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Rome Was A City Built on Common Goods: *A Research Memorandum*¹

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While cities from Ur to Athens incorporated common elements from the very earliest times, no city in human history is more reflective of the range and diversity of the commons than Rome. From the days when it was the center of the Roman empire, through its medieval role as the center of Christianity down to the present day, Rome was a city built on grants and gift economies (Boulding, Pfaff and Hovarth, 1972). It was also a city in which leisure figured importantly in its development (Balsdon, 1969).

Rome may also constitute a unique historical exception to generalizations about the economic basis of city life. Rome was never at any point in its history an important manufacturing or trading center (Girouard, 118). The economic foundations of the city have, from the earliest times, been built on tribute and devotion, on donations and pilgrimages, and on what modern tax accountants and attorneys would call the “unrelated business income” of the farms and factories of imperial and papal holdings. “Its dual role as the capital of western Christendom and the successor of Imperial Rome made (the medieval and modern city) a center for politics, finance, education, science, art, archaeology, tourism, entertainment and pleasure, as well as religion.” (Girouard, 132). In Rome, perhaps more than any other world city, commons and arrangements for forming and maintaining common resource pools have long held the dominant

¹ An expanded draft version of comments on Rome published in Chapter 3 of *The Commons: New Perspectives on Nonprofit Organizations, Voluntary Action and Philanthropy* (Lohmann, 1992).

position over market, state and (due to official celibacy for Roman catholic priests) even the family.

Rome is as important as Greece for modern philanthropic, charitable and other common resource pooling, gift economy and corporate innovations derived from Roman practice. In 321 C.E., the Emperor Constantine (Constantius) permitted donations and bequests to the church and from then on substantial ecclesiastical endowments began to grow in the city and throughout Christian Europe. In 386 C.E., the Arian bishop of Milan, Auxentius used recognition of a limited "right of assembly" as a weapon in the conflict between Nicene and Arian factions in the Christian church. Auxentius' decree reads in part:

"We bestow the right of assembly upon those persons who believe according to the doctrines which at the time of Constantius were decreed as those that would endure forever when the priests had been called together from all over the Roman world and the faith was set forth at the council of *Ariminum* [359 C.E.] by those very persons who are now known to dissent, a faith which was also confirmed by the Council of Constantinople. The right of voluntary assembly shall also be open to those persons for whom we have so ordered. If those persons who suppose that the right of assembly has been granted to them alone [as the Catholic bishop of Milan, Ambrose, had claimed] shall attempt to provoke any agitation against the regulation of our Tranquility, they shall know that, as authors of sedition and as disturbers of the peace of the church, they shall also pay the penalty of high treason with their life and blood. Punishment shall no less await those persons who may attempt to supplicate us surreptitiously and secretly, contrary to our regulation. (quoted in Wilkin, 1983, 14)

Patronis

There are numerous distinctive Roman concepts and practices of association and assembly. In classical Rome, we see the evolution of a hierarchical system of patronage which is quite different from the Greek pattern of aristocratic association, a difference with later major implications for all of medieval Europe and even parts of the colonial Americas. In both aristocratic and

democratic variations, Greek patronage stressed the “horizontal” obligations of the giver to peers within a single social class. This relationship might be characterized as reciprocity in giving among friends. (In this respect, it is similar to the emphasis on gift-giving in Japanese and certain other Asian cultures.)

By contrast, the Roman emphasis, particularly during the Middle Republic was upon the “vertical” obligations of *patronis* and *clientela*, which stressed the mutual obligations of the recipient to the giver, but which also incorporated the hierarchical bonds between higher and lower social strata. The terms patron and client in their contemporary English language meanings (and such derivatives as patronage and clientele) are derived from these original Latin terms. On this basis, *clientela* were to become traditional, often inherited relationships of dependence of one person on another. So important were such vertical linkages in classical Rome that *clientela* were the principal integrating factor in Roman society during the middle Republic (Crawford, 1986, 407).

Yet, there are important differences and subtleties to be recognized. According to Gold, “ancient and modern notions of patronage are quite different. There was indeed no one word in Greek or Latin for ‘patron’; the Latin *patronus* means quite specifically an advocate or the former master of a freedman. In an echo of ancient Greek practice, supporter of another man in any situation was often called simply...*amicus*” or friend (Gold, 1982, 5). Gold, whose principal interest is the analysis of literary and poetic patronage, notes also that an understanding of Roman politics is not possible without understanding the Roman concept of clientage. Reciprocity is an important concept in both Greek and Roman patronage. However, Greek patronage of all types was much more equitable among peers, whereas Roman patronage seems

to be tied into social hierarchies of status and power through which the *cliens* were dependent on their patrons for support and social position. All of this is important background for fuller understanding of modern concepts of principal-agent theory.

Cicero compiled a list of Romans whom one A. Licinius Archias (presumably a poet) came into contact with. The list was, according to Gold, categorized in a manner that has important implications for understanding the stratification of Roman knowledge commons (Hess & Ostrom, 2007). Cicero suggests four levels of patronage of a Roman client intellectual and his patron: being liked by; lecturing or reading his work to; living with; and being on visiting terms with (Gold, 1982).

Barrow (1964, 104) strikes a recognizable cord when he suggests a strong connection between Roman patronage and a desire to be remembered:

Nothing is more remarkable than the craving of the individual, rich and poor, to perpetuate his memory by a bequest, or a tombstone, or a line or two on the urn which would hold his ashes. Many a man erected his tomb in his life time and left a sum to provide for its upkeep. 'While still Vitalis', writes Vitalis himself with a jest on his name, 'and enjoying vitality, I built myself a tomb, and every time I pass I read with these two eyes my own epitaph.' Not all are so lighthearted. There is in general a pathetic hopelessness, and a more pathetic craving for hope in these legends, which we possess in thousands. Some blatantly protest that there is no life to come; others tentatively suggest its possibility; only in Christian epitaphs is there a positive assertion of certainty.

Social Clubs

Barrow (1964, 103) also points to the presence of a significant network of voluntary associations or social clubs organized by slaves and freedmen and poor free men (the latter two groups being an apparently meaningful distinction in ancient Rome:

These clubs, which might include men of each status, combined a religious cult with the amenities of a social or 'dining' club, and often made provision for the funerals of members--church, social club, craft-guild and funeral society. Again, the Romans' genius for 'order' asserts itself, as the rules and minutes which we possess abundantly show. Officers are elected who on appointment take the oath and on resignation render up accounts; new members are advised to read the rules and expected to pay their subscriptions. The rules, which are couched in the language of Roman law, lay down conditions about entrance fee, subscriptions, funeral benefits, expenses of those who attend the funeral, about the kind of fare and wine to be provided at 'club' dinners, about complaints and about the standard of behavior expected. All very trivial, but of no little significance.

Pietas and Alimenta

Barrow (1964, 106), after pointing out that the characteristically Roman virtue of *pietas* expressed and strengthened family affection and family ties, goes on to describe a kind of system of aid based in this distinctive Roman value:

We may see one manifestation of *pietas* in the care for the maintenance of children embodied in the institution known as the *alimenta* though some writers have regarded increase of population and recruitment for the Army as the motive which has inspired its adoption by the state.

Private generosity sometimes secured for the children of a particular town a maintenance allowance of food and a gift of money when they reached the age at which they could earn.

The cost was met from the interest derived from a capital sum donated to the township. The Emperor Nerva adopted a similar plan in founding the 'state' maintenance allowances for 5,000 Italian children, as a beginning. The system was extended by later Emperors, especially Trajan, Marcus Aurelius, Septimius Severus, and it disappeared in the reign of Diocletian. Briefly the scheme was this: The Treasury made loans to farmers, who rendered a return of the value of their land; the loan was not more than about one twelfth of the capital value. The farmer paid the interest at five percent to his local township, which was bound to spend it on the maintenance of children of the town. If the interest was not paid, the town could distrain upon the farm. Thus the imperial Treasury found the capital to aid Italian agriculture; the farmer had the use of the capital, but was not allowed to borrow recklessly; the town received the interest based upon good security; the children received food and clothing. Boys and girls benefited, though the allowance for girls per month was slightly less than for boys, and they ceased to qualify at an earlier age. We know that the system operated in 40 cities in Italy, and a department of the Civil Service administered it; we also know that private generosity still flowed in spite of the parallel system of the state. The Emperors were proud of the scheme: *Alim. Italiae* appears on the coins of Trajan, and Trajan's Arch at Beneventum shows him greeted by four women, one with a baby in her arms, and by two Roman citizens, one with a boy on his shoulders, the other with a boy at his side. The women, no doubt, symbolize cities.'

Social Movements

“The alienation of the population of the empire from the imperial regime was reinforced considerably by the so-called patrocinal movement.” (Alföldi, 1988, 215) As described by Salvian, the movement was an escape from injustice and taxation by individual peasants and in some cases, entire communities. “(I)n order to evade the violent exaction of taxes, ‘they surrender themselves to more powerful persons to gain protection and security; they give themselves in bondage to the rich and put themselves, so to speak, under their power and authority.” (Salvian, quoted in Alföldi, 1988, 215) Such *patrocinium* were already well document in Egypt, Syria and Illyricum by the mid-fourth century, and later spread to other parts of the Empire. “In the fifth century many magnates” left the city of Rome entirely and “settled on their estates. There they exercised *de facto* the powers of the state, including the creation of private armies. (Alföldi, 1988, 215)

Hierarchies of patron-client relations were not the only Roman institutions of interest to the commons theory of voluntary action. Other important Roman innovations were the *annona civica* (civic foundations) and *fideocommisia* (trusts) which figure importantly in Roman law. (Johnson, 1989) Roman trust law is an important, if not well understood, topic for contemporary nonprofit and voluntary action research for a number of reasons. German, French and other European commons have grown up within the tradition of Roman law, while American and British commons have grown up within the tradition of English common law. Roman law is most important, however, as the base out of which the religious commons of medieval Christianity evolved.

There is a great deal of additional ancient historical scholarship that can be brought to bear upon the questions of associations, assemblies, common resource pools and gift economics in the ancient Roman world. For example, between 1895 and 1900, J. P. Waltzing produced a four-volume study in French of Roman associations and corporations. (It appears never to have been translated into English.) At the same time, a great deal of medieval and modern western fundraising practice built upon a Christian religious and ethical basis is attributable to Roman origin.

What can be said, by way of summary, about the role of commons in the ancient world? Purcell summarizes the matter thus:

“The reciprocal relations of benefaction, competition and prestige among those who controlled the resources of the ancient world are found throughout antiquity, from the aristocracies of the archaic Greek cities to the Roman Emperors. In these relations were included the whole range of ancient cultural activities, from architecture and utilitarian building to the patronage of literature, music, and painting -- also to the entertainments of the circus and the amphitheater and the religious festivals which were the setting of almost all of these forms of display. This characteristic aspect of ancient society produced a type of bond between the élite and the peoples of the cities which was unique -- a major source of the stability and continuity which we associate with the Greek and Roman world.

“Unfortunately, ancient culture had never rid itself of its uneasy companion, warfare. In the end this aspect came to be dominant... At that point the end of the ancient world was in sight.” (Purcell, 1986, 590)

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