

XVII. Notes on the Social War

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The number of the *populi* who formed the anti-Roman league in the Social War¹ is variously given in the sources, but it can be shown to have been twelve. All twelve peoples can be named with reasonable certainty. Each of them appointed a military commander for each year of the war, and most of these commanders can also be identified. The vexed question of the original arrangements for receiving into the Roman tribal organization the new citizens created by the enfranchising legislation of 90–89 B.C. is discussed; and, of much greater importance, the tribes in which the rebellious *socii* were ultimately registered are identified.

I

There is, of course, general agreement that the Picentes of Asculum were the first people to resort to arms against Rome in the Social War. But no such unanimity exists concerning the other peoples who quickly joined them in their rebellion. The only writers who make any attempt to give a list of the insurgents are Livy (and his epitomators), Diodorus and Appian, and they do not agree.²

Livy (*Per.* 72) says that seven peoples revolted, and he names them in geographical order from north to south, probably adopting this arrangement since it enables him to head his list with the Asculani, the first to take up arms.³ Livy's seven are:

¹ It is futile in a short article to attempt to give a bibliography of the Social War. Attention is directed, however, to the following works, which are frequently referred to in the following pages and supply allusions to all the relevant literature on the subject: A. von Domaszewski, "Bellum Marsicum," *SB Akad. Wiss. Wien* 201 (1924) 1–31; R. Gardner, *CAH* 9 (1932) 185–200; I. Haug, "Der römische Bundesgenossenkrieg," *Würzb. JB für Altertumswiss.* 2 (1947) 100–39, 201–58; E. Gabba, *Appiano e la storia delle guerre civili* (Florence 1956).

² Strabo and Velleius, although supplying valuable information about the Social War, do not list the insurgent peoples (the list in Vell. 2.16.1 is of rebel generals).

³ Livy, however, seems to have a preference for giving lists from north to south.

the Picentes,⁴ Vestini, Marsi, Paeligni, Marrucini, Samnites, and Lucani.

Of the Livian epitomators, Orosius (5.18.8) adheres scrupulously to this list, giving the same seven peoples and in the same order. Eutropius (5.3.1), however, is very summary as usual and mentions only three of Livy's seven: viz. the Picentes, Marsi and Paeligni.⁵ Florus (2.6.5), on the other hand, here as not infrequently elsewhere,⁶ in an attempt to be startling and arresting departs from the Livian version entirely. According to him, all Latium and Picenum, all Etruria and Campania, and finally all Italy rose against their mother and parent city. This is rhetorical rubbish. Neither all Latium, nor all Etruria and Campania, nor even all Picenum for that matter, much less all Italy, rose against Rome.⁷ Florus is grossly exaggerating in an effort to impress his readers with the desperate, life-and-death nature of the struggle.

Diodorus (37.2.5) mentions, not seven, but only five rebel peoples by name: viz. the Samnites, Asculani, Lucani, Picentes⁸ and Nolani; and even in this short list there is some duplication since the Asculani and the Picentes are palpably one and the same, so that Diodorus is really supplying only four names. His reason for naming so few of the insurgents and in so curious an order is not immediately obvious. Perhaps he is naming the rebels whom the Romans found toughest: the Samnites, Lucani and Nolani, who held out longest, and the Asculani, who were the first to take up arms. (It is, however, strange to find the Marsi omitted from any list of the rebels who gave the Romans the most trouble.)

⁴ *Picentes* would appear to be the correct form of the ethnic (see W. Brandenstein in *RE* 20 [1941] s.v. "Picenum" 1189), *Picentini* being used of the people who lived, after 268 B.C., immediately behind Salerno. For that reason the form *Picentes* is consistently used throughout this paper. The ancient writers on the Social War employ both expressions, but quite certainly they always mean the inhabitants of Picenum, and more specifically those inhabitants of Picenum who spoke, at one time at any rate, an Oscan-type language: viz. the Asculani (see Festus p. 235L; H. Rix "Picentes-Picenum" in *Beiträge zur Namenforschung* 2 [1951] 237-47). There were other inhabitants of Picenum of an entirely different stock: E. Norden, *Alt Germanien* (Leipzig 1934) 217 f.; J. Whatmough, *Foundations of Roman Italy* (London 1937) 240.

⁵ Eutropius, in fact, virtually ignores the southern (Samnite) theatre of operations in his jejune account of the Social War.

⁶ See P. Zancan, *Floro e Livio* (Padua 1942) *passim*.

⁷ Haug (above, note 1) 211 tries to save some authority for Florus by suggesting that he means the areas into which rebel arms penetrated. But this is unconvincing: rebel armies did not fight in "all Latium."

⁸ Diodorus here uses the form *Picentini* (above, note 4): but the rest of his narrative makes it clear that he is referring to the same people as Livy's *Picentes*.

Diodorus' list, for all its brevity, nevertheless contains one name that is missing from Livy's: the latter makes no allusion to the Nolani.

Appian's list (*Bell. civ.* 1.39.175) is much longer than either Livy's or Diodorus'. He says that the insurgents numbered twelve: viz. the Marsi, Paeligni, Vestini, Marrucini, Picentes,⁹ Frentani, Hirpini, Pompeiani, Venusini, Iapygii, Lucani, and Samnites. He gave pride of place to the first four peoples because they took the initiative as a unit, declaring war on Rome simultaneously (which should surprise no one, for they were peoples who had at one time had a league of their own¹⁰ with religious cults and an Adriatic fishing-port in common¹¹). Appian's order for the other eight is evidently dictated by his desire to distinguish the central Italian, predominantly Latin-speaking, group of rebels from the south Italian, predominantly Oscan-speaking, group. That the insurgents did fall thus into two groups is certain. Appian's twelve include all of Livy's seven, but not, at first sight at any rate, all of Diodorus' four: once again the Nolani are conspicuous by their absence. Diodorus' Nolani, however, are to be equated with Appian's Pompeiani. Both authors are referring to the Campanian rebels. Diodorus calls them Nolani, since Nola was the town which remained under their control longest; but Appian's Pompeiani¹² is more accurate, since it was in southern, not central, Campania that rebellion broke out. Nola itself was not a member of the rebel league; it had to be captured by the rebels (Appian, *Bell. civ.* 1.42.185). Thus Appian is mentioning not only all the peoples named by Livy but also all those named by Diodorus. Livy and Diodorus have manifestly contented themselves with listing only some of the insurgents. Diodorus, in fact, admits to doing precisely that: he says that other, unspecified, cities and peoples revolted. As for Livy, it may well be that, if we still possessed his full text, we should find that it mentioned more than seven peoples¹³: after

⁹ Appian, too, uses the form *Picentini*, but once again his narrative shows that he means inhabitants of Picenum.

¹⁰ See M. Hofmann in *RE* 18 (1942) s.v. "Paeligni" 2246.

¹¹ The name of this port, today if not in antiquity, is a revealing one: Pescara.

¹² That by *Pompeiani* Appian means the inhabitants of Pompeii cannot be seriously doubted: see Strachan-Davidson's note on 1.39.175 in his edition of Appian, *Civil Wars*, Book 1.

¹³ His list of seven, as Haug (above, note 1) 201 points out, may represent the situation that existed at the end of 91 B.C.

all, it is certain that Eutropius has reduced Livy's list to only a few of the names which it contained, so that it is quite conceivable that the compiler of the *Periochae* has done likewise. The really pertinent question is whether Appian's list, too, is incomplete.

No doubt it was not easy to give the numbers of the rebels with absolute assurance. For one thing, the total probably varied from time to time. As was the case with the Confederacy in the U.S. Civil War, some of the rebels were later in declaring themselves than others: Appian (*Bell. civ.* 1.39.175) and Livy (*Per.* 73) both make it clear that this was the case. Nor is this all. There must also have been difficulty, in some cases at least, in deciding whether a people could fairly be classified as insurgent: some Italians joined the movement of secession only because compelled to do so by *force majeure* and should hardly therefore be stigmatized as rebels.

Yet, despite these obvious obstacles to drawing up a definitive list, it can be safely presumed that one existed. The Roman authorities surely kept a record of the peoples whom they regarded officially as rebels; the Italici¹⁴ likewise must have had a list of the peoples on their side. And the probabilities are that the two lists, Roman and Italic, were identical. The question is, did this official list contain exactly twelve names, no more and no less?

The coins issued by the Italici during the war have been adduced as evidence to show that it did not.¹⁵ On the reverse of some of these coins (including the one that bears the name of Poppaedi Silo, the architect of the Italic coalition)¹⁶ there is a sacrificial pig, on either side of which stand four warriors obviously swearing an oath; and it has been argued from this that therefore the number of peoples who combined to fight Rome must have been eight.¹⁷

¹⁴ The correct label for the insurgents cannot be easily decided. The ancient writers sometimes call them *Itali*, i.e. Italians. This word, however, might be misleading since it might suggest that all the non-Roman and non-Latin inhabitants of Italy joined the rebels. For this reason it seems wiser to use the expression which modern scholars, not indeed without ancient precedent, frequently use: viz. *Italici*.

¹⁵ For the rebel coinage, see E. A. Sydenham, *The Coinage of the Roman Republic* (London 1952) nos. 617–24, 634 (not a complete catalogue, however).

¹⁶ For the coin, see Friedländer, *Oskische Münzen* 87.19; cf. 83.11, 12.

¹⁷ This view is accepted by R. Syme, *Roman Revolution* (Oxford 1939) 87, and apparently by Gardner (above, note 1) 185, which is surprising since later (198, 200), when describing the period after the Hirpini had been eliminated from the war, Gardner describes "Samnite cantons" (*sic*) as remaining in it: in other words, he is implying that the Samnites were more than one *populus*, and if that were the case the rebels certainly numbered more than eight.

Yet actually the numismatic evidence is not quite so straightforward as this. Besides issuing coins which show eight warriors swearing over a pig, the rebels also issued other coins which show either two, or four, or even six warriors in exactly the same attitude. Why should one assume that it is the eight-figured coin rather than one of the others that alludes to the number of rebels? In other words, why eight rebels rather than six, or four, or two? No doubt it is possible to argue that eight was the largest number of insurgent *populi* at any one time and that two was the smallest.¹⁸ But no doubt it would also be possible to argue, with Sambon,¹⁹ that the coins mean that eight peoples entered the alliance against Rome at or near the beginning of hostilities and that later their numbers tended to grow; and I might add that, if this was the case, it would have been difficult to find room for twelve warriors on the coins.

For that matter, however, why must one assume that any of the coins were intended to show the precise number of disaffected *populi*? Quite possibly they do not refer to rebel numbers at all. The coins are, in fact, obvious imitations of fairly well-known Roman issues.²⁰ They are of exactly the same standard as Roman *denarii*²¹; and the picture of warriors swearing over a sacrificial pig is found on Roman coins from the second century B.C. onwards, and not least on some Roman coins issued at about the time that the Social War broke out.²² The type of these coins was well calculated to serve the purpose of rebel propaganda, since it suggested a confederacy or league which was divided into two parts, each containing the same number of components. Being of silver and not of bronze the coins, like the earliest silver coins of Rome, were probably minted to pay

¹⁸ In fact the number did dwindle to two in 88 B.C.; but the coins showing only two warriors do not seem from their workmanship to be the latest to be issued by the rebels.

¹⁹ A. Sambon, *Les monnaies antiques de l'Italie* (Paris 1903) 1.105. L. Pareti, *Storia di Roma* (Turin 1953) 3.535, thinks that the 8-figure coin means that one group of rebels numbered eight, while the other group numbered four (making twelve in all, although his twelve are not the same as Appian's).

²⁰ As Sambon (above, note 19) points out, many of the rebel issues copy Roman coins.

²¹ E. Babelon, *Monnaies de la république romaine* 1.70; W. Giesecke, *Italia numismatica* (Leipzig 1928) 279; A. Pagani, "Le monete della guerra sociale," *Rivista italiana di numismatica* 4 (ser. 4, 1944-7) 10.

²² E. Babelon (above, note 21) 1.23; 2.470; Pagani (above, note 21) 14-34.

troops on active service. But they had also the evident purpose of demonstrating to all inhabitants of Italy that the rebels had assumed the right which Rome had hitherto guarded jealously (*viz.*: the right to mint silver), and in addition they were advertising that the substitution of *Italia* for *Roma* would entail no inordinate degree of dislocation. It would be hazardous to press the evidence of the coins much beyond this, although we may agree with Gardner that they "enliven the meagre records of the war by their vivid expression of the spirit" of the rebels.²³

In actual fact there are strong indications that twelve peoples did make up the rebel ranks, in 90 B.C. at any rate when full-scale operations first got under way. The organization set up by the rebels, apparently during the winter of 91–90 B.C.,²⁴ provided for the appointment of twelve field commanders annually (Diod. 37.2.5); and it is significant that, when the campaigning season of 90 B.C. started, the Romans, too, had precisely twelve field commanders (Appian, *Bell. civ.* 1.40.179).

Even though it be conceded, however, that Appian is therefore right in saying that there were twelve rebel peoples, it does not necessarily follow that he has given their names correctly, although on *a priori* grounds this might seem probable inasmuch as Appian in this part of his history appears to be following an Italic source (Asinius Pollio?) and should therefore know what he is talking about.²⁵ Domaszewski,²⁶ however, although agreeing that the total was twelve and even that Appian has given his first six names (those of the central Italian rebels) quite correctly, thinks that he went astray when naming the peoples who made up the southern group of rebels: Appian, according to him, ought not to have included the Campanian Pompeiani and the Apulian Venusini and Iapygii since neither Campania nor Apulia revolted voluntarily but were forced to join the insurgents by rebel armies sent into their midst. Consequently Domaszewski argues that the southern six were Appian's Hirpini, Lucani and "Samnites" (whom he regards as an otherwise unrecorded Samnite canton

²³ Gardner (above, note 1) 187.

²⁴ So Pareti (above, note 22) 534: he omits the Venusini, however, from his list of rebels.

²⁵ Gabba (above, note 1) 83–8.

²⁶ Domaszewski (above, note 1) 11.

living near Bovianum Vetus), and, in addition to these, the three historical Samnite cantons of the Pentri, Caraceni and Caudini. This suggestion, despite its novel notion about the "Samnites," has won support.²⁷ Yet it cannot be right. Domaszewski's "Samnites" are a figment of his imagination, conjured up by the strained interpretation he gives to the statement by Ptolemy (3.1.58) that towns of the Samnites lie below the Paeligni and Caraceni. As for the other Samnite cantons named by Domaszewski, it is very doubtful if the Pentri, Caudini and Caraceni still existed as distinct political entities as late as the first century B.C.,²⁸ even though it may be admitted that their original separateness was still remembered then and even later. The Caudini had undoubtedly lost territory when Beneventum was founded among the neighbouring Hirpini as a Latin colony in 268 B.C.²⁹ and again when the Ager Taurasinus became Roman state domain. They were still, it is true, a separate canton in the Second Punic War (see Livy 22.61.11; 23.41.13, 42.1; 24.20.4); but in that struggle they threw in their lot with Hannibal and suffered in consequence. Some of their towns (e.g. Compulteria) may have been established as independent communities, others (e.g. Telesia?)³⁰ incorporated into the Roman state and assigned to the tribe Falerna, while the remnants of them were assimilated by the other Samnites (in other words, by the

²⁷ G. Devoto, *Gli antichi Italici*² (Florence 1951) 337.

²⁸ Conway, *Italic Dialects* 1.169.

²⁹ In imperial times Caudium had no *territorium* whatever, that of Beneventum reaching right up to the very walls of the town: P. Veyne, "La table des Ligures Baebiani" in *Mél. d'arch. et d'hist.* 69 (1957) 103-5.

³⁰ Compulteria and Caiatia issued their own coins, something which Samnite towns did not do so long as they formed part of a Samnite canton: Mommsen, *Röm. Münzw.* 118-20. (Incidentally the cantons, too, did not issue coins; nor did Samnium itself except in the Social War—the coin inscribed *Safninim*.) In other words, Compulteria and Caiatia had become independent communities, *civitates foederatae* presumably (so Conway [above, note 28] *ibid.*). Whether the same argument can be adduced in the case of Telesia seems more doubtful. The coin (for only one survives) attributed to it may not in fact come from there: the legend seems to be *TEDIS* (E. Vetter, *Handbuch der ital. Dialekte* [Heidelberg 1953] 1.136). Telesia apparently received a colony in Gracchan times, a fact which leads Beloch (*Röm. Gesch.* [Leipzig and Berlin 1930] 586) to argue that it had received Roman citizenship before 91 B.C. Pontius, one of the Samnite commanders in the Social War, bears the cognomen Telesinus, but this may merely mean that his family came from Telesia, as it undoubtedly did (Dessau 6510), not necessarily that Telesia fought Rome in the war: if it had done so, we would have expected to find it subsequently in the tribe Voltinia along with the rest of the Samnites, whereas in fact it was in Falerna.

Pentri). The Caraceni, for their part, had never been a populous canton, and they may have disappeared as a separate political unit even as early as the suppression of their revolt in 268 B.C.³¹ The Latin colony of Aesernia, founded if not on, then certainly very near, their territory in 263 B.C., undoubtedly got some of their land; and Aufidena, their chief town (so Ptolemy [3.1.57] implies), may have been incorporated into the Roman state.³² The remnants of them, like the remnants of the Caudini, were probably merged with their near kinsmen, the Pentri. Certainly all the indications are that, from the second century B.C. onwards, there was a canton of Hirpini and a canton of Samnites (= what remained of Pentri, Caudini and Caraceni), and that was all that was left of the Samnite League of the fourth and third centuries B.C. If the Samnites, other than the Hirpini, had entered the Social War as three separate peoples, it is unlikely that no allusion, or even implied allusion, to the fact would have survived anywhere in ancient literature.³³ From the way that the ancient writers refer to them and from the fact that after the Social War the Samnites (other than the Hirpini) were all assigned to one Roman tribe (the Voltinia), one is tempted to infer that by 90 B.C. they were regarded officially as only one people. Domaszewski's suggestion, accordingly, must be rejected.

He is, however, surely right in his view that the insurgents fell into two groups.³⁴ The ancient writers make it clear that the rebel confederacy, if confederacy it was,³⁵ had a central Italian wing (in which clearly the Marsi were the leading spirits) and a southern wing (in which, no less clearly, the Samnites were the most important element). The numismatic evidence indicates the same thing, since those coins of the insurgents which have

³¹ The Romans, according to Conway (above, note 28) 170, made no official distinction between Pentri and Caraceni, and De Sanctis (*Stor. dei Rom.* 1², 102) argues that even in the fourth and third centuries B.C. the Caraceni had not been a separate canton.

³² Beloch (above, note 30) 600.

³³ It is true that the ancient sources rarely mention the individual Samnite cantons at any time: nevertheless they do refer to them in the Samnite, Pyrrhic and Hannibalic Wars.

³⁴ Domaszewski (above, note 1) 10. The nomenclature he uses, however, is curious. He calls the Samnite group "Oscans" and the Marsic group "Sabellians": yet the ancient authors make it clear that "Sabellians" were Samnites.

³⁵ The exact nature of the Italic alliance is an intriguing problem, which cannot however be discussed here.

legends are inscribed in Latin when intended for circulation in central Italy and in Oscan when intended for circulation further south. The territorial line of division between the two groups, according to Diodorus (37.2.7), was "the so-called Kerkoles (Kerkolai)," whatever and wherever it, or they, were.³⁶

Appian lists his twelve *populi* in such a way as to make this division into two groups manifest. His first six names are from the Marsic group and they are universally accepted as trustworthy. His remaining six names are of peoples who lived in southern Italy, all of them in areas which were predominantly Oscan-speaking. They are all peoples who are recorded in our, admittedly fragmentary, accounts of the Social War as having taken up arms against the Romans. True, rebel armies did put on demonstrations in Apulia and southern Campania to spread the revolt. This, however, need not be taken to mean that these areas were loyal to Rome: it merely shows that they contained pro-Roman elements (predominantly among the upper classes, we may suspect), a state of affairs which also existed among the Picentes, Vestini, Lucani, and Hirpini.³⁷ The rebel force which went to Apulia clearly operated from a base in that region, and there is not much doubt that the base was Canusium (Appian, *Bell. civ.* 1.42.190, 52.228), so that Appian surely must be right in including Iapygii among the rebels. As for the Latin colony of Venusia, it obviously must have declared for the rebels very early in the war, since already in 90 B.C. the rebels were able to make adroit use of the Numidian hostages whom the Romans had been holding there and who had fallen into their hands when it revolted (Appian, *Bell. civ.* 1.42.188). Hence Appian is also right in listing it among the insurgents. Venusia, in fact, is the only known example of a Latin colony being spontaneously

³⁶ Nissen, *Ital. Landesk.* 2.790, note 4, plausibly suggests that the name belongs to a mountain which can be identified with the Serra Carracino, some four miles south of Monte Amaro, the highest peak of the Maiella (= the range which separates Marsic, or more correctly Paelignian, territory from Samnium). Domaszewski (above, note 1) 12 less convincingly argues for a projecting spur of the Montagna del Matese. The proposal of Pareti (above, note 19) 535 to emend Diodorus does not appear to have much to recommend it.

³⁷ It is easy to demonstrate that the Romans raised troops in Picenum, found a most loyal ally in Pinna amongst the Vestini, obtained a "free corps" from the Hirpini, and also had ardent supporters in Lucania.

disloyal to Rome in the Social War, a fact probably to be attributed to extensive oscanization of the *plebs Venusina*.³⁸

The despatch of rebel troops to southern Campania, likewise, is no proof that that area tried to stand by Rome. Pro-Roman elements there certainly were; but that there were also rebels in southern Campania is proved by the actions of the Romans in the months immediately preceding and immediately following the hostilities. Immediately before the war the Roman senate, aware of the widespread unrest in central and southern Italy, sent commissioners into the regions where the situation appeared most explosive,³⁹ in order to investigate and if possible head off threatened disorders. As it happens, the commissioners instead of putting out the fire could perhaps more accurately be described as pouring oil on to it, since it was actually one of them who provoked the outbreak at Asculum. No doubt they did not have this inflammatory effect everywhere; but any region to which a commissioner was sent is *a priori* likely to have been insurgent. Unfortunately a complete and authentic list of the regions so investigated by the Romans cannot be compiled, but it can be plausibly and persuasively shown to have included not only the Marsi, Picentes, Samnites and Lucani but also, significantly, the southern Campanians.⁴⁰ Clearly southern Campanians were among the rebels; and the punishment later meted out to the Pompeiani (see Cic. *Pro Sulla* 21.60) implies that they were the ringleaders (cf., too, Appian, *Bell. civ.* 1.50.217; Oros. 5.18.22; Vell. 2.16.2). The prominent role of Pompeii in the Social War

³⁸ For Venusia as a rebel community, see Appian, *Bell. civ.* 1.39.175; 42.190; cf. 52.229; Domaszewski (above, note 1) 24; Haug (above, note 1) 226 f.; Pareti (above, note 19) 531–50. The fact that Venusia had largely ceased to be a Latin town would account not only for the alacrity with which it joined the ranks of the rebels but also for the *libido* and *intemperantia* of the young Roman official who had had a Venusine flogged to death for a trifle in the days of Gaius Gracchus: see Aul. Gell. 10.3.5.

³⁹ Appian, *Bell. civ.* 1.38.170: Appian is, of course, completely astray in comparing these investigators to the consular *iuridici* established, temporarily, over two hundred years later by Hadrian.

⁴⁰ The investigating commissioners appear to have been: for the Marsi, Domitius Ahenobarbus (a rather doubtful instance: Haug [above, note 1] 239; Diod. 37.13.1); for the Asculani, Servilius and Fonteius (Appian, *Bell. Civ.* 1.38.173); for the Samnites, L. Scipio and L. Acilius (Appian, *Bell. Civ.* 1.41.182); for the Lucani, Ser. Sulpicius Galba (Livy, *Per.* 72); for the southern Campanians, L. Postumius (Livy, *Per.* 73).

may possibly also be indicated by the so-called "eituns" inscriptions, written in Oscan, which have been found there.⁴¹

Thus Appian's names can be accepted for the south no less than for the center of Italy, and for the sake of clarity both groups are worth repeating: *Central Italian (Marsic) Group*: Marsi, Paeligni, Vestini, Marrucini, Picentes, Frentani; *Southern (Samnite) Group*: Hirpini, Pompeiani, Venusini, Iapygii, Lucani, Samnites.

Between them his twelve peoples covered virtually all of Italy south of the River Liris and of a line drawn in such a way as to continue the course of that river to the Adriatic coast, apart from the "toe" and the "heel" of the peninsula: so are we to interpret the words of Appian (*Bell. civ.* 1.39.175): "all the other tribes, as many as lie south of the River Liris" (which Appian confuses with the Linternus) "both inland and on the litoral."⁴²

II

Having decided which were the rebel *populi*, the next task is to determine who were the generals whom these *populi* supplied to the rebel forces.

Diodorus, in his famous account of the organization of the insurgents (37.2.5), says that they appointed annually two *hypatoi* and twelve *strategoï* to command their forces. Strabo (5.4.2, p. 241) also uses these titles for the rebel commanders, although he does not indicate their number. These expressions are the regular Greek equivalents for the Latin terms *consules* and *praetores*, and one might well conjecture that the titles "consul" and "praetor" were employed by those of the rebels who had come to adopt Latin as their language: certainly at Asculum in central Italy the Italic commander is styled *praetor* on the sling-bullets, which, even if Roman, are at any rate contemporary (*CIL* 1².848). Among the Samnite group of rebels, Oscan titles were presumably used: viz. *embratur* (=imperator) and *meddiss* (=meddix): certainly on the coins of the rebels the commander-in-chief of the Samnite group is styled *embratur*.⁴³

Domaszewski⁴⁴ has argued that the two "consuls" were the

⁴¹ On the "eituns" inscriptions, see V. Pisani, *Le lingue dell' Italia antica* (Turin 1953) 61-3; E. Vetter (above, note 30) 54-7.

⁴² Strachan-Davidson in his edition of Appian, *Civil War*, Book 1, *ad loc.*

⁴³ Oros. (5.18.10) similarly calls him "imperator."

⁴⁴ Domaszewski (above, note 1) 13 f.

respective commanders-in-chief of the two wings of the rebel forces, while the twelve "praetors" must have been the individual commanders for each of the rebel *populi*, and the ancient evidence supports this hypothesis.⁴⁵ The difficulty is to identify the persons concerned. Appian (*Bell. civ.* 1.39.181), Velleius (2.16.1), Eutropius (5.3.2) and Florus (2.6.6) each give a list of the secessionist generals; but none of these lists is complete, and Florus' is wildly inaccurate (he even lists a Roman general as on the rebel side). Other ancient writers, however, together with the coins supplement this information, so that we know the names not only of the two commanders-in-chief but also of more than twelve rebel field commanders who came partly from the central Italian and partly from the southern group of insurgents. Unfortunately, however, it is not always clear to which *populus* an individual commander belonged. Nor can it be assumed that, because a general operated in a certain area, he was therefore a native of that area, even though frequently this may have been the case: we hear, for example, of a Picentine commanding troops in Apulia and of a Paelignian in Samnium. Nor should we overlook the possibility that some of the names mentioned in the ancient texts may not have belonged to "praetors" at all, but only to officers with purely local authority: the pirate chief, Agamemnon, who was in charge at Asculum for a time (Diod. 37.19; Oros. 5.18.10), surely could not have been that community's field general; Ventidius, too, if any one by that name really held a high post on the Italic side in the Social War, must have been at most a subordinate officer of the Picentes⁴⁶; and a similar statement can be made about the Samnite Statius (Appian, *Bell. civ.* 4.25.102), who bears a name famous in the history of his nation.⁴⁷ Another factor, which creates difficulty in the identification of rebel generals, is the common use of the term "Marsic" and possibly of the term "Samnite" to designate anyone who belonged to the central

⁴⁵ Appian, *Bell. civ.* 1.40.181; Florus 2.6.6.

⁴⁶ According to Aul. Gell. 15.4 Ventidius was taken prisoner, along with his mother, in the Social War, but this does not necessarily mean that he was a commander. Some MSS. of Appian, *Bell. civ.* 1.47.204 read Ventidius: but this is usually emended to Vettius (see H. Gundel in *RE* 8A [1955] s.v. "Ventidius 4" 794; E. Gabba *ad loc.* in his edition of Appian, *Bell. civ.* 1).

⁴⁷ But despite Münzer, in *RE* 3A (1929) s.v. "Statius 1" 2214, there is no evidence that Statius was a Samnite leader in the Social War. (Münzer sees Samnite leaders everywhere.) Statius could have been commander of the garrison of his home town: each rebel town had a garrison (Appian, *Bell. civ.* 1.39.177).

Italian or to the southern group of the rebels respectively⁴⁸: a *dux Marsorum*, to judge from the usage of Cicero (*Philippic* 12.27), might not be a general of the Marsi at all, but of any one of the six peoples who comprised the Marsic group.

The difficulties have not deterred scholars from attempting to draw up a list of the rebel commanders, but their efforts leave something to be desired. Carcopino's list is seriously defective⁴⁹; Domaszewski⁵⁰ ignores Diodorus' remark that the appointments were annual; while Miss Haug seems over-ready to assume that some of the names which are recorded must have been those of subordinate officers.⁵¹ The correct procedure must surely be to try to decide who were the generals in any given year.

The year 91 B.C. need not detain us long since in that year hostilities broke out quite late, were still only at the incipient stage and may have involved only the seven peoples named by Livy or possibly only the Picentes and the four "Marsic" peoples who head Appian's list. True, the Italici had begun organizing even before the Asculani flew to arms,⁵² but they could not have been on a full war footing until 90 B.C., after they had all taken the fatal decision to go to war. Velleius (2.16.1), indeed, even goes so far as to insist that the war did not start until 90 B.C.

It could only have been in the campaigning season of 90 B.C. that the arrangements described by Diodorus came into effect. For that year the two "consuls" undoubtedly were the Marsian, Q. Poppaedi Silo,⁵³ for the central Italian group; and C. Papius Mutilus, scion of a famous and ancient Samnite family,⁵⁴ for the southern group. These two also occupied these positions in 89 B.C., presumably being retained because their conduct of operations in 90 B.C. had been, on the whole, quite successful.

⁴⁸ Florus (2.8.22) and Orosius (5.20.9), for example, call the Lucanian, Lamponius, a Samnite. Modern writers behave similarly: thus, Gardner (above, note 1) 199 says that Cluentius commanded a Samnite army, and Syme (above, note 17) 91 calls Vettius Scato a "Marsian insurgent leader."

⁴⁹ *Histoire romaine* (Paris 1952) 2.369 f.

⁵⁰ Domaszewski (above, note 1) 14.

⁵¹ Haug (above, note 1) 241.

⁵² Perhaps as early as 94 B.C.: Haug (above, note 1) 105.

⁵³ The correct form of the name is Poppaedi, not Pompaedi (Schulze, *Lat. Eigennamen* 367). There is epigraphic evidence to show that the Poppaedi were a Marsic family (*Not. degli scavi* 1892, 32).

⁵⁴ G. De Sanctis, *Per la scienza dell' antichità* (1909) 207.

It is far more difficult to establish the names of the twelve field commanders who served under them in each year. For 90 B.C. nine of the twelve praetors are known by name, five from the central Italian (Marsic) group, four from the southern (Samnite) group.⁵⁵ But for the remaining three field commanders for 90 B.C. there is no definite evidence. We know, however, the name of one general, of the Marsic group actually, who possibly commanded in that year; furthermore generals, who were successful in 90 B.C., seem to have been kept at their posts in 89 B.C., so that it is not straining credulity unduly to think that a general mentioned for the first time in 89 B.C. might be a hold-over from 90 B.C., and two of the generals of the Samnite group happen to be in that category. Hence all twelve for 90 B.C. may be accounted for.

For 89 B.C. the names of no fewer than ten of the twelve "praetors" are known with reasonable assurance, and the remaining two can be divined with a fair degree of probability.

A tentative roster of the rebel generals can therefore be compiled as follows:

Marsic Group

Marsi. In 90 B.C. T. Lafrenius appears to have been the praetor.⁵⁶ True, he is recorded as serving in Picenum,⁵⁷ and for that reason Münzer and others regard him as Picene.⁵⁸ But the Picene commander for 90 B.C. is known to have been C. Vidacilius. Moreover Marsic troops are known to have served in Picenum during the war. Lafrenius was killed in action, so that a replacement for him became necessary in the following year. In 89 B.C. a certain Fraucus (praenomen unknown) is recorded by Orosius (5.18.18) as the general of the Marsi; and even though Orosius is none too trustworthy when giving the names of generals, it is perhaps better *faute de mieux* to accept the information as it stands than to argue that this is one of the instances of the vague use of "Marsi" to mean central Italian rebels in general.

⁵⁵ Why G. Devoto, *Gli antichi Italici*² (Florence 1951) 338 says that none of the generals of the Samnite group of rebels is known by name is a mystery.

⁵⁶ Clearly he was a "praetor" (*CIL* 1².848; Appian *Bell. civ.* 1.47.204). Domaszewski (above, note 1) 14 and Haug (above, note 1) 241 argue that he was Marsic.

⁵⁷ So did Fraucus in the next year, and he is specifically called Marsic (Oros. 5.18.8).

⁵⁸ In *RE* 12 (1925) s.v. "Lafrenius" 454.

Paeligni. There is definite evidence that T. Vettius Scato was praetor of the Paeligni in 90 B.C. (Appian, *Bell. civ.* 1.41.182; Eutrop. 5.3.2; Macrob. 1.11.24; Sen. *De ben.* 3.23.5).⁵⁹ Almost certainly he was also their praetor in 89 B.C., since he had been very successful in 90 B.C. and also was their praetor in 88 B.C. (in which year he committed suicide just prior to the Paelignian surrender)⁶⁰: it would be strange indeed if he were not the commander in the intervening year.

Vestini. In 90 B.C. C. Pontidius, certainly one of the Italic generals, may have been the praetor of the Vestini.⁶¹ His name⁶² is of the type that was very common in the Abruzzi region⁶³; hence it is likely that he belonged to the Marsic group of rebels rather than the Samnite. As the Paelignian, Picene and Marrucine praetors are known, he must therefore have been either Marsic, Vestinian or Frentanian. The Marsic commander, however, as we have seen, was probably Lafrenius, and the Frentani were ethnically Samnite (Strabo 5.4.2, p. 241), so that the name Pontidius was probably less likely to occur among them. Hence Pontidius was probably from the Vestini. From the position that his name occupies on the lists in Appian and Velleius⁶⁴ he could have been a general either in 90 B.C. or in 89 B.C. or in both. In default of any other indications for the Vestini we may hazard the guess that he was their praetor in both years.

Marrucini. In 90 B.C. Herius Asinius was certainly their praetor (Livy, *Per.* 73; Eutrop. 5.3.3; Vell. 2.16.1; Appian

⁵⁹ Velleius (2.16.1) gives his name as Insteius Cato: some confusion probably exists here with the names of high-ranking Roman officers (Cato, consul for 89 B.C., lost his life in the war and an Insteius served on the staff of Pompeius Strabo, Dessau 8888).

⁶⁰ Vettius' praenomen was Titus according to Eutrop. 5.3.2, Gaius according to Macrob. *Sat.* 1.11.24. His Etruscan-type cognomen (Schulze, *Lat. Eigennamen* 303) is confirmed by *CIL* vi.2.6281. He committed suicide just before the Paelignian surrender (Macrob. *loc. cit.*), and this occurred when Pompeius Strabo was proconsul (Livy, *Per.* 76), i.e. in 88 B.C.

⁶¹ So Haug (above, note 1) 224, Domaszewski (above, note 1) 14 and Münzer in *RE* 22 (1953) s.v. "Pontidius 2" 27.

⁶² There is general agreement that Pontidius (Vell. 2.16.1), rather than Pontilius (Appian, *Bell. civ.* 1.40.181), is the true form of his name.

⁶³ A. Schulten, "Italische Namen und Stämme," *Klio* 2 (1902) 167-93, 440-65; 3 (1903) 235-67.

⁶⁴ Velleius' list, but not Appian's, seems to arrange the rebel generals in chronological order, Eutropius' in the order of their importance: Haug (above, note 1) 214.

Bell. civ. 1.40.181; cf. *Sil. Ital.* 17.452 f.). He was the grandfather of the famous Asinius Pollio.⁶⁵ He was a successful commander but, like Lafrenius, he lost his life in battle (*Livy, Per.* 73; Appian, *Bell. civ.* 1.46.201; cf. *Oros.* 5.18.15), and accordingly had to be replaced. His successor in 89 B.C. may have been the *Italicus imperator*, Obsidius (*Oros.* 5.18.25), whose praenomen is unknown but whose nomen is of the type common in the Marrucine region.⁶⁶ The nomen Obsidius itself is not common, even though it was adopted and is still in use (even in English) for the name of a black, glass-like volcanic substance (see Pliny, *N.H.* 36.26.67). There is at least one other instance of the name from the Adriatic region of Italy, from the neighbors of the Marrucini. A Frentanian, who distinguished himself greatly in the war against Pyrrhus, was called Obsidius according to Florus (1.13.7), although other writers call him Oblacus or something similar (see F. Münzer in *RE* 17 [1937] s.v. "Oblacus" 1717). The Obsidius of the Social War fell in battle at the River Teanum, according to Orosius.⁶⁷ As no river of that name is known, I suggest that the town Teanum must be meant.⁶⁸ But Teanum, notoriously, is the Latin form of the Oscan name Teate, and Teate was the principal and indeed the only town of the Marrucini (it is to be distinguished, of course, from the Teate of the Apuli, Teanum Apulum). It seems quite possible, therefore, that Obsidius was praetor of the Marrucini (Orosius makes it clear that he commanded either the Marrucini or the Vestini) and was killed while trying to defend their capital.

Picentes. In 90 B.C. the praetor of the Asculani was C. Vidacilius (Appian, *Bell. civ.* 1.42.190, 48.207; *Oros.* 5.18.21). He was a successful commander, and this presumably is why he held the same post also in 89 B.C. (*Oros.* 5.18.21), towards the end of which year, however, he committed suicide when the fall of his native Asculum to the Romans seemed both inevitable and imminent (Appian, *Bell. civ.* 1.48.209).

Frentani. In 90 B.C. P. Praesentius⁶⁹ may have been the

⁶⁵ Gabba (above, note 1) 83.

⁶⁶ Schulten (above, note 63).

⁶⁷ Haug (above, note 1) 210 argues that Orosius confuses Obsidius' death at the River Teanum and Poppaedi' death at Teanum Apulum.

⁶⁸ Others emend Orosius' Teanum to Aternus or Trinius.

⁶⁹ On the form of the name, see Haug (above, note 1) 241.

praetor. He was certainly one of the "Marsic" commanders in that year (Appian, *Bell. civ.* 1.41.183), and it seems difficult to assign him to any people other than the Frentani. Their commander in 89 B.C. is equally unrecorded. Quite possibly it continued to be Praesentius: he had had some success the year before.

Samnite Group

Hirpini. No ancient writer specifically names a meddix of the Hirpini. But the Oscan writing on a coin issued possibly in 90 B.C.⁷⁰ proves that a certain Numerius Lucilius was one of the "Samnite" commanders. I suggest that this is the same person as the Duilius who, according to Frontinus (*Strat.* 1.5.17), operated near Aesernia in 90 B.C.⁷¹ As it seems unlikely, on the whole, that Lucilius can be assigned to any other people of the Samnite group and as it would have been perfectly feasible for Hirpinan troops to be in the Aesernia area in 90 B.C., we can conjecture that he belonged to this people.⁷² In 89 B.C. a change of command may have occurred. At any rate, a certain Minius or Minatus Iegius minted some gold coins, apparently in 89 B.C. to judge from the type, of which the only surviving specimen is inscribed in Oscan.⁷³ Evidently, then, Iegius was a "Samnite" commander in that year, and it is difficult to see to which people he belonged if not to the Hirpini.

Pompeiani. The Pompeian commander in 90 B.C. is not recorded. But in the next year it was quite evidently Lucius (or Aulus)⁷⁴ Cluentius.⁷⁵ There is no need to assume with Münzer⁷⁶ that this Cluentius was a member of the famed family of Larinum.

⁷⁰ A. Pagani (above, note 21) thinks the workmanship of the coin so poor that it must belong to 88 B.C.

⁷¹ Münzer in *RE* 5 (1905) s.v. "Duilius 1" 1777 suggested that Frontinus' Duilius be emended but later, in *RE* 18 (1949) s.v. "Papius 12" 1079, changed his mind (cf. Domaszewski [above, note 1] 27).

⁷² Festus p. 106L does not prove that he was Lucanian.

⁷³ Although it has been suggested that the coin is a forgery, its excellent Oscan guarantees its authenticity: it was discovered at a time when Oscan was very imperfectly known. In type it is an imitation of the coins of Amisus in Asia Minor and was evidently struck in 89 B.C. to flatter Mithridates at a time when the rebels counted desperately on his successes to help their cause.

⁷⁴ His praenomen was Lucius, according to Appian (*Bell. civ.* 1.50.217), Aulus, according to Eutropius (5.3.2).

⁷⁵ The Iuventius of Orosius (5.18.23) evidently refers to the same person.

⁷⁶ In *RE* 4 (1901) s.v. "Cluentius 1" 111.

Campanian Cluentii undoubtedly existed, even though Münzer may have been unaware of the fact.⁷⁷ Perhaps Cluentius had also commanded the Pompeiani in 90 B.C.

Venusini. In 90 B.C. the commander was presumably one of the Latin colony's numerous Oscan-speaking inhabitants. The T. Herennius, who appears as a rebel commander (Eutrop. 5.3.2), may have hailed from Venusia. Münzer⁷⁸ and others believe that Herennius was Picene,⁷⁹ partly because Eutropius (*loc. cit*) includes him among the leaders of the "Picentes and Marsi," and partly because some time after the Social War an Herennius Picens appears in the Roman consular *fasti* (in the time of Augustus actually). But Eutropius' historiographical methods make any deduction from what he says quite hazardous⁸⁰: in this very passage three of the four leaders he names are certainly known to have been neither Picene nor Marsic, and the same could very well be true of the fourth, Herennius. Nor is the presence of an Herennius Picens in the consular *fasti* conclusive, since the name Herennius is by no means restricted to this Picene family. In fact it occurs, both as praenomen and as nomen, with uncommon frequency in southern Italy. T. Herennius was active near Sora (Serv. *ad Aen.* 9.587) and he could thus very easily have been a southern meddix. Operations certainly occurred around Sora in 90 B.C., and there is no geographical reason why a Venusine should not have served there. Who the Venusine commander was in 89 B.C. we are not told. It might have been Herennius again.

Iapygii. No Apulian meddix is named for us. In 89 B.C., however, according to Appian (*Bell. civ.* 1.52.228), a certain Trebatius (praenomen unknown) served as a rebel leader in Canusium. Since his Roman opponent was Cosconius, it has been suggested that he is to be identified with the Egnatius mentioned by Livy (*Per.* 73), who also apparently fought Cosconius (for Egnatius, see below, 177). Nevertheless it seems unlikely on the whole that Appian's thrice-repeated "Trebatius" is a textual

⁷⁷ E. Gabba in his edition of Appian, *Bell. Civ.* 1 *ad* 1.50.217.

⁷⁸ In *RE* 8 (1912) s.v. "Herennius 15" 665.

⁷⁹ Syme (above, note 17) 92 even goes so far as to describe him as a general of the insurgents "in Picenum": for this I can find no evidence.

⁸⁰ Eutropius is even capable of saying (5.3.3.) that the Social War lasted five years simply because his source, Livy, took five books to describe it: T. Reinach, "Les Periodes de la guerre sociale," *Rev. Hist.* 45 (1891) 41.

error for "Egnatius"⁸¹: he is probably a different personage and, as a general commanding in Apulia, was most likely himself an Apulian, inconclusive though the topographical argument is (see above, p. 170). If Trebatius was meddix in 89 B.C. he may equally well have held the same post in 90 B.C. More than this can hardly be said.

Lucani. The meddix was certainly Marcus Lamponius, both in 90 B.C. and in 89 B.C., and even later for that matter: this determined foe of the Romans was still commanding Lucanian troops as late as the Battle of the Colline Gate in 82 B.C. Why Münzer⁸² regards him as under the command of Pontius Telesinus in 90 B.C. is a mystery.

Samnites. Marius Egnatius, who bears the same name and could conceivably belong to the same family⁸³ as a famous Samnite general of the early third century B.C., is recorded as commanding Samnite troops in 90 B.C. (Appian, *Bell. civ.* 1.45.199) and in 89 B.C. (Livy, *Per.* 75), and only a hardened sceptic would refuse to regard him himself as anything but Samnite.⁸⁴ He was one of the rebel leaders who lost his life in battle.

In 89 B.C. the tide of war, which had flowed so strongly in favor of the Italici in the previous year, turned decisively against them. As in 90 B.C., a number of their generals (Vidacilius, Obsidius, Cluentius, Egnatius) lost their lives,⁸⁵ and by year's end many of the rebel *populi*, including practically all the members of the Marsic group, had been obliged to surrender. As a result, the rebels were forced into a drastic reorganization, one aspect of which was the transfer of their headquarters from Corfinium, first apparently to Bovianum⁸⁶ (Appian, *Bell. civ.* 1.51.224), and subsequently to Aesernia (Diod. 37.2.9).

⁸¹ Despite Pareti (above, note 19) 550. Egnatius was killed (Livy, *Per.* 75), Trebatius was not (Appian, *Bell. civ.* 1.52.228). In fact, what is narrated of Trebatius and the river crossing reminds one of Vettius Scato (Appian, *Bell. civ.* 1.43.191 f.) just as much as of Egnatius.

⁸² In *RE* 12 (1925) s.v. "Lamponius" 582.

⁸³ A very wealthy family: J. Hatzfeld, *Les trafiquants italiens dans l'Orient antique* (Paris 1919) 244, note 1.

⁸⁴ That he was praetor of the Frentani, as Domaszewski (above, note 1) 14 and Haug (above, note 1) 224, 242 suggest, is utterly incredible.

⁸⁵ Orosius (5.18.25) says that Poppaedi Silo also was killed in 89 B.C., but Orosius has expressed himself inexactly: he groups Obsidius with Poppaedi, allotting the same title to them both (that of *Italicus imperator*) and the same fate. See above, note 67.

⁸⁶ This surely must be the Pentrian Bovianum, later known as Bovianum Undecimanorum.

Little is known about the rebel commanders in the early part of 88 B.C., during what one might call the Bovianum phase. There was still some sort of rebel front in central Italy with Q. Poppaedi-
 dius Silo continuing to be its commander-in-chief. But the only praetor of the Marsic group known to have served in 88 B.C. is Vettius Scato, commanding the Paeligni.⁸⁷ In the south, C. Papius Mutilus, presumably, was still the commander-in-chief at the beginning of the year, and Marcus Lamponius was certainly still the general of the Lucani. Who the other meddices were during the early part of 88 B.C. we do not know, although it is very possible that it was now that Pontius Telesinus appeared as a meddix of the Samnites, replacing the fallen Egnatius.⁸⁸ With the defeat and death of Vettius Scato, the Paelignian commander, early in 88 B.C. the central Italian group of rebels were virtually eliminated; and by then, even in the south, only the Samnites and Lucani were still in arms. The Bovianum phase was over.

The Aesernia phase now began, and with it the final last-ditch organization of the rebels. Q. Poppaedi-
 dius Silo became the overall commander-in-chief with four meddices under him (Diod. 37.2.9). Despite Domaszewski⁸⁹ these were not commanders of four Samnite cantons: two of them, Marcus Lamponius and Tiberius Cleppius,⁹⁰ were quite certainly Lucanian (Diod. 37.2.11); the other two no less certainly must have been Samnite, to balance the Lucanian pair: one of them undoubtedly was C. Papius Mutilus and the other was probably Pontius Telesinus.⁹¹ By now the southern rebels had been split into two

⁸⁷ At least so Livy, *Per.* 76 seems to imply.

⁸⁸ Pontius Telesinus owes his fame to his exploits in the Civil War rather than in the Social. But Münzer, in *RE* 22 (1953) s.v. "Pontius 21" 36-8, is wrong in saying that only Velleius (2.16.1) mentions him as a rebel commander in the Social War: Florus, for what he is worth, does so too (2.6.6). His role in the Social War, however, is nowhere described for us. The suggestion of Domaszewski (above, note 1) 18 that he brought about the defection of Pompeii is wildly improbable.

⁸⁹ Domaszewski (above, note 1) 14.

⁹⁰ Cleppius rather than Cleppitius is the true form of the name (Münzer in *RE* Supp. Bd. 3 (1918) s.v. "Cleppius" 253: there is, however, despite Münzer, no evidence that he was one of the commanders in 90 B.C.).

⁹¹ The only generals Diodorus (37.2.9) mentions by name in the final phase are Q. Poppaedi-
 dius Silo, Marcus Aponius (*sic*) and Tiberius Clepitius. Whom he means by Marcus Aponius is not certain: the name of Marcus Lamponius suggests itself automatically, but it is also the case that, earlier, Diodorus (37.2.5) refers to C. Papius Mutilus as C. Aponius Motylus.

main bodies, one based on Samnium (at Aesernia)⁹² and the other based on Lucania (whence, however, it was shortly obliged to withdraw into Bruttium). Poppaadius Silo, together with any "Marsic" die-hard remnants he could muster, liberated slaves for example (Diod. 37.2.10), appears to have been with the Aesernia group of Papius Mutilus and Pontius Telesinus; Lamponius and Cleppius commanded the holdouts in the deep south. The situation of both groups must have seemed desperate. In the words of Orosius (5.19.3) the Romans had only *socialis belli reliquias* with which to deal (cf., too, Vell. 2.17.1: *Nolani belli reliquiae*). But political disorders at Rome, together with Mithridates' activities in the Near East, saved them. They were not overwhelmed but, as Appian (*Bell. civ.* 1.53.231) puts it, "they seem to have obtained what they wanted somewhat later." Exactly how much later is not certain,⁹³ but they were in fact granted the Roman citizenship and enrolled in the Roman tribes. And this is an appropriate point at which to discuss the question of the registration of the Italians.

III

Notoriously the question of the original distribution of the Italians among the Roman tribes is one of the thorniest in Roman history. The ancient evidence is conflicting. Appian (*Bell. civ.* 1.49.214, 53.231) says that, as the new citizens were created, new tribes were instituted for them and that in the assembly these new tribes could not record their votes until all the old tribes had voted, the intention being to prevent the old citizens from losing their control of the assembly; Appian's text (at 1.49.214) is usually interpreted to mean that there were ten such new tribes.⁹⁴ A fragment of Sisenna (fr. 17 Peter), however, refers to two new tribes. Velleius Paterculus (2.20.2), no less than Appian, says that the old citizens were determined not to lose their control of the assembly; but, according to him, the *novi cives* were granted the citizenship on the understanding that they should be enrolled in eight tribes: he does not say, however, that these were new

⁹² C. Papius Mutilus, wounded, had been driven into this town late in 89 B.C. (Appian, *Bell. civ.* 1.51.224). The rebels also still had a force in Nola (Vell. 2.18.4).

⁹³ See E. Gabba in his edition of Appian, *Bell. civ.* 1 page 157.

⁹⁴ Haug (above, note 1) 229 is right in suggesting that Appian has confused *suffragiorum latio* and *renuntiatio*.

tribes and the verb he uses (*contribuere*) might imply that the new citizens were to be added to tribes already in existence.⁹⁵

There is no need to recapitulate here the various attempts which have been made to reconcile these conflicting statements. What one might do is draw attention to the few certainties that emerge from the ancient texts.

First, it is clear that it was mainly through the Lex Julia of 90 B.C. and the Lex Plautia Papiria of 89 B.C. that the Italians obtained the Roman citizenship. Secondly, it is clear that the Romans resorted to trickery: they used the device of new tribes to stultify the citizenship grant, the new tribes being too few to affect the outcome in an elective assembly and voting too late to affect the outcome in a legislative assembly. Thirdly, it is clear that it was above all in the law-making assembly (normally the *comitia tributa*), rather than in the electoral one (for higher magistracies, the *comitia centuriata*), that the discrimination against the new citizens was intended to apply, since as Fraccaro has shown,⁹⁶ it was only when voting on bills that the new tribes would cast their ballots last; at elections the voting was always simultaneous.

Bearing these points in mind one can put forward a tentative reconstruction of what took place.

When the Lex Julia was passed, the intention of the Romans was to put the *novi cives* in new tribes: they could speciously claim that this was their traditional practice, as indeed it had been down to 241 B.C., although not after that date. The projected number of such new tribes was undoubtedly small enough to

⁹⁵ E. Gabba in *Athenaeum* 32 (1954) 96. Haug (above, note 1) 248 is sure that Velleius can only mean old tribes. Velleius' text reads: itaque cum ita civitas Italiae data esset ut in octo tribus contribuenterentur novi cives, ne potentia eorum et multitudo veterum civium dignitatem frangeret plusque possent recepti in beneficium quam auctores beneficii, Cinna in omnibus tribubus eos se distributurum pollicitus est.

⁹⁶ In his *Opuscula* (Pavia 1957) 2.235 f. Curiously enough one might have expected the Romans to have been more concerned to discriminate against the Italians in the elective, rather than in the legislative, assemblies, since it would seem much more likely for the former, which were held at fairly regular dates known long in advance, to be attended by the Italians. An assembly to vote on a bill was liable to be held at any time of the year and one might have expected the Italians often to find it inconvenient, if not impossible, to arrange to be present. The absence of Italian names from the *fasti* for the last century B.C., however, indicates that the Italians hardly affected the outcome of elections; so that the Romans were evidently right in thinking that it was at legislative, not at elective, sessions that their control of the assembly was threatened by the *novi cives*.

guarantee that the old citizens would not be outvoted although the exact figure is not recorded: the "eight" of Velleius has no reference to new tribes; the "ten" of Appian depends upon an unparalleled interpretation of his verb *dekateuontes*, which, it may be suspected, is a textual error.⁹⁷ (As for Sisenna's "two," see below.) The new tribes, whatever their intended total, were undoubtedly going to be added two at a time in order to keep the total of all the tribes, old and new together, at an uneven number (this, of course, had been the standard Roman practice down to 241 B.C.). In assemblies where the voting was not simultaneous the new tribes were always going to vote last, the specious pretext⁹⁸ for this perhaps being that the post-241 coordination of tribes with centuries in the *comitia centuriata*, whatever its precise nature, was so complicated as to make exact parity between the new and the old tribes impossible. But if they had to vote last, the new tribes would normally not vote at all, since in a legislative assembly the decision would already have been reached before their turn at the ballot urn ever arrived. In effect the Romans were really bestowing a disguised form of *civitas sine suffragio* on the Italians: the only practical difference between the *novi cives* and the *cives sine suffragio* would be that the latter were not registered in Roman tribes at all. As the various Italian communities were enfranchised, the machinery for creating new tribes was set in motion: Sisenna shows that the senate authorized at least two (as noted above, tribes would always be added in pairs). What names it was proposed to give to the new tribes and how many of them, if indeed any, were effectively brought into being by the people, who alone could actually create them (Livy 38.36.7-9), we do not know. Appian (*Bell. civ.* 1.49.215) certainly suggests that some new tribes were in fact instituted; on the other hand, Cicero (*Pro Arch.* 5.11) insists that no registration of citizens in tribes was carried out by the censors of 89 B.C. In any case it seems quite certain that the Roman intention was never implemented to the full, since the Italians found it quite unacceptable. Perhaps it was not so much the fact that their tribes were to be new that rankled as the fact that their tribes

⁹⁷ J. Carcopino, *Sylla* (Paris 1947) 33, note 4, suggested that the reading should be *diapatōntes*. Perhaps *apateuontes* is even more likely.

⁹⁸ Specious, since legislation rarely occurred in the *comitia centuriata*.

were to vote last. In sum, they refused to be fobbed off with the status of second-class citizens.

If it really was impossible to create new tribes without upsetting the complex tribe-century relationship in the *comitia centuriata*, then for the Italians there remained only the alternative of being registered in the old tribes. Accordingly that is what they demanded, and certain politicians in Rome, seeking to promote their own factional interests, backed their demand. In the upshot the *novi cives* were registered in the old tribes, not in all thirty-five of them, as is so often asserted,⁹⁹ but in the thirty-one *tribus rusticae* or, more accurately, in thirty of the thirty-one *tribus rusticae*, since the large tribe Pollia apparently got none of them.¹⁰⁰

It remains, however, to account for Velleius' assertion that the Romans assigned, or tried to assign, the *novi cives* to eight tribes. The probabilities are that Velleius, writing with a maximum of haste and a minimum of space, expressed himself imprecisely. As Beloch suggested over three-quarters of a century ago,¹⁰¹ by *novi cives* he really means ex-rebels (the two are not identical, although many modern scholars write as if they were).

When selecting tribes for the ex-rebels the Roman authorities were evidently guided by several considerations.

First, they treated former members of the rebel alliance differently from *novi cives* in general. The latter were so distributed that it was rather rare for two adjoining communities of them to be in the same Roman tribe. For the erstwhile insurgents, on the other hand, exactly the opposite procedure was adopted: all ex-

⁹⁹ E.g. by A. Biscardi, "La questione italica e le tribu supranumerarie," *Parola del Passato* 6 (1951) 250.

¹⁰⁰ Miss Lily Ross Taylor informs me that she has been unable to find any trace of *novi cives* in Pollia.

¹⁰¹ J. Beloch, *Der italische Bund* (Leipzig 1880) 42. This view was adopted by W. Kubitschek (*De Romanarum tribuum origine ac propagatione* [Vienna 1882] 70 f., and *Imperium Romanum tributim discriptum* [Prague 1889] 5, note 16) but pronounced untenable by Mommsen, "Die römische Tribuseintheilung nach dem marsischen Krieg," *Gesammelte Schriften* 5.262-7 (= *Hermes* 2 [1887] 101-6). Yet Mommsen's argument was based on the assumption that a community like Larinum, whose territory was overrun by Roman troops in the course of the Social War, was in the rebel league, an assumption which some might regard as a *petitio principii* and which failed to persuade Beloch (he repeated his original view with only minor modifications almost half a century later in his *Römische Geschichte* [above, note 30] 578 f.).

rebel communities belonging to the same people went into the same tribe.¹⁰²

Secondly, the Roman authorities took cognizance of the fact to which allusion has already been made (above, p. 167): viz. that in the rebel districts there were pro-Roman elements and indeed whole communities which did not willingly join the anti-Roman cause. They treated them like *novi cives* in general.¹⁰³

Thirdly, the Roman authorities did not need to select a tribe for any rebel people a significant proportion of whose population had already obtained citizen status before the war broke out, for the obvious reason that the tribe for such a people would already have been decided. The Vestini were in this category; at least two of their three towns, Aveia and Peltuinum, enjoyed Roman citizenship and belonged to the tribe Quirina, apparently before 91 B.C.¹⁰⁴ Likewise many Venusini, in fact all who had served as local magistrates in the Latin colony since 124 B.C.¹⁰⁵ together with their sons, already possessed Roman citizenship before 91 B.C., and must have belonged to Horatia,¹⁰⁶ which is

¹⁰² Beloch (above, note 30) 578. His suggestion, however, that the Clustumina was such a "rebel" tribe is unconvincing, since none of the communities known to have belonged to it appear to have been members of the rebel league: Sisenna, fr. 120 Peter, does not prove that Tuder was, and Appian, *Bell. civ.* 1.52.229, does not prove that Larinum was (Larinum did not form part of the Frentani, even though it was ethnically identical with them: Pliny, *NH* 3.11.103, 105; Ptolemy 3.1.56; H. Philipp in *RE* 12 [1925] s.v. "Larinum" 839).

¹⁰³ This might explain why Aeclanum was not in Galeria along with the rest of the Hirpini but in Cornelia: it was the birthplace of Minatus Magius who did the Romans such yeoman service during the Social War (Vell. 2.16.2). Presumably it is also the explanation why towns like Larinum and Ausculum, although mentioned in the annals of the Social War (Appian, *Bell. civ.* 1.52.229), were not in the same tribe as Canusium: they were possibly among the Apulian towns which had been dragooned by rebel forces (above, p. 164) (on such towns, see Mommsen [above, note 101] 265).

¹⁰⁴ The third town of the Vestini, Pinna, even though it does not seem to have enjoyed Roman citizenship before 90 B.C., was strongly pro-Roman and declared for Rome (it appears, however, to have come under rebel control at one time during the hostilities: see Val. Max. 5.4.7). Evidently the insurgent Vestini were from unfranchised *pagi*.

¹⁰⁵ G. Tibiletti has convincingly argued for this date (in *Rend. Istit. Lomb.*, Classe di lettere 86 [1953] 54-9).

¹⁰⁶ The view of Kubitschek, *De Romanarum tribuum origine ac propagatione* 156, that in republican times magistrates from the same Latin colony went into different Roman tribes is unconvincing.

proved by epigraphic evidence to have been the tribe of Venusia.¹⁰⁷

If, when counting the tribes of the ex-rebels, we bear in mind these considerations, we find that they numbered exactly eight. (1) Sergia obtained the Marsi and the Paeligni; (2) Arnensis the Marrucini and the Frentani; (3) Fabia the Asculani (= Appian's Picentes); (4) Galeria the Hirpini; (5) Menenia the Pompeiani; (6) Oufentina the Canusini (= Appian's Iapygii); (7) Pomptina the Lucani; and (8) Voltinia the Samnites.

Thus it would appear that precisely eight Roman tribes were selected to receive the former members of the rebel league; and this fact, I suggest, explains Velleius' figure "eight." Manifestly he has confused ex-rebels with *novi cives* in general.¹⁰⁸

¹⁰⁷ The argument used for the Vestini and Venusini cannot also be applied to the Samnites, even though it might appear that they, too, were assigned to a predetermined tribe (after the Social War they were registered in Voltinia, the tribe of Aufidena, a Samnite town which appears to have been enfranchised long before 91 B.C.). The Roman authorities had had to make a choice of tribes for the Samnites after the Social War. For Aufidena had not been the only Samnite town to have the citizenship, nor had Voltinia been the only Roman tribe to contain Samnites, in pre-war days: there were Venafrum and Allifae (both in Teretina) and, as we have seen, also possibly Telesia (in Falerna).

¹⁰⁸ Or is he guilty of no confusion at all? Kubitschek, *Imperium Romanum tributum discriptum* 5, note 16, ventured the suggestion that Velleius' words *cum civitas Italiae data esset* could refer strictly to the insurgent league, which, to judge from its coins, called itself *Italia*. This is far-fetched, but it is perhaps just barely possible.