

009_The Foundation of the Rome

Quote – Polybuis “Who is so worthless or indolent as of polity the Romans in less that fifty-three years have succeeded in subjugating the whole inhabited world to their sole government – a thing unique in history? Who is so passionately devoted to other studies as to regard anything of greater moment than the acquisition of this knowledge”

A. Legend of Romulus and Remus

- a. A local young king, Numitor was overthrown by his younger brother, Amulius
- b. Amulius – killed his nephew and made his niece become a vestal virgin (30 year service)
 - i. This would prevent rival claimants to the throne
- c. Rhea Silva (the Niece)
 - i. She was raped by the God Mars
 - ii. She had twin sons
 - iii. Romulus and Remus
 - iv. They punished her by throwing her into a river. The god of the River married her
 - v. The Babies were put in a reed basket, found by she-wolf
 1. Latin – Lupa means wolf and prostitute
 - vi. Amulius was killed in battle and Numitor was restored
 - vii. Found Romulus and Remus
 1. They decided to build a city where the basket came ashore.
 - viii. Laid out the plans for the city with a white cow and bull
 - ix. Remus begins mocking Romulus by jumping furrows
 - x. Romulus Kills him.
 - xi. Romulus realizing they were short on women, abducted 600 women from a neighboring tribe.
- d. Other legends
 - i. Aeneas – half god who fought against the Greeks in the Trojan War
 1. He escaped and founded the clan that Romulus and Remus come from.
- e. The Aeneid
 - i. Augustus commission Virgil
 - ii. Presented the legend, became the most famous poem in the Roman era.
 - iii. Quote (Virgil) – “Now Aeneas looking out from the glassy ocean, sees a vast stretch of forest. The River Timners pleasant stream flows through it before bursting into the sea in swirling eddies made yellow by the copious sandy sediment. Above and all around, different kinds of birds indigenous to the river banks and reaches sweeten the air with song as the dart amoun the trees. Having ordered his companions to change

course and steer for land, Aeneas is elated as he makes the river's shade.
“

iv. Aeneas marries the daughter of local Etruscan king

B. The Birth of Rome

a. Geography of the Italian Peninsula

- i. Great soil and many natural resources
- ii. Three Rivers, Tiber, Arno and Po
- iii. Plains are fertile

b. Pre-Roman Italians

- i. Before Greek colonizers and Etruscans Humans inhabited region since the stone Age
- ii. Literary sources do not become available until the 5th century
- iii. At least forty languages and dialects have been determined

c. Etruscan Influence

- i. Across the Tiber to the North
- ii. Between 650-600, Etruscans invaded Latium
- iii. Villages from the hills of Rome either united in defense or to align with Etruscan policy.
- iv. Art and Architecture was handed to the romans
- v. By the 3rd century the Etruscan Areas were absorbed, by the 1st Century they ceased to exist as a cultural group.

C. The Regal Period (753-509)

a. Traditions of the Kings

- i. There were seven kings in the so-called Regal Period, 753–509 BC. They were, in order: Romulus, Numa Pompilius, Tullius Hostilius, Ancius Marcius (the Latin or Sabine Kings), Tarquinius Priscus, Servius Tullius, Tarquinius Superbus (the two Tarquins were Etruscans).
- ii. Each king had a set of stories attached to him.

b. Livy – Our Primary Source

- i. Livy had access to now lost written accounts of earlier writers, but from later than the Regal Period
- ii. Mostly received as legend
- iii. First Historical King – Numa Pompilius

c. Law and Politics

- i. Firstly Kings were elected
 1. By a council of Nobles
 2. Between the kings, there was an interrex who held office
 3. The Roots of the Roman Constitution was under the kings
- ii. Powers
 1. Capital punishment
 2. Public works

3. Foreign relations
4. Maintenance of religion
- iii. His litter carried rods with axe in center
 1. Punishment could be metted out
 2. Becomes symbol of roman authority
- d. Regal Society –
 - i. Class and Clientage
 1. Free born – broad distinction between citizen and non-citizen
 2. Citizens broken into “tribes”
 - a. Originally there were three
 - b. Later reached 35
 3. Duties of a Citizen
 - a. Chief duty was military service
 - b. Early on like in Greece
 - i. Citizen/military class was limited to the land owning aristocracy
 4. Prominent Families and Common Families
 - a. Social system of clientship (clientela)
 - b. A Patron granted favors, in return for loyalty, support and respect
 - ii. Politics
 1. The state was controlled more by aristocrats more than king.
 - a. Kings were chosen by the Senate
 2. Servian Constitution
 - a. Illustrates a lot of the problems
 - i.

D. Overthrow of the Monarchy

- a. King Tarquinius Superbus – last king of Rome
 - i. Poor ruler with unpopular policies
- b. Rape of Lucretia
 - i. She commits suicide
 - ii. Lucius Junuis Brutus – a friend of the family
 1. Promises retaliation
 - iii. Oath of Brutus
 1. *By this guiltless blood before the kingly injustice I swear – you and the gods as my witnesses – I make myself the one who will prosecute, by what force I am able, Lucius Tarquinius Superbus along with his wicked wife and the whole house of his freeborn children by sword, by fire, by any means hence, so that neither they nor any one else be suffered to rule Rome.*

- c. *The Coup*
 - i. Tarquinius – forced to flee Rome to neighbor kingdom
 - ii. A counter-revolution to restore the monarchy
 - iii. Brutus has to kill the Kings two sons.
- d. Historical Problems with the Story
 - i. Like a lot of Roman sources the real reason is hidden behind romantic and heroic stories.
 - ii. Transition to Republic was probably gradual and growing
- E. The Roman Republic
 - a. Formation of the Government
 - i. Evolved over time.
 - ii. Consuls – Two men shared executive power
 - iii. Two Assemblies
 - 1. Comitia curiata
 - 2. Comitia cenuriata
 - b. Roman Law

Excerpts from Twelve Tables –

Table IV. Paternal Power

1. A notably deformed child shall be killed immediately.
- 2a. To a father ...shall be given over a son the power of life and death.
- 2b. If a father thrice surrenders a son for sale the son shall be free from the father.
3. To repudiate his wife her husband shall order her... to have her own property for herself, shall take the keys, shall expel her.
4. A child born within ten months of the father's death shall enter into the inheritance ...

Table V. Inheritance and Guardianship

1. ...Women, even though they are of full age, because of their levity of mind shall be under guardianship ... except vestal virgins, who ... shall be free from guardianship ...
2. The conveyable possessions of a woman who is under guardianship of male agnates shall not be acquired by prescriptive right unless they are transferred by herself with the authorization of her guardian ...
3. According as a person has made bequest regarding his personal property or the guardianship of his estate so shall be the law.
4. If anyone who has no direct heir dies nearest male agnate shall have the estate.
5. If there is not a male agnate the male clansmen shall have the estate.

6. Persons for whom by will ... a guardian is not given, for them ... their male agnates shall be guardians. If a person is insane authority over him and his personal property shall belong to his male agnates and in default of these to his male clansmen.

7b. ... but if there is not a guardian for him ...

7c. ... Administration of his own goods shall be forbidden to a spendthrift. ... A spendthrift, who is forbidden from administering his own goods, shall be ... under guardianship of his male agnates.

8. If a Roman citizen freedman dies intestate without a direct heir, to his patron shall fall the inheritance ...said household ... into said household.

9. Those items that are in the category of accounts due to the deceased ...shall be divided among the heirs by ordinary operation of law in proportion to their shares of the inheritance. ... Debts of the estate of a deceased shall be divided, according to law, among the heirs, proportionately to the share of the inheritance that each acquires.

10. ...Action for division of an estate shall be available for joint heirs wishing to withdraw from common and equal participation.

F. Roman Citizenship

- a. Was a political and legal status, not cultural
 - i. So it did not offend local customs within the Empire
- b. They needed Military Power
 - i. *Ex formula togatorum*
 - ii. "military service of the togated peoples"
- c. Categories of Citizens
 - i. Roman Citizens
 1. Full Rights
 2. Vote in Assemblies
 3. Hold office
 4. Serve in the Senate
 - ii. Citizens without legal franchise
 1. People who lived in distant areas
 2. Enjoyed Protection of Roman Law
 3. Eventually made full citizens
 - iii. Latins
 1. Members of 30 Latin communities or colonies
 2. Self-governing military settlements
 3. Half-citizens, they could go to Rome and resume "full citizenship"
 4. Each colony had a separate treaty with Rome
 - iv. Italian Allies
 1. Socii – Italian or Greek Communities

2. Owed military service
 3. Retained their own institution
- d. Classification of Citizenship
- i. Patricians and Plebians
 1. Nobiles –
 - a. Hold high office and priesthood
 - b. By 264 BCE – A new noble class emerged
 - i. Most of these nobles were not the original patrician elite
 2. Plebians
 - a. Not all were poor
 - b. Between 367-287 plebs gained concessions that opened offices
 - i. Ended debt slavery
 - ii. Distributed lands from defeated foes
 - iii. Gained assembly (concilium plebis)

G. Roman Government

- e. Assemblies
 - i. Assemblies based on Property, Age, and residence
 - ii. The Centuriate Assembly was based on units in the Roman army and was heavily weighted toward age and property. Its members were the landowners, and it elected high officials of state.
 - iii. The Tribal Assembly was based on residence; citizens were registered in one of 35 tribes, or large districts. This assembly voted on legislation.
 1. Closest to democracy they ever came
- f. The Senate
 - i. Made up of former Magistrates
 - ii. Was the advisory board
 - iii. Assemblies were conservative because later they hoped to make their way to the Senate
 - iv. Dominated the State during the expansive period
 1. It had the collective experience of all former magistrates

H. The Bonds of Roman Society

- g. Patronus and clientas
 - i. The bonds of patron and client were inherited and reciprocal.
 - ii. The ties of patronage had both political and military implications. Clients were expected to vote in the direction of their patrons and to turn out for the draft when called.
 - iii. In return, patrons gave a great deal of protection and advantage to their clients, including legal protection.
 - iv. Could also accept guilds and other groups

- h. Conservative Characteristics
 - i. Voters were tied to patrons
 - ii. Senate tended to be dominated by political elite
- i. “Novus Homo” – New Man
 - i. Rare cases where non-elites were elected to the Senate
 - ii. From 367 B.C. to 46 B.C., Rome had 640 consulships, but only 21 of these offices were held by new men, and this number represents only 11 individuals.
- I. Undoing of the Order
 - j. Client system and Patronage began to dissolve in the end of the 2nd century
 - i. Social and economic changes
 - ii. The Republic was breaking down.
- J. Roman Slavery
 - k. Slaves
 - i. Most were war captives
 - ii. Race was not a factor
 - iii. Many slaves were liberated and became client of former dominus
 - 1. Then given full citizenship and right to vote
 - l. Slave Stats
 - i. 200-50 – one million slaves were sold in Italian markets
 - ii. 225 – ten percent of population was slaves
 - iii. 50- BCE – 30 percent
 - m. Distinctions of Slavery
 - i. State slaves and Individually owned slaves
- K. Changes in the Later Republic
 - ii. As the Republic expanded, slave markets flooded
 - iii. Equestrian Orders
 - 1. “the gentlemen outside the Senate”
 - 2. Not a middle class
 - 3. Gained wealth when the empire expanded
 - a. Contracted slave labor
 - b. Tax farmed
 - c. Banking
 - a. Lawyers