

In the midst of the public assembly, a venerable figure, hoary with age, pale and emaciated, his countenance furrowed with anguish, and his whole appearance expressive of misery and calamity, stood up before the tribunal of the consuls, and prayed aloud for mercy against the oppression of an inhuman creditor. Disfigured as he was, his countenance was known, and many remembered to have seen him in the wars, where he fought with great courage, and had received many honorable wounds in the service of his country. He told his story with affecting simplicity. The enemy, in an incursion, had ravaged his little farm, and set fire to his cottage. Bereft of subsistence, he had borrowed, to support life, a small sum from one of the rich citizens; the interest had accumulated, and being quite unable to discharge the debt, he had delivered himself with two of his children into bondage. In this situation he affirmed that his merciless creditor had treated him as the worst of malefactors; and throwing aside his garment, he showed his back all covered with blood from the recent strokes of the whip.*

This miserable sight roused the populace to the highest pitch of fury. They rushed upon the consul's tribunal; and Appius would have been torn to pieces, had not the lictors cleared for him a passage and carried him off to a place of safety. His colleague, Servilius, a man of a moderate and humane spirit, endeavored with tears in his eyes to appease the tumult, and pledged himself to the people to mediate with the senate in their behalf. Such was the state of Rome, when an alarm was given that the Volsci had entered the territory of the republic. The senate felt its weakness; they employed Servilius to treat with the people, and he gave them his promise that their grievances should be considered, and redressed as soon as the present danger was removed. They enlisted themselves under his standard, and marching against the Volsci, engaged and defeated them with considerable slaughter.

It had hitherto been customary, after every victory, where there was an acquisition of booty, to reserve a part of it for the use of the state; but Servilius, on this occasion, had thought it a wise policy to conciliate the troops by dividing the whole of it among them. Appius, with much indiscretion, thought proper to accuse him on that score to the senate, and to procure a vote of that body refusing him the honor of a triumph. Servilius felt the indignity, and in an assembly of the people in the Campus Martius, he complained to them of the senate's injustice. The people immediately brought forth the triumphal car, and placing him on it with high acclamations, conducted him to the capitol with the usual pomp of a triumph. But this strong testimony of popularity did not ensure the continuance of their favor. As Servilius had now

* See Livy, lib. ii. c. 23, where this incident is most eloquently related.

lost all credit with the senate by holding their authority in defiance, and hence found himself unable to make good his promise to the people of a redress of grievances, he soon became equally obnoxious to both parties.

The disorders, meantime, continued as violent as ever, and a new alarm from the enemy obliged the senate again to resort to the nomination of a dictator. Marcus Valerius, the brother of Poplicola, a man agreeable to the plebeians, was chosen to that high office; and as his private sentiments were favorable to their cause, he had no scruple to engage his word for a redress of their wrongs, on condition of their following his standard.

The enemy was subdued, and he now required the senate to fulfil his engagements. But Appius, the stubborn opponent of every measure that was favorable to the people, prevailed to have this demand refused. There is, I think, some question whether the dictator, in virtue of that supreme power with which he was for the time invested, could not by his own authority have enforced this measure, for which his honor was engaged. But Valerius was an old man, and probably dreaded the consequences of so violent a procedure. He assembled the people, and, after doing justice to their bravery and patriotism, he complained that he was not allowed to keep his engagements with them, but declared that his authority should no longer countenance a breach of the public faith, and he immediately abdicated his office.

The people, thus repeatedly and shamefully deceived, were determined to be no longer the dupes of promises. The senate, apprehensive of their spirit, had ordered the consuls not to disband them, but to lead them without the walls, on pretence that the enemy were still in the field. The soldiers, at the time of their enrolment, took an oath not to desert their standards till they were formally disbanded; but this oath they eluded by taking their standards along with them. Under Sicinius Bellutus, one of their own order, they marched with great regularity to a hill at three miles distance from the city, afterwards called, from that occurrence, the *Mons Sacer*; and here they were in a short time joined by the greatest part of the people.*

There can be nothing figured more arbitrary and more impolitic than the proceedings of the senate. Their pride was now humbled; they found there was a necessity for adopting the most lenient and conciliatory measures; and they deputed some of the most respectable of their order, who, after a difficult and labored negotiation, were compelled at length to grant the people all they demanded. The debts were solemnly abolished; and for the security of the people in time to come, and a warrant against all new attempts or modes of oppression, they were allowed the right

* Dion. Hal., lib. v.; Livy, lib. ii., c. 32.

of choosing magistrates from their own order, who should have the power of opposing with effect every measure which they might judge in any shape prejudicial to their interest.

These new magistrates were to be elected annually, like the consuls. They were five in number,* and were termed *tribunes*, because the first of them were chosen from among the *tribuni militum* of the different legions. They had the power of suspending, by a single *veto*, the execution of any decree of the senate which they judged prejudicial to the interest of the people; they were not allowed, however, to interfere in the deliberations of that body, nor permitted even to enter the senate-house. The persons of these magistrates were declared sacred; but their authority was confined within the bounds of the city and a mile beyond the walls. The tribunes demanded two magistrates to aid them in their office, and this request was likewise granted. These were called *Ædiles*, from the charge given them of the public buildings; and afterwards they had likewise the care of the games, spectacles, and other matters of police within the city.

The creation of the Tribunes of the People is the era of a change in the Roman constitution. The Valerian law had given a severe blow to the aristocracy, or party of the patricians; and the creation of popular magistrates with such high powers had now plainly converted the government into a democracy. Had the people been mildly dealt with, the desire of a revolution had never taken place, and the patricians might have enjoyed their ascendancy in the state, to which time would always have given new confirmation. But the violence and unruly passions of a few leading men are capable of embroiling the most peaceful community, and awakening causes of discontent and jealousy which otherwise would have had no existence. The tyrannizing spirit of Appius Claudius, and the stubbornness of that faction of the rich who supported him, drove the people at length to desperate measures, and gave rise to that formidable and resistless opposition of which we have seen the effects.

A strong degree of jealousy had, from the first institution of the commonwealth, begun to rankle in the breasts of the plebeians against the higher order. They saw, with a very natural indignation, that the patricians had supplanted them in all the offices of power and emolument; for, though there was a nominally free election to those offices in which the whole people had a right of suffrage, yet this, from causes already sufficiently explained, was in practice illusory. But the immediate cause of things coming to an open rupture was, as we have seen, the intolerable burden of the debts owing by the poor to the rich. This grievance

* About thirty years after, their number was increased to *ten*, and it so continued ever afterwards.

became at length so general, from the frequency of the military campaigns, in which every soldier was obliged to serve at his own charges, and from the ravages committed on the lands by the hostile armies, which reduced the poorer sort entirely to beggary, that the plebeians began to look upon their order as born to a state of hereditary servitude. Hence that desperate measure of abandoning the city and encamping in arms upon the *Mons Sacer*. All that the people at this time desired was not power, but a relief from oppression and cruelty. And had this just claim been readily listened to, and a relief granted to them, if not by an entire abolition of the debts, at least by repressing the enormous usury, and taking away the inhuman rights of slavery and of corporal punishment, this people would, in all probability, have cheerfully returned to order and submission, and the Roman constitution might long have remained, what we have seen it was at first, aristocratical. But a torrent imprudently resisted will in time acquire that impetuous force which carries every thing before it. The patricians, sensible that they had pushed matters to a most alarming extreme, and now thoroughly intimidated, were obliged to grant the demand of creating popular magistrates. The tribunate being once established, we shall see it become the main object with these magistrates to increase their own powers by continual demands and bold encroachments. The people, regarding them as the champions of their rights, are delighted to find themselves gradually approaching to an equality with the higher order; and no longer bounding their desires to ease and security, become soon equally influenced by ambition as their superiors, while that passion in them is the less subject to control that they have more to gain and less to lose. While this people, borne down by hardships and oppression, seek no more than the redress of real grievances and a share of ease and happiness as the members of a free state, we applaud their spirited exertions, and execrate that arbitrary and inhuman principle which prompted the higher order to treat them as slaves or inferior beings. But when we behold this people compassing at length by a vigorous and manly resistance the end they wished for—attaining ease and security, nay power, which at first they had not sought, and never dreamed of; when we see them, after this, increasing in their demands, assuming all that arrogance they justly blamed before, goaded on by the ambition of their leaders to aim at tyrannizing in their turn—we view with proper discrimination the love of liberty and its extreme, licentiousness; and treat with just detestation the authors of those pernicious measures, which embroiled the state in endless factions, and paved the way for a total loss of that liberty which this deluded people knew not to put a true value upon when they actually possessed it.

Some authors, and among the rest the Abbé Condillac, pretend to find in those perpetual dissensions and violent struggles between

the patrician and plebeian orders at Rome, the true cause of the glorious and prodigious extension of her empire, and of all her subsequent grandeur and prosperity. This, though not an uncommon mode of reasoning, is by far more specious than it is solid. I would ask what shadow of necessary connection there is between the factious disorders, and internal convulsions of a state, and the extension of her empire by foreign conquest? On the contrary, it seems a self-evident proposition, that while the one spirit exists, the other for the time is extinguished, or lies altogether dormant; for the ambition of domestic rule cannot otherwise be gratified than by a constant and servile attention to the arts of popularity, incompatible with the generous passion which leads to national aggrandizement. The people too, won only by corruption, and split by rival demagogues into factions, imbittered against each other with the most rancorous hostilities, are incapable of that cordial union to which every foreign enterprise must owe its success. The martial spirit may, no doubt, be kept alive, and find improving exercise in a civil war or rebellion; but this spirit finds too much exercise at home, to seek for employment in foreign conquests; and in the breasts of the leading men, those selfish motives, either of avarice or the love of power, which are commonly the sources of all civil disorders, are baneful to every generous and patriotic feeling, which seeks alone the true greatness or glory of the state.

In the present case, the true causes of the wonderful extension of the Roman empire will be sought in vain, in the perpetual contests between the higher and the lower orders. These, instead of being productive of national aggrandizement, were the immediate causes of the fall of the commonwealth and the ruin of civil liberty. The main source of the extension of the empire by its conquests, is to be found in the extraordinary abilities of a few great men, who, either in a subordinate station had too much worth to prefer a selfish interest to the glory of their country, or who, spurning the more confined object of superior power at home, proposed to themselves a nobler and more glorious aim by extending the limits of that empire which they ruled as sovereigns.

It is not to be denied that other causes, likewise, contributed to the aggrandizement of the Roman empire. Several of these have been pointed out by Montesquieu. Such was, among others, the very power of those enemies they had to encounter; a power which must either have entirely oppressed and annihilated them, or forced them to that most vigorous and animated exertion to which they owed their successes. Such enemies were the Gauls, the Macedonians under Pyrrhus, and the Carthaginians under Hannibal. So far were the factions of the state from being the cause of those successes, and that rapid extension of empire, that it was the formidable power of such external enemies that, lulling

asleep for the time every source of domestic faction and disorder, enabled the republic to employ its whole strength, and make those spirited efforts to which it owed its most glorious successes.

CHAPTER IV.

Increase of the power of the Tribunes—They convoke an assembly of the People—Coriolanus—Disputes on the Agrarian Law—Law of Volero—and change produced by it.

THE disorders which we have seen allayed by the creation of the tribunes of the people, were only quieted for a very short space of time. We shall see them immediately renewed, and continued, with very little interruption, till the people acquired an equal title with the patricians to all the offices and dignities of the commonwealth. Thus, for a period of almost two centuries, the history of Rome, during every succeeding year, presents almost the same scenes; an endless reiteration of complaints, on account of the same or similar grievances; opposed by the same spirit, resisted by similar arguments, and usually terminating in the same way, to the increase of the popular power. As our object is to give rather a just idea of the character and spirit of nations, than a scrupulous detail, or minute chronicle of events, we shall, in that period, touch only on such circumstances as, while they are illustrative of the genius of the people, are necessary to form a connected chain of the principal events which had their influence on the revolutions and fate of this Republic.

The first tribunes of the people were created 260 years after the foundation of Rome, and seventeen years after the abolition of the regal government. These magistrates were habited like simple citizens; they had no exterior ensigns of power; they had neither tribunal nor jurisdiction as judges; they had no guards nor attendants, unless a single domestic termed *Viator* or *Apparitor*. They stood without the senate-house, nor durst they enter it unless they were called in by the consuls: but possessing, as we have said, the power of suspending or annulling, by a single veto, the most solemn decrees of that body, their influence and authority were very great.

Every thing, for a little while, wore an appearance of tranquillity. The senators blindly applauded themselves on the success of their negotiation, as they saw the people pleased, and could see