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‘The Protectorate of the World’: the Problem of Just Hegemony in Roman Thought

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Abstract

Contemporary normative theory is understandably reluctant to consider how a hegemonic power ought to conduct itself. After all, a truly just international order, characterised by principles of freedom and equality among nations, would not include one polity so able to dominate others. The natural impulse of normative theorists then is to seek to eliminate such an imbalance. Yet, a sober assessment of political reality provides little prospect for such aspirations. The more modest alternative is to examine how hegemonic power might be wielded responsibly. For most of the history of Western political thought, the problem of just hegemony was more theoretical than real, leaving few serious philosophical precedents. Yet for Roman thinkers, of both the late Republic and the early Empire, the issue presented a real and urgent problem. In this article I explore some of the attempts of Roman philosophers and historians to grapple with the unique position of the Roman state. In many cases, their theories depend in some way on Rome’s alleged special moral or constitutional qualities – and yet, they often recognised that the realities of Rome’s use of power undermined those claims to exceptionalism. I examine the Romans’ responses to this problem as they sought to think through the moral dilemmas of their situation. In classical Roman thought, we might find an interlocutor for our own attempt to think through the ethics of superpower.

Keywords

Cicero – Julius Caesar – hegemony – justice – just war

1 The *Hegemon’s* (Moral) Dilemma

The basic mystery of ‘what makes the Romans so special?’ has fascinated commentators from Polybius to Montesquieu and beyond. Some have pointed to the unique features of the Roman army (Polybius), or to the special cohesion achieved by the Roman religion (Machiavelli). But Convictolanis, a Gallic chieftain in Caesar’s *Bellum Gallicum*, focuses on a different aspect of Rome’s uniqueness. According to Caesar (7.37), he asks his followers rhetorically: ‘Why should the Aedui go to Caesar for judgment about their rights and laws, rather than the Romans come to the Aedui?’ Convictolanis aims with his question to incite his listeners to join the war against the Romans, and he appeals to their love of liberty and desire for command, while portraying the Romans as a threat to both. But this query touches less upon the *causes* of Rome’s unique position, than upon a normative matter: why one polity should enjoy as a matter of course non-reciprocal rights over other independent polities.

There is, of course, a simple answer to Convictolanis’ question: the international system is and has always been structured ultimately by unequal power relations between states. The realist school of contemporary international relations holds this view, and Caesar would have had access to Thucydides’ history, which appears to teach much the same lesson.¹ There one reads the bold Athenian claim that ‘right, as the world goes, is only in question between equals in power, while the strong do what they can and the weak suffer what they must’ (Thuc. 5.89).² Rome, then, would be entitled to interfere in the internal affairs of other states merely because it can. Yet, although Caesar’s own account of his actions in Gaul places great weight upon considerations of power politics, he also provides a number of examples where his own actions on behalf of Rome take into consideration issues of justice between nations. Caesar sees no contradiction between a conception of international justice and special prerogatives reserved only for Rome.

Although Caesar does not develop this interesting theoretical dynamic, his thought points implicitly toward a concept of the ethics of superpower. Sallust illustrates how, in the later period of the republic, Rome began to become

1 Although there is no direct evidence that Caesar read Thucydides, there is considerable evidence of the latter’s influence on contemporary Roman thought – most clearly in the case of Sallust (himself a partisan of Caesar). See T. F. Scanlon, ‘The Influence of Thucydides on Sallust’, Ph.D. Dissertation (The Ohio State University, 1978); E. Keitel, ‘The Influence of Thucydides 7.61-71 on Sallust *Cat.* 20-21’, *The Classical Journal*, 82.4 (1987), pp. 293-300.

2 For a balanced interpretation of Thucydides’ relationship to what is now called ‘realism’, see L. M. J. Bagby, ‘The Use and Abuse of Thucydides in International Relations’, *International Organization*, 48.1 (1994), pp. 131-53.

aware of itself as a hegemonic power. Romans themselves understood Rome's strength to be such that Rome could unilaterally determine the nature of the international system of the Mediterranean world (*Cat.* 10, *Iug.* 41-42).³ Roman thinkers began to grapple with the question of how to employ that power with the vast number of smaller states that had come into Rome's sphere of control. Certainly its own self-interest would be a major – almost certainly primary – motivation, but even during its violent rise to power, Rome generally conducted its foreign policy with at least a patina of morality. The *fetial* laws – which established the religious and moral basis for going to war – were (usually) scrupulously upheld. Wherever possible, Rome preferred to view itself as waging defensive (and therefore just) wars, either to protect itself or to honor its obligation to protect allies (*Cic. Off.* 2.26-2.27). Undoubtedly some of this behavior was merely moral pretense to cover ulterior motives of conquest.⁴ But the fact that the Romans preferred to maintain even the pretense – rather than simply avow their expansionist intentions, as the Athenian ambassadors do in Thucydides' account (*Thuc.* 5.105) – suggests that they took the demands of interstate justice at least somewhat seriously. Now, however, the issue changed from one of reconciling military expansion with norms of justice to one of thinking through how Rome ought to manage its dominance.

Beginning in the late 20th century, the United States found itself in similar position in relation to the rest of the world to that of Rome's position in the Mediterranean during this period. By possessing an overwhelming preponderance of military power as well as economic might and political clout, the United States is, on this view, a world *hegemon*.⁵ Yet normative political theory has shown almost no interest in attempting to provide a systematic

3 Of course, Sallust blames this fact for undermining the balance of Rome's institutions.

4 Some, such as W. V. Harris, *War and Imperialism in Republican Rome, 327-70 B.C.* (Oxford: Clarendon Press, 1985), interpret nearly all Roman rhetoric about defensive warfare as little more than ideological cover for *realpolitik* aimed at either a domestic or foreign audience (see especially pp. 163-264). C. E. W. Steel, *Cicero, Rhetoric, and Empire* (Oxford: Oxford University Press, 2001), p. 16 takes an even dimmer view of Cicero's rhetoric on the subject. She denies that Cicero's public statements at least represent no 'political "programme"', and suggests that they were rather 'manifestations of a constant need to maintain popularity'. Both note that the Romans' own religious laws governing the commencement of just wars were not always followed.

5 See R. J. Art, *US Foreign Policy: The Search for a New Role* (New York: MacMillan Publishing Company, 1993); B. R. Posen, 'Command of the Commons: The Military Foundation of US Hegemony', *International Security*, 28.1 (2003), pp. 5-46. This is not to ignore the loss of both hard and soft power the United States has suffered in recent years. Some scholars are already beginning to imagine a world in which the United States does not enjoy such a preponderance of power, e.g.: R. O. Keohane, *After Hegemony: Cooperation and Discord in the World Political Economy* (Princeton: Princeton University Press, 2005).

vision of how the United States might responsibly use its power in the world. There has been vigorous debate on the subject among scholars of international relations.⁶ But, the United States' recent foreign misadventures, and the ongoing political debate about how it ought to relate to the rest of the world, make this an area where political theory might also have something important to offer to contemporary political thought.

Because of the likeness of its situation – as the archetypal hegemonic republic – Rome's political thought may be a fruitful interlocutor for beginning to think through the morality of superpower. Of course, the actual facts of Rome's interactions with its neighbours may discourage such an enterprise. After all, Roman intervention was often followed by slaughter, enslavement, and even the razing of cities, none of which one would seek to emulate. However, the disjunction between the philosophy and practice of Roman politics on the domestic level has not deterred the recent flowering of neo-republican political theory. Although the Romans refused to grant the benefits of freedom as non-domination to women and slaves, among others, this fact has not prevented many from seeing value in Roman political thought, or from mining Roman authors for valuable ideas.⁷ Likewise, I suggest that Roman thought about the responsible use of hegemonic power may be a valuable starting point for discussions of hegemonic ethics today, despite the frequent acts of cruelty and rapine of Rome's actual behaviour.

In this article, I suggest that Roman thought of the late Republic and early Principate reveals at least two distinct visions for how Rome ought to relate to the weaker states on its periphery. By identifying two models in this way, there is some danger of oversimplifying. Both visions are somewhat inchoate, reflecting the turbulence of the political situation in Rome as well as the basically unprecedented position Rome had found itself in. Individual authors may express elements of both visions at times without recognition of any contradiction. Yet the two are distinct, and it is possible to gain clarity by grasping the core assumptions and arguments of each. One view sees Rome's role as

6 See C. Layne and M. Lynn-Jones, *Should America Promote Democracy* (Cambridge: MIT Press, 1998); Art, *US Foreign Policy*; C. Layne and B. A. Thayer, *American Empire: A Debate* (New York: Routledge, 2006); J. L. Holzgrefe and R. O. Keohane, *Humanitarian Intervention: Ethical, Legal and Political Dilemmas* (Cambridge: Cambridge University Press, 2003); M. Lind 'Beyond American Hegemony', *The National Interest*, 89 (2007), pp. 9-15.

7 P. Pettit, *Republicanism: A Theory of Freedom and Government* (Oxford: Oxford University Press, 1997); Q. Skinner, *Liberty before Liberalism*, Vol. 11 (Cambridge: Cambridge University Press, 1998); J. Connolly, *The Life of Roman Republicanism* (Princeton: Princeton University Press, 2014); G. Remer, 'The Classical Orator as Political Representative: Cicero and the Modern Concept of Representation', *The Journal of Politics*, 72.4 (2010), pp. 1063-82, among others.

one of ensuring and providing peace and political stability to its environs. This view prioritises the elimination of rising threats to the balance of power, the rewarding of faithful or especially useful allies, and the willingness to resolve internal disputes of associated states with an eye to maintaining their continued adherence to Rome. For purposes of clarity, I call this the ‘universal protectorate’ model. The second view, expressed most clearly by Cicero, interprets Rome’s political institutions as particularly valuable or just, and approves (or at least considers strongly the desirability) of bringing other peoples into Rome’s political system. Here, Rome appears not as an outside protector or balancer, but rather as the center of a potentially universal republican polity or federation. I call this alternate vision the ‘empire of justice’.

In both views, the realities of power politics and the need for Rome to ensure its own security and interest are never simply bracketed off from moral considerations. Rather, thinkers on both sides followed a model that closely resembles the realist school of political theory.⁸ They treat moral and pragmatic considerations as linked. The Roman authors discussed in this article unite normative concerns with hardheaded evaluations of political reality and human passions. Not even the scrupulous moralist Cicero (*Off.* 1.5-1.6) would tolerate the suggestion that *honestum* (the morally upright) should be considered separately from *utile* (the useful). Unlike some earlier Greek philosophers – most notably, Plato – these thinkers did not imagine a pure ideal against which to judge messy reality; they preferred even their regulative ideals to be grounded in concrete fact as proof of their possibility. Cicero (*Rep.* 2.21) has his character, Laelius, say of Plato’s famous Kallipolis: ‘it may be a noble state, but it is totally alien to human life and customs’.⁹ For these Roman thinkers, there is little practical value in a theory of politics – however noble – if it is contrary to how human beings invariably behave. For this reason, realist political theory and Roman thought present a uniquely valuable combination for approaching the problem of just (or at least: more just) hegemony.

In what follows, I begin by outlining how a realist approach to historical political theory might be fruitful for thinking through the problem of just hegemony. I will then proceed to outline these two competing visions for how Rome’s hegemony should be wielded. I argue that the first grows more naturally from the moral assumptions that governed the conquests that brought about Rome’s rise to hegemonic power. The latter, however, gradually came to

8 The realist school of political theory is not to be confused with the realist school of international relations theory; the former is discussed further, below.

9 Here, I follow the translation of J. Zetzel, *Cicero: On the Commonwealth and On the Laws* (Cambridge: Cambridge University Press, 1999), p. 39.

form the dominant view of the empire, as Rome began to extend Roman citizenship to ever growing numbers of people within its orbit. At the end, I return to the contemporary situation to suggest ways in which Rome's thought might help guide thinking on contemporary problems.

2 A Role for Realist Historical Political Theory

Contemporary normative theory devotes considerably less attention to questions of international relations than to domestic issues. In part, this may be due to the prevailing influence of ideal theory, which often has little practical or concrete to offer on the subject of the decidedly *non*-ideal world of international politics.¹⁰ Even the non-ideal discourses, such as pragmatism or republicanism, focus heavily (although not exclusively) on normative questions of domestic institutions and practices.¹¹ There are a few significant exceptions to this trend. For example, cosmopolitanism takes its bearings from an international perspective, but one that downplays the moral significance of states in general.¹² It therefore cannot be expected to advise a hegemonic state. The tradition of just war theory perhaps comes closest to offering a sustained account of international relations from within normative political theory. It addresses the specific moral questions arising from armed conflict.¹³ But the question of how a hegemonic power ought to conduct itself extends beyond the matter of when and how to fight wars to encompass all the other features of interstate relations. Therefore, just war theory can at best be part of the subject matter for the question at hand. Moreover, just war theory as a rule does not accept

10 This is the pervasive form of political theory that has arisen in the wake of the work of individuals such as John Rawls and Ronald Dworkin. Rawls himself, of course, *did* write a work of normative theory on international relations: *The Law of Peoples: With 'The Idea of Public Reason Revisited'* (Cambridge, MA: Harvard University Press, 2001). But even there, he acknowledges himself to be remaining largely within the more utopian sphere of ideal theory (p. 7).

11 R. Rorty, *Contingency, Irony, and Solidarity* (Cambridge: Cambridge University Press, 1989); Pettit, *Republicanism*.

12 K. A. Appiah, *Cosmopolitanism: Ethics in a World of Strangers (Issues of Our Time)* (New York: WW Norton & Company, 2010); C. Nussbaum, *Cultivating Humanity: A Classical Defense of Reform in Liberal Education* (Cambridge, MA: Harvard University Press, 1998).

13 See for instance, J. McMahan, *Killing in War* (Oxford: Oxford University Press, 2009); M. Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations* (New York: Basic Books, 2006).

special cases: the moral norms of warfare are taken to apply to all equally.¹⁴ It would, therefore, not consider the situation of the hegemonic power to raise any particularly new issues.

But there is a growing movement of scholars who argue that political theory ought to take the concrete conditions of the world and the limitations of practicality more seriously. Grouped loosely under the banner of 'realism', these thinkers take the aspirations of the purer forms of ideal theory to be politically useless or even harmful. The spectrum of realist dissenters from ideal political theory encompasses moral skeptics like Bernard Williams, agonists like Chantal Mouffe, and those influenced by Judith Shklar's 'The Liberalism of Fear', among others.¹⁵ They insist on taking seriously the permanence of political conflict and the asymmetry between individual moral decisions and political decisions.¹⁶ Among other things, this attitude does not 'try to determine in general what anyone has a right to under any circumstances' and then apply that determination without reference to history and contemporary political reality.¹⁷

In its attention to concrete political reality and specific circumstances, realist political theory seems to offer a perspective from which one could begin to think through the peculiar issues that arise for a hegemonic republic. Indeed, Williams acknowledges that some principles of international action are almost presumptively different for the United States than they would be for any other country, given its preponderance of military might.¹⁸ Williams does not dwell long on this recognition: he uses it merely to illustrate a claim about humanitarian intervention. But, it is possible to elaborate the key element of the implicit

14 According to McMahan, *Killing in War*, there is a great difference in the permissible actions available to just and unjust combatants. But, nothing about a particular state's position in the international system has any bearing on this distinction. For Walzer, *Just and Unjust Wars*, and more traditional just war theorists, the rules of war are even more uniform: they do not admit the just/unjust combatant distinction.

15 B. A. O. Williams, *In the Beginning Was the Deed: Realism and Moralism in Political Argument* (Princeton: Princeton University Press, 2005); J. Shklar, 'The Liberalism of Fear', in S. Young (ed.), *Political Liberalism: Variations on a Theme* (Albany: State University of New York Press, 1989), pp. 149-66; C. Mouffe, *On the Political* (London: Routledge, 2011).

16 W. A. Galston, 'Realism in Political Theory', *European Journal of Political Theory*, 9.4 (2010), p. 396; E. Hall and M. Sleat, 'Ethics, Morality and the Case for Realist Political Theory', *Critical Review of International Social and Political Philosophy*, 20.3 (2017), p. 279.

17 Williams, *In the Beginning Was the Deed*, p. 93. See also J. T. Levy, 'There Is No Such Thing as Ideal Theory', *Social Philosophy and Policy*, 33.1-2 (2016), pp. 312-33. In this respect, they in fact imitate the particularist approach of Cicero: see R. Woolf, 'Particularism, Promises, and Persons in Cicero's *De Officiis*', in D. Sedley (ed.), *Oxford Studies in Ancient Philosophy*, 33 (Oxford: Oxford University Press, 2007), pp. 317-46.

18 Williams, *In the Beginning Was the Deed*, p. 192.

logic that underlies his point. Although the principle of 'ought implies can' is not unique to realists like Williams, they tend to grant it special significance when thinking about politics.¹⁹ In the case of the United States, its vast superiority of military and economic power (perhaps also its political stability, its centrality in a number of international alliances, etc.) greatly expands its 'can'. As a result, we may also have to construe its 'ought' differently. In short, we would be justified in treating the United States differently precisely because of its hegemonic position in the global order.

Furthermore, because it does not indulge in naïve or utopian presuppositions, a realist engagement with the issue of a hegemonic republic would not bother to insist that such a nation divest itself of its superiority in the name of the equality among nations. Realist attention both to the strength of passions and rational self-interest in actors prevents it from making unrealistic demands.²⁰ This does not mean realist political theory abandons normative or moral claims entirely – far from it. But, its expectations are chastened by reality. As a result, the realist might find sympathy with the position of a different set of Athenian ambassadors in Thucydides' history, who claimed that 'praise is due to all who, if not so superior to human nature as to refuse dominion, yet respect justice more than their position compels them to' (Thuc. 1.76).²¹ Such might be a good starting point for thinking through what a just hegemony might look like.

Thus, if normative political theory is not to cede the field entirely to scholars of international relations on this centrally important issue of how a hegemonic power like the United States ought to conduct itself, it must adopt – at least to a degree – the realist perspective. When approaching such a large issue, it is sometimes helpful to begin from historical precedents. It has occurred to some international relations scholars that the present situation of the United States, while seemingly quite novel and rare, is not entirely unprecedented. They have recognised the similarity between the current position of the United States and that of Rome during its period of domination over the greater Mediterranean world.²² Hitherto, however, little thought has been given to the possibility that Rome might not simply be a historical precedent for American hegemony,

19 Galston, 'Realism in Political Theory', p. 408.

20 P. Manent, *A World beyond Politics? A Defense of the Nation-State* (Princeton: Princeton University Press, 2013), p. 75.

21 I follow the Richard Crawley translation in R. Strassler (ed.), *The Landmark Thucydides: A Comprehensive Guide to the Peloponnesian War* (New York: Simon & Schuster, 1996).

22 D. F. Vagts, 'Hegemonic International Law', *American Journal of International Law*, 95.4 (2001), pp. 843-4; S. P. Huntington, 'The Lonely Superpower', *Foreign Affairs*, 78.2 (1999), p. 35.

but that its political thought might also prove to be a useful source of inspiration for us.²³ Arthur Eckstein does look to Rome and argues that it and other Mediterranean powers behaved according to the realist international relations paradigm. But, his outlook primarily seeks to apply contemporary international relations theory to understand Roman behavior, rather than using Rome to inform our thinking about how the United States might act today.²⁴ In contrast, Jed Atkins suggests that Roman republican foreign policy might better correspond to constructivist models of international behavior. He argues that the Romans have something to contribute to current international relations theory, but he seems to be almost entirely alone in his suggestion, and even he only devotes a scant three pages to the topic.²⁵

The Romans engaged in debate and discussions that bear some striking similarities to modern ones about the use of hegemonic power. So, we might at least gain some critical distance on our own beliefs and arguments by viewing them through the critical distance the Romans afford us. But, the Romans approached the question of their own hegemony from an outlook that also transcends our contemporary division of realist/liberal internationalist/constructivist paradigms. So, the Romans may also have something positive to contribute to our thinking about the responsible use of hegemonic power.

Some of the leading scholars of Roman and neo-Roman thought argue that this kind of aspiration is inappropriate. Most influentially, Quentin Skinner has staked out a position on the method of engaging in earlier political thinking which forecloses the sort of approach I outline here. He argues that ‘the classic texts cannot be concerned with our questions and answers, but only with their own’ so there is no point in searching them for their ‘attempted answers to supposedly timeless questions.’²⁶ It is beyond the scope of this article to fully engage with Skinner’s view, and he himself at times seems to reject his own hardline stance.²⁷ But, even if Skinner is correct that there are no ‘timeless’ questions and that political thought is always concerned with the problems

23 As discussed above, Roman rhetorical and republican theory has indeed been mined by contemporary thought in the manner proposed in this article. But, with very few exceptions, thought underpinning Roman foreign policy has hardly been touched.

24 A. M. Eckstein, *Mediterranean Anarchy, Interstate War, and the Rise of Rome* (Berkeley: University of California Press, 2007).

25 J. W. Atkins, *Roman Political Thought* (Cambridge: Cambridge University Press, 2018), pp. 189–91.

26 Q. Skinner, *The Foundations of Modern Political Thought, Vol. 1: The Renaissance* (Cambridge, MA: Cambridge University Press, 1978), p. 50.

27 For compelling rebuttals to Skinner’s stance, see M. P. Zuckert, ‘Appropriation and Understanding in the History of Political Philosophy: On Quentin Skinner’s Method,’

of its own historical context, it may be possible that a sufficient similarity of contexts might prompt a return to certain questions that need not be timeless to be recurring. The growth of interest in Roman republicanism has already born considerable fruit.²⁸ Likewise, the return to Roman rhetorical thought has proven valuable in reviving scholarly focus on a key feature of contestatory politics.²⁹ Finally, by no means does engagement with Roman ideas necessarily imply endorsement of them. Sometimes, we may find a Roman argument valuable precisely because it helps us to see more clearly the flaws in some similar view of our own.

3 The Protectorate of the World

Rome's rise to preeminence began very gradually, only later to rush along in leaps and bounds. It took several centuries for the city-state on the Tiber to subdue its nearest neighbors and more still to dominate all of Italy. But then, after its victory in the Punic Wars against Carthage, Rome found itself without a major rival to check its expansion. Conquests in Spain, Gaul, Greece, Egypt, and Asia Minor followed fairly rapidly. Rome now found itself with lasting military commitments far from its homeland. It is perhaps unsurprising that some Romans would be inclined to adopt a vision for hegemony closely related to the values and policy that gave rise to that hegemony. Cicero (*Off.* 2.26-2.27) expresses a common view of how Rome rose to power: 'our generals sought to gain highest praise by defending fairly and faithfully our province and our allies. Thus we could more truly be called the protectorate – rather than the empire – of the world'. In short, Rome saw its conquests as outcomes of fundamentally defensive wars carried out either in the cause of self-protection, or the protection of loyal allies. Although this view is certainly a self-serving generalisation, it has at least some real basis in fact. Rome's early wars against the

Interpretation, 13.3 (1985), pp. 403-24; N. Tarcov, *Quentin Skinner's Method and Machiavelli's Prince* (Chicago: University of Chicago Press, 1982).

28 Pettit, *Republicanism*; J. W. Atkins, *Cicero on Politics and the Limits of Reason: The Republic and Laws* (Cambridge: Cambridge University Press, 2013); Connolly, *The Life of Roman Republicanism*; W. Nicgorski, *Cicero's Skepticism and His Recovery of Political Philosophy* (New York: Palgrave Macmillan, 2016).

29 B. Garsten, *Saving Persuasion: A Defense of Rhetoric and Judgment* (Cambridge, MA: Harvard University Press, 2009); G. Remer, 'The Classical Orator as Political Representative'; G. Remer, *Ethics and the Orator: The Ciceronian Tradition of Political Morality* (Chicago: University of Chicago Press, 2017).

hill tribes of Italy certainly were in large part wars of defense against raiders. Later wars in Greece, Asia Minor, and Gaul all began with smaller local powers appealing to Rome for outside help.³⁰ Of course, Romans tended to give less attention to the fact that even their allies in such fights did not necessarily expect Roman help to give way to Roman rule – as it almost invariably did.

Still, this way of thinking about their own rise to power gave the Romans the beginnings of a framework for how to wield their dominance. Rome could ensure its own security and self-interest, while simultaneously underwriting a general peace, by making itself the guarantor of the security of its allies all around its periphery. Loyalty to these allies might at times seem contrary to Rome's immediate and narrow self-interest, but by sticking by their friends as a matter of general policy, Rome ultimately reaped the benefits of reciprocal loyalty. Plato's Polemarchus defined justice as 'helping friends and harming enemies' (*Resp.* 334*b*). Without any reference to Plato's *Republic*, some Roman authors took this understanding of justice to the guiding light of Rome's hegemonic policy. For these thinkers, such a version of justice and Roman self-interest could be viewed as completely coinciding. For the purposes of brevity, I will call this general outlook the *universal protectorate model* of hegemonic thinking.

As Atkins rightly points out, the Latin word for empire – *imperium* – did not securely acquire the connotation of empire (in the sense of direct political overlordship) until the first century CE. The word's primary meaning has always meant simply 'command' or 'rule', and there are a large number of ways to exercise command short of direct government.³¹ The advocates of the universal protectorate model generally did not see the extension of direct Roman rule over various far-flung territories to be necessary or even desirable for Rome. They were content instead to ensure that Roman *imperium* was recognised, especially in matters relating to foreign policy, while the internal affairs of allies and tributaries were left largely unaltered. The chief exception to the Roman indifference to allies' domestic affairs arose whenever internal

30 For more on this history, see P. A. Brunt, *The Fall of the Roman Republic and Related Essays* (Oxford: Clarendon Press, 1988); E. Badian, *Roman Imperialism in the Late Republic* (Ithaca: Cornell University Press, 1968); A. J. Toynbee, *Hannibal's Legacy: The Hannibalic War's Effects on Roman Life*, Vol. 2 (Oxford: Oxford University Press, 1965); E. S. Gruen, *The Last Generation of the Roman Republic* (Berkeley: University of California Press, 1995); R. M. Kallet-Marx, *Hegemony to Empire: The Development of the Roman Imperium in the East From 148 to 62 BC* (Berkeley: University of California Press, 1995).

31 Atkins, *Roman Political Thought*, p. 166. See also J. Richardson, *The Language of Empire: Rome and the Idea of Empire from the Third Century BC to the Second Century AD* (Cambridge: Cambridge University Press, 2008).

dissension or power struggles threatened to compromise the reliability of an ally as a military or economic partner.

As a regular matter of course, Rome's treaties with its allies formalised this attitude. Treaties included a 'supremacy clause', in which the ally recognised the supremacy of the Roman state (Cic. *Balb.* 35, Liv. 38.11.2).³² However, as Nicolet points out, the Romans construed this narrowly to leave intact local autonomy over purely local and internal matters.³³ Allies were in fact given the choice of whether to adopt Roman law or retain their own for domestic use (Cic. *Balb.* 22). This outlook toward those within its sphere of influence served Rome well in its rise to power. It offered a measure of desired autonomy to allies (more precisely, a measure of local power for local elites), while ensuring the availability of manpower and resources for Rome to call upon in an hour of need.

Caesar's *Bellum Gallicum* offers perhaps the most comprehensive example of this mode of thinking, and we can also find expressions of it in the works of Tacitus and Sallust.³⁴ In his recounting of the Gallic Wars, Caesar often presents the reader with an account of his own reasoning when confronted with a policy choice. Caesar takes pains to demonstrate that, in every major instance, he united considerations of Roman interest with this version of Polemarchean justice. At times, Caesar invokes the claims of justice on behalf of Rome itself, justifying war or punitive action against some tribe for wrongs done to Rome and its citizens (*BGall.* 1.14, 1.30, 3.11, 5.42). In none of these instances does he raise the issue of justice by itself; he unites it with *realpolitik* considerations of potential and actual threats to Rome's power and influence. Thus, in the case of his battles with the Helvetii, he decides to fight both because of earlier Helvetian perfidy against Rome as well as fear that the migrating Helvetii might ravage lands from which Rome drew food and manpower (*BGall.* 1.11-1.14). In general, however, Caesar prefers to lay emphasis on the unity of Roman self-interest with defending wronged or threatened allies.³⁵ For instance, in response to the German Ariovistus' attempt to carve out a dominion for

32 Cf. Atkins, *Roman Political Thought*, p. 71.

33 C. Nicolet, *The World of the Citizen in Republican Rome* (Berkeley: University of California Press, 1980), p. 46.

34 P. A. Brunt, 'L'aus Imperii', in P. Garnsey and C. Whittaker (eds.), *Imperialism in the Ancient World: The Cambridge University Research Seminar in Ancient History* (Cambridge: Cambridge University Press, 1978), pp. 159-91, implies that Caesar would not have needed to justify his fighting in Gaul. However, A. M. Riggsby, *Caesar in Gaul and Rome: War in Words* (Austin: University of Texas Press, 2006), p. 157, rightly points out that Caesar takes great pains to do just that, which 'naturally calls into question the notion that the war needed no justification'.

35 Riggsby, *Caesar in Gaul and Rome*, p. 177.

himself within Rome's sphere of influence, Caesar points out that 'neither his nor the Roman people's practice would allow him to abandon most deserving allies' (*BGall.* 1.45).

Indeed, Caesar expresses the common Roman view that Rome's loyalty to its allies is precisely what keeps them loyal to Rome and attracts new allies in turn, thereby enhancing Rome's power. Caesar explains that 'it is the habit of the Roman people not only that their allies lose none of their property, but that they are enlarged in favour, dignity, and honour' (*BGall.* 1.43). At times, rewarding an ally seems counter to Rome's own immediate interest, exposing it to dangers without any immediate payoff. But, by showing such loyalty on a consistent basis, Caesar argues that Rome ensures the steadfastness of allies, who know that Rome will not abandon them (*BGall.* 7.10). Potential allies are likewise attracted into Rome's orbit by seeing how mild Rome's demands on its allies are (*BGall.* 6.12).

Nearly 150 years later, Tacitus approvingly relates the policy of his father-in-law, Gnaeus Julius Agricola, who employs much the same approach as Caesar. Tacitus relates that through Agricola's justice and the general lightness of his demands, many formerly independent tribes 'laid aside their conflict' with Rome (*Agr.* 20). Tacitus claims that Agricola's example also illustrates the utility of this policy by showing the folly of the converse. By comparing Agricola's justice toward allies with the harshness of his predecessors, Tacitus seeks to demonstrate that 'little is gained by arms, if injustice follows' (*Agr.* 19). The high-handed behavior of Roman leadership in Britain before Agricola's arrival had driven away allies and stirred up armed resistance to Rome.

Sallust, a contemporary of Caesar, likewise makes this point at length. He suggests that Roman injustice – particularly the widespread acceptance of bribes by senators – led them to refrain from holding the upstart Jugurtha in check. The long and costly war that Rome had to fight against him directly results from this failure to maintain justice on the periphery of Rome's control (*Sal. Jug.* 15).

Rome's position regarding its allies generally left the latter to manage their own internal affairs, so long as they allowed Rome to determine the course of foreign policy. But, the universal protectorate model did include one area in which Rome interfered with the internal governance of those in its orbit: internecine conflict, especially over political leadership, almost always prompted Rome to intervene. This policy reflected the concern for Polemarchean justice that animates this general model: that those individuals most friendly to Rome can count on its support even against their own citizens. At the same time, Rome could ensure that useful allies were not lost to revolution or civil

war. Caesar frequently finds himself forced to engage in personal mediation between conflicting Gallic chieftans (e.g., *BGall.* 5.5).

This attitude also allowed Rome to use – often quite cynically – apparent considerations of justice as an excuse to expand its control. Tacitus explains that when the Romans contemplated a conquest of Ireland, they planned to take up the cause of an exiled Irish king as justification (*Agr.* 24). Although the Irish invasion never took place, Tacitus explains that the plan for it was to fit Rome's general policy, which was put into effect in Britain: 'Some of the states were given to king Cogidumnus, who retained a memory even to my lifetime as a most faithful ally. This was done according to an old and now long-accepted habit of the Roman people, that would have even kings be the instruments of subjugation [to themselves]' (*Agr.* 14).

This transparent fiction did not escape foreign peoples, nor the Roman writers themselves, although their judgments about it differed predictably. Caesar recounts a number of speeches given by Gallic chieftans to stir up their people against the Romans. Nearly all of them appeal to their people's desire for liberty and fear of the slavery they face under Roman dominion. Tacitus later reports very similar speeches from Britons fearful of losing their autonomy to the Romans. He also evinces (perhaps disingenuously) considerable sympathy with their point of view (*Agr.* 17, 30). Caesar himself acknowledges his belief that many of his enemies were motivated primarily by a desire for freedom from Rome (*BGall.* 3.8, 7.1, 7.37, 7.77). The speech of Convictolanis discussed earlier is but one example.³⁶ Another telling representation of this attitude comes from Liscus, who tells Caesar that many among the Aedui felt that 'if they were not not able to obtain supremacy (*principatum*) over Gaul, they should prefer to be under the command (*imperia*) of the Gauls rather than the Romans ... since the Romans would take away the freedom (*libertatem*) of the Aedui along with the rest of Gaul' (*BGall.* 1.17). In other words, the Aedui first prefer supremacy for themselves, but failing that, they would rather submit to the rule of other Gauls, since the Romans are a special threat to the freedom of all the Gauls. The Romans would deprive the Gauls of their autonomy and ability to govern themselves.

This seems to give the lie to Caesar's claim that he intends by his actions to *uphold* the freedom of Gaul, as promised to it by the Roman Senate

36 For another example, in which the allure of Roman friendship finds a near stalemate with the desire for freedom in the motivations of one particularly ambivalent Gaul, see Caes. *BGall.* 5.27.

(*BGall.* 1.45).³⁷ Yet, Caesar does present an account whereby he believes Roman *imperium* in the area is compatible with – and perhaps even ensures – Gallic freedom. Caesar claims that ‘the Roman people’s command in Gaul is most just: if the judgment of the Senate is to be observed, Gaul ought to be free, which having been conquered [by Rome] in war is allowed to live under its own laws’ (*BGall.* 1.45). Here Caesar expresses the logic whereby Rome’s role as the guarantor of local safety and autonomy justifies its violation of those very principles in certain instances, to ensure the stability of the whole. In other words, he claims that Rome conquered Gaul in part so that Gaul could be free (i.e. live domestically under its own laws).

Although Caesar’s Gallic enemies clearly take such a claim to be false and self-serving, Caesar’s position is not without its own support. The work is replete with examples of Gallic peoples seeking Rome’s protection from other Gauls, or more frequently German invaders (e.g., *BGall.* 1.30). The Germans, indeed, function as a recurring foil for Caesar’s preferred model of Roman hegemonic policy in the *Commentaries*. The German chief Ariovistus claims explicitly that he and the Romans are analogous and equals (*BGall.* 1.44). There are numerous superficial similarities between them. Like Rome, Ariovistus himself establishes his own empire in Gaul after being invited in by one Gallic faction, seeking aid and protection against another. Ariovistus uses this as a pretext to commence his own rule. The Germans more generally also resemble the Romans in their strong warrior culture that deprecates commerce. However, here the similarity ends. Ariovistus rules directly and with a heavy hand, depriving his subjects of the freedom of their own laws and imposing burdensome taxes and levies on them. His oppression reaches the point that his subjects uniformly, including his former allies and supplicants (according to Caesar), call out for relief from the Romans (*BGall.* 1.44–45). Caesar also provides an account of German tribes beyond the Rhine. They provide an even clearer (and obviously more objectionable) alternative to Rome’s hegemonic policy. According to Caesar, when these German tribes achieve local military supremacy, they kill or drive away all their neighbours:

[A]mong these states it is considered the highest honour to have deserts as widely as possible around themselves, their borders having been laid waste. They consider this true evidence of their manly virtue, that their neighbours should be driven out and abandon their lands ... at the same

37 Riggsby, *Caesar in Gaul and Rome*, p. 181–5, notes that in recounting the Aedui’s motivations, along with Convictolanis’ speech, Caesar leaves many of the Gaul’s complaints unanswered.

time, they think themselves made more secure, having freed themselves from the fear of a sudden incursion.

BGall. 6.23

By the German counterexample, Caesar provides evidence that the Roman policy is not simple, amoral, self-interest, but does include some consideration of justice. The Germans offer an example of *realpolitik* that does not even attempt to incorporate justice. It is hard to deny that a state that could clear its borders of peoples could achieve a considerable measure of security against invasion. As the Romans were far more militarily proficient than the Germans, such a strategy could have been open to them as well. Rome’s policy, while hardly selfless, holds out a far better prospect for weaker peoples, who are not only left in possession of their lands, but given the option of living under their own laws as well.

On the other hand, this universal protectorate model of hegemonic rule has downsides that these writers also reveal. For one thing, the policy of using the defense of allies as a justification for expansion or interference has the potential to make all the smaller powers fearful and suspicious. Before the end of his time in Gaul, Caesar had been forced to fight many of his earlier allies, including the Aedui (whom he had frequently singled out as especially loyal to Rome), all of whom had come to worry that Roman dominion meant the end of their freedom. The indirect mode of power-wielding can also prove less efficient as one has to go at least through the motions of negotiating, rewarding, appeasing, and cajoling those one might simply command. Besides these potential costs to the self-interest of the *hegemon*, there are also moral downsides to this approach. Leaving the allied peoples under their own laws may be beneficial to them, but it also deprives them of the advantages of being fully incorporated members of the Roman polity. They are subject in many ways to Rome’s power, while enjoying far fewer benefits than Roman citizens. This last point features significantly in the alternative model of hegemonic power outlined especially by Cicero, to which we now turn.

4 *Res Publica Universa*: the Empire of Justice

The universal protectorate model of Roman hegemonic policy seems to have dominated Roman thinking in the late Republic and early Principate. Requiring little change in mindset from the spectacularly successful means by which Rome acquired its dominion, it is easy to recognise its appeal. On its account, Rome’s military might is what makes it truly distinct among its

neighbours. This military primacy may in turn be attributable to some other unique feature of the Roman character, such as the *virtus* of its citizens or soldiers.³⁸ Or, it may be a product of Rome's unique constitution and social habits, as Polybius suggests in book 6 of his *Histories*. But, in such cases, the ultimate causes of Rome's domination must ultimately filter through the proximate cause: its military might. So, while this model demands certain concessions to considerations of justice, it does not necessarily imply that Rome's *internal* constitution – its laws, values, or institutions – matters significantly in the construction of international policy.³⁹ In other words, Rome can wield its power over others without considering whether they might resemble Rome in their constitution, or have a similar amount of virtue. But, in the waning years of the Republic, Cicero began to articulate a new vision of what makes Rome so special. In his construal, Rome's unique military greatness is merely an afterthought in relation to a far more significant uniqueness: its justice.

For Cicero, Rome offers the living example of the best practical regime (*Rep.* 2.66). Although sufficient strength to cohere and flourish in the face of a hostile and anarchic international system must be one important criterion to qualify as the best practical regime, Cicero devotes far more attention to the moral qualities of the Roman Republic. According to him, Rome's constitution, laws, and values reflect deep wisdom and correspond – faithfully, if imperfectly – to true justice. Informed by Platonic and Stoic notions, as well as the Roman legal tradition, Cicero's account of justice bears little resemblance to the Polemarchean version reflected in the writings of Caesar and others. As a result, Cicero's conception of just hegemony likewise represents a strikingly different vision than that represented above.

In his *De Re Publica*, Cicero presents a dialogue that focuses on this best practical regime: an idealised version of the Rome of the recent past, before (in Cicero's view) corruption began to infect the polity. For Cicero, Rome's mixed regime achieves the right balance between democracy, aristocracy, and monarchy. Thus, 'magistrates have enough power, the council of leaders has enough authority, and the people has enough liberty' (*Rep.* 2.57).⁴⁰ Although the balance

38 Thus, Tacitus *Agr.* 18-19 describes Agricola's role in re-instilling virtue among the Roman soldiers in Britain as a necessary feature in restoring Rome's *imperium* there.

39 Polybius, one of the earliest writers to take an interest in Rome's unique constitution, nevertheless focuses his analysis on explaining what it is that makes the Romans so well-adapted to warfare (1.2). Thus, like the writers above, Polybius seems to believe that Rome's power constitutes its distinguishing feature, and its constitution is primarily relevant as an explanation of the source of that power.

40 See also: Cic. *Leg.* 3.27-28.

of policy-making power (*consilium*) lies in the aristocratic senate, Cicero insists that a *res publica* worthy of the name actually belongs to its people as a whole: 'the commonwealth is the concern of the people (*res populi*). However, a people is not any collection of human beings gathered in whatever way, but a sizable group allied together by agreement about right and common interest' (*Rep.* 1.39). The people have an ownership right in their regime.⁴¹ Following on and flowing from this fundamental right, the people enjoy a number of other privileges that entitle them to a basic level of political participation and strong legal rights that protect their persons and property from arbitrary harm or exploitation.⁴² Cicero takes some of these rights, such as the right to vote and the right against arbitrary punishment without due process to be essential to the justice of the regime and the freedom of the people (*Leg.* 3.39, *Dom.* 33, *Rep.* 2.62, *De Or.* 2.199).

Thus, for Cicero, Rome is unique not merely – or even especially – because of its success in war, but because of the goodness of its regime, upheld by virtuous elites and a common people with an appropriate virtue of their own. Cicero nowhere objects explicitly to the universal protectorate model espoused by Caesar and others. Indeed, he in fact approvingly coins the term, 'protectorate of the world', and he provides a concise and supportive summary of its basic features: 'the rule of the Roman people maintained itself by benefits, rather than injuries; wars were waged either to defend allies or for our own dominion, the Senate was a haven and refuge for kings, peoples, nations ...' (*Off.* 2.26). However, he appears primarily to raise this image of just hegemony as a pointed critique of the injustice and corruption of his contemporaries (including Caesar: *Off.* 2.24–2.28). He cites both Roman and foreign examples of 'outrages against allies', and suggests that such injustice leads both to internal oppression and the loss of external allies (cf. *Off.* 2.29). On this last point, then, there is complete agreement (in theory, if not always in particular cases) between Cicero and the advocates of the universal protectorate: injustice toward allies is ultimately self-defeating as policy; justice, then, is a part of prudence.

41 For more on the way in which Cicero's concept of a *res publica* denotes collective ownership, see Atkins, *Cicero on Politics and the Limits of Reason*, pp. 131–3; N. Wood, *Cicero's Social and Political Thought* (Berkeley: University of California Press, 1988); E. Asmis, 'Cicero on Natural Law and the Laws of the State', *Classical Antiquity*, 27.1 (2008), pp. 1–33; M. Schofield, 'Cicero's Definition of Res Publica', in J. Powell (ed.), *Cicero the Philosopher* (Oxford: Clarendon Press, 1995), pp. 63–83.

42 These privileges extended in full only to adult male citizens; women, freedman, children, and others enjoyed more limited rights, and slaves none at all.

But, Cicero does not endorse a narrow view of justice whereby one does good to friends and evil to enemies. Influenced by Stoic cosmopolitanism, Cicero envisions every human to be united in some basic fellowship by nature (*Leg* 1.23). As a result, our obligations to other human beings go beyond those we consider friends or fellow countrymen, but extend even to enemies (*Off.* 1.23-1.40). For Cicero, the only acceptable motivation for conflict is the achievement of a just peace (*Off.* 1.34, 1.79). In *De Re Publica*, the characters' debate over the nature of justice produces this claim about its universality: 'there will not be one law here, another in Athens, one law now, another in the future, but a single, eternal, unchanging law binding all peoples always' (*Rep.* 3.27-3.33).⁴³ One might assume from these views, then, that Cicero would hold that there is no special moral case concerning hegemonic power: after all, if the demands of justice admit no exceptions, then one would hardly expect there to be any unique moral calculus for a particularly strong state. But the fact that Rome combines a near-ideal (within the bounds of the practical) regime with great military power gives it the opportunity, in Cicero's view, to play a special role in establishing a just peace. In other words, the universalistic nature of justice does not necessarily require that rights and responsibilities fall on all equally. The special task of imposing and securing the universal conditions of justice may fall to Rome uniquely.⁴⁴

Scattered throughout Cicero's political and philosophical writings are glimpses of a vision of Rome as the center of a universal state, a federated *kosmopolis*, whereby the benefits of a *res publica* are open (theoretically) to all. Although he never systematically expounds this vision, Cicero makes a number of claims and arguments that point toward a model that I term the 'empire of justice'. Cicero stresses that the virtue of justice requires not only that one respect the property of others and avoid harming them, but that one also *stop* the injustice of others whenever one has the power (*Off.* 1.28-1.30). The supreme power of Rome gives it far greater scope to stop injustice than other states.⁴⁵ In *De Re Publica*, Cicero's characters engage in a dialogue about the relationship between justice and empire. One character, Philus, makes the case for injustice by pointing out that a commonwealth 'cannot grow without

43 Cicero argues further for the universality of natural law based on human dignity (*Off.* 3.27-28).

44 Cicero's attack on Verres illustrates that he does not object to Roman *imperium* in itself, only its unjust administration (*Verr* 1.14-1.15, 2.5-2.7). But this very position implies that Cicero believes there are claims of justice that Rome's administration of empire has a responsibility to uphold.

45 In this respect, Cicero's view of Rome closely resembles the point of Williams, *In the Beginning Was the Deed* about the contemporary United States.

injustice ... if an imperial state, a great commonwealth, does not subscribe to that injustice, then it cannot rule over provinces’. On behalf of justice, Laelius replies that subjugation is beneficial for those who cannot obey natural law on their own. ‘When the right to do injury is taken away from wicked people: the conquered will be better off ... do we not see that the best people are given the right to rule by nature herself ... why then does the god rule over man, the mind over the body ...?’⁴⁶

This idea bears a considerable resemblance to Aristotle’s argument for natural slavery (*Pol.* 1.4-1.5). Although the focus here is on eliminating the possibility of causing harm, and those subdued are not necessarily subjected to actual slavery, they are nonetheless clearly deprived of some *libertas*. Laelius argues that Rome’s dominion could be (and was, before corruption set in) founded on justice and consent, rather than force (*Rep.* 3.41).⁴⁷ In the famous ‘Dream of Scipio’ at the end of the work, Cicero offers a vision of the cosmos in which the supreme deity ensures the orderly movement of the celestial orbs. In Scipio’s Dream, the good statesman imitates the deity by guiding and governing his commonwealth, but elsewhere in the work the good commonwealth as a whole resembles the god, ruling over the conquered peoples.⁴⁸ Of course, it follows from Cicero’s account of natural law that those who do not follow it are – by definition – prone to commit injustice against others. Thus, Cicero’s position shares with the advocates of the universal protectorate the aforementioned conviction that national policy cannot be severed from justice. Nor is this empty moralism, but also hard-headed practicality. The argument suggests that national power and security depend upon just behaviour.

46 The original portion of text here is lost, and there is some dispute over the inclusion (and location) of passages transmitted through such sources as Augustine and Lactantius. See the discussion of J. G. F. Powell, *M. Tulli Ciceronis De Re Publica, De Legibus, Cato Maior de Senectute, Laelius de Amicitia*, (Oxford: Oxford University Press, 2006), pp. xii-xiv. Powell disagrees with the inclusion of some material by K. Ziegler, *De re publica: librorum sex quae manserunt*, (Lipsiae: Teubner, 1964). See also J. Zetzler, *Cicero: On the Commonwealth and On the Laws*, p. xxxvi. Although most of the discussion above focuses on passages included in both Powell and Ziegler, I have followed Ziegler in part because he includes the comment from Laelius about Rome’s earlier, morally-decent, imperialism. He includes this passage as transmitted by August., *De civ. D.* 19.21. It seems strongly compatible with what Cicero claims elsewhere (e.g. *Off.* 1.35), and so I include it as a relevant piece of evidence.

47 For more on the importance of consent to Cicero’s overall conception of political justice, see Nicgorski, *Cicero’s Skepticism and His Recovery of Political Philosophy*, pp. 171-7; for discussion of this particular passage, see Atkins, *Roman Political Thought*, pp. 172-4.

48 For the interpretation of Scipio’s dream as ‘the *rector* who rules the state is like the sun who rules the planets’, see R. L. Gallagher, ‘Metaphor in Cicero’s ‘De Re Publica’’, *The Classical Quarterly*, 51.2 (2001), p. 517.

But Cicero does not only mean to constrain Rome's action by the limitations of justice, for he also expands Rome's scope of action by suggesting that Rome's rule may itself contribute to greater justice in the world.

Several scholars cast doubt on whether Laelius' argument for just empire is truly Cicero's own position. Atkins suggests that Laelius' position ultimately fails, because it cannot refute the case made for the utility of injustice to empire.⁴⁹ Zetzel makes a more limited claim:⁵⁰

De Republica tells two stories about Rome. One is about a state whose rule over the nations is justified, whose constitution and laws most nearly approach natural law.... On the other hand, *sub specie aeternitatis*, Cicero and his characters know perfectly well that Rome is not, in any significant way, exceptional.

There is evidence to support both views, and Atkins is right to note that the fragmentary nature of the text here precludes certainty.⁵¹ However, there are a number of passages elsewhere in Cicero's works that suggest at least some desire to make Laelius' version of Rome practical and coherent.

The first of these passages comes in Cicero's account of just war. Interestingly, Cicero's more 'moral' vision for hegemony has the potential upshot of making wars of imperial conquest easier to justify than in the alternative view. In the accounts of Caesar and Tacitus, it was often necessary to await the plea of an ally or to scrounge up some local 'king' who needs his kingdom restored before Roman aggression could be justified. But, Cicero explicitly includes *bella de imperio* – wars for the sake of empire – within his account of just wars (*Off.* 2.26). He qualifies this by insisting that even in such wars, the strict criterion of war for the sake of peace be followed – but without further elaboration from Cicero, we might conclude that such a restriction may be satisfied by a war that intends to pacify by ensuring Rome's dominion over an area. On the other hand, Cicero ties the hands of the war-makers considerably more than does Caesar. He subjects all warfare to law, and he argues that wars for the sake of empire must be more humane still than the strictly necessary wars of national survival. He insists that faith be kept, even with enemies, and he demands – contrary to standard Roman practice – that surrendering enemies

49 Atkins, *Cicero on Politics and the Limits of Reason*, pp. 40-2.

50 J. E. G. Zetzel, 'Natural Law and Poetic Justice: A Carneadean Debate in Cicero and Virgil', *Classical Philology*, 91 (1996), p. 317.

51 Atkins, *Cicero on Politics and the Limits of Reason*, p. 42, n. 10.

be spared even after the battering ram has touched the wall. All those conquered should be spared and treated with consideration (*Off.* 1.35).

More interesting – if also more vague – than Cicero's account of how Rome ought to wield its hegemonic power in war is his account of the subsequent peace. What ought to become of these conquered peoples, and how could Laelius possibly think they would endure Roman rule voluntarily, without any appeal to force? Cicero does not explicitly say. But Cicero gives at least some reason to believe that incorporation within the Roman commonwealth might resolve the problem. For instance, when speaking on behalf of Balbus, Cicero describes citizenship as a reward given to Italian peoples, who might choose whether the benefits of Roman law outweigh those of their own (*Balb.* 20).⁵²

In the first century BCE, the idea of extending Roman citizenship to non-Italian peoples (with the occasional exception of particular individuals who perform some great service to Rome) was out of the question politically.⁵³ Even broader Italian inclusion had proven sufficiently objectionable to the Romans as to precipitate the Social Wars. Cicero himself never actually advocates the extension of citizenship to other peoples. Yet, Sherwin-White notes that the success of the Republic's conquests had brought into its orbit many dependent allies that were to 'become more and more a part of the internal structure of a world-state instead of remaining junior partners of a federal system'.⁵⁴ He refers to Cicero in particular, saying 'it is true that the Romans of the Republic, especially those for whom Cicero speaks, refused to draw the last practical conclusion from this process'.⁵⁵ But, in this very way, he points to the fact that the basic premise of the idea of universal inclusion under Rome's system is the logical consequence or end-point of Cicero's arguments.

Much has been made about Rome's unique habit of extending citizenship to ever-broader constituencies – mostly as a means in which Rome ensured itself enormous manpower for its military.⁵⁶ But, for Cicero, this feature of

52 Steel, *Cicero, Rhetoric, and Empire*, p. 75, notes that Cicero does not argue that Balbus' claim to citizenship depends on assimilation to Roman manners and way of life. Steel takes this as evidence that even the idea of extending citizenship to Italians is too controversial a subject for Roman listeners, such that Cicero would not want even to implicitly invoke it.

53 Rome's process of actually extending citizenship to the conquered outside of *Italia* was an extremely slow process that took place in fits and starts throughout much of the period of the Principate. Many Romans viewed the extension of citizenship as a dilution of its value. See A. N. Sherwin-White, *The Roman Citizenship* (Oxford: Clarendon Press, 1973), pp. 96-144; Brunt, *The Fall of the Roman Republic*, pp. 93-131.

54 Sherwin-White, *The Roman Citizenship*, p. 174.

55 Sherwin-White, *The Roman Citizenship*, p. 174.

56 Machiavelli's *Discourses* is probably the most influential example of this.

Rome's hegemonic power was also very morally important. Perhaps Rome's wars for empire are justified because they are the means by which the peaceful and liberal commands of the natural law are brought into reality for all. The laws of Rome, while not exactly the same as the laws Cicero derives from natural law in *On the Laws*, are nearly identical. The principle that there be 'not one law here, another in Athens ... but a single, eternal, unchanging law binding all peoples' is unlikely to come about in a world filled with countless different states. But, if the state that best approximates the natural law in its own laws were to conquer the other states, they could be brought into conformity with the natural law.

Near the beginning of the second book of *On the Laws*, Cicero and his interlocutors embark upon a digression. The passage is worth quoting at length:

I believe that both Cato and all those who come from the towns have two fatherlands, one by nature and the other by citizenship. Cato was born at Tusculum but was given Roman citizenship ... and had one fatherland by place of birth, the other by law ... But of necessity that one takes precedence in our affections whose name 'commonwealth' belongs to the entire citizen body, on behalf of which we have an obligation to die, to which we should give ourselves entirely and in which we should place and almost consecrate everything we have ... I will never deny that this [Arpinum] is my fatherland, while recognising that the other one is greater and that this one is contained within it ... has two citizenships but thinks of them as one citizenship.

Leg. 2.5

On the surface, this is simply a comment about the status of Roman citizens who (like Cicero himself) hail from the towns (*municipia*), and not the city of Rome, and it appears to enter into the discussion of the 'Italian question', where the limited issue of extending Roman citizenship to the Italian allies proved controversial enough in its own right. Yet, Cicero's language, which describes the relationship of smaller commonwealths to one larger, governing, commonwealth, invites the reader to connect the analysis to Scipio's dream. Just as citizens of Arpinum and Tusculum owe greater allegiance to the more perfect commonwealth of Rome that encompasses their small towns, so too would citizens of Rome or anywhere else be bound in loyalty to the most perfect and universal commonwealth of the *kosmopolis*.⁵⁷

57 T. W. Caspar, *Recovering the Ancient View of Founding: A Commentary on Cicero's De Legibus* (Lanham, MD: Lexington Books, 2011), p. 106, comes close to suggesting this

But there is a deeper implication of Cicero's statement. The towns of Arpinum and Tusculum were once independent states themselves. Rome subjugated them and eventually incorporated their inhabitants into Roman citizenship. Cicero's ancestors may have died fighting to preserve Arpinum's independence from Rome, but now he professes enthusiastic loyalty to Rome, and considers himself a full and equal member of Rome's commonwealth.⁵⁸ Cannot this be the model by which Rome absorbs the rest of the world, achieving peace and bringing human beings into conformity with natural law? Rome's begrudging practice of granting citizenship to its Italian allies could, when viewed in another light, be the framework and justification for a true universal empire in accordance with the liberal demands of natural law. As Marquez suggests, 'Cicero's political community is – in contrast to the modern national state but like Rome – potentially unlimited: it justifies an empire ruled by law that succeeded in integrating politically many of its conquered peoples, but an empire nonetheless.'⁵⁹

By Cicero's day, Roman citizenship had already been granted to nearly all the (free) inhabitants of Italy. As Atkins notes, for those living far away from Rome, the political participation rights attendant on citizenship were largely inert, as one needed to be present at Rome to make use of them. But the other rights of citizenship, those protecting persons and property from arbitrary harm, could be invaluable.⁶⁰ Thus, Cicero might reasonably hope that incorporating Rome's allies and subjects into citizenship could be far better for them than to retain the pseudo-independence of protectorates and vassals. Cicero enthuses: 'from every state there is a road open to [citizenship in] ours ... There is no people in any quarter of the world so constituted ... that we are forbidden ... to present him with the citizenship of Rome' (*Pro Balb.* 29-30). As Atkins points out, despite their jealous attitude toward sharing citizenship, the Romans differed from the Greek city-states in their self-conception as an immigrant polity, rather than one rooted in a particular place and ethnic people.⁶¹

reading: 'Cicero seeks to inculcate an affection for the natural law republic in those gentlemen who will be called upon to rule in it, or at least those who will rule in the lesser versions that exist in their own republics'.

58 Arpinum's incorporation from the status of an ally into a city with Roman citizenship was peaceful. But, its reduction to the position of an ally in the first place came about only through Rome's successful conquest of the Volscians; see Sherwin-White, *The Roman Citizenship*, p. 66.

59 X. Marquez, 'Between Urbs and Orbis: Cicero's Conception of the Political Community', in W. Nicgorski (ed.), *Cicero's Practical Philosophy* (Notre Dame, IN: University of Notre Dame Press, 2012), pp. 181-211, p. 204.

60 Atkins, *Roman Political Thought*, p. 69.

61 Atkins, *Roman Political Thought*, pp. 67-72.

Later centuries would see continued extensions of citizenship that would eventually reach nearly all free adult males in Rome's territory. Of course, Cicero's solution – if we can indeed attribute it to him – would not be without its detractors. Many Romans naturally balked at the expansion of citizenship, seeing it as a dilution of their privileges (Tac. *Ann.* 3.40, Plin. *Pan.* 37.2-37.5). Tacitus offers a more compelling moral objection to this policy when he discusses the situation of Romanising Britons, who nevertheless lacked the key status of citizens. He remarks bitterly that the marks of Roman-ness adopted by the Britons merely served to conceal their subjugation from themselves:

Then, too, came admiration for our style of dress and the common wearing of the toga. Little by little, they were led to things that conduce to vice: the lounge, the bath, and the elegant dinner party. In their ignorance, all this was called 'culture', when it was really a part of their servitude.

Tac. *Agri.* 21⁶²

One sees a similar objection today that the spread of American culture – and political values – threatens to overwhelm indigenous values and ways of life.

Yet, Cicero might offer himself as a counterexample to such objections. Although still possessing some loyalty to his ancestral Arpinum, he does not seem to regret that he has been brought into Rome's politics and culture. For him, Rome holds open the possibility of a limitless inclusion of peoples into one political community with each other, thus reflecting their common citizenship in the universal *kosmopolis*. In the *Aeneid*, Vergil's Anchises tells Aeneas: 'Remember, Roman, by your dominion to rule over the nations, for these are to be your arts: to impose the ways of peace, to spare the conquered, and to batter down the proud' (6.851-853). This vision of Rome with a world-historical mission to bring peace and law seems to echo Cicero's semi-articulated aspiration. Still, because Cicero never explores the practical extrapolation of his principles to the extent to which the Roman Empire would later apply them, he does not examine the potential tradeoff – the erasure of local difference – that Tacitus identifies as the cost of such an approach. The very fact that, for Cicero and his contemporaries, the extension of citizenship was only a live issue with respect to other Italians suggests an implicit belief that some measure of cultural homogeneity would be necessary for such a system to work. If Cicero considers himself an example of how this cosmopolitan republic ought

62 For an account of the various ways in which Tacitus' view of Roman domination has been interpreted, see D. Kapust, 'Tacitus and Political Thought', in V. E. Pagán (ed.), *A Companion to Tacitus* (Malden: Wiley – Blackwell, 2012), pp. 504-25.

to work, his local loyalty to Arpinum seems to pale in comparison to his assimilation into Roman-ness. Cicero *is* Roman, and perhaps this means that the whole world too would have to become Roman, if Cicero's alternative vision of hegemony were to be realised.

5 The *Hegemon's* Dilemma

Neither of the models discussed in this article can serve as an immediate blueprint for thinking about how the United States might responsibly wield its hegemonic power in the 21st century. They both share important similarities of outlook with some of the more influential schools of contemporary thought, such as realism and cosmopolitanism. But, in other ways, they go beyond those to illustrate some of the unique choices that confront a hegemonic power, as well as an outlook for the wielding of that power that blurs the distinction between moral and pragmatic considerations. Assuming with (political theory) realists that a hegemonic power is unlikely ever to make policy without reference to its self-interest, such an outlook is perhaps the only plausible candidate for incorporating moral considerations into such a calculation in a systematic way.

For the protectorate model, Rome's internal organisation has little moral relevance in its conduct of foreign policy. Rome's uniqueness lies primarily in its power.⁶³ Its hegemony can still serve a common human good by ensuring peace and stability through its own strength and through a system of alliances. Allies on this model retain (if they choose) their local autonomy and independence, giving up to Rome the power to determine foreign policy. But they are thereby also left out of the myriad of benefits of Roman citizenship. Alternatively, in Cicero's empire of liberty, local autonomy disappears in exchange for inclusion within Rome's superior political system. Even early American thinkers, especially such Anti-Federalists as Brutus, express fear of such a tradeoff.⁶⁴ They raise the question of whether the loss of local self-rule entails or requires the loss of unique local identity.

The protectorate model strongly resembles some of the arguments made by balance-of-power realist thinkers, who argue that the United States should attend more to distribution of power in the international and abandon airy notions of 'spreading democracy'. They certainly support loyalty to allies as a matter of prudence, and often suggest that reliably realist behaviour conduces to peace. On the other hand, Cicero's model bears more than a passing

63 Again, this power may well derive from some other unique feature.

64 See for instance, letters III, VI, and VII of Brutus.

resemblance to the idea of the United States as a country with a mission to democratise or civilise the world. Although few Americans would endorse extending the United States' direct rule over as much of the world as its power would allow (nor, we should note, does Cicero ever propose that Rome do as much), at least since Woodrow Wilson, some have entertained the idea of the United States as the guarantor of liberal freedoms and democratic self-determination. The criticisms leveled against that view, that it sacrifices Americans' interests to benefit outsiders – or conversely, that other cultures will be swallowed by American imperialism – echo those reported by Tacitus and Livy against a Roman imperial policy that more and more seemed to follow the Ciceronian model.⁶⁵

A key benefit in seeing these similarities arises when they allow us to see our own thoughts about how to wield hegemonic power reflected in the Roman context. The tendency to view the United States' present dominance as unique, requiring wholly new thinking, could encourage the development of views that, when seen in their Roman iterations, suddenly reveal their faulty logic. Does a hegemonic republic have an obligation to ensure that all people enjoy the same benefits as its own citizens, or should it content itself with being the primary insurer of peace through its strength?

Despite their differences, the models might have the most to contribute to theorising about the contemporary situation from their similarities. It is noteworthy that both of the models for Roman hegemony discussed here transcend the boundaries of contemporary international relations literature. Although Eckstein has attempted to assimilate Rome's behaviour under the rubric of realism, the truth is more complicated.⁶⁶ Like realists, these Roman thinkers seem to consider the distribution of power to be the single most significant factor in the international system. The Romans, however, suggest that such an outlook will be myopic if it fails to recognise the dynamic relationship between power and justice, both perceived and real. For both Roman models, to act merely on the basis of power would be both immoral *and* unwise: might and right have a complicated and bi-directional relationship. On one hand, vast superiority in might transforms the moral calculus and changes what a state may rightly do. On the other hand, the extent to which a state's behaviour corresponds to justice impacts its real power by the addition or repulsion of potential allies

65 Nancy Shumate, 'Postcolonial Approaches to Tacitus,' in V. E. Pagán (ed.), *A Companion to Tacitus* (Oxford: Blackwell, 2012), pp. 476-503, illustrates ways in which Tacitus especially can be fit into postcolonial narratives, which take a similarly critical stance toward putatively benevolent imperialism.

66 See Eckstein, *Mediterranean Anarchy, Interstate War, and the Rise of Rome*.

and affects the stability of one's own internal politics. Moreover, both models recognise that the distribution of power is not merely a function of concrete factors like manpower and technology, but that it is also dependent on the perception of others – perceptions of power *and* perceptions of the morality of the *hegemon's* actions. Considerations of justice, then, are essential even for a purely self-interested *hegemon*. Thus, despite their differences, the Romans make a strong case that justice and interest are far from separate considerations for a hegemonic power: they are inextricably entangled with each other.