

*The Oxford Dictionary of the Christian Church*² (1974): one deals solely with the persecution of the early Christians and the other reads merely, 'Persecution: see Toleration' – and when we look under 'Toleration' we find only a very brief reference to the persecutions conducted by the early Christians (with hardly more than the remark, 'St. Augustine went so far as to demand corporal punishment for heretics and schismatics'), and we then jump straight to the Middle Ages! In an unpublished *rapport* delivered to the International Colloquium on Ecclesiastical History held at Oxford in September 1974 (a revised version of which I shall publish shortly), I tried to explain the earlier stages in the process of persecution by the Christian churches which 'made of organised Christianity, over more than a millennium and a half, a persecuting force without parallel in the world's history'.

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I doubt if a better means could have been devised of distracting the victims of the class struggle from thinking about their own grievances and possible ways of remedying them than representing to them, as their ecclesiastical leaders did, that religious issues were infinitely more important than social, economic or political ones, and that it was heretics and schismatics (not to mention pagans, Manichees, Jews and other 'lesser breeds without the Law') upon whom their resentment could most profitably be concentrated. Of course I am not saying that leading ecclesiastics magnified the importance of theological questions with the deliberate aim of distracting the common herd from their temporal grievances: they themselves quite sincerely held that only adherence to the 'right' dogma and the 'right' sect could ensure salvation and escape from the frightful prospect of eternal damnation. But there is no doubt that the effects of religious enthusiasm were as I have described them. Not many humble folk in the Christian Roman empire were likely to become obsessed with reforming the world of their day, or (for that matter) to achieve much unity among themselves, if they accepted what they were taught (as the vast majority did) and believed that life here and now is insignificant compared with the infinite stretches of eternity, and that their real enemies were those enemies of God and his Church who, if they were not suppressed, would endanger men's immortal souls and bring them to perdition. 'Heretics' and 'schismatics', as well as 'unbelievers', were an entirely new kind of internal enemy, invented by Christianity, upon whom the wrath of 'right-thinking people' could be concentrated, for in paganism the phenomena of 'heresy' and 'schism', as of 'unbelief', were inconceivable: there was no 'correct' dogma in which it was necessary to believe in order to avoid anathema in this world and damnation in the next, and to secure eternal life; and there was nothing remotely resembling a single, universal Church. We may reflect by contrast upon the good fortune of the mass of Greeks in the Classical period, who had no such beliefs instilled into them, to prevent them from recognising who their real internal enemies were, and to persuade them that democracy was a useless if not an impious aim, since 'the powers that be are ordained of God' (see the preceding section of this chapter).

VIII

The 'Decline and Fall' of the Roman Empire: an Explanation

(i)

Intensified subjection and exploitation of the lower classes during the first three centuries of the Christian era

In this last chapter I shall again show how a Marxist analysis on class lines can help to *explain*, and not merely to *describe*, a historical process: in this case the disintegration of large portions of the Roman empire, part of a process which seemed to Gibbon 'the greatest, perhaps, and most awful scene in the history of mankind' (*DFRE* VII.325).

I have demonstrated in V.iii above and Appendix IV below how Greek democracy, in the course of the class struggle on the political plane, was attacked with increasing success from the late fourth century B.C. onwards by the Greek propertied classes, their Macedonian overlords and eventually their Roman conquerors. As we have seen, democracy, when it worked, could play an important role by protecting the lower classes to some extent against exploitation and oppression by the powerful. Democracy still led a precarious existence in some places in the last century B.C., but during the first century of the Christian era it was gradually stifled and during the next century it virtually disappeared; certainly before the end of the third century it had, for all practical purposes, sunk without trace. (Democracy in the Latin West had never existed on anything like the same scale, and I know of no real sign of its existence after the first century.)

As we saw in IV.iii above, the great age of slavery in the Roman world, especially in Italy and Sicily, was the last two centuries B.C.: the advent of the Principate in the last generation B.C. and the marked decrease in the number of wars producing large slave-hauls gradually brought about a new economic situation: slaves now had to be bred far more extensively than before, if their number was not to decline drastically; and for the reasons given in IV.iii (§§ 6ff.) above this was bound to result in an attempt to increase the rate of exploitation of humble free men, in order to make up for a reduced return overall from slaves. An exploiting class, except in so far as it can be forced or persuaded (like some capitalist classes in the modern world) to abate its claims in order to facilitate its own survival (an eventuality which of course did not arise in the Graeco-Roman world), will use whatever means may lie to its hand.

In order to tighten the economic screw more effectively on the lower classes among the free population, it was obviously desirable to restrict to an absolute minimum not merely their political but also their legal and constitutional rights and privileges. Until the second and even (to some small extent) the early third

century of the Christian era these rights and privileges might vary greatly, in the Greek world under Roman rule, both in theory and (to a less extent) in practice, according to whether a man was (a) a Roman citizen (*civis Romanus*),¹ (b) a citizen of a 'free' Greek city, a *civitas libera* (occasionally also *foederata*), which enjoyed greater powers of local jurisdiction than other municipalities,² (c) a citizen of a Greek city which was not technically 'free' (and was therefore more completely subject to the control of the Roman provincial governor), or (d) an ordinary provincial, like the great mass of the population (especially the peasantry), whose juridical rights were few and ill-defined and, in so far as they existed at all, were enjoyed largely on sufferance. Free men who were not Roman citizens, for example, were not usually tortured during the Roman Republic or early Principate (see e.g. Garnsey, *SSLPRE* 143 and ff.). Pliny tortured only two female slaves among the Pontic Christians he tried (see his *Ep.* X.96.8). But I know of no binding general rule to this effect, except for Roman citizens, and I cannot see how any *peregrinus* (non-Roman) who was tortured by order of a Roman governor could have had any hope of redress, except through the intervention of some influential patron.

By degrees, by a process – never yet, to my mind, adequately described – which certainly began in practice in the first century of the Christian era and was mainly 'institutionalised' and given explicit legal formulation in the second century and the early third,³ especially in the Antonine period (A.D. 138-93), the legal rights of the poorer classes were gradually whittled away, and by the Severan period (A.D. 193-235) had been reduced to vanishing point. Possession of local citizenship came to mean nothing, except for those who belonged to the 'curial order': that is to say, the members of the city Councils and their families (cf. V.iii above and Section II of this chapter), who gradually became a hereditary local governing class. It was possession of the Roman citizenship which had long been the source of the most important juridical privileges, but the citizenship came to mean less and less, as a new set of social and juridical distinctions – which, as I shall show, were essentially, in the main, class distinctions – gradually developed, cutting right across that between *cives* and *peregrini*, so to speak. By the so-called *Constitutio Antoniniana* (the CA for short) of the emperor we usually call Caracalla or Caracallus (his real name was M. Aurelius Antoninus), the traditional (and almost certainly the actual) date of which is A.D. 212,⁴ the citizenship was extended to all, or virtually all, the free inhabitants of the empire.⁵ But this fact is very much less remarkable than it appears at first sight. The only contemporary expression of opinion about the purpose of the CA which survives is that of a leading Græco-Roman historian who lived through the reign of Caracalla as a senator and consular and was in almost as good a position as anyone to understand imperial policy: Dio Cassius (LXXVII [LXXVIII].ix, esp. 5). Dio says explicitly that Caracalla's purpose was to increase his revenue by making former *peregrini* liable to certain taxes paid only by Roman citizens, the most important of which was the 5 per cent inheritance tax (*vicesima hereditarium*).⁶ Dio of course detested Caracalla, and some historians have felt able to reject the alleged motive for the CA. I myself would not care to deny that a desire to raise additional revenue is likely to have played a major part in the emperor's mind, especially if we accept, as I think we must, the opinion of J. F. Gilliam that the inheritance tax affected estates of much lower value than

has generally been assumed and applied even to quite small fortunes,⁷ so that a very large number of people would have been subjected to it as a result of the CA. Whatever the unbalanced Caracalla's motives may have been for issuing his edict, I would say that by far the most important fact in the background, which made the CA both possible and unremarkable, was precisely the 'new set of social and juridical distinctions' I am just about to describe, which by now had replaced the distinction between *civis* and *peregrinus* for most important purposes and had made its continued existence unnecessary and irrelevant – a point to which I shall return presently.

The 'new set of social and juridical distinctions' is not easy to describe in a few sentences, and I know of no satisfactory and comprehensive treatment of it, although there have been very useful studies by Cardascia (ADCHH) and Garnsey (*SSLPRE* and *LPRE*). Here I can do no more than give a brief and oversimplified summary, in numbered paragraphs, to make cross-reference easier.

1. (a) The value to a 'Greek' of possessing the Roman citizenship in the early Principate is admirably illustrated by the story (in Acts XXI.26 to XXVI.32; cf. XVI.37-9) of St. Paul, a Jew of good education (XXII.3) who must have belonged to a fairly well-to-do family and could claim (XXI.39) to possess not only the Roman citizenship but also that of Tarsus, the principal Greek city of Cilicia in southern Asia Minor – a privilege not enjoyed, incidentally, by the linen-workers (*linenargoi*) of that city, as we know from Dio Chrysostom (XXXIV.21-3; cf. Appendix IV § 3B below). Now the technical legal consequences which should be drawn from the story of Paul's 'appeal to Caesar' are by no means certain in all respects, and Garnsey has recently argued that Festus, the Procurator of Judæa, was not bound to send Paul to Rome.⁸ But it would be a mistake for us to concentrate only on Paul's appeal to be tried by the emperor. More important is the fact that at an earlier stage in the proceedings it was beyond question Paul's insistence upon his Roman citizenship which first rescued him from an 'inquisitorial' flogging in the barracks at Jerusalem and subsequently induced the commander there, the military tribune Claudius Lysias, to take elaborate precautions to send him to Caesarea, the provincial capital, a little over 100 kilometres away, under strong military escort, thereby saving him from being murdered by a band of Jewish conspirators (see Acts XXII.25-9; XXIII.10, 12-22, 23-33; esp. XXII.26, 29; XXIII.23-7). Whether or not Festus was legally obliged to allow Paul's appeal to the emperor, the fact is that he did allow it; and even Garnsey is prepared to agree that Paul's citizenship played a part in making up his mind (*SSLPRE* 76). If no such appeal had been possible, Paul would doubtless have been tried by Festus at Jerusalem (see Acts XXV.9, 20), necessarily with a *consilium* of leading Jews who would have been strongly prejudiced against him⁹ – if indeed he was not murdered on the road from Caesarea to Jerusalem, as we are told the Jews had planned (Acts XXV.1-4). Had he not been able to claim Roman citizenship, then, Paul would never even have reached Caesarea and the provincial governor's court; or if he had, he would have been finished off by the Jews fairly easily. I should perhaps add that I in general accept the story in Acts, even if some of it, which can only come ultimately from Paul himself, is almost too good to be true. (Most of us, when first arrested as Paul was at Jerusalem, would have shouted out, at an early stage

in the proceedings, 'You can't do this to me. I'm a Roman citizen.' Paul waits until the last possible moment, when the centurion in charge of the flogging party is just about to give the order to begin; and he is studiously polite and detached.)

(b) Almost at the end of the Antonine period, in the early 180s in fact, the peasants of the Saltus Burunitanus in the province of Africa, at the modern Souk el-Khmis, describing themselves in very humble terms as 'miserrimi homi[nes]' and 'homines rustici tenues', could feel entitled to complain to the emperor because the head lessee of the imperial estate on which they were tenants (*coloni*) had had some of them flogged, 'even though they were Roman citizens'.¹⁰ (I suspect that flogging administered by a magistrate, rather than a private individual, might by then have been something the peasant would have had to take, so to speak, more or less in his stride!) And even in the Severan period Ulpian, in a famous passage included in the *Digest* (XLVIII.vi.7; cf. 8 and Paulus, *Sent.* V.xxvi.1), could speak of the *Lex Julia de vi publica* (of Augustus) as forbidding the execution, flogging or torture of any Roman citizen *adversus provocationem* – that is to say, in defiance of any right of appeal to which the person in question might be entitled.

(c) It is an exaggeration when Garnsey, in the penultimate paragraph of his book (*SSLPRE* 279–80), asserts that 'at no stage in the period under survey was citizenship as such a source of privilege'. (The period in question is 'from the age of Cicero to the age of the Severan Emperors: that is, from the mid-first century B.C. to the early third century A.D.': *SSLPRE* 3.) There is an important element of truth in what Garnsey goes on to say, that citizenship merely 'bestowed certain formal rights on its holders as full members of the Roman community, but provided no guarantee of their exercise'. There was no cast-iron guarantee, certainly. Citizens of even the most advanced modern states are sometimes the victims of illegality and injustice. But the example of St. Paul is sufficient to prove that citizenship could be a 'source of privilege' of the very greatest possible value, which might indeed make all the difference between life and death. And it is interesting to remember here that Greek cities – Rhodes and Cyzicus in particular – could be deprived of their 'free' status for having taken it upon themselves to execute Roman citizens.¹¹ As we shall see, Garnsey minimises the *changes* (mainly during the second century) which *substituted* for the purely political qualifications of the citizenship, as a source of privilege, a social qualification which was ultimately dependent very largely upon economic position – upon class.

2. (a) For all practical purposes the constitutional rights to which an inhabitant of the Graeco-Roman world was entitled by at any rate the early third century (let us say, by A.D. 212, the date of the *CA*) depended hardly at all upon whether he was a Roman citizen, but, broadly speaking, on whether he was a member of what I shall call 'the privileged groups': namely, senatorial, equestrian and curial families,¹² veterans and their children, and (for some purposes) serving soldiers.¹³

(b) The many relevant legal texts from the second and early third centuries sometimes give privileges to undefined groups, designated by a variety of terms, the most common of which is *honestiores* (often opposed to *humiliores*), although there are many others, not merely *honestiore loco natus*, in

aliquo honore positus, in aliqua dignitate positus, honoratus, qui in aliquo gradu est (all equivalents which show the close connection between privileged status and official rank), but also *splendidior persona, maior persona, altior*. The *humilior* may also be a *humilis persona, humilis loci, humiliore loco positus, qui humillimo loco est, qui secundo gradu est, plebeius* (particularly common), *sordidior, tenuior*, and (in the Later Empire) *inferior persona, vilior persona*, even *pessimus quisque*. (My lists are not intended to be exhaustive.) The Roman lawyers, curiously enough, were chary of giving precise definitions: as Javolenus Priscus put it, 'Every definition is dangerous in civil law' (*Dig.* I.xvii.202). But in this case there was a perfectly good reason why they preferred to leave their terms undefined: all these texts relate to cases involving judicial procedure, where it was very desirable to leave it to the individual judge to determine who was and who was not included. (This has been well brought out by Cardascia, *ADCHH* 335.) Would the brother of a man who had just entered the Senate, the wife of the Praetorian Prefect, or the bosom friend of the Prefect of Egypt be considered a *humilior*, just because he or she did not happen to have the technical qualification for membership of a privileged group? I cannot believe it.¹⁴ Exalted rank could be expected to shed its lustre upon a man's relatives: in a papyrus of the early third century (*P. Gen.* 1) we find a petty official in Egypt advising some other such officials to be very careful how they behave towards the relatives of a man belonging to only the third and lowest equestrian grade (a *vir egregius*) who happened to enjoy the confidence of the Emperor Caracalla (cf. now Millar, *ERW* 114 and n.32).

(c) Much of the discussion of the emergence of the privileged groups – Cardascia's excellent article (*ADCHH*), for instance – has concentrated on the largest group of texts, which establishes different penalties for offences committed by the two categories, using for them some of the undefined expressions I have just been discussing. There are many texts, however, which are quite precise in their terminology and give privileges to perfectly well-defined groups: senators, equestrians, decurions, veterans, and in one case the *eminentissimi* and *perfectissimi* who formed the highest grades of the equestrian order, with certain members of their families (*CJ IX.xli.11.pr.*).

3. Again oversimplifying, I shall now summarise the legal, constitutional differences which developed mainly during the second century (and certainly before A.D. 212) between the privileged groups and those below them. The latter I can call without hesitation 'the lower classes': virtually all of them would fall outside what I have defined as 'the propertied class' (see III.ii above), and they would include virtually all those free men and women who were not members of that class. I have avoided speaking of the privileged groups as 'the upper classes' or 'the propertied classes', because they included for many purposes veterans (and even serving soldiers), who might be men of modest fortune; but I would insist that veterans (and soldiers) were given the privileges they received because of the unique importance of the army (which of course included a large part of the imperial civil service)¹⁵ in the life of the empire and the necessity of turning discharged soldiers into contented property-owners: failure to do this had been a major cause of the downfall of the Republic (see VI.v above). The privileges of veterans were explicitly patterned on those of decurions; as the late Severan jurist Marcianus says, 'The same honour is attributed

to veterans and the children of veterans as to decurions' (*Dig.* XLIX.xviii.3). Now the decurions (see Section ii of this chapter) were always, broadly speaking, the class of principal local landowners who were not *honorati* (not members of the senatorial and equestrian aristocracy), and as time went on they became ever more nearly identical with that class. I would emphasise, therefore, that the 'privileged groups', apart from veterans and soldiers, had by the third century become almost identical (at least 90 per cent and perhaps even more nearly identical) with my 'propertied class', just as the non-privileged are virtually my 'lower classes', below the propertied class. Isolated exceptions such as imperial freedmen are too few to damage my case, especially when we remember that being a freedman is strictly a one-generation status (see III.v above) – and anyway some of these freedmen received equestrian status, and one or two even quasi-senatorial rank.¹⁶

(a) The most conspicuous and best attested difference between our two groups (often in this connection referred to as *honestiores* and *humiliores*) is 'the dual penalty system', in which the privileged groups receive a lighter penalty than the lower classes: decapitation, for instance, instead of one of the *summa supplicia* (crucifixion, burning to death, or the beasts), and general exemption from condemnation to the mines or forced labour (*opus publicum*), often inflicted on the lower classes. There is an interesting controversy between Cardascia and Garnsey about the emergence of the dual penalty system from a matter of practice, according to the discretion of judges, to definite rules of fixed law: here Cardascia's review of Garnsey's book seems to me decisive,¹⁷ and I would see an important change as taking place in the Antonine and Severan age, rather than in the first century. I must not omit to mention one statement in the *Digest*, by the Severan lawyer Aemilius Macer, that slaves were punished 'according to the example of the *humiliores*' (*exemplo humiliorum*, *Dig.* XLVIII.xix.10.pr.). As Garnsey aptly comments, 'The sequence might have been reversed. When one examines the forms of punishment used on *humiliores*, one is struck by the connection with, and the derivation from, typical slave punishments' (*SSLPRE* 127).

(b) *Flogging*, during the Republic and early Principate, was not supposed to be used on citizens, whose right of appeal against it, given by a law of the early second century B.C., was confirmed by the *Lex Julia de vi publica* of Augustus.¹⁸ Probably humble citizens were often subjected to flogging by over-zealous magistrates during the investigation of cases – compare the modern 'third degree'. But as we saw above, St. Paul was immediately rescued from an inquisitorial flogging by his assertion of citizenship, and as late as the 180s humble African peasants could formally protest against the flogging – by their landlord, as we saw in 1(b) above – of those of their number who were citizens. The whole situation had changed drastically, however, by the early third century. The precise chronology is far from clear, but no one can deny that well before the end of the second century, citizens belonging to the lower classes could legally and properly be flogged for a wide variety of reasons, while their superiors were given legal exemption. (The most interesting texts are perhaps *Cj* II.xi.5, of A.D. 198, and Callistratus in *Dig.* XLVIII.xix.28.2,5, the last showing that the exemption of decurions was a central fact.) Interest in this process has too often concentrated on the exemptions, to which our evidence mainly relates, and as a result the really important development, which is the

introduction of beating for the great mass of humble citizens, has tended not to receive much attention. Unfortunately, I do not think it is possible to decide precisely how long before the end of the second century the flogging of humble citizens became fully 'institutionalised'. (As I shall show in Section ii of this chapter, decurions in the fourth century lost their general immunity from flogging.)

(c) 'Torture traditionally was reserved for slaves, but free men of low rank were not immune in the second and third centuries', and 'Torture of *honestiores* was not permitted in the Antonine and Severan periods': these perfectly correct statements by Garnsey are characteristic of what is to be found in most writings on the subject.¹⁹ They conceal the fact that a striking *change* took place in the second century, very probably in the Antonine period. A curiously limited constitution of Marcus Aurelius which excused certain descendants of the two highest grades of the equestrian order (*eminentissimi* and *perfectissimi*) 'from the punishments of plebeians or from tortures' (*plebeiorum poenis vel quaestionibus*, *Cj* IX.xli.11.pr.) has more than once been discussed without the really remarkable thing about it being stressed: that it shows that most Roman citizens had now come to be officially regarded as legally liable to torture! Whether it was ever considered necessary to give legal exemption to such exalted creatures as *eminentissimi* and *perfectissimi* themselves may well be doubted; but, since the privileges of the equestrian order were more strictly personal than those of senators, Marcus obviously thought it desirable to give specific exemption to members of their families within certain degrees.²⁰ (Compare what I have said above on the lustre shed by exalted rank upon a man's relatives. The circle of relatives automatically entitled to such benefit might well need formal legal definition on occasion; no doubt a governor could always extend it.) As with flogging, so with torture: the exemption of decurions was the essential thing; it may always have been the practice, and a rescript of Antoninus Pius shows that by the time of that emperor (138-61) it had become settled law (*Dig.* L.ii.14; cf. XLVIII.xviii.15.1 = 10.pr.; 16.1; and, for the Severan period, Ulpian's statement quoted in *Cj* IX.xli.11.1).²¹ This equally shows that there had been an important change in legal practice in the second century, and that there was now nothing legally objectionable in the torture of lower-class citizens. Pliny, when persecuting the Christians in c. 111, had tortured only slaves (see above), and we can believe that many officials still preferred not to torture free men of any sort if they could avoid it.²² But the application of torture in court to accused persons was soon extended even to witnesses of humble condition; and by about the end of the third century the lawyer Arcadius Charisius, in his book *On witnesses* cited in the *Digest* (XXII.v.21.2), could actually advise that 'If the nature of the case is such that we are obliged to admit a *harenarius* or some such person [*vel similis persona*] as a witness, no credence ought to be attached to his testimony without the infliction of torture [*sine tormentis*].' (A *harenarius*, strictly a man who took part in combats in the amphitheatre, was regarded with special contempt by the Roman upper classes;²³ but the words 'vel similis persona' might, I think, be held to apply to almost any propertyless individual who earned a precarious living at the bottom of the social ladder.) There is a tendency to prohibit the torture of slaves in order to procure evidence against their owners, former owners and even possessors, and the near relatives of such people (see Buckland,

RLS 86-91, esp. 88-9). This, however, is due to concern for slaveowners, not slaves. As Cicero had put it, in his speech for Milo, torturing a slave to get evidence against his master is 'more ignominious to the master than death itself', *domini morte ipsa tristius* (*Pro Milone* 59). I should perhaps add that in cases of treason, *maiestas*, all rules relating to exemption from torture could go by the board, as indeed did most other rules.

(d) In various other ways members of the lower classes who were charged with crimes were at a disadvantage compared with the propertied classes: for example, they would find it much harder to escape imprisonment pending trial – to get out on bail, as we might say (see esp. *Dig.* XLVIII.iii.1,3). And ancient prison conditions could be very unpleasant for humble people: see Section iii of this chapter, *ad fin.*

(e) More important is the fact that evidence given in court by members of the lower classes, whether in criminal or civil cases, was accorded less weight than that of their social superiors. The key text is a passage from Callistratus in the *Digest* (XXII.v.3.pr.), explaining the principles on which evidence is to be evaluated: of the criteria mentioned the first concerns the witness's social status (*condicio*) and is 'whether he is a decurion or a commoner' (*decurio an plebeius*), and the third is 'whether he is rich or poor' (*locuples vel egens*). Callistratus proceeds to quote a series of rescripts of Hadrian, some of which illustrate the kind of discrimination he records (*ibid.* 3.1-2,6). The satirist Juvenal, writing in the early second century, had complained that at Rome a witness was valued according to his wealth (his *census*): the number of his slaves, the extent of his land, the size and quality of his dinner-service. His character and behaviour (his *mores*) came last; he received credit in proportion to the number of coins in his cash-box (*Sat.* III.140-4, ending 'quantum quisque sua nummorum servat in arca, Tantum habet et fidei'). This was closer to the reality, even in Juvenal's day, than I fancy most modern readers of Juvenal appreciate, and by the time of Callistratus (c. 200) it was almost the literal truth.

(f) In the field of private law, we find that torts committed against a member of the upper classes by a member of the lower classes are regarded as more serious: such a wrong may become automatically an *atrox iniuria*, to the assessment of damages for which special rules applied.²⁴ And the *actio doli*, or *de dolo malo*, the action for fraud, might be refused to members of the lower classes against at any rate particularly distinguished members of the upper classes. This, however, was of much less importance to a humble plaintiff than one might suppose from reading the recent accounts of Cardascia and Garnsey,²⁵ who fail to quote the continuation of *Dig.* IV.iii.11.1, showing that the injured man could still have a remedy by bringing an action *in factum*, not involving an accusation of fraud. (Such a plaintiff would lose nothing in most cases; but the great man would suffer less if he lost the action, since he would not have the same liability to *infamia*.)

We need not be surprised to find evidence from the Greek East as well as the Latin West that when distributions of money (*sportulae*, in Latin) or food were made in cities by gracious benefactors, decurions often received more than ordinary citizens;²⁶ but this of course is a social and not a legal fact.

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The very summary and simplified account I have given of some of the principal ways in which the lower classes of the Graeco-Roman world were placed – in most respects increasingly – at a disadvantage compared with their social superiors, during the first two or three centuries of the Christian era (the changes coming about principally in the second and early third centuries), will at least have shown that the propertied classes now found it easier than ever before to exploit those humble free men upon whose labour they were becoming more directly dependent for their surplus, now that slavery was somewhat less fruitful than in the last two centuries B.C. I dare say that the deterioration in the legal position of the lower class was not the result of a deliberate and conscious effort by the propertied class to subject those beneath them to a higher degree of exploitation, with less chance of meeting effective resistance; but that must certainly have been the effect of the whole process. My own inadequate account can be supplemented by Garnsey's book (*SSLPRE*), a very rich source of information and showing awareness of many of the social evils in the Graeco-Roman world over which too many ancient historians have felt able to pass lightly. If I have expressed disagreement with Garnsey on one or two specific points, it must not be taken as a disparagement of his very interesting and valuable book. I should also like to recommend at this point an informative article by Garnsey which should be easily intelligible to those unacquainted with Roman history and even with Latin: 'Why Penal Laws become Harsher: The Roman Case', in *Natural Law Forum* 13 (Indiana, U.S.A., 1968) 141-62.

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I hope it is already clear that what I have been describing in this section is essentially the replacement of one set of juridical distinctions, largely unrelated to class, by another set which was directly so related. The earlier set had no direct connection with class in my sense: its categories were purely political, with citizenship as the determining element. But although such things as execution, flogging, torture, criminal punishment in general, the evaluation of evidence, and the treatment of individuals by the authorities might vary greatly *in practice* according to class position, as Garnsey's book seems to me to have demonstrated, *in constitutional theory* they differed according to the possession or the lack of citizenship alone. Now from the early Principate onwards, through the grant of the citizenship to *peregrini* who had completed their full twenty-five years' service in the non-citizen auxiliary regiments or the fleet (down to A.D. 140, with their children),²⁷ the possession of citizenship came to correspond less and less closely with membership of the upper classes. And from Caesar's time Roman citizenship spread widely through the foundation outside Italy of citizen colonies and Roman municipalities, although much more so in the West than in the Greek world.²⁸ A recent writer has remarked, with greater shrewdness than perhaps he realised, that in the West wholesale extension of the citizenship 'must have led to some practical limitation of a right which would have become a nuisance when universalised'.²⁹ The new set of distinctions corresponded very closely with class position, as we have seen, except for soldiers and veterans, who had to be placed collectively among the privileged groups for many purposes because of their great importance in maintaining the whole fabric of the empire, against potential internal rebellion and discontent as well as against

external enemies. Eventually, by 212, citizenship was perceived to be an *unnecessary category*, and we may see its sudden general extension in 212 equally as its *disappearance*, when it had become *superfluous*: the propertied classes (with soldiers and ex-soldiers) now had all the constitutional privileges they needed, quite apart from the citizenship, partly by tradition but mainly by specific imperial enactments, only some of which can be identified today.

The whole process is indeed an interesting illustration of the way in which class can assert itself against purely juridical categories which do not correspond with its realities. Of course the important differences that existed at the latest by the Severan period (193-235) between the constitutional rights of the upper and lower classes reflected in part the differences in the practical treatment of the two groups in earlier generations; but they were now the subject of settled law and were much sharper, and they had to be strictly observed by provincial governors and other magistrates. To understand this, we have only to ask ourselves what would have happened to St. Paul had he lived, say, a hundred and fifty years later than he did, at about the time of the CA. Unless he could have claimed (as I am sure he could not) to be a member of the city Council of Tarsus, a decurion, he would have been subjected to an unpleasant inquisitorial flogging, and he would probably have been finished off by the Jews soon afterwards. He might or might not have got as far as the governor's court, but he would certainly not have been able to appeal successfully to be sent for trial by the emperor in Rome, and the odds would have been heavily against him at a trial in Judaea, where the governor would have had a *consilium* of leading Jews at his elbow (see n.9 again).

It is naturally impossible for me to prove that the deterioration in the position of humble citizens – and indeed of poor free men in general – during the first two centuries of the Christian era was due to the deliberate desire of the upper classes to reduce their legal rights, with the aim of making them less able to defend themselves against increased exploitation; but that was, I suggest, the direct effect of the changes I have described. Similarly, the exploitation of the humbler citizens of Greek cities must have been similarly facilitated by the process I have described in V.iii above: the gradual extinction of the remaining democratic features of the city constitutions.

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I would invite comparison of the picture I have been drawing with that given by Finley, *AE* 84 ff., who notes the 'decline' of slavery and adds that this 'requires explanation' (cf. IV.iii n.18 above). Accepting the hypothesis that 'the employers of labour in the later Empire were not making the efforts needed to maintain a full complement of slave labour', he produces his 'explanation for their behaviour', which is 'a structural transformation within the society as a whole'. He now comes very near to saying something valuable, when he declares that 'the key lies not with the slaves but with the free poor', and he adds that he believes the elements can be 'pinpointed'. Alas! all we get is a 'trend', visible from the beginning of the Principate, 'to return to a more "archaic" structure, in which orders again became functionally significant, in which a broader spectrum of statuses gradually replaced the classical bunching into free men and slaves' – roughly, that is to say, the process which I have been at pains to describe in this section, but conceived from a superficial point of view, in

terms of status, serving to conceal its mainspring and its essential character. What I see as primarily a development that would facilitate exploitation is to Finley 'a cumulative depression in the *status* of the lower classes among the free citizens' (*AE* 87, my italics). But how does the 'trend' described by Finley explain the changeover (described in IV.iii above) from slave production to what I would call mainly serf production? (Finley prefers to speak of 'tied tenants'; but see III.iv and IV.iii above.) The 'explanation' should be precisely the other way round: it was *because* slavery was not now producing as great a surplus as it did in Rome's palmiest days that the propertied classes *needed* to put more pressure on the free poor. On p.93 Finley comes very near to getting it right. But 'exploitation' is not a concept he is prepared to use: for him, "exploitation" and "imperialism" are, in the end, too broad as categories of analysis. Like "state", they require specification' (*AE* 157) – which they never receive from him. But the historian who debars himself from using exploitation and imperialism as categories of analysis will hardly make more sense of the ancient than of the modern world.

* * * * *

To conclude this section I shall briefly review the much-discussed theory of the 'decline and fall' of the Roman empire advanced by Rostovtzeff in his great work, first published in 1926, *The Social and Economic History of the Roman Empire*, one of the few books on ancient history which the historian of some other period, if not the 'general reader', will not only have heard of but may actually have read, or at least dipped into, and which every Greek and Roman historian consults often. It was somewhat altered for the better in translations into German and Italian, and it was re-edited in a much-improved second English edition by P. M. Fraser in 1957 (*SEHRE*²). As is well known, Rostovtzeff refused to give a complete answer, let alone a single answer, to the question why the Roman empire 'declined and fell', contenting himself with a summary criticism of certain theories which he thought false or inadequate (*SEHRE*² I.532-41). I shall comment presently on an interesting remark in his very last paragraph. At this point I wish to mention the interpretation which Rostovtzeff himself offers of the period in which the 'decline' first became apparent: roughly from the death of Marcus Aurelius to the accession of Diocletian, A.D. 180-284 (I.491-501, cf. 532-41). Rostovtzeff recognises that the civilisation of the Roman empire was essentially urban (the empire, he says, was 'urbanised to excess', I.346), and that the privileged upper class of the cities – 'hives of drones', Rostovtzeff actually calls them (I.380, cf. 531) – lived in some luxury off the backs of the working population, urban and rural, above all the peasantry who formed the bulk of that population (cf. I.iii and IV.ii above).²⁰ So far, many Roman historians would find nothing to quarrel with. But Rostovtzeff, who had himself experienced the Russian revolution, went on to find the explanation of the upheavals of the third century in a deliberate and class-conscious attack by the exploited peasantry, using as its spearhead that large army which was recruited mainly from its ranks, upon the 'city bourgeoisie' (as Rostovtzeff calls it) – a purely destructive attack, which could bring no lasting gain to the semi-barbarous victors (I, ch.xi, especially 491-501). This theory has been taken on trust by many who do not know the sources for the

Middle and Later Roman Empire at first hand, and has often been cited with approval, although rarely (as Rostovtzeff himself realised: see I.494-5) by Roman historians. In fact, none of the evidence cited by Rostovtzeff supports his theory. Its principal and fatal defect has been exposed several times, notably in a review and an article by Norman Baynes, published in 1929 and 1943 respectively:³¹ the contemporary sources reveal that the soldiers, far from being regarded by the peasants as their representatives, or even as allies, were actually their constant terror. (This, indeed, Rostovtzeff himself realised: see his *SEHRE*² I.487 for a passage beginning, 'The instruments of oppression and exaction were soldiers . . . They were a real terror to the population!') Rostovtzeff speaks again and again of 'classes', even (in I.501) of 'the terrible class war' of the third century – a serious misconception, as I shall explain in Section iii of this chapter. Yet although his analysis of the class forces of the Roman empire sometimes verges on one which would be acceptable to many Marxists, he himself always repudiated Marxism, and his concept of classes and their struggle is erratic and wayward. (I find it extraordinary that even so good a historian as Baynes should have regarded Rostovtzeff as a kind of Marxist.)³² We must purge his theory about the third-century crisis of its eccentric features and strip it down, so to speak, to what is fundamental and true in it: that there was massive exploitation by an urban propertied class of what Rostovtzeff himself twice refers to as 'the working-class' of the empire: the rural population (free or otherwise) and the artisans, retail-traders and slaves in the towns (see esp. I.35, 345-6). When we develop this, we begin to see the reasons for the renewed decline in the Later Empire (a period with which Rostovtzeff seems to have been less familiar), after the heroic revival of the age of Diocletian and Constantine. The Later Empire, especially in the West, was rather less a specifically urban civilisation, but it was if anything even more a regime in which the vast majority were exploited to the very limit for the benefit of a few. (Rostovtzeff seems to have realised this: see *SEHRE*² I.527-31.) Among those few, the indifference to the public good as something that concerned only other people, bemoaned by Tacitus (*Hist.* I.1: *inscitia rei publicae ut alienae*), had greatly increased; and the mass of the population, as their behaviour shows (see especially Section iii of this chapter), had no real interest in the preservation of the empire.

The other element in Rostovtzeff's explanation of the 'decline' on which I wish to comment is the very end of his last paragraph. 'Is it possible,' he asks despondently, 'to extend a higher civilisation to the lower classes without debasing its standard and diluting its quality to the vanishing point? Is not every civilisation bound to decay as soon as it begins to penetrate the masses?' To this I think we can reply in the words of Gordon Childe: the cultural capital accumulated by the civilisations of antiquity

was no more annihilated in the collapse of the Roman empire than smaller accumulations had been in the lesser catastrophes that interrupted and terminated the Bronze Age. Of course, as then, many refinements . . . were swept away. But for the most part these had been designed for, and enjoyed by, only a small and narrow class. Most achievements that had proved themselves biologically to be progressive and had become firmly established on a genuinely popular footing by the participation of wider classes were conserved . . . So in the Eastern Mediterranean, city life, with all its implications, still continued. Most crafts were still plied with all the technical skill and equipment evolved in Classical and Hellenistic times.³³

Here I agree with Childe. The material arts are never the exclusive preserve of a governing class. When a civilisation collapses, the governing class often disintegrates, and its culture (its literature and art and so forth) often comes to a full stop; and the society which succeeds has to make a fresh start. This is not true of the material arts and crafts: luxury trades of course may disappear, and particular techniques may die out as the demand for them ceases, but in the main the technological heritage is transmitted more or less intact to succeeding generations. This has been the experience of the last five thousand years and more in the Far Eastern, Near Eastern, Mediterranean and Western societies. Each society can normally begin in many material respects where its predecessor left off, and that does matter. It appears, therefore, that it was above all in the degree to which it *had* (to use Rostovtzeff's phrase) 'penetrated the masses' that the legacy of Graeco-Roman civilisation remained continuously alive. When Europe once more began to advance, as it very soon did once the effects of the 'barbarian invasions' had spent themselves, the old techniques, handed down from father to son and from craftsman to apprentice, were still available for the mediaeval world to build on. The 'economic decline' of the Roman empire was essentially a deterioration in the economic organisation of the empire rather than in its techniques, which deteriorated little, except in so far as the lack of any widespread effective demand for certain luxury goods and services eventually dried up their supply. Methods of production, such as they were, seem to have held their own even when the artistic value of the work produced became poorer. It has been said by the American historian Lynn White,³⁴ and I agree, that 'There is no proof that any important skills of the Graeco-Roman world were lost during the Dark Ages even in the unenlightened West, much less in the flourishing Byzantine and Saracenic Orient' (TIMA 150; cf. II i n. 14 below). Indeed, as White has claimed, 'From the twelfth and even from the eleventh century there was a rapid replacement of human by non-human energy wherever great quantities of power were needed or where the required motion was so simple and monotonous that a man could be replaced by a mechanism. The chief glory of the later Middle Ages was not its cathedrals or its epics or its scholasticism: it was the building for the first time in history of a complex civilisation which rested not on the backs of sweating slaves or coolies but primarily on non-human power' (TIMA 156). That 'primarily' is an exaggeration, but there is an important truth in White's statement, and we could certainly say that by the later Middle Ages there was a real prospect of building 'a complex civilisation which rested *less* on the backs of sweating slaves or coolies and *more* on non-human power'.

(ii)

Pressure on the 'curial class'

In the last section I showed how the propertied classes of the Graeco-Roman world as a whole were able during roughly the first two and a half centuries of the Principate (let us say, from the time of Augustus to the end of the Severan period in A.D. 235) to tighten their grip on those below them and place themselves in an even more commanding position than they had previously been, by reducing the political and constitutional rights of those members of

the lower classes who were Roman citizens. I must now describe briefly how and why the governing class of the empire, the men of conspicuous wealth, came to put increasing pressure upon the lower section of the propertied class itself: namely, what I am calling the curial class (defined below). I do not need to give a general account of the curial class, as the whole subject has been dealt with by A. H. M. Jones, with great penetration, in several different works.¹ This pressure upon the curials began well before the end of the second century and was already far advanced in the early third; in the fourth century it was intensified, the pressure continued in the fifth, and by the sixth century the curial class had been greatly weakened and had lost nearly all its former prestige.

When I speak of the 'curial class' I mean those members of the propertied class (with their families) who made up the Councils of the cities (*poleis*) of the Greek East (and of course the corresponding Western *civitates*) and filled all the important magistracies, to which they were originally (in the Classical and Hellenistic periods) elected by the Assembly but came eventually (mainly during the first two centuries of the Christian era) to be nominated by the Council itself or enrolled by officials appointed by it (cf. V.iii above and Appendix IV below). As councillors they were called in Latin *decuriones*, in Greek *bouleutai*, and they are often referred to in English as 'decurions'; but the term 'curials' (*curiales*) was often used of decurions and members of their families by the early fourth century,² and as I wish to speak of a 'class' I find the adjectival form 'curial' convenient. The word is derived from *curia*, the Latin word for a senate house, which also came to be used – as did the term *ordo* (*ordo decurionum*) – for the collective councillors of a particular city. In the Latin West the *ordo decurionum* of a substantial town could be expected to number about a hundred members; in the Greek East it might sometimes be a great deal larger.³ I may add that in some areas of the Greek world where city life had been slow to develop we may find occasional exceptions to the general rules I am stating here: see for example the end of § 2 of Appendix IV below for an inscription (*IG.Bulg.* IV.2263) relating to a Macedonian community which in A.D. 158 had citizens, an *ekklēsia*, and an annual magistrate (a *politevchē*), but apparently no Council. Nevertheless, the picture I am presenting here is true in the vast majority of cases.

In strictness it might well be preferable to describe the decurions and their families as the 'curial order' rather than 'curial class', for of course a man became a decurion only when he actually held that position and not merely because he owned property of a sufficient value (*census*) to qualify him for it – perhaps, in substantial towns in the Latin West in the early second century, something in the neighbourhood of HS 100,000 (the figure at Comum in the early second century: Pliny, *Ep.* I.xix.2), one quarter of the equestrian census and one tenth of the senatorial; but the figure might vary very greatly, according to the size and importance of the city concerned (see Jones, *LRE* II.738-9; Duncan-Jones, *EREQS* 82-8, 147-8). However, by the time my story in this section really opens, in the later second century, the class of men financially qualified to become decurions (and not able to achieve the more exalted position of *honorati*, through membership of the senatorial or equestrian order) was beginning to coincide to some degree with the actual curial order. Curial status had always been desirable as an honour, and from the first half of the second century onwards it involved important legal privileges (discussed in Section i of this

chapter), so that most men qualified for it would naturally try to obtain it. It is true that in the early second century there was already, in Bithynia-Pontus and doubtless in most other parts of the Greek world, a general feeling among the upper classes (which Pliny evidently shared) that decurions ought to be chosen from families already of curial status – from *honesti homines* rather than *e plebe*, as Pliny puts it (*Ep.* X.79.3). But being a decurion, desirable as it was in itself, was beginning by the second half of the century to involve financial burdens which the less affluent found it increasingly difficult to discharge. An inscription from Galatia dated to 145 can refer to a citizen as having been a councillor *gratis* (*proika bouleut[ou]*); but this need mean no more than that he had been adlected into the *ordo*, as an honour, without being made to pay the fee normally exacted in such cases.⁴ However, from the later second century pressure was intensified on financially qualified men who were still *plebei* to become members of their *ordo*. An interesting papyrus of the early third century, as restored with reasonable probability, speaks of men possessing a curial rating (*bouleutikē axia*) who are not yet enrolled on the curial register (*bouleutikon leukōma*), and says that they must not evade both 'the services imposed on the common people' (*dēmonikai hypēresiai*) on the ground that they possess curial means (*?poroi? bouleutikoi*), and also curial liturgies (*bouleutikai leitourgiai*) on the ground that they are not yet entered on the curial register (*SB* III.ii.7261).⁵ Even in the fourth century men who were qualified to become decurions could occasionally be found,⁶ but it seems likely that by the end of the Severan period (A.D. 235) they were already fairly rare, and that what I have called curial class and curial order very nearly coincided. What looks at first sight like an order turns out to be essentially a class. It is of great interest that although the post of decurion might involve considerable financial and supervisory responsibilities, Diocletian could actually provide in 293 that even illiteracy was not to be allowed to prevent a man from shouldering the burdens associated with being a decurion (*CJ* X.xxxii.6: *esperes litterarum decuriones munera peragere non prohibent iura*).⁷ Illiterate decurions sometimes turn up in the papyri.⁸ As we saw in III.iii above, the vast majority of decurions in all the major cities (except a few, like Ostia and Palmyra, which were particularly 'commercial' in character) were primarily landowners. In smaller and poorer cities, where the least wealthy of the decurions might be men of very moderate property, more of them would be likely to go in for manufacture. In a real one-horse-town like Abūnūni in Byzacena,⁹ in 303, we find that Caecilian, who is actually a *duovir* (a magistrate), is a working weaver, who takes his dinner with his workmen, whether slaves or wage-labourers (*cum operarios* [sic]: Optatus, *Append.* II, f. 27b; cf. 25ab, 29a, in *CSEL* XXVI, ed. C. Ziwsa). And Augustine mentions a 'poor curialis' named Curma, who had been *duumvir* of the *municipium Tullienae* near Hippo: he calls him 'a simple peasant', *simpliciter rusticanus* (*De cura gerenda pro mortuis* 15, in *CSEL* XLI.644).

* * * * *

The reasons for the tightening of the screw upon the curial class are not far to seek. Let us glance at the condition of those poor free men who were below them in the social scale, peasants above all. I strongly suspect that those who were lessees had always been made to pay as much rent as their landlords could get out of them. The position of small peasant freeholders would vary a great

deal, according to whether harvests were good, whether conditions in their neighbourhood were peaceful and free from brigandage (or 'barbarian' irruptions), whether the smallholders were subjected to unusual fiscal extortion or oppression by powerful neighbours (cf. IV.ii above), and so forth. All in all, I would expect that as the returns from chattel slavery declined, additional exploitation of the free poor, even when facilitated by the depression of their legal status, would hardly redress the balance.

By the time of the Emperor Marcus Aurelius (161-80) the Roman empire as a whole had not suffered any great calamity since the beginning of the Principate, apart from the civil wars of 68-9 and one or two local revolts of which the most serious was probably that led by C. Julius Civilis in Lower Germany and north-west Gaul in 69-70. Wars, even in the reigns of Domitian and Trajan, were not ruinously expensive, if we allow for the considerable booty obtained in some of them, especially Trajan's last campaign in Dacia in 106. Most of the sums of money transmitted in our literary sources for public expenditure and receipts are unreliable, and the figure of HS 40,000,000,000 which Vespasian is said by Suetonius (*Vesp.* 16.3) to have thought necessary to meet immediate requirements at his accession in 69-70 ('the largest sum of money mentioned in antiquity', according to Tenney Frank, *ESAR* V.45) has no better credentials than the rest; but Vespasian evidently did take the very unusual step of raising the amount of imperial tribute, perhaps substantially (Dio Cass. LXVI.viii.3-4; Suet., *Vesp.* 16.1). It was in the reign of Marcus Aurelius that things began to go badly wrong. The Parthian war that opened in 162 must have been very costly, and when it ended successfully in 165-6 the armies brought back with them a dreadful plague, which raged for some years in many parts of the Roman world.¹⁰ The Germans now became a real menace. A German irruption across the Danube between 166 and 171 (perhaps 170 or 171), which even reached Italy, was followed by a series of bitter wars against the German Marcomanni and Quadi and the Sarmatian Iazyges which occupied a good many of the later years of Marcus's reign.¹¹ In 170 or 171 a raid by the Costoboci actually penetrated as far as Attica; and in 171 Baetica (southern Spain) was attacked by Moorish rebels from north Africa (see Birley, *MA* 225-9; *IRMA* 222 etc.). Among internal revolts, the most serious may have been that of the *Boukoloi* in Egypt, in the early 170s, led by a priest, Isidore, which was crushed with some difficulty by Avidius Cassius: we have no more than a brief mention of it, by Dio Cassius (LXXI.iv) and the *Historia Augusta* (*Marc. Aurel.* 21.2; *Avid. Cass.* 6.7).¹²

There are stories that Marcus sold the crown jewels and his other treasures by auction (perhaps in 169) to raise money for his wars,¹³ and that he once refused his soldiers' demand for a donative with the significant assertion that anything they got beyond the traditional amount would be 'wrung from the blood of their kith and kin' (Dio LXXI.iii.3). It is also said that of the surplus in the Treasury of HS 2,700,000,000 left to Marcus by his predecessor Antoninus Pius in 161, a mere HS 1 million remained in 193, after his reign and the disastrous one of his unbalanced son Commodus (Dio LXXIII[LXXIV].viii.3, with v.4). Then, from 193 to 197, there was another burst of civil wars, about which we are not well informed but which are said by a contemporary historian to have involved some bloody battles with great loss of life (see Dio Cass. LXXIV.viii.1; LXXV.vi.1 and vii.1-2): this is the beginning of the Severan period.

Different views have been expressed¹⁴ about the extent to which the cost of paying¹⁵ and maintaining the Roman armies, certainly the largest single item of imperial expenditure, was increased during wartime. I will only add what seems to me a conclusive argument in favour of the view that large-scale campaigns must have necessitated far greater military spending. There was not much fighting in Hadrian's reign (117-38) and very little indeed under his successor, Antoninus Pius (138-61). It was surely this long period of relative peace that enabled Pius to leave in the Treasury at his death (as we saw above) the enormous sum of HS 2,700 million; and it can only have been the major wars undertaken during the reign of Marcus (especially its early years) which drained away the reserves (see the two preceding paragraphs). Marcus was certainly no spendthrift. It is true that he made some costly distributions to the Roman *plebs urbana*; he also reduced some taxes, and shortly before the end of his reign he remitted all arrears of taxes and other debts due to the Treasury over a period of forty-five years (Dio Cass. LXXII[LXXIII].32.2). But he did not increase army pay or indulge in any extensive building programmes. I see no alternative to the conclusion that major wars necessitated much larger military expenditure.

It can be misleading to pay too much attention to Roman state finance, for it was quite possible for the bulk of the Roman governing class to prosper even though the Treasury was virtually bankrupt. But in spite of signs of individual prosperity in many of the cities of the Greek East, as of the West, it does seem that by the third quarter of the second century the wealth of the propertied class was not as securely based as it had seemed to be in the last few generations. And it is precisely in the 160s, during the joint reigns of Marcus Aurelius and Lucius Verus (the *divi fratres*, 161-9), that the first certain evidence appears¹⁶ both of regular financial pressure upon the curial class and of reluctance and even inability on the part of many poorer decurions to sustain the burdens that were now being increasingly put upon them. The whole subject is exceedingly complicated, but an admirable recent survey by Garnsey (ADUAE) has underlined some of the details in the general picture already established by Jones and others, and has demonstrated the significance in this connection of some of the passages in the *Digest*, notably three which refer to pronouncements of the *divi fratres*. One of these speaks explicitly of 'those who perform a magistracy under compulsion' (*Dig.* L.i.38.6); another, as Garnsey says, 'demonstrates the existence of a sharp cleavage between rich and poor in the council' (*L.iv.6.pr. c.* vii.5.5); and a third refers to 'those who are left in debt as a result of an administrative office' (*L.iv.6.1*). Before this there had been signs of the trouble that was to come: some men had shown reluctance to perform liturgies, or magistracies involving heavy expense; exemptions from such duties had been curtailed; those who had promised voluntarily to undertake public works had sometimes had to be forced to carry them out; fees had begun to be demanded from new councillors; and so on. There are unmistakable signs that (to quote Garnsey, ADUAE 241) 'the Antonine age was a period of prosperity for the *primores viri* and ruin for the *inferiores* within the councils'. (The Latin terms are those used by Hadrian in a rescript to Clazomenae in Asia Minor: *Dig.* L.vii.5.5.) When we remember the extent to which our literary tradition concerning Classical antiquity is dominated by writers whose outlook is essentially that of the propertied class, and the fact that ancient historians in the modern

Western world have either been members of that class or have thoroughly shared its outlook, we need feel no surprise that the Antonine period should still be remembered as a kind of Golden Age. I can think of no statement by an ancient historian about the Roman world that has been quoted more often than Gibbon's:

If a man were called to fix the period in the history of the world during which the condition of the human race was most happy and prosperous, he would, without hesitation, name that which elapsed from the death of Domitian to the accession of Commodus (DFRE 1.78) –

that is to say, the years from 96 to 180.

Under the Severan dynasty (193-235), as is well known, compulsion was more and more stringently applied to the curial class. There is no need to go into detail: public services of all kinds were demanded of magistrates and decurions, some of them, which came to be known as *munera personalia*, imposing primarily personal service, and others, *munera patrimonii*, the expenditure of money; in time *munera mixta* were recognised, which involved both personal and pecuniary service.¹⁷ Even *munera personalia*, however, might involve considerable incidental expense. There was an elaborate series of provisions giving immunity, set out at length in the *Digest* L.v-vi and often alluded to elsewhere: these were revised again and again by the emperors, usually in such a way as to restrict or withdraw the immunity and make the service ever more general.

A natural result of the pressure on the curial class which I have just described, increasing from the Antonine age into the Severan, was a marked fall in expenditure by 'public-spirited' (or ambitious and self-advertising) men on civic buildings and on 'foundations' to provide benefits for their fellow-citizens and sometimes others. (The decline in the number of the latter is evident to the eye from the diagrams in Bernhard Laun, *Stiftungen in der griechischen und römischen Antike* [Leipzig, 1914] 19.) We need not be surprised to find that from about the middle of the third century onwards the cities, in setting up honorific inscriptions, tend to concentrate their praises on the provincial governor rather than on local grandees.¹⁸

I have said hardly anything so far to explain how the curial class came to be steadily depleted and ultimately reduced to a mere shadow of itself, especially in the East. It used to be customary for historians to express great sympathy with the *curiales* and shed tears over their sad fate; but in recent years it has been realised, largely owing to the researches of A. H. M. Jones (see n. 1 above), that we need to look at the whole question in a very different light. Characteristic of the earlier tendency is the picture presented by Jules Toutain, in whose book, *The Economic Life of the Ancient World*, we are told that the people who suffered most from the economic decline of the third century were 'the wealthy and middle classes – the landowners, manufacturers and merchants, to whom economic prosperity really owed its being' (p. 325, my italics). Now the landowners, at any rate, were precisely the people who had appropriated and monopolised what prosperity there was in the Graeco-Roman world. To say that prosperity 'owed its being' to them is a grotesque distortion of the truth. In the third century, the *curiales* must have represented a high proportion of the propertied landowning class, in the sense of those members of my propertied class who were able to live by their land without having to spend any appreciable time on working it. But

the *curiales*, although I often refer to them as a class, when contrasting them with the imperial aristocracy (the senators and equestrians) on the one hand, and the poor free men, *coloni* and slaves on the other, were a class with a considerable 'spread', those at the very lowest end of the scale hardly falling within my 'propertied class', while those at the top end might be very rich and might hope to become members of the imperial aristocracy themselves. And the key to the understanding of the position of the curial class in the fourth and fifth centuries is the realisation of two facts. First, the richer the decurion, the more likely he was to be able to escape upwards into the ranks of the imperial *honorati*, or to obtain by influence or bribery some position (in the imperial civil service in particular)¹⁹ which exempted him from curial duties, thereby increasing the burden on the poorer members of the order who were left, sometimes to the point of actual ruin and loss of property. And secondly, curial burdens, far from being distributed in proportion to wealth, tended to fall more heavily on the poorer decurions in a given Council.

In view of the inherently hierarchical tendencies of the Roman world, no one will be surprised to find the curial order developing an inner ring of privilege within itself which in due course receives legal recognition.²⁰ I have deliberately said nothing of the *decemprini* who begin to appear in Italian and Sicilian towns in the late Republic as the leading members of the *ordo decurionum*, or of the *dekaprōtoi*, the 'first ten men' (sometimes *eikosaprōtoi*, the 'first twenty'), who are known in the Greek world from just after the middle of the first century of the Christian era until the beginning of the fourth and are always decurions, responsible for a fiscal liturgy.²¹ Although the *dekaprōtoi/eikosaprōtoi* are often mentioned as such in honorific inscriptions (and their function was therefore a dignified one), there is no sign that they, any more than the *decemprini* in the West, enjoyed any special privileges or powers as such. Legal privilege does, however, appear in the fourth century onwards in connection with the leading decurions known as *principales*, a term which first appears in the Codes as early as 328 (CTh XI.xvi.4). In the second half of the fourth century we often hear of these *principales*, who are probably identical with a new kind of *decemprini* now appearing in various parts of the empire (see Jones, LRE II.731; Norman, GLMS 83-4). By the early fifth century, constitutions of Honorius, directed towards stamping out Donatism in north Africa (for which see VII.v above), reveal by the difference in the size of the pecuniary penalties they prescribe the large gap which by now had opened up between the leading decurions and the others: a constitution of 412 which punishes senators with a fine of 30 lb. gold rates the *principales* at 20 lb. gold and other decurions at only 5 lb. (CTh XVI.v.52.pr.); and in another law, of 414 (id. 54.4), we find senators assessed at 100 lb. silver, the *decemprini curiales* at 50 lb. and the remaining decurions at 10 lb. (For *coloni*, by the way, both laws prescribe merely flogging: 52.4; 54.8.) Norman has well emphasised that by the latter part of the fourth century the great division in the curiae is 'horizontal, based purely on economic differences, and the few great families have deliberately cut themselves off not only from the commons but also from the humbler members of the order . . . The rapacity of the wealthier and more influential *principales* was increasingly directed against the poorer decurion for their own financial gain' (GLMS 83-4). The class struggle proceeded apace even within the curial order!

The longest of all the titles in the *Theodosian Code* of 438 is XII.i, *De decurionibus*: it contains 192 laws, from Constantine's reign to 438; and other laws affecting decurions appear elsewhere in the *Code*; there are still others again in Justinian's *Code* (X.xxxii and elsewhere). By far the most important consideration, in the eyes of the emperors, was to prevent decurions from evading their obligations, for example by escaping into the army, or into one of the more profitable branches of the imperial civil service, or into the Church. The whole story has been well told in detail (see p.1 above), and I need not recapitulate it here. I will say only that the evidence shows all too well the extent to which the richer members of the order were able to escape from their obligations to their *curia* by doing the very thing the emperors were so anxious to prevent, sometimes by obtaining honorary *codicilli* (letters patent), granting them some rank which conferred exemption from curial duties, sometimes by actually obtaining some post which carried such rank. The constant repetition of some of these laws shows how inefficient they were: patronage (*suffragium*: see my SVP) could often procure the evasion of a law; and the Councils themselves tended to be reluctant to coerce defaulters, partly (as Councils would claim) because it was so difficult for them to operate effectively against a man who had obtained high rank and because it might be dangerous to incur his enmity, and partly also through sheer corruption and the hope of favours to come from the ex-decurion (see esp. Jones, *LRE* I.409; II.754-5). As Norman has said, curial decline in the late fourth century 'could certainly never have proceeded with such speed had there not been powerful support for it from inside the Curiae themselves, not merely that manifested by evasion and subterfuge, but that also provided by the wealthy *principalis*' (GLMS 84).

The desire of decurions to obtain senatorial rank illicitly, even if it meant selling much of their property in order to procure the necessary bribe, was by no means motivated only by the wish to escape their financial obligations – which might, indeed, be increased by senatorial status (see Jones, *LRE* II.544-5, 748 ff.). The sheer prestige was itself a major consideration, in a society intensely conscious of rank and order; but perhaps most important of all was the desire of the decurion to obtain personal security against the maltreatment which in the fourth century was being increasingly meted out to curials by provincial governors and other imperial officials, but which they would not dare to inflict upon men of senatorial status.

One interesting sign of the gradual deterioration in the position of the curial class during the fourth century is the fact that whereas all decurions are still specifically exempted from all flogging by imperial constitutions of 349 or 350 and 359 (*CTh* XII.i.39,47), by 376 the use of the *plumbata*, the leaded scourge, is permitted upon all except the leading decurions (the *decemprimi*), although the emperors express the pious hope that this will be inflicted upon them in moderation! (*habeatur moderatio*, IX.xxxv.2.1). Although constitutions of 380 and 381 again forbid the *plumbata* for any decurion (XII.i.80,85), by 387 the use of the dreadful weapon is permitted again in fiscal cases, and this time even a principal decurion (*principalis*) is not immune (XII.i.117, cf. 126, 190). It is not surprising, then, that we find Libanius, in the late fourth century, insisting that it was above all the frequent flogging of decurions which had driven so many of them to seek the rank of senator (which alone would give secure immunity),²²

even at the cost of paying a very large price for the privilege, and that in this way the ranks of the councillors had become depleted. The severity of Later Roman floggings is brought out by several literary passages, notably in St. Athanasius, suggesting (even if we allow for the man's habitual exaggeration) that in the mid-fourth century a flogging, even without the use of the *plumbata*, could easily result in death (*Hist. Arian.* 60; cf. 12, 72).

In the mid-fourth century, a touching picture of the relationship between a local Council and the general population, as a leading member of the local propertied class liked to imagine it, is given by Libanius: the relationship is that of parents to children! (*Orat.* XI [*Antiochikos*] 150 ff., esp. 152).²³ The Emperor Majorian in 458 could still, in a charming phrase, state it as an undoubted fact that the decurions were 'the sinews of the commonwealth and the vitals of the cities', *curiales nervos esse rei publicae ac viscera civitatum nullus ignorat* (*Nov. Maj.* VII.pr.). In the East it seems to have been early in the sixth century, in the reign of Anastasius (491-518), that the city Councils finally ceased to matter very much in the local decision-making process, and perhaps even to meet. The decurions were now reduced to little more than minor local officials responsible for tax-collection and the performance of other public duties. (In the West the position was not very different, even if there is evidence of city Councils meeting as late as the early seventh century: see Jones, *LRE* II.757-63.)

The whole process brings out admirably the complete control exercised over the whole Graeco-Roman world by the very highest class, of senators and equestrians – who had merged into a single order by at least the beginning of the fifth century (see VI.vi above, *ad fin.*). There were now more grades within the senatorial order: the lowest were *clarissimi*, then came *spectabiles* and finally *illustres*; by the mid-fifth century the most illustrious were *magnificentissimi* and even *gloriosissimi*. The utter lack of any kind of real power below the highest class left even men of some property and local distinction helpless subjects of the great, except in so far as the emperors chose to protect them, as they were obliged to do to some extent, if the empire was to be kept going (cf. VI.vi above). The screw, having already been tightened at the bottom of the social scale by landlords and tax-collectors about as far as it would safely go, and indeed further, had from the later second century onwards (as the situation of the empire became less favourable), and regularly during the third, to be put on the curial class, as the only alternative to the increased taxation of the really rich, which they would never have endured. As soon as the curials began to change even to a small extent from the beneficiaries of the system into its victims (as those below them had always been), they made indignant protests, which used to receive unduly sympathetic attention from historians. There is plenty of evidence that they did not allow themselves to suffer until they had squeezed the very last drop out of those beneath them, in particular their *coloni*. The priest Salvian, writing in Gaul in the second quarter of the fifth century, could exclaim, 'What else is the life of *curiales* but injustice?' (*iniquitas*: *De gub. Dei* III.50). We are often reminded that Salvian was prone to exaggeration (cf. Section iii of this chapter); and indeed in the same passage he can see in the lives of business men (*negotiantes*) only 'fraud and perjury', of officials 'false accusation' (*calumnia*), and of soldiers 'plunder' (*rapina*). But lest we be tempted to dismiss entirely his strictures upon curials, we should look at what is, to my

mind, perhaps the most extraordinary of all the constitutions ever promulgated by the Roman emperors: one issued by Justinian in 531 (*CJ* I.iii.52.pr., 1), which strictly prohibits all *curiales* from ever becoming bishops or priests, on the ground that it is 'not right for a man who has been brought up to indulge in extortion with violence, and the sins that in all likelihood accompany this, and is fresh from deeds of the utmost harshness as a *curialis*, suddenly to take holy orders and to admonish and instruct concerning benevolence and poverty'! (With the *curiales* [*bouleutai*], Justinian brackets *cohortales* [*taxeōtai*], members of the staff of a provincial governor, on whom see Section iv of this chapter.)

★ ★ ★ ★ ★

I have seldom had occasion so far to notice movements of revolt or resistance on the part of the lower classes in the ancient world. I shall have a certain amount to say on this subject in the last two sections of this chapter. But since I shall be dealing there mainly with the Middle and Later Roman Empire, and of course this book is concerned with the Greek East rather than the West, I shall have little or nothing to say about a number of local revolts against Roman rule, almost entirely in the West and during the Republic and early Principate, which have been discussed recently in two articles by Stephen L. Dyson, with the praiseworthy aim of applying to them knowledge available today about movements against modern colonialism.²⁴

(iii)

Defection to the 'barbarians', peasant revolts, and indifference to the disintegration of the Roman empire

The fable of the donkey which receives with indifference the news of a hostile invasion (see VII.v above) may help us to achieve a better understanding of the quite considerable body of evidence from both Eastern and Western parts of the Roman empire that the attitude of the lower classes towards 'the barbarians' (as I can hardly help calling the Germanic and other invaders, the *barbari*) was by no means always one of fear and hostility, and that incursions of 'the barbarians' (destructive as they could be, especially to property-owners) were often received with indifference and even on occasion positive pleasure and co-operation, in particular by poor men unendurably burdened by taxation. (As we shall see later, even men of some property who had been the victims of injustice and legal corruption are known to have defected to the barbarians.) There is a considerable body of evidence from the second century to the seventh of flight or desertion to 'the barbarians', or of appeals to them or even help given to them, which has never, as far as I know, been fully presented, in English at any rate. I cannot claim to have made anything like a complete collection of the material, but I will mention here the main texts I have come across.

It is convenient to mention also in this section some evidence for peasant revolts, especially in Gaul and Spain, which has been very well discussed by E. A. Thompson (*PRLRGS* = *SAS*, ed. Finley, 304-20). It is not my intention, however, to try to give anything like a full list of the internal rebellions and dissensions which broke out in various parts of the Greek and Roman world during the Principate and Later Empire: for most of these episodes the evidence

is bad and it is unclear whether there was any significant element of revolution from below or even of social protest. Sometimes our only source is of such poor quality or so enigmatic that we are not able to rely on it. For example, it is only in a speech of Dio Chrysostom (*XXXII*.71-2), which has been variously dated, between 71 and the reign of Trajan,¹ that we hear of a serious disturbance (*tarachē*) in Alexandria, necessitating the use of armed force by the prefect of Egypt to suppress it. There is a mysterious reference in a mid-second-century Spartan inscription to *neōterismoι* (disturbances, revolutionary movements), which may conceivably be connected with a *rebellio* in Greece mentioned in the *Historia Augusta* as having been put down by the Emperor Antoninus Pius (A.D. 138-61). And again, it is only in the *Historia Augusta* that we have a reference to 'something resembling a slave revolt' (*quasiquoddam servile bellum*) in Sicily during the sole reign of Gallienus (260-8), taking the form, it is said, of widespread banditry (*latronibus evagantibus*).² Banditry or brigandage is often, of course, a symptom of social protest (cf. V.iii above), but we also come across certain alleged brigand chiefs who are likely to have begun with a following consisting largely of peasants, herdsmen, runaway slaves and other humble folk, but who became local despots: for instance, the adventurer and alleged bandit, Cleon of Gordioucome, in the last century B.C.³ Sometimes, as in the movement in the area of Carthage, early in 238, which led to the proclamation as emperor (and the exceedingly brief reign) of the aged Gordian I, a rich landowner who was then proconsul of Africa, it is evident that there was no 'popular' or 'peasant' uprising but that the whole impetus came from the upper classes – in the African example I have just mentioned, from a group of 'well-born and rich young men', who resented recent increases in taxation and the severity with which they were applied by the procurator of the Emperor Maximin, and were able to mobilise their dependants in the countryside and bring them into Carthage (Herodian VII.iv.3-4, with iii.5 ff.).⁴ In some cases – even events of real importance – almost everything is uncertain: for instance, the role of Mariades (or Marcades) and of the lower classes of Antioch in the taking of that city by Shapur I of Persia, in 256 or thereabouts.⁵ Sometimes the respective roles played in a rebellion by the upper and lower classes are not made clear by our sources and are very variously interpreted by different historians – the rebellion of Firmus in north Africa in 372/3 to 374/5 is a case in point; of other African revolts hardly any details are known: they appear to me to have been essentially tribal movements.⁶

I wish to say with all possible emphasis that in all cases known to me in which there were contests for the imperial throne there is no sign that class struggle ever played any significant part. This is true of the competition for the principate on the death of Nero in 68, of the next series of armed conflicts from 193 to 197, and also of the half-century from the end of the Severan dynasty in March 235 to the accession of Diocletian late in 284, when the succession was virtually always settled by force, and the only emperor who lived to count the years of his reign in double figures was Gallienus, joint ruler from 253 to 260 with his father Valerian and sole emperor from 260 to 268. Nor can any of the few subsequent civil wars in the fourth century be seen as a class war, even where (as I shall explain in Section iv of this chapter) we do find a certain number of men driven desperate by heavy taxation and a highly oppressive administration taking the

side of a pretender: Procopius in 365-6 - their support was but a minor and incidental feature of his rebellion. All competition for the imperial dignity was entirely between members of the governing class, attempting to seize or retain power for themselves, and the contests were all decided by at least the threat, and often the use, of armed force.

At the very beginning of the second century we hear of deserters to Decebalus, the Dacian chief. According to Dio Cassius (as preserved in our surviving excerpts) Decebalus gave a reluctant undertaking to surrender to the Romans both 'the deserters' (*hoi automoloi*) and 'his arms and his military machines and artificers' (*mēchanēmata* and *mēchanopoioi*; cf. Herodian III.iv.7-9, mentioned on the next page). Decebalus also promised for the future 'not to receive any deserter or to employ any soldier from the Roman empire'; and Dio adds, 'for it was by seducing men from there that he had been obtaining the majority of his forces, and the best of them' (LXVIII.ix.5-6).⁷ On other occasions too we hear of 'deserters', and sometimes the numbers given are so strikingly large as to suggest that there must have been civilian defectors as well as military deserters whom the Romans were anxious to reclaim. (The expression *aichmalōtoi*, 'captives', certainly included civilian as well as military prisoners: see Dio LXXI.xiii.3.) Dio speaks on several occasions of deserters to the Quadi, Marcomanni and others between the late 160s and the 180s. We hear that the Quadi in c. 170 promised to surrender 'all the deserters and the captives: 13,000 at first, and the rest later' (Dio LXXI.xi.2,4), a promise they did not fulfil (xiii.2). About five years later the Sarmatian *azyges*, according to Dio, gave back '100,000 captives they still had, after many had been sold [as slaves] or had died or escaped' (xvi.2). When describing the treaties of peace made by Commodus, shortly after his accession in 180, first with the Marcomanni and then with the Buri, Dio mentions the Roman demand to the Marcomanni for the return of 'the deserters and captives' (LXXII.ii.2) and then speaks of 15,000 captives given back to the Romans (by whom, is not clear - by the Alans, perhaps), in addition to 'many' returned by the Buri (iii.2). I think there is reason to suspect that large numbers of civilians may have gone over to the barbarians in these cases of their own free will. In 366, proof that many of those alleging they had been captured by the barbarians were suspected of having gone off voluntarily is furnished by the constitution of that date mentioned below, providing for an inquisition in such cases, whether the man concerned had been 'with the barbarians voluntarily or by compulsion' (*voluntate an coactus*: *CTh* V.vii.1 = *CJ* VIII.1.19).

Just before the end of the Antonine age, somewhere between 186 and 188, came the revolt in Gaul and Spain led by Maternus, a military deserter, for which I need do no more than refer to Thompson's account (in *SAS*, ed. Finley, 306-9). As he points out, the revolt foreshadowed the first recorded movement of the *Bacaudae* a century later, described below. Our sources for this revolt fail to reveal much about its character. It is referred to in the *Historia Augusta* as a 'war of deserters' (*bellum desertorum*: *Commod.* 16.2), 'countless numbers of whom were then plaguing Gaul' (*Pesc. Nig.* 3.4). Although discontented soldiers may have formed its nucleus, it may well have involved many members of 'the submerged classes of Gaul and Spain', as Thompson suggests. Maternus was soon betrayed, captured and beheaded, and his forces broke up.

At the end of the civil war of 193-4 between Septimius Severus and Pescennius Niger many of the soldiers of the defeated Niger fled across the Tigris to the Parthian sphere. This, a consequence of a contest for the imperial throne which lacked any characteristic of a social movement, would be hardly worth mentioning here but for the fact that Herodian (III.iv.7-9) makes much of it, rightly or wrongly, on the ground that the deserters included many craftsmen (*technitai*), who not only gave the barbarians valuable instruction on how to use weapons in hand-to-hand combat but also taught them how to make such weapons. (Herodian seems to have had spears and swords in mind.) At this time and in the years between 194 and 199 we must put the activities of Ti. Claudius Candidus, which we know only from a cryptic reference in an inscription, *ILS* 1140:⁸ he conducted military operations 'by land and sea against rebels and public enemies' (*terra marique adversus rebelles hh. pp.*) in the provinces of Asia, Noricum and Hither Spain. In each case, however, Candidus will doubtless have been operating mainly, and perhaps entirely, against the adherents of Severus' two rivals for the imperial throne: Pescennius Niger and Clodius Albinus. Another inscription, *ILS* 1153, records the activities of C. Julius Septimius Castinus, with detachments of four legions of the Rhine army, apparently c. 208 or shortly afterwards, 'against deserters and rebels' (*adversus defectores et rebelles*), who must have been Gauls or Germans.

It is at about the same time or a little earlier that we hear of that 'Robin Hood' figure, Bulla or Felix, who is said to have plundered parts of Italy for about two years, with a robber band of 600 men (including, strange to say, a number of imperial freedmen, who had been receiving little pay or none at all), until he too was captured, and thrown to the beasts (see Thompson, in *SAS* 309-10). A contemporary source, Dio Cassius, our main authority for Bulla (LXXVI.x.1-7; cf. Zonar. XII.10), preserves two of his sayings. The first is a message sent to the authorities through a captured centurion: 'Feed your slaves, to stop them becoming brigands.' The other is Bulla's answer to a question at his interrogation by the great jurist Papinian, then praetorian prefect: 'Why did you become a brigand?' Bulla replied tersely, 'Why are you prefect?' (Here one is irresistibly reminded of the dialogue between Alexander the Great and a captured pirate which rounds off a brief but powerful chapter, IV.iv, of St. Augustine's *City of God*.) It appears from Dio that Bulla received much information from country folk in the neighbourhood of Rome and Brundisium; and this may remind us of the statement of Ulpian in the *Digest* that a bandit (*latro*) cannot carry on his operations in concealment for long without local sympathisers (*receptores*, I.xviii.13.pr.) - an opinion which applies equally well to modern guerilla movements.

After this, until late in the third century (for the history of which our sources are very defective), I know of only one piece of evidence that is of real value for our present purposes. A Christian bishop in mid-third-century Pontus (in northern Asia Minor), St. Gregory Thaumaturgus (the 'Wonder-Worker') of Neocaesarea, sternly rebukes his flock in his *Canonical Letter*, written perhaps in 255, for going over openly to the invading Goths, helping them to murder their fellow-citizens, and pointing out to the 'barbarians' the houses most worth plundering⁹ - actions which we shall find paralleled in Thrace in 376-8 (see below). The failure of the inhabitants of many of the cities of Asia Minor, and

even of their garrisons, to offer any resistance to the Gothic invasions of the mid-third century is an indication of the low state of morale at this time: see especially Zosimus I. xxxii-xxxv. Zosimus also speaks of assistance given to the Goths in c. 256 by fishermen of eastern Thrace, enabling them to cross the Bosphorus (I. xxxiv. 2; cf. 1, for co-operation by captives and traders).

It is in c. 284, in the reign of Carinus, that we first hear of the Bacaudae,¹⁰ a name of unknown origin, given to participants in a whole series of peasant rebellions in Gaul and Spain which continued intermittently until c. 456 (see Thompson again, in SAS 311-20). Their first revolt was easily crushed by Maximian in 285. For the fourth century there is virtually no direct evidence about Bacaudae; but our literary sources are always reluctant to discuss military operations against lower-class rebels; and when Ammianus, writing of the early years of the reign of Valentinian I (364-75), alludes darkly to 'many battles fought in various parts of Gaul' which he thinks 'less worthy of narration' than those against German barbarians, and goes on to say that 'it is superfluous to describe them, both because their outcome led to nothing worth while, and because it is unbecoming to prolong a history with ignoble details', we may suspect (as Thompson shrewdly observes) that Valentinian was suppressing further movements of Bacaudae – and without any resounding and complete success.¹¹ The most important risings of Bacaudae were in the earlier fifth century: in Gaul in 407-17, 435-7 and 442, and perhaps 448, and in Spain in 441, 443, 449, 454 and 456. On several of these occasions imperial armies operated against them, led by commanders who included the *magistri militum* Flavius Asturius and Merobaudes.¹² These uprisings, coming as they did at a time when the Roman world was facing unparalleled pressure on its western frontiers, may have played an important part in bringing about the disintegration of a considerable part of the Western empire. I have space for only two of the many small scraps of evidence that have survived regarding these revolts. First, the eminent senator Rutilius Namatianus, describing in his poem *De reditu suo* a journey he took from Rome to his native Gaul towards the end of 417 (see VI. vi n. 104 below), praises the activity of his relative Exuperantius in restoring 'law and order' in Armorica, the main centre of Bacaudic activity, a large district around the mouth of the Loire. Exuperantius, he says, is now teaching the area 'to love the return of peace from exile' (he uses a highly technical term, *postliminium*); 'he has restored the laws and brought back liberty, and he does not allow the Armoricans to be slaves to their own domestics' (*et servos famulis non sinit esse suis*, I. 213-16) – a clear indication of the class war which had been taking place in north-west Gaul. Secondly, in a comedy called the *Querolus*,¹³ by an unknown author writing apparently in the early years of the fifth century, there is a disparaging reference to life 'beside the Loire' (surely under the regime of the Bacaudae), where men live under the *ius gentium*, another name for which is 'woodland laws' (*iura silvestria*), and where *rustici* speechify and capital sentences are pronounced under an oak tree and recorded on bones; and indeed *ibi totum licet*, 'there anything goes' (*Querolus*, pp. 16-17 ed. R. Peiper: see Thompson, in SAS 316-17).

There is no explicit evidence of peasant revolutionaries in Britain in the fourth century; and Collingwood put his case too strongly when he claimed that because 'the same legal and administrative system, the same distinction between

rich men in great villas and poor men in village huts, and the same barbarian invasions, were present towards the end of the fourth century in Britain' as in Gaul, 'it is hardly to be doubted that effects were identical too; and that the wandering bands which Theodosius saw in Britain [the reference is to Amm. Marc. XXVII. viii. 7, A.D. 368] included large numbers of Bacaudae'.¹⁴ However, Thompson has recently made quite a good case for seeing the revolt in 409, in Britain and 'the whole of Armorica and in other provinces of Gaul', described by Zosimus VI. v. 2-3, as a movement of a type akin to the revolts of the Gallic Bacaudae.¹⁵ We do not know enough about the social situation in Britain in the early fifth century or about the details of the revolt itself to make a positive affirmation, but Thompson's interpretation is not contradicted by any ancient source and is probable enough in itself.

Apart from the material I have been discussing there are for the time of Constantine onwards many small scraps of evidence and one or two particularly striking passages. References to the flight of slaves to the barbarians are only to be expected, and I will mention but two examples. *CJ* VI. i. 3, a constitution issued by Constantine between 317 and 323, prescribes as a penalty for such desertion amputation of a foot or consignment to the mines. (Mutilation as a punishment for crime had rarely been inflicted by the Romans until now, except in special cases under military discipline; but in the Christian Empire it gradually became more frequent, and in the seventh and eighth centuries it was quite common.)¹⁶ Secondly, it could be said that during the first siege of Rome by Alaric the Visigoth, in the winter of 408-9, virtually all the slaves in Rome, totalling 40,000, escaped to the Gothic camp (Zos. V. xlii. 3). It is hardly significant, too, that the ecclesiastical historian Eusebius should speak of Christians fleeing to the barbarians during the 'Great' persecution (of 303 and the years following) and being well received and allowed to practise their religion (*Vita Const.* II. 53). It is more interesting to find an edict of Constantine in 323 demanding the burning alive of anyone who affords to barbarians an opportunity to plunder Romans, or shares in the spoils (*CTh* VII. i. 1), and another edict, of 366, ordering enquiry to be made, whenever anyone claims that he had been captured by barbarians, to discover whether he had gone off under compulsion or 'of his own free will' (*CTh* V. vii. 1 = *CJ* VIII. 1. 19, quoted above). Ammianus, telling the story of the Persian invasion of Roman Mesopotamia in 359, mentions a former Gallic trooper he himself encountered, who had deserted long ago, to avoid being punished for a crime, and who had been well received and trusted by the Persians and often sent back into Roman territory as a spy – he of course was executed (XVIII. vi. 16). In 369 Count Theodosius disbanded the *arcani* (perhaps a branch of the imperial civil service), who had given secret information to the 'barbarians' (Amm. XXVIII. iii. 8).

From the years 376-8 we have some extraordinarily interesting evidence from Ammianus about the behaviour of many members of the lower classes in the Balkan area, which we may compare with the tirade of St. Gregory Thaumaturgus in the 250s, mentioned above. Under Fritigern and other chiefs the Visigoths, who had been allowed by the Emperor Valens to cross the Danube into Thrace in 376 (see Appendix III § 19b below), but had been very badly treated by the Roman commanders, began to ravage Thrace. Fritigern advised his men to leave the cities alone (he 'kept peace with walls', he told

them!) and plunder the country districts. Those who surrendered to the 'barbarians' or were captured by them, says Ammianus, 'pointed out the rich villages, especially those where ample supplies of food were said to be available'. In particular, certain gold-miners, 'unable to bear the heavy burden of taxation', did the 'barbarians' great service by revealing to them hidden reserves of food and the secret hiding-places and storehouses of the local inhabitants (Amm. XXXI.vi.4-7). Roman soldiers who deserted to the Goths also gave them much valuable information (id. vii.7; cf. xv.2). Even after the disastrous battle of Adrianople in 378, we hear of 300 Roman infantry going over to the Goths, only to be massacred (XXXI.xv.4); some guardsmen (*candidati*) who tried to help the Goths to capture the city of Adrianople soon afterwards were detected and beheaded (id. 8-9). Yet information was still given to the Goths by deserters: according to Ammianus it was so detailed, concerning Perinthus (the modern Ereğli) and neighbouring cities, that the Goths 'knew about the interior of the very houses, not to mention the cities' (id. xvi.1).

Dealing with the year 380, Zosimus speaks of 'every city and every field' in Macedonia and Thessaly being filled with lamentation and appeals from everyone to the 'barbarians' to come to their help: it is just after he has mentioned that instructions had been given for the rigorous exaction of taxes from these areas, in spite of the serious damage recently inflicted upon them by marauding Goths (IV.xxxii.2-3). Nicopolis in Thrace seems to have gone over to the Goths about this time (Eunapius fr. 50).¹⁷ A constitution of 397 threatens with death anyone entering into a criminal conspiracy with soldiers, private citizens or 'barbarians', to kill some great man or a member of the imperial civil service (*CTh IX.xiv.3.pr.*). A large number of men described by Zosimus as 'slaves' (*oiketai*) and 'outcasts' joined the army of Tribigild the Ostrogoth in 399 and participated in the plundering of Phrygia and Lydia (Zos. V.xiii.3-4); and a year or two later we hear of 'runaway slaves [*oiketai*] and military deserters' plundering the countryside of Thrace, until they were crushed by the Gothic *magister militum* (and consul in 401) Flavius Fravitta (Zos. V.xxii.3), who is also credited with having earlier 'freed the whole East from Cilicia to Phoenicia and Palestine from the scourge of bandits' (or pirates, *lēistai*, xx.1). In the first decade of the fifth century St. Jerome complains that Pannonians have joined the 'barbarians' invading Gaul: 'O lugenda res publica,' he exclaims (*Ep.* 123.15.2). There is a fascinating passage in the *Eucharisticos* of Paulinus of Pella (written in 459), referring to his presence in the city of Vasates (the modern Bazas, south-east of Bordeaux) during its unsuccessful siege by the Goths under Athaulf in 415-16. Paulinus speaks of an ineffectual armed revolt by 'a body of slaves [*factio servilis*], combined with the senseless fury of a few young men', who were actually of free birth, and he says it was aimed deliberately at the slaughter of the leading citizens (the *nobilitas*), including Paulinus himself, whose 'innocent blood', with that of his fellows, was saved only by divine intervention.¹⁸ Two or three years later, in 418, we hear of a 'rebellio' in Palestine, put down by the Goth Plinta, *comes* and *magister militum* of Theodosius II, and in 431 of a revolt in the West, by the Nori, suppressed with armed force by Aëtius; but we know nothing of the details in either case.¹⁹ Soldiers in the army sent by Justinian for the conquest of Italy in the 540s seem to have deserted wholesale: Procopius can even make Belisarius complain to the emperor that 'the majority' have deserted (*Bell.* VII =

Goth. III.xii.8; cf. VIII = *Goth.* IV.xxxii.20; and see the next paragraph below).

Other sources too, both Greek and Latin, speak of the inhabitants of the Roman empire as actually desiring the coming of the 'barbarians'. The fact that the panegyric delivered to the Emperor Julian by Claudius Mamertinus on 1 January 362 includes a phrase to this effect may be of little or no significance (*Paneg. Lat.* XI.iv.2, ed. E. Galletier: *ut iam barbari desiderantur*). And I would ignore the conceit in Libanius, *Orat.* XLVII.20 (of c. 391), imagining that a city which is in some way disadvantaged (or put to the worse, *elattoumenē*) by another might call in neighbouring barbarians 'as its allies'. But I would be inclined to take more seriously the statement of Themistius to the Emperor Valens in 368 that 'many of the nobles who have held office for three generations made their subjects long for the barbarians' (*Orat.* VIII.115c): the orator had just been speaking of the tremendous burden of taxation, which he represents as having been doubled in the forty years before the accession of Valens in 364, but now halved by Valens (113abc). Similarly Orosius, writing of the irruption of Germans into Gaul and Spain early in the fifth century, could say that some Romans preferred to live among the 'barbarians', poor but in liberty, rather than endure the anxiety of paying taxes in the Roman empire (VII.41.7: *inter barbaros pauperem libertatem quam inter Romanos tributariam sollicitudinem sustinere*). Here again, as so often, it is the burden of taxation which outweighs all other considerations. Procopius too, after describing the vicious behaviour of the army of Justinian in Italy in the early 540s, could admit that the soldiers made the Italians prefer the Ostrogoths (*Bell.* VII = *Goth.* III.ix.1-4; cf. iv.15-16); and in this case also we hear of unjust extortion practised by Alexander the logothete, whom Justinian sent to Ravenna in 540, and a little later by Bessas at Rome in 545-6.²⁰

A particularly eloquent complaint is that of Salvian, a Christian priest in Southern Gaul, who probably wrote in the early 440s. Making some very severe strictures on the wealthy class of Gaul in his day, whom he compares to a pack of brigands, he says that the oppressed poor (and not only they) used to flee for refuge to the 'barbarians' (*De gub. Dei* V.21-3, 27-8, 36-8) or to the *Bacaudae* (V.22, 24-6; cf. Section iv of this chapter). Salvian stresses above all the oppressiveness of Roman taxation, which allows the wealthy to get off lightly but burdens the poor beyond endurance (IV.20-1, 30-1; V.17-18, 25-6, 28-32, 34-44). I decline to follow Jones in discounting almost entirely the evidence of Orosius (VII.41.7; see the preceding paragraph) as 'suspect' and that of Salvian as 'biased and unreliable'.²¹

Although of course I recognise that Salvian is prone to rhetorical exaggeration, like the great majority of later Latin and Greek writers, I agree with Ernst Stein that his *De gubernatione Dei* is 'la source la plus révélatrice sur la situation intérieure de l'Empire d'Occident, la seule qui nous laisse voir directement toute la misère du temps dans sa réalité atroce' (*HBE* I.i.344). Stein devotes more than three pages to describing some of Salvian's strictures on the oppressiveness of Roman rule in the West in his day, and he points out that some of these are reflected in an exactly contemporary edict, of Valentinian III (*Nov. Val.* X.pr., and 3, A.D. 441; see Stein, *ibid.* 347). To this I would add another edict, issued seventeen years later by the Emperor Majorian, which I have summarised in Section iv of this chapter (*Nov. Maj.* II, A.D. 458).

Although, as I have already made clear (in VII.v above), I regard Donatism as

being primarily a religious movement and not an expression of social protest, there is no doubt that it contained a strong element of such protest, simply because the class of large landowners in north Africa (including Numidia, where the concentration of Donatists was highest) was overwhelmingly Catholic. The role of the Catholic Church in north Africa in the Later Roman Empire has been admirably described in the great book on Vandal Africa by Christian Courtois (*VA* Part I, ch. ii, § 4, esp. 132, 135-44). As he says, 'L'Afrique du V^e siècle ne demeure romaine que par le double appui de l'aristocratie foncière et de l'Eglise catholique qui s'accordent pour assurer à l'État le minimum de puissance indispensable à la leur' (132, cf. 144). The Circumcellions,²² the militant wing of the Donatists (sometimes appearing, if we are not seriously misinformed, as a kind of lunatic fringe, bent on religious suicide), waged open war on occasion not only upon the Catholic Church in Africa but also upon the class of large landowners from which that Church derived its main support. The war-cry of these men, *Deo laudes* ('Praise be to God': it often appears on Donatist tombstones), was more to be feared, according to St. Augustine, than the lion's roar (*Enarr. in Ps.* 132.6, in *CCL*, Ser. Lat. XI [1956] 1930). But these fanatics, barbarous as they might seem to the landlord class, were anything but a terror to the poor, for we hear of them threatening to punish moneylenders who exacted payment from the peasants, and forcing landlords to dismount from their carriages and run before them while their slaves drove, or to do slaves' work at the mill (*Optat.* III.4; *Aug.*, *Ep.* 108 [vi] 18; 185 [iv] 15; cf. 88.8 etc.).

There are clear indications that the regime the Vandals set up on their conquest of Roman north Africa in 429 and the years following was less extortionate than the Roman system existing there, from the point of view of the *coloni*.²³ Constitutions issued by Justinian in 552 and 558, many years after his reconquest of north Africa in 533-4, show that during the Vandal period many *coloni* must have achieved some kind of freedom by escaping from the estates where they were in the condition of serfs: see *Corp. Jur. Civil.* III [*Nov. Just.*] 799-803, Append. 6 and 9.²⁴ (There is also reason to think that in other Germanic kingdoms humble Greeks and Romans may have found themselves better off.)²⁵ Although the Ostrogoths, for example, could sometimes – like other 'barbarians' – behave with great savagery to the inhabitants of captured towns, even indulging in general massacre and enslavement,²⁶ their rule might sometimes seem at least no worse than that of the Roman landowners, as it evidently did in Italy in the 540s during the reign of Totila the Ostrogoth (541-52), who in the areas under his control treated the peasants particularly well (*Procop.*, *Bell.* VII = *Goth.* III.xiii.1; cf. vi.5), in strong contrast with those (apart perhaps from Belisarius) who commanded the Roman army sent by Justinian.²⁷ Totila made the peasants pay their rents as well as their taxes to himself.²⁸ He also accepted into his army a considerable number of slaves who had belonged to Roman masters, and he firmly refused to hand them over.²⁹ He is also credited with representing most successfully to the peasants of Lucania, who had been organised into a military force against him by the great landowner Tullianus (see IV.iv n.7 below), that if they returned to the cultivation of their fields the property of their landlords would become theirs (*Bel.* VII = *Goth.* III.xxii.20-1). All this material comes from Procopius, who was personally present as a member of the staff of Belisarius. In the light of this information, it is easy to

understand the particularly venomous way in which Totila is referred to by Justinian in his so-called 'Pragmatic Sanction' of 554,³⁰ which (among other things) ordered everything done by Totila, including his 'donations', to be abrogated (§ 2), confiscated property to be restored (13-14), marriages between free persons and slaves to be dissolved at the wish of the free party (15), and slaves and *coloni* who had passed into the possession of others to be returned to their original masters (16). The statement by Jones that 'the mass of the Africans and Italians welcomed the armies of Justinian' is far from being justified even by the few passages he is able to quote from Procopius, a witness who would naturally have been glad to find evidence of friendliness towards the armies of which he himself was a member.³¹

At the very end of the sixth century we find Pope Gregory the Great writing of Corsicans and Campanians defecting to the Lombards (*Ep.* V.38 and X.5, ed. L. M. Hartmann, *Lit.* 324-6 and II.ii.240-1).

In the seventh century we hear from the *Chronicle* of Bishop John of Nikiu of Egyptians deserting to the Arabs.³² The conquest by the Arabs, first of Palestine, Syria, Mesopotamia and part of Armenia (not to mention the Persian empire), and then of Egypt, was accomplished with astonishing speed within a decade: Syria etc. between 634 and 640, and Egypt by 642. This startling process was no doubt facilitated by the previous large-scale Persian attacks (under their King Chosroes II) on the eastern provinces of the Roman empire in the quarter-century beginning in 604;³³ they overran Mesopotamia, Syria and Palestine; between 611 and 626 they devastated many parts of Asia Minor; and in 617-18 they conquered Egypt and held it for some ten years. These lands were not entirely freed from the Persian danger until 629, the year after Chosroes was murdered in a coup. Although the surviving sources for all these events are very unsatisfactory and some of the dates are only approximate, the general outline is reasonably secure; but it is impossible to say how far the Arab victories during the next few years were due to the discouragement, exhaustion, damage and loss of life caused by the Persian invasions. The Arab conquests certainly deserve much more space than I can give them here, since they were evidently due in large part to the old internal weaknesses of the Later Roman Empire, especially of course class oppression, and including now religious strife and persecution. Not only did the exploitation of the many for the benefit of the few continue as before (if not on quite the same scale as it had done in the West); the hostility between the various Christian sects, especially now between the Monophysites of Syria and Egypt (the Jacobites and the Copts) and the Chalcedonian 'Orthodox', seriously reduced the will to resist the Arabs on the part of the populations of Syria and Egypt, which were predominantly Monophysite and had suffered much persecution on that account. Michael the Syrian, the Patriarch of Antioch at the end of the twelfth century, speaking on behalf of his Jacobite brethren about the Arab conquest, says, 'It was no small advantage to us to be delivered from the cruelty of the Romans [the Byzantines], their wickedness, their fury, their implacable zeal against us, and to find ourselves at peace' (*Chron.* XI.3 *fin.*).³⁴ The same statement was made in the thirteenth century by Bar Hebraeus (Gregory Abû'l Faraj, or Abulpharagius), another Syrian Jacobite historian, who used Michael as one of his principal sources (*Chron. Eccles.*, Sectio I.50).³⁵ I feel I should emphasise here that for the seventh

century in particular Syriac sources are often essential for the Roman historian: for those who (like myself) do not read Syriac, translations are often available, into Latin or a modern language. There is fortunately an excellent account of all the main editions and translations by S. P. Brock, 'Syriac sources for seventh-century history', in *Byzantine and Modern Greek Studies* 2 (1976) 17-36.

I know of no good evidence that the Syrian Christians actually helped the Arab invaders, whom they naturally feared and hated as infidels until they discovered that the Muslims were prepared in general to allow them to practise their own particular form of Christianity (as the Byzantines were not), provided they paid a poll-tax for the privilege. As for the Egyptian Copts, most of them seem also to have regarded their conquerors at first with aversion and horror. Duchesne was clearly right to say that their sentiments were hostile to the 'empire persécuteur' rather than favourable to the infidel invader.³⁶ But some of them soon came to regard the rule of the Muslims, who as a rule were far more tolerant towards their subjects in religious matters, as a lesser evil than that of the persecuting Orthodox – the 'Melkites', or 'Emperor's men', as they called them. Even A. J. Butler, who in his history of the Arab conquest of Egypt (still a 'standard work') is eager to defend the Copts against any unfair charge of treachery and desertion to the Arab side, is obliged to admit that from 641 onwards the Copts did on occasion give assistance to the Arabs, notably when the brief Byzantine reoccupation of Alexandria in 645-6 was forcibly terminated – and the whole of Egypt was lost to the Greek world for ever.³⁷ Butler also records the comments of Bar Hebraeus (*Chron. Eccles.*, Sectio I.50)³⁸ on the temporary restoration to the Mesopotamian and Syrian Monophysites in the early seventh century, by the Persian King Chosroes II, of the churches which had been taken from them and handed over to the Orthodox by the persecuting Chalcedonian Bishop Dometianus of Melitene (for whom see n.34 again: Bar Hebraeus was here reproducing Michael the Syrian, *Chron.* X.25). Michael and Bar Hebraeus regarded the Persian conquest of Mesopotamia (605, maintained until 627-8) as a divine punishment on the Chalcedonians for their persecution of the Jacobites – in their eyes, of course, the Orthodox. And Butler adds, 'It is the old story of Christians sacrificing country, race, and religion in order to triumph over a rival sect of Christians' (see n.37 again).

It was not only towards rival sects within Christianity that the Christians gave vent to their religious animosity. The restitution to Jerusalem in 630 of what was believed to be the 'True Cross', carried off by the victorious Persians in 614 and now taken back from them by the Emperor Heraclius, was followed by a severe persecution of the Jews, who were accused of participating in the massacre of Christians at Jerusalem which had followed its capture by the Persians in 614. The consequences were soon to be unfortunate for the Roman empire, for when the Arabs attacked Syria and Palestine in the 630s the Jews evidently received them favourably and in some places gave them significant support.³⁹

* * * * *

A large number of 'barbarians', mainly Germans, achieved high positions in the Roman world through service in the army in the fourth century and later. As early as the mid-fourth century Arbitio, who had enlisted as a common soldier (*gregarius miles*), reached the most exalted of all military ranks, that of *magister*

equitum, and in 355 even became consul, an honour rarely conferred on upstarts (see *PLRE* I.94-5). The vast majority of these 'barbarian' military commanders were completely loyal to Rome, and it is rare indeed to hear of them being guilty of treachery, like the Alamannic chief Hortar, appointed by Valentinian I to a Roman army command but tortured and burnt to death about 372 for treasonable correspondence with his former compatriots.⁴⁰ With hardly an exception, these men came to regard themselves as Romans and thoroughly accepted the outlook of the Roman ruling class, of which they had become members, however much they might be despised by some for their 'barbarian origin'. Their situation is admirably illustrated by the story of Silvanus, especially as it is told by Ammianus Marcellinus XV.v.2-33.⁴¹ Silvanus was apparently a 'second-generation immigrant', since Ammianus speaks of his father Bonitus as 'a Frank, it is true', but one who had fought loyally for Constantine (*ibid.* 33). After rising to very high military office, as *magister peditum* (in 352/3), Silvanus became in 355 the subject of an entirely unjustified accusation of treason, which he knew Constantius II was only too likely to accept; and in the circumstances he was virtually obliged to have himself proclaimed emperor, at Cologne – in which capacity he survived only twenty-eight days before being put to death. Silvanus had thought at first of deserting to his kinsmen the Franks, but he was persuaded by another Frankish officer, Laniogaisus, that the tribesmen would simply murder him or sell him to the Romans (*ibid.* 15-16) – an interesting indication that many Germans had no use for those of their own number who had gone over to Rome. During a debate on the Silvanus affair in the Consistory (the state Council) of Constantius II at Milan, another officer of Frankish origin, Malarich, the commander of the *Gentiles*, made an indignant protest that '*men devoted to the empire ought not to be victimised by cliques and wiles*' (*ibid.* 6). Before turning back to the behaviour of ordinary Greeks and Romans, I must emphasise once more that the prominent military men I have been discussing in this paragraph, although of 'barbarian' origin, had become above all members of the Roman ruling class and were no more likely than other Romans to prove disloyal to the empire that was now coming to be called *Romania* – an expression the earliest surviving use of which dates from c. 358 (Athanasius, *Hist. Arian. ad monach.* 35; cf. Pignaniol, *EC*² 458 n.3).

* * * * *

Against all the evidence set out above for discontent, rebellion, and defection to the 'barbarians' on the part of humble Greeks and Romans, I have come across very little sign of spontaneous resistance to 'barbarian' incursions on the part of either peasants or townsmen. References to such activities in the countryside, which I have listed in IV.iv (and its n.6) above, almost always attribute the initiative to prominent local landowners, who organise forces *ad hoc*, the nucleus of which is provided by their own *coloni* and slaves (see IV.iv nn.6-7). I know of even fewer examples of the vigorous defence of cities by their own inhabitants, especially without the assistance of garrisons of professional soldiers.⁴² This may be due partly to the fact that 'barbarian' ravaging was naturally focussed on the countryside. Walled cities, even if not strongly defended, could present a difficult problem, for few 'barbarian' groups were capable of mounting proper sieges. Fritigern in 376, when advising his Visigoths to concentrate on the best

and most fruitful country areas, is said by Ammianus to have remarked that he 'kept peace with walls' (XXXI.6.4). Many other passages testify to the inability of 'barbarians' to capture towns and their consequent preference for the ravaging of rural areas. Besides, many towns were garrisoned. But in the article published in 1977 which I have already utilised above (see nn. 10, 12, 15), Thompson has emphasised the rarity of recorded civilian resistance of any kind to 'barbarian' attacks. As he says, we hear much in the valuable *Chronicle* of Hydatius of the ravaging of north-western Spain by the Suevi, and in the *Life of Severinus* (who died in 482) by Eugippius⁴³ (511) of the depredations of the Rugi in Noricum Ripense (part of modern Austria), but we never hear of any organised resistance by the provincial population. And he continues,

Eugippius makes it clear that the Noricans, even when there were imperial troops stationed among them, and still more when there were none, were incapable of making any collective effort to check the ravages of the invaders. They never tried to ambush them, or to sink their boats as they crossed the Danube, or to launch punitive raids across the great river into the territory of those who were tormenting them. One or two forts in Galicia [in north-west Spain] took up an aggressive defence against the Sueves and inflicted some losses upon them;⁴⁴ but in general the picture there was one of helplessness and despair, just as in Noricum.⁴⁵

It was not only the very poor who became defectors to the 'barbarians'. At the very highest level of society, needless to say, any outright treasonable conduct, betraying the empire to a 'barbarian' ruler, was almost unknown. I cannot add to the only two cases known to Jones: in 469 Arvandus, praetorian prefect of the Gauls in 464-8, and soon afterwards Seronatus, who was either governor of Aquatania Prima or vicar of the Gallic diocese of the Septem Provinciae. Both these men – no doubt, as Jones says, 'despairing of the Empire' – were condemned (and Seronatus executed) for collaboration with the Visigothic King Euric.⁴⁶ We also hear of a few by no means lowly men who defected to the 'barbarians'. One or two of these evidently acted for reasons of personal advantage. Craugasius, for instance, a leading man of Nisibis in Mesopotamia, who fled to Persia in 359, seems to have been motivated mainly by affection for his beautiful wife, who had been captured by the Persians, and by the prospect of being handsomely treated by the Persian king, Shapur II.⁴⁷ And the bishop of Margus on the Danube, who in 441 betrayed his city to the Huns (who immediately destroyed it), seems to have been behaving in a scandalous manner, robbing Hun graves in breach of a treaty of 436: he probably handed over his city to escape being himself surrendered to the vengeance of the exasperated Huns (Priscus fr. 2). But there seems to be no good reason to think that there was any treachery on the part of Bishop Epiracemius of Antioch just before the capture and sack of that city by King Chosroes I of Persia in 540 (Procop., *Bell. II = Pers. II*, vi. 16-25; vii. 14-18, esp. 16-17). The bishop of Bezabde in Mesopotamia also came under suspicion of having betrayed his city to the Persians in 360; but Ammianus, although he admits there was a *prima facie* case against the man, did not believe the accusation, and we must treat it as at best 'not proven' (Amm. XX, vii. 7-9). But even men of some substance could be driven to defect, like the poor, by injustice and maltreatment. There is an instructive story in Ammianus about a very able man living in the Greek East named Antoninus, who, after becoming a rich merchant, had taken a position as

accountant on the staff of the military governor (the *dux*) of the province of Mesopotamia, and had finally received the honorary rank of *protector*. Certain men of power (*potentes, potiores*) were able through their command of patronage to victimise him and to compel him to acknowledge a debt, the right to enforce payment of which was by collusion transferred to the imperial treasury;⁴⁸ and when the Count of the Treasury (the *comes sacrarum largitionum*) pressed him hard, Antoninus defected suddenly to Persia in 359, taking with him the fullest possible details of the Roman army and its resources and dispositions, and becoming the right-hand-man of King Shapur II, who was planning to invade Roman Mesopotamia (Amm. XVIII, v. 1-3, 8; vi. 3, 19; vii. 10; viii. 5-6; x. i; XIX, i. 3; ix. 7-8; XX, vi. 1). At a later parley with the Roman general Ursicinus (the patron of Ammianus), Antoninus protested vehemently that he had not deserted the Graeco-Roman world voluntarily, but only because he had been persecuted by his iniquitous creditors, whom even the great Ursicinus had been unable to hold in check. At the end of their colloquy Antoninus withdrew in the most respectful manner, 'not turning around but facing Ursicinus and deferentially walking backwards until he was out of sight' (XVIII, viii. 5-6) – a touching revelation of his reluctance to abandon the society in which he had lived, and his veneration for its leading men.

At least two men of some quality, one a doctor and the other a merchant, actually took refuge among – of all barbarian peoples – the Huns. A mid-fifth-century Gallic chronographic source laconically records under the year 448 that a doctor named Eudoxius, 'clever but perverse' (*pravi sed exercitati ingenii*), after being involved in a revolt of the Bacaudae, fled to the Huns (*Chron. Min.* 1.662). The other man is the subject of the fascinating story told by the historian and diplomat Priscus (fr. 8)⁴⁹ of his meeting, during his embassy to the camp of Attila in 448 or 449, with an unnamed man from Greece who had once prospered as a merchant at Viminacium on the Danube (the modern Kostelac) and married a very rich wife there, but had been captured by the Huns when they took the city in 441 and had then fought for the Huns, even against the Romans. Although freed by his captors, he had by preference stayed to live among the Huns. His scathing description of Graeco-Roman class society is reported by Priscus, a firm believer in the established order, with a grave, incredulous disapproval which makes the testimony all the more valuable. The Greek said that things were bad enough in war-time, but in peace they were even worse, because of heavy taxation; and unprincipled men inflict injuries, because the laws are not valid against everyone... A transgressor who is one of the very rich is not punished for his injustice, while a poor man, who doesn't understand business, pays the legal penalty – that is, if he doesn't die before the hearing, so long is the course of lawsuits protracted, and so much is the money that is spent on them. The climax of misery, perhaps, is to have to pay in order to obtain justice. For no one will give a hearing to an injured man unless he pays money to the judge and his assistants.

This was all too true. The Greek seems to have been thinking primarily of civil litigation. We must not expect to find many references to long-drawn-out civil suits, but we do hear of one which seems to have lasted for eighteen years, from A.D. 226 to 244, and another that was ended by the personal intervention of King Theodoric the Ostrogoth (who ruled in Italy from 493 to 526), after

dragging on allegedly for thirty years.⁵⁰ The position in criminal cases was even worse, for the accused, if they had neither honorific status themselves nor a sufficiently influential patron, might spend long periods in prison, sometimes in appalling conditions. In a speech of Libanius, giving a distressing picture of prison life at Antioch, we hear of a case in which a group of villagers, suspected (perhaps without good cause) of murdering a local landowner, spent many months in prison, where five of them actually died before the case was fully heard (*Orat.* XLV, esp. §§ 8-13, 25-6; see Jones, *LRE* I.521-2). Indeed, 'Roman criminal justice was in general not only brutal but inefficient' (id. 520-1).⁵¹ The Greek was justified, too, in what he said about the venality of officials: all officials in the Later Roman Empire expected to be handsomely tipped, even – and perhaps especially – tax collectors. In a typically emotional edict Constantine says, 'Let the grasping hands of the officials refrain; let them refrain, I say, for unless after this warning they do refrain, they shall be cut off by the sword' (*CTh* I.xvi.7, of 331). And he goes on to forbid their illicit tips, *sportulae* as they were called, a term which extended to many other types of payment, both forced and voluntary, including those made by patrons to their clients, or by benefactors to their fellow-townsmen or others (cf. V.iii above). It was an empty threat, however, as the officials must have known only too well. Only about twenty-five years after Constantine's death, in the reign of Julian, an inscription found at Timgad, recording the order of precedence at official functions in the province of Numidia (roughly the modern Algeria), actually lays down an official tariff of the tips which could be legally demanded by the officials of that province: they are expressed in terms of *modii* of wheat, from two to a hundred *modii* – say from a quarter of a bushel to about twelve bushels.⁵² One civil servant of the sixth century who had literary pretensions, John Lydus (John the Lydian), tells us that during his first years as an *exceptor* in the department of the praetorian prefecture, quite a minor post (although in an important department), he actually earned *sōphronōs* ('without sailing too close to the wind', perhaps) as much as a thousand solidi, thanks to the solicitude of his great patron, the Praetorian Prefect Zoticus (*De magistr.* III.26-7). As an ordinary *exceptor*, his nominal initial salary would probably have been only around nine solidi,⁵³ and although various additional fees and perquisites would have been available, he would not, without powerful backing, have come near earning a thousand solidi, unless he was prepared to indulge in corrupt practices to which the word *sōphronōs* would have been most inappropriate. John also mentions in the same passage that when he wrote a panegyric in verse in honour of his illustrious patron, the great man generously rewarded him with a gold solidus for every line of the poem – although perhaps 'generously' is not quite the right word, for the money was paid out of public funds!

(iv)

The collapse of much of the Roman empire in the fifth, sixth and seventh centuries

After the murder of Alexander Severus in 235 there ensued fifty years of unparalleled disaster for the empire, with a series of futile civil wars between rival claimants to the imperial position, barbarian invasions, and a plague which

broke out in 251 and raged for some fifteen to twenty years, with even more disastrous consequences than the pestilence of the 160s.¹ Only in 284-5, with the accession of the very able emperor Diocletian (late 284), was the situation temporarily stabilised;² and it was not until 324 that the empire entered upon a long period of internal peace, with Constantine's victory over Licinius and the unchallenged supremacy of the Constantinian house. Even after this there were occasional short periods of internecine warfare, due again in every case to contention for the imperial throne. As I insisted in Section iii of this chapter, the civil wars of the third and fourth centuries, like those of the first and second, were all fought out between the respective claimants and their armies; not once is there any clear sign of an alignment of class forces corresponding to the opposition between the armies, and we must regard all these struggles, ferocious as they sometimes were, primarily as attempts by individuals and factions within the governing class to acquire or retain control of the supreme power in the empire.

No doubt men driven desperate by oppression could sometimes be led to hope that a change of emperor might result in some improvement in their situation, and it need not surprise us, therefore, if we occasionally come across statements about the support given by humble men to some pretender to the imperial throne. Writing probably in the late 360s, the unknown author of a curious little treatise, known today as the Anonymus *De rebus bellicis*, addressed to the reigning emperors (who, at that date, must be Valentinian I and Valens), speaks with vehement disapproval of the greed of the rich, whose store of gold, he says (II.2-3),

meant that the houses of the powerful [*potentes*] were crammed full and their splendour enhanced to the destruction of the poor, the poorer classes of course being held down by force [*tenuioribus videlicet violentia oppressis*]. But the poor were driven by their afflictions into various criminal enterprises, and losing sight of all respect for the law, all feelings of loyalty, they entrusted their revenge to crime. For they often inflicted the most severe injuries on the empire, laying waste the fields, breaking the peace with outbursts of brigandage, stirring up animosities; and passing from one crime to another they supported usurpers (I have used the English version of E. A. Thompson, *RRI* 110).

The word here translated 'usurpers' is *tyranni*, the standard term for a would-be emperor who did not succeed in establishing his rule firmly and achieving recognition (cf. VI.vi above). Certainly, the worse the situation of the poor under a given emperor, the more likely they might be, *a priori*, to support some new pretender to the throne. But we must not be too impressed by the allegations we occasionally meet with in literary sources that the followers of a particular pretender were – or at least included – the scum of the earth: such statements are part of the normal armoury of ancient political propaganda. However, on one occasion in particular I would be prepared to take such statements seriously. We hear from Ammianus and Zosimus that many humble men joined in the rebellion of Procopius, in 365-6;³ and there is a good reason why discontent should have been greater than ever at this very time: taxation was especially severe. Taxation had always been recognised by the Roman government as the prime necessity for the maintenance of peace itself, as the Romans understood that term. In the words Tacitus puts into the mouth of the Roman general

Petilius Cercalis in 70. 'Without arms there can be no peace among peoples [*quies gentium*], nor can there be arms without pay, or pay without taxation' (*tributa*: *Hist.* IV.74). And in the ludicrously optimistic picture of a coming Golden Age, put into the mouth of the Emperor Probus (276-82), the cessation of any need for soldiers leads directly to a world in which taxation can disappear (*Hist. Aug.*, *Prob.* 20.3-6 and 22.4-23.3, esp. 20.6, 23.2). Taxation, under the new system inaugurated by Diocletian, had steadily increased during the fourth century, and even Julian, who in Gaul is said to have reduced the tax on each *caput* from 25 *solidi* to 7 (*Amm. Marc.* XVI.v. 14-15), evidently made no reduction in the East during the short time he ruled there in 361-2. According to Themistius, addressing the Emperor Valens in March 368, imperial taxation had doubled during the forty years before the accession of Valens in 364; and although Valens proceeded to halve it, he did so only in his fourth year, 367-8 (the year after the revolt of Procopius), keeping it unchanged until then (*Orat.* VIII. 113ab,c). Furthermore, Valens' father-in-law Petronius⁴ (in what office, we are not told) had made himself widely hated by his ruthless exaction of arrears of taxes, accompanied by torture, and going back, according to Ammianus, to the reign of the Emperor Aurelian (270-5), nearly a hundred years earlier! (XXVI.vi.7-9). Ammianus attributes partly to detestation of Petronius the adhesion to Procopius of many of the common people (*populus, vulgus*: *ibid.* 17). Similarly, Zosimus ascribes the widespread support in Africa for Firmus (who rebelled in 372 or 373) to the exactions of Romanus, the *comes Africae*, in Mauretania (IV.xvi.3).⁵ I shall return shortly to the subject of taxation.

One of the many futile civil wars, between Constantius II and the 'usurper' Magnentius, led to a major battle in 351 at Mursa (near to the confluence of the Drave with the Danube) which may well have been 'the bloodiest battle of the century', as Stein has called it, with a total loss of life said – no doubt with much exaggeration, as usual – to have been 54,000.⁶ And there were innumerable wars on and over the frontiers, not only against 'barbarians' like the Germans and Sarmatians in the north, and in the fifth century the Huns, as well as against the nomads of the desert who often attacked Egypt, Cyrenaica and the other north African provinces,⁷ but also against the Persians, who could be considered a civilised state comparable with the Roman empire itself, and who became much more menacing in the Sassanid period from 224 onwards (see IV.iv above). Julian's disastrous expedition against Persia in 363 involved perhaps the largest army ever assembled by a Roman emperor for a campaign across the frontiers,⁸ and the resulting losses in manpower and equipment, although they cannot be even approximately estimated, must have been catastrophic. Ordinary campaigns on the frontiers may not have resulted in a greater drain on the resources of the empire than occurred during peace time, for no doubt the prisoners and booty captured will have roughly balanced out the losses. Even war with Persia may have yielded a good profit on occasion, as for example in 298; but in general the long series of conflicts in the East must have greatly strained the economy of the empire. And of course when Roman territory from which recruits were customarily obtained was lost to 'barbarian' invaders, as happened above all in the West in the early years of the fifth century, permanent damage was inflicted on the military strength of the empire (see esp. Jones, *LRE* I.198).

It is indeed hard to estimate how much waste of resources occurred during

wars: the army itself was a very great burden on those resources, if less in time of peace than during wars (cf. Section II of this chapter, with its nn.14-15). One thing we can say with confidence: the army was now considerably enlarged beyond what it had been in the early Principate. The total paper strength of the army may have been about 400,000 or more, even in the Antonine period.⁹ When Septimius Severus raised three new legions for his campaign against the Parthians in 197, he was increasing the legionary army by about ten per cent. Estimating the numbers of the armed forces is a very difficult task, especially as regards the auxiliary regiments (*auxilia*), which evidently outnumbered the legions; and all I feel able to say is that Diocletian and Constantine must have greatly increased the size of the army, to perhaps well over half a million men. It is no wonder that Diocletian also began a thorough-going reform of the whole system of taxation, which was apparently far more effective in extracting from the working population – the peasantry above all, of course – the much greater resources needed to enable the government to sustain its military and administrative machine. Further expansion of the army may have brought it up to more than 600,000 before the end of the fourth century. We happen to possess two sets of figures for total army strength, the nature of which may inspire more confidence than we can usually feel in such cases, because they are not in the usual very round numbers and therefore look as if they may go back ultimately to genuine army lists, whether they represent them accurately or not. Very detailed – and not at all implausible – figures which add up to 435,266 are given in the mid-sixth century by John Lydus (*De mens.* I.27) for the reign of Diocletian. (I would guess that they are from the earlier rather than the later part of that reign, during which I think the army grew considerably.) Agathias, writing perhaps c. 580, speaks of the army as numbering 645,000 'under the emperors of former times' (*hypo tōn palai basileōn*: *Hist.* V.13-17), a phrase which must refer back to the time before the division of the empire in 395.¹⁰ All the figures I have given are likely, of course, to represent 'paper strength', but even if the lists were inflated (as seems very likely) by quite a large number of fictitious soldiers, whose pay and rations were simply appropriated by the officers responsible for the lists, it is the 'paper strength' which matters, as Jones has insisted (see n. 10 again), for it would have been those figures on which the actual issues of pay and allowances were based.

It was not only the army which grew under Diocletian and his successors: the civil service too was enormously enlarged, the greatest single expansion coming when Diocletian virtually doubled the number of provinces, to over a hundred. (For the provincial reorganisation, see esp. Jones, *LRE* III.381-9.) At the time of the *Notitia Dignitatum*, drawn up (in the form in which we have it) at the time of the division of the empire in 395 and revised in its Western section during the first quarter of the fifth century, there were, according to my calculation, 119 provinces.¹¹ Now the total numbers of men employed in the imperial civil service were not really excessive, when we take into account the vast area of the empire and the number of *officia* (bureaux) concerned – those not only of provincial governors, but of the 'palatine ministries' (those serving the emperor directly), the praetorian prefects and their vicars of the civil dioceses, the two urban prefects (of Rome and Constantinople), the *magistri militum* and others. I would agree with Jones, whose knowledge of the evidence has never been

equalled, that 'the grand total of regular officials was not much in excess of 30,000, not an extravagant number for an empire which stretched from Hadrian's Wall to beyond the Euphrates'.¹² But, as we shall see, the burden of the civil service upon the economy of the Roman world was out of all proportion to its numbers.

Even before the great growth in the numbers of the Christian clergy (which I deal with below) the army and the civil service represented a tremendous drain upon the resources of the Graeco-Roman world. In a sense many of the men concerned were performing essential functions in defence or administration. But they were all *withdrawn from the productive process*, and they had to be maintained by those who remained within the process, above all of course the peasants and slaves. Some of them – a high proportion of the superior officials, in particular – would already be members of the propertied class, who if they had not been involved in the administration would have been gentlemen of leisure, and to that extent an equal burden on the economy. But there is an essential fact here which it would be easy to overlook. Had civil servants been ordinary gentlemen of leisure, they would have been a burden, certainly, upon their own *coloni* and slaves. What made many of the civil servants an exceptionally heavy weight upon the economy as a whole was that they were able to extort, by means of their official position, a far greater surplus from the working population than they would have been able to do as mere private individuals. Their opportunities for extortion naturally varied very greatly, and the higher a man's position the more he could make. It was not so much the nominal salaries which were the lucrative part of top appointments: indeed, the fixed official salaries, largely owing to the great inflation of the third and fourth centuries, seem to have been distinctly lower in the Later Empire than in the Principate,¹³ even if the highest recorded salary in the Later Empire, the 100 pounds of gold paid annually to the Praetorian Prefect of Africa in Justinian's reign, is no less than eight hundred times that of an ordinary clerk.¹⁴ Officials enriched themselves primarily from extra-legal exactions of all kinds. As we saw in Section iii of this chapter, John the Lydian in his first year as a fairly humble clerk (though in a palatine ministry at Constantinople) boasted of having earned quite legally a sum which must have been something like a hundred times his nominal salary. This will have been altogether exceptional, because it was due to the patronage of one of the highest officials of the day, and no doubt the ordinary civil servant would have had to be content with much less, or else resort to questionable or even illegal means of extortion. But 'extra-legal' profits were evidently made from top to bottom of the administrative machine. In the fifth and sixth centuries it looks as if would-be governors of at least some provinces might be willing to spend on a bribe (*suffragium*) that would procure them the office as much as or more than the salary it would bring them – a clear indication of the additional profits to be made out of the post (see Jones, *LRE* I.391–401, esp. 398–9).

The officials who were probably in the very best position of all to extract bribes, namely the *cubicularii*, the eunuchs who, as slaves or freedmen, ministered to the 'sacred bedchamber' of the emperor or empress, could sometimes make enormous fortunes. (I have said something about their influence and the wealth they could acquire in III.v above.) The corps of *cubicularii* being closed to ordinary men, it was the other 'palatine' offices which were most sought after,

and in some cases we hear not only of limits being placed on the number of men who could be admitted, called *statuti*, but also of *supernumerarii*, who either worked without salary or waited to step into dead or retired men's shoes; we even find grades being established among these supernumeraries.¹⁵ At the lowest level, that of the officials of the provincial governors, known as *cohortales* (over 10,000 in number), salaries were very low (see Jones, *LRE* II.594) and legal perquisites relatively small; this was the only part of the civil service which in theory a man could not leave and in which his sons were also bound to serve (see Jones, *RE* 413). The lack of adequate official rewards may have driven many *cohortales* to forms of extortion which the law either did not sanction or positively forbade. I can best illustrate this by referring again to the astonishing law of Justinian in 531, applying to *cohortales* (*taxedatū* in Greek) as well as *curiales*, which I had occasion to mention in regard to *curiales* at the end of Section ii of this chapter. As we saw there, Justinian's reason for prohibiting *cohortales* and *curiales* from becoming bishops or priests was that they would have become habituated to the practice of extortion with violence and cruelty (*CJ* I.iii.52 *pr.*, 1).

The civil service, then, did not merely extract a surplus from the working population (and others); it appropriated a far larger amount than its relatively modest numbers might suggest. Army and civil service together were a fearful burden on the Graeco-Roman economy. Given that the Roman empire was to be stabilised and strengthened, without any fundamental change in its nature, it was fortunate indeed in most of its rulers from Diocletian to Theodosius I (284–395). What men could do, within their lights, they did. Sometimes, they appear in quite a heroic role. But, ironically enough, the very measures they took, necessary as they were if the system was to be maintained, helped to break up the empire, for the increases in army and civil service involved the extraction of an increased surplus from the already overburdened peasantry. Diocletian, as we have seen, thoroughly reorganised the system of taxation. Constantine added two entirely new taxes, one on senators, the *foliis* or *collatio glebalis* (at rates which were relatively very low indeed),¹⁶ the other, the *collatio lustralis* or *chrysargyron*, on *negotiatores*, who included for this purpose not only traders but urban craftsmen who sold their own products, fishermen, moneylenders, brothel-keepers and prostitutes. (For the distress allegedly caused by the *collatio lustralis*, see IV.vi above and its n.7 below.) In the East, the former tax was abolished by Marcian in the early 450s (*CJ* XII.n.2), the latter by Anastasius in 498 (*CJ* XI.i.1, dated by Josh. Styl., *Chron.* 31).

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In the preceding paragraph I have characterised the majority of the Roman emperors from Diocletian to Theodosius I as men who performed their functions as effectively as circumstances allowed, and even with some heroism. It is an ironic reflection that most of the Later Roman emperors who served the empire most loyally were men who had risen from a lowly station in life. Diocletian himself was born a Dalmatian peasant, and his three colleagues in the Tetrarchy (of 295 ff.) were also of Balkan peasant stock,¹⁷ including Constantius I, the father of Constantine, whose dynasty lasted until the death of Julian in 363. Valentinian I, who founded the next dynasty in 364, was the son of a Pannonian soldier of humble origins, who had risen from the ranks;¹⁸ and there were later

emperors who were also of peasant stock, notably Justin I and his nephew Justinian I.¹⁹ Libanius, in a lament for Julian written about 365, could say that there had been 'not a few emperors of no mean intelligence who had lacked distinguished ancestry, and although they understood how to preserve the empire were ashamed to speak of their parentage, so that it was quite a task for those who delivered encomia of them to alleviate this *trauma*'! (*Orat.* XVIII.7). Members of the Roman upper class would apply to such men, and to leading generals and officials who could boast of no illustrious ancestors, contemptuous terms deriding their rustic origin, such as *agrestis*, *semiagrestis*, *subagrestis*, *subrusticus*.²⁰ The first two of these words are used by (among others) the epitomator Aurelius Victor, a self-confessed *parvenu*, the son of a poor and uneducated man (*Caes.* 20.5), who nevertheless admits that all the members of the Tetrarchy, although enjoying little enough *humanitas* (culture) and inured to the hardships of rural life and military service, were of great benefit to the state (39.26). The senators on the other hand, he says, 'gloried in idleness and at the same time trembled for their wealth, the use and the increase of which they accounted greater than eternal life itself' (37.7). The Roman upper classes, indeed, could sometimes save themselves only by raising individual members of the most exploited class, the peasantry, to ruling positions, often because of their military competence and ability to command in campaigns. Needless to say, they took care to select only those whom they expected (usually with reason) to promote the interests of the upper classes, while maintaining their exploitation of the remainder. It was a form of 'social mobility' which involved no real danger to the ruling class.

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Since the subject of this book is the Greek world, I ought perhaps to say something about individual Greeks who became Roman emperors. The first clear case²¹ of a 'Greek' emperor was the young Syrian, Elagabalus (or Helio-gabalus), born Varius Avitus Bassianus at Emesa in Syria, who in his teens ruled for four years (218-222) as M. Aurelius Antoninus under the auspices of his formidable mother, Julia Soaemias, until both were murdered by the praetorian guard. The Emperor Philip (M. Julius Severus Philippus, 244-9) came from what the Romans called 'Arabia': he has been aptly described as 'the son of an Arab sheikh from the Trachonitis', south of Damascus (W. Ensslin, in *CAH* XII.87). For the next century and a half the emperors were all primarily Westerners, whose first language was Latin; and the setting up of a permanent Greek-speaking court at Constantinople came only with the lasting division of the empire into Eastern and Western parts on the death of Theodosius I in 395. After a succession of emperors in the East who may genuinely be described as Greek, another dynasty originating in the West ruled at Constantinople from 518 onwards, and under Justinian I (527-65) reconquered much of the Western empire. Nowadays little account is taken of the 'Latin' origins of Justin I, Justinian I and Justin II (518-78); but in the eyes of some later historians who wrote in Syriac, namely Michael the Syrian at the end of the twelfth century and (following him closely) Bar Hebraeus in the thirteenth, all the Roman emperors from Augustus to Justin II (565-78) were 'Franks' (meaning Germans), and their armies too; and these Syriac historians conceive a new 'Greek' Empire as

beginning only with Tiberius Constantine (574/8-582).²²

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From the second decade of the fourth century onwards a new economic burden suddenly appeared, of a kind no one could previously have expected. With the adoption of Christianity as the official religion of the Graeco-Roman world, by Constantine and his successors, the economy had to support an increasingly large body of clerics, monks and nuns, the vast majority of whom were not engaged in any economically productive activity and therefore – whatever their spiritual value to the community – must be counted, from the economic point of view, as so many 'idle mouths'. In the pagan world there had been very few professional, full-time priests, outside Egypt. Now, a vast and steadily growing number of Christian 'religious' had to be supported at public expense, in one form or another. It is true that most of the bishops, many of the priests and deacons and some of the minor clergy and monks were or had been wealthy men, who had never done any productive work and whose labour was consequently not an additional loss; but a good many of the monks and minor clergy came from the poorer classes and their labour was therefore withdrawn from production. Some of the monasteries were maintained by the labour of the monks themselves, but it is unlikely that more than a handful (mainly those in Egypt organised under the Pachomian rule) produced a surplus beyond what they themselves consumed, and of course it was above all producers of a surplus that the Graeco-Roman economy needed, if it was to preserve its existing class structure. The number of monks and full-time clerics by the mid-fifth century must already have been many hundreds of thousands. In the sixth century, in the territory of Constantinople, there seem to have been over eighty monasteries,²³ and, in the Great Church of Constantinople alone, many more than the full establishment of 525 miscellaneous clerics (from priests to cantors and door-keepers) to which the emperor then wished the numbers to be reduced (*Nov. J.* III.i.1, of 535). These figures, for the capital city of the empire, are of course exceptional; but other substantial ones could be produced, above all for Egypt, where the monastic and eremitic movements flourished most of all.²⁴

I need scarcely dilate on the immense wealth of the one and only empire-wide organisation that existed apart from the imperial administration itself: I refer of course to the Christian Church. (I have pointed out in VII.iii above that the historian, as distinct from the theologian, ought really to speak of the Christian *churches*, in the plural; but in this case the singular is harmless enough.) The income of the Church came largely from endowments provided by benefactors (nearly always, of course, in the form of landed estates), but also from regular contributions made by the state and from the offerings of the faithful.²⁵ Of all the churches, Constantine and his successors made that of Rome the richest. Particulars given in the *Liber Pontificalis* (xxxiv-xxxv) enable us to calculate that the estates settled on the Roman Church in the reign of Constantine alone brought in an annual income of well over 30,000 solidi (more than 460 pounds of gold).²⁶ It is hardly surprising that according to St. Jerome the genial philosophic^{26a} pagan, Verrius Agorius Praetextatus (who died in 384, when consul designate), remarked ironically to Pope Damasus, 'Make me bishop of Rome, and I'll become a Christian at once.'²⁷ By the time of Pope Gregory the Great

(590-614) the estates of the Roman Church (by far the most important part of the *patrimonium Petri*) were widespread and enormous in their extent, not only in many different parts of Italy but also in Sicily, Sardinia, Corsica, Africa, Gaul, Dalmatia and probably Illyria; earlier we also hear of estates in the Greek area, in Greece itself, Syria (Antioch, Tyre, Cyrrhus), Cilicia (Tarsus) and Alexandria in Egypt.²⁸ The incomes of the bishops, of whom there were by the fifth century well over a thousand, were sometimes larger than that of any provincial governor. We happen to hear of one bishop in the mountain country of Isauria in the early sixth century who claimed – as a defence to a charge of lending money at usury – to be receiving less than six solidi per year,²⁹ two-thirds the pay of a minor civil service clerk (see Section iii of this chapter). But even a small-town bishop like St. Theodore of Sykeon is said to have received for his household expenses as bishop of Anastasiopolis the yearly sum of 365 solidi.³⁰ And a great prelate like the metropolitan bishop of Ravenna, at about the beginning of Justinian's reign, received 3,000 solidi;³¹ a little more than the highest paid provincial governor under the scale of salaries laid down by Justinian a little later:³² this was the Augustal prefect and *dux* of Egypt, who received forty pounds of gold, or 2,880 solidi (Justin., *Edict.* XIII.3, probably of A.D. 538-9).³³ Even in Merovingian Gaul, just before the middle of the sixth century, Bishop Inuirosus of Tours is said by Gregory of Tours to have left more than 20,000 solidi (*Hist. Franc.* X.31.xvi).³⁴ St. John the Almsgiver, Patriarch of Alexandria in the early seventh century, declared in his will, according to his biographer, that when he was appointed to his see he found in the bishop's house about 8,000 pounds of gold (well over half a million solidi), and that his revenues from Christ-loving persons 'almost exceeded human calculation'.³⁵ To sum up, I can endorse the opinions expressed by A. H. M. Jones, who made much the most thorough investigation of Church finances that I have been able to discover. By the sixth century, if we make the very reasonable assumptions that 'every city had a bishop, who received on the average the salary of a provincial governor', and that metropolitan bishops of provinces were, as the known figures suggest, 'paid on the scale of vicars [the deputies of the praetorian prefects] of [civil] dioceses', then 'the episcopate must have cost the empire far more than the administration'. Turning to the remainder of the clergy, and ignoring the numerous monks, we can say that 'if the figures we have for the numbers of the lower clergy are at all typical, they must have far outnumbered the civil service . . . The staffing of the Church absorbed far more manpower than did the secular administration and the Church's salary bill was far heavier than that of the empire' (*LRE* II.933-4, cf. 894-912).

We must not exaggerate: the Church was not nearly such a heavy burden on the empire as might be assumed if we isolate the facts about its wealth which I have just mentioned. Against all this we must remember that the Church, unlike pagan associations and individuals, certainly spent very large sums on charity – perhaps roughly a quarter of the income of its endowment.³⁶ (From the time of Constantine it was used by the emperors as the vehicle of charitable distributions to the clergy and the poor.)³⁷ It is also true that the vast agricultural areas of which the Church was landlord would have paid roughly the same amounts in rent had the lands been owned by secular landlords. But this cannot alter the fact that the Church did create a large number of economically 'idle mouths'

which had to be supported by the overloaded Graeco-Roman agricultural economy. Whether the Church gave a good return for what it exacted is a question I shall not enter into. It must be obvious that I believe it did not.

I have referred near the end of VII.v above to some of the many deplorable episodes in the bitter strife among rival groups of Christians which so disfigures the history of the Christian Roman Empire. Such events seem to many of us to cast thorough discredit upon the claim of Christianity to constitute a divine revelation. This verdict can hardly be met except by recourse to the machinations of a Devil, or by the specious claim – made repeatedly by Christians on all sides in antiquity (see VII.v above), but disastrous in its consequences – that there is only one real Christian Church and that all other men and women who may regard themselves as Christians are heretics or schismatics who cannot be accounted Christians at all. If we are to decide whether Christianity strengthened or weakened the Roman empire we must set off the social cohesion it undoubtedly produced *within* individual sects against the discord *between* the sects. The former was surely stronger than anything known in paganism; the latter was unknown to paganism. I find it hard to make a comparative evaluation of the two countervailing tendencies of Christianity that I have just mentioned; but I believe that the latter (the production of discord) was far more powerful than most historians have realised (or at least have been willing to admit) and that over the centuries it was probably the stronger of the two. Religious strife continued sporadically, not only within the Byzantine empire (most noticeably during the Iconoclast controversy in the eighth and ninth centuries) but between Rome and Constantinople. In 1054 the intermittent schism between Pope and Patriarch became effectively final. An attempt to heal it was made by the Byzantine Emperor John VIII and his leading bishops, who submitted to Rome at the Council of Florence in 1439, in the vain hope of obtaining Western help against the now serious threat from the Ottoman Turks. But even the emperor and his bishops were unable on their return to overcome the deep hatred of Rome in the Byzantine world, and the reunion collapsed. The last Byzantine emperor, Constantine XI, made a desperate but fruitless attempt to heal the breach at the end of 1452, a few months before Constantinople finally fell to the Turks. The historian Ducas records with disapproval the opinion expressed in Constantinople in 1453 by a most distinguished man (who shared the later views of Gennadius) that it would be better to have the Sultan's turban in Constantinople than the Pope's mitre (XXXVII.10).³⁸

* * * * *

It was, I suggest, the combination of unlimited economic power and political power in the hands of the propertied class, their emperor and his administration which ultimately brought about the disintegration of the Roman empire. There was nothing to restrain the greed and ambition of the rich, except in so far as the emperor himself might feel it necessary to put a curb on certain excesses in order to prevent a general or local collapse, or simply in order that the population of the empire, under a just regime, might be prosperous enough to be able to pay their taxes promptly – a motive which can be seen clearly in numerous imperial constitutions (cf. below).

For the peasant, it was the tax collector who was the cause of the greatest dread.

What a terrifying individual he could be is nicely illustrated in one of those Lives of Saints from which so much of our information about the lives and outlook of the poor in the Later Roman Empire is derived: the *Life of St. John the Almsgiver*, from which I have quoted above. If we want to characterise a cruel and merciless person, we sometimes say, 'He's like a wild beast'. Well, the Saint is represented as thinking about the dreadful monsters he may meet after death, and the only way he can adequately express the appalling ferocity of these wild beasts is to say that they will be 'like tax-collectors'³⁹ Certainly, tax collection from the poor in Roman times was not a matter of polite letters and, as a last resort, a legal action: beating-up defaulters was a matter of routine, if they were humble people. A casual remark of the fifth-century ecclesiastical writer Theodoret shows us what the procedure of tax-collection was likely to be in a Syrian village: 'At this time,' he says, 'collectors (*praktōres*) arrived, who compelled them to pay their taxes and began to imprison some and maltreat others' (*Hist. relig.* 17; cf. Eunapius, fr. 87). In Egypt the same brutal procedure can be seen at work: local officials would seize taxpayers whom they alleged (rightly or wrongly) to be in default, imprison and ill-treat them, and, with the aid of soldiers and local levies, burn down their houses. After quoting a particular example of such a procedure, from the reign of Justinian, Sir Harold Bell (a leading papyrologist and historian of Graeco-Roman Egypt) remarked, 'Such, to judge by other evidence, were regular accompaniments to the process of collecting arrears of taxes from an Egyptian village in the sixth century' (EVAJ 34). According to Ammianus, an Egyptian in the late fourth century would blush for shame if he could not show on his back scars inflicted by the tax-collector's whip (*erubescit apud eos, si quis non infitendo tributa plurimas in corpore vibices ostendat*: XXII.xvi.23). And it is worth repeating here the statement of Ammianus which I quoted near the end of V.iii above, that the Emperor Julian realised it was no good granting remissions of tax arrears in Gaul in the 350s, because this would only benefit the rich: the poor would have been made to pay immediately and in full (XVI.v.15). There must have been many occasions, too, on which hapless peasants were forced to pay their taxes twice over, whether because the tax had first been extracted from them by the agents of a 'usurper' (cf. VI.vi above), or because their landlord, after collecting the tax, became insolvent before paying it over to the authorities (or the persons to whom he was responsible). There is an example of the latter situation in a letter of Pope Gregory the Great, written in 591, from which we learn that the *rustici* on an estate of the Roman Church in Sicily had been compelled to pay their *burdatio* twice to the head lessee, Theodosius, now almost insolvent. Gregory, an exceptionally conscientious landlord, orders that the 57 *solidi* concerned are to be repaid to the peasants as a prior claim against Theodosius' estate (*Ep.* I.42).

It will be objected that the appalling situation I have been describing is characteristic only of the Later Empire, and that things were surely very different under the Principate, especially in the first two centuries of the Christian era. Certainly, taxation became much heavier in the fourth century onwards (cf. above, and Section iii of this chapter). But there is no reason to think that defaulting taxpayers who were poor men, especially peasants, would be much better treated in the first century than in the fourth, although, until certain of the privileges of the Roman citizenship became in practice limited to the upper

classes, during the second century (see Section i of this chapter), the Roman citizen who was a person of no consequence might occasionally be able to assert his legal rights. (St. Paul did so, as we have seen – but of course he was far from being an uneducated peasant.) The native villager, especially if he was not a Roman citizen (as very few villagers were in the Greek-speaking part of the empire before 212), would have had little chance of escaping any brutal treatment which soldiers or officials cared to inflict upon him. There is a certain amount of evidence pointing in this direction, of which I will single out one text, quoted by several modern writers.⁴⁰ Philo of Alexandria writes of events which he represents as having taken place 'recently' (and therefore presumably during the reign of Tiberius, 14-37), apparently in Lower Egypt,⁴¹ as a result of the activity of a rapacious and cruel tax-collector:

When some who appeared to be defaulting merely through sheer poverty took to flight, in dread of severe punishment, he forcibly carried off their women and children and parents and other relatives, beat them, and subjected them to every kind of outrage. Although they were unable either to reveal the fugitive's whereabouts or (because of their own destitution) to pay what was due from him, he persisted, torturing them and putting them to death in a cruel manner. Others committed suicide to avoid such a fate. When there were no relatives left, he extended his outrages to neighbours and sometimes even to villages and towns, which were rapidly deserted by the flight of their inhabitants to places where they hoped to escape detection (*De spec. leg.* III.158-63).

Even if we make the necessary allowance for Philo's characteristic exaggeration, a grim picture emerges; and, as Bell has said, 'records found in Egypt have brought us proof that there is substantial truth in Philo's statements' (EAGAC 77-8). We must admit, with Philo, that such outrages, not only against the property but against the bodies and even the lives of those unfortunates who are seized in substitution for the actual debtors are only too likely when the annual collection of taxes is in the hands of 'men of barbarous nature, who have never tasted of human culture and are obeying tyrannical orders' (*ibid.*).

Some of the numerous complaints about taxation in the literary sources for the Later Roman Empire are of course over-coloured; their exaggerations are often traceable to political or religious spite, or to a desire to flatter the current emperor by damning his predecessors. However, anyone who is inclined to discount the admittedly very rhetorical evidence of the literary sources should read some of the imperial legislation. A particularly interesting specimen is the *Second Novel* (issued on 11 March 458) of the last great Western emperor, the young Majorian, of whom Stein said that we could 'admire in him without reserve the last figure possessing a real grandeur in the history of the Roman West' (*HBE* P.1.375). Although this *Novel* was issued only in the West, the situation it depicts, *mutatis mutandis*, prevailed also in the Greek East, where the oppression of the vast majority was effected in ways that were basically similar, even if it did not reach quite the same degree of intensity. The *Novel* is well worth reading as a whole: but it is long, and I can do no more than summarise parts of it. (There is a full translation in Pharr, *TC* 551-3.) The *Novel* is entitled 'On the remission of arrears [of tax]'. *De indulgentiis reliquorum*. It begins by stressing the woes of the provincials, whose fortunes are said to have been enfeebled and worn down, not only by the exaction of the various forms of

regular tribute but also by extraordinary fiscal burdens (*extraordinaria onera, superindictitii tituli*), and the necessity of purchasing deferments – by bribing officials. A nice abstract phrase, *sub impossibili devotione*, characterises the plight of the landowner (*possessor*), drained of resources (*exhaustus*) and unable to discharge his arrears of tax, when confronted with yet another demand that ‘dutiful as he is, he cannot fulfil’. With the exception of one minor tax in kind, a general remission of arrears is granted (§ 1), explicitly for the benefit of the landowners (*possessores*), who are conceived as responsible for all taxes. Even if payment has been undertaken by someone else (no doubt at a high rate of interest), perhaps on the faith of a solemn promise by *stipulatio* by the taxpayer, the latter is still to have relief (cf. *Nov. Marc.* II.2). The Novel goes on to boast (§ 2) that the emperor has ‘put an end to the harshness of the ferocious tax collectors’. There is a bitter complaint that the staffs of the highest officials of the state (those of the praetorian prefects are singled out) range around the provinces, and ‘by enormous exactions terrorise the landowner and the decurion’, accounting for only a small proportion of the taxes they collect and, greedy and swollen with power as they are, extorting twice as much or more by way of commission (*sportulae*) for themselves (cf. Jones, *LRE* I.468). In the good old days, Majorian adds, tax collection had been carried out, through the local councils, by the office staff of the provincial governor, who were fairly humble men and whom the governor could keep in order. But now the collection was in the hands of emissaries of the central ‘palatine’ administration, described by the emperor as ‘terrible with the prestige of their exalted official rank, raging against the vitals of the provincials, to their ruin’, and able to snap their fingers at a mere provincial governor. (Majorian was not by any means the first emperor, or the last, to complain about the intervention of central government officials in provincial taxation procedures.) Because of the oppression of these high officials, the emperor goes on, the cities have been despoiled of their councillors and can provide no qualified decurion; and the landowners, terrified by the atrocious behaviour of the financial officials, are deserting their country estates, as they are faced not merely with the loss of their fortunes but with ‘severe imprisonment and cruel tortures’ inflicted upon them by the merciless officials for their own profit, with military aid. The collection of taxes must be entrusted once more to the provincial governors, and there must be no more interventions by palatine officials and the military, except to encourage governors to do their duty. The emperor stresses again (§ 3) that he is making this ordinance as a remedy for the landowner (*pro remedio possessoris*). He proceeds to complain also (§ 4) of ‘the men of power’ (*potentes personae*), whose agents throughout the provinces neglect to pay their taxes, and who remain contumaciously on their estates, secure against any summons in the fear inspired by their arrogance. The agents and overseers of those families which are ‘senatorial or powerful’ must submit themselves to the jurisdiction of the provincial governors (as they had not been doing), and so must the local agents in charge of estates belonging to the imperial household. Moreover (§ 5), provincial governors must not be subjected to molestation by false accusations from the staffs of the great officers of state, who will be furious at having enormously profitable spoils wrested from their own fraudulent grasp.

Some other laws of the fifth and sixth centuries unloose similar streams of

righteous indignation at much the same objectives: see, for example, Valentinian III’s *Novel* I.3 § 2 (of 450), followed in § 3 by an ingenuous remark which reveals the main reason for the emperor’s solicitude for the *possessores*: ‘A landowner who has been made poor is lost to us; one who is not overburdened is useful to us’. There are several similarly revealing laws, notably, for the East, the long *Eighth Novel* of Justinian, of A.D. 535, on which I have remarked elsewhere (SVP 47-8). Justinian too is concerned lest excessive exploitation by the great men, and their imposition of extraordinary burdens, should impair the ability of his subjects to pay their regular taxation, which he calls not only ‘accustomed and legal’ but also ‘pious’ (*eusebeis phoroi*, *Nov. J.* VIII. *Praef.*, *pr.*). Similarly, the anxiety shown by Justinian in a series of three *Novels* in 535 to protect the free peasants of the praetorian prefecture of Illyricum and the provinces of Thracian Haemimontus and Moesia Secunda against money-lenders (*Nov. J.* XXXII-IV) is very likely to have been due in large part to anxiety to preserve them as an important source of recruitment for the army, as we know they were in his reign.⁴⁵

The laws I have been describing nicely illustrate the most fundamental reason why it was necessary to have an emperor in the first place – a subject I have briefly discussed in VI.v-vi above. The Principate was accepted (if at first with some grudging) by the Roman (and Greek) propertied classes because on the whole they realised that their own privileged position might be imperilled if too many individuals among their number were allowed, as in the Late Republic, to plunder the empire too freely. If that happened, civil wars (accompanied, as they could well be, by proscriptions and confiscations) and even perhaps revolutions from below might destroy many of them. The situation could hardly be put better than in Machiavelli’s statement, which I have quoted, about the necessity for having, ‘where the material is so corrupt, . . . besides laws, a superior force, such as appertains to a monarch, who has such absolute and overwhelming power that he can restrain excesses due to ambition and the corrupt practices of the powerful’ (see VI.vi above, referring to the *Discourses on the First Decade of Livy* I.55; and cf. Machiavelli’s diatribe against landed *gentilissimi*, quoted in III.iii above, *ad int.*). In the Later Empire, the *potentes, potentiores* or *dynatoi*, the men of power, became harder to control and often defied or circumvented the emperors with impunity.⁴⁶ Senators, at once the richest and the most influential group in the empire, were more easily able than anyone to delay or avoid payment of their taxes and the fulfilment of their other liabilities. This was true even in the Eastern part of the empire. In 397, for example, an edict of the Emperor Arcadius, addressed to the praetorian prefect of the East, complained that in some provinces half of the taxes due from senators were in arrear (*CTh* VI.iii.4). In the West, where the senators were even richer and more powerful, this situation was worse. In the very same year, 397, when the revolt of Gildo in Africa had imperilled the corn supply of Rome itself, three very significant laws were issued in the West, where the young Emperor Honorius was dominated by his able *magister militum* Stilicho. The first, in June, ordered that not even imperial estates should be exempted from the obligation to supply recruits in person (*CTh* VII.xiii.12). The second and third, in September and November, weakly conceded, in response to senatorial objections, that senators alone (even if head lessees of imperial estates) should have the right to commute their liability to

supply recruits and pay in gold instead (*ibid.* 13-14).⁴⁴ And as late as the early sixth century we find an edict drafted by Cassiodorus for Theodoric the Ostrogoth, then king of Italy, deploring the fact that Roman senators, who 'ought to be setting an example', had paid virtually none of the taxes due from them, thus leaving the poor (the *tenues*) to bear an intolerable burden (Cassiod., *Var.* II.24-25).

The texts I have been quoting illustrate very well how the 'government' was continually frustrated in such attempts as it did make (for whatever reasons) to protect the peasantry by the fact that the more important of the officials on whom it was obliged to rely to carry out its orders were themselves members of the upper class, and of course felt an instinctive sympathy with its other members and often connived at their malpractices, and indeed were guilty of much extortion themselves. The rulers of the empire rarely if ever had any real concern for the poor and unprivileged as such; but they sometimes realised the necessity to give some of them some protection (as we have just seen), either to prevent them from being utterly ruined and thus become useless as taxpayers, or to preserve them as potential recruits for the army. Try as they would, however, the emperors had no choice but to act through the officials I have just characterised as members of the exploiting class. No text that I know speaks more eloquently of the defects of this system than a Novel of the Emperor Romanus II issued between 959 and 963: 'We must beware lest we send upon the unfortunate poor the calamity of law-officers, more merciless than famine itself.'⁴⁵

Over all, no one I think will doubt that the position of humble folk in the Graeco-Roman world became distinctly worse after the early Principate. I have described in Section i of this chapter how their *Rechtsstellung* deteriorated during the first two centuries; and in Section ii I have shown how even the lower ranges of the curial order (falling only just inside, and sometimes perhaps even a little below, my 'propertied class') were subjected to increasing fiscal oppression from the second half of the second century onwards, and during the latter part of the fourth century lost at least one of their most valuable privileges: exemption from flogging. It need not surprise us when we are told that in the numerous papyri of the Later Roman Empire from the Oxyrhynchus area the use of the Greek word *doulos*, once the standard technical term for 'slave', is almost confined to occasions on which humble members of the free population are referring to themselves when addressing people of higher standing (see IV.ii n.41 below).

I hope it is now clear how I would explain, through a class analysis, the ultimate disintegration of a large part of the Roman empire – although of course a Greek core, centred above all in Asia Minor, did survive for centuries. I would keep firmly in view the process of exploitation which is what I mean primarily when I speak of a 'class struggle'. As I see it, the Roman political system (especially when Greek democracy had been wiped out: see V.iii above and Appendix IV below) facilitated a most intense and ultimately destructive economic exploitation of the great mass of the people, whether slave or free, and it made radical reform impossible. The result was that the propertied class, the men of real wealth, who had deliberately created this system for their own benefit, drained the life-blood from their world and thus destroyed Graeco-Roman civilisation over a large part of the empire – Britain, Gaul, Spain and north Africa in the fifth century; much of Italy and the Balkans in the sixth; and

in the seventh, Egypt, Syria and Mesopotamia, and again north Africa, which had been reconquered by Justinian's generals in the sixth century.⁴⁶ That, I believe, was the principal reason for the decline of Classical civilisation. I would suggest that the causes of the decline were above all economic and social. The very hierarchical political structure of the Roman empire, of course, played an important part; but it was precisely the propertied class as such which in the long run monopolised political power, with the definite purpose of maintaining and increasing its share of the comparatively small surplus which could be extracted from the primary producers. By non-Marxist historians this process has normally been described as if it were a more or less automatic one, something that 'just happened'. If one wants to find a terse, vivid, epigrammatic characterisation of something that happened in the Roman world, one naturally turns first to Gibbon. And indeed, in the excursus at the end of his 38th chapter, entitled 'General observations on the Fall of the Roman empire in the West', there occurs the expressive sentence, 'The stupendous fabric yielded to the pressure of its own weight.' In Peter Brown's sometimes brilliant little book, *The World of Late Antiquity* (1971), there is a metaphor of a rather different kind, which equally expresses the basic idea of something that was essentially either inevitable or else fortuitous: 'Altogether, the prosperity of the Mediterranean world seems to have *drained to the top*' (34, my italics) – Brown is speaking of the fourth century, and he has just mentioned that in the western part of the empire, in that century, the senatorial aristocracy was 'five times richer, on the average, than the senators of the first century'. (In the Greek East, things were not so very different, although the senatorial class was not quite so extravagantly opulent as in the West.) If I were in search of a metaphor to describe the great and growing concentration of wealth in the hands of the upper classes, I would not incline towards anything so innocent and so automatic as drainage: I should want to think in terms of something much more purposive and deliberate – perhaps the vampire bat. The burden of maintaining the imperial military and bureaucratic machine, and the Church, in addition to a leisured class consisting mainly of absentee landowners, fell primarily upon the peasantry, who formed the great bulk of the population; and, ironically enough (as I have already explained), the remarkable military and administrative reorganisation effected by a series of very able emperors from the late third century to the end of the fourth (from Diocletian and Constantine to Theodosius I) succeeded in creating an even greater number of economically 'idle mouths' and thus increased the burdens upon an already overburdened peasantry. The peasants were seldom able to revolt at all, and never successfully: the imperial military machine saw to that. Only in Gaul and Spain did the Bacaudae cause serious if intermittent trouble over several generations (see Section iii of this chapter). But the merciless exploitation of the peasants made many of them receive, if not with enthusiasm at least with indifference, the barbarian invaders who might at least be expected – vainly, as it usually turned out⁴⁷ – to shatter the oppressive imperial financial machine. Those who have been chastised with scorpions may hope for something better if they think they will be chastised only with whips.⁴⁸