



Global Nonviolent Action Database

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Plebeians win victory for the rule of law in Ancient Rome, 449 BCE. (See also 494 campaign.)

Time period notes: The exact duration of the plebeian succession is unspecified in the literature.

449 BCE

Before A.D.

to: 449 BCE

Before A.D.

Country: Italy

Location City/State/Province: Rome

Location Description: The Sacred Mount and Mount Aventine

Goals:

1. The resignation of the decemvirate.
2. The reinstatement of the tribunes.
3. The reinstatement of the right of appeal.
4. The ratification of the Laws of the Twelve Tables.

Methods

Methods in 1st segment:

Methods in 2nd segment:

Methods in 3rd segment:

Methods in 4th segment:

Methods in 5th segment:

Methods in 6th segment:

Additional methods (Timing Unknown):

- 001. Public speeches
- 069. Collective disappearance
- 070. Protest emigration (hijrat)
- 104. Professional strike
- 117. General strike
- 148. Mutiny
- 198. Dual sovereignty and parallel government

Classifications

Classification:

Change

Cluster:

Democracy

Group characterization:

- Soldiers and plebeians

Leaders, partners, allies, elites

Leaders:

Lucius Siccus, Marcus Duilius, Lucius Virginius (Virginia's father), Lucius Icilius (Virginia's fiancée), Publius Numitorius (Virginia's uncle)

Partners:

Not known

External allies:

Not known

Involvement of social elites:

Lucius Valerius and Marcus Horatius were two patricians sympathetic to the plight of the plebeians and were elected consuls after the resignation of the decemvirate. After the secession of the plebeians, more patricians in the senate began call for the resignation of the decemvirate.

Joining/exiting order of social groups

Groups in 1st Segment:**Groups in 2nd Segment:****Groups in 3rd Segment:****Groups in 4th Segment:****Groups in 5th Segment:****Groups in 6th Segment:****Additional notes on joining/exiting order:**

Timing is unknown, but in order of their joining:

1. Soldiers on the Sabine front who supported Lucius Siccus.
2. Plebeians outraged by the tragedy of Virginia. The patricians, Lucius Valerius and Marcus Horatius.
3. Soldiers on the Æquan front.
4. Soldiers on the Sabine front.
5. The plebeians.
6. The senate

Segment Length: *Not known*

Opponent, Opponent Responses, and Violence

Opponents:

The decemvirs- Appius Claudius, Marcus Cornelius-Maluginensis, Marcus Sergius, Lucius Minutius, Quintus Fabius Vibulanus, Quintus Poetelius, Titus Antonius Merenda, Cæso Duilius, Spurius Oppius Cornicen, Manius Rabuleius

Nonviolent responses of opponent:

Not known

Campaigner violence:

Not known

Repressive Violence:

Livius, the Roman historian who recorded these events, mentions that the decemvirs did use violence, but he did not mention specific events except the assassination of Lucius Siccius.

Success Outcome

Success in achieving specific demands/goals:

6 points out of 6 points

Survival:

1 point out of 1 points

Growth:

3 points out of 3 points

Notes on outcomes:

This was an extraordinarily successful campaign. The campaign would come to include most of the plebeians and soldiers in Rome (thereby including much of the total population of Rome) and the plebeians and soldiers succeeded in achieving all their demands.

One of the most fundamental characteristics of civilization is the rule of law. For the last few millennia, it has been recognized that as levels of human organization expand past the size of tribes and villages into more complex societies such as cities and federations it is, in principle, beneficial to justice for people to submit to commonly agreed upon rules enforced by a legal system. In our modern world, the legal systems of nearly all countries can be divided into five main types: Anglo-American-inspired common law, which is predominant in the nations of the former British Empire, religious law, customary (or folk) law, Roman-inspired civil law, and mixed (or pluralistic) law, which incorporates elements of multiple legal systems. By far the most prevalent legal system is civil law, with 4.5 billion people, nearly two-thirds of the world's population, living under this model, as nearly two-thirds of world's countries and territories have adopted either a civil law system or a mixed system with significant civil law influence.

Modern civil law is derived from ancient Roman law, and Roman jurisprudence was, in turn, founded on the Law of the Twelve Tables. But for Ancient Rome's first three centuries there was no codified law. As Roman jurist Sextus Pomponius explained, "At the beginning of our city, the people began their first activities without any fixed law and without any fixed rights: all things were ruled despotically by kings." But even after the overthrow of the monarchy and the establishment of the Roman Republic around 509 BCE, the capriciousness of legal authority had not waned.

In 494 BCE, feeling particularly dissatisfied with the consuls and patricians, the commoners of Rome abandoned the city and set up camp on the Sacred Mount. Terrified by the potential consequences of the secession, especially the city's vulnerability to attack by foreign forces, the patricians quickly offered conditions for reconciliation. Referred to as the *secessio plebis*, or secession of the plebeians, this is the first recorded general strike in history, and it was so effective that the commoners were given their own magistrates, the plebeian tribunes (see, "Plebeians campaign at Sacred Mount for economic and political rights, Ancient Rome, 494 BCE").

Thirty years later, one of those tribunes, Caius Terentillus Arsa, began campaigning for legal reform. He argued that the

unbridled power of the consuls, in effect, created two despotic monarchs, and was the cause of much oppression and injustice against the plebeians.

Terentillus proposed that, in order that the common people not be subjected to the whims of consular authority in perpetuity, five persons should be appointed to draw up and publish laws regulating consular power. People should be subject to written law, laws that were known and consented to, rather than the vagaries of consuls or the esoteric laws of the pontiffs and patricians, he claimed. But the patricians were quick to condemn Terentillus and his proposal, and the bill was abandoned.

Nonetheless, the desire to create published law did not disappear, and a decade later, in 451 BCE, the tribunes were able to convince the patricians to embark on a course of legal reform “such as might tend to the equalization of liberty.” As a result, ambassadors were sent out to study Greek institutions, customs, and laws, especially the Solonian legal code. Upon their return it was decided that a decemvirate (a commission of ten men) would be elected to compile a code of laws for the Republic, that their decisions could not be appealed, and that no other magistrates would serve during that year. After the decemvirs had produced ten tables, they brought the laws before the public for amendment. They encouraged the people to discuss among themselves the proposed laws and offer appropriate modifications, “...that the Roman people should have such laws, as the general consent might appear not so much to have ratified when proposed, as to have proposed from themselves.”

Once the laws were revised in accordance with public opinion, the ten tables were passed into law. Afterwards, however, some began to argue the need for two more tables, and thus incited a desire to appoint another decemvirate. And, due to the success of the first and the plebeians’ general distaste for consular authority, a second decemvirate was elected. However, the new decemvirs would quickly diverge radically from the behavior of the previous ones. Whereas the previous decemvirs had rotated guards based on who was administering the government on a given day, the new decemvirs each had twelve armed guards. Moreover, the plebeians had been willing to give up the protection of the tribunes because, though the right of appeal had technically been suspended for the decemvirate, the previous decemvirs had submitted to appeal by allowing their colleagues to petition points of law. They even deferred to the people on matters that seemed more appropriate to the commoners’ jurisdiction. However, the new decemvirs denied the right of appeal and mutually agreed to prohibit interference with each other. By all appearances, Rome was now ruled by ten kings.

The violent and tyrannical nature of this decemvirate instilled fear in anyone who would dare “utter a word favourable to liberty.” The plebeians were punished with increasingly arbitrary and cruel treatment, while the decemvirs allegedly conspired to retain their power indefinitely. The leading members of the senate detested the decemvirs and disapproved of the present condition, but were unwilling to assist the plebeians, who they blamed for the state of affairs. In their minds, the plebeians had fallen into slavery because of their overzealousness for liberty, which had caused the appointment of the second decemvirate. The patricians even added to the injuries of the plebeians, with the expectation that the conditions would ultimately make them nostalgic for the form of government they had been so hasty in replacing.

Eventually, the two new tables of law were added to the original ten, and if it could be brought to a vote in the centuries’ assembly, the decemvirate could be retired. But the decemvirs never called for the election. When their term finally expired several months later, the decemvirs refused to hold elections for new magistrates. Instead, the decemvirs, now legally private citizens, maintained their hold on power, arguing that they had not been elected for a term of one year, but until the new tables were ratified. As they saw it, so long as they did not hold a vote for the new laws, they retained their authority.

Sensing Rome’s vulnerability, the neighboring Æquans and Sabines launched attacks on opposite sides of Roman territory. Demoralized by the oppression of the decemvirate, Roman soldiers were routed by both enemies. Amidst the war, one prominent soldier fighting on the Sabine front, a former tribune named Lucius Siccus, secretly began agitating for secession and the election of tribunes. However, he was soon assassinated and the army’s resentment of the decemvirs grew. And while discontent brewed amongst the military abroad, the behavior of one decemvir would further stoke discontent in the city.

While several of the decemvirs had left to head the army, the leading member, Appius Claudius, had been chosen to stay in the city because they believed his extreme brutality was well-suited to suppressing popular agitation. His lust, however, would prove

ill suited, as he became so consumed with the desire to have a young plebeian woman that he abused his power to an extreme intolerable to the Roman people.

The woman, Virginia, was the daughter of a respected centurion, Lucius Virginius, and the fiancée of a popular former tribune, Lucius Icilius. Initially, Appius attempted to seduce her through bribes and promises, but Virginia refused his advances. With her father away fighting on the Æquan front, he then turned to intrigue. Appius instructed a friend, Marcus Claudius, to claim that Virginia was his lost slave. Claudius then seized her as she walked to school, and brought her before the tribunal of Appius. There, he argued that Virginia was the daughter of his slave and thus a slave herself, and that she had been secretly transferred to the house of Virginius. After a forceful speech by Icilius, her fiancée, Appius was compelled to delay his ruling by one day in order to allow Virginius to offer a defense. Upon receiving this news, Virginius rushed to the city, but no sooner had he begun to state his case than Appius interrupted him to condemn Virginia to slavery. Distraught, Virginius grabbed a knife and stabbed his daughter in the breast, proclaiming, “In this one way, the only one in my power, do I secure to you your liberty.” Appius ordered that Virginius be seized, but he managed to escape through the crowd.

The citizens of Rome were outraged by the injustice, and Icilius, among others, began to remind people of the former tribunitian power and right of appeal that the decemvirs had stripped from them. Appius then tried to arrest Icilius, but the people surrounding Icilius broke the weapons of Appius’ guards and ordered them to leave, admonishing them for guarding a man who was technically a private citizen.

Meanwhile, Virginius hurried back to his camp weeping and covered in his daughter’s blood, a spectacle that drew in the entire camp upon his arrival. There, he relayed his tragic story and beseeched his fellow soldiers to honor the death of his daughter and reclaim their liberty. With this, they marched back to the city and set up camp on Mount Aventine, where they quickly elected ten tribunes. Upon hearing news of the tragedy, the army on the Sabine front, still upset over the murder of Siccius, followed suit by also marching to Mount Aventine and electing ten tribunes. The soldiers then began encouraging the people to secede, as well, and elect tribunes of the people. In light of these events, a few patricians put pressure on the decemvirs to resign, but they refused, again citing that the laws they had been appointed to create had not yet been ratified.

A former plebeian tribune, Marcus Duilius, explained to the people that the urgency of the situation would only be adequately conveyed once the patricians and decemvirs saw the city deserted. He urged them to remind the patricians of the commoner’s strong resolve by occupying the Sacred Mount, the site of the 494 BCE secessio plebis. So the plebeians abandoned the city, “imitating the moderation of their fathers by committing no violence.” Recognizing the vital importance of the plebeians, more patricians urged the resignation of the decemvirs, asking, “Will ye suffer all things to go to wreck and ruin? Do you mean to administer justice to walls and mere houses? What are ye to do in case the enemy should approach the city?” Against this united opposition, the decemvirs finally relinquished power. Once it was agreed that tribunitian power and the right of appeal would be restored and that the Twelve Tables would become law, the plebeians returned to the city. Moreover, before marching out of the city to return to war, the soldiers engraved in brass, and placed in the forum for everyone to see, the new foundation of Roman jurisprudence, the Laws of the Twelve Tables.

Today, we can, in part, attribute what may be Rome’s greatest legacy, civil law, a legal system that touches the lives of billions of people around the world to this day, to the nonviolent action of the plebeians.

Research Notes

Influences:

This plebeian secession was inspired by a previous plebeian secession forty years prior, in which they gained the right to elect tribunes (see "Plebeians campaign at Sacred Mount for economic and political rights, Ancient Rome, 494 BCE") (1)

Sources:

“Civil Law Systems and Mixed Systems with a Civil Law Tradition.” JurisGlobe-World Legal Systems. University of Ottawa,

n.a. Web. 3 Dec. 2011. <<http://www.juriglobe.ca/eng/sys-juri/class-poli/droit-civil.php>>.

Kelly, Joseph. "Roman Law." The Catholic Encyclopedia. Vol. 9. New York: Robert Appleton Company, 1910. 9 Dec. 2011 <<http://www.newadvent.org/cathen/09079a.htm>>.

"Legal System." The World Factbook. Central Intelligence Agency, 2011. Web. 3 Dec. 2011. <<https://www.cia.gov/library/publications/the-world-factbook/fields/2100.html>>.

Livius, Titus. The History of Rome. Trans. D. Spillan. London: Johns Childs and Son, 1853. Project Gutenberg, Web. 3 Dec. 2011. <http://www.gutenberg.org/files/19725/19725-h/19725-h.htm#FNanchor_114_114>.

"Population." The World Factbook. Central Intelligence Agency, 2011. Web. 3 Dec. 2011. <<https://www.cia.gov/library/publications/the-world-factbook/fields/2119.html#xx>>.

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