

*Politics and Factions at Carthage and Rome***7.1 Introduction: Carthage**

There is perhaps no area where the disparity between our evidence for Carthage and Rome is greater than their internal politics and faction-fighting. For Carthaginian political institutions, the main source is Aristotle's *Politics*, written more than two centuries before the outbreak of the second Punic war. For actual Carthaginian political behaviour in our period, it is hard to go much beyond the crude binary opposition Barcid/anti-Barcid or Hannonid, a word derived from the personal name of Hanno (18): Livy himself talks more than once of the 'Barcine faction', but 'Hannonid' is a modern and question-begging locution. To these two groups, a third faction has been conjecturally added, a 'pro-Numidian party', which supposedly saw the advantages of alignment with king Masinissa against the coercions of the Romans. But if this faction was ever a reality, it can have had very little importance before the start of the second century BCE.¹

Hannibal's main opponent is named as this Hanno, who makes his first appearance very early in the first Decade of Livy for his role in the debate at Carthage over Saguntum.² Hannibal must have had his supporters at Carthage throughout his years in Italy, but our sources show little interest in this. The fullest descriptions of Carthage's internal history and politics

¹ 'Barcine faction': e.g. Livy 21.2.4; see p. 48. For Carthaginian political factions in the second Punic war, and the supposedly pro-Numidian faction, see Günther 1999, plausibly rejecting the existence of the 'parties' (in a modern sense) who feature in the title of her article. For the years 237–218, see Hoyos 1994: largely negative in its dismissal of modern reconstructions. He is surely right (262–4) to deny that the Barcids before the second war with Rome had an anti-oligarchic reforming programme (contrast Hannibal after the war), and to insist (249–52) that the generalship was always elective, not the result of a sudden lurch to democracy.

² For a later opponent in the senate, see 30.37.7 (after Zama), Gisgo (7), about whom nothing else is known.

are to be found in the three sections of Livy's post-Zama narratives, of which the longest and most rewarding describes Hannibal's apparently single-handed reforms and fight against oligarchic financial corruption; the opening sentence of the relevant section of Livy begins by talking of 'the men of the faction opposed to Hannibal', not of 'Hannibal's faction'.³ It cannot be said, however, that any of this material throws light on how exactly Carthaginian politicians operated, and what if any 'groupings' may have existed there, apart from support of or hostility to Hannibal and his family.

7.2 Rome

Carthage was an oligarchy, but the people had an occasional role. Was Republican Rome any sort of democracy? Until the late twentieth century, the answer would have been an obvious and puzzled 'no'. There were three electoral and judicial assemblies (*comitia*), to be sure, but they were 'timocratic' (property-weighted) rather than democratic.⁴ And did not Polybius himself say that Scipio Africanus 'sought fame in an aristocratic state' (meaning an oligarchic one)?⁵ But there is well-informed contemporary evidence for the opposite view: none other than Polybius' own book 6. Here he propounded a theory of checks and balances at Rome between the monarchical, oligarchic, and democratic elements and saw no problem about identifying a democratic element as the third of the trio of consuls, senate, and people.⁶ In particular, he claimed that the tribunes of the plebs 'are always obliged to act as the people decree and to pay every attention to their wishes'.⁷ This is a startling generalization and hardly reflects the way real-life tribunes behaved in the age of Scipio Africanus, with the possible exception of Gaius Flaminius in 231, one of the 'forerunners of the Gracchi'.⁸ Perhaps the Gracchi and other tribunes and reformers of the second century BCE were influenced precisely by their reading of the mistaken and misinformed Polybius? The contradiction in that position

³ 33.45.6; see Chapter 12.

⁴ They were the tribal, centuriate, and curiate *comitia*. See *OCD⁴ comitia* (A. Momigliano and T. J. Cornell).

⁵ Pol. 23.14.1. See p. 266 for the obituary context, a threefold obituary in which the Greek Philopoemen is the democrat.

⁶ See esp. 6.14 for the role of the people. Polybius did not, as sometimes claimed, speak in terms of a 'mixed constitution' of the sort familiar from Greek theory but of checks and balances (Derow 2015: 99, originally 1982), except that in his analysis there is no check on the senate. I cannot here discuss the disputed composition date of book 6.

⁷ 6.16.4–5. ⁸ See p. 403 citing Taylor 1962.

has been wittily pinpointed by John North.⁹ But it is inconceivable that Polybius, friend of Scipio Aemilianus and shrewd observer at first hand of the political life of Rome, was completely wrong to call Rome a democracy of some kind. At any rate, some recent scholarship has swung round to treating it as just that.¹⁰ That represents a reaction against, and entails partial abandonment of, an older picture which assumed tight oligarchic control of decision-making, with only an occasional and exceptional assertion of a different popular will by votes of otherwise-supine assemblies. That older view has been called the ‘frozen waste’ theory (North again).¹¹

The debate ranges widely in time: it embraces the Late as well as the Middle Republic – everything from the Punic wars to the age of Cicero – but our concern is with the age of Hannibal and Scipio, roughly the half-century from about 230–180 BCE. Within that half-century, the sixteen years of the second Punic war are not easily characterized as a very democratic-looking period of Roman politics. Fabius the Delayer and other big names in Livy’s third Decade seem usually to get their political way without the need to appease obstructive tribunes of the plebs, or to take much notice of ‘popular’ politicians and the urban masses. (Minucius caused trouble for Fabius, but it was short-lived. The people voted the Iberian command to young Scipio but hardly in defiance of senatorial wishes.) There is, it has recently and plausibly been argued, a special reason for this: demography. Heavy military casualties among the senatorial class in 218–216, especially in its junior ranks, produced a top-heavy senate for many years to come. This helps to explain the electoral dominance of prominent senior senators and consulars after the senate was filled up again (by the formal process of ‘adlection’) in 216: the new arrivals would have been of lower status.¹² That being so, it may after all be reasonable to look for techniques of control, and to ask whether individuals operated alone or as members of larger entities, and if so whether these entities were temporary or lasting.

As already noted, the divisions and intrigues of Roman political life, by comparison and contrast with Carthaginian, are fairly well documented. But much of the evidence and therefore scholarly discussion relates to the

⁹ North 2004 (originally 1990): 145: ‘the most intriguing possibility of all, enabling us to have our intellectual cake and eat it too, is to combine an ignorant Polybius who invented a non-existent democratic element in the Rome he found, with a highly influential Polybius whose theories once published actually determined events’.

¹⁰ Millar 1984, 1986, 1998; also Jacobson 2010. Against: Mouritsen 2001, 2017; Hölkeskamp 2010, 2017.

¹¹ North 2004: 144. ¹² Barber 2019.

Ciceronian period, the middle decades of the first century BCE, and by that time the senate's prestige and authority were much weakened by comparison with its standing in the second Punic war, at least after Cannae in 216.¹³

Republican Roman personal names are rich and complicated by comparison with Carthaginian and make possible close prosopographic analysis and conjecture, that is, the study of family ties and regional origins. In the decades up to the 1970s, some influential historians tried to explain Roman political decisions as a function of lasting relationships between powerful families and of the ascendancy or decline of 'groups'; other historians forcefully denied the existence of such groups.¹⁴ But in the past thirty or forty years, this sort of study has gone out of fashion among historians of ancient Rome in favour of such debates as 'was Rome as democracy or not?'. It is hard to say why: it is not as if prosopography has somehow been discredited as damaging, like, say, lobotomy. Part of the explanation is that traditional prosopography is perceived as suffering from the 'fundamental limitation' that it concentrates on 'the highest echelons of society'. That is the formulation of Jürg Rüpke in the introduction to his prosopographic work on the priests of Rome, a criticism made with Ronald Syme (1903–89) explicitly in mind.¹⁵ But 'there is more than one way of doing prosopography': Syme was interested in names as indicators of social origin and of social and geographical mobility as well as in family connections.¹⁶ There is in any case one original and important exception to recent neglect of prosopography, John Henderson's highly

¹³ One pair of categories in particular will not be used or examined here: *optimates* and *populares*, popular politicians (not necessarily of 'low' birth) and their aristocratic opponents. The categories are not easily applicable to Scipio's lifetime as opposed to Cicero's (the word *optimates* in a political sense is not found before the first century BCE). The key text is Cicero's speech *For Sestius* 96 with Harris 2016: 94, who stresses that popular discontent was genuine, but corrects Cicero's claim that the two categories of politician had 'always' existed, rather than from the mid-second century. See Brunt 1971b: 93–5. Despite receiving the 'adulation of the common people' after Zama (Dorey 1961: 194), Scipio was no *popularis* politician. Flaminius and Varro are treated by Livy as popular politicians, with some justice in Flaminius' case at least; but the hostile way they are described is coloured by later political divisions and animosities. It could be said that, of our two parallel lives, Hannibal was the *popularis*, taking on the selfish *optimates* of Carthage.

¹⁴ See esp. Scullard 1973 (reprint, with new foreword, at pp. xvii–xxxiii of 1st ed. of 1951; see also preface to 2nd ed.). On the *gentes*, he was influenced by the classic work of Münzer 1920 [Eng. tr. 1999]. In his 1973 foreword, Scullard cited, summarized, and sought to answer sceptical objections, to which add now Brunt 1988: 443–502, 'Factions' (building on his own earlier work in reviews and articles); Briscoe and Hornblower 2020: 74–81. For a massively documented summary of the debate about the nature of Roman Republican politics, see Hölkeskamp 2001 (exasperated review discussion of Münzer 1999).

¹⁵ Rüpke 2008: 5, col. 2.

¹⁶ For these points, see *OCD*⁴ 'prosopography', whence the quotation in the text. Hölkeskamp 2001 scores some hits against prosopography, but on a rather narrow definition of the word and concept. It is not all frail and boring speculations about the workings of oligarchies.

original monograph, whose subject is the family pride explored in Juvenal's eighth satire (late first century CE).¹⁷

Of all the groups which have been conjecturally identified as active in the years 220–160 BCE, that which concerns us most is the Aemilian-Scipionic (see Family Tree 2). Here is the argument. The connection between the Aemilii and the Cornelii Scipiones is personified by Publius Scipio Aemilianus, born an Aemilius but adoptive grandson of the Scipio who defeated his 'parallel life' Hannibal at Zama. That earlier Scipio was himself married to the daughter of Aemilius Paullus, consul in 216. The group's most conspicuous period of electoral success was in 222–216 BCE, when these two families and their possible political allies (Livii, Servilii, Minucii) dominated the consulships, as attested by the official inscribed lists of magistrates and triumphs, the *fasti*.¹⁸ The catastrophic defeat at Cannae in 216, when Aemilius Paullus was killed, temporarily ended this dominance, which was replaced by that of Quintus Fabius Maximus the Delayer, *cunctator*. When in 211 Gnaeus and Publius Scipio were killed in Iberia, not only was young Scipio appointed to a proconsular command beginning in 210, but his near-contemporary Publius Licinius Crassus Dives, already *pontifex maximus* since 212, was elected to the censorship for 210.¹⁹ He went on to be Scipio's colleague in the consulship of 205. All this, it is argued, indicates the success of a group. But there is no specific evidence to indicate that, as has been conjectured, Crassus had a hand in Scipio's appointment in 210.²⁰

Such was the argument of H. H. Scullard (1903–83), and the Aemilian-Scipionic was one of the more convincing-looking family groups. His general method has provoked strong disagreement. The most powerful and persuasive dissenter was P. A. Brunt (1917–2005), whose approach was however indirect.²¹ That is, he did not have much to say about Scullard's chosen period, the decades of and immediately after the Hannibalic war (220–160 BCE).²² Instead his procedure was to show in detail that in the first century BCE, especially the years for which we have Cicero's detailed writings (from the 70s down to his death in 43), there is no good evidence for stable factions, and no good reason to suppose that marriage ties or shared membership of a *gens* automatically resulted in stable political alliances: brothers are sometimes found in opposing political camps. We have, he argued, no right to assume that earlier and much less

¹⁷ Henderson 1997. ¹⁸ Scullard 1973: 39–44, cf. 36 and 55.

¹⁹ He was born in about 240, some five years before Scipio. For Crassus, see p. 118 n. 25.

²⁰ See p. 118. ²¹ See also Meier 1966.

²² See however Brunt 1988: 455 and n. 13 for the Hannibalic war and 447–8 on the early second century.

well-documented periods were any different.²³ For Brunt, such groups as can be identified ‘tended to form around prominent individuals’ such as Scipio Aemilianus, but they were neither cohesive nor durable.²⁴ I think Brunt had the better of the argument, and I will not seek to explain Scipio’s career in terms of groups.

For the Hannibalic war, we have for the most part little more than Livy’s accounts of elections (usually only the results) and the inscribed lists of magistrates, the *fasti*. Otherwise, he and the other literary sources were naturally interested in how a man as young as Scipio was appointed to so vital a command in the first place. And they have much to say about his domestic critics at the time of the Pleminius affair and the attempts in the same period to prevent him carrying the war to Africa; and above all about his enemies in the ‘trials of the Scipios’ in the 180s.

Young Publius Scipio was appointed by popular vote to the command in Iberia, and this appointment was not some sort of democratic assertion of impatience with the senate’s leadership; but equally it cannot be explained entirely in terms of family groups of Scullard’s sort. It is a mere conjecture that the senate ensured that there should be no candidate other than Scipio.

When Scipio was away campaigning in Iberia, his run of military and diplomatic successes would have made it very difficult to unseat him. On his return in late 206, he was not awarded the official triumph to which he was, as a *priuatus* – with *imperium* but without a magistracy – strictly not entitled. He hoped for it but knew the conventions and did not press his claims.²⁵ We are not told which senators were for it and which against.

The Pleminius affair in its Roman phase came to a head in 204.²⁶ Scipio’s harshest critic in the senate was, not surprisingly, Fabius Maximus, the advocate of defeating Hannibal in Italy. He proposed Scipio’s recall and wanted the tribunes to propose to the people the revocation of his *imperium*. But his stated reason was not Scipio’s failure to deal adequately with Pleminius, but his unauthorized departure from his province of Sicily to hear the charges against Pleminius at Messina on the Italian mainland. Fabius also proposed that full restitution be made to

²³ Brunt 1988: 444 (cf. 449, 456, 502): ‘I shall argue that factions of the kind postulated [by Scullard] were at best small and evanescent in the time of Cicero and that there is no sound reason for believing that they were more extensive in earlier times, for which there is much less evidence.’ Brunt’s other target was Syme 1939.

²⁴ Brunt 1988: 446. For scepticism about the political importance of adoption and intermarriage, see Brunt 1988: 452–4.

²⁵ Livy 28.38.4. See p. 135. ²⁶ See previous chapter.

the Locrians. Feelings ran high, says Livy, both for Scipio and against, but he gives no names.²⁷ Quintus Metellus made a successful counter-proposal as far as Scipio was concerned: Pomponius Matho, the new praetor for Sicily, should go there at once and conduct an inquiry, together with ten senators, two tribunes of the plebs, and one aedile. Since Scipio's mother was a Pomponia and Pomponius was Scipio's cousin, the choice of a kinsman to head the inquiry was obviously designed to favour Scipio. No elaborate theory of groups is needed to explain Metellus' line: Brunt (who did not discuss this particular episode) would presumably have regarded this as a short-term effort to save a prominent and much-needed individual from the consequences of his own actions. In any case, Pomponius' invitation to the Locrians to denounce Scipio might have backfired, unless he had advance knowledge of their probable attitude.²⁸

In 203, the year after the effective end of the Pleminius affair, the consuls were two Servilii, but this was less startling a family monopoly than it might seem because one of them, Gnaeus Caepio, was a patrician, the other, Gaius Geminus, was now plebeian, and they were not closely related.²⁹ Geminus' brother Marcus was consul for 202, together with Tiberius Claudius Nero. These years saw attempts by several individuals, some of them Servilii, to wrest the African command from Scipio and win it for themselves or at least share it in some way. Caepio, consul in 203, tried to cross to Sicily and then Africa in pursuit of Hannibal but was prevented by a dictator specially 'appointed for that very purpose', *ad id ipsum creatus*, Publius Sulpicius Galba Maximus.³⁰ Similarly, Marcus Servilius Geminus and his consular colleague Claudius Nero both wanted the province of Africa, that is, to unseat or sideline Scipio. Claudius was sent to Sicily, but his fleet was destroyed by a storm.³¹ This activity has been interpreted as a desertion by the Servilii of their former friends the Scipionic group, and an abandonment of their traditional loyalty to it.³²

²⁷ Livy 29.19.6 and 10 (Fabius' proposal and the divided senatorial opinion). Scipio's departure for Messina: 29.7.2. A referee suggests that Livy's treatment of this last aspect might have been influenced by the career of Julius Caesar.

²⁸ Livy 29.20. Scullard's conclusion about the commission of inquiry, 'if it went to criticize, it stayed to bless' (1973: 77), simplifies the course of events unduly.

²⁹ Hoyos 2006: 700; family tree at Münzer 1920: 140 [1999: 132]; *DPRR SERV*0919 (Caepio) and 0931 (Geminus). 'Now' plebeian, because the Servilii Gemini had 'transferred to plebeian status' only recently: this *transitio ad plebem* was probably effected shortly before 218 by Gaius, father of the consul of 203 (Münzer 1920: 137–9 [129–32]; Scullard 1973: 35, 276).

³⁰ Livy 30.24.1–4; Münzer 1920: 143 [1999: 135]. 'Specially . . .' is an exaggeration. See Wilson 2021: 172 and 378 no. 83; Galba was also appointed not only to use his superior *imperium* against the consul, but also to hold elections and perhaps (cf. Livy §4) to hear cases in Italy.

³¹ Livy 30.27.1–7 and 39.1–4. ³² Scullard 1973: 78 and 82.

But the postulated friendship and traditional loyalty are only an inference from electoral successes by the Servilii in the preceding years of supposed Aemilian-Scipionic ascendancy. The behaviour of the Servilii in 203 and 202 looks like nothing more than opportunism and ambition by individuals, and it surely needs no explanation in terms of enduring groups.

The same is surely true of Gnaeus Cornelius Lentulus, who as consul in 201 tried after Zama to continue the war against Carthage and help himself to some of the glory.³³ It was he who as a military tribune in 216 had comforted the dying consul Aemilius Paullus after Cannae.³⁴ That earlier momentary episode is not enough to show that he was aligned with the Aemilian-Scipionic group.

Let us return to Scipio himself. Politically, the years after Zama were a quiet period in his life; at least, he was not openly attacked. He was the highest-ranked senator (*princeps senatus*) from 199, and *censor* in the same year, the most prestigious office of state.³⁵ This was the period which saw the greatest prominence of Titus Quinctius Flamininus, the victor over Philip V of Macedon (197). This man's glittering career is exceptionally hard to explain satisfactorily in terms of family groups and factions, and he therefore provides an argument against the validity of such a model of politics.³⁶

The only recorded instance of a family acting politically in concert is from this very decade, and it happens to concern the Cornelian *gens*: it is an election held in 193 BCE. Livy records that Publius Cornelius Scipio Nasica failed to be elected for the consulship of 192, although not only was he supported by the *gens* Cornelia, but a Cornelius (Lucius Cornelius Merula) also presided over the elections as consul.³⁷ This is a kind of presentation by negation, in the language of narratology: the implication here is 'he was not elected, *as you might have expected, in view of...*' and so on. On this passage, Brunt commented that the family 'cannot have been in such accord the next year when he was actually elected, with his own cousin L. Scipio as a competitor'.³⁸ (Lucius Scipio went on to be elected consul for 190.) As for the presidency of a Cornelius, Brunt also noted, in a different context, that this too did not result in Nasica's election in 193.³⁹ He was also

³³ Livy 30.40.7–15. ³⁴ Livy 22.49.6–12. See p. 104.

³⁵ For Scipio's tenure of these positions, see Chapter 11.4.

³⁶ This point has often been made. See e.g. Hölkeskamp 2001: 99.

³⁷ 35.10.9. See p. 259. Merula is *DPRR* CORN1091.

³⁸ 35.24.5 with Brunt 1988: 451, and see now Pittenger 2008: 189 n. 4.

³⁹ Brunt 1988: 455 and n. 13, part of a convincing argument to the effect that presiding over elections conferred minimal powers.

right that, in its context (the 180s), the references to ‘the Scipios’ in Livy’s expression ‘the faction which was adverse to the Scipios’, *factio quae adversus Scipiones erat*, do not mean the whole family, only the brothers Publius and Lucius Scipio, then under attack.⁴⁰

7.3 The Political Aspect to the ‘Trials of the Scipios’

The words just quoted (*factio . . . erat*) are taken from Livy’s factually and chronologically confused, but gripping and very well written, narrative of the attacks against the Scipios in 187 (Lucius) and 184 (Publius, but he was also a target in 187).⁴¹ These events will be treated in full later.⁴² But since at first sight this seems like a battle of factions – Marcus Porcius Cato and his supporters against the Scipios and theirs – it must be considered here too. (The notorious complications and difficulties in the sources will be ignored for the moment.) On the *factio* passage itself, Briscoe in 2008 commented that ‘those who think that the ancient sources show no awareness of political groupings should take note of this passage’.⁴³ But even in these two dramatic years, groupings were small and temporary. An example: the tribune Tiberius Sempronius Gracchus helped to prevent the imprisonment of Lucius Scipio. He also went on to be son-in-law of Publius. If we knew only these two bare facts, it would be reasonable to conclude that this was evidence of a family working together for political advantage. But in fact the sources insist, perhaps to an exaggerated degree, that Gracchus was a personal enemy of Publius, so that his action was all the more praiseworthy. The exaggeration is part of a cherished ancient right-wing contrast between Gracchus the admirable father on the one hand, and his two wicked sons on the other, the turbulent reforming tribunes of 133 and 123–122.⁴⁴

In order to undermine the Scipios, Cato made use of a series of tribunes: in 187, two cousins called the Petillii, then another called Minucius Augurinus; and in 184 Marcus Naevius. They are obscure individuals, on whom no theory of groups can be built.⁴⁵

The attacks on the Scipios do, nevertheless, illuminate the nature of Roman politics in the first two decades of the second century BCE, years which are full of bitter disputes about the award of triumphs and prorogation and the retention of booty. The best part of Gruen’s study of the ‘fall’

⁴⁰ Livy 38.55.3 with Brunt 1988: 447. For the word *factio*, cf. Augustus, *Res gestae* 1.1 (tendentious).

⁴¹ ‘Trials’ is inexact: the opening attack was in the senate, so not strictly judicial.

⁴² In Chapter 18. ⁴³ Briscoe 2008: 193. ⁴⁴ See esp. Cicero, *On the consular provinces* 18.

⁴⁵ For these three, see p. 389.

of the Scipios is its introduction, which brings all this out very well.⁴⁶ What happened to the brothers Scipio is just one, albeit the most famous, example of the concern of the ruling class in this period to prevent ambitious individuals from upsetting the competitive equilibrium on which the state depended. Nobody must have *regnum in senatu*, 'kingship in the senate', a celebrated phrase supposedly aimed at Publius Scipio by the Petillii.⁴⁷ This concern was by no means entirely new. The new factor after 200 was the vastly increased wealth and the Mediterranean reach of Rome.

⁴⁶ Gruen 1995: 60–6. He does not actually believe they fell at all, so he puts inverted commas round 'fall' in his title.

⁴⁷ Livy 38.54.6. The phrase was adopted as the title of Schlag 1968.