

## THE TRIBUNES AND THE FEDERAL ARMY OF THE LATIN LEAGUE \*

*Abstract.* — Cet article aborde la question de l'armée fédérale de la Ligue latine au temps de la Haute République de Rome. L'argumentation se divise en deux parties. La première passe en revue les différents indices qui poussent à voir dans les tribuns originels (c'est-à-dire les tribuns antérieurs à 367 av. J.-C.) les commandants de l'armée fédérale en question. L'on s'intéressera notamment aux évaluations de la taille de l'armée archaïque dite « romaine », qui aboutissent à des chiffres trop importants pour que ceux-ci ne puissent faire référence qu'à l'armée de Rome seulement. L'on s'attardera aussi sur quelques connexions intéressantes entre la première sécession de la plèbe (à l'issue de laquelle les tribuns furent instaurés), le *foedus Cassianum* (dont la conclusion coïncide avec la fin de la sécession plébéienne) et les *feriae Latinae* (auxquelles l'on ajouta précisément un jour pour consacrer le retour de la concorde entre patriciens et plébéiens à cette même occasion). Après avoir été remis en perspective dans le présent article, ces différents indices apparaîtront comme autant de traces de la constitution et du fonctionnement de l'armée fédérale latine, des traces que les Romains se sont efforcés de dissimuler et de réinterpréter. Sur la base de plusieurs données chiffrées transmises par la tradition sous des formes remaniées, la seconde partie de l'argumentation se focalisera ensuite sur la structure de l'armée fédérale, qui aurait été composée, selon toute vraisemblance, de dix contingents de huit cents hommes, chaque contingent étant à son tour divisé en deux unités plus petites de quatre cents hommes.

### Introduction

The first two centuries of the Roman Republic (5<sup>th</sup>–4<sup>th</sup> BCE) are indisputably the most obscure of Roman History. They have given rise to the most diverse hypotheses, in which traditionalist and critical approaches

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have often been opposed to one another, but none have been completely convincing. Although some, like those of Alföldi<sup>1</sup> or Gjerstad<sup>2</sup>, have proposed ambitious and appealing reconstructions, they have nevertheless attracted a barrage of criticism. Relying mainly on evidence from archeological remains, their interpretations have generally been regarded as closer to personal perception than to cogent argumentation<sup>3</sup>. The discussion of the famous struggle of the orders is ongoing<sup>4</sup>, despite some endeavours to solve the problem<sup>5</sup>. This controversy is linked to another one and concerns the reliability of the sources themselves<sup>6</sup>. Finally, those studies focusing on the difficulties, problems, contradictions and aporias of this historical period, without completely rejecting the ancient version of history, are judged to be

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1. A. ALFÖLDI, *Early Rome and the Latins*, Ann Arbor, 1965.

2. E. GJERSTAD, *Early Rome* (Skrifter utgivna av Svenska institutet i Rom, 17), Lund, 1953-1977, 6 vol.

3. See S. OAKLEY, *A Commentary on Livy*, vol. 1: *Book VI*, Oxford, 1997, p. 331, n. 1; A. D. MOMIGLIANO, "Review of Alföldi", *New York Review of Books* 3 (16<sup>th</sup> September 1965), p. 19-22.

4. J.-C. RICHARD, *Les origines de la plèbe romaine : essai sur la formation du dualisme patricio-plébéen* (Collection de l'École Française de Rome, 232), Rome, 1978, but above all K. A. RAAFLAUB (ed.), *Social Struggles in Archaic Rome: New Perspectives on the Conflict of the Orders*, Berkeley - Los Angeles - London, 1986, which was republished in a revised and enlarged edition in 2005. For a recent synthesis, see K. A. RAAFLAUB, "Between Myth and History: Rome's Rise from Village to Empire (the Eighth Century to 264)", in N. ROSENSTEIN and R. MORSTEIN-MARX (ed.), *A Companion to the Roman Republic*, Malden - Oxford - Carlton, 2006, p. 125-146 (or more precisely p. 139-141 on the struggle of the orders).

5. The most noteworthy is that of R. E. MITCHELL, "The Definition of *Patres* and *Plebs*. An End to the Struggle of the Orders", in K. A. RAAFLAUB, *op. cit.* (n. 4), p. 130-174. His thesis was that the patriciate would not be a social order motivated by any intention to exert power within society but rather a priestly caste. However, many problems remain unexplained, and the hypothesis is unfortunately far from putting an end to the debate on the struggle of the orders.

6. Concerning Livy, see in particular A. KLOTZ, *Livius und seine Vorgänger. 3. Heft* (Neue Wege zur Antike. Reihe 2, Interpretationen), Berlin - Leipzig, 1941, and P. G. WALSH, *Livy: His Historical Aims and Methods*, Cambridge, 1961. For Dionysius of Halicarnassus, the major work is E. GABBA, *Dionysius and the History of Archaic Rome*, Berkeley - Oxford, 1991. For a qualified and convincing defence of the sources, see T. J. CORNELL, "The Value of the Literary Tradition Concerning Archaic Rome", in K. A. RAAFLAUB (ed.), *op. cit.* (n. 4), p. 52-76. For a very nuanced study on the use of sources relevant to the origins of Rome and on their reappropriation by the later ancient historians, see T. P. WISEMAN, *Unwritten Rome*, Exeter, 2008.

the most relevant<sup>7</sup>. Forsythe gave an excellent summary of the situation in modern historiography:

Every development was described as a consequence of the plebeians' contending with the patricians. Though this late annalistic thesis has generally recognized problems – it is simplistic and stereotypical, and has anachronistic elements borrowed from the social, political, and economic conditions of the late republic – it has nonetheless been adopted with only minor modifications by most modern scholars<sup>8</sup>.

Amongst all subjects discussed, there has been one less studied than all the others, apparently because only a few pieces of information remain, namely the Latin League and its federal army. This paper aims to determine whether we are really so unaware of an army that included the Roman army and was therefore superior to it for a century and a half.

The argument is divided into two parts. The first one investigates the possible connections that might be established between the tribunes and the commanding officers of the federal army, while the second one focuses on the structure of this army.

### A. The tribunes and the Latins

#### 1. *The original tribuneship: methodological clarification*

The starting point of my analysis is the original tribuneship in the Early Roman Republic<sup>9</sup>. In a previous paper, I discussed the possibility that the original tribunes may have been military leaders, who also had civil powers, up until the Licinian-Sextian reform in 367 BCE. This is when the Romans would have split the civil and military powers of these tribunes into *tribuni plebis* and *tribuni militum*. Moreover, I argued that before the mid-4<sup>th</sup> century BCE the tribunes (called *plebis* by tradition) would each have had a contingent of 800 men (a number attested by Dionysius of Halicarnassus) under their command, which can be rounded up to 1000 once cavalry and potential auxiliary forces are taken into account.

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7. T. J. CORNELL, *The Beginnings of Rome: Italy and Rome from the Bronze Age to the Punic Wars (c. 1000-264 B.C.)*, Routledge, 1995, and G. FORSYTHE, *A Critical History of Early Rome: from Prehistory to the First Punic War*, Berkeley, 2005. For a critical synthesis of the different directions in modern historiography about Early Rome, cf. N. TERRENATO, "Early Rome", in A. BARCHIESI and W. SCHEIDEL (ed.), *The Oxford Handbook of Roman Studies*, Oxford, 2010, p. 507-518.

8. G. FORSYTHE, *op. cit.* (n. 7), p. 158.

9. N. MEUNIER, "*Tribuni plebis* ou *tribuni militum* ? Le tribunat originel dans la Haute République de Rome (V<sup>e</sup>-IV<sup>e</sup> siècles av. J.-C.)", *LEC* 79 (2011), p. 347-360.

Admittedly, some modern scholars had already considered a similar hypothesis for the regal period<sup>10</sup>, suggesting that at that time the Roman army would have been made up of three contingents of 1000 men, led by three *tribuni militum*, to which should be added three centuries of horsemen, headed by three *tribuni celerum*. The fact that it is not unlikely this situation could also have corresponded to the Early Republic is of great importance for the writing of Roman history and if it turns out to be correct, it will open major new research perspectives. This paper will test the validity of the hypothesis by exploring one of these potential new perspectives.

The methodology put forward below requires some explanation with regard to the use of ancient sources. First, it is a fact that the source material for the Early Roman Republic is almost exclusively made up of later narratives, with a gap of several centuries between them and the narrated period. Moreover, these narratives are largely influenced by ideological patterns. The opposition between *populares* and *optimates* at the time of the Gracchi and the civil wars (especially between Marius and Sulla) undoubtedly prompted the Annalists to project some of their contemporary realities onto the Early Republic, as they emphasized the famous “struggle of the orders” to prolong the ideological debate. We also have to bear in mind that the accounts written by Dionysius and especially Livy are contextualized. This means that all the elements were inserted in a narrative scheme by the ancient writers according to the interpretation they wanted to give to them<sup>11</sup>. Therefore, the context, unfortunately, is not determining. The significance that Livy, Dionysius and their predecessors gave to an event or institution is not necessarily true in all respects. Even so, we cannot exclude the possibility that the trace of an older reality may remain, particularly since there exists a sequence of excerpts that are usually described as

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10. Th. MOMMSEN, *Römische Geschichte*, vol. 1, Berlin, 1931 (14<sup>th</sup> ed.), p. 70; D. SOHLBERG, “Dictateurs et tribuns de la plèbe : problèmes de la République romaine à ses débuts”, *CCG* 4 (1993), p. 247-258, and more specifically p. 250; G. DE SANCTIS, *Storia dei Romani*, vol. 1, Florence, 1956 (2<sup>nd</sup> ed.), p. 392 f. However, this hypothesis was considered dubious by J. HEURGON, “Magistratures romaines et magistratures étrusques”, in E. GJERSTADT, Fr. E. BROWN and P. J. RIIS (ed.), *Les origines de la République romaine* (Entretiens sur l’Antiquité classique, 13), Geneva - Vandœuvres, 1969, p. 97-132 (see especially p. 270). T. J. CORNELL, *op. cit.* (n. 7), p. 182, without giving a precise dating, wrote that “a tribune was originally the commander of a tribal contingent of 1000 men; this original meaning is reflected in the fact that in Greek sources the word tribune is translated *χλιάρχος* (= commander of 1000)”. On this matter, cf. also M. RIEGER, *Tribus und Stadt: die Entstehung der römischen Wahlbezirke im urbanen und mediterranen Kontext (ca. 750-450 v. Chr.)* (Göttinger Forum für Altertumswissenschaft, 17), Göttingen, 2007, p. 90.

“exceptions” in our sources. Inasmuch as the ancient writers obviously had no interest in creating these “oddities”, which caused problems for their re-interpreted accounts of the Roman history, we should perhaps consider them, if not as proof, then at least as clues of this older reality. It is important to stress this last point. As it is illusory to believe that we will ever find any definitive and indisputable proof about Early Rome (this is why, despite the numerous endeavours of successive scholars, the discussions remain markedly polemical and the proposed solutions not fully convincing), I think we must accept that the best we can do is collect bundles of convergent clues in order to put forward the most plausible hypotheses.

## 2. *The size of the army*

If we are to accept that, until the Licinian-Sextian reform, there existed original tribunes combining the powers of the *tribuni plebis* with those of the *tribuni militum*, then there is an interesting observation to be made. Indeed, if each tribune is linked to a given contingent, estimating the size of the army over the years to as far back as the 5<sup>th</sup> century BCE becomes feasible: between 2000 and 5000 soldiers for the period 494–471 BCE, at least 5000 men after 471 BCE and around 10 000 from 457 BCE onwards. This hypothesis is appealing, but it also raises a problem: the size of the Roman army as early as 457 BCE was quite considerable, indeed perhaps too big for that period. Very few cities of the ancient world were able to line up so many soldiers. As a point of comparison, Sparta at the height of its glory could “only” align 8000 hoplites<sup>12</sup>. A force of 10 000 men would have made Rome one of the most powerful cities already in the first half of the 5<sup>th</sup> century BCE<sup>13</sup>. During this period however, the *Urbs* was not completely

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11. Dionysius of Halicarnassus defended the thesis of the “Greekness” of Rome (see E. GABBA, *op. cit.* [n. 6], p. 87). Livy, on the other hand, wanted to provide moral examples, and he characterized the individuals, communities and nations in this way (P. G. WALSH, *op. cit.* [n. 6], p. 82 f.). Moreover, Livy gave a general structure to his work that relied on chronological cycles made up of alternating phases of *concordia/discordia* within the Roman society (see B. MINEO, *Tite-Live et l'histoire de Rome*, Paris, 2006; also, but only for the first pentad, G. MILES, *Livy. Reconstructing Early Rome*, Ithaca - London, 1995, p. 75-109).

12. H. SINGOR, “The Spartan Army at Mantinea and its Organisation in the Fifth Century B.C.”, in W. JONGMAN and M. KLEIJWEGT (ed.), *After the Past: Essays in Ancient History in Honour of H. W. Pleket* (Mnemosyne: Bibliotheca Classica Batava. Supplementum, 233), Leiden - Boston, 2002, p. 235-284, especially p. 279.

13. Referring to Ampolo’s estimation that the Roman army comprised between 5700 and 8500 soldiers (C. AMPOLO, “Le condizioni materiali della produzione: agricoltura e paesaggio agrario”, *DialArch* n.s. 2 [1980], p. 29-30), Forsythe was also of the opinion that “this would have been quite a substantial army in comparison with

autonomous since it was part of a broader community, the Latin League, which Rome was not to disband until 338 BCE. So, if the 10 000 soldiers really belonged to this city alone, why would it have needed the Latin League? And why would Rome have waited another 117 years before putting an end to it?

I am prompted by this reasoning to wonder if the abovementioned army was, then, Rome's only military force. The hypothesis that Roman historians made a retrospective projection of their own history is actually plausible, and it would certainly not be the first instance of such manipulation. The question now is to determine to whom belongs the army that we can see in action in our sources. Logically speaking, the only organization capable of assembling such a significant force was the Latin League. Moreover, the League was sufficiently near Rome for Rome to have subsequently monopolized the merit and even the memory of the League. Under these circumstances, it is very tempting to identify the army of the ten *tribuni plebis* with the Latin federal army in which Rome played a part.

It should be noted that the theory of the "Latin model" is not new. However, it has been expressed in very different ways. As early as the 19<sup>th</sup> century, Ohnesseit argued that the other important magistracy of the plebs, the plebeian aedileship, could have had a Latin origin<sup>14</sup>. Even in classical times, the Aventine, whose plebeian characteristic was well-known<sup>15</sup>, was identified as a place where the Latins settled with some of their cults<sup>16</sup>. Amongst

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neighboring states" (G. FORSYTHE, *op. cit.* [n. 7], p. 116). Smith had already described the army at the end of the regal time, estimated at between 4000 and 6000 men, as a "formidable force" (Ch. SMITH, *Early Rome and Latium: Economy and Society c. 1000 to 500 B.C.*, Oxford - New York, 1996, p. 206). The bewilderment of modern historians is understandable but, oddly, it never prompted anyone to question whether these figures related to the army of the city of Rome alone.

14. A. W. OHNESSEIT, "Ueber den Ursprung der Aedilität in den italischen Landstädten", *ZRG* 4 (1883), p. 200 (see Richard's opinion: J.-C. RICHARD, *op. cit.* [n. 4], p. 584-585). This scholar nevertheless rejected any extension of this hypothesis to the tribunate of the plebs.

15. Forsythe stressed that "a close connection in the early historical tradition between the dedication of Ceres' temple and the creation of the plebeian tribunate is further suggested by several ancient sources" (G. FORSYTHE, *op. cit.* [n. 7], p. 173). See also T. J. CORNELL, *op. cit.* (n. 7), p. 256 and N. MEUNIER, "Le lac Régille, les Dioscures et Cérés : de la crise romano-latine à la crise patricio-plebéienne", in M. CAVALIERI, R. LEBRUN and N. MEUNIER, *De la crise naquirent les cultes* (Homo Religiosus, II, 15), Turnhout, 2015, p. 155-162.

16. C. ANDO, "Diana on the Aventine", in H. CANKIĆ and J. RÜPKE (ed.), *Die Religion des Imperium Romanum*, Tübingen, 2009, p. 101; J.-C. RICHARD, *op. cit.* (n. 4), p. 281. These two scholars mentioned the passage from Varro relating to the

the modern scholars who have defended a variant of the Latin theory, Alföldi is indisputably the most prominent<sup>17</sup>. Nevertheless, his work drew mostly criticism, and scholars subsequently tended to ignore further research in that direction. The discussion was recently revived, however, by Howarth's commendable publication on the origin of Roman citizenship<sup>18</sup>. While many points made in the book require discussion (especially the role of the tribunes), the basic idea that the Roman institutions owed a lot to the federal institutions is worth taking into consideration.

Thanks to the work of previous scholars, it is now possible to point out two pitfalls that we definitely need to avoid. The first is the temptation to establish any strict parallels between the plebs or patricians on the one hand and some corresponding alternatives on the other<sup>19</sup>. This kind of equivalence is too simplistic. I believe the reality was more complex, for otherwise such correspondences would have been long-since identified. The second pitfall is to draw reconstructions that are too broad (and consequently too hypothetical) of what might have been the underlying real history. That is why I focus in this paper on a more specific and sounder subject, namely the tribunes and the federal army, which is probably the best way to avoid the two pitfalls just described.

### 3. *The secession of the plebs and the foedus Cassianum*

If we regard the tribunes (of the plebs) as the military leaders of the collective Latin army we may envisage the possibility that these tribunes were not all Romans, but that they also came from Latin cities. On this point, I depart from Howarth's theory, which identified the Senate with the Latin

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Aventine (*LL*, 5, 43: "We call it 'Aventine' for several reasons. Some say that it is from the 'coming' [adventus] of people to the Aventine, because on this place was erected for Diana a temple, common to the Latins"). According to R. BLOCH, "Une *lex sacra* de Lavinium et les origines de la triade agraire de l'Aventin", *CRAI* (1954), p. 203-212, it is in Lavinium that Ceres, Liber and Libera would have been established as a triad until their cult, originally a Latin one, would have been imported to the Aventine in Rome. See finally Alföldi's arguments (A. ALFÖLDI, *op. cit.* [n. 1], p. 85 f.) on the foundation date of this federal temple.

17. A. ALFÖLDI, *op. cit.* (n. 1). Mention should also be made to E. GJERSTADT, *op. cit.* (n. 2).

18. R. S. HOWARTH, *The Origins of Roman Citizenship*, Lewiston, 2006.

19. For instance J. BINDER, *Die Plebs. Studien zur römischen Rechtsgeschichte*, Leipzig, 1909, who regarded the plebs as all the Latins settled in the *Vrbs*. This is the complete opposite view to that taken by R. S. HOWARTH, *op. cit.* (n. 18), who believed that the patricians came from a Latin federal aristocracy, while the plebs were the Roman population.

aristocracy and the tribunes with the local Roman authorities<sup>20</sup>. This seems a little too dichotomic in my opinion (as does the traditional struggle of the orders), and I therefore incline towards a more balanced explanation, which has the tribunes' federal magistrates coming from both Rome and the Latin cities. Such a hypothesis about the tribunate sounds *a priori* fairly radical, but we have to bear in mind, even before we begin to interpret our sources, that the Latins are actually present in accounts relating the important stages of tribunician history, beginning with the two secessions of the plebs. Indeed, the consuls Spurius Cassius and Postumius Comminius assumed office during the first secession in 493 BCE. During their consulship, a treaty was made with the Latins, some clauses of which were still being quoted by Festus in the 2<sup>nd</sup> century CE<sup>21</sup>. This treaty was the famous *foedus Cassianum*, which marked the starting point of the Latin League as a binding military alliance.

*Per secessionem plebis Sp. Cassius et Postumus Cominius consulatum inierant. His consulibus cum Latinis populis ictum foedus.* (Liv., 2, 33, 3.)

At the time of the secession of the plebs, Sp. Cassius and Postumus Cominius became consuls. During their consulship, a treaty was concluded with the Latin peoples.

This excerpt from Livy clearly shows that the secession of the plebs and the treaty with the Latins were contemporary events. Is this a mere coincidence? Livy, and most modern scholars after him, tend to answer in the affirmative, taking care to keep the civil sphere (*domi*) and the foreign sphere (*foris*) apart. However, I find it very difficult to believe that the Romans could have led the negotiations that ended up in the *foedus Cassianum* with the Latins, while they were themselves divided by a serious secession, without there being any interference between the two events. Livy carefully avoided this issue, but Dionysius of Halicarnassus gave a few more details:

Ἐγένοντο δ' ἐν τῷ αὐτῷ χρόνῳ καὶ πρὸς τὰς τῶν Λατίνων πόλεις ἀπάσας συνθῆκαι καιναὶ μεθ' ὄρκων ὑπὲρ εἰρήνης καὶ φιλίας, ἐπειδὴ παρακινήσαι τ' οὐδὲν ἐπεχείρησαν ἐν τῇ στάσει, καὶ συνηδόμενοι τῇ καθόδῳ τοῦ δήμου φανεροὶ ἦσαν, τοῦ τε πολέμου τοῦ πρὸς τοὺς ἀποστάτας ἐτοίμως ἐδόκουν συνάρασθαι. (D.H., 6, 95, 1.)

At the same time, a new treaty of peace and friendship was concluded on oath with all the Latin cities, because they had not tried to cause unrest during the secession, because they had publicly rejoiced together <with the Ro-

20. R. S. HOWARTH, *op. cit.* (n. 18), p. 98-99.

21. Fest., 166 L *s.v.* *nancitor*. It should be pointed out that the treaty was called *foedus Latinum* in this instance.

mans> at the plebs' return and because they had promptly made the decision to take part in the war against those who defected.

The Greek historian maintained unambiguously that Rome granted the treaty as a favour to the Latins *because of* their behaviour during the secession of the plebs. However, there were considerable discrepancies in Dionysius's statement. For example, the Latins, who had been defeated three years earlier in the battle of Lake Regillus but were now in a strong position, had the opportunity to get their revenge, but Dionysius had them behaving in a friendly way and refraining from causing trouble. Indeed, the Latins went even further. They overtly rejoiced with the Romans to see the plebs return to the city and just to be quite sure the Romans understood their good intentions, they voluntarily took part in the war against "those who defected<sup>22</sup>," even though they had not yet made a treaty of peace and alliance with Rome.

Moreover, it is really interesting to see how the Romans celebrated the end of the secession. Dionysius tells us a few lines later that in order to commemorate the return of the plebeians who had defected, a third day was added to the *feriae Latinae*:

Ἐψηφίσατο δὲ καὶ θυσίας ἀποδοῦναι τοῖς θεοῖς ἢ βουλὴ χαριστηρίους ἐπὶ ταῖς πρὸς τὸν δῆμον διαλλαγῆς, προσθεῖσα μίαν ἡμέραν ταῖς καλουμέναις Λατίναις ἑορταῖς δυσὶν οὔσαις: [...] ἢ τρίτη τότε προσενεμήθη τῆς καθόδου τῶν ἀποστάντων ἕνεκα. (D.H., 6, 95.)

The senate voted that sacrifices should be offered to the gods as thanksgiving for the reconciliation with the plebs and that one day should be added to what is called the "Latin" festival, which previously comprised two days; [...] the third was granted by reason of the return of those who defected.

Once again, the link between the Latins and the end of the secession of the plebs, this time on the occasion of religious celebrations, is noteworthy. Why would the Romans have chosen the *feriae Latinae* for such commemorations if the tensions with the Latins on the one hand and the plebeians on the other hand had not been linked in some way? Interestingly enough, at

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22. In using that phrase (ἀποστάντες), Dionysius seems to be referring to the Volsci in the context of the conflict against Corioli and Antium, in which Coriolanus was marked out. It should be noted that Coriolanus is considered by some modern historians to be a "Romanized" Latin character (see B. LIOU-GILLE, "Un héros 'romain'? : Marcius Coriolan. Un exemple d'intégration à la 'civitas Romana' d'un citoyen latin en 493 a.C. ?", *FEC* 14 [2007], <<http://bcs.fltr.ucl.ac.be/FE/14/Coriolan.htm>>; however, T. J. CORNELL, *op. cit.* [n. 7], p. 73-97, had his reservations about this long-standing hypothesis). In this case, the ἀποστάντες would rather have been some Latins at war (or in secession, the reader may choose the most appropriate term) against Rome or even against other Latins, with the help of some Volscians, which is not impossible.

some later point but still during the *feriae Latinae*, the tribunes of the plebs – who, it should not be forgotten, were created precisely to allow the reconciliation at the end of the secession – took part in the sacrifice in honour of Jupiter *Latiaris* at *Albanus Mons*<sup>23</sup> with all other Latin magistrates<sup>24</sup>. This was the only time they were authorized to leave the city of Rome. The exceptional nature of this dispensation tends to confirm the close link between the tribunes of the plebs and the Latins at a time when leaving the city should not have been an exception for these magistrates.

Returning to the subject of the *foedus Cassianum*, it has to be admitted that the justification of its existence is extremely unclear. It is based on the behaviour of both the Latins and the plebeians and is most likely to be a subsequent distortion of a reality that is, in my opinion, nevertheless still discernible in our sources. We know that Cassius's treaty immediately followed a sequence of events that had simultaneously led to the creation of the tribunes of the plebs. We also know that it was not only a treaty of peace but also a federative military alliance. Finally, if we are to believe Varro and Dionysius of Halicarnassus, we know that the tribunes of the plebs, created during the troubles that preceded the making of the treaty, “were first appointed amongst the military tribunes<sup>25</sup>” and that each of them “took a con-

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23. D.H., 8, 87, 6: Περιγέγραπται γὰρ αὐτῶν τὸ κράτος τοῖς τείχεσι, καὶ οὐδὲ ἀπαυλισθῆναι τῆς πόλεως αὐτοῖς θέμις, ὅτι μὴ πρὸς ἓνα καιρὸν, ἐν ᾧ πᾶσαι θύουσιν αἱ τῆς πόλεως ἀρχαὶ κοινὴν ὑπὲρ τοῦ Λατίνων ἔθνους τῷ Διὶ θυσίαν ἐπὶ τὸ Ἀλβανῶν ὄρος ἀναβαίνουσαι, “The power [of the tribunes of the plebs] is confined within the walls, and they are not even allowed to spend a night outside the city, except on a single occasion, during which all the magistrates, having gone up to the Alban Mount, make a common sacrifice to Jupiter on behalf of the whole Latin people”.

24. Liv., 41, 16, 1: *Latinae feriae fuere ante diem tertium nonas Maias, in quibus quia in una hostia magistratus Lanuvinus precatus non erat populo Romano Quiritium, religioni fuit*, “The *feriae Latinae* took place on the third day before the Nones of May and during these, they had a religious scruple because the magistrate of Lanuvium, when sacrificing, had not prayed for the Roman people of the Quirites.” Concerning the *feriae Latinae*, cf. also T. J. CORNELL, *op. cit.* (n. 7), p. 294-295: “In the historical period it was the Latin cult *par excellence*”. Smith even explicitly pointed out the connection between this festival and the federal Latin army: “The relationship between the *feriae Latinae* and the Latin League was intimate, and we are therefore engaged with the rituals that surround the earliest activities of the Latin army” (Ch. SMITH, “*Feriae Latinae*”, in J. RASMUS BRANDT and J. W. IDDENG [ed.], *Greek and Roman Festivals: Content, Meaning and Practice*, Oxford, 2012, p. 276).

25. Varr., *LL*, 5, 81: *Tribuni plebei, quod ex tribunis militum primum tribuni plebei facti*. J.-C. RICHARD, “Patricians and Plebeians: The Origin of a Social Dichotomy”, in K. A. RAAFLAUB, *op. cit.* (n. 4), p. 105-129, thinks that it is necessary to accept Varro's note as true but also that it only concerns the tribunes established during the “*secessio of armati*” in 494–493 BCE. Their successors would have lost any imperium to become

tingent of eight hundred men<sup>26</sup>. If that is the case, then the fact that the *foedus Cassianum* was made precisely at the height of a period supposed to be troubled by large-scale social unrest may not be a pure coincidence. Likewise, the implementation of this military alliance and the creation of the tribunate of the plebs just after the same secessionist event may not be merely fortuitous. It seems very difficult to discard the likelihood that all these events should be closely linked, despite the attempts of ancient historians (especially Livy) to disconnect the plebeian secession and the Latin treaty by attributing the former to the exclusively domestic sphere and the latter to foreign policy. I do not mean that behind the plebs we should systematically see the Latins. As I stated above, we must avoid drawing any strict parallels or ethnic interpretations. I am merely suggesting that the struggle of the orders may have been used in some instances (e.g. the first secession of the plebs) as a narrative pattern projected onto earlier times in order to cover up some historical events that might have subsequently appeared embarrassing (e.g. the crucial role played by the Latins at the beginnings of the Republic).

## B. The structure of the Latin army

### 1. *The decem principes Latinorum*

The arguments examined above suggest that the ten *tribuni plebis* may well originally have been the ten commanding officers of the Latin League. The annalistic tradition was evidently unable to completely obliterate the memory of this distinctive army, as can be seen in this excerpt from Livy:

*M'. Valerium dictatorem Volesi filium creant. [...] Quantus nunquam ante exercitus, legiones decem effectae. (Liv., 2, 30, 5 and 6-7.)*

Manius Valerius, Volesus's son, was appointed dictator. [...] No larger army has ever before been raised. Ten legions were formed.

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simple civilian magistrates. Although recognizing that a problem remained, Richard regards the first generation of tribunes (the only ones in whom he recognizes a military function) as "the exception that proves the rule" (J.-C. RICHARD, *ibid.*, p. 127). In my opinion, it is difficult to believe that the status of the tribunes could have changed so quickly. Furthermore, allowing an exception considerably weakens the argumentation and all the more so when it is possible to suggest another interpretation that does not involve making such an exception. This is what my paper aims to do.

26. D.H., 10, 43: Σπεῖραν ἐπαγόμενος ὀκτακοσίων ἀνδρῶν. See also N. MEUNIER, *op. cit.* (n. 9).

Reading between the lines, the “ten legions” were nothing more than the ten contingents of the League, each under the command of a tribune<sup>27</sup>. This hypothesis is reinforced by the fact that it fits with the structure of the Latin army as attested by Livy in his account of the Latin war of 340–338 BCE, after which the League was abolished:

*Ceterum Romani, etsi defectio sociorum nominisque Latini haud dubia erat, tamen [...] decem principes Latinorum Romam evocaverunt, quibus imperarent, quae vellent.* (Liv., 8, 3, 8-9.)

Besides, although they had not the slightest doubt as to the defection of the allies and the Latin peoples, the Romans summoned the ten chiefs of the Latins to order them whatever they wanted.

It seems certain, therefore, that the Latin army was at some point commanded by ten “chiefs”. The reason why Livy gave up this precious piece of information is that the League was about to be abolished. It was disbanded following defeat by Rome in the war shortly afterwards. From that point onwards, Rome had nothing to conceal. It had become the most powerful city in Italy, and its narrated history was henceforth effectively its own. The League, on the other hand, had become an overthrown enemy and was described as a separate entity. In 1998, Oakley still wrote about the *decem principes Latinorum* that “we cannot now determine the status of these men<sup>28</sup>”. Maybe now we can, however, if we identify them with the ten *tribuni* each at the head of a contingent within the federal army.

## 2. *The λοχαγοί and λόχοι*

It is possible to determine the structure of the federal army even more precisely. It would appear that the contingent of 800 men was not the smallest military section, if we are to believe Livy:

*Ita renouatum foedus, indictumque iunioribus Latinorum ut ex foedere die certa ad lucum Ferentinae armati frequentes adessent. Qui ubi ad edictum*

27. This extract from Livy takes place in the story of the *first* secession of the plebs, however, in other words when there were two, three or five tribunes. The reference to an army with ten legions would be more appropriate for the *second* secession, when the number of tribunes officially rose to ten. It revives the debate about the anachronisms and about the doublets between the stories of both secessions. In this case, the episode seems to have been anticipated by Valerius Antias in one of his numerous attempts to highlight his own *gens*.

28. S. OAKLEY, *A Commentary on Livy*, vol. 2: *Books VII-VIII*. Oxford, 1998, p. 411. Prior to Oakley, even A. ALFÖLDI, *op. cit.* (n. 1), p. 37 n. 5, had no precise idea of who these same *decem principes Latinorum* were since he wrote that they “may be historical for the last years of the existence of the League; but this may be an anachronistic invention”.

*Romani regis ex omnibus populis conuenere, ne duces suos neque secretum imperium propriae signa haberent, miscuit manipulos ex Latinis Romanisque ut ex binis singulos faceret binosque ex singulis; ita geminatis manipulis centuriones imposuit.* (Liv., 1, 52, 5-6.)

So the treaty was renewed and, in accordance, the young men amongst the Latins were ordered to be present at the grove of Ferentina, armed and in great number, on the appointed day. In order that those who came from the Latin peoples and gathered there upon the order of the Roman king should not have their own leader or a distinct command or their own standards, he formed combined maniples. Each Latin maniple was merged with a Roman maniple, and these binary units were then divided again. He assigned centurions to the paired maniples.

Livy attributed the reform to the last king of Rome, Tarquinius Superbus. Yet Cornell, without calling the date into question, pointed out that “the terms of this treaty, whether historical or not, clearly anticipate those of the *foedus Cassianum*”<sup>29</sup>. I would like to go a step further and propose that the alliance imposed on the Latins by Tarquin may have been a pure projection of the important treaty of the republican period. The fact that the making of the treaty was followed by the implementation of an integrated federal army tends to show that the reform was not merely an alliance in which Rome would have been the dominant partner. If Rome had, as Livy claims, been so much more powerful than the Latins, the local armies would not have been merged in this way, and it is likely that another system would have been adopted instead, disjoining the Roman legions from the “allies” (*socii*)<sup>30</sup>, as was the case in classical times. At the beginning of the

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29. T. J. CORNELL, *op. cit.* (n. 7), p. 297.

30. T. J. CORNELL, *ibid.*, p. 301, however, is not of this opinion: “the Latins and Hernici fought in separate contingents under a unified (Roman) command.” A. ALFÖLDI, *op. cit.* (n. 1), p. 106, also thought, unlike Livy, that “the Latins had then in reality their complete autonomy also in the army organization and were, even much later, still fighting in their own contingents”. Alföldi made this claim on the assumption that the submission of the Latins to the king of Rome was fictional and hence that it was impossible for the Latin soldiers to have merged with the Romans to form a single army. However, in my opinion, this reasoning approaches the problem from the wrong angle. It would be more convincing to have considered it odd, as I did, that the Latins may have been the subjects of the Roman king precisely because of that merger within the federal army, since the merging presupposes some degree of equality of rights and status rather than subordination or submission. Moreover, suggesting that the *foedus Cassianum* may have resulted in a merging of the two camps within the federal army is not unthinkable. Livy pointed out that following the arrangement of 495 BCE, which resulted from the Battle of Lake Regillus and preceded the *foedus Cassianum* by two years, “at no previous time had the Latin people had closer relations with the Roman power, either politically or personally” (Liv., 2, 22, 7: *numquam alius ante publice privatimque Latinum nomen Romano imperio coniunctus fuit*). Finally, none of this

republican period, however, the reality was very different. It was a reality that Rome tried to minimize and even to mask. The treaty was a *foedus aequum*<sup>31</sup>. Even the details of the reform have been preserved, for example, the “paired maniples” (*geminati manipuli*, i.e. the contingents of 800 men, each headed by a tribune) are themselves logically made up of two smaller units of 400 men. This number might have seemed pure guesswork if Dionysius of Halicarnassus and Livy had not both accurately transmitted it:

Ἀνὴρ ἐκ τῶν δημοτικῶν, Λεύκιος Οὐεργίνιος, οὐδενὸς χειρῶν τὰ πολεμικά, λόχου τινὸς ἡγεμονίαν ἔχων ἐν τοῖς πέντε τάγμασιν ἐτάχθη τοῖς ἐπ’ Αἰκανοῦς στρατευσαμένοις. [...] Συνέτεινεν ἐπὶ τὸ στρατόπεδον, Ἰκίλιου τε καὶ Νομιτωρίου τῶν ἀγαγόντων αὐτὸν ἐκ τοῦ χάρακος νεανίσκων καὶ τότε συμπροπεμπόντων. Ἠκολούθει δ’ αὐτοῖς καὶ ἄλλος ὄχλος δημοτῶν οὐκ ὀλίγος, ὥστε τοὺς σύμπαντας ἀμφὶ τετρακοσίους γενέσθαι. (D.H., 11, 28, 1 and 11, 37, 7.)

A man from the plebs, Lucius Verginius, who was inferior to none in war and who had the command over a λόχος, was assigned to the five contingents that were campaigning against the Aequians. [...] [*When he heard that the decemvir Appius Claudius wanted to seize his daughter, Verginius succeeded in escaping from the camp, where some had tried to keep him, came back to Rome and killed his daughter to shield her from the decemvir. Then he got ready to leave the city.*] [...] He was zealously heading back to the camp, once again escorted by Icilius and Numitorius, the young men who had helped him escape. Another crowd of plebeians, quite large in number, followed them, so that all in all there were around four hundred men.

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would have prevented the members of the League or even the various *gentes* from leading their own military campaigns outside the framework of the federal army (see E. T. SALMON, “Rome and the Latins [2]”, *Phoenix* 7/4 [1953], p. 124), in which case they would have built up their own contingents.

31. On this matter, see M. CHIABÀ, *Roma e le priscae Latinae coloniae: ricerche sulla colonizzazione del Lazio dalla costituzione della repubblica alla guerra latina*, Trieste, 2011, p. 38-46; J. RICH, “Warfare and the Army in Early Rome”, in P. ERDKAMP (ed.), *A Companion to the Roman Army*, Malden - Oxford, 2007, p. 11-12; S. OAKLEY, *op. cit.* (n. 3), p. 341; C. AMPOLO, *op. cit.* (n. 13), p. 121-126; M. HUMBERT, *Municipium et civitas sine suffragio à l’époque républicaine: l’organisation de la conquête jusqu’à la guerre sociale* (Collection de l’École française de Rome, 36), Rome, 1978, p. 85-143; R. M. OGILVIE, *A Commentary on Livy. Books I-V*, Oxford, 1965, p. 317; E. T. SALMON, “Rome and the Latins (1)”, *Phoenix* 7/3 (1953), p. 94; G. DE SANCTIS, “Sul *foedus Cassianum*”, in A. FERRABINO and S. ACCAME (ed.), *Scritti Minori*, vol. 4, Rome, 1976 (1929), p. 321-328. The meaning of the word *aequum* is discussed by these scholars. The majority think that it implies an equality between Rome on the one hand and all the other Latins on the other; others consider it to mean equality between every member of the League, with Rome being one Latin city amongst any (A. ALFÖLDI, *op. cit.* [n. 1], p. 114; E. FERENCZY, *From the Patrician State to the Patricio-plebeian State*, Budapest, 1976, p. 92).

*Ibi Verginius maiorem quam reliquerat in urbe motum excivit. Nam praeterquam quod agmine prope quadringentorum hominum veniens [...] conspectus est, strictum etiam telum respersusque ipse cruore tota in se castra convertit.* (Liv., 3, 50, 2-3.)

There [= *in the camp*], Verginius stirred up greater excitement than there had been when he had left the city because, besides the fact that he was arriving with a column of nearly four hundred men, the sight of his drawn weapon and of Verginius himself, splattered with <his daughter's> blood meant the eyes of the entire camp were turned towards him.

These passages are referring to the episode that led to the fall of the decemvirs in 450-449 BCE after Verginia had been killed by her own father to prevent her being abducted and raped by Appius Claudius. In the middle of this lively narrative, Dionysius informs us that Verginius was the commanding officer of a λόχος (Livy used the word *agmen*, which denotes a marching army). This λόχος / *agmen* consisted of 400 men, which corresponded to half a tribunician contingent. Moreover, we know that five of these contingents (πέντε τάγματα) were in battle against the Aequians at the time. So, in the heart of a narrative unmistakably enhanced to a well-defined pattern (the brutal death of a young innocent woman, caused by a tyrant who resorts to violence to satisfy his urges), Dionysius and Livy gift us with some rather reliable information. There is no reason why they would have invented that a certain Verginius was the commanding officer of a troop of 400 men, especially since this number did not correspond to any division of the legion at their time. While the family story related by Livy and Dionysius can certainly be considered a narrative pattern, their references to the 400-men escort are probably evidence of the archaic army in action.

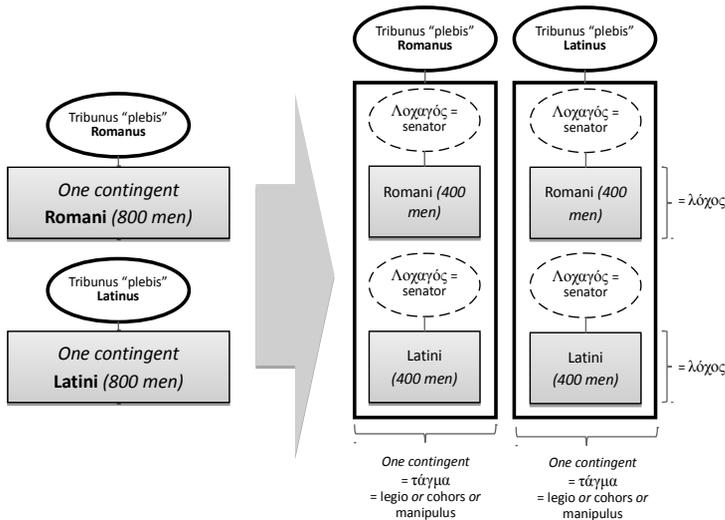
Another account from Livy can be drawn on to strengthen the hypothesis of the half contingents:

*Omnis iuventus adfuit postero die. Cohortes sibi quaeque centuriones legerunt; bini senatores singulis cohortibus praepositi.* (Liv., 3, 69, 7-8.)

All the young people appeared the following day. Each cohort elected their centurions. Two senators were assigned to the head of each cohort.

Livy, who no longer had any idea of what he was describing, is referring this time to the tribunician contingents with his use of the word *cohortes*. He also confirms that these contingents were divided into two smaller units, each led by their own officers. Therefore, the dual command can be found from the origin at the lowest level of the hierarchy, and it arose out of the necessity to share power between the different members of the League who were contributing to the federal army.

The following diagram represents the reform of this army, based on what our sources have preserved. We can see that Livy got himself in a muddle as he indiscriminately used different terms to refer to a single reality.



### Conclusion

All modern scholars know that the history of Early Rome is complex, and now that we have come to the end of this paper, it appears more complicated than ever. Early Roman history is made more complex by the fact that we should consider one often neglected dimension more seriously, namely the involvement of the Latins in Roman history. While early attempts to follow this lead were regarded by scholars if not with scepticism then at least with extreme caution, this research perspective should not be discarded out of hand because there is so much evidence that the Latin League played a larger role than that conceded by tradition. I think it would not be absurd to suggest that Rome subsequently appropriated the history of the Latin League in order to present it as its own. The difficulty is in identifying how it happened and what the underlying Latin history was. It should be stressed, however, that we cannot simply erase the name of Rome and replace it with that of the League. Rome was the most powerful city within the Latin League even when the *foedus Cassianum* was drawn up. The transfer of a number of federal cults (like that of Diana on the Aventine), the

migration of whole *gentes* (such as the *Claudii*) and the places where the conflicts crystallized during the secessions (the *Mons Sacer* and the Aventine) – to list just a few examples – show that Rome had very soon become the political centre of the League. There is no doubt anymore that a significant number of the tribunes were Romans, however this paper shows that all the other holders of the tribunate were very likely to have come from the various Latin cities that took part in the League. This hypothesis implies that the tribunate was originally a federal magistracy, which was subsequently assimilated by the Romans.

I am aware that these suggestions are controversial in some respects. Giving such weight to the tribunes entails significant implications for the writing of the whole history of the 5<sup>th</sup>–4<sup>th</sup> centuries BCE. However, these hypotheses have not been expressed without great reflection on my part, some elements of which I have presented in this paper. It seems to me that the research perspectives I suggest have two advantages. The first is that they explain, by means of only one hermeneutic pattern, most of the oddities that sometimes contradict the “official” history. These singular accounts are often very short, but their coherence, especially when collated, gives them a notable historical soundness<sup>32</sup>. The other advantage is that they take the sources as they stand. It is clearly unacceptable to explain away as unhistorical any element that does not fit with an argument. Every element – be it institutions, magistracies, reforms or events, internal or foreign – can be explained if we remove the embellishments that centuries of historical distortion have added for ideological and political reasons. In order to remove these embellishments in a correct way – which is far from being easy – we have to bear in mind that they are emphasizing the traditional struggle of the orders and minimizing as far as possible the real part played in the events by the Latins.

The new interpretation proposed here does not imply a simple transposition, whereby the plebs would be identified with the Latins and the patricians with the Romans. There is no doubt that there were Romans amongst the tribunes of the plebs. Similarly, it is not my intention to ascribe Rome’s history entirely to the Latin League, since the Roman contingents

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32. Smith pointed out the global reliability of the tradition relevant to early Rome when he proposed “to work with the fact that the Romans did have evidence for the early period and that Roman historiography is not a matter of pure invention” (Ch. SMITH, “The Origins of the Tribune of the Plebs”, *Antichthon* 46 [2012], p. 102). This does not mean, of course, that the evidence in question was not reinterpreted in one way or another. Consequently, the work of modern scholars is to find out the original meaning by identifying how it was reinterpreted.

clearly played a prominent – if not decisive – role in the numerous campaigns described in our sources. However, I believe that we cannot dismiss the possibility that the traditional history may have preserved the memory of events accomplished by the various protagonists of a wider ensemble, including Rome, made possible through the accounts of *a number* of these protagonists, as we are told by Livy<sup>33</sup>. When the ruling Latin *gentes* were integrated (or rather integrated themselves) into the *ciuitas Romana* they would very likely have shaped their ancestors' feats by presenting them as Roman. In so doing, the newly integrated *gentes* would have legitimized their status in Roman society. Under these conditions, historical embellishment would indisputably have proceeded in both a complex and a subtle way.

The explanatory framework outlined in this paper is, of course, far from solving all the difficulties associated with the history of Early Republican Rome. Nevertheless, by giving to the Romans what is theirs and to the Latins what is theirs, I hope it will promote discussion for a better understanding of this fascinating but nebulous historical period.

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33. Liv., 8, 10, 8: [...] *ut facile conuenerit inter Romanos Latinosque, qui eius pugnae memoriam posteris tradiderunt* [...], “as Roman and Latin <historians>, who passed the memory of this battle on for posterity, easily agreed on it”. This was the battle that opposed the Romans and the Latins during the final years of the League and put an end to the latter. The Latins thus preserved the memory of the events, and their account was used to forge tradition.