

The Roman *gens*' influence on loci of power in the Early Republic

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Abstract

The question posed by this paper is how the *gens* related to real loci of power in the early Republican period of Roman history. To answer this question we must look at the statistics of magisterial positions left by the Romans in the *Fasti* and consular lists. What is discovered is that the *gens* had some influence on the acquisition of political offices, due to the fact that only a small number of *gentes* provide magistrates to these positions. The *gens* appears to have had a distributive effect on the allocation of offices, as no one *gens* was able to dominate the others. The conclusion of these findings is that ancient Roman society appears to have intentionally provided a ruling class of limited *gentes*, none of which was able to control the state independently. This was a reflection of the early Republican resentment of tyranny after the expulsion of king Tarquin in 509 BCE.

Key Words

Gens, Rome, Republic, *nomen*, *gentiles*, consul, military-tribune, *interreges*, *fasti*, patrician, plebeian.

Introduction

The early Republic was a time of evolving political institutions in Rome, after the expulsion of the kings, and during the period of social transformation known as the Conflict of Orders. New magisterial offices were implemented to deal with social and political change. The Roman *gens* was certainly influential in relation to political power at Rome in the early Republican period, though as [Smith](#) (2006) notes, it is questionable whether it was of surpassing influence in the early state. Given the lack of sources on the subject, we must look to prosopographical evidence to illuminate the extent to which the *gens* influenced admission to political offices. What we see is that there was a small number of *gentes* that dominated magistracies in the early Republic. We also notice that the offices were distributed among these *gentes*, and often in an impartial manner. This appears to have had the result of preventing any one *gens* from being able to dominate all others through political offices, and this may have been a social deterrent against tyrants. The Twelve Tables give us insight into the structure of the *gens* at this early stage, and how it was able to preserve itself by keeping property with the *gentiles* through inheritance ([Johnson et al.](#), 1961, pp. 9-18). The advantage of being part of a patrician *gens* in gaining positions of power is also apparent, though differences between the narratives of the annalists and statistics in the *Fasti* provide a puzzle to solve.

The Latin word *gens* (plural *gentes*) denoted in early Roman society what one might call a “clan”. It encompassed not only the immediate family but also all those who shared the same *nomen*, ostensibly descended from a common ancestor, who was often a mythical figure as with the Iulii claiming Iulus, grandson of Venus, as

their forefather (Suetonius, *Divus Julius*, 6.1). The organization of the *gens* is important when considering its political influence on the individuals, so an explanation of the meaning of this term is necessary. Our foremost definition of *gens* from the ancient world comes from much later than the period under question, though it is our most reliable source.

Q. Mucius Scaevola, consul in 95 BCE ([Broughton](#), 1984b, p. 11) quoted in Cicero's *Topica* (29), defines the *gens* in several ways. *Gentiles* are first described as those who share the same *nomen*. The *nomen* (family name) was meant to signify descendants of a paternal line, and membership in a *gens*. Yet it is hard to believe that all members of each *gens* shared a single common ancestor, and we may be sceptical as to the actual relationship between families within the *gens* ([Salway](#), 1994, p. 126). Scaevola goes on to say that *gentiles* are also those who are freeborn citizens, and hence that no freedman, that is, no former slave, could be part of the *gens*. Also excluded are those whose ancestors had been slaves. Finally, a member of a *gens* must not have suffered *capitis diminutio*, having had their legal status reduced.

We can observe from the lists of magistrates and the consular *Fasti*¹ that, in the early Republican period, the role of the *gens* appears to change. As well as acting as an institution that influenced its members in attaining positions in the political sphere, it becomes a mechanism for the distribution of such offices among a small number of *gentes* (Smith, 1996, p. 307). Magisterial positions appear to have been

¹ The "consular *Fasti*" was a list of Roman consuls and military tribunes going back to around 500 BCE. The list can be redrawn through references in the ancient narratives. See [Cornell](#), 1995, p. 13, 218.

distributed among these *gentes*, rather than any one *gens* monopolising the positions themselves. Even during the period between 485 and 477 BCE, when the Fabii had superiority over the consulships prior to the disaster at the Battle of Cremera, where a large number of their *gens* were killed, the office is still held as well by a Cornelius, an Aemilius, an Iulius, a Furius, a Manlius and a Verginius ([Broughton](#), 1984a, pp. 21-25). Also, a Sempronius and a Larcus were appointed as *interreges* in 482 BCE ([Broughton](#), 1984a, p. 23). There appears to have been only one year in which both consuls chosen were from the same *gens*, and this was in 203 BCE, during the middle Republic ([Broughton](#), 1984a, p. 310).

The lists of military tribunes with consular power also add strength to the argument that the *gens* had a distributive effect on offices (the term, “distributive effect” was coined by Smith (1996, p. 319). In the first seventeen colleges of consular tribunes, there are no instances of members of the same *gens* sharing the office. After 406 BCE, when we do see members of the same *gens* appearing in the same year, the number of consular tribunes had been increased from four to six (Smith, 1996, p. 309). Still the occurrences of a year in which one *gens* appears to dominate are still infrequent. Out of all the holders of the office of military tribune with consular power, fifty-six out of roughly 250 held the position at the same time as another member of the same *gens*, and fourteen of these came from the same *familia* ([Broughton](#), 1984a, pp. 52-113). We may argue, from this evidence, that since the consulship was, in this period, never shared by members of the same *gens*, and the consular tribunate was fairly evenly dispersed among a group of different *gentes*, that the *gens* appears to have a distributive effect on these offices in the

early Republic. Due to a lack of material relating to the lower magistracies during this period, it is hard to involve them in such a discussion.

There is not enough information on priestly offices during the early Republic to be able to determine whether the *gens* had influence on these institutions as it appears to have had with political offices (Smith, 1996, p. 309). The ancient sources do reveal that in the later Republic members of the same *gens* did hold priestly positions at the same time,² though the extent is unclear, and by 57 BCE, a law had been brought in prohibiting two members of the same *gens* from joining the same college (Cassius Dio, *Roman History*, 39.17.1).

This is not to say that the *gens* had no influence on the acquisition of positions of power. Stewart argues that the occurrence of members of the same *gens* holding the same magistracy in the same year points to the importance of the *gentes* in acquiring positions of power (Stewart, 1998, p. 72). During the years 444-367 BCE, several *gentes* held between them over half the offices of consul, suffect consul (temporary consul) and military tribune with consular power. The Corneli produced thirty-four magistrates, the Furii twenty-nine, the Manlii and Servilii seventeen each, the Quinctii twenty-two, the Valerii twenty-six and the Papirii nineteen (Drummond, 1989, p. 208; Broughton, 1984a, pp. 52-113). So to a large extent, membership of an influential *gens* appears to have been favourable for acquiring a real position of power. It has been argued that this is due to a monopolisation of political and religious roles by a small number of patrician *gentes* during the regal period (Raaflaub, 2005, p. 133; Momigliano, 1963, p. 118). Other

² For example, Cicero, *De Haruspicum responsis*, 12.

theories postulate that it was not until the Republic had been established that such monopolisations began ([Mitchell](#), 1990, p. 20). However, it is difficult to find any references in the ancient sources to the *gens* as a political institution, collaborating as a unit to elevate members to positions of power (Smith, 1996, p. 60, 64). One example can be found, though from later than the period under question. Livy tells us that in 192 BCE, the *gens Cornelia* supported their member P. Cornelius Scipio Nasica, cousin of Scipio Africanus, for the consulship (Livy, *Roman History*, 35.10). It would be hard to believe that the *gens* never played a supporting role, to some extent, for the political careers of its members, though given the lack of any voice on this in the ancient sources, we may only hypothesise on its function given the statistics of the magistracies. Patrons obtained political support from their clients, and the patron-client relationship often transcended generations (Dionysius of Halicarnassus, *Roman Antiquities*, 2.10.1-3). It is probable that membership of a powerful *gens* meant that an individual had access to the added political influence of the clients of his *gens*.

What may be deduced about the *gens* from the evidence in the lists of magistracies, is that it was difficult for one *gens* to dominate the others that were also in the higher echelons of politics. This was probably due to the large number of offices there were to be filled. As such, the *gens* may have been useful for the Republic in that it discouraged the focus of power onto individuals, which was highly opposed in Rome in this period, by limiting their access to positions of power (Smith, 1996, pp. 311-314).

In 509 BCE, the last king of Rome, Tarquin (Tarquinius Superbus), had been expelled as a result of a revolution led by L. Junius Brutus and L. Tarquinius Collatinus (Livy, *Rom. Hist.* 1.58-59). The immediate reason for this had been the rape of Brutus' relative, Lucretia, by Tarquinius' son Sextus (Livy, *Rom. Hist.* 1.58-59). Though the underlying reason for his banishment may have been his oppressive rule. While king he did not consult the senate on matters of government, and conducted trials in capital cases himself, so he could intimidate anyone who opposed him and confiscate their property (Livy, *Rom. Hist.* 1.49). After this, Roman society was popularly against tyrannical or sole rule, and avoided it by limiting the power that an individual could acquire. This was done through political innovation since the beginning of the Republic, such as in the case of the implementation of two supreme magistrates, the consuls. Both shared equal power and responsibility so that neither could become sole ruler.

The *gens* also appears to have been utilized in an impartial manner when we look at the way that commands were issued to members of the same *gens* who held offices together in the same year (Stewart, 1998, p. 76). These members were not always issued the same command. So for example, in 395 BCE, two Publii Cornelii holding the consular tribunate led a war against the Faliscans (Livy, *Rom. Hist.*, 5.24.2; Diodorus Siculus, *The Library of History*, 14.96.5). And in 382 BCE, Sp. Papirius and L. Papirius both also holding the consular tribunate, led an army together against Velitrae while their four colleagues were left to defend the city (Livy, *Rom. Hist.*, 6.22.1; Diod. Sic., *Lib. Hist.*, 15.41.1). Yet in 406 BCE, while two Cornelii were holding the office, one was sent to fight the Volscians with the rest of the college,

while the other was left in charge of the city (Livy, *Rom. Hist.*, 4.59.1; Diod. Sic., *Lib. Hist.*, 14.12.1). In 402 BCE, neither Q. Servilius nor C. Servilius were given the command to lead against Veii, though both were consular tribunes (Livy, *Rom. Hist.*, 5.8.1; Diod. Sic., *Lib. Hist.*, 14.38.1). During 398 BCE, while two Valerii were in office, L. Valerius was sent against the Falscians while M. Valerius was sent with the others to besiege Veii (Livy, *Rom. Hist.*, 15.14-15; Dion. Hal. *Rom. Ant.*, 12.11-13). And in 391 BCE, C. Aemilius held the command against the Volsinii without L. Aemilius (Livy, *Rom. Hist.*, 15.32.1; Diod. Sic., *Lib. Hist.*, 14.107.1). This suggests that the *gentes* were treated impartially within the command structure, possibly so that an individual *gens* was not able to command together too often, which would give them considerable power and influence.

Though a distributive effect is apparent, the clusters in the numbers of members of the same *gentes* holding offices through the early Republic shows that membership of a *gens* was influential in acquiring positions of power. Despite the fact that mention of the *gens* as a political influence is lacking in the ancient authors, the Twelve Tables is crucial as it is the earliest known mention of the operation of a *gens*, and gives us insight into the idea that the *gens* was successful due to its structure and continuity (Smith, 1996, p. 22). The Twelve Tables are the earliest known Roman code of laws, drawn up by a special commission known as the *Decemviri* between 451 and 450 BCE (Cornell, 1995, pp. 272-278). Table Five deals with succession, and here mention of the *gens* is made. The fourth law states that if a *pater familias* dies without having made a will, then his nearest agnate will inherit his *familia* and goods (The Twelve Tables, V.4). The fifth then says that if there is no

agnate, the inheritance goes to his *gens* (The Twelve Tables, V.5). The seventh law also mentions the role of the *gens*, stating that if the inheritor is a madman or a spendthrift, then the inheritance will be taken by his agnates and *gentiles* (The Twelve Tables, V.7).

So we see that the structure of the *gens*, being made up of several individuals at the head of a family, which claimed the ancestry of a common male kinsman, controlled the property within it. When one *familia* was unable to produce an heir, the property and guardianship of the *pater familias* remained within the *gens* through the laws of inheritance. This co-operation between *familiae*, and preservation of the possessions within the *gens*, certainly led to their continuity and gave them significant advantages within the aristocracy (Smith, 1996, p. 305). Incidentally, there is no evidence in the ancient sources that the *gens* was controlled by an individual leader. The *familiae* were themselves independent within the *gens* (Cornell, 1995, p. 246). One may hypothesise that the succession laws in this way had a major influence on certain *gentes* being able to stay influential within the political sphere, and maintain a presence within the lists of magistrates.

Despite the statement of P. Decius Mus in Livy, it is widely agreed that there were plebeian *gentes* as well as patrician *gentes* (Livy, *Rom. Hist.*, 10.8.9; Smith, 1996, p. 56). Though it is also apparent that all of the patricians were organised into *gentes*, the extent to which the plebs were organised this way is unknown. The success with which the patrician *gentes* had in having their members acquire magisterial offices might be explained due to their wealth, religious privileges,

continuity and stability (Smith, 1996, p. 332). And perhaps the structure of the *gens* aided them with this.

The ancient sources tend to be misleading when they presume that during the early Republic a person was required to be part of a patrician *gens* to become consul or military tribune (Cornell, 1995, p. 252). Though it was very advantageous, it was not entirely necessary to be part of a patrician *gens* to reach the supreme magistracy at the beginning of the republic, and the *Fasti* list several plebeian consuls from its earliest years. From the statistics presented in the *Fasti* it is clear that there was a “Closing of the Patriciate”, when the patrician *gentes* were able to monopolise the consulship and military tribunate towards the end of the fifth century (Cornell, 1995, p. 255).

During the years 509-483 BCE, out of the fifty-seven office-holders, twelve were plebeian, one of which was L. Junius Brutus, the leading Republican revolutionary and first consul (Broughton, 1984a, pp. 1-22). After this period we see a sharp shift in the numbers, in favour of the already advantaged patricians. From 482-456 BCE, only four out of fifty-six offices were held by plebeians (Broughton, 1984a, pp. 23-41). The descendants of the plebeian consuls from the early years were unable to gain the high offices of their forefathers, and so here we see the *gentes* having preventive effects on individuals' access to positions of power. The patrician *gentes* took control of the consulship. One argument for why it took some years for the patricians to become the dominant governing class is that it may have taken time after the establishment of a new form of government for them to organise a successful oligarchic regime ([Momigliano](#), 1966, p. 21). The initial

occurrence of plebeian names in the *Fasti* may be expected given that it could take years for the patrician *gentes* to gain the support, influence and status as the ruling class.

The fact that the plebeian tribune Gaius Canuleius gained access to the consulship for the plebs in 445 BCE, suggests that prior to this they had been banned from the office (Livy, *Rom. Hist.* 4). One may expect that after this admission, and the compromise with the implementation of several military tribunes with consular power in place of the consul, that the plebs had a better chance at gaining office. Yet for the years 455-428 BCE, only five out of sixty-one of the supreme offices were held by a plebeian, (Broughton, 1984a, pp. 42-65) and between 427 and 401 BCE, only one out of ninety-nine (Broughton, 1984a, pp. 66-83).

The patrician *gentes* dominated the magistracies down to the middle of the fourth century when plebeian agitations arose again. The annalists, including Livy, tell us that the Licinio-Sextian law of 367 BCE required one consul to be a plebeian, though the *Fasti* shows a lack of plebeian consuls between 366 and 342 BCE, when the *Lex Genucia* was imposed (Livy, *Rom. Hist.* 7.42.2; Smith, 1996, p. 270). This suggests it was only then that it became a requirement, and the law of 367 BCE probably reinstated the consent for a plebeian magistrate.

In the Twelve Tables one can assume an attempt by the patrician *gentes* to dominate Rome in the forbidding of marriage between plebeians and patricians (Twelve Tables, XI.1). The laws of inheritance in the Tables, noted above, may also have been for the purpose of segregating the classes. The tribune Canuleius, who

had successfully argued for plebeian admission to the consulship in 445 BCE, was also responsible for repealing the law forbidding intermarriage (Livy, *Rom. Hist.* 4).

Conclusion

As we have seen, the Roman *gens* did play a highly influential part in Roman politics. It relates to real loci of power due to the fact that the names of members of the same *gens* appear repeatedly in the *Fasti*, and in some cases in numbers far exceeding those of most groups. Clearly *gentes* such as the Fabii, the Cornelii and the Valerii dominated the political magistracies. One may imagine that this was due to their wealth, power, support-base and leaving a strong legacy of continuation through inheritance and emphasis on genealogy, possibly enhanced by the structure of the *gens*. Though, as has been shown, there was also a distributive effect on the *gentes* in play. Offices were spread amongst the small number of *gentes* that were able to attain them, and no one *gens* was able to dominate all the others alone. We may assume that this was some sort of social prevention against individual superiority that may lead to tyranny, the bane of Republican politics, as Smith has suggested (Smith, 1996, pp. 311-314). The Twelve Tables is a crucial piece of evidence on the *gens* in the early Republic, and through it we can comprehend how the *gens* was able to preserve its power. It must be reaffirmed that there is no clear explicit statement in the ancient sources that membership of a *gens* was key to

political power, so we must be cautious not to overestimate its importance (Smith, 1996, p. 334).

It is clear that being part of a patrician *gens* was certainly advantageous to acquiring real positions of power in the early Republic. Though members of patrician *gentes* always came from a superior position in relation to political offices, it is clear from the prosopographical evidence that they closed their ranks towards the end of the fifth century, and dominated the supreme magistracies until the middle of the fourth.

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