

ВСЕОБЩАЯ ИСТОРИЯ

The Making of Plebeian Secessions in Roman Historiography

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The early two centuries of the Roman Republic were filled with conflicts between the patricians and the plebeians. From 494 BC onwards, the Roman plebs used several social crises to force the patrician Senate to satisfy their demands, withdrawing from Rome to a sacred mount. The *secessio plebis* has been considered in scholarship a revolutionary movement of the people. However, the dissonance between the objectives declared by the plebeians and the obtained results of the secessions suggests that the idea of *secessio* may have originated in the later republican historiography. The *mons sacer* to which the plebeians temporarily resettled is identified with the Alban Mount rather than with an unknown mountain in the Sabine country. A prototype of the plebeian withdrawal from Rome was the annual celebration of the *Feriae Latinae*, during which newly elected consuls accompanied by soldiers and large masses of people visited the sanctuaries of Jupiter on the Alban Mount. The pontifical chronicles also recorded withdrawals of plebeians for the establishment of a new settlement or a tribe. The foundation of a tribe or a colony in Latium required a consultation with *Jupiter Latiaris* on the Alban Mount, but the same act outside Latium did not need an approval of the deity. That was why the last, failed, secession is recorded as occurring on the Janiculum, apparently, the site where Roman people resettling to a new northern colony gathered in 287 BC. Roman historians used the evidence for archaic customs to sustain the thesis of the Struggle of the Orders in the early Republic.

Keywords: *secessio*, tribunate, consulship, plebeians, patricians, Roman Republic, *mons sacer*.

Конструирование сецессий плебса в римской историографии

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Первые два столетия истории римской республики наполнены конфликтами между сословиями патрициев и плебеев. Своеобразным средством политической борьбы был уход плебеев из Рима на Священную гору (*secessio plebis*). Начиная с 494 г. до н. э. римский плебс либо плебейская армия использовали несколько общественных кризисов, чтобы таким способом заставить патрицианский сенат удовлетворить свои требования. Поэтому в современной науке сецессии рассматриваются как революционное движение народа или мятеж солдат, выражавших народные интересы. Однако сравнение заявленных мятежниками целей с результатами сецессий позволяет предполагать, что идея *secessio* могла возникнуть скорее в римской историографии, чем в реальной действительности ранней республики. Священная гора, на которую удалялись плебеи, идентифицируется в большей степени с Альбанской горой, на которой почитали Юпитера все древние общины Лация, чем с неизвестной возвышенностью в Сабинской стране. Образцом для конструирования ранних сецессий послужил обряд посещения Альбанской горы вновь избранными консулами, они совершали его в сопровождении солдат и больших масс римского народа. На основе этого обряда возникла одна из ранних версий учреждения консулата. После Гракхов римские анналисты приспособили празднование *Feriae Latinae* для объяснения возникновения народного трибуната. Уход из Рима также был частью архаического обряда, сопровождавшего учреждение нового поселения (*ver sacrum*). В эпоху подчинения Лация римляне преобразовывали латинские общины в римские трибы, что требовало посещения Альбанской горы и перезаключения договора с Юпитером в форме *lex sacrata*. С выходом за пределы Лация этого не требовалось, и последняя сецессия 287 г. до н. э. отмечена на Яникуле, который, по-видимому, был местом сбора римского плебса, отправлявшегося в новую колонию, где ему была предоставлена земля. Сведения об этом, добытые из понтификальных хроник, римские историки использовали для обоснования тезиса о борьбе сословий в ранней республике.

Ключевые слова: сецессия, трибунат, консулат, плебеи, патриции, Римская республика, *mons sacer*.

According to the late annalistic tradition, the early Roman Republic enjoyed internal harmony as long as it was faced with the threat of the restoration of Tarquinius Superbus, but as soon as news of the king's death in exile at Cumae reached Rome, dissension arose between the Senate and the plebeians over the issues of debt and military recruitment (Sall. Hist. 1.10; Livy 2.23–33; Dion. Hal. 6.22–90). When the Senate failed to resolve the problem of indebtedness, the people withdrew in a body from the city to a *mons sacer* or the Aventine outside the Roman *pomerium*, and there they elected their own officials, two or five in number, whom they called tribunes of the plebs. It was later believed that on this same occasion tribunician sacrosanctity was established by taking an oath to punish with death anyone who physically harmed a tribune. This ordinance pronounced the offender to be accursed (*sacer esto*), and it was therefore termed a *lex sacrata* (Fest. p. 424 L)¹. The Senate was compelled to approve the plebeian officials because of the threat of war with neighbouring people and Rome's dependence on the plebs for military service.

Henceforth the plebeians used the withdrawal from Rome as an exclusive and effective means to achieve their objectives in the struggle against the patricians for about two hundred years until the two groups were integrated into one citizenship after 287 (BC

¹ Fiori R. Homo sacer. Dinamica politico-costituzionale di una sanzione giuridico-religiosa. Napoli, 1996. P. 187–231, 293–324; Liou-Gille B. Les “leges sacratae”: esquisse historique // Euphrosyne. 1997. N 25. P. 61–84; Oakley S. P. A Commentary on Livy: books VI to X. Vol. 2. Oxford, 1998. P. 361–389; Vol. 4. 2005. P. 392–398; Pellam G. Sacer, sacrosanctus and leges sacratae // Classical Antiquity. 2015. Vol. 34. P. 322–334.

and thereafter). According to the annalists, the main weapon of the plebs in the early struggle was refusal of military service. The plebeian army accompanied by the populace retired from Rome to a certain place, encamped there and entered into negotiations with the patrician Senate. The separation of the orders during the secession was so great that Livy writes of two states having been created out of one, in which each faction had its own magistrates and its own laws². This gave the rise to Th. Mommsen's hypothesis of the plebeian movement as "a state within the state"³. This theory asserts that the plebs formed a well-organized, unified and self-conscious social body, and that the goal of this organization was to overthrow the patrician monopoly of power over the state. The "plebeian community", as it is understood by many scholars, had its class-consciousness first resulted in the revolutionary or extra-constitutional nature of the plebeian tribunate⁴. Most of the preserved evidence depicts the early secessions of 494 and 449 and, to a lesser degree, the last one of 287. Livy (6.19.1; 7.40.2; 7.41.2–3) also mentions the secessions of 385 and 342. Florus (1.17.23–26) refers to four sharp political crises (*discordia*) in the relationship between the patricians and the plebs — in 494, 449, 445, and 367 — while Ampelius (*Mem.* 25) writes about "four secessions of the plebs from the fathers"⁵.

However, on closer examination only the first secession looks like the withdrawal of a large mass of plebeians from Rome. In 449 the plebeian troops gathered on the Aventine in the city and their temporal relocation to the *mons sacer* was followed by a return to the same place. In 342, a large group of soldiers moved from Campania to Rome and encamped near the Alban Mount to negotiate with the Senate. In 287, the plebeians gathered on the Janiculum Hill and were returned from there by a dictator. In Florus and Ampelius, the Janiculum was the location of the plebeians in 445. The *mons sacer* ceases to be mentioned in the narratives of the secessions in the fourth century. The fact that the withdrawal of the plebs necessarily involved transfer to a certain "mountain" was especially evident in Livy's mention of the failed secession in a private house in the fortress (*arx*) on the Capitoline Hill in 385⁶.

The reason for the first secession was the indebtedness of the plebeians, which seriously undermined the economic situation of soldiers⁷. T. Cornell notes that the issue of debt and debt-bondage curiously disappears from the traditional narrative after the first secession, and does not recur until the fourth century, when it is repeatedly mentioned

² Livy 2.44.9: "*duas civitates ex una factas, suos cuique parti magistrates, suas leges esse*".

³ Mommsen Th. *Römisches Staatsrecht*. Dritte Abt. Bd. III. Leipzig, 1887. P. 145. For a survey of the "state within the state" theory, see: Cornell T. J. *The Beginnings of Rome: Italy and Rome from the Bronze Age to the Punic Wars* (c. 1000–264 BC). London, 1995. P. 258–265.

⁴ See: Ellul J. *Réflexions sur la révolution, la plèbe et le tribunat de la plebe* // Index. 1972. Vol. 3. P. 155–167; Guarino A. *La rivoluzione della plebe*, Napoli. 1975. P. 13–31; Stato e istituzioni rivoluzionarie in Roma antica // Index. 1977. Vol. 7. P. 3–224; La rivoluzione romana // Labeo. 1980. Vol. 26. P. 192–247; Lanfranchi Th. *Les tribuns de la plèbe et la formation de la République romaine: 494–287 avant J.-C.* Rome, 2015. P. 10–12, 266–281.

⁵ For the number of secessions, see: Lanfranchi Th. *Les tribuns...* P. 52–53.

⁶ Livy 6.19.1: "*de secessione in domum privatam plebis, forte etiam in arce positam*".

⁷ For the condition of the plebs in the time of the secession, see: Cic. *Rep.* 2.58–59; Livy 2.23–24, 27, 29.8, 31.7–7; Dion. Hal. 6.22.1–21, 28.2, 34.2, 37, 41, 53.1. For the debtors, see: Richard J.-C. *Les origines de la plèbe romaine. Essai sur la formation du dualisme patricio-plébéen*. Rome, 1978. P. 478–484; Peppe L. *Studi sull'esecuzione personale. Debiti e debitori nei due primi secoli della repubblica romana*. Milano, 1981. P. 23–84; Cels Saint-Hilaire J. *Lenjeu des "secessions de la plebe" et le jeu des familles* // *Mélanges d'archéologie et d'histoire l'École française de Rome*. 1990. Vol. 102. P. 724–727.

as one of the main causes of plebeian discontent⁸. In 449, the cause of outrage among the people (both patricians and plebeians) was the tyrannical rule of the decemvirate, who were endowed with consular and tribune powers. In 385, the indebtedness of the plebs again triggered a movement, headed by M. Manlius, against the creditors-patricians. The reasons for the secession in 342 are not entirely clear since, according to Livy, earlier historians gave several versions of this event that flatly contradicted one another. According to the Genucian law, issued as a result of this secession, it was provoked by the problem of debts. Livy states that indebtedness was the cause of the secession in 287.

The secession usually ended with a treaty between the plebeians and the patrician Senate in the form of a *lex sacrata*. The sacred law of 494 established the office of the tribunes of the plebs, and the secession of 449 resulted in the restoration of the plebeian tribunate. Some features of the Valerio–Horatian laws allow us to identify them with *leges sacratae* (Livy 3.55.7). A *lex sacrata militaris* was issued in 342, but the evidence for it is quite anachronistic (7.41.4). Finally, the dictator Hortensius, who returned the plebs from the Janiculum in 287, made a law that the decisions of the tribute assembly (plebiscites) would be laws for all Roman citizens. The Hortensian law can be interpreted as a replacement of the *leges sacratae* by the plebiscites.

There is a certain dissonance between the causes and the results of the secessions. Most secessions were provoked by the impoverishment of the plebeians, who because of the costs of wars were forced to borrow money. The solution to this problem ought to have been state support for those farmers who sent their sons to war, as well as the reform of the debt law in favour of debtors. However, an attempt to solve the problem of indebtedness cost M. Manlius his life in 385. His death and the whole struggle for resolving soldiers' problems and helping small plebeian owners closely resemble the death of the Gracchi and the Gracchan movement. The debt law was reformed without any secession by the enacting of the Poetelian law in 326/313⁹. In 494, instead of resolving the debt issue, the plebs created their own officials — the plebeian tribunes. The secession of 449 ended with the restoration of the consulate, *ius provocacionis* and tribunate, because the decemvirate was a temporary office. Scholars have doubted the historicity of the second decemvirate, which casts doubt on the secession of 449. The condemnation of Ap. Claudius for the abuse of Verginia occurred without any influence from the secession. It seems that the movement of the Roman armies to the Sacred Mount and Aventine was not connected with the solution of social problems and had no purpose that would serve any interests of the plebeians. The movement of M. Manlius in defence of the plebs was unsuccessful, and he himself died in 384. The events of 342 seemed to have been inspired by the condition of the soldiers and their conflict with the Roman government. However, there was another version of the secession with consuls as the main actors, in which the Genucian laws provided a solution to the debt problem, and the plebeians were then admitted to the second magistracy with *imperium*. Livy (7.42.4) refers to annalistic writers who wrote of a certain Manlius as leader of the movement and two Roman armies as taking part in the secession of 449. Although Livy designates indebtedness as the cause of the secession in 287, the dictator Hortensius passed a law permitting court hearings on the market days, when rural

⁸ Cornell T.J. *The Beginnings of Rome: Italy and Rome from the Bronze Age to the Punic Wars* (c. 1000–264 BC). London, 1995. P.266–268.

⁹ Livy 8.28; Varro *LL* 7.105; Cic. *Rep.* 2.59; Dion. Hal. 16.4–5; Val. Max. 6.1.9, 11; *Peppe L. Studi sull'esecuzione...* P.183–261.

plebeians visited Rome, and extended the laws voted by only the plebeians (plebiscites) to make them binding on all citizens¹⁰.

This dissonance between the declared objectives and the obtained results makes me again turn to the history of the plebeian secessions. Modern scholars try to balance between authenticity and the unreliability of the evidence for the secessions¹¹, but to understand what phenomenon hidden behind the word “*secessio*” I endeavour to clarify how the narratives about them were created. The traditional view on the history of early Rome took final shape at the beginning of the Principate. Before that, Roman historiography had developed through several stages, at each one of which the events of early history were interpreted according to the contemporary public perception. The traditional description of the secessions is clearly multi-layered and is made up of various components that were subordinated to a single concept of the struggle between the patricians and the plebeians only in the writings of the annalists after the Gracchan epoch: before that they may have occurred in completely different contexts. The idea of indebted peasants, who suffered from a shortage of workers on their farms because of constant wars, was relevant in the late Republic. As a topos, it served Roman historians as an explanation for any crisis situation in early Rome that looked like a conflict between (poor) plebeians and (rich) patricians. So, the same impoverished warrior of peasant origin appealed for help to the people at the Roman forum in 494, 385 and 326¹². It seems that the late annalists sought to liken a series of diverse events to a single concept of social struggle, which was elaborated for the history of the fifth century to explain events which they knew only in outline.

The *secessio* to the *mons sacer* in 494

The first secession, which was comprehensively described by ancient writers, became a model for the (apparently) similar events, from 449 to 287, in modern scholarship¹³. Although the secession was provoked by the indebtedness of the plebeians, especially soldiers, it oddly resulted not in a resolution of the debt problem, but in the creation of the new office of the tribunes of the plebs. As G. Forsythe stresses, various elements in the story of the secession appear to be little more than later inventions designed to explain the origin and nature of the plebeian tribunate¹⁴. The tribunate was urban and a civilian office, and the limitation of the tribunician power, which was of no use against the military

¹⁰ Macrob. Sat. 1.16.30; Plin. NH 16.15.37.

¹¹ Richard J.-C. Les origines...P.539–558; Cornell T. The failure of the Plebs // *Tria corda / a cura di E. Gabba*. Como, 1983. P.101–120; Ridley R. Patavinitas Among the Patricians? // *Staat und Staatlichkeit in der frühen römischen Republik / Hrsg. von W.Eder*. Stuttgart, 1990. S.103–138; Eder W. Zwischen Monarchie und Republik // *Bilancio critico su Roma arcaica fra monarchia e repubblica*. Roma, 1993. P.97–127; Cornell T.J. The Beginnings... P.256–271; Fiori R. Homo sacer... P.300–320; Raaflaub K.A. From Protection and Defense to Offense and Participation // *Social Struggles in Archaic Rome: new perspectives on the Conflict of the Orders*. Malden, 2005. P.185–222; Forsythe G. A Critical History of Early Rome. Berkeley, 2005. P.170–182, 230–233, 344–349; Smith C.J. The Origins of the Tribunate of the Plebs // *Antichthon*. 2012. Vol. 46. P.101–125; Lanfranchi Th. Les tribuns... P.266–279.

¹² Livy 2.23; 3.58.8; 6.14.3–6; 8.28; Dion. Hal. 16.5; Varro LL 7.105; Val. Max. 6.1.9. cf. Livy 42.34.

¹³ Cic. Rep. 2.58; Brut. 54; Corn. 1 fr. 49; Livy 2.32–33; 2.57.4; 3.15.2; 3.54.12; 9.34.4; Epit. 2; Dion. Hal. 6.45.2; 10.35.1; Val. Max. 8.91; App. BCiv 1.1; Fest. P.422 L; Plut. Cor. 6.1; Flor. 1.17; 1.23; Dig. 1.2.2.20; Oros. 2.5.

¹⁴ Forsythe G. A Critical History of Early Rome: From Prehistory to the First Punic War. Berkeley; Los Angeles, 2005. P.173–176.

imperium beyond the first milestone, attached its holders to the very soil of Rome (they were not allowed to leave the *Urbs* even for one whole day)¹⁵. The restriction was there precisely because the tribunate was intended to prevent possible offenses of the extra-urban and military consulship (praetorship) when the latter was made the city magistracy¹⁶. Although the ancient tradition included the issue of indebtedness in its account of the first secession to explain the origin of tribunician *ius auxilii*, this explanation makes no sense because the tribunes could not rescue a debtor from his fate, as it was made clear by the provisions in the Twelve Tables¹⁷.

The *mons sacer* was the destination of the secession, although Forsythe assumes that it was linked to the tribunate to explain the origin of tribunician sacrosanctity by the definition of the *lex sacrata* issued there¹⁸. According to Festus (p. 422 L), those laws were *sacra-tae*, which established that anyone who did anything against them is *sacer* to a particular god, along with his property and money¹⁹. The crime against tribunician sacrosanctity was punished by the confiscation of property in favour of Ceres, whose temple on the Aventine was the centre of the plebeian movement in the second century²⁰. For this reason, perhaps, Calpurnius Piso replaced the *mons sacer* with the Aventine as the objective of the secession of the plebs²¹. Livy's description of a military custom of the Samnites, Aequi, Volsci, Ligures, and Latins shows that the *lex sacrata* related to the army, not to city officials (Livy 7.41.4; 9.39.5; 10.38.1–13; 36.38.1). The *mons sacer* and the Aventine Hill were situated outside the Roman *pomerium*, which originally limited the sphere of activity for the plebeian tribunes. The sacrosanctity of the tribunes was determined by the sacred territory of the early *Urbs* rather than the treaty between the struggling orders outside Rome²².

Ancient authors agree that the *mons sacer* was 'three miles from the city across the river Anio' on the Nomentane road to the Sabine country²³. However, there was nothing sacred for the Romans in the *ager Crustuminus* beyond the Anio. The *lex sacrata* they as-

¹⁵ Dion. Hal. 8.87.6; Gell. 3.2.11; 13.12.9; Macrob. Sat. 1.3.8; Richard J.-C. Les origines de la plèbe... P. 554–556.

¹⁶ Livy 2.33.1: "ut plebi sui magistratus essent sacrosancti quibus auxilii latio adversus consules esset".

¹⁷ Forsythe G. A Critical History... P. 217–218.

¹⁸ Livy 3.55.10: "tribunos uetere iure iurando plebis, cum primum eam potestatem creauit, sacrosanctos esse".

¹⁹ For Ceres, see: Ridley R. T. Notes on the Establishment of the Tribunate of the Plebs // Latomus. 1968. Vol. 27. P. 535–554; Sordi M. Il santuario di Cerere, Libero, e Libera e il tribunato della plebe // Santuari e politica nel mondo antico / a cura di M. Sordi. Milano, 1983. P. 127–139; Cazanove O. de. Le sanctuaire de Cérès jusqu'à la deuxième sécession de la plebe // Crise et transformation des sociétés archaïques de l'Italie antique au Ve siècle av. J. C. Rome, 1990. P. 373–399; Cornell T. J. The Beginnings... P. 263–265; Forsythe G. A Critical History... P. 173–176; Pellam G. Ceres, the Plebs, and *Libertas* in the Roman Republic // Historia: Zeitschrift für alte Geschichte. 2014. Bd. 63. S. 74–95; Meunier N. Le lac Régille, les Dioscures et Cérès // De la crise naquirent les cultes / éd. par M. Cavalieri, R. Lebrun, N. Meunier. Turnhout, 2015. P. 155–161.

²⁰ See: Livy 3.55.6–8; Dion. Hal. 6.89.2–3. Cf. Pellam G. Ceres, the Plebs... P. 77–79. — The archaic *nexum*, suggesting that the violator's body was surrendered in lieu of the obligation, was abolished in 326, when handing over of property or labor instead was invented. Thus, the temple of Ceres became the recipient of the fines not earlier than this date.

²¹ Livy 2.32.3; Sall. Jug. 31.17; Fest. P. 422–424 L. Cf. Guarino A. La rivoluzione... P. 190; Richard J.-C. Les origines... P. 547–549; Eder W. Zwischen Monarchie... P. 107, 112; Forsythe G. A Critical History... P. 173–176. The idea was also influenced by the Gracchan movement, although Piso's source could be the account of the secession of 449.

²² Smith C. J. The Origins... P. 118–122.

²³ Cic. Brut. 54; Rep. 2.58; Livy 2.32.2; 3.52.2–3; Dion. Hal. 6.45.2; 90.1; Ascon. in Piso 76; Val. Max. 8.9.1; Fest. p. 422 L.

sociated with the secession shows that the mount where the law was issued had a religious significance. Even if there were some sacred mounts in the *Latium vetus* for the Romans, as well as for other Latins, the sacred mount could only have been the Alban Mount (Monte Cavo), where the *Feriae Latinae* was annually celebrated in honor of Jupiter Latiaris²⁴. It is very possible that at some stage of Roman historiography, the source of information about the river Anio, which had to be crossed on the way to the sacred mount, was misunderstood. Besides the Anio River, a tributary of the Tiber, there was another Anio in Latium. It was the aqueduct *Anio Vetus*, which was constructed from the spoils of the Pyrrhic War between 272 and 269. The intake of the aqueduct from the River Anio was above the city Tibur at the twentieth milestone from Rome. From its source, the aqueduct descended along the river to Tibur where it left the Anio valley and sloped southwards towards the Alban Hills near Gallicano. From here it turned west again towards Rome. The *Anio Vetus* crossed the *via Latina* near the seventh mile marker, south-east of Rome²⁵. The *via Latina* passed by the place of meetings of the Latin people in the Ferentina grove located near Castrimoenium (modern Marino) on the edge of Lake Albano. Then, passing Mons Algidus, the road reached another Ferentinum, a town of the Hernici, about 45 miles south-east of Rome. The Hernici were a Sabine-speaking tribe, so the *via Latina* could be regarded as connecting Rome and ‘Sabine country’. Roman historiography re-interpreted the obsolete relationship with the Hernici after the lowland Sabines were incorporated into the Roman citizenship between 290 and 266, and in the conception of Roman historians, the Nomentane road to the Sabines replaced the former Latin road. Thus, the sacred mount of the secession must be identified with the Alban Mount, while the ‘sacred mount’ which had this name at the time of Dionysius (6.45.2) was false “popular” etymologizing²⁶.

G. Dumézil has shown that the “debt problem” as the reason for the secession relates to the archaic relationship between warriors and their leaders rather than to economic indebtedness²⁷. The archaic obligation *nexum* had a much broader sense than indebtedness for money. Cornell draws attention to the fact that an insolvent debtor must be sold *trans Tiberim*, that is, he was considered guilty within the territory of the *Latium vetus*, which was under the patronage of Jupiter Latiaris²⁸. According to Livy (2.21.5; 27–28), the plebeian secession to the Sacred Mount began as a rebellion of the Roman army. J.-Cl. Richard emphasizes that it was the plebeian foot soldiers who seceded in 493²⁹. Livy says that the soldiers swore an oath to the consuls and it “bound” them by a contract. Dumézil compared the “bound condition” of the soldiers with that of the members of a *Männerbund*, who could not violate their oath to their chieftain and were in his absolute power. To violate the oath meant the same as to violate a contract of the soldiers with their general. After Tarquinius Superbus was banished, the Roman soldiers remained bound by their oath to

²⁴ Eder W. Zwischen Monarchie... S. 107.

²⁵ Mari Z. *Anio Vetus* // Lexicon Topographicum Urbis Romae / ed by E.M. Steinby. Vol. I. Roma, 1993. P. 44–45.

²⁶ Ogilvie R.M. A Commentary on Livy. Books 1–5. Oxford, 1965. P. 311; Forsythe G. A Critical History... P. 282–283. Contrary: Mignone L.M. Remembering a Geography of Resistance // Memoria Romana / ed. by K. Galinsky. Ann Arbor, 2014. P. 144.

²⁷ Dumézil G. Mitra-Varuna. An Essay on Two Indo-European Representations of Sovereignty. New York, 1988. P. 95–111. For the archaic idea of obligation, see: Palmer L.R. The Concept of Social Obligation in Indo-European // Hommages à Max Niedermann. Bruxelles. 1956. P. 258–269.

²⁸ Cornell T.J. The Beginnings... P. 281.

²⁹ Richard J.-C. Les origines... P. 545.

him. This was the original reason for their “indebtedness” and their refusal to obey other commanders, Ap. Claudius and P. Servilius (coss. 495). The situation was resolved after Tarquinius’ death in 495. The military leaders of the next year, A. Verginius and T. Vetustius (coss. 494), could not handle the situation, and the Senate decided to appoint a dictator, Man. Valerius Poplicola. Assembled by the dictator, the Roman army departed to the Sacred Mount where the plebeian soldiers elected new commanders, concluding an agreement with them in the form of *lex sacrata*. The Senate approved of these commanders as Roman magistrates.

Dumézil’s interpretation provides an explanation of why two and not ten tribunes were established on the Sacred Mount³⁰. The traditional version of Roman history identifies the beginning of the Republic with the establishment of the consulship, but early Roman historians could see the matter otherwise. An amalgamation of the various versions of Rome’s earliest history cannot have started earlier than P. Mucius Scaevola published the *Annales Maximi* during his Great pontificate in 130–115. The second — century historians, perhaps, separated the end of the monarchy and the establishment of the consulship. One of the early versions told of a conspiracy of the *magister populi* and *tribunus celerum* against the *rex sacrorum*. The plot was then developed under the influence of Greek tragedies of the Atreides as the story of the Tarquin family, whose head Tarquinius Superbus (*magister populi*) and his son (*tribunus celerum*) intrigued against their relative Tarquinius Collatinus (*rex sacrorum*) who was then banished. Later the banishment of Collatinus was replaced by that of Superbus, and the main role was attributed to the future first consul Junius Brutus, who was inserted into the Tarquin family as a nephew. In this case, the consulship could have been established several years after the coup d’état³¹. The establishment was modelled according to the annual investiture of the Roman consuls, e.g., the sacrifice to Jupiter Latiaris during the *Feriae Latinae* on the Alban Mount³². The ritual is allegedly a relic of the earliest phases of Latin religion, and possibly shows fluctuations in the relative power of Romans and Latins, but at the same time fits into certain patterns in relation to games and triumphs, which are replicated at Rome. In early times, during the alliance of the Romans and Latins, the chief magistrates of both nations met on the Alban Mount and conducted the necessary ceremonies. After the destruction of the Latin commonwealth, the chief magistrates of Rome conducted the celebration and offered the common sacrifice of an ox to Jupiter Latiaris in the name and on behalf of all who took part in the festival. The flesh of the victim was distributed among the participants, and multitudes from all Latium flocked to the Alban Mount for the occasion. The exodus of large masses of the Roman plebs from the city and their journey to the sacred mount looks like a *secessio*. During the *Feriae Latinae* the Roman citizens of all Latium swore to Jupiter to give their fidelity to the new consuls, and this rite was used by Roman historians as the basis for the story of the soldiers swearing to the first consuls instead of

³⁰ Cicero (*Rep.* 2.58–59) and Livy (2.33.3) refer to two tribunes, with three later being added as their colleagues or assistants, while Dionysius (6.69.3) and Asconius (Corn. p. 77 Clark) suggest that five tribunes were initially elected from each class of the centuriated system. On the number of tribunes, see: Lanfranchi Th. *Les tribuns...* P.66–78.

³¹ A remnant of this version is Dionysius’ first tribunes L. Junius Brutus (traditionally the first consul) and C. Sicinius Vellutus (6.70.1; 89.1–3; cf. Plut. *Cor.* 7). In Livy 2.32.1–2, the tribunes were C. Licinius and L. Albinus.

³² This way of writing was known to Roman historians who adapted the first auspices of the consul on the Capitoline Hill to the inauguration of ancient kings (Livy 1.18.6–10).

a new king. Since the festival on the Alban Mount legitimized the authority of the Roman consuls, one can suggest that the original story of the *lex sacrata* on the *mons sacer* was about the establishment of the consulship, not the tribunate. The new consuls elected were Post. Cominius Auruncus and Sp. Cassius Viscellinus (*cons.* 493), who is said to have concluded the first treaty with the Latins (Livy 2.33.3–4).

In addition to the two leaders, three their assistants were established (Livy 2.33.1–2; Dion. Hal. 6.89.1–3; Plut. Cor. 7). They are usually interpreted as plebeian aediles who entered office in the same year as the dedication of the temple of Ceres on the Aventine³³. But the aediles were two in number, not three, as Zonaras (7.15) stresses, perhaps, following Diodorus (11.68.8), who mentions four, not five, plebeian officers under 471. It is also doubtful that the plebeian aediles had been created before the patricians received their own aedileship in 367³⁴. So, if we date it by the existence of the temple of Ceres, the secession was designed on the model of an event which took place in the fourth century. Pomponius states that the plebeian magistrates were called tribunes because formerly the people were divided into three parts, and one tribune was taken from each part correspondingly. From five men elected on the Sacred Mount, three were tribunes and two were aediles (Dig. 1.2.2.20–21). Pomponius obviously followed Varro's statement that each of the three earliest tribes recruited 1,000 warriors to the Roman legion³⁵. Many scholars accepted the idea that the first *tribuni plebis* were military tribunes who had assumed the leadership of the secession³⁶. From this perspective the *secessio* of *armati* can be described as a march of the *populus* organized as an army rather than a democratic movement. If the main officers elected on the Sacred Mount were two consuls, their three assistants were military tribunes. Although Livy accepted the idea of the creation of 20 tribes by the year 495, he listed only three military tribunes (*consulari potestate*) between 444 and 426. Livy's account shows that there was a version, according to which the Roman community had only three tribes between 494 and 426. In the post-Gracchan historiography, the original story of the first consuls was revised and the legislative act on the Alban Mount was represented as the secession of the plebeians to the *mons sacer* in Sabine, consuls were replaced by tribunes, the army — by plebs, the fidelity of the soldiers by — indebtedness of the plebeians, and the Sacred Mount — by the Aventine Hill.

Varro (LL 5.81) defines the first withdrawal of the plebs as *secessio Crustumarina*³⁷. This name goes back to the town Crustumarium, which, according to the literary tradi-

³³ See: Cornell T.J. The Beginnings... P.263–265; Pellam G. Ceres, the Plebs... P.79–81. They were perhaps identified with aediles by Cato the Elder who argued that the plebeian aediles were sacrosanct like the tribunes (Fest. P.422 L s.v. *sacrosanctum*).

³⁴ Livy 6.42.12–14. For the plebeian and patrician aedileship, see: Becker M. *Suntoque aediles curatores urbis*. Stuttgart, 2017. S. 37–138.

³⁵ Varro LL 5.81: "*Tribuni plebei, quod ex tribunis militum primum tribuni facti*"; cf. also 5.89 and Zon. 7.15.

³⁶ For the military character of the organization of the *plebs* in 494–493, see: Mommsen Th. *Römisches Staatsrecht*. Bd. II. Leipzig, 1887. S. 273; Altheim F. *Lex sacrata*. Die Anfänge der plebeischen Organisation. Amsterdam, 1940. S. 33–38; Mazzarino S. *Sul tribunato della plebe nella storiografia romana // Helikon*. 1971–1972. Vol. 11–12. P. 110–115; Richard J.-C. *Les origines...* P. 545–547; Mitchell R.E. *Patricians and Plebeians. The Origin of the Roman State*. Ithaca, 1990. P. 139–142; Meunier N. *Tribuni plebis ou tribuni militum? // Les Études classiques*, 2011. Vol. 79. P. 347–360.

³⁷ For the *tribus Crustumina*, see: Rieger M. *Tribus und Stadt: die Entstehung der römischen Wahlbezirke im urbanen und mediterranen Kontext* (ca. 750–450 v. Chr.). Göttingen, 2007. S. 376–379; Lanfranchi Th. *Les tribuns...* P. 61–66, 284–293.

tion, had been captured by the Romans many times since Romulus' era until it finally became Roman in 426. A Roman colony was already sent to the town by Romulus because of the fertility of the soil there, and many citizens of the town migrated to Rome (Livy 1.9–11; cf. Dion. Hal. 3.49.4–6). Livy also mentions that Crustumium passed from the Latins to Rome before the first Latin War in 499, and modern scholars suggest that the *tribus Crustumina* was the 21st Roman tribe, which Livy mentions after the Battle of Lake Regillum, under the year 495³⁸. The lack of certainty that Crustumium really belonged to the Romans until 426 allowed K. Beloch to assume that the *tribus Crustumina* was created between 426 and 406, when the last war against Veii began³⁹. The Roman community included 21 tribes from 495 (or 426, if we accept the emendation of Beloch) to 387⁴⁰. That means that the *secessio Crustumina* can be dated to any time of this period, most probably between 426/406 and 387.

Livy (5.24.4–11; 49.8–55.2) refers to events which are very similar to the preparation of a secession under the year 395 and 387. After the Veientine War, the Romans decided to create a colony in Volscan territory, but unexpectedly agitation for resettlement in the much closer, recently conquered city of Veii started. It was proposed that some of the plebeians and a number of the senators should relocate in Veii so that the two cities would constitute one state with a common citizenship. The project was interrupted by the Gallic invasion, but after liberation from the Gauls the agitation resumed with renewed vigour, as Rome was destroyed, and Veii became even more attractive because its buildings were intact. With great difficulty and the help of the dictator M. Furius Camillus, the Senate managed to reverse the decision. The resettlement project was abandoned, but four new tribes of Roman citizens were created in the former Veientine territory. In this context, *secessio Crustumina* can be regarded as the establishment of the new *tribus Crustumina* in the area beyond the Anio River, which had become a safe place for colonization. In Roman historiography the restoration of Rome in 387 after the Gallic invasion was considered a new foundation. It was logical to summarize the results of the previous development and to note that by this time Rome had 21 tribes. Later this number of tribes was associated with the period of the beginning of the Republic, not the period of restoration, and the colonisation on *ager Crustuminus* turned out to be a suitable place to relocate the first secession.

Thus, the first secession of the plebs seems to be a construction of the later annalistic historians, who remodelled the earlier account of the establishment of the consulship, under the influence of the concept of the struggle of the orders. The earlier version was originally shaped as the description of the custom of the Roman people's departure to the Alban Mount to celebrate the *Feriae Latinae*. The annual festival aimed to legitimize the Roman consuls as magistrates of all Latium. Perhaps, the custom was established after the dissolution of the Latin League in 340, when the majority of Latin communities received the Roman citizenship and were included in the Roman tribes. Annually on the sacred Alban Mount, these citizens of plebeian origin concluded a treaty with the consuls approving of their status of civil magistrates. The *foedus Cassianum* with the Latins in 493 was de-

³⁸ See: Livy 2.19.2: *Crustumia capta* and 2.21.7: "*Romae tribus una et viginti factae*".

³⁹ *Beloch K.J. Römische Geschichte bis zum Beginn der punischen Kriege*. Berlin; Leipzig, 1926. S. 175–176, 264–266, 300–301; *Rieger M. Tribus und Stadt...* S. 371–379.

⁴⁰ Livy 2.21.7; 6.5.8; *Epit.* 2; *Dion. Hal.* 7.64.6.

signed on the model of this annual treaty⁴¹. It may have been dated after the Latin War of 496 by a historian who used a new treaty of Rome with Latin communities after the Latin War of 340–338 as an example and shifted the similar treaty to the beginning of the Republic. The family-name of Sp. Cassius Vicellinus, responsible for the *foedus Cassianum*, permits a suggestion that the historian was C. Cassius Hemina, the contemporary of the Cassii Longini family, which produced several consuls and tribunes of the plebs.

The Secessions of 449 and 342

The second secession was a reaction of the people to the usurpation of the second period of office by the second decemvirate in 449⁴². The seizure of power was possible because the decemvirs were invested with an unlimited *imperium* (the tribunician *intercessio* was temporarily abolished). The cruelty and self-interest of the decemvirs converted their government into an oligarchy. Dionysius (11.2.1–3) describes their rule as typically oligarchic, apparently basing this on the rule of the 30 tyrants in Athens in 404–403. The decemvirs persecuted the best Romans, raising false accusations, and condemned some of them to death, while giving free rein to the youth that accompanied each decemvir. They ruined and plundered the property of those who resisted their rule, abused their wives and insulted their daughters. Dionysius (11.10.2–4; 41.4) calls the reign of the decemvirate a tyranny and the decemvirs — ten tyrants, and Livy (3.39.3) identifies them with the ten Tarquins. Therefore, many people, including patricians, left Rome, and together with their families moved to neighbouring cities or lived in the countryside away from the city (Dion. Hal. 11.2.3; 9.4; 10.1; 22.4–5). Rome was abandoned by the best part of the people and hostile neighbours took advantage of its weakness, attacking the Roman lands and allies. The decemvirs were forced to head the Roman troops, which suffered defeat because of their incompetence (Dion. Hal. 11.3.1–3; 11.23–39). This brought about their downfall.

Speaking about the decemvirs' appropriation of royal power, Livy (3.39.8–9) emphasizes that the usurpers did not express the interests of either patricians or plebeians. Cicero saw the special injustice of the decemvirs in the creation of two new tables of laws, which included an inhumane prohibition (*inhumanissima lex*) of marriages between plebeians and *patres*⁴³. However, in the context of the struggle of the orders, the decemvirate needed acts of patrician violence against plebeians as the catalyst for the secession. For that the vile murder of a popular tribune and the tragic death of a young girl were invented⁴⁴. The murder of Verginia, who was a victim of the unprincipled patrician Ap. Claudius, by her father Verginius provoked the rebellion of plebs against the decemvirate. Verginius fled to the army on Mons Algidus (Mount Vecilius in Livy 3.50.1), and his agitation led to the rebellion of soldiers who marched to Rome. According to Cicero, the armed soldiers first

⁴¹ Cf. Ridley R. T. Notes on the establishment... P. 540–545, discusses the hypothesis of A. Dell'Oro of the arrangement between the patricians and the plebeians in 493 as a *foedus* between Rome and the Latins. Cf. Meunier N. Le lac Régille... P. 161–162.

⁴² Cic. Rep. 2.63; Sall. Jug. 31.17; Diod. 12.24; Livy 3.43–54; 3.67.11; 7.40.11; 9.34.4; Dion. Hal. 11.25–44; Sen. Brev. Vit. 13.8; Flor. 1.24; App. BCiv 1.1.2; Fest. p. 422 L; Dig. 1.2.2.20; 24.

⁴³ Cic. Rep. 2.63: “*conubia ... ut ne plebi et patribus essent*”; Livy 4.4.5: “*ne conubium patribus cum plebe esset*”.

⁴⁴ Three turning points in the history of the early Republic are associated with a misfortune involving a young woman — Lucretia's suicide in 509, Verginia's death in 449, and Fabia's consternation in 367. On Verginia as a duplicate Lucretia, see: Livy 3.44.1; Ogilvie R. M. A Commentary... P. 477.

occupied the Sacred Mount and then the Aventine Hill (Rep. 2.63). Diodorus (12.24.1–5) writes that they attacked Rome directly from the Algidus and captured the Aventine (cf. Sall. Jug. 31.17). In Livy (3.50.13; 51.2 and 6) and Dionysius (11.43.1–5), they marched in military order and occupied the Aventine, fortifying a camp at the temple of Diana, and chose ten military tribunes (χιλιάρχοι in Dionysius). Soon the second army, led by Icilius and Numitorius with ten tribunes and having accused the decemvirate in the murder of the tribune L. Siccius, arrived from Fidenae (*secessio ab decemviris facta*)⁴⁵. The peaceful stationing of both armies on the Aventine was evidently determined by the position of this hill in the city but outside the *pomerium*, which the armed soldiers had no right to access. Led by twenty military tribunes, the soldiers chose M. Oppius and S. Manilius (Manlius — ?) as their leaders. Dionysius' manuscript breaks off abruptly here, but Livy's story continues.

Livy (3.52.1–5) reports that the plebeian army went from the Aventine to the Sacred Mount on the Nomentana (Ficulean in Livy's time) road, other plebeians followed the soldiers and Rome was depopulated. Negotiations with the Senate culminated in a decree to the decemvirs to resign immediately and to the Pontifex Maximus Q. Furius to choose tribunes of the people. After the decemvirs had abdicated, the army returned to the Aventine, where ten tribunes of the plebs were elected (Livy 3.54.5–15). After this, the plebeians decided to restore the consulate, implying that the restoration of the traditional Roman government, including both the consuls and the plebeian tribunes, was not the original aim of the movement. In Diodorus' version, ten tribunes were elected, and the consulship was divided between the patricians and the plebeians (12.25.1–3).

It is noteworthy that both plebeian armies arrived in Rome, although the idea of secession suggested that they ought to leave the city, and they do nothing against the decemvirate. Livy and Dionysius emphasize the peaceful encamping of the warriors on the Aventine with two sets of ten tribunes at the head. The removal of the soldiers, followed by the plebeians, to the Sacred Mount was the result of the agitation of the tribune M. Duillius, who did not propose a resolution to any problems, but appealed to the memory of the similar act in 494. In fact, the decemvirate had been already overturned before the soldiers established themselves on the Aventine (see Livy 3.49.5–8, 50.10–11). Livy placed the rebellious plebeians on the Aventine two times. First, they gathered there having arrived from Mons Algidus (actually from the Alban Mount) and from Fidenae (near the *ager Crustuminus*). Second, they returned from the Sacred Mount to elect the plebeian tribunes in the tribute assembly, after which a new assembly was convened to elect the consuls. Livy's references to these movements are grouped around the meeting at the Aventine and the secession to the Sacred Mount, both of which took place after the overthrow of the decemvirs rather than before it. L. Valerius and M. Horatius are present in all episodes depicted by Livy, and finally they are elected consuls. As consuls, they lead the pilgrimage of the people to the Alban Mount to participate in the Latin festival rather than being appointed ambassadors of the Senate to the plebeians on the Sacred Mount. The meeting of two armies headed by M. Oppius and S. Manilius (perhaps, the consuls who fell out of the list) on the Aventine aimed to select ten civilian tribunes instead of twenty military tribunes. The whole story ends with the election of ten plebeian tribunes, which indicates the main topic of the events.

⁴⁵ Dion. Hal. 11.44.1–2; Livy 3.51.7–10.

This “tribune” theme was continued by Livy (3.64.4–11) in his account of the conflict between the newly elected tribunes for 448 and the tribunes of 449, who for some reason did not want to give up their office to the elected successors. M. Duillius, who presided over the elections, dismissed the assembly only after five tribunes were elected and did not hold a second election. He stated that the law did not determine the number of elected tribunes but allowed those already chosen to co-opt colleagues. Only after the new tribune board had taken office in 448 did the tribune L. Trebonius introduce a law that all ten tribunes must be elected⁴⁶. Livy explains the situation anachronistically. The refusal of the tribunes of 449 to cede their post to their successors is similar to the refusal of the second decemvirs to resign. The situation in 448 was clearly correlated with the strange manoeuvres of the two armies with 20 tribunes, depicted by Livy under 449. Finally, ten tribunes of the people were elected instead of these 20 military tribunes. Apparently, the original version of this story described the emergence of a new procedure for electing the collegium of ten tribunes. The new tribunes were elected not from each separate tribe, as before, but from the people as a whole.

The council of 20 military tribunes decided to create a permanent college of the whole people, which should protect the interests of citizens and maintain an effective connection with the Senate. Such an organ was apparently needed because in the previous period, the communication of (the king and) senators with the people had taken place in the form of religious rituals in the Comitium. The creation of the board of tribunes meant that the city of Rome was transformed from a sacred *Urbs* into a secular city. The Servian wall surrounded the residential quarters far beyond the sacred *pomerium*, so that the inner city space was intended for the daily life of citizens more than for rituals, and the *Urbs* was transformed into a city centre. The Aventine, which appears as a gathering place for soldiers led by the 20 tribunes, then became a part of the urban space inside the wall, although it continued to be outside the *pomerium* until the Principate. The separation of power between the people (plebeian) tribunes and the military tribunes of the Roman legion occurred in accordance with the zones divided by the *pomerium*. Military tribunes were subordinated to consuls who had a military *imperium*. The civil tribunes focused their activity on city affairs and were seen as assistants of the Senate, executors of its decisions, who brought them to the people at tribal meetings. According to Valerius Maximus (2.2.7) and Zonaras (5.15), there was a time when the plebeian tribunes were not allowed into the Senate and watched what was happening in the Curia while sitting at the entrance. Their concentration in the City, although they represented the rural plebeians, was apparently intended to provide equal access to them for all citizens. Therefore, there was a rule to keep the doors of the house of the tribune open during both day and night. The tribunician *intercessio* was a means of limiting the power of civil magistrates and monitoring its use. It is traditionally believed that the plebeian tribunate was established to protect the plebeians from the arbitrariness of the patrician consuls⁴⁷. However, Livy (3.65.1) notes that patricians and former consuls Sp. Tarpeius and A. Aternius were elected among the new tribunes in the elections for 448⁴⁸. The tribunes were elected by the people in the

⁴⁶ The law explains the tradition of the five tribunes chosen from 493 to 457 (Dion. Hal. 6.89.1–4; 10.30.2–6) or from 471 to 457 (Livy 2.58.1; 3.30.5–7) as a duplication of the situation in 449–448.

⁴⁷ Cic. Rep. 2.58: “*contra consulare imperium tribuni plebis, sic illi contra vim regiam constituti*”; cf. Val. Max. 2.2.7.

⁴⁸ For the patricians as tribunes of the people, see: *Lanfranchi Th. Les tribuns...* P. 165–185.

tribute assembly, in which the plebeians were in the majority⁴⁹. Hence, the patricians did not have a chance to be elected because of their small number, and over time the tribune office became plebeian⁵⁰. The patricians would have quickly lost the magistracies to the plebeians too, if there had been no law to elect one consul from the patricians, which remained in force until 172.

Thus, the secession of 449 represents an early version of the establishment of the collegium of ten tribunes, later replaced by another version, according to which two tribunes were established in 493. Their number was increased to five in 471, and to ten in 457⁵¹. The decision of twenty military tribunes, who represented twenty tribes, required legitimation. It seems to be for this reason that the army and the people went to the Sacred Mount. On the Alban Mount the new tribunate was to receive the approval of Jupiter, which was followed by the approval by the Roman Senate. Visiting the Sacred Mount (if this is not the ritual of the consular investiture) indicates that the creation of the collegium of ten tribunes somehow affected the Latin communities, otherwise the plebeian tribunate would have been an internal affair of the Romans. In historical time the tribunes of the plebs had no right to leave Rome even for one night, except for the *Feriae Latinae*⁵². Apparently, this reform was carried out at a time when the Roman community included 20 tribes represented by 20 military tribunes⁵³.

Under 342–340, Livy refers to events that included a *secessio*, the *lex sacrata* and the attempt of some Latin communities to receive the Roman citizenship⁵⁴. In 342, discontent with the strategy of the Roman Senate in the army under the command of a plebeian consul C. Marcius Rutilus escalated into a mutiny⁵⁵. A mass of soldiers marched from Campania to Rome and camped at the foot of the Alban Mount⁵⁶. Here the warriors proclaimed a certain T. Quinctius as their *imperator*. Like his famous ancestor L. Quinctius Cincinnatus in 458, this Quinctius was chosen for a dictatorship at a time when he cultivated the land in his Tusculan farm ‘forgetting Rome and honorary offices’. Having a link to Tusculum, Quinctius resembles a dictator of the Latin League, whose warriors perceived by plebeians by Livy⁵⁷. According to one version, the revolt was pacified by the dictator M. Valerius Corvus, although the words of Livy that Quinctius submitted the soldiers to the authority of the dictator (7.41.1: *in potestate dictatoris milites fore*) are ambiguous about the circum-

⁴⁹ According to Dionysius, at first tribunes were elected in the curiate assembly (6.89.1). The elections were moved to the tribute assembly in 471 (Livy 2.58.1).

⁵⁰ The early Roman populace consisted of the patricians and ordinary people, who were subject to the formers as clients (Cic. Rep. 2.16; Fest. 262 L; 288 L; Dion. Hal. 2.9.2–10.1; Plut. Rom. 13.5; Serv. Aen. 6.609). Therefore, all public offices were held by patricians who represented both their relatives and clients.

⁵¹ On the suggestion that the plebeian tribunate was established in 449 (or 471) rather than in 493, see: Mazzarino S. Sul tribunato... P. 110–111; Lanfranchi Th. Les tribuns... P. 52–59.

⁵² Gell. 3.2.11; 13.12.9; Dion. Hal. 8.87.6.

⁵³ Although Livy and Dionysius nominate 20 military tribunes in 449, only three men actually acted as leaders in the plebeian army, L. Verginius, L. Numitorius and L. Icilius.

⁵⁴ Livy 7.41.2: “*ne fraudi secessio esset*”.

⁵⁵ Livy 7.38.5–41.8; Poma G. Considerazioni sul processo di formazione della tradizione annalistica: il caso della sedizione militare del 342 a.C. // Staat und Staatlichkeit... S. 139–157; Oakley S. P. A Commentary... Vol. 2. P. 361–389.

⁵⁶ Livy 7.39.8: “*in agrum Albanum perueniunt et sub iugo Albae Longae castra uallo cingunt*”.

⁵⁷ A. Piganiol clearly showed that the theatre of wars with Aequi and Volsci was in the Latin, not Roman, territory and that the Quinctii commanded the federal armies (including Latins and Hernici). See: Piganiol A. Romains et Latins // Mélanges d’archéologie et d’histoire l’École française de Rome. 1920. Vol. 38. P. 285–316.

stances. After the negotiations with the Senate a *lex sacrata militaris* was issued, which satisfied the requirements of the soldier-plebeians by enacting a series of laws in their favour (7.41.4–8). Immunity was given to all who had taken part in the secession⁵⁸, no soldier's name was to be struck off the muster-roll without his consent, anyone who had once been military tribune could not be made subsequently to serve as a centurion, and the pay of the cavalry was reduced. The measures are anachronistic and disclose the mentality of the late-republican writer (probably Valerius Antias, who emphasized the role of his tribesman M. Valerius Corvus as a peacemaker), who modelled the story on Sulla's march from Nola to Rome in 88⁵⁹. Livy's 'sacred military law' has nothing to do with the real *lex sacrata* of 342.

Livy also mentions another version of the tale, which referred to an agreement between the rebellious soldiers and C. Marcius Rutilus and Q. Servilius (*cos.* 342) instead of the dictator Valerius (7.42.1–6). The name of the soldiers' leader C. Manlius associates him with M. Manlius Capitolinus (*cos.* 392), the famous defender of the plebeians who was executed in 384. In this version the conflict was resolved by some laws issued by the tribune L. Genucius, who (1) declared usury illegal, (2) forbade anyone to accept re-election to the same office within ten years of holding it or (3) occupy two offices in the same year; and (4) allowed both consuls to be legally elected from the plebs. The first three Genucian measures are anachronistic, while the admission of the plebeians to the other high office looks like a further development of the trend started in the Licinian–Sextian law of 367⁶⁰.

Some chronological inconsistencies in Livy's account can explain why he ascribed the law electing the plebeians to both consular offices to Genucius. The *fasti consulares* has four so-called 'dictator' years, which were additions to an earlier consular list⁶¹. Then, earlier historians dated the Genucian law to 338, and Q. Publilius Philo (*cos.* 339) became the first plebeian praetor in 337. Before that, under 340, Livy refers to a demand to give one consular place to the Latins, who were represented by ten elders (8.3.8–9). The Latins claimed to be a single nation with the Romans, to have common citizenship, and to share the consulship and membership in the Senate (8.4.1–5.6). Although the Roman Senate had initially refused to accept the Latin demands, after several years of fighting the Romans had to satisfy them, despite Rome's victory in the Latin war (Livy 8.11–14).

The Latin claims in 340 resemble the plebeians' demands in 449 and 367 to grant them the right to elect one of two consuls. According to Diodorus (12.25.2), the demand was satisfied, and the people received the right to elect both consuls from the plebeians after the overthrow of the second decemvirate in 443 (449). Furthermore, the requirement of the plebeians in 449 — to restore the collegium of ten tribunes — is similar to the claims of the ten Latin elders, who, most probably, represented ten communities, to participate as equals in the Roman government. It is significant that in 449 two forces, each headed by ten tribunes, were located on the Aventine at the temple of Diana⁶². The temple was built

⁵⁸ In the same manner Livy (3.54.14) refers to the rogation of L. Icilius that no one should suffer for the secession in 449.

⁵⁹ Forsythe G. A Critical History... P. 373–376.

⁶⁰ For a more detailed discussion, see: Stewart R. Public Office in Early Rome: Ritual Procedure and Political Practice. Ann Arbor, 1998. P. 95–136.

⁶¹ Drummond A. The Dictator Years // *Historia: Zeitschrift für alte Geschichte*, 1978. Bd. 27. S. 550–572; Cornell T. J. The Beginnings... P. 399–401; Forsythe G. A Critical History... P. 369–370.

⁶² Dion. Hal. 11.43.6.6. Poma associates the secessions of 449 and 342: Poma G. *Lex quoque sacrata militaris lata est* // *Rivista Storica dell'Antichità*. 1987–1988. N 17/18. P. 99–100,

with the intention of binding the Latins to Rome, as the former had previously belonged to the Aricia federation around the temple of Diana at the Nemea Lake (Livy 1.45.2–3). Most likely, it was then decided to choose the people's tribunes from the citizen body as a whole, and not from individual tribes. This prevented the collegium of tribunes from overgrowing and simultaneously banned the representatives of the new tribes from occupying a place equal to the representatives of the old tribes. At the same time, new citizens (who were not patricians) increased the size of the plebeian population of Roman citizens so much that the tribunes soon began to be elected only from plebeians.

The new plebeians had their own Latin nobility whose claims to equality with the patricians were partly satisfied by the laws of L. Genucius in 342 and Q. Publilius Philo in 339 (Livy 7.42.1–2; 8.12.14–15; Zon. 7.25.9). According to Livy (7.42.1–2 and 42.10.7–9), one of the Genucian laws permitted the election of both consuls from the plebeians, which can hardly be taken literally because a plebeian pair of consuls was elected for the first time only in 172. An anonymous author cited by Livy, probably, wanted to create a historical precedent for the second-century election of two plebeians as consular colleagues. He may have cited the fourth-century information about the assignment of the plebeians to two high magistracies from the three or more existing ones.

Thus, the original events of 342 concerned the admission of a large group of the plebeians (from the Latins who had received Roman citizenship) to participate in the election of the high magistracy. Two armies took part in the event: the plebeian consul C. Marcus Rutilus acted on the Alban Mount, concluding a *lex sacrata* with Jupiter Latiaris, and his patrician colleague Q. Servilius was in Rome. The admission of the plebeians to the consulship was dated by 449 (443), 367 or 342/338 in various historiographical accounts. Finally, the late-republican historians chose the version of Fabius Pictor with the year 367. The struggle of the plebeians for the consulship under the other dates was revised by them as a secession of the plebs from the patrician City to a Sacred Mount. The version under the year 342 allows us to directly identify the *mons sacer* with the Alban Mount⁶³.

The secessio plebis of 287

Recently G. Forsythe has revived an old theory of Ed. Meyer that the secession of 287, which occurred within a generation of the first Roman annalistic writers, was the only authentic, historical secession⁶⁴. The evidence for the secession of 287 is scanty and, especially because Livy's second decade has not survived, our knowledge of this event is very imperfect and rests only upon several brief statements. According to Dio Cassius (8.37.2–4), widespread indebtedness led to protracted political strife between debtors and creditors in 287. The plebeian tribunes at first proposed that only the principal of loans be paid back, or that debts be repaid in three payments. Although the debtors favoured these measures, they were opposed at first by the creditors; when the creditors finally began to compromise, the debtors held out in hope of further concessions. Livy (Per. 11) says that due to indebtedness there was serious and protracted sedition until the plebs seceded

⁶³ This follows from Valerius' words of the identity between the rebellion of 342 and the secessions of the ancestors in 494 and 449. Livy 7.40.11: "*Inducite in animum quod non induxerunt patres auique uestri, non illi qui in sacrum montem secesserunt, non hi qui postea Auentinum insederunt*".

⁶⁴ Forsythe G. A Critical History... P.170–177, 230–233, 344–349; Mignone L. M. Remembering a Geography... P.142–143.

to the Janiculum, a hill on the other side of the Tiber, whence they were brought back by the dictator Q. Hortensius, who did not live out the full term of his office. Zonaras (8.1) says this dissension was not resolved until the enemy approached the city. According to other sources, the dictator Hortensius secured the passage of a law which ordained that whatever the plebs ordered was to be binding on the entire people⁶⁵.

Forsythe stresses that some features of this secession, especially the nature of the strife and the proposed legislation, bear a striking resemblance to earlier supposed events in the struggle of the orders and partly to the unhistorical but well-established tradition of the first secession. These similarities can be explained in either historical or historiographical terms. On the one hand, similar solutions could have been devised for similar problems at different times, and the Romans could have been aware of previous statutes which had handled earlier parallel situations of debt crisis. On the other hand, given the unsophisticated working methods of later Roman historians, things were often fabricated from misinterpretation or willful invention, or one historical incident was used to form the basis for other unhistorical occurrences of similar nature. Forsythe believes that the law of discharge from debts attributed to 287 might be historical, although historiographical duplication of the law of 367 cannot be entirely ruled out. Rather, some of its actual elements may have been the basis for the later annalistic interpretation of the other two secessions and of the struggle of the orders in general. Since this secession is said to have involved a withdrawal not to the Aventine or Mons Sacer but to the Janiculum, which was otherwise not associated with the plebeian cause or the struggle of the orders, this element is regarded by Forsythe as authentic⁶⁶.

Macrobius makes reference to a *lex Hortensia* concerning markets, a law indicating which market days (*nundinae*) were to be considered *fasti*, that is, days on which justice could be administered (*Sat.* 1.16.30). The provision was a measure to support rural plebeians, who when visiting the city on market days would have the opportunity to present their legal requests to the praetor. Given the extraordinary growth in the size of Roman territory in the decades preceding 287, there may have been a substantial number of Roman citizens who did not live within easy traveling distance of a Roman court⁶⁷. Bad harvests during the early 280s could have produced a sharp rise in indebtedness, and debtors could have been condemned in absentia in many lawsuits simply due to their inability to show up in court on the day appointed for legal judgment. Taking a scenario in which cases of this sort were sufficiently numerous, Forsythe suggests that political pressure could have been brought to bear upon the plebeian tribunes to intercede on behalf of judgment debtors. However, the *intercessio* was possible only in Rome and in case of an abuse by officers on behalf of the debtor. Nevertheless, the Hortensian law partly responded to a need for Rome's legal system to adjust to new conditions produced by rapid expansion of Roman territory during the preceding fifty years.

The Hortensii are not attested in Roman public affairs until the second century, and they were never very prominent. Only two members of the family reached the consulship

⁶⁵ Plin. NH 16.37; Gai. Inst. 1.3; Gell. 15.27.4; Dig. 1.2.2.8. For the Hortensian law, see: *Hölkeskamp K.-J. Senatus Populusque Romanus: Die politische Kultur der Republik — Dimensionen und Deutungen.* Wiesbaden, 2004. S. 49–84.

⁶⁶ Forsythe G. A Critical History... P. 346–347.

⁶⁷ The legislation of 287 may continue the reform of Q. Fabius Rullianus, who distributed the urban plebs for the four urban tribes in 304.

in republican times (108 and 69). Thus, the appointment of Q. Hortensius as dictator would have been unusual for 287. Forsythe suggests that it was not at all uncommon for a well-to-do family to hold lower public offices for several generations before reaching the consulship, and Q. Hortensius could have been one of the ten plebeian tribunes of 288 or 287. They were attempting to work out a settlement between debtors and creditors, and on the basis of his demonstrated moderation and good faith he could have been appointed dictator to resolve the crisis⁶⁸. However, there is no evidence of a former tribune of the plebs being appointed as a dictator. It is more likely that (the name of) the dictator Q. Hortensius was an invention by an annalistic writer who may have had some relationship with the Hortensia family in the late second and first century. L. Hortensius (*cos.* 108) was married to the daughter of the historian C. Sempronius Tuditanus (*cos.* 129), who wrote a treatise on Roman constitutional law (*libri magistratuum*) to give political support to the optimates. The *libri magistratuum* dealt with the intercalation, the appointment of the plebeian tribunes, and the market and feast days of the old Roman calendar (*nundinae*). Tuditanus's grandson, the son of L. Hortensius and Sempronia, was the prominent orator Q. Hortensius Hortalus (*cos.* 69), possibly the prototype for the fictitious dictator of 287 (Cic. Att. 13.6.4; Brut. 229, 324). A large number of heterogeneous arrangements in favour of plebs were ascribed to the figure of the dictator, however, this doesn't explain why a secession provoked by a debt problem ended with the Hortensian law, which gave the status of law to decisions of the tribal assembly regardless of whether the patricians voted in it or not (plebiscites). Neither is there any explanation as to why the plebeians seceded to the Janiculum Hill instead of the traditional Sacred Mount or Aventine.

It is noteworthy that each secession occurred after a considerable Roman victory over its neighbours. The secession of 494 took place after the Battle of Lake Regillus in 496. The victory would have brought the Romans some land acquisitions by the treaty with the Latins concluded by Sp. Cassius in 493⁶⁹. The secession of 449 took place after the law of the land distribution in the Aventine in 456. Ancient writers report the distribution of plots of land on the Aventine to the plebeians, but this is perhaps a misunderstanding of the original law, which was issued or promulgated on the Aventine but was devoted to the redistribution of land to the plebeians in a colony. The plebs' attempted withdrawal from Rome, which resembles a secession, took place after the victory over the Etruscan city of Veii in 395 (387). It was apparently about the distribution of land on the territory of the newly formed four tribes in 387. Livy reported that the case almost resulted in a new secession of the plebs under the leadership of M. Manlius in 386 (6.19.1). It was then that the Senate ordered the settlement of two thousand citizens in Satricum, assigning two and a half *iugera* of land to each of them (Livy 6.15.6). The secession of 342 began immediately after the Roman conquests in Campania, probably because of the disagreements between Rome and the Latins concerning the distribution of the conquered lands: the tribes Maecia and Scaptia were organized on the territory of southwestern Latium in 332.

The surviving fragmentary information about the secession on the Janiculum in 287 may suggest a connection with the Roman colonization in Umbria and Etruria. According to the Summary of Livy's eleventh book, the consul Man. Curius Dentatus celebrated two triumphs in 290 after he had defeated the Samnites and subdued the rebellious Sabines. To protect the conquered lands colonies were planned at Castrum, Sena, and

⁶⁸ Forsythe G. A Critical History... P. 347–348.

⁶⁹ The *foedus Cassianum* of 493 was added with another treaty of distribution of land in 486.

Hadria on the Adriatic coast to serve as outposts against the Gauls. The place for the departing colonists was most likely the Janiculum Hill and perhaps many of plebeians wished to receive land in the new colonies. But between 290 and 287 the Romans received news of the danger of a new Gallic war and the number of the colonists was strongly reduced. However, many plebeians sought to get to Janiculum 'after long and heavy unrest because of their debts' (Livy Per. 11). Although the reference to indebtedness appears to be Livy's standard method of explaining plebeian unrest, the scale of the plebeian movement may have been sufficiently great to imprint it in the memory of contemporaries. A dictator may have been appointed to resolve the discord, but died during his tenure of office, and simultaneously many of the plebeians returned home. Thus, as in the case of the resettlement in Veii in 387, behind the secession of 287 is an account of the foundation of new colonies or tribes. It is possible that the question of new tribe(s) stood on the agenda but was removed in 287.

Conclusion

Thus, the ritual pilgrimage of the Romans to the Alban Mount to celebrate the *Feriae Latinae* became the model for an early version of the establishment of the consulship. Later the emphasis of Roman annalistic writing changed from the synoikismos of Latium around Rome to the struggle of the orders. The establishment of the consulship was moved to the beginning of the Republic and the act on the *mons sacer* was attributed to the tribunate. The temporary removal of the Roman plebs for the annual participation in the Latin festivals on the Alban Mount received a new treatment as their secession from the patrician Rome. Two consuls in 509 were given counterparts of two tribunes in 493, and the Capitoline triad Jupiter, Juno and Minerva were interpreted as counterparts to Ceres, Liber and Libera on the Aventine⁷⁰. The search for instructive examples of the struggle between the patricians and the plebeians drew the attention of Roman historians to the migrations of ancient colonists (probably recorded in the chronicles of the pontiffs), which could be represented as a form of social conflict.

The unsuccessful exodus to Veii in 388 and the Janiculum in 287 was about migration of the plebeians to a new tribe, and on both occasions the resettlement was stopped by a dictator, M. Furius Camillus and Q. Hortensius respectively. It is noteworthy that the appointment of a dictator appears in Livy's accounts also in the secessions of 494, 385, and 342, while dictatorship was replaced by the decemvirate *sine provocatione* in 449. In the account under the year 331, Livy mentions that the Romans had a custom to appoint a dictator who performed the ritual of hammering a nail into the wall of the temple to complete the secession (Livy 8.18.12). This shows that the secessions, or more precisely what was meant by them, were either regular actions fixed by hammering a nail, or this rite was performed to magically neutralize the negative action associated with secession.

The regular migration of a part of the population from the community, which seems to have been the reality behind the secession model, was a means to avoid overpopulation in archaic time. The migrants established a colony which became an independent settlement and a member of the Latin League in the earliest times or a nucleus of a new Roman

⁷⁰ Because the Capitoline cult was not especially patrician, just as the cult of Ceres was not plebeian (see: Sordi M. Il santuario... P. 127, 135; Cazanove O. de. Le sanctuaire... P. 380–381, 399; Pellam G. Ceres, the Plebs... P. 76), the idea belongs to historiography, not history.

tribe under the early Republic. The deportation act seems to be modelled according to the archaic custom of *ver sacrum*, common in pre-Roman Italy⁷¹. According to Festus (p. 519–520 L): “There was a custom of voting for a sacred spring among the Italics. In fact, in the moments of great danger, they made a vow to immolate all the living beings that would be born with them the following spring. However, because it seemed cruel to sacrifice innocent boys and girls, once they reached adulthood, they blindfolded them and chased them away, in these conditions, outside their borders”. The custom survived until the Second Punic War⁷². According to Livy, after C. Flaminius Nepos (*cos.* 223, 217) perished at Lake Trasimene, priests announced that the vows to Mars had not been well accomplished (22.9.7–11). To neutralize the negative consequences of the defeat, it was necessary to hold the Great Games to Jupiter, to build temples to Venus and Mens and to organize the *lectisternium*. In addition, a promise was made to perform the *ver sacrum*. Under the direction of the *Pontifex Maximus* L. Cornelius Lentulus the people decided that, if the wars with the Carthaginians and Gauls were successful in the next five years, the Roman people would give to Jupiter everything that be born in the herds of pigs, sheep, goats, and bulls (22.10.2–6). Unlike the sacrifice of animals, which was performed during the next year, the emigration of youth who were born in a certain year was made after they had reached the age of maturity. This latter custom was most likely why the *ver sacrum* was held only in 195 (Livy 33.44.1–3). Furthermore, because of the violations in the ritual, the Senate decided to hold it anew in the next year (Livy 34.44.1–3)⁷³. An integral part of the *ver sacrum* was a new settlement, which would be founded by the young men leaving their native community (Strabo 5.4.12). J. Heurgon notes that the new correct *ver sacrum* of the year 194 coincided with Livy’s account (34.45.1–5) of the founding of colonies in Puteolae, Volturnum, Liternum, Salernnum, Buxentum, Sipontum, Tempa, and Croton⁷⁴.

The common time of birth and destiny of the men who were the object of the *ver sacrum* made them *sodales*, similar to an age class or a *Männerbund*. The first Roman historians, who were contemporaries of the *ver sacrum* of 217/194, represented the foundation of Rome as the migration of the young coevals headed by Romulus and Remus from Alba Longa. The legendary colonists of archaic times founded the settlement on free land, whereas at the time of the Republic colonies were founded on conquered territory. By the beginning of the third century, the Romans had step by step conquered Latium and south Etruria and established tribes of Roman citizens there. The local population were integrated into the Roman citizenship as plebeians, whose number enormously increased in comparison with the patricians. The attempt at a migration of plebeians to the conquered city of Veii can be interpreted as the modified institution of *ver sacrum*. The establishment

⁷¹ On the *ver sacrum* see: Aigner Foresti L. La tradizione antica sul *ver sacrum* // Coercizione e mobilità nel mondo antico / a cura di M. Sordi. Milano, 1995. P. 141–147; Caro Roldán J. M. Una aproximación a la naturaleza del *ver sacrum* // Gerión. 2000. N 18. P. 159–190.

⁷² Heurgon J. Trois etudes sur le “*ver sacrum*”. Bruxelles, 1957. P. 36–51; Radke G. Anmerkungen zu den kulturellen Maßnahmen in Rom während des Zweiten Punischen Krieges // Würzburger Jahrbücher für die Altertumswissenschaft. 1980. Bd. 6. S. 110–116; Scheid J. Les incertitudes de la voti sponsio. Observations en marge du *ver sacrum* de 217 av. J. C. // Mélanges de droit romain et d’histoire ancienne. Hommage à la mémoire de André Magdelain / éd. par M. Humbert, Y. Thomas. Paris, 1999. P. 417–425; Bartol F. El *ver sacrum* del 217 a.C. // Revista General de Derecho Romano. 2008. N 11. P. 1–12.

⁷³ The rite was corrupted in 195, perhaps because the consuls represented the recruiting of young soldiers for the war against the Spaniards and Gauls as dedicated to the deity according to the *ver sacrum*.

⁷⁴ Heurgon J. Trois etudes... P. 39.

of a new tribe in Latium was preceded by the visit to the Sacred Mount, where the new status of the Latin population was approved by Jupiter Latiaris. The establishment of tribes (colonies) outside Latium did not need such an approval. The two first secessions to the *mons sacer* were well associated with the custom of establishing a tribe, which enables us to use the pontifical records of colonisation as examples for the secessions in 395/387, 385, 342, and 287.

References

- Aigner Foresti L. La tradizione antica sul ver sacrum. *Coercizione e mobilità nel mondo antico*. A cura di M. Sordi. Contributi dell'Istituto di storia antica, vol. 21. Milano, Vita e pensiero Publ., 1995, pp. 141–147.
- Altheim F. *Lex sacrata. Die Anfänge der plebeischen Organisation*. Amsterdam, Pantheon Publ., 1940, 44 S.
- Bartol F. El ver sacrum del 217 a. C. *Revista General de Derecho Romano*, 2008, no. 11, pp. 1–12.
- Becker M. “*Suntoque aediles curatores urbis*”: Die Entwicklung der stadtrömischen Aeditilität in republikanischer Zeit. Stuttgart, Franz Steiner Verlag Publ., 2017, 342 S.
- Beloch K. J. *Römische Geschichte bis zum Beginn der punischen Kriege*. Berlin; Leipzig, Walter de Gruyter & Co. Publ., 1926, 664 S.
- Caro Roldán J. M. Una aproximación a la naturaleza del ver sacrum. *Gerión*, 2000, no. 18, pp. 159–190.
- Cazanove O. de. Le sanctuaire de Cérès jusqu'à la deuxième sécession de la plebe. *Crise et transformation des sociétés archaïques de l'Italie antique au Ve siècle av. J. C.: actes de la table ronde organisée par l'École française de Rome et l'Unité de recherches étrusco-italiques associée au CNRS (UA 1132), Rome 19–21 novembre 1987*. Rome, École française de Rome Publ., 1990, pp. 373–399.
- Cels Saint-Hilaire J. Lenjeu des “secessions de la plebe” et le jeu des familles. *Mélanges d'archéologie et d'histoire l'École française de Rome, Antiquité*, 1990, t. 102, pp. 723–765.
- Cornell T. The Failure of the Plebs. *Tria corda: scritti in onore di Arnaldo Momigliano*. A cura di E. Gabba. Como, Edizioni New Press, 1983, pp. 101–120.
- Cornell T. J. *The Beginnings of Rome: Italy and Rome from the Bronze Age to the Punic Wars (c. 1000–264 BC)*. London, Routledge, 1995, XX, 507 p.
- Drummond A. The Dictator Years. *Historia: Zeitschrift für alte Geschichte*, 1978, Bd. 27, S. 550–572.
- Dumézil G. *Mitra-Varuna. An Essay on Two Indo-European Representations of Sovereignty*. Transl. by D. Colman. New York, Zone books Publ., 1988, 189 p.
- Eder W. Zwischen Monarchie und Republik: das Volkstribunat in der Frühen Römischen Republik. *Bilancio critico su Roma arcaica fra monarchia e repubblica. In memoria di F. Castagnoli*. Roma, Accademia nazionale dei Lincei Publ., 1993, S. 97–127.
- Ellul J. Réflexions sur la révolution, la plèbe et le tribunat de la plebe. *Index: International Survey of Roman Law*, 1972, vol. 3, pp. 155–167.
- Fiori R. *Homo sacer. Dinamica politico-costituzionale di una sanzione giuridico-religiosa*. Napoli, Jovene editore Publ., 1996, 593 p.
- Forsythe G. *A Critical History of Early Rome: From Prehistory to the First Punic War*. Berkeley; Los Angeles, University of California Press, 2005, 400 p.
- Guarino A. *La rivoluzione della plebe*. Napoli, Liguori Publ., 1975, 336 p.
- Heurgon J. *Trois études sur le “ver sacrum”*. Collection Latomus, vol. 26. Bruxelles, Latomus, revue d'études latines Publ., 1957, 51 p.
- Hölkeskamp K.-J. *Senatus Populusque Romanus: Die politische Kultur der republik — Dimensionen und Deutungen*. Wiesbaden, Franz Steiner Publ., 2004, 334 S.
- Lanfranchi Th. *Les tribuns de la plèbe et la formation de la République romaine: 494–287 avant J.-C.* Rome, École française de Rome Publ., 2015, X, 822 p.
- Liou-Gille B. Les “leges sacratae”: esquisse historique. *Euphrosyne*, 1997, no. 25, pp. 61–84.
- Mari Z. *Anio Vetus. Lexicon Topographicum Urbis Romae*. Ed by E. M. Steinby. Vol. I. Roma, Edizioni Quasar Publ., 1993, pp. 44–45.
- Mazzarino S. Sul tribunato della plebe nella storiografia romana. *Helikon*, 1971–1972, vol. 11–12, pp. 99–119.
- Meunier N. Tribuni plebis ou tribuni militum? Le tribunat originel dans la Haute République de Rome. *Les Études classiques*, 2011, vol. 79, pp. 347–360.
- Meunier N. L. J. Le lac Régille, les Dioscures et Cérès: de la crise romano-latine à la crise patricio-plébéenne. *De la crise naquirent les cultes. Approches croisées de la religion, de la philosophie et des représenta-*

- tions antiques*. Actes du Colloque de Louvain-Neuve, 12–13 juin 2014. Éd. par M. Cavalieri, R. Lebrun et N. Meunier. Turnhout, Brepols, 2015, pp. 147–166.
- Mignone L. M. Remembering a Geography of Resistance: Plebeian Secessions, Then and Now, *Memoria Romana: Memory in Rome and Rome in Memory*. Ed. by K. Galinsky. Ann Arbor, University of Michigan Press, 2014, pp. 137–150.
- Mitchell R. E. *Patricians and Plebeians. The Origin of the Roman State*. Ithaca; New York, Cornell University Press, 1990, XVI, 276 p.
- Mommsen Th. *Römisches Staatsrecht*. Dritte Abt. Bd. I. Leipzig, Hirzel, 1887, XV, 742 S.
- Mommsen Th. *Römisches Staatsrecht*. Dritte Abt. Bd. II. Leipzig, Hirzel, 1887, XXVI, 708 S.
- Mommsen Th. *Römisches Staatsrecht*. Dritte Abt. Bd. III. Leipzig, Hirzel, 1888, XIV, 1336 S.
- Oakley S. P. *A Commentary on Livy: books VI to X*. Vol. 2. Oxford, Clarendon Press, 1998, XII, 865 p.
- Oakley S. P. *A Commentary on Livy: books VI to X*. Vol. 4. Oxford, Clarendon Press, 2005, XII, 658 p.
- Ogilvie R. M. *A Commentary on Livy. Books 1–5*, Oxford, Clarendon Press, 1965, 744 p.
- Palmer L. R. The Concept of Social Obligation in Indo-European. *Hommages à Max Niedermann*. Collection Latomus, vol. 23. Bruxelles, Latomus, revue d'études latines Publ., 1956, pp. 258–269.
- Pellam G. Ceres, the Plebs, and *Libertas* in the Roman Republic. *Historia: Zeitschrift für alte Geschichte*, 2014, Bd. 63, S. 74–95.
- Pellam G. Sacer, sacrosanctus and leges sacrae. *Classical Antiquity*, 2015, vol. 34, pp. 322–334.
- Pepe L. *Studi sull'esecuzione personale. Debiti e debitori nei due primi secoli della repubblica romana*. Milano, A. Giuffrè Publ., 1981, 292 p.
- Piganiol A. Romains et Latins. I. La légende des Quinctii. *Mélanges d'archéologie et d'histoire l'École française de Rome*, 1920, vol. 38, pp. 285–316.
- Poma G. Lex quoque sacra militaris lata est... (Livio, VII,41,4). *Rivista Storica dell'Antichità*, 1987/88, no. 17/18, pp. 97–114.
- Poma G. Considerazioni sul processo di formazione della tradizione annalistica: il caso della sedizione militare del 342 a.C., *Staat und Staatlichkeit in der frühen römischen Republik*. Hrsg. von W. Eder. Stuttgart, Franz Steiner Verlag Publ., 1990, S. 139–157.
- Raaflaub K. A. From Protection and Defense to Offense and Participation: Stages in the Conflict of the Orders. *Social Struggles in Archaic Rome: new perspectives on the Conflict of the Orders*. Ed. by K. A. Raaflaub. Expanded and updated edition. Malden (MA), Blackwell Publishing, 2005, pp. 185–222.
- Radke G. Anmerkungen zu den kultischen Maßnahmen in Rom während des Zweiten Punischen Krieges. *Würzburger Jahrbücher für die Altertumswissenschaft*, 1980, Bd. 6, S. 105–121.
- Richard J.- C. *Les origines de la plèbe romaine. Essai sur la formation du dualisme patricio-plébéien*. Rome, École française de Rome Publ., 1978, XIX, 653 p.
- Ridley R. T. Notes on the Establishment of the Tribune of the Plebs. *Latomus*, 1968, vol. 27, pp. 535–554.
- Ridley R. Patavinitas Among the Patricians? Livy and the Conflict of the Orders. *Staat und Staatlichkeit in der frühen römischen Republik*. Hrsg. von W. Eder. Stuttgart, Franz Steiner Verlag Publ., 1990, S. 103–138.
- Rieger M. *Tribus und Stadt: die Entstehung der römischen Wahlbezirke im urbanen und mediterranen Kontext (ca. 750–450 v. Chr.)*. Göttingen, Edition Ruprecht, 2007, XIII, 738 S.
- Scheid J. Les incertitudes de la voti sponsio. Observations en marge du ver sacrum de 217 av. J.C. *Mélanges de droit romain et d'histoire ancienne. Hommage à la mémoire de André Magdelain*. Éd. par M. Humbert, Y. Thomas. Paris, Editions Panthéon-Assas, 1999, pp. 417–425.
- Smith C. J. The Origins of the Tribune of the Plebs. *Antichthon*, 2012, vol. 46, pp. 101–125.
- Sordi M. Il santuario di Cerere, Libero, e Libera e il tribunato della plebe, *Santuari e politica nel mondo antico*. A cura di M. Sordi. Milano, Vita e Pensiero, 1983, pp. 127–139.
- Stewart R. *Public Office in Early Rome: Ritual Procedure and Political Practice*. Ann Arbor, University of Michigan Press, 1998, 255 p.

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