

## CHAPTER 1

# Methods, Models, and Historiography

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Posterity has always been fascinated with the Roman Republic. The main reason is doubtless the enormous expansion by which the small city-state gradually created a great empire which – at least in its longevity – remains unsurpassed in the Western world to this day among large-scale political organizations that attracted quite broad allegiance. But the complex internal organization of the Roman community has also drawn the attention of later generations. Among the senatorial elite of the Roman Empire the Republic was looked upon as the good old days in which freedom still ruled (see, e.g., Tac. *Agr.* 2.2–3, *Hist.* 1.1.1, *Ann.* 1.1.1); even to the Christian world of Late Antiquity and the Middle Ages it appeared as a period of exemplary accomplishments;<sup>1</sup> to the political thinkers of the Renaissance and early modern age it offered inspiration for the development of models of moderate participatory government;<sup>2</sup> in the nineteenth century Theodor Mommsen reconstructed it as a political system based on immutable principles of law;<sup>3</sup> in the first half of the twentieth century Matthias Gelzer and Ronald Syme emphasized personal relationships as the central structural characteristic of Republican politics;<sup>4</sup> in the second half of the twentieth century the interest in social conflict intensified<sup>5</sup> and a “crisis without alternative” was diagnosed for its last phase;<sup>6</sup> at the end of the twentieth century the Roman Republic was even portrayed as an ancestor of modern democracy.<sup>7</sup> It is in the nature of historiography that such differing approaches and interpretations are all an expression of issues and interests specific to the eras in which they arose, for historical study necessarily draws its questions and concepts from its own time. Nevertheless, this colorful spectrum of reception demonstrates how rich a source of intellectual stimulation the Roman Republic can be, and will certainly remain.

In order to benefit fully from these perspectives and indeed merely to understand the Republic itself, it is absolutely necessary to develop models. In broad terms, a model is the ordering of a series of specific pieces of information by means of a

hypothesis about their relationship, ignoring details that may be seen as irrelevant from a given perspective.<sup>8</sup> Such assumptions about relationships are unavoidable if one wishes to give an account that does not consist simply of isolated details. This means that every account is based on models of this type; yet even the author is not always aware of them, and even less often does an interpreter make them explicit for the reader. In the sketch that follows of the major interpretations in modern historiography of the political system of the Roman Republic (for this will be my focus, for the most part) I shall particularly emphasize the analytical models that underlie these interpretations, for only by means of models of this kind can scholars' claims to an understanding of the fundamental characteristics of the Roman Republic take shape. At the same time, models may be judged by their capacity to integrate as comprehensively as possible the basic data that can be gleaned from the sources for the Republic. Finally, one should keep in mind that a model is always selective, since it is based on decisions regarding the importance or unimportance of data that will be seen differently from differing perspectives, or indeed often also from differing historical experiences, with the result that new models will be developed. It is in the nature of the matter that no model is permanent.

## The Heroes of the Past: Mommsen, Gelzer, Syme

Any attempt to come to grips with the concepts employed in describing and analyzing the Roman Republic must begin with the great nineteenth-century scholar Theodor Mommsen, who described the rise and fall of the Roman Republic in three substantial volumes of his *History of Rome*.<sup>9</sup> Mommsen's history of the Republic is written in a gripping style, interspersed with colorful character-descriptions of the protagonists such as Cato, Cicero, and Pompey, and driven by the firm conviction that there are historical missions before which nations and individuals can fail or prove their mettle, and necessary historical processes which it is the job of the historian to discover. The work was a worldwide literary triumph, to such an extent that the author was awarded the Nobel Prize for Literature in 1902. This was naturally due to the stylistic and intellectual brilliance of the account, but also to a considerable degree to Mommsen's relentlessly modernizing judgments adduced with great self-confidence, which made for exciting reading among the educated public to whom the work was directed (and still does among readers of today). For Mommsen, politics in the Roman Republic was the concern and creation of a dominant aristocracy based on office holding rather than blood which devoted itself for many years entirely to the service of the community and presided over its rise to empire, but then in the late Republic foundered in chaos and egoism as well as mediocrity. Thus came the historical moment for the genius of Caesar to found a popularly oriented monarchy and thereby to lead the empire to the only form of government that remained viable.

For many decades the study of the Roman Republic as a whole remained under the spell of Mommsen's *History of Rome*, but even more of his *Römisches Staatsrecht* ("Roman Constitutional Law"), in which he systematically laid out the institutions of

the Roman state along with their rules and competences as well as their coordination, supported by a careful marshalling and assessment of all available sources.<sup>10</sup> Mommsen's extraordinary achievement of systematization makes this work an enormously impressive juridical edifice that has put its stamp on our conceptions of the Roman state to this day. However, at the root of the success of *Römisches Staatsrecht* lay an appeal not unlike the way in which the *History of Rome* had drawn its narrative pace and its cogency from the compelling premises that the author had made the foundations of his work. The nineteenth-century study of legal concepts was dominated by the idea that a state's legal system was founded on inborn and timeless principles of law whose discovery was the noblest task of the legal historian; and Mommsen, a jurist by training, proceeded from this basic conviction which he then applied to the Roman state. Core elements of Mommsen's construction, such as the all-embracing power to command (*imperium*) possessed by the king which was supposed never to have been substantially limited in the Republic, the idea that the citizen's right to appeal against the penal authority of the magistrates (*provocatio*) was a basic law of the newly founded Republic, and in general the concept of the sovereignty of the People, are consequences of the fiction of immutability with which he approached the subject. All of these ideas have since been thrown into doubt or proven to be improbable by scholars without, however, abandoning Mommsen's edifice completely.<sup>11</sup> This is indeed probably quite unnecessary, for, even if hardly anyone today still accepts Mommsen's conception of an underlying, immutable legal system,<sup>12</sup> nevertheless his immensely learned and intelligent reconstructions of the antiquarian details are indispensable for scholars as well as for students interested in how the Roman Republic functioned.

Against this strong emphasis on legal structure, which in Mommsen's construction seemed to determine the nature of Roman politics, a contrary interpretation was published already in 1912 whose influence is likewise still felt in the present: the sociohistorical account of Matthias Gelzer.<sup>13</sup> The basis of his argument was a new definition of the political governing class, the nobility, to which, according to Gelzer, only the descendants of a consul could belong, while in Mommsen's view some lower offices – specifically the curule aedileship and the praetorship – also sufficed. Building on this premise, in the second part of his work Gelzer identified relationships based on personal ties and reciprocal obligation as a defining element of politics and of the pursuit and exercise of power. Gelzer was Swiss, and his experience with the political conditions of small communities certainly helped him to develop a new perspective, as did also his outsider's stance with regard to the thought of the great Mommsen, a perspective he could more easily adopt than his German colleagues. But the core of his new approach, which was more widely accepted only some years later, lay in a clear emphasis upon the idea that the content of politics as well as the effectiveness of political action was essentially dependant on personal connections within upper-class families and between these and their clients – that is, citizens lower down in the social hierarchy who were tied to them by patronage. Gelzer, who described himself as a social historian and thus explicitly distanced himself from Mommsen's legal-historical perspective,<sup>14</sup> thereby made it possible to recognize the primacy of personal relations over policy in Roman politics. This was seen as a place in

which alliances based on the direct exchange of services dominated the struggles for power in the public sphere, which were almost exclusively about personal advancement and prestige. Friedrich Münzer, starting from Gelzer's new conception of Roman politics, later exaggerated the principle of personal alliance and developed his theory of enduring family "parties" forged by means of marriage connections; in so doing he surely gave too much weight to kinship.<sup>15</sup>

Building on the views of Gelzer and Münzer, but with a wholly distinct stamp, Ronald Syme then investigated the transition from Republic to Empire.<sup>16</sup> Clearly inspired by Hitler's rise in Germany and even more by that of Mussolini in Italy, as well as by the establishment of a formally liberal constitution by the despot Stalin, Syme adopted the style of Tacitus to describe the path to sole rule taken by Octavian, the young adopted son and heir of Caesar, and simultaneously practiced the prosopographic method with unsurpassed virtuosity. Prosopography (from the Greek *prosopon*: "person") refers to the scholarly method whereby as much biographical data as possible are gathered about people of a given social class in order to glean evidence primarily about social mobility, but also regional mobility. Prosopographic research, if it is to be taken seriously as a scholarly approach, is therefore social history and not biography for its own sake. In any case, Syme was able to make use of Münzer's research and described in great depth the complex web of personal relationships connecting the members of the narrower ruling groups and also the wider upper class. In this research the central theme, which he presented with great force, was the connection between Octavian's rise to power with the entry of the leading men of the Italian cities into the senatorial aristocracy. Syme summarized the political credo that underlay all his research in the famous dictum: "In all ages, whatever the form and name of government, be it monarchy, republic, or democracy, an oligarchy lurks behind the façade; and Roman history, Republican or Imperial, is the history of the governing class."<sup>17</sup> Accordingly, whoever wishes to comprehend a form of government or its transformation should not concentrate too exclusively on the personalities of the leading men but must analyze the party that is grouped about its figurehead.

## **Prosopographical Method and the Importance of Personal Relations in Roman Politics**

Only with Syme did the view laid out in Gelzer's work of 1912 – that the core of the organizational and power structure of the Roman Republic was to be found in the institution of patronage and in the friendships and enmities of the nobles (*nobiles*) – reach its triumphant culmination, from which it was to dominate scholarship after World War II. Personal relationships were now seen as Rome's fundamental social glue and the essential basis of power in the Republic to which martial success, wealth, rhetoric, communicative skill, and public representation certainly contributed, but essentially as means of broadening and consolidating bands of personal adherents. Prosopographic works collected evidence about the Republican elites and examined

their relationships.<sup>18</sup> Penetrating case studies illuminated the background of political machinations by relating the ties and obligations of the agents and bringing into focus what was at stake for them at any one time in the relentless pursuit of power. Against a background so dominated by personal ambition and so little shaped by political substance, scholars were inclined to see in popular initiatives – that is, the policies of certain tribunes of the People since the time of Tiberius Gracchus in 133, who pushed laws through the popular assemblies contrary to the will of the senatorial majority – only a method of increasing one’s personal prominence, and no deeper sociopolitical concerns.<sup>19</sup>

Among those who advanced the prosopographic study of personal associations, Ernst Badian merits special distinction for his numerous important contributions since the 1950s, which unfortunately have not yet been assembled in a single volume.<sup>20</sup> A further high point of this line of research is Erich Gruen’s copious investigation of *The Last Generation of the Roman Republic*.<sup>21</sup> Gruen comprehensively reevaluated the unusually rich source material of the post-Sullan Republic in order to reconstruct the conflicts and struggles for power of that crucial period. His emphasis falls clearly on the political class, whose personal ties and machinations he meticulously laid open to view without, however, neglecting the broader upper class and the *plebs*. The eruption of civil war in 49 is the culmination of this multifaceted study; the central thesis is that the Roman Republic was intact at its core, or at any rate not at all at the point of collapse, but that it was brought to ruin by the historical accident that an individual by the name of Caesar, as talented as he was unscrupulous, began and won a civil war. Even if the main thesis has not won general acceptance, Gruen’s book nevertheless remains indubitably a standard work on Roman politics in the last decades of the Republic (see also Chapter 29).<sup>22</sup>

To Badian also goes the credit for fully applying to Roman foreign policy the idea that personal connections were the main determinant of action. In his classic *Foreign Clientelae* he traced the development of obligations of loyalty which bound Rome with other communities, and which generally began asymmetrically as a result of Roman victories but at any rate increasingly manifested a clear imbalance of power in the course of Rome’s rise to empire.<sup>23</sup> These relationships were based on the reciprocity of services rendered and consequent obligations of gratitude that were similar to the connections between patrons and clients at the heart of Roman society. In addition Badian also worked out the connections between Roman politicians and communities and individuals in the empire, which could also be described following the patron – client model. Badian thereby placed emphasis on an enormous network of personal relations which partially replaced governmental administration.

## New Concepts: “Crisis” and “Historical Process”

Much of what I have outlined, necessarily sketchily and very selectively, still counts today as part of our basic fund of historical knowledge about the Roman Republic. The works mentioned above mark unmistakable advances; nobody would wish to

return to the state of the subject before the investigation of the Roman elite launched by Gelzer and Syme and carried forward to such a high level by Badian, Gruen, and others. Building on this solid foundation of knowledge about the political class, Christian Meier – in his attempt to improve our understanding of why and how the Republic broke down – focused on the practice of politics and its deficiencies.<sup>24</sup> He was able to establish that the limited substance of politics and the great concentration on persons encouraged rather than hindered the mutability of coalitions, and therefore that the scholarly approach that concerned itself with long-standing family alliances and explained decisions as the successes of one or another party was inconsistent with the evidence of our sources, which furnished evidence for swiftly changing relationships.<sup>25</sup> Yet if politics was not characterized by stable factions, this does not mean that the study of personal connections was pointless; rather (according to Meier) such connections were so multifarious and overlapping already in the middle Republic that the capacity to mobilize them in any specific case was not to be taken for granted, nor in any case could they suffice to attain the intended goal: specifically, to win an election.

For the period of upheaval in the late Republic Meier substituted the concept of “crisis” for the term “revolution,” which had been widely employed since Mommsen and Syme but was first given precision and theoretical depth by Alfred Heuss.<sup>26</sup> Yet since in the late Republic there was no new social class seeking to drive out the old elite – and therefore no class struggle – and since the civil wars were not conducted even with the pretence of bringing a different type of political structure into existence, the concept of revolution can only be used in a diluted sense, as a process of fundamental change brought about by the considerable use of violence.<sup>27</sup> Meier makes use of a conception of crisis as a stage in which massive problems that are also perceived by contemporaries force either the decisive restoration or collapse of a system; this is considerably better suited than “revolution” to illuminating the conditions of the late Republic.<sup>28</sup>

For the fall of the Republic, Meier coined the phrase “crisis without alternative” (see also Chapter 29).<sup>29</sup> He meant by this that at this time many political actors, if not necessarily all, were conscious that some things were not working as they should in the Republic, but that nobody knew how to repair the damage, and those who might have wielded political power in the system still felt sufficiently secure that no one had the idea of forming an entirely new political structure. Contemporaries were therefore aware of a crisis and also sensed that the crisis was fundamental and could not be made to go away with a few small reforms, but there was neither a plan nor even a kind of vague longing for the removal of the system.

As Meier made clear in his introduction to the new (1980) edition of *Res publica amissa*, his analysis of how politics functioned amounted to a new theory of political association based on the idea of extreme flexibility in forging alliances, and therefore that all remaining assumptions of similarity to modern political parties had finally to be abandoned.<sup>30</sup> Moreover, Meier enriched the understanding of political developments in the Roman Republic by means of his conceptualization of “historical process.”<sup>31</sup> This refers to a model of historical change in which a definite direction of change can be recognized which is produced by the actions of individuals and

groups, the stimuli (“impulses”) of the “historical process.” The concept of historical process involves differentiating between primary and secondary effects of actions: primary effects are the intended consequences of actions; secondary effects, the unintended results. Processual developments are marked by the predominance of secondary over primary effects, that is to say that the results of agents’ actions slip out of their control. Meier argued that this was the case in the late Republic, the last phase of which indeed he characterized as an “autonomous process,” that is, a development in a distinct course that could no longer be changed by the actions of any of the participants.<sup>32</sup> Every attempt to halt or turn back this development only promoted its further advance through its secondary effects. The direction of the historical process had become fully independent of agency.

## New Methods: Comparative Studies of the Lower Class and Demographic Modeling

With Meier’s reconceptualization of the Roman Republic’s tendency to endure our understanding of politics and the rules by which it functioned was substantially deepened. But Meier had concentrated on the political dimension, where the senators played a special role. Although Meier had indeed thoroughly discussed the *equites* (“knights,” essentially the vast majority of the wealthy who were *not* senators) and the *plebs*, he had done so to demonstrate that any fundamental reconstruction or reform of the Republic could not have originated with these classes. Indeed, according to Meier the Republic fell into the “crisis without alternative” precisely because the potentially powerful group of the *equites* could safeguard their vital interests without changing the system and the ordinary people could not really attain power despite – or because of – their partial integration into the state by means of the popular assemblies. It was partly only a natural reaction that after long years of the dominance of the political aspect as well as of research into the upper class, interest grew in the 1960s in social history, and particularly in the lower classes. But this was also favored by the general political climate in the West, where the reduction of social inequality had moved higher on the agenda.

Several works now elucidated the harsh living conditions of the Roman *plebs* and described the sometimes violent ways in which they responded;<sup>33</sup> others emphasized the deep fracturing of Roman society owing to social conflicts.<sup>34</sup> That the broad mass of the rural citizen population, which had been largely deprived of their rights, played a decisive role as soldiers in dissolving the aristocratic Republic was seen as an ironic consequence of the relative indifference of the upper class toward the interests of the poor.<sup>35</sup> But in order to understand better the situation of the lower classes it was necessary to investigate issues such as life expectancy, family size, the division between city and hinterland, migration, the burdens of military service and taxes, and the threat of plagues and failed harvests. Karl Julius Beloch’s early interest in demographic questions had, however, initially not been taken up by others,<sup>36</sup> and so it was an epochal innovation when Keith Hopkins in the 1960s introduced the methods of

historical demography into ancient history.<sup>37</sup> Scholarship at this time became generally somewhat more open to the theoretical stimulus of the social sciences, a change that I cannot pursue here in detail.<sup>38</sup> However, a particular appeal of Hopkins's approach was that quantitative methods of social analysis, which had been considered inapplicable to antiquity because of the very limited and unrepresentative nature of the sources, were now applied to Roman history.

The central problem, however, was a methodological one from the start. As everyone was aware, the usual documentary basis for demographic statistics did not exist for Rome, and even today debate continues as to whether the observations in our sources – for example, concerning population decline – reveal some aspect of actual developments or only about the perceptual patterns and obsessions of the educated classes from whom these statements originate. Statistics based on inscriptions are largely a dead end. Analyses of bones from individual graveyards do not permit as exact a determination of age as one would like, and do not yield precise dates of the time of burial; furthermore, there is always the question of whether or not they are representative. So there was some basis for Hopkins's radical skepticism in excluding all data that were not entirely reliable, attributing no significance to consistency with data from other sources, and essentially relying on comparison with better known pre-modern demographic developments as represented in the Model Life Tables of life expectancy, which are extrapolated by computer modeling from censuses and other quantitative data from pre-industrial societies of the recent past. By this method it is possible to generate different types of demographic development and to see very clearly the consequences of slight changes in some basic parameters like fertility rates or marriage ages. However, it is not easy to prove that Roman demography should be modeled on one type of development rather than another, and the variations are not irrelevant. In the meantime less pessimistic approaches have been advocated that do attribute some validity to the ancient evidence, at least to the extent that clues may be gleaned from it as to which pre-modern type of demographic development the Roman Empire seems to resemble most closely. Now there seems to be some preference for the employment of Model West Level 3.<sup>39</sup> Since in this approach the papyrological evidence from Roman Egypt takes a particularly important place, these simulations and models are oriented to the Imperial period and their details are therefore not central for the purposes of this volume.<sup>40</sup>

While Hopkins's use of the Model Life Tables to formulate hypotheses about Roman demography was focused on the Imperial period, his approach always had significance for the Republic since there is no reason to suppose that the relevant parameters of demographic development had fundamentally changed. This was accepted by Peter Brunt in his monumental study *Italian Manpower*, published already in 1971, in which he had gathered and carefully interpreted all of the data relevant to demographic development from 225 BC to AD 14.<sup>41</sup> In this work Brunt largely wanted to update Beloch's work, but he was also able to make use of Hopkins's first articles. Brunt's book long dominated this area of research; it was the standard work to consult for information on matters such as the scale of mobilization for military service, the nature of population shifts and migrations during the Republic, what was known about the age at which Romans customarily married, and



the like. However, in recent years the basis of Beloch and Brunt's analyses, namely their calculation of the citizen population, has been thrown into question above all by Elio Lo Cascio, who roughly triples their figures for the citizen population of the Augustan period. The basis of his reconstruction is the assumption that the Augustan census-figures give the number of male citizens, as was quite traditional.<sup>42</sup> Neville Morley has recently worked out the repercussions that such a population increase since the second century, if accepted, would have on our ideas of the developments of the middle and late Republic.<sup>43</sup> Second-century Italy would then hardly have been marked by a drop in the rural free population but on the contrary by an increase; and this, according to Morley, makes the hunger for land and the Gracchan program of agrarian distribution much more understandable than Beloch's and Brunt's model, according to which sufficient land should actually have been available. But as interesting and promising as these consequences of the "high count" of citizen numbers seem to be, Walter Scheidel has now convincingly demonstrated that the implications of such a densely populated Roman Italy do not fit our knowledge of demographic development and, moreover, contradict some of the other evidence we have.<sup>44</sup> So the better solution seems to be to accept that Augustus changed the meaning of census figures by including not only adult males as before, but also women and children, in accordance with the principle we know to have been followed in the provincial censuses he established for the first time.

Stimulated by this demographic research, and also by the increasingly refined findings of landscape archeology as well as by the search for a better understanding of the conflicts of the Gracchan age and their effects down to the fall of the Republic, scholars have turned increasing attention in recent years to the distribution of property and to the modes of agricultural production and thus embarked upon a closer investigation of the concrete facts of lower-class existence. Much is in flux, and I cannot trace here the wealth of suggestions, hypotheses, and rebuttals. I might single out one new approach: according to Willem Jongman, the great estates that have traditionally bulked so large in accounts of social and economic change in the Middle and Late Republic were not the dominant feature of the Italian countryside, a massive slave population was perhaps more an urban than a rural phenomenon, and the displacement of grain cultivation by the vine and olive may instead have been a marginal development.<sup>45</sup> For land tenure an unusual body of sources is available in the writings of the Roman land surveyors,<sup>46</sup> which had already prompted Max Weber to undertake a seminal investigation. Important studies have now been published of the forms of land division and their symbolic and social significance,<sup>47</sup> and the rituals that attended the foundation of a colony have been made the subject of a stimulating investigation.<sup>48</sup> Nathan Rosenstein shows in his newly published book how the disposition of farmland, family structure, and demographic development interact, and how our reconstructions of specific agricultural forms directly determine our picture of the potential for social and political conflict. Building upon the conclusion that the average age of marriage for men was quite late, he demonstrates that for average Romans the demands of peasant small-farming were more consistent with frequent and long-term military service than had previously been thought.<sup>49</sup> He notes that the high military death rate also brought relief in the competition for

ever-scarce farmland, and points out that the survival of soldiers also increased the risk of poverty for their families if they did not succeed in acquiring additional land.<sup>50</sup>

These highly controversial investigations into the size and development of the population have established an important branch of research into the history of the Republic. There is potential here to make a very considerable contribution to social history. For this purpose the most important sources are the Model Life Tables for pre-industrial societies, which alone make a quantitative approach possible; and demographic assertions without a quantitative basis remain impressionistic and of limited validity. That the application of the Model Life Tables has been accepted in general despite some criticism is also connected with a clear adjustment of goals found already in Hopkins's work. That is, the goal is not to find one uniquely valid model with which to portray exactly the structure of the Roman population. Rather, it is to assign the Roman world to a group of such model statistics in a well-reasoned manner, not in order to calculate the Roman numbers precisely but rather to produce a probable range within which Roman circumstances fell. Above all, in this way one can prove that various ancient opinions or modern reconstructions and models are unrealistic – and that is no small thing.

## **The Decline of Patronage as a Comprehensive Explanation and the “Communicative Turn”**

Building on a better understanding of the *plebs* and the *equites* and their political significance in the capital, we were able to see the power networks and competitive struggles of the ruling class in a new light. The criteria for membership in the nobility were now newly reinvestigated, and in so doing the question of the openness of the elite was posed afresh; the scope and practical consequences of the patronage system were also subjected to critical reexamination. Peter Brunt attacked Gelzer's rigid view that only the office of the consul (also the consular tribune and dictator) ennobled a family and returned to Mommsen's position that the curule aedileship and the praetorship would also have been sufficient.<sup>51</sup> Shortly before, Jochen Bleicken had already made clear that the nobility for the Romans was a category of people, not a fixed group held together by regular cooperation, and certainly not a legal category.<sup>52</sup> This means, however, that one cannot count at all on the use of a precisely fixed terminology in our sources, particularly since social groups always have blurred boundaries. Therefore Gelzer's definition cannot be absolutely refuted by the appearance of some contrary examples in the sources' language as long as in the overwhelming majority of cases the members of consular families were counted among the *nobiles*.<sup>53</sup> Furthermore, Karl-Joachim Hölkeskamp has emphasized the meritocratic character of the nobility, that is that individual accomplishment, above all in political office, always played an essential role, so that descent alone was never enough, and inertia was incongruous with this status.<sup>54</sup>

More fundamental criticism of Gelzer's understanding of how Roman politics functioned came from research into the nature of political association or the client

system. Here Peter Brunt drew from earlier studies the radical conclusion that personal connections between unequals with reciprocal expectation of benefits, which is often understood under the concept of clientage, normally did not establish exclusive obligations nor were even close to universal to the degree that would in some way have integrated each citizen into the system.<sup>55</sup> Erich Gruen challenged the theory that relations between Rome and the communities and states both within and without the empire were to be seen as patron – client relationships; as for the networks of “foreign *clientelae*” that on an earlier view had held the empire together, Claude Eilers has recently refuted the idea that this type of relationship was generally pervasive and dominant.<sup>56</sup>

No one disputes that the patronage system of the Roman Republic was important, since many resources were allocated through the operation of patronage with complete legality and in full conformity with custom.<sup>57</sup> But the view that political decisions both in the popular assemblies and in the Senate would have been largely determined by patronage relations should now be abandoned at last. This would clear the horizon for studying the remarkable intensity and multifarious forms of communication between upper and lower classes in Rome.

The fact that the focus upon ordinary people was now sharper inspired Claude Nicolet to undertake his impressive portrayal of the Roman Republic from the perspective of the citizen.<sup>58</sup> Nicolet deals with the sharp contrast between the ability of the citizens of the capital to exercise their rights and the diminished capacity of those citizens scattered throughout Italy to do so; he examines in addition the ideology of freedom and its practical consequences for the individual, and above all the areas in which the citizen was directly involved in the affairs of the community, such as the review of the lists of citizens (*census*), military service, taxation, and the popular assemblies. In this sphere, personal presence and communication always played a large role. The citizen had to position himself with regard to the demands of the polity in differing and carefully regulated contexts of communication, and in this very concrete way was integrated into the community.

In 1976, the same year in which the original edition of Nicolet’s important book was published, Paul Veyne produced his monumental investigation into ancient “euergetism,” the generosity of the wealthy for the benefit of the general public.<sup>59</sup> He impressively documented the great material and even greater communicative investment that the Roman upper classes made on behalf of the *plebs* at Rome, and showed that this behavior cannot simply be put down to social policy or bribery. Our modern inclination to interpret the motives of political agents essentially in terms of the calculation of material interests falls short here. The liberality of Roman senators was an unquestioned part of their self-representation and an essential factor in the integration of the citizenry (see also Chapters 17 and 18).

The books of Nicolet and Veyne granted central importance to communication in the analysis of the Roman Republic, and although some time passed before this perspective won broader acceptance, still today, in hindsight, we can discern a paradigm shift among models of the Republican political system.<sup>60</sup> So the year 1976 brought the “communicative turn” under whose influence scholarship remains to this day.

## The Struggle for Democracy

The communicative turn and the shaking of the certainty that an all-embracing system of clientage made Rome into an oligarchy of patrons gathered in the Senate whose innermost circle, the nobility, largely dominated politics, gave considerable impetus for the radically new position taken by Fergus Millar. In a series of articles and books published since 1984 Millar has fought against underestimating the role of the People and the popular assemblies, and has increasingly attributed democratic features to the political system.<sup>61</sup> According to Millar, past research had greatly exaggerated the role of the Senate; the Senate was after all not a parliamentary body with legislative powers; in his view, the idea that the Senate played a governing role in the Republic was a fiction, and the nobility had never formed a dominant group.<sup>62</sup> Millar emphasized the basic facts that the Roman popular assemblies chose the magistrates and above all legislated, which was the accepted manner of validating the fundamental modifications and decisions of the community, at least from the second century. If then the assembled People were not bound by clientage to the members of the ruling class in such a way that they mechanically voted as their patrons commanded, other criteria must have predominated. Millar regarded the great scope of public communication, especially the countless speeches before the assembled People, as proof that the People and their opinions were important, and indeed that orators had to devote a great deal of effort to persuading this People, if they wished to make their mark as politicians and to pursue a successful career despite heavy competition (see also Chapter 20).

Fergus Millar's view that the Roman Republic possessed conspicuously democratic features (and perhaps should even be classified as a democracy) met with a mixed reception, but it is indisputable that Millar's model has, since the mid-1980s, provided the strongest stimulus to the debate about the political system of the Roman Republic.<sup>63</sup> Discussion revolves principally around three points: about the influence of senators and the Senate, the relative openness or exclusiveness of the political elite, and its collective character; about the importance of the popular assemblies and their votes in the political system; and more generally, about the significance of publicity in Roman politics.

## Elite Continuity and Senatorial Influence

In criticizing the theory that the Roman Republic was controlled by a narrow elite, Millar was able to build upon the investigation by Hopkins and Burton into the rate at which successive generations of the same family reached the consulship. They had established that the number of consuls with consular ancestors was considerable (around 65 percent), but for the first time they had also clearly stressed that a series of families did not succeed in repeating electoral success in the next generation.<sup>64</sup> Then, in a painstaking prosopographical study, Ernst Badian presented more exact

data on the consuls' lineage and found that the proportion of consuls who came from families that had already produced at least one consul never fell below 70 percent in all his periods between 179 and 49.<sup>65</sup> However, it is possible to draw differing conclusions from the finding (which in principle had long been known already) that many consuls of the Republic, but not all, originated from the nobility (however defined) – that is, that there was obvious continuity of the elite but no complete closure of the office-holding aristocracy, and there were certainly chances of entry for outsiders. Should we, with Hopkins and Burton, give central importance to the concept of social mobility, or, following Burckhardt, the oligarchical tendency?<sup>66</sup> The question to what extent noble descent gave increased prospects for success is in no way secondary; the structural determinants of unequal chances for political success inherent in any political system call for examination, all the more so those of a system with marked democratic features, which after all, according to Millar, the Roman Republic was supposed to have been. Since our fragmentary factual evidence leaves us quite in the dark about a number of important questions – for example, the number of candidates in individual elections, the subsequent paths taken by nobles unsuccessful in their political career, the integration of those climbing the ranks into political networks, and the resources of successful and less successful families – we have no other recourse than to undertake a precise examination of the consular lists marked off in periods defined by external criteria, as Hans Beck has now done anew for the middle Republic.<sup>67</sup> If we examine and compare discrete phases, we do not hide the changes that naturally affected entry to the consulate in the course of history behind a single, averaged figure.<sup>68</sup> And the conception of “symbolic capital” borrowed from Pierre Bourdieu may actually convey quite well the significance of family distinction in the political system of the Republic: a solid fund of prestige, which, however, could dissipate if the successes of a man's ancestors lay too far in the past, and which did not determine his own success even if it was fresh and impressive, but instead influenced the competition more or less strongly in relation to other factors.<sup>69</sup>

Millar attacked the widely held views that the Roman Republic was a kind of aristocracy or oligarchy, that it had been governed in some unusual way by a small elite, and that there had been something like a political group of nobles.<sup>70</sup> In fact, however, it is far from self-evident that there would be solidarity among noble families directed against ambitious outsiders, or in pursuit of collective dominance and the preservation or expansion of their competitive advantages, since after all the *nobiles* were engaged in intense competition with each other. Hölkeskamp has now made use of the theory of nobility proposed by the sociologist Georg Simmel to show how competition for office on one hand, and a consensus upon rules for that competition and against rule-breakers on the other, might be reconciled with each other.<sup>71</sup> Furthermore, some years ago Nathan Rosenstein persuasively elucidated an element of the collective ethos of the leadership class that had not been clearly discerned. Rosenstein observed that many Roman magistrates who had suffered military defeat while in command during their period of office afterwards continued their careers without a setback. This seemed an astonishing phenomenon in a society so fixated on war and victory as Rome's. To explain it Rosenstein formulated the illuminating hypothesis that since all the members of the political class were exposed

to the risk of military defeat, they cultivated a code of conduct that forbade using such defeats as a political weapon against unsuccessful generals – as long as these had conducted themselves bravely, in accordance with the rule.<sup>72</sup> Rosenstein went on in another study to show that this was not a manifestation of solidarity solely limited to or focused on the nobility, but rather that it encompassed all defeated commanders even if they were “new men” from outside the circle of distinguished families.<sup>73</sup> The group in which this solidarity operated, that is, was that of all magistrates, who were of course senators. The essential point however is that here we come upon a restriction upon competition that was self-regulating and evidently functioned well – which proves that senators and young politicians striving to enter the Senate were in a position to establish and respect such rules.

Ultimately it is not of great importance whether one describes the nobility, the most esteemed families of the senatorial political class, as an aristocracy. Millar’s objection that it was not a hereditary aristocracy is not especially consequential,<sup>74</sup> since on the one hand this is evident and undisputed, but on the other, the conception of aristocracy as a prominent and privileged group is not in fact tied to formal heritability. But above all the element of achievement, which is often seen as a central distinction between the modern meritocracy and the class-based concept of aristocracy, is of course not in itself a decisive criterion, since at the root of every aristocracy lies a claim to achievement, as the name “rule of the best” itself shows, except that one did not give evidence of one’s capacity for achievement as one does today – by such feeble means as grades on examinations at the top universities for aspiring leaders in the economic realm, or among scientists, by the size of their grants, and so on – but by one’s ancestry and the accomplishments of one’s ancestors. The fact therefore that Roman politicians regularly needed to be successful in popular elections and that “new men” could also succeed in them, although the members of the ancient noble families statistically (that is, not unconditionally in every actual individual case) had considerably better chances, justifies completely our continued use of the term “aristocracy” for the core of the leadership class, without thereby necessarily making the claim that the entire political system was aristocratic through and through.

In the end one can make the idea of rule by the nobility concrete only through a two-step investigation of the Senate, first by demonstrating that it was predominant in the Republic, then by making a persuasive case that within the Senate the nobility – represented perhaps by the cadre of ex-consuls, although this was not identical with the nobility – determined policy. It is now generally recognized that neither of these propositions held true in uninterrupted and absolute fashion.<sup>75</sup> However it is undeniable that often it was the Senate that set the political course, and that if a threat arose to the system that gave them a privileged position the leading senators might close ranks against it.<sup>76</sup>

On the whole, therefore, it is beyond dispute that the continuity of the elite was considerable and that senators and Senate exerted wide-ranging influence over political decisions and the form that politics took; on the other hand, however, it is equally clear that members of the elite were obliged regularly to communicate with the People and needed to win popular votes for the advancement of their own career and their other objectives.<sup>77</sup> To assess the significance of the democratic features of

the Roman Republic the essential questions are therefore those concerning political representation of the People and the scope of decision-making in the popular assemblies.

## Assemblies

The ability of the Senate to pursue its goals and to put into practical effect its ability to make recommendations based on its authority (*auctoritas*) was essentially dependent on the degree of solidarity that it was able to develop. As is well known, however, in the last decades of the Republic there was a series of conflicts which could not be resolved within the Senate, with the result that the opportunities for popular action necessarily became correspondingly larger. John North sees here a stimulus for the democratization of the Republic.<sup>78</sup> However, even if the phenomenon as such is undisputed, it is still not at all clear how extensive this democratization was.<sup>79</sup> That substantially depends on our reconstruction and evaluation of the Roman popular assemblies, which have been the subject of vigorous discussion in recent years. In Rome there were various types of popular voting assemblies, all of which were divided into voting units. The relevant ones for our purposes are the “Centuriate” assembly (*comitia centuriata*), which was articulated according to wealth and was responsible above all for the election of the higher offices, and the “Tribal” assembly (*comitia tributa*) and Plebeian assembly (*concilium plebis*) – in both cases divided according to “tribes” (*tribus*), that is, according to regional districts – in which the remaining officials were chosen and almost all laws passed (see Chapter 12).<sup>80</sup>

The openly timocratic structure of the Centuriate assembly in which the consuls were elected has furnished the obvious counter-argument against accepting the idea that the democratic elements were wide-ranging; but this has now been moderated by Alexander Yakobson, who argues that the first class of voters, which was given special weight by the structure of the Centuriate assembly, did not at all consist of the wealthy, but rather of people of quite modest means; and that elections were frequently decided only in the “lower” centuries – that is, that although ordinary people did not possess a vote of equal weight to that of the wealthy they nevertheless were important and correspondingly courted, and also profited from bribery as a result.<sup>81</sup> Even if there are objections against some parts of this astute construction,<sup>82</sup> one can still hardly deny that candidates fought electoral campaigns intensively and committed all their resources, especially their financial means; that the vote of the People was ultimately decisive; and that the result of the elections at least during the Ciceronian era was regarded as highly unpredictable.<sup>83</sup> The question however is: to what sort of disposition among the voting population did the candidates direct this intensive commitment of resources?

For adherents of the thesis that the Roman Republic had pronounced democratic features it is precisely the enormous expenditure with which Roman candidates pursued their campaigns and in general conducted themselves in public that proves the decisive importance of ordinary people in politics and thereby the democratic

character of the system.<sup>84</sup> However, an alternative model has been proposed in opposition to this which softens the force of this inference. Research into political culture has developed the distinction between content and expression in politics, with the help of which we are able to adopt an approach that takes better account of the symbolic dimensions of communicative and material exchange.<sup>85</sup> Many activities of the political class in Rome can be understood as acts of euergetism (see above) and of public self-representation. They naturally promoted an individual's prestige and helped him in the elections, and an extraordinary monetary outlay was also more or less standard in campaigns; yet such investments were made not only in pursuit of an thoroughly pragmatic end, as, for example, the election to a particular office, but they were also part of the ethos of Roman politicians. They were a necessary aspect of his role as a member of the political class, who in specific communicative contexts had to show respect to the People as formally the final arbiters, and who in addition had to demonstrate his generosity and concern for their welfare.<sup>86</sup>

Millar dismissed the overt, thoroughly conscious and fully intended inequality of votes in the Centuriate assembly (cf. Cic. *Rep.* 2.39ff.), which hardly manifests a democratic element, with this comment: "The significance of the graduated voting, in descending sequence by groups belonging to different property levels, as found in the 'assembly of centuries' has been absurdly exaggerated."<sup>87</sup> Despite his stated agreement with Yakobson's conclusions,<sup>88</sup> he nevertheless did not wish to concern himself closely with the elections but instead went on in his search for democratic features to the votes on legislation, that is in particular to the popular assemblies organized by "tribes," which had become in practice the chief legislative organ, and to the preparatory and informational meetings called *contiones* whose audience was not formally organized into groups. Millar's repeated emphasis upon the fact that all legislative proposals required popular approval and his derivation of the influence of the popular assembly directly from this principle show that in his model the formal rights of political institutions play an essential role; thus, to a certain degree, he stands in the legal-historical tradition represented above all by Mommsen's *Staatsrecht* (see above).<sup>89</sup> However, the development of historical anthropology has long since drawn the attention of scholars to the social norms of human behavior that are not based on formal law, and from this perspective we have come to recognize that if formal rights are regularly not pursued to their full limit, this customary restraint is a part of the system and not an epiphenomenon irrelevant to the system.<sup>90</sup> So Egon Flaig subsequently drew attention to the fact that the popular assemblies almost always agreed with the bill proposed before it, on the basis of which he went so far as to deny that the popular assemblies were decision-making bodies, defining them instead as "consensus-producing bodies," i.e., as institutions in which upper and lower classes essentially announce their consensus publicly and thereby consolidate it.<sup>91</sup> Scholarly discussion thus shifted to the *contiones*, the non-voting assemblies, which were comprehensively studied by Francisco Pina Polo.<sup>92</sup> Flaig also accepted that in the *contiones* there was a possibility for discussion of competing alternatives and thus conceded to them the power to influence decisions to a relevant degree,<sup>93</sup> while Millar saw in the *contiones* the place where ambitious politicians employed persuasion to prepare the ground for the later voting.<sup>94</sup>



Among the advances brought by Millar's reinterpretation of republican politics was certainly an emphasis upon speech as a medium in which political content was communicated. But here the fact that Roman politicians gave speeches in the popular assemblies before legislative decisions also admits of various interpretations. As Hölkeskamp has emphasized, these speeches do not necessarily imply a situation of open decision-making; rather, there are more or less fixed roles to which orators, who – as Pina Polo has documented – belong almost completely to the upper classes, and the assembled people must accommodate themselves: senators spoke and asserted what needed to be done, the People listened and followed their advice.<sup>95</sup> Senators in the popular assemblies adopted a fairly standardized mode of behavior, emphasizing the competence of the People to make decisions and their own dedication to the interests of the general public. This mode can be described as “joviality,” that is, as a specific attitude of interaction among associates of different social status in a well-defined communicative situation, in which the higher-status agents ritually level the differences in status between them and those below them, without awareness of those differences being thereby forgotten.<sup>96</sup>

The symbolic dimension of political communication in Rome has meanwhile been explored in a variety of ways – for example in representational art or as an aspect of the maintenance of order in a city without appreciable policing.<sup>97</sup> It is therefore not absurd to suppose that in the popular assemblies the symbolic reinforcement of social solidarity may have been considerably more important than the specific content of the matter to be decided. Indeed a few years ago Henrik Mouritsen undertook a critical reevaluation of Millar's basic assumptions about those who actually gathered in Roman assemblies and partly cut the ground out from under them. Although Millar had repeatedly acknowledged that personal presence as the basic principle of Roman participation made participation practically impossible for an increasing number of citizens during the course of the Republic, he left it at that.<sup>98</sup> Mouritsen, however, attempted to determine the actual level of participation, at least in broad outline. By calculating the available space for the assembly and the duration of voting he came to the conclusion that at most 3 percent of registered male citizens could be physically present at elections in the late Republic, and he collected strong evidence for substantially lower actual participation in the *contiones* in particular.<sup>99</sup> The mere fact that in an age without microphones the distance over which a speaker could project his voice was limited sets limits upon the size of the group.<sup>100</sup> Furthermore, Mouritsen points out that for this reason alone orators may have been less likely to be able to express themselves successfully – or even to wish to speak – before a hostile audience, for the crowd by its noise could very easily make it impossible for a speaker to be heard. Consequently, he argues, an orator would normally have gathered about himself a group of men who were already committed, which would also explain why we occasionally hear that both a popular tribune and his senatorial opponents were each fully supported by the audiences of two consecutive *contiones*: different audiences were actually present. Mouritsen concludes that “in general the character of a *contio* appears to have been closer to a partisan political manifestation than to a public debate.”<sup>101</sup> As Mouritsen rightly observes, Meier's idea that participants in *contiones* and especially in legislative votes would more or less have represented the spectrum of the Roman

population is also a groundless hope.<sup>102</sup> Moreover, Mouritsen argues that the ordinary city population, which is often supposed to have been the chief constituent of *contiones*, would have lacked the free time to attend these meetings, since after all they would have needed to work hard for their livelihood and their families, and besides (on his view), it is hard to imagine that such people had any real interest in listening to long speeches on matters that for the most part did not affect them at all while neglecting their own daily necessities. Consequently Mouritsen believes that the audiences of *contiones* would have been members of the leisured class who could afford to spend their time in the assemblies and who readily supported their allies in the senatorial order.<sup>103</sup> Only in the last decades of the Republic, according to Mouritsen, did popular tribunes partly succeed in drawing broader segments of the population into their *contiones* by distinct appeals to their interests; but this also meant that henceforth the *contiones* were increasingly orchestrated partisan rallies.<sup>104</sup>

Mouritsen's arguments, taken as a whole, have considerable weight, even if he is unpersuasive in his claim that economic pressures and a lack of interest in the issues under discussion would as a rule have kept the poorer plebeians away from the assemblies.<sup>105</sup> His criticism of Millar's thesis that the *contiones* and legislative assemblies embodied a democratic element, and that this element was central, has however itself been scrutinized in turn and modified in part by Robert Morstein-Marx in a nuanced analysis of the *contiones*. This study focuses on public speeches, above all those of the *contiones*, a form of political publicity that Morstein-Marx considers to be an essential mark of the system. On his analysis, orators were obliged to appeal continually to the *plebs* and to respond to their feelings and reactions, so that in practice only in exceptional cases could a magistrate make full use of the formal right to impose a tribunician veto or to lay before the voters a contested bill if this was against the clearly expressed will of the People.<sup>106</sup> With judicious argumentation Morstein-Marx substantiates some fundamental elements of Millar's model, above all with his stress upon regular interaction between elite and mass, seen as the central buttress of the political system, and with his recognition that the expression of the popular will in *contiones* was normally decisive. But Morstein-Marx is skeptical about how far one can describe these characteristics of the system as democratic, since he considers too weakly developed a central factor that for him is essential for democracy: debate between alternative views of a problem and more fundamentally the dissemination of information to the general public.<sup>107</sup> On this view, the content of communication was overall so one-sidedly dominated by the members of the upper class that the interests of wider sectors of the population were addressed in politics only in a rudimentary fashion.<sup>108</sup>

## Public Politics

Despite their differences, Mouritsen's and Morstein-Marx's reflections upon the structures of Republican politics give a sobering picture of the chances ordinary people had to shape the issues and outcomes of Roman politics in a way that reflected

their own interests. Thereby they raise the fundamental question: What, then, does the indisputable intensity and frequency of public action and communication by Roman politicians actually mean for the system? If, as appears probable, the specific content of politics was often less important in the forms of public communication than the expressive aspect – if, that is, the view of an assembly was normally not formed in open discussion but laid forth in splendid rhetoric – then the ritual dimension inherent in these assemblies gains a special significance. Keith Hopkins has argued that the numerous rituals in which citizens participated were an important aspect of public life in Rome.<sup>109</sup> Rituals can be defined as standardized sequences of action, designed for repetition and heavy with symbolism, by means of which participants become integrated as members of a group.<sup>110</sup> If one views the Roman popular assemblies as rituals, then differing integrative functions may be attributed to their different organizational principles: meetings of the Centuriate assembly would then be considered rituals of hierarchy, those of the “Tribal” assembly as rituals of equality.<sup>111</sup> The integrative experience may have given the essential impetus to attend the assemblies even when one’s own interests were not at issue in the vote. In addition, the popular assemblies may have attracted a number of ordinary citizens because they could feel important there and enjoy being treated respectfully by the great magnates.<sup>112</sup>

In his latest book, Egon Flaig, building upon his previous research, thoroughly analyzes the ritual dimension of public communication in the Roman Republic and seeks to illuminate its cultural significance.<sup>113</sup> He discusses triumphs, funeral processions, popular assemblies, and games as well as the peculiar gestures of exhibiting scars or tearful pleading. What emerges is a great array of rituals that hold society together by defining roles and by their integrative power, and which as a whole demand an enormous communicative effort from the political class. As Flaig impressively shows, the Roman aristocracy won the *plebs*’ wide-ranging obedience by constant hard effort.

The modern concepts to which we should relate the individual elements of the political system of the Roman Republic take into account therefore the ritual dimension of public life, and especially need to account for the great communicative engagement of the political class as well as the simultaneously deep-rooted tendency of the People to comply. One can develop a model that will make these phenomena clearly understandable from a broad conception of institutions.<sup>114</sup> By this definition, institutions are not restricted to what we for the most part understand by the term in ordinary usage, namely formalized organizations like a Department of Inland Revenue or Parliament, but instead patterns of social organization are characterized quite broadly as institutional when they are made enduring by means of symbolic expression of their basic principles and claims to validity. In practice this means that romantic relationships, informal fishing groups, and television dramas are just as institutional as the Marines or Harvard University. The great advantage of such a widened concept of institutions is that it does not unduly privilege legal rules over traditional social norms: both forms are equally effective for the perpetuation and stabilization of behavior and expectations and are more or less symbolically laden, so that so far as their character as institutions is concerned it is impossible to rank one

above the other. In the case of the Roman popular assemblies this means, therefore, that rules of procedure are not given more importance than the behavioral pattern that induces citizens to comply with the recommendations of the presiding magistrate. It would be inconsistent with this conception to accept any argument based on the premise that the formally secured rights of the People are a more relevant expression of the system than the fact that regularly these rights are not claimed.

Every ritual that can also be described as an institution in the sense sketched above has an instrumental and a symbolic dimension. To illustrate this, let us have another look at the legislative assemblies: on the one hand laws are passed there and on the other, community is emphasized, status dramatized, and significance experienced in carefully choreographed procedures. A model oriented in this way toward “institutionality” always keeps in view the effects of symbolic action that go along with the production of decisions about issues – effects that are for the most part much more important for the community, its longevity, and continuity (which is always something constructed) than the decisions as such. In my opinion, this approach is able to do justice to the Roman Republic precisely because it avoids the short-circuit caused by supposing that rituals that are performed frequently and at great cost (material and otherwise) ultimately demonstrate the importance of the immediate end (that is, the instrumental dimensions of ritual). An institutional analysis permits us to discern behind many speeches and fine phrases about the People’s freedom and its decision-making competence a process of allocating status and binding citizens into a hierarchical community that has nothing to do with democracy.

The publicity of Roman politics has been the focus of research into the Republican political system in recent years, and will probably remain so for some time. In this approach the modes and occasions of communication are an essential issue, but also its locations and their exact appearance, for all these subtly staged forms of public representation played out in specific spaces that by their shape and their symbolic content were multiply interwoven into the event. Senators produced their self-representation (as did members of the other orders) not only with words and gestures but also with images, and modern archaeology has begun to analyze these images and their location from the communicative point of view. (See also chapters 23 and 24.) In general, the media of communication are an important field of this kind of investigation, which can be guided by the approaches taken by research into political culture, ritual, or cultural semantics.<sup>115</sup> Among such matters the presence of the past in the Romans’ immediate physical environment is of particular interest.<sup>116</sup>

Even if this research moves in part in other directions and partly leads to other interpretations of Roman politics, nevertheless it remains among Fergus Millar’s lasting contributions to have pushed the publicity of politics into the center of analysis of the Roman Republic. That a Roman politician had to deliver speeches on political issues before citizens, that all important decisions had to be made binding in the form of a decree of the People, that every legislative proposal had to be published in a timely manner and made available<sup>117</sup> – all of this had been insufficiently appreciated in earlier research. But Mouritsen hits the mark with his formulation that “the fact that political proceedings are public does not in itself make them ‘democratic.’”<sup>118</sup> In my view, the decisive reason why it is impossible to classify the Roman Republic as

a democracy, or even to attribute wide-reaching democratic features to it, is the small opportunity for political participation. The fixation upon personal participation in the popular assemblies in Rome as the sole possibility for exercising one's right to vote excluded at least three-quarters of eligible citizens even during the late Republic, when, according to Millar, the balance had shifted to the advantage of the People.<sup>119</sup> The decisive point here is not that only a few actively participated, which is also a constant problem in modern democracies (even if not one so acute). But the spirit of the political system is revealed by the fact that the vast majority could not participate at all, and that those empowered to make decisions never gave so much as a thought to discovering a remedy by means of a representative system: no one in Rome was interested in creating fairness of participatory opportunity for ordinary citizens who lived outside of Rome. It seems to me that this kind of regard for citizens' opportunity of participation at a rudimentary level at least is a necessary (but certainly not sufficient) condition for every democracy.

## Looking at the Roman Republic from the Present

At the beginning of this chapter I briefly indicated that the questions and problems that prompt ever-changing ways of conceptualizing the past are stimulated by the particular time in which they arise. When one considers that the model of a Republic that was democratic to a non-negligible degree arose in the 1980s and then quickly enjoyed a certain popularity, one is immediately tempted to think that frustration over developments in contemporary Western democracies favored this turn. The small opportunity in practice for outsiders to ascend into the political class while on the other hand the elite enjoyed great continuity, the dominance of "jovial" rhetoric toward the citizenry while simultaneously the heavily privileged position of the elites was preserved, the superiority of image over political content, not to mention the manipulation of public opinion through the use of the media of communication (which have naturally in the meantime changed fundamentally and become all-pervasive) – all of this could bring a detached observer of our own time straight to the conclusion that conditions in the Roman Republic were really not so very alien, and that one could therefore also confer upon that constitution the honorable – if from this perspective admittedly devalued – title of democracy. Yet Fergus Millar is no resigned witness of his own time, developing a negative idea of democracy and drawing his interpretation from this standpoint; on the contrary, his view of democracy is sober but positive. For him the fundamental questions of sovereignty and participation were stimulated by the consolidation of the European Union and still more by the effects of specifically British parliamentarianism, in which a majority can make extraordinarily wide-reaching and even retroactive decisions. Millar's commitment to present-day participatory models inspired his reflections on the Roman Republic.<sup>120</sup>

In addition, as Millar suggests in his last book and John North confirms,<sup>121</sup> his reflections were for obvious reasons stimulated especially by developments within the

state subsystem in which he is professionally situated: that is, the university system. In Great Britain processes have unfolded that reduce the level of participation (against vigorous resistance at first), consolidate hierarchical decision-making, and promote participatory rhetoric under simultaneously ever-tightening administrative control.<sup>122</sup> There certainly are parallels here to the Roman Republic, yet it seems to me that the establishment of the imperial monarchy offers an even better analogy.

Present political conditions give the attentive observer no small stimulus for consideration of the past; and indeed, the distance from ancient Rome to the modern world is sometimes not so very great. Anyone acquainted with the Roman Centuriate assembly knows well that when a vote is taken by groups rather than individual ballots slight majorities are changed to clear ones and, indeed, from time to time – as in the case of the American presidential election of 2000 – a minority in absolute number of votes may prevail over the majority. The fact that the rhetorical drama of expressing devotion to the People need not have anything to do with actual policy can be admirably observed among the orators of the Roman Republic; likewise how special-interest politics for the benefit of narrow groups can be folded into the rhetoric of public welfare. The Roman political class shows us how oligarchy can be justified behind the trumpeting of achievements and the widely acknowledged claim to their recognition, but also for how long a time bitter competition for power and influence did not exclude building consensus on fundamental questions. These examples could be multiplied, but as we regard such parallels we should not forget that the Roman world is interesting not only because on an abstract level some things were similar to today, but also, and at least as much, because many things were very different, which meaningfully broaden our spectrum of the variations of social organization precisely because they are so completely foreign to us. In the following chapters there is a wealth of material for both perspectives.

## Guide to Further Reading

Since this chapter is itself in part a bibliographical survey, it will be sufficient here to emphasize a few classics and important recent work. Mommsen 1996 (originally published 1854–6), Gelzer 1969 (originally published 1912), and Syme 1939 are still worth reading for their undiminished intellectual brilliance, even if the models of Roman Republican politics that underlie their reconstructions have since been shown to be deficient in certain aspects. The books by Mommsen and Syme are also examples of great history writing of high literary quality. Scheidel 2001a provides an expert survey of research in Roman demography. Nicolet 1980 vividly portrays how the Republic appeared from a citizen's perspective. Millar 1998 offers a good introduction to public communication in the period 78–50, with exposition and interpretations based closely upon the sources. Yakobson 1999 gives a compellingly written account of Roman elections and canvassing that is full of intelligent and realistic analyses. Mouritsen 2001 is a provocative book about the Roman plebs that presents a great number of novel perspectives and arguments and stimulates thought over a wide

area. Morstein-Marx 2004 takes an original approach in investigating the core question of communication between upper and lower classes in Rome; in the process he contests some of Mouritsen's findings and suggests new ways of characterizing the Republic against the background of the democracy – aristocracy dichotomy. Those undaunted by the German language may consult Hölkeskamp 2004a for a recent summary of the debate on the political system of the Roman Republic, with some interesting reflections on possible directions for further research.

## Notes

- 1 Felmy 2001; Millar 2002a: 54–64.
- 2 Millar 2002a: 64–134.
- 3 Mommsen 1887–8.
- 4 Gelzer 1969; Syme 1939.
- 5 Cf., e.g., Brunt 1971b, 1988c.
- 6 Cf. Meier 1980.
- 7 Millar 2002a: 6.
- 8 Cf., e.g., Finley 1985b: 56–66 for the role of models in historiography.
- 9 Mommsen 1996 (originally published 1854–6).
- 10 Mommsen 1887–8. For Mommsen's life and work, cf. now Rebenich 2002.
- 11 Cf. Heuss 1944 (for *imperium*); Lintott 1972b (for *provocatio*, which he derives from the early self-help of the plebeians and believes to have been formally encoded in legislation only in 300; there are, however, some authors who hold that *provocatio* was introduced by statute in the first year of the Republic).
- 12 Cf. the critique of Bleicken 1975: 16–51.
- 13 Gelzer 1969: 1–139.
- 14 Gelzer 1969: 1. For the different concepts of Mommsen and Gelzer cf. above all Linke and Stemmler 2000a: 1–6.
- 15 Münzer 1999 (originally published 1920). Münzer's numerous articles on political figures in *Paulys Realencyclopädie der classischen Altertumswissenschaft* remain indispensable for the study of the Republican ruling elite.
- 16 Syme 1939.
- 17 Syme 1939: 7.
- 18 Scullard 1973; Cassola 1962; Lippold 1963; Gruen 1968, 1974; Wiseman 1971; Nicolet 1966, 1974.
- 19 Cf. Earl 1963; Meier 1965; Martin 1965.
- 20 Some early papers are collected in Badian 1964.
- 21 Gruen 1974.
- 22 Cf., e.g., Deininger 1980: esp. 86–8.
- 23 Badian 1958a.
- 24 Meier 1966, 1980.
- 25 Meier 1980: 174–7; 182–90. Against overestimating family alliances cf. Brunt 1988c: 36–45; also Beard and Crawford 1985: 67–8, who however mistakenly list Meier among the proponents of the faction thesis (67 n.5).
- 26 Heuss 1956, 1973; cf. also Wallace-Hadrill 1997: 3–6.
- 27 As in Brunt 1988c: 9–10.

- 28 On this cf. also Rilinger 1982.
- 29 Meier 1980: xliii–liii, 149–50, 201–5, 305–6. Cf. Rilinger 1982: 288–92.
- 30 Meier 1980: xxxii–xliii.
- 31 Meier 1978: 11–66; 1980: xlvi–xlvi.
- 32 Meier 1978: 34–41. Cf. Wallace-Hadrill 1997: 22 for a similar analysis with different terminology.
- 33 Brunt 1966; Yavetz 1958, 1969: 9–37; Lintott 1968.
- 34 Brunt 1971b.
- 35 Cf. Brunt 1988c: 275.
- 36 Beloch 1886.
- 37 Esp. Hopkins 1966/7; also Hopkins 1978, 1983a.
- 38 Moses Finley had done much to bring about this broadening of the conceptual framework and expansion of methodologies and use of models: as an example; see his classic work on the ancient economy (Finley 1985a).
- 39 Scheidel 2001a: 20–1.
- 40 For the state of the discussion see the highly informative and comprehensive survey of scholarship in Scheidel 2001a.
- 41 Brunt 1971a.
- 42 Lo Cascio 1994; 1999a; 2001. See the review of the controversy and arguments in Scheidel 2001a: 52–7.
- 43 Morley 2001.
- 44 Scheidel 2004: 5–9.
- 45 Jongman 2003.
- 46 Cf. now Campbell 2000.
- 47 Moatti 1993; Hermon 2001.
- 48 Gargola 1995.
- 49 Cf. already Rosenstein 2002.
- 50 Rosenstein 2004.
- 51 Brunt 1982.
- 52 Bleicken 1981: 237–42.
- 53 For the debate about the concept of *nobilitas* cf. the overview of Goldmann 2002: 50–7.
- 54 Hölkeskamp 1987: esp. 241–58; 1993.
- 55 Brunt 1988a; cf. Millar 2002b: 137, 145–6, 1998: 7–9; Yakobson 1999: 112–23; Mouritsen 2001: 68–79.
- 56 Eilers 2002: esp. 182–90. Cf. Burton 2003.
- 57 Cf. the judicious analysis of Wallace-Hadrill 1989a and Chapter 19 in this volume.
- 58 Nicolet 1980 (originally published 1976).
- 59 Veyne 1990 (originally published 1976).
- 60 Cf. Flaig 2003: 194.
- 61 Millar 2002b: 132–142, 165–6 (originally published 1984 and 1995); 1998: 11, 208, 209, 225; 2002a: 6, 180, 181–2. Millar’s view became more extreme over time: see Morstein-Marx 2004: 7 n. 32. Cf. also for a sensible discussion of democratic features in Rome Chapter 18.
- 62 Millar 2002b: 86–7, 90–92, 111, 126–7, 134–6, 149–50; 1998: 4–9, 209.
- 63 Marcone 2002, a small volume produced for a broad audience, gives a measure of how widely accepted the interpretation of the Roman Republic as democratic at least in its essential elements has become: under the title of “Ancient Democracies” the Roman Republic receives a place beside the Athenian democracy.



- 64 Hopkins and Burton 1983: 32, 56–7, 64–6, 111–14.
- 65 Badian 1990a.
- 66 Burckhardt 1990: 84–8.
- 67 Beck 2005: 62–113.
- 68 The division into phases is common (cf. Hopkins and Burton 1983; Badian 1990a).
- 69 Cf. David 2000: 23, 33–8; Flaig 2003: 61; Hölkeskamp 2004a: 93–105; Beck 2005: 114–54, 395–407.
- 70 Millar (cf. n. 62). On Millar’s sharpening of his objections and their recent, perceptible softening (Millar 2002a: 170–1) Morstein-Marx 2004: 8 n. 38.
- 71 Hölkeskamp 2004a: 85–92; cf. Gruen 1991; Rosenstein 1993; Flaig 2003: 27–31.
- 72 Rosenstein 1990.
- 73 Rosenstein 1992.
- 74 Millar 1998: 4; cf. 2002b: 104–5, 141. Cf. most recently Hölkeskamp 2004a: 73–84.
- 75 Cf. the observations of Bleckmann 2002: 231–43 on the dominance of personal ambition even against the line taken by the senate in the age of the First Punic War; cf. also Ryan 1998 on the internal hierarchy of the senate, which according to his findings was not at all wholly dominated by the ex-consuls.
- 76 Cf., e.g., Meier 1980: 168–9.
- 77 On the forms of senatorial competition and communication with the people, cf. Yakobson 1999: 184–225; Morstein-Marx 1998.
- 78 North 1990b: 18; 1990c: 285; 2002: 5; cf. Bleckmann 2002: 227–30.
- 79 Cf. also Morstein-Marx 2004: esp. 282–3, who points out that the availability of the popular assemblies might also provide a motive for members of the elite to turn against their peers, and that conflict and tension were in any case normal in the late Republic. Even so, in Morstein-Marx’s view, this does not at all mean that the actual interests of the wider population thereby determined the substance of politics (281–7).
- 80 On the various popular assemblies see Chapter 12.
- 81 Yakobson 1992; 1999: 20–64.
- 82 Cf. Ryan 2001; 2002–3.
- 83 Cf. Yakobson 1999: 92–3, 214–15; Mouritsen 2001: 98–9.
- 84 Cf. especially Yakobson 1999: 22–6.
- 85 Cf. Jehne 1995a: 7–9; Hölkeskamp 1995: 48 and 2004a: 58–65.
- 86 Veyne 1976: 401–45 (abridged English version in Veyne 1990: 214–36); Jehne 1995b: 75–6; 2000a: 213–18, 226–30; Flaig 2003: 165–6.
- 87 Millar 2002a: 178–9.
- 88 Millar 1998: 6, 18, 203–4. Cf. also Morstein-Marx 1998: 261–2.
- 89 Cf. Linke and Stemmler 2000a: 7; Hölkeskamp 2004a: 19–20.
- 90 Briefly treated by Linke and Stemmler 2000a: 7–11.
- 91 Flaig 1995: 77–91; 2003: 155–74, 184–93.
- 92 Pina Polo 1989; 1996.
- 93 Flaig 1995: 93–96, 124–6 and 2003: 195–9. Cf. Morstein-Marx 2004: 124–8, 185–6.
- 94 Millar 2002b: 123, 136, 142, 158–61, 181–2; 1998: 219–20, 224–5; 2002a: 6.
- 95 Pina Polo 1996: 178–85; Hölkeskamp 1995: 27–49; 2004a: 88–9.
- 96 Jehne 2000a: 214–17. For the obligation of candidates from the upper class to show their closeness to the people and to beg the people for support, cf. Morstein-Marx 1998: 265–74.
- 97 E.g., Hölscher 1978; Nippel 1995; Goltz 2000. Cf. Hölkeskamp 2004a: 70–2.
- 98 E.g., Millar 2002b: 138, 161, 177–8; 1998: 33–4, 211–12; 2002a: 3, 163, 176.

- 99 Mouritsen 2001: 18–32.
- 100 Mouritsen 2001: 25, 47. Cf. also Millar 1998: 223–4, who stresses the possibility that the content of speeches was further disseminated by participants at the assemblies who were able to hear.
- 101 Mouritsen 2001: 52. Cf. Morstein-Marx 2004: 185 n. 108.
- 102 Meier 1980: 115; Mouritsen 2001: 45.
- 103 Mouritsen 2001: 39–45, 60–2.
- 104 Mouritsen 2001: 38–9, 67, 79–89.
- 105 After all, their only chance to experience status will have been to participate in a *contio*, in which the presiding magistrate communicated to members of the audience their own importance by means of “jovial” gestures (perhaps also at the games, although it is unclear whether citizens and non-citizens were distinguished by the seating arrangements only from the time of Augustus). See also Morstein-Marx 2004: 126–8.
- 106 Morstein-Marx 2004: 124–6. Flaig 1995: 93–4; 2003: 201–12 too had already argued that unpopular bills were normally withdrawn. Mouritsen 2001: 54–5; 65–7 believes on the contrary that the standard means of putting an end to popular initiatives was the tribunician veto.
- 107 Morstein-Marx 2004: 160–203.
- 108 Morstein-Marx 2004: 285–6.
- 109 Hopkins 1991.
- 110 Jehne 2003: 279.
- 111 Jehne 2003: 284–8; cf. Flaig 2003: 168–74.
- 112 Jehne 2000b: 676; 2003: 285–8.
- 113 Flaig 2003.
- 114 Cf. Linke and Stemmler 2000a: 11–16; Jehne and Mutschler 2000: 552, 554–6; Hölkeskamp 2004a: 67–70.
- 115 On these approaches see the brief survey by Hölkeskamp 2004a: 57–72.
- 116 See, e.g., Hölscher 2001; Hölkeskamp 2001a; Morstein-Marx 2004: 92–117; Walter 2004.
- 117 Also now rightly stressed by North 2002: 5–6.
- 118 Mouritsen 2001: 46.
- 119 Millar 2002a: 164.
- 120 Millar 2002a: 9–10.
- 121 Millar 2002a: 10; North 2002: 1–3, 12.
- 122 See North 2002: 4–12, who in his introductory article to a volume presented in honor of Fergus Millar offers a witty appreciation of the dedicatee’s work by citing parallels between the Roman Republic and the development of the British university.