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Ancient Citizenship and its Inheritors

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In the modern West the history of citizenship is most commonly presented in terms of a sharp contrast between its ancient and modern (meaning post-medieval) forms. In ancient citizenship, according to this view, the citizenry is its own political master: modern historians have made much of Aristotle's famous phrase that in democracies the citizen is both ruler and ruled in turn (Politics: 1283b). There is no locus of sovereignty outside the body of the citizens themselves. Rule may be exercised in practice by consuls, magistrates, assemblies or even kings – yet these are understood simply as custodians of the people's authority. And politics demands at least the potential participation of citizens in decision-making. Here citizenship is expressed as the activity of fulfilling one's obligations towards one's fellow-citizens. In modern citizenship, by contrast, citizens are aware that they owe a primal obligation of obedience to some supreme sovereign ruler, and that this subjection limits their personal political autonomy in a quite profound manner. Even where sovereignty is described as vested in the people themselves, they participate in their sovereign role only in the context of an elaborate system of political representation at a distance, carried out in the shadow of a permanent professional administrative apparatus. Hence citizenship is expressed only 'passively', as a form of constraint upon action, or delegation of action to others (cf. Burchell, 1995).

This received modern account of ancient citizenship is generally delivered in the register of political theory. And so it tends to present a picture of ancient civic life which is strong on political ideals and principles, and decidedly thin on political culture and routine civil life. It is not always easy, when reading modern accounts of ancient citizenship, to imagine how the figure of the active citizen dovetails into the mundane civil affairs of relatively peaceable societies – let alone what value, if any, was accorded to the unheroic practices of 'passive' citizenship. A further complication is that modern images of ancient citizenship do not come to us directly from the ancient texts themselves. Rather, in good measure they are a product of the highly charged political controversies of the early modern world, when ancient 'republicanism' was held up as an idealised alternative to everything which critics disliked about the contemporary world of territorial states and the claims of secular sovereign power. And so modern accounts of ancient 'republicanism', which are so influential in modern images of ancient citizenship, often bear a striking resemblance to the self-styled republican political theories of writers in the

Northern Italian Renaissance (c. 1400–1600), or the Dutch Revolt (c. 1570–1650), or the English Revolution of the 1640s and 1650s. Finally, it was inevitable that early modern revivals of ancient 'republicanism', and the images of 'active' citizenship which went along with them, were refracted through the violent religious controversies of the epoch. It is impossible to understand the republicanism of the Dutch Revolt, or of the English Revolution, for instance, without recognising that they were products of distinctive and specific Protestant religious cultures. And so, deliberately or otherwise, modern republicanism often owes more to Calvin than it does to Cicero.

Here I want to outline a relatively novel account of ancient citizenship and its broader legacy in the early modern and modern worlds, one which seems to me more in sympathy with the general approach of the present volumes. I will suggest that it is possible to find an ancient ancestry for both the 'passive' and 'active' citizens of the early-modern and modern worlds – and indeed, that the two concepts were often seen as integrally related. And I will argue that, contrary to modern accounts which present ancient citizenship as an antidote or alternative to the modern sovereign state, the ancient civic legacy and its significance were adopted and contested on both sides of the debate over the roles of sovereign power. In so doing I want to stress the genuine complexity and ambivalence of images of citizenship and civic life in the ancient world. For Cicero civic activism was dangerous as well as laudable, disruptive as well as potentially liberatory. Civic heroes needed to be treated with kid gloves. And so those writers in the early modern world who stressed the importance of what we moderns are bound to see as purely passive forms of citizenship – such as tolerance and respect for others, or simply minding one's own business – may not be so new-fangled as they are sometimes depicted. And this should not really surprise us, since some of them were among the greatest classicists of their era.

SOVEREIGN AND CITIZEN

The sense of a sharp break between ancient and modern conceptions of citizenship dates at least to the latter seventeenth century. In the Northern Italian Renaissance of the fifteenth century the classical 'political life' – as especially vividly depicted in the first-century BCE Roman statesman Cicero's speeches and letters – had served as a propaganda counterpoint to those models of political domination and subjection which had been inherited from the Carolingian empire and the feudal epoch, and which were associated with the political cultures of the Italians' threatened foreign rulers. This reconstructed neo-classical citizenship was sometimes described as republican, following the Latin term denoting the polities of the ancient city-states. And it may or may not have been associated with political theories of forms of rule and 'mixed constitutions'. The significance of this political language of republicanism in the secular political cultures of the Renaissance states has sometimes been overstated by modern historians. Few other scholars, for instance, have ever been entirely convinced by Hans Baron's account of a triumphant 'civic humanism' in the Italian city-states (Baron, 1966). Again, in the northern monarchies of the sixteenth century the neo-Roman civic ethos was often reconstructed quite pragmatically as an ethic of counsel to sovereign monarchs, in the form of manuals of 'advice to the prince'. Perhaps more significant for practical purposes was the fact that what were depicted as classical 'republican' doctrines were widely enlisted in the 'resistance' theories of various Christian confessional groupings, both Protestant and Catholic, during the long period of bitter religious struggle (c. 1570–1650) which followed the Reformations (Skinner, 1978).

It was in this latter, theological, incarnation as a theory of resistance by (Christian) subjects to unjust (secular) rulers that born-again versions of ancient citizenship became increasingly controversial and contested.

For while seventeenth-century theorists of sovereignty such as Hobbes and Pufendorf were consummate Latinists and admirers of Roman personal ethics, they were resolutely opposed to the role played by republican doctrines in the religious controversies of the day. Their reasoning was simple. From the Reformations onwards the old feudal kingdoms of western and central Europe had been drowned in successive waves of internal and international strife and bloodshed, all prompted in good measure by the claim that the call of religious authenticity, which was to be found within the individual Christian believer's breast, took moral primacy over the calls of order, reason and the rule of law. The only cure for the disease of intractable religious turmoil, according to the theorists of sovereignty, was a general agreement in the primacy of sovereignty over all other political values (Pufendorf, [1673] 1991: 139–41, 175–7).

Hobbes and Pufendorf explicitly associate the contemporary renovation of classical civic culture, as refracted through the concerns of humanistically trained Reformation theologians, with the religious and political chaos of their era. According to Pufendorf it is the 'absurd and erroneous' political 'dogmas' of Plato and Aristotle, as transmitted through the early modern university curriculum, which have brought tumult and convulsion to modern states (Pufendorf, 1955: 'Praefatio lectori benevolos').[1] Hobbes blames the ancient civic tradition for all the tumults of his time, and 'the effusion of so much blood': 'there was never anything so dearly bought, as these Western parts have bought the learning of the Greek and Latin tongues'. Just as the Reformation theologians' location of spiritual authority within the individual believer's breast led to interminable religious dispute, so the republicans' location of moral authority within the breast of the individual citizen would lead to endless religious conflict. Worse still, if primacy of the spiritual conscience in religious belief were allied to civic activism in political belief, neither established religion nor established political order would ever be left in peace. Everybody would be free all the time to engage in tumult and sedition in favour of the particular religious-political order dictated by their conscience.

In any case, for Hobbes the modern search for freedom, whether spiritual or political, was self-defeating – since (whether it is formally acknowledged or not) every stable form of government has a seat of sovereignty, and every one requires submission to the rightful sovereign. Here Hobbes was drawing also upon the ancient critics of democracy such as the historian Thucydides, who had observed that the direct democracy of the assembly, which seemed ostensibly the 'freest', was the form of government most likely to degenerate into simply personal tyranny, since the actual seats of authority were hidden behind the mask of popular rule (Hobbes, [1628] 1989: 571–3). The 'freedom of citizens' for Hobbes is determined not by the presence or absence of assemblies or seats of representation, but by the capacity of the sovereign to secure and protect those freedoms: 'whether a commonwealth be monarchical, or popular, the freedom is still the same' (Hobbes, [1651] 1991: 149–50; cf. Hobbes, [1647] 1998: 121).

Of course, Hobbes' contemporaries viewed these arguments with deep suspicion. The loudest and most numerous of Hobbes' opponents condemned his dismissal of religious authority as political atheism. Others, such as the republican James Harrington, criticised him for replacing an ancient 'art of government', based upon 'the foundation of common right or interest', with a modern art of government by means of which 'some man, or some few men, subject a city or a nation, and rule it according unto his or their private interest'. The one, according to Harrington, was a *de jure* government based on the rule of laws rather than men; the other a *de facto* government based on the rule of men rather than laws (Harrington, [1656] 1992: 8–9).

ANCIENTS AND MODERNS

Historically, of course, Western polities broadly followed the course advocated by Hobbes and Pufendorf (if not Hobbes' controversial theological prescriptions). They established civil peace on the basis of a universal subjection to political sovereignty, and they emphasised the figure of the dutiful 'passive' citizen ahead of the self-determining civic activist who, in Hobbes' and Pufendorf's minds, had provided the role-model for the self-directed religious zealot. And in important respects these political values became the linchpin of modern representative states. Modern historians of citizenship, on the other hand, have tended to take a much bleaker view of 'Hobbes' choice'. Following in Harrington's footsteps, modern scholars decry the passage in Hobbes and his fellow theorists of sovereignty from a classical 'language' of politics to an early modern lexicon of reason of state, in which the community based upon justice is replaced by rule based upon the fear of the sovereign (e.g. Viroli, 1992; Skinner, 1998). For these scholars a twice reborn republicanism appears to provide a way out of what might uncharitably be described as the self-created impasse of contemporary political thought, the supposed Scylla and Charybdis of individualism and collectivism, individual rights and social rights, the right and the good (e.g. Pettit, 1997: Chs 2–3; Skinner, 1998: Chs 1–2).[2]

Yet the modern view of Hobbes and the other theorists of sovereignty is paradoxical. On the one hand many contemporary political theorists side with Harrington in rejecting Hobbes' view of sovereignty as simply a legitimation of untrammelled personal rule, or else as a transference of sovereignty from the people to the blank visage of the impersonal state (e.g. Skinner, 1989). On the other hand, modern scholars are surprisingly willing to take Hobbes' own polemical depiction of the gulf between ancient and early modern political cultures as if it were a simple statement of fact. Following Hobbes, they characteristically equate the classical 'republics' with formal doctrines of popular sovereignty expressed through a unified 'popular will' (e.g. Skinner, 1998: 24–36). At the same time, they tend to take on trust the claims of Hobbes and others that classical political thought is defined by its exaltation of the figure of the active, independent citizen. Thus the classical 'art of politics' is depicted as founded on a universal figure of the 'political man', a creature in whom is vested the power of politics and rhetoric, and even the capacity to assume the city's 'point of view' (e.g. Viroli, 1992: 71–125, 289).[3] I want to suggest in what follows that these presumptions seriously underestimate the complexity of ancient civic thought, and of its various early modern uses and abuses.

GREEKS AND ROMANS

One source of the prevalent modern confusion over ancient citizenship is culture and language. Hobbes and Pufendorf were Grecians as much as Latinists, and the prime culprit of their accounts is Aristotle, the fourth-century Greek academic philosopher. This was convenient, since it allowed them to conflate 'republicanism' with the 'decrepit' Aristotelian philosophy of the late medieval 'schoolmen', who were their major polemical opponents.[4] Until recently modern accounts of early modern republicanism – drawing upon a tradition established by nineteenth-century German scholars – also fashioned their image of ancient civic thought mainly out of Greek sources such as Aristotle, Plato and Polybius (e.g. Pocock, 1975). Yet this is misleading, for Greek philosophy was far less influential in the early modern world than was the Latinate culture of Roman politics, rhetoric and law. (Hobbes and Pufendorf themselves were consummate Roman lawyers.) The key texts of ancient political thought for early modern writers were speeches and histories rather than the lecture notes of the philosophy academies, and their exemplar was the

worldly Roman rhetorician Cicero rather than the schoolmaster Aristotle – a philosopher who in any case had been so completely absorbed into Western religious culture as to be thought of almost as a theologian, rather than a politician.

The phenomenon widely known as Ciceronianism waxed and waned in academic fashion, but it remained the cornerstone of early modern political culture for three centuries. The Northern Italian Renaissance humanists had mourned Cicero's 'martyrdom' in what they liked to call his 'last fight for the republic'. This cult of Cicero the republican martyr was still in rude health in mid-eighteenth-century England, when Conyers Middleton published a hagiographic biography of Cicero to great acclaim. For the eighteenth century it was Roman civil philosophy – and Cicero above all others – which incarnated a 'polite' form of political manners, allied with a gentlemanly ethos of civic life. This Ciceronian personal culture, based on an ethic of public service, continued to shape the demeanour of upper-middle-class British and American schoolboys into the twentieth century, long after it fell out of favour among scholars.

Not until the nineteenth-century Romantics produced a rival cult of the Great Man, who for many classicists was Cicero's populist opponent Julius Caesar, was the ghost of Cicero finally stilled. German classicists, spellbound by the Romantic cult of Homer and demanding from the ancients a totalising social theory on the nineteenth-century model, exalted the speculative philosophy of Plato and dismissed the Roman tradition of practical civil science as a 'mongrel compound of history and philosophy' (Schofield, 1995). The German Romantic historian Theodor Mommsen, whose heart lay on the barricades of 1848, exalted Caesar as the spirit of Action, and contemptuously dismissed Cicero as an orator of 'no conviction and no passion', 'a statesman without insight, idea or purpose' and a literary 'dabbler' (Mommsen, [1854–6] 1901: 504–5). He had no shortage of twentieth-century supporters (e.g. Syme, 1939; Stockton, 1975). Even today classical political thought is understood almost exclusively through Plato's utopias and Aristotle's digests, while Cicero's letters and tracts are consigned to the ranks of primary source material. This severely impedes our ability to understand the significance of ancient citizenship both for the ancients themselves, and for the 'new Romans' of the early modern world. For where they saw example and precept, we see doctrine and theory. And where they groped towards political stability, we restlessly seek after political liberation.

RES PUBLICA

Modern scholars, then, have staked a good deal on reclaiming what they see as the distinctively 'republican' political culture of the ancient city-states.[5] Yet 'republicanism', as a presumed doctrine about the nature of politics in the classical city, is a modern invention – albeit one of such long standing that for many scholars it has become second nature. *Res publica* in Ciceronian Latin has many meanings, but 'republic' and 'republicanism' are not among them (Schofield, 1995). In its most primal sense *res publica* simply denotes the 'public affairs' of the city, where these are understood to allow the capacity of at least some of the citizenry to intervene in those affairs with some effect. In a more extended sense it may suggest the affairs of the 'people' (*populus*), where this is understood not as a moral entity but as a specific political community founded under justice and the rule of law.[6] Or it may denote the political interests of one's own country (the *patria*) in its relations with others. None of these usages presumes a specific political constitution or order, beyond the presence of some kind of 'public' space in which political affairs can be debated. In principle, this space may be preserved under any of the primary forms of political constitution, or indeed under any mixture of these forms – and the 'deviant' versions of those forms (mob rule, oligarchy, despotism) represent

situations where one part of the polity deprives the remainder of that capacity.

In his tract *De Re Publica* Cicero allows that *res publica* may flourish under any of the main forms of government (monarchy, aristocracy, democracy) prescribed by Polybius. Yet the liberty of each social group will necessarily vary: under an aristocracy the populace may see itself as enduring a kind of servitude, while the unrestrained domination of the multitude may likewise be experienced by their victims as a kind of mob rule (De Re Publica: I. 39, I. 43).[7] Hence in practice the political order must be balanced in such a fashion as to find a stable resting-point, according to the sociological composition of the particular city (*civitas*) in question. And the trick of politics is to find that balancing-point in public liberty which will allow 'the appropriate exercise of different capacities by the different elements of society' (Zetzel, 1995: 19). As Scipio explains in *De Re Publica* (I. 57–58), there must be an even balance in the city of rights, duties and offices, so that the magistrates possess sufficient power, the bodies of leading citizens sufficient authority, and the people sufficient liberty, that *res publica* can be saved from the threat of constant instability and change (cf. Schofield, 1999). In this sense the *res publica* of Cicero's letters is a specifically Roman manifestation of this wider rule of political balance. It is an historical accommodation, the role of which is to harmonise the traditional moral authority of the senatorial nobility with the hard-won political victories of the plebs.

By the same token, where the delicate balance of the political culture is upset, *res publica* can rapidly sicken and die. This sense of *res publica* as a kind of fragile hothouse plant, a precarious artefact of civic horticulture, resonates through the literature of the last decades of the Roman 'Republic'. In letters and tracts across two decades Cicero over and over decries what he sees as the present or imminent destruction of *res publica* at the hands of overweeningly powerful individuals. *Res publica* persists in name, though its reality has long since been lost; nothing but a semblance of the real *res publica* remains to us; *res publica* is no more (*nulla est res publica*); the commonwealth (*civitas*) has lost its very sap and blood. There are brief periods of optimism: he has visions of the pristine *res publica* of yore rising as if from the dead; he recovers his old spirit and character in its defence. Yet in the end it remains for him only to mourn *res publica*'s loss, and the lost liberty of the city (*De Re Publica* V.2; *Ad Atticum* IV.19, IV.18; *Ad Familiares* IV.4, X.28, XII.28, IX.16).

Historians have sometimes been inclined to explain the shrillness of these passages as a product of Cicero's overheated political imagination. Yet the anxiety shared by Cicero and his contemporaries towards the health and well-being of *res publica* was real enough. For as Cicero explains, it is a difficult art to rule over *res publica* rightly, as a statesman does, and much easier (like Caesar and Pompey) to rule like a king (Ad Atticum: VII.25, VIII.11). Even one man, if he is sufficiently powerful and charismatic, may suffice to overturn everything. At the outset of Rome's final ruinous bout of civil wars Cicero observes of his nemesis Caesar that 'even when he was very weak, he prevailed over the whole *res publica*. What do you think would happen now? (Ad Atticum: VII.9) And the last century of Roman *res publica* sees a lengthy parade of such men. The Gracchi, Marius, Sulla, Pompey, Crassus, Caesar, Antony, Octavian: each and every one of them strides over the civic garden with hobnail boots. Worse still, those who rise up to challenge overweening individuals will tend inevitably to acquire the same dangerous characteristics as their foes. When Pompey raises his standard in a last bid to defeat Caesar, Cicero is despairing. Now supporters of *res publica* have a choice between the horrors of war and the indignity of servitude, between the domination of Caesar and the violent instincts for revenge of his opponents. And this is really no choice at all, since in either course the outcome will be the loss of *res publica*.

DIGNITAS

The public space of *res publica* is a tangible, geographic zone of daily life. It corresponds to the free flow of persons traversing the city on their ordinary business, stopping to 'chew the cud' or solicit favours or attention. Demagoguery and political tyranny can be measured, physically, by the extent to which the demagogues restrict this free flow of persons with their bodyguards, private armies or thugs. Thus Cicero's greatest moment – the memory of which he never tires of recounting – comes where he rescues the Roman streets from the threat of the conspirator Cataline's goons. Given the pervasiveness of our post-Enlightenment political fantasies concerning an abstract 'public sphere' and the 'civil society' which supposedly dwells in it, it should be emphasised that there is nothing remotely democratic or even egalitarian about this kind of public liberty. The Roman streets are not public thoroughfares, nor is there a self-evident human right to equal space or an equal share of human dignity on their cobblestones. *Dignitas*, as the Romans called it, is an explicitly status- and gender-specific attribute.[8]

Nonetheless, *dignitas* is the crucial attribute of that special group of citizens who aspire to high political office. As a public citizen one needs to walk the streets in freedom in order to exhibit one's personal capacity 'in the round', as it were, through the daily drama of mutual friendship and complaisance towards clients and acquaintances. As Cicero explains in his most influential moral tract, *dignitas* is a form of political charisma: it manifests itself as a kind of beauty displayed on the person. And, like the beauty of the philosophers, it consists in order, balance and harmony. One assembles *dignitas* out of a compound of personal features: a good appearance (neither negligent nor affected); a careful gait (neither halting nor mincing, hurried nor listless); a finely calibrated mode of speech (neither loquacious nor curt, appropriate to the situation at hand); even one's choice of house (De Officiis: I. 126–39). In short, in one's *dignitas* one displays one's sense of civic poise and balance. Yet one can only achieve this through ceaseless small efforts of self-projection, self-assertion and self-display.

This civic drama of 'republicanism', then, is rather like the stage drama of Shakespeare – which, at several removes, is indeed derived from it. It is a tragedy of great personalities, bursting with potential and with contradiction: Rosencrantz and Guildenstern are doomed to be always bit players. Caesar's famous audacity, Octavian's cold ruthlessness, Antony's violent rages, Cicero's legendary self-praise, are all the attributes of the larger-than-life public citizen. And as in Shakespearian tragedy, the man of *dignitas* is a Janus-faced figure. In order to maintain and extend his *dignitas* he is bound to a restless pursuit of 'power and glory, position and prestige' (Earl, 1967: 16). Thus, like Machiavelli's 'virtuous' citizen, he is at once a dynamic force and a destructive one: he is the bulwark of *res publica* against threats from without, but also its greatest threat from within. By his heroism he secures and enlarges the majesty of *res publica*; by his overweening pride and lust for glory he is always threatening to plunge that selfsame *res publica* into chaos. The rest of the citizenry, the 'private citizens', are required to compensate for this turbulent, glory-seeking behaviour by seeking only stability and peace.

Hence Cicero's stark distinction between the ethical duties of public and private, 'active' and 'passive', citizens. For Cicero moral duties are specific to particular types of person and their public roles (Hellegouarc'h, 1963: 152–6). His major ethical treatise, revered by the early moderns as 'Tully's *Offices*', is explicitly directed towards the personal ethical demands of this public citizen. By developing the great Stoic attributes of *constantia* and *apathaeia* he is to be made capable at once of personal self-assertion and of civic self-control. And he is to understand that the quest to enlarge his own *dignitas* is secondary to his quest to maintain

the *dignitas* of the city (Burchell, 1998). Cicero's political theory, when he resorts to that style of argument, also serves as a kind of leash for the man of *dignitas*, a method for domesticating the beast. In his *De Re Publica* he describes his ideal statesman. This individual should regard himself as a pilot (*gubernator*), ensuring the safety of the passengers, rather than as a military hero, ensuring their own immortality through glory: his reward will come in another life.[9] Yet Cicero is always disappointed by the incapacity of the 'great men' of his time to submit themselves to this form of self-constraint: instead, they always want to rule, 'like kings', by the force of their own personality.

For the remainder of the citizenry – the great mass of the free male population – Cicero's formula is much simpler. The private citizen (*privatus*) should seek only to live on fair and equal terms with his fellow citizens, neither submissively and abjectly nor inflating his own importance. And he should will that *res publica* be preserved in peace and honour. Such is the man we call a good citizen (De Officiis: I. (24); cf. Burchell, 1998). Hence the private citizen becomes the necessary foil to the more charismatic but unstable public one. And the unheroic virtues of civility – trying to be fair and reasonable with others, not raising one's voice above the throng – become an antidote to the sometimes uncivil civic-mindedness of the great.

At the same time, in Cicero's Rome the almost desperate need for the great citizens to shape and enhance their *dignitas*, and to secure a kind of immortality through their exploits, can pose a real threat to the lives and liberties of the great mass of the 'private' citizenry. As the classical historian Frank Adcock once put it, 'the political stage was too full of actors, all burning to play a leading role'. Hence, Roman public life is in good measure a tense tug-of-war between the '*dignitas* of the great man' and the '*libertas* of the small man', the former exercised through the quasi-monarchical authority of the great public offices, and the latter through the legal protections afforded private citizens in the courts (Adcock, 1959: 13, 62). Modern political theorists have debated at great length 'positive' and 'negative' characterisations of freedom, usually defined in relatively abstract terms. In Roman political culture 'positive' and 'negative' liberty were political facts, vested in specific life-situations. The *libertas* of the great was the exemplar of active freedom, since it subsisted in the independence of great citizens from ties of obligations to others, and the prestige afforded them by the quantity of others who owed obligations to them. The largely 'negative' *libertas* of the small, on the other hand, resided chiefly in their freedom from the extra-legal predations of the great. Until recently historians of Roman citizenship, eager to follow in the footsteps of Great Men, overwhelmingly stressed the political rights and duties of citizenship – usually monopolised by a small number of great citizens – to the exclusion of these 'private rights' (*iura privata*), rights which arguably formed the actual 'core and heart' of citizenship for ordinary Roman citizens and their legal dependents (cf. Gardner, 1989: 1–6, 155–78). The three great precepts of Roman law for its citizens were (in the words of Justinian's *Institutes*, the most influential summary of Roman legal doctrine) 'to live honourably, not to cause harm, and to give each their due (Institutiones: I.i). Like Cicero's formula for the 'private citizen', this could almost be taken as the script for early modern 'passive' citizenship.

MONARCHY AND IMPERIUM

Cicero died among the ruins of the old Senatorial order, before the birth of imperial rule. Yet the imperial Roman historians who followed him tended on the whole to endorse his pathology of the old Senatorial political culture, and the morbid symptoms afflicting the great 'public' citizens. The first of these post-Republican moralists, Sallust, describes in mordant tones the decline and fall of the traditional virtues of

the great governing families. For Sallust the 'active citizens' of this ilk are genuinely tragic figures, laid low, in the best Shakespearian fashion, by their own fatal flaws. The great citizens of the early Republic, he explained, had been driven to success by personal rivalry and patriotic ardour. But above all they were driven by ambition and the desire for personal glory – passions which had roused them to great deeds. For ambition (Sallust explains), while perhaps a defect, is near to virtue. (The Roman word, *virtus*, is in fact ambiguous between moral honour and personal courage.) The good and the bad alike aspire to glory, honour and mastery over men – only by different paths. Yet time and success had turned good *mores* into bad: what had been a noble thirst for glory became base avarice, and wealth and success in turn undermined ambition and liberty (Bellum Catilinae: vii–xi).

The early church father St Augustine – an acute reader of Cicero and Sallust – adopted the latter's analysis of civic decline in his attack on the worldly morality of the pre-Christian Romans. Augustine agreed with Sallust that the love of glory had led the early Romans to great deeds – although as a Christian he of course censured the search for glory as an end in itself. And he added the distinctively Christian, but acute, observation that behind their desire for glory had lain a veritable lust for liberty. Since liberty of this ('active') kind lay in freedom from domination by and obligation to others, it was an essential prerequisite of glory. And so, since to serve was inglorious, their greatest goals were to die bravely or to live free. But once liberty was achieved, so far were they overcome by their desire for glory that wherever the zeal for liberty had been, the desire for domination soon followed (De Civitate Dei: V. 12). And domination in time turned to despotism. Thus the Roman lust for liberty caused first the enslavement of others, and ultimately that of themselves. Augustine's insights into the ambivalence of Roman liberty were perhaps more subtle than our modern panegyrics to 'liberty as non-domination' (Pettit, 1997).

Sallust's successor Tacitus extended his gloomy analysis into the period of the principate itself. By this time, he contends, the fatal flaws of the great citizens had played themselves out. Augustus assumed *imperium*, he tells us, over a citizenry exhausted by civil discord: he proceeded to unite within his own person the offices of the Senate, the magistrates and the law-makers. The greatest spirits among the old nobility were proscribed or dead. And among those who remained, the quest for *gloria* had been stilled: the very same individuals who had advanced their reputations by revolution and discord could now be seen embracing servility and the security of the new order ahead of the dangers of the old. While the magistrates still bore their old titles, nothing of the old, authentic Roman moral character remained. Equality under the law was cast off, and all were required to observe the decrees of the *princeps*. Consuls, Senators and the equestrian order alike all hastened into servitude (Annals: I.1–I.4, I.7). In this moral universe imperial rule resembles one long dark night of trial and test.

Modern scholarship has generally echoed Tacitus' stylish moral pessimism. Modern historians tend to view the Principate and the rule of the later emperors as involving the destruction not only of Cicero's empirical description of 'Republican' citizenship, but indeed of any conception of *res publica* worthy of the name. From an active political status, in Mommsen's formulation, citizenship under the empire became a set of 'passive' legal rights; 'the old privileges and duties of the *civis Romanus*' were 'effaced', to be replaced with an imperial citizenship expressed through passive legal rights (Sherwin-White, 1973: 222). According to this view, the development of imperial rule eroded the 'positive' and active character of republican citizenship from several directions simultaneously. Public office-holding gradually lost its significance as a marker of civic autonomy and glamour. Under the *princeps* public offices multiplied, yet public officials, as servants of the *princeps*, ceased to be sovereign over their own

respective domains, and became simple 'functionaries' of an imperial administration (Boissier, 1899: 315–17). The most nearly universal of civic obligations – that of military service – dwindled and finally disappeared over the imperial period as armies were raised first on a regional, and then on a purely professional basis. Finally, the granting of citizenship to a vast collection of heterogenous non-Roman communities and individuals undermined its centrality to personal identity.

Yet the 'decline' of Roman citizenship is not nearly so simple a story as this account may suggest. In Cicero's day great public honours had effectively been restricted to a handful of leading families, and the ambitious son of a father from beyond the city walls had to struggle for respect his whole long life – as Cicero himself knew to his cost. While everyone was theoretically free to seek office, its actual attainment was 'a matter not of *libertas* but *dignitas*'. The Principate opened up public office first to other social groups, and later to non-Romans and non-Italians: 'office was open to a wider circle through the favour of the emperor … than ever in the free Republic' (Sherwin-White, [1939] 1973: 265–8). And while the Senatorial nobility continued to reproduce itself, the imperial civil service was increasingly staffed by members of the more modestly affluent equestrian class, with few cultural or emotional ties to the old Republican order. This was a disaster for the old noble families, but not necessarily for the citizenry as a whole.

The complaint that the extension of citizenship necessarily diminished its value is also a rather partial one. For many 'ethnic' Roman citizens (as for some modern historians) the extension of citizenship into new and sometimes remote communities of the empire doubtless seemed to entail an intolerable diminution of the value of their own civic rights. One modern authority perhaps speaks for many of them when he complains of the 'assimilation' of a 'vast accumulation of extraneous matter' in civic identity over the later imperial period: now one could be a Roman citizen, a Spaniard and a resident of a non-Roman jurisdiction at one and the same time (Sherwin-White [1939] 1973: 274). When rights are extended beyond the boundaries of the 'original' citizenry it is perhaps inevitable that they should be seen by those 'originals' as diminished. It is less clear that their new possessors regarded them as such. St Paul can hardly have been the only 'foreigner' to defend himself from summary justice with the declaration 'I am a Roman citizen'.

In any case, Tacitus' bleak account of the death of *res publica* and liberty is deceptive. In practice, as Ronald Syme observed, Tacitus' attitude towards the civic life of the empire is profoundly ambiguous. While he appears to mourn the loss of liberty, he also endorses the peace and security of the Principate against the license and chaos of liberty unravelled. And while he deplores (and lovingly retells) the monstrous excesses of bad emperors like Caligula and Nero, Tacitus still speaks of Rome's political life as *res publica*, and he describes in detail the *dignitas* and *libertas* of its most worthy and intrepid citizens. 'Monarchy or Republic, that was not the real antithesis.' Rather, bad government was that which denied its leading citizens the capacity to express their political personality (Syme, 1958: 547–50, 549). Yet in many circumstances the leading citizens might need to be protected from themselves, so to speak – and it was here that the role of the *princeps*, as 'first man' above the contending factions, was crucial.

In fact the early emperors went to great lengths to preserve the forms and institutions of traditional Roman *res publica*. Augustus in his testament carefully presented himself as a humble servant of the Roman people: he even drew his salary on the authority of the Senate. He was the 'first man' not in office but – as he himself put it – solely in *auctoritas*. As Adcock remarked, such a form was cunningly contrived to placate the leading 'active' citizens, since *auctoritas* denoted neither official position or legal power, but rather 'an admitted primacy towards which

other men could yield without loss of self-respect', and without becoming mere 'courtiers of a monarch' (Adcock, 1959: 71–88; 79). In practice, of course, the *dignitas* of the leading citizens had to shrink – and shrink steadily – in order to make space for this overarching personal *auctoritas*. Yet for at least a century after the accession of Augustus principacy was presented as a burden to be borne, or as the ultimate form of service to the community, rather than as an expression of personal power (Adcock, 1959: 89–104).

Even under the supposed 'Oriental despotism' of the later emperors 'the emperor's vast notional power' was circumscribed by a range of compelling practical constraints: the sheer scale of imperial administration, the multiplication of jurisdictions across the provinces, the ever expanding army of expert public officials dispersed across multiple metropolises (Brown, 1992: 8–13). Thus a fourth-century commentator such as the historian Ammianus Marcellinus still finds it entirely reasonable to cite Cicero in explicating the office of emperor, and to explain the relationship of the emperor towards men of goodwill (the *boni*) as directly analogous to that of the great public citizen of the late Republic. For Ammanius 'the emperors had inherited the protection of law and settled life from the senatorial governments of the Republic'. And even if individual governors and magistrates succumbed to the lure of tyranny and cruelty, at least in principle Ammianus viewed himself as living under the protection of 'properly instituted courts of law and regular procedures', in what he termed a 'civil and lawful political order' (Matthews, 1989: 231–52).[10] Ammianus' invocation of *imperium* here is salutatory. For our conception of 'empire' as a specific mode of political rule is, like our notion of 'republicanism', a modern creation. For the Romans *imperium* was the domain within which the jurisdiction of a ruler operated, be that civil or military, metropolitan or provincial, 'republican' or 'imperial'. The 'emperor' (imperator) was so called simply because as a matter of historical fact Augustus had appropriated the conventional honorific adopted by individuals entrusted by the Senate with *imperium* over an army or province. In this sense 'imperial' rule was not inherently different in its relationship to the laws to any other kind of lawful authority. *Imperium* was exercised appropriately where it was limited to the proper tasks of sovereign rule under the laws, and where it was confined to the bounds of dominion as vested in its exerciser.[11]

This is the other side of the equation of Roman *imperium* as relayed to us by Tacitus. For it is possible to condemn the excesses of particular emperors only if there is some yardstick of good governorship, rather than simple domination, against which to measure them. Thus Tacitus writes of the emperor Nerva that he has combined two things too long treated as incompatible, the principate and liberty, and that under his principate you may think what you wish and say what you think (*Agricola*: 3; *History*: I.1). Again, it is possible to deplore the sycophancy and servitude of leading Roman citizens only if there is a model of civic activity under the rule of a *princeps* against which to find them wanting. Tacitus provides his readers with several role-models in this respect. One is the prominent senator and Stoic martyr Thrasea Paetus, a man whose forthright *libertas* in the Senate shattered the servitude of his fellow citizens, but called upon him the wrath of Nero. Yet Tacitus observes that Thrasea's constancy was vitiated on this occasion by a lack of prudence: he created danger for himself without instilling liberty in others (Annals: XIV.48–49; XVI.21–35; XIV.121). Another role-model is the minister of Nero turned Stoic philosopher, Seneca, who dictates to his pupils even as his veins ebb their lifeblood. A third is Tacitus' own father-in-law Julius Agricola, the subject of his first, laudatory history. Agricola was, we are told, in turn an astute general, an impartial magistrate, a hardworking and self-effacing governor, an impartial administrator and, last but not least, a skilled orator (*Agricola*: 9,

18–19, 22, 33–5). He was capable of prudence in the face of tyranny, as well as valour in defence of liberty. And he died with his *dignitas* unimpaired (*Agricola*: 6, 44). This was a citizen!

Tacitus' moral seems clear. The role of the *princeps* is to restrain the over-large political personalities of the leading citizens under his aegis. Under such a system of rule the good public citizen has of necessity to be prudent: ancient philosophy as well as common sense counselled against throwing away one's own life unnecessarily. Yet he has also to enable the expression of his political personality, and to stand up to efforts to suppress it, if necessary at the cost of his life. Hence for Tacitus the spectres of the old 'republican' martyrs retain their glamour. It is surely no coincidence that Tacitus' account of Seneca's death echoes so closely Cicero's estimation of the 'philosophical suicide' of Cato of Utica, the greatest 'republican' martyr of them all.

GOVERNANCE AND CITIZENSHIP

In practice it was this 'imperial' citizenship, rather than the 'republican' citizenship which preceded it, which attracted the attention of the political writers of the era of early modern state-building. In particular, during the period of the interconfessional religious wars (c. 1570–1650), political and moral writers alike delved into the histories of Tacitus and Sallust, and the moral essays and letters of Seneca, in order to create a model of civic demeanour appropriate to a world searching for political stability among religious tumult. Contemporary historians have overwhelmingly depicted the political theory of this period from the mid-sixteenth to the mid-seventeenth century as marking a conscious and decisive rejection of classical civic life (e.g. Skinner, 1978; Tuck, 1993; Viroli, 1992; Burke, 1991). There have been accounts of a movement from a Ciceronian 'art of politics' to a Tacitean 'reason of state', and of the seemingly inexorable rise of 'princely Tacitism'.[12] According to this view the modern Taciteans counselled a fatalistic sense of resignation on the part of citizens in the face of absolute monarchical authority (Tuck, 1993: 45–61; Burke, 1991: 484–90). And the chief Tacitean teaching was the necessity of submission 'to the existing order of things, never resisting the prevailing government but accepting and where necessary enduring it with fortitude' (Skinner, 1978: 279).

This view of early modern 'Tacitism', while convenient, is a highly selective and partial one. For the modern heirs of the Roman imperial moralists were never simply philosophers of princely subjection. The most famous and celebrated of them, the Flemist humanist Justus Lipsius, has been described as an 'anti-Ciceronian', and his writings presented as an attempt to supplant a Ciceronian republican politics with a Tacitean monarchical one. Yet Lipsius never renounced Cicero as a political or rhetorical influence, and he cites him liberally across his political writings.[13] The introductions to the various imprints of Lipsius' edition of Tacitus are studded with Ciceronian invocations of the statesman as pilot (*gubernator*) of the ship of state, as well as with conventional Tacitean laments about lost liberty and the misuse of power by tyrants ancient and modern (Morford, 1993: 136–40; 1991: 153–4). On the allegorical frontispiece of Lipsius' *Opera Omnia* the personification of Politics wears a crown depicting the city (*civitas*): in each hand she holds a rudder (*gubernaculum*), the symbol of civil governance, and the spear of military *imperium*, rather than the sword and sceptre of Hobbes' Leviathan.

In his *Politics* Lipsius defines 'civil life' (*vita civilis*) in orthodox Ciceronian terms as a social partnership under justice. He adopts Cicero's depiction in the *De Re Publica* of the statesman as a *gubernator* whose fixed purpose must be to bring happiness to the citizenry, and who should promote plenty, glory and honour.[14] And he distinguishes explicitly and repeatedly between government (*gubernatio*), which is rule over those

who assent of their own free will, and the simple exercise of sovereign power through the threat of force (*vis*). Governance, it is true, requires the threat of physical force in order to secure obedience to the laws, but it requires prudence even more. In governance prudence is manifestly preferable to force, Lipsius tells us, 'because it alone provides the gentle bridle which brings men within the path of obedience by their own free will' (Lipsius, 1637b: 37; cf. Lipsius, [1594] 1970: 42).

For Lipsius Tacitean politics is not an alternative to Ciceronian civil science: rather, it is a supplement to and revision of it appropriate to the dark times of storm and stress in which citizens of the contemporary world find themselves (Oestreich, 1982). Like Tacitus, Cicero had understood the folly of the multitude, led astray by their passions into supporting demagogues and tyrants. And Lipsius assembles a montage of quotations – from Cicero and Tacitus alike – to this effect: the untutored multitude are slaves to their passions and inconstant in their enthusiasms; incapable of restraining themselves in their own speech, they are susceptible of being roused to rage by any hot-blooded orator (Lipsius, 1637b: 49–50; cf. Lipsius, [1594] 1970: 68–9). Yet while he instructed the great public citizens in the skills of Stoic self-constraint, Cicero had little to say about the civic instruction of the multitude. His chief response to the problem of civil dissension and tumult had been the rather idealistic notion of a *concordia ordinum* or 'compromise of the classes' against demagoguery and in favour of civil peace. Cicero's political thought hankered after stability, but for Lipsius and his successors it was blind to the springs of instability and civil war. Here Lipsius turned to classical ethics – and particularly the Stoicism of Seneca – as a source of moral guidance not just for the philosophical adept, but for the citizenry as a whole.

This 'neo-Stoic' ethics has been reduced to parody in some contemporary histories. One recent commentator contends that for Lipsius the rational life 'consists neither in political participation nor the elaboration of speculative disciplines, but in the cultivation of an *emotional state*, that of the unimpassioned and undespairing observer' (Tuck, 1993: 52). It is doubtful if Lipsius would recognise this depiction of the citizen as early modern *étranger*. The 'neo-Stoics' of the latter sixteenth century were certainly preoccupied with the ancient Stoic virtue of *constantia* (the cultivated indifference to the vicissitudes of fortune). Yet *constantia* was never intended primarily as a recipe for passivity: on the contrary, it was intended to steel the citizen against the bad times which would reduce other mortals to flight or despair, as well as against the passionate temptations which led other men into rebellion and civil chaos. For Lipsius, to resist the temptation to civil insurrection was a greater act of self-discipline than to give in to it. But this was not a license for passivity. Lipsius considered writing a study of Tacitus' Stoic hero Thrasea, and he was fond of repeating Thrasea's dying words at the very end of the extant text of Tacitus' *Annals*: 'You have been born into such a time that it is advisable to strengthen your spirit with examples of constancy.' It was imprudent to follow Thrasea in provoking authority without any tangible benefit to liberty. Yet only Thrasian constancy enabled the citizen to live up to the spirit of what Lipsius terms, generically, 'ancient morals' (Morford, 1991: 149–53).

Hobbes was familiar with, and indebted to, the modern Taciteans and their understanding of citizenship within the *imperium* of a modern monarchy. He was a careful reader of Lipsius' *Politics*, and adopted his doctrine of the formation of citizens out of public discipline. (Burchell, 1999). Yet his representation of this civic tradition is completely one-sided – as one might perhaps expect from such a single-minded polemicist. He stresses almost entirely the subjection of subjects to the sovereign power, and has very little to say about the means whereby they are to be brought to this subjection of their own free will – other, it seems, than by the sheer force of Hobbes'

own arguments. And while he inveighs against the power of irresponsible demagogues over the citizenry, he has little to say about the character-traits which might enable the constant citizen to resist the lure of demagoguery. Modern historians, while deploring Hobbes' politics, have echoed these prejudices and preoccupations, and have tended to elide altogether the roles of governance and civic discipline in this 'neo-Roman' early modern political thought. As a result they have oversimplified the inheritance of ancient civic culture in the political life of the early modern states.

For in the final analysis the exemplary modern opposition between active and passive modes of citizenship is a creation of modern political theory more than ancient politics. The attributes of Cicero's 'active' citizen – his larger-than-life political personality, his hunger for space in the political limelight – had always been premised on a much larger number of 'passive' citizens whose self-control and forbearance made the stability of the city possible. This conception was supported by the precepts of ancient psychology, which likewise depicted a world in which the forces of the passions and elemental character-traits had to be tamed and constrained by the tutored attributes of self-discipline and self-abnegation. The 'active' and 'passive' citizenship of the ancients are in this sense specifically political manifestations of the vast drama of human nature and even nature itself. Perhaps the great innovation of the early moderns was not in separating out these characteristics of active and private citizenship, but on the contrary in imagining a figure of the universal citizen – a figure within whom both sets of characteristics might be deployed in an uneasy tension. The self-disciplined citizen of Hobbes and Pufendorf has, as it were, internalised the great dramas of ancient citizenship within his own breast, as the contrasting impulses towards sociality and subjection, community and civility. And it is perhaps out of this profound internal tension that our modern traumas of political identity and autonomy were born.

NOTES

I would like to thank Conal Condren, Engin Isin and Jeffrey Minson for their thoughtful and illuminating comments on an earlier draft of this chapter. The usual disclaimer applies.

1 All the Latin translations and paraphrases that follow are my own.

2 Ancient historians, it is true, have only rarely fallen victim to the enthusiasms of the early modern historians and political theorists. Thus classicist supporters of the ancient republican tradition such as Moses Finley and Peter Brunt have made far more modest claims for the sweep of classical citizenship than their modern-focussed counterparts. Finley argues for a limited but real capacity for participation in ancient political decision-making: 'beyond that, the principle of inequality, of hierarchy, operated' (Finley, 1983: 140). Brunt insists upon the limited and status-specific character of Roman *libertas*, which could just as well refer to the protection of the people from magistrates, or of the aristocracy from the people (Brunt, 1988).

3 In support of this last claim Viroli cites Cicero's tract *De Officiis* (I.124), but decidedly out of context. What Cicero actually says is that the *magistrate* assumes the 'persona of the city' when he takes up his post; he explicitly distinguishes this from the role of ordinary citizens.

4 The term 'decrepit' is Pufendorf's. The preface to his major political work (Pufendorf, [1672] 1955) again echoes Hobbes' sentiments almost precisely: see 'Praefatio lectori benevolos'. Mark Goldie has recently emphasised the central role of neo-Aristotelians in the hostile reception of Hobbes' thought (Goldie, 1991: 589–94).

5 It should be noted that Skinner avoids the term 'republican' as 'liable to confuse' (see Skinner, 1998: 22–3 and n. 67). Yet the substance of Skinner's and Pettit's claims about the supposed theoretical underpinnings of 'neo-Roman thought' are more or less indistinguishable.

6 Schofield (1995) makes a great deal out of Cicero's statement that '*res publica* is *res populi*'. (*De Re Publica*, I.39, I.43). Yet if *res publica* is understood in the terms I have just suggested, this is little more than a tautology.

7 The *De Re Publica* existed only in the form of isolated fragments from the early Middle Ages until the 1800s (Zetzel, 1995: 33–4). Yet it remains important as Cicero's major treatment of the subject.

8 Chiefly it is confined to the owners of landed property: those whom Cicero terms *liberales*, and who in early modern Britain would be termed 'gentlemen'. Money-lenders, tradesmen and wage-earners cannot possess *dignitas* (*De Officiis*: I.150–1); women can only possess charm or grace (*venustas*: see De Officiis: I.130).

9 Most of this discussion, in Book V of *De Re Publica*, has been lost: however, Cicero summarises it in *Ad Atticum* (VIII.11). The afterlife of the *moderator* is expounded in *De Re Publica* Book VI, the only section of

the work to survive more or less intact in Christian culture, as the so-called 'Dream of Scipio'. On the significance of the nautical imagery of the *gubernator*, see Bonjour, 1982.

10 A *civile iustumque imperium*. This is my translation of the phrase cited by Matthews, chosen to emphasise the point made immediately below. Matthews translates the same phrase as 'civil and rightful empire' (Matthews, 1989: 252).

11 On this topic Cicero's views are much closer to Ammianus' than might be assumed: see Mitchell (1991: 205–11).

12 Tuck tries to distinguish between two schools of modern Tacitism: a Ciceronian, republican one in northern Italy in the early sixteenth century, and an anti-Ciceronian, monarchical one in northern Europe later in the century (Tuck, 1993: 39–45). Like others, I find this contrast ingenious but unconvincing.

13 The American literary critic Morris Croll inaugurated the 'anti-Ciceronian' tag as a description of Lipsius' rhetorical views. Croll based his claim in good measure upon some highly creative translations of Lipsius' letters on literary style (Croll, 1966: 18–21). What Lipsius actually said was: 'I love Cicero. Once I used also to imitate him.' Now, he adds, he prefers to imitate the 'Attic' authors such as Tacitus (Lipsius, 1637a: 74–5).

14 Lipsius drew this crucial extract from the *De Re Publica* out of one of Cicero's letters (*Ad Atticum*: VIII.11): see n. 16 above.

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6

Modern Citizenship

ROGERS M. SMITH

What does citizenship mean today? How does this meaning or set of meanings differ from what it has meant in the past and what it may mean in the future? To the question of the distinctive modern meaning of citizenship, we scholars can give some reasonably concrete and widely accepted answers. The question as to what modern citizenship is becoming is one that many people are also answering, but they are doing so in ways that go well beyond what scholars can hope to determine, either in theory or practice. That is essentially as it should be, I believe; but I shall nonetheless seek to say something about where modern citizenship may be going.

FOUR MEANINGS OF CITIZENSHIP

To grasp what citizenship has come to mean in the contemporary world, it may be helpful to begin by identifying some different definitions of the term.

The first and perhaps the most familiar meaning of citizenship is in fact the seminal one. In both ancient and modern republics and democracies, a citizen has been a person with political rights to participate in processes of popular self-governance. These include rights to vote; to hold elective and appointive governmental offices; to serve on various sorts of juries; and generally to participate in political debates as equal community members.

Secondly, especially in the modern world, we also commonly speak of 'citizenship' as a more purely legal status. 'Citizens' are people who are legally recognized as members of a particular, officially sovereign political community. They therefore possess some basic rights to be protected by that community's government, whether or not those rights include rights of political participation. In this meaning, possessing 'citizenship' is understood to be effectively equivalent to possessing 'nationality' under a particular modern state, even if there remains some sense that 'citizens' are presumptively more entitled to full political rights than mere 'nationals.'

In the last century or so, moreover, it has become increasingly customary to use 'citizen' in a third way, as referring to those who belong to almost any human association, whether a political community or some other group. I can be said to be a citizen of my neighborhood, my fitness club, and my university as well as my broader political community. To be sure, this type of usage is far from strictly modern. St Augustine's fifth-century masterpiece, *City of God*, was premised on the idea that the saved are 'citizens of the heavenly City,' rather than simply citizens of earthly cities or indeed of