

THE POLITICAL POSITION OF C. FLAMINIUS

C. Flaminius appears in the ancient tradition as demagogue and popularist; modern opinion has tended to agree¹). However, there is less agreement on his precise relationship to the politics of his age. On a factional level he has been associated with the group of the Aemilii-Scipiones as an opponent of the Fabian alignment²). Cassola, however, argues against this connection³); for him Flaminius is the champion of the rural plebs against the urban plebs, opposed to expansion beyond Italy⁴). And to Yavetz Flaminius is a man with his own faction; in 232 he may have been supported by the Aemilii-Scipiones on political grounds; he was opposed to the senatorial aristocracy⁵).

Conventionally Flaminius appears as the antithesis of Q. Fabius Maximus Verrucosus, the conservative aristocrat. But Cassola has gone to great lengths to argue a connection between the two. While Scullard may declare that "the picture of Flaminius as a political ally of Q. Fabius Maximus scarcely rings true"⁶), the case calls for a fuller consideration, for while individual points may not stand intact under scrutiny, yet I believe we may eventually derive a useful corrective to our image of Flaminius.

1) Despite awareness of the hostility of the ancient accounts towards Flaminius: see M. Gelzer, *Hermes* LXVIII (1933), 152 ff. The reasons for this hostility are surely to be found in the nature of the man's actions and the fact that he lost at Trasimene.

2) H. H. Scullard, *Roman Politics 220-150 B. C.*², (Oxford, 1973), 53 ff. (henceforth cited as "Scullard"); cf. F. R. Kramer, *AJPb* LXIX (1948), 7 ff. Opinions of Flaminius are discussed by Z. Yavetz, *Athenaeum* XL (1962), 331.

3) See also J. Bleicken, *Das Volkstribunat der klassischen Republik*², (Zetemata 13, München, 1968), 40 f. n. 5 (henceforth "Bleicken").

4) *I gruppi politici romani nel III secolo a. C.*, (Trieste, 1962), 218, 227 f.; 271; 378 ff. (henceforth "Cassola"). On the last point cf. W. Schur, *Scipio Africanus und die Begründung der römischen Welt Herrschaft*, (Leipzig, 1927), 17.

5) art. cit. I do not have much sympathy with Bleicken's comments on Flaminius, but he does give him his own circle.

6) xxvi. Staveley in his review, *JRS* LIII (1963), 182 ff., opposed Cassola on this point; A. Lippold, *Consules*, (Bonn, 1963), accepted co-operation between Fabius and Flaminius, but again this met with Staveley's disapproval, *JRS* LIV (1964), 197 f.

Cassola concludes that Flaminius stands in the same line as Q. Fabius Maximus Rullianus with regard to the territorial aspirations of small landholders⁷⁾. This need have no relevance for Flaminius' relations with Verrucosus, but Cassola argues for their association on other grounds. They are seen as in the same camp in opposing expansion and standing out for Italian interests⁸⁾. Both men exhibit the same sort of disdain for religious convention⁹⁾. Fabius is (wrongly¹⁰⁾) associated with Flaminius' political tendency in effecting the reform of the centuriate organization¹¹⁾. Servilius, consular colleague of Flaminius in 217, is seen as an opponent; hence it is argued that the same votes which elected Flaminius consul also made Fabius dictator on Flaminius' death¹²⁾. None of these arguments is very strong, though we are to feel their cumulative effect. Still, the cumulation of weak units does not make for overall strength.

Again, in Plutarch's life of Fabius (1-2) Fabius advises the Romans to be cautious, but this does not persuade Flaminius. For Cassola Fabius is to be seen as actually addressing Flaminius, but that can hardly be shown. Consequently, the opinion that the incident is not historical, yet presumes friendly relations between the two men, loses what little force it may have had.

A restoration of a passage of Festus (470 L) creates a *lex Flaminia minus solvendi*. This is taken by Cassola as a measure of relief for small debtors¹³⁾. Other passages of Festus (87 L, 468 L) speak of relief in the Second Punic War for the *populus Romanus* and Pliny (*NH* XXXIII. 13.44f.) gives us a short history of coin standards which includes the statement that when Hannibal was pressing, "Quinto Fabio Maximo dictatore asses unciales facti...." Cassola claims Pliny is not simply using a chronological expression; Fabius had in fact a part in the application of the *lex Flaminia* after Flaminius' death. But there are several difficulties. Whatever the monetary reform may have been, in Pliny both the reduction in standard of the First Punic War and that of the Second benefitted the state with regard to its debts. We should

7) 193, 218.

8) 271.

9) Marcellus also; 339 ff.

10) See my forthcoming papers on the Brindisi elogium and (more especially) on the centuriate reform, the latter in *Athenaeum*.

11) 271.

12) 296 f.

13) 302 ff.

understand Festus 468 L in the same way, as he says “et populus aere alieno liberaretur, et privati, quibus debitum publice solvi oportebat, non magno detrimento adficerentur”¹⁴). So the law was not passed for the sake of the poor and we cannot assume Flaminius or Fabius to be working for them or in concert with each other. Moreover, the same passage of Festus specifically puts the senate behind the moves – “decreverunt patres”. If the law was in fact a *lex Flaminia*, Flaminius will have passed it at the behest of the senate. But if he did it in 217, he must have done it very quickly, if we accept the tradition of his speedy and disdainful exit from Rome.

The only specific evidence of antipathy between Fabius and Flaminius relates that while Fabius was in his second consulship, he opposed Flaminius as he was attempting to defy the senate in distributing land *viritim* in the area of Picenum and the *ager Gallicus*¹⁵). Cassola strives to show that Cicero was deliberately setting up Fabius as an optimate hero relative to the conditions of his own day. Cicero has invented the opposition, which accounts for his reference to Fabius’ second consulship (228), not his first (233), in which such opposition should have been placed. Cicero contradicts himself, since there is evidence in the same passage for Fabius as an opponent of the political predominance of the aristocracy: Fabius was *suasor* of the *lex Cincia* which forbade remuneration for legal services¹⁶). But in a passage where Cato is made to exalt Fabius, we can surely see his support of the law as an assertion of pristine values which has no necessary connection with Flaminius’ thinking or protection of the poor. The evidence quite clearly suggests Fabius’ opposition to Flaminius’ agrarian proposal. It is, however, correct to say that this need not imply later enmity between the two¹⁷).

The strongest evidence for their association is the possibility that Flaminius was *magister equitum* under Fabius as dictator in 221. Valerius Maximus I. 1.5 does not necessarily say that was the case: “occentusque soricis auditus Fabio Maximo dictaturam, C. Flaminio magisterium equitum deponendi causam praebuit”¹⁸). Plutarch (*Marc.* 5.5), on the other hand, says that both *Minucius*

14) Cf. Cassola himself, 307f.

15) Cic. *de sen.* 4.11.

16) 343 ff. The mention in the same passage of Fabius’ comments on the auspices does not connect him with Flaminius.

17) Cassola, 260.

18) Cf. G. V. Sumner, *Phoenix* XXIX (1975), 256 n. 22; Cassola, 262f.

as dictator and Flaminius as *magister equitum* were forced to abdicate at the ominous squeak, heard as Minucius was appointing Flaminius. Dorey accepts the latter version, dating it to 220¹⁹). Fabius, he thinks, would hardly nominate a political opponent – but that opposition is assumed, not proven. There is also an inscription (C.I.L. I².2.607) which reads “Herculei sacrum M. Minucius C. f. dictator vovit”.

Now, in 217 popular discontent at Fabius’ tactics led to the power of the *magister equitum*, Minucius, being made equal to that of the dictator. Polybius (III. 103.4) speaks of δύο δικτάτορες. This, as Dorey points out, cannot strictly be correct; but surely, even so, Minucius could have called himself dictator, since his position (anomalous as it was) was effectively that of a dictator; Polybius describes the position in fact, not in theory. Dorey thinks that, in any event, it would be unlikely that Minucius would make a dedication in “a dictatorship that ended so ingloriously”. But Minucius did not know at its inception what the end would be. And in 221 or 220 the dictator and *magister equitum* abdicated at once on an ominous sound; there was no time for a dedication which would also be unusual for a dictator presumably appointed to hold elections.

Again, if the augurs in 221 or 220, led by Fabius, forced Minucius to resign as a political ploy²⁰), this would likely mean that the same consul who chose Minucius as dictator would choose Fabius to succeed him, odd if they were political enemies. And if they were not enemies, augural politics is eliminated anyway. J. Jahn²¹) wondered if Minucius could have replaced Fabius, but then the problems are similar. Jahn’s other suggestion, that in 220 or 219 there were two *Wahldiktaturen*, one having Minucius with Flaminius, the other Fabius with an unknown *magister equitum*, seems unlikely, as in those years Flaminius was censor²²); in 219, of course, he may have finished his censorial duties, but in that year both consuls triumphed as consuls²³), so that one of them should have been able to hold the elections. All of which leaves 221 as the only year in which

19) *JRS* XLV (1955), 92ff., criticized by E. Badian, *Gnomon* XXXIII (1961), 497.

20) Cf. Bleicken, 30 n. 4.

21) *Interregnum und Wahldiktatur*, (Frankfurt, 1970), 112ff.

22) P. Licinius Crassus was *magister equitum* in 210, but he had had to abdicate his censorship by then; *MRR* I. 278.

23) *MRR* I. 236.

Flaminius could have been *magister equitum* to a dictator appointed to hold elections.

That this dictator was not Minucius is suggested by Livy, who at XXII. 49.16 speaks of Minucius “qui magister equitum priore anno, aliquot annis ante <consul> fuerat”. Now, admittedly “consul” is a supplement, but Livy says also, just prior to this, that Minucius died among “consulares praetoriiue et aedilicii”; there is no mention of a dictatorship²⁴). Staveley, in his review of Cassola²⁵), agreed with Dorey that the lacuna in Livy is best filled by “dictator”, since new information is required, rather than a repetition of what we have already been told. But the parenthesis merely describes Minucius’ achievement in terms of offices and does not call for new information at all.

In terms of Plutarch’s account, it may be thought odd that Minucius should also have to abdicate when the omen related only to the nomination of Flaminius. In which case, one could prefer to believe that only Flaminius in fact abdicated. However, one could well say that the omen was taken to relate to the validity of Minucius’ authority as well. We should accept the fact that Flaminius’ dictator abdicated with him, but there are reasons to suppose that this dictator was not Minucius. Beyond what has already emerged, we may note that Minucius was consul in 221, the probable year of these events, and while the nomination by one consul of his colleague as dictator is not quite unparalleled, it is odd, and whereas the case of 207 can be explained, it is hard to see why this should happen in 221²⁶). Indeed, we may note the possibility that a suffect consul was chosen in 221²⁷); if so, Minucius’ consular colleague will have perhaps died in their expedition against the Istri and it will have been Minucius who nominated the dictator, most likely his supposed enemy Fabius²⁸). We can easily suppose that Plutarch has made a mistake, due to the fact that Minucius was consul in 221, and that Fabius was the dictator involved. I would, therefore, accept the implication of Valerius Maximus that Fabius and Flaminius abdicated on the same occasion. I am loathe to believe that the

24) See Cassola, 263 n. 9.

25) *JRS* 1963, 182 ff.

26) For the case of 207 see *MRR* I. 298 n. 1; I have attempted to explain this in a forthcoming article.

27) *MRR* I. 234 and 235 n. 2.

28) I do not believe in this enmity, as I hope to demonstrate elsewhere.

sound of a *sorex* affected two dictatorships in the same year or even in consecutive years.

This, then, is the one point in Cassola's case which survives examination, an important point, as it establishes Flaminius as Fabius' choice for *magister equitum*. But need it be explained as a result of *amicitia* between the two based upon a policy of Italian agrarianism? Tenney Frank saw Flaminius in 218 as an upholder of senatorial dignity and the traditional way of life²⁹). Yavetz dismissed this, in view of Flaminius' previous contraventions of *mos maiorum*³⁰). But are we trying too hard to fit Flaminius into a pattern, to impose a supposition of total consistency, making no allowance for the influence of contingent circumstances? Let us review Flaminius' career.

He appears in 232 as tribune of the plebs moving a bill for viritane settlement of land in Picenum and the *ager Gallicus* against the will of the senate. It is perhaps interesting that the consul of 233 was Fabius Maximus, but this could have no direct effect on the tribunician elections. Fabius' opposition to Flaminius' bill cannot be argued away. Nor can we make much of the putative links between Pomponius (*cos* 233) and Aemilius Lepidus (*cos* 232) and others as a factional bloc³¹). Aemilius himself was out of Rome during the year. Speculation on any factional association for Flaminius is baseless. What we can say is that Fabius and a majority of the senate opposed the proposition for viritane settlements³²). Flaminius may have had support in the senate, but we cannot reconstruct it, and in any case, that support had nothing to do with political allegiances.

In 227 four praetors were elected; Flaminius became the first praetor in Sicily and the evidence is that his conduct and administration were exemplary³³). Again one may remark that in 228 Fabius was consul, but one could not assume that he supported Flaminius' candidature. Indeed, it is difficult to say any more of Flaminius' election than that he was sufficiently popular among the voters. It is worth pointing out that his elec-

29) *Economic History of Rome*², (Baltimore, 1927), 115.

30) art. cit., 325 f.

31) Scullard, 35 f., 53 f.

32) See my paper on Flaminius in 232, to appear in *L'Antiquité Classique* 1976.

33) His son, as curule aedile in 196, distributed grain brought by Sicilians as a mark of respect to the younger Flaminius and to his father; Livy XXXII. 42.8.

tion will have depended largely upon an affirmative decision from the upper elements of the centuriate body; I shall argue elsewhere that the reform of the centuries did little to affect the upper class preponderance of influence and that there is no good reason to suppose democratization of the system, so that even if the reform had taken place by 228, Flaminius cannot be seen as the beneficiary of popular support on that basis³⁴).

Flaminius' good credentials and apparent talents suffice to explain his success at the consular elections for 223. Certainly there is no programmatic element in his consulate³⁵). We hear of his neglect of the auspices and disobedience to the senate, which led to his recall and abdication. The fact that he did actually flout religious *mos* makes it quite unnecessary to import machinations of augural politics influenced by Fabius³⁶), unless we are to regard the tales of his behaviour as fictions, which hardly seems sound; there was, then, a real religious point to be made. The senate denied him a triumph, but the people, recognising surely his undoubted success, voted it for him. Zonaras VIII. 20 has the people keen for Flaminius' triumph in opposition to the senate's wishes, but Plutarch *Marc.* 4.6 shows an annoyed people not going out to meet Flaminius, coming within an ace of refusing him a triumph and having him abdicate after he celebrated it³⁷). Having to balance Zonaras against Plutarch is not the happiest of lots, but the latter is to be preferred. Flaminius' consulship had been found to be held against the auspices and it had been decided that he and his colleague should abdicate; that a motion put to the people with respect to his triumph should include a clause concerning his subsequent abdication would not be surprising, considering Flaminius' previous actions.

In 221 he was appointed *magister equitum*. At the least we can say that Fabius was not at the time opposed to Flaminius as an individual. After all, Flaminius' talents were obvious, despite his

34) See above n. 10. In praetorian elections, of course, the scope for differences of voter opinion was greater, but I would still suppose that the votes of the upper classes were vital to a candidate's chances. Without knowing the full slate of candidates speculation is empty.

35) Sources at *MRR* I. 232.

36) So, e.g., Cassola, 259 ff.

37) Bleicken, 30 n. 3, sees Plutarch as influenced by Pictor; we cannot, of course, discount this possibility, but it is imported to eliminate a piece of evidence which tells against the view of Flaminius as a popularist.

unorthodox conduct. For the latter he had indeed received censure from senate and people. Fabius' choice may represent no more than an attempt to harness this talent for a more suitable application to state affairs, perhaps to recruit the potential for sound statesmanship; Fabius himself might gain by that. But even if this is possible, Flaminius' previous actions, as well as his subsequent ones, seem to demonstrate that he was nobody's man but his own.

In 220 Flaminius was censor with L. Aemilius Papus³⁸). Cassola, thinking Flaminius opposed to the Aemilii-Scipiones, has to consider Papus an exception³⁹). But any prosopographical considerations are unnecessary. One thing needed in the censorship was a road to the north, which emerged as the *via Flaminia*⁴⁰). Of the consuls with expertise in that area, i. e. who had commanded there, these two were the obvious choices: C. Atilius Regulus (*cos* 225) had died as consul; the consuls of 224 had already been elected censors in 231; P. Furius Philus (*cos* 223) could not, as a patrician, serve with Aemilius; and the consuls of 222 and 221 were junior to Aemilius and Flaminius as consulars.

We should associate Aemilius and Flaminius in what arises out of their censorship, an office wherein Cassola sees Flaminius as opposing the urban plebs⁴¹). If the censors restricted the registration of freedmen to the four city tribes, they are simply in a tradition going back to the censors of 304⁴²), one of whom was, interestingly, Q. Fabius Maximus Rullianus. If Flaminius and Fabius saw eye to eye, it was upon matters with such a conservative tendency. The *lex Metilia*, which concerned fullers and was quite probably a measure against extravagance in dress⁴³), is in the same mould and very much appropriate to the censor's office. It makes little sense to see it as a blow at the whole urban plebs, when it affected only a small proportion of that body. Its concern was more likely with the senatorial or-

38) Could Fabius have seen Flaminius' election as probable and could this have influenced his choice of *magister equitum* in 221?

39) 378 ff.

40) It is worth noting that the senate controlled censorial finances; see Polybius VI. 13.3.

41) 218.

42) *MRR* I. 167f.

43) Bleicken, 31f.

der⁴⁴). Lily Ross Taylor⁴⁵) says with regard to the construction of the Circus Flaminius that Flaminius was taking advantage of the existing association of the *prata Flaminia* with the plebs; but she herself points out the advantage of having such an area outside the *pomerium*⁴⁶).

A short time prior to 217, perhaps the year before⁴⁷), a tribune, Q. Claudius, passed a measure forbidding senators to own heavy duty ships, with the clear intention of keeping them from mercantile pursuits. Flaminius alone among the senators supported this⁴⁸), which fact, if accepted, detaches him from factional considerations at least. Neither need there be any necessary connection between Flaminius and Claudius. The measure can again be seen as asserting tradition; senators should be only landowners in Italy. The senate will have objected, one suspects, because here was a tribune trying to place restrictions on them. It is hard to imagine that there was not in the senate some sympathy for the content of the bill, but perhaps only Flaminius was of a mind to ignore the source of the bill and support it openly, putting the principle above the insult to senatorial dignity.

His support of this measure gained him, we are told, the favour of the plebs which secured him a second consulate in 217⁴⁹). This element could easily be ascribed to the undoubtedly hostile tradition, which also tells us of Flaminius' swift departure to take up office in his province, neglecting the auspices, in the belief that his enemies would falsify them, the enemies seemingly being the whole nobility. There is confusion within this tale and it is not in Polybius, which makes it difficult to interpret. The plebs whose favour would be effective at the elections would be the first class, including some – but how many? – who, as business men, might benefit from the Claudian plebiscite. Whether Flaminius actually believed the auspices would be falsified or whether he simply saw the advantages to be gained by taking up office on the spot is at least debatable. That he was in bad

44) *ibid.* The Claudian plebiscite was similarly intended, but not as Bleicken thinks. We may note that Flaminius' activities as censor apparently provoked no reaction from any quarter.

45) *Roman Voting Assemblies*, (Ann Arbor, 1966), 20.

46) Thus, e.g., the case of Marcellus' *imperium* could be heard in 209 without Marcellus entering the city; Livy XXVII. 21.1; Plut. *Marc.* 27.

47) Thus *MRR* I. 238.

48) Livy XXI. 63.3.

49) Sources at *MRR* I. 242, especially Livy XXI. 63.

odour with his senatorial colleagues is likely enough, but his credentials as a man appropriate for operations in the north were undeniable. He died serving his country and Fabius commented after Trasimene that it was not rashness that caused his defeat, but his religious neglect⁵⁰).

De Martino⁵¹) summarises Flaminius' *politica* as aimed at advancing the assemblies and humbling the senate, freeing the constitution from its weighty religious apparatus which worked for the advantage of the oligarchy, combatting the economic privileges of the nobility in the interests of the capitalists, the poor plebs and small farmers all together. This is but an extreme example of the attempts made to ascribe a coherent and consistent policy to Flaminius. But such attempts are overambitious and have to stretch the limits of credible argument to account for apparent paradox. We cannot attribute to Flaminius any grandiose game plan, we cannot fit him into a factional niche and we cannot build a popular movement around him⁵²). We can say that in 232 he stood for a definite plan of colonisation in the north, quite possibly for no other reason than that he thought it more beneficial⁵³). It is perfectly reasonable to see him elsewhere as in favour of the maintenance of an Italian focus in Rome's affairs and in this he may have found himself ranged with Fabius Maximus. It is no extreme paradox that he should on the one hand ignore religious conventions for what he saw as military expediency, while on the other he stood for the pristine values of aristocratic society. And it seems we must accept both elements in his character. Flaminius was above all an individual and a talented one of proven integrity, a man willing to stand up for his beliefs and oppose restrictive convention when it obstructed the interest of the state, in short, a man prepared to follow his own counsel, whatever the consequences.

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50) Livy XXII. 9.7. At XXII. 39.6 Fabius contrasts Flaminius favourably with Varro's madness, but this can be seen as blackening Varro rather than lauding Flaminius; Staveley, *JRS* 1963, 185. I think too little allowance is made for the needs of war as affecting the results of elections in the Hannibalic War; see M. L. Patterson, *TAPA* LXXIII (1942), 319ff.

51) *Storia della costituzione romana*², II (Napoli, 1964), 1.126.

52) I hope to deal with the question of populism as part of a work of larger scope.

53) See above n. 32.