EMPIRE OF THE ROMANS

FROM JULIUS CAESAR TO JUSTINIAN: SIX HUNDRED YEARS OF PEACE AND WAR

VOLUME I: A HISTORY

JOHN MATTHEWS

WILEY Blackwell

Empire of the Romans

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This edition first published 2021
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Editorial Office
111 River Street, Hoboken, NJ 07030, USA

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Library of Congress Cataloging-in-Publication Data

Name: Matthews, John (John Frederick), author.
Title: Empire of the Romans : from Julius Caesar to Justinian: six hundred years of peace and war / John Matthews.
Other titles: From Julius Caesar to Justinian: six hundred years of peace and war
Description: Hoboken, NJ : Wiley-Blackwell, 2020. | Includes bibliographical references and index.
Identifiers: LCCN 2020026857 (print) | LCCN 2020026858 (ebook) | ISBN 9781444334562 (v.1 ; paperback) | ISBN 9781444334586 (v.2 ; paperback) | ISBN 9781119481546 (v.2 ; adobe pdf) | ISBN 9781119481560 (v.2 ; epub) | ISBN 9781119610311 (v.1 ; adobe pdf) | ISBN 9781119610359 (v.1 ; epub)
Subjects: LCSH: Rome–History–Empire, 30 B.C.-284 A.D. | Rome–Civilization. | Rome–History–Empire, 30 B.C.-284 A.D.–Sources. | Rome–Civilization–Sources.
Classification: LCC DG270 .M364 2020 (print) | LCC DG270 (ebook) | DDC 937/.06–dc23
LC record available at https://lccn.loc.gov/2020026857
LC ebook record available at https://lccn.loc.gov/2020026858

Cover Design: Wiley
Cover Image: © Nigel Hicks/Getty Images

Set in 11/13pt Dante MT Std by SPi Global, Pondicherry, India

10 9 8 7 6 5 4 3 2 1

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Preface

The appearance of yet another book on the Roman empire invites a few words of explanation. Many good books exist already, and keep appearing – rightly so, for it is a very good subject, and an important one. The history of Rome makes up a substantial portion of the history of western culture, and its linguistic, cultural, and legal influences persist. The span of time from the legendary foundation of Rome in 753 BCE to the death of the emperor Justinian in 565 CE is not far short of that from the death of Justinian to the present day, an observation that has still more in its favour if one takes the date of the first Olympic Games in 776 BCE as the beginning of Greek, and so of Graeco-Roman history (admittedly they took some time to converge). In some ways, this is a still more appropriate moment of definition, for it also marks the period of time in which the Greeks adopted the system of writing, the origin of our own, that would enable them to record their own history and in due course that of the Romans, under whom many of their finest writers lived. This book takes as its starting point an event that is as much a part of Greek as of Roman history, as recorded by a Greek author writing under the Roman empire, and moves on to the analyses offered by an earlier Greek historian on the Romans who were coming to dominate his world; and it ends with the descriptions given by the last Classical Greek historian, of Justinian's attempts to restore that Roman world as it had once been. The Romans had their own historians, and their own ways of writing, but it is significant that a history of the Roman empire can be framed by the writings of Greek observers of it. The Greeks were there first and they were around for longer.

The Roman empire is also a time of which we have substantial knowledge – not such as to stand comparison with the mountains of documentation for the history of the modern world, but nevertheless incorporating evidence of many different sorts, physical as well as literate, permitting the re-creation of a world of great sophistication and variety. It is a world that encourages different conceptions among those who write about it and their public; and that this public ranges far beyond the academic is evident from published lists of current and new books.

One may still ask what are the points of difference that mark a new book on such a well-established subject. The first question, which faces the historian of any period, is that of range; where will it begin and end? As to the former, we should take for granted that any book on the Roman empire will acknowledge the political and social antecedents of the Republican period. We must however be careful. The end of nearly half a millennium of "Republican" government in the first century BCE does not signal the end of "res publica" in its broader sense; that array of political, social and legal institutions that belonged to the domain of public authority. However breached in the observance, the distinction between public authority and private power was one insisted upon by the founder of imperial government, after the end of the civil wars that destroyed the Republic. Augustus and his successors may have expressed themselves differently as to what they had done with "res publica," but none of them would have claimed its abolition. As late as 533, in publishing his *Digest* of Roman law, Justinian referred to the emperor's duty, whenever an unexpected contingency might arise not covered by law, "to correct and settle it and to subject it to suitable procedures and regulations," citing in support a famous jurist of the early second century. There were "tyrannical" emperors, but the Roman empire was not a tyranny.

Whether a continuation of "res publica" in this broader sense was the only possible framework for a solution to the problems of the late Republic is an interesting question, but it was the solution that was adopted, and I have taken it to justify an introductory chapter on the political difficulties of the last two centuries BCE. There will be little here to surprise readers familiar with the history of the late Republic. Nor have I tried to invent surprises, but a book on the Roman empire would be incomplete without such an introduction to the system that it replaced.

If all presentations of the Roman empire will share an interest in the history of the Republic, there is more diversity to be found in their terminal points. How, when, and in what circumstances did the Roman empire come to an end? This is a very large question and it will cause no surprise to find a variety of answers to it; a process of disintegration will always be less orderly than a process of growth. It will be harder to describe and will invite different points of emphasis, as the ancient sources themselves lose their sense of direction, and modern writers take different views as to what point the disintegration has reached, and whether what is left should count as Roman. There are also more prosaic reasons; I have heard of cases where a lecture course has come to an end simply because time has run out on the lecturer, as if the Roman world had declined and fallen for the convenience of the syllabus.

Choices have to be made, but it is still worth noticing how the terminal point of a history may imply a judgment as to what is important. The decision to end a book on the Roman empire with the beginnings of Diocletian's Tetrarchy in the 280s may invite us to conclude that what follows is part of a different, late Roman or even early medieval story (and medieval histories do often begin at this point). It is true that what follows in the fourth century shows important differences from what precedes – including a vastly increased scale of documentation on a far wider range of issues. Yet, it is not too much to say that the outcome of a generation's research on the later Roman period has been to show how the empire of the fourth century was more Classical than Medieval. Neither Ammianus Marcellinus nor Claudian nor Procopius (nor indeed Jerome or Augustine) was a medieval writer, the Theodosian Code was a book of Roman law, while those political and social changes that make the later period seem so different from the earlier may also be understood as conditions for the survival of the Roman world and its culture.

A book that ended with the death of Constantine in 337 might ask us to believe that a Christian empire is so at odds with the story of Classical Rome as to require separate consideration, a choice that sets aside the fascinating story of how the Classical and Christian elements in Constantine's empire responded to each other. To proceed further, a terminal point of 395 will reflect the idea that an empire divided between eastern and western governments is a new situation requiring a new treatment, but this does less than justice to the elements of an east-west distinction in the Roman empire that had long existed and, in the second century, had proved immensely fertile before it ever became a burden. Byzantine history has very deep roots in the Classical world. The Sack of Rome of 410, and the deposition of the last Roman emperor in 476 again offer defensible terminal points, based in these cases upon events of symbolic rather than substantive value; so too the execution of the Roman Boethius by Theoderic the Ostrogoth. These are all moments to stop for reflection and for wondering what may be the shape of things to come.

This book goes beyond all of them to end with the death of Justinian in 565, recognising both that emperor's determination to restore the empire of the past, and the work of the last truly Classical historian, Procopius of Caesarea, in documenting the failure of the attempt. A good case could be made for continuing to the first Arab conquests in the Byzantine domains in the early seventh century, but at some point one has to leave it to someone else to carry on. The sensitivities and techniques of the Classical historian are durable but they do not last for ever, and one's sense of the declining force of familiar methods of analysis is not a bad guide to the moment when the Classical world has ended.

Novelists sometimes remark that, once imagined, characters in a novel will choose for themselves what they do, what will happen to them and how they will respond to it. In an odd sort of way (since his characters' futures are already in the past), the same is true of the historian. Though without a novelist's freedom, the historian will have imagined his story in a certain way and its characters will have chosen what will happen to them. Having found its logic, a book will tend to carry on as it has started: which is to say that its character will have become ingrained quite early in the process of composition. It will also reflect a number of more personal and subjective considerations, first among which is the nature of a historian's own past research, which will have provided familiarity with certain fields of study and types of source rather than others, and a corresponding sense of what is important. I have done my best to allow for these differences, but they will show. Style and manner are also a personal matter on which judgments have to be made; how to balance the detail with the flow of the narrative, the individual experience with the great movement; how to integrate narrative and digression; what level of detail is appropriate; how far to pursue the sub-plot. Excessive detail without context is tedious, but so, in my experience, are even the most profound generalities if they lack focus on the particular.

I have attempted to tell the story continuously, and to follow its changing features through transitions and across turning-points that might otherwise divide it; what may at first appear as a challenge to the Roman empire may in the end turn out to be what allows it to carry on. The Romans measured their history in centuries – the time of Augustus is as remote from that of Justinian as the Wars of the Roses are from us, and those wars were already a century old when Shakespeare wrote of the last of them – and they had a strong sense of an evolving history emerging from the past. It is a moment of surprise when Ammianus Marcellinus refers to Domitian and to the figure whom he styles Octavianus Augustus, as emperors "of olden times", until one realizes that he is looking back three and four hundred years from his own day.

The story unfolds through an interplay of narrative and digression; history is not timeless, and whatever the importance of the broader socio-economic and cultural issues at stake and with whatever success they have been described, we do need to know where we are. The combination of approaches is accommodated in a rather large number of relatively compact chapters, grouped in sections to help bring out the shape of the argument as it moves forward. Yet this is not, considering its subject, an especially long book, and there has at all points been a question of selection with its surly companion, the omission of things that should have been included. I have often realized, in reading through drafts of its later chapters, that something should have been said earlier about topics that arise in them. There is a sense in which, in a society sufficiently conscious of its past to want to write about it, all history is concurrent, running together in the memory. The whole thing is in the mind together, and one of the skills that the historian has to learn is how to present concurrent issues in sequence; to have them appear at the right moment. As Edward Gibbon understood, the future problems of the Roman empire can already be seen in the Golden Age of the second century. It is only in a Hollywood movie that one would actually put its fall in that period, but it is still appropriate, if it can be done without distraction, to mention at the moment of their earlier appearances, matters that will become important later. It was Tacitus' habit to characterize upon their first appearance figures who would become important later in his history, a practice that certainly helps to sharpen one's expectations of the future.

Finally, I have tried to give a sense of the primary material on which the story is based, and for this I need to say a few words about the companion volume of this book. *Volume Two: Select Anthology* offers a complementary selection of texts running in parallel with the main divisions of the present volume, chosen also to broaden its range, and able, with its introductions and commentaries, to be used as a free-standing work. It will sometimes document something said in the present Volume, but more often will offer a broader, sometimes more subjective impression, or offer a shift of viewpoint, as, one might say, from the makers of history to the users of it. I try in the Anthology to balance texts of different types – literary authors with documentary, legal and epigraphic materials, papyrus records, letters and so on – with a special interest in texts that express themselves in the first person or reflect individual experiences. I pay relatively little attention to standard historians such as Tacitus or Suetonius or Ammianus Marcellinus, not because I do not respect these writers (a 600-page book on one of them should be sufficient proof of that) but because they are available in inexpensive modern translations with excellent introductions, and also because once an ancient historian gets at his material he is no longer a primary source in the strict sense, but an observer with an opinion. I have chosen extracts from historians only when they have some personal or other particular relationship to the events they describe.

I do not want readers coming to the Roman empire, especially if it is for the first time, to be overawed by the panoply of learning that has been devoted to it. It is however important to respect the evidential materials on which our understanding is based. My practice has been to refer in the text to an ancient writer who is directly addressed in it; there is no need to send a reader scurrying off into footnotes to track down a simple reference that can be given in the text without disturbing the appearance of the page. I have similarly added a cross-reference to Volume Two when a relevant text appears there with its own commentary. I have also, in a series of chapter-by-chapter bibliographical essays, given more detailed documentation, with indications of the modern writing that I have appreciated. These essays have two aims: to give support to statements not directly documented in the text and more generally to help explain why I say what I do; and to guide the reader to the further literature that may be found interesting. I am aware of treading a fine line between the first of these aims (for which they are certainly too little) and the second (for which they are probably too much). There is nothing easier in historical writing than to pile up bibliographies. All I can do is to share my sense of admiration when I read publishers' lists, or reviews of recent books, or talk with colleagues, or stroll among the shelves of a Classical library, and realise how much there is to know. I apologise to those colleagues whose work I should have mentioned but have not, either because I am not as familiar with it as I should be or have found no occasion to do so when I should have done, while assuring them that I do know what it feels like to be neglected. I am also familiar with books and articles that cite one's own work without any indication that they are actually familiar with it – the ecology of footnotes is a submarine realm, in which ideas may survive and pass on their genes without ever appearing in the upper world. This book is an introduction to its subject, and I shall be content if it leads readers to the current research that opens new perspectives and novel approaches to what had been thought familiar or was lesser known. It is not a book about network theory, or demography, or climate or disease, though I am full of admiration for the work that is being done in these and other areas, and appreciate that a synthesis of the results of this work, if it is ever made, may produce a Roman empire that looks very different from the one we understand at present.

The Bibliographies to both volumes, it will be noticed, are almost entirely composed of works in English. The primary reason for this is of course their intended public; the last thing the reader wants is to be blown out of the water by a cannonade of writing in languages with which he or she may be unfamiliar. It must also be said that for a book with such a chronological and topical range as this one it would be bordering on insanity to review everything covered in it, in every language in which a topic has been covered. My own teacher Peter Brown commented in 1967 on published bibliographies on St. Augustine, respectively of 988 and (annually) 400 titles (*Augustine of Hippo*, p. 10 n. 1). One only has to project these figures to the Roman empire as a whole in all its fields, to see how impossible it would be to cover everything that has been written on it.

I would add a note of recommendation to a form of scholarly literature that the reader will notice in the bibliographical essays; the multi-authored Companions and

Handbooks on selected themes that have appeared from various publishers over recent years: to mention only what comes to mind, there are Companions or Handbooks to the Roman Empire itself and to Greek and Roman Historiography, Greek and Roman Coinage, Roman Britain, the Age of Constantine, Saint Augustine, the Age of Attila (a disconcerting title, but a very useful book), the Age of Justinian. On a more modest scale and each by a single author, there are surveys of the literary sources for Greek and Roman history, Roman law, the uses of papyri, the coinage and epigraphic evidence. Well-organised and edited, and with well-chosen authors and contributors, these books are extremely useful in conveying a sense of the present state of a subject, especially for those who like their historical reading to reflect the diverse interests and styles of the writers who contribute to it.

In a fortunate academic career, I have been able to pursue research and teaching as related activities in two great universities, Oxford and Yale, and I extend my sincerest thanks to both of them. It was an early part of my good fortune that I came to know the giants of the profession, A.H.M. Jones, Arnaldo Momigliano, G.E.M. de Ste Croix, E.A. Thompson, Moses Finley, Fergus Millar, Alan Cameron and Averil Cameron, Cyril and Marlia Mango, and of course Ronald Syme and my research supervisor, Peter Brown; not to mention Ramsay MacMullen, for whom my admiration joins with the affection of a personal friendship formed since I came to Yale in 1996. The passing of time has a way of compacting the generations, and among my own contemporaries I would mention my dear friend Peter Garnsey (with a memorable story about his own first meeting with A.H.M. Jones), Roger Tomlin, Timothy Barnes, John Curran, Sabine MacCormack, Patrick Wormald, Bryan Ward-Perkins, Ian Wood, Michael Whitby and Mary Whitby, William Metcalf and my successor at Yale, Noel Lenski. Among my own research students, now my colleagues, the work of Jill Harries, David Hunt, Ray Davis, Jairus Banaji, Brian Croke, Susanna Elm, Richard Burgess, Peter Heather, Sam Barnish, Neil McLynn, Polymnia Athanassiadi, David Potter, Edward Watts, Scott McGill, Josiah Osgood, Cristiana Sogno has left an abiding impression. Of my undergraduate students over the years, let Philip Rogerson, Neil Tunnicliffe, Roger Batty and his elder brother Martin, Richard Stoneman, Justin Goddard, Judith Rice, Caroline Mann, Sudhakar Nuti, Wendy Valleau and Amalia Skilton accept my thanks on behalf of all whose work I have appreciated, and my apologies for those whom I have failed to mention.

Authors are as familiar with the patience of publishers as publishers are with the explanations of delay offered by authors, but there is common ground if the purpose is to improve the result. In this case I offer my sincere thanks to Haze Humbert and her colleagues and successors at Messrs John Wiley for responding to my proposal of a history of the Roman empire in this format, for continuing to support it and for helping me through its intricacies, and to Mary Malin and Katherine Carr for editing; and also the scholars in various countries who were consulted and offered their suggestions. To these colleagues, for the learning, experience and collaborative friendship that they have offered, I am most grateful.

My debt to my beloved and gifted wife, Veronika Grimm, is an altogether special one, impossible to express or repay. Her desire that I should get this book finished through all its obstacles (including my own doubts) has been a miraculous combination of the sympathetic and the unrelenting. It is dedicated to her, to her son and daughter, David and Vanessa, to my daughter Helen and in loving memory of her younger sister Julia.

John Matthews,
New Haven, Connecticut
June 2020

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Part I

Building an Empire

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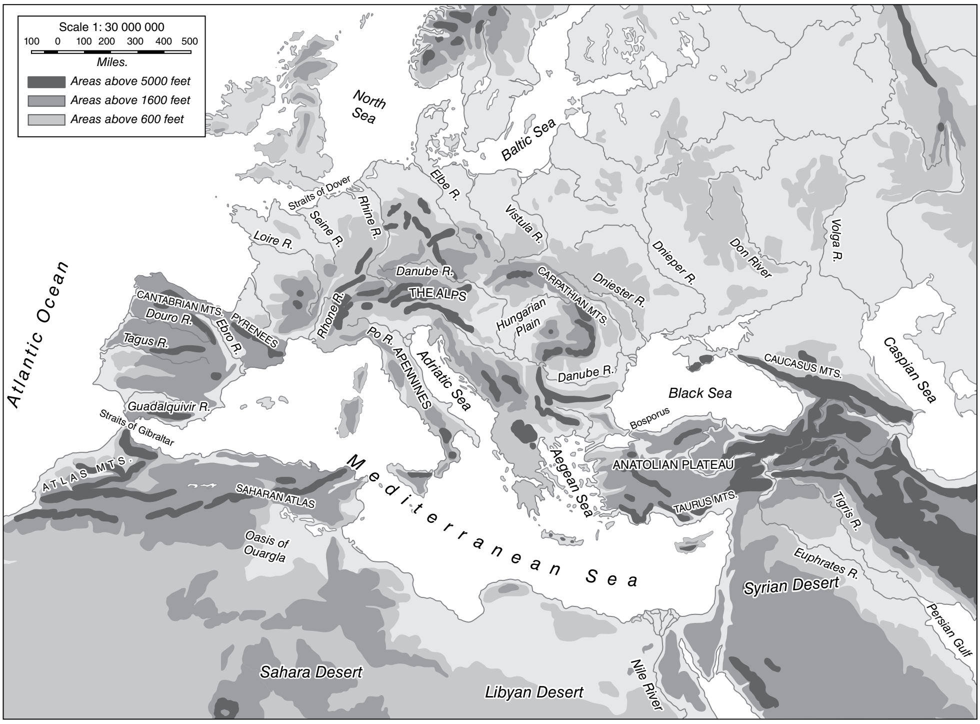
Map 1.1 The Mediterranean World.


Scale 1: 30 000 000
100 0 100 200 300 400 500
Miles.
Areas above 5000 feet
Areas above 1600 feet
Areas above 600 feet
North Sea
Baltic Sea
Atlantic Ocean
Straits of Dover
Elbe R.
Rhine R.
Seine R.
Loire R.
Vistula R.
Dnieper R.
Don River
Volga R.
Danube R.
THE ALPS
CARPATHIAN MTS.
Dniester R.
Rhone R.
CANTABRIAN MTS.
Douro R.
Ebro R.
PYRENEES
Tagus R.
Hungarian Plain
Po R.
APENNINES
Adriatic Sea
Danube R.
Black Sea
CAUCASUS MTS.
Caspian Sea
Guadalquivir R.
Straits of Gibraltar
Bosporus
ATLAS MTS.
SAHARAN ATLAS
Mediterranean Sea
Aegean Sea
ANATOLIAN PLATEAU
TAURUS MTS.
Tigris R.
Oasis of Ouargla
Euphrates R.
Syrian Desert
Persian Gulf
Sahara Desert
Libyan Desert
Nile River

1

Introduction: The Roman Republic and its Discontents

The Greeks, after their country had been reduced
into a province, imputed the triumphs of Rome, not
to the merit, but to the FORTUNE, of the Republic;
... . a wiser Greek, who has composed with a
philosophic spirit the memorable history of his
own times, deprived his countrymen of this vain
and elusive comfort, by opening to their view
the deep foundations of the greatness of Rome
(Gibbon, *Decline and Fall*).

For those who were there, whether Greek or Roman, it was a formative moment when the consul Titus Quinctius Flamininus followed up his defeat of Philip V of Macedon at Kynoskephalai with a proclamation of freedom for Hellas. The occasion, at the Isthmian Games of 196 BCE, is described by Plutarch (*Life of Flamininus*, 10.3ff.):

> After the trumpet had signaled for all to be silent, the herald came out before the assembly and proclaimed that the Roman senate and Titus Quinctius Flamininus, consul and general, having defeated King Philip and the Macedonians, granted freedom without garrisons or taxes, and the enjoyment of their ancient laws, to the Corinthians, Locrians, Phocians, Euboaeans, Achaeans of Phthiotis, Magnesians, Thessalians and Perrhaebians.

At first, says Plutarch, the proclamation was not heard clearly, but when it was repeated more loudly:

> a shout of joy arose, so loud that it reached the sea. The whole audience rose to its feet, and paid no attention to the competing athletes; everyone was eager to press forward to greet and hail the savior and champion of Hellas.

Empire of the Romans: From Julius Caesar to Justinian: Six Hundred Years of Peace and War: A History, Volume I, First Edition. John Matthews.

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So mighty the clamor, that the air was torn asunder, and ravens flying over the stadium fell to the ground!

Flamininus' proclamation, made on behalf of himself and the Roman senate, is a classic example of the uses of history in the service of politics. In declaring the end of Macedonian tyranny, it echoed the great debates that we know from fourth-century Athens, as Demosthenes warned of the dangers to freedom presented by the rise of the first great Macedonian king, Philip I. Those events were not so very far distant (150 years is not much in the *longue durée* of history), but in the meantime the reign of Philip's son Alexander had changed beyond recognition the shape of east Mediterranean politics. Whether or not they realized or wanted it, the Romans were themselves the heirs of Macedon. Their influence in mainland Greece continued to expand and to be resisted, its true nature made apparent by their victory at the battle of Pydna in 168, the end of the so-called Third Macedonian War. After the battle, the Romans dispatched to Italy 1000 of those "unfriendly" leaders of Achaean cities who had supported Macedon, ostensibly to await trial but in effect as hostages for their cities' good behavior. Installed in various Italian towns, they were left largely to their own devices. After 15 years, 700 of them had died (many of them, leaders of their cities, must have been elderly to start with). The rest were released, but their return home, somewhat bearing out the Romans' caution in detaining them, inspired a revolt of the Achaeans and, in 146, the sacking of Corinth, their capital city. It was another formative moment, for the sack of Corinth was in the same year as the destruction of Carthage in what is blandly called the Third Punic War but was provoked by the Romans specifically to secure this outcome. The power of Carthage had been destroyed in 201, and with the defeat, ten years earlier, of the great Sicilian city of Syracuse, Rome was now indisputably the greatest power in the central and western Mediterranean. Her treatment of the defeated Macedonians and Achaeans also gave her a fair claim to be the most ruthless. It was said that in Epirus seventy cities were destroyed and 150 000 prisoners sold as slaves. But this was how wars ended; the aftermath of the Trojan War, as described by Odysseus to his Phaeacian hosts (*Odyssey* 9.39ff.), was the same, and if that example belongs to the realm of legend there is an indubitably historical parallel in Thucydides (5.116):

> The town being now strongly besieged, there being also some that practiced to have it given up, they yielded themselves to the discretion of the Athenians, who slew all the men of military age, made slaves of the women and children, and inhabited the place with a colony sent thither afterwards of five hundred man of their own (transl. Thomas Hobbes).

There were differences in the scale and consequences of these events. In a sort of moral retribution for their conduct in Melos, the power of the Athenians – beginning with the very next sentence on Thucydides – was soon to be destroyed in Sicily while the Romans, by that indomitable combination of virtue and fortune on which they prided themselves, became ever more powerful.

Among the Achaean hostages sent to Italy after Pydna was the man who became the author of what is by far the most penetrating analysis of the history of this period; this was Polybius of Megalopolis (c. 200–118), whose father had been a leading figure in the Achaean Confederacy. Polybius was allowed to live in Rome, where he won highly-placed friendships, especially with Scipio Aemilianus, grandson of Scipio Africanus, the victor in the second, great Punic War of 218–201; he was with Aemilianus to witness the destruction of Carthage in 146 – to whom else could the Romans entrust this task than to a descendant of Hannibal's conqueror? Polybius was a Hellenistic intellectual, with versatile gifts, and an acerbic polemical tone when discussing his literary rivals. In a startling initiative he was lent some ships by Aemilianus and followed the African coast past the Straits of Gibraltar to the Atlantic. He was with Scipio in Spain and, an enterprise that is the envy of modern antiquarian scholarship, traced Hannibal's invasion route over the Alps. Interested in geography and an explorer, he wrote a book on the habitability of the equatorial regions. Polybius was a man of thought and action such as the Romans liked, a political leader as well as an intellectual.

Polybius' most famous work, and the only one to survive even in part, is his *History* in 40 books, its subject the rise of Rome from the second Punic War to the battle of Pydna – the moment when Rome's expansion seemed to demand from the Greeks an understanding of their antagonists. Its purpose can be seen in two ways, one a mirror image of the other; as an attempt to explain Rome to Greek readers, and to explain the Romans to themselves, as an educated Greek saw them in the context of Greek political thinking. It was not the first history of Rome to be written, for that had been done by the Roman Fabius Pictor, writing also in Greek, in Polybius' early lifetime. Polybius, however, wrote from a standpoint refined through generations of historical writing and philosophy; the idea of history as containing recurrent patterns with a predictive value, a process subject to general interpretation. It is not so much that history repeats itself, but that similar events recur over time and that one can learn from experience, a historian's task being to find the levels of analysis at which these patterns can be found, and to present the result for the instruction of those who would read it as a lesson for their own times.

Polybius attributed Roman success to a combination of factors: the loyalty of her allies, which gave her unparalleled resources of manpower, her practical inventiveness, her willingness to learn from experience, her military organization, the disciplines imposed by her religion. He especially noted what he called her "restraint in internal politics," meaning that unlike other states, Rome was not disturbed by revolution brought on by external events – as, for example, the Athenian defeat in Sicily brought on the oligarchic revolutions of 411. He supported this view by adducing a theory of the Roman constitution deriving from Greek philosophical discussion as we know it from Plato and Aristotle, but which in Polybius' experience was much more widely current.

The essential idea was that "constitutions" (what Greeks called *politeiai*, a word for which Romans had no exact equivalent though it yields the English "polity"), experience a cycle of changes, in a pattern of external and internal transformations. Polybius argued his case from first principles. In the beginning is: (i) a state of primeval chaos, which issues into a monarchy or kingship as some great man seizes control to impose order. After a time (ii) kingship declines into tyranny, which in turn (iii) is replaced by aristocracy, when the "best men" depose the tyrant through outrage at his conduct. The next stages come about when (iv) aristocracy degrades into oligarchy, the "rule of the best" declining into the "rule of the few" without maintaining the same standards of integrity, and (v) when the people take power in a democracy. In due course (vi) democracy declines into "ochlocracy" or the rule of the mob (Greek *okhlos*), and (vii) ochlocracy declines into chaos, setting off the return of the cycle. Each form of government is transformed into its less desirable version, which is then deposed by discontented elements in the state, progressively becoming more and more democratic and beyond that point, as each phase self-destructs into the next.

It is a schematic account, though realistic at certain moments; the fall of the monarchy at Rome could well be characterized as a transition from a discredited tyranny to an aristocracy, for no-one should run off with the idea that the original Roman Republic was a democratic institution. It is also a predictive model; by identifying the point of the cycle reached by any particular *politeia*, it would be possible to anticipate the next stage.

But Polybius was not predicting the decline of Rome, and he introduces a new element, to break the inexorable cycle he has described. This is the idea of the "mixed constitution," examples of which Polybius found at Sparta and at Rome. In such cases the *politeia* does not process from better to worse in a spiral of decline, but all elements, aristocratic and democratic, reconcile their differences and work in harmony for the good of the community. The theory of a "mixed constitution" has a fashionable origin in Thucydides' description of the Athenian constitution of the 5 000, which briefly held power after the oligarchy of 411, as a "mixture" (*synkrasis*) of the interests of the many and the few. The idea appeals both to a philosophical instinct for moderation and to a conservative claim to broadmindedness, but it is fallacious. The "moderate" constitution of the 5 000 included the few who had taken part in the oligarchic regime preceding it, but it excluded the many who had formed the democracy that they both replaced; how could it then be a *mixture* of these two components?

It is important to distinguish the idea of a *mixed* from that of a *balanced* constitution; the first, an ideal situation in which all interests are accommodated by a proportionate representation of the parties, is not the same as one in which the sectional interests of a society remain but are balanced by constitutional restraints. At Rome, there were many such restraints. Magistrates were elected to colleges in which each magistrate possessed a veto (the right of "intercession") over his colleagues of equal rank, and tribunes, the people's magistrates, could exercise an *intercessio* to defend the people's interests against the actions of any other magistrates; and there were other checks and balances designed to prevent abuse, and to avert the danger of monarchy arising from the power and prestige of any individual. Polybius was unduly optimistic about the restraining effects of this system. As the future would show, the restraints were potentially negative in effect, producing not collaborative action but stalemate, and violence when the obstructions became impossible for one party or another to tolerate.

What most threatens Polybius' judgment, is that the Roman political system was driven not so much by compromise as by competition; by family pride and claims of ancestry, one's standing among clients and dependants, summed up in the word "dignity" – *dignitas*, or "what one is worth," a concept covering much more than the modern idea of personal deportment, rather one's entire social, political and individual standing. The aspiring senator needs to win the consulship, the highest magistracy, to maintain the status of his family – or, in the case of a "new man" from a non-senatorial background, to establish it – as part of the *nobilitas*. It does not matter so much what a man does in office, so long as he can avoid prosecution for maladministration, and if this occurred he can expect his senatorial peers to rally round in his defence, in case some day they too were impeached and needed his support. It is a dangerous mixture of ingredients, especially with the acquisition of overseas possessions and the influx of foreign wealth. It was the habit of those contending for high office to incur debt to win election, and its corollary, the need to recoup one's electoral expenses, generated mismanagement and corruption. Meanwhile, the price of competition rose, with immense wealth pouring into Rome from its newly acquired overseas territories.

Polybius' interpretation is a classic example of a theory succumbing to the force of events. Within ten years of his writing, and still within his own lifetime, his image of a stable Roman society saved from revolution by its institutions, was shattered. There are several issues which his balanced constitution failed to contain; the agrarian problem in Italy; the Roman citizenship; the question of the provinces; and war, the army and the nature of power. I will take them in turn and as briefly as possible; it will be obvious that they interlock at many points. The idea is not to explore these issues in their own right, but to show how in their various ways they exposed the institutional weaknesses of the Roman *res publica* and invited the creation of a remedy.

We need first to recall what has been happening during the century before Polybius' mature lifetime; sustained war, with all its consequences for manpower and economic growth, against Carthage, Macedon, and in Spain, where Rome was engaged after the Punic Wars until the fall of Numantia in 133 BCE. To judge by the recorded census figures, manpower losses in the second Punic war of 218–201 were substantial, with a decline from 214 000 Roman citizens in 203 to 144 000 ten years later (or, on a different basis of estimation, from 240 000 to 183 000), repeating an equally distinctive pattern of loss at the time of the first Punic War of 264–241. In both cases the figures reflect both casualties in war and the ensuing decline in the reproductive capacity of society. We must add the economic losses entailed in long absences of citizens from their lands, as they were summoned to serve in the wars. The consequences of these factors were neglect, foreclosures and bankruptcies, abandoned farms and their seizure by more powerful neighbors and creditors. There were settlements of discharged soldiers on confiscated public land such as that taken from Capua in retribution for its support of Hannibal, but much of this was usurped by powerful families, who turned it over, or let it lapse, from agriculture to unsupervised pasturage. This caused further insecurity, shepherds being next to bandits as they herd flocks between hill and plain and find shelter and support where they can. Another disruptive factor was the growth of slavery from the wars. Many of the captives were put to work as agricultural slaves in appalling living conditions, creating the threat of slave wars, such as broke out in Sicily in 136–131, and sixty years later in Italy.

The challenges to the social order inherent in these conditions led to the reform attempts of the brothers, Tiberius and Gaius Gracchus. From a family of the high nobility, connected through their mother with the Scipios, the Gracchi are a paradigm of the link that, whether through enlightenment or desperation, one may find between aristocratic background and reforming tendencies. Tiberius Gracchus served under Scipio Aemilianus at Carthage in 146 BCE (it is interesting to think that he was there with Polybius) and at Numantia in 137. A story is told that he had observed the results of depopulation while travelling to Spain to serve there, presumably by a route through northern Italy; in any case, the problems were not confined to the south.

Elected tribune of the people as a young senator in 133, Ti. Gracchus introduced forward legislation on land reform, beginning with the recovery of public land. This was to be achieved by a combination of expulsions when illegal occupation could be demonstrated and buying out when it could not. A land commission was appointed to supervise the work, to be funded from the estate of the recently deceased king Attalus III of Pergamum, a connection that goes back to Rome's friendship with his grandfather Attalus I at the time of Macedonian Wars. When Attalus III died in 133, having no heirs of the line he bequeathed his kingdom to Rome. This legally challenging situation (under whose law was the bequest made?) would not mean that Rome gained unrestrained possession of all his property, but that she accepted the inheritance with whatever obligations might be attached to it, such as the payment of debts and bequests to individual legatees. If Attalus had named as his heirs the Roman senate and people (and whom else could he name?), this immediately thrust the question of the ownership and use of the proceeds into the heart of the conflict that was now developing, against Polybius' predictions, between senate and people. Which was the sovereign body?

When an alternative proposal was put forward, to spend the bequest on public distributions that would increase the popularity of the senators who voted it, Tiberius Gracchus challenged the claims of the senate to authority and took his proposals straight to the popular assembly known as the "concilium plebis." This was a politically charged move, but legitimate, and rooted in the distant past. The *concilium plebis* was not a feature of the original Republican constitution, but had come into being shortly afterwards, in the rebellion against that constitution known as the "Secession of the People," conventionally dated to 494 BCE. The people had withdrawn from Rome to the Aventine Hill, which at that time lay outside the city, and had established its own assembly and its own magistrates, the tribunes, who quickly acquired diverse rights as the people's champions. Long denied legal force, the resolutions of the assembly known as "decisions of the plebs" or plebiscites (*plebiscita*) had, more than a century before the time of the Gracchi, acquired the same legal authority as those of the tribal assembly of the original constitution.

In the *concilium plebis* Gracchus the tribune was on home territory, but the senate took him on by planting another tribune to veto the legislation. The people responded by deposing the hostile tribune from office, probably the first action in this sequence of events that was definitely illegal, though one can make the case for it. Gracchus then stood for a second tribunate, which if not illegal was certainly irregular, but before holding it was killed by a senatorial posse led by, of all people, the *pontifex maximus*.

Not only was this action illegal by any measure; it was a violation of the religious protection (*sacrosancitas*) attaching to the figure of a tribune. Gracchus' killers had committed an act of sacrilege. They had also defined the issue as one of senate against people, and set a pattern of violence to be repeated in the years that followed.

The issue of the Roman citizenship came to a head under Tiberius' younger brother C. Gracchus, who was elected tribune in 123/2 BCE and again in 122/1, and brought in a major program of legislation. From the beginning, the Romans had been far more generous than the Greeks in extending the citizenship to those whom they conquered. Not that this was entirely based on idealism, for it was on their inclusive policies that an expanding Rome had built its manpower resources, as the communities that received the citizenship also acquired military obligations and shared in the benefits of the further wars they made possible. Over the years, however, this policy too had begun to be a cause of dissension between popular and aristocratic institutions, and between Rome and the allies. The citizenship brought political and legal benefits, including rights of intermarriage and the vote, and protections against exploitation. However, new voters disturbed the status quo, reduced the influence of the original citizen population, and their voting behavior might tend to favor the Roman magistrates who had won them the citizenship – which also attracted immigrants to an increasingly over-crowded city.

At the same time, Roman policies towards their Italian allies were becoming more restrictive. Aspiring citizens who were excluded resented it, while at the same time some of those who had been admitted felt exploited, with all those wars to fight, ever further from their homes. Gaius Gracchus revived a proposal to extend the citizenship to all Italians, and proposed founding colonies at Carthage, Capua, and Tarentum. However, the citizenship bill was defeated as existing citizens defended their rights, and the colony at Carthage was abandoned on religious grounds. After their destruction of the city, the Romans had sworn never to allow the site to be repopulated, and had spread salt on its fields to make them uncultivable. The effects of the salt would wear off as it leached away, but the oath remained a formidable obstacle to resettlement. Gaius Gracchus also introduced a Grain Law (*Lex Frumentaria*) to secure state-purchased grain, to be made available at a rate subsidized below the market price, but this too was a divisive issue, for it was only citizens fully resident at Rome who enjoyed the entitlement.

Like his brother, Gaius Gracchus died in a counter-revolution. The senate had passed what it styled the "the ultimate decree" (*senatus consultum ultimum*) "to protect the state from danger," a procedure with no legal authority except the senate's self-appointed role as the guardian of the constitution. Italian resentment at the withholding of the citizenship led to the "Social" (in the sense of "Allied") Wars of 91–83, which were brought to an end by the granting of it. Even then, the senate engaged in gerrymandering to exclude the new citizens from their legitimate rights.

An ever-present factor in these events was the growth of the city of Rome itself as an urban community, as a rapidly enlarging population challenged a divided government's ability to maintain order and tranquillity. With a population perhaps already rising towards a million, the city was behind its times in looking after their needs; in such matters, cities like Alexandria and Antioch were far in advance. Without any substantial improvements to its physical amenities, the safety and living conditions of the city were constantly exposed to the dangers of fire, floods from the Tiber, polluted water and pestilence, afflictions reported only sporadically in our historical sources but a constant cause of misery. The last of them, pestilence, is powerfully illustrated by the mass grave that came to light in 1876 at the huge cemetery on the Esquiline just outside the Servian walls, when the foundations of a new construction fell into the void left by the decomposed bodies. It was measured as 160 ft. long by 100 ft. wide and 30 ft. deep, and estimated by its excavator, Rodolfo Lanciani, to have contained the astonishing number of 24 000 corpses – the result, in Lanciani's opinion, of a single epidemic, totally undocumented in our written sources. As to normal practice, the bodies of slaves and the very poor were disposed of by burning or dumping, or thrown with other refuse into the unmarked pits, again outside the Esquiline Gate, known to Varro and the grammarian Festus as *puticuli*, many of which have been found and their typical measurements established; with surface dimensions of 5 x 4 meters and a depth of 10 meters, these are seriously disturbing monuments of the funerary history of Rome and, by extension, of living conditions in the Republican city. No wonder that the poet Horace, supported by his ancient commentators, could write of the area as strewn with the bones of the dead, where witches might gather to summon up their spirits (*Satires* 1.8.8–13). That was before the area was acquired by Augustus' supporter Maecenas and converted into pleasure gardens, which gives Horace the opportunity to cite its overall dimensions as 1000 x 300 feet – poetically imprecise no doubt, but giving us a sense of the scale of it.

As to the provinces, there are three overriding questions, first the rudimentary system of government Rome applied to them. Senatorial governors, known as "praetors," were sometimes appointed and magistracies occasionally prolonged to permit continuity of government, but there was no system of what were later known as "pro-consular" positions, that is to say regular appointments held in provinces "in place of the consul." Rome was improvising a system of government, without wanting to disrupt the established systems of promotion to the Roman magistracies, or to change the nature of the magistracies, which remained rigorously annual.

The provinces were acquired piecemeal, and without an overall plan. Macedonia was acquired after the Macedonian Wars with which this chapter began, while Asia Minor fell to Rome by the will of Attalus III of Pergamum. Narbonensis, the original "provincia" that still gives its name to Provence, was established in 121 BCE, in a moment of opportunism that Polybius would have admired; it combined a campaign against Gallic tribes, undertaken in concert with Massilia (Marseilles), Rome's oldest ally in the west, with the securing of the land route to Spain. The colony that gave its name to the province, Narbo (modern Narbonne), was founded in 118.

Newly acquired territories were taxed – but under what legal definition is not clear. Was it tribute, in the form of indemnity payments or reparations after war, as might be said of Carthage in 202? or was it (an extraordinary theory advanced by Cicero) rent paid by provincials for the continued occupation of land now owned by Rome? If there was reciprocity of benefits given for taxes paid, it was not made explicit. In the Athenian empires of the fifth and fourth centuries, a supposition was maintained that the tribute (styled *phoros* in the first empire, *eisphora* in the second) was for services rendered in commerce and common defence, but no such rationale was offered by Rome, unless it was the provincials' betterment through involvement in Rome's expansion.