

ROMAN
CIVILIZATION

SOURCEBOOK I:
THE REPUBLIC

EDITED WITH AN INTRODUCTION
AND NOTES BY

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INTRODUCTION: THE SOURCES

Roman Historiography

Roman literature began in 240 B.C., its historiography shortly thereafter. Thus, the history of Rome did not begin to be systematically written until the end of the third century B.C., when Rome had already become the dominating force in Mediterranean affairs. Before that time Greek historians had directed only scant attention to the institutions and growing might of the city on the seven hills. In the absence of formal history, the early Roman historians called upon two principal resources, which left a permanent impress on Roman historical writing—the official pontifical annals, and the methods and principles of contemporary Greek (Hellenistic) historiography.

I

Faced with the task of reconstructing the first five hundred years of their history, Roman writers fell back upon a host of legends and oral traditions of both native and Greek origin; family records of noble houses; extant inscribed documents, such as treaties and laws; and the archives of the priestly colleges, above all the *annales* compiled by the *pontifex maximus* (chief pontiff) in connection with his duties as regulator of the calendar. This annual record of the names of magistrates and of memorable events briefly noticed did not become part of the official state archives until 320 B.C. For the centuries preceding that date the *annales* were "reconstructed" in the interest of important Roman families, to form a continuous list of magistrates. The introduction of falsifications was facilitated by the general destruction of Rome during the Gallic invasion of 390 B.C., in which no doubt many, though certainly not all, records perished. Subsequently, with the development of historical writing, the keeping of these pontifical records was abandoned; about 120 B.C. the entire text, known as *Annales Maximii* (Pontifical Chronicles), was compiled and published in eighty books by Publius Mucius Scaevola, then chief pontiff.¹

¹ In 18/17 B.C. the Emperor Augustus ordered the preparation and inscription on an arch in Rome of the records now known, from their location in modern times, as the *Fasti Capitolini* (published in *CIL*, Vol. I, and more recently in *Inscriptiones Italiae*, Vol. XIII, Part 1 [Rome, 1947]). These contain (1) an annual list of high officials, together with brief notices of some memorable events, from the beginning of the Republic to Augustus' own time (this list was subsequently kept up to date until A.D. 13); and (2) a list of all triumphs celebrated from regal times to 19 B.C., after which date this honor was reserved as an imperial prerogative.

ABBREVIATIONS USED IN CITATION OF SOURCES

Abbott-Johnson = F. F. Abbott and A. C. Johnson, *Municipal Administration in the Roman Empire* (Princeton, 1926)

CIL = *Corpus Inscriptionum Latinarum* (16 vols., Berlin, 1862-)

Dessau = H. Dessau, *Inscriptiones Latinae Selectae* (3 vols., Berlin, 1892-1916)

Dittenberger = W. Dittenberger, *Sylloge Inscriptionum Graecarum* (3d ed., 4 vols., Leipzig, 1915-1924)

FIRA = *Fontes Iuris Romani Antequatini* (2d ed., 3 vols., Florence, 1940-1943)

IG = *Inscriptiones Graecae* (14 vols., Berlin, 1873-)

IGRR = *Inscriptiones Graecae ad Res Romanas Pertinentes* (3 vols., Paris, 1906-1927)

LCL = Loeb Classical Library

OGIS = W. Dittenberger, *Orientalis Graeci Inscriptiones Selectae* (2 vols., Leipzig, 1903-1905)

ROL = E. H. Warmington, *Remains of Old Latin* (4 vols., Cambridge, Mass., 1935-1940; Loeb Classical Library)

SEG = *Supplementum Epigraphicum Graecum* (11 vols. to date, Leiden, 1923-)

Servius,² *Commentary on Vergil, Aeneid* i. 373

There is this difference between annals and history: history belongs to those times which we saw or could see . . . but annals belong to those times which our age did not experience. Hence Livy is both annalist and historian. Nevertheless, these terms are easily confused.

Now the annals used to be prepared in the following way. The *pontifex maximus* had every year a whitened tablet, on which he used to place at the top the names of the consuls and the other magistrates and to note memorable events that had occurred at home and abroad, on land and on sea, day by day. Through the diligence of the chief pontiff the ancients compiled the annual commentaries in eighty books, and called them *Annales Maximii* from the *pontifex maximus* by whom they were made.

Aulus Gellius, *Attic Nights* ii. xxviii. 6

In the Fourth Book of his *Origines* Cato says: "I do not intend to write the kind of thing that appears on the tablet of the *pontifex maximus*—when grain was dear, or when darkness or something else obscured the light of the sun or moon."

Livy, *History of Rome* vi. i. 1-3

I have set forth in the five preceding books the history of the Romans, their foreign wars and domestic dissensions, from the founding of the city to its capture, first under the kings, then under consuls, dictators, decemvirs, and consular tribunes. These matters are enveloped in obscurity both by reason of their great antiquity, like far-off objects which can be described only with difficulty, and also because written records, the only trustworthy memorials of events, were in those times few and scanty, and such records as did exist in the *Pontifical Chronicles* and in public and private archives nearly all perished in the burning of the city. From its second beginning, when the city was reborn from its roots, so to speak, in more luxuriant and fruitful growth, a clearer and more reliable account of political and military history can be set forth.

II

Rome's first formal historians quite naturally followed the annalistic pattern of the pontifical records. Indeed, the annalistic structure made its appearance even in early Roman epic poems, such as the *Annales* of

² Maurus Servius Honoratus, a learned grammarian of the late fourth century A.D. His best-known work, the *Commentary on Vergil*, is extant in a shorter and in an expanded version; the latter is used here. Biographical data on the other authors cited here and below will be found on pp. 11-33.

Ennius and the *Punic War* of Naevius, and it remained a permanent feature of Roman historical writing. While all Roman historical works composed before the middle of the first century B.C. are now lost except for fragments, most of our extant sources for the regal and republican periods (e.g., Livy, Dionysius of Halicarnassus, Plutarch, Appian, Dio Cassius, Valerius Maximus) are based on the work of these early annalistic writers.

In the first place, these pioneers wrote down and fixed for all time the traditional account of Roman history for the period before the Second Punic War (218-201 B.C.), when contemporary data began to be accumulated. They reconstructed the past out of legends, the vain-glorious archives of noble families, and the official and falsified pontifical annals. This material contains a basic core of historical fact, much embellishment, and much pure fiction; for the early annalists felt no restraint about inventing material to fill out gaps in their information. An especially common practice was to retroject into dimmer periods various social, economic, political, and military events of more recent or contemporary times. Moreover, the Roman annalists down to the middle of the first century B.C. were all men of affairs belonging to the senatorial order, the ruling class of the Roman Republic; in consequence, they cast the historical framework which they created in the social and political perspectives of their class. Roman historiography was colored also by the fact that, in its beginnings, it sought to demonstrate the resources and might of the Roman state and to justify in influential Greek circles the measures taken by Rome in handling world affairs.

Thus the first Roman historian, Quintus Fabius Pictor (c. 200 B.C.), wrote his *Annales* of Rome in the Greek language, and, with the notable exception of Cato, his immediate successors continued this practice. With Lucius Cassius Hemina (c. 150 B.C.), in whose times Roman overlordship over the Hellenistic world had become an established fact, Latin supplanted Greek as the language of Roman annalistic literature.³ Next Gnaeus Gellius, who wrote c. 150-120 B.C., abandoned the earlier concise method for a treatment of Roman history on a vast scale, running to at least ninety-seven books, and thereafter this expansive style became an orthodox technique in Roman historiography, as the monumental work of Livy reveals. The worst aspects of the Roman annalists manifested themselves in the Sullan period, when such writers as Quintus Claudius Quadrigarius and Valerius Antias, who became notorious for their falsifications, presented a version of Rome's past that resembled a kind of historical romance. An evanescent phenomenon, also in the Sullan period, was the rewriting of the annals of Rome by Gnaeus Licinius

³ On Cato, who had previously written in Latin, see p. 11.

Macer, who colored the national history with the social and political viewpoints of the antisenatorial faction.

In short, as a result of falsifications and distortions, of nationalistic and sociopolitical tendentiousness, Roman historical writing made little qualitative, though some stylistic, progress, down to the so-called Golden Age of Latin literature—the age of Cicero and Caesar. Educated Romans of that period were conscious of the unreliability of the established traditions concerning early Roman history and of the technical and stylistic deficiencies of the annalists of the two preceding centuries.

Livy, *History of Rome* viii. xl. 3-5

It is difficult to decide which account, or which authority, to prefer to which. The record, I am convinced, has been falsified by funeral eulogies and by untrue inscriptions on ancestral portraits, as each family with deceptive falsehood appropriated to itself a tradition of great deeds and official distinctions. That is why the records of private careers and of public events are so confused. And there is no such thing as a contemporary writer of those days on whose authority one might rely.

Cicero, *Brutus* xvi. 62

From LCL

Of these [funeral orations] some are, to be sure, extant, which the families of the deceased have preserved as trophies of honor and for use on the death of a member of the same family, whether to recall the memory of the past glories of their house or to support their own claims to noble origins. Yet by these laudatory speeches our history has become quite distorted; for much is set down in them which never occurred—false triumphs, too large a number of consulships, false relationships, and transfers of patricians to plebeian status, in that men of humbler birth professed that their blood blended with a noble family of the same name, though in fact quite alien to them; as if I [Marcus Tullius], for example, should say that I was descended from Manius Tullius the patrician, who was consul with Servius Sulpicius ten years after the expulsion of the kings.

Plutarch, *Life of Numa* i. 1-2

Though genealogies from the beginning to King Numa seem to be set down accurately, yet there is a vigorous dispute concerning the time in which he reigned. But a certain writer named Clodius, in a book entitled *Examination of Chronology*, maintains that the ancient records were lost when the city was sacked by the Gauls and that those which are now extant were forged to flatter the pride of some men by inserting their names among the first families and the most illustrious houses, though in reality they had no claim to it.

Cicero, *Laus* i. ii. 5

From LCL

Atheticus. There has long been a desire, or rather a demand, that you⁴ should write a history. For people think that, if you entered that field, we might rival Greece in this branch of literature also. And to give you my own opinion, it seems to me that you owe this duty not merely to the desire of those who take pleasure in literature, but also to your country, in order that the land which you have saved you may also glorify. For our national literature is deficient in history, as I realize myself, and as I frequently hear you say. But you can certainly fill this gap satisfactorily, since, as you at least have always believed, this branch of literature is closer than any other to oratory.⁵

III

Of even greater importance in molding the general pattern of Roman historiography as it matured was the influence of the principles and methods of the Hellenistic Greek historians, whom, almost from the start, Roman historians used as their models. Thus among the Romans, as among the Greeks, history was regarded not as a social science but as a branch of literature. The Greek historians and their Roman imitators were primarily literary artists, not scholars; their efforts were dominated not by scientific methodology, but by canons of artistic form. Specifically, history was conceived as a branch of, or something akin to, rhetoric. Hence no need was felt even by great historians like Sallust, Livy, and Tacitus, when they were not dealing with contemporary events, to base their presentation on primary sources. Furthermore, stylistic homogeneity was a more important aim than strict fidelity to the facts, with the result that historical documents, for example, were not reproduced in their original form but paraphrased, and speeches and letters, attributed to historical personages but in reality the free creations of the writers, were incorporated into the narrative for heightened effect. "We concede to rhetoricians," says Cicero, "the privilege of distorting history in order to produce a more effective narrative."⁶

Other characteristics, too, were inherited by the Romans from the Hellenistic historians. From this source came the application to Roman historiography of some of the techniques of the Greek drama and the emphasis upon the role of individuals in the course of events, with the resultant subordination or neglect of broad historical forces. Greek in origin, also, was the utilitarian concept of history as a practical guide for men of affairs, and the conscious moralizing purpose of providing

⁴ Articus addresses himself to Cicero.

⁵ Cf. below.

⁶ Cicero, *Brutus* xi. 42.

through history ethical lessons for the edification of the reader. Above all, the patriotic motif was kept constantly in the foreground by the historians of Rome. A final influence, which made itself increasingly felt in the last two centuries B.C., was the scholarly antiquarianism fostered by the Greek Peripatetic school, and this concept of "history for its own sake" eventually brought into being a new, escapist literary genre—encyclopedic, quasi-historical—which enjoyed a vigorous life beginning in the troubled times of the dying Republic and continuing through the Empire.

Aulus Gellius, *Attic Nights* v. xviii. 6-9
From LCL

Thus history, it is said, is the setting forth or description—call it what you will—of events, but annals set down the events of many years successively, with observance of the chronological order. . . . I quote a passage of some length from the First Book of [the *Histories* of] Sempronius Asellio,⁷ in order to show what his opinion is of the difference between history and annals.

"Between those," he says, "who have desired to leave us annals and those who have tried to write the history of the Roman people, there was this essential difference. The books of annals merely made known what happened and in what year it happened, which is like writing a diary. . . . For my part, I realize that it is not enough to make known what has been done, but that one should also show with what purpose and for what reason things were done." A little later in the same book Asellio writes: "For annals cannot in any way make men more eager to defend their country, or more reluctant to do wrong. Furthermore, to write over and over again in whose consulship a war was begun and ended, and who in consequence entered the city in triumph, and in that book not to state what happened in the course of the war, what decrees the senate made during that time, or what law or bill was passed, and with what motives these things were done—that is to tell stories to children, not to write history."

The classic expression of all the major characteristics of Roman historiography as it evolved in the last two centuries B.C. is found in Livy, whom the Romans considered their most distinguished historian. His most comprehensive statement of aims and attitudes is contained in the famous préface to his work.

Livy, *History of Rome*, Preface
From LCL

Whether I am likely to accomplish anything worthy of the labor, if I record the achievements of the Roman people from the foundation of the

⁷ Lived c. 160-c. 90 B.C.

city, I do not really know, nor if I knew would I dare avouch it; perceiving as I do that the theme is not only old but hackneyed through the constant succession of new historians, who believe either that in their facts they can produce more authentic information or that in their style they will prove better than the rude attempts of the ancients. Yet, however this may be, it will be a satisfaction to have done myself as much as lies in me to commemorate the deeds of the foremost people of the world; and if in so vast a company of writers my own reputation should be obscure, my consolation would be the fame and greatness of those whose renown will throw mine into the shade. Moreover my subject involves infinite labor, seeing that it must be traced back above seven hundred years, and that proceeding from slender beginnings it has so increased as now to be burdened by its own magnitude; and at the same time I doubt not that to most readers the earliest origins and the period immediately succeeding them will give little pleasure, for they will be in haste to reach these modern times, in which the might of a people which has long been powerful is working its own undoing. I myself, on the contrary, shall see in this an additional reward for my toil, that I may avert my gaze from the troubles which our age has been witnessing for so many years, so long at least as I am absorbed in the recollection of the brave days of old, free from every care which, even if it could not divert the historian's mind from the truth, might nevertheless cause it anxiety.

Such traditions as belong to the time before the city was founded, or rather was presently to be founded, and are rather adorned with poetic legends than based upon trustworthy historical proofs, I purpose neither to affirm nor to refute. It is the privilege of antiquity to mingle divine things with human, and so to add dignity to the beginnings of cities; and if any people ought to be allowed to consecrate their origins and refer them to a divine source, so great is the military glory of the Roman people that when they profess that their father and the father of their founder was none other than Mars, the nations of the earth may well submit to this also with as good a grace as they submit to Rome's dominion. But to such legends as these, however they shall be regarded and judged, I shall for my own part attach no great importance. Here are the questions to which I would have every reader give his close attention—what life and morals were like; through what men and by what policies, in peace and in war, empire was established and enlarged; and then let him note how, with the gradual relaxation of discipline, morals first gave way, as it were, then sank lower and lower, and finally began the downward plunge which has brought us to the present time, when we can endure neither our vices nor their cure.

What chiefly makes the study of history wholesome and profitable is this, that you behold the lessons of every kind of experience set forth as on a conspicuous monument; from these you may choose for yourself and for your own state what to imitate, from these mark for avoidance what is shameful in the conception and shameful in the result. For the rest, either love of the task I have set myself deceives me, or no state was ever greater, none more righteous or richer in good examples, none ever was where avarice and

luxury came into the social order so late, or where humble means and thrift were so highly esteemed and so long held in honor. For true it is that the less men's wealth was, the less was their greed. Of late, riches have brought in avarice, and excessive pleasures the longing to carry wantonness and license to the point of personal ruin and universal destruction.

IV

With the decline of the Republic and the concentration of power in the hands of the emperor, literature became increasingly the province of professional literateurs. As restraints upon freedom of expression grew, literature developed an increasing emphasis on matters of form and was more and more characterized by antiquarianism, "art for art's sake," dilettantism, and rhetorical display. The influence of the prevailing rhetorical education, with its emphasis on artificial declamation, became universal. The political oratory of the last two centuries of the Republic received its death blow with the establishment of the Principate; the accumulated technical skills of the art of rhetoric became a vehicle for imperial pronouncements, for showpieces by professional rhetoricians, for arguments in law cases, and for prolix and fulsome panegyrics of the emperors. Historiography continued along the lines laid down during the Republic, with these differences: its rhetorical, belletristic, ethical approach is heightened; Roman writers who concern themselves with the imperial period focus their attention on the city of Rome and the emperor's court, neglecting the broader aspects of the Empire as a whole, and cater to the public taste for gossip and scandal about the court; and contemporary history in general ceases to be written. The last-named tendency was fostered during the Augustan Age by the official policy of celebrating and reviving the pristine virtues and customs of the earlier Romans, a policy which inevitably operated to imbue history with antiquarianism. In addition, the scholarly encyclopedic movement of the declining Republic maintained a flourishing existence. The learning of the period expressed itself also in a number of technical treatises on various subjects; among those extant are books on architecture, medicine, agriculture, and water supply. Finally, the growing cosmopolitanism of the Roman Empire resulted in the disappearance of significant differences between Greek and Roman writers, except that universal history continued to be almost exclusively the field of the Greeks.

Writers of the Republican Period

The conspectus which follows is not intended to outline the literary history of the Roman Republic and Empire, but to provide the reader with brief introductions to the authors whose works figure importantly in the present collection of sources.

CATO

(234-149 B.C.)

Marcus Porcius Cato of Tusculum was the founder of Latin prose literature. A soldier-statesman of extensive military and administrative experience, he was in his public career and his thinking the exponent of the austere ancient Roman virtues and the spokesman of the ultraconservative, narrowly nationalistic reaction against the rising tide of Hellenism and the inevitable transformation of Roman life under the impact of wealth and power of empire. Himself a member of the possessing and ruling class, even if he was a "new man,"^s he exhibited the traditional Roman practicality and dogmatism. Little remains of his numerous orations or of his *Origines*, a monograph in seven books on the history of his times from 264 (or 218) to 149 B.C., with digressions on the origins of the cities of Italy. In keeping with his aggressive nationalism, he alone among the historians of his generation wrote his work in Latin.

His sole surviving work, the oldest extant Latin prose work, is his *De Agricultura* (On Agriculture), a manual on farm management for absentee landowners written c. 160 B.C. Comprising 162 brief chapters, this treatise is a precious source for the economic, social and religious institutions of the second century B.C. Cato wrote this guide to serve the needs of the increasingly numerous owners of latifundia who were as yet inexperienced in the operation of these large estates that were developing in the transformation of Italian agriculture from subsistence farming to one of the most important sources of income for the Roman ruling class. It is especially important for its evidence on the beginnings of "plantation" slavery in Italy.

^s See introduction to § 155.

POLYBIUS

(c. 200-c. 117 B.C.)

Polybius of Megalopolis in southern Greece, "the sun in the field of Roman history," as Mommsen called him, is our most trustworthy authority for the period from the beginning of the Second Punic War to the middle of the second century B.C. Of his *Histories*, a general history of the Mediterranean world in forty books, covering the years 220-146 B.C., with a two-book introduction on antecedent events, only the first five books (to 216 B.C.) survive entire, together with excerpts and fragments of the rest. The son of one of the leaders of the Achaean League, he took an active part in the political and military affairs of his native Achaia in the era when the Greeks were faced with the problem of adjusting themselves to the realities of Roman overlordship. Deported to Italy in 166 B.C. as one of 1,000 Achaean hostages, he remained in Rome for over a decade, observing the character and institutions of the conquerors of the Mediterranean, and winning the friendship of the scions of the Roman nobility, in particular of Scipio the Younger. His expatriation served to inculcate on him an admiration for Roman imperialism as a blessing to the world and a desire to expound to his fellow Greeks the rapid rise of Rome to world-wide hegemony in the short span of fifty-three years (220-168 B.C.)—"a thing unexampled in history"—and the faculty of continuing their resistance to such might.

Polybius is a unique figure in ancient historiography, for, contrary to traditional practices, he did not propose to produce a work of literary art, explicitly rejected rhetoric and the techniques of the tragic drama, and introduced few speeches in his work. Equipped with a scientific approach not again encountered in the field of history until the nineteenth century, he brought to his subject a combination of political realism, military experience, personal knowledge of topography, and a conviction of the organic unity of history. Thus he chose the year 220 B.C. as his starting point because "since that time history has been a kind of organic whole, and the affairs of Italy and Africa have been interconnected with those of Asia and Greece, all moving toward one end," namely, Roman world empire.⁹ Like many ancient historians, he had a pragmatic, utilitarian concept of history as rich in practical lessons for statesmen, placed great emphasis on the individual in history, and was frankly subjective in his ethical approach and his expression of abstract moral judgments.

⁹ Polybius i. iii. 4.

In his constant effort to probe the causes and interrelations of events, Polybius developed a series of theories of historical causation as he progressively modified his interpretation of the Roman rise to power. At first he saw *Tyche* (Chance, Fortune), an unpredictable, superhuman power, as the prime motive force in history. Later, as his admiration for the Romans grew, he attributed their world hegemony to human causality—the national character and institutions of the Romans. Finally, presumably as he lived to observe the growing corruption of the Roman aristocracy, he modified his earlier views and fell back upon a form of the mechanistic Stoic concept of Fate and the operation of recurrent historical cycles.¹⁰

CICERO

(106-43 B.C.)

Marcus Tullius Cicero of Arpinum "is the supreme index to his age. He is in contact with all its interests. His works, therefore, form a history of his era—of its politics and society as well as its literature and knowledge."¹¹ A gifted speaker and brilliant lawyer, equipped with the finest education available at that time, he came into the public eye early and rose rapidly through the lower magistracies to the consulship (63 B.C.), although he was a "new man." As consul he suppressed the revolutionary conspiracy of Carilene. Subsequently his political enemies brought about his exile, but he was restored after a year and a half through the influence of Pompey the Great. But, though he served a year as governor of Cilicia in 51-50 B.C., he remained in political eclipse, playing the part of elder statesman and devoting most of his time to the practice of law and to literary composition. He returned briefly to a position of political leadership and prominence after the assassination of Caesar, when his outspoken attacks on Antony in his fourteen *Philippics* led to his proscription by the Second Triumvirate and his brutal assassination by Antony's soldiers.

¹⁰ The continuator of Polybius' history was the Greek polymath Posidonius of Apamea (c. 135-c. 50 B.C.), whose universal history of the period from 136 to 82 B.C. exerted a tremendous influence on later authors. His work, a retrogression from the standards set by Polybius, combined the Roman oligarchical and the Stoic points of view. He was primarily a moralist and was probably the first to enunciate the idea, which quickly became conventional, of the superior virtues of the older Romans and the degenerative effects of luxury and vice upon the Romans of the last century of the Republic (cf. §§ 80, 96, 170, 171). He thus probably also gave the initial impetus to the antiquarian interest which began to flourish in Rome about the middle of the first century B.C. (cf. p. 8).

¹¹ J. W. Duff, *A Literary History of Rome from the Origins to the Close of the Golden Age*, 2d ed. (London, 1920), p. 351.

The fifty-seven extant speeches of Cicero constitute one of our richest contemporary sources for the period 81-43 B.C. They are concerned with civil and criminal cases and with political affairs. For all their prolixity and partisanship—in his orations as an advocate he employs all the devices of a skilled lawyer; in his public addresses he is the defender of the vested interests of the ruling and propertied classes—they provide accurate factual material in many areas, such as Roman law and the judicial system, political institutions and constitutional history, economic and social life, taxation, public finances, and provincial administration.

Equally important is the extensive body of letters collected and published after his death. The 864 extant letters (774 from the pen of Cicero, 90 from his correspondents) are addressed to, or written by, various friends and members of his household (the sixteen books *Ad Familiares*), to his friend and publisher Atticus (the sixteen books *Ad Atticum*), to his brother Quintus (three books), and to Brutus (two books). Some are dated as early as 68 B.C., but the bulk belongs to the last decade of his life. In his letters Cicero reveals himself as does no other Roman whose works survive; all the political great pass before us in a variegated panorama; we penetrate into large affairs and small—into the private life of his times, the intellectual and business interests, the political maneuverings of the upper classes.

Besides being a practical man of affairs, Cicero was also a scholarly idealist, and in the years of his exile and political eclipse he devoted himself to the composition of treatises on political theory, rhetoric, and philosophy. His *De Republica*, in six books, of which about one third is extant, and his *De Legibus* (Laws), in at least five books, of which three are extant, take as their models Plato's dialogues of the same titles, but they reveal a political philosophy which combines idealism and actual Roman practices. His works on oratory, the most important of which are the *Orator*, *Brutus*, and *De Oratore* (On Oratory), are valuable sources for Roman education, the history of oratory, and forensic techniques. His philosophic essays are marked by no great profundity or originality of thought; in them Cicero sought to transmit to the Romans his own interest in speculative thought and to popularize Greek philosophy by presenting it in the Latin language and adapting it to Roman needs. Learning toward eclecticism, he poured his studies of Greek ethics, theology, and epistemology into his treatises on *Old Age*, *Friendship*, *The Nature of the Gods*, *Divination*, *The Ends of Good and Evil*, *Duties*, and the famous *Tusculan Disputations*, as well as into a number of minor essays.

CAESAR

(100-44 B.C.)

Gaius Julius Caesar, the most important political and military figure of the middle of the first century B.C., prepared two tracts in the heat of his military campaigns. His *Commentarii de Bello Gallico* (Commentaries on the Gallic War), military memoirs in seven books on his policies toward and campaigns against the Gauls, Germans, and Britons in 59-52 B.C., were written not as history but as political pamphlets.¹² Caesar sought through the speedy publication of these memoirs to maintain *in absentia* his political prestige in Rome, to justify his unauthorized acts in leading his troops outside the provinces assigned to him, and to defend his policies toward the peoples beyond the Alps. Simple and un-rhetorical, his *Gallic War* reveals the military genius of the author, provides invaluable information on Roman military institutions, and contains the earliest extant accounts of the ethnology and culture of the Gauls, Germans, and Britons. His second set of memoirs, the *Commentarii de Bello Civili* (Commentaries on the Civil War), in three books, is one of our prime sources for the events of 49-48 B.C. As in his earlier work, Caesar's basic purpose in writing the *Civil War* was a political one, to justify before the Roman public his war against Pompey and his adherents.¹³

VARRO

(116-27 B.C.)

Marcus Terentius Varro of Reate is the dean of Roman antiquarians. Though he had a public career during the civil war period, he was essentially a learned encyclopedist—"the most erudite of the Romans," Quintilian calls him. His gigantic output, comprising seventy-four works in about 620 books, accumulated and marshaled information in almost all fields of learning. Of his *Roman Antiquities* in forty-one books, only tiny fragments survive. Of his *De Lingua Latina* (The Latin Language) in twenty-five books, six books are extant. This work is an etymological study of the origins of Latin words, often faulty in method, but containing valuable *obiter dicta* on many aspects of Roman history and society. Only his *De Re Rustica* (On Landed Estates), in three

¹² One of his officers, Aulus Hirrius, completed the story, carrying it down to 50 B.C. in an eighth book.

¹³ The *Civil War*, too, is incomplete. The authorship of three supplementary books on the wars in Egypt, Africa, and Spain in 48-45 B.C. is a vexed question.

books, has come down to us intact. Together with Cato's *De Agricultura* this treatise is our prime source for the management and operation of the large estates in Italy under the Republic.

SALLUST

(86-c. 35 B.C.)

Gaius Sallustius Crispus of Amiternum in the Sabine country, after an active public career as an adherent of Julius Caesar, retired from politics after Caesar's assassination and devoted himself to writing history. Of his *Histories*, in five books, covering the years 78-67 B.C., a few fragments and excerpts remain. But his two extant monographs on *The Jugurthine War* and *The Catilinarian War* establish his position as one of the great Roman historians. Despite his moralizing emphasis on the evils of greed and ambition, his carelessness in matters of chronology, his geographical inaccuracies, and a predilection for analysis and comparison of personalities, Sallust is unique among extant Roman historians in abandoning the annalistic method for the historical monograph and in his application of Thucydidean realism and Polybian standards to his subject matter. The poet Martial called him "the first in Roman history." It must be understood, however, that Sallust was primarily a political pamphleteer in his *Jugurtha* and *Catiline*. In these two historicopolitical tracts he sought to defend the policies and leaders of the antisenatorial opposition by revealing the corruption and incompetence of the *optimates* and by countering the propaganda directed against Caesar. Yet his pamphlets afford us a lucid picture of the international and internal consequences of the partisan strife of the last century of the Republic.

DIODORUS

(c. 80-c. 50 B.C.)

Diodorus of Sicily, a Greek writer about whom little is known, is the author of the *Historical Library*, a general world history in forty books covering the period from mythological times to 60 B.C. Books I-V, XI-XX, and fragments from the rest have survived. These provide some useful information about Roman history, especially for the years 480-302 B.C. But in the main Diodorus' work is a dull, inaccurate chronicle of information culled from secondary sources, which attempts mechanically to present the history of the Mediterranean world area by area and year by year. Like most historians in antiquity, Diodorus reveals a pragmatic, ethical view of history and an emphasis upon the role of the "strong man."

Writers of the Imperial Period

VERGIL

(70-19 B.C.)

Publius Vergilius Maro from the region of Mantua in Cisalpine Gaul, the leading poet of the Augustan Age, poignantly and sensitively reflects the contradictions between the official façade of ideals and the disillusioning realities of the Augustan Age. A scholar and man of letters, he became a member of the literary circle gathered by Augustus' intimate adviser Maecenas, and devoted his mature years to a profound effort to probe whether the "new order" of Augustus was the highest stage of social evolution. Combining Greek literary tradition with a Roman perspective, he produced the *Ecllogues* (or *Bucolics*), ten pastoral poems; the *Georgics*, four books in praise of Italy and agriculture; and the great nationalist and philosophical epic, the *Aeneid*, in twelve books. An artificial product, heavily indebted to Greek epic poetry, drama, and philosophic speculation, the *Aeneid*, though cast in the form of a legendary epic, is nonetheless superficially a vehicle for the Augustan themes of peace, national unity and duty to the state, moral rearmament through the revival of the "Roman virtues" and the ancestral piety and religion, and Rome's "enlightened" imperial destiny under the guidance of the imperial family. Despite this, Vergil's *Aeneid* is pervaded by an atmosphere of gloom and doubt, for, using the yardstick of Greek philosophic and political speculation and the concept of the "common humanity of man" to appraise the world order constructed by the Romans of the Republic and reorganized by Augustus, he could not reconcile the differences between what he desired and what he glorified, between unattainable ideals and the realities of his material world.

HORACE

(65-8 B.C.)

Quintus Horatius Flaccus of Venusia in Southern Italy, the son of an ex-slave, was introduced by his friend Vergil into Maecenas' literary coterie. With the collapse of Brutus' lost cause, which he had espoused, he made his peace with the new regime of Augustus and abandoned politics. Content henceforth in the comfortable existence provided by Maecenas' subsidies, he devoted himself completely to the enjoyment of life and to the composition of poetry of great technical perfection,

which gives us glimpses of the society, politics, religion, and literary and intellectual life of the Augustan Age. Horace's *Satires* and *Epodes* belong to his earlier period. The *Odes*, lyric poems on a variety of themes including national topics, are his masterpiece. Literary criticism and familiar philosophical reflections of no great profundity form the contents of his *Epistles*, the poems of his last years. He is also the author of the *Carmen Saeculare* (Secular Hymn), written on the occasion of Augustus' celebration of the Secular Games in 17 B.C.

DIONYSIUS OF HALICARNASSUS

(c. 60/55 B.C.—after 7 B.C.)

Dionysius, who came to Rome from Halicarnassus c. 30 B.C., was a Greek teacher of rhetoric and a distinguished literary critic. In addition to work in these fields he wrote the *Roman Antiquities*, in twenty books, an annalistic history of Rome from the legendary beginnings to 264 B.C. Books I-X and most of Book XI (to 446 B.C.) are extant, as well as fragments of the rest. This work, produced under the influence of the atavistic movement of the Augustan period and employing as sources the prosenatorial annalists of the Sullan period, is a markedly rhetorical, prolix, antiquarian reworking of the annals of early Rome. Much space is devoted to tiresome, unhistorical speeches. Nevertheless, Dionysius is not entirely without historical acumen, and he is at times our only or best source for early Roman institutions and traditional history.

LIVY

(59 B.C.—A.D. 17)

Titus Livius of Patavium (Padua) in Northern Italy is the greatest of the annalists of Rome. His *History of Rome* to 9 B.C. (entitled *Ab Urbe Condita*, "From the Founding of the City"), in 142 books, supplanted all previous chronicles, and gave to the history of the Roman Republic the perspectives and form that it retained until the beginnings of modern criticism in the nineteenth century. Of this "colossal masterpiece," as the German historian Niebuhr called it, there are extant Books I-X (beginnings to 293 B.C.), XXI-XXV (218-167 B.C.), and fragments from and summaries of the rest.¹⁴

¹⁴ Because of the great size and cost of Livy's history, a number of abridgements and summaries of abridgements were made in later centuries. The most valuable of these is the *Periochae* (Résumés), based on an epitome of the first century A.D. and extant for all books except cxxvii and cxxxvii. Based on Livy's work are also, among others, the compendia of Cassiodorus, Florus, Eutropius, Orosius, and Rufius Festus.

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Essentially a literary artist and court historian, without a fundamental grasp of geography, military science, or politics, Livy brought to bear upon the historical traditions of Rome¹⁵ an unexcelled narrative skill, a superb prose style, and all the techniques of rhetoric and drama, to create what was virtually a prose epic of the glories of Rome's past. His basic aim was not critical inquiry, but moral reform through lessons to be drawn from an idealized past, through emphasis on ancient virtues, heroism, patriotic sacrifice and religious piety. Insufficiently critical of his sources, and making no pretension to a systematic philosophy of history, Livy selected and emphasized what suited his purposes, infusing his history with his ethical aim and a prosenatorial bias. Eloquent but fictitious speeches and elaborate but generically similar descriptions of battles abound in Livy's history, and in the early books he recounts at great length many traditional Roman legends. Nevertheless, for many periods of the Republic Livy is our best or only authority.

OVID

(43 B.C.—A.D. 18)

Publius Ovidius Naso of Sulmo in Central Italy was a fashionable literary dilettante in the Rome of the Augustan Age. Aside from a considerable body of erotic and mythological poetry, he composed a versified calendar, the *Fasti*, which describes (from an antiquarian point of view) anniversaries and religious festivals of the first half of the year. This work contains valuable material on legends, folklore, religion, and social customs. In the last decade of his life, after he was exiled by Augustus for moral reasons to Tomi, on the west coast of the Black Sea, he wrote the *Tristia* (Laments) and *Epistulae ex Ponto* (Letters from the Black Sea), poems in which, while expressing his misery because of his separation from the cosmopolitan atmosphere of Rome, he gives us a few glimpses of conditions in a peripheral region of the Roman Empire.

VITRUVIUS

(Period of Augustus)

Vitruvius Pollio, an architect and military engineer about whom almost nothing is known, is the author of the sole surviving Roman treatise on architecture, *De Architectura*, in ten books (written c. 25-23 B.C.). Vitruvius was an expert technician, who was involved in the beautification of Rome under Augustus. His work deals in detail not

¹⁵ His principal sources were the early annalists, Polybius and other Greek writers, and some official documents.

only with architecture and town-planning, but also with water supply, devices for telling time, machines, and war engines.

STRABO

(c. 64 B.C.—c. A.D. 21)

Strabo, a Greek scholar from Amasia in the Roman province of Pontus, was an historian and geographer. His *General History*, continuing Polybius to the end of the Republic, is lost. His extant *Geography*, in seventeen books, written as an aid for men of affairs (either for Romans, for whom he had a high admiration, or for Asiatic Greeks), is an encyclopedic mine of information not only on the geography of the known world, but also on political and economic history.

SENECA THE ELDER

(c. 55 B.C.—c. A.D. 37/41)

Lucius Annaeus Seneca, the elder, of Córdoba in Spain, the father of the philosopher (see p. 21), is the author of a collection of *Controversiae* (Debates) and *Suasoriae* (Pleadings), which he wrote from memory to preserve the teaching methods and styles of the rhetoricians of the late Republic and early Empire. He gives us eighty-one subjects assigned to students for preparation and delivery—criminal, civil, and social themes, all based on hypothetical laws and situations.

VELLEIUS

(Before 20 B.C.—after A.D. 30)

Velleius Paterculus of Campania, a retired army officer, is the author of a *Compendium of Roman History* in two books. Book I, from the beginnings to 146 B.C., is preserved in small part; Book II, preserved intact, covers the period from 146 B.C. to A.D. 30. Velleius' amateur condensation of Roman history lacks historical depth, is highly rhetorical and subjective, biographical in method, frankly pro-aristocratic, and profuse in its adulation of the imperial family, in particular of the Emperor Tiberius, under whom Velleius had a long military service. Yet the *Compendium* is our best extant abridgement of Roman history; it is valuable for its data on Roman colonies and on provincial history and for providing the best existing connected account of events from 168 B.C. to A.D. 30, being especially full for the reign of Augustus and most of that of Tiberius.

PHILO

(c. 20 B.C.—c. A.D. 40)

Philo Judaeus, the distinguished Jewish theologian-philosopher of Alexandria, is the author of numerous Greek works in which he sought to reconcile Jewish theology with Hellenic philosophy. There are also extant two political tracts from his pen: *Against Flaccus*, which expounds the grievances of the Jewish community against the governor of Egypt, providing valuable information on the administration of Egypt and on the place of the Jews in the Roman Empire; and *Embassy to Gaius*, an account of a delegation (of which he was a member) sent by the Jewish community of Alexandria in A.D. 39–40 to voice its grievances to the Emperor Caligula. The latter work is especially important for its firsthand picture of the mad Caligula and for the Jewish resistance to emperor worship.

VALERIUS MAXIMUS

(Period of Tiberius)

Valerius Maximus, about whose life nothing is known, is the author of *Facta et Dicta Memorabilia* (Memorable Deeds and Sayings) in nine books. This work is a miscellany of facts and anecdotes, intended to serve as a repertory for rhetoricians and teachers. Though Valerius relies chiefly on the annalists and is shallow, uncritical, superstitious, and rhetorical, his work preserves for us much valuable information on Roman history and institutions.

SENECA

(c. 4 B.C.—A.D. 65)

Lucius Annaeus Seneca from Córdoba in Spain, son of Seneca the rhetorician (see p. 20), was a prominent figure in the reigns of Claudius and Nero, serving as tutor and adviser to the latter. He was subsequently implicated in the conspiracy of Piso against Nero, and was ordered to commit suicide. Seneca is our best source for Roman Stoicism. Of his voluminous moral and philosophical works the following are extant: twelve so-called *Dialogues*, *On Clemency* (two books), *On Benefits* (seven books), and 124 *Moral Epistles*. His *Natural Questions*, regarded during the Middle Ages as a reference book on cosmology and physics, is of little value as a source for the Roman knowledge of natural science.

The *Apocolocyntosis* (Pumpkinization) is a witty, cynical satire on the deification of the Emperor Claudius. Seneca is the author also of eight tragedies, artificial closet dramas based on fifth-century Greek plays and reworked by the application of Roman rhetoric and Stoic philosophy.

PETRONIUS

(Period of Nero [?])

Petronius Arbiter, about whom little is known, was probably connected with the court of Nero. His one surviving work, which is not preserved entire, is the *Satyricon*, a realistic picaresque novel revealing from the point of view of a witty, cynical aristocrat—phases of contemporary Italian life. It is a very valuable document for the social and economic history of the early Empire.

COLUMELLA

(Period of Nero)

Lucius Junius Moderatus Columella, from Gades (modern Cádiz) in Spain, was a retired army officer who became a practical farmer in Italy. His *De Re Rustica* (On Landed Estates), in twelve books, and his *De Arboribus* (On Arboriculture), in one book, constitute our most comprehensive source for Roman agricultural techniques and the management of large estates. It is especially valuable, when compared with the earlier similar works of Cato and Varro, for an understanding of the changes in agricultural economy which occurred in the early Empire.

PLINY THE ELDER

(A.D. 23-79)

Gaius Plinius Secundus, of Como in Northern Italy, had an active public career, and was in the last years of his life a close associate of the Emperor Vespasian. He lost his life while serving as admiral of the fleet evacuating refugees from the eruption of Mt. Vesuvius in A.D. 79. Pliny was also an encyclopedic scholar, whose lost works, in 102 volumes, dealt with military science, history, education, and language. His one surviving work, the *Natural History* in thirty-seven books, is a huge compilation at secondhand of the prevailing scientific knowledge of the early Empire, containing 20,000 items derived from 2,000 volumes by 100 principal authors. While Pliny's work is marred by bookishness, credulity, and the pseudo science of the times, the *Natural History* is

a mine of information about many aspects of Roman social, religious, economic, and political institutions.

QUINTILIAN

(A.D. c. 30-c. 96)

Marcus Fabius Quintilianus, born in Spain, was the most successful and most distinguished professor of oratory in Rome. His career was climaxed by his appointment to a chair of rhetoric subsidized by the Emperor Vespasian and to the post of tutor of the children of the Flavian dynasty. His *Institutio Oratoria* (Institutes of Oratory) in twelve books, an epoch-making and influential work, was the product of his pedagogical experience and constitutes our most important authority on Roman education. While much of this treatise on the education of the orator from infancy to the polished graduate deals with highly technical aspects of rhetoric, it is extremely valuable for its information on the methods and content of Roman education, for details of Roman law, and for Quintilian's acute, and now classic, literary judgments. Attributed to him but spurious are two collections of *Declamationes*, 19 long and 145 shorter rhetorical exercises similar to those of Seneca the Elder, on imaginary points of law.

FRONTINUS

(A.D. c. 40-103/4)

Sextus Julius Frontinus had a distinguished career which included the governorship of Britain and the office of water commissioner of the city of Rome. His works are characterized by typical Roman practicality. The *Stratagemas*, in three books (there is a fourth by an unknown author), intended to illustrate principles of military science for army officers, is a collection of anecdotes from Greek and Roman history on successful military artifices. Much more valuable is his *De Aquis Romae* (The Water Supply of Rome) in two books, a technical work on the aqueducts and pipes supplying the residents of Rome, written on the basis of his personal experience as administrator, an accurate knowledge of the legislation concerning the city's water supply, and much diligent research.

JOSEPHUS

(A.D. 37/8-c. 100)

Flavius Josephus, born Joseph ben Matthias, was a prominent Jewish Pharisee, a man of affairs and diplomat who, despite a pro-

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Roman bias acquired after a visit to Rome, was reluctantly drawn into the Jewish revolt of A.D. 66-70 as a general of his people's forces. Taken prisoner, he became the interpreter and adviser of Titus, and was subsequently granted Roman citizenship and attached on terms of great intimacy to the Flavian house. In Rome he devoted the remainder of his career to the writing of history, employing the Greek language. His *magnam opus* is the *Jewish Antiquities*, from the Creation to A.D. 65, in twenty books. The *Jewish War*, in seven books, was written to point up the futility of further resistance to the might of Rome; *Against Apion*, in two books, is a defense of Judaism against the detractions of anti-Semites; and his *Autobiography* is a defense of his own conduct during the Jewish revolt. Josephus is more propagandist than historian. Yet, though his works are highly rhetorical, exaggerated, and biased, they provide valuable information on Roman imperial policy and administration and insight into the attitudes of subject peoples of the Empire toward Roman rule.

MARTIAL

(A.D. 38/41-c. 100)

Marcus Valerius Martialis, from Bilbilis in Spain, spent thirty-five of his mature years at Rome as a man of letters, moving in the highest levels of Roman society. His fifteen books of verse *Epigrams*, skillfully wrought miniatures of the cosmopolitan life of the capital, reveal a realistic knowledge of all strata of society in the Flavian Age. These thumbnail sketches of all manner of men, women, and customs provide us with valuable details on the social and private life of imperial Rome.

DIO CHRYSOSTOM

(A.D. c. 40-c. 120)

Dio Cocceianus Chrysostomus of Prusa in Bithynia belonged to a wealthy provincial family. His fame as a traveling lecturer brought him to Italy, where he associated with the imperial court. Exiled by Domitian from Italy and Bithynia for fourteen years, he later enjoyed the favor of Nerva and Trajan. Much of his time was spent as a public figure in his native Prusa. Of his voluminous writings much is lost. His numerous extant orations consist of sophistic showpieces, moral discourses, and political addresses. The latter, though highly artificial (like all Dio's work), provide valuable information about contemporary society and local affairs in the Greek cities of Asia Minor.

PLUTARCH

(A.D. c. 46-c. 126)

A wealthy man of letters and occasional public lecturer, Plutarch spent most of his life in his native town of Chaeronea in Central Greece, but went on several embassies to Rome. The bulk of his writings is contained in the *Moralia* (Moral Essays), a collection of more than sixty treatises on a variety of topics, especially ethical questions. More important as a source for Roman civilization are his classic *Parallel Lives*, fifty biographies of eminent Greek and Roman soldiers and statesmen, most of them arranged in Greek-Roman pairs followed by summary comparisons. However, since these were written as moral lessons rather than as historical essays, one must not expect to find in them thorough compilations of factual data or evidences of critical research. Plutarch's sources were secondary (principally the annalists for Roman material), and his methods were those of the hero worshiper and sentimental moralist—anecdotal, antiquarian, dramatic, and digressive. Nevertheless, Plutarch's *Lives* have preserved much valuable material on phases of Roman society, institutions, and history from the legendary foundations of the city of Rome to the early Principate.

TACITUS

(A.D. c. 55-120)

Publius(?) Cornelius Tacitus, member of a distinguished Roman family, was a lawyer with a long legal and political career before he became an historian. As a literary artist and as an historical realist he is the leading figure in Roman historiography. His earliest work is the *Dialogus de Oratoribus* (Dialogue on Oratory), a monograph on the decline of oratory in the imperial period. Next came the *Agricola* and the *Germania*. The former, a biography of his father-in-law, who distinguished himself (among other things) as governor of Britain, is valuable for details of imperial administration and the consolidation of Roman rule in Britain; the latter is a scholarly monograph of outstanding value on the ethnography, the political and military institutions, the economic life, and the religion and customs of the Germanic tribes at the end of the first century A.D.

The two most significant works of Tacitus, written in the full maturity of his literary and historical powers, are his *Annales*¹⁶ in

¹⁶ The accepted title, for which, however, there is no ancient authority.

eighteen books, covering the history of the years A.D. 14-68; and his *Historiae*, presumably in twelve books, dealing with the events of the years A.D. 69-96. Of the *Annals* there are extant Books I-IV, the beginning of Book V, Book VI, the second half of Book XI, and Books XII-XVI (A.D. 14-29, 31-37, and 47-66); of the *Histories* only Books I-IV and the first part of V (A.D. 69-70). These two works, both annalistic in structure, constitute our most trustworthy source for the history of the facts and the principate, largely because of the basic accuracy of the facts and the critical realism of the author. Yet Tacitus was fundamentally a literary artist with a superb narrative skill and a unique style deliberately cultivated for maximum effect. His approach to history was the ethical one characteristic of antiquity. Gloomy, cynical, satirical, he captures the mind and emotions of the reader by dosing his facts with a clever and effective, if unhistorical, admixture of gossip, rumor, innuendo, and speculation. His psychological insight into character is profound, but his excessive speculation on individual motivation frequently results in distortion. In addition, his emphasis on the individual in history and his concentration on Rome and the imperial court circumscribe his historical vision. He is openly biased in favor of a moderate aristocratic republic, and this political prejudice, too, distorts his historical analyses. The profound dislocation of Tacitus' superficially happy times is reflected in his confused philosophy of history. As moving forces in history he accepts indiscriminately predestination, chance, free will, and divine intervention. Moreover, the contradictions and inconsistencies in Tacitus are due not only to this lack of an organic theory of historical causation, but also to the conflict between his prejudices and the facts, and to the conflicting evidence of his sources which he neglected or failed to resolve.

PLINY THE YOUNGER

(A.D. 61/2-c. 114)

Gaius Plinius Caecilius Secundus, of Como in Northern Italy, was the nephew and adopted son of Pliny the Elder (see p. 22). A wealthy, highly educated man of affairs, littérateur, and lawyer, he had a long public career at Rome, culminating in the governorship of Bithynia (A.D. 111-113). Of his writings there are extant the *Panegyricus*, a full-some, rhetorical oration delivered in the senate in honor of Trajan on the occasion of Pliny's elevation to the consulship (A.D. 100), and 368 *Letters* arranged in ten books. The 121 letters of Book X are from his official correspondence, when governor of Bithynia, with the Emperor Trajan; they constitute a prime source for our knowledge of Roman provincial administration. The remainder, written between

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A.D. 97 and 109 with a view to eventual publication, are really miniature essays on a variety of topics, and they provide a panorama of the life and manners of his age as seen through the eyes of a cultured gentleman of the Roman ruling class.

JUVENAL

(A.D. c. 60-c. 140)

Decimus(?) Junius Juvenalis, about whose life very little is known that is certain, was trained in rhetoric and had a military career. His sixteen *Satires* present a grim, cynical, pessimistic picture of the immorality and degeneracy of the Roman upper classes in the late first and early second centuries. His moral indignation, stemming largely from disappointment in his personal career, produced an exaggerated documentation of the evils of his age. But he is a valuable source for many realistic, if overdrawn, details of contemporary society.

SUETONIUS

(A.D. c. 69-c. 150)

Gaius Suetonius Tranquillus came of a wealthy Roman family; little else is known of his life, except that he practiced law and was for a time a secretary to the Emperor Hadrian. In his writing he was essentially an antiquarian, "the Varro of the imperial period." Of his numerous works there are extant part of the *De Viris Illustribus* (Biographies of Famous Men—grammarians, rhetoricians, and poets), and the *Vitae Duodecim Caesarum* (Lives of the Twelve Caesars), biographies of Julius Caesar and the first eleven emperors (Augustus to Domitian). Suetonius set a new vogue in historical writing, which retained thereafter for centuries his biographical approach and method. His *Lives* are monotonously constructed, anecdotal, with little psychological or political understanding. His method is that of cataloguing a multitude of brief, often disjointed facts, interspersed with bits of scandal and backstairs gossip. Like Tacitus, he concentrates his attention on the individual (the emperor) and on the imperial court, to the exclusion of broader historical movements.

APPIAN

(A.D. c. 95-c. 165)

Appian of Alexandria, a lawyer by profession, was a Romanized Greek who was active in the Roman civil service. A dilettante in the

field of history, he undertook to rewrite the history of Rome on a new principle, namely, along geographical lines. The result was his *Roman History* in twenty-four books, of which the following are extant: Preface, fragments of Books I-V, Book VI (wars in Spain), Book VII (Hannibalic War), Book VIII (Punic Wars), Book IX (Illyrian Wars), Book XI (Syrian Wars), Book XII (Mithridatic Wars), and Books XIII-XVII (Civil Wars, 133-35 B.C.). Books XIII-XVII form a unit commonly cited by the title *Civil Wars*, Books I-V. Though based on secondary and tertiary sources, lacking historical breadth and critical independence, and devoted almost exclusively to military history, Appian's work is, in the present state of our sources, extremely valuable for the internal affairs of Rome in the century from the Gracchi to the end of the Republic, thus helping to bridge the gap between Polybius' *Histories* and the writings of Cicero.

FLORUS

(Reign of Hadrian)

(Lucius Annaeus?) Florus, about whom little is known except that he was born in Africa, was a man of letters whose one extant work is an *Epitome of Roman History* in two books, from the beginnings to the Age of Augustus. Devoted mostly to military events and leaning heavily on Livy, Florus' abridgement is essentially a panegyric of Rome, rhetorical, moralistic, excessively brief, inaccurate in detail, but serviceable where there are lacunae in our other sources.

FRONTO

(A.D. c. 100-166/7)

Marcus Cornelius Fronto of Numidia was the foremost master of the art of rhetoric of his time, who, after a public career in Rome, became the tutor of Marcus Aurelius and Lucius Verus. His *Letters*, a collection of instructional correspondence with his two imperial pupils, are pedantic and fulsome, but they provide us with a valuable picture of Marcus Aurelius, the royal court, and the education of the time.

GELLIUS

(A.D. c. 123-c. 169)

Aulus Gellius, of Italian origin, was a lawyer with an antiquarian bent. While still a student in Athens, he began the preparation of a work entitled *Noctes Atticae* (*Attic Nights*), in twenty books. This is a

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miscellany on a great variety of topics, and is of especial value because, in his love of accumulating information, Gellius excerpted passages and details from many earlier authors whose works are now lost.

APULEIUS

(A.D. c. 125-c. 171)

Lucius (?) Apuleius, from Madaura in Africa, was a member of the provincial aristocracy, a brilliant lawyer, and a traveling lecturer. He was an opponent of Christianity and his principal literary interests lay in the mystical religions of his age, in magic, and in philosophy. Excerpted from his pen are the *Apologia*, a speech defending himself against a charge of practicing magic; the *Florida* (Purple Patches), excerpts from his lectures and philosophical writings; and the *Metamorphoses*, or *Golden Ass*, a picaresque romance of exquisite beauty and continuing popularity. Apuleius' works are a valuable source for the social life and religious interests of the second century in the provinces.

PAUSANIAS

(Reign of Marcus Aurelius)

Pausanias, a Greek traveler and geographer, of whose life nothing is known, published in A.D. 174 a *Description of Greece* in ten books, intended as a tourist guidebook to Greece and to Greek antiquities. The historical digressions in this work contain useful information on Greece under Roman domination.

DIO CASSIUS

(A.D. c. 155-c. 230)

Cassius Dio Cocceianus, a native of Bithynia and son of a Roman senator, is the "Greek Livy." He tells us that, after retirement from a long public career which included the consulship, he devoted ten years to collecting data for, and twelve more years to composing, his *History of Rome* from the legendary beginnings to A.D. 229. Of this vast work in eighty books the following parts are preserved, in addition to numerous fragments: Books XXXVI-LX (covering 69 B.C.-A.D. 46), Book LXXX, and part of Book LXXX (A.D. 217-219). The gaps are partially filled by the epitomes of the Byzantine compilers Zonaras (early twelfth century) and Xiphilinus (late eleventh century), upon which we chiefly rely for the material of Books I-XXI and LXI-LXXX respectively. Dio's *History*, which is an especially valuable source for the early Principate, is of

uneven quality. In its annalistic method, its lavish use of rhetoric and fictitious speeches, its dramatized presentation, and its reliance on secondary sources, it displays traits common to most ancient historiography. In addition, the work is marked by a strong bias in favor of the imperial system as it functioned down to the death of Marcus Aurelius, and the presentation is characterized by a blurring of details that often leaves an impression of vagueness.

ATHENAEUS

(Early third century)

Athenaeus was born at Naucratis in Egypt, of Greek origin. He migrated to Rome, where he poured his antiquarian erudition into an encyclopedic work, the *Deipnosophistae* (Savants at Dinner). This learned miscellany is a storehouse of factual information, quotations from earlier authors, and anecdotes on the most varied social and literary topics, with particular emphasis on gastronomy.

HERODIAN

(A.D. c. 165-c. 255)

Herodian was a Syrian Greek in the Roman civil service. His *History* in eight books, an account of the successors of Marcus Aurelius to the accession of Gordian III (A.D. 180-238), is the work of a second-rate historian. He was sincere in his work and often possessed personal knowledge of events he recorded; but his history is biographical in character, rhetorical, and moralistic. With all its deficiencies, however, Herodian's work embodies a good deal of material for which it is our sole extant source.

EUTROPIUS

(Reign of Valens [A.D. 364-378])

Eutropius, about whom little is known, is the author of a *Breviarium ab Urbe Condita* (Compendium of Roman History) to A.D. 364. Carefully compiled from secondary sources (in the main) and following the established traditions of Roman history, Eutropius' simple narrative is of value in filling in existing gaps in our earlier sources.

THE "HISTORIA AUGUSTA"

These *Lives of the Caesars*, probably the product of the middle of the fourth century, are a collection of thirty imperial biographies from

CHRISTIAN WRITERS

Hadrian to Carinus, the emperors from A.D. 117 to 284. (The lives for the period 244-253 are lost.) These biographies, which have been labeled "little better than literary monstrosities," are assigned by the tradition of the manuscripts to six different authors, but a widely-held modern theory attributes the whole collection to a single writer. Modeled on Suetonius' biographical method, they are extremely untrustworthy (especially the later ones), emphasize trivial personal anecdotes, and are lacking in historical sense, critical ability, and respect for the truth. They contain over 150 alleged documents of all kinds, almost all of which are suspect as forgeries or outright fabrications.

MACROBIUS

(c. A.D. 400)

The life of Ambrosius Theodosius Macrobius, the "Latin Athenaeus," is little known. The principal work of this antiquarian polymath, the *Saturnalia* in seven books, written in the form of a dialogue, is a vast miscellany of information on Roman antiquities, comparable to the *Attic Nights* of Aulus Gellius (see p. 28). It is especially valuable because of its excerpts from earlier works now lost.

XIPHILINUS AND ZONARAS

See Dio Cassius (p. 29).

Christian Writers

JUSTIN MARTYR

(A.D. c. 100-c. 165)

Justinus Flavius, a native of Palestine and a convert to Christianity, is one of the earliest Christian writers. Of his works only the *Dialogue* and *Apology* have survived. The latter is especially valuable because of its description of early Christian worship and its analysis of the charges of crime and immorality leveled against the Christians.

TERTULLIAN

(A.D. c. 155/60-c. 222/30)

Quintus Septimius Florens Tertullianus, the founder of Western Christian theology and the first great personage in Latin Christianity,

was born at Carthage and after his conversion became a priest. Of his voluminous apologetic, doctrinal, moral, and polemical writings, thirty-one works are extant. Particular interest attaches to his *Ad Nationes* (To the Pagans), in two books, and to his *Apology*, which are concerned with the defense of Christian life against popular charges of criminality, immorality, and disloyalty to the imperial government.

CYPRIAN

(A.D. c. 210-258)

Thascius Caecilius Cyprianus, bishop of Carthage, was a prolific writer. For the student of Roman civilization the most instructive of his extant works are his *Letters*, mostly on Church management and discipline; *De Lapsis* (On Those Who Have Lapsed from the Faith), dealing with conditions during the persecutions of the middle of the third century; *Ad Donatum* (To Donatus), on the vanity of worldly things, which presents a good picture of the pagan world of his time; and *De Ecclesiae Unitate* (On the Unity of the Catholic Church), his most important work.

MINUCIUS FELIX

(A.D. c. 240)

Marcus Minucius Felix, probably a Roman lawyer, is the author of the dialogue *Octavius*. This "finest of Latin apologies for Christianity" is a defense of the new religion against an attack upon it made by Fronto (see p. 28).

LACTANTIUS

(A.D. c. 245/50-c. 325)

Lucius Caecilius Firmianus Lactantius, the "Christian Cicero," was born at Carthage. He was converted to Christianity after a career as a professor of rhetoric and later was appointed tutor to Emperor Constantine's son Crispus. Of his many extant works the most famous is the *Institutiones Divinae* (Divine Institutes), in seven books, a defense of Christian doctrine against pagan religion. His *De Mortibus Persecutorum* (On the Deaths of the Persecutors) is valuable not only for the history of the persecutions from Nero to Galerius, but also for its precious contemporary description of Diocletian's economic and social reorganization of the Roman Empire.

CHRISTIAN WRITERS

EUSEBIUS

(A.D. c. 260-339/40)

Eusebius, bishop of Caesarea in Palestine, is the "Father of Church History." His *Ecclesiastical History* to A.D. 324, in ten books, is a mine of information about Christian antiquity, the persecutions, and the intellectual and institutional evolution of the Church. Extant also are his *Chronicon* in two books, a chronological table epitomizing universal history, and a *Life of Constantine* in four books, a glorification of the first Christian emperor.

AUGUSTINE

(A.D. 354-430)

Aurelius Augustinus (St. Augustine), the "Christian Plato," was born in Numidia, had a career as professor of rhetoric in Carthage and Italy, where he was converted to Christianity, and later became bishop of Hippo in Africa. His vast literary product, totaling 118 works, consists of controversial books, doctrinal treatises, philosophical and rhetorical essays, Biblical exegesis, sermons, and letters. Most famous are his spiritual autobiography, the *Confessions*, in thirteen books, and *De Civitate Dei* (The City of God) in twenty-two books. The latter work, a definitive reply to pagan attacks, is valuable not only for early Christian life and thought, but also for the numerous details of Roman history and religion which it contains.

OROSIUS

(Early fifth century)

Publius Orosius, a native of the Iberian peninsula, studied for a time with St. Augustine. He is the author of the first Christian universal history, the *Historiae adversus Paganos* (History against the Pagans), in seven books. Based on secondary sources, rhetorical, distorted, diffuse, often erroneous and contradictory, Orosius' history of the world was essentially apologetic in purpose. He selected and emphasized the calamities and disasters of past history to support his thesis that the crisis of the Roman Empire in his time was not due to the spread of Christianity and the abandonment of pagan religion, and that under a divine providence a better world was in the making.

Legal Sources

ROYAL ORDINANCES

The earliest Roman law of which we have any record is a collection of the enactments of the prerRepublican kings, said to have been compiled by a *pontifex* named Papirius about the end of the regal period (510 B.C.). These laws are concerned largely with religion and related public matters; therefore, while they gave official sanction to a number of enduring customs, because of their basically sacral nature they had little importance in the development of Roman law in the Republic and Empire. See further § 8, where a selection from these royal ordinances is given.

THE TWELVE TABLES (450-449 B.C.)

Roman legal sources proper begin with the Twelve Tables. These laws, essentially a codification of existing custom, dealt with procedures in litigation, family relations, debt, land and other property matters, delicts, and a number of matters of public and sacred law. They are reproduced and discussed more fully in § 32.

LEGISLATION (LEGES, PLEBISCITA)

The most direct source of law is, of course, legislation. Under the Republic the only laws, in the strict sense of the word (*leges latae*), were the enactments of the popular assemblies. The legislative assembly of the early Republic was the *comitia centuriata* (§ 27), in which the citizens voted in military units called centuries. While this body continued to exercise certain traditional functions, from the third century B.C. on the most important legislative body of the Roman Republic was the *comitia tributa*, in which the vote was by tribes, i.e., by regional units. In addition to participating in these general assemblies, the plebeian citizens developed a separate conclave (*concilium plebis*) for the more effective assertion of their rights and demands. The resolutions of this plebeian assembly were known as *plebiscita*. In 287 B.C. the so-called "struggle of the orders" culminated in the Hortensian Law (§ 42), which decreed that *plebiscita* were to be as fully valid as *leges* proper. Thereafter the plebeian and tribal assemblies became practically indistinguishable, and *plebiscita* were frequently loosely referred to as *leges*.

JUDICIAL EDICTS (EDICTA MAGISTRATUUM)

Among the prerogatives of the Roman magistrates who held the *imperium*—the consuls and praetors—was the right of issuing judicial edicts (*ius edicendi*). In 367 B.C., when it had become apparent that the two consuls could no longer discharge all the executive functions of the expanding Roman state, the office of praetor was created to assume the supervision of the administration of justice (§ 38). Within a few years it became the custom for the praetor, on entering office, to issue an edict in which he set forth the principal rules of legal procedure which would prevail under his jurisdiction.¹⁷ Since many of these rules were naturally retained and repeated each year by successive praetors, these became established with the passage of time as standard practice, and this continuing part of the praetor's edict came to be known as "the traditional edict" (*edictum tralatitium*). Clearly, these edicts were not acts of legislation, but rather statements of procedures to be followed in the administration of the law. Yet, through this control of the operation and enforcement of the law, in the last century of the Republic the praetors—elected administrative officers who were often without legal training—became the most important agency of legal development.¹⁸

This power of the praetors came to an end c. A.D. 125, when the Emperor Hadrian assigned Salvius Julianus, the leading jurist of the time, to systematize the various praetorial edicts in permanent form, the so-called *Edictum Perpetuum*. Thereafter the praetors continued the formality of proclaiming their annual edicts, but they no longer had the power to introduce changes or innovations; this was henceforth the exclusive prerogative of the emperor.

ROMAN AND NON-ROMAN LAW (IUS CIVILE, IUS GENTIUM)

The body of laws and customs peculiar to Rome and Roman citizens was known as *ius civile*. The expansion of Roman dominion and the resulting increased intercourse with foreigners led in 241 B.C. to the creation of a second praetor (*praetor peregrinus*) to supervise

¹⁷ This initial proclamation did not, of course, preclude a praetor's right to issue additional regulations during his term of office if circumstances required. The praetor, it should be noted, was not a trial judge but more like a present-day minister of justice, or the Attorney General of the United States.

¹⁸ The latitude which this system left unscrupulous praetors desirous of serving private or special interests is fairly obvious. The best known case of its abuse is that of the notorious Verres (§§ 139, 143, 144).

litigation in which aliens (*peregrini*) were involved. The first praetor (henceforward called *praetor urbanus*) continued to operate in the realm of *ius civile*; but since the latter was the exclusive privilege of Roman citizens, the *praetor peregrinus* issued a separate edict, based in large measure on "the law which natural reason has established among all men"¹⁹—*ius gentium*.

The source and nature of this body of law which the Romans regarded as based on principles of common humanity and therefore universally applicable, have been variously explained by modern scholars. The prevailing view holds that in origin *ius gentium* consisted essentially of the simple legal rules observed by the peoples of Central Italy. According to this view *ius civile* obviously included parts of *ius gentium*, plus certain elements of specifically Roman origin. What is certain at all events is that with the passage of time Roman law was increasingly influenced by the law of the subject peoples of the Empire, especially the Greeks. "And so the Roman people too," wrote Justinian's compilers, "employs in part its own law, and in part the law common to all men."²⁰

DECREES OF THE SENATE (SENATUS CONSULTA)

The senate was originally an advisory council to the Roman kings, and then to the republican magistrates who succeeded the kings. In addition, it exercised a certain supervision over legislation, since enactments of the popular assemblies were usually submitted to it for preliminary approval. But, although it had no official legislative or executive power, the senate was able—both by virtue of the fact that it was the only permanent organ of the Roman government and by skillful political manipulation—to extend its supervisory and advisory control of magistrates and people to such a degree, that from the end of the third century B.C. on it was in effect the real policy-making body of the Roman Republic. Its resolutions (*senatus consulta*), though strictly speaking only advices or instructions to magistrates on law enforcement, came to be phrased with all the finality of formal legislation and to have, for all intents and purposes, the force of law.

Under the Empire the popular assemblies were gradually abolished and *senatus consulta* became formal legislative enactments, but they were limited to such matters as the emperor chose to submit for the senate's rubber stamp of approval. Indeed, as the Principate evolved into overt monarchy it was the proposal made to the senate by the emperor (*oratio principis*), rather than the formality of its enactment by the senate, that came to be referred to as the act of legislation. This

¹⁹ Justinian, *Institutes* I. ii. 1.

²⁰ *Ibid.*

frank recognition of reality appears c. A.D. 200; and the latest recorded *senatus consultum* dates from the reign of Probus (A.D. 276-282). With the accession of Diocletian soon afterward and the establishment of a frankly absolutistic monarchy, the emperor became the sole legislative authority of the Roman government.

IMPERIAL LEGISLATION (PRINCIPUM PLACITA)

Before Diocletian there was no constitutional basis for the emperor's legislative authority; but the imperial regime, although founded on the fiction of the "restored Republic," provided the emperor with such vast special powers that he was from the beginning of the Principate the supreme legislative authority in the state. Augustus, carefully avoiding the open manifestations of monarchy, preferred to effect and formalize his legislation through the traditional republican channels of the popular assemblies and the senate. However, immediately after his reign these republican pretenses began to disappear. In Tiberius' reign the powers of the assemblies were sharply curtailed and the senate began to lose the modicum of authority that Augustus had left it. Hadrian, as noted above, flatly proclaimed his exclusive authority over the praetor's edict. A century later the noted jurist Ulpian penned the classic formulation of the situation: "What the emperor has determined has the force of law since . . . the people has transferred to him all its power and authority."²¹ In this same third century the emperor, who had previously been declared subject to the laws, was proclaimed to be above the law. The culmination of this process was the complete elimination of the senate as a legislative source and the emergence of the absolute monarchy under Diocletian.

The emperor's "legislative" acts, known as *constitutiones*, were of four types:

1. *Edicta*. These were statements, usually on novel matters and broad in scope, and had the force of statutes to all intents and purposes.
2. *Rescripta*. These were replies by the emperor to inquiries from officials and to petitions from individuals. Some rescripts applied only to the case at issue, others established precedents for the future. Whatever the intention of the issuing emperor, the tendency to regard and use all rescripts as precedents was naturally very strong, and this practice was finally validated by Justinian.

3. *Decreta*. These were judicial decisions of the emperor, either in cases of first instance or on appeal. Beginning with Diocletian, such decisions were usually rendered by rescript.

²¹ Justinian, *Digest* I. iv. 1 *prooemium* (= *Institutes* I. ii. 6).

4 *Mandata*. These were administrative orders prepared in the imperial chancellery for governors setting out for their provinces, to brief them on the current status of important legal principles which they would need to apply in the exercise of the offices. *Mandata* were thus not new imperial enactments (and therefore not *constitutiones*, strictly speaking), but they incorporated already existing *constitutiones*. As such they frequently served jurists and nonjurists alike as convenient up-to-date sources of law.

Unless specifically delimited, *constitutiones* apparently remained valid until expressly repealed or superseded.

INTERPRETATION BY JURISTS (RESPONSA PRUDENTIUM)

The earliest interpreters of Roman law were the *pontifices*, the overseers of the rituals and taboos from which law in Rome, as in most primitive societies, arose. The college of pontiffs kept their rules and traditions secret until c. 300 B.C., when plebeians finally gained admittance to the pontificate and published its legal arcana, thereby destroying what had until then been a patrician monopoly manipulated against the commons. This secularization of the law gave rise to a new class of interpreters and elaborators of legal doctrine, the *iusprudentes*. These men pursued their juristic activity neither by virtue of any official position nor in anticipation of consultation fees; their qualification, as characterized by one of their number, was "a conception of the good and the fair, separating right from wrong."²² During the Republic the weight of their opinion depended entirely on their reputation. Under the Empire a kind of official recognition was accorded certain jurists in the form of an honorific privilege known as *ius respondendi*, "the right of giving [juristic] responses"; and from the time of Hadrian at least, leading jurists were generally members of the emperor's advisory *consilium*. The era of the great jurists came to an end c. A.D. 250, when the Principate collapsed in anarchy, and with its passing ended the "classical age" of Roman law.

The jurists' activities may be classified under three major headings:

1. They advised magistrates and private individuals on points of law and procedure, on the conduct of litigation (they did not, however, plead), and on the drafting of legal instruments.

2. They gave instruction, not by lecturing, but by allowing young men to be present at their consultations. This attendance at juristic consultations was regarded in the Republic and Empire as the most important part of the training for a legal and public career.

²² Ulpian, in *Digest* I. I. I.

3. They produced an enormous legal literature. Their earliest works were commentaries on specific laws, case books, and collections of forms for legal and business use. The first systematic and scientific legal treatise, involving a theoretical approach and an analysis of general principles, was attributed to Quintus Mucius Scaevola, under whom Cicero studied; and it is probably no accident that Scaevola is the earliest writer quoted in Justinian's *Digest*. In the three hundred years that followed, Roman jurists produced a great variety and quantity of legal works, from general handbooks of instruction (*institutiones*) to specialized monographs. Most of these works are preserved only in citations in the *Digest*. Of the few that have survived the most valuable is the *Institutes* of Gaius. This work, written c. A.D. 160, was the chief source for the *Institutes* of Justinian. Other extant juristic works are the *Sententiae*, or "Opinions," of Paulus (c. A.D. 200); a book of *Regulae*, or "Rules," sometimes attributed to the famous jurist Ulpian but actually part of an epitome prepared A.D. 320/42 by an unknown writer; and a third-century treatise, commonly called *Comparison of Roman and Mosaic Law*.

CODIFICATIONS

The era of the jurists was succeeded by an age of codification, culminating in the sixth century in the comprehensive *Corpus Juris Civilis*. This development is not hard to understand. By A.D. 250 Roman law was a vast and constantly growing congeries of statutes, decisions, and other legal records. The great jurists had, by their teaching, consultations, and writings, helped their contemporaries to thread a course through this legal maze. With the disappearance of these commentators, practitioners turned to codifications for assistance in keeping abreast of the law.

The earliest of these codes were two private compilations, the *Codex Gregorianus* and the *Codex Hermogenianus*. While neither of these is extant, we know that they were published c. A.D. 291-295, that they gave a systematic presentation of the *constitutiones* from Hadrian to Diocletian, and that they are the source on which later compilations drew for earlier imperial enactments. The next important code was an official collection ordered by the Emperor Theodosius II and published in A.D. 438. This *Codex Theodosianus*, which is extant in considerable part, contained all the *constitutiones* from the time of Constantine. Finally, in the sixth century, Justinian assigned to a commission headed by Tribonian the task of preparing a definitive codification, superseding all previous compilations. This *Corpus Juris Civilis*, the direct

ancestor of most modern European civil codes, is extant in its entirety and consists of four parts:

1. *Code* (first issued A.D. 529; only the revised edition of 534 is extant)—a collection in twelve books of all important *constitutiones* from Hadrian to Justinian which were still in force, corrected and modified to bring them up to date.
2. *Digest* or *Pandects* (A.D. 533)—the most important part of the whole work, a codification in fifty books of the writings of the jurists (2,000 treatises were perused), modified to take account of later legislation and to avoid redundancies, conflicts, and repetition of matter already in the *Code*.
3. *Institutes* (A.D. 533)—an introduction to Roman law for beginners (still used today for that purpose). The plan and much of the content of this book are derived from Gaius; most of its material is to be found also in the *Code* or *Digest*.
4. *Novels*—new *constitutiones* issued by Justinian himself in the twelve years after A.D. 534. This collection is not part of the great compilation directed by Tribonian. The most used form of this collection is the so-called *Authenticum*, in which Justinian's original Greek texts are accompanied by Latin translations.²³

Inscriptions

A vast body of written and inscribed documents salvaged from the ruins of the ancient world helps us in some measure to overcome the incompleteness and to correct the subjectivity of the strictly literary sources on Roman civilization. An invaluable storehouse of primary materials is the accumulation of inscriptions on stone, metal, and other durable materials, which today numbers over 100,000 in Latin, and many thousands more in Greek but pertaining to Roman affairs (many of them translations of official documents and communications received in the Greek-speaking part of the Empire from the Roman government). Each year a considerable number of additional inscriptions continues to be unearthed. Preserved sometimes in fragmentary condition and sometimes intact, these inscriptions range in size from the most exiguous remnants

²³ In order to achieve a consistent and up-to-date *Corpus*, Justinian's compilers, as mentioned above, did not hesitate to alter earlier texts when they found it necessary. Similar intrusive or altered matter is found also in the extant works of the jurists, all of which have come down to us in manuscripts considerably later in date than the original publications. These adulterations of text are known technically as *interpolations*. Much progress has been made in the last seventy years in identifying these interpolations and in reconstructing the original texts of the juristic works and of the *constitutiones* compiled in the first three centuries of the Christian era.

to such extensive documents as the *Fasti Capitolini*,²⁴ the *Deeds of the Deified Augustus*, and Diocletian's *Edict on Maximum Prices*.

The science of epigraphy is of comparatively recent date. Collections of Latin inscriptions began to be made as early as the time of Charlemagne, but their study was not put on a scientific basis until the nineteenth century. Thus access to this rich epigraphical material is still largely reserved to specialists. Few translations have been made, and those that do exist have appeared in such scattered publications as to be virtually inaccessible to students and laymen interested in Roman antiquity. One of the aims of the present collection of sources is to remedy this deficiency, within the limits of these volumes, for the English-speaking public.

Official documents of the Roman Republic and Empire were regularly inscribed for permanent record; among the extant inscriptions are numerous examples of treaties, laws and plebiscites, decrees of the senate, edicts and communications of Roman magistrates and foreign powers, pronouncements and enactments of the Roman emperors and dedications to them, military documents (especially veterans' diplomas), and calendars and *fasti*—to mention a few of the more important types. In addition, there are huge quantities of honorary and commemorative inscriptions, of business and personal records, even scribbles on walls (so-called *graffiti*), relating to private individuals of low as well as high station.

Indeed, from the second century B.C. to the end of the Roman Empire, there is hardly any aspect of Roman civilization that is not illuminated by the inscriptions.²⁵ They provide in particular a corrective to the upper-class perspectives of the literary sources by affording insights into the private lives, occupations, and thinking of the common people. Moreover, it is largely through the inscriptions that the main lines of the social and economic history of the Roman Empire have been reconstructed. The entire field of Roman law has been enriched by inscriptional evidence. Inscriptions have shed great light in the areas of international affairs; the administration of Rome, Italy, and the provinces of the Empire; the exploitation of subject peoples; the careers of major and minor personages of Roman officialdom; taxation and other fiscal matters; the extension of Roman citizenship; and the progress of urbanization. The internal administration of Roman municipalities is illustrated by a host of epigraphical documents. A great many yield detailed information on the powers of the Roman emperors, the imperial civil service, the growth and administration of the emperor's personal do-

²⁴ See above, Note 1.

²⁵ Inscriptions of the republican period constitute only a small fraction of the total now extant; the overwhelming majority belong to the imperial period.

mains, and the emergence of quasi-feudal relationships such as the colonate. They have also provided valuable information on religious institutions, and a very numerous group documents the spread of Christianity in the Roman world.

Papyrus and Similar Documents

For ordinary official, business, and personal needs, the Roman world employed a writing paper made by pressing together two transverse layers of thin strips cut from the papyrus plant and laid side by side. Papyrus documents are associated primarily, though not exclusively, with Egypt. The Nile delta, where the plant grew in abundance, retained throughout antiquity a practical monopoly of papyrus manufacture, which was invented by the Egyptians c. 3000 B.C., and it is from the desert sands of Egypt, where they lay for centuries protected from the deteriorating effects of air and water, that nearly all of the ancient papyrus now extant have been recovered.²⁶

Papyrus was put up and sold in roll form (*volumen*),²⁷ which could be used whole or from which pieces could be cut as desired. For jottings, memoranda, and similar purposes, the Romans frequently used small wooden tablets with surfaces thinly waxed (or sometimes merely smoothed), either singly or strung together in a pad, this pad of superimposed tablets was the forerunner of the *codex*, or modern book form, which came into use for both papyrus and parchment in the course of the first century B.C. or A.D. and which had completely supplanted the roll for literary works by the fourth century.²⁸ Parchment, though employed mostly for literature, was used also for documents in some parts of the Empire, especially in areas such as Asia Minor, where large-scale sheep-raising afforded an abundance of the raw material. Finally, there are important records of antiquity preserved on ostraca, or potsherds, which were widely used in the Eastern Mediterranean in pre-Roman and Roman times for brief notations of all kinds.²⁹ In the Hellenistic and Roman periods ostraca were used most often for tax receipts, presumably

²⁶ Only three papyrus finds have been made outside Egypt: at Herculaneum (see Note 30), at Dura-Europus (modern Salihiye) in the Syrian desert, and at Nessana (modern El Auja) in the Palestinian Negev, all of which afforded moisture-free conditions similar to those of the Egyptian desert.

²⁷ Hence ancient literary works were customarily separated into volumes, or books. The lectionary use of the Gospels and other books of early Christianity was an important factor fostering this development, since the desired passages could be found more quickly in the *codex* than in the *volumen* form.

²⁸ The well-known Athenian practice of ostracism employed ostraca (on which the intended victim's name was scratched or written) as ballots.

43 because the taxpayer had to furnish the material for the receipt, and any household could provide a supply of broken bits of pottery.

The study of ancient documents preserved on these materials, known as papyrology from the most usual of them, is the newest of the auxiliary sciences of classical scholarship, having developed only in the last sixty-odd years. To be sure, ancient papyrus began to be recovered in the Mediterranean area as early as the eighteenth century, both in Herculaneum³⁰ and in Egypt. But systematic excavation for and scientific study of papyrus began only in the 1880s, after Egyptian peasants turned up hundreds of pieces one year while digging for fertilizer in the refuse dumps of buried ancient towns. Since then numerous archaeological expeditions and continued activity by native diggers have yielded an almost unbelievably rich harvest of papyrus and other finds. Thousands of papyrus and ostraca have already been published; many thousands more repose still unpublished in many museums, libraries, and private collections in the Near East, Europe, and the United States.

When Alexander the Great conquered the Persian Empire (of which Egypt was then a part), Greek became both the language of officialdom and the *lingua franca* of commerce in the ancient Near East, and it continued throughout the period of Roman rule to be the universal language of the Eastern Mediterranean. In this area Latin was used almost exclusively by those agencies directly connected with and responsible to Rome, notably the offices of the provincial governors and the army units stationed at strategic points. Accordingly, almost all the papyrus, ostraca, etc., of the Roman period are written in Greek. The comparatively few Latin pieces deal mostly with the army and to a lesser extent with the imperial administration.

Unlike literary works and epigraphic records, papyrus documents were not composed with an eye to posterity. They are, for the most part, the papers of everyday activity: business contracts, tax receipts, personal letters—in short, everything from imperial constitutions and other official records to shopping lists and similar personal trivia. Thus these documents, as broad in their range as life itself, enable us to view the many-faceted life in a Roman province in its living, pulsating reality, and in particular to penetrate into the activities, thoughts, and emotions

³⁰ Beginning in 1752, about 800 papyrus rolls were found in the excavation of Herculaneum. Like other cellulose substances, they were carbonized by the volcanic matter that covered the town in the famous eruption of Vesuvius in A.D. 79. The rolls were obviously part of a library. Because of the difficulty of opening the almost petrified rolls, comparatively few of these texts have been read to date; the published fragments, however, show that this was a library of philosophical and other literary works (mostly Greek, some Latin), including many now lost.

of the provincial masses, who appear in literature only as seen through the eyes of the educated upper classes. The papyri have been particularly informative in matters of law, administration, economics, society, and private life. A considerable number of the details revealed by these texts are, to be sure, peculiar to Egypt or even to a given locality in Egypt; but, even though Egypt occupied a unique status among the Roman provinces, being officially the personal domain of the Roman emperor, it was nonetheless a Roman province, and much can be learned from the papyri which is germane to the history of the Roman Empire as a whole.

Coins

The coins of the Roman Republic and Empire are not represented in this work because their evidence is predominantly pictorial. They deserve a brief statement here, however, since their evidence is generally instructive and occasionally of major importance.

Rome's need for coined money arose with the spread of her power and interests through the Italian peninsula and the concomitant transformation of her internal economy. The earliest Roman coinage was issued c. 300 B.C., at first only in bronze but very soon after in silver and gold as well. Subsequent expansion and conquests overseas provided the Romans with vastly increased supplies of precious metals. But it was not until the time of Augustus that Roman coinage was issued in regular and steady supply. During the Republic coins were minted only at intervals and to meet specific needs—those of public largess and the ordinary requirements of trade, and above all those of the endless wars.

For republican and imperial times alike these coins, by their legends and their pictorial representations, illuminate innumerable details of Roman history and historical tradition, mores, domestic politics, provincial administration, foreign policy, religion, buildings and monuments, wars and triumphs. Indeed the Roman coins may be said to provide us with an incomplete, to be sure, but representative pictorial history of Roman civilization.

The coins are instructive also by the geographic distribution of the finds. For example, the mute yet eloquent testimony of coin hoards buried for safekeeping in the soil of France in the fourth and fifth centuries A.D. frequently date and localize a barbarian invasion or similar alarm. Moreover, while the great majority of Roman coins have naturally been found within the territorial confines of the Roman Empire, specimens have been unearthed all the way from Scandinavia to India. The numbers and dates of the coins in these finds faithfully reflect

the extension of the commerce of the Roman Empire in the first two centuries of the Principate and its contraction thereafter. A particularly striking case in point is the large number of coins of Augustus and his immediate successors found in India, recalling the Elder Pliny's complaint that in the middle of the first century A.D. foreign trade with the East drained the empire of 100,000,000 sesterces in specie annually.³¹

³¹ *Natural History* xii. xli. 84. This huge figure may indeed be, as many modern scholars have thought, somewhat exaggerated, but the coins show that Pliny's statement resides upon a serious basis of fact.