

A PELICAN BOOK

R. H. BARROW

The Romans

An analysis of Rome's achievement and of her contribution to the founding of Western Civilization, written from the point of view that the study of the past is of vital importance for the understanding of ourselves, and that the essence of Roman genius and character is no mean part of that study.



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WITH SO MANY TEACHERS AND WITH SO MANY
EXAMPLES HAS ANTIQUITY FURNISHED US THAT
NO AGE CAN BE THOUGHT MORE FORTUNATE IN
THE CHANGE OF ITS BIRTH THAN OUR OWN AGE,
FOR WHOSE INSTRUCTION MEN OF EARLIER GENE-
RATIONS HAVE EARNESTLY LABOURED.

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to be found in them. It may well be said, in the words of the Greek Polybius, 205–123 B.C., himself a sceptic, ‘What more than anything else distinguishes the Roman state and sets it above all others is its attitude to the gods. It seems to me that what is a reproach to other communities actually holds together the Roman state – I mean its awe of the gods’, and he uses the same word which St Paul used on Mars’ Hill in Athens. Polybius was not to know that at the very end, when the Roman Empire was overrun by barbarians, it would be the idea of the greatness and eternity of Rome which would hold together belief in the gods.

(b) ‘THE OLD WAYS’

ROMAN religion was the religion, first of the family, then of the extension of the family, the state. The family was consecrate, so, therefore, was the state. The simple ideas and rites held and practised by families were adjusted and enlarged, partly by new conceptions created by new needs, partly by contact with other races and cultures, when families came together to form settlements and so eventually to fashion the city of Rome.

Anthropologists have given the name ‘animism’ to the stage of primitive religion which supposes a ‘power’ or ‘spirit’ or ‘will’ to reside in everything. To the primitive Roman, numen, power, or will, resided everywhere, or rather it manifested itself everywhere by action. All that can be known about it is that it acts, but the manner of its acting is undetermined. Man is an intruder into the realm of spirit, whose characteristic is action. How can he mitigate the awe which he feels, and how can he secure that the numen shall produce the requisite action, and so win for himself the ‘peace of the gods’?

The first need is to ‘fix’ this vague power in a way

acceptable to it, and so to narrow or to focus its action into this or that purpose vital to man. It was thought that to name its manifestation in individual phenomena gave definition to what was vague, and, so to speak, piped the energy into the desired end. And so, as the actions of the farmer and his family, engaged in agriculture and weaving and cooking and bringing up children, were many, so the activity of this power was split up into innumerable named powers energising the actions of the household. Every minute operation of nature and man – the manifold life of the fields, the daily tasks of the farmer, the daily round of his wife, the growth and care of their children – took place in the presence and by the energy of these vague powers, now becoming formless deities.

With ‘naming’, i.e. invocation, went prayers and offerings of food and meal, milk and wine, and, on occasion, animal sacrifice. The appropriate words and rites were known to the head of the family, who was the priest. Words and ritual were passed on from father to son till they were fixed immutably. A flaw in invocation or ceremony would prevent the numen from issuing into the action which the family or individual was undertaking, and so failure would result. The names of many of these household gods have passed into the languages of Europe: Vesta, the spirit of the hearth-fire; the Penates, the preservers of the store-cupboard; the Lares, the guardians of the house. But there were very many others. Daily prayer was said; the family meal was a religious ceremony, and incense and libations were offered. Certain festivals related to the dead, who were sometimes regarded as hostile and therefore to be expelled from the house by rite, sometimes as kindly spirits to be associated closely with all family festivals and anniversaries.

When the families coalesced to form a community, family cult and ritual formed the basis of state cult. At first the king was the priest; when kings ceased to exist, the title survived as 'king of the sacred things'. To help the 'king' were 'colleges' of priests, that is to say, ordinary men, not a special caste, who were colleagues together in ordering worship and festivals. The chief college was that of the *pontifices*, which took charge of the accumulated lore, made rules, and kept records of feasts and of outstanding events of religious significance to the state. They built up a sacred law (*ius divinum*). Minor colleges assisted them; thus, the Vestal Virgins tended the hearth-fire of the state, the augurs took the omens from the flight of birds or from the entrails of a sacrificed animal; for the gods were supposed to impress on the sensitive organs of a consecrated animal signs of approval or of disapproval. The agricultural festivals of the farmstead were given national importance; the harvest, the safety of the boundaries, the hunting of wolves from the fields became the concern of the city. New festivals were added, and the list was kept in a Calendar, of which we have records. In his origin Mars was a god of the fields; the farmer-soldiers, organised for war, turned him into a god of battle. New gods came to the notice of the Romans as their horizon widened; and deities of the Etruscan and Greek cities in Italy found their way into the Calendar. Jupiter, Juno and Minerva came from Etruria; the Greek Hephaistos was equated with Volcanus, whom the Romans took over from their Etruscan neighbours. There were many 'Italic' deities too, for, though we have spoken for simplicity's sake of Romans, Rome was itself made up of a fusion of Italic tribes with special cults of their own, no doubt bearing a certain family likeness.

The formulae of invocation and prayer were handed down and elaborated and recorded unchanged by the colleges. In later centuries a priest could use a liturgy phrased in a tongue which he did not understand, and the people took part in rites whose meaning was only dimly apprehended, yet which meant something. Processions and holidays, amusements and sacrifices impressed the state-worship upon the popular mind. We shall see later how the full flood of Greek and Oriental religious ideas broke upon Rome and how myth and story were adopted to furnish the picturesqueness which the native religion lacked. For, especially in the fourth and third centuries B.C., new cults were brought into the religious practice of the state, though as regards myth and ritual they were stamped with the Roman mark. But the influx of ideas never penetrated to the heart of the old Roman religion, which was fixed in its essential nature. It continued both in the city and in the countryside, as is abundantly clear when the evidence of literature and inscriptions becomes most plentiful. Educated men of the last century B.C., conversant with Greek philosophy and criticism, might regard it as mere form; but those same men held offices in the sacred colleges and encouraged its practice in the state, and indeed too in the family. Augustus, the first Emperor, was not building on nothing when he sought to rescue from the collapse of the state, and to re-erect, the old Roman religion and the morality associated with it.

A strong morality was supported by this cold and formless religion, and the growth of morality was unhampered by mythology. For the Greeks Homer had enshrined stories of gods in everlasting verse – till in a later age critics had protested that his gods were less moral than men. The Romans had no sacred writings beyond the formulae of prayer; there was therefore no

myth-made morality to be undone. The individual's business was to establish right relations with the gods, not to speculate about their nature. The city's business was the same, and the individual was left to indulge in private beliefs of his own if he wished. The Roman attitude is always the same – tolerance, provided that no harm was done to public morals and that no attack was made upon the state as a state. The Roman attached to the god his own morality as he developed. The process may be illustrated thus:

One of the earliest powers to be individualised was the power of the sunlight and sky; it was called Jupiter, if indeed Jupiter was not the single spirit from which other *numina* were individualised. It was an early custom to swear an oath in the open air under the sky, where no secret could be hidden from an all-seeing power. Under this aspect of an oath-witnessing power Hercules received the epithet *Fidius*, 'concerned with good faith'. Again the individualising tendency came into play; *Fides*, 'good faith', was personified, the abstract from the epithet. The process went on; epithets were attached to *Fides* to denote the different spheres in which *Fides* operated.

This ability to abstract an essential characteristic is part of the mental process of the lawyer. The Romans showed the capacity to isolate the important and to pursue its applications; hence their jurisprudence. In the kind of speculation which demands a creative imagination but seems almost to ignore the data of experience they failed. But, more important, the isolation of moral ideas gave those ideas an added emphasis; in the household and in the state moral ideas received a status similar in kind to the status of the 'powers' themselves. They were real things in themselves, and were not created by opinion; they had objective validity. It

is beside the mark to suggest that abstract qualities can scarcely have inspired any warmth of religious feeling, for neither did the 'powers' themselves. Moreover, the qualities soon found embodiment in a long line of 'noble Romans'. The point is that moral ideas were enveloped with the sanctity of religious cult, and later literature is not understood if the virtues, to which appeal is so often made by historian and orator, are not interpreted in this way. They were bound up with the duty laid upon household and state to worship the gods. Here is to be found the root of that sense of duty which marked the Roman at his best; it often made him unexciting, but he could become a martyr for an ideal. He did not argue about what was honourable or just; his notions were traditional and instinctive and they were held with an almost religious tenacity.

*The man of firm and righteous will,
No rabble clamorous for the wrong,
No tyrant's brow, whose frown may kill,
Can shake the strength that makes him strong.*

Thus, the Roman was hard.

Perhaps the conception which shows best the Roman point of view is that of the '*Genius*'. The idea of the genius begins from the *paterfamilias* who in begetting children becomes the head of a family. His essential character is isolated and given a separate spirit-existence; he carries on the family which owes to him its continuance and looks to him for protection. Thus, as a member in that mysterious sequence son-father-son-father, the individual gains a new significance; he is set against a background which, instead of being a continuous surface, is broken up, and the pieces are shaped, and one of them is shaped like himself. His genius, therefore, is that which puts him in a special relationship to

his family which went before him, and has perished, and to his family which is yet to be born of his sons. A chain of mysterious power links the family from generation to generation; it is because of his genius that he, a man of flesh and blood, can be a link in that unseen chain.

Here we may recall the custom, indeed the right, by which noble families set up in a recess of the central hall of their houses, at first, wax-masks and, later, busts of their ancestors who had deserved well of their family or of the state. In the most solemn domestic rites of the household these busts were made to associate. There was no question of ancestor-worship or appeasement of the departed; rather, it was a demonstration that they and all for which they stood still lived on and that they supplied the spiritual life to the family.

It is but a slight development of the genius to attribute to each man who is potentially a *paterfamilias* a genius and to each woman a Juno; for this there was Greek precedent. But the original idea of '*Genius*' was capable of expansion. Just as the genius of a family expressed the unity and continuity underlying successive generations, so genius was later made to belong to a group of men unrelated by blood but joined by common interests and purposes through successive stages. The group acquires an entity of its own; the whole is more than its parts, and that mysterious extra is the genius. Thus in the early Empire we hear of the genius of a legion; the officer of today will readily agree that the 'traditions of the regiment' feebly expresses what he feels; genius is more personal. So, too, we find the genius of a town, of a club, of a trading community. We hear of the genius of branches of the civil service — the mint and the customs, for example; it is natural to compare our own 'high traditions and ideals of the service'. The Romans had an amazing power of envisag-

ing the personality of a 'corporation'; they were sensitive, we should say, to the spirit behind it, and that is what they said quite literally when they spoke of a *genius*. And it is not surprising that in Roman law the law of 'corporations' was carried to a high degree of elaboration.

The power which has guided in the present will guide in the future, and so the *genius* of Rome comes close to a 'Providence' protecting her, and to a mission which she is fulfilling.

It is clear that in the household of the farmer the wife occupies a position of authority and responsibility. Among the Romans, theoretically she was under the guardianship of her husband, and in law enjoyed no rights. But she was not kept in seclusion, as in a Greek household; she shared her husband's life and set a standard of wisely and motherly virtues envied in a later age. Parental authority was strict, not to say severe; and parents received the respect of their children, whom they took round with them in the several occupations on the land or in the village or in the house. Education was given by the parents, and was 'practical'; even the stories of the past were so framed as to point a moral, and the Twelve Tables of Law were learnt by heart.

Later ages looked back to the primitive simplicity of early times, and no doubt idealised it. But it was not myth; in the third and second century B.C. there was literature which testified to it, for men then wrote who had come in contact with men who had been thus brought up. The 'old ways' survived as realities, and still more as ideals. If we enumerate some of the virtues which Romans regarded as characteristically Roman throughout their history, we must connect them with the native endowment, the pursuits and manner of

life, the early struggles for survival, and the religion of the first centuries of the Republic. They will be seen to be all of a piece.

First in every catalogue of virtues comes some recognition that a man should admit his subordination to something external which has a 'binding-power' upon him, and the term for this, *religio*, has a wide application. For a 'religious man' the phrase is usually 'a man of the highest *pietas*', and *pietas* is part of that subordination of which we have spoken. You are *pius* to the gods if you admit their claims: you are *pius* to your parents and elders, and children and friends, and country and benefactors, and all that excites, or should excite, your regard and perhaps affection, if you admit their claims on you, and discharge your duty accordingly; the claims exist because the relationships are sacred. The demands of *pietas* and of *officium* (duty and services, as in 'tender offices') constituted in themselves a massive and unwritten code of feeling and behaviour which was outside the law, and was so powerful as to modify in practice the harsh rules of private law, which were only a last resort.

Gravitas means 'a sense of the importance of the matters in hand', a sense of responsibility and earnestness. It is a term to apply at all levels – to a statesman or a general as he shows appreciation of his responsibilities, to a citizen as he casts his vote with consciousness of its importance, to a friend who gives his advice based on his experience and on regard for your welfare; Propertius uses it when assuring his mistress of 'the seriousness of his intentions'. It is the opposite of *levitas*, a quality the Romans despised, which means trifling when you should be serious, flippancy, instability. *Gravitas* is often joined with *constantia*, firmness of purpose, or with *firmitas*, tenacity; it may be seasoned with *comitas*, which means

the relief given to over-seriousness by ease of manner, good humour, and humour. *Disciplina* is the training which produces steadiness of character; *industria* is hard work; *virtus* is manliness and energy; *clementia* the willingness to forgo one's rights; *frugalitas*, simple tastes.

These are some of the qualities which Romans most admired. They are moral qualities; they may even be dull and unexciting. There is nothing among them to suggest that intellectual power, or imaginativeness, or sense of beauty, or versatility, or charm – that hard-worked word nowadays – appealed to them as a high ideal. The qualities which served the Roman in his early struggles with Nature and with neighbours remained for him the virtues above all others. To them he owed it that his city-state had risen superior to the older civilisation which surrounded it – a civilisation which appeared to him to be limp and nerveless unless stiffened by the very virtues which he himself had painfully cultivated. Perhaps they can be summed up under *severitas*, which means being stern with oneself.

The manner of life and the qualities of character here described make up the *mores maiorum*, the manners of one's ancestors, which are among the most potent forces in Roman history. In the broadest sense the phrase may include the political constitution and the legal framework of the state, though generally such words as *instituta*, institutions, and *leges*, laws, are added. In the narrower sense the phrase means the outlook on life, the moral qualities, together with the unwritten rules and precedents of duty and behaviour, which combined to form a massive tradition of principle and usage. To this tradition appeal was made when revolutionaries laid violent hand on political practice, on religious custom, or on standards of morality or taste. The constancy of

theology. But it is certain that with the associations and habits which clustered round it its contribution to Roman character was very great; by it, too, a mould was fashioned in which later ages tended to cast the new and formless mixture of ideas which reached them from the older Mediterranean cultures. Great men were almost canonised for their characters or for their achievements. To the beliefs and manners of those days we must ascribe that sense of subordination or obedience to exterior power, whether a god, or a standard, or an ideal, which in one form or another marked the Roman to the end. To the same source must be traced the feeling for continuity which, while assimilating the new, preserved the type and refused to break with the past; for the future could be faced with greater security if the value of the past were conserved. The early practice of rite accompanied by formal invocations and crystallising into a 'sacred law' helped to develop that genius in law which is Rome's great legacy; and the law of the state borrowed a reflected sanctity from its sacred counterpart. Law presupposed obedience and was not disappointed. The position of the head of the family, the respect given to the mother, the training given to the children, were confirmed and strengthened. The validity of moral ideas was securely established, and ties of natural affection and of service to friends and dependants were made firm by a code of behaviour which lay outside legal obligation and was of compelling power. The formal nature of religious observance preserved Roman religion from the gross manifestations of Oriental ecstasy, even if it forbade warmth of personal feeling; and the attitude of toleration towards religion which marked the republican and imperial ages originated, paradoxically, with a people who assigned the utmost importance to state-religion.

A.D. 138–193, of which Mommsen, the great German historian, said, ‘If an angel of the Lord should be minded to compare the territory ruled by Severus Antoninus as it was then and as it is now and to decide in which of the two periods it was ruled with the greater intelligence and humanity, and whether, in general, morals and happiness have improved or deteriorated since those days, it is very doubtful whether the judgement would be in favour of the present day.’ Our own Gibbon had already said much the same.

Then came a century of confusion, till in A.D. 306 Constantine became Emperor, and Byzantium, renamed Constantinople, and now Istanbul, became in A.D. 330 the capital of the eastern half of the Empire, whence arose the East Roman Empire, heir alike of the Greek and of the Roman tradition.

(b) FROM THE SEVEN HILLS TO
THE ROMAN ORB

... to sing a hymn to the gods with whom the Seven Hills have found favour.

O all-nurturing Sun, that with thy chariot of fire bringest forth the day and hiddest it again and art born anew other and yet the same, may it never be thine to behold aught greater than this city, Rome.

HORACE

Thou hast turned into one city what was formerly the orb of the world.

RUTILIUS CLAUDIUS NAMATIANUS

ITALY is a mountainous peninsula, with the ‘backbone’ of the Apennines lying nearer to the eastern than to the western coast and often reaching to the sea itself. The harbours lie on the west and south. From Alps to ‘instep’ is about as far as from John o’ Groats to the Isle of Wight, nearly 600 miles. The angle of the peninsula is such that the heel is 300 miles further east than is the north-east coast at Ravenna. From the heel to Greece is some 50 miles, and from the west corner of Sicily to Africa only 100 miles.

They were a pastoral folk. Their earliest festivals were concerned with the interests of shepherds; milk, not wine, is the earliest offering, and wealth was reckoned in cattle; the very word for 'money', *pecunia* (whence 'pecuniary'), means 'head of cattle'. They found other men of kindred race, Sabellian and Sabine, moving upon the plain and settling upon the higher ground; from the fusion of these settlements Rome took her origin. From her central position her soldiers could move north and east and south—along the valleys north and east, and down the plain to the south; they soon learned the value of 'interior lines'. Indeed, some have thought that the site of Rome was chosen from the first as an outpost against the Etruscans to the north. And here, for the moment, we leave the Romans, as they join with outlying settlements, and turn to agricultural pursuits and trade with Etruscan and Greek merchants.

To the north of the Tiber lay the Etruscan empire. The Etruscans were probably sea-wanderers (from the East?) settled at last in Etruria, or Tuscany—cruel, overbearing, worshipping gloomy gods of the underworld and divining the future from the study of the organs of slaughtered animals. They built enormously solid walls to defend their cities, and they traded with Greek cities and with Carthage in Africa, and thus 'borrowed' from civilisations superior to their own. From the sea they penetrated into the Campanian plain, and in the seventh century tried to move south to occupy it, circling round the hills to the east to avoid the swamps, and seizing some of the Latin towns on the high ground.

About the time of the Latin migration to the 'Seven Hills', Greeks began their long process of seizing the best harbours on the south and west coasts of Italy and the eastern side of Sicily; the Carthaginians, too, occupied the western half of the island. At first the Greeks wanted

only trading stations, but in time colonies were sent from Greece to establish cities which soon became among the fairest of the Mediterranean. Perhaps the earliest Greek settlement was Cumae, on the bay of Naples, in the eighth century, and of great moment to Europe; for from the Greeks of Cumae the Latins learned the alphabet; the Etruscans too adapted the same letters to their purpose, and passed them on to the inland tribes. From Cumae, also, Italy may first have learned of Greek gods, such as Heracles and Apollo. But the chief settlements of the Greeks were in the extreme south of Italy and in Sicily. Syracuse and Agrigentum in Sicily, and Tarentum, Sybaris, Croton, and Rhegium in South Italy are all Greek in origin. They are most important in Roman history, for through them Rome came into full contact with the Mediterranean world.

The Etruscans and the Greeks were the two most powerful influences during Rome's early years. The rest of Italy was sparsely inhabited by tribes, many akin to the Latins. They lived in comparative isolation in their hills, tending flocks and tilling the land and grouping together into settlements, as geography allowed, for defence and trade and worship.

Now let us return to the Romans. The first three kings were Latins, the last three were Etruscan. The last of these was ejected by violence (traditionally 510 b.c.), and the word 'king' became anathema to the Romans. Yet the Etruscan influence remained. Temples and rites survived; Jupiter was still enthroned on the Capitoline Hill, Diana on the Aventine. The insignia of Etruscan rulers became those of Roman magistrates, the 'ivory chair', the bundles of rods with two axes bound up with them (*fasces*). But, more important, Rome acquired an organisation which was to turn her into an imperial power.

Till about 270 b.c. Rome fought perpetually for existence in Italy, and her fight could not cease till she was recognised as a leading power. The highest qualities of courage and resourcefulness were called for; one tribe after another was overcome, and was incorporated on varying terms into the Roman state or sphere of influence. Leagues and alliances were created. At one crisis — the sacking of Rome by roving Gauls in 390 b.c. — the Latin cities failed to aid her; they suggested federation, and Rome made up her mind that safety lay only in their conquest. At great self-sacrifice she reduced them to obedience, and then went forward as tribe after tribe appealed to her for aid, and eventually for alliance and the extension of her 'rights' to their cities. At last Thurii, in the 'instep', appealed for aid against Tarentum. Rome hesitated — and agreed. Tarentum brought in Pyrrhus, King of Epirus across the Adriatic; and Rome emerged from his invasion of Italy the leader of the Greek states in South Italy. Thus, she passed into the sphere of the Carthaginians whose trade covered the seas of Sicily and the Western Mediterranean. After half a century of struggle (264–202 b.c.) it was decided that Rome should become a 'world power', and that the lands of the West should be ruled by an Aryan, not a Semitic race.

Before the Punic wars are summarised (for the Carthaginians were Phoenicians, in Latin *Poeni*, whence *Punicus*), two observations must be made. Though Rome seems to be ceaselessly at war, she was at war because of the force of events and the logic of her own temperament. Round her were powers older, more experienced; some were ambitious, and their neighbours were afraid: threats to Rome's allies were threats to her, and, speaking generally, she went to war to remove those threats. After the struggle with Carthage she found herself

up provinces in the East, the civilisation and language which she found there she left untouched to last for centuries longer.

Firm action was to come in 64–62 B.C. In 88–84 B.C. Mithridates, King of Pontus, in concert with Tigranes, King of Armenia, overran most of Asia Minor and slaughtered thousands of Roman traders; the Pontic fleet dominated the Aegean, and forces were landed and welcomed at Athens. The Greek cities throughout Greece threw in their lot with the invader, and the whole of Greece appeared to be lost. But Sulla defeated the Pontic armies in 86 and 85 B.C., cleared Greece, and in the following year a Roman fleet under Lucullus dominated the Hellespont. Ten years later Mithridates again set the East ablaze. The campaigns of Lucullus carried him very far east. But matters did not go well for the Romans on the sea, for piracy flourished throughout the Mediterranean and Roman fleets were embarrassed for lack of regular supplies. Therefore, in 67 B.C., Pompey was appointed with extraordinary powers; he suppressed piracy in an organised sweep starting from Gibraltar, and he invaded Pontus and Armenia. He invested Jerusalem, and for the first time Roman power made contact with the Jewish people; thus began that troublesome problem. Pompey then 'settled' the East; boundaries and governments, finance and commercial relations were re-ordered. The province of Cilicia was enlarged, and Bithynia, Pontus, Syria and Crete all became provinces; Cappadocia, Armenia and many minor states were left as independent kingdoms. The appointment of Pompey to that command, it should be noted, was the step which led to the fall of the Republic.

It is time now to return to the West. Here we must pass over wars in Spain and Africa and the suppression

of a slave revolt in Italy, and concentrate on four main features: first, the safety of the western end of the Alps; secondly, the relationship between Italy and Rome; thirdly, the conquests and provincial policy of Julius Caesar; and fourthly, the problem of the eastern end of the Alpine frontier.

The Alps might appear to be a natural protection of impassable strength. Actually Hannibal, and later his brother, had surmounted them. In the land to the north and east great migrations of people had been going on for some time; they were hard pressed towards the west by other peoples in search of land. In 113 B.C. a large host of Germans, accompanied by other tribes who had been caught up by them, appeared at the eastern end of the Alps. They had already defeated one Roman army in Illyria. They pushed their way westwards without turning aside into Italy: and there was momentary relief. But in 109 B.C. they appeared in Southern Gaul, which thirteen years before Rome had annexed and turned into a province. They carried all before them, defeating two armies at Arausio (Orange). In three years Marius trained the first professional Roman Army, re-equipped and led it to defeat the most menacing of the tribes in Northern Italy and in Gaul. The hordes passed further west, and a hideous danger was over.

In 91 B.C. a danger no less serious threatened the City of Rome. The Italian allies rose in open revolt. For two centuries they had borne the burdens and hazards of war; they now desired the very incorporation in the citizen body which earlier they had rejected in favour of alliance. For, as we shall see, Roman citizenship was an increasingly valuable possession. Yet, as it increased in value, Rome granted it the more sparingly, the citizens of the capital jealously guarded its extension,

and for years Italian resentment had smouldered. Their rebellious manifesto proclaimed a new capital, called Italica, at Corfinium, and the proposed constitution was modelled closely upon the political traditions which its would-be citizens were at the moment rejecting. Justification of Rome could go no further, though that does not forgive her shortsightedness in refusing citizenship. In a swift and resolute campaign the rebellion was broken by Sulla, and a series of laws granted enfranchisement to all Italians. Italy ceased to be a confederacy. The city-state had had its day, and a new idea was born. How it developed and what were its implications must be seen on a later page.

The third feature is the conquest of Gaul and its organisation by Julius Caesar during the strenuous nine years 58–49 B.C.; his own account of his work is, of course, the famous *Caesar's Gallic War*. When he entered Gaul, his governorship covered a very small Gallic province: when he left Gaul, the province covered France and Belgium and he had 'shown the way' to Britain. Italy's frontier of the Western Alps was now secure.

But, fourthly, the eastern end yet remained to be closed, and it was not till Tiberius, who later became Emperor, had undertaken long years of fighting on the Rhine and lower Danube that this quarter was secure; the province of Raetia (Eastern Switzerland and the Tyrol), Noricum (Austria) and Pannonia (Carinthia and Western Hungary) eventually formed the north-eastern bulwark.

Now comes the great turning-point in Roman provincial policy. Augustus had intended to draw the frontier at the Elbe, and so to include in the Empire the German tribes who menaced Gaul and to shorten the northern frontier. But in A.D. 9 a Roman

army of three legions was cut to pieces by Arminius (Hermann) in the depths of the Teutoberg Forest near Osnabrück: the XVII, XVIII, XIX legions never again appeared in the army list. In the papers which Augustus left at his death he advised no further extension of the Empire.

Yet the Empire was enlarged when necessity counselled it. To protect the Balkan peninsula the tracts south of the lower Danube became in A.D. 46 the provinces of Thrace (Southern Bulgaria, Turkey and the Greek coast at the head of the Aegean sea) and of Moesia (Serbia, Northern Bulgaria, and the Dobruja). The province of Britain was also added. In A.D. 107 Trajan created the province of Dacia (Rumania) as a bulwark to protect Moesia and added others in the East which his successor surrendered. Thus by the end of the second century the line of the 'Roman Circle' was drawn – Rhine, Danube, Asia Minor, Syria, Palestine, Egypt, Africa, Spain, France, Britain – and Rome had 43 provinces to administer. In A.D. 270 Dacia was evacuated, and Diocletian (A.D. 284–305) reorganised the whole Empire, including Italy, into 120 administrative districts.

In the history of Rome's imperial expansion self-defence must be accounted the first motive; but trade inevitably followed and the first motive was mingled with that of commercial exploitation; and in the second century B.C. reasons of safety were sometimes alleged in order to hide greed and ambition. The first two centuries A.D. were the age of assimilation, and thereafter self-defence was again to the fore as the most urgent consideration. Rome never fought to impose a political idea or a religious creed; with unique generosity she left local institutions and manners of thought and life untouched. She fought to 'impose the ways of peace',

and by peace she meant the positive blessings of settled order and security of life and property with all that those blessings imply.

(c) FROM CITY-STATE TO REPUBLIC IN RUINS

Cato used to say that our state excelled all others in its constitution; in them, for the most part, an individual had established his own form of state by his laws and institutions . . . ; our state, on the contrary, was the result not of one man's genius but of many men's, not of one man's life but of several centuries and periods. Genius had never been so profound as to enable any man at any time to overlook nothing; nor, if all genius were concentrated in one man, could he have such foresight as to embrace everything at any one moment; actual experience stretching over the ages is needed.

CICERO

It is due to our own moral failure and not to any accident of chance that, while retaining the name, we have lost the reality of a republic.

CICERO

The sketch just given has described the growth of Rome's foreign power. We now turn to the government of the city, of Italy and the provinces, touching on social matters only in so far as they cannot be avoided. We shall catch a glimpse of the process by which the constitution developed and of the ways in which it was modified by the needs of governing overseas possessions. We shall see the tentative methods by which Rome first governed her possessions and the failure of those methods; we shall then discover why the constitution which she laboriously wrought broke down and how it was replaced. In other words, we are concerned with the process by which Rome turned from a city-state into an Empire. In the story of this process certain elements will for the most part run through from the beginning of the Republic to its collapse. These elements are, for example, the Senate, the people, the magistracy, and its later development the pro-magistracy. Roughly, the magistrates of various kinds and ranks are the executive; the pro-magistrates are ex-magistrates appointed for special

posts outside Rome, as for example, governors of provinces or specially appointed generals of armies. Roman constitutional history is largely the slow change in the duties and powers and functions of these elements, and in the relationship between them. If Polybius was right in saying that the Roman constitution rested on a balance of power, the balance was maintained at different periods in different ways. Finally, the crash came. And, when the Empire replaces the Republic, we shall find the same elements furnishing most of the material from which the edifice will be built. The Romans preferred to tolerate apparent anomalies and even absurdities, to rely on good sense and understanding and restraint, to observe the spirit instead of the letter, and to keep tried and familiar institutions. They preferred to do this rather than to press matters to logical and unworkable conclusions or to define closely in written articles of a constitution what was best decided by compromise, or to set up new institutions born of the impulse of the moment. They were happiest in adapting to new uses something already wrapped round with tradition and sentiment and practice.

As a clue to the account which follows it might perhaps be useful to mark out in rough-and-ready fashion the following phases. First, up to the Punic wars the potentially autocratic powers of the magistrates were gradually reduced by the opposition of the 'people' on the one hand and the Senate on the other; further, the 'people', or the plebeian families, asserted itself in opposition to the Senate, or the patrician families. In the second phase, that of the Punic wars, the Senate was supreme in fact, though not by right, and its supremacy was justified; the magistracy was superior to the pro-magistracy. In the third phase, the pro-

magistracy was the strongest power; the Senate was almost impotent through lack of constitutional authority, the people attempted to reassert itself with justification in theory. But its opportunity was lost and its very nature had changed; moreover, new factors were introduced – an influential business class and a new aristocracy more jealous of the privileges which it had once attacked than was ever the old aristocracy. In the fourth phase, the first *Princeps* (or Emperor) learnt the lessons of three centuries of Roman constitutional history and built from the débris of the fallen Republic a structure of government which lasted for two centuries at least as a government still Roman in essentials.

We have referred already to some kind of 'gathering together' or 'dwelling together' of little settlements of various tribes to form the city of Rome. How it was brought about and what were the causes and the contributions from the composing elements no one can say. Tradition and reasonable deduction from survivals suggest that this primitive association was loosely held together by common interests symbolically expressed in common 'rites' of religion, 'communion in sacred things', *communio sacrorum*. The community was ruled by a king, who was a patriarchal ruler, the elected officer or magistrate and the priest of the whole people. One of his most important duties was 'to take the auspices'; briefly, this means making sure that things were right between the gods and the community. Apparently, a new king was appointed by the heads of the leading families (*patres*); the 'sacred things' were transferred to him by the *patres* in whose keeping they were, and the choice was confirmed by the community as a whole. The king held supreme power (*imperium*), appointed officials, dispensed justice, led in war, and ordered religious worship.

The Senate was the council of the heads of leading families; they were members for life and with them reposed in times of transition the 'sacred things'. They offered advice to the king only when consulted; they proposed a new king, but could not appoint him unless the whole people approved.

The people as a whole gathered only when summoned to hear pronouncements from the king, to take part in religious rites and to witness certain acts, as, for example, disposal of property by will, which later fell under the head of private law. All our information about these early times is very vague. Equally obscure are the changes brought about by the Etruscan supremacy in Rome. We hear of a new organisation of the whole people on military lines, with the landholders and wealthier citizens serving in the front ranks since they could afford to arm themselves. But the autocratic rule of the Etruscan kings brought about the ejection of the alien dynasty, and the title 'king' was for ever accursed.

XII
The power of the king passed to two magistrates originally called 'praetor-consuls' (that is, 'leaders' who are 'colleagues') and in time merely 'consuls'; in times of crisis supreme power was entrusted, though in fact very rarely, to a 'dictator', who held it for a limited period and for a specified purpose, the magistrates continuing in their own spheres on sufferance. And so with the creation of consuls begins that curious principle of 'collegiality' which runs through the history of the Roman magistracy – the principle of colleagues in office who have the power of vetoing each others' proposals; positive action therefore depends upon colleagues acting in concert. The change, however, made no break in the chain; the consuls 'took the omens' and held their power (*imperium*) in direct succession from Romulus. The consuls held office for one year; they

constitution, patrician magistrates nominated patrician successors for acceptance by the assembly, and the measures submitted by patrician magistrates had to be ratified by the *patres*. Discontent soon showed itself. The plebeians took to holding meetings in a 'Council of the Plebs' which was informal and outside the constitution. The main grievance was the unfettered power of the consuls. The ensuing struggle can be sketched only in essentials, but it is important to see that the plebeians were concerned not with attack in order to obtain privileges but with defending themselves. A promise was made that no Roman citizen should be put to death inside the city without appeal to the people; on active service discipline might demand otherwise. Delay brought about a threat by the plebeians, partly carried out, to found a rival city. This move won from the patricians, who needed man-power for the army, a concession of tremendous importance. Plebeians should have annual magistrates of their own, called 'tribunes of the people', at first two, later ten. They were to be elected by the 'Council of the Plebs', i.e. by plebeians only. But the tribune, like the Council, was at first strictly outside the constitution; he was given not *imperium* but a special limited power (*potestas*) to aid plebeians against individual acts of a patrician magistrate; his person was inviolate; he convened the 'Council' and invited it to pass resolutions. Later, as we shall see, the tribuneship acquired far-reaching powers of veto in the whole field of government; and still later the tribunician power was an essential component of the power of the Emperors.

Next came a demand to curtail the consul's power by law. It was countered by a promise to draw up and publish a code of law. This is the celebrated Twelve Tables, which probably went no further than expressing

required no ratification by the *patres*. The struggle was over, for the Council of the Plebs was now in theory the 'sovereign' power. The patrician families remained; but if they still exercised power it was by prestige and moral influence and not by law. The plebeians were now the preponderant element in the state, both in numbers and wealth. For the future, power theoretically lay with them.

The tribunate remained, though it was now unnecessary, for its original purpose had been served. But it was used to new and sinister purposes a hundred and fifty years later as a weapon in a new struggle between a new governing class, largely plebeian, and a new and less worthy populace.

In 287 B.C. it seemed that all was ready for rule by the people. But it was not to be. The Punic wars now broke upon Rome; energy was necessarily deflected in directions other than political change. Whether, if there had been a prolonged period of peace, the Senate would have been denied its coming supremacy is doubtful; for it was in a strong position and its leadership was powerful. But in any case two hundred years of war came, and the experience and wisdom and steadfastness necessary for the surmounting of times of strain and danger lay with the Senate. Its moral supremacy produced its supremacy in the whole conduct of affairs.

For by the time of the First Punic War its nature and composition had changed since the early days of the Republic. The task of appointing to the Senate lay with the consuls, as succeeding the king; the 'collegiate' principle secured some measure of responsible choice. Later the task was transferred to the censor; for it was clearly sensible that the consul should not appoint the man whom, as a senator, he was later to consult. Soon, by custom which hardened into a right, all ex-magis-

trates – and there were by now several grades of elected magistrates below that of consul – passed into the Senate, and so by the avenue of the magistracy plebeians passed into its ranks. The Senate, therefore, was largely a body of men who had been elected to various magistracies by the people, with whom they naturally kept in touch as they stood for office after office; when their public service was over, they entered the deliberative assembly to place their experience at the disposal of the state. Thus the prospect of a permanent seat in the Senate was opened out to the successful candidate to annual office; and office became a means as well as an end, and was therefore valued in rather a different way than before, though the consulship was always an honour coveted for its own sake. Thus there arose a new rank or status, or, if the term is understood to have nothing to do with birth, a new *nobility* – of office. Patrician birth was now only a matter of private pride; the new 'nobility' carried public esteem and was proud, often with the exclusiveness of the newly promoted, of its responsibilities and position. Meantime, the magistracy became more closely attached to the Senate, for the magistrate would one day take his place among senators; he therefore consulted it with a new deference.

The exigencies of war pointed to the Senate as the only directive power. The people was assembled with difficulty, the Senate was at hand and was manageable in size. Continuity of policy and swift decisions had to be made; treaties had to be drawn up and supplies granted, often in a hurry. Experienced soldiers and statesmen, with knowledge of 'foreign parts', were in its ranks. And so one precedent after another was established; the 'opinion of the Senate' now became 'the decree of the Senate': as a body it ceased merely to discuss the problem submitted by the magistrate and now

'colonies' of Rome in Italy did not become independent. -- like Rome herself. Roman colonies were not repeated.

initiated discussion, and so it gathered into its hands practically all state business. Its conduct of affairs during the hardest years of war was in general excellent; if later it fell from its high standard of efficiency and moral integrity, it was for reasons which we have presently to consider.

Rome acquired her supremacy in Italy partly by war, partly by taking full advantage of the disunity of the various tribes and attaching them one by one to herself in a loose confederation. By every means in her power she secured that they should look to her for help and advantage rather than to each other. Her near neighbours were incorporated as citizens into her body politic; to others she extended a limited citizenship which conferred rights of trade, together with enforcement of those rights at law, and freedom of intermarriage with Roman citizens. Others were bound by various treaties of alliance, carrying duties and privileges but also independence to conduct internal affairs.

At a few points in Italy colonies of Roman citizens were planted to guard coasts and roads: they were offshoots of Rome. Elsewhere 'municipalities', i.e. the original towns, were granted full franchise: both these communities had a generous degree of self-government. Appeal against local magistrates could be taken to Rome. Prefects were sent out to try cases both in towns and country districts; they represented the praetor at Rome, who was the chief judicial magistrate.

But, when the lands beyond Italy were annexed, different measures were called for. At first, Rome was, in general, reluctant to 'create' a 'province'; she was content at first to disarm and tax, as e.g. Macedonia in 167 B.C. 'Province' implied annexation and annexation implied a Roman governor. But after 146 B.C. she did not hesitate. Sardinia and Sicily had been placed after

This is found only as the legend of resulted

their conquest under a praetor. But the praetors were needed at home. Therefore, after 146 B.C., a new device was adopted, for which there was precedent. The *imperium* of consuls had often been prolonged to deal with a military emergency, and the holders of the command were then said to act *pro consule*, on behalf of the existing consul. From 146 B.C. pro-consuls and pro-praetors were invested with full *imperium* and sent out to govern the provinces. They were required to govern within the 'charter of the province', a charter drawn up by a senatorial commission which defined the status of the various communities, fixed boundaries and rates of taxation and methods of local government, and sanctioned the use of local law. The charters were drawn up in a generous spirit, partly because Rome did not want the burden of over-detailed administration, partly because she was at heart generous. All depended on the governor's observance and interpretation of the provisions of the charter and on his sense of honour; for his opportunities for misgovernment and self-aggrandisement were vast, and he was with difficulty brought to book.

Now let us go back to Rome and sketch in the barest outline the main features of the period of revolution, the last 100 years or so of the Republic (to 31 B.C.).

The challenge to the constitution was made thirteen years after the destruction of Carthage in 146 B.C. It came from the tribunate, then held by Tiberius Gracchus. Measures to cure the depopulation of the countryside and to arrest the decline of agriculture – both of them evils due to war – were his programme. But for success he needed more than one year, and he must persevere to nullify the veto of his colleagues in the tribunate whom the Senate had brought over to its side. Both needs could not be satisfied without a breach of usage. He

deposed his colleagues, and thereby gave his enemies the chance of denouncing him as the usurper of autocratic power. He fell a victim to the very violence to which, so it was afterwards maintained, he had first appealed. The lesson of his fate was noted by men who came after him, for he had raised the question 'where lay the sovereignty?' and had perished. So perished, too, nine years later, his brother Caius, who, beginning with an attempt to widen the Senate by importing new blood, ended by proposing to give some of its powers to the new class of influential business men and conciliating the populace of Rome by selling corn at a cheap price. He sought, too, to bring before a court other than the Senate governors who misgoverned the provinces. For two years he was tribune, and he took his proposals straight to the people whom at first he dominated as by a spell; but he too was killed. Here was another lesson: the people could be roused, and when roused might for the moment achieve their purpose; but the tribunate, with no military power behind it, was useless to maintain those achievements against resistance.

The age that follows is the age of great individuals seeking so to alter the machine of government as to adapt it to the new stresses, yet patiently preserving, as far as they could, the old component parts. But impatience frequently prevailed, and impatience was fanned to white heat by the personal rivalries which followed upon the competitive claims to adjust the government to satisfy ambition or the claims of faithful armies. For amid the fierce passions loyalty to the state, as it was understood in the old days, was forgotten; long-service and triumphant armies were now loyal to their general, who in turn was loyal to the claims of his army for pensions, which meant land. The needs of the state were of secondary importance; indeed, its only salva-

tion lay in the precarious alignment of the loyalty of armies to generals and of generals to state. And, as the government did not deserve loyalty and generals had rival generals to consider, such alignment seldom occurred.

The change in the attitude of the army was brought about largely by Marius' creation of a professional long-service army, trained and equipped on new lines, to meet the menace of the German tribes beyond the Alps. Henceforth, the army, recruited from the Mediterranean, looked to its general; gone for ever was the old Italian army, composed largely of citizens. The new army was a mighty weapon at all times, but in its early history it was from the state's point of view double-edged; it was not till the time of Augustus that the right method of handling it was found.

Sulla used it for two purposes; first, to defeat the threat of foreign enemies and the menace of the Italian allies; secondly, to enforce upon Rome what it had never had before, namely a written constitution and the legal recognition of the supremacy of the Senate. He then ^{solon} stepped into retirement to watch his constitution work. But it was not now the same kind of Senate that had justified its unofficial rule during the Punic wars. It was now inefficient and self-seeking, intent upon filling its pockets by the exploitation of the provinces. The constitutional changes were soon abolished, though much of Sulla's judicial and administrative machinery remained, as it deserved.

In 62 B.C. Pompey returned from the East where he had wielded the power specially entrusted to him by the Roman populace. He needed nothing but the ratification of his acts, if his work of organisation there was to be put on a lasting basis; he had foolishly (by the standard of the time) disbanded his army. It was not

until Julius Caesar came to his aid and laid pressure upon the government that his work was ratified. But Caesar demanded his reward; Pompey was to see to it that he was given a prolonged command in Gaul, so that the consolidation of the frontier, begun by Marius himself, could go ahead. For nine years Julius Caesar stayed on this frontier; France and Belgium were added to the Empire, and the first steps in their civilisation were taken. It was the work of a military commander and his army, not of the people and Senate of Rome. Who, then, was entitled to the controlling hand in government? Caesar answered the question in his own favour, as had Sulla before him; but Sulla could rely only on the support of the few, and Pompey had declined to take the opportunity, though the lesson of the command entrusted to him was clear. It was Caesar who realised that, though he might have to fight, he could win if he could gain the sympathy of the majority by his programme of intentions.

While he was in Gaul the Senate had watched his growing power with alarm, and ceaseless manoeuvres had been exercised to rob him of power. His agents, tribunes loyal to him, his friends and all those who owed or looked for wealth or advancement to him defeated these manoeuvres. But towards the end the Senate had won over Pompey, who now liked to take up the rôle of their champion, and had placed an army under his control. Caesar saw the point, and with his army crossed the river Rubicon in the north of Italy, and by that act declared civil war.

In an incredibly short time he scattered the Pompeian army, pursued part of it to Spain, and defeated the rest in 48 B.C. His 'clemency' astounded the world.

For four years Caesar controlled the state, and in 44 B.C. he was murdered because he was setting himself as

'king' over the Republic. So Caius Gracchus had been murdered some ninety years before. Of his legislation we must here say nothing, except that he showed his understanding of the need of a new policy towards the provinces, and of widening the basis of government at home and of the economic organisation of Italy. But he evolved no new constitution, no theory to justify his own power or to provide for his successor; and above all he did little to win the imaginative sympathy of his time. His great-nephew and adopted son, Octavianus, later known as Augustus, had forty-five years of rule.

The political, social and economic problems in this last century are of great interest, and the evidence for part of them includes that fascinating study, the Letters of Cicero. The chief problem, as is clear, is the weakness of the central government to control the provincial governors, who were in the provinces to execute the wishes of the government at home. We have seen that the principle of shared power, or collegiality, weakened the magistrates, i.e. the executive, in relation to the legislature. Now the provincial governor had *imperium*, i.e. the same kind of power as the consuls at home, but he was alone with no colleague; the only controls therefore were (a) annual office, (b) his neighbour with equal power in an adjoining province, though this latter might be rather a provocation than a check. But the check of the short span of office was removed by the people itself, who voted long terms to one general after another, exalted them into great commanders-in-chief, demanded their services as popular heroes on all occasions, and weakened the only control yet left, namely laws against misgovernment and prosecution to enforce such laws. These were of little avail amid the strife of parties and the people's clamour in support of its favourites, and the greed and ambition of the gover-

nors themselves. Here is to be found the cause of the fall of the Republic. Not till the Empire was it discovered (a) how to secure loyal governors, (b) that the true Roman policy towards the provinces themselves was not exploitation but local self-government in a Roman loyalty. Other problems are of great interest, particularly the agrarian question – the condition of agriculture, the depopulation of the country and the drift to the towns – and especially to Rome, where an idle rabble demanded even greater doles – the question of the reinstatement of the veterans, the failure of the soldier to make a farmer, and the dearth of land. This last question touched keenly the Italian 'allies', and led to the 'Allies War' (see p. 40): for the Italian cared little about voting, but he cared much about the fear of dispossession to make place for a time-expired soldier. Only Roman citizenship could save him, and he fought and won. Finally, there was the rapid growth of wealth and the equally rapid decay of old standards in public and private conduct; and political life knew a corruption from which it had been free.

The twelve years which followed saw the world divided into parts organised one against the other by rival generals and rival parties. The strife, which cost thousands of the best lives of the time and left the West exhausted, was ended by the battle of Actium in 31 B.C., when Octavianus finally defeated Marcus Antonius and Cleopatra. At last came the era of peace and order for which the people had yearned for centuries. We shall see later, first, why the battle of Actium was one of the great turning-points in history; secondly, what use Octavianus, whom we shall hereafter call Augustus, made of his long reign.

CHAPTER III

(a) THE NEW WAYS AND THE OLD

What remains of the old ways in which Ennius said the Roman state stood rooted?

CICERO

How did it come about that the old Roman ways ceased to maintain their hold?

The new ways were, of course, due to the influence of Greek habits of thought and life; and it is important that by 'Greek' we should understand not the supreme expression of the Hellenic genius as given in four or five of the great authors of the fifth and fourth centuries B.C., but the culture which was spread over the Eastern Mediterranean, and which itself looked back to the great age of Athens for most of its inspiration. In many respects it had seized upon the least important aspects because it was incapable of living up to any great moment; it had debased Greek language, Greek literature and Greek character. The Greek masterpieces were available for reading and were read by many; but the Greek men whom the Romans now began to meet in daily life were not always as the fifth-century Athenians. Though the Romans employed the artistic and professional skill of the 'Greekling', on the whole they despised him for his character; and they despised him the more because he had not lived up to his former greatness.

In considering the relation of one culture to another, we cannot avoid metaphors, dangerous as they are. 'Influence', of course, means 'flowing in'; but the new ideas were deliberately imported by Roman minds attracted to them! We sometimes speak of a man

the Roman spirit preserved its individuality, its genius; Greco-Roman civilisation thus became the root of European civilisation.

The old and the new points of view are perhaps best seen in particular men. P. Cornelius Scipio, surnamed Africanus, may be taken as exemplifying the new type of Roman, Marcus Porcius Cato as embodying the old type, and Scipio Aemilianus, who was adopted from the Aemilian family by the son of Scipio Africanus, as the forerunner of many who attempted to reconcile the old and the new ways.

The Cornelian family had already given men of note to the service of the state. When at a time of crisis in the Second Punic War the assembly of the people looked for a bold leader capable of ending the intolerable strain, and, when men of experience hesitated in face of the awful hazards, Scipio Africanus, aged twenty-four, confidently offered himself. He was given the task and he succeeded. His whole life was of a piece with that act. From that time he dramatised himself; he loved the spectacular and invested himself with a religious aura as though he were the favourite of divine will. In Spain he was dazzlingly successful; his magnanimity attached the tribes to him; they offered him the crown, for they said he was god-like, and when he refused they furnished him with troops. In Africa he won over by sheer charm kings who were neighbours of Carthage, and Rome wondered whether such familiarity with foreign potentates was altogether right. Story made him stay as Hasdrubal's guest, or discuss with the exiled Hannibal the relative merits of each other in comparison with Alexander. At home he brushed aside custom and law, standing for offices before he was qualified by age, and receiving encouragement from an admiring people. He affected the grand manner and studied every action;

even at the end, when in semi-exile he lay dying, he 'refused his body to an ungrateful country'. Hitherto the great men of Rome had been such as Cincinnatus, who left his plough to serve the state in time of crisis, and returned to it when his work was done. In Scipio the Roman people were offered a new kind of hero – a hero who asserted individuality in defiance of tradition, who based leadership on power of personality, and made a romantic appeal to the imagination now awakening in the ordinary Roman. How did such a type of hero arise?

It arose – if we continue to illustrate 'movements' and 'influences' by men – when Livius Andronicus, a Greek slave captured at Tarentum, composed as a reading-book for his master's children a metrical Latin version of Homer's Odyssey. The work passed beyond its original intention; here was a new literature; stories of heroes who were at once godlike and human. No longer the statuesque forbidding heroes of early Rome, slaves of duty, but warm-blooded and erring and lively and full of zest. And what leaders of men, swaying multitudes by their word and guiding by their wise counsel the future of city and army! After Homer, Greek comedies were translated and were combined with native Italian farces and burlesques, and Roman comedy arose. Moreover, once the heroes of Homer – Agamemnon, Odysseus and the rest – had been treated, there was no reason why Roman subjects should not be chosen, and Naelius, of Campania, wrote an epic of the First Punic War, combining Greek and Italian legend and motif. Ennius followed with an epic in hexameters which included the Second Punic War; the Iliad was his model, but his own strong Roman character shines through; and in his tragedies, though they owe much to the Greek tragedian Euripides, the moralising and philosophical

discussion is Roman. And the achievements of Alexander and the legends clustering round his name made their appeal to the imagination of men like Scipio and stimulated them to dreams of similar exploits.

The rise of this literature and the performances of tragedies and comedies brought before the Roman public new types of human character, isolating the individual and drawing attention to special features. The opportunities for men of strong character to influence the life of society and of the state was revealed to the intelligent; the new knowledge of Greek legend and history showed that it had been done; there was no reason why it should not be done in Rome, and arguments could be drawn from Greek philosophy to justify it. The new ideas of Greek thought spread with the Greek language, and a lively and imaginative mind like the mind of Scipio Africanus grasped their implications and created for himself a rôle as a Roman leader of a new type.

M. Porcius Cato was born in 234 b.c. and was brought up on his father's Sabine farm, which he inherited. At the age of twenty he distinguished himself fighting under Q. Fabius Maximus against Hannibal, and served to the end of the war. At the age of thirty he was quaestor to Scipio in Sicily, and was with him in Africa; in 198 b.c. he was praetor of Sardinia, three years later he was consul, and in 184 b.c. he was censor. He was soldier, lawyer, statesman, farmer, writer, but above all a 'character'.

As a young farmer he took up the cause of his neighbours in local law-courts, for he was a good speaker ready to champion the right. A friend advised him, in spite of his plebeian birth, to seek a larger sphere for his energy and gifts in Rome itself, whither he went. Till the day of his death at the age of eighty-five he was

engaged in ceaseless labour, laying about him in law-court or senate-house or published work with the same lusty vigour and ruthless courage with which he had engaged in combat on the battle-fields; of this conflict his fame and his body alike bore many scars. At home his life was of the simplest, for he trained himself in austerity; as a general he remained the soldier of the ranks, marching on foot and carrying his own arms. As a provincial administrator, he was inexorable and was proud of it; he cut down expenses in the interest of the governed, and scrutinised every item charged to the home government, 'which under his administration never seemed more terrible nor yet more mild'. He beat down contracts for public works, and raised them for the farming of taxes. Once he suspected an enemy or a friend of dishonourable conduct, he 'never shrank from a quarrel on behalf of the commonwealth'. His speeches were famous; Cicero, who had read over a hundred and fifty of them, says 'they show all the qualities of great oratory'. Their pungent aphorisms became proverbial; their skill was a model, for he knew all the tricks. His son he educated himself, composing for him text-books of grammar, law and history; for he would not let him owe 'so great a thing as his learning' to anyone else. He taught him to ride and box and fight and swim and farm. No doubt he was an exacting father; but 'a man who beat his wife or child', he thought, 'laid hands on what was most sacred', and a good husband he thought 'worthy of more praise than a great senator' – his highest praise. As censor he carried one ordinance after another to check, by high taxation or sheer prohibition, the luxury encouraged by the flow of wealth into Rome. His influence was amazing; his counsel was sought on all things, for, says Livy, though he was so 'all-round', you would have thought him born to do the very thing

to which he was laying his hand. Not even old age broke his vigour of mind and body; towards the end of his course he showed the same ardour 'with which many approach the beginning, when their fame is yet to make': though he had achieved fame, he did not relinquish his labours.

This was the man who fought Hellenistic influence in Rome, and naturally lost – though a name which becomes a rallying cry for centuries has not altogether lost. It is easy to caricature Cato, for he lends himself to it; and there are many traits in his character which repel us. His treatment of his slaves was inhuman; he gloried in his asceticism; he seemed to deny pleasure to others and therein to gain his own twisted pleasure. He may be called narrow, uncompromising, insensitive, vain, sanctimonious; ostentatiously priggish, if it were not for his humour, self-righteous, if he were not fighting for an ideal. He may have cast himself for a part, and overacted, but his sincerity remains. It is also easy to misinterpret his opposition to the fashionable cult of things Greek; there is something to be said on his side. He knew Greek all his public life, for Greek was necessary to any statesman who had dealings with the East. He knew well the works of Greek orators and historians; he took a Greek translation of a Carthaginian work as his model in his book on agriculture. He tells his son to look at Greek literature, but not to lay it to heart, for they are 'a scoundrel and incorrigible race'. It is not intellect which Cato despises, but the contemporary use of intellect to undermine character. His ideal is the citizen of high moral principle, based on tradition, realising himself in the commonwealth and its business, and so creating a triumphant government pre-eminent for enlightened policy and massive integrity. The Greeks whom he came across were politically dead;

yet they came to Rome and talked and talked. When Carneades and Diogenes, philosophers both, were in Rome, they made a great stir by their lectures, 'it was like a great wind sounding round about the city': and Cato was afraid. For in his view Greek oratory had nothing to say, and many words with which to say it: his own definition of an orator was *vir bonus dicendi peritus*, a man of high character who can make a good speech. The sophists of Socrates' day had boasted their skill to make the worse appear the better cause, and the Greeks of the third and second centuries were their heirs. The self-assertion of individual personality, such as Scipio loved, was the reverse of Cato's ideal – action, in the midst of a community, inspired by a moral motive: personal influence and charm were dangerous, thought Cato, and went to the other extreme. The modern self-culture led to self-indulgence in the name of art and learning and fashion. The springs of action as discovered by 'the noblest Romans' were dried up at their source; for Cato all true knowledge issued in action, and action revealed the man. Introspective absorption in self and its culture meant the collapse of a common morality; and then would emerge the 'leader', casting his spell by cleverness of word and promise over a characterless people.

It is possible that the best statement of Cato's motives is given by a Greek who lived a hundred and fifty years before him, namely Aristotle. In that mine of political wisdom, the *Politics*, he says that the greatest contribution to the stability of a constitution is made by 'education' or training for the constitution, though 'nowadays everyone despises it' (and Aristotle had witnessed the decline of the city-state). Laws, he says, are of no use unless the members of a state are trained and educated in the constitution. But such training is training not

with a view to actions which will please the government, oligarchy or democracy, but with a view to actions on which oligarchy or democracy will be able to base their own particular constitutions. Young oligarchs should not be trained to luxury, nor democrats to the belief that freedom is doing what you please. 'A man should not think it slavery to live according to the constitution; he should think of it rather as his salvation.'

The Roman constitution was an oligarchy and it was based on law and custom: the sons of the oligarchy were multiplying their luxuries: the cult of the individual's tastes and caprices in indifference to all else was being interpreted as freedom: the laws and the unwritten codes were becoming of less use. Cato trained himself and wanted others to train themselves, and the best school was the Roman school.

When Scipio was publicly charged with malversation of public funds in his campaigns, he invited the people to go with him there and then to the temples to render thanks for his victories; for it was the anniversary of the battle of Zama. He was triumphant – on personal influence and popular sentimentalism. No wonder Cato was afraid.

Scipio was eventually found guilty, but none dared arrest him, and he died in semi-exile. Cato survived him; but, as he himself said, it is not easy to have to render an account of your life to an age other than the age in which you have lived.

Cato could not win; the Roman city-state was passing away. The wealth of the world, and Asiatic notions of the use of wealth, were entering Rome.

The ideal of Scipio Africanus and the ideal of Cato stood in open contrast. When Cato was an old man and Scipio already dead, an attempt at a reconciliation of the two ideals was made by Scipio Aemilianus, son of

by example. He was anxious to prevent further expansion of the Empire; he imposed discipline upon the army; he refused to court the Roman populace whom he frequently angered, and he boldly maintained that Tiberius Gracchus had been rightly slain. 'So perish all who do the like again' – another Homeric line. Scipio in his turn was murdered, says Cicero, by his political enemies, in 129 B.C.

Here, then, was an attempt to combine new ideas and old principles. It failed, as it was bound to fail, before the seductions of wealth and power. Noble families fell from their honourable traditions; the new populace of Rome and the great cities within the Empire exerted their growing strength to secure ends that were no less selfish than those of the governing class and probably not as enlightened. But the antithesis of the Roman spirit and the surrounding culture continued; there were to be many Catos and many Scipios of both types, though of less heroic stature, in Roman history. In spite of everything, the Roman spirit broke through all that threatened to submerge it.

(b) CICERO

The race of men shall perish from the earth before the glory of Cicero shall perish from their memories.

VELLEIUS PATERCULUS

CICERO stands near the end of the age of conflict and disruption. From his pages we can reconstruct much of the story of his time, as seen from the viewpoint of a member of the aristocracy. He was born in 106 B.C. and was put to death by Antony a year after the murder of Julius Caesar in 44 B.C. His extant works take up eighteen volumes in a small pocket edition published in 1823: three volumes of 'rhetorical' treatises (or literary criticism and 'education'), six volumes of speeches

written to be delivered in Senate or law-court, four of letters, four of philosophical works and one of fragments. In all these pages there is little that tells us of the manner of life led by the majority; in Latin literature, as in Greek, the outlook is that of the few. In Rome the government was in the hands of an oligarchy drawn from families ennobled by service to the state and counting among its numbers the most highly cultivated men of the day. In the writings of Cicero the strength and the weaknesses, the blind selfishness, the massive culture, and the corruption of public and private integrity stand out clearly. He was a 'new man', that is, he did not belong to one of the old families; he came from Arpinum, and like many before him he had migrated to Rome to stand for office as the preliminary to a public career. He was eminently successful, and after his famous consulship in 63 B.C. had held a short and inconspicuous term of office as proconsul in Cilicia. In senatorial circles — for, of course, he was a senator — he moved freely, for he was a leading advocate, politician and man of letters. Occasionally a slight trace of social uneasiness can be detected. He loved Rome and was miserable when away from it. To him and to his circle the only work which counted as work was in the service of the state (*negotium*); all else, no matter how urgent or exacting, was 'time off', even though it might include a man's main livelihood. For this class land was the only worthy occupation; trade and industry were not acceptable pursuits. It was not that these men were above money; money was their curse, and some of the largest fortunes of history were gathered into the hands of men like Lucullus and Crassus, and were often expended on luxuries wicked and futile; moreover, towards the end of the Republic senators evaded the rules forbidding them to have interests in trade and industry

and transacted business of all kinds through intermediaries. What they disliked was retail trade and the routine of manufacture. But they were on close terms with contractors and producers 'in a big way' and with financiers and bankers; and they readily sold their estates and country houses and bought others, and speculated in the land and 'house-property' markets.

These men of senatorial rank moved about Rome and Italy and the provinces as though they were a race apart. Their pride in Rome was intense; their appreciation of themselves could scarcely fall far behind. To them Rome was the capital of the world, and they knew it, as others did not. They had started their careers with military service, and they had held offices in Rome and had then gone out to govern provinces. Royal houses had received them, men of letters and distinction had conversed with them; councils and assemblies had decreed them honours and privileges, even offering to them the religious veneration accorded to their own kings and heroes. The tide of war had fallen back before them and before the majesty of Rome, and their power of organisation had brought order out of chaos. The might and the prestige of Rome were due to their forefathers who had flung an empire from west to east and north to south, and they were the guardians. That they were sometimes disloyal to the highest traditions and often enriched themselves unscrupulously was true enough. Their heads were turned not so much by power as by wealth. All the same, many did realise the weighty obligations of the *Imperium Romanum*, and they realised them with Roman *gravitas*. They were a race apart, for, even if they had not found the right method, they were in fact conscious of doing a work for which they were set apart. Had not three hundred and six men from the Fabian family perished in the service of the state in

477 B.C., and had not the fortunes of the family hung upon one young boy? Other families could show comparable records.

Below this 'order' was the order of the 'knights' (*equites*). In the early days of Rome, when the duty of military service carried with it the duty of providing arms and accoutrements appropriate to wealth, the citizens were classified according to property. Those with a particular assessment were required to bring a horse with them to war and to join a cavalry squadron – in fact, to become a knight. This title survived long after recruitment was on another basis, and it denoted eventually men who possessed a property qualification of 400,000 sesterces (about £12,000 today). By Cicero's time the 'knights' were a powerful class; they were free from the inhibitions about business which hampered the senator and free from some of his sense of honour; their interests were in state contracts, in the commercial expansion or development or exploitation of the provinces. Cicero's great friend Atticus, with whom he corresponded for many years (the letters are still extant), was a knight, and he was a cultivated man of literary and philosophical interests, rich and unostentatious, who had far more leisure time on his hands than Cicero or members of the Senate. Since about 130 B.C. equestrian influence in the state and in politics had grown enormously; knights were a recognised 'order' with certain privileges and duties and prestige. To the knights the traditional aspects of Roman power probably appealed little; they were interested in stability, and the first Emperor relied on the order very greatly when he built up his new 'imperial civil service'.

At Rome the rest of the total population of perhaps three-quarters of a million was made up of shop-keepers, artisans and 'small men' pursuing a great number of

occupations, together with many thousands who were always in a state of semi-idleness because there was nothing urgent. A great proportion was of foreign birth, for Rome attracted men and women from all countries; and freed slaves swelled the populace. These freedmen were a growing class whose influence was increasing. There were also the slaves. Rome harboured all nationalities, and more were yet to come within the next century; but already by the time of Cicero there were very many – Greeks and Syrians and Egyptians and Jews and Germans and Africans. Of course, not all these had the citizenship.

These were the classes – Senate, knights, people – whom it was Cicero's ambition to unite in order to promote some kind of social stability after a century of strife. He realised that in all quarters of the state there were men who were 'sound at heart'; he felt that, if they could be brought together, they could create a healthy public opinion which would be proof against irresponsible revolutionaries on the one side and the 'leadership' of one man which could develop into autocracy. He called his ideal the 'united front' of sound elements, the *concordia ordinum*. He realised, as some of his writings show, the need of some kind of leadership, but his difficulty was to find the right name and the right rôle and still more to imagine to himself the right man. His last philosophical work was the *De officiis*, written after the murder of Caesar – a work which for centuries was read by every educated man in Europe and now is scarcely read at all. It contains Cicero's last musings upon life and politics and human behaviour, and it is crammed full of a wisdom embodying a political experience such as no Greek had ever passed through; its influence on European thought has been profound. It probably cost its author his life, for it made

CHAPTER IV

(a) RESTORATION AND THE AUGUSTAN PRINCIPATE: VERGIL AND HORACE AND LIVY

In my sixth and seventh consulship, after I had put out the flames of civil war and by universal consent had become possessed of the control of affairs, I transferred the state from my own power to the will of the Senate and people of Rome. For this service I received by decree of the Senate the name of Augustus.

FROM AUGUSTUS' OWN ACCOUNT OF HIS PRINCIPATE

To explain in a few words the significance of the battle of Actium which gave Augustus final victory is difficult. Hellenistic civilisation, it will be remembered, was an amalgam of Greek and Oriental ideas fused together and spread over the East, especially by the work of Alexander the Great and his successors. For centuries this civilisation had attracted able Romans, and its influence on thought, religion, morals and the material equipment of society at all levels was great. It had a long past and it enshrined the massive achievements of centuries of experience. But alongside this vast tradition, unnoticed for centuries but at last compelling notice, a new and tentative approach to the problem of human life — the organisation of society, conduct collective and individual, ideals of character and behaviour, statecraft and government, ethics and religion — had painfully been worked out till it had gained confidence in itself and had proved its worth in competition with other views upon the same problems. This was the Roman experience, expressed in institutions and standards and ideals. True, the last century had seen the betrayal of all these. But not a final or a whole-hearted betrayal — rather an eclipse due to defect of machinery

for the expression of the true instincts of the solid mass of people. The tributary of Roman experience, feeding the river of Mediterranean culture, was thin in volume compared with the Hellenistic river in its deep-cut bed. But was it of no value? And was it to be lost?

Cleopatra, unlike the modern popular version of her, was of Macedonian and Greek descent, powerful of intellect, a linguist herself able to conduct affairs with foreigners, a student of literature and philosophy, hard-headed in administration, masterful of will and ruthless in carrying it out, not obsessed by the passion of love, which she used as a means, but dominated by the passion for power with which she hoped to achieve her ideal. Alone of the successors of Alexander she dreamt his dream of the fusion of East and West and of the unity of mankind. Her audacious plan was to use a Roman army to subjugate Rome and then, as Empress, divine and supreme, to rule the world; the measure of her influence and her ability can be gauged by estimating the skill and the propaganda needed to persuade to her cause generals of ancient tradition and legionaries of Western origin. The party of Octavianus, to enflame the hatred of the West, might paint her as an Egyptian tyrant, divine embodiment of the animal gods of the Nile, and sunk in every Oriental depravity; but its leaders knew the truth, and did not underrate her. Romans might sometimes hate their enemies; but a special hatred inspires them when they speak of Hannibal and of Cleopatra, a hatred not untinged by fear; and it is fear of something alien, something not Western.

Octavianus, now Caesar Augustus, strove by every measure, direct and indirect, to ensure that the Roman tradition should triumph. He dammed up the flood of Hellenistic influence, and opened every gate which

would admit the Roman genius and its accumulated experience. He rebuilt the temples, he restored standards in morals and conduct, he set a new fashion of work and devotion to duty. He left his mark on every branch of administration; his praise encouraged poets and historians to spread abroad the old Roman ideals and pride in them, his good sense attached to him the middle classes of Italy, still sound at heart, and recruited from them honest administrators and provincial governors. His efforts in large measure succeeded because men wished them to succeed. Eventually they contributed to bring about the unity of mankind – as far as it then could be – from the West by means of Western ideas of human personality and ordered freedom; and those ideas were not conspicuous in the past history of the East.

Augustus moved tentatively towards the constitutional establishment of his power, learning from the fate of Julius Caesar the danger of asserting it too precipitately. Finally, he based it on a combination of the proconsular *imperium*, the 'tribunician power' without the office, and certain privileges which were accorded to him by vote of the people. The proconsular *imperium* gave him command of all the armies, which were now stationed in the provinces on the frontiers; these provinces were governed by nominees of his own; the rest he left to the Senate to administer. The 'tribunician power' gave his person 'sacrosanctity' and his position the appearance of being representative of the people, besides the right of proposing legislation. The special privileges gave him, among other rights, the power of 'commending' candidates at elections. He was chief of the *pontifices*, the college of priests, and held many positions of religious significance. He called himself *Princeps* or 'first citizen', and *Pater Patriae*,

'father of his country'. The consulship he left intact. Routine administration, now thoroughly overhauled and made more efficient by the organisation of one 'department' after another, he divided between the Senate and his own civil service, which he built up largely from the middle-class Italians. Thus, he rebuilt the state, using the materials of the Republic, and claimed, with ample justice in theory, that he had 'restored the Republic', while he excelled others only in 'authority' (*uctoritas*), a word with a long and honoured Republican tradition. From the division of function between Princeps and Senate (for it was this rather than a division of power) the new government has since been defined as a 'diarchy' rather than a monarchy; whether it remained so depended, as was to be seen, on the character of the Princeps. But, whatever that character might be, in theory the constitution remained established throughout the period of the Empire on the general lines laid down by Augustus. The Princeps was sincere in his wish that all the elements which he enlisted in the service of the state should function well, and, if well, independently of interference by the Princeps.

Such reconstruction succeeded in its immediate and ultimate results because it was accompanied by a restoration of public confidence. The very thing upon which Cicero so longed in vain to base the Republic was established by the end of Augustus' long Principate. It was established partly because it was already there, though not in the quarters in which Cicero looked for it, partly because of the creative efforts of a Princeps with a superb eye for opportunity and with an insight into the underlying sentiments of the age. This basis was a strong public opinion confident of itself; and Augustus was persuaded that in the Italian people there resided

Vergil, tried to achieve similar results through the special medium of the statesman, legislation.

Unfortunately, the greatness of Horace and Vergil as the interpreters of the spirit of the time, which was partly old and partly new, is apparent only after deep study of them. But, if anyone wishes to understand their prophetic message, let him study the *Carmen Saeculare* of Horace or the Sixth Book of the *Aeneid*, or the fourth *Elogue* or the sculpture of the Altar of Peace, erected in 9 B.C., in the company of a guide who can explain their full religious significance. Here all that can be said is that the great 'Secular Hymn' of Horace was composed to be sung by a choir of boys and girls moving in procession to the temple of Jupiter on the Palatine Hill. It summed up in symbolic form, which trailed manifold associations, the meaning of the 'secular festival'. This festival, decreed by Augustus in 17 B.C. after an interval of 129 years, opened the new age in the spirit of creative hope, not, as formerly, in the spirit of sadness and contrition in which the previous cycle was buried; the new age opened with vows of new devotion to the service of the gods and with prayers for blessings upon men. Girls and boys – that is, those who were to build the new edifice – sang this hymn of the rededication of a people. For, if the Roman character has been successfully sketched in the foregoing pages, it will readily be understood that, when the Roman felt sincerely about things of morality or sentiment or value, he expressed them in the language of religion. Opinion may differ now whether he was right or wrong; but there is no logic in arguing that, because his notion of religion was not ours, therefore his sincerity is to be doubted.

Here is a passage from the hymn, though it is almost sacrilege to detach it from its context:

'As surely as Rome, O ye gods, is your handiwork, as surely as from Troy came those armed warriors who settled on the Tuscan shore – a mere remnant bidden to win a new home and a new city, their journey finished under your guidance, a remnant which pure-hearted Aeneas, saved unhurt from blazing Troy to survive his country, led as by a free highway to a destiny greater than all that they left behind – so, O gods, to our youth swift to learn grant ways of righteousness, grant to old age calm and rest, to the race of Romulus wealth and increase of its sons, O grant all that is glorious ... Already Good Faith and Peace and Honour and the Modesty of olden days and Virtue so long slighted muster courage to return, and Plenty with all the riches of its full horn is here for all to see. Phoebus with his trappings of silver bow, who foresees the future, who is welcome friend of the nine Muses of Rome, who with health-giving skill gives new strength to tired limbs – Phoebus assuredly beholds with just and kindly eyes these towered hills of Rome and prolongs Rome's greatness and the prosperity of Latium into yet another cycle and into ages that ever shall grow better.'

The *Aeneid* of Vergil was a national and religious epic. It was epic, for it narrated in verse the doings of Aeneas and his band of followers in their pilgrimage from Troy to the Western world in the high enterprise imposed upon them by a divine will which had its own plans for the destiny of the world. It was national, for it asserted the independence of the Roman spirit from the spirit of Greece and maintained the individual character of Roman achievement. It was religious, for it expressed in religious phrase the philosophy of the Roman mind, fusing the ideal characters of Regulus and Cato and the rest with the philosophical outlook of Cicero,

and producing a Roman humanism. The most significant movement of history, therefore, according to Vergil, is the march of the Roman along the road of his destiny to a high civilisation; for in that destiny is to be found the valid and permanent interpretation of all movement and all development. As the Roman alone of all nations had succeeded under divine guidance, so in the future success for him alone was assured if he rose to his high calling. The stately movement of the *Aeneid* progresses throughout its length to this theme, the universal and the ultimate triumph of the Roman spirit as the highest manifestation of man's powers.

The *Aeneid* of Vergil views the destiny of Rome, and that is the destiny of the world, from a transcendental level. It was the work of another artist, Livy, to view it from the standpoint of the man of his day who was interested and intelligent enough to read the history of Rome. Livy traced Rome's history, from the foundation of the city almost to the time of his death, in one hundred and forty-two books, of which only thirty-five survive. It will not create any surprise if the reader is told that it starts with Aeneas. It is a magnificently conceived prose epic, with the portraits of the great men of Rome firmly drawn and the issues of the periods clearly set out. It is the work of an artist and not of an historian. Livy knows clearly what his object was in writing history; he held that 'this is the most wholesome and faithful effect of the study of history; you have in front of you real examples of every kind of behaviour, real examples embodied in most conspicuous form; from these you can take, both for yourself and for the state, ideals at which to aim, you can learn also what to avoid because it is infamous either in its conception or in its issue'. In other words, we are to behold in the pages of his narrative the Romans of

old, idealised or at any rate strongly drawn, and we are to see in them types of morality, and we are to base our future conduct upon their examples. Whereas in Vergil's *Aeneid* Aeneas had been taken by the Sibyl into Hades to see the great Romans yet to be born, Livy asks us to look back along the Roman portrait galleries and to be proud and to imitate or to be warned. The conflicts and issues and struggles in the story of Rome are, of course, apparent to him; but they are described in terms of individuals; there are not 'movements' or 'tendencies' or 'forces' at work unattached to men. History is the record of the 'doings of men' (*res gestae*), and the course of history, to Livy, has been determined by Roman men in obedience to Roman gods; to Vergil history is the working out of the destiny of the Roman people seen in the light of eternity. To Horace there was one duty, to proclaim with the inspiration of a prophet that, if Rome did not change her heart and in godliness worship the gods, she would have no history at all; he summoned her to rededication. But all these artists express their message, as artists must, in terms of the individual and the special case. That is why Aeneas and the whole company of heroes are worked so hard; they embody ideals; and the Roman mind, and, therefore, the Latin language, prefers not to deal with abstracts, but to see things — movements and tendencies and ideals — as expressed in persons who have lived. Therefore history and moral philosophy, with examples taken from real men, are the branches of thought and literature which most interest the Roman.

The 'Augustan Age' was heralded by an outburst of really sincere feeling, which found sincere expression in the work of three artists, Vergil, Horace, Livy, and of those sculptors who carved the 'religious' sculpture of

West, and often were adapted and absorbed by native religions, preserving titles and elements of ritual grafted on to one another in curious variety. In course of time distinction of race was largely forgotten, and men of provincial nationality rose to eminence in literature, and letters, and soldiering, and government. Livy came from Padua, Seneca, and his brother Gallio, and Lucan, from Cordova, Columella from Cadiz, Martial and Quintilian from Spain, Fronto and Apuleius from Africa; in the third century, as we shall see, the Emperors themselves came from anywhere but Italy.

One powerful cause of the mingling of nations is to be found in slavery. During these centuries slavery was profoundly altered. As wars of expansion ceased, captives were scarcer, and barbarians made bad slaves; the economic fallacy of slavery in agriculture and industry became clearer and standards of humanity were raised. From the lowest motives of freedom it was discovered that, the nearer the lot of a slave approached to that of a free man, the more useful he was. The Romans disliked retail trade and the routine of business, and slaves performed these tasks for them; the slaves themselves were often more skilled than their masters. Slaves had always been allowed to have property of their own, and in the early Empire this property was often considerable. The elaborate law dealing with slaves' property shows how they could conduct business with free men, and it is clear that slaves owned land, property, ships, interests in business concerns, even slaves of their own, and that their rights were protected by law. When Augustus started his own civil service, he staffed it with slaves and freedmen; their status improved and the work of the townships was carried on by men who were strictly owned by the state or the municipality. The position of the slave was often enviable; he had opportunities without re-

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, symbolise cities.

The legends on coins to which reference has just been made perhaps call for a paragraph on one aspect of ancient coinage. It was far more interesting than our own, for the types were frequently changed, and the legends and the pictures were chosen to suit the times. Thus the Emperor could impress upon the public the significance of a recent event, or he could prepare opinion for a project, or he could stiffen morale by focusing attention on ideals. In fact, the coinage not only repairs some gaps in the historical evidence and corroborates the rest, but also provides a commentary and an interpretation, not less welcome or important for being official. When Antoninus Pius was preparing his subjects for the nine-hundredth anniversary of the foundation of Rome, he issued medallions showing the landing of Aeneas upon the shores of Italy. The victory over the Parthians and the recovery of the 'lost standards' is duly recorded upon gold coins issued by Augustus. The fall of Jerusalem in A.D. 70, the bridging of the Danube in Trajan's Dacian wars, Hadrian's tour of the provinces, the adoption of a successor by a reigning Emperor and so his recommendation to the world at large, specific acts of imperial generosity or state-craft, as for example the *alimenta* – this is the kind of event recorded. Prosperity is acclaimed or invited; if there had been civil war, 'Concordia' as a legend would record its end, or even a hope that it might end. 'Eter-

economic changes of the early empire, what had happened to the old Roman virtues, the sense of duty to state and to family and to friends and of loyalty to moral standards? In spite of the extravagances of fashion and licence which surrounded them, the virtues persisted, less rugged perhaps, more humane but none the less real and pervasive. They flourished chiefly in the country in the cultivated society of men like Pliny, in the farmstead from which sprang men such as the Emperor Vespasian, an Emperor great through his plain and honest common sense, in the villages and country towns of the provinces now affected by Roman ways of life. When Vespasian took a holiday, he went back to the Sabine farmhouse of his forefathers, which was kept unaltered. The letters of Pliny reveal a society whose members were untouched by the excesses of the capital, though many of them were men whose work and interests brought them into closest touch with its life. The men are interested in their work, their house and land, their literary pursuits, and, perhaps above all, their friends; the women embody the virtues of the wife and mother and are interested in literature, in their husbands' pursuits and in their family; the children are brought up in the healthy occupations of the countryside, and are trained in an unoppressive obedience and a natural respect. The foundation of this calm and healthy routine of life seems to be the life of the home and the mutual regard and affection of friends. Whereas we find in the letters of Cicero a vivid commentary on contemporary political life, in Pliny's letters we have a picture of that placid social life which was typical of the 'Antonine Age' which immediately followed the age of Pliny – and a picture drawn by one who found in the small things of daily occupation an absorbing interest and pleasure. Pliny himself had a public career; he

quiet, O Father, be your rest! May you call us, your household, from feeble regrets and unmanly mourning to contemplate your virtues, in presence of which sorrow and lamentation become a sin. May we honour you in better ways — by our admiration, by our undying praise, even, if our powers permit, by following your example. That is the true honour, the true affection of souls knit close to yours. To your daughter and widow I would suggest that they revere the memory of a father and a husband by continually pondering his deeds and sayings, and by cherishing his spiritual, above his physical, presence. Not that I would place an absolute ban on likenesses of marble or of bronze. But the image of the human face, like that face itself, is feeble and perishable, whereas the essence of the soul is eternal, never to be caught and expressed by the material and skill of a stranger, but only by you in your own living. All in Agricola that won our love and admiration abides and shall abide in the hearts of men, through endless ages, in the chronicles of fame. Many of the great men of old will be drowned in oblivion, their name and fame forgotten. Agricola's story has been told to posterity and by that he will live.'

ancient times has been thy glory; I dare to unseal those sacred springs, and through Roman towns I sing the song which Hesiod sang to the Greeks.' The Roman regarded the organic life of the town as the chief instrument of civilisation; but he did not forget the country—its pleasures, its challenge to work and management, its essential rôle as the mother of a nation's sons.

In the multiplication of towns throughout the Empire Rome was singularly direct and practical in her methods. In most of her provinces town-life already existed: it was further encouraged and the towns were often replanned and rebuilt. In Britain there were no towns before the Romans came; the only collections of dwellings were placed upon high ground and they were made for defensive purposes against neighbouring tribes. For a century or two town life in the valleys was deliberately created as a means of spreading a Roman manner of life. But the Briton did not take to it; the towns decayed; they were deserted because the people preferred to make their livelihood in the woods and open lands rather than to act as middlemen or as artisans for the surrounding country. Roman civilisation, of a very diluted character, betook itself to large self-supporting 'villas' or country houses. The policy of creating towns failed in Britain as it did not fail on the Continent.

Whenever the Romans founded a town, it was planned upon very definite lines. By means of a simple piece of apparatus by which the surveyor determined a right angle, two wide streets were drawn intersecting at ninety degrees. From this cross-roads as a starting-point rectangular plots of land were marked; at regular intervals streets of specified width were laid out. We hear of the 'building line', and of rules about the height of buildings and of regulations excluding heavy traffic

Again, economic conditions did not demand new techniques and inventions. Though slave labour was less abundant in the second century of the Empire than earlier, there was no dearth of labour, and there was little incentive to think out methods which would economise time or toil. Moreover, the economic tendencies of the Empire were all against the development of new processes. Though manufactured articles were exported from one province to another, or from Italy to the provinces, they were not exported on any scale comparable with present practice; and, as the provinces built up their own industries, they tended to satisfy their own needs and to look no further afield for markets. In the third century there was a movement of population away from the towns, for reasons which we shall see in a later chapter; and, as country estates grew larger and were increasingly managed under an almost feudal system, old methods of manufacture became stereotyped and were sufficient to supply the needs of a limited area. Districts lived on their own economy, and were independent of the resources or manufactures of neighbouring districts. When self-sufficiency of this kind prevails, no stimulus is offered to the invention of new techniques.

Finally, it must be remembered that the Roman always disliked the routine and the actual manual labour of industry. The point of view of the well-to-do Roman is put clearly in a letter of Seneca, and it should be observed that in essence it is little different from the attitude of Plato. Seneca derives from Poseidonius, the last of the Greek philosophers in the direct line of Plato and Aristotle, a classification of arts into (i) the common and debasing, (ii) those which amuse the senses of sight and hearing by illusionist tricks, (iii) those suitable to the early education of children, (iv) the liberal,

or, as they should be called, the arts consistent with freedom (*liberae*). The first are 'manual arts', engaged solely in supplying the needs of life; the second are dexterous enough, but concerned only with a rather cheap amusement; the third are the skills acquired in education; they are akin to liberal arts, for they are introductory to them. It is only the liberal arts which put a man in the way of virtue, though they cannot make him virtuous: 'Only those arts are liberal which are concerned with virtue', that is, with human character and the human spirit manifesting itself in moral behaviour. And in the last resort it is philosophy alone which deals with good and evil. Two or three generations earlier Cicero had said much the same kind of thing in a long discussion given in the first book of his treatise *On Duties*. He thinks there can be nothing in a workshop worthy of a free man; the occupations 'which the public detests', as for example those of customs officers and money-lenders, are 'sordid'; retail trade, since it buys to sell immediately, is not honourable; to undertake imports on a large scale and so to satisfy the needs of a large area is more respectable. Arts which pander to pleasure are despicable; medicine, architecture and the like are higher in the scale since they involve long views and their utility is obvious. There is something sordid about all gain: only for agriculture is high praise reserved, 'nothing better, nothing more attractive, nothing more suitable for a free man'. The highest occupation is, of course, public service, undertaken with the equipment of the virtues of integrity and devotion, of kindness and loyalty to the good of all fellow-citizens. In spite of these views, men like Cicero and Seneca were in fact concerned with commercial undertakings, but only, as it were, at long range and on a large scale. And in the course of the Empire these old-fashioned

prejudices were much modified: men tended to agree with Vespasian's dictum, that money does not smell. But it was too late and too difficult to change a tradition; besides, the other influences which we have indicated above were all against the development of new techniques, and such influences as these are often beyond the diagnosis, or even the understanding, of the men of the day, who certainly are powerless to counteract them.

shortly described. When the official curators of the state religion admitted into public recognition a non-Roman cult by granting it a place among public festivals or a site for a temple, they saw to it that the cult was transformed in a way suitable to Roman tradition. The legend or story often underwent changes, the ritual and terminology were modified, and the cult bore a strong Roman imprint. When this was not possible, at least the objectionable elements were purged out of it.

In the last century of the Republic the state religion lost some of its hold upon Roman sentiment. The increase of wealth and power had led to a materialism which in its first flush could do without the gods; the expansion of the Empire and the flow of foreigners to Rome in the processes of trade and commerce, and of other activities in which Rome was now plunged, had brought foreign cults to Italy. These were readily embraced; for they offered an emotional element lacking in Roman religion and they exalted the importance of the individual, offering excitement and personal experiences and often a destiny in a world to come. Moreover, the contrast between the 'people' and the older and governing elements of the population of Rome was now very marked; the people were enlarged by foreigners who were of a temperament different from the Roman and politically were opposed to the senatorial party. From natural inclination and for political and social reasons they were indifferent or hostile to the religion and standards of the older Roman tradition, and found greater excitement in newer forms of cult. Pressure was too great, and of necessity the state tolerated all religions as practised by individuals provided that they were not immoral, or politically dangerous in the sense that they preached political doctrine under the form of religion. By degrees several Eastern cults received official recog-

torial circles, to whom he had restored the custodianship of Roman religion, take their duties.

The tests applied to foreign cults, therefore, were three : (i) Would they upset the dominant position of the Roman cults? (ii) Were they politically unsafe? (iii) Were they morally undesirable? If these tests were satisfied, toleration was complete.

From the time of Augustus a new form of Roman cult makes its appearance – the worship of the Emperor. The phrase ‘the worship of the Roman Emperor’ is here deliberately used, because it is commonly used; whether it is the best phrase is open to doubt, as the following brief account may perhaps suggest. At the risk of over-simplification we may approach it from three angles: first, from the viewpoint of the Eastern provinces; secondly, from Rome; thirdly, from the Western provinces.

In the Eastern Mediterranean the cult of the Emperor was a spontaneous growth. The line between God and man was indistinctly drawn. The theory that the gods and heroes of old were men who had served well their country or mankind was commonly accepted; philosophy had spoken of the divine spark or element in man. Homage had been paid in Oriental fashion to the successors of Alexander in forms and language borrowed from religion. A ruler who had conferred benefits upon his subjects was saluted by titles such as ‘Benefactor’ (*Euergetes*) and ‘Saviour’ (*Soter*). The question of kingship and its responsibilities received much attention in more than one school of Greek philosophy, and an extensive literature – some of which survives – discussed the qualities of the ideal king; the justification for his office was found in such qualities as love of humanity, justice, kindness and service to his subjects. For the divinity of rulers resided in the degree to which they

Democritus. The universe is the result of chance agglomerations of atoms, which vary in size and shape and fall through space. As they fall, they are liable to swerve – why is not clear – and to collide and to form combinations, and so the world has variety, and law is not rigid, and man is subject to predetermining causes over which he has no control. All things are made of matter, even the soul, though matter varies in degree of ‘thinness’; matter can come apart into atoms, which alone are indestructible; therefore all may perish except atoms and the bodies of the gods which reside in the empty spaces between the universes and so can collide with nothing and so are immortal. If everything is material, ideas and impressions of the senses – sight, for example – are material; they arise because things throw off husks of atoms, as it were, which strike the sense organs of the mind itself. Thus, the gods really exist, for we have an idea of them; they are happy and care nothing for the happiness of man, whom they did not even create. Man may revere the gods and expose himself to their emanations and so perhaps gain something of their qualities; contemplation, therefore, may confer some benefits. But the gods do not willingly or consciously influence men. Man’s goal is happiness – not over-indulgence in pleasure, for this may bring pain; calm of body and of mind is the aim. Above all, get rid of fears, fear of death and the displeasure of the gods; death is unconsciousness; the displeasure of the gods is a myth.

And so the poem expounds the implication of this doctrine for human knowledge and human life, and ranges far and wide. Here are the topics of the fifth book: the nature of the world and mortality; the formation of the world; the motions of the heavenly bodies; vegetation and animals and their origin; the extinction

sure and convincing. In such passages as these the Latin hexameter verse rose to new heights and was not surpassed.

The poem stands remote and unique. Epicureanism had no great following in Rome; Vergil and Horace played with it and gave it up. Lucretius had no sectaries to whom to preach, no predecessors to show him the way, no posterity of readers to admire him as a philosopher; he was merely a poet whose genius bent to its will a most intractable theme. With all his passionate materialism Lucretius protests not so much against religion as against the forms of religion which were gaining influence in Rome. He has been accused of exaggerating the religious crudity against which he inveighs — reliance on dreams, and magical rites, and sacrifices, and charms, and rank superstition. Did Lucretius exaggerate their place in Roman religion? Certainly, if he had thought only of Roman religion; but he thought also, and probably first, of those Eastern practices which in his time were securing a firmer hold upon Roman sentiment. It was not the gods, nor indeed an outlook upon life which admitted its marvels and mystery, against which Lucretius protested: what drove him almost to madness was man's self-inflicted and degrading enslavement to crude and terrifying superstitions which a few moments of clear reasoning would dissipate into nothingness. 'The life of fools in the end becomes a hell upon earth.' With the breathless fervour of a religious convert he attacked in the name of reason the irreligion of religion.

If Epicureanism had not a great following at Rome, the reverse is true of Stoicism, for the Romans were natural Stoics long before they heard of Stoicism. The founder of Stoicism was Zeno (350–260 b.c.) of Citium, who lived and taught at Athens. Stoicism looked back

than that of Plato or Aristotle. At the present moment he is derided as a mere middle-man of no great intelligence. In modest depreciation of his philosophical works he once wrote in a letter to Atticus, 'they are copies and therefore cost less trouble; I supply only the words, and I don't lack those!', and he is now taken at his word. In one sense he was right, but in supplying the words he rendered an incalculable service to European thought and letters. He moulded the Latin language into such form that it became supple enough and clear enough to put within the reach of any intelligent man not only the philosophical ideas with which his age was familiar, but also those ideas which were yet to be created by Christian thought and controversy and by European science and learning in every field. Moreover, even if Cicero's works are derivative, they select what they derive and present it in such form that there is probably no better introduction to moral philosophy — not excepting Plato himself. Of originality there is none — except in style, language and presentation; but century after century learned its philosophical grammar from these works and they are still invaluable. Here are some of the titles: *On the State*, an imaginary discussion between Scipio Aemilianus and his friends, and surviving only in mutilated form; *On the Laws*, a discussion between Cicero, Atticus and Quintus Cicero; *On the Ends of Good and Evil*, another discussion in which Epicurean, Stoic and Academic views are stated and criticised; *The Tusculan Disputations*; *On the Nature of the Gods*; *On Old Age* (Scipio and Laelius visit Cato and listen to his wisdom); *On Friendship*; *On Duties*. These are some of the titles of what are commonly called his philosophical works — many of them are essays and musings and rambles enlivened by anecdote rather than set and methodical treatises. Throughout these writings Stoicism finds ex-

plicit and incidental treatment; thus in the *Academica* a general view of Zeno's teaching is given, in *In the Nature of the Gods* (Book ii) Stoic physics is treated, in *On the Ends* (Book iii) Stoic ethics.

Before speaking of the teachings of Stoicism, we may glance briefly at three of its later exponents. Of Seneca's public career, of his life at the court of Nero, of his wealth, and his death as an alleged conspirator against the life of Nero, we must say nothing; nor can we review the estimates of him made by modern critics, some of whom loathe him as the supreme embodiment of a nauseating hypocrisy, while others regard him as a saint — 'this pagan monk, this idealist, who would have been at home with St Jerome or Thomas à Kempis', who felt an 'evangelistic passion, almost approaching St Paul's, to open to these sick perishing souls the vision of a higher life through the practical discipline of philosophy'. The best thing to do is to take his works as they stand and judge them on their merits. There are several treatises with such titles as *On Providence*, dealing with the age-long question why the good suffer; they do not suffer, says Seneca, in the ways that really matter; *On Anger*; *On the Life of Happiness*; *On Tranquillity of Mind*; *On Mercy*, addressed to Nero and the source of some of Shakespeare's ideas in Portia's great speech; *On Kindness*. Besides this he wrote (a) the *Natural Questions*, which, if of no value scientifically, has some excellent descriptions of natural phenomena, (b) tragedies, of great influence in European tragedy, and (c) letters to Lucilius. The letters, which are a hundred and twenty-four in number, are musings or meditations or essays upon 'serious subjects' rather than letters; sometimes they start with an anecdote or some real happening to Seneca or Lucilius, and it is not long before the sermon follows.

upon which, in the mind of the thinker, the bases of all behaviour should logically rest. Now the tendency of the East had been to base morality, not upon a philosophical justification, but upon the authority of the prophet or seer whose intuition or moral sensitiveness seemed to carry its own credential. Thus Stoicism, and particularly Roman Stoicism, paid little attention to a basic philosophy and built up a large body of precept. Though reference was made to one or two fundamental postulates, what really carried authority was the example or the teaching of the Stoic 'wise man' or sage (*sapiens*), the man who possessed the Stoic insight into the canons of moral behaviour. 'What will the "sage" do in such and such circumstances?' is the Stoic criterion, whereas the earlier Greek question was 'How am I to discover by an intellectual process what is right and therefore what is right in this particular case?'

It would be unprofitable to set out the slender teachings on physics and logic and psychology with which the Stoic made play, or to expose their inconsistencies. It must be enough to say that to them the important thing for man was that 'he should live according to Nature', and Nature was that Force or Providence or Reason or Fate which ordains that things shall be as they are. Sometimes it was spoken of as God, sometimes God was equated with Nature and Stoicism became Pantheism. Man's hope of happiness lies in subordination to this all-pervading and life-sustaining Power. (The reader who remembers what was said about 'subordination' in the first chapter will see why Stoicism particularly appealed to the Romans; and, if he also remembers their tendency to canonise their national heroes, and particularly Cato, he will not be surprised at the authority of the 'sage'.) The gods of popular mythology are held to be the popular version of this

influence of Stoicism contributed much. The xlviith letter of Seneca deals with the attitude which a Stoic master should adopt towards his slaves.

In the Greco-Roman civilisation of the Empire there were many other philosophies which a man might adopt – the Cynic, the neo-Platonist, besides adaptations of Platonism and Scepticism and amalgamations of many others. Their study is of great value; Plotinus, the greatest of the neo-Platonists, is of absorbing interest both in himself and in his influence. But they are outside our scope; for we are considering the Romans, and the specifically Roman philosophy was Stoicism.

The fourth century will present a picture very strange to one familiar only with the first and second centuries; for the Empire had passed through the anarchy and the confused ambitions of the third century and was transformed; indeed, only by the most desperate efforts of Diocletian and Constantine was it held together at all. In the light of the changes it is possible to see something of the weaknesses of the golden Antonine Age.

If so complex a period as the third century, so deficient too in good historical witness, admits of any simple clues, perhaps they may be found, first, in the movement of power and wealth and vigour away from Rome and Italy to the provinces, secondly, in the ever-growing pressure upon the frontier provinces exerted by 'barbarian' tribes. To some extent, but not wholly, these aspects of the question are related. Clearly, threat to the frontiers thrusts into prominence the importance of the frontier provinces. But apart from this the provinces had grown in wealth and power and significance. During the early centuries Rome and Italy had been the centre from which radiated Roman civilisation; as that civilisation was appropriated by the provinces, they became more self-reliant from many points of view – economic, military, intellectual and even political. The new importance of the provinces at the expense of Rome and Italy was the measure of Rome's success; but her success was fraught with disaster for herself.

The factors which contributed to the turmoil and confusion of the third century were complex, and no attempt to show them at work can be made here; nor indeed is it easy to give one priority or precedence over another; they acted and reacted upon one another. In general terms they were as follows.

In the early days of the Republic the army had been recruited from Rome; then Italy was drawn upon, then

understood what they had inherited. Roman-ness (*Romanitas*) was sadly diluted.

For at all costs the army must be increased, till by the end of the fourth century it was double the size of the army of Augustus. New systems of defence, which relied no longer on the fighting line of the frontier, but upon successive points of consolidation arranged in depth, new arms, new specialist corps were demanded. For the pressure from beyond the Empire was constant and severe, and it operated at many points at once. The garrison of the province was no longer adequate; its value presupposed spasmodic and isolated attack, whereas, as pressure was intensified, a mobile striking force was required to be sent at speed to the point most threatened. The earlier policy of buying off barbarian hordes by regular subsidies, at first successful, failed as the Empire grew obviously weaker; the settling of marauding tribes inside the frontier, tried by Marcus Aurelius, for example, only made the defences less assured. And so one race was succeeded by others in growing numbers; the Carpi raided Dacia and were followed by Goths, till Dacia was surrendered and a Roman province became their home. The Goths over a long series of years drove into East Germany, Transylvania, Illyricum, and raided by sea the whole of Asia Minor, and penetrated as far into Greece as Athens and Sparta. The Juthungi reached North Italy; the Alemanni, who first appear about A.D. 210, thrust into Gaul and Italy, and for a moment appeared before Rome. Meantime, the Persian power had revived and was often victorious over the Roman armies sent to resist its depredations. The Imperial Government was struggling for survival and it could not meet the manifold threats. It is not to be wondered, therefore, that separate parts of the Empire took independent steps to save

themselves, setting up states and armies of their own and defying the central government. Such were the so-called Gallic Empire, and the state of Palmyra under Queen Zenobia, who even conquered Egypt and for a short time held the chief granary of Rome in her power. Meantime, the invading hordes plundered and burnt and slew; they carried off a vast treasure of gold and precious objects, and the Empire sank into poverty. And, as happens, they often assimilated the civilisation of their victims, and during these troubled years Germans and Romans drew nearer to one another in habits and culture and outlook, and the beginnings of the German-Roman states took shape.

The centre of gravity was moving east. Where the Emperor was, there was Rome, and he was most often east of the Adriatic sea. The Balkan Peninsula was the last to be romanised, and was most vitally conscious of its Roman-ness, whatever its interpretation might be. It furnished the most vigorous troops, and the troops created their generals, and from its generals came Emperors. The East with its inherited wealth and longer tradition of civilisation inevitably exercised its influence; imperial autocracy drew upon the age-long experience of Eastern monarchy; and in face of the menace of invasion Rome was no longer strategically suitable as a headquarters of a government, now military above all else. Italy was fast becoming a province rather than a land privileged as the cradle of Rome.

The economic effects of civil war, anarchy, disintegration, devastation of land and city by invading hordes were incalculable. Already in the Antonine Age there were ominous symptoms. The once flourishing cities of the provinces found it harder to meet their expenses; imperial taxes increased; the local councillors found office increasingly a burden, for larger calls were made

on their pockets. The value of money declined; industry satisfied local needs and found no incentive to distribute more widely; production failed to see the kind of goods that were needed, and remained stagnant. With war and invasion capital was destroyed, taxes were ground out of town and countryside to pay for the war; when money was not forthcoming, goods were seized, particularly those which would supply the needs of the armies. Lands went out of cultivation for lack of labour; the hardest and least pleasant forms of work were avoided; yet the army must have supplies. Ships were impressed to carry those supplies; the civilian population was a secondary matter; the standard of living declined as imports were confined to military necessities and inflation brought its attendant evils. Yet still, though the Empire starved, the armies must be fed and armed and clothed and transported.

It is difficult in a few words to paint the picture in dark enough colours. The Empire was within an ace of falling apart and settling down in utter collapse in poverty and famine and ruin. 'Shall I marry? Am I to be sold up? Shall I have to be a member of the local Council? Shall I get my salary? Shall I quit?' These are questions put by bewildered folk to an oracle in Egypt, and preserved to us on papyri. Trivial, but eloquent of the ordinary man's state of mind. A petition to the Emperor sent from Asia Minor reads: 'We are most atrociously oppressed and squeezed by those whose duty it is to protect the people ... Officers, soldiers, city magistrates and imperial agents come to our village and take us away from our work and requisition our oxen; they exact what is not due and we suffer outrageous injustice and extortion.'

Yet the Empire as a single whole was saved as by a miracle. It was saved by the exertions of two men; but

it was saved at the most appalling price, so appalling that historians have sometimes asked whether it had not better perished. These two men were Diocletian and Constantine. Diocletian, Emperor A.D. 284–305, of Illyrian birth, was the son of a freedman; he served in the army and was elevated to the throne by the officers. Constantine, Emperor A.D. 306–337, was also an Illyrian, the natural son of Constantius and Helena; he too was nominated Emperor by the soldiers, and had to fight for the throne. Both men were able organisers.

The measures of Diocletian, completed by Constantine, contained little that was really new, and no attempt will be made here to show the process of development. They regularised and systematised the precedents and practices of the years of stress, when the Empire was in a state of siege; they converted emergency measures dictated by the urgent needs of the crisis into the permanent structure of government. Nothing is easier for a state to do on the plea of increased protection, or security, or prevention of inflation – in short, on the plea of the continuance of the emergency. And so the state became paramount; it was interested not in the individual as an individual, but merely as a member of a trade or class or an 'interest' organised to satisfy its own economic or administrative needs. Thus each single man became, in effect, the slave of the state. The Imperial Government clamped down upon the whole Empire the bars which were to hold it together and which achieved its imprisonment.

The reforms of Diocletian and Constantine were a stupendous effort to organise, or to plan, security. And first, the security of the Emperor, that is, of the unity of the Empire.

For sixty or seventy years the imperial authority had virtually been in the gift of the soldiers, and anarchy

had resulted. Now it was to be dissociated from dependence upon any sectional interest. The Emperor's person was to be remote and detached; he was rarely seen in public, he was surrounded by a court of the Oriental pattern. Court officials, with new titles, guarded his person, and admitted to audience; semi-religious ceremonial invested him with divine authority, which he wielded as the partner of God upon the throne. Augustus had claimed to be the chief citizen; Diocletian was a monarch.

How, then, to break away from dependence upon the army, and not perish at its hands? The changes in the army which had come about gradually during the last hundred years were accepted and extended and systematised. The army was no longer officered by the senatorial and equestrian orders; 'barbarians' rose to the highest posts; the career of the soldier became exclusively military and professional. The army commander no longer carried out administrative work; civil and military posts were separated; the proconsul, familiar in early days as governor of a province and also commander-in-chief, was a thing of the past. The general was dependent for his supplies on the civil administration which was responsible to the Emperor, and he was thus held in check. Henceforth the soldier was to have no touch with administration, justice, supplies or taxation. He was a soldier pure and simple, with no inducements to meddle with other matters, which were all in the hands of imperial officials, and no opportunities to gather into his hands the resources necessary for political initiative. Strategy, tactics, weapons all changed; the auxiliaries became more honoured than the legions; cavalry, the arm of the barbarian, took precedence over infantry, for barbarians had to be fought by barbarians and by their own weapons. The frontier garri-

sons (*limitanei*), once the defenders and disseminators of Roman civilisation and honoured as such, were now the least efficient troops, for they were recruited by forced levy from landowners, and were reinforced by hired barbarians. The troops stationed near the cities on the interior lines of communication (*comitatenses*) to form a mobile force now stood highest in repute, though the civilians of the neighbourhood were often hard tried by their exactions and rapacity.

To maintain the army the Empire was turned into a vast administrative machine designed to produce taxes. The machinery took more men out of production, and civil servants have a way of attracting to themselves more civil servants. Diocletian saw that the Empire was too large for one man to govern; there were precedents for 'associate-emperors', and so he divided the Empire and placed over half of it his partner, entitled like himself an Augustus. To each Augustus was assigned a 'Caesar', a kind of adjutant though with special territorial responsibility. The theory was that the Caesar would succeed the Augustus, and so the problem of succession would be solved. The provinces, Italy included, were now broken up into more than a hundred areas grouped into dioceses, the dioceses themselves being grouped into prefectures. Titles were changed; it is now that *comes* makes its appearance to denote official position, as e.g. the 'Count' of Africa; the dioceses were under Vicars, as e.g. 'the Vicar of Spain'; the Emperor's advisory council was the Consistorium.

One of Diocletian's most urgent tasks was the reform of the currency in order to check inflation. Closely connected with this was his attempt to fix maximum prices for goods and services. The edict, of which part survives, defines the prices for such things as food, timber, leather, textiles, cosmetics and the like. It fixes the rates

the farm, nor the tenant-farmer the estate; moreover, his children must be brought up to succeed him. If, overburdened by taxes, the landowner abandoned his land, the state took it, and eventually the greater portion of the Empire passed into state-ownership. In the same way factories were nationalised. Transport was an essential service; and so the voluntary associations of dockyard labourers, merchant marine and the like were used by the state as instruments of coercion; membership must be maintained and contracts for public services must be carried out. Hence arose a caste system; no matter what his work — town councillor, soldier, factory worker, official — each was tied to his job and status, and his children after him. If by chance he did 'improve' himself and obtained a permit to change his work, he would be liable to higher taxation; he might then be ruined. Better to remain as he was. Thus, there was no incentive to enterprise or initiative or saving; the state effectively killed them all. Production fell, and with it the standard of living; the rigid uniformity of a lifeless and static mediocrity prevailed. The price of security was the absorption of the individual by the state.

The movement of the centre of gravity eastwards likewise received recognition. Diocletian had virtually made his court and headquarters at Nicomedia on the eastern coast of the sea of Marmora; for in the past the dangers had come from beyond the Danube and from Persia; Nicomedia was a strategic point. But the ancient city of Byzantium, a Dorian colony founded about 600 B.C., lay across the water, protected or approached by gates of sea and served by an incomparable harbour. Here was an impregnable site for the new Christian city of Constantine, the new capital of the new Christian Empire, Constantinople. Years were given to its build-

ing; it was adorned with works of beauty gathered from many cities, pagan works and Christian alike. But no pagan sacrifice was offered within its walls, for it was dedicated to the new faith. For nearly a thousand years it stood inviolate, till in 1204 it was taken by Crusaders professing the faith of its founder; but till then it sheltered the religion, the learning and the power of the East Roman Empire, the so-called Byzantine civilisation.

And so the Empire was held together. Diocletian and Constantine undertook a work of reconstruction, much as Augustus had undertaken it years earlier. But, whereas Augustus reconstructed by mobilising forces and energies and goodwill to undertake a voluntary effort, the reformers of the third century had to impose a machinery designed to extract the resources necessary for the work of government and the ensuring of security. Of contemporary literature there is little, for the spontaneity necessary to literature was lacking. In time life and letters revived; a new imagination manifested itself, but in the members rather than in the body itself, in Africa and Gaul and Egypt. It throbbed more strongly in the arteries of Christian thought and life than in the tired channels of paganism; and eventually those members detached themselves to live their own life.

Jews visiting Jerusalem for the Feast were converted. The Christian leaders were soon driven by Jewish persecution from Jerusalem to the synagogues of Samaria and Syria; persecutors followed, Saul being among them. Soon two victories were won; henceforth the Gospel was to be preached to Gentiles, and converts were freed from Jewish customs. The Apostle of the Gentiles could now carry a Gospel emancipated from Judaism, though the enmity of 'Judaisers' dogged all his travels.

St Paul travelled by the high roads of commerce and communication now made secure by the Roman peace; he visited first the Jewish communities and then preached to the Gentiles, using the Greek language of the day. His converts were mainly of the lowest social grade; and, when his preaching caused disorder, it was the Jews who excited it. He was protected by Roman officials as a Jewish sectary. Festus would have dismissed his case as 'concerning your own religion' if St Paul, when accused of treason, had not appealed to Caesar; for, as Festus saw, the issue was one not of treason but of religious observance.

But, if the Roman Government knew no distinction at this time between Christianity and Judaism, the people soon did; for it learnt that there was in their midst something more contemptible, and something more dangerous, than Judaism. By A.D. 64, the date of the persecution under Nero, the government had at last taken notice of it; for, as presented by its attackers, Christianity deservedly provoked official attention; it failed to satisfy the terms on which Rome granted tolerance.

In the first place, Christianity was particularly vulnerable to misinterpretation: secondly, Christians often deliberately invited persecution. To the Roman of the time Christians appeared to hate the human race. They looked forward to the early return of Christ when all

but themselves would be destroyed by fire as being evil; and in this disaster to 'Eternal Rome' and to the hopes of mankind they seemed to glory. In the second century and onwards this attitude of mind expressed itself in a different way; Christians went out of their way to provoke enmity that they might win a crown of martyrdom. Christians came from the lower orders of society, and their teachings seemed to aim at social revolution. They masked behind secret meetings the most frightful practices — gross immorality and cannibalism (for such interpretation could be put upon the content of such passages as St John vi. 52–9). They disrupted family life, for a convert from a family would not take part in the family worship or in some elements of family life, such as amusements. They gave evidence of their belief that the world was soon to perish by their refusal to co-operate in religious festivals, to shoulder civic responsibilities, or to serve in the army. But the pagan valued his world and his civilisation. Such was the popular attitude to Christianity in the second century.

The Roman Government had easy tests. Had the cult been 'recognised' under the 'Law of Associations' which forbade regular gatherings of people except under licence? If not, it was an 'unlicensed religion' and must be suppressed, for it might hide anti-social or criminal plots of the worst kind. The magistrate in the course of his duties could deal with that. But the matter became more important if treasonable activities were suspected; would the Christian make a demonstration of loyalty to 'Rome and Augustus'?

The Christian refused; the state persisted; each misunderstood the other; each started from an opposite point. To the Roman the unity of the Empire was of vital importance, and homage to 'Rome and Augustus' embodied and expressed that ideal. It was an act of

the number of Christians who fraudulently obtained certificates cast discredit upon the faith. In A.D. 257 Valerian attempted to bring about the Christian tolerance which had been refused for two centuries by ordering the higher clergy to sacrifice, while permitting them to remain Christian in private; and in the east laymen and clergymen were punished for being Christians, especially harsh penalties being prescribed for senators and knights. The Church as an organisation was thus attacked. But it was under Diocletian that the issue was most clearly defined. In his desperate efforts to cement together the Empire he was particularly sensitive to influences which tended towards separatism. Though at first he underestimated the strength of the Christians, by A.D. 303 he had reached the conclusion, under pressure from Galerius, his partner in rule that there was indeed a state within the state. His measures went beyond precedent. No Christian could hold Roman citizenship; therefore he could hold no post in the imperial or municipal services, nor could he appeal from a judicial verdict. No Christian slaves could be freed. The churches and the sacred books were to be destroyed. This edict was followed by others. The clergy were to be imprisoned and were to be made by torture to sacrifice to the gods. The aim was to rob the laity of its leaders and the organisation of the Church of its main supports. Finally, this last edict was made to apply to all Christians.

Thus, in the interest of the unity of the Empire, Christianity was to be broken up and dispersed. And the edicts, while they did not bring about the unity of the Empire, did cause disunion in the Church.

But during the years which followed, the unity of the Empire was threatened rather by the open conflict of rival Emperors; and in A.D. 311 the next stage was

reached in the relations of Church and Empire. 'Nevertheless, because great numbers still persist in their opinions, and because we have perceived that at present they neither pay reverence and due adoration to the gods, nor yet worship their own God, therefore we ... have judged fit to ... permit them again to be Christians.'

'... It will be the duty of the Christians ... to pray to God for our welfare and for that of the public and for their own ...' This was the 'Edict of Toleration' issued by Galerius, a former persecutor, as he lay dying of a frightful disease. But it was the so-called Edict of Milan, A.D. 313, which put the matter on a new and regular basis — the religious neutrality of the state. It is possible that no such pronouncement was issued as an edict; but, as given by the historian Lactantius, the 'Edict' certainly sums up authentically the instructions sent by the Emperor Constantine to his officials during the years A.D. 311-13. Its drift can be gathered from these extracts: '... no man should be denied leave of attaching himself to the rites of Christians or to whatever other religion his mind directed him, that thus the supreme divinity, to whose worship we freely devote ourselves, might continue to vouchsafe his favour and beneficence to us ... The open and free exercise of their respective religions is granted to all others, as well as to the Christians ... and we mean not to derogate aught from the honour due to any religion or its votaries.' All Church property was to be restored, even at a cost to the imperial exchequer. And at the same time the Emperor Constantine declared himself a Christian, and without persecuting paganism weighted the scales of neutrality strongly in favour of Christianity.

The Roman Government had been puzzled about Christianity. It took time to discover the new faith; it had discovered it and misunderstood it. Through mis-

understanding it had applied an impossible test; the test refused, it persecuted spasmodically; intermittent persecution seemed to serve only as a stimulant; the first general persecution was too late; neutrality was now the only course, and it remained the permanent policy for sixty years. Emperors might be pagan, and, indeed, like Julian the Apostate (A.D. 361), might give all encouragement to paganism, just as Constantine before him had supported the Christian Church; but neutrality officially prevailed. In A.D. 378 the last step was taken by Theodosius, who surrendered neutrality and proscribed paganism. The temples were nationalised, and became museums of art. The calendar hitherto based on pagan festivals was reformed. The gods were legislated out of existence, though not without opposition. The state employed the same instrument in favour of Christianity which had been employed against it in the previous century. And paradoxically the state was influenced by the same motive as before. Whereas, earlier, in the supposed interest of the survival of the Empire as a unity held together by religious sanctions, it had persecuted Christianity, now, with the same purpose it strove to stamp out the enemies of Christianity. Hope of the success and survival of the Empire depended on that which had once been thought to be disruptive of imperial unity and welfare. The state placed itself under the aegis of the Christian religion, the religion of a minority of its members. Thus, the state was true to the belief of the Romans of the early Republic, that Rome depended upon the goodwill of divine power. So, it might be said, had primitive Roman faith vindicated itself.

So momentous and so sudden a reversal of policy as came about in A.D. 313 cannot be explained as the inevitable and almost predictable result proceeding from sufficient causes. The historian, tracing the course of

things and assessing the nature of men's thoughts, is suddenly startled by an event for which he is totally unprepared. The change was brought about by one man, Constantine, whose character refuses to fit into the pattern of the age, whose convictions are uniquely his own, whose very language, as shown in letters and rescripts, is new and unexpected. Twenty or so years after the persecution by Diocletian, Constantine, the Roman Emperor, writes such sentences as are quoted below (the circumstances in which they were written cannot here be narrated): 'divisions of this kind (*in the Church*) should not be kept from me, for by them the high God may be moved not only against the human race, but also against me myself, to whose care by His heavenly will He has entrusted the guidance of all the affairs of earth, and so may in anger decide things otherwise than hitherto. For then indeed shall I be able to be most fully free from anxiety and to hope to receive always all that is most prosperous and best from the ready generosity of the most powerful God, when I shall see that mankind, held together in brotherly unity, adores the most holy God with the worship of the Catholic religion, as is due to Him.' 'The result (*of schism*) is that the very men who ought to preserve brotherhood in unity of mind and spirit stand apart from one another in a shameful and wicked feud and so provide those who keep their minds turned away from this most holy religion with an excuse for mocking at it.' 'The Gospel books and the Apostles' books and the prophecies of the ancient prophets teach us clearly what we ought to think about the Divine. Therefore let us drive away the strife which creates war and let us find the solution of our problems in those divinely-inspired writings.' 'The eternal and divine goodness of our God which is past understanding by no means permits the conditions of mankind to wander too

immediate return of Christ, and its language was the language of 'apocalypse'; later it took a longer view, and reasoned defence and explanation of its doctrines brought the Gospel to the educated; and attack – the best means of defence – assailed the foundations of paganism. Its attitude to works of pagan literature and learning had at first been uncompromising, for they were the bible of paganism. After struggles of conscience the ablest men of the Church realised that pagan literature was separable from paganism, and that Christianity could not refuse itself the aid of education and scholarship. In the early part of this period of three hundred years the hostility of the people had set in motion the repressive measures of the state; in the latter part the state, more nervously solicitous for imperial unity than in the Principate, itself took the initiative, while Christian and pagan on the whole settled down in peace with one another under an all-pervasive domination. In so far as originality of thought and expression survived, the advantage lay with Christianity; for while pagan thought and letters and religion could only plough again familiar acres now almost exhausted, Christianity had a new interpretation of life to offer, and its vitalising message transformed old modes of thought and language. Even before the reign of Constantine the Church held property, though under what legal title is obscure. From persecution to neutrality to favour; from degradation to respectability to dignity; from unquestioning faith to statements of creed couched in the most searching of philosophical terms; from ignorance to learning. Henceforth the Christian Church was armed with all the panoply which Greco-Roman civilisation could furnish for the next period of its history. But that is the chapter of the Middle Ages, though in a very real sense still the history of Rome.

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CHAPTER X

THE FIFTH CENTURY

Neither grey hairs nor wrinkles can suddenly take away moral authority; a life honourably lived reaps its rewards of authority to the end.

CICERO

WE now pass to the beginning of the fifth century, not in order to give an outline of events, but to look back from that standpoint upon some of the changes which had taken place in Roman institutions and ideas. For present purposes all that need be recorded between A.D. 337 (the death of Constantine) and A.D. 400 is that a brief attempt had been made by Julian to revitalise paganism, that Theodosius had established Christianity as the official religion, that in A.D. 395 his two sons had divided the Empire into two parts, Arcadius ruling in the East and Honorius in the West, and that the pressure of Huns and Goths upon the northern frontier of the Danube had become severe and alarming.

In the sphere of government and public life the old ideals have passed away, though the names remain, a shadow without substance; the reign of Diocletian and its inauguration of the all-powerful state had in fact destroyed all that Cato or Cicero, or even Pliny, had regarded as an essential characteristic of Rome.

The partnership of Augustus and the Senate had gradually broken down; the position of Princeps had become more autocratic during the first century; and, though for a moment under the Antonines the Senate had dreamed of a restoration of its position when it exercised influence in the choice of an Emperor's successor, those dreams had been shattered in the third century by the army's usurpation of authority. After Dio-

*Die Einbildung der Autokratie geht dem Demokratie-
verlust.*

clitian the Senate, though it might meet as a council, gradually became an 'order of society', enjoying certain exemptions from taxes and certain dignities. Very many members of this order had never seen the city of Rome or even travelled outside the provinces in which they were born. From being an 'order' of men elected by the people to magistracies and so qualified to sit in the great council of the Republic, which in fact though not by right had governed the Roman world, senators became a stratum of society, enjoying privileges but no power. They drew away from other men, aloof and self-contained, and cast back their minds to the traditions and the literature and culture of an age which they fondly thought could never really pass away. The power of the Emperor, girt about with the sanctity, first, of 'divinity' and later of vice-regency as God's representative, was absolute and was not called into question. The hope of a Republican restoration which the senators of the early Empire had cherished had now long been forgotten. Yet the old phrases are kept; when in A.D. 458 the Emperor Majorian writes, purely out of politeness, to the Senate, he addresses them as *patres conscripti*, 'enrolled fathers', the most ancient name of the Senate dating from the early days of the Republic. He acknowledges that the Senate has chosen him and the army has ordained his appointment. He describes himself as *Princeps*, the title used by Augustus; yet he also speaks of his *regnum*, his position as rex, the title abhorred by Romans, and he hopes to serve faithfully the *respublica*, the ancient name for the commonwealth, which has compelled him to reign.

Roman citizenship had once been a valued possession. In the early days of the Republic citizenship had been fought for and won; in the last century of the Republic 'allies' of Rome had wrested it from an un-

willing donor. The appeal made in virtue of his Roman citizenship by the greatest Roman citizen of the first century A.D., St Paul, had received immediate attention. The dignity of that status, as well as its rights and duties, had been the creation of a long process of political development, which had come to its full stature under the early Empire. It was already declining when the Emperor Caracalla enfranchised virtually the whole of the Roman world, in order that the whole world might pay the taxes due from a Roman citizen. And now the idea of citizenship had vanished; the municipal towns no longer cherished a valued civic life, they bore only the burdens of taxation; and town councillors had exchanged the pride of office for the enforced responsibility of tax-collection. Men were finding in membership of the Christian Church the sense of citizenship which neither Rome nor municipality could any longer offer them.

Many of the great offices of state, the magistracies, had disappeared or had been so altered as not to be the same offices except in name. The function of the praetor was now to organise public shows; once he had been a high judicial authority. The consulship was a high honour – for it was bestowed by the Emperor – and was nothing more; yet in A.D. 399 it was so valued that it is called a 'Divine reward'. The great provincial commands, formerly the last honour and the heaviest responsibility of those who had served the state in a series of magistracies to which they were elected by the people, became rungs in the ladder of promotion ascended by the professional civil servant employed by the Emperor. Their original powers and duties were divided and placed in the hands of separate officials, all acting as a check upon one another. Once the provinces owed their romanisation in great part to the enlightened

policy of able administrators; now the civil servant was hated, for his function was to extort taxes, to see that none left their appointed guild or sought other work or evaded tribute to the state in money or kind or services. The state was the universal master. In the early days of the Republic, when the plebeians had demanded a champion, they forced upon the patricians the creation of tribunes to safeguard their interests. And now the oppressed found their protection again, not in a magistrate of the state, but in the persons of the bishops of the Church. Popular demand forced upon men of its choice the rule of bishop; St Ambrose, Bishop of Milan, was not even baptised when he was compelled by the crowd to shoulder the responsibilities of this office. The letters of men like St Ambrose and St Augustine show clearly the work of the bishops. They resist official tyranny, they withstand provincial governors, with whom personally they are often on friendly terms, they take matters to the imperial ear itself, they arbitrate in disputes and guide and guard their peoples in all the difficulties of their lives. It is now that the Church becomes the leader in the alleviation of poverty and distress, in providing hospitals and schools and orphanages and charity of all kinds. And so it offered to men a hope and belief that the individual still was of worth, though society might be in bondage to the state. The bishop virtually took over the functions of the city magistrate who by this time was an unwilling tool of the Government; and the bishop was the choice of the city population.

As for the army, formerly it was the Roman's privilege to fight as citizen and protector of his family and his gods on behalf of the city of Rome. The cavalry had taken precedence, then later the legionary. But the growing needs of Empire had changed this; first the professional army, then the recruitment of non-Roman

returns with the connivance of land inspectors. The picture is terrible.

Yet it was precisely on these large estates owned by the country aristocracy that culture of the old kind flourished. In Gaul and Africa the landowners lived a secluded life in their luxurious houses, corresponding with one another (for letters were greatly in vogue as a form of literature), discussing the literary merits of the classical writers Vergil, Horace, Terence, Statius and the rest. There were centres of academic studies throughout the Empire; and Gaul, especially, could claim several of note, in particular that at Bordeaux. Literature was the favourite study, philosophy languished. But in spite of the aridity of much of this study it was pursued with an earnestness which is in a sense pathetic; for it proceeded from two contradictory and subconscious feelings – first, that the old culture was passing away; secondly, that it could never pass away, for then nothing but void could be imagined.

Rutilius Claudius Namatianus was a member of one of the Gallic noble families, whose estates were ‘made ugly’ by the invading barbarians. His father had held office in Rome and he himself had been Prefect of the City in A.D. 413, six years after the law condemning paganism and four years after Alaric’s descent upon Rome. In a poem of 700 lines he tells the story of his unwilling return from Rome to Gaul to look after his lands, with what reluctance he tore himself away from the city ‘where the sky is clearer above the seven hills’, and as he leaves he utters amid his tears a grateful prayer:

Rome is the Queen of the world, nurse of men and mother of gods, whose majesty shall not fade from the hearts of men till the sun itself is overwhelmed: her gifts are as widely spread as the sun’s rays – the sun

which rises and sets on lands ruled by Rome. Her advance was held back neither by the scorching desert nor the icy armoury of the north: wherever Nature had fostered life, there Rome had penetrated. She had made one fatherland of many nations, and to be brought within her rule was a blessing. What was before the world Rome had turned into one city, offering the conquered partnership in her own law. Clemency had tempered her might of arms: whom she had feared, she had overcome, and whom she had overcome she loved. Embracing the whole world in her law — bringing victories, she had made all things live together joined in a common confederacy. Other empires had waxed and waned: but Rome's war had been righteous, her peace free from pride, and glory had been added to her vast resources. Her deeds had exceeded her destiny: what she ruled was less than she deserved to rule ... And then Rutilius calls upon Rome to summon to her aid her old courage and fortitude ... Despise the pain the wounds will heal and the limbs grow strong. From adversity snatch prosperity, from ruin riches. The heavenly bodies set, only to renew their light: what cannot sink leaps most quickly to the surface: the torch is dipped that it may blaze more brightly. The foes of Rome, for a moment victorious, were routed one and all and even Hannibal lived to regret his success. The disaster which wrecks others renews Rome; her power to thrive in calamity will give her a second birth. Her enemies shall be brought low, and eternally for Rome the Rhineland shall be ploughed, the Nile shall overflow its banks, and Africa and Italy and the West shall lavish corn and wine.

The poem breathes much of the atmosphere of the Rome of four centuries earlier; the gods are there, the myths: places exercise their old charm, the old institutions receive due reverence, and the 'ancient ways' still

delight: the magic of Rome pervades all. There is no hint that the old order has passed, Christianity receives no mention; there is still the faith that Rome can emerge triumphant. Rutilius is not alone, either as a devoted Roman or as a provincial devoted to Rome. Claudian, who was born in Egypt, cared not whether the Western Emperor was Christian or pagan so long as he was Emperor of Rome, for the Eastern upstart, Constantinople, he detested: his passion was the Senate and the pagan institutions for which it stood. He also obstinately clung to the past, and from the past created a Roman future. The letters of Symmachus, too, relate in placid calm the trivialities of the day, and assume the maintenance of the priestly colleges and the ordered routine of the ancient worship. Yet he lived on friendly terms with some of the most uncompromising enemies of paganism. And there were many others like him.

There was, however, another place besides the houses of Gallic nobles in which the culture of Greco-Roman civilisation was preserved — within the Christian Church itself, in the bishops' houses and schools, in monasteries, in Church foundations, and even in hermits' cells. As is well known, there had been a division of opinion among Christian writers and thinkers; some, like Tertullian, were for destroying all that was pagan in origin; others, like Clement of Alexandria, were for 'spoiling the Egyptians'. By the fifth century this conflict had largely been resolved; and Christian leaders were often the best-educated men of the day. In these centres there was life and enterprise; the Roman training in rhetoric found a new outlet in the sermon and the theological treatises, which were often published in instalments eagerly awaited by their readers. Disputes with pagan supporters of the old learning gave opportunity for polemical pamphlets, while the necessary and voluminous

civilisation which Rome had taken under its wing was now Greco-Roman civilisation and for its continuance Rome was responsible. Within Greco-Roman civilisation there lay the possibility of perfection and finality. Not that the world was perfect or that human institutions were final, but within the 'thought-forms', if the phrase may be used, at which that civilisation had painfully arrived – in politics, in social ideals, in ethics, and in the material expression of these things – there was the hope of perfection. This – and much more – is all contained in the phrase 'Eternal Rome'. Rome's own spiritual experience, the union of that experience with the rest of Mediterranean civilisation, and the resulting new creation offered the framework within which lay the fortunes of humanity. Destroy those 'thought-forms', destroy the old culture of which the old gods were a part, and humanity was doomed.

This was the challenge which Christian writers and thinkers had to take up; and in taking it up they found themselves much embarrassed, and chiefly for two reasons. In the first place, they were themselves the product – and often the finest product – of Greco-Roman civilisation; and to think beyond it and outside it implied a supreme effort of thought and will. Secondly, they owed it to the very tools with which they were going to criticise, and many of them loved pagan literature with real devotion. Thus, they were engaged upon the difficult task of an intellectual and emotional re-orientation.

The point is capable of illustration from many angles; but it must suffice to consider only St Augustine, the supreme example.

Before he became a Christian, St Augustine was a teacher of rhetoric in Italy; he knew Roman literature well; he had read much Greek literature and philosophy

Christians make of pagan thought is that it regards man as sufficient of himself, that the world can be explained by the world; their own creed is that, unless man invokes a principle outside himself, he can find no solution of his problems. Thus, it is no longer a matter of securing the goodwill of the gods, for the successful achievement of what men will; but of doing the will of God, for its own sake, often in violation of what men, left to themselves, would will. That is the point at issue, as the Christians saw it. But that the difference was beyond compromise did not mean that learning was therefore to be cast aside. (The point perhaps might be put shortly in this way, though this is not in St Augustine. Archimedes, when elaborating the theory of levers, had said that, if only he had a point of fulcrum outside the world, he would move the world. The Christian believed that Greco-Roman thought attempted to move the world from within and naturally failed; only Christianity offered the principle from outside.)

Thus St Augustine argued with the supporters of the old Roman worship. But on a lower plane he had another task to perform, which had engaged the powers of every Christian teacher for generations; he had to wrestle with the gods and vague powers (*daemons*) who possessed the minds of the less educated – the malign ‘influences’ of astrology, the power of ‘fortune’ and luck, the ‘magic’ of spiritualists, the terrors of half-remembered superstitions, the cults of a thousand and one little gods. These were the enslaving forces from which the masses had to be liberated. That many native gods took on a Christian guise as patron saints is well known, and the process can be watched in some detail. But of all this no more can be said.

With St Augustine we have reached the last great name of antiquity. When he died in A.D. 430, the Van-

literature, till at last they were able to go to Greek literature itself.

The barbarian invasions were neither catastrophic and sudden, nor destructive and disruptive. Rome never fell, she turned into something else. Rome, superseded as the source of political power, passed into even greater supremacy as an idea; Rome, with the Latin language, had become immortal.

CHAPTER XI

ROMAN LAW

Justice is the constant and perpetual will to give each man his right.

Digest of Justinian

THE greatest achievement of the Romans, whether we consider it on its own intrinsic merits or in its influence on the history of the world, is without doubt their law. 'There is not a problem of jurisprudence,' says Lord Bryce, 'which it does not touch: there is scarcely a corner of political science on which its light has not fallen.' 'What the American law needs most to-day,' says an American lawyer, 'is more of the invigorating eternal influence of Roman law.' And the same writer claims that, whereas the population of the Roman Empire may have been 50 millions, at present 870 million people live under systems traceable to Roman law.

It is naturally impossible to explain satisfactorily in a short chapter why Roman law is so supreme an achievement; yet not even the slightest book on the Romans should therefore dismiss the subject. None the less, the simplest account cannot help being difficult reading.

In A.D. 527 Justinian became Emperor of the East Roman Empire, of which Constantinople was the capital. For a hundred years or so Italy had been under the control of 'barbarian' kings, Teutonic in origin. In the middle of the century Justinian's generals reconquered Italy, and till the twelfth century the East Roman Empire maintained some hold upon it.

Soon after his accession Justinian gave orders that Roman law should be codified. The codified Roman law was published in A.D. 533 and it applied to the

East Roman Empire. When Italy was recovered, it became law there also and thus it became known to the West. Eventually schools and universities came into being very largely to study it. Justinian's great work is the *Corpus Iuris Civilis*, the Corpus of Civil Law, comprising the *Code* (imperial statutes), the *Digest* (jurisprudence), the *Institutes* (an elementary treatise), the *Novellae* (later enactments from A.D. 535 to 565).

The question is: What were the qualities in Roman law which earned for it so great and permanent an influence? The answer to this question will throw light on the qualities of the men who elaborated this law.

The *Digest* opens with these words of Ulpian: 'Anyone intending to study law (*ius*), should first know whence the word *ius* is derived. It was named *ius* from justice: for, as Celsus aptly defined it, law is the art of the good and the fair. It is by virtue of this that a man might call us priests; for we worship justice, and we profess a knowledge of what is good and fair, separating the fair from the unfair, discriminating between what is allowed and what is not allowed, desiring to make men good not merely by fear of penalties but by the encouragement of rewards; we lay claim, unless I am mistaken, to a true philosophy, not a sham philosophy.' These seem at first sight strange words, yet they were written by one of the greatest minds of jurisprudence.

Law did in fact start with the priests, in Rome as elsewhere; and Justinian, after a thousand years of Roman law, claims that lawyers might well be regarded as priests of justice. By 450 B.C. law was out of the hands of the priests: customary unwritten law was now written down in the Twelve Tables. They were published in the forum, and they contained the law relating to Roman citizens, *ius civile*. For three hundred years the Twelve Tables were interpreted, and the new situations which

arose as Rome grew were met by logical deductions expanding the laws, or by legal fictions which kept the letter and enlarged the spirit. Less than a hundred years after the publication of the Twelve Tables a special magistrate was appointed to relieve the consuls of their judicial powers. He was the *praetor*. In 242 B.C. another *praetor* was appointed to deal specially with relations between citizens and foreigners; he was called the *praetor peregrinus*. At later dates the number was increased.

Now it must be noted (i) that the *praetor* was above the law, (ii) that the fact that foreigners (Italians were foreigners) and Roman citizens did business together and were ready to refer disputes to the *praetor peregrinus* presupposed some likeness between the Roman and the foreign conceptions of law, though not enough to make a special judge unnecessary, (iii) that the *praetor urbanus* and the *praetor peregrinus* were required to publish at the beginning of their year of office a statement of the rules (*edictum*) which would guide them in their interpretation of the law of the Twelve Tables, (iv) that the *praetors* were elected by popular vote and were not necessarily lawyers, though knowledge of law became increasingly a qualification for office. But it is a feature of Roman public life that all holders of office sought advice; the Emperors later similarly sought advice. On these things hangs much of the strength of Roman law.

The *praetor* was above the law. He could not annul the existing law of the Twelve Tables, but by the framing of his edict and by his day-to-day decisions he could supplement it, or he could reform it by granting remedial relief; the law stood, but he could make a way round. The *praetor peregrinus* had to deal with foreigners not bound by Roman law; his task was to create out of the customs of Romans and the customs of foreigners a law acceptable to both. It was likely to be wider in

scope and less bound by local or national traditions; it had to satisfy men as men, not men as citizens of this or that state. The *praetor urbanus* thus built up the law of citizens, *ius civile*; the *praetor peregrinus*, who would draw on the *ius civile* but would enlarge it by non-Roman law, built up the 'law of the nations', *ius gentium*.

The praetor was appointed annually. It was therefore convenient for him to take over the edict of his predecessor, if he wished; but he could adapt it at the outset, and he could enlarge or modify it during his office. It was in a state of perpetual growth; it was alive: 'edictal law is the living voice (*viva vox*) of the civil law'. Fresh minds were constantly at work on it.

In course of time Romans and Italians had more to do with one another, till in 89 B.C. all Italians were made Roman citizens. But hitherto they had come under the *ius gentium*, administered by the *praetor peregrinus*, which was wider and more equitable than the citizens' law; and the citizens had learned something of the nature of the *ius gentium*. So Italians, when they became citizens, were not likely to accept anything less wide, and existing Roman citizens were ready to accept something wider. The result was that by a gradual process the civil law approached the wider law of the nations. But of course citizenship involved much that was refused to foreigners: and the superseding of civil law by *ius gentium* did not take place till the second and third centuries A.D.

Meantime, the provincial governor also issued his edict to run in his province. He had held office in Rome and he knew something of law. He studied the edict of his predecessor, and modified it in the light of his experience. He had to take into account local custom and prejudice, the habits of mind of his provincials; yet Roman notions of law and order must prevail. He might pass to another

province where conditions would be different. He must make the right adjustments in his attitude, taking local differences into account. Yet Roman notions of law and order must prevail. And, when he came back to take his place in the Senate, his experience was worth much; a council of state composed of men with such experience has indeed been rare in history.

We have reached 89 B.C., and the answer to our question must take note of these points: (i) the expansion of Rome and the growth of foreign trade and relations brought into being the conception of a 'law of nations', and necessitated its expression in concrete form; (ii) this law affected and eventually superseded the older 'law of the citizens'; (iii) the process of development implied in (i) and (ii) was made possible by the device of 'edictal law', the 'living voice'; development was not stunted or delayed, but was initiated by a magistrate, himself above the law. So far, then, we have (a) a capacity for change and development, (b) a conception of law which takes account of men as men, and not only of citizens under a national law.

We now pass to the period of the Empire, though we shall glance back to the Republic. Under the Republic (except during the last years) the Senate's decisions were not law, but were only recommendations to the popular assembly. Under the early Empire the law-making powers of the popular assemblies were virtually transferred to the Senate. From the reign of Tiberius to Septimius Severus the Senate made law, though only such law as the Emperor approved. The edictal law of the praetor continued to grow. But in the reign of Hadrian it was consolidated and codified and came to an end. With the age of the Antonines, the Emperor's legislative power superseded all else. His 'edict' was a general ordinance; his 'decree' was a judgement in a

*Office of Reps & Senate. Justice of legislative
Emperor = Law-making power.*

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suit submitted to him; his 'rescript' was his opinion on a point of law. All of them made law.

Thus the whole tendency was to concentrate law-making power in the Emperor's hands. The 'living voice' of edictal law was silenced; the Senate was subservient. The distinction between civil law and the law of nations was (for practical purposes) obliterated when Caracalla bestowed citizenship on the Roman world in A.D. 212. Yet the period from Trajan to Septimius Severus, that is, the period when law-making power is increasingly concentrated in the Emperor's hands, is the age of Classical Roman Law, the age in which two of the influences which transformed it into a timeless world law were most potent. These influences came from (i) the jurisconsults; (ii) philosophy.

During the last seventy years or so of the Republic the study of law was earnestly pursued by a number of able and educated men, most of whom brought to their studies a practical experience of office at home and of administration in the provinces. Some were actively engaged in practice in the law-courts, others were men of letters who wrote upon legal subjects. They were 'skilled in the law', *jurisprudentes* or *juris consulti*. In an age when public life and problems of home and provincial administration occupied the best minds of the day, knowledge of law was in demand. These 'jurisprudents' were freely consulted and they gave 'opinions' to those who consulted them. Their 'answers' to problems were freely quoted and published and they carried great weight, since they came from men of intellect, learning and practical experience. Such men were Q. Mucius Scaevola, M. Junius Brutus (not the assassin of Julius Caesar), Servius Sulpicius Rufus. Cicero himself was an advocate rather than a jurist.

Such a position had these *jurisprudentes* reached in

fore had its laws; Reason in Nature was their source; and these laws were outside and beyond man.

Now the Romans had already arrived at the notion of an unwritten 'law of nations' through their dealings with foreigners. The *jurisprudentes* were educated men, of wide knowledge of literature and of philosophy, and they were instinctively drawn to Stoicism with its stress on standards of conduct. It was they who began to equate the 'law of nations' with the 'law of Nature', and to believe that the law of nations was a faint approximation to the 'law of Nature'. The aim of law thus was to move closer to the objective standards enshrined in the laws of Nature which were based on reason which in turn was the reason, not of one man or one nation, but of man as part of Nature. This was the point of view of the *jurisprudentes* for over two hundred years; and the result was that in all their labours of making law, of amending and interpreting existing law, they had a norm or a criterion to guide them, the ideal of natural justice, of an objective good, more sublime and more comprehensive than any of man's devising, which lawyer and philosopher would strive to discover and to embody progressively in the laws of the Roman Empire.

Thus we are brought back to the opening words of the *Digest* quoted earlier in this chapter. 'The art of the good and the fair', 'desiring to make men good by the encouragement of rewards', 'separating the fair from the unfair'. 'We worship justice', and in a new sense the lawyers were 'priests', concerned with absolute and eternal values, valid for all men at all times and in all places, which they strove to express in the form of 'equity' for the use of mankind.

But Roman law was not yet in such form that it could be serviceable to mankind; it was of enormous bulk.

We may omit minor attempts at codification in the third and fourth centuries, and come at once to the Theodosian Code which went into effect in A.D. 439. This Code was an official collection of the Emperors' Statutes, and contained none of the writings of the jurists. It is of great value to us, for it gives a picture of the activities of the Christian Emperors, and of the social conditions of the day; it exerted no little influence on the 'barbarian' codes. For, when successive barbarian races overran the West, and Italy was subject to a foreign government, the barbarians incorporated into their own legal codes great masses of Roman law. Thus the Edict of Theodoric (A.D. 500) bound Roman and Ostrogoth: the Code of Alaric II, the Visigoth, was framed in A.D. 506, and based on the Theodosian Code, on the *Sententiae* of Paulus the jurist, and on the *Institutes* of Gaius: and from it Western Europe derived much of its knowledge of Roman law. There was also the Lex Romana of the Burgundians (A.D. 517). But the Code of Theodosius was not enough.

The great codification was that of Justinian, as we have seen. It included imperial statutes and it also distilled the writings of the jurists; what was obsolete was omitted, and the whole was arranged in magnificent order. Justinian claimed that three million lines of jurisprudential law had been reduced to a hundred and fifty thousand of the *Digest*, 'a moderate compendium through which you can easily see your way' (*moderatum et perspicuum compendium*). But into it had entered a thousand years of practical wisdom, and that wisdom had passed through Roman minds. There were no violent innovations. The compilers of the *Digest* looked back over the centuries of Roman law and conceived their work as being part of the orderly progress initiated by the infant Republic.

EPILOGUE

THIS book began by inviting attention to the sense of self-subordination which marked the Roman mind. 'Because you bear yourself as less than the gods, you rule the world.' In a thousand years the Romans had been schooled as no other nation, and they had kept that sense of subordination. None the less, no other nation achieved an Empire so far-reaching and so fundamentally humane. Through obedience comes power. The great gift of Roman obedience flowered in due time into the great ideals of Roman law. By learning at infinite cost that lesson Rome has set those ideals upon succeeding ages. The Romans were 'a law-inspired nation', but the law was of their making and they imposed it on themselves. And, as the fundamental ideas of that law are studied, they will be found to enshrine the ideals and qualities which the Romans of the earliest times set before themselves, now broadened and refined and made of universal application. Respect for eternal values, the will of the gods (*pietas*), and their expression as objective 'right' in the practical things of human life – respect for human personality and human relationships (*humanitas*), whether in the family or the state or the circle of friends, springing from a regard for the personality of each individual and issuing in the maintenance of his freedom (*libertas*) – respect for tradition (*mores*) that holds fast to what has been handed down because it contains accumulated wisdom which no one moment and no one man can supply – respect for authority (*auctoritas*), not as obedience to superior power, but as regard for the judgement of men whose

experience and knowledge deserve respect – respect for the pledged word (*fides*) and the expressed intention, the faith of the Romans by which 'with their friends and such as relied on them they kept amity', and 'the most sacred thing in life'.

Respect for these things presupposed training (*disciplina*), the training of the home, of public life, of life itself, and the training which comes from the self (*severitas*). And training of this kind creates a responsible cast of mind (*gravitas*) which assigns importance to important things, so that, when once the hand is placed to the plough, a man does not look back and falter, but keeps to his purpose (*constantia*). These are the qualities which make up the genius of the Roman people.

- 249–251 Decius
 284–305 Diocletian
 306–337 Constantine
 361–363 Julian
 379–395 Theodosius I (West)
 313 Edict of Milan
 325 Council of Nicaea
 330 Foundation of Constanti-
 nople
 340–420 St Jerome
 354–430 St Augustine
 384 Symmachus, prefect of
 the City
 404 Last poem of Claudian
 410 Sack of Rome by Alaric
 413 Rutilius Claudius Nam-
 tianus, prefect of the
 City.
 c. 420 Vegetius
 438 Theodosian Code
 455 Sack of Rome by Van-
 dals
 522 Reconquest of Italy by
 Justinian
 533 Promulgation of the
 Digest

NOTE

A BIBLIOGRAPHY which would satisfy readers who might wish to pursue topics touched on in this book would occupy many pages. It seems best therefore to refer them to *The Claim of Antiquity*. This pamphlet, issued by the Councils of the Societies for the Promotion of Hellenic and Roman Studies, is published by the Oxford University Press, price one shilling. It contains an annotated list of books, arranged in subjects, for those who do not read Greek or Latin. It was last revised in 1935 and is in print.