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DID THE ROMANS LIKE YOUNG MEN? A STUDY OF THE LEX VILLIA  
ANNALIS: CAUSES AND EFFECTS

aus: Zeitschrift für Papyrologie und Epigraphik 92 (1992) 181–195

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I

That the cause of the *lex Villia annalis* of 180 BC was intended to forestall the *ambitio* of young members of established senatorial families, who might have hoped to emulate the successful, but quite irregular careers, of politicians such as P.Cornelius Scipio Africanus (cos. 205) and T.Quinctius Flamininus (cos. 198), remains the consensus of opinion.<sup>1</sup> It seems quite apparent from Livy's account, however, that the *lex Villia* was not promulgated in response to the single problem of young men acquiring high office. Indeed it is evident that this law was the last in a series of measures, enacted at Rome from the beginning of the second century, which were concerned with the question of how and when a politician might hold the senior positions in the *cursus honorum*.<sup>2</sup> Thus:

**ca. 197:** The praetorian college was enlarged from four to six members (Liv. 32.27.6).

**ca. 196:** Plebeian aediles were probably obliged to wait at least one year before campaigning for the praetorship, for instance, Cn. Domitius Ahenobarbus, aed. 196, pr. 194, cos. 192.<sup>3</sup>

**184:** The senate ruled that a politician might not hold two curule offices simultaneously, probably a reinforcement of a previous tradition (Liv. 39.39.4).

**ca. 181:** A *lex annalis* was proposed by M.Pinarius Rusca (Cic. *de Orat.* 2.261).<sup>4</sup>

**181:** The *lex Baebia* reduced the praetorian college from six to four in alternate years (Liv. 40.44.2).

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<sup>1</sup> Thus: J.Suolahti, *The Roman Censors*, Helsinki 1963, 542; H.H.Scullard, *Roman Politics 220-150 B.C.*, Oxford 1973<sup>2</sup>, 173-174; P.Grimal, *Le siècle des Scipions*, Paris 1975<sup>2</sup>, 257; A.Heuss, *Römische Geschichte*, Braunschweig 1976<sup>4</sup>, 135; J.-P.Néraudau, *La jeunesse dans la littérature et les institutions de la Roma républicaine*, Paris 1979, 364-365; E.Eyben, 'Was the Roman 'Youth' an 'Adult' Socially?', *AC* (1981) 331-332, and n.10; U.Hackl, *Senat und Magistratur in Rom von der Mitte des 2. Jahrhunderts v.Chr. bis zur Diktatur Sullas*, Regensburg 1982, 3. Cf. R.Develin, *Patterns in Office-Holding 366-49 BC*, Brussels 1979, 81, 85.

<sup>2</sup> Originally examined and discussed in two articles by A.E.Astin, 'The Lex Annalis before Sulla', *Latomus* 16 (1957) 588-613, and *Latomus* 17 (1958) 49-64; more recently by Develin (above note 1) 81-95.

<sup>3</sup> Astin (1957) 597.

<sup>4</sup> This proposal must predate the *lex Villia*. M.Pinarius Rusca was praetor in 181, the most likely year of the proposed measure, T.R.S.Broughton, *Magistrates of the Roman Republic*, New York 1951-1952, hereafter *MRR*, 1.384, and n.2. Cicero states that the main opponent of the bill was M.Servilius (Geminus), cos. 202; cf. Develin (above note 1) 82 who argues that the proposals relate to an earlier, unattested, tribunate of Rusca. The proposals make more sense, however, at the end of the 180's rather than earlier in the decade.

**180:** The *lex Villia annalis* prescribed minimum ages for particular but unnamed magistracies (Liv. 40.44.1),<sup>5</sup> and probably contained an additional clause introducing an obligatory *biennium* between curule offices, or at least between praetorship and consulship.

**ca. 177:** The *lex Baebia* was repealed since six praetors were now regularly elected annually (Liv. 41.8.1).

The regulation providing for minimum ages of magistrates passed in 180 was possibly the most significant, and certainly the best remembered of these measures. It was, nevertheless, simply part and parcel of a general move, over nearly two decades, to introduce some sort of order into the republican *cursus*. And while there may be no doubt about the authenticity of the *lex Villia*, Astin's conclusions regarding the various qualifications it supposedly enforced are a useful reminder, often neglected, of just how vague and unclear is the real and concrete evidence:

"It has been seen that Mommsen was correct in his belief that a *biennium* was required at least between *curule magistracies*. This was not in force before 180 but was probably introduced at about that date. It is not difficult to conceive of a clause to this effect forming part of the *Lex Villia*, but equally it could be a separate measure. It has also been seen that previous tenure of the praetorship was a necessary qualification for the consulship prior to Sulla's legislation and further that there are strong grounds for assigning this regulation to 197 or soon after; so that it is not likely to have formed part of the *Lex Villia*. On the other hand there is reason to doubt whether in the pre-Sullan period previous tenure of the quaestorship was a necessary qualification for higher office. It is virtually certain that the *Lex Villia* laid down directly specific minimum ages, at least for the higher offices, and that in the pre-Sullan period these were the same as in the late Republic, namely thirty-six for the aedileship, thirty-nine for the praetorship, and forty-two for the consulship. It is not so certain that there was a directly fixed minimum age for the quaestorship in the second century, but in any case it could be held as early as twenty-five and was probably normally held before the age of thirty."<sup>6</sup>

The *lex Villia* was the culmination of a process and not merely an isolated piece of legislation. There is, therefore, a real need to look again at the likely reasons for the passage of this law and for the other bills which were passed shortly beforehand. And it appears to

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<sup>5</sup> But this regulation probably did not affect the quaestorship, Astin, (1957) 63-64. Cicero, pro Planc. 52, notes that C.Coelius Caldus (cos. 94) was never elected quaestor.

<sup>6</sup> Astin (1958) 63-64; Eyben (above note 1) 331, n.10, has obviously misread Astin's remarks since he arrives at the conclusion that twenty-seven was the normal age for the quaestorship in the second century. No such ancient evidence exists as Astin states plain enough. Twenty-five may have been the de facto minimum age for the quaestorship, Develin (above note 1) 88, because all men had to serve ten years in the army before embarking on a political career, Pol. 6.19.2-5. The *lex Villia* cannot have enforced a legal minimum age for the quaestorship, however, since this office was not a pre-requisite for the consulship. If the quaestorship was not regarded as a political office then the military service might not necessarily have applied. Few politicians before 81 BC have firmly attested quaestorships, and the possibility exists that a substantial number never held this office.

us that the one cause still commonly advanced for the *lex Villia annalis* will be seen to be a singularly inadequate explanation for any changes which may have occurred in the *cursus* at this time.

The *lex Villia* was surely connected with legislation passed in the previous year, for after his brief mention of this law, Livy remarks that: praetores quattuor post multos annos lege Baebia creati. The two laws were clearly related to one another. The author of the *lex Baebia* was the consul of 181, M.Baebius Tamphilus, who with his colleague, P.Cornelius Cethegus, was also responsible for a *lex de ambitu*. The measures dealing with *ambitus* may have formed one clause in a wide-ranging *lex satura* (Liv. 40.91.11) which linked a concern about political malpractice with the holding of senior public office.<sup>7</sup> Since Livy appears to have been under the impression that the *lex Villia* and the *lex Baebia* were concerned with the same problem, modern discussion, which has tended to focus only on the former, has ignored the context.

Moreover, other measures aimed at curbing electoral corruption were passed by the senate in the years immediately preceding the passage of the *lex Villia*. Thus:

**182:** A sumptuary law was passed by the tribune C.Orchius which limited the size of banquets (Macrob. *Sat.* 3.17.2-3, 5; *Schol. Bob.* 2.141 Stangl).<sup>8</sup> Festivities such as these were a useful and necessary means of obtaining support from influential members of the citizen body before elections (*Comm. Pet.* 44). The *lex Orchia* surely aimed to reduce excessive bribery in campaigns prior to the elections.

**181:** A *senatus consultum* was passed limiting the amount of state funds available for aedilician games (Liv. 40.44.11), following the extravagant display of largesse by the aedile Ti.Sempronius Gracchus (cos. 177). The games given by individual aediles were, of course, an important way of cultivating popularity with the voters (Cic. *de Off.* 2.57-59; Plut. *Sull.* 5.1; Suet. *Iul.* 10.1).

In the space of just five years there were four measures dealing with the *cursus* and three rulings designed to reduce bribery, which must have become an all too common feature of electoral campaigns, and in particular the canvass for the consulship (*Comm. Pet.* 56). Such a flurry of laws occurring together was not coincidental.<sup>9</sup>

While Cicero (*Phil.* 5.47) refers only to collective *leges annales*, it is clear that he is referring to the *lex Villia* when he states that, prior to the introduction of age qualifications,

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<sup>7</sup> Although *leges saturae* might, at this stage, contain disparate clauses passed under a single title, it is more conceivable that they would be related to one another. L.Marcus Philippus (cos. 91) was able to overturn the proposals of M.Livius Drusus on a technicality because they contravened the *lex Caecilia-Didia* of 98, which expressly forbade *leges saturae*, Cic. *de Dom.* 41, 53; MRR. 2.20-21. No such ruling applied in the 180's.

<sup>8</sup> MRR. 1.382, and n.2 for the date.

<sup>9</sup> A Lintott, 'Electoral Bribery in the Roman Republic', *JRS* 80 (1990) 5-6, notes that the laws of the 180's were connected with the increasing frequency of *ambitus* in political life. His examination of the *lex Villia* and its associated legislation is, however, brief and naturally only a minor part of a wider discussion of bribery as a phenomenon during the republican period.

young men in 'ancient times' (*apud antiquos*) such as the Rulli, Decii and Corvini had acquired the consulship, and that even in more recent years (*recentiore autem memoria*) Scipio Africanus and T.Flamininus were elected consuls *admodum adulescentes* (*Phil.* 5.48). But this comment should not be taken at face value and deemed to mean that young men who had held only junior offices or none at all would, as a consequence of the *lex Villia*, be henceforth excluded from the senior magistracies. Thus the enforcement of strict age minima for senior public offices has come to be seen as aimed against the particular ambitions of young men. In treating the *lex Villia* without recognising its place in contemporary legislation the real situation has been overlooked.

The *lex Villia* was passed in 180, eighteen years after Flamininus had become consul *ex quaestura* (*Liv.* 32.7.8-12), and fifteen years after Africanus became consul *iterum* without ever having held a praetorship, though having already held one consulship and the censorship, and so presumably excused from any legal requirement which had been enforced since 197.<sup>10</sup> In very nearly two decades since its presumed institution, therefore, no politician had broken the regulation which stipulated that a praetorship must be held before the consulship. At this stage no *biennium* was required between the praetorship and the consulship, and some *praetorii* aspired to the consulship just one year after being praetor. According to Livy, Q.Terentius Culleo and Ser.Sulpicius Galba, praetors in 187, who were candidates for the consulship in 185 (*Liv.* 39.32.7-8), had also campaigned in 186.<sup>11</sup> The provisions of the *lex Villia* were obviously intended to terminate such excessive displays of *ambitio* especially since, in any one year, there would be a surfeit of candidates for the consulship due to the increase in the size of the praetorian college. The reason for the introduction of age qualifications for the highest magistracies was that there were too many candidates jostling for the consulship in the 180's. These were the politicians who had already held the praetorship and were, at that time, able to proceed directly to the next magistracy, providing they had the financial means and the influence at their disposal. But these were certainly not young men.

Multiple candidates for the senior offices of the *cursus* are well attested in the literary sources for the two decades after 197. In 194 L.Aemilius Paullus was elected curule aedile in a contest in which there were twelve other candidates (*Plut. Aem.* 3.1). In 193 there were seven candidates for the consulship (*Liv.* 35.10.1: *multi et potentes*) and in 192 there were at least four (*Liv.* 35.24.4-6). In 190 there were also at least four consular candidates (*Liv.* 37.47.6-7), while in 189 there were at least three (*Liv.* 38.35.1). In 186 there must have been at least four, in 185 no less than seven candidates (*Liv.* 39.32.5-9), and in 183, 182

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<sup>10</sup> Astin (1957) 610.

<sup>11</sup> Q.Fulvius Flaccus, suffect consul in 180, is attested as a consular candidate on two occasions before the elections in 181 (*Liv.* 40.37.6). He was praetor in 187 and so might also have campaigned in 186.

and in 181 at least three (Liv. 40.37.6).<sup>12</sup> Moreover, there was not only intense competition for the consulship. In 189 there were six candidates for the censorship (Liv. 37.57.9: *Eodem anno censuram multi et clari viri petierunt*), and in 184 nine candidates came forward to contest the elections (Liv. 39.40.2-3) which resulted in a strenuous campaign from which M.Porcius Cato and L.Valerius Flaccus emerged victorious (Liv. 39.41.4). Furthermore, elections to the praetorship appear to have been contested in a similarly vigorous fashion. Thus at the beginning of 184 after C.Decimius, one of the praetors had died, and an election was decreed to find a successor, Livy says (39.39.1) that four candidates campaigned for the suffect place. One of these, C.Valerius Flaccus, was probably a losing candidate from the original elections held in 185 (Liv. 39.45.2), and it is possible that other politicians who had received *repulsae* also came forward to canvass for a second time.

The intensity of competition for the senior offices of the *res publica* had evidently led to a worrying increase in the level of corruption which the *lex Orchia* and *lex Baebia* were meant to counter. The number of candidates was clearly also a worrying problem, and the proposal of M.Pinarius Rusca and the *lex Villia* intended a reduction in the number of politicians who were able to campaign in any one year. These measures cannot, however, have been intended to end competitive elections altogether, for neither the laws against *ambitus* nor the *lex Villia* had much noticeable effect on the number of candidacies, although the *fasti* indicates that the *biennium* between the praetorship and the consulship was strictly adhered to from 180.<sup>13</sup> Thus even in 180 the election of a new *pontifex maximus* aroused strong passions: *creatus inde pontifex maximus M.Aemilius Lepidus, cum multi clari viri petissent* (Liv. 40.42.12). In 179 the elections for the censorship were controversial with the eventual success of M.Aemilius Lepidus (cos. 187) and M.Fulvius Nobilior (cos. 189) who were longstanding political opponents (Liv. 40.45.6-7). Their *inimicitia* was no notorious that senior members of the senate felt obliged to intervene to force an end to their feud (Liv. 40.46.15).<sup>14</sup> These two politicians cannot have been the only candidates in this year. In 176 the suffect consul C.Valerius Laevinus (Liv. 41.14.4, 17.6) was probably a losing candidate from the elections in 177, and in 173 Livy states that there was a large number of candidates for the consulship (41.28.4): *iam consularia comitia appetebant; quibus magna contentione habitis propter multitudinem petentium creati L.Postumius Albinus et M.Popilius Laenas*.

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<sup>12</sup> For a discussion of consular candidacies in elections between 218 and 49 BC see R.J.Evans, 'Candidates and Competition in Consular Elections at Rome between 218 and 49 BC', *A.Class.* 34 (1991) 111-136.

<sup>13</sup> Thus: Q.Fulvius Flaccus, pr. 182, cos. 179; C.Claudius Pulcher, pr. suff. 180, cos. 177; Ti.Sempronius Gracchus, pr. 180, cos. 177.

<sup>14</sup> The origins of the feud between Lepidus and Nobilior may be traced back to the consular elections in 190. Lepidus claimed that Nobilior had worked to prevent his election (40.45.6-46.16). In the following year Nobilior was the presiding magistrate and Lepidus was defeated for a second time (38.35.1). On the hostility between Lepidus and Nobilior, see most recently D.Epstein, *Personal Enmity in Roman Politics 218-43 BC*, London 1987, 13, 59.

| Candidates in elections for senior magistracies (197-173 BC) |                                      |                            |
|--|--------------------------------------|----------------------------|
| date   | Number of candidates                 | magistracy                 |
| 1) 194:  | 13                                   | <i>curile aedileship</i>   |
| 2) 193:  | 7                                    | <i>consulship</i>          |
| 3) 192:  | 4                                    | <i>consulship</i>          |
| 4) 190:  | 6                                    | <i>ensorship</i>           |
| 5) 189:  | 3                                    | <i>consulship</i>          |
| 6) 186:  | 4                                    | <i>consulship</i>          |
| 7) 185:  | 7                                    | <i>consulship</i>          |
| 8) 184:  | 4                                    | <i>suffect praetorship</i> |
| 9) 184:  | 9                                    | <i>ensorship</i>           |
| 10) 183:   | 3                                    | <i>consulship</i>          |
| 11) 182:   | 3                                    | <i>consulship</i>          |
| 12) 181:   | 3                                    | <i>consulship</i>          |
| 13) 180:   | many candidates for the office of    | <i>pontifex maximus</i>    |
| 14) 179:   | more than 2 candidates for           | <i>ensorship</i>           |
| 15) 177:   | 3                                    | <i>consulship</i>          |
| 16) 173:   | A large number of candidates for the | <i>consulship</i>          |

Cicero says (*Phil.* 5.47) that the *leges annales* were passed because men: *adulescentiae temeritatem verebantur*. His actual words should, nonetheless, be treated with caution for here Cicero is intent on honouring Octavian, whose loyalty to the senate has been rewarded with honours way beyond his age, but that the state has nothing to fear from this particular 'young man'. The definition of 'young man' requires some analysis here since the Roman concept of *adulescentia* was totally different from the modern concept of adolescence. Q.Fabius Buteo who died in 196 when *praetor designatus* is described by Livy as *admodum adulescens* (33.42.6). Cn.Domitius Ahenobarbus (cos. suff. 162) is also said to have been *adulescens* in 172 before a praetorship in 170 or 169 (Liv. 42. 28.10-13). C.Iulius Caesar is described as *adulescens* by Suetonius (*Iul.* 9.3) just prior to his election as aedile in 66, and the younger Pliny refers to *adulescentes* among the senate even though, as *praetorii* in their mid-thirties, they were not 'young men' at all (*Epist.* 1.14, 2.7).<sup>15</sup> It is, therefore, more than plausible to suggest that, with regard to the *leges annales*, *adulescentes* describes politicians who had either not yet acquired the correct age qualification for a particular office; in the case of the consulship, from 180 BC, forty-two years of age (Cic. *Phil.* 5.48), or who had yet to fulfill the order of offices required for a particular magistracy, for the consulship after 197,

<sup>15</sup> A.N.Sherwin-White, *The Letters of Pliny: A Historical and Social Commentary*, Oxford 1966, 117, 155.

the praetorship (Cic. *Phil.* 11.11). Modern misconceptions have duly arisen due to the assumption that *adulescentia* means much the same as the modern term 'adolescence'. In fact it would appear in the light of the causes for the *lex Villia annalis* that *adulescentes* actually means 'unqualified' for office in terms of age or experience. And Cicero specifically refers to *adulescentes* who were politicians who had not yet reached the new age minimum of forty-two, or who had not yet attained the praetorship.

The relationship between *lex Villia* and *lex Baebia* makes it abundantly clear that it was not the ambitions of young men which caused the introduction of age qualifications in 180, but the ambitions of politicians who were closer to what we term today 'middle-age'. We have argued that *adulescentia* could easily apply to any politician who did not possess the necessary age qualification to campaign for the consulship, or who had not yet progressed sufficiently far along the *cursus*. The evidence from Livy's account of elections in the 180's suggests that there were numerous *praetorii* campaigning for the consulship every year, and that there were many available candidates who aspired to other senior offices. Severe competition led to an upsurge in corruption in the form of bribery of voters which the *ambitus* laws were meant to suppress. On the one hand a curb on corruption was intended, and on the other hand a reduction in the number of candidates for senior offices. The *lex Villia annalis* was the last in a series of laws which sought to produce more orderly conduct, but the evidence available from the 170's indicates that competition for public office was not a problem which could ever be solved easily at Rome.

## II

On the basis of the *lex Villia annalis* some historians have reached the assumption that from 180 BC a subculture of adolescents came into existence. It is presumed that young men of senatorial families constituted an age-class, but were denied senatorial office until the age of twenty-seven. In the words of Eyben: 'From 180 BC on a young man had to "wait" to the age of twenty-seven before starting on his *cursus honorum*',<sup>16</sup> thereby implying that public affairs had been arranged in a different manner previously. In his book on the processes of socialisation for youngsters in Republican Rome Giuliano concludes: '(...) la *lex Villia annalis* interveniva a limitare la partecipazione dei giovani alle cariche pubbliche'.<sup>17</sup> This view of the *lex Villia* is dubious, for two reasons.

First, it is very questionable whether the *lex Villia* actually shaped new conditions for office-holding. Hopkins recently argued that the law passed in 180 BC was in actual fact a definite fixation of what was the regular order of things before 180.<sup>18</sup> His theory is supported by Develin, who claims that 'the law did not go very far, merely establishing ages

<sup>16</sup> Eyben (above note 1) 331.

<sup>17</sup> L.Giuliano, *Goiventu e istituzioni nella Roma antica*, Rome 1979, 74.

<sup>18</sup> K.Hopkins, *Death and Renewal*, Cambridge 1983, 47.

for candidacy which approximated to those already operative (...).<sup>19</sup> In fact, there are no indications that the legally required minimum-age for the first office, the quaestorship, was lower than twenty-seven before the passing of the *lex Villia*. The *lex* might have worked to the disadvantage of the patricians 'as they may have been gaining the consulship at slightly earlier ages than plebeians'.<sup>20</sup> Although this opinion can no longer be substantiated, it points to the fact that the *lex Villia* was not about entry to office-holding, but really about the consulship. It is conceivable that irregularities in political careers were more common before than after 180, but they were certainly not unknown in the second and first centuries BC.

Secondly, it is questionable whether we may define the youngsters who allegedly lived in this subculture created by the *lex Villia* as adolescents. The majority of those who wanted to embark on a political career were already in their twenties. This does not agree with adolescence in the way we see it today. Modern sociological and psychological literature generally places the period of adolescence between the twelfth and the twentieth year of life. We have to admit here that adolescence does not stop at the age. Nor do we imply that all youngsters of that age-category behave as 'archetypal' adolescents in modern society. The average adolescent - if we may focus on him or her for a moment - is still at school, preferring contacts with age-contemporaries and eschewing relations with adults. He or she is mentally and sociologically considered as a non-adult, who still has to prepare for adjustment to the world of adulthood. Indeed, the gap between childhood and adulthood has only increased from the eighteenth century onwards: the generation gap came into existence after the Industrial Revolution had made life more complicated. Subsequently, a period of adjustment became necessary, the period we call adolescence.<sup>21</sup>

Eyben notes a correspondence between the position of youth in ancient society and that of modern adolescence. In his view, adolescence is a stage of life, set apart from, and characterised as essentially different from adulthood. And on many occasions it is defined negatively. Adolescence is a period in which young people are known for their irresponsible and rebellious conduct; it is seen as a period of licence. Adolescents spend money without responsibility, and they over-indulge in sexual activities.

Eyben argues that as a result of the *lex Villia* Roman youth was denied entrance to the world of adulthood, i.e. the world of politics, and therefore was in fact destined to be idle until the age twenty-seven. According to Eyben, this empty period invited Roman youngsters to behave as we would expect, and to a certain extent condone, of modern

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<sup>19</sup> R.Develin, *The Practice of Politics at Rome*, Brussels 1985, 142.

<sup>20</sup> Develin (above note 19) 277. But note that: Cn.Manlius Vulso (cos. 189), M.Valerius Messalla (cos. 188), M.Aemilius Lepidus (cos. 187), Q.Fabius Labeo (cos. 183), and L.Aemilius Paullus (cos. 182) all received one or more *repulsae* in consular elections. P.Cornelius Cethegus (cos. 181, pr. 185) and A.Postumius Albinus Luscus (cos. 180, pr. 185) may also have campaigned for the consulship on more than one occasion.

<sup>21</sup> For a detailed discussion of adolescence and ancient society see M.Kleijwegt, *Ancient Youth. The ambiguity of youth and the absence of adolescence in Greco-Roman society*, Amsterdam 1991, 27-73.

adolescents. However, Eyben's theory rests to a large extent on a complete misunderstanding of the workings of the Roman senate.

To understand the position of young members of the senatorial families correctly we have to focus on the fact that ancient society and in particular the Roman senate had a strong preference for experienced men in middle age to lead public affairs. In actual fact, there was a certain distrust of youngsters in the Roman world. When the emperor Augustus lowered the minimum-age for the quaestorship and for the municipal magistracies from thirty to twenty-five, Maecenas made the following remark in a fictitious conversation with the emperor written by Cassius Dio:

"As for the matter of eligibility for office, now, we should put men on the rolls of knights when they are eighteen years old, for at that age their physical soundness and their mental fitness can best be discerned; but we should not enroll them in the senate until they are twenty-five years old. For is it not disgraceful, and indeed hazardous, to entrust the public business to men younger than this, when we never commit our private affairs to any one before he has reached this age?"<sup>22</sup>

In accordance with this attitude, political opponents of young careerists, such as Pompey and Octavian, made derogatory remarks about their youthful age and about their lack of political capacities.<sup>23</sup>

The suspicion regarding youngsters was in no way restricted to the Roman world. In democratic Athens a minimum-age of thirty was required for the council and the magistracies. But even in the council it was not proper for just anyone to put forward his views: hierarchy of speech was strictly based on seniority. Plutarch mentions that in 324 Pytheas was corrected, whilst the council was debating the presentation of divine honours to Alexander the Great, because he had taken the floor although he was a younger member. Pytheas replied that Alexander to whom they intended to present divine honours was younger than he was. In the same year Alexander was thirty-two years of age.<sup>24</sup>

The same attitude to 'youngsters' may be found in other societies, for instance in late medieval Venice. In the Republic of Venice nobles were held to be eligible for election to the Senate - the council of elder statesmen - at the age of thirty-two, but Robert Finlay argues that it was unusual to enter before turning fifty.<sup>25</sup> The council, the most important political body in Venice, where affairs of state were decided upon, could only be entered at the age of twenty-five. But, in spite of the gerontocratic preferences, historians claim that a large cohort of young men nevertheless took part in the affairs of government. Their contribution was not, however, valued particularly highly. Some very conservative Venetian nobles actually

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<sup>22</sup> Dio's Roman History, 52.20, trans. Loeb.

<sup>23</sup> See for instance, H.Maccarthy, 'Octavianus puer', CPh 26 (1931) 362-373.

<sup>24</sup> Plutarch, Praec. reip. ger., 804 b.

<sup>25</sup> R.Finlay, 'The Venetian Republic as a gerontocracy: age and politics in the Renaissance', Journal of Medieval and Renaissance Studies, 8 (1978) 160.

advanced the opinion that people under forty should be banned from voting on matters of political importance.<sup>26</sup> But this was never accomplished, on the contrary; the patricians kept on admitting twenty years-olds to the council in order to give them an early start in politics. Why did the Venetian Republic continue to recruit youths to the council? The strongest factor in furthering youngsters on a career was the importance of family prestige. Once they had become members of the council, youngsters could vote on political issues and stand as candidates for office. Furthermore, the chances of youngsters were enhanced by a strong tendency to exclusivism and a fear of members of non-curial origin.

One more point for republican Venice should be made before we return to the Roman senate. Although the minimum-age for council-membership was twenty-five, there was a special institution privileging sons of patrician fathers. Through a ceremonial lottery, the so-called Balla d'Oro - in which all patrician sons turned eighteen with a father already in the council could participate - the lucky winners (they who had the good fortune to draw a golden ball) could enter when they turned twenty. When in the fifteenth century patricians began to lay more claims to their exclusivism, the prestige of membership of the council was raised. Subsequently, the importance of the Balla d'Oro and the number of contestants increased. Early entry into the council (at the age of twenty) began to have an additional attraction, distinguishing old families from *homines novi*. Consequently, those who entered at the age of twenty-five were called the 'tristi': 'Failure in the Balla d'Oro implied by association a second-class patrician status'.<sup>27</sup> A sample of 246 men entering the council between 1444 and 1464 shows that ca. 50% entered as winners of the lottery. One quarter was admitted at the age of twenty as well: they gained election as civil court advocates. Only a remaining quarter entered automatically on their twenty-fifth birthday.<sup>28</sup> The period up to the holding of a first office when actually having become a member of the council (and that was usually at the age of thirty) is seen to be a training-period, in which those who showed themselves ambitious for a political career were taught to conform to the rules of the house: 'they had to find their way through the interstices of a complicated constitutional structure where accomodation and conciliation were necessary to accomplish the slightest task'.<sup>29</sup> In that way every generation of young men turned out 'its own crop of careful old men'.<sup>30</sup>

The last two remarks on Venice could well be transferred to the Roman senate. Patience, conformity and skill in making compromises were highly valued qualities. The Roman senate was a respected political body, where it was wise to be conventional. There was no need for young mavericks. Just as in the case of republican Venice, youngsters of the highest order in Rome were also involved in politics before their twenties, albeit not in the

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<sup>26</sup> St.Chojnacki, 'Political adulthood in fifteenth-century Venice', AHR 91 (1986) 794.

<sup>27</sup> Chojnacki (above note 26) 803.

<sup>28</sup> Chojnacki (above note 26) 802, note 53

<sup>29</sup> Finlay (above note 25) 175.

<sup>30</sup> Finlay (above note 25) 195.

most prestigious offices. One could start out in the preliminary functions of the *vigintivirate* and lower commanding positions in the army, although, admittedly, the former were often performed by men in their twenties. Eyben incorrectly assumes that these offices were of no real value to the holders, and that if one did hold such an office, it should be regarded more often as a period of leisure rather than as a first stage in a political career.<sup>31</sup> Of course, the example of Tacitus' father-in-law immediately comes to the mind. He is said to have been atypical because he took his job as a military tribune seriously. But, should not there be a little distrust of this account since Tacitus obviously wanted Agricola to stand out from the other young men? As a healthy antidote one should read Statius' poem on the sixteen year-old Crispinus, son of M.Vettius Bolanus, governor of Britain and Asia in the Flavian period. Crispinus had just been appointed as a military tribune and is spurred on to emulate his father's success.<sup>32</sup>

In fact, during the Republic after 180 BC many young men played an active and, sometimes, important role in politics and military affairs without yet being members of the senatorial order. In the following pages we will present a number of examples of this phenomenon. Needless to say, this catalogue does not claim to be complete. The following is only the result of a quick glance through some of the more important reference works, which will be mentioned in the catalogue, often with reference to the ancient sources. The examples are given in a chronological order, beginning in the late third century. As will be shown below, young men from senatorial families were active in roughly four varieties of functions before they entered the senate: military commands, legations and embassies, commissions, and priesthoods.

### Register<sup>33</sup>

**Q.Fabius Maximus Verrucosus** (cos. 233, 228, 215, 214, 210; dict. 221, 217; cens. 230; *pont.* 215-203). He died in the year 203: *eodem anno Q.Fabius Maximus moritur, exactae aetatis, si quidem verum est, augeum duos et sexaginta annos fuisse, quod quidem auctores sunt* (Liv. 30.26.7), so he must have been an *augur* between 265 and 203. If he died in his late seventies or early eighties he must have entered the priesthood at a very young age, cf. MRR. 3.86-7. According to Livy his grandson was coopted as *augur* in his place: *augur in locum eius inauguratus Q.Fabius Maximus* (30.26.10), he died in 196 before having held a magistracy: *admodum adulescens priusquam ullum magistratum caperet* (Liv. 33.42.6). Sumner in an article in *Arethusa* corrected Livy on several points, however, and

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<sup>31</sup> Eyben (above note 1) 336/7.

<sup>32</sup> Statius, *Silvae*, 5.2.

<sup>33</sup> In the Register, all references to Scullard (above note 1); Broughton (above note 4); G.V.Sumner, *The Orators in Cicero's 'Brutus': Prosopography and Chronology*, Toronto 1973; Münzer, *Römische Adelsparteien und Adelfamilien*, Stuttgart 1963<sup>2</sup>; and to G.J.Szemler, *The priests of the Roman Republic*, Brussels 1972 are by name only.

identified the *augur* as Q.Fabius Buteo, son of the consul of 245 and *praetor designatus* in 196 (MRR. 1.335). He died before taking up his command. If Sumner's identification is correct, we have another occasion here where *adulescens* is actually used to describe a senator who died before reaching the highest offices of state.

**P.Cornelius Scipio**, *trib. mil.* at Cannae at the age of nineteen. Livy (22.53.3) calls him *admodum adolescentem*. He played an important part in the aftermath of the defeat when the Romans were struck by panic: *Is pavor perculit Romanos auxitque pavorem consulis vulnus periculumque intercurso tum primum pubescentis filii propulsatum* (Liv. 21.46.7). Of course, Scipio became a consul in 205, at the age of twenty-nine or thirty.

**T.Quinctius Flaminius**, *trib. mil.* 208 under M.Claudius Marcellus (Scullard 98). He became a *propraetor extra ordinem* to command the garrison at Tarentum in 205-4, although he had held no curule office. He was then twenty-three years old. He became consul in 198 at the age of thirty.

**L.Quinctius Flaminius** was one year older than his brother Titus, so he must have been born in 229. He was appointed *augur* in the year 213 at the early age of sixteen (Scullard 98) and eventually consul in 192 at the age of thirty-seven. On this case, see Münzer (119): 'die grosse Jugend war bei dem hohen Adel niemals ein Hindernis, sondern eher eine Empfehlung für solche Würden, zumal in einer Zeit, wo alle älteren Leuten dringend im Felde gebraucht werden'.

**Ti.Sempronius Gracchus**, born ca. 220, though not to be confused with the homonymous father of the Gracchi (Scullard 285), was made an *augur* in 204: *augur Ti.Sempronius Gracchus, admodum adulescens, quod tum perrarum in mandandis sacerdotiis erat* (Liv. 29.38.7), but see the example of L.Quinctius Flaminius above.

**C.Livius Salinator**, aed. 204, pr. 202, 191. He failed in the consular elections of 193 (Scullard 123), but became praetor the next year and consul in 188. In 198 he was replaced as a naval legate by L.Quinctius Flaminius. He was born ca. 234, since he was a near *aequalis* of the elder Cato (Cic. *de sen.* 3.7). He was *pontifex* between 211 and 170, MRR. 1.282, 393. See Szemler (109): 'Became *pontifex* in 211 probably in his early youth since he was approximatively the same age as Cato'.

**M.Aemilius Lepidus** (aed. 193; pr. 191; cos. 187; cens. 179; cos. II 175). He was beaten in the consular elections in 190 and 189 (Scullard 135). He fought a battle at the age of fifteen, Val.Max. 3.1.1.: 'Aemilius Lepidus when he was still a boy killed an enemy when he was lined up in battle, and he served the people.....of him a remembrance can be seen on the Capitol: a statue (representing him) with *bulla* and clad in the *praetexta*, placed on this spot by order of the senate'. He was appointed *Xvir sacris faciundis* in 211 (Sumner 47-8) and he was a junior member of the embassy which went to Egypt and Macedonia in 201-200 (Liv. 31.2.1-4; 18.1).

**M.Cornelius Cethegus** (pr. 211; cos. 204; cens. 209; *pont.* 213-196). He died in 196 (Liv. 33.42.5). He had been a *flamen* until the year 223: 'Thought-provoking are the

abdications of M.Cornelius Cethegus and Q.Sulpicius in 223 for the inexact performance of duties and for a wrong *apex* respectively' (Szemler 96-7; Plut. *Marc.* 5.2, 4). Born ca. 250, Cethegus must have been made a *flamen* in his late teens.

**Cn.Cornelius Hispallus** (pr. 179; cos. 176). He died while consul (Liv. 41.16.3-4). Since he was probably praetor and consul *suo anno*, he must have been born ca. 220. *Pontifex* between 199 and the year of his death, so he must have entered the college in his early twenties.

**M.Fulvius Nobilior**. One of the *IIIviri coloniis deducendae* in 184 for Potentia and Pisaurum is said to have been Q.Fulvius Nobilior (Liv. 39.44.10; Cic. *Brut.* 160). Sumner (40) argues, however, that the man in question must have been his older brother Marcus, then about nineteen or twenty years of age.

**Q.Fulvius Nobilior**, the younger brother of the above, was appointed *IIIvir epulo* in 180, while still wearing the *toga praetexta* (Liv. 40.42.7). Many members of the senatorial order were carried off by plague in that year, which may account for Quintus' appointment at such an early age. Cf. other young men in priesthoods.

**M'.Acilius Glabrio**, aed. 166, cos. suff. 154. As *IIvir aedi dedicandae* he dedicated the temple of Pietas in the *forum Holitorium*, in 181 and erected a gilded statue of his father, victor at Thermopylae in 191, which was placed inside the temple (Liv. 40.34.5; Cic. *Brut.* 79). Born ca. 200 he must have been in his late teens or early twenties.

**M.Atilius Serranus**, pr. 174, had been a *IIIvir coloniis dedicandae* in 190, so he must have been in his mid-twenties, MRR. 1.359.

**?Aebutius** was sent to Rome by his father T.Aebutius, pr. 178 in Sardinia to report on local conditions to the senate. Perhaps he was serving under his father as *trib. mil.* or *legatus*: *Eodem tempore et in Sardinia magnum tumultum esse litteris T.Aebuti praetoris cognitum est, quas filius eius ad senatum attulerat* (Liv. 41.6.5).

**Ser.Sulpicius Galba** (pr. 151; cos. 144) was *trib. mil.* under L.Aemilius Paullus at Pydna in 168/7. He might have been either in his late teens or in his early twenties. Sumner (15) dated his birth to 191.

**A.Postumius Albinus** was selected by Paullus to negotiate the surrender of Perseus in Samothrace in 168. In 167 he received custody of the captured king and his son. He was pr. 155 and cos. 151, born ca. 194/3 (cf. Sumner 14 for 195). In 173 he was elected as *Xvir sacris faciundis* as successor to L.Cornelius Lentulus (Sumner 48; cf. 42).

**Q.Fabius Maximus Aemilianus** (cos. 145; pr. 149) was sent to Rome by Paullus together with L.Cornelius Lentulus and Q.Caecilius Metellus (Macedonicus) to report his victory at Pydna, MRR. 1.430. He was then perhaps twenty or twenty-one years old (Liv. 44.45.3).

**P.Cornelius Scipio Aemilianus** was also at Pydna, 'although only seventeen years old' (Scullard 208, note 3). He was born in 185/4 since he was thirty-seven when he was elected consul in 148.

**Cn.Gellius**, *IIIvir monetalis* ca. 138, probably synonymous with the historian, faced the elder Cato in a law suit in the 150's when aged late teens or early twenties.<sup>34</sup>

**C.Fannius**, cos. 122, served under Scipio at Carthage in 147. In 146 he was sent by Q.Metellus to a meeting of the consul of the Achaean League to prevent the outbreak of war. His birthdate was 166 (Sumner 16) or even earlier.

**Ti.Sempronius Gracchus**, born 163, died 133. He was at Carthage with Scipio in 147-6. Elected quaestor in 138 at the age of twenty-four or twenty-five, MRR. 1.464, 485.

**C.Sempronius Gracchus**, born 154, was *trib. mil.* between 134 and 132 and *IIIvir agris iudicandis assignandis* in 133 at the age of twenty-one, MRR. 1.495.

**Q.Marcus Philippus** served as *legatus* under his father in Macedonia in 169: *Interim consuli sententia stetit eo saltu ducere, ubi propter Ottolobum dux regis castra habebat. Praemitti tamen quattuor milia armatorum loca opportuna praeoccupanda placuit, quibus praepositi sunt M.Claudius, Q.Marcus consulis filius* (Liv. 44.3.2). He became a *IIIvir monetalis* ca. 129, MRR. 3.139.

**Ap.Claudius Pulcher**, pr. 149; cos. 143, born ca. 187 (Sumner 17), was appointed a *Salius* before 167, possibly in his late teens, MRR. 1.436. Macr. *Sat.* 3.14.14 mentions that until his old age he was one of the *Salii* and a better dancer than any of his colleagues; cf. MRR. 3.56.

**Cn.Cornelius Scipio Hispanus** *trib. mil.* 150 and *Xvir stlitibus iudicandis* before 150. He is termed *trib. mil. II* in his Elogium (ILS. 6), the post which he probably held when he was sent to Carthage to oversee the delivery of the weapons to the Romans, MRR.1.457. Since he was pr. 139, he was born by 179, and possibly *Xvir* in his early twenties.

**P.Rutilius Rufus** (cos. 105, pr. 118) served under Scipio at Numantia in 134, MRR. 1.491. He received a *repulsa* for the consulship in 116 (Sumner 70), losing to M.Aemilius Scaurus. His date of birth was ca. 158.

**Q.Servilius Caepio** (cos. 106, pr. 109) is named on an inscription of Bargylia as serving under M'.Aquillius, governor of Asia between 128 and 126, MRR. 1.505-6; cf. *Inschriften von Iasos*, 612 for *legatus*; MRR. 3.86. Aquillius was the successor of M.Perperna, who died in 129, and was in charge of the pacification and organisation of the new province. Caepio was born ca. 149 (Sumner 19).

**L.Licinius Crassus** (cos. 95, q. 111-109, born 140) was the prosecuting counsel of C.Papirius Carbo in 119, aged twenty-one: *ut olim Crassus adulescens* (Cic. *de Orat.* 2.170; cf. *Brut.* 160: *accusavit C.Carbonum admodum adulescens*. Tacitus, *Dial.* 34, thought that Crassus was nineteen at the time; cf. Sumner 149 for the correct age and date of birth. According to Cicero (*Brut.* 169) he led out the colony of Narbo: *voluit adulescens in colonia Narbonensis causae popularis aliquid adtingere eamque coloniam, ut fecit, ipse*

<sup>34</sup> R.J.Evans, 'The Senatorial Origins of L.Gellius Poplicola Consul 72 B.C., LCM 5 (1980) 202.

*deducere, exstat in eam legem senior, ut ita dicam quam aetas illa ferebat oratio.* The exact date for the colonisation of Narbo is still debated, but was probably between 118 and 114, MRR. 3.118.

**Cn.Domitius Ahenobarbus** (cos. 96) was *IIIvir monetalis* in 116/5 and perhaps before that *IIvir coloniis dedicandae* at Narbo. For his joint duovirate with L.Crassus, Vell. 1.15, 2.7.

**C.Julius Caesar Strabo** (aed. 90) was *Xvir agris dandis attribuendis iudicandis* in 103 (Sumner 105). His birth-date was ca. 127 (Sumner loc.cit.), so in his mid-twenties when he served on the commission.

**C.Julius Caesar** was appointed *flamen dialis* somewhere between 87 and 82, but never inaugurated.<sup>35</sup> His year of birth was either 102 or 100, Suet, *Jul.* 1.2; Vell. 2.43.1; MRR. 2.574.

**C.Norbanus**, *IIIvir monetalis* in 83, while his father was consul. He is also mentioned in a Greek inscription from Rhegium (SEG.1.418), where he is thanked by the people. The text possibly dates to between 90 and 87, when his father was governor of Sicily. He served under his father on the island in some official capacity, either *trib. mil.* or *legatus*.

**Q.Sertorius**, probably born in 123, served under Q.Servilius Caepio in 105 at the age of seventeen (Sumner 107-8).

**P.Sulpicius** (trib. plebs. 88), young orator and advocate: *accedebat, ut haec tu adulescens pro re publica queri summa cum dignitate existimare* (Cic. *de Orat.* 2.198; *Brut.* 182).

**M.Valerius Messala** (cos. 53) appears in an account by Macrobius: *M. etiam Messala, Cn. Domitii in consulatu collega, idemque per annos quinqueginta et quinque augur* (Macr. *Sat.* 1.9.14). He must have been very young when he started out, cf. Szemler 154.,

**M.Tullius Cicero** (cos. suff. 30). Young Marcus was born in 65 after the consular elections, Cic. *ad Att.* 1.2.1. In 43 when Marcus was 22 years old his father wanted him to be co-opted into a priesthood (*ad Brut.* 9.3): *Ciceronem nostrum in vestrum collegium cooptari volo. Existimo omnino absentium rationem sacerdotum comitiis posse haberi, nam etiam est factum antea.*

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<sup>35</sup> See for Caesar's appointment to this flaminiate Jens H.Vanggaard, *The Flamen. A study in the history and sociology of roman religion*, Copenhagen 1988, 51/2. Incidentally, it is one of Vanggaard's main theses that the flaminates carried the highest social esteem. Contrary to the majority of scholarly opinion, Vanggaard argues that these priestly offices were not avoided by the prestigious aristocratic families, 12 and 79-88.