

Commoda Romani Populi and the Practice of Late Roman Politics

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Abstract: *Commoda Romani Populi* (public interest) played a prominent role in the political practice in Republican Rome. This preliminary study aims to provide an overview of the role of *Commoda Romani Populi* in Roman political culture and its political performance. The latest scholarships have shown that the Roman people played a far more critical role in politics than previous scholars thought. Thus it is necessary to reinterpret the role of the Roman people in politics. This essay adopts the theories of Almond and Verba to claim that the majority of Roman people in Rome was not simply politically passive at all time. When political elites have severe lapses in promoting the public interest, their level of political engagement can be dramatically be motivated that finally forces political elites to consider public opinion and hold their behaviours responsible. Moreover, this essay also offers a brief examination of how *Commoda Romani Populi* was perceived, reinterpreted and manipulated when there was a strong disagreement between political elites and Roman people during the late Roman Republic. Finally, this study argues that the *Commoda Romani Populi* has a real cultural and practical influence on public affairs instead of being an empty slogan.

Keywords: Roman politics, *Commoda Romani Populi*, public interest

1. Introduction

In 63 BC, Cicero made a speech in the popular assembly before the people to oppose an agrarian law proposed by the tribune Rullus. In the beginning, Cicero thanked the majority of Roman people who elected him the consul and explained why he opposed this agrarian law; he gave the following argument:

For, as it is fitting that all powers, commands, and commissions should proceed from the whole Roman people, this is especially the case in regard to those which are established for any advantage and interest of this people. For it is then that the whole body of citizens have to elect the man who they think will do his best to assist the people, while each individual by his zeal and vote is able to pave the way for acquiring some benefit for himself ¹.

In this speech, Cicero widely applied the so-called *Eloquentia popularis* in which he portrayed himself as the “people's consul” (*popularem consulem*) or the friend of the people and repeatedly

¹ Cic. Leg. Agr. 2.17: *Etenim cum omnes potestates, imperia, curationes ab universo populo Romano proficisci convenit, tum eas profecto maxime, quae constituuntur ad populi fructum aliquem et commodum, in quo et universi deligant, quem populo Romano maxime consulturum putent, et unus quisque studio et suffragio suo viam sibi ad beneficium impetrandum munire possit*

stressed his care of the *Commoda Romani Populi*. In Cicero's view, this speech made in the public assembly provided an example to teach the young elites how to defeat an agrarian law's popular bill proposed by the tribunes². Considering that to persuade the audience, a successful orator has to cater for the hearers by accommodating his language to their expectations and interests to a certain degree, this speech also provides some hints about the basic premises in the communication between the political elites and Roman people, based on a mutual acknowledgement that the protection of *Commoda Romani Populi* is the principal responsibility for magistrates.

There is an ongoing debate about what role Roman people played in the actual political practice in Rome. Some scholars, in favour of the aristocratic explanation, dismiss the people's power as a deceptive appearance, while the others, in favour of a "democratic"³ explanation, defend the authenticity of the political power of Roman people in politics⁴. It is interesting that currently, the "democratic" explanation seems to take the upper hand in academia, as Morstein-Marx, one of the most notable contributors of this debate, had adjusted his position to the "democratic" explanation⁵. This essay does not intend to systematically address the key questions of this debate, but aims to answer a particular question of how *Commoda Romani Populi* represented by "Roman constitution" was applied in the real political practice, more specifically speaking, how the modern conception of government: "Government of the People, by the People, for the People" could be applied to the political practice of late Roman Republic. In this essay, unless otherwise indicated, the Roman people (*populus Romanus*) all refer to non-elite residents living in Rome (*plebs Urbana*).

According to modern scholars' study [65. 7 p141-144], the Roman constitution, more like modern constitutionalism, has deeply entrenched rules that govern the political practice and are hard to change. The Roman Republic is essentially a typical city state in the Mediterranean area in which citizenship was shared by all adult male citizens and after continuous expansions, became an empire [18 p18-19]. Within this city-state political entity, for both nobles and people, no matter how considerable power and influence they actually held in reality, following the commonly shared rules of social behaviour is practically necessary to legitimise the exercising of their rights. In the "Roman constitution", customs (*mores*) played the role of such higher-order shared norms that circumscribe and limit the way in which political institutions and individuals practiced their power. The ancient Romans unanimously agreed that the masses must be free from domination and be the ultimate source of authority of the laws and magistrates in the state, embodying their *auctoritas*, mainstays, and dignities, and hence they were the single sovereign [6 p 19]. The importance of political elites' duty to people's interests regardless of their advantage had been widely discussed in ancient sources⁶. Romans not only addressed this idea to the crowds to boast about them but also used it as part of an exchange between the number of elites in the debate on a controversial problem [77, p507].

Thus, if the care of the welfare of the people by the office-holder class is one of the Roman customs (*mores*), which give particular weight to their political practice, this essay will discuss how it works. Firstly, this essay will address the definition of *commoda* of Roman people. Secondly, based on a wide range of latest scholarships, I will demonstrate the social factors why addressing *Commoda Romani Populi* is vital for the political elites. Finally, this essay will examine the relationship between

² Cic. Att.2.1.3

³ *The use of this term democratic explanation is purely for the sake of convenience; in reality, almost all scholars (Jakobson and Jehne etc) in this camp, except Millar, incline to the mix constitution of Roman Republic proposed by Polybius*

⁴ *For the overview of this debate see [40, p 63-65]; [30][31] [36]*

⁵ *See [38. 39.40. 41 p 3-11] in [39 p 37-38], he admits that the aristocratic explanation is "less applicable to the late Republic than I had previously thought".*

⁶ Cic, Rep. 1.52.5; Off, 1.85; De or.1.225; Sest. 137; Catil. 2. 12; Plb. 6.15-16

elites' *auctoritas* and ordinary people's general interests – how Romans dealt with them when they conflicted with each other. This essay argues that the interaction between political elites and ordinary people was not from top to bottom alone; common people could play an active role to implement their will on elites if they make mistakes.

2. Define *Commoda Romani Populi*

Before starting the formal discussion, it is necessary to briefly define *Commoda Romani Populi*; and what Roman people expect from the state in Romans' opinion. Generally speaking, the so-called *Commoda Romani Populi* is a broad term – it could roughly refer to people's material interests and political power [37 p222]. So far, many scholars have consistently downplayed Roman people's insistence on the political privileges the Roman constitution endowed them, such as *Libertas*, while overemphasizing their pursuing for material interests.

Needless to say, material interests were essential for the city residents; the fact that plebeians struggled for the agrarian law and debt problem during the late Republic is widely known.

Like most modern societies, it is essential due to the life situation of the poor residents in Rome. Most of the urban residents in Rome were the poor who had low life expectancy. According to the archaeological evidence, the poor housing had inadequate sanitary facilities, high levels of food and drinking water contamination, and a series of natural disasters like fires, floods, and plagues which would worsen the living conditions [48 p352-353]. Thus, undoubtedly, what a large number of the urban poor needed was enough material for basic living. Sometimes the shortage or increased price of grain could cause riots and social instability in Rome⁷. Considering its seriousness, the Roman magistrates had identified its seriousness and made some progress on relieving this problem, as a Greek historian Dionysius of Halicarnassus⁸ indicated; the consuls...took great care to supply the city plentifully with both corn and all other provisions, believing that the harmony of the masses depended on their well-being in this respect. Moreover, there were also several grain bills proposed by the Roman magistrates concerning the decrease of grain price and free distribution and supply, which benefited all residents living in Rome [19 p181; 193. 45 p188-205; 17 p 265].

Nevertheless, that does not mean that Roman masses didn't care about politics. The Roman constitution required at least minimum popular involvement in the public meetings to work properly. Cicero, in his speech against the agrarian bill of Servilius Rullus, had clearly associated Roman masses' political power with their *Commoda*⁹. Economic interests might be the cause of some people's participation in politics. Considering the living condition of many Roman poor people, Agrarian bills or problems with food supply might drive people to attend in *contio* and cast the ballots. Nevertheless, Roman people were more than economic beings; they, even some poor people, participated in politics not for economic interest. The detailed study conducted by Jehne [29; 31], proved that there was a stable group of non-elite Roman people who thought participating in politics was their lifestyle, as it offered them a chance to step out of their low-ranked role in Roman society.

Due to the scarcity of the sources, it is hard to identify the composition of the crowds in every single public meeting, but there is no direct evidence in ancient sources that proves only elites attended popular meetings. Quite the opposite, some sources infer that the composition of the mass

⁷ Cicero, *Dom.17*; For the grain riots in Rome see [46 p47-50]

⁸ D.H. 7.20

⁹ *Leg. Agr 2.71; vos vero, Quirites, si me audire volitis, retinete istam possessionem gratiae, libertatis, suffragiorum, dignitatis, urbis, fori, ludorum, festorum dierum, ceterorum omnium commodorum* In Republican Romans' perception *Libertas* generally refers to the condition of non-domination and the right to suffrage that ensure the state was ruled by the will and consent of citizens see Atkins, see also [6 p37-54; 2 p14-72]

in public meetings was consistently popular. Cicero¹⁰ inferred that the hearers of public meetings were full of “craftsmen, shopkeepers, and all the dregs of a city (opifices et tabernarios taqueria atque illam omnem faecem civitatum)”. In his letter to his brother Quintus¹¹, Cicero claimed that Pompey was scolded by the vicious elements – the dregs of the mob (perditissimam illam atque infimam faecem populi) in a public meeting. Moreover, in one of Tribunes Memmius speeches concerning the Roman foreign policy, Memmius spoke to hearers: “After the slaughter of Gaius Gracchus and Marcus Fulvius, many mortals of your order were put to death in the prison house”¹², which means that for Memmius the majority of the attenders of his public meeting was supposed to belong to the plebians who supported Gracchi agrarian bill¹³.

3. **Commoda Romani Populi and the political culture in Republican Rome**

After the concise discussion of the definition of *Commoda Romani Populi*, we should start to examine how elites’ pursuit of political careers forced them to respond to the public good. Why was responsiveness to common goods so important to the political elites; were there any reasons other than the Roman constitution that encouraged them to achieve it? Absolutely, they couldn’t pursue it for nothing. In 75 BC, the consul C. Cotta appealed before a crowd who were dissatisfied with the swollen price of bread and try to pacify it by resorting to the generosity that he had always shown to the people:

From early you the I have lived my life before your eyes, both as private citizen and as a magistrate; those who have need of my tongue(lingua), my counsel(consilio memo), my money(pecunia), have had the use of them¹⁴

As mentioned above, In Rome, the grain problem was excessively sensitive in politics, which might cause social instability if mishandled. Cicero¹⁵ even directly associated the grains of Sicily with the interests of Roman people (*commoda populi Romani*). If we carefully observe Cotta’s response to people’s requirements, it can be seen that Cotta used his generosity toward people as a tool for political persuasion to justify that the current shortage of corn was not due to his indifference to Roman people’s welfare but due to the misfortune and imperial wars. He even inferred that as a consul, he could contribute his life for the Roman people as the return of their favours¹⁶ Although our sources have no record of people’s reaction toward Cotta’s speech, what this speech reflects is clear: the political elites’ regular generosity coincided with the Roman people’s common good and past achievements was supposed to prove their integrity to further improve people’s interests.

In Republican Rome, there is a very close relation between elites’ popularity and their political career. For the Roman political elites, the competition for the state magistrates is the life-long career; a member of the upper class might have to spend more than decades to reach the top of *cursus honorum* and sometimes the contests were so intense that we could expect that there must have been many losers who dropped out at different steps of *cursus honorum* [30 p211].

¹⁰ Att.1.16; Dom.13

¹¹ Cic. Q. Fr.2.5.3; Ac 2.144

¹² *Post C. Gracchi et M. Fulvi caedem item vestri ordinis multi mortales in carcere necati sunt. Utriusque cladis non lex verum libido eorum finem fecit. For the discussion of Memmius’s speech provides by Sallust see Paul, 1984: 97-98*

¹³ Sal. Jug.31.7 For the discussion of attenders of Roman public meeting(*contio*), see [29] and [37 p129-132]

¹⁴ Sall, Hist.2.44.4

¹⁵ Ver .2.3.11

¹⁶ Sall. Hist.2.44.5)

Thus, in order to win the election, the noble candidates have to more or less depend on people's support, since the public favour might have an overwhelming influence on the results of the elections and the public hatred might have a deleterious effect for their political future. Cicero said since the elections were deceptive and deceitful affairs, the candidates had to constantly be cautious of the public opinion¹⁷. From the Roman elites' perspective, owning as much popular support as possible, regardless of their social position, wealth qualification, and address, can increase the chance of winning an election¹⁸. All these fierce competition for magistrates per year means that politicians had to face the uncertainty of election results, especially for those who had equal chances and support, which could split the vote¹⁹.

It is necessary to stress that nobles' caring for the public interest is not just out of expediency for winning elections; their dependence on people's support was also visible after the election. In 106 BC, Licinius Crassus, in order to persuade the popular assembly to pass the bill about the readmittance of senators to criminal juries that was previously paneled exclusively by equites, appealed to the people "not to permit us (senators) to serve (servire) anyone but all of you together (uobis uniuersis), whom we can and out to serve"²⁰. As Cicero indicated, using the word "servire" to describe the relationship between senators and the masses was highly offensive to some senators and by using this case, Cicero illustrated the difference between what was expedient and necessary for politicians to say and what moral philosophers were approved to say²¹. Thus, the point is clear, the dependence of senators on people was so realistic that they had to use almost any means necessary to gain popular support, even if it was offensive and humiliating to their aristocratic honor [80 p27-28].

Even after their magistracy, caring for people's *Commoda* was still necessary; once they became unpopular for the wrongdoing they committed in office, they might be more likely to be accused in the courts which could probably ruin their life²². Moreover, regardless of the ideological element, there were other reasons that might also compel them to consciously hold themselves accountable. Firstly, during the late Roman Republic, while political struggles escalated, the ruling members, after their retirement from the office, to some extent, have to concerned that their political rivals might use their popular pretexts or misconducts against them; thus, the magistrates had to act more moderately and avoid causing general unpopularity or the enemies might utilise those things to attack them [79 p501-502]²³. Additionally, some predominant ex-magistrates might still desire to maintain their political influences within the inner circle of the elites; thus, they need to advance the prospects of various young men, who had helped them, and their capability to achieve this aim, which heavily depended on their popularity, one of the most important forms of social capital [79 p509-512].

The example of a magistrate being deprived of his authority for his misdeed was already set up during the middle Republic; the first identified successful case was in 136 BC against Aemilius Lepidus Porcina who was deprived of his command and consulship²⁴. During the late Republic, it became more frequent. Tribune Tiberius Gracchus' prosecution against tribune Octavius might be the most remarkable example. Octavius was dismissed from his tribuneship, as Tiberius Gracchus warned him "not to frustrate the wishes so earnestly entertained by the people, whose desires he ought

¹⁷ Cic. Mur. 36; Mil. 42

¹⁸ Cic, Comment. pet. 16; 25

¹⁹ See. *Plut. Caes. 6-7; Vell. 2.43; [75 p48-53; p141-148]*

²⁰ Cic, Comment. pet. 16; 25)

²¹ Cic. De or. 1. 226-227

²² Livy, 38.50

²³ For example, Cato experienced 44 prosecutions after leave the office in which at least 1 related to his deed during his consulship, see *Pliny (NH. 7.100) and [4 p60; p73; p107]*.

²⁴ App. Hisp. 83

rather to share in his character of tribune, and not to risk the loss of his office by public condemnation”²⁵. According to Livy (Per.48.16) in 138 BC, both consuls of 151 BC Lucullus and Albinus had been imprisoned by the tribunes, as they misused their authority for the interests of their friends.

Additional evidence can be found in the case of Caepio the elder. In 103 BC, consul Caepio was dismissed from his command, since Cimbri and Teutones routed his army at Arausio, and proceeding from citizens’ hatred of Caepio (ex luctu civium et ex Caepionis odio), he was prosecuted by the tribunes Norbanus, which brought about his exile²⁶. According to the argument mentioned by Cicero, Norbanus’ response could be excused. Caepio, who delivered the Roman army to the enemy of the Roman people, violated the greatness and dignity of the state; if the magistrate ought to be under the power of Roman people (si magistratus in populi Romani esse potestate debent), Norbanus had fulfilled the duties as a Roman magistrate, as the will of the state (voluntati civitatis) was consistent with the will of people²⁷. This case reveals such idea that as the authority resides in the people, if the state office should act as the agent of such a power, he has to be responsible to his duty as the agent of Roman people or be instantly removed from office [2 p 132-133; p136-137].

4. **Commoda Romani Populi and the political practice in late Roman Republic**

However, there is still one question that has to be answered: what would happen if the definition of common good political elites is divided and masses in certain cases? The final section will discuss the complex relationship between them over the question of *Commoda Romani Populi*.

According to Arena [2 p89-116], elites’ political “tradition” includes three claims. First, the political liberty only existed in a mixed and balanced constitution in which the power was distributed equally within each social class and neither an institutional body could overpower the rest. Second, this mixed and balanced constitution could be maintained only if the citizens followed the provision of regulations and the tension between masses and political elites could be defused which means that, while Roman people held sovereignty, the actual executive power should be assigned to the senate in pursuit of the common goods. Third, the mixed and balanced constitution guaranteed the full representation of different social classes’ interests in which everyone lived in harmony and none of the constituent parts felt entirely neglected so that no one should steal benefits from other classes without agreement.

By presupposing these basic rules, political elites might respond differently when the masses’ *commoda* had to be satisfied. Sallust, in order to defend his retirement from the public area against populares’ criticism, seemed to hint that numerous populares and caesareans who were in charge of the government were harming common goods²⁸. Cicero in his famous speech *pro sestio* (103-104) toward the senate attributed the current disagreement between the desires and advantage of the people (*multitudinis studium ac populi commodum*) and the public interests (*utilitate rei publicae*) to populares; he accused populares of using bribery and corruption to incite masses against the optimates who used to enjoy living in peace and respect the *auctoritas* of the good men in the past. These sources suggest that the division about the definition of *Commoda* on some particular issues between nobles and plebs was genuine.

²⁵ App. B.Civ.1.12; *The other notable cases: tribune Saturninus against censor Metellus, for he refuses to take an oath to abide by agrarian law in 100 BC, which result in Metellus’ self-exile* (App: BCiv. 1.29; 30-32)

²⁶ Livy Per.67; Ascon. 78; Cic. Rhet Her.1.24; Orat. 2.124; ValMax. 4.7.3; GranLic. 13

²⁷ Cic. Orat.2.164; Orat.2.167

²⁸ Sal. Jug.4.4

Taking Val Max(3.7.3) as an example: as the price of grain was rising, the tribune C. Curiatius brought the consuls Nasica to the public meeting and pressed them to buy more grain. However, despite people's shouts and discontent, consul Nasica dismissed this proposal and silenced the crowd by saying that "Be silent, citizens, if you please. I understand better than you what is for the public good."²⁹ The reason why people finally accepted his argument was probably not only his auctoritas, but also his emphasis on the public good [30 p112-113; p121]. For Nasica, the tribune's proposal is a "highly inexpedient course of action" (*instituti minime utilis*) which was contrary to the *commoda rei publicae*. It must be noted that Nasica, the high-profiled magistrate, sought for some kind of independence of carrying out policies; in order to make magistrate respond to public interest, they had to have enough authority to implement initiatives for common good without the excessive interference of ordinary men. After all, the people cannot rule the state alone. As Cicero³⁰ said, people need the authority and wisdom of the nobles to govern the state effectively.

The reason why in certain cases Roman people, the holders of sovereignty, gave obedience to political elites is that they maintained the basic social trust to them. In Rome, people treated elites with trust and deference not necessarily because the elites always displayed generosity to them but because the country's glorious past was inseparably linked with the family of nobles [75 p198-201]. Even if the political clashes between them escalated in the late Republic, they still maintained a fundamental consensus based on the mutual toleration of each other's role in the constitution, as Morstein-Marx[39 p42-46] indicated, populares' attack on the senate were not targeted at challenging the constitutional role of senate itself but against the particular senators who they thought failed to respond to public opinion. Thus, in this sense, such attitudes to elites not only gave them the confidence to entrust the magistrates to carry out policies but also kept the political struggle between people and elites from challenging the basis of the Republican system.

Nevertheless, the case of Nasica is nothing more than a deceptive exception in the whole Roman Republican history, which doesn't mean Roman people always comply with the elites' will. As discussed in the last section, there is a close relationship between their popularity and their future political career. Normally, it is prudent to blatantly reject potentially popular proposals that could affect their future political careers. Consul Fabius got soldiers' hatred who refused to follow his order and help him getting military achievements, as he had blocked a popular agrarian law in the past³¹. In order to dismiss the potential popular bills, the best way is to resort to public interests – to persuade people that his opponents have no faith to improve common interests but aim at personal gain. When Cicero started to dismiss Rullus's agrarian law, he criticized Rullus of making the land commission he created dominated by his followers. Following by his accusation, Cicero further implied that Rullus' land law was for personal gain by saying: "Indeed, if you have the interest of the people at heart, avoid all suspicion of personal gain; show that you seek nothing but the general usefulness and advantage, leave authority to others, let your reward be gratitude for your favour"³². Similarly, Cicero's accusation also encountered Rullus' counterattack; according to Cicero's third speech of *Rogatio agraria*, Rullus seemed to assert that it's Cicero, not him, working for his own advantages³³. In response, Cicero had to show his endeavor to protect the land of Sullan profiteers in the past to prove his sincerity³⁴.

²⁹ *'tacete, quaeso, Quirites,' inquit: 'plus ego enim quam vos quid rei publicae expediat intellego.'*

³⁰ Cic. Leg.2.30; Sest.21

³¹ V. Max.4.3.5

³² Cic. Leg. Agr. 2.21-22; *Etenim si populo consulis, remove te a suspicione alicuius tui commodi, fac fidem te nihil nisi populi utilitatem et fructum quaerere, sine ad alios potestatem, ad te gratiam beneficium tui pervenire.*

³³ Cic. Leg. Agr.1.11.16.21

³⁴ Cic Leg.Agr.3.3; See also [30 p118-119]

Nonetheless, this approach might derail when facing a strong public opponent. Caesar's agrarian laws are a typical example of how the Roman upper class responds to the highly popular bill. In 59, Caesar proposed two agrarian laws which would not only benefit the Pompey's veterans but also the majority of the poor in Rome³⁵. Caesar seems to learn the lesson from the intransparency of Rullus' failed agrarian law. Caesar suggested that the land commission should extend the number to 20 and only appointed suitable men rather than his close followers in case the senate could criticize him for attempting to seek self-interests³⁶. Our sources suggest that Caesar's bills got the majority of Roman people's support and interestingly, this time the majority of senators, keeping their opposition in mind, felt reluctant to oppose Caesar's bills publicly³⁷. The same went toward Caesar's second agrarian bill that distributed the public land in Campania, the area in which many senators' property was located. Although few senators, such as Cato, would like to oppose these bills publicly by arguing that Caesar attempted to establish tyranny, it failed to convince the majority of citizens³⁸. Why most of the senators didn't oppose it publicly but reluctantly take an oath to these bills, like they did during the Rullus agrarian law? In order to answer this question, it is necessary to see Cassius Dio's explanation:

Nevertheless, practically all the optimates who were outside the league were greatly irritated; and they were grieved especially by the very fact that Caesar had drawn up such a measure as would admit of no censure, even while it embarrassed them all. For they suspected that by this measure he would attach the multitude to him and gain fame and power over all men; and this was, in fact, his very purpose. For this reason, even though no one spoke against him, no one expressed approval either. This sufficed for the majority, and while they kept promising him that they would pass the decree, they did nothing; on the contrary, fruitless delays and postponements kept arising³⁹.

According to Dio's interpretation, senators feared that Caesar could get strong popularity by passing the bill. If they strongly resisted the passing of such popular bills, it would severely affect their political career, as analysed in the last section. Normally, in response to the similar condition, in order to take away the popular support from a popularis, senators could propose an alternative and moderate popular policy by themselves, as long as it did not offend their interests, as shown in the case of Cato the younger⁴⁰, doubt their integrity, as shown in the case of Rullus, or could simply dismiss populares' popular support as fake and invalid, as revealed in the case of Clodius⁴¹. However, Caesar's bill was exceptionally popular this time, as all of our sources agreed. Appian mentioned that, before Caesar attended the senate, more than twenty thousand men appealed to him at the same time, which couldn't be dismissed, as they clearly knew that the majority of people supported these bills⁴². In this sense, this case shows a different scenario in which the common excuses the elites used against popular bills all lost their effectiveness in defense of their own interests. This case clearly shows who the state sovereignty belongs to; as long as it is highly popular, the senators couldn't do anything other than compliance, despite opposing it.

³⁵Dio 38.7.3; Suet.Jul.20.3; App. BC.2.10

³⁶Dio.38.1.6

³⁷Appian: BCiv. 2.10; Dio. 38.2; Put.CatMin. 32.1

³⁸Plut: CatMin. 33.1; Gell 4.10.8

³⁹Dio. 38.2.2

⁴⁰Plut: CatMin.26.1; Mor.818:D

⁴¹Sest. 103-104

⁴²CV.2.10

Moreover, if the reality contradicts the elite's political ideal, what are the political elites' thoughts about this inconsistency? Our sources about Cato provide some hints which may help us understand how they resolve this inconsistency. Backing to Caesar' agrarian bills, Cicero, in order to persuade Cato taking the oath to these bills, argued that Cato's "desperate conduct, where it was impossible to make any change in what had been done, was altogether senseless and mad; moreover, it would be the greatest of evils if he should abandon the city in behalf of which all his efforts had been made, hand her over to her enemies, and so, apparently with pleasure, get rid of his struggles in her defence; for even if Cato did not need Rome, still, Rome needed Cato"⁴³. It is notable that Cicero, besides noting Caesar bills' extreme popularity, also emphasised Cato's responsibility to Rome. If Cato still insisted on his stand, not only would it make any sense other than self-convenience but also he would be unable to protect the public interests and even lose the contribution he made for the state before. This account is similar to Cicero's defense of Cato's oath to a proposal about Cyrus, probably another popular bill. Cicero insisted that if he had refused this proposal, due to his action alone, the public affair of the whole country rendered ineffective and the violence might have emerged throughout the whole country⁴⁴. It is not surprising that Cato finally accepted these two bills, despite his personal opposition. By combining these two accounts, we can see that their reluctant oath not only fulfills the ideal as the self-claimed protector of common goods regardless of their own selfishness⁴⁵, but also successfully avoids the tension between masses and elites and thus consolidates the harmony and stability of Republic. Thus, even if their *auctoritas* was silenced by popular support, they can still warrant that their unwilling compliance was not completely contrary to their political ideals.

Based on the discussion above, we can see whether having strong popular support renders similar scenes seem different in results. However, how the unshakable popular opposition conveys to political elites to affect their judgment is still necessary to be answered. This essay argues that the upper class's relentless tyrannical response and severe wrongdoings motivated masses' dramatic increase in political participation results in the unquestionable public opinion that forces the political elites to comply.

Before starting the formal discussion, it is necessary to demonstrate the problem of Roman people's enthusiasm for politics. It is said that the Roman Republican polity entails the neutralization of popular participation; in order to let this system work properly, it is necessary to discourage large-scale popular participation[42 p129-130]. However, this argument hardly coincided with our sources. In order to prove that the bill about his recall was more popular than Clodius' bill concerning him, Cicero challenged the reality of the popularity of Clodius' bill. Cicero claimed Clodius' bill concerning him was passed "under such conditions that scarcely five in each tribe... are found to vote", while, by comparison, the bill of his recall was voted by "men of all ages and all classes" in the popular assembly⁴⁶. For Cicero, the pass of Clodius' bill cannot represent the general public opinion, not because Clodius lacked the good men's support alone, but also because it was passed with an extremely low turnout. It is fair to say that Cicero's statement was mainly for political persuasion, which couldn't be considered definitely true, but the conception reflected in his speech is clear: the authority and legitimacy of public representation demand a certain amount of mass participation throughout all classes.

Mouritsen[42 p39-45] is true in arguing that the poor common people were so busy making a living and had no interest in participating in public meetings which almost had nothing to do with their lives and interests. A similar condition can also be seen in modern democracy. Nevertheless, it

⁴³ Plut: CatMin.32.4-5

⁴⁴ Cic. Sest.63; Plut: CatMin.35.1

⁴⁵ Cic, Off, 1.85

⁴⁶ Cic. Sest.108

is naive to assume that economic conditions could entirely determine people's political involvement. This paradox fails to figure out the complexity of the causes of political participation. This essay argues that it is fair to divide Roman people into two divisions: (1). politically active people who regularly attend public meetings and cast ballots regardless of their personal stakes (2). politically apathetic people, probably far more plentiful in number than the former, who are too busy surviving to think about politics.

In order to make elites responsive, it not only depends on a small group of politically active citizens but also on whether they could mobilise more support beyond this group. The attitudes of (2) are not changeless. During the late republic, Rome was in a plight of political polarisation; concerning ongoing problems, such as agrarian problems, debt, foreign war, and senators' and citizens' power, the struggle between populares and optimates escalated. Facing these problems that have a great impact on their personal lives, it is fair to argue that some of them within (2) would become more likely to be motivated and get mobilized. In the case of Caesar's agrarian bills, we have already seen that more than 20,000 citizens appealed to him simultaneously that affected the senate's response. Similarly, Cicero has inferred that the shortage and high price of grain could motivate many more people to put pressure on the magistrates and provide demagogues with an excellent chance to stir up people's resentment⁴⁷.

The most representative case is the election of Marius of his consulship; Sallust mentioned that Marius successfully stirred up the resentment of craftsmen and country folk who "left their work and flocked to Marius", thinking that "their own necessities as less important than the success of his candidacy"⁴⁸. Normally, the political elites had more chances than the non-elite candidates in suffrage due to their wealth which gave them a huge advantage in elections. Horace expressed how difficult it was for candidates from the equestrian class to compete with nobility for popular support, considering that the nobility candidates always had more resources to win it⁴⁹. Nevertheless, however Sallust's account revealed that, as a result, Marius benefited from the support of the vote of craftsmen, country folk, and other lower class who, being provoked by elites' mishandle of Jurgurthine war, left their work and casted their ballots for Marius⁵⁰.

Thus, it is fair to say that the majority of Roman people might not be active actors in politics, but they could be potentially active citizens, once they feel that the current issues affect their life and elites' solutions cause dissatisfaction within them[39.40.41]. In this sense, they play the role of, as Almond and Verba[1 p481] called, "reserve of influence" in the administration of the state. Considering their potential influence, Roman elites not just canvass politically active citizens, but also sought as much popular support as possible, regardless of their social position, wealth qualification, or address⁵¹. As long as they get mobilized, their reserve of influence has an overwhelming effect.

⁴⁷ Cic.Dom.11-12

⁴⁸ Sal 73.6; *Denique plebes sic adensa uti opifices agrestesque omnes, quorum res fidesque in manibus sitae erant, relictis operibus frequentarent Marium et sua necessaria post illius honorem ducerent.* Logghe, 2017: 67

⁴⁹ Sat.2.3.168-172

⁵⁰ Sal. 73:6; 86.3 *For the discussion of the election of Marius to his consulship see Yakbhson(1999: 12-18)* ¹⁸ "by the laws handed down from Tullius and Romulus the people were the judges of the elections, and that, of the laws pertaining thereto, they could set aside or confirm whichever they pleased" ¹⁹ This term was used by Cicero; see Cic. Man.64

⁵¹Cic, Comment. pet. 14; 25

5. Conclusion

In conclusion, elites' care for the public good is not just a political myth that only exists and functions in theory; it is entirely real, as it is closely connected to their political career. This study also reveals the complex relationship between political elites and Roman people, which proves that Polybius's explanation of Roman politics based on a series of checks and balances is generally correct; however, in practice, that check and balance system worked in different ways. On the one hand, as presented by Appian⁵². Roman people indeed generally had the power and auctoritas which the constitution and social customs bestowed upon them, but they generally admit political elites' ability and auctoritas and mostly entrusted the power and authority to them. On the other hand, they were far from deterred, they felt no hesitation to use the "populi Romani universi auctoritas"¹⁹ to press their elite representatives they elected, as long as they found the elites failed to satisfy populi Romani commada and have severe wrongdoings.

This essay is a preliminary attempt to discuss Commoda Romani Populi in the political practice of Republican Rome. Moreover, it also briefly demonstrates political apathy and popular participation in the Roman Republic based on modern sociological theory. Recently, modern scholars have been more likely to compare Roman Republic with modern democracy and use modern democracy theories to analyse Roman politics. Thus political participation, political apathy, and other questions which influence the politics of modern democracy deserve further discussion in the context of the Roman Republic in detail.

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⁵² App. Pun. 112; Mastrein-Marx, 2021: 610-615

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