

## Review Article

# Mid-Republican Rome and Popular Politics

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R. F. Vishnia, *State, Society and Popular Leaders in Mid-Republican Rome 241 - 167 BC*, London -N.Y.: Routledge, 1996, xii + 264 pp.

R.V.'s book on mid-Republican politics and society is part of the ongoing debate on the nature of the Roman political system and the people's role in it.<sup>1</sup> However, one of the best features of the book is that it provides an integrated analysis of foreign and domestic affairs, always trying to establish the domestic context of foreign policy decisions and the foreign policy background of internal political issues and controversies. In this respect, and contrary to what is often the case, this book offers more than what its title promises. Rome's wars and conquests, as well as her internal political developments, and the interconnection between the two spheres, are subjected to a learned, careful and thoughtful analysis. The overall picture of this period which emerges is lucid and coherent. Although I disagree with some of R.V.'s views on Roman politics, I have no doubt that this book is a significant contribution to our understanding of mid-Republican Rome.

The first chapter deals with 'the era of Flaminius' (241-218). R.V. argues, convincingly, that this period should not be seen merely as a prelude to the Second Punic War. Rather, it should be analysed mainly from the standpoint of what was apparently Rome's highest national priority in that period — the con-

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<sup>1</sup> The debate was largely sparked by F. Millar's attack on the traditional oligarchic interpretation of Roman politics: F. Millar, 'The political character of the classical Roman Republic, 200 - 151 B.C.', *JRS* 74 (1984), 1-19; 'Politics, persuasion and the plebs before the Social War', *JRS* 76 (1986), 1-11; 'Political power in mid-republican Rome: *Curia* or *Comitium*?', *JRS* 79 (1989), 138-150. See on this subject e.g. J.A. North, 'Democratic politics in Republican Rome', *Past and Present* 126 (1990), 3-21; W.V. Harris, 'On defining the political culture of the Roman Republic', *CPhil.* 85 (1990), 288-94; L.A. Burckhardt, 'The political elite of the Roman Republic: comments on recent discussion of the concepts of *nobilitas* and *homo novus*', *Historia* 39 (1990), 77-99; M. Jehne, 'Einführung: Zur Debatte um die Rolle des Volkes in der römischen Republik', in M. Jehne (ed.), *Demokratie in Rom? Die Rolle des Volkes in der Politik der römischen Republik*, Stuttgart 1995, 1-10 (with bibliography).

quest of the vast and fertile plains of the Po valley. R.V.'s account of this period is generally convincing, though at times perhaps somewhat too 'padanocentric'. Thus I am not convinced that the seizure of Sardinia and Corsica should be explained solely, or mainly, in terms of Rome's needs arising from the war in Liguria (itself seen as a preparatory step towards the conquest of the Po valley). The alleged military logic behind this step — the need to secure navigation routes in the waters which both islands controlled, and the danger of piracy were the native population allowed to hold them (p.17) — may indeed be valid. But does it sufficiently account for Rome's readiness to offer Carthage a provocation of such gravity? It may be true that Rome did not 'plan' another war with Carthage, but is it safe to assume that she did not 'foresee' this possibility (p. 13)?

On the other hand, R.V.'s reconstruction of the motives behind Rome's war against the Illyrian queen Teuta in 230/229 seems highly plausible. The senate had ignored earlier complaints of Italian traders against Illyrian piracy. What caused a change in Roman policy? R.V. argues that the agrarian law of Flaminius in 232, providing for the distribution of the *ager Gallicus* on the Adriatic coast, started the chain of events which led to this war. The cheapest and easiest way to transport the thousands of Roman settlers with their equipment to that area was by sea; 'the intensive maritime activity that ensued presumably proved too great a temptation for Illyrian pirates'; Rome now had to interfere, since the pirates posed a direct threat to numerous Roman citizens and their fortunes (p. 21).

Chapters 2 and 3 deal, respectively, with the way the Roman political system functioned during the Second Punic War (coping with the strains and anomalies imposed by the hostilities waged on Italian soil), and with Roman politics and society in the first half of the second century, under the impact of imperial expansion. The discussion is instructive and illuminating throughout. In the epilogue R.V. sums up her general view of the nature of the Roman political system. Against this view I have my reservations. I believe that it underestimates the importance of the popular element in Roman politics.

R.V. does not share the views of those who deny the importance of the popular aspect of Roman politics altogether, or treat it merely as a legal fiction or form of lip-service.<sup>2</sup> Throughout the book she repeatedly refers to instances of popular legislation and strongly emphasises the people's control over the election of magistrates. However, she regards the popular element as not merely secondary to the oligarchic one, but as wholly subordinate to it. Indeed, according to her, the whole significance of the popular element lay in the fact that it enhanced the power of the oligarchy. Popular participation and the tribunate

<sup>2</sup> Cf. e.g. W. Eder, 'Who Rules? Power and Participation in Athens and Rome', in A. Molho, K. Raafflaub and J. Emlen (eds.), *City-States in Classical Antiquity and Medieval Italy*, Stuttgart 1991, 174-96.

served the ruling class and the system as a safety valve (as is repeatedly indicated by Cicero in *De Republica* and *De Legibus*). Moreover, popular elections were the only possible avenue through which the rival claims of nobles to power and *dignitas* could be settled peacefully. In general, the popular element in the Roman political system 'not only became an integral part of the oligarchic regime but also supported it.' (p. 202). R.V. does not attribute to the popular institutions, thus integrated into the system, any significant impact on the basic nature of the 'oligarchic regime' itself. This view I cannot accept. A political system cannot fail to be influenced, in a very real way, by such integration.

R.V.'s own instructive description of the role and the impact of the Roman electoral system is a case in point. Members of the ruling class recognised that in order to retain their power as a group, they could not be solely responsible for the decision as to which of them was worthiest of holding office as the resulting power struggles could easily deteriorate into actual bloodshed and mutual destruction. Therefore, the Roman oligarchy conferred upon the people the right to elect magistrates from among their ranks [do we know that the procedure was quite so unilateral? — A. Y.] and adhered tenaciously to its ruling. Hence, the constant appeal to popular favour, the frequent appearances in public and in the courts, the fierce election campaigns in which the candidates courted the people by parading their own and their family's achievements, the funeral orations, the *ad hoc* alliances, the direct and indirect bribery and the increasing portrayal of individuals and their achievements in representative art — all was fair in securing the people's recognition, approval and vote. Once elected, however, the people had little control over their magistrates. [Moreover], although the senate was recruited among the ex-magistrates, the people had no say in the censorial decisions over the admittance or rejection of senators. (p. 199)

It is quite clear from this description that the vital need, on the part of members of the ruling class, to enlist the people's votes in fiercely competitive elections could not fail to leave a deep mark on the political system and on the whole fabric of Roman social life. Can it be imagined that the voting populace, serving 'merely' as a referee in the electoral (and political) contests within the elite, could be prevented from exacting a substantial fee for its services and influencing the very nature of the 'game'?

It is true that the 'people had little control over their magistrates', and in this respect Rome was very different from democratic Athens. A Roman magistrate could not be deposed, and R.V. rightly stresses the significance of the fact that *abrogatio imperii* did not take root. Policy decisions could not be imposed on him by popular vote; with all the importance of popular legislation, it never developed into anything like the Athenian system of *psephismata* by means of which the state was governed. But all this does not mean that a Roman politician — as a magistrate, as a candidate, actual or prospective, or as a senator — could afford to be indifferent to what the voting populace thought of him and his conduct, personal and political. A Roman magistrate, unless he was a consul, usually intended to continue his *cursus honorum* and thus knew that he would have

to face the electorate again. A consul knew that he might still, in the future, need the people's votes in case he decided to run for the censorship or for the second consulship. Whether one chooses to regard tribunician prosecutions of ex-magistrates before the people as an exercise of popular control or as an expression of aristocratic rivalry, it is clear that in the middle Republic any magistrate knew that, once out of office, he might have face *iudicium populi*. Within the senate itself, the rank of every senator depended on his ability to procure the highest offices from the people; a noble could hardly afford to grow old as a *quaestorius*. A senior statesman, no longer expecting to face the electorate, might well be thinking of his son's political career. A politician's influence and popularity were put to the test whenever he was asked to assist a friend in his campaign. All those influences, though indirect, were not insignificant; their ability to shape political and social behaviour should not be underestimated. Nor should we underestimate (as R.V. does not) the importance of various informal pressures that could be brought to bear on the Roman elite and on its individual members.

Surveying the tribunician legislation enacted in the first half of the second century, R.V. concedes that it could sometimes benefit the common people:

A few of the attested measures — such as the law which extended Roman usury laws to Italy, the laws establishing colonies, [the] law granting citizenship to the sons of Roman citizens and non-Roman freeborn women, and perhaps even the law which limited the amount of *ager publicus* an individual could possess and the number of livestock that could be grazed on it and the so-called *leges Porciae* which improved the legal status of Roman soldiers — benefited the common people to some degree. These measures, however, were no less advantageous to the upper classes. (p.193)

The list is quite impressive, for a period which is considered as the heyday of the senatorial Republic; nor does the final remark negate its significance. Roman (especially mid-Republican) politics should not be described as a 'zero-sum game', nor should Roman society be portrayed, schematically, as consisting of 'the rich' and 'the poor', with diametrically opposed interests. R.V.'s explanations as to why this or that section of the upper classes should have benefited from (and therefore given its support to) certain popular laws are often plausible and illuminating, but they are too much influenced by the general assumption that a bill had in any case no chance of passing unless it enjoyed strong upper-class support (see below). It is important to remember that active and influential tribunes were, almost by definition, ambitious politicians who intended to continue their *cursus honorum*. In all their public behaviour during their tribunate — whether in legislation, in the prosecution of ex-magistrates, or in the exercise of the *ius auxilii* and the power of veto, these people must have had in mind, among other things, their future electoral contests. Moreover, it was felt that the tribunes were under a special obligation to protect the people's interests and defer to their wishes. Polybius' famous remark to this effect (6.16,5) has not been received kindly by many scholars who adhere to the strictly oligarchic model of Roman politics. Nevertheless, it cannot be simply dismissed. More-

over, playing (with whatever degree of sincerity) the conventional role of the people's protector and benefactor did not have to mean entering a confrontation with the senate — though it could sometimes mean that too.<sup>3</sup>

According to R.V., 'the tribunes belonged to the same socio-economic group as the senate; the interests of both parties, therefore, were not at variance' (p.192). No doubt, compared with the poor and the destitute, all tribunes, even those of humbler origin, seem to belong to the 'upper classes'. We should not, however, underestimate the degree of differentiation within the 'upper classes'. It is very doubtful whether the proud nobles would ever have accepted the *homo novus* Gaius Flaminius, or, for instance, Aulus Gabinius who carried the ballot law of 139 (*homo ignotus et sordidus* — Cic. *Leg.* 3.35; *verna[e nepos]* — Oxyrhynchos 54, 193) as belonging, in any real sense, to the same 'socio-economic group' as they. However, the social gap between some of the tribunes and the aristocracy was not the main reason why certain tribunes proved troublesome, and it is in principle true that, normally, '[the] new men did not aspire to contest senatorial authority but to become part of it' (p. 192). But 'becoming part of it' meant making a senatorial career, i.e., winning repeated elections. This created a structural incentive for playing the 'people's friend' during one's tribunician year — for *homines novi* and nobles alike.<sup>4</sup> Of course, this was not the sole consideration for an ambitious politician; the sensible thing to do was to try to win popularity without getting into serious trouble with the senate. More daring tribunes (some of whom might also be moved by genuine zeal for reform and redress of grievances) might go further. In the middle Republic, things never deteriorated into total confrontation. But it is doubtful whether even the 'seditious' tribunes of the late Republic (most of whom were actually nobles) would normally aspire to destroy the authority of the senate. They were pursuing a senatorial career — i.e., courting popularity.

It should then, in my view, be accepted that popular institutions and popular politics were indeed integrated into the system — that they not merely contributed to its legitimacy and stability but also profoundly influenced its character. If so, there is no reason, for instance, to feel uncomfortable with the testimony of Livy, according to which Gaius Flaminius was the only senator (*uno patre adiuvante*) who, in 219 or 218, supported the law of the tribune Quintus Claudius forbidding senators and their sons to possess large sea-going vessels.

<sup>3</sup> Cf. R.V. p. 201 on the possibility that various forms of tribunician assistance to the common people that were not politically controversial would fail to be recorded in the sources.

<sup>4</sup> This line of reasoning assumes that the Roman electoral system itself was not dominated by the ruling class, despite, among other things, the weighted vote of the better-off in the centuriate assembly. This vital point cannot be argued here at any length. In any case, R.V. does not accept the oligarchic view of Roman elections; she repeatedly stresses the role of the people in the election of magistrates.

The bill was passed despite fierce senatorial opposition; Flaminius, whose support for it won him popularity, was consequently elected to his second consulship (Liv. 21.63). R.V. remarks that 'if we were to believe Livy's account that Flaminius alone supported the law, we would have trouble explaining how the law was eventually enacted' (p. 40). She therefore suggests, in her interesting and illuminating discussion of the various motives and interests behind the struggle over the bill, possible reasons why certain senatorial circles should have supported it. But even if Livy's testimony is not necessarily literally true, there seems to be no reason to dismiss it altogether and ignore its clear implications. It does indicate that a popular bill initiated by a tribune could, at the height of the aristocratic Republic, be passed in the face of fierce opposition by the overwhelming majority in the senate. Furthermore, it shows that a politician who supported such a bill could win popularity and hence a consulship — i.e., be rewarded for his popular stance by the electorate of the centuriate assembly. While only wealthy traders would benefit from this law directly, there is no reason to doubt that the motivation behind it, as related (even if imprecisely, as R.V. argues) by Livy — 'quaestus omnis patribus indecorus visus' — reflected widespread public feeling.

It is of course likely that Flaminius still benefited at this stage, as he had done throughout his remarkable career, from the popularity he had won, as tribune in 232, by his agrarian law. This law, which certainly benefited the wide popular strata directly, was passed, according to all the sources, in the face of fierce senatorial resistance. According to R.V., the very fact that the agrarian law was enacted 'indicates that Flaminius did not act alone and that he had substantial support in the senate, not to mention his fellow-tribunes; otherwise, the law could not have been enacted. His opponents, if indeed they were as strong... as tradition would have it, would have had no difficulty in finding a tribune to veto Flaminius' proposal... It is hardly likely that... Flaminius would have considered impeaching one of his colleagues in the manner of Tiberius Gracchus' (p. 32).

But this line of reasoning attributes too much power to the admittedly powerful Roman ruling class. It is a fact that the senate could not always find a friendly tribune to veto unwelcome legislation.<sup>5</sup> Even with a united senate behind him, a tribune might be reluctant to swim against a strong tide of public opinion — especially if he intended to continue his *cursus honorum*. It is worth noting that, even though Gaius Gracchus eventually abandoned his bill aimed at prohibiting Octavius' election to other offices, the deposed tribune is not known

<sup>5</sup> Contrary to what Cicero implies in *Leg.*3.24, where he asks, rhetorically, 'which college of tribunes is so desperate in character that not a single one of the ten retains his sanity?' When this is said in light of the experience of the late republic, it is a clear case of special pleading (suffice it to recall the first tribunate of Gaius Gracchus).

to have won any magistracy, although the senate might have been expected to try to reward its loyal champion.

This valuable and important book on mid-Republican Rome and its politics deals with the main issues and asks the right questions. With some of the answers I disagree; but these, too, are learned, well-argued and thought-provoking.

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