

Contents

<i>Acknowledgments</i>	page xi
<i>Chronology</i>	xiii
<i>Introduction</i>	xx

PART I FROM THE ORIGINS TO THE EARLY REPUBLIC

1	The genesis of a political community	3
	Material conditions in archaic Latium	3
	Villages, rural districts, and religious leagues	4
	The foundation of Rome	7
	The family and the social group	9
	The early city: an open system	12
2	Early Roman institutions	17
	The <i>rex</i>	17
	The <i>patres</i>	19
	The <i>populus</i>	21
	The priestly colleges	24
	The pontiffs	29
	The archaic origins of Roman legal institutions	31
3	The Etruscans	35
	Roman society and the reforms of the sixth century	35
	The new city	37
	The first reforms	40
	The centuriate system	42
	The census and the territorial tribes	45
	Social order and the repression of crime	47
4	From monarchy to republic	50
	The expulsion of the Tarquins and the genesis of the republican constitution	50

Patricians and plebeians	54
The Twelve Tables	57
The end of a long struggle	63
PART II THE GOLDEN AGE OF THE REPUBLIC	
5 Rome's republican institutions	71
The consulate and government of Rome	71
The praetor and other Roman magistrates	75
The senate	81
The people and the laws of Rome	84
6 Toward Italian hegemony	89
Citizens and foreigners	89
Citizens, Latins, and colonists	92
The turning point of 338 BC and Rome's new legal status categories	97
Genesis of the municipal system	100
Cities, <i>fora</i> , <i>conciliabula</i> , <i>pagi</i> , and <i>vici</i>	104
7 An aristocracy of government	108
A new turn in patrician–plebeian relations	108
The new aristocracy	111
Social developments in the fourth and third centuries BC	114
The rules of an oligarchy	118
Appius Claudius Caecus: a bold reformer	120
8 The evolution of Roman law and jurisprudence	126
Roman jurists, private law	126
The praetor and the reform of civil litigation	132
The praetor's edict, <i>ius gentium</i> , and <i>ius honorarium</i>	134
Roman legal science as aristocratic knowledge	138
Scope and limits of Roman law	140
Jurisprudence from the Punic wars to the crisis of the republic	144
9 Rome's Mediterranean hegemony: new horizons in the third century BC	148
The Punic wars and Hannibal's legacy	148
Mediterranean empire	151
Provincial government	154
Rome embraces Hellenistic culture	158
The transformation of Roman society	161
The theory of the "mixed constitution"	165

Contents

ix

MAPS

Map 1. Rome and Latium, 8th-6th c. BC	169
Map 2. Rome during the regal period	170
Map 3. Roman and Latin colonies	171
Map 4. Italy in the 3rd-2nd c. BC	172
Map 5. Roman expansion in the 2nd c. BC	173
Map 6. Roman empire under Augustus	174
Map 7. Roman empire in the 2nd c. AD	175
Map 8. Diocletian's dioceses and the provinces of the Roman empire	176

PART III AN AMBIGUOUS REVOLUTION

10	The reforms of the Gracchi and the crisis of the Roman ruling class	179
	The rupture of the Roman compact	179
	Tiberius Gracchus and the distribution of the <i>ager publicus</i>	182
	Tiberius' political legacy and Gaius Gracchus' reforms	186
	A new model of <i>res publica</i> ?	189
11	Sulla's attempted restoration and the twilight of the republic	194
	Gaius Marius' military reforms and the crisis in Italy	194
	The wars in the East and the start of Sulla's personal rule	200
	Sulla's reforms	202
	Roman criminal law prior to the reforms of the late second century	205
	The <i>quaestiones perpetuae</i>	207
	The masters of war	211
12	Civil war	214
	The declining influence of the senate and the rise of Rome's warlords	214
	Caesar	216
	Government and reform under the shadow of monarchy	221
	Roman Italy	225
	Caesar's legacy	228
	Antony and Octavian	231

PART IV UNIVERSAL EMPIRE

13	Augustus: shaping a new institutional system	237
	Political adjustments	237
	The Augustan compromise	241
	A dual system	246
	The ancient institutions of the <i>res publica</i>	248
	The social structure of government under the principate	251

x	<i>Contents</i>	
	Archaic and modern features of the new power	255
	Religion	257
14	The architecture of governance	261
	Institutional framework	261
	Administrative network	264
	The center and the provinces	266
	A government network	271
	Fiscal and financial policy	274
	The army	278
15	The imperial order at its height	283
	The problem of succession	283
	Augustus' successors	285
	The Flavian dynasty	287
	Government by the best	291
	The mature configuration of imperial power	294
	The paradox of the economy	298
16	An empire of cities	303
	The municipal system	303
	Roman law and local law in the provincial world	308
	Legal certainty	312
	The natural outcome of a long process	314
	The crisis of the third century	316
17	The emperor and the law	320
	<i>Ius respondendi</i> and the <i>princeps'</i> lawmaking powers	320
	Judges and jurists in the first phase of the principate	323
	The classical period of Roman legal science	327
	A shortcoming of Roman legal science?	329
	Memory and the continuity of knowledge	333
18	The conclusion of a long journey	338
	Diocletian	338
	Epitomes, anthologies, codifications	342
	Justinian	347
	Conclusion	352
	<i>Select bibliography</i>	356
	<i>Index</i>	362