

ON THE SERVIAN CONSTITUTION AND THE EARLY ROMAN ARMY

In these few pages I intend to examine the change in the Roman tactical array caused by Servius Tullius's reform and the influence it had on the later manipular army. The discussion about the census and the five class system is a long and complicated one and I do not intend to summarize it here. Nor do I want to shed light on another series of issues regarding the composition of each of the classes. My aim is to analyze the facts and place the reform in a wider social and geographical context, thus establishing the points that might indeed have a basis in reality. Also I shall try and describe how these initial changes influenced the later development of the Roman army.

I will start by revising that which is certain. It cannot be denied that the Roman army fought as a phalanx. What I shall try to prove is that this phalanx was accompanied by another, more traditional type of "lighter" heavy infantry, better adapted to the requirements of warfare in the Italic Peninsula.

Even though we cannot be sure about the number of soldiers (or units) that either the phalanx or the light type of infantry comprised, we can still make some observations based on the archaeological material. Both the equipment characteristic of the hoplites and the other Servian classes is present, either directly, or in the form of figurative representations, on different objects¹. Since there is consensus among scholars regarding the existence of a Roman phalanx I shall not insist on the numerous discoveries of hoplite equipment. An issue that seems to be thornier is that of the other four census classes. The majority of authors denies the authenticity of a division by class in the time of Servius and implicitly contests the actual use of the equipment described for classes II to V². Nevertheless, iconographic representations of warriors armed with the oval shield (the *scutum*)³ dating as early as the seventh century BC and the representation of a *scutum* at Vetulonia indicate that this particular type of equipment was indeed used before the "Servian reform". The discovery of an *umbo* at Malpasso⁴, dating from the fifth century BC and the image of a warrior armed with a *scutum* on the Arnoaldi *situla* (dating from the end

¹ See P. Connolly, *Greece and Rome at War*, Greenhill Books, 2006, pp. 97–100.

² Especially Tim Cornell, *The Beginnings of Rome. Italy and Rome from the Bronze Age to The Punic Wars (c. 1000–264 B.C.)*, London, New York, 1995, p. 180.

³ Connolly, *op.cit.*, p. 96; we see a figure of a Villanovan warrior carrying a *scutum*.

⁴ *Ibidem*, p. 95.

of the sixth century)⁵ testify that this type of shield was also used after the reform in question. Still, the most convincing piece of evidence is perhaps the Certosa *situla* (cca. 500)⁶ on which we can see warriors (most likely Etruscans) carrying all the types of shields described by Dionysius and Livy as being used by classes II, III and IV (both the *clypeus/aspis* and the Italian oval and rectangular *scutum*, thus proving its continuity). This representation is proof that an Etruscan type army, like the Roman one, did contain several types of units and weapons, not just the phalanx and hoplite panoply. The existence of this equipment prior to the reform strengthens Cornell's point⁷ that Servius either introduced the phalanx as a unit or established a new way of recruiting it (since the pre-Servian army was also using hoplite type equipment). But its continuous use both before and after Servius's modifications also means that the phalanx was also accompanied by a lighter, more flexible type of troop. Therefore, although the army was probably not divided into several "classes" as the sources indicate, at least two distinct types of heavy infantry must have existed.

Even if the weapons were not initially encompassed in the *descriptio classium* and were added by the two ancient authors based on antiquary records (as some modern scholars have argued), their account is basically sustained by the evidence. Furthermore, even the differences between our main two sources concerning the reform (Livy and Dionysius) can be justified: Dionysius informs us that classes II to IV were equipped with the *scutum* which he calls *θυρεός*. The name is derived from the word *θύρα*, which in Greek means "door", and suggests a rectangular shape for this type of shield, similar to the one used in the Imperial period⁸. On the other hand, Livy uses the word *scutum* which in general suggests an oval shape. If we turn to the Certosa *situla* we can identify both types of shields, so we can conclude that both of the accounts are correct and Dionysius probably used a different source from Livy, which was also accurate.

An episode that strengthens my idea that the *centuriae* of hoplite heavy infantry were aided/protected by lighter Italic type of infantry (but not just skirmishers) can be found in Livy 4.38. Here we can see the cavalry dismount⁹, join the infantry and form a compact formation. It is clear that the infantry and

⁵ *Ibidem*, p. 103; see also N. Sekunda, S. Northwood, *Early Roman Armies*, Osprey Publishing, 1995, p. 35 for the gradual replacement of hoplite type equipment with the one characteristic of the later manipular army. The continuity of the use of the *scutum* has its best proof in the fact that it was later generalized. It is interesting that both on the Văce buckle (Connolly, *op.cit.*, p. 103) and the Arnoaldi *situla* the *scutum* is used alongside two spears, which we later know was the norm in the Roman army.

⁶ Connolly, *op.cit.*, p. 96.

⁷ Cornell, *The Beginings of Rome...*, p. 189.

⁸ For this interpretation of the text see also Connolly, *op.cit.*, p. 95.

⁹ For a similar episode during the battle of lake Regillus when the cavalry dismounts and fights in the first line see Livy 2.20.

cavalry were armed in a similar fashion, since they were able to fight along one another and form an unbreakable battle line. As it is nearly impossible for anyone to imagine a mounted hoplite we can safely conclude that there was certainly another type of heavy infantry troop, armed in a more traditional manner, which the cavalry could easily have joined due to the similarity of their equipment¹⁰.

In my analysis there are two other aspects that must be taken into account.

First of all, full scale battles between “regular” armies were quite rare at the time we are referring to. Much more frequent were the so called “cattle raids”, where the acquisition of booty was the primary concern of the participants¹¹. Livy describes this type of warfare as *neque pax, neque bellum fuerat*¹². In such a situation it is impossible to imagine that the Romans would have sent soldiers organized in a phalanx against the raiders, due to their difficulty in manoeuvring on rough terrain and inability to break up into pursuing detachments¹³. Who then dealt with these raids? The whole army was probably sent only in extreme situations, like the one described by Livy in 2.22. The need for a quick and flexible response by a more mobile troop was obvious and there were only two that fitted the profile: the lighter infantry of the other “classes” and the cavalry. Livy again comes in support of this statement, informing us that the acting consul, Aulus Postumius, brings against a Sabine incursion characterized as being *tumultus enim [...] uerium quam bellum* all the cavalry and a selected part of the infantry: *Missus extemplo eo cum omnibus copiis equitum A. Postumius, qui dictator bello Latino fuerat; secutus consul Seruilius cum delecta peditum manu*¹⁴. Even the term used by the author, *manus*, reminds us of the *manipulus*, and it is clear that he is referring to the lighter infantry and not to the phalanx-type troops, who aside from moving very slowly, could not have functioned separately as maniples or cohorts later did¹⁵, and would have lost their effectiveness if broken up.

Secondly there is the problem of the nature of Rome’s enemies in the fifth and fourth centuries BC. The Etruscans and Latins probably had a military organization similar to the Romans (although we cannot be certain about the latter) and were probably more convenient opponents. Still, the Aequii, the Volscii and later the Gauls, had different, more flexible ways of combat that would have

¹⁰ See Goldsworthy, *Roman Warfare*, Smithsonian Books, 2005, p. 37;

¹¹ For this type of brigandage see T. J. Cornell, *Rome and Latium to 390 B.C.* in CAH, vol VII, part 2, Second Edition, p. 243–309, p. 293, A. K. Goldsworthy, *Roman Warfare*, Smithsonian Books, 2005, pp. 37–45.

¹² Livy 2. 22; see also 2.21, “Triennio deinde nec certa pax nec bellum fuit”.

¹³ It is needless to say that the success of the phalanx was based on the cohesion of its troops. Each man defended himself and the man next to him using his large circular shield (*hoplon* or *aspis*), forming an unbreakable line. Personal initiative was limited as it would mean the disruption of the line.

¹⁴ My *italics*.

¹⁵ Unfortunately R.M. Ogilvie’s, *A Commentary on Livy. Books 1–5*, Clarendon Press, Oxford, 1965, does not give any relevant interpretation on the fragment.

encouraged the development of troops that could match them. Apart from the second and third “classes”, the cavalry was the fittest for this kind of warfare. The cavalry’s importance is clearly attested by the existence of a *magister equitum*, who commanded this part of the army despite the supreme authority of the *dictator*. We also see cavalry playing a crucial role in most conflicts as illustrated by the sources, either through shock action¹⁶ or by descending to fight alongside the infantry¹⁷ and then mounting up again to pursue the enemy¹⁸. A parallel with the *comitatus* in the time of Diocletianus, which was put together especially for handling barbarian incursions, is not out of place in my opinion. Furthermore, at a later time we see the Romans demanding their allies to supply a cavalry contingent three times the size of their own, also due to its importance.

So it is clear to me that the type of warfare predominant in Italy entailed transformations in the organization of the Roman army.

Even if raiding was the usual form of conflict, we cannot deny the existence of pitched battles before the end of the fifth century (as rare as they may have been), when the Romans definitely started to wage war in a more organized manner¹⁹. One example of such a possible full scale battle is given by Livy in 2.22, when the Romans moved their entire army in the territory of the Volscii, who in response gave hostages fearing such a large scale fight. From Livy’s language we understand that this time the whole Roman army was involved in the action (*in Volscum agrum legiones duxere*), not just a small part of it like before. This led to the immediate response of the enemy (the intimidating factor being crucial), who were certainly not ready for an all out fight with the Romans. So even if a large battle did not occur at the specific time, this does not mean that in a similar circumstance the Volscii could not have retaliated in full force. Another good example of a full scale battle is the one described by Livy in 2.49 in the war with Veii (see below). The battle at Lake Regillus can be definitely included in this category, despite its almost legendary aspect that can also be explained by the magnitude and importance of the confrontation²⁰.

Therefore I consider that only a small force was sent to deal with a raid but if things got out of control the “official” army was brought in.

Thus in my opinion we can single out two types of warfare for this particular timeframe in the Italian peninsula: the raiding expedition, that gradually disappeared as the inhabitants became more and more sedentary, and the full scale war, like the

¹⁶ Livy, 2.19.

¹⁷ Livy, 2.20: *descendant ex equis et pugnam capessant; desiliunt ex equis prouolant in primum et pro antesignanis parmas obiciunt.*

¹⁸ Livy, 2.20: *Equiti admoti equi, ut preseui hostem posset.*

¹⁹ Cornell, *Rome and Latium*..., p. 293.

²⁰ Livy 2.19–20.

one against Veii²¹. This certain episode is interesting because it makes us wonder: aside from the cavalry and lighter infantry, representing the official army, could the *gentes* have played a role in such raids and small conflicts, as a reminiscence of a time when they were in charge of all the wars? The hypothesis is tempting, especially on a closer inspection of Livy 2.48, combined with our knowledge of Roman aristocratic ideals. Here Livy describes how an aristocratic clan, *gens Fabia*, assumed full responsibility for the war with the powerful neighbouring Etruscan city of Veii. This war is also interesting because it encompasses both types of conflict: at first we see the Fabii ravaging the territory of the Etruscan stronghold of Cremera, in a well-known type of guerrilla warfare, and then we see the Veientes intervening with the “regular army”²² (so far the pattern is similar to what we have seen before). At this moment the Romans do the exact same thing, the consul L. Aemilius bringing the legions to the battle field.

Opinions are divided regarding the authenticity of this episode. Ogilvie thinks that operations were not conducted by the Fabii, but by the Roman state, which had sent a legion that contained some members of this *gens*²³. He also thinks the story was the result of later embellishments of the records kept by the Fabii in order to glorify their deeds of arms. Indeed, we cannot deny the uncanny resemblance between this private war and the Spartans’ last stand at Thermopylai (the Fabii that set out for war numbered 306), which might as well have influenced Livy or even the Fabii in elaborating the story. Still, despite all the possible later alterations we cannot deny the basic historicity of the episode. A response to Ogilvie’s argument can be based on Dionysius of Halicarnassus²⁴, who informs us that the Romans were initially intending to garrison an army on the border with Veii but that, besides the costs, they were confronted by the unwillingness of the citizens to serve for such a long period of time. We also know from the *Fasti consulares*²⁵ that *gens Fabia* was one of the most prestigious at the time and that at least one of the consuls was elected from within its members between 485 and 479. Such prestige definitely had to be backed up by success in war and being in charge of smaller but successful

²¹ For this type of view see also Goldsworthy, *Roman Warfare*, pp. 37–39; for the war with Veii see Livy, 2.48.

²² Livy, 2.49; the entire episode is also narrated by Dionysius of Halicarnassus 9.15–22, with differences as to the way the Fabii were defeated; T. J. Cornell, *The Beginnings of Rome*..., p. 310: “The wars between Rome and Veii in the fifth century were organized conflicts between developed states and had complex economic and political causes [...] although raiding naturally went on during the course of the fighting”.

²³ Ogilvie, *op. cit.*, p. 359: „What started out as a legion (306+4000) including a number of Fabii (Diodorus, 11, 53) ends as a *corps d’elite* of Fabii with dependants and retainers”.

²⁴ Dionysius, IX, 15.

²⁵ For these see CAH, vol VII, part II, Second Edition, editori F.W. Walbank, A.E. Astin, M.W. Fredriksen, R. M. Ogilvie, A. Drummond. 2006, Cambridge University Press, pages 628–644; for the Fabii see p. 629.

military operations could have significantly boosted its reputation. Another reason for the members' taking upon themselves the whole burden of war could have been that of its character²⁶, in the consul's words (attributed to him by Livy), he himself a Fabius: *Asiduo magis, quam magno praesidio, ut scitis, patres conscripti, belum veiens eget*. So the Fabii took upon themselves this responsibility mainly because it consisted of raids that would have affected them directly²⁷ as according to archaeological finds their territories were near the border with Veii²⁸. Therefore a private action would have meant in fact the defence of their personal interests. Even if we do not believe that all the Fabii except for one were killed²⁹, by looking at the *Fasti* we can see that before 467 each year, for six years in a row, a member of the *gens* had been consul, but after this moment the Fabii have no representatives in the highest office for twelve years³⁰. It is unlikely for such an influential clan to loose power all of a sudden therefore we must conclude that something dramatic had indeed happened to its members. So if we combine what Dionysius, the *Fasti* and the archaeological finds tell us, we have to conclude that the episode is very likely to have been real.

Furthermore, regarding wars that were waged only by a *gens* and its retainers, we cannot notice that in the Late Republic, the commanders' tendency was to recruit their soldiers from amongst their clients, thus establishing a far more personal relationship with them³¹. This tendency could have in fact originated in a far more remote time where the link between soldier and commander was of this kind. Thus, by pursuing this type of arguing we could conclude that the recruitment by tribes appeared as an attempt to destroy this sort of clan solidarity and determine the soldier to be committed to the state rather than to its general and the commanders of the first century BC could have merely tried to re-establish that sort of link.

The importance of the cavalry in this period could be better understood if we considered that the aristocratic *gentes* played a more active role in warfare. As the cavalry was drawn from amongst their members (because they would have been the only ones who could afford the maintenance of a horse and its replacement if it was killed on the battlefield), the aristocracy would have found in the latter a quicker means of intervention that allowed it to be wherever its interests dictated.

²⁶ Livy 2.48: *Ex eo tempore neque pax, neque bellum cum Veientibus fuit; res proxime [in] formam latrocinii uenerat.*

²⁷ W. Meiklejohn, *Roman Strategy and Tactics from 509 to 202 B. C.*, in G&R, Vol. 7, No. 21. (May, 1938), pp. 170–178, p. 172.

²⁸ Goldsworthy, *Roman Warfare*, p.37, Cornell, *The Beginnings of Rome...*, p.311 Ogilvie, *op.cit.*, p. 359 who does not express this opinion with certitude.

²⁹ Ogilvie, *loc. cit.*

³⁰ Cornell, *loc. cit.*; Goldsworthy, *loc. cit.*

³¹ See Erich S. Gruen, *The Last Generation of The Roman Republic*, University of California Press, Berkley, Los Angeles, London, 1974, ediția a II-a, 1994, pp. 376–377.

So, if I am to summarize what I have discussed so far, I would draw the following conclusions. Even though the phalanx was employed by the Romans, due to the nature of Italic warfare it could not have been the only type of troop at their disposal. Micro-conflicts and raids required a faster, “lighter” type of heavy infantry, armed in local fashion, for the existence of which there is enough evidence. Aside from this infantry, cavalry and bands controlled by the *gentes* played an equally important role. If the conflicts were greater in scale, the raiding parties could be backed up by the entire army.

When we look at this early Roman army and the types of troops it comprised, we can better understand the evolution of the later maniple-based army. Its development took place on the precedent created by the lighter troops, who gradually replaced the outdated phalanx, which was becoming more and more useless.

The introduction of the new tactical array is traditionally connected to the siege of Veii. It is clear from Livy’s account that there were several phases between the phalanx-type army and the *quincunx* we know from later times. The eventual shift to a more lax type of organization was clearly based on the existence of an alternative type of infantry (which I have for the purpose of arguing named “lighter” heavy infantry or Italic infantry) and its growing effectiveness. So, Livy tells us that *Clipeis antea Romani usi sunt, dein, postquam stipendiarii facti sunt, scuta pro clipeis fecere*³². Certain authors³³ believe that here the writer is contradicting himself, by attributing the introduction of the shield both to Servius Tullius and the reform of 406. But actually Livy’s statement *scuta pro clipeis fecere*, does not contradict his earlier one. It merely implies that those soldiers who used to be equipped with the *clypeus* were now using the *scutum*, thus the reform of 406 meaning a generalisation of the use of Italic equipment. Also, based on what he tells us next, we can conclude that there were more intermediate phases of army organization. I shall discuss that a bit later.

For now, I ask myself: why is the siege of Veii, apparently such a concentrated action, the reason for a major change in the tactical array which led to a drastic improvement of its flexibility? My solution is this: even if the proportions of the siege are clearly exaggerated by Livy, it was by far the biggest military operation ever undertaken by the Romans. It is thus clear that the majority of human resources were there, as the introduction of the *tributum* points out³⁴. So in this context, even if the raids of the Aequii and Volscii had but disappeared, they were

³² Livy, 8.8; we know this moment to be 406 and the siege of Veii.

³³ G.V. Sumner, *The Legion and Centuriate Organization* in JRS, vol. 60(1970), p. 74, p. 69–73.

³⁴ It was a way of compensating the losses resulted from the inability of the men to farm their crops.

still present in the collective mind of the Romans. So the large scale division of the army into smaller, better and lighter equipped groups (we have seen that such groups already existed), which could detach themselves from the siege and intervene in an emergency situation seems logical. As it can be seen in the text, this was a simple division and did not entail an organization into three successive lines. Livy tells us just this, following the evolution of the Roman army to the date of his battle description: *et quod antea phalanges similes Macedonicis, hoc postea manipulatim structa acies coepit esse; postremo in plures ordines instruebantur*. The adverb *manipulatim* means “by groups” and in my opinion refers to the first division in 406, while *ordines* refer to the later *quincunx* as we know it (*ordo* being a synonym for *manipulus*)³⁵. So, the two parts of the phrase refer to different moments of the army’s existence, and not, as it has been interpreted, to the one he is describing, that is the year 340. Ergo his following account refers to the *plures ordines* and not to the *manipulatim structa* which is an earlier stage of the army’s organization.

So, it is clear, in my opinion, that the *quincunx* was adopted based on a previously existent army formation, a simple division into smaller groups that had changed the armament of the troops (to the *scutum* and perhaps some form of heavy javelin, maybe the *gaesum*) which in its turn was based on the “lighter” heavy infantry of the “Servian reform” armed in Italic fashion.

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³⁵ The Loeb Classical Library text (translation B.O. Foster, 1926) follows Ortmann and establishes the text as *hoc postea manipulatim structa coepit esse: postremi in plures ordinibus instruebantur*. I have followed the Collections des Universités de France edition (translation R. Bloch and Ch. Guittard, 1987) as I consider that *postremi* cannot be linked with the sentence before it, whilst *postremo* indicates a temporal evolution, as does *postea*.