Marius Speaks to the People: "New Man", Roman Nobility and Roman Political Culture

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This paper takes a close look at a specimen of aggressive populist rhetoric produced by Sallust in *Bellum Jugurthinum*: Marius as consul 107 BCE addressing the people in a *contio* on the eve of his departure to Africa. He is said to have spoken in order 'to encourage men to enlist and at the same time, according to his custom [at that time], to bait the nobility (*nobilitatem uti consueverat exagitandi*)' (Sall. *Jug*. 84.5).[1] How could the Roman nobility be successfully "baited" by a *homo novus* like Marius in a speech before the people? The attack, at least according to Sallust, was directed not against certain unpopular aristocrats, who might provide an easy target, but against the nobility in general.[2] It is widely accepted that the usual attitude of the Roman people to nobility was that of respect and deference. The system's legitimacy and stability rested largely on this, and, more generally, on a political culture that emphasized tradition, order and hierarchy.

1. The elite's "cultural hegemony" and the people's "ideological autonomy"

The "cultural hegemony" of the ruling senatorial class, with the nobility as its inner core, is frequently stressed in recent scholarship. This hegemony is increasingly regarded as largely accounting for the elite's ability to preserve its leading role in Republican politics — despite the considerable power enjoyed, as is nowadays accepted more readily than in the past, by the Roman voting populace. The prestige of the elite — and of the nobility in particular — was, it is suggested, systematically fostered by various spectacles, ceremonies and rituals of Roman public life. These provided ample scope for aristocratic ostentation and self-glorification, personal and familial. One of these occasions was the *contio* — the public meeting-place between the people and the elite. Members of the office-holding class addressed the populace in these gatherings that only they had a right

1 English translations will generally follow the Loeb edition. All dates are BCE.

2 Plutarch draws a similar picture of repeated "bold" attacks on the nobility in *Mar*. 9; cf. Sall. *Jug*. 81.1. See G.M. Paul, *A Historical Commentary on Sallust's Bellum Jugurthinum*, Liverpool 1984, 207, concluding that Sallust's account 'probably represents the substance of Marius' actual remarks'. Cf. H.I. Flower, *Ancestor Masks and Aristocratic Power in Roman Culture*, Oxford 1997, 16-18: 'some echoes of Marius' own ideas and the tone of popular oratory in the late second century BC." R. Syme in *Sallust*, Berkley – Los Angeles 1964, 169 n. 37 is somewhat more skeptical. Some suggest that the speech is strongly influenced by first-century *popularis* rhetoric — e.g. R.E. Evans, *Gaius Marius: A Political Biography*, Pretoria 1994, 72; T.P. Wiseman, *New Men in the Roman Senate 139 B.C. - A.D.* 14, Oxford 1971, 111. See n. 43 below and text.

to summon and preside over, with no trace of an Athenian-style *isēgoria*. They spoke from a platform raised high above their audience, surrounded, in case of higher magistrates, with all the impressive trappings of Roman high office. Their rhetoric tended to reflect and reinforce their exalted status. All this was clearly designed to enhance the collective authority of the ruling class.[3]

Nevertheless, its cultural hegemony did not guarantee the elite a victory in every political contest. The Roman people were, on occasion, quite capable of turning against those whom they were usually content to regard as their natural leaders. The elite could be effectively challenged — most frequently and famously in the late Republic, but sometimes in earlier periods as well. In a recent paper, '"Cultural Hegemony" and the Communicative Power of the Roman Elite', Morstein-Marx concludes that in the Republic's last century this was in fact a relatively frequent occurrence. He lists the known cases, between 140 and 50 BCE, of laws passed by popular assemblies against strong senatorial opposition. 'Thirty-six reasonably well-attested instances' appear on the list, indicating that 'the Roman *populus* was far from docile in this period'.[4] Rather, it possessed 'a significant degree of ideological autonomy in the face of the "cultural hegemony" of the elite'. Despite the 'steeply hierarchical communication-situation [that] characterized the *contio*', 'the plebeian audience had greater powers of resistance to the

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3 See on this, e.g, F. Pina Polo, *Contra Arma Verbis: Der Redner vor dem Volk in der späten römischen Republik*, trans. E. Liess, Stuttgart 1996; M. Jehne (ed), *Democratie in Rom? Die Rolle des Volkes in der Politik der röomischen Republik*, Stuttgart 1995; M. Jehne, 'Integrationsrituale in der römischen Republik. Zur einbindenden Wirkung der Volksversammlungen', in: G. Urso (ed.), *Integrazione, mescolanza, rifiuto. Incontri di popoli, lingue e culture in Europa dall'Antichità all'Umanesimo*, Rome 2001, 89-113; K.-J. Hölkeskamp, *Rekonstructionen einer Republik. Die politische Kultur des antiken Rom und die Forschung der letzten Jahrzente*, München 2004; R. Morstein-Marx, *Mass Oratory and Political Power in the Late Roman Republic*, Cambridge 2004; E. Flaig, *Ritualisierte Politik. Zeichen, Gesten und Herrschaft im Alten Rom*, Götingen 2003; Alexander Yakobson, 'Traditional political culture and the people's role in the Roman Republic', *Historia* 30 (2010), 282-302; W.J. Tatum, 'Roman Democracy?' in R.K. Balot, A Companion to Greek and Roman Political Thought, Oxford 2013, 214-227, esp. 226; see also the various papers included in C. Steel and H. van der Blom (eds.), *Community & Communication: Oratory & Politics in Republican Rome*, Oxford 2013, esp. K.-J. Hölkeskamp, 'Friends, Romans, Countrymen: Addressing the Roman People and the Rhetoric of Inclusion', 11-28.

4 The inclusion of some items will be controversial, though Morstein-Marx believes he probably 'erred on the conservative side' (33, see next note). In particular, the "democratic" significance of the ballot laws has been questioned — e.g. R. F. Vishnia, 'Written Ballot, Secret Ballot and the *iudicia publica*', *Klio* 90/2 (2008), 334-346, with a survey of the controversy. That these laws did not cause a radical overhaul of Roman politics is no proof that most of the ruling class had not opposed them, perhaps for a good reason. The ballot laws did not, admittedly, reduce the number of nobles elected to magistracies, but there is no reason to think that any "popular" law would have been aimed at reducing it. What Cicero says on the political significance of the ballot laws is too emphatic and specific to be wholly dismissed, even if it is coloured by contemporary experiences and concerns. See A. Yakobson, *Elections and Electioneering in Rome*, Stuttgart 1999, 126-141.

accumulated authority of the *patres* and their *principes*' than is often assumed. There existed 'a distinctive plebeian ideological space' which emphasized both the people's material interests and their legitimate political rights.[5]

However, according to Morstein-Marx, this popular ideological "autonomy" presented only a limited — if significant — challenge to the dominant ideology. The people accepted 'the overall legitimacy of the senate as an institution' and the need to maintain its authority. Elite and people alike displayed a 'reverence … to ideas of reciprocity of public service and honour (*merita in rem publicam* and *dignitas*/*honor*)' thus sharing the 'aristocratic assumptions regarding the deference due to individual members of the elite possessed of dignity and authority'. 'An ideology of popular sovereignty' and 'insubordinate [assertion]' of popular rights coexisted with 'general adherence to the paternalistic assumptions of elite leadership'; 'the function of such "insubordination" was to serve as a check … upon senatorial hegemony'. In the final analysis, displays of popular "autonomy" and "insubordination" served the system by enhancing its popular legitimacy.[6]

Thus, while it is true that Rome's conservative political culture mitigated the popular aspects of Republican politics, protected the system from their most dangerous potential effects, and made them serve the system's fundamental stability, we should think of the Republic's political culture itself as presenting a mixture of elitist and popular elements. It follows that the Republic's political culture could hardly neutralize its political system's popular aspects as thoroughly as is sometimes assumed.

But how exactly did this mixture and "coexistence" function in a case like the one before us? Surely, "baiting" the nobility ran counter to all the instincts of deference and reverence that were so deeply inculcated in the populace by the system. If such a rhetorical tactic could be successfully employed by a non-aristocrat like Marius,[7] this is significant and needs to be accounted for. Moreover, Marius is not even offering the people some material or political boon, for the sake of which they might have allowed themselves to forget, momentarily, the aristocratic lessons of their elaborate civic "education". His main business is avenging personal slights and self-glorification (faced with the handicap of undistinguished birth); his attack on the Roman nobility is not impelled by political necessity. Of course, he is taking advantage of the prevailing public mood, which had turned against the senatorial leadership because of events preceding the war against Jugurtha and the failures of its first stages, and in the wake of the judicial "massacre" of aristocratic leaders produced by the Mamillian *quaestio* (Sall. *Jug*. 65.5). But this only demonstrates that deference to nobility was, in the last resort, dependant on public opinion rather than public opinion itself being shaped, in some deterministic fashion, by deference to nobility.

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5 R. Morstein-Marx, '"Cultural Hegemony" and the Communicative Power of the Roman Elite', in C. Steel & H. van der Blom (eds.), *Community &Communication: Oratory & Politics in Republican Rome*, Oxford 2013, 37-38; 40.

6 Morstein-Marx (n. 5), 43; 45.

7 Sall. *Jug*. 86.1: *postquam plebis animos arrectos videt*. Marius did not need to put the success of his speech to the test of a popular vote, but the whole context of Sallust's narrative indicates that it was, as expected, an effective piece of rhetoric on his part.

What is remarkable about the content of Marius' attack on the aristocracy is how heavily it borrows from the aristocracy's own book; naturally, the 'steeply-hierarchical communication situation', in Morstein-Marx's words, between the speaker and his listeners is fully preserved in this case. There doesn't seem to be anything in the speech against which his popular audience was immunized by whatever aristocratic conditioning it had undergone, despite the fact that he assailed what is usually regarded as the very fundamentals of the system. It was evidently possible to "bait" the nobility in a plausibly legitimate way — by appropriating, rather than rejecting, the commonly-shared 'ideas of reciprocity of public service and honour' that are usually defined, with good reason, as "aristocratic". We shall see how this could be done.

The ideological autonomy of the people vis-à-vis the elite is better understood as an interpretive autonomy: the people felt free to insist on their own interpretation — that might be different from the prevailing senatorial one — of a set of values that was, in principle, commonly-shared. This seems preferable to conceiving the people as autonomous in the sense of possessing a distinct popular set of values; "autonomy" would then mean that on occasion the people felt free to prefer this set of values over the commonly shared, and usually dominant, conservative and aristocratic one. In fact, it appears that all the essential elements of Republican "ideology" were, in principle, commonly-shared — though, of course, susceptible to widely divergent interpretations.[8] Thus, radical appropriation of conservative themes and motifs was no less feasible, rhetorically, than elitist appropriation of "popular" ones, which often characterized the *contio*.[9] Both appropriations could be powerfully manipulative and effective. Hence, Marius' listeners did not have to feel that by accepting his blistering attack on the nobility, they were condoning anything un-Roman, untraditional or subversive.

Admittedly, the final result is the same; however one defines the popular "autonomy": the people were fundamentally loyal to the system and usually accepted the

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8 Cf. T.P. Wiseman, *Remembering the Roman People: Essays on Late-Republican Politics and Literature*, Oxford 2009, 9: 'two rival ideologies [popular and optimate], two mutually incompatible understandings of what the republic was'. However, Wiseman also notes that 'both ideologies were represented in the tradition' (18). Cf. V. Arena, *Libertas and the practice of politics in the late Roman Republic*, Cambridge 2012, 7-8: 'two traditions on *libertas*', optimate and *popularis*, with competing interpretations but also with significant common ground.

9 See Morstein-Marx (n. 3), 204-240 and Morstein-Marx (n. 5), 42-43; cf. with some qualifications, J. Tan, '*Contiones* in the Age of Cicero', *ClAnt* 27 (2008), 163-187; see also Yakobson 2010 (n. 3), 293-300. Morstein-Marx (n. 3) speaks of an 'ideological monotony' that prevailed in the *contio* since a 'nakedly "optimate" stance was in straightforward contradiction with the *contio* as rhetorical setting'; all orators, whether supporting or opposing "popular" initiatives, presented themselves as champions of the liberty of the Roman *populus* and its (rightly understood) interests; this facilitated elite manipulation of public opinion. That such a manipulation could sometimes be quite effective should not be doubted. But even manipulative routine invocations of popular liberty by members of the elite inevitably bestowed elitist legitimacy on the principle itself. And the populace was free — in practice, not just in theory — to choose to follow those whose "devotion to the people" corresponded to its own notions of what the people's interest was.

senate's leading role, but had a psychological rather than merely formal option of asserting, on occasion, their will against strong senatorial opposition. There is, of course, no precise border-line between different ideologies and different versions or interpretations of the same broad ideology — this is a matter of degree and emphasis. But stressing the common stock of ideals, themes and catchwords, open, typically, to appropriation and manipulation on both sides in a debate, draws attention to the fact that the dominant political culture, while certainly favourable, overall, to the elite, also provided powerful rhetorical weapons for challenging it.

2. Marius the consul faces the people; the elite challenged from within

Returning now to Marius' speech, let us first look at the 'steeply-hierarchical communication situation'. It was steep indeed. The "baiting" is carried out by a Roman consul who speaks, visibly supported by all the pomp and circumstance of the highest magistracy, 'from an elevated place' to the people standing respectfully before the *Rostra* in proper Roman fashion (so different from the 'unrestrained seated assemblies' of the Greeks decried by Cicero, *Flac*. 15-16). How many of history's rabble-raisers and elite-baiters could even dream of such a platform? The Roman state had made every effort, starting with the impressive ceremonies that marked his inauguration, to make sure that the consul's speech would be received by the people with all proper reverence. The lictors, the *fasces*, the purple-bordered toga, the curule chair, the complicated rituals and strict rules of etiquette visibly marking the consul as 'the leading actor' in the Republic's 'theatre of power' and 'set[ting] him apart and above' ordinary people 'by an awe-inspiring aura of aloofness and authority'[10] — all these artifices of hierarchical traditional order were now working for a "new man" "baiting" the Roman nobility. Moreover, Marius is speaking as a commanding general about to set out for an important military campaign; part of his speech is devoted to encouraging people to enlist. On such an occasion, a Roman consul's authority must have stood at its zenith. The authority of consul as commander-in-chief was 'at the heart a civic ideology … shared by the *populus Romanus* as a whole … [that was] centered on obedience, deference and the acceptance of hierarchical order'.[11]

Nothing was more natural for a loyal Roman citizen than to assume that what this speaker was saying was for the good of the Republic and in accordance with *mos maiorum*. There was no occasion here for this citizen to feel "insubordinate" in any way. It would be an exaggeration to say that the citizen in question was conditioned to accept the consul's words blindly; "obedience", in the context of a political debate (as opposed to that of military discipline, and, more generally, following a magistrate's lawful orders), is a metaphor. But the citizen was certainly conditioned and strongly predisposed to give the consul more than a fair hearing. And if the consul's words

10 K.-J. Hölkeskamp, 'The Roman Republic as theatre of power: the consuls as leading actors', in H. Beck, A. Duplá, M. Jehne & F. Pina Polo (eds.), *Consuls and Res Publica*, Cambridge 2011, 170.

11 K.-J. Hölkeskamp (n. 10), 175. Hölkeskamp actually refers to about a consul as commander (in-chief in the field,) outside the *pomerium*.

corresponded with, confirmed and legitimized his own feelings — in this case, the well-attested popular resentment against an allegedly corrupt and incompetent aristocratic leadership — so much the better.

Of course, if the consul, for all his authority and grandeur, were to speak against the liberty of the Roman people, his popular audience would presumably turn "insubordinate"; most probably, also if he were to attack the authority of the senate. But nobody ever did the former, and even people who were much more radical than Marius in 107 avoided doing the latter.

Under the ground rules of Republican politics, any challenge to (the majority of) the governing, i.e., office-holding, class had to enjoy the authority and legitimacy of originating from within its own ranks. This, of course, is merely the "other side of the coin", often stressed as one of the system's elitist traits, that no legitimate challenge to the elite could be launched from outside, by somebody without public authority. But the fierce competition between members of the elite for popularity and, ultimately, for the people's votes, naturally tended to produce elitist champions for popular grievances and demands[12] — though it also stands to reason that these demands were often moderated by the need to be presented through such an agency. Such a champion had to hold a position of considerable authority within the hierarchy which the people were conditioned to respect; as such, he was a competent interpreter of the *mos maiorum* which the people were conditioned to revere.[13] He would not be someone of merely marginal importance: if he was not a consul like Marius (or sometimes — seldom — a praetor) he would usually be a tribune of the plebs. The latter appears to have been, overall, by far the most common scenario.

It is of course equally true that any elitist challenger to the elite would face strong elitist opposition — often obviously (though far from always formally) backed by a senatorial majority. But it was entirely traditional and, in principle, universally accepted that the Roman *populus* was the rightful judge of conflicting claims within the elite. This was fundamental to the elitist no less than to the popular aspect of Republican politics, and can be regarded from either perspective with a change of emphasis but without any direct contradiction. This was the very essence of Roman elections — the people choosing between different members of the elite.[14] They regularly chose between nobles,

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12 Cf. Morstein-Marx (n. 5), 41: 'there must have been a very dense network of messages moving also from social bottom to top, signaling plebeian demands and promoting political action by ambitious senators prepared to respond to such demands in exchange for popular support or, as they would have put it, *honor* and *existimatio*.' Cf. Plut. *Ti. Gracch*. 8 for a famous example of direct popular messages to a politician. On this Yakobson (n. 3), 295-296.

13 Cf. Hölkeskamp (n. 3), 39: 'Die Senatoren ... bewegten sich ... — trotz der klaren politischen Rangunterschiede … auf der Ebene der grundsatzlichen Gleichheit'.

14 Cf. Hölkeskamp's explanation (n. 3, 86) of the vital function of popular elections in the Republic's competitive aristocratic politics: if members of the elite were to have a 'neutral' and commonly accepted method of advancement, they needed a 'third party' ('eine dritte Instanz'), to award the prizes of contests between them. This indispensable function was performed by the people — an arrangement that helped the elite preserve its fundamental cohesion as a group, and hence its power, despite bitter rivalries within it. Popular elections

and when it came to higher magistracies — between the elite's top representatives. A struggle over a controversial piece of legislation was also, by definition, a contest between different members of the elite eventually decided, if matters came to voting, by the people. So was a trial before the assembly when the prosecution had been inspired by rivalries within the ruling class, as often happened. A citizen practiced in doing all these things must have combined ingrained respect for the elite with a strong sense of empowerment in adjudicating rival claims within it.

When a radical or reformist tribune faced a conservative consul, he had, in a society that respected tradition and hierarchy, a formidable opponent to face. But the tribunate was itself a time-honoured and hallowed institution. Moreover, it had a recognized traditional function of defending popular rights and interests, and a long, well-known and respectable tradition of doing so in opposition to consuls and to senatorial majorities. On the other hand, by the late Republic the tribunate had become fully part of the senatorial hierarchy and senatorial politics[15] — used, manipulated and thus legitimized on all sides. In the senatorial order of precedence the tribunes were junior magistrates, but their political clout often belied this. Unlike any other magistrate, a tribune was specifically authorized and empowered, by the commonly-shared "civic code", to confront his seniors, including consuls, and the people were used to seeing tribunes of the plebs, as prosecutors, take on the most powerful and distinguished men in the state.[16]

Moreover, since the middle Republic (if not already earlier), tribunes were the main sponsors of Rome's legislation. Most of the laws they carried do not seem to have occasioned any major political controversies; many were quite routine, and tribunes often acted *ex senatus consulto*.[17] This state of affairs reflected the mid-Republican *concordia* (not wholly shattered even in the late Republic), with its inevitable "bias" in favour of the status-quo and the senate. At the same time, it could not fail to enhance the tribunes' standing as important members of the elite and competent interpreters of *mos maiorum*. The extent to which the mid-Republican tribunate was politically "domesticated" by the senate is in fact disputed;[18] yet even the very fact of the office becoming an important 'instrument of senatorial policy', as is often argued — something that certainly did happen on many occasions — naturally tended to enhance the authority of those tribunes who chose to adopt a more independent stance — something that also occurred, from time to time. As long as the senate could not assert total control, any "domestication" of the tribunate was necessarily a double-edged sword — though there

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can indeed be regarded as a way for the people to provide this important service to the elite. But this also entails an inevitable "fee" for this service: the common people developing a strong sense of being entitled to do just that — to decide freely the outcome of contests between different members of the elite.

15 See E. Badian, '*Tribuni Plebis* and *Res Publica*', in J. Linderski (ed.), *Imperium Sine Fine*, Stuttgart 1996, 187-213.

16 See Cic. *Cluent*. 93-96 (no doubt over-dramatized, but still significant).

17 Badian (n. 15), 211-212.

18 See e.g. Badian's remarks qualifying Jochen Bleicken's thesis, in his *Das Volkstribunat der klassischen Republic*, 1955, that the tribunate became 'largely the instrument of senatorial policy' — (n.15), 213 with note 44.

is no reason to doubt that the overall impact, from the system's standpoint, was beneficial.

Moreover, a tribune challenging the status-quo was often a *nobilis*. In the late Republic, the most famous radical tribunes, from the Gracchi to Clodius, bore the proudest names of Roman nobility. To the extent that the dominant political culture fostered reverence specifically to nobility, and not just to the senatorial elite in general (which it certainly did), it empowered these tribunes as well.[19] The "communication situation" between them and the people was also steeply-hierarchical — for all that they lacked the lictors, the *fasces* and the curule chair.

While the authority of the senate was part of the commonly shared civic code, and even radical "trouble-makers" were not eager to attack the senate as an institution, it was evidently no part of this code that the will of a senatorial majority on a specific political issue was bound to prevail in any case — certainly not that it was bound to prevail against the will of the Roman people. We would surely have liked to know more about how the tension between respect for the senate as an institution and the legitimacy of disagreeing with a senatorial majority on a specific issue was managed, rhetorically, by *popularis* orators. How, for instance, did Tiberius Gracchus deal with this? Unfortunately, the examples of *popularis* rhetoric at our disposal are insufficient; we lack a radical Cicero. It seems likely that when the issue could not be avoided, the traditional supremacy of the Roman people in matters of legislation (in itself undoubtedly part of the common "code") would be invoked.[20] And it was always possible to present oneself as attacking not the senate but 'the (allegedly) unworthy senators that dominated it *in the present*', 'the corrupt *pauci potentes*'.[21]

3. Popular legislation and splits within the senate

We should bear in mind that if a bill was carried against strong senatorial opposition, or even obviously against the wishes of a large senatorial majority, this does not necessarily imply that it lacked strong senatorial support (in addition to that of the bill's proposer). The same political mechanism that provided popular causes with elite champions as proposers of laws would often make sure that their bills enjoyed significant support among other senators. Even if such a minority group within the senate was small, its influence, precisely in a hierarchical society, might be powerful if it included high-ranking senators, as in several cases we know it did; moreover, high-ranking senators

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19 Cf. Sall. *Jug*. 41.10 on the political significance of the Gracchi brothers' blue blood: 'For as soon as nobles were found who preferred true glory to unjust power, the state began to be disturbed and civil dissention arise like an upheaval of the earth'.

20 Cf. note 23 below.

21 Morstein-Marx (n. 5), 43 with note 69, referring to Sall. *Jug*. 31.25 (a radical tribune accusing the ruling clique of betraying the authority of the senate); see also *Jug*. 41.1 (the Mamilian law seeking to punish those 'at whose advise Jugurtha has disregarded the decrees of the senate'); Caes. *BCiv*. 1.2 (Caesar presenting the majority of senators as cowed by his opponents at the start of the civil war). See on this Morstein-Marx (n. 1), 231-232; see also Yakobson (n. 3), 291-292 (with note 26 on the Gracchi and the anti-senatorial utterances attributed to them — perhaps by a hostile tradition).

were unlikely to be totally isolated among their more junior colleagues. Hence, proposers of "popular" laws were not necessarily what Morstein-Marx calls "class traitors" whose 'political isolation ... must have been clear' — though it is significant that the people were apparently sometimes willing to support even such a (relatively?) isolated "traitor".[22] He notes that 'those who voted for Tiberius Gracchus' agrarian bill … must have known very well that they were setting themselves against the collective authority of the senate'.[23] Indeed, everybody must have understood that most senators were strongly opposed to the bill. But it was also known that the bill was supported by a powerful group of nobles, including Mucius Scaevola the consul (with the second consul busy in Sicily) and Appius Claudius the *princeps senatus*. The fact that Scaevola was also a distinguished lawyer may have increased the weight of his authority in this matter; in any case, no citizen who voted for a measure enjoying a consul's support needed to have "hierarchical" qualms. The balance of elite authority in this case was very different than had it been a case of 'Tiberius Gracchus against the whole of the Roman elite'. A "class traitor" is indeed what Tiberius would eventually become, for most senators; but there is no reason to think that those who voted for his agrarian bill regarded him as an enemy of the senate. There seems to be no difficulty in explaining the outcome of that vote in terms of Rome's political culture, including its emphasis on tradition and hierarchy — alongside its commonly-shared recognition of the supreme authority of the Roman people.

Likewise, the Cassian law introducing the ballot in judicial assemblies in 137 enjoyed, apart from the authority of its aristocratic proposer, at least a degree of support from no less a man than Scipio Aemilianus, who is said to have persuaded a tribune to withdraw his veto. This support must have weighed with the people, who passed the bill in the face of apparently strong senatorial opposition, which included that of the consul Marcus Lepidus.[24] Those who voted for it may well have felt that they were legitimately adjudicating rival claims within the senatorial elite as well as, or rather by virtue of,

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22 C. Flaminius is said to have been the sole senator to support the *Lex Claudia* in 218 (Liv. 21.63.3-5). This might be an exaggeration, but does indicate that the proposer of the law was thought to have been pretty much isolated. Yet even in this case, the voters knew that the bill was supported by a former consul and censor. The dignity of the senate — and the unfortunate abuses on the part of unworthy senators — must have featured prominently in arguments in support of the bill curtailing the ability of senators and their sons to engage in profitable sea-trade; see Livy's *quaestus omnis patribus indecorus visus*. The sources give the impression that Flaminius himself was isolated in the senate while carrying his agrarian law in 232, though this has been disputed — see R. Feig Vishnia, *State, Society and Popular Leaders in Mid-Republican Rome 241-167 BC*, London and New York 1996, 32-34; similarly on the Claudian law, 34-48.

23 Morstein-Marx (n. 5), 39. Cf. Yakobson (n. 3), 287-288: Cicero claims that the *Lex Manilia* enjoys the support of several senior senators while ignoring the question of the senatorial majority, but admitting that it is opposed by (the) '*principes*'. The *auctoritas* of the bill's senatorial supporters is presented as an important point in favor of the bill — though not an indispensible one; the legislative sovereignty of the *populus* is strongly emphasized (*Leg. Man*. 64-68).

24 Cic. *Brut*. 97; *Leg*. 37-38.

defending the people's suffrage and freedom. Apart from the possibility of active support, refraining from active opposition, on the part of senior senators, could also matter. Gaius Gracchus was apparently allowed to operate largely unopposed in his first tribunate. In his second one he was challenged by another tribune, Livius Drusus, while enjoying the active support of a colleague who was, exceptionally, a former consul — Fulvius Flaccus. He had hoped to enjoy the support of the consul C. Fannius, but was disappointed.

The very fact that a tribune's veto against a senatorial decree was considered, as a rule, part of normal and legitimate politics shows that whatever else the "system" taught its citizen-pupils, it did not teach them that there was anything necessarily untraditional and subversive about disagreeing with a senatorial majority. Of course, in extreme — i.e., the most important — cases, the *optimates* could always claim that this was not a case of an ordinary political disagreement, the legitimacy of which they could not deny, but of undermining the foundations of the state. It could then be plausibly argued that the senate was duty-bound to protect these foundations, and that all loyal citizens were morally obliged to support it in doing so. But such a claim was bound to be disputed and contested — again, within the elite, and in terms of legitimate traditional public discourse.

Since the emergence of the tribunate, with its vast powers, in "the struggle of the orders", the Roman plebs would no longer have to be insubordinate in its political conduct (as opposed to occasional rioting). Whether it was following a tribune or a consul, it was always properly subordinate to legitimate authority. In all the thirty-six cases of successful "popular resistance", by means of legislation, cited by Morstein-Marx, the people were not just successfully resisting the dominant senatorial view; they were following the authority of members of the senatorial elite — most of them highly distinguished ones. These were usually tribunes of the plebs (most of them nobles), but included also Pompey and Crassus as consuls in 70 (restoration of tribunes' powers) and Julius Caesar as consul in 59 (agrarian laws).

It is true that a consul was normally expected to be an upholder of senatorial authority vis-à-vis the people, rather than a champion of popular rights vis-à-vis the senate; but the opposite, though relatively rare, was by no means unheard of. In the late Republic, the list of consuls who may be defined as *populares* (for all the notorious flexibility of the term), includes Fulvius Flaccus in 125, Marius and Cinna with their multiple consulships, Lepidus in 78, Pompey and Crassus in 70 and perhaps in 55, and Julius Caesar in 59. P. Mucius Scaevola in 133, initially favourable to Tiberius Gracchus, should also be included; P. Licinius Crassus was elected consul for 131 as a member of the Gracchan agrarian commission. Cicero would surely have wanted us to include Piso and Gabinius, the consuls of 58, in this list; they were certainly not exemplary *optimates*, though Cicero has obviously a personal axe to grind. L. Longinus Cassius Ravilla, consul 127, had a significant "popular" record when he reached the consulship,[25] though he is not attested acting as a *popularis* during his consulship. C. Aurelius Cotta, who removed Sulla's ban on electing former tribunes to magistracies in 75, is described by the radical

25 See Cic. *Leg*. 3.35. Cassius is described in a polemical context, as a habitual demagogue; this seems to indicate that his *popularis* record was not confined to the ballot law of 137.

tribune Macer as *ex media factione consul* who acted out of fear of the people rather than as a popular champion (Sall. *Hist*. 3.48.8), but according to Asconius, his bill was passed *invita nobilitate mango populi studio* (67 C). A number of "popular" consuls in earlier times, starting from the earliest, is known to tradition; C. Flaminius is a famous late-third century example; at least to some degree this term should apply to Scipio Aemilianus.[26] A consular attack on the nobility was surely regarded as an aberration by Marius' opponents in 107, but there is no reason to think that this is also how his popular listeners had been conditioned to receive his speech.

4. Marius' arguments

At the start of his speech and, repeatedly, throughout it, the consul refers to the military task before him, to necessary preparations for the campaign, to his military *virtutes* and accomplishments, both as a valiant soldier and as an experienced commander. Nothing could be more traditional, truly Roman and confidence-inspiring. Marius' plain Roman virtues are contrasted with his aristocratic opponents' shameful sloth, luxury and corruption, with their dubious penchant for 'Grecian letters' (85.32), which Marius, Cato-like,[27] disdains because 'they had not taught their teachers virtue'; and above all — with their disastrous incompetence in military affairs (85.10-12; 13; 35; 41; 45-46). The latter charge, undermining a crucial element of the nobility's traditional image, is made credible to his listeners by the humiliating setbacks of the first stage of the Jugurthine War, which included a Roman army passing beneath the yoke (and perhaps also by the recent defeat of M. Iunius Silanus by at the hands of the Cimbri).[28] A consul, who could credibly claim the mantle of military *virtus* while presenting his opponents in an unfavourable light in this respect, was in a very strong position, under the commonly-shared Roman system of values, even if he was a *homo novus* facing the bearers of the most splendid names in Rome.[29] The centrality of military glory to the Roman ethos was, usually, a powerful asset of the Roman nobles — but on occasion it could be used powerfully against them. For it was, apparently, above all in the military field that 'reverence … to ideas of reciprocity of public service and honour' was most deeply inculcated in the people's minds by the dominant political culture. The aristocratic presumption of inherited *virtus* was strong, and systematically cultivated by the system; but the claim of personal merit *in re militari*, when publicly and credibly established, was overwhelming.

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26 See on this A. Duplá, '*Consules populares*', in A. Duplá , M. Jehne & F. Pina Polo (eds.), *Consuls and Res Publica*, Cambridge 2011, 279-298

27 'This is patently a Catonian speech' — Syme (n. 2), 168. See Paul (n. 2), 207-215 for the various Catonian parallels, in style and substance, throughout the speech.

28 Syme (n. 2), 72. Cf. *Plut. Mar*. 9.3.

29 Q. Caecilius Metellus, who was actually in command against Jughurta at the time, is not mentioned in Sallust's version of the speech. His conduct of the war is praised by Sallust (cf. Cic. *Dom*. 87), but he is said to have been successfully slandered, by Marius and his supporters, as someone who was prolonging the war unnecessarily (Sall. *Jug*. 64.5; 73.3-5; cf. Cic. *Off*. 3.79; Plut. *Mar*. 7.4; 8.5).

As for the Republic's powerful aristocratic ethos — rather than rejecting it, Marius appropriates it and wields it as a rhetorical weapon against his opponents:

> If the fathers of Albinus and Bestia could now be asked whether they would prefer to have me or those men for their descendants, what do you suppose they would reply, if not that they desired to have the best possible children? But if they rightly look down on me, let them also look down on their own forefathers, whose nobility began, as did my own, in manly deeds (*ex virtute*) … Even when they speak to you or address the senate,[30] their theme is commonly a eulogy of their ancestors; by recounting the exploits of their forefathers they imagine themselves as more glorious. The very reverse is true. The more glorious was the life of their ancestors, the more shameful is their own baseness. Assuredly the matter stands thus: the glory of ancestors is, as it were, a light shining upon their posterity, suffering neither their virtue nor their faults to be hidden. Of such glory I acknowledge my poverty (*inopia*), fellow citizens; but – and that is far more glorious — I have done deeds of which I have a right to speak. Now see how unfair those men are: what they demand for themselves because of others' merit they do not allow me as a result of my own, no doubt because I have no family portraits and because mine is a new nobility. And yet surely to be a creator of nobility is better than to have inherited and disgraced it. (Sall. *Jug*. 85.17-25).

Marius is repeatedly presented as attacking the present-generation nobility as a group, rather than just individual nobles (Sall. *Jug*. 85.5; 10; 37).[31] We cannot, naturally, be sure that he actually used the precise term *nobilitas* with a negative connotation in this speech, or in other speeches hostile to the nobles that both Sallust and Plutarch attribute to him around that time. Assuming that he did, this does not at all mean that he was trying to besmirch every single *nobilis* as such. He was connected by marriage with the patrician family of Julii Caeares and was apparently cooperating with his *nobilis* colleague, Cassius Longinus. The latter had quite possibly supported him in his canvass, and it is suggested that other *nobiles* and senators did so too, for all that Sallust presents Marius' victory as a defeat of the nobility as a whole (*nobilitate perculsa*, 43.7).[32] It is usually assumed that a *homo novus* needed significant support among high-ranking senators in order to reach the top. By the same token, it seems unlikely that a popular "rising star", in the world of senatorial *do ut des* politics, would not find some high-ranking senators who would think it worth their while to gamble on him. But whether or not he explicitly directed his attack at the *nobilitas*, the whole thrust of Marius' speech (unless we assume that there is no connection between what Sallust and Plutarch tell us and what was actually said) is directed head-on against aristocratic exclusiveness and arrogance — as embodied by the powerful clique of nobles dominating Roman politics.[33]

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30 Note that 'they', Marius' arrogant and corrupt aristocratic rivals, are carefully distinguished from the senate as an institution.

31 Cf. 84.1: *singulos modo, modo universos laedere*.

32 E. Badian, 'Marius and the Nobles', *Durham University Journal* 25 (1963-1964), 141-154; Paul (n. 2), 189, cf. 104; Evans (n. 2), 72; 146-151.

33 Cf. Sallust's rendering of a speech of the radical tribune C. Memmius, to whom the historian attributes *odium potentiae nobilitatis* (*Jug*. 30.3): the term *nobilitas* is nowhere mentioned, but Memmius speaks of the powerful and arrogant *factio* (31.1); *superbia paucorum* (31.2); *pauci nobiles* who dominate the state and monopolize glory and riches (31.9); *pauci*

However, Marius does not at all reject the idea, or the principle, of nobility. The ancestors of today's degenerate nobles were indeed most admirable men who served the Republic well, just as the popular audience had been taught to believe. The speaker fully accepts what today would be called the hegemonic historical narrative — only to turn it into a powerful reproach to his adversaries. Noble lineage is indeed a precious asset — unless, of course, unworthy descendants disgrace their nobility, in which case they deserve a doubly harsh condemnation. His argument is not that noble lineage is irrelevant (much less intrinsically suspect — as in some modern anti-aristocratic rhetoric), but that nobility obliges. In principle, this was surely a commonplace rather than a daring innovation. Had any of Marius' listeners ever heard anyone assert or imply, in public, that nobles were immune from degeneration, or that even a degenerate noble was preferable to a virtuous and industrious "new man" who served the Republic well? What arrogant aristocrats thought or said among themselves is a different matter, but at least since patrician claims that *auspicia* were being defiled by plebeians had become a thing of the past, all aristocratic claims in public had to be based on *merita in rem publicam* and reciprocity of public service and *honor* (conferred by the people). *Nobiles* enjoyed a presumption — perfectly natural in a traditional society — of having inherited their fathers' and ancestors' virtues — but no more than a presumption.

Those who had regularly seen nobles defeated at the polls, nobles convicted and punished by popular trials or by jury courts that included non-nobles and non-senators, and nobles downgraded by censors, would not find it difficult to accept the idea that nobles (as well as other senators) might be unworthy — or that the supreme judge of their worth and unworthiness was the Roman people. What went against the grain of the dominant political culture was not the principle proclaimed by Marius but the factual assertion that a whole generation of leading nobles was, largely if not wholly, corrupt and unworthy of their ancestors. This was not something the Roman people could be easily, or often, persuaded of; and, needless to say, this fact was a huge political boon to the Roman nobility. But on this occasion, this is what the people had been persuaded of.

They would soon be un-persuaded, at least partly. When Metellus returned to Rome, according to Sallust, 'contrary to his expectation, he was received with great rejoicing; the *invidia* against him having died down, he found himself popular with the plebs and the *patres* alike' (*Jug*. 88.1).[34] On the eve of Marius' election to the consulship, the public mood was very different: '[Metellus'] noble birth, which before this had been an honour to him, became a source of unpopularity, while to Marius his humble origin lent increased favour' (73.4). This reversal of the usual popular attitude, clearly presented as exceptional, would be short-lived: a noble had to do much worse than Metellus in order to undermine permanently the usual presumption in favour of nobility. Metellus had never been the main target of popular *invidia*; it seems that in his case it was largely a matter of "collateral damage". But whether public opinion was in its usual mood or not,

potentes corrupted by Jugurtha (31.19). The speech had the desired effect on the public (32.1).

34 Sallust's account may be somewhat schematic, since he does not mention the delay of Metellus' triumph till 106, perhaps because it encountered a tribune's opposition — thus Paul (n. 2), 219-220.

the political importance of public opinion should not be minimized. The dominant political culture influenced it, on the whole, in a direction highly favourable to the nobles (and to the elite in general). But it was also capable, on occasion, of turning against them with a vengeance; when this happened, both the political system and the dominant political culture provided public opinion with highly effective tools.[35]

As a rule, the people did not need — in order to challenge the ruling oligarchy — to prefer a truculent "new man" to a scion of the highest nobility. At least in the late Republic, there were, repeatedly, powerful nobles at hand ready to do so in the name of popular rights. But Marius himself had not come to his contest with Metellus from outside the ranks of the Roman elite: he was at that point an ex-tribune and ex-praetor and an accomplished military officer in his own right. His first consulship and his military accomplishments were, naturally, a huge boost to his *dignitas*, as his later career would demonstrate.

In the speech under discussion, Marius describes his election to the consulship in terms of joining the ranks of the nobility (*ex virtute nobilitas*, 85.17; *nobilitas nova*, 85.25; cf. 85.30).[36] A "new man" who has reached the top is by definition a new *nobilis* — or at least this is how Marius wants to present it to the people, though we know that this was far from self-evident to the "old nobles". The fact that anyone who "carried off the consulship as spoil from the nobility", as Plutarch has Marius bragging (*Mar*. 9.2), was thereby also joining the nobility's ranks, must often have exercised a moderating influence on these newcomers: they had no interest in permanently undermining the prestige of the "club" which they had joined with such difficulty. But it also meant that Marius could speak to the people, even as he was bitterly criticizing the "old" nobility, not only with his official authority but also — at least arguably — with the unofficial authority of a (new) *nobilis.* In this case too, as with the political "domestication" of the tribunate, what moderated potential opposition also conferred greater authority on it. It has been suggested that Marius is unlikely to have spoken in the spirit of what Sallust and Plutarch attribute to him, because his aim was not 'to subvert … the existing system' but to ensure him place within it.[37] Since the latter is undoubtedly true, it seems that anti-aristocratic rhetoric was not necessarily perceived as hostile to the system and incompatible with its values.

5. Late-Republican evidence

In the late Republic, we repeatedly find, alongside many expressions of aristocratic and pro-aristocratic sentiment, statements that echo, to a greater or lesser degree, what Sallust makes Marius say. They might come from a *nobilis* or a *homo novus*, from an

35 Marius owed his election to the consulship not only to public opinion in the broad "popular" sense; he also, as if often stressed, enjoyed strong equestrian support (Sall. *Jug.* 64.5-6; 65.4-50; Vell. 2.11.2). But whatever valuable personal and quasi-personal ties he (or other candidates) forged with the equestrians, or with other specific groups, should not be regarded as something wholly divorced from public opinion, as if such a tie were a button that could be pushed at any moment with the desired effect.

36 Cf. Flower (n. 2), 23; Paul (n. 2), 210.

37 Evans (n. 2), 73, n. 68.

optimate or from a *popularis*. Cato the Younger is described as drawing, in his speech on the fate of the Catilinarian conspirators, a picture of contemporary Roman elite that is in many ways similar to, and hardly more complimentary than, that presented by Marius (Sall. *Cat*. 52.5; 19-23). This is not a political attack but a piece of Catonian moralizing that shows how harshly the Roman elite could be treated in such a context. A political attack on the ruling aristocratic clique — more radical than anything Marius ever said — is attributed by Sallust to M. Aemilius Lepidus, consul 78 who had broken ranks with Sulla's oligarchy and was demanding the repeal of his laws:

> As to his [Sulla's] satellites, I cannot sufficiently wonder that men bearing great names, made great by the deeds of distinguished ancestors, are willing to purchase domination over you [the people] with their own slavery … Glorious scions of the Bruti, Aemilii, and Lutatii, born to overthrow what their ancestors won by their prowess! (Sall. *Hist*. 55.2-4).

Lepidus is speaking, like Marius in 107, with the authority of a Roman consul and, unlike him, as a scion of a great noble family, attacking the oligarchy with impeccably traditionalist arguments.

Cicero, despite his public deference to nobility (e.g. *Planc*. 50) and life-long personal efforts to gain the nobles' acceptance, could, if sufficiently provoked, launch a spirited attack on aristocratic arrogance and exclusiveness. In a famous letter to Appius Claudius he treats the issue of noble birth and personal merit in a way which, though less openly confrontational in style and not denoting any political radicalism, is in substance very close to what Sallust attributes to Marius. Among other things he claims that his election to the highest office of the Republic and his personal achievements entitle him to be regarded as the nobles' equal, and hints at an invidious comparison between contemporary nobles and their ancestors:

> Do you suppose that any Appiism or Lentulism in the world weighs more with me than the distinctions conferred by virtue? Why, even before I had attained the honours which are most magnificent in the eyes of men, yet those names of yours never excited my admiration; no, it was the men who had bequeathed them to you that I thought great. But later, when I had so accepted and administered the highest offices of the empire as to feel that I obtained all I desired in the way of both promotion and glory, I hoped that I had become, never, indeed, your superior, but, at any rate, your equal (*Fam*. 3.7.5).

In his speech against Piso, Cicero turns his enemy's noble lineage into an insult by claiming that whereas in his own case 'the Roman people bestowed all the offices upon me for my own sake, not for the sake of a name', Piso was elected consul because the people were voting for a Piso rather than this particular Piso — for the sake of his ancestors and oblivious of his true character (*Pis*. 2).[38]

Cicero's speeches against Verres demonstrate how both the nobility and the senate could be severely criticized (by an orator who was never a radical even when he was mildly "popular") as part of a discourse professedly committed to the senatorial

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38 Cf. *Pis*. 1 ('you crept into honours through men's blunders, by the recommendation of some old smoke-dried ancestor masks (*imagines)*, though there is nothing in you at all resembling them except your colour'); 23; 26.

authority. What Cicero says about *nobiles* echoes many of the "Marian" themes, with the new men's personal merit contrasted with the nobles'*superbia*:

> I have not the same liberty allowed me that they have who are born of noble family; on whom even when they are asleep all the honours of the Roman people are showered … We see how unpopular with, and how hateful to some *nobiles*, is the virtue and industry of new men …There is scarcely one man among the *nobiles* who looks favorably on our industry…; they differ from us in disposition and inclination, as if they were of a different race and a different nature (*Verr*. 2.5.180-182).[39]

As for the senate, the orator argues that the rampant corruption of the (post-Sullan) senatorial courts brings shame and disgrace (*invidia*, *ignominia*, *odium*, *infamia*, *turpitido*) on the whole senatorial order (which, as Cicero the *aedilis*-elect stresses, is his own order); his efforts to get Verres convicted are presented as an attempt to save the senate from this shame and its negative political consequences — almost to save it from itself. Should, however, Verres be acquitted, Cicero openly threatens to expose the whole catalogue of senatorial judicial corruption and favouritism before the people.[40] It appears that the real-life senate, as opposed to the senate as an institution and the principle of senatorial authority, could be treated quite harshly in (non-subversive) public discourse.[41]

Moreover, according to Cicero, widespread senatorial malpractice in this field had been admitted and strongly condemned by Q. Catulus (*Verr*. 1.44: *patres conscripos iudicia male et flagitose tueri* — as an explanation of the people's eagerness to see the tribunes' powers restored). Catulus spoke in the senate, and certainly his purpose was to defend the senatorial authority and not to undermine it. But such a statement could not fail to become a matter of common knowledge, and its "educational message" to the general public could only have been that the ruling elite gave its most respectable members occasion for severe criticism. Such candid self-criticism from the heart of the nobility must have enhanced Catulus' personal reputation for integrity. In the long run, rhetoric of this kind by elite members in good standing must have contributed to the senate's credibility and the system's legitimacy. But the inevitable price of this was that when such criticism was voiced for reformist or radical purposes, it would not sound, to the wider public, as something illegitimate or even particularly extraordinary.

T.P. Wiseman has suggested that Cicero's definition of nobility in a letter to Hirtius ('since nobility is nothing but recognized virtue, who would demand antiquity of family in a man whose old age was seen to bring him fame'[42]) presents 'an advanced form of the new man's ideology', in which nobility was redefined in its moral sense to the exclusion of the technical Roman usage, although the 'basic antithesis of energetic newcomer challenging degenerate nobles … was used by Cicero at least as early as [his speeches against Verres] and it had a long pedigree before that'. According to Wiseman,

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39 Cf. *Verr*. 1.15 (*proponit inania mihi nobilitastis, hoc est hominum arrogantium, nomina*); 2.1.3; 2.3.7. Cf. also *Com. Pet*. 2.7.

40 Cic. *Verr*. 1.36-39; cf. *Div. Caec*. 9; *Verr*. 1.1-2; 1.40; 1.43; *Verr*. 2.1.4-5; 13-15; 21-23.

41 Cf. Cic. *Rab. perd*. 20, on those who are in the habit of praising the senate of the past in order to bring *invidia* on the present-day senate.

42 Cic. *ep. Hirt*. fr. 3 (*OCT* p. 162).

'practically all our knowledge of this ideology comes from Cicero'; Sallust's version of Marius' "great speech" in 107 may possibly represent what Marius actually said, 'but this cannot be certain; the many parallels with Cicero's thought may as well be literary borrowings by Sallust, as evidence for the continuity of the *novus*' propaganda. What independent hints we do have, however, suggest that Cicero's arguments were not his own invention'.[43]

But Cicero seems an unlikely candidate for having initiated an anti-*nobilis* "revolution" for Sallust to adopt and to apply retrospectively to Marius. Cicero's public pronouncements on fundamental questions of politics and ethics tend rather to be well-formulated commonplaces that no right-minded Roman could deny in principle, cleverly and often manipulatively applied to the case at hand. Nor does it seem that Cicero re-defines nobility in the moral sense 'to the exclusion' of the traditional "technical" usage. Noble lineage, as such, is nowhere presented by him as worthless or irrelevant, though he decries the arrogance that "old" nobles display towards those who have joined the ranks of nobility by personal merit that has won public recognition through election to highest offices. In all this, there was surely nothing untraditional in principle, though the emphasis and the practical conclusions naturally suit Cicero's rhetorical purposes. And, as Wiseman points out, the 'basic antithesis of energetic newcomer challenging degenerate nobles' drawn by Cicero appears to have had a long pedigree, with indications that similar arguments may have been used by Cato the Elder.[44]

Conclusions

The political culture of the Republic strongly predisposed the people to respect and trust the senatorial elite. But it did not confer on it, and on its most powerful representatives, any kind of immunity from scathing public criticism; nor did it guarantee it a victory in every major political contest. That any challenge to the elite, if it was to lead to legitimate political action, had to come from within the elite's own ranks moderated such challenges but also conferred greater legitimacy and authority on the challengers. Such challenges did not have to suffer the severe handicap, in a traditional society, of being untraditional: they were couched in terms that belonged squarely to a common — though variously interpreted — traditional system of values. Traditional principles and time-honoured precedents were always available to justify demands for reform, including fairly radical reform — although, no doubt, the traditional framework limited the degree of radicalism in this field. *Nobiles* enjoyed a strong presumption in their favour — but on occasion were liable to be attacked with particular vehemence, in perfectly traditional terms, for bringing disgrace on their glorious ancestors. Both respect for hierarchy (based as it was, in the Republic, on popular elections) and respect for tradition were capable of being effectively used against the interests and the wishes of the majority of the ruling class.

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43 Wiseman (n. 2), 109-111.

44 Wiseman (n. 2), 111; cf. A. E. Astin, *Cato the Censor*, Oxford 1978, 66-68. For Cicero's view of Cato in this context see *Verr*. 2.5.180; cf. n. 27 above.

Admittedly, the claim that unworthy descendants disgrace their noble ancestors can in principle be used against members of any hereditary elite. The Roman Republic was not unique in this respect. But not every political system with a strong hereditary elite (a term that applies much more straightforwardly to the nobility proper than to the senate as a whole) is also open and competitive enough, and ultimately dependent on the peoples' votes, to enable and sometimes to encourage such attacks from the highest public platform, and with official (public) authority. Naturally, a *nobilis* playing the "popular" card would be accused by his rivals of putting to shame his family and the memory of his illustrious ancestors.[45] Such an attack might be effective in undermining his authority — but it also reminded the people that an unworthy noble was a perfectly realistic possibility, and confirmed the people's sense of entitlement to serve as rightful judges of rival claims within the elite. From the viewpoint of the senatorial elite, the political culture of the Republic was a mixed blessing — though a blessing nevertheless.

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45 Cf. e.g. Cic. *Orat.*113-115; *Sest.* 126.