

ON DEFINING THE POLITICAL CULTURE OF  
THE ROMAN REPUBLIC: SOME COMMENTS  
ON ROSENSTEIN, WILLIAMSON, AND NORTH

W. V. HARRIS

WHAT is most pleasing about these three papers is that each of them attempts to answer some large questions. The authors see the political culture of republican Rome as a system and try to make sense of the system; their attention is not riveted to minutiae. Rosenstein poses the most specific question, and North ranges the most widely, so without rigidly separating my comments I will discuss them in the order given above.

After some admirably clear remarks about aristocratic competition at Rome,<sup>1</sup> Rosenstein asks why the Romans did not penalize their defeated generals more severely. In other states generals responsible for defeats have often been exiled or even executed. At Rome, he claims, unsuccessful generals did not suffer politically; he agrees, however, that conspicuously successful military commanders reaped political rewards. Why was Rome so tolerant?

Rosenstein's answer consists of four factors in combination. (1) The issue whether generals were competent was not allowed to become political, he says, because the aristocratic system required that consulships and other *imperium*-carrying offices should not be held often by any individual. Instead there was "a myth of universal aristocratic competence." (2) Military failure, like victory, tended to be attributed to the gods, and it was felt that if the gods were displeased with a particular general, they would punish him themselves. (3) Insofar as victory depended on humans, the Romans thought that it was the tenacity of the legions that mattered, not the decisions of generals. (4) What determined the public's estimation of a general was not his success but his personal deportment in battle. Therefore defeated generals only got into trouble if they could also be accused of cowardice. The last of these factors, if I understand our author correctly, was the most important one. On the other hand, so Rosenstein argues, there was no "gentleman's agreement" within the Roman aristocracy that prevented the hounding of defeated commanders.

1. I thank Professor Rosenstein for very kindly showing me the text of his book *Imperatores Victi*, which is to be published by the University of California Press, in advance of publication.

Rosenstein's work on defeated generals is more original than most of what has been written about the republican aristocracy in recent years, and deserves more detailed consideration than it can receive here. The first question of course has to be whether the Romans really were very forgiving toward defeated generals. The case will be presented by Rosenstein in his forthcoming book, and it would be unfair to criticize it before publication. It can readily be agreed, however, that some generals who lost entire campaigns later succeeded in getting elected to higher office, and therefore that there is something to explain.

What Rosenstein calls the "myth of universal aristocratic competence" exists nowhere in the sources, I think, and it collides with the fact that sometimes, at least, military capacity did influence the results of consular elections (usually we do not know in any reliable way what the determining factors were: but consider the second elections, or the first elections for that matter, of Africanus and Aemilianus). Consular candidates in the pre-Ciceronian age almost always had enough military experience to reveal something about their ability in this department, or at least to have acquired reputations.<sup>2</sup>

How the Romans saw the relationship between military success and the will of the gods is a complicated subject. Certainly no one would want to deny that the favor of the gods, to which an army commander was expected to pay attention, was taken quite seriously by most people at all social levels throughout the Republic. However, that is a long way from saying that most Romans believed anyone could be exonerated for military failure on the ground that the gods had decided on a Roman defeat. If this mode of thinking is to be found in the sources concerning the middle or late Republic, I do not know where. Nor do I think that we can plausibly say Roman opinion tolerated the failure of generals because it attributed the outcomes of wars to the legions rather than to their commanders. Nothing in the sources suggests that mid-republican Romans in any way underestimated the military importance of generals' decisions, which was of course very considerable, notwithstanding the extremely limited influence a general could have on the vicissitudes of particular battles once they had started.

Perhaps we ought to allow more space for a "gentleman's agreement." The personal courage (or otherwise) that the defeated commander had displayed no doubt often played a vital part in deciding how he was regarded, just as Rosenstein observes. But class distinctions receive too little attention in Rosenstein's paper. Why was it unthinkable to subject members of the senatorial order to indignities such as the decimation that was inflicted on disgraced legions? Some reluctance on behalf of members of the upper class to inflict severe or humiliating punishment

2. Rosenstein says about the ten years of military service that were a prerequisite for public office in the middle Republic (Polyb. 6. 19. 4): "few if any of [them] need have been spent actually leading troops into battle"—which is literally true but at the same time gives quite the wrong impression. The functions and staffing of the military tribunate require more attention.

on one of their own, coupled perhaps with a profound awareness of the uncertainties of warfare, might be nearly enough to explain why defeated generals were sometimes treated leniently.

Another theme needs careful attention here: the formation of public opinion, especially among the citizens with truly effective votes. Perhaps they did in fact pay some attention to the difficult realities with which generals had to cope. In any case, a great deal undoubtedly depended on rumor and on oratory, as well as on prior political connections. Rosenstein is clearly right to argue that a reputation for personal *virtus* sometimes outweighed the fact of defeat. But what needs a detailed further investigation is how Roman generals saved or tried to save their reputations when they had suffered real or alleged reverses.

Turning to Williamson's paper, one can welcome what amounts to a reassertion of Polybius' notion that there was indeed a democratic element in the Roman constitution—provided that we understand how little that means in terms of modern conceptions of democracy. Still more welcome is her concern with modes of communication in Roman political life, a topic whose importance has been greatly underestimated even for the Ciceronian period.

Her paper starts from a paradox to the effect that while the circumstances in which the republican Romans made statute law were "resoundingly public," the laws themselves were very technical and the procedures for passing them did not really give the ordinary citizens any chance of affecting their contents. Is this so paradoxical? In a state that is predominantly aristocratic, it may be highly desirable to co-opt the citizens into the law-making process while giving them as little power as possible to cause complications by actually drafting or amending legislation.

The essential conclusions of Williamson's paper are, I take it, that "the Roman people were sophisticated about positive law, and . . . their magistrates recognized this," and that while magistrates controlled the details of the law-making process, it was the people who had the decisive voice. The relevance of this to aristocratic competition is that "magistrates and senators had to be actively engaged in the production of positive law," which I understand to mean that this was a major source of aristocratic prestige.

The latter point is rather hard to reconcile with the fact that for years on end the Roman state produced little or no legislation and probably not even much in the way of legislative proposals. The competitive significance of proposing laws cannot have been quite as Williamson proposes. But what I find most in need of elucidation in her paper is the real meaning of "people." For the political meaning of her conclusions changes dramatically if we add in the familiar observation (which she should not, I think, have left aside) that the "people" voted according to highly undemocratic procedures, and, equally important, that the proportion of the citizens who participated in any way in legislation was, except perhaps on the rarest of occasions, a very small one indeed. Like

both the other contributors to this discussion, Williamson pays too little attention to the class structure of the citizen body.

*De lege agraria* 2 deals with specific details of Rullus' proposal, and it is as technical as *De lege agraria* 1, which was addressed to the senate. No cause for surprise. What we have in *De lege agraria* 2 is a published text, ipso facto addressed to a select audience and by no means necessarily the same as the spoken version; the spoken version itself was addressed to a small proportion of the citizen body; the written text is in any case intelligible on its own terms—not much prior expertise is needed; and if, finally, we think of the section of the *populus* that the author was attempting to persuade, the matter becomes still less mysterious.<sup>3</sup>

Williamson refers to Cicero's audience as "the urban plebs." It was "some portion of the urban plebs"—"how big or small a portion is irrelevant." On the contrary, this mundane matter is close to the center of the entire problem of how we should define the political culture of the Roman Republic, for the size and nature of this portion were by no means accidental: they in fact mirrored the position of the citizens within the state.

The same problem recurs in North's paper, with (in my view) negative consequences. North's strategy is to set up an artificial target, the "four linked propositions" that form the so-called "frozen waste" theory—the theory that the politics of mid-republican and late-republican Rome were in effect a private arena for struggles between aristocrats and between aristocratic factions, with the Roman people permitted, at most, to watch what was going on. The trouble with this strategy is that while North some of the time seems to be well aware that no one, or hardly anyone, now believes the "frozen waste" theory (the last book of any significance which could be regarded as belonging to this school may be Badian's *Foreign Clientelae* of 1958), he at other times treats it as a worthwhile target. The component parts of the "frozen waste" theory are not interdependent, so the usefulness of treating them as a single theory is in any case limited. But it is not the artificiality of North's target that is most disturbing; the real trouble is that having lumped four propositions together and called them a theory, North treats the falsification of the overall theory as if it were the falsification of each of the propositions (so that some still-defensible Gelzer is discarded with some indefensible Scullard). Yet manifestly all of them, and indeed some of their component parts too, stand on their own individual merits.

North's account of the modern historiography is open to other criticisms as well. It is curiously insular. The tendency to ignore much of what is written in Italian and German appears to be on the increase once again: it is conspicuous in several recent Anglo-Saxon books about Greek and Roman history. North is not of course to blame for this, and

3. Plautus' references to the language of certain laws also raise the question of popular involvement. The entire question of Plautus' audience or, better, audiences deserves a new treatment, in my opinion.

he himself undoubtedly has a fine command of the scholarly literature; yet it is at least worthy of notice that such contemporary historians as Gabba and Bleicken, to name only two, are so little taken into account.

North proceeds to point out some of the weaknesses of the arguments of those who in recent times have been less inclined to see republican Rome as a pure aristocratic system. He then offers three propositions of his own. North (1), to the effect that *Staatsrecht* "tell[s] us virtually nothing" about political realities,<sup>4</sup> strikes me as an empty tribute to fashion, and it encourages me that North does not seem interested in developing it or in using it as a basis for any other argument. It can be argued with great force that the Roman Republic's "constitutional arrangements" correspond, to a relatively high degree, to the actual distribution of power. Furthermore, these arrangements changed from time to time, and these changes, if properly studied, give us invaluable clues to the distribution of real political power at Rome: the *leges tabellariae* of the Gracchan period are an obvious example.

North (2), concerning the entrenched authority of the Roman oligarchy, seems to me right on target, and a matter of general agreement. Burton and Hopkins have not convinced me, as they have apparently convinced North, that we must abstain from using the word "aristocracy" in this connection, but so be it.

North (3)—"the popular will of the Roman people found expression in the context, and only in the context, of divisions within the oligarchy"—requires somewhat more discussion. For a moment, at least, we seem to be back in the frozen waste. Unfortunately, it is not clear whether North simply means that the popular will could find political leaders only within the oligarchy, or whether he means that the popular will could at most adjudicate between competing aristocrats. At first, the latter seems to be his sense: in some circumstances, he says, the ruling class "accepted the arbitration of popular voting." A little later, however, he accepts from Perelli the notion, hardly novel, that politicians ("careerist" politicians, he says) sometimes sought to evoke popular support. Then still later we return to a description of popular voting as merely "an arbitrarive power."

Is there anything new in saying that Rome was ruled by a competitive oligarchy whose members sometimes had their fates decided by citizen assemblies? This is pretty much the consensus view as it is presented by A. E. Astin in his excellent chapter on "Roman Government and Politics, 200–134 B.C." in the new second edition of volume 8 of the *CAH*.<sup>5</sup> Astin himself denies that we now have a "clear and generally accepted consensus" about the nature of Roman politics in the second century

4. So the text before me. But in the version of his paper published in *P&P* 126 (1990), North's proposition is phrased quite differently: the constitutional rules "never tell us enough about the political life of Rome at any moment" (p. 16). I cannot imagine who would contest this.

5. *Cambridge Ancient History*<sup>2</sup>, vol. 8 (Cambridge, 1989), pp. 163–96.

B.C., but it would be hard, I think, to find more than a handful of competent scholars who would dissent from the main elements in his own account, which emphasizes the power of the senate and of senators without underestimating the role of the *populus*.

It has been a nice coincidence of the 1980s that just when a few scholars have been inclined to argue—most misguidedly, in my view—that republican Rome was (more or less) as democratic as classical Athens, some Greek historians have been trying with greater success to show how limited the participation of Athenian citizens in the democracy really was, and how it depended on a small minority of active participants.<sup>6</sup> Here is a crucial consideration that is largely missing from North's paper, as it is from Williamson's. In a sense the Roman people participated (unlike us, they had the right to vote on proposed laws)—but who participated? Who were the people who chose between one aristocratic leader and another? Who voted on legislative proposals? We need answers in concrete social terms if we are to define Roman political culture. Disdain for *Staatsrecht* has exacted a swift revenge here. But of course *Staatsrecht* does not give the whole answer. One of the most instructive contributions of the 1980s was Ramsay MacMullen's paper, which has not been improved upon as far as I know, about the very small number of Romans who used their right to vote.<sup>7</sup> Why were the ballot laws of the 130s not seen by contemporaries as revolutionary? Because they were for the use, not indeed of the oligarchy, but of a relatively thin stratum of citizens who were propertied and interested in politics and (important limitation) present in Rome.<sup>8</sup> This was what North calls "the symbiosis between ambitious politicians and people who were in need of a political voice"—but the "people" in question were not the δῆμος of a Greek city.

If there is a useful comparison to be made with a modern system, it is just for this reason not with any parliamentary democracy of the late twentieth century—unless we make an exception for the United States, with its appalling record of voter apathy. The old comparison with Britain as it was before the Reform Bill of 1832 is much closer:<sup>9</sup> Elections were of vital importance, and even poor men's votes could occasionally mean something, but an elite with a strongly hereditary element maintained and exploited a system that even a conservative Greek such as Polybius would have found it very hard to call democratic.

In conclusion it may be worth pointing out that many fields of aristocratic competition have failed to make a substantial appearance in

6. See C. Mossé, *REA* 86 (1984): 193–200, L. B. Carter, *The Quiet Athenian* (Oxford, 1986). As far as I can see, J. Ober, *Mass and Elite in Democratic Athens* (Princeton, 1989), never focuses on this question. On the Roman side, see now the corrective of L. Burckhardt, *Historia* 39 (1990): 77–99, which came too late to be discussed here.

7. *Athenaeum* 58 (1980): 454–57.

8. W. V. Harris, *Ancient Literacy* (Cambridge, Mass., 1989), pp. 168–70.

9. Cf. North, *P&P* 126 (1990): 20, n. 53.

these papers. Simply to restore the balance a little I will list some of them: youthful military service, combat by champions, the distribution of booty, criminal prosecutions, the invention of coin-types, the financing of games and other performances, the giving of banquets, the triumph, public works, elaborate funerals, the patronage of poets, and the more direct manipulation of public opinion through oratory.

*Columbia University*

## RESPONSES TO W. V. HARRIS

NATHAN ROSENSTEIN

W. V. Harris proposes that the Roman upper class' reluctance to inflict a severe or humiliating punishment on one of its own, coupled with an awareness that in the uncertainties of war bad luck could befall any of them, would have been "nearly enough" to protect generals who lost battles against their political consequences. I must disagree. Aristocratic culture was deeply competitive, based on the constant struggles of individuals to rise to the top and then to remain there. At the same time, military defeat provoked widespread grief and outrage among the public. Harris' solution begs the question, then, of why the immediate political advantage of raising so effective and obvious an issue against an opponent should have taken a back seat to the more general corporate good derived from suppressing it. Of course, the latter involved some self-interest as well, but at a greater remove: the situation in which one man exploiting another's defeat found himself subsequently attacked on the same grounds might never arise. Most candidates for the offices that entailed leading an army to war surely anticipated victories, not defeats. And many aristocrats had already conducted their campaigns and so were safe from whatever dangers such a failure might bring. Certainly, it would be a surprising thing to find class solidarity and compassion for an unfortunate peer imposing limits on individual ambition here, since they are not much in evidence elsewhere in the political arena. Rarely if ever, for example, did aristocrats scruple to censure, disgrace, fine, and even exile one another in court whenever they got the chance.

Harris' answer also tends to obscure a crucial distinction: the arresting fact here is not really the failure of most *victi* to get punished but their continued political success in many cases. It is one thing to imagine other aristocrats reluctant to exile or degrade one of their own out of a sense of