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## INDICE DEL VOLUME LXVIII

### ARTICOLI

AMBROGI A. (con un'appendice di FERRO C.), Un rilievo figurato di età tardo-repubblicana da un sepolcro dell'Appia antica .....	p. 143
BALDASSARRI P., Lusso privato nella tarda antichità: le piccole terme di Palazzo Valentini e un pavimento in <i>opus sectile</i> con motivi complessi.....	» 245
BARATTA G., Falere tardo-antiche ispaniche con quattro passanti angolari: aggiornamenti e ipotesi sulla funzionalità del tipo .....	» 289
BARBERA M., Prime ipotesi su una placchetta d'avorio dal Foro Romano .....	» 225
COATES-STEPENS R., Statue museums in Late Antique Rome .....	» 309
GATTI S., Tradizione ellenistica e sperimentazione italica: l'Aula Absidata nel foro di <i>Praeneste</i> .....	» 53
OLCESE G., CAU ONTIVEROS M.Á., FANTUZZI L., RAZZA A., SURACE D.M., TSANTINI E., Le anfore del contesto della ruota idraulica di Ostia Antica: archeologia e archeometria .....	» 197
POLITO E., Cossio, Augusto e gli <i>spolia opima</i> . Sull'interpretazione di un'emissione monetale augustea.....	» 175
SMITH C., <i>Ager Romanus antiquus</i> .....	» 1
TABORELLI L., MARENGO S.M., Medicine bottles and ointment jars from Morgantina .....	» 27

### NOTE E DISCUSSIONI

BALDONI V., Achille e Aiace che giocano ai dadi: vecchie ipotesi e nuove letture....	» 419
BIAGI F., MILLETTI M., Nuovi dati sulla necropoli dell'età del Ferro di Poggio e Piano delle Granate a Populonia (LI) .....	» 375
BIELLA M.C., I bronzi votivi dal santuario di Ercole ad <i>Alba Fucens</i> .....	» 487
CAVALLERO F.G., <i>Arae</i> e <i>altaria</i> : una possibile differenza morfologica.....	» 589
COEN A., Un calice biansato con decorazione a cilindretto da Cerveteri.....	» 409
CRIMI G., Un 'nuovo' cippo di terminazione del Tevere: una nota preliminare .....	» 519
DE VINCENZO S., Aspetti dell'ideologia augustea nel complesso della Villa dei Papiri di Ercolano e nel suo arredo scultoreo.....	» 525
DODD E., Pressing issues: a new discovery in the vineyard of Region I.20, Pompeii .....	» 577

INDICE DEL VOLUME LXVIII

GHISELLINI E., Echi della cavalleria tessala in un rilievo già sul mercato antiquario.....	p. 433
GIRELLA L., <i>Negotiating power</i> . Definizione e trasformazione del potere nella Grecia continentale dal Bronzo Medio alla formazione dei 'regni' micenei.....	» 343
MALIZIA E., Les peintures murales du II <sup>e</sup> siècle de la Villa de Livie à Prima Porta (Rome): un exemple de mémoire décorative? .....	» 603
MARCATILI F., Un'inedita <i>mensa ponderaria</i> dall'area urbana di <i>Iguvium</i> .....	» 569
MUSCOLINO F., «La città meglio governata tra quelle greche». A proposito di N. BADOUD, <i>Le temps de Rhodes. Une chronologie des inscriptions de la cité fondée sur l'étude de ses institutions</i> .....	» 627
PULCINELLI L., Contributi per lo studio dei sistemi ponderali etruschi. Alcuni dati dal territorio vulcente .....	» 475
ROSAMILIA E., Firmare matrici a Taranto: il coroplasta Pantaleon e i suoi colleghi...	» 453
SOLDOVIERI U., Di un nuovo miliario da San Pietro di Polla (SA) .....	» 617
TAIUTI A., Un ritratto inedito di Antonia Minore.....	» 551

RECENSIONI E SEGNALAZIONI

FENET A., <i>Les dieux olympiens et la mer. Espaces et pratiques culturelles</i> (P. A. GIANFROTTA).....	» 649
SCHALLIN A.-L., TOURNAVITOU I. (eds.), <i>Mycenaeans up to date. The archaeology of the north-eastern Peloponnese: current concepts and new directions</i> (L. GIRELLA).....	» 643
Pubblicazioni ricevute.....	» 657

CHRISTOPHER SMITH

*AGER ROMANUS ANTIQUUS*

THE ORTHODOXY

It is rare to find anything on which there is almost universal belief and acceptance amongst scholars on ancient Rome<sup>1</sup>. One of those rare concepts is that at some point early in their history, and usually supposed to be before 495 BC, when Livy tells us that the rural tribes were fixed<sup>2</sup>, the Romans had a sense of a defined territory; that this territory was marked by sanctuaries; that these sanctuaries left traces in some instances, and in other instances continued in existence into the historical period and were recognised as markers of this territory<sup>3</sup>; and that this territory had a name, the *ager Romanus antiquus* (Figg. 1-2)<sup>4</sup>. I believe that this is in almost all its elements wrong. The consequences of this position may prove to be liberating.

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<sup>1</sup> A version of this paper was first delivered at the Cambridge conference, Frontiers of the European Iron Age, in September 2013, and I am grateful to Dr. S. Stoddart for the invitation to speak and to participants for their comments. I have benefited from subsequent very kind comments and advice from Seth Bernard, Daniel Gargola, Nicholas Purcell, Tesse Stek, Peter Wiseman, Adam Ziółkowski and the anonymous referees. Any errors remain my own.

<sup>2</sup> LIVY 2.21; the MS reading «*Romae tribus una et triginta factae*» is often amended from the *Periochae* to «*Romae tribus una et viginti factae*», but the text is problematic; for a sober assessment TAYLOR 1960; and the exhaustive account of RIEGER 2007.

<sup>3</sup> On the sanctuaries, see COLONNA 1991 and SCHEID 1987.

<sup>4</sup> The phrase *ager Romanus antiquus* is used by ALFÖLDI 1963, and the argument had been worked through in detail in ALFÖLDI 1962. In a footnote, ALFÖLDI 1963, p. 304 attributed the notion to MOMMSEN 1887-1888: 3.824, citing SERV., *Aen.* 11.316; and KUBITSCHKEK, *RE*, s.v. *ager*, who cites Mommsen. His citation of BELOCH 1880, p. 43 is not helpful to this specific point, and is lifted from Kubitschek. A similar set of arguments had been independently proposed by LUGLI 1951, and reprised in ID. 1966, and cfr. the intriguing reflections by his son, LUGLI 2006. Prior to Mommsen, reference to the Servius passage can be found in BECKER 1843, p. 84. Whether this goes much further back would require another article, but Sigonius in *De antiquo iure civium Romanorum, Italiae, provinciarum ac Romanae iurisprudentiae* (1560, rev. 1593), does not cite the Servius passage, or introduce the concept, though he did use an important Strabo passage which is cited below, and neither does Machiavelli in the *Discourses*, nor do Agostin, Scaliger and Orsino in their notes to Festus' lemma on the *Ambarvalia*, though Agostin, whom the others follow, had already connected the *Ambarvalia* with the Strabo passage, and emended Festus to make it fit. I have not been able to find it either in Niebuhr or Lange. For a recent canonical statement, see F. Coarelli, *LTUR Suburbium*, s.v. *Romanus antiquus ager*: «un territorio definito ritualmente dagli auguri e cioè *auspicatus et effatus*, come l'*urbs* entro il *pomerium* e come i *temple*... L'*a.R.a.* si conservò invariato per tutta l'età repubblicana, come elemento essenziale di una serie di cerimonie ufficiali, alla stessa stregua del *uetus oppidum Palatinum*; esso era infatti caratterizzato da *auspicial* particolari, che richiedevano operazioni rituali specifiche, ad esempio una *lustratio*, identificabile probabilmente con gli *Ambarualias*». The *ager Romanus antiquus* was placed in its augural context by CATALANO 1978.

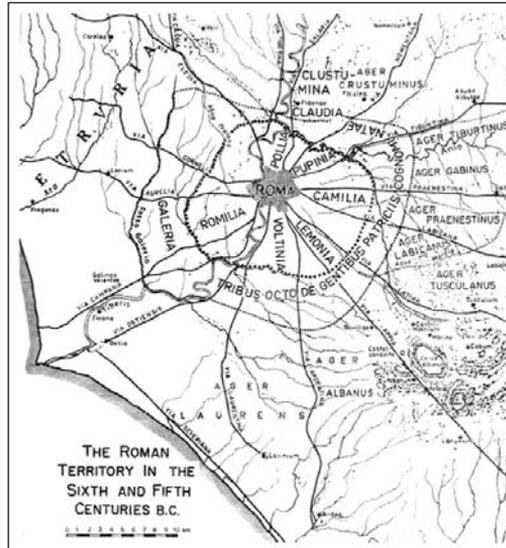


Fig. 1. *Ager Romanus Antiquus* (after ALFÖLDI 1965, p. 297).

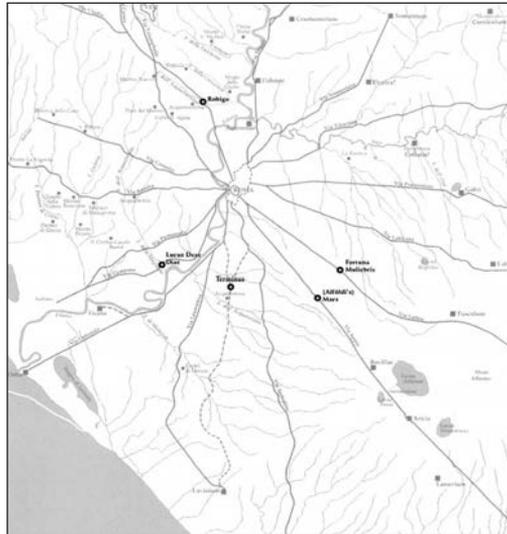


Fig. 2. Sanctuaries in the *ager Romanus* (after ZIÓŁKOWSKI 2009, fig. 1).

This argument, which I first made in passing in a review of Vistoli's work on Aqua Traversa, in *JRA* 2008, was made in a completely different way the following year by Adam Ziółkowski, and was addressed also by Tesse Stek in 2014. But there is, I believe, still more to be said<sup>5</sup>.

The critical first point of departure is STRABO 5.3.2; I cite the full context, and put in *italic* the critical passage:

«In mythology, however, we are told that the boys were begotten by Ares, and that after they were exposed people saw them being suckled by a she-wolf; but Faustulus, one of the swineherds near the place, took them up and reared them (but we must assume that it was some influential man, a subject of Amollius, that took them and reared them), and called one Romulus and the other Romus; and upon reaching manhood they attacked Amollius and his sons, and upon the defeat of the latter and the reversion of the rule to Numitor, they went back home and founded Rome — in a place which was suitable more as a matter of necessity than of choice; for neither was the site naturally strong, nor did it have enough land of its own in the surrounding territory to meet the requirements of a city, nor yet, indeed, people to join with the Romans as inhabitants; for the people who lived thereabouts were wont to dwell by themselves (though their territory almost joined the walls of the city that was being founded), not even paying any attention to the Albani themselves. And there was Collatia, and Antemnae, and Fidenae, and Labicum, and other such places — then little cities, but now mere villages, or else estates of private citizens — all at a distance from Rome of thirty stadia, or a little more. *At any rate, between the fifth and the sixth of those stones which indicate the miles from Rome there is a place called "Festi", and this, it is declared, is a boundary of what was then the Roman territory; and, further, the priests celebrate sacrificial festivals, called "Ambarvia" on the same day, both there and at several other places, as being boundaries.* Be this as it may, a quarrel arose at the time of the founding of the city, and as a result Remus was slain. After the founding Romulus set about collecting a promiscuous rabble by designating as an asylum a sacred precinct between the Arx and the Capitol, and by declaring citizens all the neighbours who fled thither for refuge. But since he could not obtain the right of intermarriage for these, he announced a horse-race, sacred to Poseidon, the rite that is still to-day performed; and when numerous people, but mostly Sabini, had assembled, he bade all who wanted a wife to seize the maidens who had come to the race. Titus Tatius, the king of the Curites, went to avenge the outrage by force of arms, but compromised with Romulus on the basis of partnership in the throne and state. But Tatius was treacherously murdered in Lavinium, and then Romulus, with the consent of the Curites, reigned alone. After Romulus, Numa Pompilius, a fellow-citizen of Tatius, succeeded to the throne, receiving it from his subjects by their own choice. This, then, is the best accredited story of the founding of Rome».

This was read from at least the sixteenth century to suggest that Rome's first territorial boundary outside the city was about thirty stadia out. Humanist scholars from Agostin to Scaliger were already thinking that the *Ambarvalia* and the *Fratres Arvales*, whose

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<sup>5</sup> SMITH 2008; ZIÓLKOWSKI 2009; STEK 2014.

inscriptions had just begun to be unearthed, might have something to do with each other<sup>6</sup>. The next step in the argument has been to join up a series of references to other sites at roughly the same distance from Rome, where the boundary appeared to be in some sense ritualised by sacrifices and then to draw a line between them to construct a boundary. This argument is frequently repeated in modern accounts, so I will sketch it only briefly here<sup>7</sup>.

Ovid refers to the celebration of the *Terminalia* at the sixth milestone of the *Via Laurentina*<sup>8</sup>. This has often been associated with the site of *Acqua Acetosa Laurentina*<sup>9</sup>. The secure identification of the *Dea Dia* sanctuary at La Magliana after 19<sup>th</sup> century excavations, reopened by the *Ecole Française de Rome* in the 1970s, has not revealed any early material, but at least we can say a lot about the Arval Brethren and their claim to knowledge of the past and their involvement with imperial ideologies<sup>10</sup>. A temple of *Fors Fortuna* is located nearby, on the basis of epigraphic dedications, and the reference in two of the inscribed calendars of pairing of temples at the first and sixth milestone<sup>11</sup>. Another festival mentioned by Ovid, and which was epigraphically located, is the *Robigalia*. Ovid (*OV.*, *F.* 4.905-42) tells us he met the procession on his way back to Rome from Nomentum. The *Fasti Praenestini* for 25 April place a sanctuary on the *Via Claudia* at the fifth mile<sup>12</sup>. There is no easy way to make the two topographical references fit, but the relevance of the festival to the protection of crops is clear<sup>13</sup>.

Livy (*LIV.*, 1.23.3) and Dionysius of Halicarnassus (*D. HAL.*, 3.4.1) both place the *Fossa Cluiliae* five miles or forty stades from Rome. It was here that Rome and Alba Longa fought; here where Coriolanus stopped. He met his mother at the sanctuary of *Fortuna Muliebris*, which is placed by different sources at the fourth milestone of the *Via Latina*, so the two references can be made to match up<sup>14</sup>.

Alföldi and Lugli using slightly different logic find another key point where the *Via Appia* and the supposed boundary met. Alföldi located here a statue group of Mars and wolves, reported in a prodigy of 216 BC known from *LIVY* 22.1.2, and Lugli speculated that the road bent around the tombs of the Horatii and Curiatii.

<sup>6</sup> For the general context, on Agostin see CRAWFORD 1993; and STENHOUSE 2005.

<sup>7</sup> See BOURDIN 2012, p. 503, footnote 475: «En réalité, cette bibliographie ne fait que reproduire les premières reconstitutions proposées, car les sanctuaires qui sont pris en considération, à l'exception du *lucus de dea Dia*, ne sont pas autrement connus que par des allusions littéraires».

<sup>8</sup> *OV.*, *F.* 2.679-84. There is an important temporal as well as spatial element to the *Terminalia*; see MAGDE-LAIN 1962; WOODARD 2002; SABBATUCCI 1988, p. 92; cfr. BRACONI 2007, p. 270; cfr. PICCALUGA 1974 and recently DE SANCTIS 2015 for an excellent modern account.

<sup>9</sup> LUGLI 1951; ID. 1966; COLONNA 1991 with further references.

<sup>10</sup> The *Dea Dia* sanctuary was discovered in the 19<sup>th</sup> century, after much speculation over its location. See SCHEID 2008; SCHEID, TASSINI, RÜPKE 1998; and below.

<sup>11</sup> *Fast. Amit. ad VIII Kal. Iul.: Forti Fortunae trans Tiberim ad milliarium primum et sextum; Fast. Esq.: Forti Fortunae trans Tiberim ad milliarium I et VI; CIL*, I<sup>2</sup> 243, 211, 320. See also SCHEID 1990, pp. 150-154.

<sup>12</sup> *Ad VII Kal. Mai. Feriae Robigo via Claudia ad milliarium V, ne robigo frum[e]ntis noceat, sacrificiu[m] et ludi cursoribus maioribus minoribusq[ue] fiunt. Festus est pu[e]rorum l[e]noniorum, quia proximus superior mer[e]tricum est.*

<sup>13</sup> See GIANFERRARI 1995; SMITH 1996a; VISTOLI 2005; ID. 2009. This cult is something of a crux, owing to the longstanding arguments over Ovid's description of meeting the cultic procession «as he was returning from Nomentum to Rome». It is not clear that we can place this, as Mommsen did, on the fifth milestone of the *Via Clodia* (*CIL*, I<sup>2</sup> 316-317). The solution offered in *LTUR Suburbium* s.v. *Robiginis Lucus* (Coarelli, Mari) is to suggest a *Via Claudia* running from the ancient site of Corniculum, allegedly captured by Tarquinius Priscus according to *LIVY* 1.38; see MARI 1992 for conflicting indications of continuity at Montecelio and reduction elsewhere.

<sup>14</sup> *FESTUS* 282.20-22; *VAL. MAX.* 1.8.4; *D. HAL.* 8.36.3, 55.3.

On the basis of this dossier, Alföldi was able to write a famous article called *ager Romanus antiquus*<sup>15</sup> and an allegedly real fact about early Roman history had been established. It has been found sufficiently convincing that any other evidence roughly the same distance from Rome is brought in as evidence; so a votive deposit at Fondi di Coazzo on the *Via Nomentana* has been associated with *Robigo* (despite the topographical problems); as is a votive deposit on the fourth mile between the *Via Latina* and the *Via Labicana*<sup>16</sup>. However, the evidence is by no means uncontested.

#### ZIÓŁKOWSKI'S CRITIQUE

Ziółkowski has questioned the validity of this dossier. Some of his arguments are compelling, though by no means all, as Stek also recognised.

First, we need to address a problem with what Alföldi was trying to demonstrate, and what Ziółkowski is arguing against. Alföldi's main argument was that Rome was far less important in the sixth century than has sometimes been thought – it was engaged in a life and death struggle with its tiny neighbours precisely because it was still a fairly weak state. What the sanctuaries and the boundary which could be drawn between them actually showed was how weak sixth century Rome actually was. For Alföldi, however, the boundary he identifies was still a magical one.

Ziółkowski is right to note that Alföldi's late date for this extension of Roman territory (the post-decennial period) is largely out of step with modern accounts, but he develops a sense of the 'frontier sanctuary' which makes explicit what remained implicit in Alföldi. He suggests that we would need to demonstrate a possible pre-republican date, a location on what was thought of as (and may have been) an old border of the *ager Romanus*, and martial or at least defensive character of its occupants<sup>17</sup>. The danger is of a straw man argument; but in fairness, Ziółkowski is making clear the challenges which come with thinking about boundaries in a military sense. If we review his arguments, we will see that they are perhaps most successful at challenging the expectation he himself sets up for his sanctuaries.

First, Alföldi's shrine of Mars on the *Via Appia* is said by Livy to be *Romae* – at Rome – and the references to it are to a shrine *in Clivo* which we know from an inscription to have been a mile outside the *Porta Sebastiana*. This therefore has no place in the list, and that seems indisputable. Recent work has identified relevant material from Canina's mid-nineteenth century studies of the *Via Appia* and inscriptions in the vineyards nearby, which probably relate to the temple<sup>18</sup>; another account places the temple closer to the first mile boundary.

There are three parts to Ziółkowski's argument against the inclusion of a sanctuary of *Robigo*. We have already mentioned the well-known topographical crux. Ziółkowski's second argument is that the prayer has nothing to do with Mars or boundaries, but since we only have highly literary version of the prayer, this is weak. The third argument is

<sup>15</sup> ALFÖLDI 1962.

<sup>16</sup> CIFANI 2005.

<sup>17</sup> ZIÓŁKOWSKI 2009, p. 127.

<sup>18</sup> PAGLIARDI, CECCHINI 2012-2013, pp. 64-67. The temple may be represented on one of Marcus Aurelius' reliefs, depicted on the Arch of Constantine; cfr. DUBBINI 2016.

that even if we accept the suggestion of a location on the *Via Clodia*, the discovery of a Veientine outpost at Colle di Sant'Agata shows that no sanctuary can have been there before 396 BC. This works only if we see the sanctuaries as aggressively patrolling their boundaries.

On *Fortuna Muliebris*, Ziolkowski's strongest argument is that the cult, since it was founded by and for women, has little to do with war – but that of course depends on not seeing any connection between women and warfare<sup>19</sup>. His weaker argument is that it cannot be a frontier sanctuary because the battle between the Horatii and Curiatii happens a long way inside the Roman territory. This is a good example of choosing to believe historians when it suits the argument. My guess is that Livy could not have had the beginnings of a clue as to where the battle between the Romans and the people of Alba Longa, a place which did not even exist, occurred. I will come back to this shortly. Ziolkowski has to admit that the Terminalia did take place at the sixth milestone on the *Via Laurentina*, near Aqua Acetosa Laurentina, but argues that invoking Terminus and the notion of the defence of external boundaries is likely to be late in date.

Finally, Ziolkowski argues that there is no good reason to believe that the *Ambarvalia* was a procession, as opposed to a measure at a specific place, which acted *pars pro toto*; that that may as well have been invented quite late on; and if it took place at Festoi, that may have been at Acqua Acetosa Laurentina<sup>20</sup>.

The connection with the grove at *Dea Dia* and the *Fratres Arvales* is a major casualty of Ziolkowski's argument<sup>21</sup>. Strabo's reference to *Ambarouia* looks like the *Ambarvalia*, but Festus speaks of two not twelve brothers. One can amend (as Agustin did in 1559)<sup>22</sup>, or take the view espoused by Coarelli that this refers to an original (mythical) pair of founding Arvals and the college expanded thereafter. However, it remains awkward that there is no reference to anything which looks like the *Ambarvalia* in the inscriptions from the grove. Ziolkowski also makes much of his claim that all we know about the sphere of action of the *Fratres Arvales* relates to ensuring abundant harvests, not 'keeping ritual watch on Rome's frontiers'. This comes from Varro: «*Fratres Arvales dicti qui sacra publica faciunt propterea ut fruges ferant arva*» (VARRO, *LL* 5.85).

The surviving fragments of texts do not give the clear and unambiguous story we might have looked for, but very little in Roman religion is clear and unambiguous. Each fragment refers to some different kind of text. The *Ambarvalia* may well have fallen out of the third century AD conception of what the brethren did. Certainly Varro and Strabo seem to be making a connection, and probably Verrius Flaccus as well. All are writing in the late Republic and early imperial period, and their accounts are going to be subject to exactly the same processes which affected all of the reconstructions of ancient rituals. Hence it is important to be clear what the claim would be; Festoi was one place at which

<sup>19</sup> See SCHULTZ 2006a; EAD. 2006b for excellent comments on this.

<sup>20</sup> One way of explaining the extremely difficult Greek place name Festoi is to see it as a misreading of Obscon, which can then be related to Festus 204L Obscum, which can mean «*locus in agro Veienti quo frui soliti produntur augures Romani*», which can then be tied back to the sanctuary of *Dea Dia*. COARELLI 2003, an argument not discussed by Ziolkowski.

<sup>21</sup> Key texts are Festus (Paul.) 5.1-2; MACR., *Sat.* 3.5.7; and a difficult passage from Ps.-Philoxenos, *CGL* 2.19.25-6 Goetz. The *Ambarvalia* and the *Dea Dia* sanctuary were already dissociated by KILGOUR 1938.

<sup>22</sup> See GRAFTON 1983, p. 140.

the Arval Brethren at some point claimed to make a sacrifice, but there were others, and interestingly Strabo says each was a boundary, a *horion*, not that they were all on the same boundary<sup>23</sup>. Taken in this limited sense, the traditional topographical connection between *Dea Dia*, the Arval Brethren, the *Ambarvalia*, and therefore something not miles away from Strabo's account may tentatively be reinstated, but we have to be more aware of how frail a reed it is.

This is a mix of arguments then, some better than others. The strongest argument that occurs to me is not one that Ziółkowski makes, but one which his analysis makes clear, and that is the strong connection between all the likely sanctuaries and agricultural or human fertility. There is no reason for the sanctuaries not to be seen as related to the protection of land – quite the opposite. As Stek also pointed out, Ziółkowski is operating with some normative views of what a 'frontier sanctuary' might do, and one compelling response might be to say that this is not necessarily relevant. These all look like undefended sanctuaries, not border posts. This simply reopens the problem in different ways however; if they were operating in a hostile environment, they cannot be frontier sanctuaries, and if they are not operating in a hostile environment, why should we assume that they represent demarcations of undisputed Roman territory? Does the pattern reflect an early situation, a subsequent ritualization of pacified land, or a subsequently invented fiction based on historical guesswork? Stek is therefore surely right that Ziółkowski makes it very difficult to sustain an argument for the *ager Romanus antiquus* being an original demarcation of fixed territory in a hostile context, and we will come back to this below. However, there are other arguments against even a softer version of the *ager Romanus antiquus* concept which can be deployed.

#### THE REALITY OF ROMAN EXPANSION

It is clear that at some point in time Rome began to expand, and also clear that in so doing, it met other communities and that encounter had consequences which were not wholly positive for those communities. Tracing the stages of this before the conquest of Veii is difficult however for the standard reasons that the ancient account of early Rome is often held to be highly suspect, and Livy himself is cited for his concern over the unreliability of Roman History before the Gallic sack<sup>24</sup>. Even the destruction of Veii, so vibrantly described in the sources, has left limited physical traces<sup>25</sup>.

Nevertheless, the accounts in Livy and Dionysius of Halicarnassus are uncomplicated in their picture of Roman territorial growth. It is interesting that the evidence of the *ager Romanus antiquus* has been used to prove two completely different stories however, one that Rome began to grow very early on and grew to be enormous, and the other that Rome did not begin to grow until the fifth century BC, and was, by contrast, relatively

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<sup>23</sup> On Strabo on Italy, see GARCIA MORILLO 2010, who notes his interest in obscure festivals. See also GARGOLA 1995, p. 38 who notes that setting up altars at specific points is part of the act of colonial foundation; see HYGINUS p199L.

<sup>24</sup> LIVY 6.1, a famous passage well discussed by OAKLEY 1997-2005 *ad loc.* and in his introduction to vol. I.

<sup>25</sup> CASCINO, DI GIUSEPPE, PATTERSON 2012; CASCINO, FUSCO, SMITH 2015.

small. For now, we will leave this aside and concentrate on the argument for any growth at all.

One key statement in Livy (LIV. 2.21) is that in 495 BC, the Romans added some rural tribes. As we have seen above, the text is problematic, and has either to be reconciled with other accounts or regarded as recording a different reality, and this can then prompt reflections on the relatively unknown account of Vennonius, cited by Dionysius of Halicarnassus, or the equally unusual and unreconcilable evidence from P. Oxy. 2088, which suggests an entirely different division of territory<sup>26</sup>. The most economical and positive version assumes an error in Livy's manuscript, and then can claim that since the statement in Livy is short and brief, it may be taken to be one of his so-called annalistic notices, i.e. something which he took from the earliest records which we assume are the annals of the pontifices<sup>27</sup>. However, this seriously understates the complexity of the problem, and it is perhaps better to say simply that there is a strong belief in the sources that around the time of the Battle of Lake Regillus there was a consolidation of the Roman tribal system.

Nevertheless, by the beginning of the sixth century BC, it is indeed hard to believe that Rome could not have had any substantial territorial expansion. Whether or not Rome had a sixth century enceinte fortification, it certainly had some fortifications, it had one of the largest temples in Italy, but also the largest number of temples in any single site in Latium, and it had demonstrated striking levels of material wealth and sophistication, within the context of a world of increased conspicuous consumption. All this is known and does not require further discussion<sup>28</sup>. The challenge is to understand how Rome grew to be the largest city, on any calculation, in Latium, and by what means it could have supported its population<sup>29</sup>.

There are indications of what may be the consequence of Roman expansion in terms of the disappearance or diminution of sites in Rome's hinterland, such as Aqua Acetosa Laurentina, Tor de' Cenci, Castel di Decima and so on; whilst in the sixth century we see the villa site at the Auditorium, which, whilst it cannot yet be described as indicative of general developments, does at least show a particular kind of rural exploitation<sup>30</sup>. Other evidence from survey seems to show a filling in of the landscape<sup>31</sup>.

<sup>26</sup> Above n. 2. On Vennonius see *FRHist.* 13, and note that Dionysius' text is itself corrupt; on *POxy.* 2088 see *FRHist.* 109.

<sup>27</sup> This is effectively Ogilvie's line in his commentary (OGILVIE 1965), referring to Mommsen's brisk argument, and note Ogilvie's comment on 2.21.6 «L. is briefly and somewhat casually listing a number of events which have no interest for him since they have no historical possibilities». For a succinct statement of the style of the annalistic notices see OAKLEY 1997-2005, I, p. 128: «We should note the unadorned style, the brief sentences, the omission of parts of *sum* with perfect passive participles, the repetition of *eodem anno*, the general lack of subordination, and the series of disparate notices attached to one another without co-ordination». This then is assumed to reflect the style of the annalists, on the basis of descriptions such as CIC., *de orat.* 2.53 («*sine ullis ornamentis*») and CIC., *leg.* 1.6 (*quibus nihil potest esse ieiunius*). The obvious rejoinder is that Livy was surely capable of writing like an annalist when he so wished, and style gives no proof of veracity of content.

<sup>28</sup> CIFANI 2007; COARELLI 2011; HOPKINS 2016; POTTS 2015.

<sup>29</sup> The available data are discussed in BELOCH 1886, pp. 339-340; BRUNT 1971; COARELLI 1988; CORNELL 1995, pp. 198-208.

<sup>30</sup> See a very summary account in SMITH 1996b. Aqua Acetosa Laurentina: BEDINI 1978; ID. 1979; ID. 1980; ID. 1990; ID. 1991; SCHIFI 2003. Tor de' Cenci: BEDINI, CATALANO 1988. Castel di Decima: BEDINI, CORDANO 1975; ZEVI 1977. The specific relationships of each of these sites to its neighbours may also have had an impact, for instance if we believe that Castel di Decima was a satellite of Lavinium. Auditorio: CARANDINI, D'ALESSIO, DI GIUSEPPE 2006.

<sup>31</sup> One critical area of attention is to the north of Rome, around Antemnae, Fidenae and Crustumerium,

In short, no-one would be greatly surprised if we were transported back in time and could see for ourselves that Rome had expanded the territory under its control in the sixth century on the right bank of the Tiber, and maybe even on the Veientine side. In the absence of any literary evidence whatsoever, presented with the archaeology, one would assume that since Rome was an increasingly substantial site, it must have drawn on the exploitation of a territory to support a growing population, and it may have done so at least contemporaneously with expansion elsewhere, if not at the expense of others. This is why the concept of the *ager Romanus antiquus* is so attractive – as a seemingly independent discovery from sources who were not trying to tell the story of Roman expansion, and presented as an apparent fossil from an earlier period, this seems to have the potential to corroborate the narrative and give additional certainty.

There are dangers however. It is tempting to push the archaeological evidence further, and to overplay the corroboration of the narrative. In the next sections we will look at three kinds of argument which have made use of the concept of the *ager Romanus antiquus* to make further claims about Roman practice and reality. My point is not to argue against the likelihood that Rome seems to have expanded, or that it must have had mechanisms to cope with that expansion. As argued here, in broadest terms, I think this must be true, but the question is whether this means that the Romans had something called the *ager Romanus antiquus*. From Alföldi to recent accounts by Bourdin and Fulminante, this concept has stuck, and we should now define what are the characteristics of this concept.

#### CORROBORATING THE NARRATIVE

For some the temptation to take the notion of the *ager Romanus antiquus* and use it to corroborate other aspects of the ancient narrative has been difficult to resist. We can try to extract more from the sources on the development of the Septimontium<sup>32</sup>, the expansion under Ancus Marcius<sup>33</sup>, and the places mentioned on Coriolanus' march<sup>34</sup>, and use these fragments to give us a clear narrative, all of which in essence start from or end with the *ager Romanus antiquus* as previously defined. It is entirely possible that some stories did survive about Roman territorial expansion; but it is much more difficult to tell which are the genuine ones and which are not, and indeed which bit of any story is the original bit. The Septimontium is a famous crux<sup>35</sup>; the arguments to support an expansion under Ancus Marcius (whose historicity can be doubted) proceed through a great deal of circular argument, especially over the location of individual sites which the sources themselves claimed had disappeared<sup>36</sup>; and the comparison between the march of Coriolanus and

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surveyed by QUILICI, QUILICI GIGLI 1978; IID. 1980; IID. 1986; and subsequently the subject of considerable attention, since this should be the area of the *tribus Claudia* and the *tribus Clustumina*. See AMOROSO, BARBINA 2005; ATTEMA, DI GENNARO, JARVA 2013.

<sup>32</sup> The Septimontium plays a large part in some of Carandini's reconstructions of early Rome; CARANDINI 2003.

<sup>33</sup> CAMOUS 2004.

<sup>34</sup> LUGLI 1966; for other accounts see SALMON 1930; CORNELL 2003.

<sup>35</sup> VOUT 2012, pp. 59-75 gives a good account of the problems of treating the Septimontium as a straightforward archaic survival.

<sup>36</sup> E.g. CAMOUS 2007.

the march of Sulla might as easily imply major historiographical contaminations as any survival of original material<sup>37</sup>.

One of the critical problems is the juxtaposition of evidence from very different generic registers. The historians were clearly operating with a notion of territorial extent which made sense to them, but moving from this to the legal and other realities is not straightforward. The problem is almost the very notion of what *ager Romanus antiquus* could have looked like. Could the Romans have had a notion of a fixed boundary of the kind which can be translated onto a map?

First the notion of *ager Romanus*, as opposed to someone else's *ager*, is clearly a significant claim, and obviously reminds one of the allegedly very early treaty commitment to respect the territory of Gabii<sup>38</sup>. The existence of *ager Gabinus*, defined by treaty, does imply a world of different *agri*, but presumably similarly defined and recognised, so that one knew when one had passed from one to the other.

Varro's description (VARRO, *LL* 5.33) of the kinds of *ager* which existed shows a fascinating progression from precision to generalization:

«*Ut nostri augures publici disserunt, agrorum sunt genera quinque: Romanus, Gabinus, peregrinus, hosticus, incertus. Romanus dictus unde Roma ab Romulo; Gabinus ab oppido Gabiis; peregrinus ager pacatus, qui extra Romanum et Gabinum, quod uno modo in his servantur auspicia; dictus peregrinus a pergendo, id est a progrediendo: eo enim ex agro Romano primum progrediebantur: quocirca Gabinus quoque peregrinus, sed quod auspicia habet singularia, ab reliquo discretus; hosticus dictus ab hostibus; incertus is, qui de his quattuor qui sit ignoratur*».

The idea of *ager incertus* in the context presumably refers to relations between Romans and others. It is possible to say that Varro is reflecting immensely old concepts, contemporary with the *ager Romanus antiquus* itself<sup>39</sup>. Indeed it is precisely by associating augural law with early concepts of land, and assuming that the augural law was unchanging, that we find the mechanism which permits the continuing knowledge of this ancestral concept. Yet this is dangerous precisely because it radically underplays the inventiveness, creativity and messiness of augural law. As Linderski wryly notes, even Cicero's references to *antiquissimi augures* need not mean more than 'some time before the age of Cicero'<sup>40</sup>.

There are other arguments which can be deployed which should have made us worry more about the line on the map. The first of these is cartographic practice and spatial conceptualization. The argument over Roman map-making has been a long one, and positions have been taken which perhaps at the end look extreme, but we do have to face the significant question of whether the Romans conceptualised space in the way we do when

<sup>37</sup> CORNELL 2003, p. 77 argues that «cross-contamination ... is not a necessary assumption and would be difficult to prove either way». See FLOWER 2015 for the highly constructed nature of the memoirs which included the march on Rome.

<sup>38</sup> *Ager Gabinus*: CATALANO 1978, pp. 494-495; for the *foedus Gabinum* see D. HAL. 4.58 (it was preserved on the leather cover of a shield in the temple of Semo Sancus at Rome) and coins minted by the Antistii of Gabii (*RIC*<sup>2</sup> 1, 68 no. 363 and 73 no. 411). See BRUUN 1967; MONTERO HERRERO 1981.

<sup>39</sup> FESTUS p187L ignores *ager Gabinus* and *ager incertus*.

<sup>40</sup> LINDERSKI 1986, p. 2156.

we identify the concentric circles at the centre of our maps – urban tribes, pomerium, *ager Romanus antiquus*, and so on<sup>41</sup>. At the very least, it is worth noting that all the evidence we have relates to distance from Rome along key roads<sup>42</sup>. Would the Romans have found it necessary to join the dots<sup>43</sup>?

Second, and not unrelated, is the notion of territory and frontier which we are deploying. To start at a very high level of abstraction, there is a genuinely significant issue of when the concept of territory actually came into being, and this has been the subject of a remarkable book by Stuart Elden<sup>44</sup>. The advanced modern concept of territory, ‘a bounded space under the control of a group of people, usually a state,’ is on Elden’s reading something we owe to Leibniz. It is the historical product of many different concepts, cartographic, military, religious, and above all political. It is part of an argument about sovereignty, and it was completely familiar as a concept to all the 19<sup>th</sup> century authorities who started to use the term *ager Romanus antiquus* and not part of the mental landscape of Scaliger and his contemporaries. This may give us an important clue as to where the idea of a fixed quantity of territory came from<sup>45</sup>.

The Romans of course had a notion of boundary and barrier, but fluidity and indeterminacy must not be overlooked. It is not until their imperial expansion, and indeed it was perhaps because of it, that the Romans start to think in terms of defined areas of their empire. One way of explaining how the Romans could have had a very precise definition of their early territory this is to fill the *ager Romanus antiquus* with rigidly defined plots of *bina iugera*. Even if the Romans were vague about the notion of fixed borders until a relatively late date, it has been argued that they seem to have had the notion of parcels of land from an early point<sup>46</sup>. At some stage, on this argument, the Romans must have differentiated between original and non-original allocations. At the very least, we have to acknowledge that since the initial distribution is attributed to Romulus, and then to Numa,

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<sup>41</sup> A good example is to be found CARANDINI 2006, fig 32, which in a sense is a visual representation of CATALANO 1978. On Roman maps, see JANNI 1984; DILKE 1985; NICOLET 1991; BRODERSEN 1995; ID. 2004; PURCELL 1990.

<sup>42</sup> See SCHEID 1987, p. 592, footnote 29: «*F. Zevi me segnale, à bon droit, que cet ensemble d’entrées sur l’ager Romanus antiquus permet de reconstituer le réseau des grands axes routiers de l’époque archaïque*». This is a sharp and important point.

<sup>43</sup> Clearly the Romans sometimes did do so. At the least, the phrase *regere finem* implies the existence in the time of Cicero, and possibly much further back, of boundary management; CIC., *leg.* 1.21.55 (referring to the XII Tables VII.2-5 Crawford; *Top.* 10.43; *Mur.* 9.22; *Tib.* 1.3.44; *Dig.* 10.1 and *CJ* 3.39 *tit.*, with VINCI 2004. The *pomerium* also implies some sense of a circuit, and the *Terminalia* and several other of the festivals associated with boundaries and some attributed to the boundaries of the *ager Romanus antiquus* are in the older festival calendar; see BAUDY 1998; PICCALUGA 1974; RÜPKE 2011 for the calendar. Another approach is to see the boundary as a feature of Indo-European thought, and so absolutely rooted in ancient culture, and indeed connected with the role of the *rex* (hence *regere fines*), a view which derives from Benveniste’s brilliant theories (BENVENISTE 1973, p. 307). None of this proves the existence of the specific *ager Romanus antiquus* which modern scholars argue about.

<sup>44</sup> ELDEN 2013.

<sup>45</sup> Without entering the debate over the conclusions drawn for the Social War, my argument here inevitably invites comparison with Mouritsen’s brilliant analysis of Mommsen’s view over Roman imperialism as a process of *Vereinigung*, and the way Mommsen saw unification as a process whereby incorporation into Roman territory meant incorporation into Roman sovereignty. See MOURITSEN 1998.

<sup>46</sup> On the *heredia* see CAPOGROSSI COLOGNESI 1988; ID. 2006. More sceptically, GABBA 1985; and see MOATTI 1993 for the late introduction of record keeping.

Tullus Hostilius and Servius Tullius, we are dealing with a subsequent (and possibly late) rationalization of the observed reality. Moreover, no source explicitly relates these distributions to any original territory.

This is why one looks for non-narrative descriptions in the hope that they might retain through their differential mechanisms of preservation of information the sort of evidence we need. Augury is one of the ritualized actions which seem to offer precisely the sort of practices which related to fixed boundaries. The song of the Arval Brethren is another key text, since it relates to specifically to the shrine of *Dea Dia*. Preserved epigraphically, it appears to invoke Mars as protector of the *limen*, which might mean *limes*<sup>47</sup>. But how and why did this text get written down by the Arval Brethren early in the third century AD? What are the mechanisms for choosing texts to be recorded, and how reliable are the exegeses?

This is partly the subject of Duncan MacRae's recent volume, and his account offers a salutary description of the performance of constructing a civic theology in the second and first century BC. This was an elite business, and as with almost all genres, the reference to the distant past was a self-conscious legitimization, with little real purchase on reality. The *leges regiae* could be of any period; their 'regalness,' like the reference to the books of Numa, has a relevance to late Republican practice. As MacRae writes, 'the idea of a body of religious law passed down from Numa (or even earlier) supported the selective textualization of particular rituals and customs'<sup>48</sup>. Augustus' intervention into the practices of the Arval Brethren, and the general recuperation of the regal past, all have their roots in second and first century BC writing and thinking about religion<sup>49</sup>. These processes are then replayed in the Severan period, as we see another phase of activity, with a self-referential nod to the distant past.

The language of the Arval Hymn suggests its antiquity, but the point is that this is an antiquity mediated through subsequent reflection. The two key consequences are that it is highly probable that augural law and other practices evolved, and indeed we shall see this process actually happening later in this essay, and that evolutions may have sought justifications in reinterpretations and representations of the past. Consequently there are no fixed practices which we can use straightforwardly to anchor the narratives. *Ager Romanus* was a matter of definition and definitions changed. Moreover, we must be alive to the plausibility of notions of territory within fixed borders over which a state exercises sovereignty, which are seldom applied for the Roman empire, and arguably derive from entirely different thought-worlds.

In short, an argument derived from the assumption that there were rigid legal definitions to be recovered from the archaic period looks to be problematic, even if this was in fact precisely how the argument originally started. Can we therefore find explanations rooted in practice which might permit a different kind of transmission?

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<sup>47</sup> *CIL*, VI 2104 = 32388; SCHEID, TASSINI, RÜPKE 1998, no 100; SCHEID 1990, pp. 616-623. All discussion must start from NORDEN 1939.

<sup>48</sup> MACRAE 2016; quote at p. 47. See also WATSON 1972; FIORENTINI 2011, pp. 281-289.

<sup>49</sup> It may not be entirely irrelevant that Augustus seems to have taken a very keen interest in boundaries; see CAMPBELL 1996, pp. 96-98; ID. 2005, p. 326.

## FRONTIER SANCTUARIES

For Alföldi and for Bourdin and for many others, including myself, sanctuaries have come to be a key factor in the definition of territory. There are a lot of contributing factors. One was undoubtedly the brilliant and influential thesis of de Polignac on extra-urban temples in the Greek world, published in French in 1984 and in English in 1995. This really was a game-changing book. The idea of the frontier sanctuary, especially when connected with hero-cult and wild/civilised structuration, and exported to colonial contexts, seemed to have superb explanatory power. It made the whole centre-periphery argument so much more alive<sup>50</sup>.

When brought into the context of Roman expansion, and indeed models of central Italy generally, de Polignac's model looked to have something very powerful to say. The notion of a sanctuary on a boundary, both defining and negotiating liminality, provokes lots of ideas – one thinks perhaps of Lavinium; attaching this to hero-cult is really intriguing when one thinks of places like Tor de' Cenci or some of the rather isolated rural burials<sup>51</sup>. So the sanctuaries discussed above could look very much as if they are along the lines of these extra-urban sanctuaries.

The current focus on memory is significant here, because for the model to work, we have to assume that the Romans remembered something which was far in their actual past<sup>52</sup>. Alföldi was also interested in memory – his argument was that the Romans invented memory. The fact that the Roman sources are so much later than the events of early Rome forces us to use models of memory, memorialisation, and ritualization to help explain how any information passed on at all. So the idea that the Romans sustained a concept of the *ager Romanus antiquus* – that is a concept of the territory as originally (whatever that means) defined – is attractive, and especially in the context of sanctuaries as 'places where human and material agency interact in such a way as to pass on a varied but linked complex of knowledges from one highly selected generation to another'<sup>53</sup>. It fits with the assumptions about the Romans as being hoarders of information; it fits with nuanced accounts of Roman religion in which preservation and invention of tradition, or put another way conservatism, conservation and adaptation are all bound together<sup>54</sup>. Roman religion can change because it has a notion of its own past.

We do have to be careful however to recognise the limitations of de Polignac's model as applied to our own case. In his contribution to the Taranto conference on *Confini e*

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<sup>50</sup> DE POLIGNAC 1995. For a very helpful sceptical reading, see POLINSKAYA 2006, p. 85: «there is plenty of evidence... to show that there is no opposition, no dichotomy, but rather a continuous line drawn through the landscape between multiple sacred spots, each segment of which is meaningful».

<sup>51</sup> TORELLI 1984; see BEDINI, CATALANO 1988 for Tor de' Cenci as a *Compitum*.

<sup>52</sup> Another memory is of the Tiber as the border between Rome and Veii; see FESTUS 232L; GELL. 20.1.46-7 (the provision in the Twelve Tables on selling debtors *trans Tiberim*; cfr. LIVY 8.14.5-6 and 20.9, with OAKLEY 1997-2005 ad loc. The Senate requires Sulla not to come closer to 40 stades to the city in 89 BC (APPIAN, *b.c.* 1.255), that is at the *Fossa Cluiliae*; see GABBA 1958, p. 168. BOURDIN 2012, p. 513 observes «la frontière concentre les représentations et les polémiques identitaires. ... le Tibre, que n'est plus une frontière inter-ethnique depuis le Ve s. av. J.-C. au moins, conserve son image de *Tuscus amnis* encore à l'époque impériale». See DE LAURENZI 2005 for the reinforcement of remembered frontiers in the description of the Augustan *Regio* of Etruria. On memory, see GALINSKY, K. 2014; GALINSKY, LAPATIN 2015.

<sup>53</sup> WOOLF 2015, p. 213.

<sup>54</sup> One of the critical demonstrations of the construction of religious memories of Rome's early past is BEARD 1987.

*Frontiera*, Torelli began to offer some qualifications to the wholesale adoption of the model of a frontier sanctuary, and to insist on the proper contextualization of each site<sup>55</sup>. As we have seen, Ziółkowski and Stek have also begun to chip away at the plausibility of the frontier sanctuary model.

There is a tension between a border and a place of interaction. To what extent should we see sanctuaries as ‘owned’ or shared? To what extent do the sanctuaries in any sense police a border? They marked, as we have seen, something along a road, usually a road out of or into a city, but thereafter we need to be thoughtful as to how a wealthy sanctuary was defended. Either it was so far inside the boundary that its security was to be assumed, or it was guarded by its sanctity, which was again a value generally recognised.

This is interesting because the earlier the notion existed, the more it has to co-exist with archaic notions of horizontal social mobility, such as we see in the epigraphic record, and we need to combine it with the phenomena of *commercium* and *conubium* between Romans and Latins<sup>56</sup>. In a sense what we are seeing is a balancing act between definition and permeability; it is the same sort of complex story that we see when we have to think about walls and gates<sup>57</sup>. They presuppose each other. But a walled city and a territory are also very different from each other.

This is to an extent the problem identified by Bourdin with his concept of the ‘*frontières sacrées*’ which are then absorbed into a ‘*frontière fortifiée*’ with the establishment in the fourth century of Ostia and La Giostra<sup>58</sup>. The originality of Bourdin’s approach is to place the Roman reality into a broader central Italian context; so he compares the modest radial boundaries of Rome with the twenty km radius of the border of Caere. Like Tarquinia, Rome extends its boundary and fortifies it in the fourth century BC. For Bourdin, the frontier can be both physical and symbolic but ultimately always political: «*La frontière est matérialisée quand elle est investie par une autorité politique; elle n’est que la traduction spatiale de la cessation d’une autorité politique, qu’elle cesse par dilution ou par tangence. ... La frontière est la traduction spatiale de l’exercice d’une autorité politique*»<sup>59</sup>.

This would place the six mile border as the extent of Roman territory in the sixth century BC, and the role of the sanctuaries as genuinely border guards of the integrity of the Roman territory. Bourdin actually finds himself arguing for a similar view of Rome in the sixth century to Alföldi. It would be easy to spin a story that this vulnerability assisted those processes of memory formation, but archaeologically, we have little evidence for the sanctuaries; Acqua Acetosa Laurentina has an *agger*<sup>60</sup>, but we have nothing relevant for

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<sup>55</sup> «Occorre perciò procedere con molta cautela nel riconoscere la caratteristica di luoghi della “frontiera”, che troppo spesso certa critica storica, nell’ansia di indicare i possibili luoghi dell’integrazione, ha attribuito con larghezza a molti santuari coloniali purché extramuranei: altro è la natura di luoghi di culto sorti ai margini delle chorai coloniali a segnare l’identità culturale e religiosa dei coloni sparsi nel territorio (e spesso, non a caso, si tratta di duplicate di grandi culti urbani o suburbani), altra è la concreta funzione storica svolta da alcuni grandi santuari extra moenia, con le loro feste, le loro fiere e i loro rituali capaci di favorire spinte in direzione di un’integrazione etnica e culturale tra i frequentatori» (702).

<sup>56</sup> This contradiction underpins Armstrong’s recent attempt to resolve the paradoxes through arguing for mobile clans and an early state of continuous sporadic warfare (ARMSTRONG 2016).

<sup>57</sup> SMITH, TASSI SCANDONE 2014.

<sup>58</sup> BOURDIN 2012, pp. 429-513. See also CIFANI 2003.

<sup>59</sup> BOURDIN 2012, p. 511.

<sup>60</sup> ZIÓŁKOWSKI 2005 for *aggeres* in general.

the grove of Dea Dia. So this section leads us to ask two questions; first does the archaeology more generally support the view that we are looking at a ring of frontier sanctuaries, and second is the evidence for the sanctuaries sufficiently strong?

#### FULMINANTE AND THE ARCHAEOLOGICAL CONSTRUCTION OF THE *AGER ROMANUS ANTIQUUS*

Francesca Fulminante's major book on central Italy is beyond doubt the most sophisticated recent intervention, deploying a range of technical arguments and tools to draw a new picture of the social and economic development of Rome and its hinterland<sup>61</sup>. Fulminante lays emphasis on the importance of the Late Bronze Age, very much in the line of Peroni's assessments of the evolution of central Italian society<sup>62</sup>. She also presses the case for major developments in the eighth century BC, not only at Rome but across Latium, thus strengthening the case for a regional approach to the study of Rome.

With specific reference to the *ager Romanus antiquus*, Fulminante begins from the standard bibliography and runs through the arguments made from the sources. Her argument then tends to make the case for the five mile radius as representing a very early territorial extent. Her methods include Thiessen polygons, carrying capacity, and viewsheds<sup>63</sup>. The first method has to be nuanced by the introduction of a polycentric hierarchical settlement pattern. However, the results all arrive at more or less the same claim, that Rome had extended its control of the five mile radius, and was exceeding the carrying capacity of that area, by the mid-eighth century. The definition of this area is therefore is extremely early, and she suggests it was formalised around the same time as the eighth century 'foundation of the city'.

It will be immediately obvious that this conclusion is in tension with the view of Alföldi and Bourdin that the sanctuaries were marking the limit of Roman territory at some point in time, which both of them date to the sixth or fifth centuries BC. It will also be immediately evident how difficult this is for any sensible version of the argument based on the generation and preservation of memory through the sanctuaries. In essence, a memory of a defined area of *ager Romanus antiquus* will have had to be preserved from the early Iron Age. My view is that this is highly unlikely and that if the notion of the survival of the memory of a clearly defined border from the sixth century is problematic, it is inconceivable that it survived from the ninth century. If Fulminante is right, Bourdin's nervy exposed frontier must fall.

Fulminante also argues that her conclusions predict Roman militarism; in other words, the fact that Rome exceeded its carrying capacity predetermines the acceleration

<sup>61</sup> FULMINANTE 2014.

<sup>62</sup> Fulminante developed some of the ideas in a volume in honour of Peroni; FULMINANTE 2005. On Peroni's overall picture, see most conveniently PERONI 2004.

<sup>63</sup> There are some issues with Fulminante's analyses – for instance, the morphology of the *ager Romanus antiquus* (fig. 32) is derived from a shortest-path analysis, using the sanctuaries which are argued to be definitional for the boundary. This is then captioned as 'the *ager Romanus antiquus* according to the literary sources' which is somewhat misleading; it is a projection based on the assumption of a 'shortest-path' approach onto certain fixed points, only some of which are really secure, and none of which can be taken to prove a continuous border. This is non-trivial, because although Fulminante is very clear about the methodology's shortcomings, the map is used throughout the chapter and runs the risk of becoming a new canonical version.