

A NOTE ON THE SPEECHES OF NABIS AND T. QUINCTIUS FLAMININUS (195 B.C.)

When Nabis realized that he was on the verge of losing the war to the Romans in 195 B.C., he asked for negotiations, and was granted, beyond his own expectations, an interview with T.Q. Flamininus.¹ According to Livy, when the two warring parties met, Nabis, the Spartan tyrant, and Flamininus, the Roman commander, spoke each in defence of his cause. An account of the two speeches is to be found in Liv. 34.31–32.

It has been claimed since E. Schneidewind that Nabis' speech (34.31, 1 ff) reflects a true picture of Nabis' deeds, while Flamininus' is but a collection of weak arguments.² Against this generally held notion, I would like to suggest that both speeches are in fact two different interpretations of facts, some still to be found in the historical account of Livy(P).³ The two speeches were presumably put together by Polybius or Livy in order to dramatize the clash between Rome and Sparta.⁴ If we leave out for our purpose the *obiter dicta* phrases and the rhetorical

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¹ Livy 34.30.3 ff. For the war see G. De Sanctis, *Storia dei Romani* (Firenze 1969²), IV,1, pp. 101 ff; P. Oliva, *Sparta and her Social Problems*, (Amsterdam-Prague 1971) 288 ff.

² E. Schneidewind, "König Nabis und seine Bedeutung fuer Sparta," *Prog. Gymn. zu Nordhausen*, (1869) 30 ff; J. Mundt, *Nabis, König von Sparta*, Diss. (Münster 1903), pp. 58 ff; A. Heuss, "Die völkerrechtlichen Grundlagen der römischen Aussenpolitik in republikanischer Zeit", *Klio Beiheft XXXI* (1933) 44 ff; A. Passerini, "Lo scoppio della Guerra Siriaca," *Athenaeum* 10(1932) 327 ff; A. Aymard, *Les premiers rapports de Rome et de la confédération achaienne* (198–189 av. J.-C.) (Bordeaux, 1938) 222 ff; P. Oliva, *op. cit.*, 291; E.N. Tigerstedt, *The Legend of Sparta in Classical Antiquity*, (Stockholm 1974) 2.343 n. 125.

³ As to Livy drawing on Polybius in the affairs of the Greek east, see: H. Nissen, *Kritische Untersuchungen über die Quellen der vierten und fünften Dekade des Livius* (Berlin 1863) 36 ff; P.G. Walsh, *Livy, his historical aims and Methods* (Cambridge 1961) 110 ff; As to these speeches being Polybian, see rightly, H. Nissen, *op. cit.*, 159 ff.

⁴ Regarding speeches as a dramatic means in Polybius: P. Pédech, *La Méthode historique de Polybe* (Paris 1964) 276 ff; and in Livy: P.G. Walsh, *op. cit.*, 219 ff, especially 234 ff.

exaggerations appearing especially in Flamininus' speech,⁵ and refer only to the *ratio decidendi*, namely facts, the following picture will emerge.

Nabis argues for the existence of a "most ancient treaty" between Sparta and Rome (34.31.5 ff). Nabis may have referred to the treaty Flamininus mentions afterwards in his speech, namely the one made between Rome and Pelops "the lawful and legitimate king of the Spartans" (34.32.2).⁶ This "amicitia ac societas" was renewed, according to Nabis, a fact which we can verify from Livy's account about the peace of Phoenice in 205 B.C. (29.12.14).⁷ If some scholars nevertheless hesitate as to the renewal of the pact between Rome and Nabis,⁸ we can find support for this in a slip of the tongue in Flamininus' speech. He says: "Utrumque a te factum est; nam et Messenen, uno atque eodem iure foederis quo et Lacedaemonem in amicitiam nostram acceptam, socius ipse sociam nobis urbem vi atque armis cepisti" etc. (34.32.16). Nabis' claim that the treaty was renewed in 197 B.C. also seems to be true in the light of the meeting between Nabis and Flamininus at Mycenae, their discussion there about "de condicionibus amicitiae",⁹ and the cooperation of Sparta in the Roman war against Philip V which followed this conference (Liv. 32.39.1 ff). Flamininus, as already mentioned, speaks about an "ancient treaty" concluded with Pelops, not with Nabis, and acknowledges the fact of its renewal with the tyrant. It should be remembered that Nabis did not claim that the treaty was concluded with him, but claimed only its renewal (34.31.5).

As to the dispute about the "seizure" of Argos by the tyrant,¹⁰ both

⁵ See, for instance, in Flamininus' speech: 34.32.5;13-14; and in Nabis': 34.31.1-4.

⁶ He was presumably a legitimate king of Sparta: Diod. 27.1.

⁷ For a discussion see A. Heuss, *op. cit.* (n. 2) 44 ff.

⁸ There is a dispute as to the inclusion of Sparta, amongst other states, as a Roman ally in the peace of Phoenice in 205 B.C.; J.A.O. Larsen, "Was Greece free between 196 and 146 B.C.?", *CP* 30(1935), Appendix 1, summarizes the different views about this question till 1935; I tend to accept J.P.V.D. Balsdon, "Rome and Macedon 205-200 B.C.", *JRS* 44(1954) 31 ff, who has good reasons for the inclusion of the *adscripti*. Thus, Nabian Sparta was included in a peace treaty as a Roman 'socius'.

⁹ As to that conference see Livy 32.39.1 ff; generally, P. Oliva, *op. cit.* (n. 1) 286 ff. Nabis refers to the outcome of that conference as "condicionibus societatis" (34.31.10).

¹⁰ Argos was given in 198/7 B.C. to Nabis by Philip V on deposit (as a *fiducia*) till the end of the war. Nabis thus accepted the town on a silver tray. Livy 32.38.1 ff, and J. Briscoe, *A commentary on Livy XXXI-XXXIII* (Oxford 1973), *ad locum*. See my "Polybius, Philip V, and the Socio-Economic Question in Greece," *Ancient Society* 8(1977), pp. 169 f.

speakers have a point, although they interpret the same facts differently. Nabis claims: a) the citizens themselves (*ipsis*) invited him and turned the city over to him; he received it when the city belonged to Philip's faction and was not in league with the Romans. Further on he repeats that "I received a city, which belonged not to you but to the enemy". b) When the alliance between him and the Romans was arranged (197 B.C.),¹¹ Argos had already been in his hands, and this fact was neither mentioned in the conditions, nor prevented the Romans from getting in league with the tyrant in 197 B.C. c) Nabis received Argos by its own free will and not through compulsion ("quod volentem, non vi coactam").

Argument (a) seems to be corroborated by the narrative elsewhere. In 32.38.6 Livy says: "Nocte ignaris omnibus acceptus in urbem est tyrannus". Even if we do not accept the notion that Livy omitted mentioning the popular assembly gathered immediately after Nabis' entering the city,¹² we may conclude from Nabis' popularity in Argos,¹³

¹¹ See above.

¹² Livy, eager to stress the usurpatory acts of Nabis, may have omitted from the account an assembly which gave immediate legitimation to Nabis' acceptance of the city from Philip V. This is probable, as Nabis insisted adamantly on receiving such a legitimation while still outside the city, but failed to receive it (Liv. 32.38.4). Thus, it is likely that he required such a legitimation immediately after entering the city. In two conferences with the Romans, Nabis claimed firmly to have received this legitimation (Liv. 32.40.1 ff; 34.31.7). A. Aymard has therefore a point in arguing that Livy did not mention the assembly which was convened immediately after Nabis' entering Argos (A. Aymard, *op. cit.* (n. 2) 138 and note 20).

¹³ Although Livy, probably following Polybius, tries to depict Nabis as a usurper of Argos (see notes 12, and 18), Nabis was popular in that city: (1) It is not surprising that, in the assembly (*contio*) which dealt with the eventual acceptance of the tyrant in Argos, the name of the tyrant was mentioned "not only with scorn but even with cursing" (Liv. 32.38.5). The dominant factor in this assembly were the pro-Macedonian well-to-do (P. Oliva, *op. cit.* (n. 1) 286). Even if Nabis did not receive an immediate sanction when entering Argos (see note 12), it is unnecessary to prove that Nabis gained popularity among the masses of Argos who were eager for a social change (D. Asheri, *Leggi greche sul problema dei debiti*, ScO XVIII (1969), p. 59). (2) Nabis agreed in the conference of Mycenae to demonstrate his popularity in Argos by gathering an assembly of the Argives (Liv. 32.40.1 ff); he did not want, however, to evacuate the city on that opportunity, as he was afraid that the Argive exiles (whom he feared, Liv. 32.39.9) and the still remaining well-to-do (Liv. 32.38.7 ff; 40.10 ff), would try to seize control of the city (as indeed Damocles tried to do in 195 B.C., Liv. 34.25.7 ff). As to the truth of Nabis' claim at Mycenae, see A. Aymard, *op. cit.* (n. 2) 147, n. 50, against K.M.T. Chrimes, *Ancient Sparta* (Manchester 1949) 28 and H. Stier, *Roms Aufstieg zur Weltmacht und die griechische Welt*

and the sanction he received from the assembly there for his socio-economic measures,¹⁴ that most citizens, although unaware of the events at the mentioned night, were eager to change their social conditions with Nabis' help.¹⁵ Thus, Nabis' claim at Mycenae in 197 B.C. (Liv. 32.40.1: "ille ab ipsis Argivis se defenderet accitum"), which he repeats here, may have reflected the truth.¹⁶ It is also true that the city belonged in 198 B.C. to the enemy, namely to Philip V, and that the pro-Macedonian faction was dominant there at the time (Liv. 32.38.1 ff).

Argument (b) can be verified from Liv. 32.40.1 ff. Indeed, Argos' being in Nabian hands, did not prevent Rome from renewing the alliance with Sparta, and it is reasonable that the issue of Argos was not mentioned in the conditions of the *amicitia*, as the Romans were obviously interested in Nabis' help, and did not want to let this opportunity slip, at least till the end of the war (even Attalus' accusations referring to the seizure of Argos by the tyrant did not stop the Romans from concluding the alliance; Liv. 32.40.1 ff).

In contradiction to Flamininus, who speaks in legal terms ("quid tandem censes in Argivis, qui insontes publici consilii sint facturos?" 34.32.8), Nabis, using *volens*, refers to the willingness of the citizens in argument (c). It has already been shown that the tyrant was accepted by the Argives and also gained popularity among them. If, however, Nabis

(Köln-Opladen 1957) 133, who disbelieve the tyrant. (3) Damocles' attempt (Liv. 34.25) in 195 B.C. to cause a pro-Roman revolution found no response in the city — not only because of the Spartan garrison stationed there. When later the Roman army approached Argos, there was no eagerness among the Argives to revolt. These occurrences can be explained by the satisfaction among the masses with the new established socio-economic conditions. (4) 2000 Argives fought on the side of the tyrant against the romans (Liv. 34.29.14). First of all, Nabis wouldn't let hostile soldiers fight for him. Secondly, they wouldn't have participated willingly in Nabis' army had they been hostile to the cause of the war. See M. Hadas, "The Social Revolution in third Century Sparta," *CW* 26 (1932) 76; B. Shimron, *Late Sparta* (Buffalo 1972) 95 ff. (5) After the oligarchical counter revolution of the pro-Roman Archippus (Liv. 34.40.1 ff), Timocrates of Pellene, the Spartan commander of Argos was given permission to leave the city because he had treated its citizens with *clementia* (*ibid*, 7). This shows that good relations existed between the Spartans and the Argives during the Spartan régime there. If the oligarchs claimed that the Spartans behaved with *clementia*, I would presume that this claim would be even more wholeheartedly supported by the populace.

¹⁴ Liv. 32.38.9, and see D. Asheri, *op. cit.* 59.

¹⁵ See note 13.

¹⁶ A. Aymard, *op. cit.*, (n. 2) 147, n. 50.

refers to a legal sanction, he may be right but from a *post factum* “popular” point of view, as according to Livy’s record (32.38.4 ff) the tyrant first acted against the wealthy,¹⁷ and then obtained the legal sanction of the assembly.¹⁸

Obviously, the Roman commander refers to Argos and Sparta, being under the tyrant, as obstacles to the Roman policy of “liberation” expressed in the Nemean games at Corinth:¹⁹ “Shall we leave Argos and Lacedaemon, two most celebrated cities ... under your feet, that their slavery may tarnish our glory as liberators of Greece?” (34.32.5). As to the facts mentioned by Flamininus; he claims that only “two or at most three men” let Nabis into the town, and that then “nothing was done with official sanction”. Literally, Flamininus is right. Indeed, according to the narrative, Nabis was introduced into the city at night, most probably by a few people (Liv. 32.38.6). Flamininus, like Livy in the narrative, obviously ignores the popularity which Nabis gained in Argos.²⁰ As to his claim that the people of Argos are “innocent of an official sanction”, he may be right from a legal point of view, as the official sanction was perhaps given only after the elimination of the wealthy (if we do not accept the omission of a popular assembly beforehand, below). Moreover, the sanction of the assembly, which seemed legitimate to Nabis, was presumably invalid in Flamininus’ eyes. The latter, a Roman noble, could not accept an official sanction taken by a popular assembly, excluding the dominant wealthy faction.

Nabis continues and says that he is accused by the Romans of summoning slaves to the enjoyment of freedom, and establishing the needy commons upon the soil (31.11;14). He asks, bitterly, (16): “quid in eo vos laesissem aut vestram amicitiam violassem?” Flamininus really

¹⁷ Liv. 32.38.7 ff.

¹⁸ This is true, if we do not accept the omission of the assembly which was convened immediately after Nabis’ entrance into the city. The terms “promulgavit”, “iussit”, “advocata rogationes”, may suggest that the tyrant was a usurper, but the assembly (probably one of many) was obviously convened in order to preserve the constitutional order in town (one may presume that also other institutions continued functioning).

¹⁹ For the declaration of Corinth: Polyb. 18.46; Liv. 33.32–3; Plut. *Flam.* 10–11; Appian, *Maced.* 9.4; Val. Max. 4.8.5, and see F.W. Walbank, *Philip V of Macedon* (Cambridge 1967 reprint) 181 ff.

²⁰ Unlike A. Passerini (*Athenaeum* 11 [1933] 316), one has to read Livy critically as his picture is one-sided in favour of the optimates. See D. Asheri, *op. cit.*(n. 13) 59.

does not accuse Nabis of breaking a treaty by these very acts — this is not the question here — but as a Roman aristocrat, he naturally answers that they are “no trivial accusations” (34.32.9).²¹ This is not a “weak” argument — it is an opinion deriving from a difference of approach.

Nabis claims that the roman commander calls him ‘tyrannus’ (indeed, he does: “a tyrant, the most savage and lawless that ever lived.” 34.32.3), while some years earlier when arranging the alliance with him, he called him ‘rex’. This claim is probably true, as titles were in many instances merely an expression of attitude.²² We know that Nabis was called *basileus* by his supporters (e.g., *rex*)²³. It is likely, therefore, that he was thus addressed by Flaminius as well in the good times when they entertained friendly relations. His enemies called him ‘tyrannus’. Flaminius who changed his mind about Nabis, did not even find it necessary to comment on this point.

Nabis’ claim that he acted according to Lycurgus’ ancient constitution (34.31.17 ff), reflects the official Spartan propaganda, commonplace in late 3rd century and the beginning of the 2nd century B.C., and not necessarily connected to the actual deeds performed.²⁴ The comparison between the Spartan and the Roman constitutions serves as an explanation, probably intended for the Roman reader, of the ideological differences between the two speakers. Titus Flaminius is also right, from his point of view, in saying that Nabis is but an “imitator of Lycurgus”, as we know that Nabis’ acts deviated completely from the Lycurgan scheme.²⁵

²¹ As to Flaminius’ ideas and policy, see: H. Gundel, *RE* 47 (1963), T.Q. Flaminius, col. 1047 ff; E. Badian, *T. Quinctius Flaminius, Philhellenism and Realpolitik*, Semple lectures, The University of Cincinnati (1970) 2nd. Ser. 28 ff.

²² See note 14 in my “Polybius and the Socio-economic reforms of Cleomenes III, re-examined”, forthcoming in *Grazer Beiträge*.

²³ He is called *basileus* in an inscription from Delos (*IG* VI, 885). Nabis’ coins have: ΒΑΙΛΕΩΣ ΝΑΒΙΟΣ (see B.V. Head, *HN* [Oxford 1911²], 435). We should also add Polyb. 13.6.5; Liv. 34.36.4; 35.12.5 (*rex*, and afterwards uses *tyrannus* — it is perhaps a quotation from a decision of the Aetolian leagues’ assembly). On that question see for instance: T. Homolle, “Inscriptions de Délos,” *BCH* 20 (1896) 502 ff; P. Wolters, “König Nabis”, *AM* 22 (1897) 139 ff.

²⁴ See B. Shimron, *op. cit.* 123 ff; and see Shimrons’ discussion about this passage in *SCI* 1 (1974) 40 ff.

²⁵ B. Shimron, *op. cit.* (n. 13) 79 ff, 123 ff; and especially my “Polybius, Nabis and Equality”, forthcoming in *Athenaeum*.

Flamininus adds some charges which are in fact true, but naturally express the Roman side of the affair: the slaughter by Pythagoras of the pro-Romans in Argos did indeed take place (Liv. 34.25). The persecution of Spartans is a fact (Liv. 34.27). The capture of Messene by Nabis in 201 B.C. can be verified (Polyb. 16.13; Liv. 34.35.6). It is therefore true that Nabis acted, as Flamininus claims (34.32.16), against an *amicus* of Rome who was received into Rome's friendship under one and the same treaty as Sparta. The charge that Nabis not only concluded an alliance with Philip V, Rome's enemy, but also established personal relationship with him is true,²⁶ and from Rome's view-point it was naturally seen as a breach in the alliance (Flamininus obviously ignores the fact that after Nabis' alliance with Philip V had been concluded, the former turned to Rome. Livy says on that point (32.39.1 ff): "Nabis no longer remembering from whom and on what terms he had received the city"). Nabis' piracy around Malea, as some have noted, did indeed take place.²⁷

We may conclude that the widely accepted notion of a "strong" speech versus a "weak" one, can be refuted. Both refer, aside from the obviously programmatic sentences, to facts that can be verified through the available evidence. The two speeches are but an expression of the polarized views of Nabis, the "popular" Spartan reformer, and Flamininus, the aristocratic Roman commander, brought forward by Livy(P) to dramatize the clash between Sparta and Rome.

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²⁶ Livy 32.38.1 ff. The alliance was concluded as Philocles, Philip's commander in Argos, was probably the one who admitted Nabis into the city. Moreover, Livy mentions the conditions under which Nabis accepted the town (32.39.1 ff). The personal relationship, although established (32.38.1 ff), did probably not develop as the time from the conclusion of the treaty between Philip V and Nabis and the latter's turning to Rome was too short.

²⁷ See also Polyb. 13.8.2; Liv. 34.36.3. Piracy was a well known phenomenon; thus it is not surprising that Nabis, alongside his legitimate commercial activities (Syll³ 584; V. Ehrenberg; *RE* XVI,2 (1935), Nabis, col. 1473 ff; K.M.T. Chrimes, *op. cit.* (n. 13) 35) performed also acts of piracy in collaboration with the Cretans: J. Mundt, *op. cit.* (n. 2) 29; A. Aymard, *op. cit.* (n. 2) 37 ff; P. Oliva, *op. cit.* (n. 1) 287. As to piracy as a common occurrence in Greece: H. A. Ormerod, *Piracy in the Ancient World* (London 1924) 108 ff.