onset. Eight thousand men were put to flight and cut off by the cavalry; they laid down their arms and surrendered. The report of this war caused the Sapienates to refuse battle; though armed, they stayed within the protection of their walls. The Romans drove off plunder from everywhere in the territory of the Sapienates and Volsinians, with no opposition to their violence until the Volsinians, weary of war, were granted a twenty-year truce on the condition that they made restitution to the Roman people and supplied the soldiers' pay for that campaign.

In the same year, Marcus Caedicius, a plebeian, reported to the tribunes that on New Street, where now there is a shrine above the temple of Vesta, he had heard in the silence of the night a voice, louder than that of a human, ordering him to tell the magistrates that the Gauls were advancing.⁶⁶ This was spurned because of the man's low birth, as happens, and also because the race in question came from far away and was consequently quite unknown. And not only did men reject the warnings of the gods as Fate began her assault, but they even removed Marcus Furius, Rome's only human help, from the city.⁶⁷ For Camillus had been indicted by Lucius Apuleius, a plebeian tribune, because of the Veientine booty; about the same time, he also lost his

65. *July 1*: the customary date for entry into office was December 13; see 3.6, n. 16. The six military tribunes entered office early because of the resignation of the consuls (3.31).

66. *a voice, louder than that of a human*: a shrine was later built on this site to the deity "the Speaking Voice," Aius Locutius; see 5.50.

67. *Fate began her assault*: the Latin *fatum* recalls references at 5.19: "the fates were attacking Veii" and "the commander who was fated to destroy that city," as the Romans now prepare to exile that leader.

son. He summoned to his house his fellow tribesmen and his clients (who made up a large part of the plebeians) and asked what they felt about the situation. When they replied that they would contribute the amount of his fine but could not acquit him, he departed into exile, praying to the immortal gods that if he were innocent of this injustice, they would cause his ungrateful fellow citizens to feel the need for him as soon as possible. In his absence Camillus was fined 15,000 *asses*.⁶⁸

33. Envoys from Clusium ask the Romans for help against the Gauls. Livy digresses on the traditions concerning the Gauls in Italy and also gives a brief survey of Etruscan power.

After the expulsion of the man whose presence would, if there is any certainty in human affairs, have made the capture of Rome impossible, envoys came from Clusium asking for help against the Gauls, as disaster approached the fated city. Tradition reports that this race had crossed the Alps, allured by the fruits and especially the vine, which at that time was a novel pleasure. Then they had taken possession of the territory previously cultivated by the Etruscans.⁶⁹ Arruns of Clusium had imported the vine into Gaul to entice them, because he was angry at the seduction of his wife by Lucumo.⁷⁰ This young man, whose guardian Arruns had been, was so powerful that it was impossible to punish him without seeking help from outside. Arruns is said to have led the Gauls across the Alps and suggested that they attack Clusium. I myself would not deny that the Gauls were brought to Clusium by Arruns or some other inhabitant of Clusium. But it is well established that those who attacked Clusium were not the first to cross the Alps. For Gauls came across into Italy 200 years before they attacked Clusium and captured

68. The historicity of Camillus' exile and dramatic return to Rome is questionable; see Ogilvie 1965: 698–9, and Cornell 1995: 316–8. The tradition of his exile may well be an invention designed to place him outside Rome, so that he could return to save the city.

69. For discussion of this digression, see Ogilvie 1965: 700–2, and Cornell 1995: 314–6 with bibliography.

70. That Livy does not believe this story is apparent from his subsequent statements in this paragraph; compare his discussion of the alleged connection of Numa and Pythagoras at 1.18. Ogilvie (1965: 699) considers the story of Arruns “a romantic explanation, typical of the Hellenistic age, designed to account for the invasion of the Gauls,” while also suggesting that it is an invention to explain the third-century BCE hostility between Rome and Clusium mentioned in Polybius 2.25. See also the remarks of Herodotus (1.1–5) on the kidnapping of women as the cause of a war.

Rome. Furthermore, these were not the first Etruscans with whom the Gauls fought, but much earlier their armies had often fought with the Etruscans who lived between the Apennines and the Alps.

Before Roman rule the power of the Etruscans extended widely by land and sea. The names of the upper and lower seas that surround Italy, as if it were an island, are a proof of the greatness of their power. The peoples of Italy call one the Tuscan Sea, using the name of the race, and the other the Adriatic from Atria, a Tuscan colony; whereas the Greeks call them the Tyrrhenian and Adriatic. The Etruscans inhabited the lands that face each sea in twelve cities in each area, firstly on this side of the Apennines near the lower sea, and later the same number across the Apennines when they sent out the same number of colonies as the founding cities. And so they held all the area across the Po, with the exception of the corner belonging to the Veneti who inhabit the gulf. The Alpine peoples no doubt sprang from them—especially the Rhaeti, who have been made so savage by their environment that they retain nothing of their ancient origin except their language, and that too is corrupted.

34. An earlier incursion of the Gauls into Italy in the early sixth century BCE.

The following is what we have heard about the crossing of the Gauls into Italy. During the reign of Tarquin the Elder at Rome, the main government of the Celts, who occupy a third of Gaul, was in the hands of the Bituriges, and they supplied the Celtic people with a king.⁷¹ At that time, the king was Ambigatus, a man who was outstanding for his courage and good fortune, both in his private and public life. Under his rule, Gaul was so productive both of men and crops that it seemed hardly possible to rule such a large population. The king, who was now advanced in years, wanted to rid his kingdom of this teeming mass; and so he indicated that he would send Bellovesus and Segovesus, two active young men who were his sister's sons, to whatever homes the gods might grant them by augury. They were to gather as many men as they wanted, so that no tribe could prevent their arrival. The Hercynian forests were given by lot to Segovesus, but to Bellovesus the gods granted the far more pleasant road into Italy.⁷² He took the surplus population from the Bituriges, Arverni, Senones, Aedui, Ambarri, Carnutes,

71. *Bituriges*: a tribe in central Gaul.

72. *Hercynian forests*: the upland areas of southern Germany, including the Black Forest.

and Aulerci. Setting out with huge forces of infantry and cavalry, he came into the territory of the Tricastini.⁷³

There the Alps confronted them. Indeed, I am not surprised that these seemed insuperable, since they had not been crossed by any road, as far back as memory goes, unless one chooses to believe the tales about Hercules. The high mountains held the Gauls fenced in, as it were. They looked around to see how they might cross into another world over ridges that reached to the sky; religious awe also held them back because news came that strangers seeking land were being attacked by the tribe of the Salvi. These were the Massilians, who had set out in ships from Phocaea.⁷⁴ The Gauls, thinking that this was an omen of their own good fortune, gave their assistance, and so the Massilians fortified the place they had occupied when they first landed, without opposition from the Salvi. The Gauls then passed through the Taurine peoples and crossed the passes of the Julian Alps, routing the Tuscans in battle not far from the Ticinus.⁷⁵ When they heard that the land on which they had settled belonged to the Insubres, who had the same name as an area of the Aedui, they regarded it as a good omen and established a city there, calling it Mediolanium.⁷⁶

35. Conclusion of the digression. The people of Clusium ask the Romans for help against the Gauls. The Romans send envoys from the Fabian family to make a protest.

Then another band, made up of Cenomani under the leadership of Elictovius, followed in the footsteps of their predecessors with the support of Bellovesus. They crossed the Alps by the same pass, and they occupied the area where the cities of Brixia and Verona are now. The Libui were the next settlers, and then the Salvi who lived near the ancient tribe of the Laevi Ligurians, in the area of the river Ticinus. Then the Boii and Lingones came by

73. *Bituriges, Arverni* . . . : tribes in central Gaul. Some of these names survive in the modern Bourges, Auvergne, Sens, and Chartres. The location of the Tricastini is disputed.

74. *Phocaea*: a Greek city in Ionia, on the coast of western Turkey. Massilia (modern Marseilles) was founded c. 600 BCE.

75. *Ticinus*: a tributary of the river Po. Near the confluence of the Po and the Ticinus is the site of a battle in which the Romans were defeated by Hannibal in 218 BCE.

76. *Aedui*: a Celtic tribe living in the area of modern Burgundy.

Mediolanium: an adaptation of the Greek name; the regular Latin form is *Mediolanum*—modern Milan.

the Poenine Pass.⁷⁷ Since all the places between the Po and the Alps were taken, they crossed the Po on rafts and drove not only the Etruscans but also the Umbrians from their lands, though they stayed on the far side of the Apennines. Then the Senones, the most recent arrivals, held the territory from the river Utens right up to the Aesis. I find that this was the tribe that came to Clusium, and from there to Rome.⁷⁸ But it is uncertain whether they came alone or had the assistance of all the peoples of Cisalpine Gaul.⁷⁹

The people of Clusium were terrified by this strange warfare when they saw the numbers, the unusual appearance of these men, and the kind of weapons they used, and also when they heard that they had often routed the Etruscan legions on this side of the Po and beyond it. Although they had no rights of alliance or friendship with the Romans (except that they had not defended the Veientes, their kinsmen, against the Romans), they sent envoys to Rome to ask the senate for help. Their request for help was not granted. But three sons of Marcus Fabius Ambustus were sent to urge the Gauls, in the name of the senate and Roman people, not to attack the allies and friends of the Roman people, who had done them no wrong.⁸⁰ The Romans, they said, were obliged to protect them, even by war, should the situation force them to do so. But it seemed better that war be averted, if possible, and that they get to know the Gauls, a new race, in peace rather than in war.

77. *Poenine Pass*: the Great St. Bernard Pass. *Poeninus*, meaning “Pennine,” is the area of the Alps from Mont Blanc to Monte Rosa; it is not to be connected with *poenicus*, “Carthaginian” or “Punic.”

78. *river Utens . . . to the Aesis*: the area between modern Ravenna and Sinigaglia on the Adriatic Sea. Cornell (1995: 316) suggests that the Gauls who came to Clusium were not a migrating tribe but mercenaries who had been invited to intervene in some factional strife. Clusium was some ninety miles north of Rome.

79. *Cisalpine Gaul*: literally “Gaul on this side of the Alps,” as opposed to Transalpine Gaul, which is now modern France. Cisalpine Gaul comprised the prosperous plain of the river Po and lay between the Alps and the Apennines. In the sixth century BCE, there were Etruscan settlements in Emilia-Romagna, and Celtic peoples settled in the area in the fifth and fourth centuries, as is indicated in Livy’s account and in the archaeological record. In the late third century BCE, the Romans conducted military operations against the Gauls, establishing colonies in the Po valley. This policy was interrupted by Hannibal’s invasion, and it was not until the 180s BCE that the area was successfully colonized and Romanized.

80. *Marcus Fabius Ambustus*: is generally identified with Marcus Fabius Vibulanus, consul of 442 BCE and military tribune with consular power in 433 BCE; see Appendix 1, pp. 411–3.

36. 391 BCE. Diplomacy fails, and the Roman ambassadors fight with the Etruscans against the Gauls. One of the envoys kills the Gallic leader. The Gauls demand the surrender of the envoys, but the Roman people elect them as military tribunes.

It would have been a peaceful embassy had not the impetuous envoys behaved more like Gauls than Romans. After delivering their demands in a council of the Gauls, they received the following reply: although they were hearing the name of the Romans for the first time, nonetheless they believed that they were brave men, since the people of Clusium had sought their help at a critical time. Since the Romans preferred to defend their allies by diplomacy rather than arms, they were not rejecting the peace that was offered, provided that the people of Clusium, who possessed more land than they could cultivate, handed over part of their territory to the Gauls who needed land. Otherwise peace could not be granted. They also said that they wanted to receive a reply in the presence of the Romans. If the land were refused, they would fight in the presence of those same Romans, who could then tell the people back home how the Gauls surpassed all other men in military prowess. When the Romans asked what right they had to demand land from its occupants or to threaten war, and what business the Gauls had in Etruria, the Gauls fiercely replied that they carried their right in their weapons and that all things belonged to the brave. Passions were inflamed on both sides, there was a rush to arms, and battle was joined.

Then, as the fates were now pressing upon the Roman city, the ambassadors took up arms, contrary to the law of nations.⁸¹ Nor could it remain secret that three of the noblest and bravest Roman youths were fighting in the forefront of the Etruscan standards, so outstanding was the strangers' bravery. Indeed, Quintus Fabius rode out on his horse in front of the battle line, and, as the leader of the Gauls ferociously charged right into the Etruscans' standards, Fabius pierced him through the side and killed him. The Gauls recognized Fabius as he gathered the spoils, and the message was passed throughout the entire battle line that he was the Roman ambassador,

81. *the fates were now pressing*: compare 5.19, "the fates were attacking Veii," with n. 35.

law of nations: see 5.4 with n. 9, where Appius Claudius mentions the violation of the law of nations in the context of the killing of Roman envoys by Veientes, and also 4.32. The Fabii act impetuously, though with the best of intentions, as did their ancestors at the Cremera in 479 BCE (2.49–50). Later one of the Fabii redeems the family reputation by performing a religious ritual during the siege of Rome; see 5.46, and Appendix 3, pp. 432–3.

whereupon they abandoned their anger against the people of Clusium and sounded the retreat, making threats against the Romans.

There were those who thought that they should go immediately to Rome. But the older men prevailed and had them first send ambassadors to complain about the injustice and demand that the Fabii be surrendered for having violated the law of nations. When the Gallic ambassadors had explained their mission as ordered, the senate disapproved of the action of the Fabii and thought that the barbarians' demands were just. But their partisanship in the case of men of such nobility stood in the way of their decreeing what they really felt. And so they referred the consideration of the Gauls' demands to the people to avoid any blame attaching to the senate, should a disaster happen to occur in a Gallic war. Political influence and wealth had so much more weight with the people that the men whose punishment was under discussion were elected as military tribunes with consular power for the following year. When this happened, the Gauls were enraged, as they had every right to be, and returned to their own people, openly uttering threats. Elected as military tribunes with the three Fabii were Quintus Sulpicius Longus, Quintus Servilius for the fourth time, and Publius Cornelius Maluginensis [390 BCE].

37. The Gauls advance toward Rome and encounter the Romans near the Allia river.

Despite the massive impending evil—Fortune so blinds men's minds when she does not want her growing violence to be checked—the state that had taken the last resort of naming a dictator on many occasions against the Fidenates, Veientes, and other neighboring peoples, that same state did not seek any extraordinary command or assistance, although an unseen and unheard of enemy was stirring up war from the ocean and the most distant corners of the earth. The tribunes whose rashness had brought about the war were in supreme command. They held the levy with no greater care than was customary for ordinary wars, even disparaging the reports of war. Meanwhile the Gauls, on learning that men who had violated the rights of mankind had been given high office and that their embassy had been insulted, blazed with anger (an emotion which that race cannot control); they immediately tore up their standards and marched forth in rapid order.

In the uproar of their swift passage, terrified cities rushed to arms and farmers fled from the fields. Wherever the Gauls went, they indicated with loud cries that they were making for Rome. Both horses and men covered a

huge amount of territory, their column extending far and wide. But although rumor and reports from the people of Clusium had preceded them, followed in turn by messages from other peoples, it was the enemy's speed that brought the most terror to Rome. The army that had been hastily mustered as if to confront an uprising barely reached the eleventh milestone before it encountered the enemy where the river Allia flows down from the Crustumian mountains in a very deep channel, mingling with the Tiber not far from the main road.⁸² Everywhere in front and on every side was overrun by the enemy, who, being naturally inclined to empty bravado, were filling the entire area with savage chants, various shrieks, and horrendous sounds.

38. The Romans suffer a terrible defeat near the Allia river. Most of the survivors escape to Veii but do not communicate with Rome. The rest flee to Rome.

There the military tribunes drew up the battle line without having taken a place for a camp or fortified a rampart to provide for retreat. They were unmindful of the gods, not to mention men; nor did they take the auspices or obtain favorable omens. The battle formation was extended on the wings to avoid being outflanked by the countless enemy. Yet they were unable to equal their front line with that of the enemy, even though they extended their line until the center was weakened and scarcely held together. There was a small rise on the right that they decided to fill with reinforcements. This was the place where the flight and panic began, but it was also the one source of safety for the fugitives. Brennus, the Gallic chieftain, was especially fearful of a stratagem because of the fewness of the Roman troops. He thought that this was the reason for capturing the higher ground, so that when the Gauls had made a frontal attack on the legions' battle line, the reinforcements could attack them in the rear and on the flank. Therefore he advanced against the reserves, having no doubt that, if he dislodged them, his superior numbers would have an easy victory on level ground. Thus not only fortune but also strategy were on the side of the barbarians.

In the other battle line, there was no resemblance of Roman behavior, among either the leaders or the soldiers. Panic and flight had taken possession

82. The exact site of the battle is uncertain. The date of the battle was July 18, 390 BCE, a date that was preserved in the religious calendar as a black day (*dies ater*). Henceforth no public or private business could be enacted on that day; see Livy 6.1.

of their minds. They were so oblivious to everything that a far greater number fled to Veii, an enemy city, though the Tiber was in their way, rather than taking the direct road to Rome, where their wives and children were. For a short time, their position protected the reinforcements. As for the rest of the line, as soon as the battle cry was heard, those on the nearest side and those in the far rear fled, untouched and unhurt, almost before they could see the unknown enemy. Not only did they not even try to fight, they did not even return the battle cry. They were not killed as they fought; but they were cut down from behind as they struggled among themselves, a throng of people blocking their own flight. There was great slaughter around the Tiber bank where the entire left wing had fled after throwing down their arms. Many were drowned in the swirling waters, unable to swim or weakened by the weight of their breastplates and other armor. The greatest number, however, escaped unharmed to Veii. But no help was sent to Rome, not even a message about the disaster. From the right wing, which had taken its stand far from the river and closer to the foot of the mountain, all the men made for Rome and fled into the citadel without even closing the city gates.

39. The Gauls advance on Rome and encamp overnight.

The miracle of such a sudden victory gripped the Gauls as if they were stunned. At first they stood there, transfixed with shock, as if they did not know what had happened. Then they feared an ambush, but at last they gathered the spoils from the slain and piled the arms into heaps, as is their custom. Then finally, after determining that there was no enemy movement anywhere, they set out on the road, reaching the city of Rome not much before sunset. When the cavalry that had gone ahead reported that the gates were not closed, that there were no guards in front of the gates and no armed men on the walls, another miracle like the earlier one restrained them. Fearing the night and the unknown layout of the city, they camped between Rome and the Anio, sending scouts around the walls and other gates to find out what the enemy were planning to do in this desperate situation.⁸³

Since the greater part of the battle line had made for Veii rather than Rome, and no one thought that anyone had survived except those who had

83. On the probable exaggeration of the different stories concerning the Gallic "sack" of Rome, see Cornell (1995: 317–8), who considers that the physical destruction was probably not as great as the tradition suggests. That the Gauls occupied the city seems indisputable, but

retreated to Rome, all alike were mourned, both the living and the dead, filling almost the entire city with lamentation. Then a general panic numbed their private grief after it was announced that the enemy were nearby. Soon they were hearing howls and dissonant chants as the barbarians ranged around the walls in their squadrons. The entire time until the following day-break kept their minds in such suspense that, again and again, it seemed that the city was going to be attacked: as soon as the enemy arrived, because they had approached the city (they would have stopped at the Allia, had this not been their plan); next toward sunset (not much of the day remained); surely before nightfall; then they thought that the enemy had put off their plan until night in order to create more panic. Finally the approaching dawn drove them out of their wits, and the actual evil followed upon their continuing fears when the enemy standards were brought to the city gates.

In no way during that night or the following day did the citizen body resemble the men who had fled in such panic at the Allia. Since there was no hope of being able to defend the city with the small force that was left to them, they decided that the men of military age and the able-bodied senators should withdraw to the citadel and Capitolium with their wives and children. They were to take arms and grain and from that fortified position defend gods, men, and the Roman name. The *flamen* and Vesta's priestesses were to remove the state's sacred objects far from the slaughter and flames, and this cult was not to be abandoned until no one survived to tend it.⁸⁴ If the citadel and the Capitolium, the homes of the gods; if the senate, the source of the state's counsel; if the men of military age survived the impending destruction of the city, it would be easy to bear the loss of the crowd of old men who were left in the city—they were bound to die in any case. In order that the majority of plebeians would bear this with great equanimity, the old men who had celebrated triumphs and held consulships proclaimed publicly that they would die along with them, declaring that bodies that could not bear arms or protect the fatherland would not be a burden on the needs of fighting men.

the extent and duration of the occupation are open to question; likewise, the circumstances of their departure.

84. *flamen*: the special priest of Quirinus, as becomes apparent in the next section. Quirinus is often identified with the deified Romulus (see 1.16 with nn. 56 and 57).

sacred objects: these included the sacred flame of Vesta and the penates, said to have been given to Aeneas by the ghost of Hector (see Virgil, *Aeneid* 2.293–7) and brought by him from Troy to Italy. Rome's survival was thought to depend on the maintenance of this flame by the Vestals; see also 1.3 with n. 13; 5.52 with n. 115; and Appendix 3, p. 432.

40. *The citizens disperse; the elders to die, the young to defend the Capitolium; many plebeians quit the city entirely. A plebeian conveys the Vestals and the sacred objects safely to Caere in his wagon.*

Such were the consolations exchanged among the old men who were destined to die. Then the elders turned to encourage the young men whom they were escorting to the Capitolium and citadel, entrusting to the valor of youth whatever remained of the fortune of a city that had been victorious in every war for 360 years. As those who carried every hope and resource departed from those who had determined not to survive the city's capture and destruction, the reality and sight of the separation were pitiful, but the weeping of the women surpassed every evil that befalls mankind, as they ran distractedly, following now these and now those, asking their husbands and sons to what fate they were leaving them. Nevertheless the majority of women followed their sons into the citadel, with no one preventing or summoning them because it was inhumane to lessen the numbers of noncombatants, though it would have helped the besieged. Another crowd consisting largely of plebeians, whom such a small hill could neither have contained nor supported given such a shortage of grain, poured out of the city and made for the Janiculum, marching, as it were, in line. From there some dispersed into the countryside, while others made for the neighboring cities. Without any leader or agreement, each followed his own hopes and his own plans, having despaired of any common action.

Meanwhile the *flamen* of Quirinus and the Vestal virgins, with no concern for their own possessions, were consulting each other, asking which of the sacred objects they should take with them (since they did not have the strength to carry them all), which they should leave behind, and what place would serve to keep them safe. They thought it best to hide them in jars and bury them in the shrine near the house of the *flamen* of Quirinus, where it is now forbidden to spit. They carried the rest of the things, dividing the burden among them and taking the road that leads to the Janiculum by the Sublician Bridge.⁸⁵ A plebeian, Lucius Albinus, saw them as they were beginning to climb the hill. He was taking his wife and children in a wagon amid the crowd that was leaving the city because they were unfit for war.⁸⁶

85. *Sublician Bridge*: the bridge of piles, mentioned by Livy (1.33) as the first bridge to be constructed over the Tiber.

86. *Lucius Albinus*: "probably a historical figure [who] certainly belongs to the very earliest level of the tradition," Cornell 1995: 316. He is probably to be identified with Leukios, who

Thinking it sacrilegious that the state priestesses and sacred objects of the Roman people should be on foot while he and his family were seen in a vehicle (even then the distinction between human and divine was preserved), he ordered his wife and children to get down. Placing the virgins and their sacred objects in the wagon, he brought them to Caere, which was the priestesses' destination.⁸⁷

41. The elders go to their homes, resolved to die. The Gauls enter the open city and massacre them.

Meanwhile at Rome, when everything possible under the circumstances had been arranged for the defense of the citadel, the crowd of old men returned to their homes firmly resolved to die, awaiting the arrival of the enemy. Those of them who had held curule magistracies sat on ivory chairs in the middle of their homes, clothed in the most august garb that they had worn when escorting the *tensae* of the gods or celebrating a triumph, in order to die wearing the insignia of the former fortune that characterized their high offices and valor.⁸⁸ There are sources who report that Marcus Folius, the *pontifex maximus*, read out a vow by which they devoted themselves to die on behalf of the fatherland and the Roman Quirites.⁸⁹

After the intervening night, the Gauls' minds had relaxed from the tension of battle, and, because they had nowhere fought in a battle where the outcome was uncertain, they began the capture of the city with neither force

is mentioned by Aristotle as quoted by Plutarch (*Camillus* 22); Plutarch says that the city was saved by a certain Leukios. *Leukios* is Greek for "white"; hence the Latin *Albinus*.

87. *Caere*: an Etruscan city some thirty miles north of Rome near the coast. Diodorus (14.117.7) reports that the people of Caere later defeated the Gauls as they were returning from the south, thus corroborating the close ties between Caere and Rome at this time; see Cornell 1995: 316.

88. *curule magistracies*: the higher magistrates: dictator, censor, consul, curule aedile, and later praetor. As a mark of their distinction, they were entitled to use the curule chair that was made of wood and ivory.

most august garb: in many cases, this would have been the *toga picta*, a purple toga embroidered with gold.

tensae: the vehicles in which the statues of the gods were carried to the public spectacles. To be part of this escort was a mark of high honor.

89. *devoted themselves to die*: an allusion to the ritual of *devotio*, whereby a commander sacrificed himself to the gods of the underworld in return for victory; see Livy 8.9 for the *devotio* of Decius Mus.

nor violence. Without anger or passion, they entered the city on the following day by the Colline Gate, which lay open. They went to the forum, directing their eyes to the gods' temples and the citadel, the only place that had the appearance of war.⁹⁰ Then, leaving a moderate guard in case there was any attack from the citadel or Capitolium while they were scattered, they dispersed in search of booty, on streets where they encountered no one. Some rushed in a line into the nearest houses, while others made for the farthest places, as if these at least would be intact and filled with plunder. But then, terrified by the very solitude, they returned to the forum and neighboring places, amassing there in case an enemy ruse should entrap them as they wandered. The houses of the plebeians were barred, but the halls of the leading men lay open, gripping them by an almost greater hesitation to enter the open houses than those that were closed. With a feeling akin to veneration, they saw beings seated in the vestibules—beings who, in addition to the adornments and garments that were more august than those of men, seemed most like gods in the majesty of their faces and gravity of expression.

As the Gauls stood there, facing them as if they were statues, it is said that a Gaul stroked the beard of Marcus Papirius, one of the elders (all wore full beards at that time). He struck the Gaul on the head with his ivory staff, provoking his anger. Papirius was the first to be slaughtered; then the rest were butchered in their seats. After the slaughter of the leading men, no mortal was spared; houses were plundered and, when empty, torched.

42. As the Gauls set fire to parts of the city, the Romans in the citadel are resolved to defend themselves.

But either they did not all have the desire to destroy the city, or the Gallic chieftains had decided to make a show of some fires to inspire terror, in the hope that the besieged could be driven to surrender by affection for their homes; their intent was not to set all the buildings on fire but to use whatever remained of the city as a pledge to bend the enemy's resolve. Whatever the case, the fire in no way spread as widely or indiscriminately on the first day as is usually the case in a captured city. The Romans looked out from the citadel and saw the city filled with enemies coming and going throughout all the streets. As new disasters kept breaking out, now in one area and now in another, they were unable to comprehend the situation, let alone be sure of

90. For discussion of the emphasis on vision and spectacle in this episode, see Feldherr 1998: 45–7.

their ears and eyes.⁹¹ Wherever the shouts of the enemy, wailing of women and children, roar of flames, and crash of falling buildings drew their attention, trembling they turned their thoughts, faces, and eyes in that direction, as if they had been placed there by fortune to view the spectacle of their country's demise. They were left with none of their possessions to avenge except their own bodies. They were far more to be pitied than any other people who have been besieged, because they were under siege, cut off from their fatherland, yet able to see all their possessions in the power of the enemy.

The night that followed this appalling day was no more tranquil. Dawn then followed the restless night, and there was no time that gave a respite from the spectacle of some new disaster. Nevertheless, though they were burdened and overwhelmed by so many evils, nothing bent their resolve. Despite seeing everything leveled by fire and destruction, they were determined to courageously defend the hill that they held. Lacking in resources and small though it was, it was all that remained of their liberty. Already, since the same things were happening every day, as if accustomed to evils, they had detached their minds from the realization of their individual circumstances, looking only to the weapons and swords in their right hands as the sole remnants of their hope.

43. The Gauls try to climb the Capitol but are repelled. While pillaging, a group of them comes to Ardea, where Camillus is living in exile.

The Gauls likewise, after waging war in vain for several days against only the buildings of the city, saw that nothing survived amid the fires and ruins of the captured city, except for armed foes who were in no way terrified by so many disasters or likely to bend their resolve and surrender unless force were applied. So, they decided to try a last resort and attack the citadel. At dawn the signal was given, and the entire host was drawn up in the forum. When the battle cry was raised, they began the ascent, covering their heads and backs with their shields.⁹² In opposing them, the Romans were neither rash

91. *comprehend*: Latin *mentibus concipere*, per the reading of Ogilvie 1965: 727, and the OCT, not *consipere* as in Foster's Loeb text. Note the emphasis on not only vision but also sound.

92. *covering their heads* . . . : here the Gauls are using the famous Roman *testudo* (tortoise formation), whereby soldiers raised their shields to cover their shoulders and heads, locking them together, to protect the formation from missiles hurled from above.

nor alarmed. After strengthening the guard posts at all the approaches, they stationed their best men wherever they saw the enemy standards coming. But they allowed them to climb up, reckoning that the higher they got up the steep slope, the easier it would be to drive them down. Resistance was made at almost the midpoint of the slope. Then, from a higher position, the Romans made an attack that almost in itself brought them down upon the enemy, killing, toppling, and routing the Gauls. Never thereafter did the Gauls attempt this kind of warfare, either in small numbers or as a whole. Abandoning hope of getting up there by force of arms, they prepared for a siege, something they had not thought of until now. But fire had destroyed all the grain in the city, and what had been gathered from the countryside during this time had been seized and taken to Veii. And so the Gauls decided to divide their forces, using some to plunder the neighboring peoples and others to besiege the citadel, so that the pillagers could supply grain to the besiegers.

As the Gauls departed from the city, Fortune herself brought them to Ardea to experience Roman valor.⁹³ Camillus was living there in exile, grieving more for the fortune of the state than his own, as he grew old blaming both gods and men. In wonder and indignation, he asked where were those heroes who, with him, had taken Veii and Falerii and also waged other wars often with more bravery than good fortune. Suddenly he heard that the army of the Gauls was approaching and the panic-stricken Ardeates were debating what to do. Previously he had kept away from such councils, but now, touched by nothing less than divine inspiration, he pushed into the middle of the assembly.

44. Camillus rallies the people of Ardea to fight with him against the Gauls.

“Men of Ardea,” he said, “my old friends, who recently also became my fellow citizens, since your kindness and the necessity of my fortune would so have it, let no one think that I have forgotten my position in coming here.⁹⁴ But the circumstances and our shared danger force everyone to contribute what he can to the general defense at this fearful time. When shall I show

93. *Fortune herself*: by personifying Fortune, as opposed to fate or destiny, Livy implies his skepticism about the tradition of Camillus’ return from exile in Ardea to drive the Gauls from Rome; see 5.26 with n. 51.

94. *my fellow citizens*: Ardea had become a Roman colony in 442 BCE; see 4.11.

you my gratitude for your great kindnesses to me, if I hold back now? Or of what use will I be to you, if not in war? It was to this skill that I owed my standing in my native land. Unconquered in war, I was driven out by my ungrateful citizens in a time of peace. People of Ardea, you have been offered the good fortune to show your gratitude to the Roman people for their many kindnesses to you—you yourselves recall how great these are, and there is no need to reproach you with the things that you remember. Your city, moreover, has the opportunity of winning great glory in war from our common enemy that now approaches in such disarray. This is a race to whom nature has given a physique and spirit that are large rather than reliable. For this reason, they bring more terror than strength into every conflict.

“The disaster at Rome should be a proof of this. They took a city that lay wide open. A small band is resisting them from the citadel and Capitoline. Defeated by the boredom of a siege, they are already departing and wandering aimlessly through the countryside. Filled with the food and wine they have hastily consumed, they make for the streams when night approaches, lying down in disarray like wild beasts, without any protection, without guards or outposts. If you intend to protect your city and not allow this entire area to become the property of the Gauls, take up arms at the first watch and, in large numbers, follow me not to a battle but to a massacre. If I do not deliver them to you when they are constrained by sleep and ready to be butchered like cattle, I will not refuse the same outcome of my fortunes at Ardea that I had at Rome.”

45. Camillus and the Ardeates make a night attack on the Gauls, causing great slaughter. The Romans from Veii slaughter Etruscans who were taking advantage of the situation to raid Roman territory.

Friends and foes alike were persuaded that nowhere at that time was there a warrior like Camillus. After the assembly was dismissed, they took food and rest, waiting intently for the signal. When it was given, they were at the gates in the silence of the early night, ready for Camillus. They had not gone far from the city when, just as predicted, they came upon an encampment of Gauls, unprotected and open on every side. With a mighty war cry, they rushed upon them. Nowhere was there any fighting. Slaughter was everywhere. Relaxed in sleep, the unarmed men were butchered. Those who were farthest away were roused in panic from where they had bedded down. Not

knowing the source or nature of the violence, they fled and, unawares, some ran straight into the enemy. Most of them were carried into the territory of Antium, where they wandered about until the townspeople made a sudden attack and surrounded them.

There was a similar massacre of Etruscans in the territory of Veii. So far were they from pitying Rome—a neighbor for almost 400 years who was now overwhelmed by an enemy who had never been seen or heard of before—that they were raiding Roman territory during this time. Laden with spoils, they were even thinking of attacking Veii and its garrison, the last hope of the Roman name. The Roman soldiers had seen them wandering throughout the countryside, forming a line and driving their booty before them, and they saw their camp pitched not far from Veii. At first they were seized with pity for themselves, then indignation followed by anger. Were even the Etruscans, whom they had saved from the Gauls by taking the war upon themselves, making a mockery of their misfortunes? With difficulty they restrained the impulse to attack immediately. Held back by Quintus Caedicius, the centurion whom they had chosen as their commander, they postponed the business until nightfall. All they lacked was a leader who was the equal of Camillus. But everything else happened in the same order and with the same fortunate outcome. Indeed, using as guides the captives who had survived the night slaughter, they set out on the following night and reached another band of Etruscans near the salt pans.⁹⁵ Taking them by surprise, they caused greater slaughter and returned to Veii, rejoicing in their double victory.

46. One of the Fabian family goes through the enemy lines to sacrifice on the Quirinal. In Veii, the commander Caedicius offers to cede the command to Camillus. A messenger is sent to get the senate to authorize Camillus' appointment as dictator.

At Rome, meanwhile, the siege was generally sluggish, and there was quiet on both sides. The Gauls were merely intent on seeing that none of the enemy could get through their guard posts, when suddenly a young Roman attracted the admiration of citizens and enemy. The Fabian family had to make a regular sacrifice on the Quirinal hill. To do this, Gaius Fabius Dorsuo came down from the Capitol with the sacred vessels in his hands, his toga arranged

95. *salt pans*: an area on the outskirts of Rome, close to the Tiber and Aventine hill, near the Porta Trigemina.

in the Gabinian mode. He went through the midst of the enemy guard posts and reached the Quirinal hill, unmoved by any words or threats. There he duly performed all the rites and returned the same way, with a similar composure and step, having sufficient hope in the goodwill of the gods, whose worship not even the fear of death could make him abandon.⁹⁶ He returned to his people on the Capitol, because either the Gauls were dumbfounded by his miraculous audacity or because even they were moved by religious awe, a feeling to which that race is by no means indifferent.

At Veii, meanwhile, not only was morale improving day by day, but so was the people's strength. Not only were Romans coming in from the countryside, men who had been wandering after the defeat or the disastrous capture of the city, but volunteers were flowing in from Latium to share in the spoils. And so it now seemed the time to recover their native land and rescue it from the hands of the enemy. But this strong body lacked a head. The place itself reminded them of Camillus, and there was a large number of soldiers who had fought successfully under his leadership and auspices. Moreover, Caedicius had said that he would give neither gods nor men a reason to terminate his power, but, mindful of his status, he himself would demand the appointment of a commander-in-chief. With the consent of all, they decided to summon Camillus from Ardea, but only after first consulting the senate at Rome—to such an extent did respect for procedure guide everything, as they preserved the proper distinctions in an almost desperate situation.

A great risk was necessary to get through the enemy guards. For this task, Pontius Cominius, an energetic young man, promised his services. Lying on a cork raft, he was carried down the Tiber to the city. Once there, he proceeded by the nearest route from the bank and climbed to the Capitolium by a steep route that the enemy had consequently neglected to guard. He was brought before the magistrates and delivered the army's message. Then, after receiving the senate's decree that the Curiate Assembly should recall Camillus from exile and that he be immediately appointed dictator by order of the people, the messenger descended by the same route and hastened to Veii.⁹⁷ Envoys were sent to Ardea who brought Camillus to Veii—or

96. *Gaius Fabius Dorsuo*: an otherwise unknown member of the Fabian family, three of whose members had violated the law of nations by fighting with the Etruscans against the Gauls (5.36). By his spectacular insistence on performing this ritual, Dorsuo was evidently attempting to expiate this sacrilege; see 5.52, and Appendix 3, p. 433.

Gabinian mode: a style of wearing the toga that left the arms free and unrestricted.

97. *Curiate Assembly*: *Comitia Curiata*, the oldest of the Roman assemblies, consisting of thirty *curiae* (wards); see 1.13. Its functions were gradually taken over by the People's Assembly (*Comitia Centuriata*), but a curiate law remained necessary to ratify the command (*imperium*)

rather, as is more credible, he did not set out from Ardea until he had learned that the law had been passed, since he could not change his residence without the people's order, nor could he take auspices in the army until he had been named dictator. A curiate law was passed, and Camillus was appointed dictator in his absence.

47. The Gauls climb the Capitol by night. Rome is saved by the sacred geese and the prompt action of Manlius.

While this was happening at Veii, the citadel at Rome and the Capitolium were meanwhile in the greatest danger. The Gauls had either noted human tracks where the messenger had come from Veii, or observed for themselves that the cliff near the shrine of Carmentis offered a reasonable ascent.⁹⁸ And so, on a starlit night, they sent an unarmed man ahead to test the way. Then, passing up their weapons to one another where it was somewhat steep, and supporting or lifting each other in turn, they pulled one another up as the ground required. They got to the top in such silence that they not only deceived the guards but did not even arouse the dogs, animals that are startled by noises at night. But they did not deceive the geese, which had not been killed despite the shortage of food, since they were sacred to Juno. This was the salvation of Rome. Marcus Manlius, an outstanding soldier who had been consul three years before, was aroused by their honking and the beating of their wings. He seized his arms, at the same time calling the rest to arms. As the others trembled, he strode forward and, with the boss of his shield, thrust back a Gaul who had already gained a foothold on the top of the hill. The Gaul slipped and fell, toppling those nearest to him. The nearest Manlius butchered as, in their fear, they dropped their arms and clung to the rocks with their hands. By now the rest of the Romans had amassed and were repelling the enemy with javelins and stones. The entire line collapsed and tumbled headlong down.

When the uproar had settled, the rest of the night was given to sleep, inasmuch as was possible given the mental turmoil, since even the danger that had passed was disturbing. At dawn the soldiers were summoned by the trumpet to assemble before the tribunes. Good and bad conduct alike had to be given their due reward. First Manlius was praised for his valor and pre-

of magistrates elected by the *Comitia Centuriata*. It retained certain religious functions and was probably presided over by the *pontifex maximus*.

98. *Carmentis*: the mother of Evander, called Carmenta at 1.7.

sented with gifts not only by the military tribunes but also by agreement of the soldiers, who each brought half a pound of spelt and a small cup of wine to his house, which was on the citadel. It is a small thing to speak of, but scarcity made it a great proof of their affection, since each man cheated himself of his own sustenance, contributing what he had denied for his own bodily needs to honor one man. Then the guards of the place where the enemy's approach had gone undetected were summoned. Quintus Sulpicius, a military tribune, announced that he was going to punish them all according to the military code.⁹⁹ But he was deterred by the unanimous cry of the soldiers, who put the blame on one guard. So, he spared the others and, with everyone's approval, hurled from the rock a man who was undoubtedly guilty of this offense.¹⁰⁰ From then on, the guards on both sides were more alert: the Gauls because it was generally known that messengers were going back and forth between Veii and Rome, and the Romans because they were mindful of the danger of that night.

48. Famine afflicts both armies. Eventually the Romans are forced to make a deal with the Gauls, who use dishonest weights in reckoning the ransom.

But worse than all the evils of the siege and war was the famine that afflicted both armies. The Gauls were afflicted also by pestilence, because they were encamped in a place that not only lay between the hills but was scorched by fires and steaming with heat, where any movement of wind stirred up ashes and dust. These conditions were most unbearable for a race that was accustomed to damp and cold. Beset by heat and suffocation, they began to die as diseases spread as if through a herd of cattle. Soon they did not have the energy to bury the dead individually. Piling the bodies indiscriminately into heaps, they burned them. Henceforth the place was known by the name Gallic Pyres.¹⁰¹ Then a truce was made with the Romans, and, with the permission of their commanders, the soldiers exchanged conversation. The Gauls

99. *military code*: the general had the right to punish a mutinous or incompetent army; see 2.59 with n. 107.

100. *rock*: the Tarpeian Rock from which traitors were flung. See 1.11 for the story of Tarpeia, a traitor who suffered a different kind of execution.

101. *Gallic Pyres*: the precise location is unknown. Livy (22.14) notes that the spot was in the middle of the city. An inscription suggests that it was located at the foot of the Capitoline; see Ogilvie 1965: 737.

repeatedly taunted the Romans with their lack of food, calling on them to surrender because of their need. In order to dispel this notion, bread is said to have been thrown from the Capitol in many places to the enemy guards.¹⁰²

But already the famine could no longer be concealed or endured. While the dictator was conducting his own levy at Ardea, he ordered his master of the horse, Lucius Valerius, to bring the army from Veii;¹⁰³ he was preparing and training his men so that he might attack the enemy on equal terms. Meanwhile the army on the Capitol was worn out by guard duty and their constant watch. Though they had prevailed over every other human evil, hunger was the one thing that nature did not allow them to conquer. Day after day, they looked out to see whether any help from the dictator was apparent. Finally, when even hope, not only food, was failing, and their armor almost overwhelmed their feeble bodies when they went on guard duty, the army ordered that they should either surrender or ransom themselves, since the Gauls were boasting in no uncertain terms that they could be induced to raise the siege for no great price.

Then the senate met and gave the military tribunes the task of arranging the terms. At a conference between the military tribune Quintus Sulpicius and the chieftain Brennus, a deal was made, and 1,000 pounds of gold was the price for the race that was soon to rule the people of the world. This was an appalling disgrace in itself, but the following indignity was added: the weights brought by the Gauls were dishonest. When the tribune objected, the insolent Gaul added his sword to the scale, and words intolerable to the Romans were heard, "Woe to the conquered!"

49. Camillus and his forces arrive in Rome in the nick of time, defeating the Gauls in two battles, one in the forum and the other outside of Rome. He is given a triumph and hailed with various honorific titles. He does not, however, resign from the dictatorship.

But both gods and men prevented the Romans from living as a ransomed people. By some chance, before the unspeakable payment could be com-

102. See Ovid (*Fasti* 6.349–94) for a more elaborate version of this story, which is an explanation of the origin of the cult of Jupiter Pistor (Jupiter the Baker).

103. *Lucius Valerius*: either Poplicola, the military tribune of 394 BCE, or his father Potitus, the military tribune of 414 BCE; see the stemma of the Valerii, Appendix 1, p. 419.

pleted and when the gold had not yet all been weighed out because of the argument, the dictator intervened, ordering the gold to be taken away and the Gauls removed.¹⁰⁴ They resisted, saying that they had made an agreement. But Camillus denied the validity of an agreement that had been made after his appointment as dictator, without his orders, and by a magistrate of inferior status. He then gave the Gauls notice to prepare for battle. He ordered his own men to throw their packs into a heap, prepare arms, and recover their fatherland by the sword, not by gold. They had, before them in view, the shrines of the gods, their wives and their children, the soil of their fatherland that had been left desolate by the evils of war, and everything that it was right (*fas*) to defend, recover, and avenge. He then drew up the battle line, as the nature of the ground allowed, on the soil and uneven surface of the half-ruined city, providing for his soldiers every advantage in choice of position and preparation that the art of war could offer.

The Gauls, alarmed at this new development, took up arms, attacking the Romans more in anger than with good judgment. But now fortune had turned; now the gods' help and men's wisdom were aiding the Roman cause. And so, at the first onset, the Gauls were routed with no greater effort than that with which they had prevailed at the Allia. Then there was a second, more regular engagement near the eighth milestone on the Gabinian Way where they had collected themselves after their flight. Here they were defeated, again as a result of the generalship and auspices of the same Camillus. Everywhere the slaughter was total. The camp was captured and not even a man was left to tell of the disaster. After recovering his country from the enemy, the dictator returned in triumph to the city and, amid the rough jests of his soldiers, was hailed with sincere praise as a Romulus and as father of his country and second founder of the city.¹⁰⁵

104. *by some chance . . . the dictator intervened*: Livy presents the dictator's intervention as almost a *deus ex machina*. Note also the preceding reference to gods and men preventing the Romans from living as a ransomed people and the reference later to the return of fortune "now that the gods' help and men's wisdom were aiding the Roman cause."

105. Amidst the customary jests at a triumph, Livy has Camillus hailed as *Romulus*, a name that Augustus is said to have considered for himself before opting for *Augustus* (Suetonius, *Augustus* 7.2; Dio 53.16.7–8) and, as father of his country, a title that was unofficially bestowed on Cicero after the defeat of Catiline. Dio (44.4.4) and Suetonius (*Julius* 85) report that Julius Caesar was officially given the same title. In the mid-20s BCE, when this pentad was evidently completed, these titles would have had considerable resonance for Livy's audience, since Augustus was also in the process of attempting to refound the city; see Introduction, pp. ix–x.

sincere praise: an allusion to the misgivings of the people at his earlier triumph over Veii (5.23) and the problems over the distribution of booty.

The homeland that he had saved in war he then undoubtedly saved again in a time of peace when he prevented the migration to Veii. After the burning of the city, the tribunes were more intent on this project, and the plebeians themselves were more in favor of the plan. This was the reason for Camillus not resigning from the dictatorship after his triumph, for the senate begged him not to abandon the state in this uncertain situation.

50. At the instigation of Camillus, the senate attends to religious matters.

First of all, as a man who was most diligent in his attention to religious obligations, Camillus brought before the senate matters that concerned the immortal gods and formulated a senatorial decree.¹⁰⁶ All the shrines were to be restored, boundaries established, and purification rites held because they had been occupied by the enemy. The board of two was to seek the ritual purification in the Books.¹⁰⁷ The state was to establish ties of hospitality with the people of Caere, because they had received the sacred objects of the Roman people and its priests, and, thanks to their kindness, the worship of the immortal gods had not been interrupted.¹⁰⁸ Capitoline Games were to be held because Jupiter the Best and Greatest had protected his own abode and the citadel of the Roman people at a time of peril. For this project, Marcus Furius Camillus was to set up a board of men who lived on the Capitol and citadel. There was a proposal to expiate the voice in the night foretelling the disaster before the Gallic war that had been heard but neglected; and it was ordered that a temple be built on New Street to Aius Locutius.¹⁰⁹

People's memories were confused about which gold had been snatched from the Gauls and which had been brought amid trepidation from other temples into the shrine of Jupiter, and there was no recollection of where it should be returned. And so all of it was deemed sacred and ordered to be deposited beneath Jupiter's throne. Even before this, the religious sensibilities of the citizenry had been apparent when there was not enough gold in the

106. *most diligent in his attention to religious obligations*: with this phrase, Livy shifts the emphasis from Camillus as military leader to his role in the preservation and restoration of state religion and in the decision not to migrate to Veii; see Appendix 3, pp. 432–3.

107. *Books*: the Sibylline books; see also the ritual purification of the Capitol after its capture by Appius Herdonius (3.18).

108. *ties of hospitality*: on *hospitium*, see 5.28, n. 54.

109. *Aius Locutius*: the Speaking Voice; see 5.32 with n. 66.

state treasury to make up the agreed sum for the Gauls, and they had accepted a collection from the matrons so that the sacred gold was not touched. The matrons were thanked and given the honor of having eulogies pronounced at their funerals, just as men do. After completing these measures that concerned the gods and were within the competence of the senate, then and only then did Camillus respond to the tribunes who, in continual meetings, were urging the plebs to abandon the ruins and emigrate to Veii, a city that was ready for them. He entered an assembly, accompanied by the entire senate, and made the following speech.¹¹⁰

51. Camillus addresses the question of migrating to Veii, noting that neglect of the gods' worship caused the Roman defeats, whereas maintaining their worship had brought victory and the rout of the Gauls.

"So bitter to me are these conflicts with the tribunes of the plebs, Quirites, that I had no other consolation during my grievous exile at Ardea except that I was far away from such struggles. For this reason, I would never have returned, not even if you had summoned me 1,000 times by a resolution of the senate and a vote of the people. Nor has a change in my will driven me to return, but rather the change in your fortunes. For what was at stake was whether our homeland should remain in its place, not whether I should remain in our homeland. Even now, I would gladly keep quiet and be silent, were this not a fight for our homeland. For others to fail her is shameful, as long as life endures; but for Camillus it is also an impiety.

"Why are we seeking to retrieve our homeland? Why did we rescue her from the enemy's hands when she was besieged, if we voluntarily abandon what we have recovered? Gods and men held and lived on the Capitol and citadel, even though the victorious Gauls had taken the entire city. Now that we Romans are victorious and have recovered the city, will even the citadel and Capitol be abandoned? Will our good fortune bring greater devastation to this city than did our adversity? Indeed, if we did not have the religious obligations established at the foundation of the city and handed down by tradition, nevertheless the will of the gods has been so evidently on the

110. A question much discussed by scholars is how far Camillus' speech reflects Livy's own views and the ideals of the Augustan regime. Ogilvie (1965: 743) concludes, "Only in so far as Augustus shared the same aims [as Livy] can the speech be said to be Augustan in outlook or in sympathy."

Roman side during these times that I would think that no human being will ever neglect the gods' worship. Consider the successes and reverses of recent years. You will find that everything turned out well when we obeyed the gods but badly when we rejected them. First of all, the war with Veii: for how many years and with what effort was that war waged? It did not end until, on the advice of the gods, water was drained from the Alban lake.

"What about the recent disaster to our city? Did this arise before we spurned the voice that came from heaven announcing the coming of the Gauls; before the law of nations had been violated by our envoys; and before we, who ought to have punished them, had overlooked the matter with that same disregard for the gods? Consequently, after being conquered, captured, and ransomed, we have paid such a great penalty both to gods and men that we are an object lesson to all the world.¹¹¹ At that point, adversity reminded us of religious matters. We fled to the Capitol, to the gods, to the home of Jupiter Best and Greatest. We hid our sacred objects in the ground, some amid the ruins of our own property; others we took to neighboring cities, removing them out of sight of the enemy. Nevertheless, though abandoned by gods and men, we did not interrupt our worship of the gods. Therefore they have restored to us our homeland, victory, and the long-standing renown for warfare that we had lost. They even turned terror, flight, and slaughter upon our enemy who, blinded with greed, broke both their treaty and pledge when weighing the gold."

52. Camillus points out the enormity and impossibility of moving everything connected with the gods' worship away from Rome.

"As you survey these reminders of the observance and the neglect of the divine will on human affairs, Quirites, do you realize how great is the impiety we are preparing to commit, though we have scarcely emerged from the shipwreck of our earlier guilt and disaster? We have a city that was founded with due observance of auspices and augury.¹¹² There is no place that is not filled with a sense of religion and gods. There are as many days fixed for annual sacrifices as there are places in which they can be performed. Are you going to abandon all these gods, Quirites—both those of the state and those of the family? How does your action compare with that of the noble young man

111. *object lesson*: Latin *documentum*; see Pref. 10 with nn. 14–5.

112. See 1.6 with n. 21.

Gaius Fabius?¹¹³ During the recent siege, the enemy watched him with an admiration equal to yours when he came down from the citadel amid the Gallic missiles and performed the annual rites of the Fabian clan on the Quirinal hill. Or is it your pleasure that the sacred rites of families not be interrupted, even in a time of war, whereas the state rituals and the Roman gods are abandoned in a time of peace? Would you have the pontiffs and *flamines* be more negligent in matters of state religion than a private citizen was in the case of his family's ritual?

"Perhaps someone will say that we will perform these rituals at Veii or send our priests from there to perform them here. Neither of these alternatives can happen, if the sacred rites are to remain unimpaired. To avoid recounting all the kinds of rites and all the gods, take the feast of Jupiter: can the sacred couch be spread anywhere else than on the Capitol?¹¹⁴ What am I to say about the eternal fires of Vesta and the image that is kept in the custody of her temple, as a pledge of our empire?¹¹⁵ What of your sacred shields, Mars Gradivus, and you, Father Quirinus?¹¹⁶ Is it your pleasure that all these sacred things be profaned and abandoned, rites that are coeval with the city, and some more ancient than its foundation?

"See what a difference there is between us and our ancestors. They handed down to us certain rites that must be performed on the Alban Mount and at Lavinium.¹¹⁷ If it was a matter of religious scruple (*religiosum*) to transfer sacred rites from enemy cities to Rome, are we going to transfer rites from here to Veii, an enemy city, without needing some expiation?¹¹⁸ Come

113. See 5.46, and Appendix 3, p. 433.

114. The feast of Jupiter was one of the most ancient Roman rituals. The statue of Jupiter was taken from the temple and placed on a couch, and offerings of food were made before it; see also the practice at the *lectisternium* at 5.13.

115. *image*: the Palladium, a wooden statuette of the armed goddess Athena, said to have been brought by Aeneas from Troy, which was kept with other *sacra* in the temple of Vesta.

116. On Mars Gradivus and the sacred shields, the *ancilia*, see 1.20 with notes. Quirinus is often identified with Romulus.

117. *Alban Mount*: an important religious center near Alba Longa, which is said to have been founded by Ascanius, Aeneas' son (1.3). Here the Romans and their magistrates participated in an annual festival; see 5.17 with n. 31 for the story of the magistrates of 398 BCE, who were forced to resign because their election had been flawed.

Lavinium: a city said to have been founded by Aeneas; see 1.1 with n. 5. This cult center, with its thirteen large altars, was especially important to the Romans because of its Trojan associations and the sacred objects—the penates and the sacred flame of Vesta—said to have been brought by Aeneas.

118. *a matter of religious scruple*: see 5.22, the transfer of Juno Regina from Veii to Rome.

then, recall how many times the sacred rites are begun anew because there has been some omission in the ancestral ritual as a result of negligence or chance. What was it recently, after the prodigy of the Alban lake, except a renewal of the sacred rites and auspices that provided a remedy for the state during the war with Veii? But more than that, as men who are mindful of their ancient religion, we brought foreign gods to Rome and established new ones. Juno Regina was recently brought from Veii and installed on the Aventine. How noteworthy was the day of dedication, both for crowds and the matrons' outstanding enthusiasm!¹¹⁹ We have ordered a temple to be built on New Street for Aius Locutius, on account of the voice that was heard from heaven. We have added the Capitoline Games to the other annual festivals, and we have established a new college for this purpose. What need was there for us to undertake all this if we intended to leave the city of Rome along with the Gauls? What need was there if we remained on the Capitol for so many months of siege not of our own free will but because we were constrained by fear of the enemy?

"We speak about sacred rites and temples, but what about the priests? Doesn't it enter your minds how great a sacrilege is being committed? Indeed the Vestals have but one home, from which nothing except the capture of the city has moved them. It is an impiety for the *flamen Dialis* to remain outside the city for a single night.¹²⁰ Are you going to make these people Veientes instead of Romans, and are your Vestals going to desert you, Vesta? Will the *flamen*, living out of the city, bring such a great sacrilege upon himself and the state, night by night? What about all the other things that we do inside the *pomerium* after taking auspices? To what oblivion and neglect are we consigning them? The *Comitia Curiata*, which deals with matters of war; the *Comitia Centuriata*, in which you elect consuls and military tribunes—where can these be held with due observation of the auspices, except in their customary location?¹²¹ Will we transfer these to Veii? Or will the people come back here at great inconvenience for these assemblies, to a city deserted by gods and men?"

119. Camillus himself had vowed and dedicated this temple; see 5.31 with n. 61.

120. *flamen Dialis*: the priest of Jupiter, a very ancient priesthood that was bound by many taboos that virtually confined him to the city; see 1.20.

121. On the *Comitia Curiata*: see 5.46, n. 97. The *Comitia Centuriata*, originally an assembly of the military, met on the Campus Martius, outside the *pomerium*.

53. *Camillus makes further, generally nonreligious arguments for remaining in Rome.*

“But, someone will say, while it is clear that everything is polluted and beyond all possibility of expiation, reality forces us to abandon a city that is devastated by fire and falling buildings, and emigrate to Veii where everything is untouched, and not bother our indigent people by building here. That this is offered more as a pretext than a true reason is, I think, clear to you, Quirites, without my saying so. For you remember that, before the coming of the Gauls, when both public and private buildings were still intact, when the city stood unharmed, this same question of migrating to Veii was discussed. And, tribunes, consider how great is the difference between my opinion and yours. You think that it ought to be done now, even if it ought not have been done then. I on the other hand—don’t express surprise until you have heard what I mean—even if we ought to have emigrated then, while our entire city was still unharmed, I would not propose that these ruins be abandoned now. At that time, the reason for our migration to a captured city would have been victory, glorious for us and for our posterity; whereas now this migration is pitiful and shameful for us, but glorious for the Gauls. We will be seen as having left not as victors but as vanquished men who have lost their city.

“It will be apparent that the rout at the Allia, the capture of the city, and the siege of the Capitol made it necessary for us to desert our household gods, to banish and exile ourselves from a place that we could not defend. Were the Gauls able to overthrow Rome, whereas the Romans will be seen as unable to restore her? What is there left, except for the Gauls to come with fresh forces—it is established that their numbers are hardly believable—wanting to live in the city that they captured and you deserted, while you allow them to do this? What if not the Gauls but your old enemies, the Aequi and Volsci, should migrate to Rome? Would you want them to be Romans while you are Veientines? Or would you prefer this to be your wilderness, rather than an enemy city? Indeed, I do not see a greater abomination than this. Are you prepared to endure such outrages and such disgrace, just because building is troublesome?

“If it were not possible to make a bigger and better dwelling than the famous hut of our ancestor, isn’t it better to live in huts, like shepherds and farmers, amid our household gods and the things that are sacred to us, than to go into exile as a state?¹²² Our ancestors, refugees and shepherds, quickly

122. *famous hut of our ancestor*: replicas of the hut of Romulus were kept and scrupulously

built a new city when there was nothing in these parts but forests and swamps. Is it troublesome for us to rebuild what has been burned, though the Capitol and citadel are untouched and the gods' temples still stand? After this fire that has affected the whole community, are we as a group refusing to do what each of us would have done as individuals if our own home had been burned down?"

54. Camillus concludes his speech with a eulogy of the site of Rome.

"If, by accident or design, a fire should occur at Veii, and, as can happen, the wind should spread the flames, consuming a large part of the city, are we going to look to Fidenae, or Gabii, or some other city in which to take up residence? Does the soil of our homeland and the earth that we call our mother have no hold on us? Does love for our homeland depend on buildings and their beams? Though it gives me less pleasure to remember the injustice you did me than my downfall, I shall nevertheless make a confession to you. During my absence, whenever my homeland came into my thoughts, all the following things occurred to me: the hills and plains, the Tiber and the region familiar to my eyes, and this sky beneath which I was born and reared. May these things now move you with affection, Quirites, to remain in your own home, rather than torment you later with longing, when you have left it.

"Not without reason did gods and men choose this place for the foundation of a city—the health-giving hills; a convenient river by which crops can be brought down from inland areas and foreign goods received from abroad; a sea nearby for usefulness, though not exposed by being too near to danger from foreign fleets; an area in the middle of Italy—a place, indeed, uniquely and naturally suited to the growth of a city. Proof of this is the very size of such a new city. This, Quirites, is the city's 365th year. For a long time now, you have been waging war amid the most ancient of peoples. And all this time, not to mention individual cities, neither the Volsci in combination with the Aequi and their many strong towns, nor the whole of Etruria, which is so powerful by land and sea, holding the breadth of Italy between the two seas—none of these has been your equal in war. Since this is the case, what reason is there, damn it, for you to try other things when you have had

maintained on the Palatine and Capitoline. The post holes of such a hut were discovered on the Palatine by archaeologists in the first decade of the twentieth century.

such success here!¹²³ Though your valor may be able to go elsewhere, the fortune of this place surely cannot be transferred.

Here is the Capitol where once the discovery of a human head foretold that in this place would be the head of the world and the pinnacle of empire. Here, when the Capitol was being cleared of buildings with augural rites, *Juventas* and *Terminus* did not allow themselves to be moved, to the great joy of your ancestors.¹²⁴ Here are the fires of *Vesta*; here the shields that were sent down from heaven; here are all the gods that will be favorable to you, if you remain.”

55. The question of migrating to Veii is resolved by the opportune remark of a centurion. The random plan of Rome is the result of the hasty rebuilding.

Camillus is said to have moved them by his speech, especially his references to religious matters, but an opportune remark resolved the doubtful issue. A little later, when the senate was discussing the matter in the *Curia Hostilia*, some cohorts returning from guard duty happened to be marching through the forum. In the *Comitium*, a centurion called out, “Standard-bearer, plant the standard. It will be best for us to stay here.” Hearing these words, the senate came out of the senate house and shouted that they accepted the omen.¹²⁵ The plebs gathered around and gave their approval. The bill was then rejected and the building of the city was begun randomly. Tiles were supplied by the

123. *damn it*: Latin *malum*, a highly marked usage. Livy here has Camillus resort to an oath that intentionally does not involve the gods. My translation thus avoids any suggestion of the divine, in contrast to the many references to the divine made earlier in the speech.

There is a minor problem with the text, but Ogilvie (1965: 750) notes the general sense: “Why do you want to try your luck elsewhere when you have had such good fortune here?”

124. *Juventas* and *Terminus*: for this story, see 1.55, although there is no mention of *Juventas* (Youth), the god of men of military age (approximately eighteen to forty-five years old).

125. *Comitium*: the place of assembly for the people was in front of the *Curia Hostilia*, said to have been built by King *Tullus Hostilius* (see 1.30). Nearby was a sanctuary containing an altar and the famous Black Stone, which was probably a *heroon* commemorating *Romulus*; see 1.16, n. 55, and Cornell 1995: 94–5. Further significance of this omen has recently become apparent with the discovery beneath the *Comitium* of traces of a sixth-century BCE structure and a votive pit, the contents of which include the remains of a sacrificed vulture, the kind of bird that is said to have appeared when *Romulus* took auspices to determine who should be the founder of Rome; see Grandazzi 1997: 207. That the omen occurred in this sacred area that was associated with *Romulus* takes the reader back to the stories of Rome’s origin in Book 1, signifying that the proposed rebuilding was sanctioned by Rome’s original founder.

state, and people were given the right to hew rocks and timber wherever they wanted, provided that sureties were given that they completed the buildings within the year. Haste precluded concern to make the streets straight, as men built on the empty areas, regardless of the distinction between what belonged to them and to others. This is the reason that the old sewers, which at first passed through public land, now go indiscriminately under private dwellings, resulting in the appearance of a city that is more like one of squatters than one that has been laid out systematically.

Appendix 1

Some Prominent Political Figures in the Early Republic¹

Roman nobles were generally identified by three names: a *praenomen*, the *nomen* of the family (*gens*), and a *cognomen*, an additional name that often originated as a nickname (as in the case of *Brutus*, which means “stupid” or “dull”). To take an example from later Roman history, Julius Caesar came from the Julian family, and his full name was Gaius Julius Caesar. One of the prominent figures in the mid-fifth century BCE is generally known by his *cognomen*, Cincinnatus, though he belonged to the Quinctian family. Thus his full name was Lucius Quinctius Cincinnatus. Another member of the same family had two *cognomina*, Capitolinus and Barbatus, and so is identified as Titus Quinctius Capitolinus Barbatus. Women were known by the name of their family of birth. Lucretia, the wife of Lucius Tarquinius Collatinus, was the daughter of Spurius Lucretius Tricipitanus; the two daughters of King Servius Tullius were known as Tullia and were generally distinguished as Tullia Maior (the elder) and Tullia Minor (the younger).²

Lists of the consuls from the early republic have partially survived and are known as the *Fasti Consulares Capitolini*. Fragmentary lists of the men who celebrated triumphs (*Fasti Triumphales*) are also preserved. These lists were inscribed on an arch in the Roman forum in 18 or 17 BCE. The standard reference work for the careers of Roman magistrates is T. R. S. Broughton's *Magistrates of the Roman Republic*, to which reference should be made under the relevant year for the ancient sources for individual magistrates. Modern scholars identify individuals with their full name, giving the dates of their magistracies; the *praenomen*, however, is usually abbreviated, and individuals are listed in an index under their family name (*nomen*). Cincinnatus, the son (*filius*) of a Lucius and the grandson (*nepos*) of a Lucius, was suffect consul in 460 and dictator in 458 and 439, and so he is identified as L. Quinctius L. f. L. n. Cincinnatus: cos. suff. 460, dict. 458, dict. 439. Titus Quinctius, who is probably Cincinnatus' brother despite their different

1. List of abbreviations: cens = censor; cos. = consul; cos. suff. = suffect consul; dict. = dictator; tr. mil. c.p. = military tribune with consular power; mag. eq. = master of the horse; f. = *filius* (son), n. = *nepos* (grandson); K. = Caeso. All dates are BCE.

2. See the Tarquin family tree, p. xlv.

cognomina, held six consulships and is identified as T. Quinctius L. f. L. n. Capitolinus: cos. 471, 468, 465, 446, 443, 439.

Much has been written about the stereotypical behavior that tradition has attributed to different families.³ For example, it has long been recognized that arrogance and violence toward the plebeians are among the traditional hallmarks of the Claudian family, that daring and recklessness characterize the Fabii, and that the Valerii are defenders of the people's rights. As Livy weaves these stereotypes into his narrative, he highlights traditional familial traits and singles out individuals for special characterization in order to depict what Vasaly terms "the interaction of personality and political power."⁴

But, as was noted in the Introduction, Livy was not unaware of the nature of the material with which he was dealing. In writing of the middle republic, he admits that the historical record has been vitiated by funeral eulogies and by false inscriptions under portraits, with every family trying by deceptive means to appropriate for itself victories and magistracies. Nor, he says, is there any contemporary writer for early Roman history on whose authority one may rely with sufficient certainty.⁵

Claudii

The earliest known member of the Claudian family is Attus Clausus, a Sabine who migrated to Rome with his family and clients in the last decade of the sixth century BCE and changed his name to Appius Claudius. He was granted Roman citizenship, enrolled in the senate, and soon became one of its leading members (2.16). He was consul in 495 when strife between the patricians and plebeians first broke out over the enslavement of debtors. "A man of impetuous temperament," Appius wanted to exercise his power as consul and make some arrests, whereas his colleague Servilius was in favor of appeasement (2.23). When the plebeians refused to enlist for war, Servilius released the debtors, promising that their families and property would be safeguarded. Once the war was over, Appius had the debtors returned to their creditors, despite Servilius' pledge (2.27).

The plebeians' struggle continued, and in the following year Appius proposed the appointment of a dictator so that there would be no right of ap-

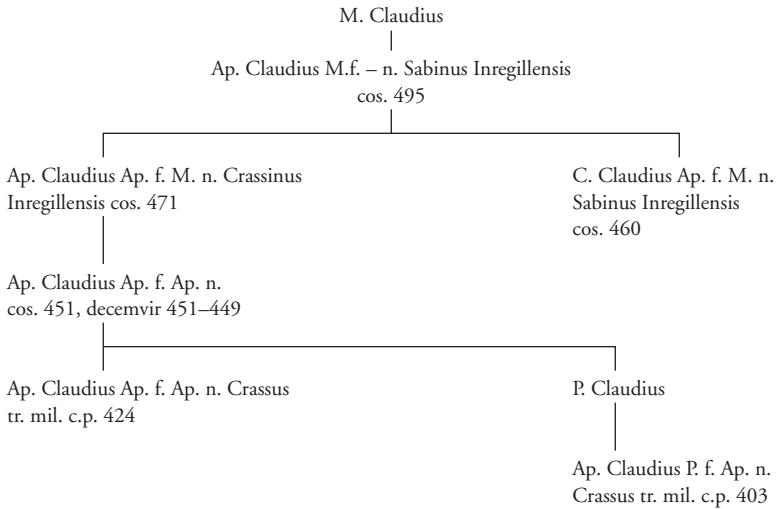
3. On the stereotyping of the Claudian family, see Wiseman 1979: 55–139, and Vasaly 1987: 203–26; for analysis of the Quinctii, see Vasaly 1999: 513–30.

4. Vasaly 1987: 205.

5. Livy 8.40; see also Cicero, *Brutus* 62.

STEMMA

(according to Livy, showing the consul of 471 and the decemvir as two individuals)



peal against a magistrate's decision. He is characterized as "harsh by nature and brutal because of his hatred of the plebs" (2.29). Despite his hopes, he was not appointed to the dictatorship (2.30). The only other action of Appius mentioned by Livy occurs several years later when Appius pointed out to the patricians that the way to thwart the veto power of the plebeian tribunes was by using the intervention power of other tribunes (2.44). Such is Livy's brief portrayal of the progenitor of a family that produced a number of prominent political figures who exhibit arrogance and savagery as well as wisdom and nobility. The date of Appius' death is not recorded, nor is the name of his grandfather attested; hence his identification as Ap. Claudius M. f. – n. Inregillensis Sabinus: cos. 495.⁶

In 471 Appius Claudius, son of the consul of 495, was elected as consul and is identified as Ap. Claudius Ap. f. M. n. Crassinus Inregillensis Sabinus. Appius strongly opposed a bill that plebeian tribunes should be elected by the Tribal Assembly but was induced to yield by his fellow consul, Titus Quinctius Capitolinus (2.56–7). Livy characterizes Appius and his family as "most arrogant and cruel to the Roman plebs" (2.56). As a military com-

6. *Inregillensis Sabinus*: means "the Sabine from Inregillum"; see 2.16.

mander, Appius “displayed the same savagery in the field as he had in the city,” hating the plebs “with a hatred that surpassed his father’s.” His “anger and indignation goaded his fierce spirit to torment the army with the savage exercise of his power” (2.58). But Appius lost control of his soldiers, and, when his army was defeated, he ordered the execution of those who had lost their arms or deserted, together with one in ten of the remaining soldiers (2.59). He was indicted by two tribunes but “refused to soften and subdue the harshness of his tongue.” The trial was adjourned, and the matter protracted. Livy briefly notes that Appius died before the trial was resumed (2.61). His death, by suicide, is reported at greater length by Dionysius of Halicarnassus (*Antiquities* 9.54).⁷

The *Fasti Capitolini*, however, record that the consul of 471 was consul for the second time in 451 and decemvir in 451 through 449. At some point in the evolution of the Claudian family tradition, two separate personalities had apparently been created. Most modern historians accept the testimony of the *Fasti*, thus rejecting the reports of Appius’ death in 470.⁸

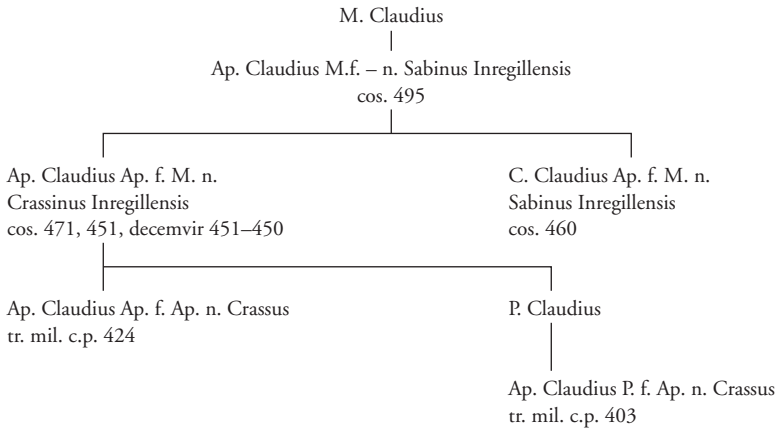
Livy’s apparent insistence that the decemvir was the nephew of Gaius Claudius (cos. 460), another son of the consul of 495, is almost a rejection of the tradition recorded on the (later) Augustan *Fasti* of 18 or 17 BCE.⁹ Consistent with his earlier report that the consul of 471 had died, Livy makes three references to Gaius Claudius as his father’s brother. In the election for the Second Decemvirate, Appius secured the defeat of “his uncle Gaius Claudius, a most consistent supporter of the aristocrats” (3.35). Later Livy reports that “Gaius Claudius, the uncle of Appius the decemvir” gave a speech, imploring Appius “by the shade of his own brother, Appius’ father” to consider the republic rather than his pact with the decemvirs (3.40). Gaius Claudius withdrew from Rome because of his loathing of the new decemvirs and “his nephew’s arrogance,” but he returned to intercede on Appius’ behalf when the latter was threatened with imprisonment (3.58). Livy’s portrayal of Gaius reflects the tradition of Claudian wisdom, nobility, and family loyalty, as opposed to the arrogance of Appius. Gaius’ entreaties, how-

7. See Wiseman 1979: 77–9 for a comparison of Livy’s account with that of Dionysius of Halicarnassus.

8. For example, Broughton 1986(1): 45–6; Ogilvie 1965: 376–7, 383, 386–7; and Wiseman 1979: 77–9. On the other hand, Vasaly (1987: 209–22) follows the Livian tradition, giving separate analyses of his characterization of the consul of 471 and that of the decemvir. In her analysis of the Quinctii (1999: 515), Vasaly writes of the consul of 471 as “the father of the decemvir.”

9. C. Claudius Ap. f. M. n. (Crassus)? Inrigillensis Sabinus: cos. 460; see Broughton 1986(1): 37–8 with n. 1.

STEMMA
(according to the Capitoline Fasti)



ever, were of no avail; “Appius, cut off from hope, took his own life” (3.58), a report that resembles Dionysius of Halicarnassus’ extended account of the death of the consul of 471.

On the other hand, Livy’s narrative offers occasional glimpses of the tradition that the decemvir and the consul of 471 were identical.¹⁰ In the context of the election to the Second Decemvirate, Livy notes that “the risk of losing dignity at his time of life, after holding all the offices he had held, was a spur to Appius Claudius,” although later in this section he calls Appius “the youngest” of the decemvirs (3.35). Less indicative of the tradition of a single individual is Livy’s earlier comment on Appius’ change of character when he became the leading member of the First Decemvirate: “He had assumed a new temperament, and, instead of being the fierce and savage persecutor of the plebs, he suddenly emerged as their supporter as he seized on every breath of popularity” (3.33). Another discrepancy should be noted: the *Fasti Capitolini* list Appius Claudius as consul in 451, followed by his appointment as decemvir; whereas in Livy’s version, Claudius and Genucius were given that office “in place of the consulship to which they had been elected.”¹¹

In Livy’s account of the First and Second Decemvirates, it becomes increasingly difficult to distinguish between fact and fiction. Appius’ “new

10. See also the conflicting reports at 4.48 and 5.2 that are discussed later in this appendix.

11. See 3.33; for other sources, see Broughton 1986(1): 45.

temperament" and his sudden switch to being a supporter of the plebs continue as he canvasses for reelection. Livy describes how Appius "flew around the forum, using [former tribunes] to sell himself to the plebs" (3.35). Appius' reelection is marked by this melodramatic comment: "That was the end of Appius' wearing an alien mask. From then on he began to live according to his own nature" (3.36). He is transformed into the libidinous tyrant who attempts to procure for himself the maiden Verginia. This attempt results in her death at the hand of her father, the second secession of the plebs, and ultimately the downfall of the Second Decemvirate and Appius' suicide. Gaius Claudius (cos. 460), as we have seen, remained true to the patrician cause; later he proposed that the consuls use armed force against the tribunes of the plebs when the tribunes were advocating the removal of the ban on marriage between patricians and plebeians (4.6).

The portrayal of the Claudian family as opponents of the plebs continues in the next two generations with Ap. Claudius Ap. f. Ap. n. Crassus tr. mil. c.p. 424 and Appius Claudius P. f. Ap. n. Crassus Inregillensis tr. mil. c.p. 403.¹² Livy reports that the military tribune of 424 was in charge of the city as prefect, remarking that he was the son of the decemvir and "an energetic young man who had been imbued from the cradle with hatred of the plebeians and their tribunes" (4.36). The military tribune of 403 is characterized as being "steeped from his youth in struggles with the plebs," because he had previously advocated that tribunician power be broken by using the intervention of other plebeians (5.2). Earlier Livy notes that this young man was "the grandson (*nepos*) of the man who had been decemvir for codifying the laws," but Livy also remarks that this man's "great-grandfather (*proavus*) had shown the senators that the only way to break tribunician power was by their colleagues' veto" (4.48). Here Livy has followed the tradition that appears in the Augustan *Fasti* that the decemvir and the consul of 471 were one and the same man, whereby the consul of 495 would indeed have been that man's great-grandfather. However, if the decemvir and the consul of 471 were two individuals, as Livy has previously maintained, the military tribune of 403 would have been the great-great-grandson of the consul of 495, the Appius Claudius who had first suggested how to break the power of the tribunes (2.44).

As military tribune in 403, Appius Claudius Crassus was left in charge of the city by his colleagues "to suppress tribunician sedition" (5.2). He opposed

12. From the affiliation of the military tribune of 403 as given by the Capitoline *Fasti*, P. f. (son of Publius, an individual who is not known to have held political office), it is clear that he was the nephew of the military tribune of 424.

the plebeian tribunes' proposal that military service should continue throughout the year, making a patriotic speech in which he appealed to the plebs to stop their factional politics and consider the interests of the state. The speech ends with the cry: "This is what freedom in Rome has come to mean: no respect for the senate, the magistrates, the laws, the ancestral customs, the institutions of our fathers, nor military discipline" (5.3–6). Later Appius proposes that the booty from Veii be put in a special fund and used to pay the soldiers, so that the plebeians would pay less war tax (5.20). By portraying this Appius in the Claudian tradition of nobility and wisdom, Livy not only creates a contrast with the speeches of earlier arrogant Appii Claudii who threaten the plebeians with force and even use violence to gain their own ends, but he also has the military tribune take over the role of moderator that the Quinctii had played earlier in the century.¹³ Appius' speech with its overall theme of harmony, located at the beginning of Book 5, reduces the political tensions described in the previous two books, thus setting the scene for the drama of the capture of Veii and the Gallic sack of Rome.

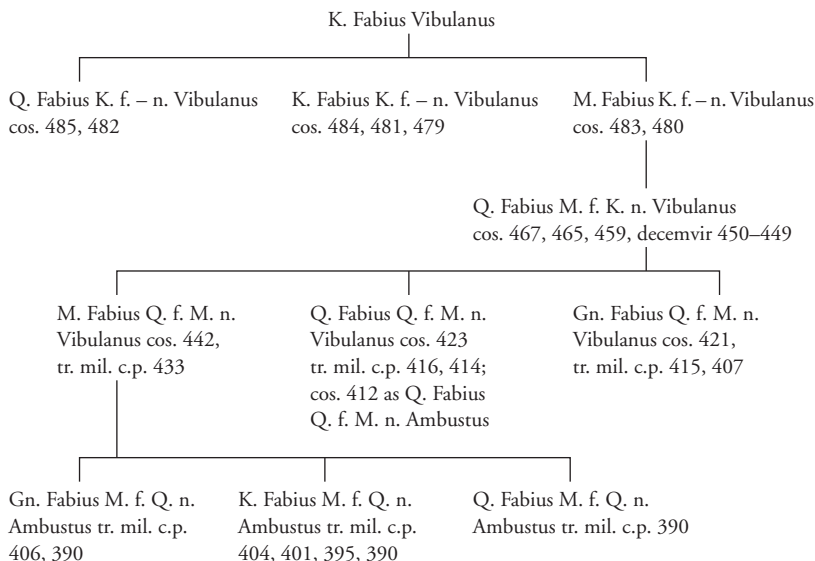
Fabii

Although the Fabian family is less prominent than the Claudii in Livy's narrative, they nonetheless produced a greater number of consuls and military tribunes with consular power in successive generations during the early republic. The fame of the Fabii is associated with two key events: the battle of the Cremera in 477 and an embassy that resulted in the first Roman engagement with the Gauls before the disaster at the Allia river in 390. From 485 through 479 one of the two consulships for each year was held by one of the three sons of Caeso Fabius Vibulanus, a figure who is otherwise unknown. These consuls were engaged in Rome's wars with her neighbors, most notably battles with the Veientes that Livy describes in some detail. The three consular brothers are Quintus Fabius K. f. – n. Vibulanus: cos. 485, 482; Caeso Fabius K. f. – n. Vibulanus: cos. 484, 481, 479; Marcus Fabius K. f. – n. Vibulanus: cos. 483, 480.¹⁴ One of the best-known stories of Book 2 is that of the 306 men from the Fabian clan who undertook to fight the Veientes at their own expense. They established a garrison by the river Cremera but were ambushed because of their overconfidence and reck-

13. See pp. 415–8.

14. K. is the abbreviation for Caeso.

STEMMA



lessness (2.48–50). Livy qualifies his report that all but one of them were killed with the prefatory comment “there is sufficient agreement” (2.50).

The survivor, Quintus Fabius M. f. K. n. Vibulanus (son of the consul of 483 and 480), became consul in 467 (3.1). He also held the consulship in 465 and 459, and he was a member of the Second Decemvirate. Of Fabius, Livy remarks that his character was “not so much actively bad as lacking in steadfastness”; Fabius was a man who was once distinguished in civic and military affairs and so changed by the office and his colleagues that he preferred to be more like Appius Claudius than his own former self (3.41). Fabius was the commander in a war against the Sabines during which one of his soldiers was assassinated for expressing seditious views. It is noteworthy that Livy attributes the orders for this assassination to the “decemvirs,” without mentioning Fabius by name (3.43).

This Fabius had three sons who held consular power. Marcus Fabius Q. f. M. n. Vibulanus was consul in 442 and military tribune with consular power in 433. A second son, Quintus Fabius Q. f. M. n. Vibulanus, held the consulship in 423, was military tribune with consular power in 416 and 414, and is usually identified with Q. Fabius Q. f. M. n. Ambustus, who was con-

sul in 412. Gnaeus Fabius Q. f. M. n. Vibulanus was consul in 421 and military tribune with consular power in 415 and 407. Three of the sons of Marcus Fabius Vibulanus, who was consul in 442 and military tribune with consular power in 433, held the office of military tribune with consular power in the late 400s and 390s, bearing the *cognomen* Ambustus. Gnaeus Fabius M. f. Q. n. Ambustus held that office in 406 and 390; Caeso Fabius M. f. Q. n. Ambustus in 404, 401, 395, and 390; and Quintus Fabius in 390.

Prior to the election of the three Fabii as military tribunes for 390, Livy reports that three sons of Marcus Fabius Ambustus were sent “in the name of the senate and Roman people” to urge the Gauls not to attack the allies and friends of the Roman people. The “impetuous envoys,” however, “behaved more like Gauls than Romans.” Diplomacy broke down; the ambassadors joined the Etruscans in a battle against the Gauls, thus contravening the law of nations; and Quintus Fabius killed the Gallic leader. Though the Gauls demanded the surrender of the envoys, the Roman people refused and elected the envoys as military tribunes with consular power for the year 390 (5.36). During the Gallic siege, the otherwise unknown Gaius Fabius Dorsuo came down from the Capitol and walked unharmed through enemy lines to perform the regular family sacrifice on the Quirinal hill, an act of devotion and daring that amazed the Gauls (5.46). In his speech after the expulsion of the Gauls, Camillus recalls this exploit to illustrate the essential continuity of ancestral rituals (5.52), thus implying that this action had expiated the earlier sacrilege of the Fabian envoys who had disregarded the law of nations.¹⁵ How much of the tradition regarding the actions of this generation of the Fabii is based on fact is impossible to determine, especially since it probably derives from the records of the Fabian family itself.¹⁶ Suffice it to say that the Fabii are famed for their impetuosity and reckless daring. Nor has it gone unnoticed that the earliest writer of Roman history was Fabius Pictor.

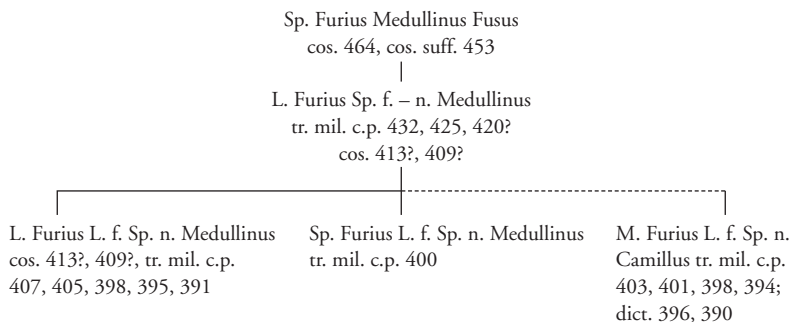
Furii

Several members of the Furian family are attested to have held office in the second quarter of the fifth century: Spurius Furius Fusus who was consul in 481, and possibly proconsul in 478; Lucius Furius Medullinus, cos. 474; Publius Furius Medullinus Fusus, cos. 472; and Sp. Furius Medullinus Fusus,

15. See 5.46 and 5.52, and Appendix 3, p. 433.

16. Ogilvie (1965: 716) dismisses the story of the embassy outright. For sources in addition to Livy, see Broughton 1986(1): 94.

STEMMA



cos. 464, cos. suff. 453. Only the affiliation of the consul of 464 is known. He was the father of Lucius Furius Sp. f. – n. Medullinus, who was a military tribune with consular power in 432, 425, and possibly 420, perhaps also holding consulships in 413 and 409. His son, Lucius Furius L. f. Sp. n. Medullinus, was probably consul in 413 and 409 (rather than his father) and held the military tribunate with consular power in 407, 405, 398, 395, and 391.¹⁷ His brother, Sp. Furius L. f. Sp. n. Medullinus, was military tribune with consular power in 400.

The most famous member of the Furian family is Camillus, who is identified by the *Fasti Capitolini* as M. Furius L. f. Sp. n. Camillus, thus suggesting that he belonged to the Medulline branch of the family.¹⁸ He was military tribune with consular power in 403, 401, 398, and 394, holding the dictatorship in 396 when he captured Veii and in 390 when he is reputed to have rescued Rome from the Gauls. He is the only member of the Furian family to be characterized at any length; his portrayal in Book 5 is the most extended of any figure in the entire pentad (though much of the tradition is evidently fictitious).¹⁹

Other members of the Furian family who held political office include: Agrippa Furius, consul in 446; Gaius Furius Pacilus Fusus, who was consul in 441, censor in 435, and military tribune with consular power in 426;

17. On the possible military tribute of 420, see 4.44, n. 97. Bruun (2000: 59) suggests that some of Medullinus' deeds were credited to Camillus, as the latter's character evolved. It is, however, more likely that they were brothers; see stemma.

18. On the *cognomen*, see 5.1, n. 2.

19. See Introduction, p. xxv, and Bruun 2000: 41–68.

Gaius Furius Pacilus, who was consul in 412; and Marcus Furius Fusus, who was military tribune with consular power in 403. There is no record of the affiliation of any of these men.

Quinctii

The Quinctian family is said to have originated in Alba Longa, coming to Rome after the destruction of that city by King Tullus Hostilius (1.30). The Quinctii first become prominent in the second quarter of the fifth century with Titus Quinctius L. f. L. n. Capitolinus Barbatus (cos. 471, 468, 465, 446, 443, 439) and Lucius Quinctius L. f. L. n. Cincinnatus (who was suffect consul in 460 and dictator in 458 and 439).²⁰ Although Cincinnatus held fewer magistracies than Capitolinus, the story of Cincinnatus' first dictatorship when he left his farm to lead the Romans to victory on Mount Algidus has given him more enduring fame. But Capitolinus, who held the consulship six times, is not to be disregarded. Vasaly's analysis of the complex and subtle nature of Livy's narrative has shown how Livy uses the figures of Capitolinus and Cincinnatus "to fashion the type of an ideal aristocratic leader, one of whose defining qualities is his employment of a distinctive form of popular rhetoric that fosters *concordia* within the state."²¹

In his first consulship, Capitolinus calmed the plebeians who were angered by his colleague, the arrogant Appius Claudius (cos. 471), who opposed a bill that tribunes be elected by the Tribal Assembly (2.56). When Appius finally yielded, the senate proposed a vote of thanks to Capitolinus "because it was through his efforts that the conflict had been mitigated" (2.57). Capitolinus' conduct in war stands in sharp contrast to Appius' "savage exercise of his power" in executing deserters and one in ten of his remaining army (2.58–9). A further contrast is made between Appius' "disastrous savagery" and Capitolinus' gentler nature, as Livy emphasizes the "great harmony" between Capitolinus and his army (2.60).

As consul in 465, Capitolinus is again portrayed as a moderating influence when he returns from a campaign to calm the panic caused by a sudden raid on Rome by the Aequi (3.3). In the following year, he rescues a beleaguered army and joins in defeating the enemy (3.5), again demonstrating his

20. In the interest of clarity and consistency, I will refer to these two men by their *cognomina*, though Livy generally uses their family name with the addition of the *praenomen* where necessary.

21. Vasaly 1999: 513–30, quotation from p. 513.

STEMMA

L. Quinctius

L. Quinctius

T. Quinctius L. f. L. n. Capitolinus Barbatus
cos. 471, 468, 465, 446, 443, 439

T. Quinctius T. f. L. n.
Capitolinus Barbatus
cos. 421, tr. mil. c.p. 405

Caeso Quinctius

L. Quinctius
L. f. L. n.
Cincinnatus
tr. mil. c.p.
438, 425, 420?

T. Quinctius L. f. L. n.
Poenus Cincinnatus
cos. 431, 428, tr.
mil. c.p. 426, 420?

L. Quinctius L. f. L. n. Cincinnatus
cos. suff. 460, dict. 458, 439

Q. Quinctius L. f. L. n.
Cincinnatus
tr. mil. c.p. 415, 405

military prowess. Capitolinus held his fourth consulship in 446 after the fall of Appius Claudius and the Second Decemvirate, when Rome was threatened by sedition at home and by war. In a speech to the people, he points out that their discord only serves to encourage attacks from their enemies (3.67–8). His plea for harmony rallies the young men who were refusing the levy, and the senate unanimously turns to him, “as the sole champion of Rome’s greatness” (3.69). He assumes supreme command and defeats the Aequi and Volsci (3.70), thus restoring civic harmony and Rome’s military reputation that had been jeopardized by Appius Claudius’ behavior as decemvir.²² “By tempering justice to high and low” in his fifth consulship Capitolinus “maintained a concern for harmony and peace at home” (4.10). As consul for the sixth time Capitolinus is characterized as “a man who was not to be taken lightly by a revolutionary.” Later he names his brother Cincinnatus as dictator to deal with the crisis created by Spurius Maelius (4.13).

Livy’s first mention of Cincinnatus occurs when Caeso Quinctius, one of Cincinnatus’ sons, is falsely accused of murder and sent into exile, obligating Cincinnatus to pay the bail and live in poverty on the other side of the Tiber (3.11–3). The story of Caeso, who is not known to have held political office, may well be a fiction invented to account for Cincinnatus’ situation when summoned to be dictator. The first office held by Cincinnatus was that of suffect consul in 460, when he replaced Publius Valerius Publicola, who had been killed when fighting the Sabine Herdonius (3.19). On entering office, Cincinnatus gives a resounding speech, reprimanding all the citizens, senators, plebs, and tribunes for their behavior in the recent crisis (3.19). Although the tribunes failed to stop the levy, they continued to stir up the plebs. Cincinnatus threatened not to hold the elections, implying that he would appoint a dictator. He stood his ground and argued successfully against his own reelection as consul (3.20–1). Thus, like Capitolinus in 471, he is depicted as holding his own against two extremes.

Livy marks the introduction to the story of Cincinnatus’ first dictatorship by repeating the initial words of the Preface (*operae pretium*), as he notes that this story “deserves the attention of those who reject all human qualities in preference for riches” (3.26). Summoned from exile on his farm to be dictator, Cincinnatus rescues the army trapped on Mount Algidus, inflicting a humiliating defeat on the Aequi. After celebrating his victory and securing his son’s vindication, he abdicates from the dictatorship and returns to his farm (3.26–9). In his second dictatorship, Cincinnatus acts true to

22. On Livy’s depiction of Capitolinus as a foil to Appius Claudius the decemvir (whom Vasaly considers to have been the son of the consul of 471), see Vasaly 1999: 515–6.

character in his initial reluctance to accept the office. Cincinnatus' actions in a time of danger to the state and the speech attributed to him by Livy epitomize the best ideals of the patricians. When Maelius is killed by the master of the horse, the dictator cries, "Well done! The state has been freed!" Cincinnatus then defends the killing, arguing that Maelius was justly killed because he was aiming at kingship (4.13–5).

Three of Cincinnatus' sons achieved political office: Lucius Quinctius Cincinnatus was military tribune with consular power in 438, 425, and possibly 420; Titus Quinctius Poenus Cincinnatus was consul in 431 and 428 and military tribune in 426, and either he or his brother Lucius held that office in 420; Quintus Quinctius Cincinnatus was military tribune in 415 and 405. The sole office holder in the Capitoline branch of the Quinctian family in this generation was Titus Quinctius T. f. L. n. Capitolinus Barba-tus, who was consul in 421 and military tribune in 405.

Valerii

The Valerian family first appears in Livy's history when Publius Valerius, "son of Volesus," was one of the men who witnessed the suicide of Lucretia and swore to avenge her death (1.58–9).²³ In the first year of the republic, Valerius was elected as suffect consul, replacing Tarquinius Collatinus (2.2); he also held the consulship in 508, 507, 506, and 504.²⁴ In 509, after celebrating a triumph for a victory over Etruscans who were trying to restore the Tarquins to Rome, Valerius was accused of aiming at kingship for himself, because he was building a house on top of the Velian hill. In a spirited speech, he reassured the people and carried two laws favoring the people, the first of which granted the right of appeal to the people. He was, therefore, given the *cognomen* Publicola or Poplicola, "the People's Friend" (2.8), thus beginning a tradition that manifests itself in later generations of the Valerian family.²⁵

Publicola's brother Marcus Valerius (Volusus) was consul in 505; he was killed at the battle of Lake Regillus (2.20). A tradition that Manius, the son of this Marcus, was dictator in 501 is rejected by Livy who remarks that if a dictator were to be chosen from the Valerian family, Manius' father (the con-

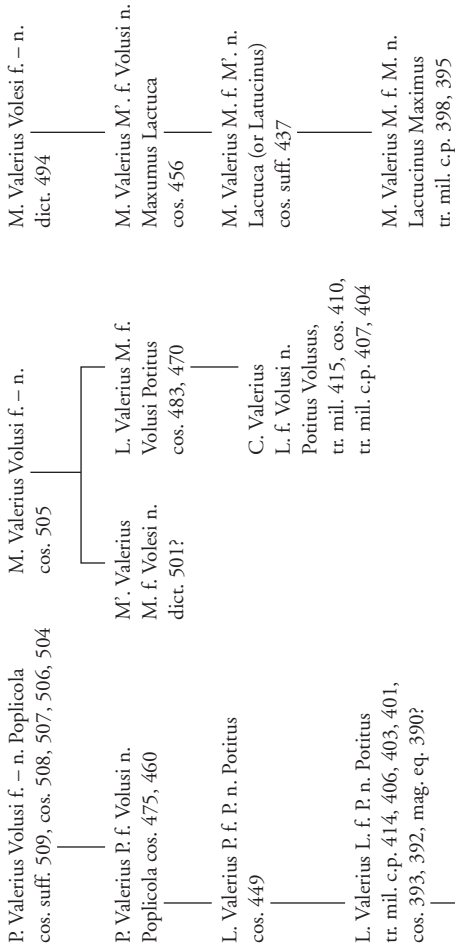
23. The name appears as *Volesus* in Livy (1.58, 2.30), and as *Volusus* in the *Fasti*.

24. On the question of Poplicola's consulship in 506, see Ogilvie 1965: 270–1, and Broughton 1986(1): 6, n. 1.

25. Most notably L. Valerius Potitus, cos. 449, and M. Valerius M. f. M. n. Corvus, cos. 348, 346, 343; dict. 342; cos. 335; cens. 307; dict. 302; cos. 300; and cos. suff. 299.

STEMMA

Volusus/Volesus



sul of 505) would more likely have been chosen (2.18). A third brother, Manius Valerius, was dictator in 494 without having held a previous magistracy.²⁶ A son of the consul of 505, Lucius Valerius M. f. Volusi n. Potitus, held the consulship in 483 and 470; his son, Gaius L. f. Volusi n., was military tribune with consular power in 415, 407, and 404 and consul in 410.

Marcus Valerius Maxumus Latuca, a son of Manius Valerius (dict. 494), was consul in 456, and his son Marcus Valerius Latuca (or Latucinus) Maximus was suffect consul in 437.²⁷ The latter's son, Marcus Valerius Latucinus Maximus, was military tribune with consular power in 398 and 395.

Publius Valerius P. f. Volusi n. Poplicola, the son of the first holder of that *cognomen*, was consul in 475 and 460. In his second consulship, he rallied the people who, at the instigation of the tribunes, were refusing to take up arms against Herdonius, the Sabine who had seized the Capitol. He marshaled the troops but was killed in the fight to recover the Capitol (3.17–8). His son, Lucius Valerius P. f. P. n. Potitus, was consul in 449. With Marcus Horatius Barbatus, he opposed the extension of the decemvirs' powers into a third year (3.39–41). After unifying the patricians and plebeians, the two men were elected to the consulship and carried the Valerio-Horatian laws regarding plebiscites, the right of appeal, and tribunician sacrosanctity (3.55).²⁸ Thus, for three generations the Valerii Publicolae upheld the interests of the people. But, as with many of the family traditions that we have briefly surveyed, scholars continue to discuss their authenticity.²⁹

26. See 2.18; see also Broughton 1986(1): 14.

27. See Broughton 1986(1): 58–9 with n. 1.

28. For full sources, see Broughton 1986(1): 47.

29. See Broughton 1986(1): 49, n.1, where doubts are expressed about the authenticity of the laws of 449. Cornell (1995: 276–8) argues in favor of their authenticity, particularly that of the law granting legal validity to plebiscites.

Appendix 2

Livy's Attitude Toward Augustus

Two references to Livy by Suetonius and Tacitus have led many modern scholars to believe that Livy had close personal ties with the court of Augustus, ties that were not broken even after Livy eulogized Pompey in his account (now lost) of the civil war.¹ But this “myth” has been largely dispelled by Badian’s examination of these two brief references by later authors and by a close reading of Livy’s own references to Augustus (4.20) in the digression on the office held by Aulus Cornelius Cossus when he won the spoils of honor (*spolia opima*).²

The biographer Suetonius’ statement that the emperor Claudius “began to write history as a young man (*adulescens*) with the encouragement of Titus Livius and the direct assistance of Sulpicius Flavius” (*Claudius* 10) merely indicates that Livy was consulted about the writing of history as an activity suitable for a youth whose physical problems made him unfit for a career in the military or in public life, not that he became a regular adviser or tutor to the young Claudius. A speaker in Tacitus (*Annals* 4.34) remarks that the “friendship” (*amicitia*) between Livy and Augustus was not affected by the fact that Livy had extolled Pompey with such praises that Augustus called him Pompeianus (“the Pompeian” or “Pompey’s man”), an incident that is probably related to Livy’s treatment of the civil wars between Julius Caesar and Pompey in the lost books of his history (Books 109–112). The word *amicitia*, however, should not be pressed, especially in the context of a speech attributed by Tacitus to a defendant whose basic argument is that Augustus’ *amicitia* toward Livy did not turn to the kind of hostility (*inimicitia*) that he, the defendant, was experiencing for having praised Brutus and Cassius, two of Caesar’s assassins. *Amicitia* does not necessarily imply a close personal tie; nor does it indicate that Livy was an insider at Augustus’ court.

Both incidents—Livy’s “encouragement” of Claudius and Augustus’ nicknaming of Livy—date to the last years of Augustus’ reign. Calculating from

1. Tacitus, *Annals* 4.34, and Suetonius, *Claudius* 10. For a summary of modern scholars’ different interpretations of Livy’s attitude toward Augustus, see Kraus 1994: 6–7 with bibliography.

2. Much of what follows derives from Badian 1993: 11–6.

the date of Claudius' birth in 10 BCE, Livy's connection with Claudius began somewhere between 6 CE, when Claudius became an *adulescens*, and Augustus' death in 14 CE. Thus Livy's interaction with Claudius cannot be cited as evidence for Livy's attitude toward Augustus while Livy was writing the first five books of his history.³ Though the precise date of the composition of Livy's account of the civil wars between Caesar and Pompey is more difficult to determine, it can be argued that Book 112 was published in 8 or 9 CE.⁴ It is possible, then, that Augustus' remark was made around the same time that Livy was called upon to give advice about a suitable activity for the unpromising Claudius.

In calling Livy Pompeianus, Augustus was giving him the additional name (*cognomen*), commonly assumed by many Romans when they achieved prominence (as in the case of Scipio Africanus). By the time that Livy had completed his account of the civil wars between Caesar and Pompey, Augustus was secure in his position of *princeps* and could afford to be magnanimous toward the now-established author of Rome's history—even if the latter's partisanship for Pompey seemed excessive. However, since the context of Livy's eulogy is no longer extant, the assumption of excess may be unwarranted. The emperor's witticism could merely indicate a bemused tolerance of the historian.

A more reliable source for Livy's attitude toward Augustus is Livy himself, in his own words. A close reading of several references and possible allusions to contemporary events in the Preface and Books 1 through 5 indicate that Livy's sympathies did not lie with the new *princeps*, nor with Augustus' late adoptive father, Julius Caesar. The pessimistic statements in the Preface (4, 5, 9) about the "might of a most powerful people [that] has long been destroying itself," "the evils that our age has seen," and the "disintegration of morals," and the cry that "we can tolerate neither our own vices nor their remedies" are hardly the words of a writer who felt sanguine about the political situation in the years in which he was writing.

The most significant evidence for Livy's attitude toward Augustus is the famous digression on the question of whether Aulus Cornelius Cossus won the spoils of honor (*spolia opima*) as military tribune in 437 BCE or as consul in 428 BCE (4.20). It has long been agreed that the latter and major part of this chapter is a later addition to the text.⁵ Different sections of 4.20 have

3. On the problem of when the first five books were begun and completed, see Badian 1993: 17–9; Oakley 1997: 109–10; and Introduction, pp. viii–x.

4. Badian 1993: 23–5, based on the heading of *Periocha* 121 (a summary of this lost book) that this book "is said to have been published after Augustus' death."

5. See Luce (1965: 212–7), who also discusses Livy's motives for this addition and the various interpretations of the passage.

been variously cited to support the hypothesis that Livy had a personal connection or tie (*amicitia*) with Augustus during the time he was writing the first five books of his history. Analysis of the entire passage together with two subsequent references to Cossus at 4.32, however, suggests that this was not the case. The digression is a carefully crafted attempt to discredit the newly styled Caesar Augustus, as Livy challenges the reader “to decide for himself where the error in this matter lies.” A close reading indicates that Livy merely stated that he had *heard* that Augustus had read an inscription denoting Cossus as consul, not that he had been present when Augustus viewed the inscription or spoke about the matter, as many scholars have assumed.

At the outset of the digression, Livy unequivocally declares, “Following all previous writers, I have stated that Aulus Cornelius Cossus was a tribune of the soldiers when he brought the second spoils of honor to the temple of Jupiter Feretrius.” Later, however, after noting that the title inscribed on the spoils names Cossus as consul, Livy retracts his original position, with the disingenuous declaration that this title proves both himself and previous writers wrong. But he had earlier defined the *spolia opima* as “those that one commander has stripped from another commander,” with the additional remark that “we know that the only commander is the one under whose auspices the war is waged.” The key to the puzzle lies in the irony inherent in “we know” and the reference to auspices and inferences from reports by the historian Dio that in 29 BCE Marcus Licinius Crassus was denied the *spolia opima* because he was not the supreme commander.⁶ In 437 BCE, Cossus was a tribune of the soldiers, a junior military officer subordinate to the dictator under whose auspices he was fighting, a situation that would have provided a precedent for the granting of the spoils to Crassus.⁷ The inference to be drawn from Dio’s testimony is that it was in Augustus’ interests to show that Cossus won the *spolia opima* not as a mere tribune of the soldiers but as a consul holding the auspices.⁸

Veiled criticism of Augustus becomes more apparent in the reference to “Augustus Caesar, the founder and restorer of all temples” and Livy’s avowal that he thought it would be “almost sacrilegious to rob Cossus of Caesar, the

6. Dio 51.24–5.

7. The record of Cossus’ career is as follows: in 437 BCE he was a tribune of the soldiers (also referred to as “military tribune,” a junior military officer); in 428 BCE, he held the consulship; in 426 BCE, he was one of four military tribunes with consular power and was also appointed as master of the horse. As master of the horse, he is prominent in a battle at Fidenae (4.33). He is also mentioned as *pontifex maximus* in 431 BCE (4.27).

8. *holding the auspices*: state or public auspices were administered by the magistrates and were taken before any civil or military action. Consuls or a dictator “held the auspices” for the duration of their office.

restorer of that very temple, as the witness,” a remark that is surely tongue in cheek. The digression concludes with a final challenge to the reader: “You may subject the matter to every opinion, but Cossus, who fought the battle, when he placed his newly won spoils in the sacred place [the temple of Jupiter Feretrius], was looking almost at Jupiter himself . . . and at Romulus—witnesses not to be despised where a false title is concerned. And Cossus wrote that he was consul” (4.20). Though an unwary reader might just be deceived into believing that Cossus was consul, any doubt about Augustus’ credibility on this question is dispelled by the precision of a later pronouncement in the context of the year 426 BCE: “Aulus Cornelius, the master of the horse, would prove himself the same man in battle as he had been in the earlier war when, as tribune of the soldiers, he had carried the *spolia opima* to the temple of Jupiter Feretrius, after killing Lars Tolumnius, the king of Veii” (4.32). Further corroboration comes at the end of that section, as Livy writes of the dictator bidding Cossus to be “mindful of his battle with the king and mindful of his glorious offering, of Romulus and Jupiter Feretrius” (4.32). The overall implication is that Augustus promoted a forgery that was placed in his newly restored temple of Jupiter Feretrius, perpetrating a lie about the office held by Cossus when Cossus won the *spolia opima*.

The problem of Livy’s attitude toward Augustus has been subjected to many opinions over the years, baffling his readers and giving rise to several misconceptions and distortions. Livy himself would probably have appreciated and even enjoyed the controversies; so too, perhaps, would Augustus.

Appendix 3

Roman Religion in Livy's First Pentad

As I write of antiquity, my own mind becomes in some way or other old-fashioned, and an awareness of our obligation to the gods (religio) keeps me from regarding as unworthy to be reported in my annals those matters that the wisest men of former times decided required action by the state.

—Livy 43.13

With this statement Livy expresses his respect for the traditions and practices of Roman religion. The key word in this authorial comment is *religio*, a word that Cicero, in noting the Romans' superiority in this matter, had earlier defined as *cultus deorum*, "the worship of the gods."¹ *The Oxford Latin Dictionary* (1982) defines *religio* as a "sense of the presence of supernatural power, religious fear, awe" or "religious feeling," and thus a sense or awareness of obligation to the gods and, in a few instances, "religion" in the more general sense.² For Livy an awareness of Rome's obligation to the gods is an essential part of Rome's history. Throughout the early books of his history, Livy weaves traditional stories of Roman religion into his narrative as object lessons for both the state and the individual to imitate or avoid.³ These stories together with reports of portents, prodigies, and their expiation, when read sequentially, provide a cumulative basis for understanding subsequent religious episodes.⁴

1. Cicero, *On the nature of the gods* 2.8. The noun *cultus* is connected with the verb *colere*, which means "to till, cultivate, tend, care for, honor, revere," and thus to worship.

2. Of the forty-nine occurrences of *religio* and *religiosus* in Books 1 through 5, eight are in Book 1, six in Book 2, four in Book 3, five in Book 4, and twenty-six in Book 5; see Packard 1968: 333–5.

3. *object lesson*: see Pref. 10 with nn. 10–4: "From this [object lesson] you should choose for yourself and for your state what to imitate and what to avoid as abominable in its origin or as abominable in its outcome."

4. *portents and prodigies*: unusual phenomena or signs that were thought have been sent by the gods to indicate their anger. In contrast to "portent," the term "prodigy" strictly applies to a sign that has been accepted by the state as an indication of the gods' anger.

Livy first uses the noun *religio* when he introduces King Numa, remarking that “Numa Pompilius was famed for his justice and his sense of obligation [or duty] to the gods” (1.18). After his ritual inauguration and the closing of the temple of Janus, Numa’s priority was to instill in his people a fear of the gods (1.19), an aspect of *religio* that extends beyond the more usual translation of *religio* at the beginning of 1.18 as “piety.”⁵ Included among Numa’s religious measures are the appointment of priests and the priestesses of Vesta. The duties of the pontiff are listed, including those concerning the neglect of ancestral rites and the adoption of foreign rituals, instructions for rituals, funeral observances, and the recognition of prodigies. Livy concludes that “consideration and attention to these matters turned the thoughts of the entire people away from violence and arms. . . . [A]nd, since the heavenly powers seemed to have an interest in human affairs, the people’s constant preoccupation with the gods had imbued the hearts of all with such devotion that the state was governed by regard for good faith and oaths” (1.21).⁶

Livy’s account of Numa’s reign underscores two basic premises of traditional Roman religion: the existence of the gods and their interest in human affairs. There was, however, no guarantee of divine goodwill. The gods were capricious, sending both good and ill. In *Little Carthaginian*, a comedy by Plautus (254–184 BCE), a character prays, “Jupiter, who cherishes and nurtures the human race, through whom we live the span of our lives, in whose control are all men’s hopes of life, grant that this day may be free of harm” (1187–8). The relationship between gods and men required constant maintenance by means of regular prayer and sacrifice in the hope of ensuring the gods’ favor or goodwill (*pax deorum*) and avoiding their anger (*ira*). The hope was that the gods would respond favorably.

Traditional Roman religion was essentially pragmatic, a contractual relationship based on the so-called principle of “I give with the expectation that you will give.” When making a request of a god, the worshiper offered a gift according to his means. In Plautus’ *Merchant*, a woman places a laurel branch on an altar and prays, “Apollo, I pray that in your benevolence, you bestow favor, good health, and good sense on our family; in your benevolence may you also spare my son” (678–9). At more formal ceremonies, such as a particular festival, animals were offered as a sacrifice. The promise or vow of a

5. E.g., Foster’s Loeb (p. 63) and Luce (1998: 23) both translate as “piety.”

6. *devotion*: here the Latin word *pietas* contrasts with *religio* at 1.18, exemplifying the distinction between Livy’s usage of these two words. Excluding the reference to the temple of Piety at Livy 40.34, there are twenty-one instances of *pietas* and nine of the adjective *pious* in the extant books. Seven of these thirty instances are in Books 1 through 5.

further gift might also be made, usually on the condition that this vow would only be fulfilled after the prayer was answered. Prayers, vows, promises of gifts, the giving of thanks, and regular and extraordinary sacrifices were the means of seeking divine favor. But if a particular religious ceremony or sacrifice was flawed or less than perfect, or if the gods' response was found to be negative, the entire ritual had to be performed anew until a favorable response was received.

The gods were thought to communicate their will, favorable or unfavorable, by sending signs or messages. These signs were interpreted by experts in divination. The different kinds of divination and its importance to the state are articulated in Cicero's question: "What people or state is not influenced by the pronouncements of interpreters of sacrificial entrails, prodigies, and lightning, those of augurs or astrologers, or of lots, . . . or the forewarning of dreams or of prophecy?" (*On divination* 1.12). Divination was regularly employed whenever a sacrifice was made in order to ascertain its acceptability to the gods. Thus prayer and sacrifice, together with divination, were the essence of the worship of the gods. The assumption was that the gods would protect an individual or the state if their worship was properly maintained. The guidelines for maintaining that worship were provided by the precepts traditionally attributed to Numa. Livy's summary of these institutions is the key to understanding many of the traditional Roman religious practices to which Livy alludes, often elliptically, in his narrative.

Numa, however, was not the first king to concern himself with religious matters. When founding Rome, Romulus used augury and took auspices (1.6), a precedent Numa followed (1.18).⁷ Throughout the extant books of Livy's history, the taking of auspices and the recognition of prodigies are a prominent feature of his reporting of religious events. Linderski defines the distinction between these two signs: "The auspices referred to concrete actions conducted on behalf of the state by its official representatives; the prodigies pertained to the general state of the republic. Through auspices the gods expressed their wishes and gave advice; through prodigies they sent warnings and expressed their displeasure."⁸ A prodigy signified that the *pax deorum*, the favor of the gods, had been broken or was likely to be broken; failure to appease the gods' anger would result in dire consequences. In such a situation, the religious authorities would discuss the best means of appeasing the gods' anger and thus expiating the prodigy: usually they prescribed

7. *augury*: a sign sent by the gods, indicating their approval of a proposed course of action.
auspices: a form of divination, frequently by the observation of birds.

8. Linderski 1993: 56 = 1995: 611.

a special religious ceremony. Livy's reports of the process of dealing with a prodigy, however, are generally elliptical. Nowhere does he give a complete account of this process; rather, he assumes that readers have at least some familiarity with the procedures, thus challenging them to interpret the significance of a particular prodigy.⁹

The story of the death of King Tullus Hostilius (1.31) illustrates the importance of correctly interpreting such signs and strictly observing the precepts attributed to Numa. In addition to a prodigy of a rain of stones that occurred on the Alban Mount, a voice was heard ordering the Albans to sacrifice according to the rites of their ancestors. It was assumed that the Albans had either adopted Roman rituals or abandoned the worship of their ancestral gods now that they had been forcibly moved to Rome after Tullus' destruction of Alba Longa. A public sacrifice was held over a nine-day period, but this apparently did not appease the gods, since a plague broke out in Rome. The king himself fell ill, suddenly becoming "a slave to every superstition." People looked back to the days of Numa, believing that "the only help for their sick bodies was to seek favor and pardon from the gods."¹⁰ The king, however, resorted to occult practices that he allegedly found in the commentaries of Numa. As Livy reports, "Not only was Tullus denied a divine manifestation, but his perversion of religion provoked the anger of Jupiter." The king was killed by a thunderbolt because "the ritual was incorrect, either in the undertaking or in the performance" (1.31). To avoid a similar error, Ancus Marcius, the next king, had a written copy of Numa's commentaries displayed in public (1.32).

The story of King Tarquinius Priscus and the augur Attus Navius illustrates the importance of augury and the taking of auspices on behalf of the state. Tarquin failed to take the auspices before increasing the number of Roman cavalry. When the augur warned Tarquin of his omission, the king challenged him to perform a seemingly impossible task—to cut a grindstone in two with a razor. Without hesitation, the augur split the grindstone. Thereafter, Livy notes, "nothing was done, either at home or in the field, unless auspices had been taken, whether it be assemblies of the people, mustering of armies, or the most vital affairs—all were postponed if the birds did not give their consent" (1.36).

9. See Linderski 1993: 58–9 = 1995: 613–4 for a reconstruction of the six stages of dealing with a prophecy.

10. This is one of five specific references to the *pax deorum* in Books 1 through 5; see 3.5, 3.7, 3.8, 4.30.

The last king of Rome, Tarquinius Superbus, failed to interpret a portent correctly, a mistake that resulted in the end of the monarchy. When a snake (the sign of an imminent death) glided out from a wooden column, the king thought that it was a portent pertaining to his own household. And so he sent his sons and his nephew to get advice from the Delphic oracle in Greece. Livy's apparently irrelevant comment that only Etruscan seers were employed for public or state prodigies not only hints at an error on Tarquin's part (1.56), but it also underscores the difference between a portent and a prodigy.¹¹ Only later in the narrative does it become clear that the king had failed to realize that the snake apparition was not a portent, but rather a prodigy that required official action by him in his capacity as king of Rome. Not long after, the rape of the Roman matron Lucretia by one of Tarquin's sons led to the overthrow of the Tarquin dynasty and the appointment of two consuls in place of a king.

In Book 2, divine anger caused by flawed ritual and a failure to acknowledge one's duty to the gods are part of the object lesson in the story of Titus Latinus, who was warned by Jupiter in a dream that he should report to the magistrates that the gods were displeased because of an incident at the beginning of the Great Games (2.36). The games had proceeded, "as if this incident had in no way affected the sanctity (*religio*) of the celebration." Later, however, Jupiter again appeared to Latinus in a dream. But he, a man whose "mind was not unaffected by a sense of obligation to the gods," was afraid to approach the magistrates, hesitating even after the death of his son. It was only when he himself became violently ill that "at last, the anger of the gods got through to him." Then he reported his dream to the consuls and senate, whereupon "once he had discharged his duty to the god," his paralyzed limbs miraculously recovered (2.36).

In the last three books of the pentad, Livy's accounts of religious matters are somewhat different; there is more specific technical language, thus suggesting that this material derives from annalistic records.¹² Among the portents of 464 BCE, the sky was reported to have blazed with fire. In response, a three-day religious holiday was held during which people begged for the gods' favor (3.5). This attempt to restore divine favor was apparently unsuccessful, since in the following year "the sudden anger of the gods was causing the city of Rome to be devastated by disease." One of the consuls,

11. On this distinction, see n. 4.

12. On this change, see Ogilvie, p. 403.

annalistic records: see Introduction, pp. xii–xv.

many of the leading citizens, and men of military age died, and so the senate ordered another period of prayer to appease the gods' anger and stop the plague (3.6–7). Two years later, there was another report of the sky blazing with fire. In addition, there was a huge earthquake, a cow was believed to have spoken, and there was a rain of flesh. A prophecy from the Sibylline books warned that the highest places of the city might be attacked and bloodshed ensue.¹³ There was also "a warning to refrain from political strife" (3.10).¹⁴ Livy does not mention any attempt to respond to the prophetic advice. Only later, when he narrates the unexpected seizure of the Capitoline by the Sabine Appius Herdonius and the consul Valerius' death in the struggle to recover the citadel does the reader realize that the Sibylline prophecy has been fulfilled. After the Roman victory, the Capitol was cleansed and purified to expiate the sacrilege and bloodshed (3.15–18). Three years later, however, there was another purification of the Capitol after wolves pursued by dogs were seen there (3.29), a prodigy that evidently recalled the Sabine attack of 461 BCE.

When plague, alarming signs, prodigies, and frequent earthquakes were reported in 436 BCE, the people made a supplication on the direction of the board of two (4.21). On this occasion, Livy makes no mention of any consultation of prophetic books.¹⁵ The books were, however, consulted in 433 BCE. After mentioning the prevalence of a plague, Livy notes that a temple was vowed to Apollo for the people's health. He then reports that "on the advice of the books, the board of two did many things to placate the anger of the gods and ward off the plague" (4.25). It is generally agreed that the Sibylline books were consulted, but whether they also advised the vow of a temple to Apollo the Healer is questionable, as Orlin has recently observed.¹⁶ That Apollo was already worshiped in Rome is indicated by a reference to a meeting of the senate in a shrine of Apollo in 449 BCE (3.63). This shrine was in the Campus Martius, outside the *pomerium*, since Apollo was originally a Greek god. The temple was dedicated, probably on the site

13. The Sibylline books were consulted on the advice of the senate when political strife gripped the city, when a great calamity had occurred in war, or when some important prodigies and portents had appeared that were difficult to interpret (Dionysius of Halicarnassus, *Antiquities* 4.62). Two of the three conditions described by Dionysius fit Livy's description of this incident.

14. See 3.9–10, 3.14–5, and 3.31 on the proposal of the plebeian tribune Terentilius to have written laws that would limit consular power.

15. Orlin 1997: 203 assumes that the Sibylline books were consulted.

16. Orlin 1997: 98.

of the shrine, in 431 BCE (4.29). A few years later, there is further evidence of the infiltration of non-Roman deities. Livy reports an outbreak of “various kinds of religious practice” that were “mostly foreign.” The impropriety of such public activities eventually came to the notice of the leaders of the state (4.30). They ordered “that none but Roman gods be worshiped and that they be worshiped only in the ancestral way” (4.30), thus following the precepts of Numa, the man of justice and *religio*.

A Greek ritual, however, was adopted at a time of plague in 399 BCE when the Romans were at war with Veii; the Sibylline books advised that a *lectisternium* should be celebrated (5.13). At this ceremony the gods’ statues were placed on couches in front of the temples so that the gods could share in the ceremonies. Among the gods who were honored was the relative newcomer Apollo; the rest—Diana, Hercules, Mercury, Neptune, and Latona (the mother of Apollo and Diana)—had Greek counterparts. Notwithstanding this attempt to win the gods’ favor, another portent caused concern in the following year: the waters in the Alban lake rose to an unprecedented height, “without any rains or other cause to make it less than a miracle” (5.15). Envoys were sent to Greece to consult the oracle of Apollo at Delphi. Meanwhile an elderly Veientine man prophesied that the Romans would not capture the city of Veii until the waters of the Alban lake had been drained. This man was kidnapped and brought before the senate to repeat the prophecy (5.15). When the Delphic oracle’s reply was found to correspond with the Veientine prophecy, the Romans drained the excess waters of the lake (5.16–7). The Delphic oracle also warned the Romans to renew the ancestral rites that had been neglected. The reason for the gods’ displeasure was that there had been a religious flaw in the election of the military tribunes for 397 BCE, and, because these officials had participated in religious ceremonies on the Alban Mount, they had to resign and the auspices be taken anew (5.17–8). The unflawed and correct performance of ritual by Roman officials was essential to Rome’s success.

Veii was finally captured in 396 BCE. In describing the campaign of the dictator Camillus, Livy emphasizes the Roman commander’s attention to religious matters. Before beginning the final attack, Camillus took the auspices, invoking Apollo as his leader and vowing to him a tenth of the spoils, which were later used to make a golden bowl that was sent to Delphi as the gift demanded by Apollo in return for his advice. In addition, Camillus summoned Juno to desert Veii and come to Rome, where a new temple would be built for her (5.21). After the capture of Veii, Juno’s statue, which symbolized the goddess’ protection of that city, was transported to Rome with due ceremony and installed on the Aventine hill, where Camillus later dedicated a temple

to her (5.21–2). Camillus was scrupulous in ensuring that his vow to dedicate a tenth of the spoils was correctly fulfilled, insisting that the movable and unmovable possessions of the Veientes were included in his vow (5.25).

A few years later, however, when Camillus had been exiled, the Romans incurred the gods' anger when three envoys from the Fabian family joined with the Etruscans in fighting the Gauls, thus breaking the law of nations. Then, after one of the envoys killed the Gallic leader, the Romans refused to surrender the Fabii and even elected them as military tribunes for 390 BCE (5.36). Thereupon the Gauls advanced toward Rome, inflicting a terrible defeat on the Romans in a battle near the Allia river. Before this battle, as Livy notes, the Romans did not "take the auspices or obtain favorable omens" (5.38). Later, however, when the Romans realized that they had no hope of defending the city with such a small force, the men of military age and the able-bodied senators withdrew to the Capitol and citadel to "defend gods, men, and the Roman name." The state's sacred objects were removed from the temple of Vesta and taken to Caere because her cult was not to be abandoned "until no one survived to tend it." (5.39–40). So vital to Rome's survival were these sacred objects that Aeneas was said to have brought from Troy.

After Camillus' dramatic (and probably fictitious) return from exile and his rescue of Rome from the Gauls, Livy reintroduces him as "a man who was most diligent in his attention to religious obligations." First Camillus attended to the restoration of all the shrines, the establishing of boundaries, and purification rites to expiate the Gallic occupation of the city (5.50). Then, in a magnificent speech that marks the culmination of Livy's emphasis on Rome's obligation to the gods (*religio*),¹⁷ Camillus opposed a proposal to abandon Rome and move to Veii, pointing out that everything turned out well when the Romans obeyed the gods but badly when the Romans disregarded them. As proof of this, he cites the Romans' lack of success at Veii before they took the advice of the gods and drained water from the Alban lake. He reminds them that they had ignored the Speaking Voice that warned them of the Gauls' approach and had then supported the Fabii who had broken the law of nations. Consequently the Romans had "paid such a great penalty both to gods and men that [they were] an object lesson to all the world." But, by defending the Capitol and sending the sacred objects to Caere, the Romans had maintained the gods' worship. The gods, therefore, had restored the homeland, victory, and the long-standing renown for warfare that the Romans had lost (5.51).

17. Of the twenty-six instances of *religio* in Book 5, seven are in Camillus' speech and two preface it.

Camillus emphasizes the enormity of moving everything connected with the gods' worship away from Rome, "a city that was founded with due observance of auspices and augury," where "there is no place that is not filled with a sense of religion and gods" (5.52). He asks whether the Romans intend to abandon all their gods, both state and private, telling them to compare such an action with that of Gaius Fabius Dorsuo who, regardless of the presence of the Gauls, had come down from the Capitol to perform the annual family ritual (5.46). Camillus not only illustrates the need to maintain the gods' worship; he also implies that Dorsuo's performance of this family ritual had expiated the sacrilege of the Fabian envoys and the Romans' failure to censure them. Recalling the recent transfer of Juno from Veii to Rome, and the promise to build a shrine to the Speaking Voice, he asks why they had done these things if they intended to leave for Veii. He enumerates the ancestral cults that were inseparable from Rome, most notably that of Vesta. In this way, Livy uses Camillus to articulate the basic principles and features of Roman religion, remarking that Camillus' appeals to *religio* were said to have been especially effective in persuading the people not to abandon Rome (5.55).

The question of whether to move to Veii was finally resolved by an opportune order interpreted by the senate as an omen bidding the Romans to remain in Rome. Livy tells how a centurion, who was leading troops through the Roman forum, stopped in the Comitium and ordered the standard-bearer to plant his standard, declaring "it will be best for us to stay here" (5.55). The Comitium was not only the meeting place of the people; it was also a sacred area where excavations have uncovered a structure that was apparently a cult site commemorating Romulus and his foundation of Rome.¹⁸ Thus, the omen signified that Rome's original founder sanctioned the rebuilding of the city.

As these examples indicate, Livy's narrative history is designed to be read sequentially. The obscurity of his reporting of prodigies, their recognition, and interpretation is probably deliberate. He intends his readers to work their way through the reports of showers of stones, the snake in the palace, plagues, and dreams, just as Tullus Hostilius, Tarquinius Superbus, and the state authorities in the early republic would have puzzled over how to deal with these unusual phenomena. Many scholars, however, have taken a negative view of Livy's reporting of religious matters, an attitude that is partly connected with their skepticism of the annalistic sources. Levene treats Livy's reports of religious events from a literary point of view, regarding them as an

18. Grandazzi 207; see 5.55, n. 125.

embellishment that underscores the theme of Roman “piety”—a term that he uses in the general modern sense without reference to the occurrences of *religio* or *pietas* in Livy’s narrative.¹⁹ Beard, North, and Price are more open-minded: “It certainly remains possible that Livy incorporated material from ancient records relatively unchanged, even if, as Levene proves, the *placing* in his account is manipulated.”²⁰ Linderski, however, considers that “the solid rock of Livy’s presentation of Roman religion is the priestly tradition as transmitted or invented by the annalists and antiquarians.”²¹

The debate over Roman religion in Livy’s history will undoubtedly continue. Given his various authorial remarks, Livy himself would probably have appreciated the discussion, for the precision we have observed in Livy’s narrative shows that he was no mean student of traditional Roman religion and its technicalities. In Books 1 through 5, Livy the storyteller reminds his Roman readers of the basic principles of Roman religion, while also helping those less familiar with Roman religious practices to interpret his subsequent accounts of religious events. The recurrence of the noun *religio* underscores the importance of the precepts of Numa and maintaining the *pax deorum*. With ample justification Livy declared that his own awareness of Rome’s obligation to the gods kept him from regarding as unworthy to be reported in his annals those matters that the wisest men of former times required action by the state (43.13).

19. Levene’s book was published in the same year (1993) as the original publication of Linderski’s “Roman Religion in Livy.” In the Addenda and Corrigenda to the reprint of his paper (1995: 679), Linderski remarks that Levene’s work is “mostly a literary study with little interest in the technical aspects of Roman religion.” For more favorable comments on Levene’s work, see Davies 2004: 21–9.

20. Beard 1998: vol. 1.38, n. 111.

21. Linderski 1993: 54 = 1995: 609.

Glossary

aedile: a junior magistrate, elected annually. Originally the office was religious and was held by a plebeian who was charged with oversight of the temple of Ceres.

Apollo: a god, originally Greek, son of Zeus and Leto (Roman Latona).

as: the *as* was a low-value Roman coin, originally a unit of weight; one *as* was the equivalent of a pound of bronze.

augur: a state official or priest who was a specialist in divination. An augur held office for life and was a member of the augural college.

augury: a form of divination used by augurs to ascertain whether a proposed course of state action had divine approval; also applied to a sign considered to have been sent by the gods, indicating their approval of a proposed course of action.

auspices: Latin *auspicia*, literally “the observation of birds,” but also more widely applied to other types of divination. The gods were thought to signify their wishes and give advice by means of auspices. Auspices were taken by a magistrate before any civil or military action was initiated. Originally only patricians held the right to take state or public auspices, a factor that was critical in the struggle of the orders.

Aventine: one of the seven hills of Rome.

ax: part of the insignia of the kings, consuls, and dictator, symbolizing their power to execute wrongdoers. An ax surmounted the bundle of rods (*fascēs*) that a lictor carried before these magistrates. Consuls had to remove the ax from the *fascēs* when they were in the city, symbolizing the citizens’ right of appeal against the decision of a magistrate. This was not the case with the dictator, against whom there was no right of appeal.

board of two: see *duumvirs*.

censors: two elected officials, first appointed in 443 BCE, to conduct the census. They reviewed the citizen rolls to ensure that the ranks or classes were correctly assessed according to people’s wealth, and removed or demoted anyone deemed guilty of reprehensible conduct. Such people, whose names were “marked,” were disqualified from voting, though they still had to pay taxes. The censors let out state contracts for the building or repair of temples and for the collection of taxes. In 434 BCE, a term limit of eighteen months was imposed on the censorship.

census: the official list of Roman citizens (not the entire population), used for voting, taxation, and recruitment of troops. After 443 BCE, the census was held every five years; previously it was held at irregular intervals.

centuries: originally a century was a military unit consisting, theoretically, of exactly one hundred men. In practice, however, the size of the centuries varied. The Roman citizen body was divided into 193 centuries that served as voting units in the *Comitia Centuriata*. The vote of each century carried equal weight, but the centuries were organized into five classes in such a way that the first two classes constituted a majority of the votes.

centurion: a low-ranking army officer responsible for the day-to-day functioning of a Roman legion.

Ceres: ancient Italic goddess of crops, usually identified with Greek Demeter.

client: a free man who entrusted himself to a patron, an individual of higher standing and means. In return the clients received the protection of that patron. Clients were expected to support their patron, in both the patron's political and private life. Clientship was a hereditary social status that was recognized but not defined or enforced by law.

cognomen: the third and last component of the typical Roman name, a surname or nickname. A cognomen could be acquired (like *Capitolinus*) or inherited (like *Caesar* or *Cicero*).

Comitia Centuriata: the Centuriate Assembly consisting of all Roman male citizens registered in the census. Originally formed as a military organization that was attributed to King Servius Tullius, it was also used for voting purposes. It was organized on a basis of wealth, with the 193 voting units, or centuries, grouped into five classes. This assembly enacted laws, elected consuls (and later praetors and censors), and ratified motions for war and peace.

Comitia Curiata: the Curiate Assembly, the oldest of the Roman assemblies, consisting of thirty *curiae* (wards). Its functions were gradually taken over by the *Comitia Centuriata*, but a curiate law remained necessary to ratify the appointment of magistrates elected by the *Comitia Centuriata*. The *Comitia Curiata* retained certain religious functions and was probably presided over by the *pontifex maximus*.

Comitium: originally a rectangular enclosure north of the forum, at the foot of the Capitoline hill, oriented to the four points of the compass, with the senate house to the north. It was a consecrated, inaugurated area where the people assembled when summoned by officials. The plural *comitia* can denote the citizen assembly itself or the actual election.

concilium: assembly or council, especially the *Concilium Plebis*, the Council of the Plebs.

consuls: the two chief magistrates of Rome during the republic. Consuls were elected annually to hold civic and military power (*imperium*).

conubium: marriage, the right to enter into a marriage recognized by Roman law.

curule chair: a chair inlaid with ivory, granted only to curule magistrates—censors, consuls, praetors, and curule aediles.

decemvir: literally “a member of a board of ten.” In 451 BCE, decemvirs with consular power to write laws (*decemviri consulari imperio legibus scribundis*) were appointed. They were followed by a second board, the Second Decemvirate. The term is also used later of the board of ten in charge of sacred rites (*decemviri sacris faciundis*); see *duumvirs*.

denarius: a Roman coin made of silver.

Diana: Italic goddess, often identified with Artemis, the sister of Apollo.

dictator: a magistrate who was appointed by the consuls, on the advice of the senate, at a time of emergency to hold office for a maximum of six months, or earlier if the problem was resolved, after which he was expected to resign from office. The power of a dictator overrode that of the consuls, and there was no right of appeal against his decisions. He appointed a second in command, the master of the horse.

divination: the search for signs or messages, both good and bad, believed to have been sent by the gods. These signs—auguries, auspices, portents, prodigies, dreams, and prophecies—were interpreted by augurs, seers, soothsayers (*haruspices*), or quindecimvirs.

duumvirs: a board of two men who were in charge of the performance of sacred rites. They also had sole charge of the Sibylline books of prophecies, but they could only access the books when the senate ordered them to do so. The board was later increased to ten (decemvirs), then to fifteen (quindecimvirs), and finally sixteen.

Esquiline: one of the seven hills of Rome.

expiation: an action intended to make amends or atonement for a perceived offense against the gods (e.g., after a prodigy).

fascēs: a bundle of rods, surmounted by an ax, part of the insignia of the king and later the consuls and dictator, symbolizing the right to flog or execute wrongdoers. This bundle was carried in procession by attendants (lictors) before the magistrates as a symbol of their authority. The consuls were obliged to remove the ax when they were in the city, symbolizing the people’s right to appeal the decision of a magistrate.

fasti: a calendar recording the dates of religious festivals and the days on which different kinds of business could be conducted. Also applied to a list of past holders of office, priests, or generals who had celebrated triumphs.

Fasti Consulares Capitolini: more generally known as the *Fasti Capitolini*, lists of the chief elected magistrates that were inscribed on an arch in the Roman forum in 18/17 BCE. These lists have only partially survived.

Fasti Triumphales: lists, partially preserved, of the men who celebrated military triumphs.

fetials: the fetial priests dealt with the making of treaties and declaration of war.

flamen: the priest of a particular god: Jupiter, Mars, or Quirinus.

freedman: a freed slave. Generally freed slaves became clients of their former owner and also received Roman citizenship.

gens: an extended family or clan linked by a common ancestor.

haruspex (pl. haruspices): see *soothsayers*.

intercessio: the right of a magistrate to halt or veto the action of an equal or lower-ranking magistrate. A plebeian tribune's power of veto extended to any magistrate and to the business of any session of the senate or an assembly. The power of veto could not be used against a dictator.

interregnum: literally "the time between kings," in which a new king was chosen; a period of five days in which the state was in the hands of an *interrex*, who would propose names for the people to ratify. If the names were rejected, the process was repeated by successive *interreges* until success was achieved. This practice was continued under the republic when both consuls had died or left office without successors.

interrex: originally the official responsible for organizing the election of a new king. Under the republic the *interrex* was a patrician who was chosen to conduct the election of new consuls during an *interregnum*.

iugera (sing. iugerum): a unit of land measure; one *iugerum* equals 0.625 of an acre.

ius: legal right or privilege.

iustitium: a suspension of all public business, declared by the senate at a time of emergency. All state business ceased and the law courts were closed.

Janus: god of doors and gates, openings and beginnings; generally represented as facing in two directions.

Juno: ancient Italic goddess, later identified with Greek goddess Hera.

Jupiter: preeminent Roman god often identified with Greek Zeus. Worshiped on the Capitoline hill as Jupiter Optimus Maximus (Best and Greatest), in a temple shared with Juno and Minerva.

lar: protecting deity or spirit of a household or family.

Laws of the Twelve Tables: a collection of statutes traditionally dated c. 450 BCE that were the foundation of Roman law.

lectisternium: a banquet that was held in honor of the gods, usually at a time of crisis, in order to restore their favor; the gods' statues were placed on couches in front of their temples.

lex: a statute passed by a citizen assembly, often known by the name(s) of its proposer (e.g., the Valerio-Horatian laws of 449 BCE).

lictors: attendants, first of the kings and then of the consuls and other senior magistrates.

lustrum: a ceremony held at the end of a censorship in which a pig, sheep, and bull were sacrificed.

Mars: originally an Italic god of vegetation, associated with war, and assimilated with Greek war-god Ares. He was the father of Romulus and Remus.

master of the horse: an official appointed by a dictator as his second in command.

Mercury: patron god of trade and commerce.

military tribunes: tribunes of the soldiers (*tribuni militares* or *militum*), who were junior military officers; also known as consular tribunes.

military tribunes with consular power: civic officials who were elected in place of two consuls by the *Comitia Centuriata* in several years during the period from 444 to 367 BCE.

nomen: the middle and second component of the typical three names of a Roman citizen, denoting an individual's family or clan.

oracle: a divine utterance, or prophecy, made by a god through a priest or priestess' response to an inquiry. The term is also used of the priest or priestess giving the response, or of the shrine where the oracle was located (e.g., the Delphic oracle). Oracular responses were generally obscure in their meaning.

ovation: a lesser distinction than a triumph, celebrated by a victorious general.

Palatine: one of the seven hills of Rome.

Palladium: A small statue of armed Athena, the protecting goddess of Troy. This statue is said to have been rescued by Aeneas and brought by him to Lavinium, from where it was eventually taken to Rome. The image was kept in the temple of Vesta, as a pledge of Rome's fate. When the Gauls attacked Rome, the statue was removed to Caere, along with other sacred objects.

patrician: member of the more privileged group of Roman citizens, as opposed to the plebs or plebeians. Patrician status was hereditary.

patron: see *client*.

pax deorum: the favor or goodwill of the gods (literally "peace," as opposed to *ira*, "anger"), on which Rome's well-being and success depended.

penates: household gods that protected the store cupboard and inner part of a private house. The penates of the state, said to have been brought from Troy by Aeneas, were kept in the temple of Vesta.

plebs: or *plebeians*, the less privileged group of Roman citizens, as opposed to the patricians.

pomerium: the sacred boundary of the city. The *pomerium* was the vital marker of the limit within which political or military authority (*imperium*) could or could not be exercised. Auspices had to be taken by holders of *imperium* before they crossed the *pomerium*.

pontifex maximus: the head of the pontifical college.

pontiff: Latin *pontifex*, official priest of the state who held office for life; he interpreted ritual matters and was a member of the pontifical college.

portent: a strange or unusual phenomenon or occurrence that was thought to have been sent by the gods as an indication that the favor of the gods (*pax deorum*) was in jeopardy.

praenomen: the first component of the typical three-part Roman name.

prodigy: a strange or unusual phenomenon that was considered to have been sent by the gods as an indication that the *pax deorum* had been broken or was about to be broken. As opposed to a portent, the term “prodigy” strictly applies to a phenomenon that had been accepted by the state authorities as a sign of the gods’ anger. Once a prodigy was acknowledged by the authorities, expiatory measures were recommended to restore the gods’ favor.

quaestor: a junior magistrate responsible for financial matters. The quaestorship was usually held at the beginning of a political career and did not carry *imperium*.

Quirinal: one of the seven hills of Rome.

Quirinus: a deity, probably of Sabine origin, later associated with the deified Romulus.

Quirites: the name by which Roman citizens were addressed when they were not serving in the military.

religio: according to the *Oxford Latin Dictionary* (1982), a “sense of the presence of supernatural power, religious fear, awe” or “religious feeling.” The word also implies a sense of obligation to the gods and religious respect. Note that the translation will vary according to the context.

sacrosanctity: inviolability, an attribute that made anyone who used violence against a sacrosanct individual (e.g., a tribune of the plebs) accused (*sacer*) and subject to instant death, since his action was deemed to have offended the gods. Killing the offender was a sacred duty and did not incur a penalty or blood-guilt.

Salii: priests associated with Mars as god of war and who performed ritual dances.

seers: see *soothsayers*.

senate: an advisory council, first to Rome’s kings and then to the consuls. In early republican times, the senate consisted of the senior magistrates, who were mostly patricians.

sestertius (pl. sestertii): a Roman coin, originally of silver. One *sestertius* equals 2.5 bronze (heavy) *asses*.

Sibylline books: a collection of prophecies that were kept in the temple of Jupiter on the Capitoline and were consulted by the duumvirs on the advice of the senate in times of crisis. These prophecies were advisory but usually obscure in their meaning.

soothsayers: interpreters of signs thought to have been sent by the gods. These interpreters (*haruspices*) originally came from Etruria and are sometimes referred to as “seers.”

spoils of honor: Latin *spolia opima*, the armor stripped from the body of the enemy king or general by the individual who killed him.

suffect consul: the replacement elected to fill the remaining term of office of a consul who had died or resigned.

suppliant: see *supplicate*.

supplicate: to beg or pray for help either to a god or a human being. In the latter case, the suppliant humiliates or abases himself, thus acknowledging the superiority of the person he is supplicating. The suppliant also invokes the gods, thus putting the person being supplicated under a religious obligation to help.

supplication: collective prayers, offered by a group of the population (usually women) to propitiate the gods or to thank them. Originally this ritual was performed in order to secure the favor of the gods after some dire portent, such as plague.

toga: an undyed woolen robe that was the distinctive dress of adult male Roman citizens; it was not to be worn by non-Roman citizens. Decorated togas were worn by men of certain ranks and distinctions; for example, consuls wore a toga with a purple border, the *toga praetexta*.

Tribal Assembly: this assembly worked on the group-vote system, with the majority of votes within a tribe determining the vote of that tribe.

tribes: Roman citizens belonged to tribes based on their place of residence. Four urban tribes are said to have been established by Servius Tullius (1.43), and seventeen rural tribes had been added by 495 BCE (2.21). By 241 BCE, the total number of tribes was thirty-five, a number that was never exceeded.

tribunes of the plebs: officials who were sacrosanct and had the right to give help to the plebeians in actions against the consuls. They were elected by the Tribal Assembly and acted as the leaders of the plebeian citizen body. No senator was allowed to hold this office.

tribunes of the soldiers: junior military offices; see also *military tribunes*.

triumph: a victory parade granted by the senate to a general who had won an outstanding victory against a non-Roman enemy.

Venus: goddess of sexual desire and procreation, generally identified with Greek Aphrodite.

Vesta: goddess of the hearth, who was worshiped as a living flame in a circular shrine in the Roman forum. Maintenance of this flame was considered vital to Rome's survival.

Vestal virgins: the priestesses of Vesta who tended her sacred flame. They lived close to her temple and had to remain chaste for the duration of their service. Vestals convicted of unchastity were buried alive.

votive offering: a gift given to a god in payment of a vow, as a thank-offering for the granting of a request; or a gift given at the same time that a prayer is made to ensure the fulfillment of the request.

Index

Individuals are listed under their family names (*nomen*) and additional or third names (*cognomen*), followed by their first names (*praenomen*) and offices. Generally, only the first office held by a particular individual is listed.

Abbreviations: cos. = consul; cos. suff. = suffect consul; mil. trib. c.p. = military tribune with consular power; dict. = dictator; tr. pl. = tribune of the plebs. All dates are BCE.

- Aborigines: 1.1–2
 Actium, battle of: 1.19
 Acutius, Marcus (tr. pl. 401): 5.10
 Adriatic/Atriatric Sea: 1.1; 5.33
 Aebutius, Lucius (cos. 463): 3.6
 Aebutius, Titus (cos. 499): 2.19
 Aebutius Cornicen, Postumus (cos. 442): 4.11
 Aebutius Helva, Marcus: 4.11
 Aebutius Helva, Postumus (master of the horse 435): 4.21
 Aedui, Gallic tribe: 5.34
 Aelius, Publius (quaestor 409): 4.54
 Aemilius, Gaius (mil. trib. c.p. 394): 5.26, 28, 32
 Aemilius, Lucius (cos. 484): 2.42, 49, 54–5
 Aemilius, Mamercus (mil. trib. 438): 4.16–20, 23–4, 30–4, 41
 Aemilius, Marcus (mil. trib. c.p. 391): 5.32
 Aemilius, Titus (cos. 470): 2.61–2; 3.1
 Aemilius Mamercus, Manius (cos. 410): 4.53, 61; 5.1, 10, 12
 Aeneas: 1.1–3
 Aeneas Silvius: 1.1–3
 Aequi, Italic peoples: 1.53, 55; 2.30–2, 40–4, 46, 48–9, 53, 58, 60, 62–4; 3.1–10, 15–6, 18–9, 22–5, 28–31, 38, 42, 57, 60, 65–8, 70; 4.1–2, 7, 9, 25–6, 30, 35, 42–3, 45–7, 49, 53, 55–6; 5.16, 23, 28–9, 31, 53–4
 Aequiculi: 1.32
 Aequimaelium, site of Spurius Maelius' house: 4.16
 Aesis, river: 5.35
 Agrippa Silvius, king of Alba: 1.3
 Aius Locutius (the Speaking Voice): 5.[32].50, 53
 Alba Longa: 1.3, 6, 20, 22–30, 33, 52; 3.7; 4.4
 Alba Silvius, king of Alba Longa: 1.3
 Alban Lake: 5.15–7, 19, 51–2
 Alban Mount: 1.3, 31; 5.17, 52
 Albinus, Lucius (tr. pl. 494): 2.33
 Albinus, Lucius: 5.40
 Albula, river: 1.3
 Algidus, Mount: 3.2–3, 23, 25, 27, 29–31, 38, 41–2, 44, 62–3, 68; 4.26, 30, 45; 5.31
 Alienus, Lucius (plebeian aedile 454): 3.31
 Allia, river: 5.37–9, 46, 49, 53
 Alps: 1.1–2; 5.33–5
 Altar, Greatest (of Hercules): 1.8
 Ambigatus, king of the Bituriges: 5.34
 Amboni, Gallic tribe: 5.34
 Ameriola, Latin town: 1.38
 Amulius, king of Alba: 1.3–6
 Anchises, father of Aeneas: 1.1, 3
 Ancus: see Marcius
 Anio, river: 1.27, 36–7; 2, 16, 26, 32, 64; 4.17, 21; 5.39
 Antemnae, settlement near Rome: 1.9–11
 Antenor: 1.1
 Antiates, inhabitants of Antium: 2, 63; 3.56
 Antistius, Aulus (tr. pl. 420): 4.44
 Antistius, Titus (tr. pl. 422): 4.42
 Antium, town: 2.33, 63, 65; 3.1, 4–5, 10, 22–3; 4.56–7, 59; 5.45
 Antonius Merenda, Quintus (mil. tr. c.p. 422): 4.42
 Antonius Merenda, Titus (decemvir 450): 3.35, 41

- Anxur (or Tarracina): 4.59; 5.8, 10, 12–3, 16
 Apennines: 5.33, 35
 Apiolae: 1.35
 Apollo: 1.56; 3.63; 4.25, 29; 5.13, 21, 23, 25, 28
 Apronius, Gaius (tr. pl. 449): 3.54
 Apuleius, Lucius (tr. pl. 391): 5.32
 Aquilii, brothers: 2.4, 7
 Aquilius, Gaius (cos. 487): 2.40
 Ara Maxima (Great Altar): 1.7
 Arcadia: 1.5
 Ardea: 1.57–60; 3.71–2; 4.1, 7, 9–11; 5.43–6, 48, 51
 Argei: 1.21
 Aricia: 1.50–1; 2.14, 26; 3.71–2
 Aristodemus, tyrant of Cumae: 2.21, 34
 Arruns of Clusium: 5.53
 Arruns, son of Porsenna: 2.14; see also Tarquinius, Arruns
 Artena: 4.61
 Arverni, a Gallic tribe: 5.34
 Ascanius, son of Aeneas: 1.1, 3
 Asellius, Marcus (tr. pl. 422): 4.42
 Aternius, Aulus (cos. 454): 3.31, 65
 Athens: 3.31–2
 Atilius, Lucius (mil. trib. c.p. 444): 4.7
 Atilius, Lucius (mil. trib. c.p. 399): 5.13, 18
 Atria: 5.33
 Attius: see Tullius
 Attus Clausus (see Appius Claudius): 2.16
 Atys Silvius, king of Alba: 1.3
 augur/augury: 1.6, 7, 18, 20, 34, 36, 43, 55; 3.7, 20, 32; 4.4, 7, 18, 31; 5.35, 52, 54
 Augustus: 1.19; 4.20
 Aulerci, Gallic tribe: 5.34
 Aurunci, Italic tribe: 2.16–7, 26–7, 29
 auspices: 1.6, 18, 36; 3.1, 17, 20, 42, 55, 61; 4.2, 6, 20, 41; 5.14, 17, 21, 31, 38, 46, 49, 52
 Aventine, hill: 1.6, 20; 2.28, 32; 3.31–2, 50–2, 54, 61, 67; 5.22–3, 52
 Aventinus Silvius, king of Alba: 1.3
 Bellovesus, nephew of Ambigatus: 5.34–5
 Bituriges, Gallic/Celtic tribe: 5.34
 board of two men (duumvirs): 4.21, 5.13
 Boii, Gallic tribe: 5.35
 Bolae, Aequian settlement: 4.49, 51
 Brennus, Gallic chieftain: 5.38, 48
 Brixia, town: 5.35
 Cacus, a fierce giant: 1.7
 Caecilius, Quintus (tr. pl. 438): 4.15
 Caedicius, Lucius (tr. pl. 475): 2.52
 Caedicius, Marcus, a plebeian: 5.32
 Caedicius, Quintus, a centurion: 5.45–6
 Caelian, hill in Rome: 1.30, 33; 2.11
 Caenina, town: 1.9–11
 Caeno, town: 2.63
 Caere, town: 1.2, 60; 4.61; 5.16, 40, 50
 Calpurnius Piso, Lucius, historian: 1.55; 2.32, 58
 Calvius Cicero, Gaius (tr. pl. 454): 3.31
 Camenae: 1.22
 Cameria, Latin town: 1.38
 Campania: 2.52; 4.44
 Campus Martius, area between Rome and the Tiber: 1.16, 44; 2.5; 3.10, 27, 63, 69; 4.22
 Canuleius, Gaius (tr. pl. 445): 4.1–6
 Canuleius, Marcus (tr. pl. 420): 4.44
 Capena, Etruscan town: 5.8, 10, 12–4, 16–9, 24
 Capena Gate, of Rome: 1.26; 3.22
 Capetus, king of Alba: 1.3
 Capitol/Capitoline: 1.8, 10, 12, 33, 38, 55; 2.7–8, 10, 22, 49; 3.15–23, 29, 57, 68; 4.2, 20, 45; 5.30, 39–44, 46–8, 50–4
 Capitoline Games: 5.50, 52
 Capua, *see also* Voltturnum: 4.37, 44, 52
 Capys Silvius, king of Alba: 1.3; 4.37
 Carmenta: 1.7
 Carmental Gate, of Rome: 2.49
 Carmentis, shrine of: 5.47
 Carnutes, Gallic tribe: 5.34
 Carthage: 4.29
 Carventum, town: 4.53, 55–6
 Cassian treaty: 2.33
 Cassius, Spurius (cos. 502): 2.17–8, 33, 41–2; 4.15
 Castor, temple of: 2.20, 42
 Celts, Gallic tribes: 5.34
 censor/censorship: 4.8, 22, 24, 31, 32; 5.31
 census: 1.42–4, 47; 3.3, 22, 24; 4.4, 22, 60
 Centuriate Assembly/Comitia Centuriata: 1.60; 2.2; 3.34, 37, 55; 5.13, 18, 52
 century/centuries, establishment of: 1.36, 42–3
 Ceres: 2.41
 Ceres, Liber, and Libera, temple of: 3.55
 Cincinnatus: see Quinctius, Lucius
 Circei, Roman colony: 1.56; 2.39
 Circus Flaminius: 3.54
 Circus Maximus: 1.35
 Cisalpine Gaul: 5.35
 classes, establishment of: 1.42–3
 Claudius, Appius (= Attus Clausus, cos. 495): 2.16, 21–3, 26–30, 44; 3.40
 Claudius, Appius (cos. 471): 2.56–9, 61

- Claudius, Appius (decemvir 451–449): 3.33–6, 39–41, 44–51, 54, 56–8, 61; 4.48
- Claudius, Gaius (cos. 460): 3.15–21, 35, 40, 58, 63; 4.6
- Claudius, Marcus, client of Appius Claudius the decemvir: 3.44–7, 58
- Claudius Crassus, Appius (mil. trib. c.p. 424): 4.35–6, 48; 5.1–7, 20
- Claudius Crassus, Appius (mil. trib. c.p. 403): 4.48; 5.1–7, 20
- Cloaca Maxima: 1.[38], 56
- Cloacina, shrine: 3.48
- Cloelia, girl hostage: 2.13
- Cloelii, noble family from Alba: 1.30
- Cloelius, Quintus (cos. 498): 2.21
- Cloelius Tullus, murdered envoy: 4.17
- Cluilian trench: 1.23; 2.39
- Cluilius, commander of Aequians and Volscians: 4.9–10
- Cluilius, Gaius, king of Alba: 1.22–3
- Cluilius Siculus, Titus (mil. trib. c.p. 444): 4.7, 11
- Clusium, Etruscan city: 2.8; 5.33, 35–7
- Collatia, Sabine town: 1.38, 57–9
- Colline Gate, in Rome: 2.11, 51, 64; 3.51; 4.21–2, 31; 5.41
- Columen, town: 3.23
- Cominius, Pontius: 5.46
- Cominius, Postumus (cos. 501): 2.18, 33
- Comitia Centuriata, inception: 1.43
- Comitium: 1.36; 2.10; 5.55
- Considius, Quintus (tr. pl. 476): 2.52
- Consualia: 1.19
- Cora, Latin town: 2.16, 22
- Corbio, town: 2.39; 3.28, 30, 66, 69
- Corinth: 1.34, 47; 4.3
- Coriolanus: *see* Marcius
- Corioli, town: 2.33, 39; 3.71
- Cornelius, Aulus: 3.24
- Cornelius, Marcus (suffect censor 392): 5.31
- Cornelius, Servius (cos. 485): 2.41; 3.32
- Cornelius Cossus, Aulus (cos. 413): 4.51
- Cornelius Cossus, Aulus, winner of the *spolia opima* (cos. 428): 4.19–20, 27, 30–3
- Cornelius Cossus, Gnaeus (mil. trib. 414, cos. 409): 4.49, 54–5, 58–9, 61; 5.10, 12
- Cornelius Cossus, Publius (mil. tr. c.p. 415): 4.49, 57–9
- Cornelius Cossus, Publius (mil. trib. c.p. 408): 4.56–7
- Cornelius Cossus, Publius (mil. trib. c.p. 395): 5.24
- Cornelius Maluginensis, Lucius (cos. 459): 3.22, 39, 41
- Cornelius Maluginensis, Marcus (decemvir 450): 3.35, 39, 41
- Cornelius Maluginensis, Marcus (cos. 435): 4.21
- Cornelius Maluginensis, Publius (mil. trib. c.p. 404): 4.61; 5.16–7, 26, 36
- Cornelius Scipio, Publius (master of the horse 396): 5.19, 24, 31
- Corniculum, Latin town: 1.38–9; 4.3
- Cremera, river: 2.49–50, 52; 3.1
- Creusa, wife of Aeneas: 1.3
- Croton, Greek colony in Southern Italy: 1.18
- Crustumerium/Crustumeria, Latin town: 1.9–11, 38; 2.19, 64; 3.42; 5.37
- Cumae, Greek colony near Naples: 2.9, 14, 21, 34; 4.52
- Cures, Sabine town: 1.13, 18, 34
- Curia/Curiae, wards: 1.13
- Curia Hostilia, name of senate house: 1.30, 36; 5.55
- Curiae Assembly/Comitia Curiata: 5.46, 52
- Curiatii, noble family from Alba: 1.24–6, 30
- Curiatius, Gaius (cos. 445): 4.1–2, 6–7
- Curiatius, Publius (cos. 453): 3.32–3
- Curiatius, Publius (tr. pl. 401): 5.11
- Curtius, Gaius (cos. 445): 4.1, 7
- Curtius, Mettius, Sabine champion: 1.12
- curule chair: 1.8; 2.31, 54; 5.41
- Cyprius Street, Rome: 1.48
- decemvirate, inception of: 3.33, 36
- decimation: 2.59
- Decius, Lucius (tr. pl. 415): 4.49
- Delphi: 1.56; 5.15–6, 25, 28
- Demaratus: 1.34; 4.3
- Diana: 1.45, 48; 5.13
- dictatorship, inception of: 2.18
- Duillius, Caeso (decemvir 450): 3.35, 41
- Duillius, Gnaeus (mil. trib. c.p. 399): 5.13
- Duillius, Marcus (tr. pl. 471): 2.58, 61; 3.35, 52, 54–5, 59, 64
- duumvirs: *see* board of two men
- Ecetra/Ecetrae, Volscian town: 2.25; 3.4, 10, 59, 61
- Egeria, goddess and wife of Numa: 1.19, 21
- Egerius, the Needy One, nephew of the elder Tarquin: 1.34, 38, 57
- Elitovius, leader of a Celtic tribe: 5.35
- Eneti, tribe: 1.1
- Ephesus, an Ionian Greek city: 1.45
- equestrian order/knights: 1.43, 5.7
- Eretum, town: 3.26, 29, 38, 42
- Esquiline gate: 2.11; 3.66, 68
- Esquiline hill: 1.44, 48; 2.28; 3.67

- Etruria/Etruscans: 1.2–3, 8, 15, 23, 30,
34–5, 42, 44, 53–6, 60; 2.6–7, 9–14, 34,
45–7, 49–52; 3.13, 16; 4.12–3, 17–8,
22–3, 25, 31–3, 37, 52, 58; 5.1, 5–6, 8,
15, 17–18, 22, 33–6, 45, 54
- Euganei, a tribe: 1.1
- Evander, Arcadian king who came to Rome:
1.5.7
- Fabian family: 2.46, 48–51; 5.36, 46, 52
- Fabius, Caeso (cos. 484): 2.41–3, 46, 48
- Fabius, Marcus (cos. 483): 2.42–7, 59
- Fabius, Quintus (cos. 485): 2.41, 43, 46–7
- Fabius, Quintus (cos. 467, and decemvir
450–449): 3.1–3, 8–9, 22, 25, 29, 36,
41
- Fabius Ambustus, Caeso (quaestor 409, mil.
trib. 404): 4.54, 61
- Fabius Ambustus, Gnaeus (mil. trib. c.p.
406): 4.58–9, 5.35–7
- Fabius Ambustus, Quintus (cos. 412): 4.52;
see also Q. Fabius Vibulanus (cos. 423)
- Fabius Ambustus, Quintus (mil. trib. c.p.
390): 5.35–7
- Fabius Dorsuo, Gaius, celebrant of family
rite: 5.46, 52
- Fabius Pictor, Quintus, historian: 1.44, 55;
2.40
- Fabius Vibulanus, Gaius (mil. trib. c.p. 415):
4.49
- Fabius Vibulanus, Gnaeus (cos. 421): 4.43, 57
- Fabius Vibulanus, Marcus (cos. 442): 4.11,
17, 19, 25, 27–8
- Fabius Vibulanus, Quintus (cos. 423): 4.37,
40, 49, 51
- Falerii: 5.14, 27, 43; *see also* Falisci
- Falisci: 4.18–9, 21, 23, 32; 5.8, 11–3, 16–8,
20, 24, 26–7
- Faustulus, herdsman: 1.4–5
- favor of the gods (*pax deorum*): 1.31; 3.5, 7,
8: 4.30
- Ferentina, grove or headwaters of: 1.50–1;
2.38
- Ferentinum, town: 4.51, 56
- Feronia, shrine of: 1.30
- fetial priests: 1.24, 32; 4.30, 58
- Ficana, Latin town: 1.33
- Ficulea, Latin town: 1.38
- Ficulensis, Via: 3.52
- Fidenae, Etruscan town: 1.14–5, 27–8; 2.1,
9, 42; 4.17–9, 21–3, 25, 30–4, 41, 45;
5.4, 37, 54
- Fides (Faith): 1.21
- Flamen Dialis: 1.20; 5.52
- Flamen Quirinalis: 5.39–40
- Flaminian Meadows, area just outside Rome:
3.54, 63
- Flaveolius, Marcus: 2.45
- Folius, Marcus (mil. trib. c.p. 433, pontifex
maximus 390?): 4.25; 5.41
- Fortuna Muliebris, temple of: 2.40
- Fucine Lake: 4.57
- Fulcinus, Gaius: 4.17
- Furius (cos. 446): 3.66, 70–2
- Furius, Agrippa (mil. trib. c.p. 391): 5.32
- Furius, Lucius (cos. 474): 2.54
- Furius, Publius (cos. 472): 2.56; 3.1
- Furius, Quintus (pontifex maximus 450):
3.54
- Furius, Sextus (cos. 488): 2.39
- Furius, Spurius (cos. 481): 2.43
- Furius Camillus, Marcus (mil. trib. c.p. 403,
dict. 396, 390): 5.1, 10, 12, 14, 17,
19–23, 25–32, 43–55
- Furius (*or* Fusius) Fusus (brother of Spurius,
cos. 464): 3.5
- Furius (*or* Fusius) Fusus, Spurius (cos. 464):
3.4–5, 12
- Furius Medullinus, Lucius (mil. trib. c.p.
432): 4.25, 35, 44?
- Furius Medullinus, Lucius (cos. 413): 4.51,
54–5, 58, 60; 5.14, 16, 24, 28, 32
- Furius Medullinus, Sextus [*Lucius*] (mil.
trib. c.p. 420): 4.44
- Furius Medullinus, Spurius (mil. trib. c.p.
400): 5.12
- Furius Pacilus, Gaius (cos. 412): 4.52
- Furius Pacilus/Paculus, Gaius (cos. 441):
4.12, 22–3, 31
- Fusius, Spurius: 1.24
- Gabii: 1.53–5, 60; 2.11; 3.6, 8; 5.46, 49, 54
- Gallic Pyres: 5.48
- Games: 1.35; 2.36–8; 4.27, 35; 5.4, 27, 33
- Gauls/Gaul: 5.17, 24, 32–9, 41–53
- Geganian family: 1.30
- Geganius, Titus (cos. 492): 2.34
- Geganius Macerinus, Marcus (cos. 447):
3.65; 4.8–10, 17, 22–3, 27
- Geganius Macerinus, Proculus (cos. 440):
4.12
- Genucius, Gnaeus (tr. pl. 474): 2.54–5
- Genucius, Gnaeus (mil. trib. c.p. 399): 4.13,
18
- Genucius, Marcus (cos. 445): 4.1–2, 6
- Genucius, Titus (tr. pl. 476): 2.52
- Genucius, Titus (decemvir 451): 3.33
- Goat Swamp: 1.16
- Gracchus, Cloelius, Aequian soldier: 3.25, 28
- Greece/Greeks: 1.7, 4.44; 5.4, 27, 33

- Helen of Troy: 1.1; [5.4]
 Heraclea, town in Southern Italy: 1.18
 Hercules: 1.7; 5.13, 34
 Hercynian forests: 5.34
 Herdonius, Appius, a Sabine: 3.15–8
 Herdonius, Turnus, of Aricia: 1.50–2
 Herminius, Spurius (cos. 448): 3.65
 Herminius, Titus: 2.10–1, 20
 Hernici, Italic peoples: 1.53; 2.22, 40–1, 53, 64; 3.4–8, 10, 22, 57, 60, 67; 4.26, 29, 36–7, 51, 53, 55–6; 5.19
 Hersilia, wife of Romulus: 1.10
 Hope, person of: 2.51
 Horatia: 1.26
 Horatii, brothers: 1.24–6
 Horatius, Gaius (cos. 477): 2.51; 3.32
 Horatius Cocles: 2.10
 Horatius Barbatus, Lucius (mil. trib. c.p. 425): 4.35
 Horatius Barbatus, Marcus (cos. 449): 3.39–41, 49–55, 57, 61–4, 70; 4.6
 Horatius Pulvillus, Marcus (suffect consul 509): 2.8
 Horatius Pulvillus, Marcus (cos. 457): 3.30
 Hortensius, Lucius (tr. pl. 422): 4.42
 Hostilius, Hostius, Roman champion: 1.12
 Hostilius, Tullus, king of Rome: 1.22–32, 61; 5.55
- Icilian family: 4.54, 56
 Icilius, Lucius (tr. pl. 449): 3.44–6, 48–9, 51, 53–4, 63, 65; 4.2
 Icilius, Lucius, (tr. pl. 412): 4.52
 Icilius, Spurius (tr. pl. 471): 2.58; 3.35
 Inregillum: 2.16
 Insubres, Gallic tribe: 5, 34
interregnum, inception: 1.17
 Inuus: 1.15
 Italy: 1.2, 7, 40; 5.33, 54
 Iulii/Julian family: 1.3, 30
 Iulius, Gaius (cos. 482): 2.43; 3.33, 50
 Iulius, Gaius (cos. 447): 3.65; 4.21, 23
 Iulius, Lucius (mil. trib. 437, cos. 430): 4.16, 27, 30
 Iulius, Proculus: 1.16
 Iulius, Sextus (mil. trib. 424): 4.35
 Iulius, Vopiscus (?cos. 473): 2.54
 Iulius Iulus, Gaius (mil. trib. c.p. 408): 4.56–7, 61; 5.31
 Iulius Mento, Gaius (cos. 431): 4.26–7, 29
 Iulus, son of Aeneas, a.k.a. Ascanius: 1.3
 Iunius, Gaius (tr. pl. 423): 4.40
 Iunius, Quintus: 4.16
- Iunius Brutus, Lucius (cos. 509): 1.56, 59–60; 2.1–2, 4–7, 16
 Iunius Brutus, [Tiberius], son of Lucius Iunius Brutus: 2.4–5
 Iunius Brutus, [Titus]: son of Lucius Iunius Brutus: 2.4–5
- Janiculum hill: 1.33–4; 2.10–1, 13–5, 51–2; 5.40
 Janus Quirinus: 1.32
 Janus, temple: 1.19
 Juno: 3.17; 5.47, 52
 Juno, Queen (Juno Regina), temple: 5.21–3, 31, 52
 Juno Moneta, temple of: 4.7, 20
 Jupiter/Jupiter Optimus Maximus (Best and Greatest), temple: 1.7, 12, 18, 20, 24, 32, 38, 53, 55–6; 2.8, 22, 36, 45–6; 3.17, 19, 39, 55, 57, 61; 4.2, 20, 45; 5.3, 50–2
 Jupiter Elicius: 1.20, 31
 Jupiter Feretrius: 1.10, 33; 4.20, 32
 Jupiter Indiges: 1.2
 Jupiter Stator (the Stayer): 1.12, 41
 Juventas, temple: 5.54
- king of Sacrifices (*rex sacrificulus*): 2.2
- Labici: 2.39; 3.7; 4.41, 45–7, 49; 5.16
 Lacerius, Gaius (tr. pl. 401): 5.10
 Lacus Curtius: 1.3
 Laetorius, Gaius (tr. pl. 471): 2.56
 Laetorius, Marcus, centurion: 2.27
 Laevi Figures: 5.35
 Lanuvium: 3.25, 29; 4.27
 Larcus, Spurius: 2.10–1
 Larcus, Titus (cos. 501): 2.18, 21, 29
 Larentia, wife of Faustulus: 1.4
 Lars: *see* Porsenna and Tolumnius
 Latin festival: 5.17, 19
 Latina, Via/Way: 2.39
 Latinus, Titus: 2.36
 Latins, Ancient: 1.3, 32–3, 38
 Latinus, king of Laurentum: 1.1–2
 Latinus Silvius, king of Alba: 1.3
 Latium/Latins: 1.2–3, 6, 32–4, 45, 49–53; 2.14, 18–22, 24, 30, 33, 41–3, 48, 53; 3.1–7, 19, 22, 57, 60, 66; 4.26, 29, 37, 53, 55; 5.19, 46
 Latona, mother of Apollo and Diana: 5.13
 Laurentine territory: 1.1
 Lavinia, second wife of Aeneas: 1.1–3
 Lavinium, town founded by Aeneas: 1.1–3, 6, 14, 23; 2.2, 39; 5.52
lectisternium: 5.13
 Libui, Gallic tribe: 5.35

- Licinius, Gaius (tr. pl. 494): **2.33**
 Licinius, Spurius (tr. pl. 481): **2.43–4**
 Licinius Calvus, Publius (mil. trib. c.p. 400):
 5.12–3, 18, 20, 22
 Licinius Calvus, Publius (mil. trib. c.p. 396):
 5.18, 20, 22
 Licinius Macer, historian: **4.7, 20, 23**
 lictors, inception: **1.8**
 Linen Books: **4.7, 13, 20, 23**
 Lingones, Gallic tribe: **5.35**
 Lipara, pirate stronghold: **5.28**
lituus, augur's staff: **1.18**
 Longula, town: **2.33, 39**
 Luceres, century of Roman knights: **1.13, 36**
 Lucretia, wife of Tarquinius Collatinus:
 1.57–9; 3.44
 Lucretius, Publius (cos. 506): **2.15**
 Lucretius, Titus (cos. 508): **2.9, 16**
 Lucretius Collatinus, Hostus (cos. 429): **4.30**
 Lucretius Flavius, Lucius (cos. 393): **5.29, 32**
 Lucretius Tricipitinus, Lucius (cos. 462): **3.8, 10–11, 24**
 Lucretius Tricipitinus, Publius (mil. trib. c.p. 419): **4.44–5, 47**
 Lucretius Tricipitinus, Spurius (suffect consul 509): **1.58–60; 2.2**
 Lucumo (= Lucius Tarquinius Priscus): **1.34**
 Lucumo of Clusium: **5.33**
 Lupercalia, festival: **1.5**
lustrum, institution of: **1.44, see also census**
- Macedonia: **1.1**
 Maecilius, Lucius, (tr. pl. 471): **2.58**
 Maecilius, Spurius (tr. pl. 416): **4.48**
 Maelius, Publius (mil. trib. c.p. 400): **5.12**
 Maelius, Spurius, killed for aiming at kingship: **4.13–6, 21**
 Maelius, Spurius (tr. pl. 435): **4.21**
 Maenius, Publius (mil. trib. c.p. 396): **5.18**
 Maesian Forest: **1.33**
 Mamilius, Lucius: **3.18–9, 29**
 Mamilius, Octavius: **1.49; 2.15, 18, 20**
 Manilius, Sextus: **3.51**
 Manlius, Aulus (decemvir 451): **3.31, 33**
 Manlius, Aulus (mil. trib. c.p. 405): **4.61; 5.8, 16, 28**
 Manlius, Gaius (cos. 474): **2.54**
 Manlius, Gnaeus (cos. 480): **2.43–7**
 Manlius, Marcus (cos. 434): **4.23**
 Manlius, Marcus (mil. trib. c.p. 420): **4.44**
 Manlius, Publius (mil. trib. c.p. 400): **5.12**
 Manlius, Titus [Aulus] (cos. 241): **1.18**
 Manlius Capitolinus, Lucius (mil. trib. c.p. 422): **4.42**
- Manlius Capitolinus, Marcus (cos. 392):
 5.31, 47
 Manlius Imperiosus (cos. 347): **4.29**
 Marcus, Ancus, fourth king of Rome:
 1.32–5, 40–2, 52; 4.3
 Marcus Coriolanus, Gnaeus: **2.33–5, 37–40, 52, 54**
 Marcus, Numa, first pontiff: **1.20**
 Mars: Pref. 7; **1, 4, 20; 2.5; 3.61; 5.12, 54**
 Mars Gradivus: **1.20; 2.45–6, 52**
 Massilia (Marseilles): **5.34**
 Mater Matuta, temple: **5.19, 23**
 Mediolanum (Milan): **5.34**
 Medullia, Latin town: **1.33, 38**
 Menenius, Agrippa (cos. 504): **2.16, 32–3, 52, 54**
 Menenius, Gaius (cos. 452): **3.32**
 Menenius, Marcus (tr. pl. 410): **4.53**
 Menenius, Titus (cos. 477): **2.51–2**
 Menenius Lanatus, Agrippa (cos. 439): **4.11, 13, 44–5, 47**
 Menenius Lanatus, Lucius (cos. 440): **4.12**
 Mercury: **2.21, 27; 5.13**
 Metapontum, town in southern Italy: **1.18**
 Metilius, Marcus (tr.pl.416): **4.48**
 Metilius, Marcus (tr.pl.401): **5.11**
 Mettius Curtius, Sabine leader: **1.12**
 Mettius Fufetius, Alban commander: **1.23, 26–8**
 Mezentius, Etruscan king: **1.2–3**
 Minerva, goddess: **3.16**
 Minucius, Lucius (cos. 458): **3.25–9, 35, 41; 4.12–3, 16, 21**
 Minucius, Marcus (cos. 497): **2.21, 34, 36**
 Minucius, Marcus (tr. pl. 401): **5.11**
 Minucius, Publius (cos. 492): **2.34**
 Minucius, Quintus (cos. 457): **3.30**
 Mucian Meadows: **2.13**
 Mucius Scaevola, Gaius: **2.12–3**
 Mugilla: **2.39**
- Naevian Gate: **2.11**
 Naevius Rutilus, Spurius (mil. trib. c.p. 424):
 4.35
 Nautilus Rufus, Gaius (cos. 411): **4.52**
 Nautius, Gaius (cos. 475): **2.52–3; 3.25–6, 29**
 Nautius, Spurius (cos. 488): **2.39**
 Nautius, Spurius, Roman envoy: **4.17**
 Nautius Rutilus, Spurius (mil. trib. c.p. 419):
 4.44–5, 47, 61
 Navius, Attus, famous augur: **1.36**
 Neptune: **1.9; 5.13**
 New Street: **1.41; 5.32, 50, 52**
 Nomentana Via: **3.52**
 Nomentum, Latin town: **1.38; 4.22, 30.32**

- Norba: 2.34
 Numa: *see* Marcius, and Pompilius
 Numicius Priscus, Titus (cos. 469): 2.63
 Numicus, river: 1.2
 Numitor: 1.3, 5–6
 Numitorius, Lucius (tr. pl. 471): 2.58
 Numitorius, Publius (tr. pl. 449): 3.45–6, 48, 51, 54, 58
- Octavius: *see* Mamilius
 Oppia, a Vestal: 2.42
 Oppius, Gaius (tr. pl. 449): 3.54
 Oppius, Marcus, tribune of the soldiers: 3.51
 Oppius Cornicen, Spurius (decemvir 450): 3.35, 41, 49–50, 58
- Ortona: 2.43; 3.30
 Ostia: 1.33, 2.34; 4.30
- Palatine hill: 1.5–6, 12, 33; 2.10
 Pallanteum: 1.5
 Pallor and Panic, shrine: 1.27
 Pan: 1.5
 Paparius Atratinus, Marcus (cos. 411): 4.52
 Paphlagonia: 1.1
 Papirius Crassus, Lucius (cos. 435): 4.21, 30
 Papirius Crassus, Marcus (cos. 441): 4.12
 Papirius Mugillanus, Lucius (cos. suff. 444; cos. 427): 4.7–8, 30, 42–3
 Papirius Mugillanus, Marcus (mil. trib. c.p. 418): 4.45–7; 5.41?
 Papius, Gaius (quaestor 409): 4.54
pater patratus: 1.24, 32
patres/patricians: 1.8
 Pedum: 2.39
 Peloponnesus: 1.7
 penates: 3.17
 Phocaea: 5.34
 Pinarii: 1.7
 Pinarius, Lucius (cos. 472): 2.58
 Pinarius Mamercus, Lucius (mil. trib. c.p. 432): 4.25
 Piso: *see* Calpurnius
 plague: 1.31; 2.34, 35; 3.2, 6, 7, 9, 13, 32; 4.20, 21, 25, 26, 30, 52; 5.13, 14, 31
 Po, river: 5.33, 35
 Poetelius (tr. pl. 441): 4.12
 Poetelius, Quintus (decemvir 450): 3.35, 41
 Politorium: 1.33
 Pollius, Sextus (tr. pl. 420): 4.44
 Polusca: 2.33, 39
pomerium: 1.26, 44; 5.52
 Pometia; *see* Suessa Pometia
 Pompilius, Numa, king of Rome: 1.18–22, 31–2, 34–5, 42; 4.3–4
 Pomponius, Marcus (tr. pl. 449): 3.54
 Pomponius, Marcus (mil. trib. c.p. 399): 5.13
 Pomponius, Quintus (tr. pl. 395–394): 5.29
 Pomptine district: 2.34; 4.25
 pontiff/pontifex: 1.20, 21, 32; 2.2, 27; 3.54; 4.3, 4, 27, 44; 5.23, 25, 41, 52
 Pontificius, Titus (tr. pl. 480): 2.44
 Porsenna, Lars, king of Clusium: 2.8, 11–5
 portent: 1.56; 3.5; 4.35; 5.15; *see also* prodigy
 Postumia, Vestal: 4.44
 Postumius, Aulus (dict. 499, cos. 496): 2.19–21, 26, 42; 3.25
 Postumius, Marcus (mil. trib. c.p. 426): 4.31, 40–1
 Postumius, Marcus (mil. trib. c.p. 403): 5.1
 Postumius, Publius (cos. 505): 2.16
 Postumius, Spurius (cos. 466): 3.2, 31, 33
 Postumius, Spurius (mil. trib. c.p. 394): 5.26, 28
 Postumius Albinus, Marcus (mil. trib. c.p. 403): 5.1
 Postumius Albus, Aulus: 3.4–5
 Postumius Albus, Spurius (mil. trib. c.p. 432): 3.70; 4.25, 27–8
 Postumius Regillensis, Aulus (mil. trib. 397): 5.16–7
 Postumius Regillensis, Marcus (mil. trib. c.p. 414): 4.49–51
 Postumius Tubertus, Aulus (master of the horse 434, dict. 431): 4.23, 26–9, 41
 Potitii: 1.7
 Praeneste: 2.19; 3.8
 Proca Silvius, king of Alba: 1.3
 Proculus Iulius: 1.16
 prodigy: 1.20, 31, 34, 39, 45, 55, 56; 2.42; 3.10, 29; 4.21; 5.14–8, 23, 52; *see also* portent
 prophecy: 1.7; 3.10; 5.15, 16
 Publilius, Volero (tr. pl. 472): 2.55–6, 58
 Publilius, Volero (mil. trib. c.p. 399): 5.13
 Publilius Volscus, Lucius (mil. trib. c.p. 400): 5.12
 Pullius, Spurius (tr. pl. 422): 4.42
 Pylaemenes: 1.1
 Pythagoras: 1.18
 Pythia: 1.56; 5.15, 21, 23
- Quies, shrine: 4.41
 Quinctian family: 1.30
 Quinctian Meadows: 3.26
 Quinctilius, Sextus (cos. 453):
 Quinctilius Varus, Marcus (mil. trib. c.p. 403):
 Quinctius, Caeso: 3.11–4, 19, 24–5

- Quinctius Capitolinus Barbatus, Titus (cos. 471): 2.56–60, 64; 3.1–5, 12–3, 25, 35, 66–72; 4.1, 6–8, 10, 13–8, 43
- Quinctius Capitolinus Barbatus, Titus (cos. 421): 4.43, 61
- Quinctius Cincinnatus, Lucius (cos. suff. 460, dict. 458, 439): 3.12, 19–21, 26–9, 35; 4.6, 13–6, 41
- Quinctius Cincinnatus, Lucius (mil. trib. c.p. 438, 425, 420?): 4.16–7, 35, 44
- Quinctius Cincinnatus, Quintus (mil. trib. c.p. 415): 4.49, 61
- Quinctius Cincinnatus Poenus, Titus (cos. 431, 428): 4.26–7, 29, 31–3, 40–1
- Quirinal hill: 1.44; 5.46, 52
- Quirinus: 1.20; 3.32; 4.21; 5.52
- Quirites: 1.13, 24, 32; 2.58
- Quirites, ditch of the: 1.33
- Rabuleius, Manius (decemvir 450): 3.35, 41
- Racilia, wife of Cincinnatus: 3.26
- Raeti, Alpine tribe: 5.33
- Ramnenses/Ramnes: 1.13, 36
- Red Rocks: 2.49
- Regillum: 3.58
- Regillus Lake: 2.19–22, 31; 3.20
- Remus: 1.5–7
- Rhea Silvia: 1.3–4
- Roman Games: *see* Games
- Romilius, Titus (cos. 455): 3.31, 33
- Romulus: 1.5–18, 20–2, 32, 36, 40, 43, 49, 55; 3.17, 39; 4.3–4, 15, 20, 32; 5.24, 49, 54
- Romulus Silvius, king of Alba: 1.3
- Roscius, Lucius: 4.17
- Ruminalis/Romularis, fig tree: 1.4
- Rutilius Crassus, Spurius (mil. trib. c.p. 417): 4.47
- Rutuli, Italic tribe: 1.2, 57; 4.11
- Sabines: 1.9–13, 17–8, 22, 30–1, 33–4, 36–8, 45; 2.16, 23, 26–7, 29–31, 49, 53, 62–4; 3.26, 29–30, 38–9, 41–3, 51, 61–3, 70; 4.2–4
- Sacred Mount: 2.32, 57; 3.15, 52, 54, 61, 67
- sacred objects (in temple of Vesta): 5.39–40, 50, 51
- Sacred Way: 2.13
- Salii, priests: 2.32, 27; 4.54
- salt pans/works: 5.45
- Salvi, Gallic tribe: 5.34–5
- Samnites: 4.37, 52
- Sapientes: 5.31–2
- Satricum: 2.39
- Saturn, temple: 2.21
- Saturnalia: 2.21
- Scaptius, Publius, aged ex-soldier: 3.71–2
- seer: 1.36, 56; 2.42; 4.30; 5.15, 16, 17, 21, 23
- Segovesus: 5.34
- Sempronius, Aulus (cos. 497): 2.21, 34, 36
- Sempronius Atratinus, Aulus (mil. trib. c.p. 444) 4.7
- Sempronius Atratinus, Aulus (mil. trib. c.p. 425): 4.35, 44, 47
- Sempronius Atratinus, Gaius (cos. 423): 4.37–42, 44
- Sempronius Atratinus, Lucius (cos. suff. 444): 4.7
- Senones: 5.34–5
- Sergius Fidenas, Lucius (cos. 437): 4.17, 25, 30, 35, 45–6
- Sergius Fidenas, Lucius (mil. trib. c.p. 397): 5.16, 28
- Sergius Fidenas, Manius (mil. trib. c.p. 404): 4.61; 5.8–9, 11–3
- Sergius, Marcus (decemvir 450): 3.35, 41
- Servilii: 1.30
- Servilius, Gaius (cos. 478): 2.49
- Servilius, Gaius (mil. trib. c.p. 418): 4.45–6
- Servilius, Publius (cos. 495): 2.21, 23–4, 26–7, 29–30
- Servilius, Publius (cos. 463): 3.6–7
- Servilius, Quintus (cos. 468): 2.64; 3.2–3, 24
- Servilius, Spurius (cos. 476): 2.51–2, 54
- Servilius Ahala, Gaius (master of the horse 439, cos. 427): 4.13–5, 21, 30, 46
- Servilius Ahala, Gaius (mil. trib. 408): 4.56–9; 5.8–9
- Servilius Fidenas, Quintus (mil. trib. c.p. 402): 5.8, 14, 17, 24
- Servilius Priscus *or* Structus, Quintus (dict. 435): 4.21–2, 26, 30, 45–8
- Servius Romanus, a freed slave: 4.61
- Servius Tullius: *see* Tullius
- Sestius, Lucius: 3.33
- Sestius Capitolinus, Publius (cos. 452): 3.32–3
- Sextius, Marcus (tr. pl. 414): 4.49
- Sextius, Publius (quaestor 414): 4.50
- Sibyl: 1.7
- Sibylline books: 3.10; 4.25; 5.13–4, 50
- Siccus, Gaius (tr. pl. 449): 3.54
- Siccus, Gnaeus (tr. pl. 471): 2.58, 61
- Siccus, Lucius: 3.43, 51
- Sicily: 1.1–2; 2.34, 41; 4.25, 29, 52; 5.28
- Sicinius (tr. pl. 494): 2.32, 34
- Sicinius, Titus (cos. 487): 2.40
- Sicinius, Titus (tr. pl. 395): 5.24
- Signia: 1.56; 2.21

- Silius, Quintus (quaestor 409): 4.54
 Silvanus, minor deity: 2.7
 Silvius, son of Ascanius: 1.3
 Sister's Beam: 1.26
 Solon: 3.31
 soothsayer: *see* seer
 spoils of honor (*spolia opima*): 1.10; 4.20, 32
 Statius, Titus (tr. pl. 475): 2.52
 Subura, district of Rome: 3.13
 Suessa Pometia: 1.41, 53, 55; 2.16–7, 22, 26
 Sulpicius, Publius: 3.70
 Sulpicius, Quintus (cos. 434): 4.23, 27
 Sulpicius, Servius (cos. 500): 2.19; 3.7
 Sulpicius, Servius (cos. 461): 3.10–1
 Sulpicius Camerinus, Publius (decemvir 451): 3.31, 33, 50
 Sulpicius Camerinus, Quintus (mil. trib. c.p. 402): 5.8, 14, 36
 Sulpicius Camerinus, Servius (cos. 393): 5.19, 32
 Sulpicius Longus, Quintus (mil. trib. c.p. 390): 5.36, 47–8
 Sun (Sol): 5.23
 Swift Ones: 1.15, 59
- Tanaquil, wife of the Tarquinius Priscus: 1.34, 39, 41, 47
 Tarpeia: 1.11
 Tarpeian Rock: 1.55; 5.47
 Tarpeius, Spurius: 1.11
 Tarpeius, Spurius (cos. 454): 3.31, 50, 64
 Tarquinia, sister of Tarquinius Superbus: 1.56
 Tarquinius: 1.34, 47; 2.6–7; 5.16
 Tarquinius, Arruns, brother of Priscus: 1.34
 Tarquinius, Arruns, son of Priscus: 1.42, 46
 Tarquinius, Arruns, son of Superbus: 1.56; 2.6
 Tarquinius, Lucius (master of the horse 458): 3.27
 Tarquinius, Sextus, son of Tarquinius Superbus: 1.53–4, 56–60
 Tarquinius, Titus, son of Superbus: 1.56; 2.19–20
 Tarquinius Collatinus, Lucius, son of Egerius (cos. 509): 1.57–60; 2. 2; 4.15
 Tarquinius Priscus, Lucius, king of Rome: 1.34–42, 46–7; 2.2; 4.3; 5.34
 Tarquinius Superbus, Lucius, king of Rome: 1.42, 46–60; 2.1–2, 4, 6–7, 15, 19–21, 34
 Tatius, Titus, Sabine king: 1.10, 11, 14, 17, 30, 34–5, 55; 4.4
 Taurine peoples: 5.34
 Tellene, Latin town: 1.33
 Tempanius, Sextus (tr. pl. 422): 4.38–42
- Terentilius Harsa, Gaius (tr. pl. 463): 3.9–10, 14, 31
 Terminus, shrine: 1.55; 5.54
 Terracina: 4.59
 Thalassius: 1.9
 Tiber, river: 1.3–4, 7, 27, 33, 37, 45; 2.5, 10–3, 34, 51; 3.13, 26; 4.19, 31–3, 49, 52; 5.13, 37–8, 46, 54
 Tiberinus Silvius, Alban king: 1.3
 Tibur: 3.58
 Ticina, river: 5.34–5
 Timasitheus, pirate chief: 5.28
 Tienses, century of Roman knights: 1.13, 36
 Titinius, Lucius (mil. trib. c.p. 400): 5.12, 18
 Titinius, Marcus (tr. pl. 449): 3.54
 Titinius, Sextus (tr. pl. 438): 4.16
toga praetexta: 1.8; 2.54
 Tolerium: 2.39
 Tolumnius, Lars, king of Veii: 4.17–9, 32, 58
 Trebonian Law: 3.65; 4.16
 Trebonius, Gnaeus (tr. pl. 401): 5.11
 Trebonius Asper, Lucius (tr. pl. 448): 3.65
 tribes/Tribal Assembly: 1.43; 2.21, 56, 60; 3.55, 72
 tribunate of the plebs, inception: 2.33
 tribunes with consular power, inception: 4.6–7
 tribute: 1.43
 Tricastini, Gallic tribe: 5.34
 Trigemina Gate: 4.16
 triumph: 1.38; 2.7, 16, 17, 20, 31, 38, 47, 49; 3.10, 24, 29, 63, 68, 70; 4.10, 20, 29, 32, 34, 54; 5.23, 28, 30, 31, 39, 41, 49
 Troy/Trojans: 1.1–3, 23
 Tubero, Quintus [Aelius] historian: 4.23
 Tullia, daughter of Servius Tullius and wife of Tarquinius Superbus: 1.46–8, 59
 Tullius, Attius, Volscian leader: 2.35, 37–40
 Tullius, Manius (cos. 500): 2.19
 Tullius, Servius, sixth king of Rome: 1.18, 39–49, 59–60; 2.2; 4.3–4
 Tullus: *see* Hostilius
 Turnus: *see also* Herdonius: 1.2
 Tuscan quarter, in Rome: 2.14
 Tuscan Sea: 5.33
 Tusculum: 1.49; 2.15–6, 19; 3.7–8, 18–9, 23, 25, 31, 38, 40, 42; 4.10, 27, 45–6; 5.28
 Twelve Tables, laws: 3.34, 57
 Tyrrhenian Sea: 5.33

- Ulysses: **1.49**
 Umbri: **5.35**
 Urban Street: **1.48**
 Utens river: **5.35**
- Valerius, Antias, historian: **3.5, 4.23**
 Valerius, Lucius (cos. 483): **2.41–2, 61–2; 3.5**
 Valerius, Manius (dict. 494): **2.30–2**
 Valerius, Marcus, fetial: **1.24**
 Valerius, Marcus (cos. 505): **2.16, 18, 20**
 Valerius, Marcus (augur): **3.7**
 Valerius, Publius (cos. 475): **2.52–2**
 Valerius Maximus Latuca, Marcus (cos. 456): **3.25, 31**
 Valerius Maximus, Marcus (mil. trib. c.p. 398): **5.14, 24**
 Valerius Potitus, Gaius (mil. trib. c.p. 415, cos. 411): **4.49, 53, 58, 61**
 Valerius Potitus, Lucius (cos. 449): **3.39–40, 49–55, 57, 60–1, 64, 70; 4.6**
 Valerius Potitus, Lucius (mil. trib. c.p. 414, cos. 392): **4.49, 58–9; 5.1, 10, 12, 14, 17, 28, 31**
 Valerius Publicola, Lucius (mil. trib. c.p. 394): **5.26,**
 Valerius Publicola, Publius (cos. suff. 509): **1.58–9; 2.2, 6–9, 11, 15–6, 20**
 Valerius Publicola, Publius (interrex 462, cos. 460): **3.8, 15–20**
 Vecilium, Mount: **3.50**
 Veii/Veientes: **1.15, 26–7, 30, 33, 42; 2.6–8, 13, 15, 42–6, 49–51, 53–4; 3.16–7; 4.1–2, 7–9, 21, 23–5, 30–5, 41, 43, 45, 49; 5.1–8, 10–1, 13–27, 29–32, 35, 37–9, 43, 45–9, 51–4**
 Velian hill: **2.7**
 Velitrae: **2.30–1, 34**
 Veneti: **1.1; 5.33**
 Venus: **1.1**
 Venus Cloacina, temple: **3.48**
 Verginia: **3.44–7, 50–1, 54, 58, 61**
 Verginius, Aulus (cos. 494): **2.28–9, 51–2**
 Verginius, Aulus (cos. 469): **2.63; 3.1**
 Verginius, Aulus (tr. pl. 461): **3.11–3, 19, 25**
 Verginius, Aulus (tr. pl. 395–4): **5.29**
 Verginius, Lucius (tr. pl. 449): **3.44–51, 54, 56–8 (father of Verginia)**
 Verginius, Lucius (cos. 435): **4.21, 23**
 Verginius, Lucius (mil. trib. c.p. 402): **5.8–9, 11–3**
 Verginius, Opiter (cos. 502): **2.17**
 Verginius, Opiter (cos. 473): **2.54–5**
 Verginius, Proculus (cos. 486): **2.41**
 Verginius, Publius [?Titus]: **2.29**
 Verginius, Spurius (cos. 456): **3.31**
 Verginius, Titus (cos. 496): **2.21**
 Verginius, Titus (cos. 479): **2.48; 3.7**
 Verginius Caelimontanus, Titus (cos. 448): **3.65**
 Verona: **5.35**
 Verrugo: **4.1, 55–6, 58; 5.28**
 Vesta: **1.20; 5.30, 39–40, 52, 54**
 Vestals/Vestal virgins: **1.3–4; 2.42; 4.44; 5.39–40, 52**
 Vetelia: **2.39**
 Vettius Messius: **4.28–9**
 Veturia, mother of Coriolanus: **2.40**
 Veturius, Gaius (cos. 455): **3.31–2**
 Veturius, Marcus (mil. trib. c.p. 399): **5.13**
 Veturius, Titus (or Vetusius) Geminus (cos. 462): **3.8–10, 33**
 Vetusius, Gaius (cos. 499): **2.19**
 Vetusius, Titus (cos. 494): **2.28–31**
 Vica Pota, temple: **2.7**
 Villius, Appius (tr. pl. 449): **3.54**
 Viminal hill: **1.44**
 Vindicius, an informer: **2.5**
 Vitellia (cf. Vetelia): **5.29**
 Vitellii, brothers: **2.4, 7**
 Volero: *see* Publilius
 Volsci: **1.53; 2.9, 22–6, 29–31, 33–42, 48–9, 51, 53, 58–9, 63–5; 3.1, 4, 8–10, 15–16, 18–9, 22, 57, 60, 65–8, 70; 4.1–2, 7, 9–10, 25–6, 28–30, 36–41, 43–4, 51, 53–5, 57–9, 61; 5.8, 10, 12–4, 16, 23–4, 53–4**
 Volscius Fictor, Marcus: **3.13, 24–5, 29**
 Volsinii: **5.31–2**
 Voltumna, shrine: **4.23, 25, 61; 5.17**
 Volumnia, wife of Coriolanus: **2.40**
 Volturnum, Etruscan town: **4.37**
 Volumnia, wife of Coriolanus: **2.40**
 Volumnius, Publius (cos. 461): **3.10–1, 25**
 Vulcan: **1.37**

**"... a book which, like Livy's own work,
is not likely ever to be surpassed."**

In addition to Valerie Warrior's crisp, fluent translation of the first five books of Livy's *Ab Urbe Condita*, this edition features a general introduction to Livy and his work, extensive foot-of-the-page notes offering essential contextual information, and a chronology of events. Three appendices—on the genealogies of the most prominent political figures in the early republic, Livy's relationship with Augustus, and Livy's treatment of religion—offer additional insight into the author and the early history of Rome.

"Dr. Warrior . . . wisely chose to be more literal than free, and she happily refrained from importing 'new and false metaphors.' . . . Her translation, accurate at every turn, is complemented with useful footnotes, especially in those parts of the work (e.g., the Preface) that need special elucidation. The scholarship that went into these footnotes, as well as into the appendix articles and Dr. Warrior's own introduction, is current and of a very high quality. (I do not think I have ever read a better introduction to Livy.) A useful bibliography and several maps contribute to the excellence of a book which, like Livy's own work, is not likely ever to be surpassed."

—BLAISE NAGY, College of the Holy Cross

"The translation is both smooth and accurate. What makes the book superior to its rivals, what will recommend it decisively to those reading or teaching Livy in English, is the quality of the assistance provided by the extra-textual material: the well-informed, concise, helpful explanatory and interpretative footnotes, located, as they ought to be, at the foot of the page; the headings provided for every chapter, which prevent the reader from becoming lost in the sometimes complicated narrative and allow rapid consultation; the clear and valuable introduction, orienting the reader in various important ways; the glossary, which explains Roman institutions; the many simple maps."

—JOSEPH SOLODOW, Southern Connecticut State University

VALERIE M. WARRIOR is the author of *Roman Religion* (Cambridge University Press, 2006) and *The Initiation of the Second Macedonian War: An Explication of Livy Book 31* (F. Steiner, 1996).

ISBN-13: 978-0-87220-723-3

ISBN-10: 0-87220-723-4



9 780872 207233

90000



Cover image: A Roman Didrachm,
c. 269–266 BCE. Photo provided courtesy
of the American Numismatic Society.