

The Late Republic: Introductory Lecture

451 BC: The Twelve Tables written by 10 men with consular *imperium* to put an end to the patrician/priestly monopoly of law

- at first there were only 10 tables in 450 BC, then two more were added in 445 (to bar marriage between plebian/patrician marriages, among other things)
- this was the starting point of law in Rome
- resulted from 494 BC uprising of plebs, who threatened to secede and pressured the government

509 BC: The Roman Republic is started after the kings were thrown out

- two consuls were decided on to lead the government
- plebian, patrician, and equestrian classes developed
- the government, in reality, was a oligarchy (rule of a few families) that stepped on the plebs more and more by the patricians. Their only voice was through the tribune of the plebs

133 BC: Tiberius Sempronius Gracchus became tribune of the plebs

Three problems plagued the state:

1. Too many people coming into Rome (many were farmers who lost their farms)
2. The money coming in from foreign wars had been spent too freely by the nobility and no more money was coming in since the income tax had been repealed in 167 BC
3. A massive shortage of grain

So, without any money, too many people could not buy bread that wasn't there for a price that they could not pay.

Gracchus proposes the *lex Agraria*, which limited the amount of public land leased by any one person and the excess land would be given to landless citizens (this solves unemployment, limits the size of the large plantations that drove out small farms, and decreases dependence on foreign grain).

This was one of many techniques Tiberius used to fight for the common man and try to give the plebs money. This caused him to be called the first *Popularis* whose opponents began to be known as the *Optimates* (or later, the *boni*).

These motions by Gracchus passed, but in the end had little effect.

123 BC: Gaius Gracchus (Tiberius' younger brother by 10 years) becomes Tribune of the plebs (and also again in 122 BC)

- still tried to fix the grain problem, but this time by setting the price at a cost that was lower than it cost for the merchants to buy the grain, so the treasury must make up the difference and became depleted.
- to build up the treasury, Gaius tries to change the taxation of the newly acquired Asian province, but the process is still open to corruption and it doesn't work
- also sets up a land program for his veterans

- establishes extortion courts controlled by the *equites*, which separates them from the nobility (who were previously running them)

Later, after he again became a citizen and tries to defend his land laws, he gets into a fight in which one of his men kills someone, Gaius is declared an outlaw and he is killed without a trial

- this was the first time the *Senatus Consultum Ultimum* was used in Roman law

After all this, four problems still existed:

- too many unemployed Romans
- too few small farms (and farmers)
- shortage of land
- shortage of army recruits (who once were the farmers)

This last problem is the worst and most immediate issue, since war is now breaking out everywhere. Enter Gaius Marius and his *capite censi*