Some remarks on the study of the Roman Republican History nowadays: an interview with Valentina Arena

Algumas considerações sobre o estudo de História da República romana hoje: uma entrevista com Valentina Arena

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Valentina Arena é professora e conferencista de História de Roma no University College London. Seu trabalho tem como foco principal as ideias e o pensamento político antigos e, de maneira geral, o mundo intelectual romano do período da República, com interesse particular nos textos de oratória romana e dos antiquários. Valentina Arena tem investigado as teorias antigas sobre liberdade e a forma como essas teorias se relacionam com os contextos políticos e intelectuais antigos, assim como suas contribuições potenciais para os debates políticos atuais. Possui interesse particular na obra de Varrão, na filosofia antiga da linguagem e no constitucionalismo romano. Faz parte de vários projetos de pesquisa internacionais, os quais cobrem uma diversidade de assuntos, como a soberania popular, culturas e práticas eleitorais e julgamentos romanos. Trabalhou também no Departamento de Moedas e Medalhas do British Museum, com o qual ainda mantém ligações.

1. José Guilherme Rodrigues da Silva: How you first became interested in studying History of Ideas, specifically on the period of the Roman Republic?

Valentina Arena: I have always been convinced that every member of our civic community has the right and, most of all, the duty to be a politically active member of society, so it was natural for me to combine my interest in the ancient world with the search for the intellectual traditions informing the fundamental ideas of politics. My work in the field of history of political ideas has been the natural result of this combination. Within this wider area of studies, I found the Roman Republican period to be the most fascinating. The complex political reality of the Republic, deprived of a centralised focus of power and

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authority later provided by the emperor, makes it a very fertile ground for the articulation and different conceptualisations of political ideas. It was indeed not a coincidence that at the beginning of my doctoral studies, when, following the instructions of my supervisor, I began to read the entire epistolary corpus of Cicero, I was struck by the dichotomy, or at least what I perceived as such, between the notions of liberty and justice advocated in these texts and the course of political actions carried out in their name. This was the beginning of my powerful interest in the world of political ideas in the Roman Republic.

2. There are historically more studies on the Roman Empire than on the Roman republican period, and even more than studies on the regal period. In Brazil this difference between the periods of Roman history is very striking. Is there any tendency of increase of studies on Roman Republic in the United Kingdom or in the rest of Europe?

R: I think that currently both in the UK as well as in continental Europe there is a strong interest in the study of the Roman Republic, which is as powerful as the interest in the history of the Roman Empire. There are currently two main lines of historical enquiry that seem dominant in the study of the Republic: the first concerns the demographic changes that took place throughout the Republic, with particular emphasis from the third to the first century BC. This is an issue of exceptional importance for the understanding of the socio-economic changes of the period as well as for the fall, or transformation, as it is sometimes called, of the Roman Republic. The second major line of enquiry concerns the investigation of Roman political culture, where the power of oratory, the role of political ideas, and the articulations of cultural memory and its loci of manifestations have attracted much scholarly attention. Although the Roman Republic attracts an equal interest as the Roman Empire, the situation is rather different in the case of the so-called 'Regal' period. This, at least in the UK - and perhaps, to a lesser extent, in continental Europe too - does not generally draw as much attention as the other periods of Roman history, as a result of the status of our evidence.

3. In the same way, there is more studies on the Late Republic than on the early periods, mainly because of the number of sources related to the 1st century BC. Is there any tendency of change?

R: As a result of the concentration of sources, the late Republic does undoubtedly attract more attention than the study of early Rome. The history of archaic Rome is inevitably intertwined with archaeological developments and the interpretation of very complex and

obscure sources. Much of the ancient writing about early Rome is considered by most scholars to reflect much later process of historiography and invention (Peter Wiseman, Jacques Poucet). However, in this field much interesting work has been done in the last decade or so. Andrea Carandini, for example, has attempted to marry the archaeological evidence with the written sources about early Rome in a systematic way, and, although admittedly his views have not gathered universal consensus, they have stimulated a fruitful debate (for example, Peter Wiseman, Christopher Smith, and Nicola Terrenato for different pictures). The attention of scholars working on early Rome is now predominantly focused on the ancient writing on law, religion, and customs, as they are regarded as the three areas for which the written evidence have been less subjected to later interference (see, for this approach, the work by Timothy Cornell, Alexandre Grandazzi, and Christopher Smith). However, despite these developments, I think that late Republican history will always attract a significant amount of attention, not only because it was a period populated by great figures who play a considerable role in the contemporary collective imagination and popular culture (such as Caesar, Pompey, Cato, Spartacus, just to mention a few), but also, and most importantly, it was a period of constant political turmoil, carefully recorded by its protagonists, and in which many modern societies may recognise some familiar traits.

4. The idea of 'libertas', as an opposition to the 'seruitus', is linked to the historical development of slavery in the Roman world. This concept of 'libertas' is directly related to the status of 'ciuis', opposed to the status of 'seruus' (or 'serua'). Were there transformations in the relation between both concepts at the Republican period, or only an affirmation always stronger of the 'ciuis-seruus' dichotomy?

R: This is an excellent question and one that it is very difficult to answer, as our picture may well be distorted by the available evidence. There is little doubt that during the Republic the Romans conceived the idea of liberty as the antonym of the notion of slavery. Even the XII Tables attest the existence of this sharp dichotomy: a free citizen could not be sold into slavery for debt within Roman territory, but only *trans Tiberim*, beyond the river Tiber, in a non-Roman territory. With its territorial expansion, especially from the third century onwards, Rome developed an increasingly distinct characterisation of slave society, to which corresponded to a clearer delineation of the notion of *libertas* as status of non-slavery. The comedies of Plautus and Terence often picture the character of 'cunning slave', enjoying, *de facto*, a considerable degree of liberty. However, this enjoyment remains subject to the will of the *dominus* of the slave, who can withdraw his favour at his pleasure, reminding his slave of his status. In conceptual terms, the notion

of liberty remains unequivocally the counterpart to the status of slavery. Although *servi* may enjoy a condition of 'non-interference', they are always *in potestate* of someone else. They therefore consistently suffer domination since they are constantly in a condition that grants someone else the capacity to interfere arbitrarily in their affairs. This important categorisation, attested throughout the first century BC, is elegantly formulated in the juridical texts of the imperial era. In the *Digest*, the chapter entitled *de statu hominum* begins by stating the fundamental division concerning the juridical status of mankind: 'the principal division in the law of persons is the following, namely that all men are either free or slave' (*Dig*. 1.5.3=Gai. *Inst*. 1.9.) It then specifies that 'men who are free are either freeborn, that is they are free by birth, or freedmen, namely those who have been manumitted from legal slavery.' (*Dig*. 1.5.6=Gai. *Inst*. 1.10–1). Furthermore, according to the *Digest*, to be free, either by birth or by legal manumission, entails the natural ability 'to do whatever one wishes unless prevented from doing so by physical impediment or law'. (*Dig*. 1.5.4=Florentinus *Institutes* IX). This ability is possessed when one is in the status of non-slavery: thus, one is free when he is under his own *dominium*.

An important aspect to bear in mind is the role of the freedmen. Although the frequency of manumission is still the subject of heated debate, in conceptual terms, a *libertus* was considered a freeman. If, on the one hand, *liberti* brought with themselves the mark of their condition and often conducted a life of *de facto* dependency on the will of their patron, on the other hand, conceptually, they were regarded as free, provided that they had been manumitted regularly. However, the considerable emphasis laid on the legality of the procedures of manumission as well as the conceptualisation of the services required by their patron show that the status of the *liberti* was theorised in terms of independence from the will of their former *dominus*. As Brunt has rightly stated, there is some justification for saying that men who were not chattel slaves, but were, *de facto*, subject to different degrees of someone else's power, were in some sense free.

5. Being a slave is also to live in potestate, i. e., being prevented of acting, by means of coercion, according with the own will. In this sense, is there an inversed relation between the idea of libertas and of the tyrannis? Can this be one of the reasons for the Roman republican aversion to the idea of a king?

R: Excellent. This is very much the point. In Rome during the late Republic, the political liberty of both the citizens and the commonwealth was conceived in terms equivalent to those of the juridical conditions of liberty and slavery, which I mentioned earlier. It follows that being

subject to a tyrant, or king who had the ability to behave tyrannically, was conceived as being in a status of slavery, that is, subject to the arbitrary will of the person in power.

For the Romans of the late Republic, an individual could act as a free citizen (that is, he was in possession of those rights that allowed him to enjoy the life of a free citizen) only when he lived in a free commonwealth. As the loss of political liberty of an individual Roman citizen was analysed in terms analogous to those of falling into a condition of enslavement or servitude, so too the loss of liberty of a commonwealth was conceptualised and expressed in these same terms. According to late Republican writers, to describe a civil association as free was to say that this association was not in a condition of dependence upon the will of another, but on that of its citizen-body as a whole.

Building on the metaphor of the body politic as human body, they maintained that the status of liberty could be lost under two distinct circumstances. First, they claimed that the liberty of the commonwealth could be lost when a civic community falls into a condition of dependence on another community, usually as a result of conquest. Second, and this is more relevant to your question, they maintained that a civic community loses its liberty when it falls under the power or control of an agent distinct from the sovereign body of the citizens, be it either a monarch or a group of people.

Roman authors portray the commonwealth's fall into a condition of servitude at the hands of a single individual, who is therefore often represented as a tyrant. Cicero referred several times to the condition of servitude into which the commonwealth had fallen as a result of Caesar's and, later, Antony's pre-eminence. When the *res publica* came under Caesar's control, Cicero claimed, it lost its capacity to act according to its own will and thereby assumed a condition of slavery. As the coin issued by Brutus in 43/2 BC shows, Caesar could be depicted as a tyrant, who imposed his will over the entire community and reduced it to slavery. Caesar's assassination could therefore be qualified as tyrannicide, the enactment of which could have restored, in the minds of its perpetrators, the liberty of the commonwealth as a status of non-arbitrary interference. In short, the rise to power of individuals or groups, who could impose their will on the commonwealth and ultimately its citizens, was described as a predicament in which the community had fallen into a condition of slavery, whose body politic was thereby divested of its capacity to act according to its own will.

6. Thinking in connections between ancient political history and contemporary political theory, could you briefly comment on how the studies on ancient ideas of liberty can help to understand contemporary political ideas?

R: I think there is scope to broaden and further enrich the existing dialogue between the study of ancient history and contemporary political theory. Expanding our knowledge of the ancient world as a reservoir of potential intellectual resources can help clarify our thinking about the political world we live in. The guiding assumption of such an enterprise is that history, and more specifically here the history of the ancient world, when analysed through the heuristic lenses of analytical political philosophy may have something to offer us that goes beyond the clarification, or even the comprehension, of historical questions concerning the ancient societies under scrutiny: it may help us address the most pressing evaluative issues of contemporary society; in other words, it may help us understand how best to build our civic community and conduct our lives.

One of my recent projects, a special issue of the journal, *History of European Ideas*, entitled *Liberty: an ancient idea for the Contemporary World?,* was grounded in the belief that the obstacles placed by the dichotomy between historical research and our orientation in the present are not insurmountable. Indeed, a dialogue with the present is almost an imperative for scholars of the ancient world who wish to engage seriously and substantially with the world we live in. In order to do so, we need to go beyond the historical specificities of individual contexts and, filtering out what is historically particular, try to translate the notions into general categories, providing them with a logical structure.

This historical investigation shows that contemporary notions of liberty, contested throughout centuries, are the result of possibilities opened and closed in the past, the results of choices made by past societies. This is the most salutary reminder, as is often said, of the contingent nature of our 'eternal' values, which, therefore, can, and should, be modified to respond to contemporary challenges. As Foucault contended, the point of history is indeed to show that the present is contingent and can be altered.

By extrapolating general logical propositions from the specificities of their historical contexts, the purpose of an historical enquiry into the ancient notions of liberty is to gain new intellectual tools (or refine those at our disposal) that may show us how best to deal with current situations and circumstances. A viable intellectual resource, these ancient societies, interconnected with one another, are endowed with an imaginative force that, as John Dunn emphasised, may support us in thinking again and with some perspective about what we might need to include or exclude in conceptualising the world around us.

7. It needs a meticulous work in order to one find information on the sources about the habits, customs, and daily practices of common people in Republican Rome. The comedies of Plautus and Terence are the most obvious sources. Are there many works in this subject being produced?

R: Alongside the information provided by archaeology, to reconstruct the customs and daily practices of the Roman people in the Republic, there are two main kinds of literary sources: Roman comedies, especially those of Plautus and Terence that, contrary to other fragmentary plays, have often been preserved in their entirety; and the antiquarian works of politicians and intellectuals of the second and first century BC, amongst whom the most famous is Varro. The former have long been recognised as opening a window onto the society of the third and second century BC. Although the scholarly debate on the relation between Roman comedies and their Greek antecedents is still open, scholars now agree that Roman comedies can and should be considered also a valuable source of information on Republican customs, ranging from legal to religious issues, from culinary matters to issues concerning women and slaves. To this end, it is sufficient to have a look at the latest *Oxford Handbook of Greek and Roman Comedy*, edited by Michael Fontaine and Adele Scafuro in 2013. This book series, whose aims is to provide a picture of the current *status quaestionis* in the field as well as its latest developments, presents a whole section dedicated to Roman comedies as historical source.

The second set of works, those of an antiquarian nature, are currently ill served in scholarship as a full edition of these texts is currently unavailable, making these works less prominent in scholarly investigation. However, it will suffice to turn our attention to Varro's *de vita populi Romani*, now splendidly edited by Antonino Pittá, to access a mine of information concerning the habits and customs of the Roman people through their historical developments. My current project aims at placing antiquarian Republican works as such Varro's *de vita populi Romani* on the scholarly map of future research.

8. In the history of Republican Rome, the Second Punic War was – we can understand in this way – an inflexion in the ways of relation between the Roman aristocracy and the other peoples of the Mediterranean: these ways of relation are very distinctive between before and after that war. Can we understand the Roman aristocracy practices of power exercising (internal and external), which arise more clearly in the post war period, as the beginning of the process which will culminate at the political crises of the 1st century BC?

R: Scholars have long recognised that with the Punic Wars, and especially the Second Punic War, Rome underwent some profound changes. On the one hand, the extension of Rome's influence and power overseas, territory Rome had come to control between the fifth and third century BC, had an enormous impact on the organisation of the army and laid the foundation for the structures of the empire. On the other hand, the

social and economic transformations that came as a result of these encounters had a lasting influence on the way in which the Roman aristocracy operated and, often in our sources, are presented as having a lasting effect on the supposedly homogeneous and harmonious society at the time of expansion in Italy (formed after the so-called struggle of the orders), which eventually led to the crisis of the first century BC. In particular, from the second century onwards, the sources emphasise the breakdown of political and social consensus within the elite, which, in turn, transformed a series of rules and procedures that had previously been "regulated" or, more precisely, sustained by the *mos maiorum* into a series of legislative acts, a process Bleicken called the '"jurification of the mos." The actual enactment of the so-called *leges tabellariae*, which introduced the secret ballot progressively into the electoral, judicial, and legislative assemblies, of the *leges de ambitu*, which attempted to curb political corruption in various ways, and of the so-called *leges annales*, which established a fixed structure for Roman political careers, has been interpreted as a process directly related to the actual failing of the *mos maiorum* to fulfil its original function (however, the first century BC saw the reversal of this phenomenon, something that Martin Jehne calls the "mos-ification of the law"). This occurrence that can be interpreted, as some scholars have done, as attesting the increase of the importance of popular assemblies, in charge of formulating social and political norms into rules, has been interpreted by others as the decline of traditional consensus amongst the ruling elite. Once internal social cohesion became rarefied, these scholars maintain, the struggle for personal power that, in their opinion, characterised the first century BC began.

9. 'Res publica' is a concept with no simple translation. Peter Burke, in one of his books, wrote that an historian of the 20th century who writes for readers of the same epoch, although knowing that the concepts of the time of the subject of enquiry illuminate him and help him in his comprehension of the historical context, has to consider modern concepts. One of these modern concepts which frequently is used to translate 'res publica' is 'state', and several works has being wrote about the correction of not of using it. How do you see this problem?

R: Our culture is undoubtedly very different from that of the Roman Republic (and the Graeco-Roman world in general). These differences are necessarily reflected in the entities, such as the state, that we take as objects of our enquiry. The distorting potential to approach the past from the perspective of the present, what is usually termed anachronism, is often considered, in the words of Lucien Febvre, a 'sin that cannot be forgiven.' What lies at the foundation of this unforgivable 'sin' is the conflation of the present, in which the analysing subject operates, with the past in which the analysed object is set, in your

example, the state. This collapse of differentiation, as Margreta de Grazia notes, infringes both the principles of epistemology as well as of ethics. It disallows the knowledge of the other period, and consequently does not respect its constitutive differences, reducing the other to the same as the observer, the time of the past to that of the present. Some historians of the ancient world accordingly take a firm stance against a damaging osmosis between past and present, urging a rejection of contemporary terms to describe ancient historical realities. However, since we live in the present, it is inevitable that we use terms of the present to discuss objects of the past, even if these do not fully encapsulate the historical reality of the time. 'State', 'Republic', and 'commonwealth' are terms with their own changing history and not one would be a perfect fit – any translation of *res publica* is doomed to fail. But we live in the present and we communicate with the present with the language of the present. The fundamental point is to make explicit the historical differences and peculiarities of the Roman Republican notion of 'state.'

There is an additional point. I think that language fulfils an epistemological function: we ourselves use concepts and words to think about entities (such as states) and form an opinion of what they are by these very words. When looking at the past, we all start from our point of view and our words: it is in noticing differences and similarities with broadly comparable entities in the past that we can better draw out the historical specificities of antiquity.

10. The idea of "democracy" adapts itself practically and legally to the historical contexts and nuances with which this modality of government applies. The modern democracies have nuances and differences – sometimes very striking between them – in their electoral processes, for instance, the direct vote and the Electoral College vote. Related to the Roman Republic, even though there existed the assemblies and the rhetoric of the speeches uttered during the electoral or the decision-making processes with the objective of convincing, there is since long time a kind of consensus that there never was democracy in Rome. However, the citizens had some importance in the decisions during part of the Republican period, even if only directed by the historical contexts of the divisions of the oligarchy. What is your perception on this problem?

R: In the 80s, Fergus Millar put forward the idea that Republican Rome should be included in the list of democracies of the ancient world. He emphasised three important factors: the fundamental role of the legislative assembly of the people, who passed laws that governed the life of the whole community; the function fulfilled by public oratory, where politicians addressed the people gathered in the Forum; and the open space dimension of the Forum

itself, the heart of Roman political life. Since then, although his main interpretative outline has not been accepted by the majority of scholars, the study of Roman political culture has received a powerful renewal. The history of Roman institutions has focused on the workings of the *comitia centuriata* and the impact of bribery on its functioning, as well as the political dynamics governing the *contio*, the non-decision-making assembly that discussed public affairs, open to anyone who wished to attend (including women, foreigners, and slaves). The rhetorical techniques adopted by politicians on the rostra have been subject to close investigation and the political ideas to which they referred have been thoroughly explored and placed at the forefront of the scholarly agenda. The public, as well as private, nature of the space of the Forum, its actual capacity, and its function as a locus of collective civic memory have been fully analysed. When we look at all these new dimensions of Roman political culture that this debate has opened up, it seems that whilst the applicability of *a* contemporary understanding of democracy is not mechanically applicable to the Roman Republican system, it is also now impossible to disregard entirely the political role of the wider citizens' community in our analysis of Roman politics. For my part, I think that the people in the Republic played a fundamental role beyond the function that they might have fulfilled when an institutional gap was created by a split within the governing elite. It was 'people', understood as the wider community of language users, who, according to ancient theorists, accepted or rejected the social normative vocabulary by which society operated. By legitimating certain courses of action, this language also functioned as one of the causes of historical changes. It follows, therefore, that the people, so conceived, played a key role in the political struggles of the Republic.