

LECTURES
ON
THE HISTORY OF ROME,

FROM
THE EARLIEST TIMES TO THE FALL OF THE
WESTERN EMPIRE.

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M DCCC L

P R E F A C E.

WHEN in 1844, I published the Lectures of Niebuhr, embracing the History of Rome from the commencement of the first Punic war down to the death of Constantine, I entertained a strong hope that Niebuhr's friends in Germany would be roused to a sense of duty, and no longer withhold from the world his valuable relics in his own language. In that hope I was, for a time, disappointed; for no sooner were the Lectures published in this country than there appeared, at once, advertisements of two German translations of them. The idea of translating from English into German a work of which there existed in Germany numerous manuscripts containing the very words and expressions of Niebuhr, and which required only the careful and conscientious supervision of an editor, seemed to be a somewhat preposterous undertaking. If the Lectures were to be published in Germany, assuredly the German public had a right to expect that the exact language of the historian should be scrupulously preserved, which is an impossibility in a re-translation, in the execution of which, moreover, no use was to be made of the manuscript notes taken by the students

during the delivery of the Lectures. Only one of the advertised translations, however, made its appearance; and that was more than enough, for it bore so many marks of carelessness, and displayed so flagrant a want of knowledge of the English language, that even the most moderate expectations were disappointed. As there was reason for believing that every succeeding volume of Niebuhr's Lectures which might appear in this country would meet with the same fate in Germany as the first two, and that an unpardonable wrong would thus be done to the memory of the author, M. Marcus Niebuhr, the son of the historian, and some of the more intimate friends and pupils of Niebuhr issued an announcement, that they would forthwith set about preparing a German edition of all Niebuhr's Lectures, on the only principle that could secure for his memory that honour among his own countrymen to which he is so justly entitled. Thus the very circumstance which at first had seemed to thwart my hopes contributed in reality to their speedy realisation.

The task of preparing the German Edition was undertaken by M. Marcus Niebuhr, Dr. Isler of Hamburgh, and Professor Classen of Lübeck. My co-operation also was solicited; but other engagements prevented my accepting the honourable proposal; and it was finally arranged that I should undertake the Editorship in England of the whole Series of Lectures. The first volume, containing the Lectures on the History of Rome from the earliest times down to the commencement of the first Punic war, edited by Dr. Isler, appeared at Berlin in 1846. Of this a translation is now presented to the English public. As to the materials of which the German editor has made use, and the plan he has followed, I shall do best to let him speak for himself. "The History of the Roman Republic," he says, "is one of those few subjects

on which Niebuhr gave two courses of Lectures in the University of Bonn; the first in the winter of 1826-7, and the second during the winter of 1828-9. In the summer of 1829, he lectured on the history of the Roman Emperors down to the overthrow of the Western Empire. In the course of 1826, he did not carry the History further than to the time of Sulla; but in many parts of it he entered more minutely into the criticism and analysis of the existing materials; and this circumstance prevented him from carrying the History as far down as in the latter course of 1828. What is here presented to the reader, consists essentially of the latter course of Lectures; but all that is of interest or importance in the earlier one of 1826 has been incorporated, wherever it seemed appropriate. This combination of the two courses of Lectures into one, though it does not always preserve the exact form and order in which Niebuhr related the History, yet does not contain a single idea, nay hardly a single word, which was not actually uttered by him. If this should be thought an arbitrary mode of proceeding, the editor takes the responsibility upon himself; but he must at the same time state, that he considered this to be the way in which the treasures entrusted to his care could be disposed of in the most careful and conscientious manner. A considerable number of manuscripts have been collated, and all the available materials have been scrupulously sifted and weighed, in order to ensure the value of the work as much as possible. The editor's labour has been of a purely philological nature, inasmuch as it was necessary to form, as far as it could be done, a genuine text out of a mass of notes presenting such discrepancies and inaccuracies as naturally occur in notes hurriedly made by students in the lecture-room. Those who are acquainted with such matters know that the formation of the text consists not only in restoring

that on many subjects these Lectures contain the latest and most matured opinions of Niebuhr. The revision of the last edition of the first volume of his History was finished by him, chiefly, in the year 1826; and the additions to the third edition belong to the year 1827. A mind like that of Niebuhr never ceased acquiring fresh stores of knowledge, and making new inquiries, although the principal results were already firmly established. Sundry new fragments of ancient writers also were discovered after the publication of the last edition, which led him to modify the views he had expressed in his printed work. In regard to the period treated of in the third volume, the reader will find in these Lectures many additions and corrections; for the greater part of that volume was composed as early as 1812, and if Niebuhr had lived to prepare a new edition of it, he would undoubtedly have introduced many important alterations. Hence even those who by a careful study have acquired a thorough familiarity with the three volumes of the Roman History, will find in these Lectures much that is new and striking."

L. SCHMITZ.

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the principle of delivering up Roman citizens to an allied nation which had been offended by them; as examples, I may mention the surrender of Mancinus to the Numantines, of Postumius and his companions to the Samnites after the Caudine defeat, and of Fabius, who had offended the ambassadors of Apollonia. The surrender of those *qui in noxa sunt* was a general demand whenever there occurred a *rerum repetitio*. This principle is not found among the Greeks; it is based partly upon the noble idea that an oath before the actual trial is sufficiently binding, and partly upon a notion which is also found among the ancient Germans: with them any member of a family was obliged to come forward as a witness in a case affecting members of his own family, when he was called upon to do so (*consacramentales*); a custom which rested upon the noble idea of fidelity. It was a principle that no one could judge a member of his own order but only defend him; from which however frightful abuses arose. It is surprising how impartial courts of justice at Rome sometimes were; to be so, however, was less difficult on account of the circumstance, that the accused, up to the moment when the verdict was given, was at liberty to retire from Rome and betake himself to some one of the many allied towns. At Caere, for example, a Roman might demand to be received as a citizen. The origin of this right of withdrawing and claiming the right of citizenship elsewhere was traced in Roman books to the times of T. Tatius, who refused to deliver up his kinsmen to the inhabitants of Lavinium who had been injured by them: in consequence of this he was murdered, but afterwards the Romans surrendered the offenders to the Lavinians, and the latter the murderers of T. Tatius, that they might be tried.

It was upon this principle that the tribune Cn. Genucius, who belonged to a family which even at that time was great, summoned the patrician magistrates before the commonalty. He had promulgated his accusation against the consuls of the preceding year *in trinundinum*, and the plebeians themselves were to judge; their right to do so was by no means doubtful, according to the treaty solemnly sworn to upon the Sacred Mount; nor was the issue of the trial uncertain. But in the exasperation of parties, the patricians resolved upon the quickest expedient—they committed the monstrous crime of murdering Genucius; and with this murder the accusation dropped.

LECTURE XX.

DIONYSIUS justly observes that if the assassins of Genucius had been satisfied with their crime, the terror which they created might have been sufficient for their purpose. The tribunes were in the greatest alarm, for their sacred right was violated; as it was necessary for their houses to be open day and night, no precaution could protect them against a similar outrage, nor against the intrusion of disguised assassins; and even the boldest dreads such a danger. The murderers of Genucius were not discovered, and the general terror paralyzed everybody. The patricians exulted in their deed, and wanted to avail themselves of the first moment for making a levy, and for adding scorn and insult to their crime: their intention was to select the noblest of the plebeians, and in the field to put them to death or abandon them to the enemy. But they were too hasty in their insolence, and their exultation knew no patience: they summoned a distinguished plebeian, Volero Publilius, who had before been centurion, and wanted to enlist him as a common soldier. Distinguished and wealthy families existed among the plebeians as well as among the patricians; and to these the Publilii belonged. When Publilius refused to obey, the consuls sent their lictors to drag him *obtorto collo* before their tribunal, to strip him, and scourge him *servili modo*. The Roman toga was a very wide garment of one piece in the form of a semicircle; there was no seam in it, and a man might wrap himself entirely up in it: now if a person was to be led before a magistrate, the lictors threw the toga round his head and thus dragged him away, whereby they often nearly strangled him, the blood flowing from his mouth and nose. A person dragged in this manner endeavoured of course to defend himself by drawing the toga towards himself; the lictor then took a knife and cut a hole in the toga through which he put his hand and so forced his prisoner along. This is expressed by the phrase *vestem scindere*. But the lictors rarely made use of such violence, because the people did not easily tolerate it. Volero Publilius being resolute and strong, dashed away the lictor, ran among the plebeians and called upon the tribunes for assistance. The latter, however,

that the influence of the new tribes in the assembly might be limited, although individually all tribesmen were on a footing of perfect equality. I for my part am convinced that all these new tribes had formerly been sovereign towns with their territories. The territories of Veii, Capena, Vulsinii and others, undoubtedly acted the part of mere spectators in the wars of their ruling towns, and surrendered to the Romans as soon as they appeared, without any resistance, because to whatever state they belonged their condition was equally good or bad: many also were neutral, as under similar circumstances we see was the case, in the war between Spain and the Low Countries, with the towns of Brabant, which paid taxes to both the belligerent powers that they might remain unattacked. By the destruction of a town its territory became subject to Rome, and it was unquestionably to these people that Rome now granted the full franchise, and thus recruited the reduced number of her citizens. The Etruscan cities undoubtedly maintained a very passive attitude during this change. Rome was wise enough to grant to her new subjects the full plebeian franchise: her case was like that of Jerusalem when Ezra and Nehemiah returned from Babylon and rebuilt the city.

Plutarch and Macrobius mention a tradition respecting the reduced state of Rome, which, however, as reported by them, seems to be unhistorical. The city was yet without walls, when some of the neighbouring and very insignificant places, such as Fidenae and Ficulea appeared with their armies, and compelled the Romans to give hostages. But the hostages, instead of being noble virgins, were female servants; and their leader, a Greek slave named Philotis, imitated the example of Judith, for while the troops were celebrating their unwonted success, and were intoxicated, she gave a signal to the Romans with a torch, whereupon they rushed forth and annihilated their enemies. This event was placed in the month of Quintilis, consequently four months after the evacuation of the city; and the tradition shews at all events how much Rome was conceived to have been reduced.

After the formation of the four new tribes Rome had again an extensive territory, which formed the basis of her recovery. At the end of this period, affairs on the left bank of the Tiber continued to be in the same state of dissolution as before. On the right bank all the territory belonged to Rome as far as

Sutrium and Nepes, which were frontier fortresses, and beyond which the Ciminian forest was allowed to grow wild for the purpose of protection. Whenever *ager publicus* is mentioned at this time, it must be conceived to have been almost exclusively in those districts. The relation of isopolity probably existed only with the nearest Latin places, Tusculum, Lanuvium, and Aricia. I cannot here relate to you all the events of that period; the detail would be entirely useless. Lectures like the present should only dwell upon events which are important in themselves and in their consequences. Livy's case was different since he wrote for his own countrymen.

Of far more importance to us are the events which occurred in Rome itself. Avarice and usury were among the darling sins of the Romans; and the less they were checked, the more oppressive they became. Had the system of usury not been so excessive, the revolution which now began would have been accompanied with less violence. A few years after the evacuation of the city, the distress was so great that Livy was ashamed to reveal it to the world, perhaps even to himself. M. Manlius rose to protect the unhappy. He does not derive his name Capitolinus from having saved the Capitol, but because he lived there; for T. Manlius, probably his father, appears in the *Fasti* with this name twenty years earlier. The saving of the Capitol was not the only brilliant feat performed by Manlius. He was acknowledged to be one of the most illustrious military heroes; and the fact of his name not being mentioned in the *Fasti* throws light upon his position. He is universally said to have had *consilia regni affectandi*, but Livy states that the annals contained no evidence to support this charge, except that meetings were held in his house, and that benefits had been conferred by him upon the plebes. It may be that he was indignant at the ruling party, because he had not been rewarded for his service; but it is also possible that his great soul was stirred up by ungovernable ambition, and that he indulged in the hope of rewarding himself with a crown. All his actions were of a kind which the purest and most benevolent mind might have suggested without being under the influence of ambition. Citizens were every day assigned to their creditors as slaves for debt. Manlius paid for them what they owed, especially for old soldiers, and by the sacrifice of his whole property he restored them to

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