

BIONDO FLAVIO ON THE ROMAN ELECTIONS*

by Frances Muecke

Elections and voting were of great importance in the constitution and the politics of the Roman Republic. They also presented challenges to a Renaissance reader who wanted to know where, when and exactly how they took place, challenges that appealed deeply to Biondo Flavio, the mid fifteenth-century historian of Roman institutions. In book III of Roma triumphans, the first on the government of Rome, he devotes considerable attention to them. This paper is an analysis of this first early-modern attempt to understand the Roman voting assemblies (comitia). In it I compare Biondo's approach in Roma triumphans with his earlier statement on the importance of the comitia in his topographical treatise on the city of Rome, Roma instaurata. After surveying Biondo's treatment as a whole I focus on his understanding of the Comitium, the comitia and the century chosen to vote first (centuria praerogativa).

Le elezioni e il voto hanno assunto un ruolo di grande rilevanza nella struttura e nella politica della Roma repubblicana. Hanno altresì rappresentato sfide per il lettore rinascimentale che voleva sapere dove, quando e come esattamente avessero luogo. Queste sfide hanno profondamente interessato Biondo Flavio, lo storico delle istituzioni romane che visse attorno alla metà del XV secolo. Nel III libro della Roma triumphans, il primo sul sistema di governo di Roma, egli dedica una consistente attenzione ad esse. Il presente articolo è un'analisi di questo primo tentativo moderno di comprendere le assemblee elettorali della Roma antica (comitia). In esso viene confrontato l'approccio di Biondo nella Roma triumphans con le sue precedenti asserzioni sull'importanza dei comitia, espresse nel suo trattato topografico sulla città di Roma, la Roma instaurata. Dopo l'esame complessivo delle modalità di trattazione seguite da Biondo, ci si concentra sulla sua comprensione del Comitium, dei comitia e sul voto della centuria scelta per votare per prima (centuria praerogativa).

Biondo Flavio's *Roma triumphans* (1459) is not as well known as it deserves to be.¹ It was the first humanist attempt to make sense of Roman civilization as a

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¹ For surveys of Biondo's life and works see R. Fubini, 'Biondo Flavio', *Dizionario biografico degli Italiani* X (Rome, 1968), 536–58; D. Defilippis, 'Biondo (Flavio)', in C. Nativel *et al.* (eds), *Centuriae Latinae. II: Cent une figures humanistes de la renaissance aux lumières. A la mémoire de Marie-Madeleine de La Garanderie (Travaux d'humanisme et renaissance 414)* (Geneva, 2006), 87–105; M. Laureys, 'Biondo Flavio', in *Brill's New Pauly Supplements I VI: History of*

whole, and does so on a large scale and in fascinating, if not exhaustive, detail. In *Roma triumphans* Biondo examines the institutions of Roman religion, government, military organization and private life with the declared aim of accounting for the stability and the success of the Romans' rule over themselves and other peoples.² The three books on civic government (III–V) have central importance therefore. Indeed, it has been proposed that concern with the history, nature and role of the state was a unifying theme linking together Biondo's major works from the *Decades* onwards.³ No doubt partly because of Biondo's highly pragmatic approach, the contents of the books on government remain almost entirely unstudied.⁴

My purpose in this article is to offer an analytic reading of Biondo's lengthy account of the elections at the end of *Roma triumphans* book III.⁵ In this he gathered for the first time an astonishing collection of relevant evidence and posed a wide range of questions that remained alive in subsequent research. The task of understanding the *comitia* was a challenge to historians of Rome for centuries.⁶ For these reasons Biondo's largely unprecedented treatment

Classical Scholarship — A Biographical Dictionary (Leiden/Boston, 2014), 53–4; two forthcoming collections will provide a guide to the latest research: A. Mazzocco and M. Laureys (eds), *A New Sense of the Past: The Scholarship of Biondo Flavio (1392–1463)* (Leuven, 2016) and F. Muecke and M. Campanelli (eds), *The Invention of Rome: Biondo Flavio's Roma triumphans and its Worlds*.

² See the Proem of Biondo, *Roma triumphans* book I.

³ R. Fubini, *Storiografia dell'umanesimo in Italia da Leonardo Bruni ad Annio da Viterbo* (Rome, 2003), xii.

⁴ This will be remedied by J. Hankins, 'Biondo and the Roman Republic', forthcoming in Muecke and Campanelli, *The Invention of Rome* (see above, n. 1). A. Lintott, *The Constitution of the Roman Republic* (Oxford, 1999) in his chapter XIII 'The Republic Remembered' does mention *Roma triumphans*, but simply as a prelude to the antiquarians of the mid-sixteenth century (244–7). Detailed studies of other major topics of *Roma triumphans* are also sparse, but see I.G. Mastrorosa, 'Biondo Flavio e le istituzioni di Roma antica: matrimonio e famiglia nella *Roma Triumphans*', in R. Schnur et al. (eds), *Acta Conventus Neo-Latini Budapestinensis: Proceedings of the Thirteenth International Congress of Neo-Latin Studies, Budapest, 6–12 August 2006* (Tempe, AZ, 2010), 471–9; I.G. Mastrorosa, 'Biondo Flavio e i militiae Romanae instituta: una lezione "moderna" su fondamenti e caratteri dell'impero di Roma', *TECHNAI: An International Journal for Ancient Science and Technology* 2 (2011), 85–103.

⁵ Biondo, *Roma triumphans*, 73–81. Biondo prefaces his discussion of the *comitia* with a reminder of the main contents of book III (73): after the catalogue of the most important magistracies he has described the extension of Roman administration and citizenship to the rest of Italy and the provinces before coming, as a natural progression, to the elections.

⁶ Some of the early history of this task is described in W. McCuaig, *Carlo Sigonio: The Changing World of the Late Renaissance* (Princeton, 1989), 183–202. There was little more than half a page on the elections in Andrea Fiocchi's *De potestatibus Romanis* (c. 1425), under *De consulibus* (II, 7). See G. Mercati, 'Andreas de Florentia, segretario Apostolico', in *Ultimi contributi alla storia degli umanisti I: Traversariana (Studi e testi 90)* (Vatican City, 1939), 97–131; M. Laureys, 'At the threshold of humanist jurisprudence: Andrea Fiocchi's *De potestatibus Romanis*', *Bulletin de l'Institut Historique Belge de Rome* 65 (1995), 25–42. After Biondo, the most significant treatments were in Raffaele Maffei, *Commentaria Urbana* (Rome, 1506), book XXIX, fols cccxxiiii–cccxxiiiir; Guillaume Budé, *Annotationes in XXIV libros Pandectarum* (Paris,

deserves notice, and also calls for close analysis, both because of the intrinsic complexity of the subject and because, for many reasons, the pioneering Biondo was hampered in his understanding of it.⁷ Furthermore, this topic is one to which Biondo devotes particular care and attention, as he says (unusually) when introducing it. The section is not typical, then, but displays him rising to engage with the difficult task he had set himself, far more difficult than he could know.

The voting assemblies were of central importance to the Roman Republic, for the right to vote and hence to participate in the election of the annual magistrates, in the making of laws and in decisions concerning war and peace was intrinsic to Roman citizenship. The methods of voting employed for elections and the legislative and judicial assemblies, however, were elaborate.⁸ One term, *comitia*, applied to different types of assembly, convened for different purposes: judicial, legislative and electoral. In *Roma triumphans* book III Biondo's main concern is to explain what happened at the elections of magistrates. The assemblies for the other purposes come up in the later books.⁹

In Biondo's view the elections require a lengthy and well-researched account, but one that will be very pleasing: 'Actum comitii describere aggrediamur, qui longa et altissima, sed omnium gratissima narratione indiget' (*Roma triumphans*, 73). Biondo's interest in the elections is already attested in an earlier work. At a transitional point in his topographical treatise on the city of Rome, *Roma instaurata* (1446), Biondo foreshadows that he will discuss buildings which relate to public administration (II, 39), but when he later comes to introduce the sections in which he does this he warns that it is not his intention 'politica scribere' ('to write a *Politics*') (II, 61). Despite this disclaimer, certain matters tempt him into digressions on institutions and to strong value statements on political matters. One of the most striking of these is on the *comitia* (II, 68):

1508) = *Opera omnia* (Basle, 1557), III, 328–32; Alessandro d'Alessandro, *Genialium dierum libri sex* (Rome, 1522), book IV, 3. The first dedicated study was Nicolas de Grouchy [Gruchius], *De comitiis Romanorum libri tres* (Paris, 1555). McCuaig (pp. 125–6) explains why Biondo's work had by then become out of date for professional historians. See also F. Muecke, 'Beatus Rhenanus, the Roman *comitia*, and Biondo Flavio's *Roma triumphans*', *Bibliothèque d'Humanisme et Renaissance* 77 (2015), 393–7.

⁷ See B. Nogara, *Scritti inediti e rari di Biondo Flavio (Studi e testi 48)* (Rome, 1927), cliv with n. 187: he was dealing alone with a vast and complex subject, and the texts he had at his disposal were limited and corrupt. For an introduction to *Roma triumphans*, see pp. cxlix–clv. A good general reading, with chapters on Biondo's method and his use of sources, can be found in M. Tomassini, 'Per una lettura della *Roma triumphans* di Biondo Flavio', in M. Tomassini and C. Bonavigo (eds), *Tra Romagna ed Emilia nell'umanesimo: Biondo e Cornazzano* (Bologna, 1985), 9–80.

⁸ See L.R. Taylor, *Roman Voting Assemblies* (Ann Arbor, 1966); C. Nicolet, *The World of the Citizen in Republican Rome*, trans. P.S. Falla (Berkeley/Los Angeles, 1980 [1976]), chapter VII; R. Feig Vishnia, *Roman Elections in the Age of Cicero: Society, Government, and Voting* (New York/London, 2012), chapter 4.

⁹ Biondo does not explain the *contio* and *concilium plebis*.

Itaque praeter Senatus consulendi gravitatem, nihil a Romanis factitatum videmus quod comitorum habendorum institutioni aequiperandum ducamus. Comitiaeque verus et solidissimus *reipublicae et libertatis nervus* eam vim habuerunt ut tantum libertas intertrimenti fecerit quantum sensim comitiis est detractum. (Biondo, *Roma instaurata*, 67, my emphasis)

Therefore besides the importance of convening the senate, we see the Romans did nothing that in our opinion must be equated to the institution of conducting elections. The elections, the true and strongest sinew of the commonwealth and liberty, had so much power that liberty suffered as much damage as was gradually suffered by the elections.

Later, the treasury, it too *libertatis nervus*, is added to the senate and *comitia*, ‘quae duo rei publicae et libertatis maxima fuerunt fundamenta’ (‘which were the two greatest foundations of the commonwealth and freedom’, II, 82)) and, in contrast, the location of the *Castra Praetoria* prompts a disquisition on the emperor Tiberius’ introduction of ‘perniciosissimam libertati atque etiam imperio rem’ (‘a very ruinous thing for freedom and even for the Empire’), the ability of the military to impose an emperor (II, 88–9).¹⁰ Biondo’s interest in the *Comitium* and the *comitia* leads him in *Roma instaurata* to break his rule of confining himself to the description of places and buildings. Not only does he talk about aspects of the *comitia* at unusual length in II, 68 but his thoughts about them lead soon after to another, related, excursus in II, 77 on colonization and the expansion of the numbers eligible to vote.¹¹ Hence it is not surprising that Biondo treats the institution of the *comitia* at considerable length in *Roma triumphans* book III: what must be noted, however, is that there is no trace of the terms of his earlier praise of them, the association of the elections with freedom. Indeed, it is noteworthy how seldom the words for ‘free’ and ‘freedom’ appear in *Roma triumphans* overall.

It is hard to say exactly what Biondo meant by his references to *respublica et libertas* in *Roma instaurata*. The ‘democratic’ and anti-Caesarian context in which the statement in II, 68 occurs may give us a clue that he is thinking of a ‘free’ republic as one in which all segments of the citizen community are represented.¹² After the statement comes a reference to Julius Caesar pillaging the treasury and seizing permanent dictatorship with the help of his partisans, and before it one to an episode from Livy book 2. According to Biondo’s

¹⁰ This is the only one of these statements to survive into *Roma triumphans*, in book VI, 131: ‘ut post Tiberium reipublicae et libertatis status a cupienti civitate resumit nequiverit’ (‘so that after Tiberius the condition of republic and freedom could not be regained by the citizens, who desired it’).

¹¹ See A. Mazzocco, ‘Some philological aspects of Biondo Flavio’s *Roma triumphans*’, *Humanistica Lovaniensia* 28 (1979), 1–26, esp. pp. 10–13, on other places in *Roma instaurata* where Biondo strays into institutional matters connected with the buildings he is discussing. In *Borsus*, completed just after *Roma triumphans*, Biondo gives the total number of voters as 300,000: Blondus Flavius, *Borsus* (Edizione nazionale delle opere di Biondo Flavio II), ed. M.A. Pincelli (Rome, 2009), 18.

¹² Livy (for example, 2.1.7) stresses the importance to liberty of the fact that the consuls were elected for a year only. See the preamble to *Roma triumphans* book V (106) on the dignity and equality retained by the three orders that made up the Roman people.

briefest of summaries of Volero Publilius' reform in 471 BC, its result was the establishment of the *comitia tributa* for the election of plebeian magistrates, the tribunes (Livy 2.56.3, cf. 2.58.1), a voting assembly in which, he says, the plebeians as a whole could achieve the majority vote, as they could not in the previously existing *comitia centuriata*, where the patricians held sway.¹³ Biondo therefore marks here the completion of the electoral system, with the coexistence henceforth of the two chief voting assemblies, 'one more authoritative and one more popular'. In fact, he returns to the same passage in *Roma triumphans* (74) to illustrate the difference between the same two assemblies, with the words of introduction: 'In one single place and better than in all the others Livy [2.56.1–2.64.2] demonstrates how the Tribal Assembly differed from the Centuriate.' A comparison of these uses of the same episode from Livy shows up their disparity. In *Roma triumphans* the phase of the patrician–plebeian struggles which led up to the introduction of the *comitia tributa* is not the issue. In the passage from *Roma instaurata* that we are discussing, however, it does matter.

While *libertas* is a concept frequently invoked in Roman literature, especially Livy, in connection with the Roman Republic and its system of annually elected magistrates, I have not found there a similar statement which makes *the elections themselves* one of the chief mainstays of *libertas*.¹⁴ *Libertas* as a multivalent concept of political thought has a vast hinterland: on the one hand, the writings of the Romans themselves,¹⁵ and on the other the revival of classical 'republicanism' in early fifteenth-century Italy.¹⁶ In this connection,

¹³ In *Roma instaurata* Biondo saw the *comitia tributa* as a new entity (cf. Ogilvie's interpretation of Livy 2.58.1, pp. 380–1). The matter is controversial; see C.J. Smith, *The Roman Clan: The Gens from Ancient Ideology to Modern Anthropology* (Cambridge, 2006), 224–8.

¹⁴ *Libertas* was more often connected with the tribunes and their powers. See C. Wirszubski, *Libertas as a Political Idea at Rome during the Late Republic and Early Principate* (Cambridge, 1950), 25–7, 26 n. 5 (citing Livy 3.37.5, 'tribuniciam potestatem munimentum libertati, 'the tribunician power, their bulwark of liberty')). Ogilvie ad loc. adds Cic. *Leg. agr.* 2.15, 'per tribunum plebis, quem maiores praesidem libertatis custodemque esse voluerunt' ('by the tribune of the plebs, whom the forefathers regarded as the defender and guardian of liberty'). On the tribunes see *Roma triumphans*, 57–8. Biondo declines to recount the origin of the tribunes and cites from the mainly critical discussion of them in Cic. *Leg.* 3.9.19–22.

¹⁵ As McCuaig, *Carlo Sigonio* (above, n. 6), 127 says in relation to Sigonio, the fact that *libertas* is a theme of Roman literature is in itself enough to explain a later historian giving it prominence. See Wirszubski, *Libertas as a Political Idea at Rome* (above, n. 14); E. Cowan 'Libertas in the *Philippics*', in T.R. Stevenson and M. Wilson (eds), *Cicero's Philippics: History, Rhetoric, Ideology* (*Prudentia* 37–8) (Auckland, 2008), 140–52; V. Arena, *Libertas and the Practice of Politics in the Late Roman Republic* (Cambridge, 2013). *Libertas* does appear on coins together with emblems of voting, but it is unlikely that Biondo knew them: see Taylor, *Roman Voting Assemblies* (above, n. 8), 39; B.A. Marshall, 'Libertas populi: the introduction of secret ballot in Rome and its depiction on coinage', *Antichthon* 31 (1997), 54–73.

¹⁶ A starting point is R.G. Witt, 'The rebirth of the concept of Republican liberty in Italy', in A. Molho and J.A. Tedeschi (eds), *Renaissance Studies in Honor of Hans Baron* (Florence, 1971), 173–99. For a more recent evaluation see J. Hankins (ed.), *Renaissance Civic Humanism: Reappraisals and Reflections* (Cambridge, 2000). Sallust provided a key text for the connection of

debate among the humanists over the evaluation of Caesar's actions loomed large,¹⁷ and the anti-Caesarian position held him responsible for the loss of liberty. Biondo must have been aware of this debate but he does not take a firm stand. In *Roma instaurata*, despite his tyrannical actions, Caesar is said only to begin the process of suppressing the *comitia*; in *Roma triumphans*, Biondo says that he does not know and it is not consonant with his purpose to decide whether Caesar's 'opinio principatus' ('expectation of gaining supremacy') brought more harm or good to the Roman state.¹⁸

In the extract from *Roma instaurata*, Biondo makes liberty (here, I suggest, understood as participation in self-government) a defining characteristic of the 'Republic' and demarcates it chronologically. In *Roma triumphans*, Biondo's fundamental aim is to explain Rome's Imperial expansion and military successes over the more than a thousand years from the foundation of the city until late antiquity: his interest is in the formation and stability of institutions of government spanning the regal, Republican and Imperial periods.¹⁹ Liberty is not part of Biondo's explanation of Rome's good government and, in its absence, the virtues that Leonardo Bruni associated with it (*magnitudo animi, virtus, industria*),²⁰ and others, such as integrity, moderation and self-control (book V *passim*), bear all the weight. Hankins shows more fully than is possible here that Biondo's 'argument is that Roman success was the result of innate Roman virtue, and not of its free constitution under the republic'.²¹ Therefore, while Biondo continues to consider the elections a key part of the Roman system of government, in *Roma triumphans* he has no reason to highlight their connection with liberty.

In his discussion of the elections in *Roma triumphans* Biondo repeats, supplements or corrects some of the points he has made in *Roma instaurata*. There his main concern was to pinpoint exactly where in the Campus Martius the voting was carried out (II, 69–71, 76–7), an argument he sees no need to repeat in *Roma triumphans* in great detail, but rather takes for granted (73, 77,

libertas with *virtus* (Cat. 7.1–3), P.J. Osmond, "'Princeps historiae Romanae": Sallust in Renaissance political thought', *Memoirs of the American Academy in Rome* 40 (1995), 101–43, esp. pp. 108–9. Biondo does not cite this passage.

¹⁷ D. Canfora (ed.), *La controversia di Poggio Bracciolini e Guarino Veronese su Cesare e Scipione* (Florence, 2001); M. McLaughlin, 'Empire, eloquence, and military genius: Julius Caesar in Renaissance Italy', in M. Griffin (ed.), *A Companion to Julius Caesar* (Chichester, 2009), 335–55. J. Hankins, 'Rhetoric, history and ideology: the civic panegyrics of Leonardo Bruni', in Hankins (ed.), *Renaissance Civic Humanism* (above, n. 16), 176.

¹⁸ *Roma triumphans*, VII, 148. See Fubini, 'Biondo Flavio' (above, n. 1), 553. Biondo alludes to the severe criticism expressed in Cic. *Off.* 1.26, a passage well known in this debate, and which he probably recalls precisely for this reason. See P. Stacey, *Roman Monarchy and the Renaissance Prince* (Cambridge, 2007), 23–30, 188–9.

¹⁹ See the preamble to *Roma triumphans*, III, 54. Soon after (p. 55), he makes the magistrates primarily a characteristic of 'liberae urbis Romae', echoing Livy 2.1.1.

²⁰ Leonardo Bruni, *History of the Florentine People I: Books I–IV*, ed. and trans. J. Hankins (Cambridge, MA, 2001), 50–1.

²¹ Hankins, 'Biondo and the Roman Republic' (above, n. 4).

78).²² Other questions he wants to answer are how did people become candidates (II, 68), how the tribes were summoned to vote, and what and where the ‘pons’ was (II, 69, cf. 71). This last arises in connection with a passage from Suetonius, *Iulius* (80.4), and returns in *Roma triumphans* (78, 80). In *Roma triumphans* there is much on the candidates, and in particular on their whitened toga (76–7), but Biondo does not repeat from *Roma instaurata* his erroneous view that candidates had to seek permission to stand from the senate and people (for which he cited no authority).²³ In *Roma triumphans* Biondo maintains his interest in the large number of voters.²⁴ First, earlier in book III (63) when talking, in the section on the tribes, about the composition of the centuries (one of the voting units), he foreshadows a later explanation of how the marvellous voting procedure dealt with large numbers of voters in a few hours. This same concern later constitutes the main point of the introduction to the discussion of the *comitia* proper (73).

Biondo’s discussion in *Roma instaurata* of the *comitia* in connection with the Comitium had an immediate impact. His contemporary, Giovanni Tortelli (c. 1400–66) was an early reader of the topographical work and used it particularly for the long entry under ‘Rhoma’ (composed 1446) in his lexicographical treatise, *De orthographia*, dedicated to Nicholas V (1451).²⁵ He begins his treatment of the *comitia* (56–9) with topography: the Antonine column, the place where Biondo (hidden under ‘ut multi volunt’²⁶) located them, next to Montecitorio (cf. *Roma instaurata* II, 70, 71, 76), itself joined to the Saeptra by the *pons* (cf. II, 71). Some lexicographical commentary, taking off from Biondo (II, 68), leads to the location of the Comitium (see below). Tortelli ends with information on colonization and the extension of the vote, mostly citing the same sources as Biondo and some of his very words (II, 68, 77).²⁷ He eschews expressing any opinions about the elections’ role or significance.

Given the length and the complexity of Biondo’s more comprehensive discussion of the *comitia* in *Roma triumphans* book III, it is not possible to

²² For voting in the Campus Martius, see Taylor, *Roman Voting Assemblies* (above, n. 8), 47, 85; Nicolet, *The World of the Citizen* (above, n. 8), 246–8. In *Roma instaurata* Biondo puts voting in the Comitium as well (II, 68). The *comitia centuriata* had to meet outside the *pomerium* (Gell. NA 15.27.5).

²³ See E.S. Staveley, *Greek and Roman Voting and Elections* (London, 1972), 145–7 on the *professio*: if and when this was required notification of intention to stand was made to the presiding magistrate; see also Nicolet, *The World of the Citizen* (above, n. 8), 239–43.

²⁴ Whether the numbers were all that large is debated; see A. Jakobson, *Elections and Electioneering in Rome: A Study in the Political System of the Late Republic* (*Historia Einzelschriften* 128) (Stuttgart, 1999), 134–5.

²⁵ Most conveniently read in Giovanni Tortelli, *Roma antica* (RR *inedita* 20), ed. L. Capoduro (Rome, 1999). On Tortelli’s use of Biondo, see pp. 15–18. See further M. Pade, *The Reception of Plutarch’s Lives in Fifteenth-Century Italy*, 2 vols (Copenhagen, 2007), I, 318–20.

²⁶ Capoduro in Tortelli, *Roma antica* (see above, n. 25), 101 n. 281.

²⁷ Not only does he follow Biondo in a corrupt reading of Suet. *Aug.* 46 (the number eighteen for twenty-eight) but he adjusts the number of colonies when borrowing Biondo’s introduction to his citation of Asc. *Pis.* 3C to eighteen to make it conform.

discuss all of it in equal detail. I propose to begin with a survey, as brief as possible, of the main topics Biondo includes in the section and then to focus on three of the more interesting, controversial and difficult topics: the Comitium, the three assemblies and the *centuria praerogativa*. I have given modern references for all the sources, some of which are discussed in my text, while others are recorded in the footnotes alone.²⁸ It is inevitable that a discussion of part of *Roma triumphans* becomes a study of its use (or misuse) of sources, as the work is composed mainly of excerpts. What interests me most, however, is their selection, arrangement and, at times, interpretation. When from time to time errors are noticed, this is in order to demonstrate the limitations under which a well-informed and intelligent scholar was working in the middle of the fifteenth century.²⁹

PRELIMINARY SURVEY

Biondo begins with the Comitium.³⁰ Next he tries to sort out the differences between the three main types of assembly: the *curiata*, *centuriata* and *tributa*.³¹ He then notes some (rare) cases where consuls were elected with an *interrex* presiding and mistakenly assumes this was ‘sine comitiis’ (74).³² When were the elections held?³³ Earlier he said that the time was set by the augurs, though customarily it was 1 January (73). On this question I suspect that Biondo had two sources that misled him: he is unsure whether to plump for 1 January or 1 March (74). The grammarian Placidus, whom Biondo does not cite by name but whom he uses elsewhere in *Roma triumphans*, seems to be alone in giving the date of 1 January,³⁴ while Macrobius says that in March (the first month in

²⁸ Biondo’s own references are incomplete and sometimes wrong.

²⁹ It is useful to identify mistakes which are Biondo’s own, as they can help trace later uses of his work, see F. Muecke, “‘Fama superstes’? Soundings in the reception of Biondo Flavio’s *Roma triumphans*”, forthcoming in Mazzocco and Laureys, *A New Sense of the Past* (see above, n. 1).

³⁰ The first quoted source is from Varro, *Ling.* 5.155. On the covering of the Comitium (cf. Biondo, *Roma instaurata*, II, 67); Livy 27.36.8, 30.39.5; see A. Vasaly, *Representations: Images of the World in Ciceronian Oratory* (Berkeley/Los Angeles/Oxford, 1993), 71–3. On sacrifice in the Comitium, Biondo cites Plutarch’s *Roman Questions*, his favourite Greek source in *Roma triumphans*, Plut. *Quaest. Rom.* 63.

³¹ Gell. *NA* 15.27.5; Paul. *Fest.* 54.1M. This will be discussed further below.

³² Livy 3.54.15–55.1; Asc. *Mil.* 29, 31C; Plut. *Pomp.* 54.4–5. Biondo’s interpretation of the Livy passage is sympathetically discussed by A. Momigliano, *Secondo contributo alla storia degli studi classici (Storia e letteratura. Raccolta di studi e testi 77)* (Rome, 1960), 419–20. Biondo may think he is correcting Fiocchi (see above, n. 6) who states that consuls were elected ‘habitis ... comitiis’ even with an *interrex* presiding.

³³ From Sulla’s dictatorship onwards consular elections (which had to be the first) were held in July: Taylor, *Roman Voting Assemblies* (above, n. 8), 63, 68.

³⁴ Placidus, *Glossary*, in G. Goetz (ed.), *Corpus Glossariorum Latinorum V* (Leipzig, 1894), 11.15: ‘Comitia dicuntur quae fiunt rome ad creandos magistratus Kalendis Ianuarii in campo martio atque omnis populus romanus et universae conveniunt dignitates et de Italia ergo comitia

Romulus' calendar) 'comitia auspicabantur'.³⁵ From this Biondo develops the notion that the augurs consecrated a number of possible days in the year on which the praetor, consuls or tribunes of the plebs could hold elections, for he recognizes that the days were movable.³⁶ There follow two misunderstood points on reforms affecting the composition of the tribes (74–5).³⁷ This leads to a long and not very well organized passage on how to campaign, including points on the difficulties of a candidacy and some of the things that helped,³⁸ and at the end some information on the candidate himself and his wearing of the whitened toga (75–7).³⁹ Here Biondo wants to know when the candidates assumed the white dress and proposes two possibilities: up to a year before for declared candidates and at the last moment for improvised or surprise ones.⁴⁰

At this point the account takes a new direction. Biondo declares that what he has said up till now have been generalities. Now he wants to draw a vivid picture of the 'thing itself', to bring it before our eyes in detail: 'Quaecunque hactenus a nobis de comitiis, candidatis et petitione dicta sunt, generalia fuerunt. Ad ipsam rem nunc ante oculos ponendam particulariter descendamus' ('So far all that we have said about the elections, the candidates and the canvassing has been generalities. Let us now proceed to illustrating the matter itself in detail', *Roma*

conventus necessarii nimis' ('They are called assemblies which happen at Rome to appoint magistrates on 1 January in the Campus Martius and all the Roman people and all the men in high office and from Italy come together. Therefore the assemblies are very necessary meetings'). The oldest MS containing Placidus' Glossary (Città del Vaticano, Biblioteca Apostolica Vaticana, Vat. lat. 1552, together with Paulus' epitome of Festus) is dated 1453. This suggests it had recently become available to the humanists.

³⁵ Macrobius, *Sat.* 1.12.7. What this means is obscure. R.E.A. Palmer, *The Archaic Community of the Romans* (Cambridge, 1970), 100 thinks it may have been some special religious ceremony of the *comitia curiata*.

³⁶ Plin. *HN* 18.13; Cic. *Q Fr.* 2.16(15).3; Livy 6.35.5, 24.7.11, 25.2.4, 26.3.9.

³⁷ Livy 9.46.14–15; Asc. *Mil.* 46C on Cic. *Mil.* 87. On Fabius Maximus Rullianus see R.A. Bauman, *Lawyers in Roman Republican Politics* (Munich, 1983), 34–6. Rullianus was introducing restraint by corralling the urban mob into the city tribes, Clodius was perhaps doing the opposite by distributing freedmen throughout the tribes. See Nicolet, *The World of the Citizen* (above, n. 8), 230. The tribes have been explained earlier in book III of *Roma triumphans* (59–61); see G. Forni, 'Tribù romane e problemi connessi dal Biondo Flavio al Mommsen', in G. M. Forni (ed.), *Le tribù romane IV. Scripta minora* (Rome, 2006), 87–160.

³⁸ Cicero, *Comment. pet.* 17, 28, 29–31, 50; Cic. *Att.* 1.1.2; Cicero, *Comment. pet.* 52–3; Cic. *Mur.* 1, 35–6, 44–5, 53; Cic. *Planc.* 9–11; Cic. *Fam.* 2.6.3; Cic. *Att.* 1.17.11; Suet. *Aug.* 56; Cic. *Mur.* 40, 42; Cic. *Planc.* 50; Plut. *Pomp.* 51.4.

³⁹ Plut. *Quaest. Rom.* 49. See É. Deniaux, 'La toga candida et les élections à Rome sous la République', in F. Chausson and H. Inglebert (eds), *Costume et société dans l'Antiquité et le haut Moyen Age* (Paris, 2003), 49–55. Deniaux stresses that little is known.

⁴⁰ The law against whitening clothes: Livy 4.25.13. It is discounted by Livy himself, and, Biondo argues, contradicted by Livy 4.56.2–3, 57.6, 11 (here the word *candidati* appears for the first time after the law, and Biondo argues that the patricians' candidates would not have disclosed themselves until the last minute); white dress worn for longer: Cic. *Mur.* 68; Livy 37.57.9–13. Different periods are at issue here. Biondo also mentions display of wounds: Plut. *Quaest. Rom.* 49. Plutarch says the candidate wore only the toga, without a tunic. Biondo follows the translation of Gian Pietro d'Avenza (1453) which has 'without a toga' twice; Plut. *Aem.* 31.4–32.1.

triumphans, 77). Biondo begins with the candidates being escorted to the Campus Martius by their supporters, quoting passages that convey something of the atmosphere of rivalry.⁴¹ When he describes the voting procedures (77–80), after setting the scene at the Saepta in the Campus Martius, Biondo gives greater emphasis to the voting of the centuries than to that of the tribes.⁴² Most of the information on the *pons* comes in the description of the voting procedure that begins on p. 78 (especially in the citation from Nonius Marcellus, where the vote happens ‘before the bridge’⁴³) and at its conclusion on p. 80 as the place where the presiding magistrate(s) sat and declared the result.⁴⁴ Given Biondo’s previously expressed interest in the *pons* it requires a brief digression.

Modern scholars believe that in the Saepta (Voting Pens) in the Campus Martius, the location in which Biondo describes the voting taking place, there were multiple ramps (*pontes*), needed to accommodate the large number of voters, at the beginnings and ends of which the votes were handed out and returned.⁴⁵ Each voter walked over a *pons* to vote. Biondo, however, does not cite here the passages in which plural *pontes* occurs in descriptions of voting in legislative assemblies.⁴⁶ By referring only to the singular uses in Nonius Marcellus 523M and Suetonius, *Iulius* 80.4,⁴⁷ he unknowingly conflates a possible but not certain mention of the voting platform with one to the tribunal or podium of the presiding magistrate, or ‘major *pons*’, as Lily Ross Taylor calls it.⁴⁸ By disregarding the multiple *pontes* Biondo here misses an

⁴¹ Livy 35.10.1–10 (extracts), 39.32.10; Sen. *Ep.* 118.3; Suet. *Iul.* 41.2, 76.2; Plin. *Ep.* 2.9.1, 5.

⁴² Biondo has dealt with voting in the *comitia curiata/tributa* briefly above on p. 73 where he says the tribes voted by centuries separately in random order. Modern scholars now accept that the tribes voted simultaneously at the tribal elections in the Campus Martius (Taylor, *Roman Voting Assemblies* (above, n. 8), 40–1; Feig Vishnia, *Roman Elections* (above, n. 8), 96–7). On tribes and the *comitia centuriata* see Lintott, *Constitution* (above, n. 4), 57.

⁴³ Biondo’s ‘pro ponte’ is a corruption of ‘per pontem’, the accepted modern text of Nonius Marcellus 523M.

⁴⁴ This appears to be a plausible inference from Suet. *Iul.* 80.4 where Caesar is said to sit on the ‘bridge’ to summon the tribes to vote: *Roma triumphans*, 78. It is not clear whether ‘in ponte’ in Biondo’s clause ‘cumque acceptum esset ad consulis caeterorumque magistratum praesentiam in ponte suffragium’ (‘when the ballot had been accepted in the presence of the consul and the rest of the magistrates on the bridge’) should be taken with ‘acceptum esset’ or ‘praesentiam’. I incline to the latter.

⁴⁵ See the diagram of the Saepta in Taylor, *Roman Voting Assemblies* (above, n. 8), plate XI, 53, and her account of the procedure (34–41, 79–80). Exactly where the voting tablets were distributed is unknown (Feig Vishnia, *Roman Elections* (above, n. 8), 121–2)

⁴⁶ Cic. *Att.* 1.14.5; *Auct. ad Her.* 1.21; cf. Cic. *Leg.* 3.38. In book IV, 90, however, citing Cic. *Att.* 1.14.5, Biondo calls them ‘maiora tabulata’ (‘larger platforms’) and says they were set out among the rows of seats of those attending the assembly.

⁴⁷ Biondo, *Roma triumphans*, 78, and *Roma instaurata*, II, 79. Singular *pons* is not elsewhere associated with the *comitia* and the relevance of the proverb in Nonius to voting has been doubted from antiquity; see F.X. Ryan, ‘Sexagenarians, the Bridge, and the centuria praerogativa’, *Rheinisches Museum* 138 (1996), 188–90, esp. p. 189.

⁴⁸ Taylor, *Roman Voting Assemblies* (above, n. 8), 79. In his abbreviated citation from Nonius, Biondo anticipates Mueller’s insertion of ‘non’ before ‘mittendos’. ‘Per pontem mittere’ supplements ‘mittere in suffragium’ in Livy 31.7.1 cited immediately before.

opportunity of connecting them with a feature of the electoral procedure which he finds impressive: that is, the handling of the large numbers of citizens eligible to vote.⁴⁹ In *Roma instaurata*, II, 76–7 this observation led him to select a large space in the Campus Martius for the *comitia*, that is, near the Column of Marcus Aurelius, which in his time was called the Antonine Column. It is strange that there his clue for a space of the requisite size is the plan of an enormous portico attributed to the third Gordian (SHA, *Gordiani tres* 32.5–6)⁵⁰ and not the mile-long circumference of the projected Saepta Iulia (Cic. *Att.* 4.16.8), mentioned in *Roma triumphans*, 77.

The Saepta, however, make their first appearance in Biondo's *oeuvre* in *Roma triumphans* in the lead up to the voting proper (77). The place for voting in the Campus Martius was the Saepta.⁵¹ Before voting, Biondo says, the centuries met separately in the Ovilia to consult. He bases this statement on an exceptional incident from the election for 209 BC, in which Livy says that the juniors of the Voturia tribe held a discussion with their elders in the Ovilia (another name for the Saepta).⁵² From this incident Taylor infers that there were special enclosures for each tribe within the voting enclosure.⁵³ It is not surprising that Biondo thinks that the Ovilia were somehow additional or parallel to the Saepta ('totidem') since the term is rare and occurs only here in Livy. The supposed separation of the centuries raises the question of how this was carried out. Biondo says each tribe had its *dirimitores* (or *diremptores*) and *succenturiatores* (77).⁵⁴ He sensibly suggests that the centuries were not made up anew for each single election, and to demonstrate their stability refers to a stone in Santa Lucia in Silice or 'in Orphea' (77–8) 'inscribed with some centuries'.⁵⁵ To organize the centuries there were the *concenturiatores* (captains

⁴⁹ See *Roma triumphans*, IV, 89–90: Biondo does not realize that the legislative and voting assemblies used the same methods of voting.

⁵⁰ See L. Richardson, Jr, *A New Topographical Dictionary of Ancient Rome* (Baltimore, 1992), 314.

⁵¹ On the Saepta, Biondo cites Cic. *Att.* 4.16.8 where Cicero specifies that the *comitia* are tribal; see Taylor, *Roman Voting Assemblies* (above, n. 8), 47. On the Saepta Iulia see E. Gatti, s.v. 'Saepta Iulia', in E.M. Steinby (ed.), *Lexicon Topographicum Urbis Romae IV (P–S)* (Rome, 1999), 228–9.

⁵² Livy 26.22.11.

⁵³ Taylor, *Roman Voting Assemblies* (above, n. 8), 94.

⁵⁴ None of these terms are classical. *Dirimitor* (in the MSS) and *succenturiator* are otherwise unknown but *diremptor* (in the Basle editions), from *dirimere*, is found in late Latin, for example August. *Doct. christ.* 2.20.31. It appears that Biondo derived 'succenturiator' from the verb 'succenturiare', a military term that he found in Paul. *Fest.* 307.11M. For some ideas about how a roll-call may have taken place see Nicolet, *The World of the Citizen* (above, n. 8), 272. On p. 61 Biondo mentions the *album* (or register) of each century supervised by the censors (Asc. *Verr.* 189 Stangl).

⁵⁵ On the church see E.M. Steinby (ed.), *Lexicon Topographicum Urbis Romae III (H–O)* (Rome, 1996), 191; C. Hülsen, *Le chiese di Roma nel medio evo. Cataloghi ed appunti* (Florence, 1927), no. 48, 306; F. Barry, 'The late antique "domus" on the Clivus Suburanus, the early history of Santa Lucia in Selci, and the Cerroni altarpiece in Grenoble', *Papers of the British School at Rome* 71 (2003), 111–39. I have not been able to identify the stone.

of centuries) (78).⁵⁶ At this point Biondo again prepares his readers, resuming and pointing ahead to his description of the vote: ‘Iam in campum et ad septa oviliaque ipsasque tribus et centurias usque pervenimus, candidatosque ad petitionem a suis deductoribus suffragatoribusque deduci videre videmur. Maiore igitur conatu deligendi formam ducimus explicandam’ (‘Now that we have reached the Field and come to the Voting Enclosures and Sheepfolds and the tribes and centuries themselves, we seem to see the candidates being escorted to the election by their sponsors and supporters. Therefore we think that a greater effort must be devoted to explaining the procedure of the election’, *Roma triumphans*, 78). The nexus of the citations from Livy, Nonius and Suetonius shows the consul sitting on the *pons* summoning the voters to it to cast their ballots.⁵⁷ Before this could happen the tribes had to be divided into centuries. The role of the *centuria praerogativa* is introduced but before explaining this Biondo mentions the inspectors of the ballot boxes (*custodes*) and their selection (78).⁵⁸ He then gives a brief account of the voting of the *praerogativa*, from the drawing of the lot to the withdrawal of this century to the Mons Citatorum (Montecitorio).⁵⁹ The result was announced and then the rest of the voting took place. To illustrate this Biondo now cites some passages from Cicero: *Philippic Orations* 2.82, and *Pro Plancio* 44, 49. These are then supplemented with some from Livy, in chronological order, concluding with selections from an episode in Livy 26, which Biondo regards as valuable in that it ‘in many respects fully meets the requirements of our purpose’.⁶⁰

A pendant to the account of the voting so far is a series of footnotes. First is the nature of the vote itself: ‘Reliquum est nobis hac <in> comitorum parte qualia

⁵⁶ Here the Basle editions correct the MSS reading (a garbled version of Nonius Marcellus’ definition of *concenturiare*, 11M), which has the *concenturiatores* collecting ‘dicta a centuriis’. Both *concenturiatores* (in the MSS) and *centuriatores* (in the Basle editions) are found in Renaissance Latin: see R. Hoven, *Lexique de la prose latine de la renaissance* (Leiden, 1994), 116, 86.

⁵⁷ Livy 31.7.1 (not on electoral *comitia*); Nonius Marcellus 523M; Suet. *Iul.* 80.4.

⁵⁸ Plin. *HN* 33.31–2. Biondo misunderstands the passage which he has in a very corrupt state. The ‘nongenti’, the nine hundred officials watching over the ballot-vessels, have become ‘non cincti’, men who were without belts, so that they could not accept bribes. See Nicolet, *The World of the Citizen* (above, n. 8), 276–7.

⁵⁹ See Biondo, *Roma instaurata*, II, 70–1 (the explanation of the etymology is Biondo’s own: M. Marchetti, ‘Un manoscritto inedito riguardante la topografia di Roma’, *Bullettino della commissione archeologica comunale di Roma* 42 (1915), 40–116, 343–410, esp. p. 379 n. 184). In *Roma instaurata*, II, 71 the reason Biondo gives for this withdrawal is that it was to separate those who had voted from those yet to vote. This seems to have been effected by their crossing the ‘dictum . . . pontem’. Tortelli seems to interpret this ‘pons’ as a bridge leading from the Saepta by which the voters made their way to the hill (*Roma antica* (above, n. 25), 56–7). There was simply not enough evidence in this period to show that voters took their vote across the *pons*. The votes of the *praerogativa* were announced outside the *Saepta*: Taylor, *Roman Voting Assemblies* (above, n. 8), 95.

⁶⁰ Livy 26.22.2–14. See Taylor, *Roman Voting Assemblies* (above, n. 8), 93–4 and below. Biondo’s sources, Livy 24.7.12 and Livy 24.9.3, are also discussed by Taylor (93). Also cited are Cic. *Mur.* 38; SHA *Alex. Sev.* 15.2; Cic. *Phil.* 2.82, *Planc.* 44, 49; Livy 5.18.1, 10.13.11, 10.22.1.

centuriae, aut tribus ipsae aliter suffragia ferrent ostendere. Duobus enim modis, sed diversis temporibus id factitatum fuit' ('It remains for us in this part dealing with the Voting Assemblies to indicate how the centuries or the tribes themselves used to cast their votes differently. This used to be done in two ways, but at different times', *Roma triumphans*, 79).⁶¹ Biondo is aware that there had been a shift from the original method of oral voting to the secret ballot. He quotes at some length from Cicero, *De legibus* 3.33–9 ('the major source on oral and written voting'⁶²) where the respective proposers of the four *leges tabellariae* are mostly put in a bad light.⁶³ Biondo recognizes that the matter was disputed (and that Cicero was arguing one side of the case), without disclosing his own opinion.

The written ballot method requires a receptacle for the voting-tablets, which appear for the first time in Biondo's discussion in the quotation from Cicero's *De legibus*. The word for this vessel was *cista*, which Biondo does use in book IV when he is describing voting on written tablets in the courts.⁶⁴ Here instead he mentions the *sitella* and the *urna* which were used for drawing lots and are therefore not relevant (80).⁶⁵ The waxed voting-tablets now require an explanation, which Biondo puts off to his discussion of the jurors' recording their verdict (IV, 105). He nevertheless inserts a brief general passage on *tabellae* as recipients of writing.⁶⁶

A few lines on the announcement of the results bring Biondo's account of the electoral procedures to an end, but he has not yet finished. The thought that an inherently sound system was often corrupted by illicit practices, especially bribery, which could bring about undeserved defeats, leads to these last two topics, and a return to aspects of the candidacy. The examples of bribery and corruption include the delightful but unfortunately unfounded picture of mimes apprehended in the Circus Flaminius that comes from a false reading of Cicero, *Pro Plancio* 55.⁶⁷ The final examples of famous defeats, mostly culled from

⁶¹ See Taylor, *Roman Voting Assemblies* (above, n. 8), 34–5. Cic. *Leg.* 3.33–9 (abridged); Cic. *Pis.* 3; Plin. *Ep.* 3.20.1, 5–6; Cic. *Leg. agr.* 2.4 (abridged and corrupt).

⁶² Taylor, *Roman Voting Assemblies* (above, n. 8), 125 n. 2.

⁶³ See Yakobson, *Elections and Electioneering* (above, n. 24), 126–33; Marshall, 'Libertas populi' (above, n. 15); Arena, *Libertas and the Practice of Politics* (above, n. 15), 56–60. Only the first of these laws, the Lex Gabinia of 139 BC, concerned the electoral assemblies. Cicero argues against secret voting that it does not truly protect liberty.

⁶⁴ For possible illustrations see Taylor, *Roman Voting Assemblies* (above, n. 8), 38–9. For the *cista* see *Auct. ad Her.* 1.12.21; Plin. *HN* 33.31; Asc. *Verr.* 108 Stangl. Cf. *Roma triumphans*, IV, 105.

⁶⁵ Asc. *Corn.* 63C; Tac. *Hist.* 4.7.1.

⁶⁶ Jer. *Ep.* 8.1.8; Enn. *Ann.* 24; Cic. *Inv. rhet.* 1.2; Plin. *Ep.* 4.25.1; Cic. *Pis.* 39 (on *laureatae tabellae*). See *Roma triumphans*, IV, 103; Taylor, *Roman Voting Assemblies* (above, n. 8), 70–4, Nicolet, *The World of the Citizen* (above, n. 8), 275.

⁶⁷ Cicero, *Comment. pet.* 55; Cic. *Att.* 4.17.2, *Planc.* 47–9, 55 (see Nicolet, *The World of the Citizen* (above, n. 8), 310; in the last passage *nummi* is misread as *mimi*); Asc. *Mil.* 26C; Cic. *Verr.* 1.25; Suet. *Aug.* 40.2. On the officials see Nicolet, *The World of the Citizen* (above, n. 8), 298–9, 306.

Valerius Maximus, move away from the topic of bribery to other causes, specifically the failure of some great men to show sufficient self-abasement in their requests for votes.⁶⁸

What I hope has emerged from this survey is the plan of the overall arrangement of Biondo's treatment of the *comitia*. After dealing with some basic preliminaries Biondo takes us through the electoral process from beginning to end in the order in which it happened with the aim of bringing it vividly to life before the reader's eyes, occasionally adding explanatory footnotes, as it were. Again, this imaginative conception is an indication of his interest in the topic. I now return to the three topics selected for closer discussion.

THE COMITIUM

In *Roma triumphans* Biondo's way into the topic of the elections is, as usual, through the terminology. He turns first to Varro on the etymology of the word *comitium* (Varro, *Ling.* 5.155).⁶⁹ Biondo in *Roma instaurata* was the first humanist topographer to single out a category of 'buildings for the purposes of government' (II, 39) and explicitly to use Varro's *De lingua Latina* as a guide to the public buildings of the Forum and their topographical relationships (II, 60, 62, 63).⁷⁰ A site (*locus*) that catches his attention particularly in this connection is the Comitium, now, to his dismay, the location of a publicly sanctioned pig market (II, 67). In early Rome this open space, associated in the Republic with the Curia and the Rostra, was a consecrated meeting place for the *comitia curiata* and, perhaps, the *comitia tributa*, but with the passage of time and the need for more space other solutions were found.⁷¹

Before the middle of the fifteenth century the Comitium receives little notice. Late antique and medieval topographical works do not mention it.⁷² The first sign of interest I have found is in Giovanni Cavallini's *Polistoria de virtutibus et dotibus Romanorum* (post 1345), and that is an authorial marginal annotation

⁶⁸ Plin. *HN* 7.120 (abbreviated); Val. Max. 7.5.2, 7.5.1, 4.5.4, 4.5.3, 7.5.4, 7.5.5, 7.5.8.

⁶⁹ Varro, *Ling.* 5.155: 'Comitium ab eo quod coibant eo comitiis curiatis et litium causa' ('The Comitium is so-called from the fact that they came together there for the Curiate Assembly and for the sake of lawsuits'). See generally F. Coarelli, s.v. 'Comitium', in E.M. Steinby (ed.), *Lexicon Topographicum Urbis Romae* I (A–C) (Rome, 1993), 309–14.

⁷⁰ See F. Muecke, 'Humanists in the Roman Forum', *Papers of the British School at Rome* 71 (2003), 207–33. On humanist access to Varro, *Ling.* see Raffarin-Dupuis in Biondo, *Roma instaurata*, I, lxxi–ii; Varro, *De Lingua Latina*, Book 10, ed. and trans. D.J. Taylor (Amsterdam, 1996), 30–42.

⁷¹ Taylor, *Roman Voting Assemblies* (above, n. 8), 4–6. In the late Republic and for the late Republican authors the Forum, not the Comitium, was the centre of political life, see Nicolet (above, n. 8), 247–8. On tribal elections in the Campus Martius, see Taylor (46–7).

⁷² At least in none of the texts collected in R. Valentini and G. Zucchetti (eds), *Codice topografico della città di Roma*, 4 vols (Rome, 1940–53), is mention found of the Comitium prior to Poggio and Biondo in vol. IV.

in MS G (Guelpherbytanus Gudianus Latinus 47): ‘Comitium est locus ubi consules eliguntur’ (‘The Comitium is the place where the consuls are elected’).⁷³ Cavallini’s *Polistoria* is a ten-book compilation in praise of Rome, much of which is devoted to the topography and history of Rome, so it is not surprising that he wonders about the Comitium, but he does not get very far with it. One hundred years later, in the context of the growing interest in Roman history and the topography of Rome in the early-fifteenth century, the Comitium becomes something to talk about. Indeed Poggio Bracciolini claims to have seen extant remains: ‘Extat tamen Comitii portio quaedam murorum insigni structura, in quibus adhuc duo signa marmorea togata in summo collocata resident’ (‘Yet a certain part of the Comitium is extant with a notable structure of walls, on which there still sit two marble togate statues placed on the top’).⁷⁴

After the completion of Biondo’s *Roma instaurata*, and influenced by it, as we have seen, Giovanni Tortelli included a topographical description of Rome in his *De orthographia*. What he says about the Comitium is embedded in a treatment of the *comitia*. On it Tortelli has a ‘new’ snippet from pseudo-Asconius Pedianus’ commentary on Cicero, *Verr.* 2.1.58: ‘Comitium, locus propter senatum quo coire equitibus Romanis et populo Romano licet’ (‘The Comitium, a place near the senate where the Roman knights and the people are allowed to assemble’).⁷⁵ Another ‘new’ reference to the Comitium used by Tortelli is that in Plutarch’s *Life of Romulus* (19.10), translated by Lapo da Castiglionchio by 1437.⁷⁶ Later, Leon Battista Alberti in his *De re aedificatoria* (c. 1452) commented on the poor quality of the foundations of the Comitium, ‘apud comitium frustris atque glebis ex lapide ignobili substruxere’ (‘at the Comitium they built underneath with pieces and lumps of common stone’, 3.5), and gave a definition, ‘Romae comitiorum proprius erat dicatus locus’ (‘At Rome a special place was dedicated for the elections’, 8.9).⁷⁷

In order to understand what Biondo says about the Comitium in *Roma triumphans* one needs to have in mind the effort he has put in *Roma instaurata* into locating the Comitium ‘in the Forum’ with the Graecostasis ‘in montis

⁷³ Ioannes Caballinus, *Polistoria de virtutibus et dotibus Romanorum*, ed. M. Laureys (Stuttgart/Leipzig, 1995), 280. The annotation is on *Polistoria*, I, 3.4.

⁷⁴ Valentini and Zucchetti, *Codice topografico* (above, n. 73), IV, 241–2. Ph. Coarelli and J.-Y. Boriaud in their ‘note complémentaire’ to p. 38 n. 3 of their text (Le Pogge, *Les ruines de Rome. De varietate Fortunae Livre I*, ed. Ph. Coarelli and J.-Y. Boriaud (Paris, 1999)) tentatively suggest the remains of the Forum of Nerva with the statue of Minerva and the frieze of the myth of Arachne (see E.M. Steinby, *Lexicon Topographicum Urbis Romae II (D–G)* (Rome, 1995) 307–11). Statues in the Comitium were known from Plin. *HN* 34.21.

⁷⁵ Pseudo-Asconius (ed. Stangl), 238.

⁷⁶ See Pade, *The Reception of Plutarch’s Lives* (above, n. 25), I, 286.

⁷⁷ L.B. Alberti, *L’Architettura (De re aedificatoria)*, ed. G. Orlandi and P. Portoghesi (Milan, 1966); S. Borsi, ‘Alberti e le antichità romane: elaborazione di un metodo archeologico’, in M. Disselkamp, P. Ihring and F. Wolfzettel (eds), *Das alte Rom und die neue Zeit: Varianten des Rom-Mythos zwischen Petrarca und dem Barock* (Tübingen, 2006), 45–90.

Palatini angulo' opposite San Lorenzo in Miranda and, concomitantly, the elections both there and in the Campus Martius, specifically in the area around the Antonine column beneath Monte Citorio (II, 69–71).⁷⁸ When he wrote *Roma instaurata* there were ruins to be seen in the 'vigna' near the Palatine. In Biondo's wake Tortelli, addressing the question of where it was, concludes from Varro, *Ling.* 5.155 that it was near the Curia Hostilia, at the foot of the Palatine. In *Roma triumphans* Biondo shifts the vanished 'locus' a little away from the Palatine to the eastern side of the Forum, where, he says, for ten years he has watched ruined buildings and their foundation stones being removed for lime between the basilicas of Sant'Adriano and San Lorenzo in Miranda and between the Great Forum and the Forum of Nerva (roughly the area of the Basilica Pauli).

The account of the Comitium in *Roma instaurata* is much clearer than that in *Roma triumphans*. In the later work one gets the impression that Biondo is supplementing what he has said earlier with further thoughts put together in a rather jumbled fashion. In *Roma instaurata*, II, 68 Biondo begins with a statement, falsely attributed to Aulus Gellius' *Attic Nights*, that the word *comitium* is common to the place and the activity. From the place, or rather the two places, of the elections, the Forum and the Campus Martius, he moves quickly to the activity. In *Roma triumphans* the order is the place, the time and the activity, with a return to two points about the place (the Campus Martius is the sole voting place recognized in *Roma triumphans*), before the move to the activity. Here Biondo's treatment of the Comitium is subordinated to that of the *comitia*.

Accordingly, in *Roma triumphans* Biondo begins by saying that the elections were called *comitia*. There follows the citation from Varro: 'Comitium quod ibi coibant comitiis curiatis et litium causa'.⁷⁹ The relevance of this, and how it shows ('unde patet') that elections took place in the Campus Martius, is unclear. To modern scholars it shows that meetings of the *comitia curiata* took place in the Comitium. Next comes the 'Gellian' statement that by the very same word *comitium* is meant the place and time of coming together and the activity.⁸⁰ Biondo signals the transition from place to activity, and to his main account of the *comitia*, with 'actum comitii describere aggrediamur' ('let us begin to describe the activity of the assembly', 73). It seems perhaps that Biondo is struggling with the terminology and the distinction between singular *comitium* and plural *comitia*. His own usage is consistent (the voting assemblies are always *comitia*) but the 'Gellian' statement, whatever its origin, has confused him.

Others found this a matter requiring clarification too. In his 'Rhoma', Tortelli quotes the 'Gellian' statement from *Roma instaurata*, II, 68 but explains that, according to others, singular *comitium* means the place and the plural form

⁷⁸ Biondo returns to this in *Roma instaurata*, II, 75, 76 and 77.

⁷⁹ Varro, *Ling.* 5.155 (the citation differs from the text in modern editions).

⁸⁰ Cf. Biondo, *Roma instaurata*, II, 68, where 'time' is not included.

comitia was used for the elections.⁸¹ The ‘others’ may be Lorenzo Valla, if not Tortelli himself. In two versions of his *Raudensiane note* Valla comments on Antonio da Rho’s entry on *comitium* in his *De imitatione eloquentiae* of the early 1430s:⁸² in the first, Valla says ‘Comitium est tantum locus vel actus creandorum magistratum, ut “in comitio sedebam”; item “actis comitiis”’ (‘The Comitium is only the place or the activity of electing the magistrates, as “I was sitting in the Comitium”; likewise “when the assembly had been held”’); in the second, he clarifies the difference between the singular and plural uses and adds part of the sentence from pseudo-Asconius Pedianus’ commentary on Cicero *Verrines* 2.1.58, cited more fully by Tortelli: ‘Comitium, locus propter senatum quo coire equitibus Romanis et populo Romano licet’.⁸³

THE COMITIA

A section of Aulus Gellius (NA 15.27) provided the humanists’ main guide for the differences between the three *comitia*. Fiocchi had based on this most of his treatment of the elections, the only one before Biondo’s.⁸⁴ Similarly Biondo begins with it in both works. In *Roma triumphans* Biondo repeats the key point from *Roma instaurata*, II, 68, here introduced as ‘necessariam ... divisionem’: ‘Cum de generibus omnium fertur suffragium, curiata comitia; cum ex censu et aetate, centuriata; cum ex regionibus et locis, tributa’ (‘When the vote is cast according to the family origins of all, the assembly is “curiate”; when it is according to property and age, “centuriate”; when it is according to regions and localities, “tribal”’).⁸⁵ Immediately following is a vexed statement from Pompeius Festus that implies an equivalence between the *comitia centuriata* and the *comitia curiata*, in that in both the Roman people was divided into groups of a hundred each, and this, Biondo comments, has given rise to a gross error, for they were not the same.⁸⁶ The difference, according to Biondo, is that the centuries of the *curiae* (‘id est, tribubus’) were not based on census and age. (Biondo wrongly believed that the *curiae* (wards) were the tribes.)⁸⁷ Each tribe,

⁸¹ Tortelli, *Roma antica* (above, n. 25), 57.

⁸² Lorenzo Valla, *Raudensiane note*, ed. G.M. Corrias (Florence, 2007), 253, 446 (I.VI.8–9, γ V.10.7–8). On the circulation of the ‘redazione primitiva’ and Tortelli’s possible involvement see pp. 68–9. The revised version of *Raudensiane note* (1444–9) overlaps with the composition of Tortelli’s *De orthographia*.

⁸³ Pseudo-Asconius (ed. Stangl), 238. Tortelli has ‘prope senatum’ and Valla ‘post senatum’.

⁸⁴ For Fiocchi see above, n. 6.

⁸⁵ Gell. NA 15.27.5, but Biondo’s text differs at points. He ignores the *calata*, a kind held for consecrating a priest or king.

⁸⁶ Paul. Fest. 54.1M. See Smith, *The Roman Clan* (above, n. 13), 189 n. 18. Smith suggests that the centuries in Festus were originally cavalry centuries provided by the *curiae*.

⁸⁷ See Paul. Fest. 54.7M. Biondo has already stated on p. 60: ‘it is clear from other sources that the tribes were the same as what Livy called *curiae* in book I’ (1.13.6). The error lasted for a century; see McCuaig, *Carlo Sigonio* (above, n. 6), 183–202, 183 n. 19.

he says, was divided into centuries separately, and there was no specific criterion for making up the centuries. In fact, in the case of the *comitia tributa* (much better known than the *comitia curiata*) centuries were irrelevant as the whole tribe voted. Biondo is right to say that in the *comitia tributa* the winning result had to come from a majority of the tribes.⁸⁸ In the *comitia centuriata*, on the other hand, he says, there were centuries in five classes, and they were of the men of military age or older. According to Biondo, the result came from a majority of the centuries ‘when all the centuries had been dispatched to vote’. (This was not always the case as a majority of the centuries could be reached before all the classes had voted.)⁸⁹ He concludes: ‘Haecque comitia semper graviora, et illa magis popularia fuerunt habita’ (‘The latter assembly was always considered more authoritative, and the former more democratic’, 73).

Some examples intended to demonstrate the distinguishing characteristic of the *comitia curiata* as massive popular participation follow, not all of which have to do with elections. The example from Livy of Camillus’ recall from exile and appointment as dictator ratified by the *comitia curiata* (Livy 5.46.10) is far from typical,⁹⁰ yet it seems to have guided Biondo’s thinking about the nature of the assembly. Biondo abbreviates Livy and speaks only of the ratification of the recall of Camillus from exile, omitting his appointment as dictator. Before his explicit turn to the *comitia centuriata* (74) Biondo brings forward some other cases, also problematic to modern eyes. The unanimous vote of the Roman people to restore Cicero’s house, Biondo says, was in the *comitia curiata*, a mistake for *centuriata* (Cic. *Har. resp.* 11). He can include an anecdote about the election of Publius Cornelius Scipio (later Africanus) as aedile in 213 BC when he was under age owing to his popular support in the *comitia tributa* because he mistakenly believes the *curiae* were the same as the tribes (Livy 25.2.6). Similarly Livy 26.18.7 is another example of unanimous popular support: the same Publius Cornelius Scipio was voted proconsular imperium in Spain (210 BC) by ‘not only all the centuries but also all the tribes’. There are no ‘tribes’ here in Livy. The centuriate vote in this case is anomalous and Biondo may have been influenced by other cases where the tribes voted on appointments with proconsular imperium (Livy 29.13.7). There follows an extract from Livy 28.38.6 on Scipio’s unanimous election by the centuries as consul in 205 BC. Here Biondo has in mind Livy’s description of the great numbers who flocked to the elections (28.38.7–8).⁹¹

To show that the *comitia centuriata* were, ‘pro maxima parte’, the proper elections for the consuls and ‘other magistrates’, Biondo now adduces the case of the first consuls (Livy 1.60.3, 2.2.11) and then quotes Cicero, who himself presided over

⁸⁸ Taylor, *Roman Voting Assemblies* (above, n. 8), 80.

⁸⁹ Taylor, *Roman Voting Assemblies* (above, n. 8), 88–90.

⁹⁰ See A.H. Lushkov, *Magistracy and the Historiography of the Roman Republic* (Cambridge, 2015), 122.

⁹¹ He is not deterred by the word ‘century’ because of Festus’ attribution of centuries to the *comitia curiata*.

the election to the consulship of Licinius Murena (Cic. *Mur.* 1) at the *comitia centuriata*. In order to demonstrate the difference between the *comitia tributa* and the *comitia centuriata*, Biondo returns to an episode from early history (the passing of the Lex Publilia) during the struggle between the plebs and the patricians which led to the tribunes of the plebs being elected at the *comitia tributa*.⁹² Using the same episode Biondo had made this point more fully at *Roma instaurata*, II, 68, where he emphasized the participation of all the people at the *comitia tributa*, contrasting it with the power of the upper classes in the *comitia centuriata*.

Coming to Aulus Gellius' third kind of *comitia*, the *comitia tributa*, Biondo states that it was the same as the *curiata*. Why then were there three? Gellius is systematizing a temporal development: the three were not in operation at the same time and furthermore no two of the *comitia* took place simultaneously. The example is Cicero's description in *Familiares* 7.30.1 of a meeting of the *comitia tributa* which had begun in the Campus Martius with the purpose of electing a quaestor being transformed into a meeting of the *comitia centuriata* by Caesar as dictator to elect a consul on the report of the suffect consul's death.⁹³ This was the infamous occasion of the election of Caninius Rebillus for less than a day and in fact demonstrates Caesar's contempt for proper procedure. It is true, as Biondo properly notes, that the age of Cicero was very different from Livy's early Rome. The old *comitia curiata* soon came to have a very circumscribed role, but Biondo is wrong to say that this assembly turned into the *comitia tributa*.⁹⁴ Elections of magistrates were confined to the *comitia (populi) tributa* (curule aediles and quaestors), the *comitia (plebis) tributa* (tribunes and aediles of the plebs)⁹⁵ and the *comitia centuriata* (consuls and praetors).

THE CENTURIA PRAEROGATIVA

Having brought the reader to the brink of his description of the actual voting, and girding himself for the effort this requires ('Maiore igitur conatu deligendi formam ducimus explicandam'), Biondo reminds his readers of his earlier explanation of the system of classes based on property qualification (61–2)⁹⁶ and foreshadows

⁹² Biondo summarizes Livy 2.56.1–5, 64.2.

⁹³ Taylor, *Roman Voting Assemblies* (above, n. 8), 47, 95. See Shackleton Bailey ad loc.

⁹⁴ He could have seen that from, for example, Cic. *Leg agr.* 2.27: 'Nunc, Quirites, prima illa comitia tenetis, centuriata et tributa, curiata tantum auspicio causa remanserunt' ('Now, Quirites, while you are keeping those primary *comitia*, the *centuriata* and the *tributa*, the *comitia curiata* has survived only for the sake of the auspices'). See Smith, *The Roman Clan* (above, n. 13), 180, 197, 225, who argues that the *comitia tributa* replaced the *comitia curiata* for the elections of the tribunes of the people.

⁹⁵ Also called *concilium plebis*: Taylor, *Roman Voting Assemblies* (above, n. 8), 60. Biondo knows nothing of the distinction between the plebeian assembly and the tribal assembly; see Lintott, *Constitution* (above, n. 4), 53–4.

⁹⁶ There he refers ahead to book VI, 129 where the Servian system of centuries is outlined (Livy 1.42.5), with a reference back to 'in comitiis'.

the topics of the *centuria praerogativa*, the drawing of the lot, and the ‘Veturia’. In itself the idea of the *centuria praerogativa* is not difficult to understand. As Biondo says: ‘Praerogativa quid esset, verbum significat’ (‘What the “praerogativa” [the one asked first] was, the word indicates’) (78). Its history, however, and the scattered (and occasionally corrupt) nature of the evidence for it, make it hard for Biondo to grasp.

From about 241 BC, in the *comitia centuriata* one century of members of the first class of one of the tribes was selected by lot to vote first. Its vote was made known and taken as indicative of the final result. Before this time the centuries of *equites* voted first as the *praerogativae*, to guide the vote of the others.⁹⁷ Biondo, it seems, believes that plural *praerogativae centuriae* continued to be drawn from the *pedites*. He says that centuries, called the *praerogativa iuniorum* or *seniorum*, were chosen from all the centuries of the *iuniores* and *seniores*, and from these a further selection was made of a century consisting of the more outstanding men, called the Veturia.

The Veturia remained a live question in Livy commentaries for centuries, despite Carlo Sigonio’s clear demonstration of the state of the case.⁹⁸ In Livy 26.22.2–14 Veturia (or Voturua) is the name of the tribe from which the *centuria praerogativa* of the *iuniores* was chosen by lot and then had to vote for a second time when its first choice for consul, T. Manlius Torquatus, said he could not carry out the military demands of the position. They did this after consultation with the *seniores* of their tribe. Because Biondo did not know that Veturia was the name of a tribe, he could not see that in the Livy passage the ‘Veturia’ was the *centuria praerogativa* of that tribe.

When he comes to the lot by which the *centuria praerogativa* was chosen from the first class of all the tribes, Biondo continues to talk about *centuriae praerogativae* because, it appears, each candidate had his own. In a difficult sentence he seems to say that the candidates could select from which tribe they wished the *centuriae praerogativae* to be chosen by lot.⁹⁹ (He also seems to think that voting by classes was done within the tribes, not across them.) The

⁹⁷ See Taylor, *Roman Voting Assemblies* (above, n. 8), 87–91; C. Meier, ‘Praerogativa centuria’, in *RE Suppl.* VIII (1956), 567–98. Biondo says nothing here of the earlier *centuriae praerogativae* of the *equites* (cf. Livy 10.22.1) before the introduction of the lot (Taylor, 86). He does refer to them in *Borsus* (above, n. 11), 18–19. Biondo did not have access to the explanation of *praerogativae centuriae* in Festus 249.7M. There is little evidence for the organizational reform that took place between 214 and 218, and its import is debated by modern scholars; see Yakobson, *Elections and Electioneering* (above, n. 23), 54–9.

⁹⁸ Carlo Sigonio, *Emendationum libri duo* (Venice, 1557), 447–8. Sigonio defends the MSS reading ‘praerogativa Veturia iuniorum’, against those who could not accept that the name of a tribe could also indicate a century. See McCuaig, *Carlo Sigonio* (above, n. 6), 24–5.

⁹⁹ *Roma triumphans*, 78: ‘Eratque arbitrii candidatorum, tribuum in quibus magis viderent [fiderent MSS] prerogativarum sortitionem fieri, easque quas sorte contigisset exire, et deinde alias centurias a consule vocari’ (‘It was in the say-so of the candidates that the choosing of the *praerogativae* by lot be carried out in the tribes in which they had more confidence and the ones whose lot had happened to be drawn and then the other centuries be summoned by the consul’).

candidates had the privilege of choosing the tribe, he thinks, because of the influential role the *praerogativae*, especially *iuniorum*, had in forecasting the result. On this last point Biondo is on safer ground, citing Cicero, *Pro Murena* 38 on the efficacy of the ‘omen praerogativum’.¹⁰⁰ To illustrate the order of voting more clearly Biondo quotes several passages from Cicero,¹⁰¹ which are still important in discussions of the *comitia*, especially the account of Dolabella’s election in Cicero, *Philippic Orations* 2.82:

Ecce Dolabellae comitiorum dies, sortitio praerogativae exit. Renunciatur, tacet, prima classis vocatur, renunciatur, deinde ut assolet suffragia, tum secunda classis vocatur; quae omnia celerius sunt facta quam dixi. (*Roma triumphans*, 78)

Here is the day of Dolabella’s election. The lot taken for the *praerogativa* comes out, it is announced, he is silent. The first class is called to vote, its vote is announced, then as usual, the ‘six votes’, then the second class is summoned, all of which was done more quickly than my speaking of it.

To give fuller information there follows a series of passages from Livy, all of which touch on the influence of the *centuria praerogativa*.¹⁰² The episode from Livy 26 is allowed the greatest length, Biondo ending his quotation with the words: ‘auctoritatem praerogativae omnes centuriae secutae sunt’ (‘all the centuries followed the authority of the “praerogativa”’).¹⁰³

CONCLUSION

A brief comparison with the treatments of the *comitia* after Biondo and before Grouchy will demonstrate the influence of Biondo’s account.¹⁰⁴ Raffaele Maffei Volaterranus’s very short section on *comitia* in his encyclopaedic *Commentaria Urbana* (1506), in book XXIX (‘Philologia’) under ‘Roman magistrates’, would hardly be worth mentioning, except for the fact that much of what he says comes straight from Biondo: chiefly, some sentences on the *praerogativa*, election of consuls by an *interrex* ‘non in comitiis’, and the candidate’s white dress ‘sine toga’.¹⁰⁵ The erudite Guillaume Budé (1467–1540), in contrast, is more independent-minded. The main aim of his commentary on *Dig.* 48.14, *De lege Iulia ambitus*, is to determine whether this law had any relevance in the Imperial period, but he includes matter that is not strictly relevant to this

¹⁰⁰ Biondo’s reference to military privileges in SHA *Alex. Sev.* 15 is completely beside the point but see book VI, 138, where he emphasizes the *praerogativa* as a way citizen-soldiers had of exercising influence ‘for a long time’.

¹⁰¹ Cic. *Phil.* 2.82, *Planc.* 44, 49: see Taylor, *Roman Voting Assemblies* (above, n. 8), 96.

¹⁰² Livy 5.18.1, 10.13.11, 10.22.1, 24.7.12, 24.9.3.

¹⁰³ Livy 26.22.2–14 (abridged). See Taylor, *Roman Voting Assemblies* (above, n. 8), 93–4.

¹⁰⁴ On Grouchy’s *De comitiis Romanorum* see McCuaig, *Carlo Sigonio* (above, n. 6), 126, 183–202.

¹⁰⁵ See above, n. 6.

question.¹⁰⁶ He gives a brief and clear initial sketch of the conduct of the elections, and then discusses more general questions about them, pausing from time to time on key terms, such as *divisor* (the distributor of bribes). Like Biondo, he essentially reduces the *comitia* to two: for him, the *centuriata* and *curiata*.¹⁰⁷ His treatment of the *centuria praerogativa* goes beyond Biondo's, for he discusses the difference between the earlier *centuriae praerogativae* of the *equites* in the Servian constitution and the *praerogativae* (still plural) drawn by lot in the late Republic, also using Cic. *Phil.* 2.82 (but in an uncorrupted form).¹⁰⁸ The word *praerogativus* was used in various extended senses, as he shows. He concludes by discussing evidence for *comitia* under the Empire.

Alessandro D'Alessandro (1461–1523) gives his chapter the Gellian heading 'Quae fuerunt Romanis comitia centuriata, quae curiata, quae tributa, et quae calata', and it is indeed the fullest treatment of the *comitia* so far, recognizing their other functions apart from the electoral.¹⁰⁹ Nevertheless, it too begins with a detailed narrative of the electoral procedures, which shows acquaintance with *Roma triumphans*. D'Alessandro's chapter is too long to analyse here. Suffice it to say that he seems to accept Biondo's view that 'Veturia' is a term of honour given to the centuries of the 'praestantiores' ('more distinguished men') which voted first in turn, each for its own candidate. No less than Biondo's treatment, D'Alessandro's is a mosaic of ancient sources. D'Alessandro, however, hardly ever identified by name the authors he was excerpting,¹¹⁰ and the *Semestria* of his sixteenth-century commentator, André Tiraqueau (1488–1558), a fellow-jurist, do not always remedy the situation. None of the three follow Biondo in his characteristic interest in the physical setting of the *comitia*.¹¹¹

These successors of Biondo's had two great advantages. Biondo had invented the topic, set its parameters, and collected and begun to fit together many of what are still regarded as the chief sources. They also had the benefit of working with printed texts, not manuscripts, and were thus able to avoid Biondo's more striking

¹⁰⁶ See I. Herklotz, 'Momigliano's "Ancient History and the Antiquarian"', in P.N. Miller (ed.), *Momigliano and Antiquarianism: Foundations of the Modern Cultural Sciences* (Toronto, 2007), 127–53, esp. p. 134 on the strengths and weaknesses of Budé's annotations on the *Pandects*. Elsewhere Budé records his disagreements with Biondo in *Roma triumphans*; see W. Stenhouse, 'Flavio Biondo and later Renaissance antiquarianism', forthcoming in Muecke and Campanelli, *The Invention of Rome* (above, n. 1).

¹⁰⁷ See McCuaig, *Carlo Sigonio* (above, n. 6), 183 n. 19.

¹⁰⁸ See McCuaig, *Carlo Sigonio* (above, n. 6), 187 n. 26.

¹⁰⁹ On D'Alessandro, see D. Maffei, *Alessandro d'Alessandro, giureconsulto umanista, 1461–1523* (Milan, 1956); M. De Nichilo, 'Un'enciclopedia umanistica: i Geniales dies di Alessandro d'Alessandro', in V. Maraglino (ed.), *La Naturalis Historia di Plinio nella tradizione medievale e umanistica* (Bari, 2012), 207–35.

¹¹⁰ For example, whereas Biondo acknowledges his use of Plin. *Ep.* 3.20.1, 5–6 (*Roma triumphans*, 79), D'Alessandro is silent (*Geniales dies* (above, n. 6), 892–3).

¹¹¹ The *Comitium* and the *pons* disappear. D'Alessandro, *Geniales dies* (above, n. 6), 893 merely says that the votes were collected in front of the magistrate's seat (*curulem sellam*).

misreadings.¹¹² Despite this, and the fact that all works from the ancient world were better understood by their time, including the Greek texts for which Biondo had to use translations, none of the early sixteenth-century writers significantly changes the picture. This would require a new approach to ancient historical research. Biondo's real strengths and weaknesses here stem from his choice of underlying format: a 'narrative' description of the elections in the time of Cicero, in which evidence from other time periods is occasionally inserted to show an origin or to chart historical development, without the essential synchrony being disturbed.¹¹³ This provides the reader with a fairly clear and graspable account but does not allow a deeper investigation into any aspects of the topic, or give any sense of the major reforms to assembly procedure which took place over the period to which his sources refer, some of which are still not well understood.

What is striking about Biondo's account of the *comitia* is his tenacious pursuit of the facts.¹¹⁴ The ideological and political, let alone philosophical, contexts and sub-texts of his ancient sources are allowed to intrude as little as possible.¹¹⁵ There is little probing of causes, and there are no comparisons with the institutions or circumstances of Biondo's own day, something Biondo is happy to indulge in elsewhere.¹¹⁶ The fact that Biondo's aim is historical reconstruction, however, does not mean that he does not use his imagination, or appeal to the reader's, by his choice of vivid and telling anecdotes. His treatment is based on long engagement with, and intelligent thought about, his material.

In *Roma instaurata* the topic of the elections was one of the few institutional matters touched on in that treatise where an irresistible urge to admire or condemn uncharacteristically broke through. In *Roma triumphans* the same topic is signalled as one that has especially engaged the historian's interest and prompted much research on his part, but its importance is taken as evident and in no need of underlining. As a fundamental part of the Roman system of government which Biondo has called 'prope divinam' ('almost divine') at the beginning of the book (54), it requires description, not justification.

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¹¹² I do not mean to suggest that early printed texts were free from textual problems. We should also note that the great industry of humanist printed commentaries began in the 1470s.

¹¹³ A comment on p. 74 shows that Biondo is well aware of the temporal disparity particularly between Cicero and some of his information from Livy.

¹¹⁴ See Fubini, *Storiografia* (above, n. 3), 80–1 and E.B. Fryde, *Humanism and Renaissance Historiography* (London, 1983), 19: 'he was indefatigable in his search for correct information'.

¹¹⁵ See *Roma triumphans*, 54, where he proclaims the superiority of the Romans' practices over political theory.

¹¹⁶ See Nogara, *Scritti inediti* (above, n. 7), clv n. 188.