Physical *libertas* in the Late Republic and Early Empire

Scholars of late Roman republican political history have shown that the full meaning of *libertas* was very much in the eye of the beholder (Wirszubski 1960; Arena 2012). Although there was general agreement that Roman power ensured the freedom of the Roman people from external domination, political factions applied the term internally in very different ways. Aristocrats seeking to maintain control of the political order, for example, identified the disruptive and unpredictable power of the *plebs* as the true threat to the community's *libertas*; on the other hand, representatives of the Roman people defined *libertas* as freedom from oligarchic control (Wiseman 2009). Crucially, the contests of the final decades of the republic were a contestation over the meaning of *libertas* itself (Arena 2012). This variability in the meaning of political *libertas* is in once sense surprising, given the prevalence of its opposite in Roman culture, slavery. Indeed, political *libertas* always depended upon the awareness of what it meant to be enslaved (Roller 2001). While political Romans could not agree on the tenor of the metaphor of political *libertas* (Are the *populares* our enslavers? Or the *optimates*?), the vehicle of the metaphor was hardly up for the debate, given the pervasive reality of slavery in their culture.

Yet despite the ubiquity of the discourse about political *libertas* in the late Roman republic, there is one aspect of this metaphor that has been underexamined in modern scholarship – the connection between political *libertas* and physical movement. As this paper shows, it was commonly understood in the Roman republic that the unfettered movement of regular people through the streets was an important physical manifestation of their *libertas*; and, contrarily, any imposition on their movement, whether through physical control, or through being shoved aside

by a superior (abetted by underlings), was an important physical manifestation of their loss of *libertas*. Key to this notion was the power of the tribunes of the plebs, which served physically as a kind of movement control, both protecting vulnerable citizens and restraining overweening politicians. The tribunes checked the power of arrogant magistrates by blocking their path. They protected the plebs from abuses by literally preventing magistrates from moving them (through, e.g., the levy). Their protection of the vote was also physical: allowing for citizens to move across the voting bridge and cast their ballot in secret, free from the prying eyes of a powerful patron or protector. In moments of crisis, they led the entire plebeian community in a *secessio*, withdrawing to the Aventine Hill in a physical display of political disagreement (typically in order to prevent the levy of soldiers). And in a few cases, their physical power was wielded over others, such as when they physically arrested consuls or other magistrates who were acting against the popular interest and escorted them to prison.

This paper examines a few examples of this contestation of power in the streets of Rome and their implications for physical liberty: the struggles between Cicero and Clodius in the early 50s, Livy's retelling of the Verginia story in the early Augustan period, and a few quotations of earlier authors in Aulus Gellius where he examines the rights of magistrates to summon others to appear before them. In all these examples, I argue, tyranny and liberty are made physical through these contestations of movement in the streets. The paper concludes with some speculation about how the connection between *libertas* and physical movement may have impacted the topography of the city during the transition to the principate. The well documented recalibration of *libertas* under the Roman emperors (Wirszubski 1960; Roller 2001; Hurlet 2020) had a physical counterpart in the reorganization of movement through the city.

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