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ABSTRACT

THE INFLUENCE OF THE PLEBEIAN CLASS  
WITHIN THE ROMAN POLITY  
FROM 509 TO 241 B.C.

By

Paul William Wreford

When the Roman Republic was founded in 509 B.C., Roman society was comprised of patricians and plebeians, aristocrats and ordinary citizens. Until 451 the plebeians possessed no legal rights whatsoever, and it was not until 287 that they became constitutionally equal to the patricians. The main question posed by this thesis is what influence did the plebeian class exert upon the Roman senatorial government from 509 to 241 B.C.?

The primary sources, the extant ancient historical writers, are relied upon in this study as the bases for historical information. The secondary sources are utilized to provide perspectives, interpretations, and contrasting points of view.

The following are the major findings of this thesis. (1) Even when they lacked legal rights, the plebeians could exert an indirect influence upon the Roman government due to the fact that their cooperation was essential to the survival of an independent Rome. The plebeians retained this influence until the end of the Republic. (2) Toward the end of the fifth century B.C. a small group of fairly



wealthy plebeians began to agitate for political equality with the patricians, using the plebeian tribunate as their power base. The vast majority of the plebeians remained preoccupied with economic necessity. (3) After the office seeking plebeians realized their ambitions in the fourth century, they coalesced with the patricians to form the new aristocratic governing caste of Rome, the nobilitas. (4) The new senatorial class proved to be as jealous of its prerogatives and as hostile to the upward social mobility of outsiders as the patricians had been two centuries earlier. (5) The non-aristocratic plebeians, the ignobiles, possessed virtually no independent political influence in the third century B.C. (6) The plebeian class as a whole wielded its greatest influence over the Roman government from 444 to 397 B.C., the only period during which even its humblest members freely played a major role in selecting the chief administrative officers of the state.

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FROM 509 TO 241 B.C.

By

Paul William Wreford

A THESIS

Submitted to  
Michigan State University  
in partial fulfillment of the requirements  
for the degree of

MASTER OF ARTS

Department of History

1976

Copyright by  
PAUL WILLIAM WREFORD  
1976



This  
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This thesis is dedicated to my wife Deborah,  
without whose assistance it could not have been written.

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## ACKNOWLEDGMENTS

I wish to convey my most sincere appreciation to my director, Professor Eleanor Huzar, and to my second reader, Professor Marjorie Gesner, for their patience and invaluable assistance.

I wish also to express my deepest gratitude to my parents, who deserve the credit for what is best in me (and, hence, in this thesis), and are blameless for what is worst.



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## INTRODUCTION

During its republican period the city-state of Rome grew to be very strong, not a little because its citizens believed in strength. This belief in or (better yet) assumption of strength as a positive ideological value (i.e., a virtue) permeated Roman social, political, and legal institutions and policies.

Nowhere was the perception of strength as a virtue more essentially reflected than in the Roman clientela system, wherein the stronger party (the patron) protected the weaker (the client) in return for unlimited though amorphous support.<sup>1</sup> Patron-client duties and obligations were never explicitly enumerated by law, but were intrinsic to Roman conceptions of morality.<sup>2</sup> The client had no legal claim to his patron's assistance and, indeed, the patron was perfectly free to interpret his moral obligations toward his client in any way that pleased him.<sup>3</sup> His actions, however,

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<sup>1</sup>The Roman system of clientela has been brilliantly elucidated by Ernst Badian in Foreign Clientelae (Oxford at the Clarendon Press, 1958); see especially pp. 1-13.

<sup>2</sup>Aulus Gellius (Attic Nights 5.13) states that a Roman's obligation to serve his patron was second in importance only to the obedience owed to his parents. Duty toward one's client was third in Gellius's hierarchy.

<sup>3</sup>Badian, F.C., pp. 11, 62. The patron might assist

were effectively circumscribed by the mos maiorum and by the Roman ideological concept of fides, the meaning of which encompassed the patron's honesty and trustworthiness as well as his ability to safeguard his client. It was thus a point of honor for the patron to exhibit his fides by protecting his client; that is, the principle that the stronger should shelter the weaker was endorsed by Roman morality and custom.

Roman government and society were, of course, aristocratic in orientation. The fact that patronage was at least initially an aristocratic prerogative is strongly suggested by the ancient tradition which describes the original patron-client dichotomy as being synonymous with that between patrician and plebeian.<sup>4</sup> A.H.J. Greenidge maintains that the plebeian class itself evolved out of original clientship to the patricians. Later, when the patricians merged with office holding plebeians to form the nobilitas, class lines no longer strictly coincided with clientela, for prominent plebeians then possessed many clients of their own.<sup>5</sup> Despite or, perhaps, because of the evolution of Rome's ruling class, patronage seems always to have retained its aristocratic flavor, and fides has been

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his client in the law courts, in times of economic distress, or in launching a political career: see H.H. Scullard, Roman Politics, 220-150 B.C., 2nd ed. (Oxford at the Clarendon Press, 1973), pp. 16f.

<sup>4</sup>Dion. of Hal. 2.8-10.

<sup>5</sup>A.H.J. Greenidge, Roman Public Life (London:



generally regarded as an aristocratic concept by modern historians. Gelzer, for example, states that "... in the general consciousness nobility was synonymous with the possession of many clientelae."<sup>6</sup> Badian contends that having many clients enhanced an aristocrat's prestige, for it illustrated the trust placed in his fides.<sup>7</sup> Indeed, we have good reason to believe that the rulers and the patrons of Roman society were the same. Perhaps it is not irrelevant to add that the Romans idealistically envisioned aristocratic government as "government by the intellectually and morally best, in the interest of the governed."<sup>8</sup>

For the patron to abuse his position of absolute authority by impinging too much upon his client's energies or resources was considered dishonorable and a violation of his fides. Conversely, "the obedience of the weak [the client] to the strong [the patron] was, to the Roman aristocrat, nothing less than an eternal moral law."<sup>9</sup> In short, the Roman clientela system functioned to regulate the relationships between stronger and weaker parties so as neither to deprive the former of the advantage inherent in his

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MacMillan & Co., 1930), pp. 5-9.

<sup>6</sup> Matthias Gelzer, The Roman Nobility, Trans. by Robin Seager (Oxford: Basil Blackwell, 1969), p. 101.

<sup>7</sup> Badian, F.C., p. 10.

<sup>8</sup> Paul McKendrick, The Roman Mind at Work (Princeton: D. Van Nostrand, 1958), p. 53.

<sup>9</sup> Ernst Badian, Roman Imperialism in the Late Republic, 2nd ed. (Cornell University Press, 1968), p. 15.

superior position nor to humiliate the latter for his inferior status. Both parties were granted the opportunity to pursue voluntarily an "honorable" course of action. Strength and obedience were thus viewed by the Romans as cardinal virtues, since both implied significant moral responsibility--that the former was pre-eminent by its very nature goes without saying. Moreover, we can perceive that the Roman attitude toward strength was aristocratic in orientation from its exaltation of the individual, its romanticization of the concepts of command and obedience, and its utterly chivalrous approach to the obligations intrinsic to personal power. The aristocratic flavor of the Roman concept of strength becomes even more apparent when one considers the Roman antagonism to monarchy, the political disposition most potentially dangerous to senatorial predominance.<sup>10</sup>

Two further examples may suffice to illustrate the Roman perception of strength. The first is the position of absolute authority that was held by the Roman paterfamilias within his family. The head of a Roman household traditionally exercised the power of life and death over his wife and his progeny.<sup>11</sup> As late as the second century B.C.,

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<sup>10</sup> Throughout this study it is assumed that the nobility decisively influenced Roman ideology and culture. See R.E. Smith, The Failure of the Roman Republic (Cambridge at the University Press, 1955), Chapters Two and Three.

<sup>11</sup> Dion. of Hal. 2.25-26.

Marcus Cato reportedly condoned in principle the slaying of an adulterous wife by her husband.<sup>12</sup> No instance of a husband's putting his wife to death has come down to us, but we do know of two occasions when a father executed his son.<sup>13</sup> The important point is that the pater's power of life and death over the members of his family was never circumscribed by law during the republican period. Instead, his conduct was effectively moderated by public opinion--the Roman pater could not abuse his position as absolute head of his family without bringing great shame upon himself and his gens.<sup>14</sup>

The same principle can be perceived regarding the Roman general's authority over booty (that is, the moveable spoils). As the exclusive holder of imperium, the Roman military commander was free to dispose of the booty as he wished; attempts to impose legal limitations upon the general's prerogative never succeeded during the republican period. Like the patron and the pater, however, the Roman general was unlikely to abuse his position of superiority. An inequitable distribution of the spoils could redound to his dishonor. Furthermore, discontent over booty could result in a later prosecution, ostensibly for other aspects of his administration, or in future electoral failure.<sup>15</sup>

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<sup>12</sup>Gellius, Attic Nights 10.23.

<sup>13</sup>Livy 2.5; 8.7. Two other possible instances of a father's executing his son: Oros. 4.13; and Diodorus 12.64.

<sup>14</sup>Tenny Frank, Aspects of Social Behavior in Ancient

In short, the Roman general's disposition of booty was circumscribed by other than legal sanctions.

To recapitulate briefly, the Roman conception of strength was as follows: (1) a position of strength was considered a virtuous position; (2) strength was viewed from an aristocratic perspective; and (3) superior power was properly regulated by its possessor and by public opinion.

The most critical point has been saved for last. Strength is by definition a relative concept, meaningful only in respect to others. Now since (in my opinion) a strong position was considered intrinsically virtuous, it was natural for Roman society to be imbued with an energetic competitive spirit. The political life of the Roman Republic was in fact characterized by the competition for power, wealth, and glory at home, in Italy, and throughout the Mediterranean world.<sup>16</sup> But let us take this a step further: the Roman clientela system, besides regulating the relationship between two parties of unequal strength, effectively eliminated the weaker individual or group as an object of actual or potential competition for the stronger

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Rome (Cambridge: Harvard University Press, 1932), pp. 10ff.; and John Crook, Classical Quarterly n.s. 17 (1967), pp. 119ff.

<sup>15</sup>Israel Shatzman, Historia 21 (1972), pp. 177, 194ff., 202, 204f.

<sup>16</sup>Ronald Syme, The Roman Revolution, 2nd ed. (Oxford University Press, 1952), p. 11.



party.<sup>17</sup> Thus the Roman perception of strength and its most significant rationalization, the clientela system, not only morally enshrined aristocratic government, but also proscribed, on ideological grounds, domestic political competition between the social orders.

We know, of course, that throughout its history the Roman Republic was recurrently beset with internal disputes over political, economic, and social issues. What were the fundamental points of contention in patrician-plebeian disputes? How and why did the plebeians seek to influence Roman domestic and foreign policy, and what degree of success did they achieve? Were discernible ideological limits self-imposed by the patricians and/or the plebeians pertinent to their methods or goals? The purpose of this study is to offer partial answers to these questions for the republican history from 509 to 241 B.C.

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<sup>17</sup>The client's recognition of his relative inferiority was axiomatic, whether he owed his position to (1) inheritance; (2) manumission; (3) deditio; or (4) applicatio. See Badian, F.C., pp. 2-9.

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## CHAPTER I

### THE ANCIENT SOURCES AND PLEBEIAN POLITICS

The greatest obstacle to an effective study of early republican history is the factual unreliability of the Roman annalistic sources. The problem is especially acute for the period prior to the burning of Rome by the Gauls (c. 509-c. 390 B.C.), for which most if not all of the written records were lost. Our best sources for the early Republic, Livy, Dionysius of Halicarnassus, and Plutarch, all wrote hundreds of years after the events they sought to describe, and labored under the handicap of a paucity of primary sources.<sup>1</sup>

Furthermore, the extant accounts are unanimous in presenting early republican history from the senatorial viewpoint. Some of the possible reasons for this are: (1) several of the more important Roman historians, particularly Livy and Polybius, frankly embrace the Roman aristocratic ethos;<sup>2</sup> (2) the vast majority of the literary

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<sup>1</sup>Livy and Dionysius wrote during the Augustan era, Plutarch in the second century A.D. Polybius began his history with the First Punic War (264 B.C.) and is thus of limited relevance to this study.

<sup>2</sup>The Oxford Classical Dictionary, M. Cary et al., ed. (Oxford at the Clarendon Press, 1949), pp. 509f., 710f.; also P.G. Walsh, Livy: His Historical Aims and Methods

sources available to Livy and the others were senatorial compositions;<sup>3</sup> (3) the Roman historical perspective was essentially aristocratic in viewing history as primarily influenced by great individuals;<sup>4</sup> and finally, (4) Roman historiography was usually intended to enhance the prestige of a gens, to represent Rome to the Greeks favorably, and/or to eulogize senatorial predominance within the Roman polity.<sup>5</sup> The extant accounts of early republican history can, therefore, best be viewed as senatorial interpretations that are sometimes factually unreliable but almost always very indicative of the aristocratic attitude toward an event.

The preoccupation of the extant ancient writers with senatorial heroes, families, and mores often betrays their lack of sympathy as well as interest in the humbler echelons of Roman society. Polybius, for example, our best source for the First Punic War, is content to interpret Roman domestic politics through the very idealistic and aristocratic eyes of the Scipionic circle. His portrayal of the Roman constitution in his sixth book is valuable in

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(Cambridge at the University Press, 1963), Chapter Two.

<sup>3</sup>For example, C. Acilius, Claudius Quadrigarius, Valerius Antias, Fabius Pictor, Licinius Macer, Aelius Tubero, and Cato the Elder. See Ernst Badian, Latin Historians, Thomas A. Dorey, ed. (New York: Basic Books, 1966), Chap. One; and Oxford Classical Dictionary, pp. 4f., 11, 198, 355, 433f., 510, 526, 934f.

<sup>4</sup>McKendrick, The Roman Mind, p. 41.

<sup>5</sup>Oxford Classical Dictionary, pp. 433f., 526, 934f.

that it reveals how the second century aristocracy thought the state should function. Polybius's neglect of Rome's domestic affairs, especially the concerns of the general populace, reflects the complacency of the nobilitas in the second century B.C.

Plutarch is only occasionally valuable as a source for plebeian activities because he is primarily interested in drawing moral lessons from the lives of great men. He is concerned with plebeian issues only when they affect his biographical subjects, and even then he treats them sparingly.<sup>6</sup> The extant writings from Appian, Cassius Dio, and Diodorus Siculus are too fragmentary to be very useful, while the epitomizers, Florus, Eutropius, Justinus, and Orosius are too brief to include much information about Rome's plebeians, a topic of secondary interest to nearly all ancient writers. Orosius's work also suffers in its historical value from being a Christian apology which is designed to illustrate that the world has been a better place since the birth of Christ.

The work of Dionysius of Halicarnassus, an important source for the period from 509 to 450 B.C.,<sup>7</sup> was written primarily for a Greek audience. Moreover, Dionysius is firmly convinced that Rome was founded by Greeks,<sup>8</sup> so he

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<sup>6</sup>For a good discussion of Plutarch: C.P. Jones, Plutarch and Rome (Oxford at the Clarendon Press, 1971), esp. Chap. Ten.

<sup>7</sup>Dionysius's history for 450-264 B.C. is only fragmentary.

frequently digresses in attempts to illustrate the Greek character of the Romans.<sup>9</sup> At one point he utilizes four chapters to describe a Roman votive festival which he subsequently asserts is so similar to those of the Greeks that it proves the Greek heritage of the Romans.<sup>10</sup> The problem for the modern scholar that arises from this is that we may not always easily perceive how or where Dionysius is manipulating his material to reinforce his thesis or to appeal to his audience. Moreover, Dionysius's preoccupation with rhetoric and his ignorance of early Roman conditions render his history much less reliable than we would prefer it to be.<sup>11</sup>

Although Livy provides us with our best extant history of the early Republic, his work is nevertheless far from ideal. Our greatest difficulty with it concerns his sometimes noncritical use of sources.<sup>12</sup> In addition to the senatorial compositions, Livy draws upon the popularis Roman historians who were active subsequent to the Gracchan era.<sup>13</sup> Whereas the popularis school did not shift the focus of Roman historiography away from the senatorial

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<sup>8</sup>1.5.1.      <sup>9</sup>1.89-90.      <sup>10</sup>7.70-73.

<sup>11</sup>Oxford Classical Dictionary, p. 288.

<sup>12</sup>Ibid., p. 510.

<sup>13</sup>Badian, Latin Historians, pp. 21f. Dionysius and Plutarch may also have been influenced by the popularis historians, but it is most apparent in Livy's more comprehensive narrative. Unfortunately, none of the popularis historians are extant.

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class, it acclaimed those aristocrats who (like the Gracchi) exhibited popular sympathies during their political careers. Valerius Antias, for example, magnified the popular exploits of the Valerian gens in much the same way as Fabius Pictor eulogized the senatorial and military heroism of the Fabii. Awareness of these facts leads one to suspect Livy's narrative when he depicts divers Valerii as among the leaders of the revolts against the Tarquins and the Decemvirs as well as advocates of the right of appeal (provocatio) in c.507, 449, and 300 B.C.<sup>14</sup> The conscientious scholar must sometimes read between Livy's lines in order to grasp the actual causal scenario for a historical episode.

The ancient historian who wishes to investigate the plebeian influence within the Roman state during the early Republic must acknowledge at the outset that none of his primary (and few of his secondary) sources share his orientation toward Roman politics. There is thus very much about plebeian activities and problems that is lost to us forever simply because extant Roman historians consider them unimportant. Furthermore, the plebeians themselves left us no self-portraits because they possessed neither the education nor the leisure to enable them to do so. Despite these limitations, however, several of the ancient writers, particularly Livy and Dionysius, consistently document plebeian activities as they relate to senatorial

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<sup>14</sup>2.8, 3.49, 3.54, 10.9.3-4.



politics. Therefore, our information, though incomplete and lacking in objectivity, is sufficient for significant historical research relevant to the plebeian impact on the Roman government.

## CHAPTER II

### FIRST CHALLENGES TO PATRICIAN DOMINANCE

About 509 B.C. L. Junius Brutus led the successful revolt against Rome's last king, Tarquinius Superbus. There is no reason to doubt Livy's assessment of the revolution as originating with the patricians,<sup>1</sup> especially since they assumed control of the Roman government immediately after the expulsion of the Tarquins. Despite their initial success, however, the aristocracy's position was far from secure. Modern scholarship has established that the Tarquinian dynasty was Etruscan, and that Etruscan dominance at this time extended as far south as Campania.<sup>2</sup> The momentarily victorious Roman rebels could thus realistically anticipate Etruscan reprisals. Moreover, archaeological evidence suggests that Rome was commercially prosperous under Etruscan rule,<sup>3</sup> so it was probably uncertain

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<sup>1</sup>1.59.6.

<sup>2</sup>Tenny Frank, Roman Imperialism (New York: MacMillan Co., 1921), p. 17; H.H. Scullard, A History of the Roman World, 753-146 B.C. (London: Methuen & Co., 1961), pp. 18ff.; and F.R. Cowell, The Revolutions of Ancient Rome (New York: Frederick A. Praeger, 1963), pp. 16ff.

<sup>3</sup>Tenny Frank, ed., An Economic Survey of Ancient Rome, Vol. I; Tenny Frank, Rome and Italy of the Republic (Baltimore: John Hopkins Press, 1933), p. 5. See also Dion. of Hal. 5.1.4.

where plebeian sympathies lay. If the plebeians followed their patrons in the uprising against the Tarquins, they may soon have had second thoughts. Loyalty to one's patron, being voluntary and ethical in nature, never encompassed acquiescence to an unreasonable demand for economic self-destruction.<sup>4</sup> Consequently, the patricians had somehow to gain the allegiance of the Roman populace if their embryonic government was to survive the imminent Etruscan threat.

The initial prognosis for the Republic was anything but promising. A conspiracy of young noblemen, among whom were Brutus's sons, was discovered and suppressed before it could effect Tarquinius's restoration.<sup>5</sup> The Etruscans of Veii and Tarquinii thereupon marched on Rome and, although the subsequent battle was indecisive, L. Junius Brutus was killed.<sup>6</sup> In the interlude that followed, the Senate exerted itself to gain the support of the people. According to Roman tradition, Valerius Publicola passed several laws designed to appease the populace, the most important of which granted the right of appeal to the people regarding any capital sentence delivered by the magistrates (provocatio).<sup>7</sup> The authenticity of this law is not beyond

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<sup>4</sup>See Introduction.

<sup>5</sup>Livy 2.5; Dion. of Hal. 5.6-8. Tarquinius apparently appealed to the self-interest of these aristocrats. Our sources, unfortunately, do not elaborate on this.

<sup>6</sup>Livy 2.6.1-7.1; Dion. of Hal. 5.14-15.

dispute,<sup>8</sup> and it seems more probable that the "law" was rather a pledge of good faith on the part of Valerius and his aristocratic associates.

Shortly thereafter Rome was again confronted with an Etruscan invasion, commanded this time by Lars Porsenna, the king of Clusium. The formidable nature of this adversary prompted the Senate to grant several economic favors to the plebeians. Grain and salt supplies were guaranteed by the government, while custom duties and war taxes were removed from the plebs, to be borne solely by the wealthy.<sup>9</sup> The resultant establishment of domestic unity enabled the Romans to repulse the Etruscans, though not without great difficulty.<sup>10</sup>

Whether the accounts that relate the foundation of the Roman Republic and the ultimately unsuccessful Etruscan attempts to restore the Tarquinian dynasty are history, mythology, allegory, anachronism, or, as is most likely, a combination thereof,<sup>11</sup> at least two important elements can be gleaned from them that are conducive to historical understanding. The first is that the allegiance of even the

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<sup>7</sup>Livy 2.8.1-2; Dion. of Halic. 5.19.4-5.

<sup>8</sup>Greenidge (Roman Public Life, p. 79) accepts at face value the Livian tradition, but more convincing is the opposing view of E. Stuart Staveley, Historia 3 (1955), p. 414.

<sup>9</sup>Livy 2.9.4-8; Dion. of Halic. 5.22.1-2.

<sup>10</sup>Livy 2.10-15; Dion. of Halic. 5.22-34.

<sup>11</sup>For an interesting reconstruction, see Scullard,

humblest citizen was considered crucial by the republican government when Rome was confronted with a dangerous foreign enemy. That military service rather than merely passive loyalty was desired from the plebeians is stated by Dionysius though not by Livy.<sup>12</sup> Whichever was the case, however, we must acknowledge that even in the earliest days of the Republic, the plebeian class indirectly influenced Rome's aristocratic government because its cooperation was necessary in order for the City to survive.

The other significant historical element that can be discerned in accounts of Rome's first revolution is the importance of economic factors to the plebeians. According to Livy,<sup>13</sup> the salutary economic measures enacted by the Senate immediately previous to the approach of Lars Porsenna won over the plebeians and unified the state. Economic issues became progressively more important during the fifth century, since Rome suffered an economic decline after the expulsion of the Tarquins.<sup>14</sup> Knowledge of this

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History, pp. 37f.

<sup>12</sup>Dion. of Hal. 5.22.2; Plutarch (Publicola, Dryden trans., Modern Library Edition, p. 124) states that poor citizens were relieved of taxation, which "encouraged their labors."

<sup>13</sup>2.9.5-8.

<sup>14</sup>Frank, Economic Survey, Vol. I, pp. 5f. The expulsion of the Etruscans, who had established trade patterns throughout the western Mediterranean, resulted in the loss of commerce and industry which affected Rome's urban plebeians in terms of lost income and unemployment, but did little harm to the large landowners.

recession, which affected the poor more drastically than the rich, provides valuable insight into the plebeian agitation of this period. The overthrow of the Etruscan monarchy may have saved the Roman lower class from serfdom,<sup>15</sup> but it did not safeguard them from the misfortunes of poverty.

The economic woes of the Roman poor from about 503 B.C. on are highlighted in the narrative of Dionysius. In this year Roman freedmen, oppressed by debt and harassed by avaricious moneylenders, conspired with some malcontented slaves to overthrow the Senate and restore Tarquinius to power. The movement was discovered at the last moment and the perpetrators were executed.<sup>16</sup> Controversy regarding the plight of those who were imprisoned for debt raged in the Senate and the streets previous to, during, and after the great Latin war which ended with the Roman victory at Lake Regillus (c.495 B.C.).<sup>17</sup> Finally, with war impending against the Volscians, the poor refused to participate in the state's military efforts unless they were granted some relief: "Let the Fathers serve, let the Fathers take up

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<sup>15</sup>According to Frank, Roman Imperialism, p. 7.

<sup>16</sup>Dion. of Hali. 5.53-58. This episode is not related by Livy. Most Roman freedmen would have had their former masters as patrons. See Introduction, n. 17.

<sup>17</sup>Dion. of Hali. 5.63-69. He views (5.70.1) the popular demand for a remission of debts as the impetus for the appointment of the first Roman dictator, Titus Larcius. Livy, on the other hand (2.18.1-4), cites Latin and Sabine threats as responsible.

arms, that these might incur the hazards of war who received its rewards."<sup>18</sup> One of the consuls, P. Servilius Priscus, ordered a moratorium on the collection of debts for those who enlisted, and thus restored domestic unity.<sup>19</sup> After the inevitable Roman victory, however, Servilius was prevented by his colleague, Appius Claudius, from equitably resolving the problem as he had promised, and the confinement of debtors was vigorously renewed.<sup>20</sup> Disturbances resulted, and when a levy was conducted the following year, many citizens refused to enroll.<sup>21</sup> A dictator, Manius Valerius, was appointed, and he rectified the situation by again enacting a measure that prohibited confiscation or seizure from those debtors who would fight against the enemies of Rome, in this case the Sabines, Volsci, and Aequi.<sup>22</sup> Once more Rome was triumphant, but after the danger had passed, the patricians again refused to ameliorate the debt situation as they had pledged.<sup>23</sup> What followed was the first secession of the plebs, during which the lower

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<sup>18</sup>Livy 2.24.2-3 (trans. by B.O. Foster). For an interesting discussion of the Roman soldier, patrician and plebeian, in the first century of the Republic: H.E.L. Mellerish, Soldiers of Rome (London: Robert Hale, 1964), Chapter Two.

<sup>19</sup>Livy 2.24.6-8; Dion. of Hal. 6.29.1.

<sup>20</sup>Livy 2.24.4-5; 2.27.1.

<sup>21</sup>Livy 2.27.10-28.9; Dion. of Hal. 6.34.2-3.

<sup>22</sup>Livy 2.30.4-7; Dion. of Hal. 6.39.2-41.3.

<sup>23</sup>Livy 2.31.7-9; Dion. of Hal. 6.43.2.

classes peaceably occupied the Sacred Mount and refused to contribute any labor whatsoever to the maintenance of the state, even to the extent of neglecting their farms.<sup>24</sup>

Subsequent to prolonged negotiations, the plebs were reconciled to the Senate by the creation of the plebeian tribunate.<sup>25</sup>

This episode, as related by Livy and Dionysius, emphasizes above all the military significance of the plebeians for the defense of Rome. The establishment of the tribunate was a direct result of the fact that the plebeians performed military functions indispensable to the Roman state. The strike or secession was thus the ultimate weapon at the disposal of the plebeians, which they used as a last resort in order to effect the redress of their grievances.<sup>26</sup>

Although both Livy and Dionysius relate that the division of Roman citizens by wealth into centuries for purposes of military organization occurred during the reign of Servius Tullius (mid-sixth century B.C.),<sup>27</sup> some modern historians have not been convinced of the military

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<sup>24</sup>Livy 2.32.1-8; Dion. of Hal. 6.45-46. M. Rostovtzeff advances the unnecessarily extreme view that plebeian secession did not occur previous to the third century B.C.; Rome, Trans. by J.D. Duff (New York: Oxford University Press, 1960), p. 31.

<sup>25</sup>Livy 2.32.8-33.3; Dion. of Hal. 6.89-90. Both sources are surprisingly silent concerning the resolution of the debt problem.

<sup>26</sup>Scullard, History, p. 52; also R.W. Moore, The Roman Commonwealth (London: English Universities Press,



significance of the plebeians at this time.<sup>28</sup> The key question is what form of military recruitment did Rome practice during the first sixty years of the Republic if the "Servian" constitution was not implemented until about 443 B.C.? D'Arms contends that the Roman army was purely patrician down to 443, while Rostovtzeff extends the patrician army until the invasion of the Gauls in 390.<sup>29</sup> These theories are, in my opinion, very improbable. Even if they were the only citizens legally qualified for military enlistment until 443, the patricians would most likely have mobilized armies of their clients, as Scipio Aemilianus did three centuries later against the Numantines.<sup>30</sup> The plebeians would thus have been capable of exercising an influence over the Roman government concerning their military service, regardless of the date of the "Servian" reform.

The creation of the plebeian tribunate signified the first political delimitation of senatorial power relative

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1953), p. 36.

<sup>27</sup>Livy 1.42-43; Dion. of Hal. 4.16-20.

<sup>28</sup>Hugh Last, JRS 35 (1945), p. 48; Greenidge, Roman Public Life, p. 65; and Scullard, History, pp. 46ff., all follow the ancient sources regarding the date of the "Servian" constitution. On the other hand, Frank, Economic Survey, Vol. I, pp. 20ff.; and Edward F. D'Arms, AJP 64 (1943), pp. 424ff., both assert that its implementation did not take place until about 443 B.C.

<sup>29</sup>D'Arms, AJP 64 (1943), p. 426; Rostovtzeff, Rome, p. 30.

<sup>30</sup>The patricians considered forming client armies

to the plebeian citizenry. The power of the tribune was primarily negative: by interposing his veto in order to protect his fellow citizens, he could nullify any public business transacted by the Senate or the magistrates.<sup>31</sup> From the very nature of the tribunate, it is apparent that the plebeians at this time were not intent upon rivalry with the patricians for the reins of state, but were rather intensely aware of their need for insulation against the caprice or neglect of the ruling class. In respect to economics, the aristocracy had perhaps failed to uphold its responsibility as patron of the lower echelons of Roman society. The patricians could hardly be blamed for the shortage of good agricultural land or the prevalence of famine during this period,<sup>32</sup> but their apparent lack of sympathy for those who became immersed in ruinous debt probably seemed inconsistent with the benevolent role they were expected to assume. Perceiving themselves as abandoned in their distress, the plebeians insisted on the right of self-protection.

Although the creation of the plebeian tribunate

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during the civil dissension of 455 B.C.: Dion. of Halic. 10.43.1-2. For the reference to Aemilianus, see A.E. Astin, Scipio Aemilianus (Oxford at the Clarendon Press, 1967), pp. 16f.; and Badian, Foreign Clientelae, p. 168.

<sup>31</sup>Greenidge, Roman Public Life, pp. 91-100.

<sup>32</sup>Scullard, History, pp. 52ff. The patricians may have monopolized the good agricultural land, but we have no proof of this.

undoubtedly answered a great need on the part of Rome's neglected clients, it must have had even greater significance for those plebeians who lacked a patron altogether. That numerous Romans of modest means were in this position is beyond question: many immigrants from all over Italy had been attracted to Rome during her era of commercial prosperity in the sixth century.<sup>33</sup> Whereas these newcomers may have been effectively amalgamated into the Roman citizen body, perhaps by the "Servian" constitution,<sup>34</sup> it is very improbable that they were completely absorbed into the indigenous and personal clientela system. The recession that followed on the heels of Tarquinius's expulsion would thus have been doubly severe on this group of plebeians, who were without even the facade of a social resource in the event of misfortune. According to one eminent ancient historian, debtors who were not clients were, in fact, dealt with more harshly than those who were: they could be sold into slavery or even put to death in extreme cases.<sup>35</sup> The institution of the plebeian tribunate was thus a monumental asset for all of Rome's poorer citizens--however, if they expected the senatorial order to acquiesce cheerfully in this infringement upon its prerogatives, they were sadly mistaken.

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<sup>33</sup>Last, JRS 35 (1945), pp. 33f.

<sup>34</sup>Ibid., p. 48.

<sup>35</sup>Scullard, History, p. 53.

The story of Coriolanus<sup>36</sup> has been rightly exposed as fiction by modern scholars, with the provision that a Volscian raid into Latium in 489 B.C. did actually take place.<sup>37</sup> What deserve the most emphasis in the scenario of C. Marcius Coriolanus are the allegorical elements with which it is permeated. In preface, it seems more reasonable to accept Plutarch's assertion that Coriolanus was a patrician descendant of Ancus Marcius than to see him as symbolic of the later plebeian Marcian family,<sup>38</sup> an interpretation too ingenious to be feasible. In my opinion, the Coriolanus legend can be viewed as a senatorial parable emphasizing aristocratic virtue, plebeian dependency and lack of judgment, and the ultimate and unconquerable strength of the Roman nobility, without or against which the city would be helpless.

The story immediately follows the first secession of the plebs and the creation of the tribunate. Because the farmers had neglected their fields during their stay on the Sacred Mount (the senators had, of course, cultivated their own lands), Rome was threatened with famine.<sup>39</sup> Although the

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<sup>36</sup>Livy 2.34-40; Dion. of Hal. 7.13-8.61; Plutarch Coriolanus.

<sup>37</sup>E.T. Salmon, Classical Quarterly 24 (1930), pp. 96-101; Hugh Last, Cambridge Ancient History, Vol. VII, p. 500; and Scullard, History, p. 68.

<sup>38</sup>Plut. Coriolanus, Mod. Lib. Ed., p. 262. The opposing view referred to is Salmon, CQ 24 (1930), pp. 98f.

<sup>39</sup>Livy 2.34.2-3; Dion. of Hal. 7.1.2-3.

plebeians were solely to blame for their plight, the Senate decided to subsidize them with grain brought in from other cities.<sup>40</sup> Coriolanus vigorously opposed this rewarding of impudence, and was banished from Rome by the people for his trouble.<sup>41</sup> Within a few months he returned at the head of a Volscian army and ravaged Latium.<sup>42</sup> Unbeatable in the field, Coriolanus had Rome at his mercy, but he was finally persuaded by his mother and wife to withdraw the Volscians and to establish peace between the warring states.<sup>43</sup>

Like all good parables, the story of Coriolanus is replete with pertinent morals: (1) the impudence of the plebeians toward the patricians brought famine upon the Roman state, especially upon the poor themselves; (2) only the clemency and moderation of the Fathers averted mass starvation and violence in Rome; (3) there was, however, a limit to the patience of the patricians, which, if breached, could result in grave disasters befalling the city; (4) if this should ever occur, only a feeling of family sentiment or some other such fortuitous factor could save Rome; that

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<sup>40</sup>Livy 2.35.1; Dion. of Halic. 7.20.3-4; 7.37.2. Dionysius depicts the Senate as more anti-plebeian than does Livy.

<sup>41</sup>Livy 2.34.9-11; 2.35.6; Dion. of Halic. 7.22-24; 7.64.6. The banishment of a patrician by the people in the early fifth century is almost certainly a later anachronistic invention because the only assembly empowered to banish at this time was the comitia centuriata, which was completely controlled by the wealthy aristocracy. See below.

<sup>42</sup>Livy 2.39.1-7; Dion. of Halic. 8.12.1-14.2; 8.16.4-20.2.

is, (5) the plebeians would not themselves possess the power to resist the dire consequences of their unwise actions. Indeed, it is no coincidence that the story of Coriolanus immediately follows that of the first plebeian secession in Roman annalistic tradition, so that an exhilarating triumph is superseded by a sobering admonishment. Senatorial auctoritas was at least partially founded in legend.

The account of Spurius Cassius and his bid for monarchical power in 486 B.C.<sup>44</sup> has probably been embellished with Gracchan anachronisms by Roman annalists. The similarities between the legislative proposals of Cassius and of C. Gracchus<sup>45</sup> are too close to be coincidental: in a bid for popular support, Cassius (as consul) proposed the distribution of free grain and public land to the poorer citizens.<sup>46</sup> Although this won him favor with the people, Cassius soon fell from their grace when it became known that he planned to share the public land with the Latin allies.<sup>47</sup> By exploiting the plebeians' narrow-mindedness,

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<sup>43</sup>Livy 2.40.1-12; Dion. of Hali. 8.44-54.

<sup>44</sup>Livy 2.41; Dion. of Hali. 8.69-78.

<sup>45</sup>For ancient accounts of C. Gracchus, see Plutarch, C. Gracchus, and Appian, Bellum Civile 1.21-26.

<sup>46</sup>Livy 2.41.2, 8; Dion. of Hali. 8.70.5.

<sup>47</sup>Livy 2.41.7-8; Dion. of Hali. 8.72. The anachronistic elements here are the distribution of free grain and the allocation of public land to Latin allies as part of a program of land distribution.

the Senate was able to undermine Cassius's influence and, after his term in office had expired, to secure his execution on the grounds of his aiming at monarchical power.<sup>48</sup> Here the people did not reject the prospect of economic gain due to sentiments of veneration for senatorial government: on the contrary, in order to counter the influence of Sp. Cassius, the Senate had to promise to survey and distribute the public land for the sole benefit of Roman citizens.<sup>49</sup> Subsequent to the execution of Cassius, the Senate reneged on its word and refused to alleviate the economic distress of the plebeians.<sup>50</sup> The somewhat anachronistic nature of this episode, as it is related in the annalistic sources, makes it untrustworthy; nevertheless, one can conclude that the traditional Roman aversion to monarchy was fostered as well as fervently felt only by the senatorial class, which had the most to lose and the least to gain from the political, social, or economic changes that monarchy might bring.

Economic issues, especially land-distribution, continued to provoke plebeian agitation against the senatorial government. In 483 the tribunes impeded the levy in an effort to coerce the Senate into enacting an agrarian law.

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<sup>48</sup>Livy 2.41.7,10; Dion. of Hal. 8.76-78. For an analysis of the fall from popularity of C. Gracchus, see Robert J. Rowland, Phoenix 23 (1969), pp. 372-9.

<sup>49</sup>Livy 2.41.7-8; Dion. of Hal. 8.76.

<sup>50</sup>Dion. of Hal. 8.81.1.

Their attempt failed, however, when the consuls mustered the troops outside of Rome, where the tribunes had no authority.<sup>51</sup> A year later the tribunes hindered the consular elections, and were thereby able to effect the appointment of one consul favorable to the people.<sup>52</sup> At this juncture, the Senate began to court the tribunes's favor by addressing them courteously and appealing to their self-interest. The new aristocratic policy was successful, and the Senate was thereafter consistently able to influence at least one of the tribunes to veto the obstructionist designs of his colleagues.<sup>53</sup>

It was in order to check the growing senatorial control over plebeian magistrates that Volero Publilius, tribune in 471, proposed a law to switch the tribunician elections from the curiae to a new consilium plebis tributum.<sup>54</sup> This measure, which was ratified by the Senate and the people only after heated controversy,<sup>55</sup> sought to undermine the personal influence that senators had been exerting over the tribunes by rendering the latter more

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<sup>51</sup>Dion. of Hal. 8.87.3-8.

<sup>52</sup>Dion. of Hal. 8.90.

<sup>53</sup>Livy 2.44.1-6; Dion. of Hal. 9.1.4-2.2.

<sup>54</sup>Livy 2.56.2-4; Dion. of Hal. 9.41.2; see also Greenidge, Roman Public Life, pp. 100f.; Cowell, Revolutions, p. 44; Lily Ross Taylor, The Voting Districts of the Roman Republic (American Academy in Rome, 1960), p. 298. The Publilian law also encompassed the election of plebeian aediles; Dion. of Hal. 9.43.4.

<sup>55</sup>Livy 2.56.6-57.4; Dion. of Hal. 9.44-49.



directly accountable to their constituents. Even more significantly, the Publilian law eliminated to a great extent the manipulation of tribunician elections by the aristocracy: proceedings in the curiae assembly required the taking of auspices and a preliminary senatorial decree in order to be adjudged legally valid. The patricians could thus exercise considerable influence over the candidates presented for popular approbation. The consilium plebis tributum, on the other hand, could function without the endorsement of either the Senate or the gods.<sup>56</sup> Moreover, the patricians could not so easily sway the votes of their clients in an assembly where they had no right to participate.<sup>57</sup> The plebeians consequently regained, for the time being, the warrant to regard their magistrates as truly their own.

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<sup>56</sup>Dion. of Hal. 9.41.3.

<sup>57</sup>Livy 2.56.3; Taylor, Voting Districts, p. 298.

## CHAPTER III

### THE PLEBEIANS GAIN LEGAL RIGHTS AND ELECTORAL INFLUENCE

The Publilian law of 471 B.C. rendered the tribunician magistracy more responsive to the needs of those it was intended to serve. The Roman plebeians thus possessed, through their elected representatives, the power to influence the policies of their state. Due to the merely obstructionist nature of tribunician potestas, however, the plebeians at this time lacked any direct voice in policy-making, which remained the sole prerogative of the Senate and the magistrates.<sup>1</sup> By what means and to what extent, therefore, did plebeians influence Roman foreign policy down to about 450 B.C.?

Although we might suppose that tribunician obstructions of the military levy were intended to affect senatorial foreign policy decisions, a close inspection of the

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<sup>1</sup>In theory, the Roman people were the ultimate source of all political authority within the state, but this was meaningless in practice (see Scullard, History, pp. 105f.). Even if important civic issues were presented to the assemblies at this time, which is debatable, the plebeians would have possessed negligible influence thereby; we know that the aristocracy easily controlled the curiata assembly (see Chap. Two, n. 56 and 57), while the centuriata, if it existed at this time (see Chap. Two, n. 27 and 28), was by design dominated by the wealthy.

sources leads to a contrary conclusion. Plebeian objectives were most often to influence the domestic economic strategies of the Roman government. Refusals to answer the call to arms in the first decade of the fifth century were prompted by the desire to obtain relief from oppressive debt.<sup>2</sup> In 483 B.C. the tribunes hindered the enrollment of troops in an effort to coerce the Senate into distributing public land to the poor.<sup>3</sup> Obstruction of the levy was also sometimes motivated by the desire for domestic political gain. When a Sabine renegade seized the Roman citadel by stealth in 460, the people refused to take up arms unless the patricians promised to sponsor the codification of Roman law.<sup>4</sup> Two years later enrollment was hindered in order to obtain an increase in the number of annually elected plebeian tribunes.<sup>5</sup> In short, obstruction of the military levy was an action designed to secure for the plebeians economic or political advantage within the Roman polity; we have no record of any attempt to influence foreign policy itself in this manner. Moreover, there is no evidence to suggest that senatorial conduct relative to foreign states was ever restricted by impediments to military enrollment--indeed, the Romans of the early Republic

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<sup>2</sup>See Chapter Two.

<sup>3</sup>Dion. of Hal. 8.87.3-5.

<sup>4</sup>Livy 3.16-17; Dion. of Hal. 10.14.1-15.5.

<sup>5</sup>Their number increased from five to ten; Livy 3.30.2-6; Dion. of Hal. 10.26-30.

never cancelled a war for lack of sufficient manpower.

Plebeians as soldiers could, of course, decisively affect the outcome of military engagements simply by refusing to fight proficiently. Thus in 481 the soldiers of Caeso Fabius, hating their general for his adamant opposition to plebeian relief, abruptly quit the field against the Aequi when victory was at hand, hoping thereby to bring disgrace upon their commander.<sup>6</sup> Ten years thereafter, Roman troops refused even to commence battle with the Volscians because their general, Appius Claudius, had been a bitter opponent of the Publilian law.<sup>7</sup> Such actions, although they could have influenced Roman foreign policy had they been more numerous, were in fact isolated incidents that were inspired by aristocratic opposition to plebeian legislation, and did not reflect any rationalized dissatisfaction with the senatorial management of foreign affairs itself.

Rome's relationships with her neighbors were theoretically regulated by fetial law and procedures.<sup>8</sup> War was thereby considered justifiable only in cases of self-defense, or following an unjust act by another nation: Roman tradition did not recognize the right of aggression

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<sup>6</sup>Livy 2.43.6-11; Dion. of Hal. 9.3-4.

<sup>7</sup>Livy 2.59; Dion. of Hal. 9.50.3-6; Appian Italian Fragments 7.

<sup>8</sup>Livy 1.24.8; 1.32.7; see also Frank, Roman Imperialism, pp. 8f.

nor the desire for territorial or economic aggrandisement as just causes for war. Despite these ideological restrictions, however, the concepts of "self-defense" and "unjust acts" were apt to be very liberally interpreted by city-state mentalities imbued with agrarian-based beliefs in property rights.<sup>9</sup> Concern for the defense of the city in fact took priority over domestic issues in the minds of most Romans--one side or the other would invariably compromise in order to end dissension in the event of external danger.<sup>10</sup> Awareness of this often prompted the patricians to prosecute war for specious reasons in the hope of diverting the populace from civil unrest into cooperative action for the common defense.<sup>11</sup> On more than one occasion the Senate was accused of indirectly perpetuating its oppression of the people by engaging the state in unnecessary wars.<sup>12</sup> Perhaps, then, it is justifiable to conclude that the plebeians, through their civil agitation for economic and/or social betterment, indirectly influenced

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<sup>9</sup>Frank, Aspects of Social Behavior, pp. 77f.; Badian, Foreign Clientelae, pp. 30f.

<sup>10</sup>For example, Livy 2.39.7; Dion. of Hali. 10.30; 10.43.1-3. No foreign danger threatened Rome during the First Secession (see Chap. Two). Moreover, the actions of the Roman soldiers under Appius Claudius in 471 took place on foreign soil (see Chap. Three, n.7) under circumstances that did not endanger Rome.

<sup>11</sup>Dion. of Hali. 10.33.2.

<sup>12</sup>Livy 3.24.1; Dion. of Hali. 9.17.4-5. Two and a half centuries later a tribune would accuse the Senate of provoking the Hannibalic War in order to oppress the commons; Livy 22.34.4.

the senatorial government to adopt a somewhat more aggressive foreign policy than it might have otherwise pursued. Since the plebeians' view of foreign relations during this period was effectually encompassed by fetial ceremonies and defensive instincts,<sup>13</sup> their very modest influence over senatorial foreign policy was thus as ironic as it was unintended.

Agitation for a codification of Roman law that would apply equally to all citizens began in 462 B.C.<sup>14</sup> and flared intermittently in the face of determined aristocratic opposition for about eight years.<sup>15</sup> Finally, in 454 the Senate and the people agreed to send a patrician embassy to Athens in order to obtain a list of the laws of Solon, which were to serve as a model for Roman legislators.<sup>16</sup> The return of these ambassadors in 452 led to the suspension of the regular magistracies (including the tribunate) for the following year and the election in their places of ten patrician officers (Decemvirs) who were to rule Rome while constructing a body of Roman public law. During 451 the Decemvirs governed moderately while compiling ten tables of law which were ratified by the centuriate assembly toward

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<sup>13</sup>For instance, when the tribunes refused to allow the holding of the compulsory levy in 455, the consuls raised a volunteer army sufficient for the defense of Roman territory: Dion. of Hal. 10.43.2-5.

<sup>14</sup>Dion. of Hal. 10.1.2-2.1.

<sup>15</sup>Dion. of Hal. 10.3-4; 10.15.3-5; 10.26.4-5.

<sup>16</sup>Livy 3.31.8; Dion. of Hal. 10.52.4.

the end of the year.<sup>17</sup> Consequently, there was little opposition when they announced that the work was incomplete and that Decemvirs should be elected for another term.

Unfortunately, the complexion of the Decemvirate for 450 differed greatly from its predecessor's. Its rule soon degenerated into a tyranny that was especially harsh toward the plebeians and was meant to be permanent, for the new Decemvirs refused to hold elections at the end of the year.<sup>18</sup> They published only two tables of law during 450, one of which forbade the intermarriage of patricians and plebeians.<sup>19</sup> Although opposition to the tyranny of the Decemvirs arose among the patricians as well as among the plebeians, it was the latter who took what was ultimately the decisive step: early in 449 the army and the commons seceded to the Sacred Mount, demanding the abolition of the Decemvirate, the restoration of the tribunate, and the recognition of the right of appeal as the conditions for their return.<sup>20</sup> This tactic succeeded and Rome subsequently reestablished the magisterial institutions through which she had been governed previous to 451.<sup>21</sup>

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<sup>17</sup>Livy 3.33-34; Dion. of Halic. 10.56-57.

<sup>18</sup>Livy 3.36-37; Dion. of Halic. 10.60.

<sup>19</sup>Table 11; Dion. of Halic. 10.60.5.

<sup>20</sup>Livy 3.51-52; Dionysius's account is lost. Like the tribunate, the right of appeal was suspended during the reign of the Decemvirate. This episode provides further reinforcement for belief in the plebeian character of the Roman army previous to 443 B.C. See Chapter Two.

Although the Decemvirate had been deposed, the Twelve Tables nevertheless became the foundations of Roman law. Notwithstanding the fact that the Tables were drawn up by patricians and for the most part perpetuated traditional Roman practices, the establishment of a standardized body of written law (ius) for all Roman citizens represented a virtual revolution for the benefit of the plebeians in that it constitutionally defined for the first time their position within their society. Heretofore the patricians had governed by virtue of their hereditary rights and their position as patrons of the bulk of the citizenry. As we have seen, the powers of a patron relative to his client were not legally delineated; thus, the legal identity of the plebeians within the state had been subject to the definition and the manipulation of the patrician caste, and this had been only slightly modified by the inception of the tribunate. In short, the Twelve Tables "replaced the elastic principles of justice, which were one of the mainstays of patrician power..."<sup>22</sup>

The Roman conception of law provides in itself a significant indication of the impact of the Twelve Tables. Ius denoted a relationship between two parties, presupposing a superior and an inferior, and designating the

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<sup>21</sup>Livy 3.5.4.

<sup>22</sup>Greenidge, Roman Public Life, p. 103. This is, of course, why the patricians opposed the codification of Roman law so vehemently from 462 to 454 B.C.



rights or duties inherent in such associations.<sup>23</sup> It is therefore clear that written Roman law was intended to replace in several respects the flexible patron-client framework as the guideline for social relationships within the Roman citizen body. As for the patron-client relationship itself, this remained essentially undefined: Table 8.21 states, "If patron shall have defrauded client, he must be solemnly forfeited," but what constituted fraud was apparently left to the interpretation of society.<sup>24</sup> One searches in vain throughout the Twelve Tables for any truly progressive legislation. For example, Table 3.1-6 provides for the enslavement or even the execution of a debtor by his creditor,<sup>25</sup> hardly a step toward social enlightenment. Indeed, the greatest significance of the Twelve Tables for the majority of Romans was not its content but its existence. The plebeians viewed laws as instruments of defense rather than of oppression, and trusted their tribunes to protect them from any concomitant detrimental manifestations.

In 445 B.C. civil strife broke out once again when the tribune Canuleius impeded the levy in order to secure the

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<sup>23</sup>Ius also held connotations concerning political authority. See Alvin E. Evans, Roman Law Studies in Livy (New York: The MacMillan Co., 1909), pp. 277f.

<sup>24</sup>Remains of Old Latin, Vol. III: The Twelve Tables, Trans. by E.H. Warmington (London: William Heinemann, 1961), p. 491.

<sup>25</sup>Ibid., pp. 436-441.

passage of measures that would allow intermarriage between patricians and plebeians and would set aside one consulship each year for plebeian candidates.<sup>26</sup> The Senate reluctantly conceded the first proposal but refused to consider the possibility of plebeian consuls, ostensibly because only patricians could take the auspices. At last a political compromise was reached whereby the consulship was allowed to lapse and military tribunes were elected in its place.<sup>27</sup> The office of military tribune, which was open to patricians and plebeians alike, was to play an important role in Roman history for the next three-quarters of a century: from 444 to 367 B.C., consuls governed the state only twenty-two years, whereas military tribunes were elected for fifty-one terms. Although they are sometimes referred to as "consular" tribunes, such a title is a misnomer since the military tribunes never held consular powers. They could lead armies but did not possess imperium, and thus never celebrated a triumph. Moreover, military tribunes served without the dignity of the fascēs, and it is uncertain whether they even consulted the auspices if they were not of the patrician class.<sup>28</sup> From 444 to 406 there were irregular alternations between pairs of consuls and three,

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<sup>26</sup>Livy 4.1-7; Dion. of Hal. 11.53-61.

<sup>27</sup>E. Stuart Staveley, JRS 43 (1953), p. 30.

<sup>28</sup>Raphael Sealey, Latomus 18 (1959), pp. 522 n.2, 529; Ann Boddington, Historia 8 (1959), p. 361; Greenidge, Roman Public Life, pp. 112f.

later four, military tribunes; after 406 there were almost always six military tribunes elected annually.<sup>29</sup> The fluctuating number of "consular" tribunes was possibly due to military expediency, but the prevalence of the office itself during this period must be attributed to purely political factors.<sup>30</sup>

Contrary to what one might have expected, down to 400 B.C. only two plebeians were elected as military tribunes, one in 444 and one in 421.<sup>31</sup> Finally, in 397 the plebeian tribunes extorted from the Senate a decree that at least half of the "consular" tribunes would henceforth have to be plebeian.<sup>32</sup> What advantage, therefore, did the plebeians actually gain through the establishment of the "consular" tribunate in 444, since the office was inferior to the consulship and was filled almost exclusively by patricians until the fourth century B.C.? If one accepts the arguments of Staveley and Sealey<sup>33</sup> that military tribunes were elected in the comitia tributa instead of in the

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<sup>29</sup>F.E. Adcock, JRS 47 (1957), pp. 9f.

<sup>30</sup>Staveley, JRS 43 (1953), pp. 30-3; Sealey, Latomus 18 (1959), p. 530; for an opposing view, Boddington, Historia 8 (1959), p. 363.

<sup>31</sup>Sealey, Latomus 18 (1959), p. 522. Livy mentions neither one.

<sup>32</sup>Livy 5.17.5.

<sup>33</sup>Staveley, JRS 43 (1953), p. 34; Sealey, Latomus 18 (1959), pp. 526ff. The comitia tributa (tribal assembly) evolved from the consilium plebis tributum in the fifth century B.C. and was open to patricians as well as plebeians. Livy takes it for granted that military

centuriata, many difficulties vanish. In the tribal assembly, the plebeians as a whole possessed considerably more influence over elections than they did in the centuriata, where wealth predominated. Thus, the compromise of 444 endowed the plebeians with an unprecedented voice in the selection of Rome's political leaders. Naturally enough, the majority of the plebeians, imbued with the tradition of patrician superiority, chose their rulers from the aristocratic caste.<sup>34</sup> Plebeian tribunes frequently inveighed against their constituents on this account<sup>35</sup> until, in 397, they succeeded in forcing the passage of a measure which curtailed some of the democratic impact of the compromise of 444 by obliging the voters to elect at least three plebeian "consular" tribunes. The plebeians' electoral freedom of choice was thus sacrificed to their leaders' ambitions for political office.

In 440 B.C. Rome was afflicted with a severe famine, which prompted the Senate to appoint L. Minucius Prefect of the Grain Supply in the hope of alleviating the crisis.<sup>36</sup> Unfortunately, Minucius's efforts, though well-intentioned, had a negligible impact upon the situation. At this juncture,

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tribunes, like consuls, were elected in the centuriata: 5.18.1.

<sup>34</sup>Staveley, JRS 43 (1953), p. 34.

<sup>35</sup>Livy 4.25.10-11; 4.35.6-11; 5.2.9. The plebeians could not have been held responsible for the election results unless the voting had taken place in the comitia tributa.

a wealthy merchant named Spurius Maelius began distributing free provisions to the people, and almost singlehandedly relieved the distress of the Roman plebs. When, however, Minucius alleged in the Senate that his rival was aiming at tyranny, a dictator was appointed, and Maelius was subsequently killed when he resisted the summons to bring him to trial before the senators. Once again the patricians had "saved the Republic", but for whose benefit is not clear. Our sources do not agree on the role played during this episode by the plebeian tribunes: Dionysius states that the tribunes supported the consuls against the machinations of the treasonous merchant, while Livy asserts that three tribunes vocally supported Maelius even after his death.<sup>37</sup> Whatever the case, the Senate wisely abated the plebeians' grief by confiscating Maelius's property and distributing his remaining food stores to the people at an extremely low price.<sup>38</sup>

Shortly before the turn of the century (406 B.C.), the Senate voluntarily decreed that for the first time soldiers serving on foreign soil would receive pay from the public treasury.<sup>39</sup> In 400, however, the plebeian tribunes used

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<sup>36</sup>Livy 4.13-16; Dion. of Hal. 12.1-6.

<sup>37</sup>Livy 4.16.5; Dion. of Hal. 12.1.10.

<sup>38</sup>Livy 4.16.2.

<sup>39</sup>Livy 4.59.11. The Senate may have been motivated by its desire to placate opposition to the year-round siege of Veii which it was inaugurating.

their power of obstruction to prevent the collection of the war tax that financed the soldiers' pay. The tribunes hoped that the spectre of discontented, or perhaps even mutinous, troops would coerce the patricians into accepting a measure for land distribution.<sup>40</sup> Tribunician vetoes were ultimately withdrawn when one plebeian was elected as a "consular" tribune for the following year, even though the issue of land distribution was left unresolved.<sup>41</sup> As we have seen, three years later a law was passed that required three of the "consular" tribunes henceforth to be plebeian.

The siege of Veii, which required Roman soldiers for the first time to serve on foreign soil throughout the winter,<sup>42</sup> took ten years. When the great Etruscan city finally fell in 396,<sup>43</sup> Roman territory was increased to double its former extent.<sup>44</sup> This proved to be quite a windfall for the plebeians, for in 393 the Senate voted to distribute Veientane land to all freeborn members of plebeian households.<sup>45</sup> Unfortunately, their newly attained prosperity was to be very short-lived.

Three years later,<sup>46</sup> Roman ambassadors were sent to the Etruscan city of Clusium in order to arbitrate between

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<sup>40</sup>Livy 5.12.3-4,7.

<sup>41</sup>Livy 5.12.13.

<sup>42</sup>Livy 5.2.1.

<sup>43</sup>Livy 5.21.10-17.

<sup>44</sup>Frank, Roman Imperialism, p. 21.

<sup>45</sup>Livy 5.30.8.

<sup>46</sup>Livy 5.35-49; Dion. of Hal. 13.6-12; Plutarch, Camillus, Mod. Lib. Ed., pp. 164-174.

the Clusians and a large group of land-hungry Gauls. When negotiations failed, a battle ensued, and the Roman envoys foolishly and undiplomatically fought on the Clusian side. Both the Senate and the people of Rome were unwilling to relinquish the errant ambassadors to the justifiably angry Gauls, so the latter invaded Roman territory and scored a decisive victory at the river Allia. Rome was now virtually defenseless and, except for its citadel, was plundered and burned by the triumphant Gauls. Famine finally induced the Romans on the citadel to ransom themselves for one thousand pounds of gold, but Roman honor was redeemed by Camillus, who gathered together the remnants of the army and completely defeated the Gauls in two engagements as they attempted to withdraw to the north.

The Roman victory, of course, could not in itself alleviate the ruined condition of the city. Rome had to be almost entirely rebuilt, a process that drove many citizens into poverty and indebtedness.<sup>47</sup> Indeed, tribunician proposals for the distribution of public land in 387 fell upon deaf ears, for all were exhausted by the efforts and expenses of reconstruction.<sup>48</sup>

The once again prominent issue of debt was seized upon in 385 by the patrician Marcus Manlius Capitolinus as a means of acquiring plebeian support behind a revolution

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<sup>47</sup>Livy 6.11.9; Frank, Economic Survey, Vol. I, p. 26.

<sup>48</sup>Livy 6.5.1-5.

against the senatorial government.<sup>49</sup> Himself an ex-consul, Manlius inveighed against his fellow patricians for their failure to ease the people's financial burdens, and for their alleged insensitivity to the rapacity of the money-lenders and to the widespread imprisonment of debtors. He won many followers by paying numerous plebeian debts out of his own pocket, thereby gaining the title, "father of the Roman plebs."<sup>50</sup> Abandoning any sense of propriety, Manlius charged the patricians with hoarding Gallic treasure for themselves instead of alleviating the desperate condition of the Roman citizenry. When he was unable to prove his accusations, he was thrown into prison, but popular pressure soon secured his release. Manlius continued his agitation into the following year, seemingly unaware that the Senate and the plebeian tribunes had aligned against him. Finally, toward the end of 384, two tribunes prosecuted the renegade patrician for aspiring to regal power. His birth and impressive military record availing him not, Manlius was condemned by the centuriate assembly and executed. The debt problem was, for the time being, left unresolved.

The events from 462 to 384 B.C. were especially significant regarding the framework of the Roman polity. In the first place, a body of written law, the Twelve Tables, replaced the clientela system as the primary political

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<sup>49</sup>Livy 6.14-20; Plutarch, Camillus, Mod. Lib. Ed., p. 177.

<sup>50</sup>Livy 6.14.5.



regulator of patrician-plebeian interrelationships, without affecting its social, economic, or ideological importance. Moreover, as early as 400 B.C. we can perceive the emergence of a politically self-interested group of plebeian office seekers who, as plebeian tribunes, began to exploit their positions in order obtain political advancement. The focus, though not the nature, of political strength in Rome was beginning to shift.

## CHAPTER IV

### THE RISE OF THE NOBILITAS

Subsequent to the downfall of Manlius Capitolinus, the issue of plebeian debt continued to provoke contention between the orders. In 378 B.C. the tribunes impeded the levy in an effort to obtain relief for their constituents. With a Volscian war impending, the Senate decided to yield, and declared a moratorium for the duration of hostilities on the collection of the war tax and on the prosecution of debtors.<sup>1</sup> As soon as the war was concluded, however, debtors were indicted with renewed vigor, and new debts were incurred when a tax was levied to finance the reconstruction of a part of the city wall that had been demolished by the Gauls.<sup>2</sup> Livy relates that the plebeians were so disheartened by their increasingly abject circumstances that the patricians were able once again to monopolize the office of military tribune and to wield much greater power within the state than had been their wont for several years.<sup>3</sup>

Two of the plebeian tribunes for 377, L. Sextius and C. Licinius Stolo, thereupon set themselves to alter

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<sup>1</sup>Livy 6.31.4.    <sup>2</sup>Livy 6.32.1.    <sup>3</sup>6.34.3-4.

decisively this milieu of plebeian demoralization. They proposed, to the patricians' chagrin, three laws:

(1) interest on outstanding debts would be cancelled and the principal paid in three annual installments; (2) no one would be allowed to employ for personal use more than five hundred iugera (about 312 acres) of public land; and

(3) consuls instead of "consular" tribunes would henceforth be elected, one of whom would be plebeian.<sup>4</sup> When the alarmed patricians influenced the other plebeian tribunes to veto consideration of these proposals, Sextius and Licinius obstructed the election of all curule magistrates (including military tribunes) for five years in a row.

Thus, from 376 to 371 B.C. the only elected officers in the Roman state were plebeian aediles and tribunes.<sup>5</sup> The presence of a military threat from Velitrae in 370 prompted Sextius and Licinius to allow the election of military tribunes so that an army could be levied and the war waged successfully.<sup>6</sup> As the foreign conflict neared its

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<sup>4</sup>Livy 6.35.4-5. Modern discussions: Greenidge, Roman Public Life, pp. 118ff.; Cowell, Revolutions of Ancient Rome, pp. 60f.; Scullard, History, p. 94; Frank, Economic Survey, Vol. I, pp. 27f.; Kurt Von Fritz, Historia 1 (1950), pp. 3-44. Gelzer (Roman Nobility, pp. 20f.) doubts that the Licinian-Sextian laws limited public land ownership, but this view is not held by any of my other sources and it also necessitates disregarding much of Livy's narrative: for example, enforcement of the Licinian-Sextian land law is recorded by Livy in 7.16.9; 10.13.14; 10.23.13; and 10.47.4.

<sup>5</sup>Livy 6.35.8-10. Sextius and Licinius were elected as plebeian tribunes for ten consecutive years, from 377 to 367 B.C. This was unusual, though it was not illegal until 342. See below.

conclusion in 368, the patricians facilitated the appointment of dictators to administer the state; since even the tribunician veto was powerless against the injunctions of a dictator, the aristocracy hoped thereby to secure the demise of the controversial legislation.<sup>7</sup>

In the interval between the reigns of the two dictators of 368, the plebeian assembly seemed close to advocating the bills concerning interest and land while rejecting the one calling for plebeian consuls. Upon learning this, Sextius and Licinius announced that they were presenting their proposals collectively rather than individually for ratification.<sup>8</sup> Since Roman assemblies possessed no powers of initiative but could only consider measures put to them by their presiding officers (in this case, the tribunes), the comitia tributa was involuntarily faced with an all or nothing choice. The resolution of the controversy was thus postponed because the patricians refused to compromise concerning the proposal regarding plebeian consuls.<sup>9</sup> Later in 368, Sextius and Licinius gained a minor victory when they obtained the enactment of a law requiring that half of the board of ten that

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<sup>6</sup>Livy 6.36.1-3. As always, military defense took precedence over civil controversy.

<sup>7</sup>M. Furius Camillus and Publius Manlius were dictators in 368, Camillus again in 367; Livy 6.38; 6.42.4.

<sup>8</sup>Livy 6.39.1-4.

<sup>9</sup>Until 287 B.C. senatorial approval was necessary in order for plebiscites to become law. See below.

supervised the sacred rites should be plebeians. Immediately thereafter, they were elected to their tenth consecutive terms as plebeian tribunes.<sup>10</sup>

Finally in 367 the patricians, confronted with a possible secession of the plebs and other civil commotions, agreed to a compromise whereby the Licinian-Sextian proposals became law. L. Sextius himself was elected as the first plebeian consul. In return, the aristocracy obtained the right to appoint a new patrician magistrate (the praetor) who was to exercise jurisdiction within the city limits.<sup>11</sup> For the majority of plebeians, of course, the most significant provisions of the Licinian-Sextian laws were those relating to the economic issues of interest and public land ownership. Perhaps now they could reacquire the prosperity that had briefly prevailed after the conquest of Veii.

By awarding one consulship annually to those of plebeian birth, the legislation of 367 B.C. imposed upon the old ruling class an association with a relatively new, politically powerful group consisting of wealthy plebeians. The patricians, however, declared that it would be better for them to withdraw from the consulship altogether than to share it with plebeians,<sup>12</sup> and they therefore sought to

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<sup>10</sup>Livy 6.42.2.

<sup>11</sup>Livy 6.42.9-14. The creation of the praetorship was not only a compensation to the patricians, but also an effort to relieve the consuls of some of their excessive administrative burden: Von Fritz, Historia 1 (1950), pp. 41f.

circumvent the new law. Their most effective method of doing this was to stalemate the consular elections until the terms of the current consuls expired, which enabled them to appoint an interrex. The interrex, whose sole function was to facilitate the election of consuls, was always nominated by the patricians and was never considered a magistrate of the people. He served a term of five days, at the end of which he appointed another interrex if the election was still deadlocked. In a normal consular election, the voters chose from a field of several candidates; an interrex, on the other hand, personally selected two men (the exact number of places to be filled) and submitted their names to the comitia centuriata for ratification. As was the case with proposed legislation, the electorate could only vote "yes" or "no" concerning the consular candidates presented to them.<sup>13</sup> An interregnum thus decisively favored the aspirations of the patricians, because it enabled them to present only patrician candidates to the people. In 354, the second interrex succeeded in obtaining the election of two patrician consuls, despite the opposition of the plebeian tribunes.<sup>14</sup> Two years later, the aristocrats again tried this device, but subsequent to the unsuccessful efforts of eleven interreges.

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<sup>12</sup>Livy 7.18.4.

<sup>13</sup>E.S. Staveley, Historia 3 (1954-5), pp. 193-6.

<sup>14</sup>Livy 7.17.10-13.

they conceded, and the Licinian-Sextian law was observed.<sup>15</sup> The following year, however, they once again manipulated an interregnum to elect two patrician consuls, and this strategem was also successfully employed in 343.<sup>16</sup>

Another artifice utilized by the patricians for the manipulation of consular elections was the appointment, for specious reasons, of a dictator who would use his extraordinary jurisdiction to sway the electorate. In 352 and 351 the Senate raised groundless rumors of impending wars in order to justify the nomination of dictators, but both times the aristocratic efforts were frustrated by stubborn tribunician resistance.<sup>17</sup> Nevertheless, the dictator of 349, L. Furius Camillus, succeeded in procuring the election of two patricians for the following year.<sup>18</sup>

Despite the endeavors of the patricians, however, the party of wealthy plebeian office seekers continued to make political gains. C. Marcius Rutilius became the first plebeian dictator in 356 and the first plebeian censor five years later.<sup>19</sup> Then in 342 the tribune L. Genucius obtained

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<sup>15</sup>Livy 7.21.1-4.

<sup>16</sup>Livy 7.22.1-3; 7.28.10. The patricians may have exploited an interregnum to the same effect in 326; Staveley, *Historia* 3 (1954-5), p. 199.

<sup>17</sup>Livy 7.22.1; 7.22.10-11.

<sup>18</sup>Livy 7.24.11.

<sup>19</sup>Livy 7.17.6; 7.22.7-10. Dictators were nominated by one of the consuls, in this case presumably a plebeian. Censors were elected in the comitia centuriata.

the passage of laws that forbade the holding of the same office twice within ten years, and allowed both consuls for any given year to be plebeian.<sup>20</sup> The effect of these bills was not only to frustrate patrician attempts to exclude plebeians from the consulship, but also to strengthen plebeian influence within the Senate; the restriction placed upon the holding of multiple consulships compelled the election of divers plebeians rather than of a select few for several terms each, and since ex-consuls were admitted to the Senate, plebeian strength therein was significantly augmented in a shorter period of time than would have otherwise been possible.

For the bulk of the plebeians, of course, debt rather than office seeking was the overriding concern. A law passed in 357 restricted the annual interest that could be charged on loans to one percent, and this was cut in half by a measure enacted ten years later.<sup>21</sup> Unfortunately, these statutes had a less than decisive effect upon the economic condition of many plebeians, for in 342 a military mutiny broke out in Campania that was at least partially the result of the soldiers' despair over their indebtedness.<sup>22</sup> After the uprising was peaceably resolved, a law was passed

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<sup>20</sup>Livy 7.42.2.

<sup>21</sup>Livy 7.16.1; 7.27.3. Frank (Economic Survey, Vol. I, pp. 28-31) contends that the interest figures were 8 1/3% and 4 1/6% respectively.

<sup>22</sup>Livy 7.38.9; Dion. of Hal. 15.3.5-6; Appian, Samnite History Frag. 1.



that outlawed the lending of money at any interest whatsoever.<sup>23</sup> Thus, for the moment, the humbler plebeians benefited economically from the elevation of the more prominent members of their class.

Both rich and poor plebeians continued to improve their positions during the last four decades of the fourth century. A plebeian dictator in 339, Q. Publilius Philo, passed laws that (1) rendered the decisions of the tribal assembly binding upon all Romans, patricians and plebeians alike; (2) decreed that the Senate should ratify measures before they were voted on in the tribal assembly rather than afterwards, thus greatly curtailing the legislative influence of the senators; and (3) established that at least one censor should always be chosen from the plebs.<sup>24</sup> Two years later Philo became the first plebeian praetor,<sup>25</sup> and in 326 he was continued in curule office for a year as the first Roman proconsul.<sup>26</sup> Meanwhile, Campanian land was distributed to the plebeians in 338, which enabled nearly all free Romans to become the owners of agricultural acreage.<sup>27</sup> Then in 326 the personal liberty of all

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<sup>23</sup>Livy 7.42.1. M. Valerius Corvus persuaded the mutineers to lay down their arms. Livy is unsure about any connection between the mutiny and the law forbidding interest on loans.

<sup>24</sup>Livy 8.12.15-17. Senatorial approval was still necessary for a plebiscite to become law until 287. See below.

<sup>25</sup>Livy 8.15.9.      <sup>26</sup>Livy 8.23.12.

<sup>27</sup>Livy 8.11.13-14; Frank, Economic Survey, Vol. I,

plebeians was seemingly assured when the Senate and the consuls enacted a law forbidding imprisonment or corporal punishment for debt.<sup>28</sup>

Notwithstanding the substantial colonization of the fourth century, Rome's urban population continued to grow because of a steady influx into the city of slaves and Latin immigrants. Responding to this situation, the patrician censor of 312 B.C., Appius Claudius Caecus, recruited wealthy sons of freedmen into the Senate and allowed recently enfranchised, landless urban citizens to enroll in the rural tribes.<sup>29</sup> Whether the censor's aim was to establish a politically powerful clientela<sup>30</sup> or to transform "an essentially agrarian society into one in which agriculture and commerce played at least an equal part,"<sup>31</sup> Claudius's innovations gave the urban plebeians a much greater electoral influence relative to their more affluent, rural counterparts than they had previously possessed. Although the centuriata was not thereby affected, the balance of power in the tribal assembly was shifted in favor of the urban dwellers, who now outnumbered the rural

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pp. 37f.

<sup>28</sup>Livy 8.28.8-9.

<sup>29</sup>Livy 9.46.11; Diodorus Siculus 20.36. The censor could recruit whomever he pleased into the Senate.

<sup>30</sup>Taylor, Voting Districts, p. 299; Gelzer, Roman Nobility, p. 136.

<sup>31</sup>E. Stuart Staveley, Historia 8 (1959), pp. 418f.

citizens even in the rural tribes.<sup>32</sup> Needless to say, Appius Claudius was vehemently opposed by many plebeians as well as by the patricians: seven of the plebeian tribunes stood against him, but he was successfully defended by the other three.<sup>33</sup> Claudius's programs were ultimately undermined by the censors of 304, who rejected his senatorial appointees and confined the landless, urban plebeians to only four tribes.<sup>34</sup> Rome's poorer citizens were thus dealt a decisive political defeat.

The annulment of Appius Claudius's democratic measures was one of several roughly contemporary events which revealed that a new power structure now controlled the Roman government. The significant political distinction between patricians and plebeians had been replaced by that between nobiles, composed of patricians and wealthy, politically prominent plebeians, and ignobiles, which consisted of the poorer citizens as well as those of recently unfree lineage.<sup>35</sup> The result was that the plebeian members of the new ruling aristocracy frequently deserted the cause of the humbler citizens and in fact often actively opposed

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<sup>32</sup>Ibid., pp. 415ff.

<sup>33</sup>Livy 9.34.26. Tribunes could not veto a censor's senatorial or tribal appointments. In this case, they were trying to remove Appius Claudius from office on the grounds that his colleague had resigned (in protest of his actions) and it was contrary to the mos maiorum for one censor to serve alone.

<sup>34</sup>Livy 9.46.14.

<sup>35</sup>Greenidge, Roman Public Life, pp. 129f.

their political advancement. This coalition of patricians and wealthy plebeians had been forming since the plebeians attained the consulship in 367, and was finally consummated in 300 with the passage of the Ogulnian law which enabled plebeians to serve as augurs and pontiffs, thus removing from Roman religious tradition the last significant barrier to socio-political equality between patrician and plebeian senators.<sup>36</sup> It was probably no coincidence that another law was passed in 300 which for the first time enforced the right of appeal with legal sanctions.<sup>37</sup> Such a measure had become necessary because the plebeian tribunate was now dominated by the governing nobiles, who could no longer be relied upon to enforce the right of appeal with their auxilium.<sup>38</sup>

The only officials who continued consistently to uphold the legal rights of nonaffluent Roman citizens were the aediles, lower ranking magistrates who were in charge of law enforcement and public works. In 304 an aedile named Flavius, the son of a freedman who was despised by the nobility for his low birth, made available to the public the forms and procedures for Roman civil law and the Roman religious calendar, both of which had hitherto been

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<sup>36</sup>Livy 10.9.1.

<sup>37</sup>Livy 10.9.3-4; Staveley, *Historia* 3 (1954-5), p. 414. The right of appeal (provocatio) had previously been enforced only by the mos maiorum and the mutual consent of the orders. See Chapter Two.

<sup>38</sup>Staveley, *Historia* 3 (1954-5), pp. 417f.

accessible only to the pontiffs and had therefore been exploited for the benefit of the ruling class.<sup>39</sup> In retaliation, a senatorial resolution was passed that forbade the dedication of an altar or temple without the authorization of the Senate or a majority of the plebeian tribunes.<sup>40</sup> The nobiles thus sought to eliminate what was a potential source of prestige and patronage for the aedileship. Nevertheless, the aediles continued in their capacities as law enforcement officials to oppose any infringement upon the rights of the ignobiles: in 298, 295, and 292 B.C. they prosecuted numerous individuals for appropriating more than the legal maximum of public land allowed by the Licinian-Sextian law.<sup>41</sup> Moreover, the curule aediles of 295 brought several men to trial for lending money at interest contrary to the law of 342.<sup>42</sup> In the final analysis, however, the aediles were neither constitutionally equipped nor primarily concerned to serve as an effective check upon the governing caste, but were merely performing their duty in a conscientious manner.<sup>43</sup>

Nor were the actions of the aediles ultimately

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<sup>39</sup>Livy 9.46.5; Greenidge, Roman Public Life, pp. 85ff.

<sup>40</sup>Livy 9.46.7.

<sup>41</sup>Livy 10.13.14; 10.23.13; 10.47.4.

<sup>42</sup>Livy 10.23.11-12. The curule and plebeian aedileships were open to all citizens after 365 B.C.: Livy 7.1.6.

<sup>43</sup>The extant ancient sources provide no clues to the motives of these aediles.

efficacious in protecting the ignobiles from the ravages of poverty. By 287 many of Rome's citizens were once again oppressed by debt, the precise cause of which is unknown.<sup>44</sup> E.S. Staveley hypothesizes that Rome's introduction of silver coinage took place in the late fourth century and that this led to widespread speculative borrowing with which the Roman economy could not keep pace.<sup>45</sup> It is also possible that many plebeian families had still not recovered from the financial hardships originally caused by the destruction of the city by the Gauls in 390 B.C. At any rate, the tribunes reportedly suggested an annulment of debts, but this was not accepted by the creditors so the defenders of the people simply let the matter drop.<sup>46</sup> After a protracted turmoil, the debt-ridden plebs seceded to the Janiculum Hill (287 B.C.) and, as in 493 and 449, refused to contribute in any way to the maintenance of the state.<sup>47</sup>

To meet this crisis a plebeian, Quintus Hortensius, was appointed dictator by the consuls. Subsequent to negotiations with the dissidents, the secession was

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<sup>44</sup>Livy, Epitome 11; Cassius Dio, Frag. 37. Livy's Books 11-20 are not extant.

<sup>45</sup>Historia 8 (1959), pp. 420, 429ff. Most authorities contend that silver coinage was not introduced until 269 B.C.; Livy, Epitome 15; Frank, Roman Imperialism, p. 80.

<sup>46</sup>Cassius Dio, Frag. 37.

<sup>47</sup>Livy, Epitome 11; Greenidge, Roman Public Life, pp. 126f.

resolved by the passage of the lex Hortensia, which gave plebiscites the full force of law regardless of the approval or disapproval of the Senate or comitia centuriata.<sup>48</sup>

Hereafter the plebeian assembly could independently enact measures that were binding upon all Roman citizens, a fact which ensured the constitutional equality of the orders.

Unfortunately, our few extant sources for this episode leave us uninformed concerning the debt situation immediately following the secession. Although we must assume that the problem was at least somewhat alleviated, it is impossible to venture a conclusion with any degree of certainty. We can assert, however, that the secession of 287 would never have occurred had the plebeian element of the nobilitas been as solicitous regarding the people's economic welfare as it had been in the fourth century.

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<sup>48</sup>Diodorus Siculus 21.18; Cowell, Revolutions of Ancient Rome, p. 63; Frank, Roman Imperialism, p. 60.

CHAPTER V

THE LOSS OF POLITICAL INFLUENCE

BY THE IGNOBILES

The lex Hortensia, the climax of the Roman democratic movement, actually accelerated the growth of senatorial predominance within the Roman state. The existence of three legislative assemblies (centuriata, tributa, and plebis consilium) which could enact measures binding upon all citizens rendered the pursuance of coherent and methodical domestic and foreign policies virtually impossible without the direction of the Conscript Fathers. Moreover, the multiplicity of annually-elected magistracies, several of whom possessed the authority to veto the actions of their colleagues, resulted in their gradual weakening relative to the Senate. Indeed, the progressive enhancement of senatorial power was largely derived from the need for order and organization within the Roman government.<sup>1</sup> The widespread distribution of authority among numerous assemblies and magistrates ultimately undermined the effect of the democracy they were intended to implement. Guidance of the state came to reside instead in the more cohesive

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<sup>1</sup>Greenidge, Roman Public Life, pp. 150f., 261f.



and experienced Senate.

Thus, partly through contrivance (see Chapter Four) and partly from necessity the rejuvenated Roman aristocracy (the nobiles) strengthened its hold upon the Roman government, and ruled virtually unchallenged until the latter half of the second century B.C.<sup>2</sup> The nobiles succeeded in making the Senate a prestigious as well as a relatively exclusive governing council that outsiders aspired to join rather than overthrow;<sup>3</sup> they thus perpetuated aristocratic predominance while furnishing an effective safety valve against domestic revolt. The plebeian tribunate became in the third century a springboard to curule office for noble young plebeians who placated the Senate while neglecting their true constituents.<sup>4</sup> The influence of Rome's ordinary citizens was also sharply curtailed in the legislative assemblies, all of which were now either presided over by or subject to the veto of officeholding nobiles. References to the "plebeian influence" over the Roman government until the mid-second century B.C. can therefore be very misleading, for they fail to distinguish between a socio-economic group and a section of the governing

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<sup>2</sup>This period lies outside the scope of my study. See Lily Ross Taylor, JRS 52 (1962), pp. 19-27; and Astin, Scipio Aemilianus, Chapters 4-6, and passim.

<sup>3</sup>Gelzer (Roman Nobility, p. 52) states that from 366 to 63 B.C. only fifteen new families attained the consulship.

<sup>4</sup>Cowell, Revolutions of Ancient Rome, pp. 80f. See Chapter Four.

aristocracy.

Such an obfuscation frequently appears in the work of modern scholars who ascribe the origins of the Pyrrhic and First Punic Wars to the recently strengthened "plebeian influence" in the Roman state. Tenny Frank, for example, asserts that the "democratic party" was more eager for conquest than the senatorial and was ultimately responsible for Roman imperialism in the third century.<sup>5</sup> He is joined by Scullard and Cary in characterizing the Roman plebeians as motivated to engage in war by their desire for booty and land in addition to reputation and glory for plebeian generals.<sup>6</sup> These historians apparently assume that the lex Hortensia endowed the ignobiles with the power of political initiative in determining the foreign policy of their state. As I will try to establish, however, this was not the case. Roman assemblies possessed no powers of initiative and could thus decide matters of foreign policy only in the context in which such questions were presented to them (see Chapter Four). The decisive influence in the comitia tributa was therefore almost always exercised by the presiding officer, the tribune, rather than by the voters themselves. Furthermore, there is no record in the ancient sources of any popular agitation outside of the

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<sup>5</sup>Roman Imperialism, pp. 65f.

<sup>6</sup>Ibid., pp. 66f.; Scullard, Roman Politics, pp. 29f.; M. Cary, Imperialism in the Roman Republic, Erich S. Gruen, ed. (Holt, Rinehart, and Winston, 1970), p. 33.

assemblies in favor of the Pyrrhic or First Punic Wars.

Other problems also arise pertaining to the motives attributed to the Roman plebeians. In the first place, Frank himself states that economic needs or desires did not influence Roman foreign policy: "Rome did not expand because its citizens needed land...it would be nearer the truth to say that the Romans became landholders--an agricultural people--because they expanded and had to hold their frontiers."<sup>7</sup> Moreover, the censors of 304 had restricted the landless, urban proletariat of Rome to membership in only four tribes, so their influence in the comitia was truly negligible.<sup>8</sup>

In the second place, it seems very unlikely that the bulk of the plebeians would have favored and, indeed, clamored for the advancement of their aristocratic counterparts simply because they too were plebeian by birth. It had become increasingly apparent that the politically prominent plebeians now identified themselves with the senatorial order and were no longer greatly concerned for the welfare of those with whom they had once shared common goals. This is the most probable explanation for the tribunes' failure in 287 to alleviate the plight of those oppressed by debt, an action they had often effectively taken in the past. The plebeians of the third century therefore supported the

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<sup>7</sup>Frank, Roman Imperialism, p. 56 n.3.

<sup>8</sup>Livy 9.46.14. In the tribal assembly, each tribe voted as a single unit.

policies of the plebeian nobiles either to gain something in return or to signify ideological agreement, not because of a sense of class pride that stood little chance of being reciprocated.

Prospective plebeian military leaders, on the other hand, could profit greatly from war. As recently invested members of the senatorial aristocracy, the plebeian nobiles were especially eager to attain the military prestige and glory that could win for them and their families additional political advancement and social esteem. Since the generals of the Roman Republic always possessed absolute authority over the distribution of military spoils,<sup>9</sup> the plebeian nobiles, like their patrician associates, may have occasionally won the backing of the citizenry with promises of beneficence in the event of victory. It is more probable, however, that the nobiles found it easier to win popular support by playing upon sentimental conceptions of fides and deditio than through promises of plunder.<sup>10</sup> Whatever the case, the initiative for war derived from members of the senatorial class rather than from the voters in the tribal assembly. The fact that many of Rome's military leaders during the third century B.C. were plebeian members of the Senate<sup>11</sup> does not warrant the perception of a

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<sup>9</sup>Israel Shatzman, Historia 21 (1972), pp. 177-205. See Introduction.

<sup>10</sup>J.H. Thiel, Imperialism in the Roman Republic, pp. 29f.

<sup>11</sup>For example: Fabricius, Curius Dentatus, and Decius

democratically-induced, militaristic influence over the Roman government.

The ancient sources likewise fail to endorse a view of the Roman ignobiles as efficacious initiators of war. Pliny the Elder notes that in the third century the Thurians built a statue in the Roman forum dedicated to the tribune Aelius, who in 282 B.C. had secured the passage of a plebiscite which granted Roman aid to Thurii when it was being besieged by the Lucanians.<sup>12</sup> The Roman assistance to Thurii offended the Tarentines and led to the Pyrrhic War two years later.<sup>13</sup> Frank contends that the statue of Aelius proves that the "democratic" element in Roman politics brought about the Pyrrhic War against senatorial opposition,<sup>14</sup> but in fact the existence of the statue simply indicates that the Thurians credited Aelius with arranging their relief, and perhaps also that they consequently considered him their patron.<sup>15</sup> Neither Pliny nor any other ancient source mentions the senatorial opposition that Frank takes for granted. Moreover, it is hard

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Mus during the Pyrrhic conflict; Coruncanius, Caecilius Metellus, and Lutatius during the First Punic War.

<sup>12</sup>Natural History 34.32. Pliny the Elder wrote during the Augustan era.

<sup>13</sup>Livy, Epitome 11, 12; Frank, Roman Imperialism, p. 62.

<sup>14</sup>Frank, Ibid., pp. 64f.

<sup>15</sup>Prominent Romans often became patrons of communities they assisted: Gelzer, Roman Nobility, p. 86.

to picture Aelius as a democratically-oriented, anti-senatorial politician, since the Aelii gens had first attained the consulship in 337, had repeated in 286, and was thus solidly established in the nobilitas.<sup>16</sup> In short, there is no reason to assume that the Roman people in this episode independently influenced the implementation of foreign policy. It was Aelius who took the initiative and who subsequently received the recognition and prestige.

The First Punic War resulted from Rome's decision in 264 to assist the Mamertines of Messana against the Carthaginians and the Syracusans. Because of the Senate's vacillation, the decision to send aid was reached in the tribal assembly.<sup>17</sup> This fact prompts Frank to assert that the "democratic group" wanted war and was able to circumvent the hesitancy of the Senate with a plebiscite.<sup>18</sup> Polybius, however, our best source for this episode, records that the military commanders persuaded the people to approve an expedition to Messana by citing strategic considerations and by promising abundant spoils.<sup>19</sup> The populace may also have been influenced by the fact that Messana had pledged deditio to Rome and wished to be

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<sup>16</sup>T. Robert S. Broughton, The Magistrates of the Roman Republic, Vol. I (New York: American Philological Association, 1951), pp. 138, 186.

<sup>17</sup>Polybius 1.11.3.

<sup>18</sup>Frank, Roman Imperialism, pp. 90f.

<sup>19</sup>1.11.2; Florus (18.2) states that the Romans coveted the wealth of Sicily.

received in fides.<sup>20</sup> After the decision had been reached, the consul Appius Claudius Caudex, a patrician, was given command of the Roman army bound for Sicily.<sup>21</sup> Polybius makes it clear that the initiative for war rested with the military commanders, men who would have necessarily been members of the Senate. Thus, Frank's "democratic group" was a faction in and of the Senate, not extraneous to it, and we cannot even be sure that it was dominated by plebeian nobiles, since a patrician received the initial command. In neither the Pyrrhic nor the First Punic War did the Senate lose control of foreign policy,<sup>22</sup> which was consistently and decisively influenced by senators with sometimes conflicting self-interests.

Although the prerogatives of the presiding officer in a Roman assembly were the most conspicuous obstacles to popular democratic initiative therefrom, they were not the only means by which the aristocracy controlled the volition of the voters. As early as the mid-fifth century B.C. the nobility began to take progressive steps to control tribal voting by transferring to new tribes in conquered areas and establishing their leadership.<sup>23</sup> The evolution of a plebeian aristocracy after 367 greatly strengthened

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<sup>20</sup>Polybius 1.10.2-3; Thiel, Imperialism in the Roman Republic, p. 27; Badian, Foreign Clientelae, p. 35.

<sup>21</sup>Polybius 1.11.3.

<sup>22</sup>Contrary to Frank, Roman Imperialism, pp. 66f., 90f.

<sup>23</sup>Taylor, Voting Districts, p. 299.

senatorial influence over the tribes, for the new nobiles could regulate the votes of their own clients and dependents, men who had previously been beyond aristocratic control. Intrinsic to the senatorial influence over the tribal assembly was the Roman system of oral voting, which enabled the nobiles to supervise the votes of those over whom they had any claim.<sup>24</sup> The secret ballot was not instituted in Rome until 139 B.C., a move that Cicero asserts destroyed the electoral influence of the aristocracy.<sup>25</sup>

In the final analysis, it is hard to imagine the voters of the tribal assembly exerting any significant political influence whatsoever. They could only vote "yes" or "no" to questions put directly to them by the tribunes, who were now for the most part young nobiles looking forward to senatorial careers. Although plebeian tribunes were elected by the comitia tributa, the election itself as well as the list of eligible candidates was supervised by the retiring tribunes who were, of course, members of the nobilitas.<sup>26</sup> As we have seen, the oral taking of votes enabled the aristocratic plebeians to manipulate their

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<sup>24</sup>J.A.O. Larsen, Classical Philology 44 (1949), pp. 178-181; Larsen, Classical Philology 49 (1954), p. 10; Frank B. Marsh, Classical Journal 22 (1926-7), pp. 10-13.

<sup>25</sup>Cicero, De Legibus 3.33-39. Subsequent laws extending the secret ballot to all spheres of electoral activity were passed in 137, 131, and 107.

<sup>26</sup>Greenidge, Roman Public Life, p. 234.



clients very easily. In addition, the ignobiles were especially susceptible to the economic or ideological appeals that the senatorial class readily made in order to facilitate its own designs. If, however, the tribal assembly did manage to reach a decision contrary to the wishes of the nobilitas, the popular mandate could be nullified by the veto of any of the ten plebeian tribunes. Therefore, it seems safe to assert that in the third century the comitia tributa could make no politically important move without the approbation of at least part of the Senate. Effective independent popular political initiative was virtually nonexistent.

It was their success at manipulating the tribes that prompted the nobility in 241 B.C. to reform the comitia centuriata. The number of tribes had just been increased to 35, a total that remained fixed for the duration of the republican era.<sup>27</sup> The reform of 241, while leaving the equestrian centuries unchanged, coordinated the 170 centuries of pedites with the tribes: each of the five classes was divided into 70 centuries, two from each tribe, one of elders and one of younger men. The 70 first class centuries were left intact, but the remaining 280 were somehow reduced to 100 voting units which consisted of an admixture of tribes, though not of classes.<sup>28</sup> Although this meant

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<sup>27</sup>Livy, Epitome 19.

<sup>28</sup>Lily Ross Taylor, AJP 78 (1957), p. 344; J.J. Nichols, AJP 77 (1956), p. 254. The only extant ancient

that the first class combined with the equites no longer represented a decisive majority in the centuriate assembly (the first class had previously possessed 80 centuries), the small influence obtained by the wealthy second class did not result in any significant degree of democratization relevant to Rome's poorer citizens.<sup>29</sup> Moreover, the political alignments within the tribal and centuriate assemblies were rendered similar by the reform,<sup>30</sup> a factor that safeguarded the predominant position of the nobility by forestalling the attainment of political influence by newly wealthy ignobiles. Finally, the presiding officer of the comitia centuriata (the consul) was frequently called upon to assign men of his choice to centuries for which the relevant tribes were deficient in numbers (some of the urban and older rural tribes fit into this category), a prerogative very favorable to the pursuance of self-interest.<sup>31</sup> That the reform was neither enacted for nor resulted in the democratization of the comitia centuriata is reflected by the fasti, which indicate that the

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references to the reform of 241 are Livy 1.43.12; and Cicero, De Re Publica 2.39. The comitia centuriata was actually a military assembly, consisting of 23 centuries of equites (cavalry) and 170 centuries of pedites (infantry) for a total of 193. The equites were always men of substantial wealth.

<sup>29</sup>E.S. Staveley, AJP 74 (1953), pp. 21f.

<sup>30</sup>Taylor, AJP 78 (1957), pp. 348f.

<sup>31</sup>Taylor, Voting Districts, p. 304.

electoral influence of the nobiles increased subsequent to 241 B.C.<sup>32</sup>

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<sup>32</sup>Staveley, AJP 74 (1953), p. 25. The comitia centuriata elected all curule magistrates, including the consuls, praetors, and censors.

## CHAPTER VI

### OVERVIEW AND CONCLUSION

After the expulsion of the Tarquins in 509 B.C., Roman society was comprised of a simple dichotomy between the rulers, the patricians, and ruled, the plebeians. Relations between the orders were regulated by the clientela system, a social arrangement that ideologically endorsed the status quo. The plebeians of this era in general had considerably fewer economic means than the patricians and possessed neither political influence nor legal identity.

The economic recession that followed Rome's successful revolution was especially damaging to the plebeians, who soon found themselves oppressed by debt. Thus it was economic factors that led to the first secession and to the creation of the plebeian tribunate. The passage of the Twelve Tables in the mid-fifth century extended the protection of law to all Roman citizens, while the advent of military tribunes as the chief executives a few years later gave the general populace an unprecedented voice in the selection of their city's leaders.

As early as the late fifth century, however, the plebeians ceased to exist as an essentially monolithic

bloc of Rome's less privileged citizens. A relatively small group of fairly wealthy plebeians began to agitate for political equality with the patricians. Since the bulk of the plebeians remained primarily concerned with economic issues, and since the patricians opposed the opening of any curule office to outsiders, the ambitious plebeians were in a unique position between the two. The self-interest and ambivalence of the office seeking plebeians was illustrated by the actions of the plebeian tribunate, their political power base. Because they aspired to join rather than demolish the Roman aristocracy, they opposed Spurius Maelius and Manlius Capitolinus, both of whom appealed to the economic needs of the general populace. In 400 B.C. the plebeian tribunes obstructed the collection of the war tax which financed the soldiers' pay, ostensibly to bring about land distribution, but withdrew their vetoes after obtaining the election of one plebeian "consular" tribune for the following year. This is a blatant example of the pursuance of political gain at the expense of the tribunate's nominal constituency. In 397 the electoral freedom of the tribal assembly was restricted in order to guarantee that three of the six "consular" tribunes would henceforth be plebeian. Three decades later Sextius and Licinius refused to allow their bills relieving debt and regulating the personal use of public land to pass unless plebeians were also declared eligible for the consulship.

The patricians, on the other hand, frequently endeavored to impede the progress of their new political rivals by undermining their popular support. Their decision to introduce pay for the plebeian infantry in 406 was obviously a maneuver designed to placate the general populace. Then in 393 the Senate voted to distribute Veientane land to all freeborn plebeians, a move that genuinely benefited Rome's poorer citizens. Unfortunately, the Gallic invasion resulted in ruinous indebtedness once again for many Romans.

Subsequent to the passage of the Licinian-Sextian laws, the newly ennobled plebeians were in an excellent position to assist their erstwhile constituents. Throughout the latter half of the fourth century, economic measures such as land distributions and laws pertaining to usury and debt accommodated the people, while the office seeking plebeians continued to break new political ground. Finally, in 300, the Ogulnian law removed the last significant barrier to socio-political equality between the senatorial plebeians and the patricians, so the two groups coalesced to form the nobilitas, the new governing caste of Rome.<sup>1</sup> Thereafter the aristocratic plebeians seem to have abandoned their humbler counterparts. By 287 many Roman citizens were again oppressed by debt and the secession of that year occurred despite the potential for tribunician

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<sup>1</sup>This governing coalition had, of course, been slowly forming since 367.

intervention.<sup>2</sup> As the third century progressed, the nobiles asserted their control over the comitia tributa and guaranteed their continued predominance in the comitia centuriata. The bulk of the Roman citizenry had thus effectively gained very little, politically or economically, since the passage of the Twelve Tables. Indeed, the problems of debt and land distribution plagued the populace even in the first century B.C., notwithstanding the fact that Rome was by then the acknowledged mistress of the Mediterranean.<sup>3</sup>

The nature and extent of plebeian influence within the Roman state underwent several distinct phases during the period from 509 to 241 B.C. Previous to 493 the plebeians possessed an indirect but very significant influence inherent in the unavoidable fact that their cooperation was necessary to ensure the survival of an independent Rome, a potential impact they retained until the end of the Republic. The creation of the plebeian tribunate enabled the plebs to exert a negative effect upon senatorial policy, so that they could, through the tribunes, prevent the enactment of measures that threatened their interests. From 444 to about 397 the plebeians as an

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<sup>2</sup>The secession of 493 occurred before the existence of the plebeian tribunate; that of 449, when it had temporarily been allowed to lapse.

<sup>3</sup>See Z. Yavetz, Latomus 17 (1950), pp. 500-517; for the late second century, Henry C. Boren, AHR 63 (1958), pp. 890-902.

entire class probably exercised more authority within the Roman polity than at any time until the late second century B.C., for this was the only period of the early Republic in which Rome's nonaffluent citizens played a major role in selecting the chief administrative officers of the state. They continued to exert a considerable influence down to 367, even though their freedom of choice in the election of "consular" tribunes had been somewhat circumscribed in 397.

The admission of aristocratic plebeians to curule office in the mid-fourth century did not automatically enhance the political power of the general populace. Although a small group of officeholding plebeians acquired a direct role in the formation of Roman policy, they were not, properly speaking, representative of Rome's less privileged citizens, since they were elected in the wealth-dominated comitia centuriata. Indeed, when the plebeian tribunate was monopolized by the nobilitas in the third century, the ordinary Roman citizens lost even their negative impact upon the government, and they were therefore compelled to utilize their only remaining political prerogative when they seceded in 287. The reform of 241 guaranteed that even wealthy ignobiles would henceforth be unable to exert any significant political influence.

During the numerous domestic conflicts of the early Republic, all sides consistently abstained from violence. Even the plebeian secessions were accomplished without



accompanying civil bloodshed. Moreover, none of the contending parties ever showed themselves truly willing to jeopardize the security of Rome in the event of foreign danger. For rich and poor Romans alike, the survival of the state overshadowed all other considerations.

The political conflicts within the Roman state from 509 to 241 B.C. resulted in the constitutional equality of all Roman citizens. In actuality, however, only a small group of plebeians obtained an important share in the government, while the acquisitions of the majority were much less substantial, despite the fact that an administrative apparatus had been created that could easily serve as an effective vehicle for a popular political movement. That the Roman people did not take advantage of their powerful constitutional position during the period from 285 to 150 B.C. reflects their preoccupation with economic necessity as well as the machinations of the nobilitas. To the Roman mind plebeians and poverty were always complementary,<sup>4</sup> and with relatively few exceptions this remained true throughout the history of the Roman Republic. The plebeian influence within the Roman polity, though potentially dynamic, was ultimately exercised only by those few who were able to surmount the political, social, and economic liabilities generally associated with plebeian birth, so that they and their families could realize the

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<sup>4</sup>A.D. Fraser, Classical Bulletin 32 (Dec. 1955), p. 19.

virtue of strength. Indeed, the establishment of the nobilitas guaranteed the survival of the aristocratic ideology as Rome's guiding ethos until the problems of empire necessitated a more self-conscious approach.

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