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W. E. Heitland

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CHAPTER I

INTRODUCTORY

1. The history of Rome first meets us in the dim legendary story of a small community planted on the left bank of the Tiber. We can fix no certain date for its beginning, nor is it easy to say when it ended. It is not the history of a nation, but of a government. The last remains of a government continuously descended from that of ancient Rome did not disappear till 1453 A.D., when Constantinople was taken by the Turks. But Roman law, the supreme product of Roman government, is still living, for it is the foundation of many of the legal systems still in force. We may divide Roman history for convenience sake into periods according to the form of government in use.

(1) Regal period, our knowledge of which is very slight and indirect.

(2) Republican period.

(3) Imperial period.

It is with the second of these that we are concerned. The states of the ancient world, great or small, seem all to have been originally governed by kings, and the rise of republics was not found consistent with great and permanent extension of territory. The history of the free states of Greece is the stock instance of politics on a small scale. The city-states (*πόλεις*) of Hellas were weak from want of size and mutual jealousy. The loose cantonal unions lacked the cohesion necessary for exerting joint power with effect. No large political unit was efficiently organized in the Greek world until the rise of the national kingdom of Macedon. In the East large monarchies were the rule. The conquest of the Persian empire by Alexander made no change

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in this respect, and the vast dominion divided at his death fell into the great monarchies of the Successor kings. The weakness of a popular government as ruler of subjects was illustrated in the inability of imperial Athens to secure the hearty loyalty of her subordinate allies. The empire of Carthage was essentially a money-making enterprise; to exploit, rather than to govern, was its chief aim. When Carthage had to assert her power, she relied mainly on mercenaries hired abroad, having no solid empire and no mass of loyal allies to support her at a pinch. And, so far as our knowledge goes, the general characteristic of ancient Republics was a jealous exclusiveness. The line between citizen and alien was sharply drawn, and admission of the latter to the privileges and duties of the former was extremely rare. Thus expansion was checked in the several states. On the other hand, there was no necessary limit to the size of monarchies, but their strength varied with the character of the monarch, and the mere fact of subjection to a single ruler was not enough to give cohesion or unity of sentiment to a motley aggregate of various peoples.

2. It was therefore a momentous event when the obscure community by the Tiber began to absorb and incorporate its neighbours, and even more momentous when it threw off monarchic government and still continued to expand. In the case of a city-state this was a new thing, for it was not by conquering, but by keeping her conquests, that Rome became great. Among the ups and downs of her early struggles, recorded only in untrustworthy legends, the one thing certain is that on the whole she had the art of keeping allies and incorporating conquered communities in the stable organization of the Roman state. Progress was in the case of Rome not a brilliant over-running of Italy sword in hand. It was the slow building-up of a fabric able to endure the strain of disaster and gradually to inspire confidence in its solidity. The character of its progress was determined by the nature of its government aided by the condition of the Italian peoples and by the physical configuration of the peninsula, in which Rome occupied a position of peculiar vantage. In ceasing to depend for leadership on one able individual, Rome passed under the rule of an aristocracy with its striking merits and defects. Tradition represents it as selfish and jealous of privilege and power, but capable of concession

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11

Italy

3

in order to avert the disruption of the state. Internal strife was thus not fatal, and the cohesion which was the life of city-states was not destroyed. External policy was continuous and firm, guided by hard-fisted aristocrats whose interests coincided with their patriotism. The success of this government, so long as the governing class remained sound and uncorrupted; its miserable failure, once they became seriously corrupt; the tedious and bloody process by which the inevitable was at length achieved, and the empire brought under a single master:—these are the main features of the story which it is our business to trace. Surely the history of the Roman Republic is the most wonderful phenomenon of the ancient world. With all its clumsiness and blundering, it did its work so thoroughly that all rivalry had ceased, and all the peoples round the Mediterranean confessed the supremacy of Rome. The character of the aristocracy might and did change outwardly. Inwardly it remained practically the same to the last. Democratic movements might disturb it, but true democracy was not a possible form of government at Rome. The suppression of the government virtually aristocratic meant the coming of the Empire.

3. *Italy. The land.* Take a map including the countries round the Mediterranean. The central commanding position of the Italian peninsula strikes the eye at once. But the importance of its position was increased by the fact of its lying between the old civilizations of the East and the undeveloped resources of the ruder West. Then take a map of Italy shewing the physical features of the peninsula. The leading facts are these. The long Apennine range forms a backbone roughly dividing the country, while its spurs in many parts serve to mark off districts. Good natural harbours are singularly few, but ancient shipping was able to use many spots on the coast inaccessible to modern vessels of deeper draught. And we must bear in mind that the coast-line has been much altered in the course of centuries by the deposits of silt, the wastage of the hills, swept down by streams into a practically tideless sea. The region of the Po did not become Italian until Italy had been united under the leadership of Rome. In Italy proper there were no easily navigable rivers: the lower reaches of the Tiber were the only waterway of the kind worth mentioning. Mountain torrents, serving rather to divide than to unite, were the commonest

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4

Rome and the

[CH.

feature of the land. If Italy was ever to be organized as a whole, and thus enabled in virtue of its central position to play a leading part in the history of the Mediterranean world, it was necessary to make or improve communications between the various parts of the peninsula. To control the coasts was not enough. The hill-barriers must be pierced, for the main work of consolidating the strength of Italy had to be done inland. In default of a great conqueror to weld the Italian peoples into one great monarchy, the task was only possible to a community itself at once solid and able to expand without losing its cohesion. Loose leagues of cities or cantons were insufficient for such a work, as events were to shew. A centre, in short a city, must be found, to serve as a nucleus for the gradual concentration of Italian power. And among all the civic communities of Italy none was so favoured by central position, and by ready access to both land and sea, as the city on the Tiber.

4. *Italy. The peoples.* But the union of Italy could hardly have taken place in the way it did, if the various groups of independent communities had been generally alienated from each other by deep-seated differences of race customs and language. The ethnology of ancient Italy is still matter of dispute, but the only people now commonly admitted to have been foreign intruders, not of Indo-European (Aryan) origin, were the Etruscans. In the early twilight of Italian history we find them a conquering race, settled in walled towns as a ruling aristocracy of warrior-nobles. The chief seat of their power was the fine district known as Etruria, but they held also a large part of the northern region beyond the Apennine, and much of Campania in the South: that they were at some time over-lords in a good deal of central Italy is probable. Whether they had entered the peninsula by sea or by way of the Alps has been disputed. Tradition said that they came from Asia Minor. In the mountain district of the North-West were the Ligurians, probably driven back into the hill-country, having once occupied a far wider area. In the South-East, an arid and partly unwholesome district, were the people known as Iapygians or Messapians. The race-affinities of both these groups are still matters of some doubt, but it seems practically certain that they were at least nearer to the Romans than to the Etruscans. The great mass of the Italian peoples, settled along the flanks of the Apennine

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1]

Italian Peoples

5

range and spreading into the lowlands, were more or less nearly akin to each other, all of Aryan origin. In the North were the Umbrians; next came a group of peoples of whom the Sabines were the most important. In the lower country reaching to the southern coast below the Tiber were the Latins, with several smaller peoples to East and South of them. Following the



Map of early Italian peoples (conjectural). (E) Outlying seats of Etruscan power.

Apennine southwards, the rest of central Italy was held by kindred tribes, the most famous group of which were known by the common name of Samnites. The name Sabellian includes them and the Sabines and others as well; their dialect was called Oscan. In the South of Italy were the remains of weaker peoples called by various names, probably of Aryan race; among

them were the Itali, from whom the early voyagers are said to have called the country Italia. The Sicels in Sicily belonged to the same stock. Of the Greek colonies on the coast we shall often speak below. Their wealth and splendour caused the southern seaboard to be called the Great Greece. Thus the bulk of Italy was held by peoples not parted off from each other by any insuperable difference. A conquering power of kindred race could form them into a confederate whole, and assimilate rather than exterminate them or reduce them to serfdom.

5. In tracing the union of Italy under the headship of Rome we shall find the extension of Roman dominion promoted by the general attachment of communities to their local independence. The looseness of the ties that bound together the various leagues or groups is clearly to be detected in their incapacity for continuous common action. We find this much the same in the case of Etruscan cities and in the tribal cantons of the Sabellians. The groups recognized some community of race and interests, and common festivals gave expression to this feeling: but, so far as we know, there were no true federal unions, each made effective by possessing a central directing authority. It was the possession of a central authority in Rome that differentiated the Roman confederacy, even in its humble beginnings, from the inefficient unions of her neighbours. Rome furnished the necessary Head, the firm consistent policy, and the far-sighted diplomacy which won more certain triumphs than the sword. These general remarks must serve to introduce a narrative which in its earlier stages can only be an outline sketch.

CHAPTER II

EARLY ROME

6. *Rome.* The city of Rome was formed by the occupation of some low hills about 15 miles from the mouth of the Tiber, and the union of these settlements into a single community. When the first settlement took place is not known; probably it was long before 753 B.C., the conventional date of the foundation of Rome according to the calculation of a Roman antiquary. Nor is it known under what conditions the settlements coalesced or how long the process took. It seems that the first point occupied was the Palatine hill, and that the settlers were all or most of them drawn from the people called Latins, whose towns or hamlets were scattered over the low country east of the Tiber, or perched on the Alban hills or the spurs of the Sabine mountains. These were presently faced by a second settlement of Sabine origin with its headquarters on the Quirinal hill. Somehow these two communities merged in one, probably after conflict, in which the warlike Sabines had the upper hand. The result was the formation of the city *Roma*, membership of which was expressed by calling the men of *Roma Romani*. If this account be correct, we have already the picture of a composite community, and are led to expect that its institutions would shew traces of the mixture that had taken place. Such is indeed the case. In many particulars, mostly connected with religion, modern research has detected Latin and Sabine elements existing side by side. Tradition asserted that at one time the kings were alternately Latin and Sabine, and it is known that a number of the families of the old nobility of birth boasted Sabine descent. Others traced their origin to the noble houses of Latin towns incorporated by Rome, with what right we do not know. It is at

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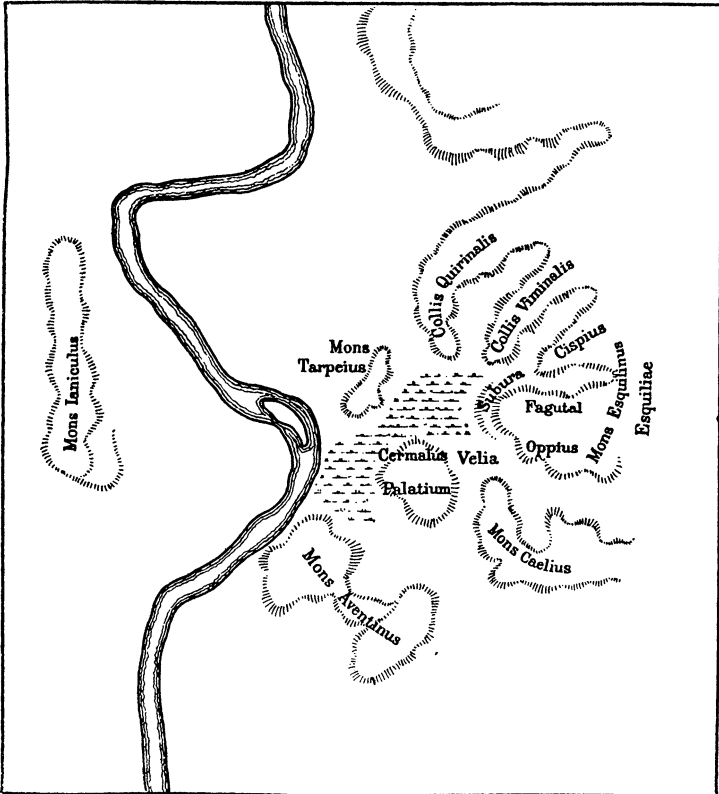
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8

populus

[CH.

all events significant that Romans regarded Rome as a city owing its state-existence from the first to compromise and combination. For this character is clearly marked in the tradition of the early Republic, only dying out by degrees as Rome became supreme in Italy.



Site of Rome, shewing hills and swamp.

7. *Populus* and *civitas*. The regular term for 'community' was *populus*. It seems to have implied that the community had some sort of town as a stronghold or rallying-point, a centre of its common life. It had a territory (*ager*), small or great, and some of its members might live in detached hamlets, but as a *populus* they had only one centre. A league of such communities

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[More information](#)

ii]

Early Rome

9

was not a *populus* but a group of *populi*. Thus there was no *populus Latinus*, but a *nomen Latinum*, including the *populi* who called themselves by the name of 'Latins.' But Tusculum, a Latin town, was the headquarters of a *populus Tusculanus* and its territory was *ager Tusculanus*. Belief in common descent, indicated by a common name, was expressed by a common worship. Thus the Tusculans took part with other Latins in the Latin festival (*feriae Latinae*). But each *populus* was an independent unit, and common action was a matter for special agreement of two or more communities for a special purpose. The term to express membership of a community was *civis*; a man was *civis Tusculanus* or *Praenestinus* as belonging to Tusculum or Praeneste. So too with *civis Romanus*, but at Rome we find traces of an earlier term *quiris*, probably derived from a Sabine word meaning 'spear.' It lived on in the custom of addressing a Roman meeting as *quirites*, not as *cives*, and in certain forms of expression. The civil law peculiar to Roman citizens was *ius quiritium*. The quality of membership was his *civitas* or franchise, which gave him certain rights in the eye of the law. These rights were expressed at Rome by the more ancient term *caput*, his 'head' or legal personality. A citizen could lose his civic rights, wholly or partly, by legal degradation, or incidentally by loss of life. A slave could only acquire *caput* by ceasing to be a slave, when his owner in solemn form set him free from his control (*manu misit*). It is important to note that, while all citizens had civic rights, it did not follow that all enjoyed them in the same degree. Civic rights did not carry with them what we should call political rights. This was marked at Rome by the distinction between 'private' rights (*iura privata*) and 'public' (*iura publica*). The distinction existed elsewhere, as in Greece. But at Rome it was particularly clear.

8. *The Roman people.* That the early Romans were before all things tillers of the soil and keepers of flocks and herds is a probable tradition. The same was doubtless true of the Italians in general. But it is not likely that the presence of the river was without effect on the rise of the city. The Latin towns appear as united in a League, and Rome as having dealings with the League. But we do not know that Rome was ever a mere ordinary member. At all events she was able at a very early date to displace Alba Longa from the presidency of the League and to become herself

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10

Clan and Family

[CH.]

the leading member. The record of Alba's former presidency remained in the common temple of Juppiter Latiaris on the Alban mount, but the yearly festival held there was conducted by Rome. It would seem that the growth of Rome was far more rapid than that of an ordinary Latin town, and that she soon came to hold an exceptional position by the side of the League. Now tradition, which points to an early coalition with warlike Sabines and early incorporation of neighbouring towns in the Roman state, also represents the mythical founder Romulus as having opened a refuge for outlaws and other aliens, and as having thus strengthened the population of his infant city. If this legend contains any kernel of fact, it must surely be this, that Rome was from the first a place that attracted immigrants. And this is not hard to believe, if we attach any importance to the river as a means of intercourse with the outer world. However rudimentary the commerce of primitive Rome may have been, no other town in that part of Italy had equal opportunities: if any site was fitted to attract a mixed population, surely it was Rome. Therefore we need not suppose that agriculture, though no doubt the main industry of the early Romans, was the sole occupation of the people gathered together on the spot.

9. *Citizens and inhabitants.* But we must always bear in mind that residence did not confer citizenship. Naturalization and acquisition of the franchise in a state have only been made easy in quite recent times. In ancient communities we find the line of true membership, carrying with it rights and duties, most strictly drawn. At Rome it appears that originally none but the members of recognized clans (*gentes*) were accounted full citizens. The members of each clan all bore its distinctive name (*gentile nomen*) and shared its peculiar religious rites, and originally its common property also. The clan consisted of a number of households (*familiae*) and in course of time it became customary to use a family surname (*cognomen*) in addition to the gentile name. Each male of a family had a fore-name (*praenomen*) of his own, such as Marcus Gaius Lucius Publius Titus, but of these fore-names there were always very few in use. A man was formally described by adding the fore-name of his father (and often of his grandfather) after his gentile name. Thus *Lucius Quinctius Luci filius Luci nepos Cincinnatus* shews us that three successive members of the *Quinctian* clan bore the fore-name