

## Indirect Arguments and Military Service in Livy's Early Books

This paper focuses upon the small speech acts in the early books of Livy, particularly in books 6-8, of the common soldier, as filtered through the centurions, magistrates, and tribunes. These arguments are often cast into a common mold of straw man indirect statements against which Livy may display a rhetorical creation of his own wordsmithing, put into the mouth of an illustrious man of the past, or encapsulated in letters to be read. Even if we accept the content, we may all look askance at the motivations Livy ascribes to these complaints and petitions.

And yet. The debates over military service and proper use of the spoils of war reflect real challenges of early Rome. Even if Livy is inclined to praise the common soldier's discipline and reprimand that soldier's pesky insistence on his rights and a share of the loot, we should acknowledge a certain state of fluidity in those expectations. Moreover, Rome's frequent pronouncements of the obligations of subjects and allies are most often found on occasions when they have been found to be in breach.

The most famous example may be the challenge to subject Antium to cease from piracy (338 BC, Livy 8.14, discussed in Bispham 2012, de Souza 1999, 2008, 2012), while also expecting continued military service from Antium. Similar reprimands of allies can be seen in 6.6, 6.10 (386 BC, cf. 6.17) which calls into question the state's authority over her citizens, for example: 'they [The Latins] claimed merely that they said they did not prohibit volunteers from serving as soldiers where they wished'. A similar account of a city's troops fighting in others' armies is found in 6.25-26, where the presence of Tusculan troops is met by only surprise in Tusculum (cf. 7.20 (353 BC) and Caere). The Tusculan leader's speech in 6.26 is one of the few instances of direct speech in this paper. In 6.21, factions in several of Rome's allies incite the

cities into war with Rome, yet no set-piece speech is to be found. 7.12 describes Roman soldiers as so impatient with waiting that they wish to give battle without orders while the soldiers at 8.32 and 8.35 chafe under a harsh magistrate.

A preponderance of such episodes might occur in book six, adding a thematic element to an understudied book. Livy's well-known tendency to include items on the grounds that this was the first time something had happened (cf. Richardson 2014) may go some ways towards explaining the matter, as well as his ongoing interest in the electoral shenanigans of the fourth century. The former is undoubtedly supported by Livy's respect for the maiores—anything of such age must have been a good idea. (see Miles 1988) However, while Livy calls the reader's attention to such firsts, he also doles out a few more details that illustrate a substantial back-and-forth. In particular, Livy's frequent recall of the earlier issues surrounding cities like Antium, Velitrae, and Tusculum (such as the 8.37 (323) proposal to punish Tusculum for events many years earlier) suggest either variations in Livy's sources (doublets, as argued by Oakley's commentary) or indicates an ongoing renegotiation of allies' obligations (as I argue here).

This paper considers also episodes like 6.4.11, where the magistrates are too slow to prevent the soldiers from distributing the booty, 6.31 where the plebeians object to the draft, and the ban on talking to the enemy in 8.6, which all speak to this same dissatisfaction. But in the end, it is seen that Livy tends to use the same grammatical buildups for illustrating the soldiers' concerns.

## Bibliography

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