

## CPSA      Rome as the model Imperial Republic for the Eighteenth Century

Richard Steele, *The Christian Hero*: “Why is it that the Heathen struts, and the Christian sneaks in our Imagination?”

Jean-Jacques Rousseau, *9th letter from the mountain*: “You [Genevan bourgeois] are neither Romans, nor Spartans; you are not even Athenians.”

James Madison, *Federalist 55*: “Had every Athenian citizen been a Socrates; every Athenian assembly would still have been a mob.”

Antoine Louis de Saint Just, *Rapport sur la Conjuration, OC, 735*: “The world is empty since the Romans; and their memory refills it, and prophesies the return of liberty.”

Pierre Manent wrote that “the French revolutionaries dreamed of Sparta and republican Rome”<sup>1</sup> but he neither interpreted these revolutionary dreams nor indicated that they were shared by American revolutionaries. What Manent’s statement rightly suggests is the near universal consensus<sup>2</sup> in the eighteenth century of Rousseau’s ranking of Romans and Spartans above Athenians. François Hartog noted that for most men of the eighteenth century Rome connoted liberty, Sparta equality and Athens anarchy.<sup>3</sup> Elizabeth Rawson’s *The Spartan Tradition in European Thought* correctly stated: “Only Rome, sometimes as a republic and sometimes as an empire, has exerted greater attraction” for Europeans but her view that liberal democrats “generally tended to idealize Sparta’s great rival, democratic Athens” ignored American

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<sup>1</sup>Pierre Manent, *A World Beyond Politics? A Defense of the Nation-State*, trans. Marc LePain (Princeton: University Press, 2006), 44. In 1795, Constantin-François Volney (*Oeuvres* [Paris: Fayard, 1989], 602) lamented that, with respect to “names, surnames, clothes, usages, laws, everyone wanted to be Spartan or Roman.”

<sup>2</sup>Jean Louis De Lolme, John Thelwall, and Thomas Paine are exceptions to the norm. Paine (*RM*) however wrote: “Athens, by representation, would have outrivalled her own democracy.”

<sup>3</sup>François Hartog, “La Révolution française et l’Antiquité,” en M. Gauchet, P. Manent et P. Rosenvallon, eds., *Situations de la démocratie* (Paris: Hautes Études-Gallimard-Le Seuil, 1993, 30-31.

revolutionaries, such as James Madison, Alexander Hamilton and Samuel Adams.<sup>4</sup> Samuel Adams wrote to Thomas Young on October 17, 1774: “I think our Countrymen discover the Spirit of Rome or Sparta.”<sup>5</sup> Paul Rahe’s *Republics ancient and modern: classical republicanism and the American Revolution* (1992) examined the republics of Athens and Sparta but not Rome, but when referring to American writers, Rahe provides more references to Rome than to Athens or Sparta. Legends of Rome came to America through Addison’s *Cato*, a drama Washington had performed in the winter at Valley forge, and which provided Patrick Henry and Nathan Hale their memorable lines “Give me liberty or give me death” and “I regret that I have only one life to lose for my country”, as well as Trenchard and Gordon’s *Cato’s Letters*.<sup>6</sup> Men educated in classical literature, like John Adams, could directly cite Horace in 1774: “*Dulce et decorum est pro patria mori.*” Shortly after the American retreat from Canada in 1776, Adams declared: “Flight was

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<sup>4</sup>Elizabeth Rawson, *The Spartan Tradition in European Thought* (Oxford: Clarendon, 1969), 1. Rawson says “indubitably” Rome was the model for eighteenth-century Frenchmen and women (268), briefly touches on the *Federalist* in an appendix (368) but states that Sparta had greatest appeal for conservative Southern slave owners (369-70). Pierre Vidal-Naquet, *Politics Ancient and Modern*, trans Janet Lloyd (Cambridge: Polity Press, 1995), 8 claimed that Athens symbolized commercial freedom rather than democracy, whereas Sparta symbolized civic virtue, severity and equality but Chantal Grell, *Le Dix-huitième siècle et l’antiquité en France 1680-1789* (Oxford: Voltaire Foundation, 1995), 495-500 correctly indicated that eighteenth-century thinkers deprecated the anarchic character of Athenian democracy. Carthage was widely seen as a commercial republic, like Athens, but was not deprecated by the zealots for Sparta and Rome, as Athens was. Vidal-Naquet also does not explain why Montesquieu, a champion of commerce, opposed Athens for its lack of a senate and safeguards for the property of the wealthy.

<sup>5</sup>*The Writings of Samuel Adams*, ed. Harry Alonzo Cushing (New York: Octagon, 1968), vol. 3, 163,

<sup>6</sup>See Christine Dunn Henderson and Mark E. Yellin’s introduction to Joseph Addison, *Cato: A Tragedy, and Selected Essays* (Indianapolis: Liberty Fund, 2004); Bernard Bailyn, *The Ideological Origins of the American Revolution* (Cambridge, Mass.: Harvard University Press, 1968), 36 indicates that *Cato’s Letters*, rather than Locke or Montesquieu, were the most widely read and most cited authorities in Colonial America..

unknown to the Romans....I wish it was to the Americans.”<sup>7</sup> Hannah Arendt wrote: “without the classical example [of Rome] shining through the centuries, none of the men of the revolutions on either side of the Atlantic would have possessed the courage for what then turned out to be unprecedented action.”<sup>8</sup> In the entry *patrie* in Diderot and D’Alembert’s *Encyclopédie*, they celebrated patriotic virtue, the love of the laws and well-being of the state, so common in ancient republics and so uncommon in modern states; “Brutus, to conserve his fatherland (*patrie*), had to cut off the heads of his sons, and this action would appear unnatural (*dénaturée*) only to feeble souls. Without the death of these two traitors, Brutus’ fatherland would have died in its cradle.”<sup>9</sup> Jean-Louis David bodied this sentiment forth in his powerful tableau *Lictors Returning to Brutus the bodies of his Sons*, which together with his *Oath of the Horatii* served as backdrops to the French Revolution.<sup>10</sup> Chantal Grell wrote that while images of Rome were ubiquitous in the arts, letters and fashions of the pre-revolutionary period, and flowered once the revolution was underway, allusions to classical antiquity “were paradoxically absent in the great political

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<sup>7</sup>Carl J. Richard, *The Founders and the Classics; Greece, Rome and the American Enlightenment* (Cambridge, Mass.: Harvard University Press, 1994), 31, 67.

<sup>8</sup>Hannah Arendt, *On Revolution* (New York,: Viking, 1965), 197.

<sup>9</sup>*Encyclopédie, Ou Dictionnaire Raisonné des Sciences, des Arts et des Métiers* (Neufchastel: Samuel Faulche, 1765), t. 12, 178-79. Rousseau believed that the love of one’s *patrie* was the source of all virtue (*Discourse on Political Economy*, in Jean-Jacques Rousseau, *The Basic Political Writings*, trans. Donald A. Cress (Indianapolis: Hackett, 1987), 122-3. He wrote, in *Constitutional Project for Corsica*, *CWR*, vol. 11, 152 that “the best motive force of a government is love of *la patrie* and this love is cultivated along with the fields.” Rousseau was by no means alone in linking agriculture with love of *la patrie*. See John Shovlin, *The Political Economy of Virtue: Luxury, Patriotism and the Origins of the French Revolution* (Ithaca: Cornell University Press, 2006), chap. 3.

<sup>10</sup>Lynn Hunt, *The family romance of the French Revolution* (Berkeley: University of California Press, 1992), 37-8. David, who became a Jacobin and orchestrated revolutionary festivals on the model of Roman triumphs, made his peace with the Directory with his dramatic *The Sabine Women Enforcing Peace by Running between the Combatants*.

debates” from 1780 to 1789.<sup>11</sup> Claude Mossé, on the contrary, found that the convocation of the Estates-General led to reflections on antiquity, especially Rome, since democratic Athens was not attractive to an assembly of notables.<sup>12</sup> Mona Ozouf claimed that “legendary antiquity helped the men of the Revolution, therefore, rise to the level of the events which they were living.” Ozouf does not distinguish which ancient republics and which aspects of the Roman republic appealed to the revolutionaries; since models of antiquity were purely rhetorical and fantastic, the only question of interest to Ozouf is why French revolutionaries appealed to Greece and Rome, rather than to the forests of the Franks, the source of liberty for earlier thinkers, such as François Hotman, Henri de Boulainvilliers and Montesquieu.<sup>13</sup> Maurizio Viroli champions the Italian city-states as republics not dependent upon slavery<sup>14</sup> but American and French revolutionaries did not see Florence, Sienna or Lucca (or Geneva or Bern) as alternative models of republican virtue, compared to Rome and Sparta.

### **Why Rome?**

In *The Eighteenth Brumaire of Louis Bonaparte*, Marx wrote that the French revolutionaries dressed up and spoke as Romans to disguise from themselves the bourgeois limitations of their revolution; as citizens, Frenchmen had the illusion of a classless fraternity

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<sup>11</sup>Grell, *Le Dix-huitième siècle et l'antiquité*, 1179.

<sup>12</sup>Claude Mossé, *L'Antiquité dans la Révolution française* (Paris: Albin Michel, 1989), 68-71. Mossé wrote (72): “Si Athènes servait de repoussoir, Rome en revanche fournissait non seulement un modèle constitutionnel adaptable aux réalités de la France, mais également un arsenal juridique, où les députés pouvaient puiser, et ils ne s’en firent pas faute.”

<sup>13</sup>Mona Ozouf, *Festivals and the French Revolution*, trans. Alan Sheridan (Cambridge, Mass.: Harvard University Press, 1988), 272-75.

<sup>14</sup>Maurizio Viroli, *Republicanism*, trans. Anthony Shuggar (New York: Hill and Wang, 1999).

(and, we might add, women like Olympe de Gouges, Manon Phlipon [Mme Roland] and Germaine de Staël thought women could be equal citizens). The young Manon Phlipon followed Rousseau in the formative influence of reading Plutarch: Manon cried because she had not been born a Spartan or Roman woman.<sup>15</sup> Boys who went to *un collège* became familiar, and sometimes as with Louis Sebastien Mercier, preoccupied in his dreams, night and day, with Roman heroes. Mercier wrote:

I was a republican with all the defenders of the republic; I made war with the senate against the formidable Hannibal; I razed Carthage the proud, I followed the campaigns (*la marche*) of the Roman generals, and the triumphant flight of their eagles amongst the Gauls; I saw them without terror conquer the country where I was born; I wished to make tragedies of all the stages (*stations*) of Caesar's career; and it is only several years since I had a glimmer of good sense to know that I am French and a resident of Paris.<sup>16</sup>

At the elite collège Louis-le-Grand, where Robespierre earned the nickname of "le Romain," his classmate Camille Desmoulins wrote: "These republicans were, for the most part, young men, who, nurtured on the reading of Cicero in the colleges, were there given a passionate desire for liberty. They raised us on the schools of Rome and Athens, and in the pride of the republic, made us experience the abjection of monarchy, and under the reign of Claudius and Vitellius."<sup>17</sup> If Marx was right that revolutionaries imagined themselves to be Romans, he was wrong to dismiss

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<sup>15</sup>*Lettres de Madame Roland*, ed. Claude Perroux (Paris: Imprimerie Nationale, 1913), 374-75.

<sup>16</sup>Louis-Sebastien Mercier, 'Rome au collège,' en *Tableau de Paris* (Amsterdam: s.n., 1782), 255-6.

<sup>17</sup>Camille Desmoulins, *Oeuvres*, ed. Jules Claretier (Paris: Bibliothèque-Charpentier, 1906), t. 1, 309-10.

it as merely an ideological illusion. Since he did not provide a materialist account of revolutionary commitment or why people should risk their lives for liberty, it is insufficient to say that the Roman persona was just a mask to hide the bourgeois limits of the American and French revolutions, however much it corresponds to the chronology of Quentin Skinner's *Liberty Before Liberalism*.<sup>18</sup>

Hegel provided a better account of revolutionary spirit than Marx; a life of spirit is not mere biological life but a dedicated or meaningful life. To know what life is worth living for is to know what life is worth dying for; one may sacrifice mere life to serve a higher purpose that will live on after one has sloughed off this mortal coil. Ideas of Roman liberty and conquest were the poetry of the republican revolutions, while property rights and commercial expansion were the prosaic realities. Revolutionary dedication dressed itself in ancient garb, and the myths of Lycurgus, Brutus and Cincinnatus served to bridge the gap between the established *kakonomia* and the projected *eunomia*, between traditional institutions and revolutionary constitutions.<sup>19</sup>

I propose in this paper to examine the reasons eighteenth-century thinkers were attracted or repelled by particular institutions and practices of classical antiquity in the revolutionary foundations of liberal democracy. I shall begin by examining Mme de Staël's claim that Roman literature, which comprises philosophy, history, poetry, tragedy and comedy, is superior to Greek literature.<sup>20</sup> While this claim may strike contemporary readers as preposterous (perhaps less so

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<sup>18</sup>Skinner argued that neo-Roman conceptions of liberty as the absence of domination became superseded in the nineteenth century by "liberalism", based on ideas of security of property, freedom of trade and of contract, what Hobbes called the liberty of subjects, Constant called the liberty of the moderns, and Marx called the liberty of bourgeois individualists.

<sup>19</sup>Hartog, "La Révolution française et l'Antiquité," 34.

<sup>20</sup>Anne-Louise-Germaine de Staël, *De la Littérature* [1799] (Genève: Droz, 1959), 10, 81, 91-99, 104-13.

than her self-description to Edward Gibbon as “the mother of the Gracchi” destined “to restore liberty to France”<sup>21</sup>), it is a remarkable fact that she speaks for her time. In no other century have philosophers considered Cicero and Seneca to be at least the equals of Plato and Aristotle but Hume, Diderot, Rousseau, D’Holbach, and LaMettrie shared De Staël’s opinion. De Staël thought Aristophanes’ comedies reflected the vulgar buffoonery of a democracy, whereas Roman comedies exhibited aristocratic taste and class distinction. Greek tragedies may have appeared to plumb human depths but the Romans had a truer sensibility and tragic grandeur that could not be contained on a stage. Greek tragedies exhibited a democratic style in their choruses endlessly commenting on regal heroes. Athenians were superficial democrats; Romans were grand, conquering aristocrats. “The dominant passion of the Athenian people was amusement. One saw them decree the penalty of death on whomever proposed to take away, even for military service, money devoted to public festivals. They did not have, as the Romans did, the ardent desire for conquest.” The Romans carried a civilized literature to the world; their aristocratic character made Rome “the queen of the universe, and they held themselves to be possessed of the status of patricians of the world.” Foreshadowing France’s “mission civilatrice”, De Staël asserted that “the Romans civilized the world that they conquered.”<sup>22</sup> De Staël followed Montesquieu (EL, III.iii) and De Lolme (CE, II, iii) in deprecating the inviolability of the theoric fund. More generally, she rejected Aristotle’s view that the proper ends of statecraft are peace and leisure,

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<sup>21</sup>Anne-Louise-Germaine de Staël, *Correspondance générale* (Paris: J.J. Pauvert, 1960-82), t. 2, 369.

<sup>22</sup>Staël, *De la Littérature*, 61, 91, 93-4, 131. William Everdell, *The End of Things: A History of Republics and Republicans* (New York: Free Press, 1983), 44 wrote that Rome’s greater imperial success attracted republicans to Rome rather than Athens. “Thus, it is the Roman Republic and not the Athenian that has become the classical example of the seductions of empire and the effects of an aggressive foreign policy on republican institutions.”

and, in common with the consensus of her century, rejected Aristotle's view of the collective judgment of the many poor, and deprecated Athenian democracy in contrast to Roman aristocracy.

With respect to war and peace, Giambattista Vico wrote: "To the plebeian Venus. . . were attributed the doves, not to signify passionate love, as Horace [*Odes* 4.4.31f] describes them, *degeneres*, base birds in comparison with eagles, which Horace calls *feroces*."<sup>23</sup> The eagle signifies a martial aristocracy. Roman grandeur, as Montesquieu observed, depended upon their supremacy in the arts of war, and the leadership of the Roman senate in imperial conquest (*CGR*, ch. 8). In juxtaposing the cross and the eagle (*SC*, IV.8), Rousseau declared: "Suppose your Christian republic is face to face with Sparta or Rome. The pious Christians will be beaten, crushed and destroyed before they realize where they are, or else they will owe their safety only to the scorn their enemies will conceive for them." Germaine de Staël's view that the Romans civilized those they subdued was anything but idiosyncratic for her century. In earlier centuries, François Hotman and Henri de Boulainvilliers depicted the Romans as imperialist oppressors of the liberties of the Gauls and the Franks. However, in the eighteenth century, an age of imperial rivalry, on both sides of the channel, the Romans were models of civilizing empires. Charles Rollin, whom Benjamin Franklin thought to be the best teacher of classical republicanism, prefaced his long and detailed account of the Roman republic with a celebration of "this vast and superb empire" in which the provinces of Asia, North Africa and Europe "were never happier than under their dominion."<sup>24</sup> John Toland's dedication to the "Senate and people" of London in

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<sup>23</sup>Giambattista Vico, *The New Science*, trans. Thomas Goddard Bergin and Max Harold Fisch (Ithaca, NY: Cornell University Press, 1968), p. 204.

<sup>24</sup>Charles Rollin, *Histoire Romaine depuis la fondation de Rome jusqu'à la bataille d'Actium: c'est-à-dire jusqu'à la fin de la République* (Paris: Estienne, 1741), t.1, i, viii.



his edition of James Harrington's imperialist *Oceana*, announced that "London. . .well deserves the name of a *New Rome in the West*, and, like the old one, to become the Sovereign Mistress of the universe."<sup>25</sup> Juba, a North African in Addison's *Cato*,(I.iv.30-38) declared: "A Roman soul is bent on higher views:/ To civilize the rude, unpolished world,/ And lay it under the restraint of laws;/ To cultivate the wild, licentious savage/ With wisdom, discipline, and liberal arts—/ The embellishments of life; virtues like these/ Make human nature shine, reform the soul,/ And break our fierce barbarians into men." Voltaire praised the Romans for their religious tolerance: "This sovereign people thought of nothing but how to conquer, govern and civilize the world;" they did not attempt to impose their gods on those they conquered.<sup>26</sup> Montesquieu thought "it was a blessing to be born in [Trajan's] reign"<sup>27</sup> and Gibbon thought "the human race was most happy and prosperous. . .from the death of Domitian to the access of Commodus."<sup>28</sup> Perhaps as Hardt and Negri point out, the Machiavelli claimed by republicans "was not the only Rome that

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<sup>25</sup>James Harrington, *The oceana and other works of James Harrington Esq; collected*. . .by John Toland (London: A. Millar, 1737), iv. Harrington's Machiavellian idea of a "commonwealth for increase" has been shown by J.G.A. Pocock, *The Machiavellian Moment* (Princeton: University Press, 1975) and Samuel Beer, *To Make a Nation: The Rediscovery of American Federalism* (Cambridge, Mass.: Belknap Press, 1993) to be central to American revolutionaries. Less well known was the espousal of Harrington's ideas by Abbé Sièyès and other French revolutionaries. See Sven Bodvar Liljegren, *A French Draft Constitution of 1792 modelled on James Harrington's Oceana* (Lund: Glierup, 1932); Thomas Hafen, *Staat, Gesellschaft und Bürger in Denken von Emmanuel Sieyes* (Bern: Haupt, 1994), 38, 146, 167, 197-223, 327; Alois Rifkin, *Emmanuel Joseph Sieyes und die Französische Revolution* (Bern: Stämpfli Verlag, 2001), 213.

<sup>26</sup>Voltaire, *A Treatise on Religious Toleration* (London: T. Becket and P.A. de Hondt, 1764), 65.

<sup>27</sup>Charles de Secondat, baron de Montesquieu, *Considerations on the Causes of the Greatness of the Romans and Their Decline*, trans David Lowenthal (Indianapolis: Hackett, 1999), 141.

<sup>28</sup>Edward Gibbon, *The History of the Decline and Fall of the Roman Empire* (London: Strahan and Cadell, 1791), vol. 1, 126-7.

fascinated Machiavelli and guided the Atlantic republicans.” The Roman empire fascinated Machiavelli and his followers in France, Britain and America. While David Armitage claimed that “republicanism and empire were never entirely happy bedfellows,”<sup>29</sup> Rome was an imperial republic, and, as Norbert Kehan has pointed out, as soon as American independence seemed assured in 1780-81, empire ceased to be a dirty word in America.<sup>30</sup> Although David Armitage says that “liberty and greatness” are “ultimately irreconcilable,”<sup>31</sup> Thomas Jefferson wrote to James Madison in 1809: “I am persuaded no constitution was ever before so well calculated as ours for extensive empire and self-government.”

Abbé de Mably displayed ambivalence in his championship of Rome and Sparta. Athens was less a democracy than “a veritable anarchy” incapable of the successful imperialism of the Roman senate, or the less flashy durability of Sparta. While the Romans marched to a universal empire, the Spartans “neither wished to acquire great riches, nor render themselves formidable by their exploits; they only aspired to an obscure happiness, probably the only kind for which men are made.” However, Mably emphatically noted: “There is no people, whatever moderation it affects, that does not wish to extend its territory and subjugate its neighbours; for nothing flatters so agreeably all the passions of the human heart as conquest.”<sup>32</sup> Rousseau shared Mably’s

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<sup>29</sup>David Armitage, *Greater Britain, 1516-1776* (Aldershot, Hants.: Ashgate, 2004), x.

<sup>30</sup>Norbert Kehan, ‘New Wine in Old Skins? American Defenders of Empire and the Emergence of a New Concept,’ in David Armitage ed., *Theories of Empire, 1450-1800* (Aldershot, Hants.: Ashgate, 1998), 307-19.

<sup>31</sup>David Armitage, ‘Empire and Liberty: A Republican Dilemma,’ in *Republicanism: A Shared European Heritage*, ed. Martin van Gelderen and Quentin Skinner (Cambridge: University Press, 2002), vol. 1, 29.

<sup>32</sup>Gabriel de Mably, *Observations sur l’histoire de la Grèce*, en *Oeuvres Complètes de l’abbé de Mably* (Lyon: J.B. Dolamolliere, 1792), 188; *Observations sur les Romains* en *Oeuvres Complètes de l’abbé de Mably* (Paris: Volland, 1790), t. 4, 375. Johnson Kent Wright, A

admiration for Sparta as well as Rome, but Book 4 of *The Social Contract* championed Roman political practices, and even in chapter.8 where Rousseau praised both the martial spirit of Spartans and Romans, he seemed to favour Roman conquest: “the oath taken by the soldiers of Fabius was a noble one; they did not swear to die or to conquer; they swore to return as victors and kept their oath....”

Burke’s *An Abridgement of English History* celebrated Julius Agricola’s conquest of Britain in 71AD. He introduced Roman manners—baths, gardens, grand houses—and the arts and sciences. “In short, he subdued the Britons by civilizing them: and made them exchange a savage liberty for a polite and easy subjection.”<sup>33</sup> Abbé Raynal challenged this view, asserting that “the Roman empire was not sufficiently durable, and too easily disputed, to improve in any degree the industry of the Britons.” While recognizing that Britain rules the waves, Raynal implored: “Philosophers of all nations, friends of mankind, forgive a French writer if at this period he urges his countrymen to build ships. His only view is to promote the tranquillity of the earth, by wishing to see that equilibrium established in the dominion of the seas, which now preserves the security of the continent.” Rome was “the most extensive and civilized empire of the universe” and anticipates France as the new Rome besting the commercial Carthaginians/English and establishing a republican empire with the *lingua franca* of course French; “if it is not the Language of the Gods, it is, at least, that of reason and truth.”<sup>34</sup> Raynal provided his compatriots

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*Classical Republican in Eighteenth-Century France: The Political Thought of Mably* (Stanford: Stanford University Press, 1997), 46 states that Mably’s “preference for the Spartan renunciation of imperial expansion is unmistakable.” Nevertheless, his assertion that all countries desire conquest (are would be Romes) suggest greater ambiguity that Wright claims.

<sup>33</sup>Edmund Burke, *The Works* (London: George Bell, 1890), vol. 6, 215.

<sup>34</sup>Guillaume-Thomas Raynal, *A Philosophical and political history of the settlements and trade of the Europeans in the East and West Indies*, trans. J. Justamond (London: T. Cadell,

with good advice; namely, not to look to short term imperial rivalry and win American independence for the British colonies because the Americans would be more effective in prosecuting the imperial interests of the English-speaking peoples vis-a vis the French and Spaniards than the British would be.<sup>35</sup>

Raynal followed Mandeville, Trenchard and Gordon, and Montesquieu in distinguishing British and French empires of trade from Roman, Spanish and Portuguese empires of conquest, celebrating the former and deprecating the latter. Montesquieu wrote (*EL* 21.21): “The Spaniards at first regarded the discovered lands as objects of conquest; people more refined than they found that they were objects of commerce, and it to this end that they direct their views.” He continued to say that the French colonies in the Antilles are admirably directed to commercial ends; Raynal also followed Montesquieu in thinking that slave labour is essential for the Caribbean climate.<sup>36</sup>

Empires of trade are maritime empires; they had the advantages over older empires of conquest in that they were cheaper to sustain, since sailors were hired or impressed by merchants rather than being paid by governments, and were much less likely to oppress compatriots than soldiers in land-based empires. In reality, the British and French had to colonize the Americas and the Indies, not merely establish trading posts, to sustain profitable enterprises just as the Spanish and Portuguese had in central and south America, but the anti-imperial rhetoric of the eighteenth century depended on the efficacy of the distinction between empires of trade and

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1776), vol. 1, 303; vol. 4, 412; vol. 5, 468, 577.

<sup>35</sup>Ibid, vol. 5, 394-95.

<sup>36</sup>Montesquieu, *EL*, 15.7, 15.9; Guillaume-Thomas Raynal, *Essai sur l'administration de St. Dominique* [1785] (Port-au-Prince: De l'imprimerie de Mozard, 1790), *viii-ix* says that although slavery is an evil, “European merchants on the coasts of Africa did not create servitude and wouldn’t know how to destroy it”; moreover, “a number of contemporary necessities, such as sugar, coffee, indigo, etc. can only be grown by negroes.”

empires of conquest. Diderot's *Supplement au Voyage de Bougainville* dreamed of sexual commerce without the sword to compel or the cross to justify Europe's penetration of Tahiti. But no one ever explained how shipping lanes or trading routes can be kept free of pirates or foreign rivals without a navy or army. As John H. Eliot indicated, Europeans "proved incapable of observing or preserving a distinction between the pursuit of trading relationships and the exercise of power."<sup>37</sup> The entry *colonie* in Diderot and D'Alembert's *Encyclopédie* distinguishes kinds of colonies; the fifth are commercial colonies "which enrich the metropole." From the fact that colonies serve to enrich the metropole, it follows that commerce must be exclusive and the metropole must provide military protection to sustain its monopoly of trade in the colony. Moreover, with the discovery of America, "it was necessary to conquer lands, and to chase the original inhabitants from them, in order to transport new colonists there."<sup>38</sup>

The antithesis between Greek colonies, which were autonomous of their mother country, and Roman provinces, subdued and governed by the mother country, was made by Trenchard and Gordon (*CL*, 73, 106) in 1720-23 and by James Abercrombie in *An Examination of the Acts of Parliament Relative to the Trade and Government of our American Colonies* (1752) and *De Jure et Gubernatione Coloniarium, or an Inquiry into the Nature, and Rights of Colonies, Ancient and Modern* (1774), as well as Mably in *Observations sur les Grecs* (1749), Montesquieu in *De l'Esprit des Lois* (8.16, 10.3, 11.17-19, 23.17) and Smith in his *Wealth of Nations* (IV.vii.1).. Although Trenchard and Gordon insist that commercial intercourse cannot be forced if it is to bear fruit, they recognized that the principles of free trade can only operate where the colonies

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<sup>37</sup>John H. Elliot, 'The Seizure of Overseas Territories by European Powers,' in Armitage ed., *Theories of Empire*, 157.

<sup>38</sup>*Encyclopédie*, t. 3, 649-50.

produce different goods than the mother country, as in the West Indies and the Southern States, and declared (*CL*, no. 106) Ireland and America to be more like Roman provinces than Greek colonies (insofar as the goods produced in the colony compete with those of the mother country). Abercrombie concurred that Britain relationship to her colonies was more Roman than Greek. Smith wrote that Greek colonies were, in relation to the mother country, “emancipated children,” whereas Roman provinces were “altogether different.”and subject to the legislative authority of Rome. Jack Greene has emphasized how the Americans used this distinction to see themselves more as Greek colonies than Roman plantations or provinces.<sup>39</sup>

### **Why Not Athens?**

Rome was celebrated over Athens in the eighteenth century not only because it was successful at imperialism or had a more durable empire but also because it was an aristocratic or mixed republic, not a pure democracy. Milton and Nedham used Athens as a model during the English Civil War<sup>40</sup> and Harrington appeared neutral in contrasting Athens and Rome: “the people [ate] the nobility in Athens, and the nobility the people in Rome.” But Rome was his

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<sup>39</sup>Jack P. Greene, *Periphery and Center: Constitutional Development in the Extended Politics of the British Empire and the United States, 1607-1788* (Athens, Ga.: University of Georgia Press, 1986), 9-10, 60-2.

<sup>40</sup>Milton’s *Areopagitica* flattered English parliamentarians by comparing them to Athenian Areopagites. Marchamont Nedham, *The Excellencie of a Free State* [1656] (London: A. Millar and T. Cadell, 1767), *xvi* wrote that Solon’s reforms introduced the court of Areopagus but left the power of legislation in “people’s assemblies; so that avoiding kingly tyranny on the one side, and senatical encroachments on the other, he is celebrated by all posterity, as the man who hath left the pattern for a free-state for all the world to follow.” Nedham’s justification of the abolition of the House of Lords and a unicameral legislature was rejected by the English-speaking world of the eighteenth century and was a major factor in Rome replacing Nedham’s Athens as the pattern for the world to follow.

model republic because “Athens. . . was plainly lost through the want of a good aristocracy.”<sup>41</sup> Rousseau followed Harrington in advocating aristocratic government and popular sovereignty; the people need a wise senate to propose laws for the people to accept or reject without deliberating; the power of the people to propose new laws “finally ruined Athens.” (*LRG*, in *BPW*, 28). In advocating an aristocratic senate (*SC*, III.5, IV.2) to govern the sovereign people, Rousseau was in tune with his time. However, Rousseau (*DSA*, in *BPW*, 13) stood out from most of his contemporaries in opposing commerce and luxury, and seemed to juxtapose Athens and Sparta as “empires”, the former “brilliant and fleeting” and the latter “virtuous and long-lasting.” The consensus of Enlightened thinkers was that marine-based empires of trade were superior to land-based empires of conquest but none of them looked to Athens as the model of a mercantile empire. Most thinkers of the eighteenth century thought Athens anarchical and tyrannical towards the rich. The great champion of commerce, Montesquieu, after comparing Athens with England as commercial empires and rulers of the waves, asserted that in Athens, “the rich were in a state of oppression” (*EL*, 21.7), while the non-commercial Romans carved out “the most durable empire in the world” founded on virtue rather than trade (*EL*, 19.25). Trenchard and Gordon (*CL*, 43) wrote that Pericles “broke the power of the Areopagus, the senate of Athens, a court of magistrates that balanced the power of the populace; who, being set free from that restraint, ran into all manner of licentiousness and corruption.” Montesquieu wrote: “A great vice in most ancient republics was that the people had the right to make resolutions for action, resolutions which required some execution, which altogether exceeds the people’s capacity. The people should not enter into government except to choose their representatives; that is quite within their

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<sup>41</sup>James Harrington, *The Commonwealth of Oceana and a System of Politics*, ed. J.G.A. Pocock (Cambridge: University Press, 1992), 12, 136.

reach.”<sup>42</sup> Alexander Hamilton thought Sparta and Rome had forms of representative republics in that they elected ephors and tribunes as popular representatives to oversee their senates, kings and consuls, rather than having the people deliberate on public policy as in Athens. Hamilton wrote: “The ancient republics [Sparta and Rome exempted], in which the people themselves deliberated, never possessed one feature of good government. Their very character was tyranny; their figure deformity: when they assembled, the field of debate presented an ungovernable mob, not only incapable of deliberation, but prepared for every enormity.”<sup>43</sup> For this reason, Hamilton and Madison insisted that the United States was a republic, with a system of representatives like Sparta or Rome, rather than a democracy, like Athens where the people directly decided on legislation and public policy. Thomas Hobbes favoured representative government over Athenian democracy: “if the people in a democracy would bestow the power of deliberating in matters of war and peace, either on one, or some very few, being content with the nomination of magistrates and public ministers, that is to say, with the authority without the ministration, then it must be confessed, that in this particular democracy and monarchy would be equal.”<sup>44</sup> James Harrington’s idea of separating the functions of deliberation (properly done by some body like the Roman senate) and decision without debate (the yea or nay of popular assemblies in Rome, or of popular representatives in modern commercial states) was attractive to American and French

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<sup>42</sup>*EL*, 11, 6: Montesquieu detested modern republics, such as Holland, “le tyran le plus insolent que l’on puisse avoir” and generalized that “il n’y a rien de pis que la populace libre.” Cited in Joseph Didier, *Montesquieu et la Tradition Politique Anglaise en France* (Paris: Victor Lecoffre, 1909), 139-40.

<sup>43</sup>*The Papers of Alexander Hamilton*, ed. Harold C. Syrett and Jacob E. Cooke (New York: Columbia University Press, 1961), vol. 5, 39.

<sup>44</sup>Thomas Hobbes, *De Cive or the Citizen*, ed. Sterling Lamprecht (New York: Appleton-Century-Crofts, 1949), (X. 15), 125. Although Hobbes’ is Skinner’s arch anti-republican, he was similar to most eighteenth-century republicans in favouring representative government.



revolutionaries. Indeed, the Constitution of Year VIII, drafted by Abbé Sièyès, was based on the Harringtonian idea of a division between a deliberative council and a legislative body that votes on bills without discussion initiated in the deliberative council.<sup>45</sup>

Rome served as a model of bicameral legislatures for Madison and Hamilton, and specifically of the importance of the Senate and the senatorial class. As M.N.S. Sellers stated: “The Roman example gave Americans courage to attempt a balanced continental republic, and the conviction that senatorial authority should predominate.”<sup>46</sup> Thomas Gordon thought that when the Roman senate had lost its authority to the tribunes and plebeian assemblies, Rome took on the vices of Athens: “In *Rome*, for a great while, while no ordinance of the People could pass without the Authority and Sanction of the Senate; a most reasonable Restraint, to keep popular Passion and Folly from gaining the Force and Terror of the Law. Afterwards, by the Violence of popular Faction, this wise Precaution was lost; and the People could make Laws, without the Senate; but the Senate none, without the Consent of the People.”<sup>47</sup> Madison and Hamilton (*Fed*, 63) thought Sparta and Rome successful because of their senates, whereas Athens needed safeguards against the tyranny of popular passions. Their view of the desirability of a single chief executive or commander-in-chief was predicated on the Athenians’ failure “to suffer an army to be commanded by fewer than ten generals” (*Fed*, 38). John Adams declared: “I was always for a free republic, not a democracy, which is as arbitrary, tyrannical, bloody, cruel, and intolerable a

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<sup>45</sup>D.M.G. Sutherland, *The French Revolution and Empire: The Quest for a Civic Order* (Oxford: Blackwell, 2002), 303.

<sup>46</sup>M.N.S. Sellers, *American Republicanism* (London: MacMillan, 1994), 6.

<sup>47</sup>Thomas Gordon, *The Works of Sallust* (London: T. Woodward and T. Peele, 1744), 165.

government as that of Phaleris with his bull is represented as having been.”<sup>48</sup> Adams’ *A defence of the constitutions of the United States of America* linked Athenian democracy with tumult, disorder and tyranny, whereas “The Roman constitution formed the noblest people, and the greatest power that ever existed.” Adams cited Cicero with approval that “the commonwealth of Athens could no more be governed without the court of the Areopagus, than the world without the providence of God.”<sup>49</sup> Burke thought the French unicameral National Assembly like Athens once the aristocratic council of the Areopagus had been replaced by a democratic council that prepared business to be discussed and decided at the popular assembly; “the court and senate of Areopagus” had served in Athens “as one of the balances and correctives to the evils of a light and unjust democracy.”<sup>50</sup>

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<sup>48</sup>Cited in Esmond Wright, *An Empire for Liberty: From Washington to Lincoln* (Oxford: Blackwell, 1995), 52.

<sup>49</sup>John Adams, *A defence of the constitutions of the United States of America* (London: John Stockdale, 1794), vol. 1, 175, 273, 285. To be sure, following Adams’ superlatives about Rome, he predicts that America will outdo Rome. Athenian democracy could never be achieved satisfactorily because society rests on a “natural aristocracy” (116), and it lacked Roman patron-client relationships. “The institution by which every plebeian was allowed to choose any patrician for his patron, introduced an intercourse of good offices between these orders, made the patricians emulate each other in acts of civility and humanity to their clients, and so contributed to preserve the peace and harmony of Rome in so remarkable a manner, that in all contests which happened for six hundred and twenty years, they never proceeded to bloodshed” (217). Despite his admiration for Rome, Adams thought America more like Carthage than Rome; America was more commercial and democratic than republican Rome (210-14). In *Discourses on Davila (The Portable John Adams)*, ed. John Patrick Diggins [New York: Penguin, 2004], 350, Adams praised the Romans for distinguishing citizens by honours, whereas money is the only distinction in the new world: “Has there ever been a nation that understood the human heart better than the Romans, or made a better use of the passion for consideration, congratulation and distinction?”

<sup>50</sup>Edmund Burke, *Reflections on the Revolution in France* (London: J. Dodsley, 1791), 304. In *Lettre de M. Burke, membre du parlement d’Angleterre, aux françois* (Paris: s.n.: 1790), 8, 10, 12, 24, Burke warned the French against using Athens as a model republic, and in *Three Memorials on French Affairs* (London: Rivington, 1797), 12, Burke portrayed France as Athens in the Peloponnesian War—“the head and settled ally of all democratic factions.”

If Mme de Staël was not alone amongst her contemporaries in disagreeing with Aristotle's view that the ends of statecraft were the securing of peace and leisure, she had almost universal support in disagreeing with Aristotle's view of the collective judgment of the many poor may well exceed that of a few rich and wise men. The inverse of Aristotle's view of the collective virtue of the many is James Madison's statement in *Federalist* 55: "Had every Athenian citizen been a Socrates; every Athenian assembly would still have been a mob." The only person to counter the general deprecation of the political capacities of the populace was John Thelwall, arrested for sedition or supporting the French Revolution, who wrote: "A kind of Socratic spirit inevitably develops wherever large groups of men assemble."<sup>51</sup> Even Thelwall's friend, Thomas Hardy, the head of the London Corresponding Society, also arrested and acquitted for seditious conspiracy, thought Athens "a nest of factions, conspiracies and violence" where there was no rule of law or respect for individual rights.<sup>52</sup>

### **Republicanism, the Agrarian Law, and Private Property**

Aristotle (*Pol*, 1280a) rejected the view that securing private property was the end of political life, and hence the share of political offices and honours, should be proportionate to their share of property; he (*Pol*, 1293b-1296b) favoured mixed constitutions where the rich should serve in individual magistracies (because rich individuals are more likely to be loyal to

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<sup>51</sup>John Thelwall, *The Rights of Nature, against the Usurpations of Establishments. A Series of Letters to the People of Great Britain, occasioned by the recent effusions of the Right Honourable Edmund Burke* (London: H.D. Symonds, 1796), pt. 1, 22: "Now, though every workshop cannot have a Socrates within the pale of its own society, nor even a manufacturing town a man of such wisdom, virtue, and *opportunities* to instruct them, yet a sort of Socratic spirit will necessarily grow up, wherever large bodies of men assemble. Each brings, as it were, into the common bank his mite of information, and putting it into a sort of circulating usance, each contributor has the advantage of a large interest, without any diminution of capital."

<sup>52</sup>Thomas Hardy, *The Patriot. Addressed to the people, on the present state of affairs in Britain and in France*. (Edinburgh: J. Dickson, 1793), 49-54.

the existing regime in which they have prospered, more likely to be educated or qualified for public life, and less likely to be tempted to abuse office by accepting bribes) and the poor serve in collective bodies (the council, the assembly and the juries). Since revolutions usually turn on the question of property, Aristotle recommended redistribution of land to create a class of farmers who would be too busy for frequent attendance at popular assemblies, rather than monetary relief (*Pol*, 1318b-1320b). The farmer-soldier was the backbone of the stablest regime, the middle-class democracy or polity. Aristotle's mixed constitution should not be confused with Locke's or Montesquieu's separation of powers, where the poor may be, and in fact are, excluded from the legislative, executive or judicial branches of government. Cicero's view (*De Officiis*, II. 22-24, III.6, 19) that securing private property is the chief task of government was more congenial to the enlightened century from Locke to Burke. Burke declared "for the protection of property, all governments were instituted.....The number of its inhabitants constituted the strength of a nation, but it was property alone on which government was formed."<sup>53</sup>

James Harrington thought republics depended upon the preservation of agrarian laws preventing the concentration of wealth in the hands of a few and the rotation of magisterial offices. Rome declined in the last century of the republic because large fortunes allowed purchasing of armies, and the buying of offices; Marius and Sulla repeatedly held the office of consul, and their armies slaughtered one another. Yet Harrington never blamed senatorial intransigence for the failure to maintain the agrarian law, as his contemporary, Nedham did.<sup>54</sup> Rather, Harrington thought those who attempted to implement the agrarian law were rightly

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<sup>53</sup>Cited in *The Parliamentary History of England from the Earliest Period to the Year 1803* (London: T.C. Hansard, 1818), Vol. 31, 379.

<sup>54</sup>Nedham, *Excellencie of a Free State*, 53, 59, 63, 99-100, 103, 126.

killed by the senate for kingly or tyrannical ambitions.<sup>55</sup> Eighteenth-century historians, such as the Abbé de Vertot, Charles Rollin, and Thomas Gordon, were clear that Spurius Maelius, Marcus Manlius Capitolinus, Spurius Cassius, Tiberius and Caius Gracchus were would-be tyrants who deserved death at the hands of the senate. Montesquieu's *Considerations on the Causes of the Greatness of the Romans and their Decline* highlighted the importance of the agrarian law mandating conquered land distributed to poorer citizens; farmer-soldiers were the health of the Roman republic but when the old patricians were succeeded by new wealth, class struggles were intensified and the new nobility "resisted with more force than had the patricians, and this was the cause of the death of the Gracchi and of several who worked for their scheme." In *Considerations*, Montesquieu seems to have overlooked the murders of Spurius Maelius, Marcus Manlius Capitolinus, Spurius Cassius and others by the old patricians, other than to say that the senate "was more inclined to the old maxims, and was fearful that the populace would elevate some tribune to tyranny" but in *De l'Esprit des Lois*, he defended the death penalty imposed by the senate for those proposing the agrarian law as would-be tyrants (*EL*, 12.18). Curiously, for someone who thought maximal population a sign of good government, Montesquieu argued that population growth is fostered "when there is an agrarian law, and the lands are equally divided" (*EL*. 23.15) and advocated that the crown should take uncultivated land from the hands of the "clergy, the prince, the cities, the great men and some of the principal citizens" and "should distribute it to all the families that are in want (*EL*, 23.19) but ultimately sided with Cicero that the agrarian laws were unjust because the state exists to preserve property

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<sup>55</sup>Harrington, *Oceana*, 172. Harrington wrote (37) that "by the time of Tiberius Gracchus the nobility had almost eaten the people quite out of their lands, which they held in the occupation of tenants and servants; whereupon the remedy being too late and too vehemently applied, the commonwealth was ruined."

and that it is never advantageous to the public “to deprive an individual of his property, or even to retrench the least part of it by a law, or a political regulation” (*EL*, 26.15). The decline of Rome corresponded to the decline of Senatorial authority at the hands of tribunes or popular representatives. “It has at all times been seen, and is still seen, that the people detest senators.” The tribunes were instituted to prevent injustices to plebeians at the hands of patrician magistrates “but due to a malady eternal in man, the plebeians, who had obtained tribunes to defend themselves, used them for attacking.” “The senate defended itself by means of its wisdom, its justice, and the love of country it inspired;” by its money, respect for tradition and the Machiavellian use of religion; “by clients; by the opposition of one tribune to another; by the creation of a dictator, the occupation of a new war” or, if necessary, concessions to the popular assemblies, which “were veritable conspiracies; a band of seditious men were called a *comitia*.” And thus the decline from an aristocracy into a popular state. While Sulla brutally put down the popular cause, “Pompey set aside the laws of Sulla limiting the power of the people” and set the stage for the anti-Senatorial forces to put an end to the republic.<sup>56</sup>

Montesquieu’s partisanship with the Senatorial cause trumped his view that an agrarian law is essential for republics. Trenchard and Gordon (*CL*, 3) wrote that “A free people are kept so, by no other means than an equal distribution of property.” They (*CL*, 35) elaborated “liberty can never exist without equality, nor equality be long preserved without an agrarian law” and that “if the Romans had well observed the agrarian law,” Caesar could never have established his tyranny. Yet, like Montesquieu, they so identified the Roman senate with the republic that they justified the senate ordering the death of those supporting equality or the agrarian law (*CL*, 11, 43, 118). Rousseau wrote: “The Romans saw the necessity of agrarian laws when it was no

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<sup>56</sup>Montesquieu, *Considerations*, 84-5, 93, 102.

longer time to establish them”. The Gracchi wanted to deprive the patricians of lands but “it would have been necessary to prevent them from acquiring them.”<sup>57</sup> Adam Ferguson also thought the agrarian law served to animate ancient republics: “the Agrarian law was moved and debated for ages: it served to awaken the mind; it nourished the spirit of equality, and furnished a field on which to exercise its force....”<sup>58</sup> However, the implementation of the law ran counter to the rights of private property and the spirit of commerce, and he came to see the agrarian law, “the most popular of all propositions” as furnishing “a specious pretence, which ambitious and designing men continually employed, to captivate the ears of the poor.” Ferguson claimed that “justice is more likely to suffer from the unawed passions of the lower people, than from any improper influence of superior rank” and even attributed the decline of the Roman republic to “the sedition of Tiberius Gracchus.”<sup>59</sup> Following Montesquieu, Ferguson virtually identified the Roman republic with the interests of the senate. He wrote: “When all the powers of the Roman senate were transferred to the popular assemblies, the liberty of Rome *came to an end.*”<sup>60</sup> Monarchists, such as Giambattista Vico, Voltaire and Jean Louis De Lolme deiced the illegal violence with which the senate blocked any attempts to implement the agrarian law, and rejected the patrician contention that popular champions aspired to regal status (a position contemporary historians

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<sup>57</sup>Jean-Jacques Rousseau, *Constitutional Project for Corsica*, in *Collected Writings of Rousseau*, vol. 11, 153.

<sup>58</sup>Adam Ferguson, *An essay on the history of civil society* (Dublin: Boulter Grierson, 1767), 235. Adam Smith (*WN*, IV.vii.1) followed Ferguson in thinking the Roman republic was founded on the Agrarian Law but fell into disuse as property concentrated in the hands of the senatorial class.

<sup>59</sup>Adam Ferguson, *The history of the progress and termination of the Roman Republic* (Edinburgh: Bell and Bradfute, 1799), vol. 1, 40, 372; vol. 5, 73.

<sup>60</sup>; Adam Ferguson, *Remarks on a pamphlet lately published by Dr. Price intituled , Observations on the nature of civil liberty* (London: T. Cadell, 1776), 14.

support<sup>61</sup>). But, aside from Voltaire's attack on the aristocracy,<sup>62</sup> in France, Britain and America support for the Roman senate outweighed concern that some variant of the agrarian law was essential to preserve republics. The increasing concentration of wealth in eighteenth-century France and England made ancient agrarian laws seem obsolete, and in America, the rebellion of poor farmers led by Daniel Shays against the bankers foreclosing on the veterans of the American War of Independence proved a "godsend" to the Federalists.<sup>63</sup> A centralized federation would protect private property more securely than individual states and prevent "a rage for paper money, for an abolition of debts, for an equal division of property, or for any other improper and wicked project" (*Fed*, 10). An expansive republic, "an empire of liberty," would prevent the return of the Gracchi and the agrarian law; the American senate would serve the function of the Roman senate, while at the same time conceding to the republican opposition representation to the states on a basis other than representation by population. If Hamilton looked to Rome for a model of effective bicameral legislatures (*Fed*, 34), he and Madison insist that no stable republic can do without a strong senate (*Fed*, 63). Improving on the representative institutions of Sparta and Rome, the American government is based in "*the total exclusion of the people in their collective capacity from any share*" in legislation, policy formation or governmental administration (*Fed*, 63—emphasis in original).

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<sup>61</sup>A.W. Lintott, *Violence in Republican Rome* (Oxford: Clarendon, 1968), 55-57, 177.

<sup>62</sup>In *Lettres écrites de Londres sur les Anglois, et autres sujets* (Basle: s.n., 1734), 52, Voltaire wrote: "le Senat de Rome qui avoit l'injuste & punissable orgueil de ne vouloir rien partager avec les Plebeiens, ne connoissent d'autres secret pour les éloigner du gouvernement que de les occuper toujours dans les guerres étrangers, ils regardoient le peuple comme un beste feroce qu'il falloit lacher sur leur voisins de peur quelle ne devorât ses maitres."

<sup>63</sup> Paul Rahe, *Republics Ancient and Modern: Inventions of Prudence: Constituting the American Dream* (Chapel Hill: University of North Carolina Press, 1994), 37.



## **Patriotic Virtue: Brutus and Brutality.**

France, as a *patrie* not a *royaume*, was initially patrician. The French revolutionaries, including the Jacobins, thought of themselves as followers of Montesquieu, were respectful of private property, and monarchical government insofar as it was limited by laws.<sup>64</sup> After the storming of the Bastille, when the crowd displayed the heads of its defenders on pikestuffs, Saint-Just exclaimed: “Would that the revolutionaries were Romans and not Tartars.”<sup>65</sup> However, Romans were sufficiently brutal that they had no need to turn to Mongolia for aid. Itching to get into the action in Paris/Rome from his provincial town of Blérancourt, Saint-Just wrote to his friend Daubigny in the summer of 1792: “Oh God! Is it necessary that Brutus languish forgotten far from Rome! However my mind is made up: if Brutus is unable to kill others, he will kill himself.”<sup>66</sup>

Self-declared Brutuses were a dime a dozen after the French Revolution, but they had a significance long before. Following the success of Addison’s *Cato*, the monarchist Voltaire wrote his tragedy, *Brutus*, performed much more often after, than before the French Revolution. Voltaire’s Brutus says to Publicola: “Destructeur des Tirans, vous qui n’avez pour Rois/ Que les

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<sup>64</sup>Montesquieu was admired by Camille Desmoulins, Jean-Paul Marat and Antoine-Louis de Saint Just. See Monique Ipotesi, *Saint-Just et l’antiquité* (Paris: Nizet, 1984), 47-9; Albert Soboul, ‘L’audience des lumières sous la révolution: Jean-Jacques Rousseau et les classes populaires,’ en Pierre Francastel ed., *Utopie et institutions au XVIIIe siècle: le pragmatisme des lumières* (Paris: Mouton & Co., 1963), 290; and Norman Hampson, *Saint-Just* (Oxford: Blackwell, 1991), 43. On monarchy, see the debate between Thomas Paine and Abbé Sièyès where the latter favoured monarchy, while the latter rejected it. Robespierre was initially indifferent to monarchy or republics. See Albert Olliver, *Saint-Just et la Force des Choses* (Paris: Gallimard, 1954), 111. After Louis XVI’s flight to Varennes, Sièyès voted with the Jacobins for Louis’s death, while Paine opposed it.

<sup>65</sup>Louis-Antoine Saint-Just, *Oeuvres Complètes*, ed. Michel Duval (Paris: Gérard Lebovici, 1984), 820.

<sup>66</sup>*Ibid*, 364.

Dieux de Numa, vos Vertus, & nos Loix.”<sup>67</sup> The Encyclopedists correlated patriotic virtue with Brutus’s willingness to kill his sons for his *patrie*, as David portrayed in his grim canvass. The name *Brutus* did double duty for the French revolutionaries as the killer of Tarquin at the beginning of the Roman republic and the killer of Caesar at its end, as the name *Cato* brought together in the English-speaking world the censorious rectitude of the elder Cato who tirelessly demanded the destruction of Carthage and his descendant who killed himself rather than accept the rule of Caesar.<sup>68</sup> Parents named their sons Brutus and adults adopted the name before the flight to Varennes, the attack on France by Austria and Prussia, and the subsequent regicide. In the trial of Louis XVI, Saint-Just, Robespierre and Desmoulins used the name of Brutus both as the killer of Tarquin and as the killer of Caesar to justify a death sentence for the king. Camille Desmoulins addressed the 740 men named Brutus in the National Convention deciding the fate of Louis XVI, and called upon them to live up to their name. Those marsh frogs named Brutus or Cassius croak out their reluctance to take the life of a king; if they reject regicide, “it is the vile blood of slaves and not that of Brutus, which flows in our veins.” Louis XVI is a Tarquin or a Caesar; moreover, Brutus sacrificed his sons to the emergent republic.<sup>69</sup>

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<sup>67</sup>*Le Brutus de Monsieur de Voltaire, avec un discours sur la tragedie* (Paris: s.n., 1731), 1.

<sup>68</sup>Rousseau also thought that the younger Cato was “the greatest of men” and “a god among mortals” (*DI* and *DPE*, in *BPW*, 80, 121) but also praised Cato the elder for attempting to prevent Greek philosophy and the arts from seducing the virtue and sapping the courage of his fellow Romans (*DSA*, in *BPW*, 9). Publius, Poplicola, or Publicola, all names for the legendary person who accepted the first consulship with Brutus, followed Brutus and Cato in popularity, because the name is plebeian or popular, giving a democratic flavour to those using the name (for those who can accept that plebeians, like Brutus and Publius, could have been in Tarquin’s bodyguard and would have been suitable candidates to replace the king).

<sup>69</sup>Camille Desmoulins, *Oeuvres*, ed. Jules Claretier (Paris: Bibiothèque Charpentier, 1906), t. 2, 92-95, 127, 132-33. Also *Oeuvres de Maximilien Robespierre*, ed. Marc Bouloiseau et Albert Soboul (Paris: Presses Universitaires de France, 1967), t. 9, 124; t. 10, 180, 230; Saint-

Robespierre was able to dismiss charges that he was dictatorial by responding that a dictator had an honourable constitutional role in republican Rome.<sup>70</sup> His equally educated school friend, Camille Desmoulins indicated that dictators served six month terms, while Robespierre's dictatorship had no temporal limit. However, what probably made Robespierre execute his oldest and best friend was Desmoulins' account in the third issue of *Le Vieux Cordelier* of the difference between treason in the Roman republic and empire; in the republic there were four specific grounds for the charge of treason, while under the emperors, the charge of treason was unlimited or undefined. When Robespierre ordered several issues of Desmoulins' journal to be burned, Desmoulins quoted Rousseau: "Brûler n'est pas répondre." His last letter to his wife consoles her with the thought that posterity will link his name with that of Brutus and Cato.<sup>71</sup> Congratulating himself on having the "firmness of Brutus," Robespierre wrote: "Terror is nothing other than prompt, severe, inflexible justice; it is thus an emanation of virtue."<sup>72</sup>

After the death of the king, the invasion of France, inflation partly brought about by forged British *assignats*, and scarcity of bread, the Jacobins thought that property rights had to be tempered by the right of subsistence. Desmoulins declared that the Gracchi were Jacobins who wanted to fix corn prices and distribute land to the people.<sup>73</sup> The agrarian law, sidestepped by

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Just, *Oeuvres Complètes*, 380-81, 391.

<sup>70</sup>*Oeuvres de Maximilien Robespierre*, t. 10, 553. Americans frequently referred to George Washington as the dictator Cincinnatus.

<sup>71</sup>Desmoulins, *Oeuvres*, t. 2, 164-67, 257, 301, 380.

<sup>72</sup>*Oeuvres de Maximilien Robespierre*, t. 10, 357, 361.

<sup>73</sup>Desmoulins, *Oeuvres*, t. 2, 151. John Shovlin, *The Political Economy of Virtue*, 192 indicates that attempts to implement the agrarian law by means of *assignats* and redistribution of land were associated with the names of the Gracchi and Lycurgus.

Montesquieu and the Anglo-American revolutionaries, as they did with the issue of slavery, came to the fore in 1793-94, at the time the Jacobins abolished slavery in French territories. Marie-Joseph Chenier, the brother of the great poet André who had the misfortune of being executed three days before Robespierre, wrote *Caius Gracchus* in 1792. Initially, it was a great success but, in the following year, fell afoul of the radicals for championing law, rather than the blood of the senators. François-Noël Babeuf named himself Gracchus when defending the Terror, wrote *Le tribun du peuple*, and as a leader of the *Société des égaux*, harried the Directory with his egalitarian demands until he was executed in 1797. Awaiting death with the Stoicism of her beloved Romans, Mme Roland wrote: “Oh, Brutus, whose strong hand freed the corrupt Romans, we have erred like you (toi).” Later, Roland added: “In my reading, I was impassioned for the reformers of inequality; I was Agis and Cleomenes at Sparta, I was Gracchus at Rome, and as Cornelia, I would have reproached my sons for permitting me to be called only the mother-in-law of Scipio; I withdrew with the plebeians to the Aventine, and I would have voted for the tribunes. Today experience has taught me to weigh everything with impartiality, and I see in the enterprise of the Gracchi and the conduct of the tribunes wrongs and evils by which I was never sufficiently struck.”<sup>74</sup> The woman awaiting the guillotine with more than Roman bravery rethought her life and came up with the conclusion of Montesquieu and the Anglo-Americans; namely, that support for the senatorial class outweighs respect for the agrarian law.

Like Mme Roland, Mme de Staël described herself as Cornelia, the mother of the Gracchi. I said above that this self-description is preposterous not because Cornelia bore her husband’s children but because Mme de Staël did not concern herself with the welfare of the

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<sup>74</sup>*Mémoire de Madame Roland*, ed. Paul de Roux (Paris: Mercure de France, 1966), 235, 271.

poor. In 1798, the greatest woman in the world (in J.S. Mill's and her own opinion), while wanting to mate with the greatest man in the world (the first consul on his way to becoming emperor) wrote *Des circonstances actuelles qui peuvent terminer la révolution et des principes qui doivent fonder la république en France*, which fused Roman and French history. The ambition of the tribunes to implement the agrarian law, De Staël asserted, much more than the intransigence of the patricians was responsible for the civil strife in Rome, and the senate in Rome, like the French Directory, excelled at turning warfare successfully on foreigners.<sup>75</sup> The order of enlightened nature was restored.

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<sup>75</sup>Anne-Louise Germaine de Staël-Holstein, *Des circonstances actuelles qui peuvent terminer la révolution et des principes qui doivent fonder la république en France*, ed. Lucia Omacini (Paris: Droz, 1979), 383.