

The Date, Nature, and Scope of the so-called *lex Plautia Papiria*
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The narratives of Appian (1.6.49, 1.6.53) and Velleius Paterculus (2.16, 2.17) give notices telling of how Rome's government eventually agreed to extend Roman citizenship to the Commonwealth's disaffected Allies during the course of the *Bellum Sociale* which started in 91 BCE. These references are decidedly light on detail, but one fact which they seem to make rather clear is that it took more than one occasion (and, by extension, more than one law) to accomplish this enfranchisement. Beyond that, particulars such as the exact terms of these laws, the names of who sponsored them, and precise dates for when they were passed (other than that they were passed by 88: before Sulla's March on Rome, in Appian; during the consulates of Q. Pompeius Rufus and L. Cornelius Sulla, in Velleius) are not given.

In spite of this paucity of specifics, attempts have been made by scholars to fill in the gaps, and the result has been what was until fairly recently a broadly accepted interpretation of Appian and Velleius. According to this construction, the first of Appian's notices (and that of Velleius) refers to the *lex Julia*, a law mentioned by Cicero (*Pro Balbo* 21) and Aulus Gellius (4.4.3) as having given the *civitas* to Latins and some of the other Italian allies. Since one of the consuls for 90 was an L. Julius Caesar who at one point was in Rome (and thus able to pass legislation), this hypothesis seems to be the correct one, and it is for the most part unchallenged. Less so is the second part of the construction, one which states that the other notice in Appian and Velleius refers to what has come to be called the *lex Plautia Papiria*. This law is described by Cicero as giving the citizenship to some Allies, specifically to *adscripti* of Allied towns eligible for the citizenship who do not live in those towns (*Pro Archia* 4.7). Because Cicero elsewhere notes that one of its authors was *tribunus plebis* during the consulship of Pompeius Stabo and M. Porcius Cato (89 BCE), and because Appian and Velleius both indicate that enfranchisement had been completed by 88, it has been difficult for historians to resist the urge to identify this *lex Plautia Papiria* as the law which completed the enfranchisement of the Allies. Contributing to this temptation has been the testimony of the Scholiast of Bobbio (p. 175), whose commentary on the *Pro Archia* states that this is precisely what the *lex Plautia Papiria* did.

Unfortunately, there are substantial problems with this identification. These problems have included difficulties in its timing, in the incompatibility of what the law is said to require when compared to what a massive enfranchisement of the Allies would entail, and in the magistrates said to have carried it out which the sources suggest could not have done so if the *lex Plautia Papiria* had been the missing mass enfranchisement law, assuming such a single law even existed (and no source says it did). Finally, nothing in the sources reliably suggests the *lex Plautia Papiria* had anything to do with mass enfranchisement, since the "evidence" to the contrary in the Scholiast of Bobbio has been shown by the devastating analysis of Ernst Badian to be completely worthless.

Others have noted the difficulties with designating the *lex Plautia Papiria* as the missing franchise law, but have not carried their investigations to the ends to which the evidence could have led them. This essay therefore proposes to that very thing, gathering all which can be known about the *lex Plautia Papiria* in the attempt to show conclusively not only what that law was, but also what is decidedly was not. In the process, it will endeavor to help steer the question of Italian enfranchisement, if not towards a certainty which is probably impossible, then at least away from one scholarly dead end.