DECEIT AND THE STRUGGLE FOR ROMAN FRANCHISE IN ITALY

Christopher Dart

Italy under the Roman Republic was subject to complex systems for determining civic status, legal rights, and the use of the land. Civic status had direct implications for the individual in terms of legal rights and capacity to participate in Roman political life. So too access to land, either as the owner, the possessor, or simply the user, was directly linked to capacity to generate income, civic status, and political participation. This nexus was of principal interest to many of the powerful political figures of the second and first centuries BCE. Many in Italy were desirous of reform, and Roman politicians recognised that sponsorship of popular reform could be an effective vehicle for political advancement. The initiatives of the Gracchi, Fulvius Flaccus, and Livius Drusus, together with the compromises following the Social War, have long been recognized as fundamental steps in the reorganization of Roman Italy, but they also formed part of wider political programmes centred in Rome itself. It is in this context that this chapter will investigate different examples of deceit associated with the Roman franchise in Italy.

This chapter will in fact investigate examples of deceit on both sides; on the one hand, it will identify attempts to gain citizenship (or some of the privileges of citizenship) through deception by Italians and on the other deceitful acts by members of the Roman elite. There was often a great gap between what was promised and what was delivered on the issue of citizenship in Italy. Such outcomes could be interpreted as unfortunate if the parties involved genuinely intended to deliver upon their promises. It will be argued, however, that the elites in Italy, both Roman and non-Roman, frequently never intended to deliver upon their promises, and regarded deceit as an essential, if distasteful, political tool.

In particular it will be argued here that Italians desirous of Roman citizenship were frequently misled or encouraged to hold unrealistic expectations for reform by members of the Roman elite in the second and first centuries BCE, and that for this reason many of the so-called “reformers” of the late Republic in fact intentionally manipulated the non-citizen
population of Italy by using their desire for enfranchisement.\footnote{Contra Keaveney 2009, who argues that men from the Gracchii brothers to Sulla were motivated by a genuine desire to enacted reform and that their failings were “largely because of the resistance of their contemporaries” (p. 8).} For those in Italy who did not possess a form of Roman conferred citizenship (be that full Roman citizenship, \textit{civitas sine suffragio} or Latin rights) the promise of enfranchisement was frequently made by Roman politicians, but rarely was legislation even put forward to address the disparity of their civic status. This situation is perfectly illustrated by the example of the younger Livius Drusus who, despite numerous promises to his Italian supporters,\footnote{Drusus not only met with a prominent member of the Italian leadership (Plu. \textit{Cat. Mi.} 2.2 and V. Max. 3.1.2) and enjoyed Italian support for his legislative program (Liv. \textit{periouch.} 71 and Flor. 2.5.7–9) but also received an oath of support from the Italians (D.S. 37.11). On the authenticity of the oath, see Taylor 1949 45–46.} never presented his citizenship bill for ratification by the assembly. Study of these deceptive practices with respect to awarding Roman citizenship during this period, with all the consequences it had for voting rights in the \textit{comitia} in Rome, provides important background to the wider study of the role of deceit in subverting the constitutional and legal bases of the \textit{res publica} in the late first century BCE, which is treated at length elsewhere in this volume.\footnote{See in particular the contributions of Hurlet, Vervaet, and Rich.}

\section*{Concealing Inequity}

Citizenship was not typically offered as a reward for loyalty; more often than not it was awarded as a check on disloyalty. In this sense, the Roman treatment of their allies was frequently inequitable. On the one hand, disloyal communities could be harshly punished (even physically dismantled) while on the other, they might be appeased through the award of citizenship. Resentment on the part of non-Roman Italians that they had contributed to the creation of the empire without having equitably shared in the benefits was a central issue in the lead-up to the Social War. For instance, shortly after the murders at Asculum in 91 BCE and on the brink of open warfare between Rome and her allies, representatives of the Italians sent ambassadors to Rome. According to Appian they complained that, “although they had co-operated in all ways with the Romans in building up the empire, the latter had not been willing to admit their helpers to citizenship” (App. \textit{BC} 1.39). For the