

***Roman Virtue, Liberty, and Imperialism:
The Murder-Suicide of Classical Civilization***

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It is widely recognized that the Romans made remarkable achievements in areas such as sanitation and architecture, among others.¹ But political philosophers and historians from Polybius and Machiavelli to Rousseau and Montesquieu on up to the present have also had an equally remarkable propensity to praise and glorify Rome's moral and political traditions. Roman virtues, patriotism, and liberty, the Roman political system, and even Roman militarism and imperialism, have frequently been lauded and held up as examples to be emulated. While the history of Rome's decline and fall has also been utilized as a cautionary tale, there seems to be little recognition that there is a deep internal relationship between that decline and the very moral and political traditions that receive so much praise. It will be the purpose of this paper to question whether or to what extent Rome's moral and political traditions are indeed worthy of praise. In particular, I will offer a critique of Roman virtue and liberty from the point of view of Aristotelian and liberal ethical and political theory.² In the process, closely related topics will be touched upon, such as citizenship, the Roman political system, internal political and social conflict, and public policy, including imperialism.

De Virtute Romanorum

First, it will be instructive to briefly survey what some prominent political philosophers and historians have said with regard to Roman virtue, particularly in relation to the fall of the

* Parts of this paper, the first two sections, were presented at the annual conference of the Louisiana Political Science Association at Nicholls State University, Thibodaux, LA on March 3, 2006.

1 Reed (1979) also refers to public parks, banking, education, and administration. Further, for a time, the “city [of Rome] even had mass production of some consumer items and a stock market. With low taxes and tariffs, free trade and private property, Rome became the center of the world's wealth. All this disappeared, however, by the fifth century A.D.” (648).

2 I mean, of course, liberal in the classical or libertarian sense. My approach is an Aristotelian liberal synthesis. Obviously, despite some definite liberal tendencies, Aristotle was no liberal; nor was he fully a communitarian, however. Aristotelian liberals, on the other hand, recognize a greater degree of pluralism and demand a larger scope for individual autonomy. For the roots of liberal natural law and natural rights theory in Aristotle, see Fred D. Miller, Jr. (1995); and for a necessary amendment to it, see Long (1996). On Aristotelian liberalism, see Rasmussen and Den Uyl (1991, 1997, 2005), Den Uyl and Rasmussen (1981), Rasmussen (1980), Den Uyl (1991), Rand (1964, 1966), Long (1994/95, 2000, 2001, 2002), Sciabarra (1995, 2000, 2005).

Republic. Polybius, the Greek historian of *The Rise of the Roman Empire*, believed that there are two factors that contribute to the preservation of a regime: “bravery in the face of the enemy and harmony among its citizens.”³ A good regime will formulate laws and carry out policies that will instill discipline, loyalty, bravery, patriotism, virility, and other virtues necessary to achieve political and military greatness. Polybius's account of the Roman military camp speaks volumes about of the kind of top-down, centrally-planned, and highly regimented life of purpose and virtue that he favors. He credits the mixed Roman constitution, the great rewards and punishments handed out to soldiers, and Rome's deeply entrenched and highly superstitious religious beliefs for promoting and maintaining the two factors. However, while virtue is linked with political and military greatness, so too is vice linked with political and military weakness, decline and fall.

In the Roman historian, Sallust, writing during the fall of the Republic, we also see this linking of virtue with order and greatness, on the one hand, and the linking of vice with disorder, weakness, decline and fall, on the other. Indeed, in *The War with Catiline* and *The War with Jugurtha*, Sallust attributes the fall of the Republic to vice. In the past, the Roman people were driven “[b]y boldness in warfare and justice when peace came, they watched over themselves and their country[,]” and this lead them to greatness; but when Rome had grown great in magnitude and glory, virtue gave way to “the lust for money first, then for power.”⁴ Avarice and ambition destroyed honor, integrity, discipline, bravery, justice and the other noble virtues. They were replaced by idleness, sloth, “neglect [of] the gods, [setting] a price on everything,” and other vices.⁵

3 Polybius (1979), p. 46.

4 Sallust (2005), Cat., IX.3 & X.3.

5 Ibid., X.4.

At first these vices grew slowly, from time to time they were punished; finally, when the disease had spread like a deadly plague, the state was changed and a government second to none in equity and excellence became cruel and intolerable.

As soon as riches came to be held in honour, when glory, dominion, and power followed in their train, virtue began to lose its lustre, poverty to be considered a disgrace, blamelessness to be termed malevolence. Therefore as the result of riches, luxury and greed, united with insolence, took possession of our young manhood. They pillaged, squandered; set little value on their own, coveted the goods of others; they disregarded modesty, chastity, everything human and divine; in short, they were utterly thoughtless and reckless.⁶

Sallust was not theoretically equipped to tell us the real cause(s) of this descent into vice. The three main contributing factors he points to are Fortune, prosperity, and the destruction of Carthage, the latter of which left Rome for the first time without any major external competitors. Prosperity without an outside threat, according to Sallust, led to the rise of faction as the Romans turned on themselves. Fortune hardly suffices as an adequate explanation, however, and while the destruction of Carthage has some explanatory power, it is unclear why prosperity must inevitably lend itself to vice. Moreover, faction was hardly absent in Rome prior to Carthage's demise.

Machiavelli, Rousseau, and Montesquieu, too, favored a republican form of government and made republican or civic virtue (*virtù*), following the Roman example, the essential glue that holds their ideal republics together.⁷ Republican virtue may be defined as the love of one's country and of its laws, in other words, patriotism; yet it is not merely the sporadic, reactionary, 'sunshine patriot and summer soldier' sort of patriotism but rather and ideally a pervasive, enduring, and exalted patriotism. Republican virtue entails absolute obedience to the laws and policies of one's government, dedicated public service, and self-sacrifice to the Greater Good of the republic as something above and apart from the good of individuals. It enlists a host of other

6 Ibid., X.6 & XII.1-2.

7 Montesquieu, it must be pointed out, differs from Machiavelli and Rousseau in that he favored a commercial republic patterned heavily on England.

virtues in its service: discipline, loyalty, courage, honor, generosity, and so forth. It inculcates unity and harmony among the citizens of the republic. Without it factions would vie with one another to control the coercive power of the state at the expense of each other and the common good. The promotion and maintenance of republican virtue naturally requires public education of some kind: the laws themselves, a state religion, and/or a modern public education system. Rousseau even went as far as to advocate a new kind of *civil* religion to instill republican virtue in a republic's citizens (and rulers). Such virtue, it must be pointed out, is inherently collectivist and communitarian in nature. It raises the good of the group, of the state, over that of the individual and seeks to redefine the good of the individual in terms of the Greater Good of the State.⁸

Not all are so sanguine about republican virtue, however, particularly that of the Romans. The great nineteenth century French political economist, journalist, and statesman, Frédéric Bastiat, was one such man. Of Roman morality, he wrote:

What is to be said of Roman morality? And I am not speaking here of the relations of father and son, of husband and wife, of patron and client, of master and servant, of man and God – relations that slavery⁹, by itself alone, could not fail to transform into a whole network of depravity; I wish to dwell only on what is called the admirable side of the Republic, i.e., *patriotism*. What was this patriotism? Hatred of foreigners, the destruction of all civilization, the stifling of all progress, the scourging of the world with fire and sword, the chaining of women, children, and old men to triumphal chariots – this was glory, this was virtue. It was to these atrocities that the marble of sculptors and the songs of the poets were dedicated. How many times have our young hearts not palpitated with admiration, alas, and with emulation at this spectacle! [...]

8 An eloquent and pithy example of this reasoning about republican virtue and education is Rousseau's statement in his *Discourse on Political Economy* (1775): "If...they are trained early enough never to consider their persons except in terms of being related to the body of the state, and not to perceive their own existence except as part of the state's existence, they will eventually come to identify themselves in some way with this larger whole; to feel themselves to be members of the country, to love it with that exquisite sentiment that every isolated man feels only for himself, to elevate their soul perpetually toward this great object, and thereby to transform into a sublime virtue [love for all] this dangerous disposition [amour propre] from which arises all our vices" (in Cress 1987).

9 The institution of slavery was prevalent in Rome. More will be said on this when the issue of Roman liberty is discussed below.

The lesson has not been lost; and it is from Rome undoubtedly that this adage comes to us, true in regard to theft, false in regard to labor: *one nation's loss is another nation's gain* – an adage that still governs the world.

To acquire an idea of Roman morality, imagine at the heart of Paris an organization of men who hate to work, determined to satisfy their wants by deceit and force, and consequently at war with society. Doubtless a certain moral code and even some solid virtues will soon manifest themselves in such an organization. Courage, perseverance, self-control, prudence,¹⁰ discipline, constancy in misfortune, deep secrecy, punctilio, devotion to the community – such undoubtedly will be the virtues that necessity and prevailing opinion would develop among brigands; such were those of the buccaneers; such were those of the Romans. It may be said that, in regard to the latter, the grandeur of their enterprise and the immensity of their success has thrown so glorious a veil over their crimes as to transform them into virtues. And this is precisely why that school is so pernicious. It is not abject vice, it is vice crowned with splendor, that seduces men's souls.¹¹

Republican virtue, on this view, turns out to be vice.¹² More specifically, republican virtue corrupts the actual virtues that it enlists in its service. It might be objected that Roman republican virtue may indeed have this effect but not necessarily republican virtue *per se*. To this I reply that Roman republican virtue is simply a particularly virulent and sanguinary species of the genus republican virtue. The problem resides in the collectivization of the Good and the Right into the Greater Good of the group – whether that be the family, the tribe, the race, social or economic class, the State, or even the Republic – and enlisting virtue in service to it, twisting virtue from its proper role as a constitutive part of individual human flourishing.

10 It must be pointed out that this is not prudence in the Aristotelian sense.

11 Bastiat (1995), pp. 248-249. Emphasis in original.

12 Bastiat (1995), Chapter 9, “Academic Degrees and Socialism,” n. 9: “Distance contributes not a little to give to ancient figures a quality of grandeur. If someone speaks to us of the Roman citizen, we ordinarily do not picture to ourselves a brigand occupied with acquiring booty and slaves, at the expense of peaceful peoples; we do not see him half-naked, shockingly dirty, going about muddy streets; we do not surprise him in the act of flogging a slave until the blood flows or putting him to death if he shows a bit of energy and spirit. We prefer to picture to ourselves a beautiful head crowning an impressive and majestic body draped like an ancient statue. We like to think of him as meditating on the high destinies of his country. He seems to be seeing his family gathering around the hearth, which is honored by the presence of the gods; the wife preparing the simple repast of the warrior and glancing with confidence and admiration at her husband's face; the young children attentive to the discourse of an old man who whiles away the hours by recounting the exploits and the virtues of their father....

“Oh, what illusions would be dissipated if we could evoke the past, walk down the streets of Rome, and see close up the men whom, from afar, we admire so naively!....” (332-333)

It may be useful here to briefly review Aristotle's ethical theory in order to contrast it with that of Cicero, the Stoics, and that of Caesar and the Roman people in general. Among the advantages of Aristotle's ethical theory is that it is at once objective and agent-relative, meaning that its fundamental principles (including the virtues) are universally applicable to all men but that the good and the right must be understood in terms of the natures and particular contexts of individual moral agents.¹³ When we speak of the good, we must ask: good for whom, and for what? Aristotle recognized that each of us has a nature composed of both universal and particular aspects, and that we all operate within particular environmental and social contexts. General ethical principles, like the virtues, must be applied in practice by the individual moral agent in the appropriate manner given his particular context. Virtue is right action, a mean between the vices of excess and deficiency, the mean relative to us. Virtuous action is action conducted “at the right times, with reference to the right objects, toward the right people, with the right aim, and in the right way.”¹⁴ Moreover, Aristotle and many other Greek philosophers, and Cicero as well it seems,¹⁵ upheld the unity of virtue principle according to which one cannot specify the content of any one virtue independently of the contents of all the other virtues, the corollaries of which are that one cannot (fully) possess any one virtue without possessing them all and that the requirements of the various virtues cannot conflict.¹⁶ For both Aristotle and the Stoics, the virtues are a constitutive part of man's ultimate end, *eudaimonia* (flourishing, well-being, happiness, the Good Life). Aristotle's ethics, then, is not a list of rigid rules but rather a flexible

13 See, for example, Aristotle's discussion of the doctrine of the median and mean in Book II of his *Nicomachean Ethics*, especially Chapter 6 (1106a26-1107a08). See also the Antiochan view that Cicero seems to accept in *On Moral Ends*, p. 126.

14 *Nicomachean Ethics* 1106b21.

15 Cicero (2001b), p. 140.

16 This can be seen in the *Nicomachean Ethics* in Aristotle's doctrine of the mean, his description of the moral virtues and practical wisdom, and especially in Book VI.13 (1144b12-1145a12).

system of general principles that need to be applied in practice with prudence or practical wisdom.

The Aristotelian, and particularly the Aristotelian liberal, conceives of the individual good and the common good almost from the opposite direction as does the collectivist and communitarian republican. The Aristotelian starts with the individual good (“What kind of person should I be?”) and then derives the common good. The end of the *polis* is the well-being of each and every one of its citizens: if it is good for one person to have *eudaimonia* then it is even better for everyone in the community to have *eudaimonia*, but the latter cannot come at the expense of the former;¹⁷ the community exists for the sake of individual *eudaimonia*, not the individual for the sake of the community. The Aristotelian liberal adds the insight that individual liberty is necessary to protect the possibility of human flourishing and, moreover, is a constitutive part of it. And since, for Aristotelian liberals as for Aristotle, man is a social and political animal, the precedence given to individual *eudaimonia* does not entail anti-social or “selfish” behavior and is not pursued at the expense of the good of the community. In contrast, the republican starts with and privileges the common good of some collective, defining the individual good in whole or in part in terms of its contribution to the common good.

Cicero, on my interpretation, builds on and elaborates the objective and agent-relative aspects of Aristotle's thought in Book I of *De Officiis* when he discusses the four *personae*, or roles, the requirements of which all men must fulfill in order to live the Good Life: universal human nature (i.e., reason) and the individual's inborn talents, social context, and personal choice.

Furthermore, one must understand that we have been dressed, as it were, by nature for two roles: one is common, arising from the fact that we all have a share in reason and in the superiority by which we surpass the brute creatures.

¹⁷ See NE 1094b7-12.

Everything honourable and seemly is derived from this, and from it we discover a method of finding out our duty. The other, however, is that assigned specifically to individuals. For just as there are enormous bodily differences (for some, as we see, their strength is the speed that they can run, for others the might with which they wrestle; again, some have figures that are dignified, others that are graceful), similarly there are still greater differences in men's spirits. (I.108)

Each person should hold on to what is his as far as it is not vicious, but is peculiar to him, so that the seemliness that we are seeking might more easily be maintained. For we must act in such a way that we attempt nothing contrary to universal nature; but while conserving that, let us follow our own nature, so that even if other pursuits may be weightier and better, we should measure our own by the rule of our own nature. For it is appropriate neither to fight against nature nor to pursue anything that you cannot attain. Consequently, it becomes clearer what that seemliness is like, precisely because nothing is seemly 'against Minerva's will', as they say, that is, when your nature opposes and fights against it. (I.110)

If anything at all is seemly, nothing, surely is more so than an evenness both of one's whole life and of one's individual actions. You cannot preserve that if you copy someone else's nature and ignore your own. [...] (I.111)

To the two roles of which I spoke above, a third is added: this is imposed by some chance or circumstance. There is also a fourth, which we assume for ourselves by our own decision. Kingdoms, military powers, nobility, political honours, wealth and influence, as well as the opposites of these, are in the gift of chance and governed by circumstances. In addition, assuming a role that we want ourselves is something that proceeds from our own will; as a consequence, some people apply themselves to philosophy, others to civil law, and others again to oratory, while even in the case of the virtues, different men prefer to excel in different of them. (I.115)¹⁸

These passages suggest that we must strike the right balance, the mean between excessive universalism and excessive pluralism. Cicero unfortunately means one's social context as imposing a wide range of obligations beyond the realm of personal choice, as long as they are not contrary to nature or beyond one's ability. Thus, the mere accident of birth into a noble family with a long lineage of public service imposes the obligation of maintaining and furthering the family's heritage and position in society with one's own deeds. Thus, also, was a Roman obligated to serve the Roman Republic to the best of his ability so long as nothing he did or was

18 The foregoing quotations are from pages 42-45 of *On Duties* (1991).

called upon to do was contrary to nature. The crux of the issue, of course, lies in how one defines the relationship between personal choice and the particular social contexts into which we are born. Is it beyond the scope of personal choice to change one's social context? Also of fundamental importance is whether particular social contexts conflict with what is required by our universal human nature.

The scope of personal choice seems rather limited in the Roman context. We have as an example of the dominant role of social context Cicero's admonition to his son in *De Officiis*:

Anyone who is thinking about embarking upon an honourable life ought to do so [learn about duties from the Stoics], but perhaps no one more than you. For you carry this burden: many expect you to emulate my diligence, most my honours, and some, perhaps, even my renown. Besides, you have incurred a weighty responsibility from Athens and from Cratippus; since you went to them as if going to purchase arts of good quality, it would be most dishonourable to return empty-handed, thus disgracing the authority of both city and master. Therefore, strive with as much spirit and struggle with as much effort as you can (if learning is an effort, and not a pleasure) in order that you may succeed, and not, instead, allow yourself to seem to have let yourself down, even though we have provided everything for you. (III.6)¹⁹

In this one passage we see the unchosen obligations of Cicero's son as well as additional obligations that these engender, i.e., an obligation to educate himself in such a way that he can follow in his father's footsteps and therefore an obligation to his teachers and even the city of Athens itself. This is not to say that all of our obligations are chosen in a radically free, atomistic sense; rather, it is merely to criticize Cicero for his inadequate recognition of the diversity of human flourishing and the value of flourishing diversity. The word 'seem' in the last sentence is also telling as it illustrates the importance for the Romans of social standing, the *appearance* of virtue, and the opinions of others regarding one's character. As noted by the translator of *De Officiis*:

19 Cicero (1991), p. 103.

Honestas [honourableness] is analysed as consisting of the four primary virtues. By the nature of *honestas*, connected with *honor* (an honor or office) and reputation, is public. Our culture tends to internalize virtue and divorce it from social standing. The ethics of Cicero's class were, by contrast, avowedly public and competitive: the good man was the man who was well regarded. Cicero himself sought to reconcile the demands of public service with those of honour; the good man was for him in principle honourable and would actually be honoured by other good men.²⁰

The Latin words *nobilitas* and *dignitas* are also in keeping with this concern for appearances and social standing, the former meaning “virtue given recognition” (Cicero) and referring to members of the political aristocracy, and the latter signifying worth, dignity, and especially public office.²¹

A further difficulty is presented by the place of virtue in Stoic ethical theory. For Aristotelians, virtue is one of the goods of the soul, the highest of Aristotle's three classes of goods, the other two being goods of the body and external goods. This three-fold classification of goods allows for health, wealth, friendship, liberty and the like to be classed as goods – provided they are acquired and kept morally. This, however, commits Aristotelians to the (to my mind commonsensical) position that such goods are necessary for *eudaimonia*. The Stoics, on the other hand, hold virtue or morality to be the only good. Man's end is to live morally or virtuously. And since virtue does not admit of degrees for the Stoic it follows that no virtuous person is more virtuous than another, that one is either virtuous or one is not, that though other ends can be of non-moral value they cannot add anything to virtue and man's ultimate end. We are thus presented with the paradoxical, extreme example of the allegedly wise man still being happy

20 Ibid., pp. xlv-xlv.

21 Cicero quoted in Earl (1967), p. 44. On *nobilitas* and *dignitas* as the province of those who have held public office, particularly of the Senate and the consulship, see pp. 12-14, 35 and 31, 58, 73, respectively. “Outside the service of the Republic there existed no public office and, therefore, strictly speaking, no *gloria*, no *nobilitas*, no *auctoritas*, no *virtus*.” See also, Cassell's Concise Latin & English Dictionary (New York: Wiley Publishing, Inc. (formerly Hungry Minds, Inc.), 1987 Reissue Edition), pp. 148 & 68.

while on the rack though his family, fortune, reputation and country all lie in ruins.²² If anything, this single-minded focus on virtue as the only good could only serve to enhance the self-sacrificial and tribalist²³ character of Roman virtue provided that the Roman ideal is conflated with 'what is by nature'.²⁴

Cicero attempted to ground Roman virtue objectively in nature. In practice, however, Roman virtue, given its interweaving with social standing, seemed to have been grounded not so much in nature but in cultural tradition. The Common Good takes precedence over individual goods; indeed, individual good becomes defined in terms of service to the Common Good. The passage in *De Officiis* that argues for the harmony of individual goods and the Common Good, and against the despoiling of others and their property for one's own advantage,²⁵ is entirely compatible with the passage in *De Finibus* which advances the Stoic (and very Roman) position that the Common Good is of higher value than individual goods.²⁶ Despoiling others *for your own advantage* is harmful to the Common Good, but there is nothing in Stoic doctrine or Roman virtue and culture that precludes the despoiling of others *for the Common Good*. Indeed, Roman history is full of examples of individual goods (both Roman and non-Roman) being sacrificed in the name of the Common Good. When liberty, virtue, and the good are thus collectivized and institutionalized in a political system they cannot help but undermine each other and true liberty and virtue in the long run.

22 The Stoics and Cicero fail to distinguish between being a good man and living a life of well-being; the former is fully under one's control and is a fundamental part of the latter, but well-being or flourishing is not entirely under one's own control. One can very well be a good man without being happy or as happy as one could be due to undesirable events beyond one's control.

23 Tribalist here is meant in a broad sense as the subordination of the individual will to that of the group.

24 I am well aware that Stoicism was viewed by some Romans with some suspicion because of its doctrine on the brotherhood of man and because it could be interpreted in such a way as to encourage resistance to corruption and tyranny (e.g., Tacitus's attacks on the Stoic opposition under the Empire), but my point still stands. C.f. Earl (1967), p. 41.

25 Cicero (2002), p. 109.

26 Cicero (2001b), p. 85.

It bears stressing that the Romans were a very unphilosophical people, and proud of it.²⁷ Only the elite had the time and the education necessary for the study of philosophy and, while many of them did study Greek philosophy in their private lives, by and large they remained steadfastly Roman in their public lives (even Cicero).²⁸ The veritable exception that proves the rule were some of those who adopted the Epicurean philosophy and withdrew from public life; they were heaped with scorn.²⁹ Indeed, Greek ideas in general were considered dangerous for the public at large.³⁰ Cicero is an exceptional figure; he is quite probably the most philosophical of the Romans; but even Cicero appears to have often conflated an idealized vision of Rome with Nature.³¹ Of the beliefs of the common people we know little,³² but it might be instructive to briefly examine some ideas put forth by Caesar. Caesar, to be sure, was a member of the elite aristocracy but he was also a *Populares*. By no means amounting to political parties, the *Populares* and the *Optimates* were two types of Roman Senators with opposing interests. The *Optimates* tended to be conservative members of the ruling oligarchy, and so they tended to jealously guard the *auctoritas* (authority) of the Senate and oppose attempts to give more power to the people, such as the secret ballot instituted by the *Leges Tabellariae* in the 130's B.C. Because the power of the ruling class rested primarily on the system of patronage, the advent of the secret ballot disrupted the ability of patrons to control the votes of their clients.³³ “The name of *Populares* was given in antiquity to all manner of people with different, and sometimes

27 Sallust, *Cat.* VIII.5.

28 On Cicero, see Earl (1967), p. 39. On the “ambivalent attitude of the Romans to things Greek,” see pp. 36-43.

29 Earl, pp. 26-27.

30 *Ibid.*, p. 42.

31 As additional evidence, see Cicero (1991), I.20-21 & 41, pp. 9 & 18. In the first passage, Cicero argues that the right to private property is conventional not natural; and in the second, though he argues they should be well-treated, he approves of the Roman tradition of slavery.

32 Earl (14-15) and Wirszubski (1950:91-95) argue that the chief desire of the people and even much of the Senate was for internal peace and security. If so, this goes a long way to explaining why the Romans acquiesced to Augustine's principate so readily – to put an end to nearly a hundred years of civil war.

33 Wirszubski, p. 20.

divergent, aims and motives: reformers and adventurers, upstarts and aristocrats, moderates and extremists. What they all had in common was their tactics, namely, to seek the support of the Populus, hence their name.”³⁴

As it is becoming more clear, Roman virtue was not Greek virtue, particularly not Platonic or Aristotelian virtue. The Latin words for virtue (*virtus* as well as the plural of animus: *animi*) carried a strong connotation of (martial) courage and manliness.³⁵ Courage seems to have a primarily martial connotation for the Romans. Virtue for the Romans was primarily martial virtue, and the related or derivative personal, political and religious virtues. The need to appear prudent, courageous, valorous and successful in military endeavors is pervasive throughout Caesar’s history of the *Gallic War*. It was primarily great victories in war, and to a lesser extent political achievements, that earned one the highest praise and honors. Caesar repeatedly paints luxury and peace as the causes of weakness and cowardice.³⁶

The unity of virtue principle and the notion of courage as a mean between extremes, the vices of recklessness and cowardice, seem to be absent in Caesar’s writing. In chapter 7 section 52 we see Caesar chastise his soldiers for imprudence and overeagerness, while he nevertheless praises their courage. In 1.15 and 7.52 Caesar illustrates the need to restrain the imprudence and overeagerness of his troops, to control the exercise of their courage.³⁷ In 4.12 we see one courageous brother sacrifice himself for the other, but then the other promptly wastes the sacrifice by rushing back to avenge the first brother’s death and getting killed himself. In 1.39-40, 1.52, and 7.80 we see the overriding importance of the social recognition of virtue for

34 Ibid., pp. 39-40.

35 Cassell, pp. 237 & 16-17

36 Caesar (1996); see, for example: 1.36, 4.1-2, and 6.24.

37 Virtue being right action, a mean between vices of excess and deficiency, true courage need not be restrained. On the contrary, there cannot be enough of true courage. And true courage does not conflict with the other virtues. One cannot be both imprudent and courageous at the same time.

Caesar, and no doubt for other Romans as well. Caesar attributes the concern for reputation and presence of witnesses as the primary motivator of virtue.

Caesar's *Gallic War* seems calculated to enhance and spread his reputation for valor and martial success. In a number of instances he appears to exaggerate his own exploits and the strength and numbers of his enemies, to take actions designed to enhance his own personal position (such as his invasion of Britain or, indeed, his every action in Gaul), and to carefully spin his mistakes to present them in the best light possible (such as his defeat by Vercingetorix in Gergovia³⁸). Ironically, although Caesar has one of his opponents, Ariovistus, invoke the right of conquest and accuse the Romans of recognizing it as well, the history of Rome supports Ariovistus's accusation.³⁹ Rome and Caesar were justified in conquering the known world because of their greatness and virtue.⁴⁰ In 4.27, Caesar has defeated enemies committing themselves and their states not to Rome, or Rome *and* Caesar, but to Caesar alone.

Finally, from a modern liberal perspective, it is well to note the disregard that Caesar and Romans in general had for the value of individual human lives and for property (or, at least, non-Roman lives and property). In 2.33 and 2.35, we see the looting and selling into slavery of an entire town, and the unprecedented fifteen day holiday granted in Caesar's honor for the victory that preceded this event. In 7.28, we are treated to the wholesale slaughter of noncombatants: women, children and the elderly.⁴¹ Given that *The Gallic War* was written to boost Caesar's reputation and justify his actions in Gaul, one can reasonably conclude that his actions and the

38 Caesar (1996), 7.43-53.

39 Ibid., 1.36.

40 C.f. Earl (1967): "Domination being the right of the better not the stronger, Roman imperialism was justified by its benefits to the conquered" (41).

41 Not that the German and Gallic "barbarians" were any better in this regard.

reasons he gives for them (even if they mask his real reasons) reflect the general view of the Roman population.⁴²

De Libertate Romanorum

In order to understand the rise and fall of Rome, it is also necessary to understand the meaning of *libertas* (liberty) to the Romans (and the ancients in general) and how the liberty of the ancients differs with the liberty of the moderns. For liberty was an important facet of Roman virtue and culture, of the constitution of their political system, and of their internal and external struggles. And though the liberty of the moderns is not in every way an improvement on the liberty of the ancients, the liberty of the ancients suffers from three important and related defects that played a role in both the rise and fall of Rome.

Ronald Syme tells us that “[a]t Rome all men paid homage to *libertas*, holding it to be something roughly equivalent to the spirit and practice of republican government.”⁴³ Benjamin Constant argues much the same thing: The liberty of the ancients

consisted in exercising collectively, but *directly*, several parts of the complete sovereignty; in deliberating, in the public square, over war and peace; in forming alliances with foreign governments; in voting laws, in pronouncing judgments; in examining the accounts, the acts, the stewardship of the magistrates; in calling them to appear in front of the assembled people, in accusing, condemning or absolving them.⁴⁴

Syme contrasts *libertas* with *dominatio* and *regnum*, which he loosely defines as “illicit and exorbitant power,”⁴⁵ but which are more precisely defined as despotism and royal power (or tyranny) respectively.⁴⁶ In other words, *libertas* in its primary political meaning for the ancients

42 Compare the foregoing with Jones & Sidwell (1997, sec.44, p. 25) and other accounts of Rome's military history.

43 Syme (2002), p. 155. Italics in original.

44 Benjamin Constant, “The Liberty of the Ancients Compared with that of the Moderns,” in *Political Writings* (1988 [1819]), p. 311. Emphasis mine.

45 Syme, p. 418; also, see pp. 155 & 516.

46 Cassell, pp. 73 & 192.

refers to the sovereign independence and autonomy of a people and is intimately connected with republican government as its realization.⁴⁷ He who lacks *libertas* is a slave or subject (of a king or some other master with absolute and arbitrary control over him).

However, Constant argues that the ancients “admitted as compatible with this collective freedom the complete subjection of the individual to the authority of the community.”⁴⁸ Slavery was widespread in Rome and throughout the ancient world, and was not considered to be contrary to nature.⁴⁹ Roman imperialism was predicated upon maintaining Roman *libertas*, generally at the expense of the *libertas* of other peoples. And even the individual Roman possessing *libertas* was not entirely free. The content of *libertas* was determined by the rights and duties of *civitas* (citizenship) and by positive law. Here it is useful to contrast the liberty of the ancients with the ideal liberty of the moderns. The moderns understand liberty to mean everyone having

the right to be subjected only to the laws, and to be neither arrested, detained, put to death or maltreated in any way by the arbitrary will of one or more individuals. It is the right of everyone to express their opinion, choose their profession and practice it, to dispose of property, and even to abuse it; to come and go without permission, and without having to account for their motives or undertakings. It is everyone’s right to associate with other individuals, either to discuss their interests, or to profess the religion which they and their associates prefer, or even simply to occupy their days or hours in a way which is most compatible with their inclinations and whims. Finally it is everyone’s right to exercise some influence on the administration of the government, either by electing all or particular officials, or through representations, petitions, demands to which the authorities are more or less compelled to pay heed.⁵⁰

Frédéric Bastiat echoes this: “What is freedom? It is the sum total of all our freedoms. To be free, on one’s own responsibility, to think and to act, to speak and to write, to labor and to

47 Wirszubski (1950), pp. 4-5.

48 Constant, p. 311. The power of legislative enactments were in principle unlimited (Wirszubski, p. 83).

49 Wirszubski, p. 2 n. 3.

50 Constant, pp. 310-311.

exchange, to teach and to learn – this alone is to be free.”⁵¹ In Rome, however, the office of censor was tasked with the maintenance and protection of *mos maiorum*, traditional Roman public morality, and possessed more than adequate power to do so; power that was indeed used.

Modern political liberty is primarily individual liberty from coercion, and individual rights are conceived of as being an individual’s rights over and against society; control over the administration of government is only a corollary or secondary consideration here, a means to an end. This de-emphasis on direct political participation can be seen as a major deficiency of the modern conception of liberty.⁵² In contrast, political liberty is primarily thought of by the ancients as the freedom of one group of people from domination by another group and as the individual’s privilege, as part of a group, to participate directly in the group’s political system; individual liberty in the modern sense of one’s freedom, over and against society, from coercion was hardly conceived of as a right by the ancients and was subject to the content of positive law (and therefore to the balance of power between the various groups in society). It might be thought that the great importance Roman republicans placed on freedom of speech contradicts this distinction I am making between the liberty of the ancients and of the moderns; however, freedom of speech is part and parcel of being able to participate directly in the political system – as such, it is an integral part of ancient liberty – but freedom of speech was not absolute in Rome.

All three of the defects of ancient liberty hinted at in the beginning of this essay have been implicit in the foregoing analysis. They are: 1) that ancient liberty is a collectivist rather than an individualist concept; 2) that ancient liberty is primarily about the freedom of particular groups from domination by other groups and the privilege of individuals to participate directly in

51 Frédéric Bastiat, Chapter 9, “Academic Degrees and Socialism,” in *Selected Essays* (1995 [1848]), p. 247.

52 Space limitations and the purpose of this essay prevent me from delving into exactly why and how this is a deficiency of modern liberty. This topic will have to await a future essay.

their group's political system; and 3) that the concept of ancient liberty is determined by positive rather than natural law.⁵³ That the first and second defect are related is obvious, for they logically entail one another; that the third is a corollary and consequence of the other two may not be so obvious. The connection becomes apparent when one considers that true liberty (primarily in the modern sense) pertains to the individual as a necessary precondition for, and as constitutive of, individual *eudaimonia*. As such ancient liberty must be a product of positive law insofar as it violates the individual's natural law right to liberty. The connection is well illustrated by Syme in *The Roman Revolution* in a section dealing with the use of *libertas* for propaganda purposes in the pursuit of political power:

The purpose of propaganda was threefold – to win an appearance of legality for measures of violence, to seduce the supporters of a rival party and to stampede the neutral or non-political elements.

First in value come freedom and orderly government, without the profession of which ideals no party can feel secure and sanguine, whatever be the acts of deception or violence in prospect. At Rome all men paid homage to *libertas*, holding it to be something roughly equivalent to the spirit and practice of Republican government. Exactly what corresponded to the Republican constitution was, however, a matter not of legal definition but of partisan interpretation. *Libertas* is a vague and negative notion – freedom from the rule of a tyrant or a faction. It follows that *libertas*, like *regnum* or *dominatio*, is a convenient term of political fraud. ***Libertas* was most commonly invoked in defense of the existing order by individuals or classes in enjoyment of power and wealth. The *libertas* of the Roman aristocrat meant the rule of a class and the perpetuation of privilege.**

Yet, even so, *libertas* could not be monopolized by the oligarchy – or by any party in power. **It was open to their opponents to claim and demonstrate that a gang (or *factio*), in control for the moment of the legitimate government, was oppressing the Republic and exploiting the constitution in its own interests.** Hence the appeal to liberty.

Nobody ever sought power for himself and the enslavement of others without invoking *libertas* and such fair names.⁵⁴

53 Regarding the third defect, see Wirszubski, p. 2 n. 3.

54 Syme, pp. 154-155. Italics in original; bolding added for emphasis. See also, among others, pp. 59, 152-153.

As individual liberty lacked fundamental importance for the Romans, it was subject to the vicissitudes of power politics practised by warring groups within society and subordinated also to *libertas* and civic duty.

The right to property is a corollary of the right to liberty and must be respected if an individual's right to liberty is to be protected and exercised, yet Bastiat defies anyone

to find in all antiquity a tenable definition of [property]. Nowadays we say: "Every man owns himself, and consequently his labor, and, accordingly, the product of his labor." But could the Romans conceive such an idea? As owners of slaves, could they say: "Every man belongs to himself"? Despising labor, could they say: "Every man is the owner of the product of his labor"? This would have been tantamount, in effect, to collective suicide.

On what, then, did antiquity base the right to property? On the law – a disastrous idea, the most disastrous that has ever been introduced into the world, since it justifies the use and abuse of everything that it pleases the law [and those who make and enforce the law] to declare *property*, even the fruits of theft, even man himself. In those barbarous times, freedom could be no better understood.⁵⁵

Individual liberty was largely determined by the balance of power between groups, which group one belonged to, and one's power, wealth and influence. Moreover, Syme seems to be of the opinion that only a small minority really enjoyed *libertas* even in the Roman republic: the governing class of oligarchs who had the most power, wealth and influence.⁵⁶

I should clarify at this point that an analysis of the differences between ancient and modern liberty, and whether *libertas* was a natural right of man, is not explicitly present in Syme's work. His book, however, provides throughout many excellent illustrations of the nature of ancient liberty in both its collectivist and conventional aspects. Not only individual liberty, but *libertas* itself was an acquired right rather than a natural right, meaning that it is more appropriate to speak of them as privileges rather than rights. This is confirmed by the fact that

55 Bastiat, p. 247. Italics in original. By law, here, Bastiat means positive law. C.f., Cicero (1991), I.20-21 & 41, pp. 9 & 18.

56 Syme, p. 2. I take Syme to mean *libertas* here and not individual liberty.

slavery was not considered to be contrary to nature, that one could be deprived of *civitas* and therefore of *libertas*, and so forth. There may well have been some exceptions to this conventional view of liberty, such as some Epicureans and Stoics, and Cicero. But even Cicero, I have argued, tended to conflate the idealized traditions of republican Rome with natural law; and the largely unphilosophical Roman population certainly did not make such fine and difficult distinctions.

There is a fundamental difference between ancient liberty and modern liberty in the opposite importance they give to the collective exercise of political sovereignty on the one hand and to individual liberty on the other. It can and has been argued⁵⁷ that Roman *libertas* as realized in republican government freed up ambition in a way that Rome's old monarchy could not, thus promoting the love of martial glory and civic virtue that led to Rome's military and political greatness. However, I would also argue that the lack of fundamental importance given to individual liberty in Rome, and in the rest of the ancient world, resulted in policies, both foreign and domestic, that eventually resulted in Rome's downfall.

On the Roman Political System and Roman Imperialism

We are now in a better position to understand the political system of republican Rome. The Roman political system was ordered primarily to perform two related functions: to balance and channel the interests of the major groups and socio-economic classes in Rome and to facilitate a militaristic and imperialistic foreign policy.⁵⁸ As it has been noted, faction and internal strife did not arise from nowhere with the destruction of Carthage. Social conflict plagued Rome from the very beginning. The basic political unit in Rome was the family,

⁵⁷ By Machiavelli, *Discourses* (2003), I.20.

⁵⁸ This is not to say that it was deliberately designed for this purpose.

particularly among the nobility.⁵⁹ The noble families constantly vied with one another for power and glory, making and breaking ad hoc alliances, often via marriage; but over time certain alliances became traditional and the nobility was quite capable of closing ranks in the face of internal and external crises. However, social conflict was not limited to competition between the noble families. Again, there were no political parties in the modern sense in Rome, but in addition to conflicts between families there existed conflict between socio-economic groups (based on heredity, wealth, and occupation, or lack thereof), between the different branches and offices of government, and between personal factions (Caesarians vs. Pompeians).

Rome's famous mixed constitution – ostensibly combining elements of kingship, aristocracy, and democracy – although it was in actuality primarily dominated by an oligarchy, arose and evolved over time in order to balance and channel the competing interests of these various groups. Roman imperialism as well, interestingly enough, in addition to being a manifestation of a warrior culture, served to channel social conflict in Rome toward a common purpose. In some sense, then, Roman unity and discipline was driven not by self-sacrifice but by self-interest. Once again, Bastiat has some illuminating observations on the subject at hand:

When I give up a part of my fortune to have walls and a roof built to protect me from thieves and from the intemperance of the weather, it cannot be said that I am animated by self-sacrifice, but that, on the contrary, I am seeking my own preservation.

Similarly, when the Romans sacrificed their internal divisions to their safety, when they exposed their lives in battle, when they submitted to the yoke of an almost unbearable discipline, they were not sacrificing their own interests; quite the contrary, they were embracing the sole means that they had to protect themselves and to avoid the extermination by which they were constantly threatened by the reactions of subjugated peoples against their acts of violence.

I know that some Romans gave proof of great personal self-sacrifice and devoted themselves to the welfare of Rome. But this is easily explained. The self-interest that determined their political organization was not their sole motive. Men

59 Earl (1967), pp. 16, 26-27.

accustomed to triumphing together and to detesting all that is foreign to their association, must have a national pride, a very exalted patriotism. All warrior nations, from the most savage hordes to the civilized peoples, who make war only occasionally, indulge in such flights of patriotism. All the more reason for the Romans to do so, whose very existence was a permanent war. Such exalted national pride, joined to the courage that warrior customs bestow, to the contempt for death that such courage inspires, to the love of glory, and to the desire to live in posterity must frequently produce spectacular actions.

Therefore, I do not say that no virtue can emerge from a purely military society. Such a statement would be belied by the facts; for even bands of brigands offer us examples of courage, of energy, of devotion, of contempt for death, of generosity, etc. But I do contend that, like bands of plunderers, the plundering peoples have no superiority over the industrious peoples in the matter of self-sacrifice; and I add that the enormous and permanent vices of the former cannot be erased by a few spectacular actions, unworthy perhaps of the name of virtue, since they are directed toward the injury of mankind.⁶⁰

Not only did Roman imperialism serve to maintain internal unity and the illusion of harmony, but imperialism in turn created additional reasons to maintain a unity of purpose. Imperialism begets imperialism as the imperialistic power continually makes new enemies, of those it subjugates and those who fear being subjugated in turn, thus creating a never-ending excuse for more war.

A nation with a warrior culture and continual war as its principal purpose requires a flexible political system in order to conduct its activities efficaciously. With regard to foreign policy, at least, the Roman constitution was such a system. In place of a king, the Romans established two primarily executive offices with one year terms: the consuls. In addition to the consul there were two other annual magistracies that one had to have held prior to running for the consulship: the quaestorship and the praetorship. The magistracies were limited in number, “twenty quaestors, eight praetors, and two consuls by Sulla's time.”⁶¹ As one might expect, the competition as one moved up the ladder became increasingly intense, and the stakes only

60 Bastiat, Ch.9, n. 19, pp. 333-334.

61 Jones & Sidwell (1997), sec. 145, p. 103.

increased as did the empire. As Rome's power and territory grew, pro-magistracies had to be added in order to meet the increasing demands of empire. Unlike the magistracies, these pro-magistracies were limited neither in number nor by annual popular elections.

These pro-magistracies were the men who, through the second and first centuries BC, extended the power and influence of the Roman state throughout the Mediterranean world and beyond. It was as pro-magistrates, even more than as magistrates, that the political elite commanded the armies which defeated the kings of Macedon and the tribes of Spain in the second century and controlled the *prouvinciae* [invaded or conquered provinces] which were allotted to them for the exercise of their *imperium* [command].⁶²

The pro-magistracies were created by an act called prorogation by the Senate in which the *imperium* of a magistrate would be extended beyond the normal limit so that he could finish conducting some important business, such as a war. In exceptional cases, *imperium* was also given to individuals who were not already holding a magistracy about to expire. By 107 B.C., however, the power of the Senate and of the noble families were undermined by the first successful attempt to create a pro-magistracy through the People's Assemblies.⁶³ Thus, Roman politician-generals could retain their power and command of their armies long after their year in office was up, and successful *Populares* could even bypass the control of the Senate.

Over the course of the Republic, Roman soldiers became increasingly accustomed to being rewarded by the plunder acquired through their conquests. As Rome's wars extended outside of the Italian peninsula, the Roman armies became increasingly professional. Previously, they had been composed primarily of citizens, of at least moderate wealth, and did not spend much time away from Rome. As the empire grew, however, the armies spent longer and longer periods away from Rome and began to develop a stronger loyalty to their generals than to Rome itself. Marius set a new precedent in 107 B.C. when, having trouble raising an army for his

62 Ibid., sec. 151, p. 107.

63 Ibid., sec. 152, p. 107.

consulship, he drastically changed the composition of the armies by recruiting even the poorest of peasants and laborers.⁶⁴ The full effects of these changes can be seen at least by the time in 88 B.C. when Sulla marched on Rome.⁶⁵

The inhabitants of the city of Rome and the composition of the People's Assemblies changed over time as well. While citizenship and its attendant suffrage was eventually extended to all of the Latins, both one reason for Rome's rise to greatness and also a great danger, as Machiavelli recognized, as many of these citizens likely had less devotion to Rome and republicanism, this had the effect of the assemblies becoming less and less representative. Most voters could not afford or find the time to travel long distances to Rome to vote on any but the most important issues, and many not even then. The People's Assemblies became comprised largely of Rome's welfare queens. The inhabitants of Rome became accustomed to the free 'bread and circuses' (in the form of regular food distributions as well as entertainment such as games and public banquets) that politicians competing for the highest offices gave them, particularly while holding the office of aedile in Rome.⁶⁶ For example, by the time of Caesar's dictatorship the number of those who received corn at public expense swelled to 320,000 and was reduced by the dictator to 150,000. Even the latter figure points to some 25,000 potential voters," a significant number for Roman elections and legislation.⁶⁷

The power of consuls and of pro-consuls over their assigned *prouincia* (province) was nearly unchecked save that successive consulships were against republican tradition, their *prouincia* were assigned by the Senate, and their service was subject to review for flagrant

64 Ibid., sec. 174-177, pp. 122-126. Marius's "six consecutive consulships down to 100 B.C. were also unprecedented" (sec. 53, p. 31).

65 Others to do the same were Marius in 87, Sulla again in 82, Caesar in 49, and Octavian (Augustus) in 43.

66 Jones & Sidwell, sec. 138, 212-227, pp. 95-96, 147-157; Wirszubski, pp. 71-74.

67 Wirszubski, p. 73. This number of course continued to rise afterwards.

abuses (but only at the end of their term in office).⁶⁸ However, national crises and the increasing degeneration of republican institutions in the last one hundred years or so of the Roman Republic weakened these checks.⁶⁹ Moreover, while in office they were immune to prosecution for any crimes they committed. Consuls also had the power to propose legislation (only magistrates like the consuls and tribunes could propose legislation to the Senate and the People's Assemblies; these bodies could only vote for or against these proposals). This great power gave the generals and governors of Rome the ability to act with alacrity and unified purpose in their *provincia*, but it also allowed them to entangle Rome in the affairs of other countries, numerous wars of conquest, and not a few adventures in manufacturing allies who would later prove disloyal.⁷⁰ Rome's imperial wars not only served to enrich Rome, expand her power, and promote her glory in the eyes of her people; they also served to increase the wealth, glory, fame, *and power and influence* of the politician-generals who conducted them as well as those who served under and supported them. The invention of the pro-consulship, and particularly the assignment of pro-consulships by the People's Assemblies, served to magnify this phenomenon. The pro-consulships gave men like Caesar more time to foster personal loyalty in their increasingly professional armies, to acquire resources, to avoid prosecution for crimes committed, and to build their reputation and influence. Both Machiavelli and Montesquieu identify these extended pro-consulships as a leading cause of the Roman Republic's fall for the reasons just identified.⁷¹ Moreover, pro-consulships allowed these men more opportunities to affect legislation and judicial decisions to their benefit through their power, wealth and influence. The opportunity to

68 Caesar himself alludes to this in 1.35 of *The Gallic War*; see also Jones & Sidwell, sec.178-184, pp. 126-131.

69 For example, "Scipio's unconstitutional election to the consulship and to the command against Carthage, or Marius' successive commands granted to avert the danger of the invasion of the Cimbri and Teutones[.]" or the "entrusting [of] Pompey, a mere knight at the time, with a proconsular command against Sertorius [in Spain]" (Wirszubski 1950:62-3).

70 A number of cases involving betrayal by former allies placed or helped into power by Rome are illustrated in Caesar's *Gallic War*; see, for example, pages 1.35, 1.43, 4.21, 7.31, 7.37, and 7.76-77.

71 Machiavelli, III.24; Montesquieu (1999), IX.

have one's power extended in duration to finish important tasks or avoid prosecution no doubt provided an extra incentive to instigate wars as well. By the time of the Triumvirs, the "Senate had become a rubber stamp."⁷²

The virtue and liberty of the Romans was primarily martial and republican in nature. As such, they were collectivist, lauding the Greater Good of the Republic over that of the individual. The Romans had little respect, by modern standards and the standard of natural law, for the sanctity of individual human lives and for private property, particularly non-Roman lives and property. The Roman elites, in particular, detested productive work and commerce and money, except insofar as it allowed them to live well and win public office and glory. Roman social life was rent with faction and conflict. Roman culture gave rise to a foreign policy of imperialism and a flexible political system that could carry it out efficaciously. The very strengths that brought Rome to greatness, however, proved to be its undoing. Roman imperialism, and pursuit of power and glory, eventually led to the centralization of power in the hands of a few and then of one. In the process, the people and the soldiers were corrupted by dependency on plunder and 'bread and circuses'. It was not prosperity as such, then, that weakened Rome but rather a vicarious and unequal prosperity ill-gotten by statist means; indeed, by the very means that brought that prosperity. Roman virtue and liberty, and Rome's political system, particularly the pro-magistracies, reciprocally reinforced each other and fostered Rome's foreign policy of imperialism, which ironically led both to Rome's greatness and to the attempted perpetual dictatorship of Caesar and the end of the Republic. With the end of the Republic, the power of Rome's magistracies were divorced from them and consolidated into the hands of one pro-magistrate, Caesar's adopted son Augustus. This centralization of power, along with the consolidation of the Mediterranean world under the power of Rome, would eventually and

72 Jones & Sidwell, sec. 76, p. 47.

inevitably lead to the self-strangulation of Roman and classical civilization at the hands of the Roman state.⁷³ The historian and official of imperial Rome, Tacitus, well illustrates the final end of the Republic under Caesar's adopted son Augustus:

[W]hen he had enticed the soldiery with gifts, the people with food, and everyone with the sweetness of inactivity, he rose up gradually and drew to himself the responsibilities of the senate, magistrates, and laws – without a single adversary, since the most defiant had fallen in the battle line or by proscription and the rest of the nobles, each in proportion to his readiness for servitude, were being exalted by wealth and honors and, enhanced by the revolution, preferred the protection of the present perils to the old. Nor did the provinces reject that state of affairs, the command of senate and people having become suspect owing to the contests of the powerful and the greed of magistrates (there being no effective assistance from the laws, which had been disrupted by violence, intrigue, and finally money).⁷⁴

The Murder-Suicide of Classical Civilization

It is not widely well-understood why the Roman Empire fell.⁷⁵ Why did the western half of the empire succumb to the barbarian hordes it had conquered or kept at bay for centuries? Why was the eastern half of the empire able to survive for another thousand years, albeit a thousand years of stagnation? Far too simplistic an answer would be that the cause was poor leadership, greed, or weakness brought on by centuries of relative peace and luxury. We have already seen that the cause of the Roman Republic's fall was not merely prosperity as such. Indeed, if peace and prosperity were the cause, one wonders why the far more prosperous Western states of the modern era are still around. A few observers have recognized the very large

73 On this, see, in particular, especially on Rome's bad economic policies: Reed (1979), Davidson (1987), and Mises (1998).

74 Tacitus, 1.2.1 – 1.2.2, p. 2. See also 1.7.1. Throughout *The Annals*, we also see numerous references to and illustrations of sycophancy; e.g., see 1.1.2, 1.13.4 – 1.14.4, 1.75.5, 4.74.1, and especially 3.65 – 3.66.1.

75 Empire can be thought of in two distinct ways: 1) as a type of regime headed by an Emperor and an Imperial bureaucracy; and 2) as a hegemonic state wielding power over or encompassing a number of conquered or politically controlled nations. After 27 B.C., Rome was an empire in both senses. Prior to that, however, the Roman Republic nevertheless was an empire in the second sense. I will be using 'Roman Empire' to encompass both senses and 'Roman empire' to refer only to the second sense.

role played by disastrous economic policies in the decline and fall of Rome, particularly beginning in the early Empire.⁷⁶

Essentially, Roman society (and its economy) died by self-strangulation at the hands of its state. We have already seen a hint of the bad economic policies already being employed in the Republic. These policies were continued, extended and systematized over the course of the Empire. Again, public policy can be traced back to the moral and political traditions of the Romans. As Austrian economist Ludwig von Mises observes:

The marvelous civilization of antiquity perished because it did not adjust its moral code and its legal system to the requirements of the market economy. A social order is doomed if the actions which its normal functioning requires are rejected by the standards of morality, are declared illegal by the laws of the country, and are prosecuted as criminal by the courts and the police. The Roman Empire crumbled to dust because it lacked the spirit of liberalism and free enterprise. The policy of interventionism and its political corollary, the Fuhrer principle, decomposed the mighty empire as they will by necessity always disintegrate and destroy any social entity.⁷⁷

Roman imperialism all but ended by the time of the Empire. Rome had already conquered the whole of the Mediterranean world. Republican virtue, on the other hand, transformed into a nonrepublican civic virtue more appropriate to life under the bureaucratic regime of the Empire, but in essence republican and civic virtue are the same.

That the importance of the economic causes of Rome's decline and fall have gone so long unrecognized is due in no small part to ignorance of sound economic theory and to the economic sophisms so prevalent in politics, academia and the media. What passes for current

76 See, in particular, the brief analyses by Reed (1979), Davidson (1987), Mises (1998 [1949]), pp. 767-769.

77 Mises (1998), p. 769. This is not, of course, to say morality is relative and needs to be adjusted to the demands of the market economy if prosperity is desired. Liberalism, especially its Aristotelian version, holds that what is in fact good and right for man is not incompatible with the market economy; indeed, it is harmonious with it. But this is not to view the nature of man as *homo æconomicus*; Austrian economists and Aristotelian liberals reject this one-sided and hypostatized view of man. Nor is it to say that predatory business, naked and unrestrained self-interest, rampant consumerism and licentiousness are moral. These are not necessary, inherent features of the market economy as such and much havoc has been caused in theory and history because of this misconception.

wisdom is that constant and wise government intervention into the market economy is necessary for economic growth and prosperity, not to speak of mitigating the alleged injustice of the distributive process of the market. Thus it may seem paradoxical and counterintuitive that the political turbulence and competition in the Greek world before the rise of Rome led to the expansion of trade, despite obstacles such as piracy and the like, which in turn led to increasing prosperity and the rise of a large and affluent middle class. Before the rise of Rome, the ancient Mediterranean enjoyed what amounted to a de facto free market, relatively speaking, due in large part to the political decentralization of the region. Growth and prosperity result from a free market, and the intense political competition of the ancient Greek and early Roman Mediterranean world created disincentives for extensive interference with the natural workings of the market. Rome, however, as has been said, swallowed up classical civilization little by little until at the height of its power it encompassed the whole of the Mediterranean world.

Beginning with the early Empire, the decline of Rome and classical civilization began in earnest. Economic intervention and regulation was from the beginning most severe in the center of the empire. Rome's constant conquests, the booty plundered from them, and the relative autonomy that conquered provinces enjoyed under the Republic no doubt alleviated the consequences of disastrous economic policies for a time. Rome came increasingly to depend on the production and commerce of its outer regions, while the center of the empire (primarily the Western portion around the city of Rome and Italian peninsula) became increasingly stagnant and dependent. Deleterious practices begun in the late republic were continued, extended and systematized under the Empire; and new ones were invented.⁷⁸ Senators were prohibited from

⁷⁸ The following is not meant to be an exhaustive description or continuous narrative of the progression and effects of Rome's disastrous economic policies, such is beyond the scope of this or any single paper, but rather is intended only to provide some illustration and evidence for my arguments. For a more detailed chronological analysis, see Davidson (1987).

engaging in trade by a law of 218 B.C. that forbade them to own cargo ships, thus leaving them with investment in land and plundering wartime enemies as their primary sources of wealth. “Barred from commerce by law and custom, the upper class sought to maintain its prerogatives by limiting the commercial opportunities open to others. The Macedonian mines were closed, and those of Italy virtually so, with this intention.”⁷⁹ The persistent problem of *agri deserta* – fertile but deserted farmland – resulted from onerous taxation and state agricultural and financial policies implemented, among other things, in order to provide free food and wine for the people. As the Empire matured, the Roman state increasingly regulated and absorbed the functions and aspects of society and market, to the point that in the late Empire Rome more resembled medieval civilization than classical civilization. Peasants, workers and even landowners were tied by law to their land. In the state-controlled system of *collegia* (or guilds), members could not change occupations and sons were required to take up their fathers' profession. Production and trade became increasingly stifled. Diocletian, in particular, radically expanded the imperial bureaucracy. Workers (not chattel slaves) in state munitions manufactories and in the government mints were regimented, ranked like soldiers, and branded so that they could not escape. Such policies and more are largely responsible for the enfeeblement and fall of Roman and classical civilization.

It is this self-induced enfeeblement that made Rome so susceptible to plagues and famine, further weakening Rome, and finally enabled the German barbarians, whom Rome had defeated and kept at bay for centuries with relatively little trouble, to invade and conquer the Western Empire. Mises summarizes the process well:

The decline of the ancient world....was a social retrogression. The decline of the Roman Empire was only a result of the disintegration of ancient society which after reaching a high level of division of labour sank back into an almost

79 Davidson (1987), p. 3

moneyless economy. Thus towns were depopulated and thus, also, did the population of the countryside diminish and want and misery set in simply because an economic order working on a lower level in respect of the social division of labour is less productive. Technical skill was gradually lost, artistic talent decayed, scientific thought was slowly extinguished. The word which most aptly describes this process is disintegration. The Classical culture died because Classical society retrogressed.⁸⁰

And classical society retrogressed because the very traits that led to Rome's greatness – its moral and political traditions – also carried the seeds of its inevitable destruction. Martial and republican virtue and ancient liberty are inadequate to the task of bringing about and maintaining a free and flourishing society, and are only vicariously related to true virtue and liberty at that.

If Rome demands a higher kind of valour;
Then I thank the gods I was not born a Roman,
And still have something human left in me.⁸¹

80 Mises (1981), p. 309.

81 Corneille (1996), II.3, p. 42, lines 480-482, uttered by the character Curiatius. Curiatius still accepted a higher duty to his country, which obligated him to fight his double brother-in-law, Horatius, a Roman, to the death in Rome's war against Alba, but Curiatius balked at Horatius's claim, that to grieve over this was an unRoman weakness, a lack of courage. Corneille's play is a poignant tale of the personal cost of the pursuit of national glory.

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