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BODIES POLITIC AND THEIR GOVERNMENTS

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BODIES POLITIC
AND
THEIR GOVERNMENTS

BY

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'OUTLINES OF COMPARATIVE POLITICS' AND OF
'POLITICAL INSTITUTIONS OF THE
ANCIENT GREEKS'

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PREFACE

In the following chapters the author lays before his readers sketches in words of those political organisations with which a study of history has made him acquainted. The sketches are many, their subjects diversified: but each group of kindred subjects is figured in a chapter or a few chapters by itself, and when that is done a tabular view of the subjects in the group is appended. In the tabular view the subjects appear no longer in separate sketches, but in a single small and compact panorama. In the last chapter the separate panoramas are joined together into one, and a bird's eye view of political organisations of all sorts is exhibited.

During the last twenty or thirty years the author has been led by his studies to form one after another several different general views of political organisations and political phenomena, each of them, he believes, a little nearer to the truth than the one that preceded it. Eleven years ago one of these views, the best that he could then make, was published under the title, *Outlines of Comparative Politics*. Reviewers of the book were kind in noticing such merits as it possessed: but they did its author a greater service by enabling

him to see some of its blemishes. He was so conscious of its defects and so hopeful that with a fresh start he might do better, that, though an edition of the book was quickly sold, he decided against republishing it, and resolved to write an entirely new book.

The chief fault that he could discern in his earlier work was that it began with a classification of political communities. If a classification is old and has been proved to be useful in expressing uniformities and regularities, it may stand anywhere: but this particular classification was new and untried, and therefore was not fit to be placed at the beginning of a book, where the definitions of its classes must be arbitrary. In the book now published the author first describes individual political associations, and, till the members of a group have been described, does not define the group. The plan of the book has been indicated above, but will be seen more clearly by any one who will read the Introduction and the last chapter.

One matter of detail may be noticed. It will probably be thought that there must be some lack of proportion in a sketch-book of political organisations, which allots more than half its pages to delineating small communities in ancient and mediæval cities, and less than half to figuring large communities in modern countries. But the author submits to his readers the opinion that the disproportion, if there is any, could not easily be avoided. The communities in the cities were no less independent and separate than those in countries, and have a like claim with

them to be depicted. They were many; the communities in countries are comparatively few. And more than that. Independent communities in cities are a thing of the past, and no man now living has seen one of them. As they are unfamiliar objects, they must be depicted in detail. The evidence about ancient city states is extremely fragmentary, and almost every stroke put into a figure of one of them can only be justified after nice weighing of probabilities. With communities in countries the case is different. Such communities are before our eyes. A few bold lines confidently drawn from abundant evidence suffice to characterise almost any one of them. Minor details are not wanted in representations of them, because every one who has a just notion of their main outlines is certain to supply their lesser features out of his own imagination or knowledge with little chance of error.

The book was finished in April, 1914, when Europe was at peace. Since then many nations have engaged in unwonted activities; some of them have exhibited characters that could not previously be discerned in them, and it may even be true that some of them have changed their characters. But, whatever changes may have taken place, we cannot yet see what they are, and therefore no attempt has been made to estimate them.

B. E. H.

TRINITY COLLEGE, CAMBRIDGE,
November 9, 1914.

CONTENTS

CHAPTER		PAGE
	INTRODUCTION,	1
I.	EUROPEAN TRIBES,	5
II.	THE FIRST TOWNS IN EUROPE,	13
III.	GREECE BEFORE 650 B.C.,	26
IV.	SPARTA TO 510 B.C.,	33
V.	SIMPLE URBAN PEOPLES TO 480 B.C.,	40
VI.	COMPOSITE URBAN PEOPLES TO 510 B.C.,	48
VII.	SPARTA, ATHENS, AND PERSIA, 510 B.C.–480 B.C.,	61
VIII.	COMMENTS ON THE GREEK URBAN PEOPLES, 650 B.C.–480 B.C.,	80
IX.	HEGEMONIES IN GREECE DURING THE WAR AGAINST PERSIA, 477 B.C.–454 B.C.,	86
X.	ATHENS IN RECEIPT OF TRIBUTE, 454 B.C.–413 B.C.,	95
XI.	THE GREEK CITIES, 412 B.C.–338 B.C.,	114
XII.	COMMENTS ON THE GREEK CITIES AND GOVERNMENTS, 477 B.C.–338 B.C.,	149
XIII.	ITALIAN PEOPLES TO 264 B.C.,	160
XIV.	SUPREMACY OF THE ROMANS IN ITALY, 264 B.C.–201 B.C.,	218
XV.	ROME, ITALY, AND THE PROVINCES, 201 B.C.–46 B.C.,	238
XVI.	COMPARISON OF ITALIAN TOWNS WITH GREEK TOWNS,	273

CHAPTER		PAGE
XVII.	THE EMPIRE OF THE CÆSARS,	283
XVIII.	BARBARIAN CONQUERORS OF CIVILISED PEOPLES,	314
XIX.	JUNCTIONS OF TRIBES, EFFECTED BY COMPULSION,	331
XX.	JUNCTIONS OF FIEFS, EFFECTED BY COMPULSION,	342
XXI.	MEDIÆVAL CITIES: (1) INLAND CITIES,	354
XXII.	MEDIÆVAL CITIES: (2) MARITIME CITIES POSSESSING IMPORTANT TERRITORY OUTSIDE THEIR WALLS,	386
XXIII.	UNIONS OF PEOPLES: STRONG KINGLY GOVERNMENTS,	410
XXIV.	UNITARY NATIONS: PARLIAMENTARY GOVERNMENTS,	442
XXV.	VOLUNTARY JUNCTIONS OF EQUAL COMMUNITIES,	468
XXVI.	VOLUNTARY JUNCTIONS OF UNEQUAL BODIES POLITIC,	517
XXVII.	PEDIGREES OF BODIES POLITIC,	543
	INDEX,	555

BODIES POLITIC AND THEIR GOVERNMENTS

INTRODUCTION

IT is observed that men who have property consisting in cattle, lands, houses, stores of produce, or any other property beyond what they can carry about on their persons, are always arranged in groups for the protection of their lives and property and the promotion of their desires, and that each group has some kind of government, either made by the group itself or imposed on it by some stronger group. Men formed into a group for mutual protection and for the advantage of all usually have their most important emotions and attributes in common, and in that case the group which they constitute is called a community. Every group of men who share the same emotions and attributes form a community, whether they have a government of their own making or a government imposed on them from outside by compulsion. Every group of men or group of groups of men that lives under one government is a body politic: thus a body politic may either be one community or be composed of many communities.

Communities and bodies politic.

A community or a body politic retains its personal identity complete only from the death of one of its members to the death of the next; and as soon as all its members are dead its existence as a body consisting of certain definite persons is entirely ended. But through the space of about thirty years, for

The lifetime of a community or body politic.

which a generation remains in its prime and is not superseded by its sons, the persons gathered in a group for common purposes remain for the most part the same. Thus the lifetime of a community or a body politic is about thirty years.

Peoples.

When we are reading or speaking about times for which historical details are scanty, we are unable to distinguish any one community or any one body politic from that which went before it or from that which came after it: then we are compelled to think and speak of successions of communities or of successions of bodies politic which we know to have been closely connected with one another, though we usually do not know exactly how they were connected. A succession of communities somehow connected together is called a people. There is no name which denotes a succession of connected bodies politic which are not single communities, and denotes nothing more: when I need to mention such a succession of bodies politic I usually call it a group of peoples, or a composite people.

The history of peoples is little known.

When I began writing the pages which follow I had only a dim notion what the word *people* meant. Now that I have finished the text of the book and am employed on the Introduction, I see that when I am compelled to speak of a people I am often speaking of a thing whose structure and progress is unknown to me. For things of which little is known it is foolish and misleading to use a precisely defined name. Hence I do not define the word people beyond saying that I use it to denote a succession of communities which in some way or other are closely connected together.

In sharp contrast with the word *people* stands the word *state*. It was employed in the first quarter of the sixteenth century by the Italian Machiavelli to denote a body

politic and its government, and in one instance to denote merely a government: before 1580 it had been heard in an English Parliament, and was to be found in the essays of Montaigne bearing the same sense or senses.[1] In the seventeenth and eighteenth centuries the word was found to be extremely convenient in the dealings of bodies politic and their governments with one another, and therefore it received a careful definition, one part of which it will be well for me to explain.

States.

When a body politic has dealings with other bodies politic it acquires rights which it claims to enforce against them, and incurs obligations in return. In the seventeenth century bodies politic had many dealings with one another, and concluded many treaties, and in particular a very large number of treaties on one famous occasion in 1648 when congresses of ambassadors from nearly all the governments of central and western Europe met at Münster and Osnabrück in Westphalia to sum up the terms under which the Thirty Years War was brought to an end. In the making of the treaties of the seventeenth century it became an accepted doctrine that, when the members of a body politic die out, their sons succeed to their rights and obligations, and hand them on to their posterity; and since that time the word *state* has been adopted as a technical name for any succession of bodies politic which transmit rights and obligations from generation to generation. For the protection of rights and the enforcement of obligations governments have accepted the legal principle formulated in the writings of international lawyers that a state can never die or lose its identity unless it is

States can only die in one way.

[1] Machiavelli, *Il Principe*, ch. 4, ch. 5, ch. 6, the first clauses; (in ch. 5, clause 3, *stato di pochi* is a translation of *oligarchia*, and therefore *stato* means only a government); Goodier, 1571, N. Bacon, 1572, Peter Wentworth, 1575, in Symonds D'Ewes' *Reports*, pages 162, 193, 237 in edition of 1682, 1693; Montaigne, Book 1, Essay 54, Book 3, Essay 9.

completely merged in another state which takes over its obligations and acquires its rights.

A state, then, is a legal conception. Even at the present time when states as defined by lawyers are before our eyes, it is as hard to form in the mind a complete image of a state as it is to form a complete image of a corporation. For states bear no resemblance to concrete things: it is impossible for all the men who go to make up a state to be seen together, or to perform an action in common. The members of the English state include all Englishmen who have lived at any rate since the time of Queen Elizabeth till this day: it is manifest they cannot be seen together nor join together in performing an action.

States not concrete things.

A body politic, on the other hand, may be a perfectly concrete thing. All the members of a German tribe, or of a Greek city, or of the modern republics of Andorra or San Martino could, or can, be seen at a glance: the German tribesmen could all be heard at once if they murmured disapproval, or the citizens of Athens if they shouted or groaned. And beyond that every body politic, whether it is one community or many communities, whether it is confined within the narrow limits of an islet in the Pacific Ocean or is spread like the empire of the Cæsars over the whole civilised world, is like a concrete thing in its capacity for acting as if it were a single person. I have chosen bodies politic and not states for my subject, because I desire to make a collection of sketches, and have found on trial that a body politic, which is like a concrete thing, furnishes a good subject for sketching, but that it is extremely difficult and perhaps impossible to make an intelligible description in bold outline of a state, which is a legal and almost an abstract conception. States appear in my book as families of bodies politic with long pedigrees.

Bodies politic resemble concrete things.

CHAPTER I

EUROPEAN TRIBES

THE earliest European societies of men to which we can by any effort of inference or conjecture reach back are those that once lived together as neighbours and spoke in those primitive tongues whence the Aryan or Indo-European family of languages is derived. From linguistic evidence we know that some at least of the men who spoke those primitive languages were already, when they lived together, keepers of sheep and cattle, using boats with paddles, and carts on wheels and yokes for the necks of the oxen, and dwelling in fixed houses with doors: thus they were what are usually called settled herdsmen.[1] In the great gathering of the primitive Aryan-speaking peoples those who could be ranked as settled herdsmen included some part at least of those who spoke the languages that were the parents of the Celtic tongues, of the Latin, of the Greek, of the German, of the Hindu, and the Persian: whether they included any who spoke those ancient tongues whence come the Slavic languages is not so clear.[2]

Primæval societies.

A good part, then, of the primitive Aryan-speaking peoples lived as herdsmen in fixed abodes. From the observations of modern explorers we learn that all settled herdsmen live in communities, and have some kind of government.

[1] See Schrader, *Sprachvergleichung und Urgeschichte*, translated into English by Mr. Jevons under the title *Prehistoric Antiquities of the Aryan Peoples*.

[2] Fick, *Indo-Europäisches Wörterbuch*.

The only races that have no communities and no governments are a few of the hunting peoples who support themselves entirely by gathering wild fruits and roots, and by killing wild animals: they cannot live in communities, because any concourse of men would frighten away their game, and as they have no communities they have no governments.[1] There cannot be any doubt that what happens in modern times among barbarous peoples happened also among similar peoples long ago; and it follows that those of the primitive Aryan-speaking peoples that had advanced to be settled herdsmen lived in communities and under governments. The earliest kind, then, of political communities of Aryan-speaking men to which we can go back were pastoral communities. We can learn what the pastoral communities of the Aryans were like, because communities that were undoubtedly of the same general character existed in Germany very long afterwards, and were described by Cæsar. Pastoral communities were also to be found in the northern parts of the Balkan peninsula within the ages known to us from literature, but they were of a somewhat different type from those of the ancient Aryans, because their habitat and surroundings were not the same.

Pastoral communities.

After men have attained to be settled pastoral peoples the next great step for them is to learn such arts as enable them to raise food from the soil. Among the Aryan-speaking peoples those who in early prehistoric ages made this step forward with most conspicuous success were some of the Italians and of the Greeks. They made it in common, and became skilful tillers of the soil before they entered the peninsulas which bear their names.[2] While they

Agricultural tribes.

[1] Herbert Spencer, *Political Institutions*, § 442, confirmed in detail by Spencer, *Descriptive Sociology*.

[2] The evidence for this statement is given on p. 11.

lived together in continental Europe they were agricultural tribes, or societies of tillers of the soil living in the open country without any towns. The second kind, then, of European political communities are agricultural tribes: and to this second kind belonged those communities of Italians and Greeks who on their arrival in the peninsulas that bear their names had made most progress in learning useful arts.

We now have to inquire what is known about pastoral communities and agricultural tribes. We begin with pastoral communities: and among the pastoral peoples we take the Germans first, because their communities were almost certainly very like the pastoral communities of the age when all the Aryan-speaking peoples lived as neighbours.

Pastoral communities and agricultural tribes.

Cæsar, while proconsul in Gaul from 58 B.C. till 49 B.C., came into contact with some of the Germans, and gained as much information as he could about them all. He learned that they were hunters and herdsmen, careless about agriculture, but eager for war. Their communities in time of peace were cantons which he calls *regiones* or *pagi*: large groups of cantons bore a common name, as Tencteri or Usipetes, but the group had no common government in time of peace, and therefore the cantons were independent, each of them only controlled by rulers of its own, whose business consisted in administering justice, and in deciding what part of the land in the canton should be allotted in each year to the several families as grazing ground. In time of war the group of cantons that bore a common name chose commanders to lead the warriors, and invested them with power of life and death: thus for the duration of the war there came into being the larger unit which Cæsar called a *civitas*, and we may call a tribe. As a tribe had no common government in time of peace it follows that it had no king, since kings

The Germans, 58 B.C.-98 A.D.

would be rulers in peace and war alike: the kingly title of Ariovistus was exceptional, and is given him by Cæsar because it had been recognised by the Roman Senate.[1] About forty years after Cæsar's time western Germany was invaded and imperfectly conquered by the Romans under Drusus and Tiberius, stepsons of Augustus: it only recovered its independence in A.D. 9 at the great battle of the Teutoburgerwald. Under the pressure of war with the Romans many groups of cantons were joined permanently together so as to form large tribes ruled by kings in time of peace no less than in war. Among the tribes thus permanently consolidated before A.D. 20 were the Cherusci, the Chatti, and the Marcomanni.[2]

The Germans in the time of Tacitus, 98 A.D.

In 98 A.D., when Tacitus described the Germans, their pursuits and economic condition were still almost the same as in Cæsar's time: their joys were fighting and hunting, their wealth was their beasts, and they would not condescend to the toil of agriculture.[3] But politically they had advanced: every tribe was a united whole, and we hear no more of partially independent cantons. In nearly all the tribes supreme authority belonged to a *concilium*, or folkmoot, a general gathering of king, chieftains, and ordinary warriors: the folkmoot decided for peace or war, and elected the kings and chieftains. Tacitus speaks of government by a folkmoot as prevailing in most of the tribes; but he mentions as exceptional some tribes who were under strong kingly rule (*eæ gentes quæ regnantur*).[4] He afterwards names thirty-six tribes without saying how they were governed, whence I infer that they were ruled by folkmoots.[5] At the end he

[1] Cæsar, *Bell. Gall.*, 6. 22, 23; for Ariovistus, *Ibid.*, 1. 31, 35.

[2] Tac., *Ann.*, 2. 88; Smith, *Dict. Geogr.*, 'Chatti': Velleius Paterc., 2. 118; Smith, *Dict. Biogr.*, 'Maroboduus.'

[3] Tac., *Germ.*, 5. 25, 26. [4] *Ibid.*, 25. [5] *Ibid.*, 28-43.

mentions four, all living around the Baltic sea, as being under the unrestrained rule of kings, whence it is obvious that they had no folkmoots, or their folkmoots had little influence.[1]

The subsequent fortunes of the German tribes may conveniently be noticed here, though I do not venture to assert that they did not soon after the time of Tacitus learn to support themselves by tilling the soil as well as by hunting and keeping flocks and herds. From about 240 A.D. large groups of German tribes joined themselves in permanent leagues for attack or defence: among the earliest of these leagues were the Franks near the Rhine, mentioned for the first time about 240 A.D., and the Goths who near the same date forcibly occupied the Roman province of Dacia.[2] By about 400 A.D. those leagues of tribes which essayed and effected great conquests of Roman territory had coalesced into large hordes in which the original component tribes were not distinguishable, and each of them was led by a warrior king whose power was almost absolute: Alaric, Chlodovech, Euric, Theodoric, and Alboin are the most conspicuous of their rulers. In the league of the Saxons, which was made for defence against aggressive German neighbours, the component tribes did not lose their separate existence. In the time, 355-361 A.D., when Julian was commanding as Cæsar in Gaul, one of the tribes is mentioned by name; and shortly after the year 700 A.D. each tribe had a separate ruler to manage its own affairs, but for the control of the common interests of all these rulers were a federal council.[3]

Unions of German tribes, 240-400 A.D.

In the Balkan peninsula, the most noteworthy of the peoples that continued to live mainly as herdsmen in times

[1] Tac., *Germ.*, 44.

[2] Franks, Vopiscus, Aurelianus, 6; Goths, Gibbon, chapter 10.

[3] Zosimus, 3. 6; Bæda, 5. 10.

when Greek literature was abundant, were the Ætolians, the Akarnanians, the Phokians, the Molossians, and the Macedonians. The Ætolians lived in a region that is cut up by a multitude of mountain ranges into very small natural areas. In the time of Thucydides their political communities were no more than villages, but the whole of them had the common name of Ætolians, and in time of war the villages acted together, as the collections of cantons that bore the common names of Tencteri or Usipetes acted together in Cæsar's time: within a generation or two after the time of Thucydides the Ætolian villages had formed a federation ruled by a federal council.[1] The Akarnanians and the Phokians went through nearly the same phases as the Ætolians, but when first we hear of them they were less completely barbarous, and had a few small towns.[2] The Molossians inhabited one of the larger natural divisions of the Balkan peninsula, and thus grew to be like one of the German tribes described by Tacitus: when Themistokles took refuge among them they had a king, Admêtus, but he was living with the simplicity of a tribal chieftain.[3] The Macedonians alone, among the tribal peoples akin to the Greeks, grew by conquest into a large union of tribes like those formed by the Franks or the Alamans among the Germans. Somewhere about 700 B.C. the tribe to which the name Makedones properly belonged took as their ruler Perdikkas, a man of princely lineage in the city of Argos: Perdikkas and his descendants succeeded before the time of the Peloponnesian war in reducing to some kind of obedience nine more tribes and in bestowing on all of them the common name of Macedonian.[4] When the

Pastoral peoples in the Balkan peninsula.

[1] Thucydides, 3. 94 and 97; Freeman, *History of Federal Government in Greece and Italy*, ch. 4, ch. 6.

[2] Freeman, *Ibid.*

[3] Thucydides, 1. 136.

[4] Herodotus, 8. 137-9; Thucydides, 2. 80, 99, and 4. 79, 83, 124.

ten Macedonian tribes undertook the conquest of Greece they were under the strong kingly rule of Philip, the father of Alexander the Great.

Of the agricultural tribes of the ancient Italians and Greeks we have no descriptions. Before the beginnings of literature and history they had disappeared, and towns had taken their places. But we know that the later Italians and Greeks possessed a common system of agriculture, used the same methods of preparing grain for food and of measuring the ground, wore the same kind of clothing, and had adopted the same plans of house-building and the same weapons of offence.[1] It is probable that they acquired the greater part of this common stock of methods and appliances while they were still together, and therefore before they moved southward from the mainland of Europe into Italy and Greece, and that on their arrival in the two peninsulas those of them who had made the most progress towards civilisation were very well equipped agricultural peoples. In the earliest prehistoric ages of which we have any knowledge the most powerful, wealthy, and cultivated of their peoples had their homes in Greece about the isthmus of Corinth, or in Attica or Laconia, and in Italy on the southern bank of the river Tiber. In these regions, then, lived the agricultural tribes who laid the foundations of the subsequent greatness of the Greeks and the Italians.

Agricultural tribes of the Italians and the Greeks.

The distinctive mark of a tribe is that it has no towns, and the men composing it live in the open country employed in pastoral or agricultural and military pursuits. An end is put to the simple tribal manner of life either if a tribe makes conquests of territory abounding in wealth and so is led to engage in commerce, or if without conquering fresh territory it gathers a great

The word 'tribe.'

[1] Mommsen, *Hist. of Rome*, 1. 19-24.

part of its population within the walls of a town or city. The German tribes made great conquests of rich territory, and in the course of ages became the founders of powerful nations; the tribes of Greece and Italy did not conquer territory, but they gathered their tribesmen within walls, and their descendants were the inhabitants and the masters of important cities, some of them military and the rest maritime and commercial.

CHAPTER II

THE FIRST TOWNS IN EUROPE

THE earliest European townsmen are known to us only from the vestiges that they have left in their fortresses, their graves, their pottery, their weapons, and their works of art. Mykênæ was the place where Schliemann, in 1876, discovered the best of their treasures, and whence our first knowledge of their civilisation was obtained, and accordingly their civilisation and their age are commonly called Mykênæan; but it is now known that men of like civilisation were living in the same age in Laconia, in Attica, at Orchomenos in Bœotia, in the southern islands of the Ægean Sea, Paros, Naxos, Ios, Amorgos, Mêlos, Thêra, Thêrasia, and thence southward to Crete and eastward to Cyprus.[1] It is mainly from a comparison and classification of specimens of pottery found in these places that archæologists have concluded that all of them enjoyed a coeval and similar civilisation.[2]

The buildings of Tiryns and Mykênæ first claim our attention. At Tiryns the upper and stronger part of the fortress is oblong, about a hundred and seventy yards in length and a hundred in breadth; at Mykênæ the citadel is a triangle, of whose sides the longest measures about three hundred and fifty yards and the others two hundred and fifty, or decidedly more if their

Mykênæ and Tiryns.

[1] Frazer, *Pausanias*, vol. 3. p. 145.

[2] For the Mykênæan civilisation generally, see Frazer, *Pausanias*, vol. 3. pp. 94-164, and pp. 217-30.

irregularities are followed. At Mykênæ there was a walled town lower than the citadel, fully large enough to accommodate one or two thousand inhabitants; at Tiryns the existing remains look as if they had been only a fortified residence of a powerful king. At Mykênæ outside the citadel are eight subterranean beehive tombs: three are in the lower town, five entirely without the walls. The largest and best preserved of them, measuring fifty feet in height and fifty in diameter at the level of the floor, is popularly but incorrectly known as the treasury of Atreus.[1] The masonry both in the walls of the citadels and in the beehive tombs is exceedingly massive. The stones of the wall adjoining the famous Gate of the Lions at Mykênæ are six or eight feet long, four or five feet high, and their breadth is greater than their height. In the treasury of Atreus one block of the lintel, measuring twenty-seven feet by seventeen by three or four, is among the largest stones to be found in any building in Europe. At Mykênæ the average thickness of the wall of the citadel is about sixteen feet; at Tiryns the thickness varies from twenty feet to fifty-four, and in some places the portion of the wall still standing has a height of fully twenty feet.[2]

Objects found there.

In the citadel of Mykênæ six graves were found by Schliemann in a circular enclosure near the Gate of the Lions with their contents undisturbed. Most of the graves are hewn vertically downward in the solid rock: one or two are dug in earth which has been added to give the fortress a convenient contour. Every grave but one contained several skeletons lying in layers, and seemingly interred at intervals in a period covering many generations. The bones had not been charred by

[1] Frazer, *Pausanias*, 3. 125.

[2] For details about the buildings, see Schliemann, *Tiryns*, and Schliemann, *Mykênæ*.

fire: the treasures buried with them included beautifully worked coronals in gold, golden masks on the faces of the dead, silver and gold cups and vessels, and a fragment of a silver vase engraved in relief with a scene representing an attack on a fortified town. The swords and other weapons of offence found in the graves are all made of bronze: nothing made of iron was found in the graves in the citadel, but in some of the graves in the lower town were found a few iron rings.[1]

In the engraving of an attack on a walled town the defenders, who must represent Mykênæans or men like them, carry an oblong shield large enough to protect all their bodies above the thighs, but do not appear to wear any armour fitted to the body or limbs: the assailants are naked and carry only slings, but, as they probably represent barbarous tribesmen, they tell us nothing about the Mykênæans. The objects found in the graves prove that the Mykênæans had spears, arrows, and swords as weapons of offence; but nothing indicates that they wore cuirasses or greaves or any armour fitted to the body.[2]

Among the objects found at Mykênæ were some that came from abroad. From the Baltic came beads of amber; from Africa an ostrich egg adorned with clay figures of fishes glued to the shell, a number of small ornaments carved in ivory, a piece of porcelain on which was written about 1400 B.C. the name of Amenhotep the Third, King of Egypt, and a scarab of the same period bearing the name of Ti, the queen of Amenhotep. The presence of these objects proves that in the Mykênæan age there was communication between Europe and Africa, and leads us to conjecture that intercourse between the two continents was first established by the Phœnicians, the most active mariners of that age.

Imported objects.

[1] Frazer, *Pausanias*, 3. 155.

[2] *Ibid.*, p. 116.

The Phœnicians could come by sea to eastern Greece without ever losing sight of land: first they sailed along the southern coast of Asia Minor, thenceforward in their passage to Europe there was never a point from which none of the islands was visible. The Phœnicians, and probably also traders from Asia Minor, brought to Europe products of industry and knowledge of useful arts from the East, where civilisation of the Egyptian and Assyrian types had been established for thousands of years. Hence by a process extending probably over at least ten centuries the Greeks of the eastern mainland and of the islands themselves became proficient in useful and ornamental arts, and accordingly they became comparatively wealthy and built fortresses for the protection of themselves and their possessions.

The beginnings of commerce and towns in Europe.

It was probably between 1500 B.C. and 1200 B.C. that the Mykênæan civilisation reached that stage which is marked by its best relics. About 1500 B.C. the stream of passage which had flowed from the East to Europe turned and ran the other way from Europe to Egypt. At Gurob, sixty miles south of Cairo, Professor Flinders Petrie discovered pottery of a very peculiar Mykênæan type, which indicates either that imports went from Greece to Egypt, or that Greeks of the Mykênæan age were settled at Gurob. The town of Gurob was established about 1500 B.C., and by about 1200 B.C. it was deserted: in its ruins were found sixty-two objects inscribed with the names of kings between those dates, and only one object bearing the name of any other king.[1] In the reign of Seti the First, about midway between 1500 B.C. and 1200 B.C., we learn from Egyptian contemporary documents that one of the best contingents in the Egyptian

Rough dates for the Mykênæan civilisation.

[1] Frazer, *Pausanias*, 3. 149. Petrie, *Kahun, Gurob, and Hawara*, 1890. Plate xxiv. (Chronology, at the right hand).

army consisted of foreign soldiers belonging to a people called Shardana whose home was an 'island in the great sea.' From Mykênæ we know that the military accoutrement of the Mykênæans consisted of spear, sword, bow, and an oblong shield without body armour: the equipment of the Shardana in Egypt was the same except that their shields were round.[1] Hence it is likely that the Shardana came from some island, or other land by the sea in which the Mykênæan civilisation prevailed, and that one of their contingents in the Egyptian army was settled at Gurob.

Migration of the Dorians.

The civilisation of the Mykênæan age was spread over Attica, the town of Orchomenos in Bœotia, the southern islands of the Ægean Sea, and the eastern half of the Peloponnesus including Lacedæmonia: at Mykênæ and Vaphio near Sparta the works of art indicate that it reached its highest level.[2] From Mykênæ and from every other place in the Peloponnesus where it had been present it was swept away when the Dorians came down as conquerors from the mountainous region in the inland part of northern Greece. Any estimate of the date of the migration of the Dorians must depend on consideration of what happened to them after they came to the Peloponnesus. When they made their migration they must, from the nature of the region from which they came, have been extremely rude and barbarous mountaineers. By the year 734 B.C. the Dorians who had settled at Corinth had become so proficient in maritime enterprise and in trade carried by sea that they could send out bands of adventurers who founded new and prosperous settlements in Kerkyra and at Syracuse. Between their first coming to the Peloponnesus and their founding of colonies across the

[1] Meyer, *Geschichte des Alterthums*, vol. 2. § 134.

[2] For Vaphio (τὸ βαφεῖον), see Tsountas, in Ἐφημερὶς ἀρχαιολογική, 1889, pp. 136-72 and Plates 7-10.

sea a long period must be allowed in order to give them time enough to change themselves from sheer barbarians to seafaring merchants. Considering how slow is the progress of uncivilised peoples, three or four centuries is not too long to allow for the process of change in their pursuits and condition; and hence the century from 1100 B.C. to 1000 B.C. is the latest time to which their migration and conquests can probably be assigned.[1]

Greeks in Asia Minor.

In the earliest times to which records go back Greeks were already settled on the western coast of Asia Minor. In the northern part not far from the Troad were eleven small Æolic towns on the mainland, and the important cities of Mêthymnê and Mytilênê in the neighbouring island of Lesbos;[2] further south, from Smyrna to Miletus, came twelve Ionian cities;[3] beyond them, still further southward, lay some settlements of the Dorians. The Æolians had migrated from Thessaly and Bœotia:[4] as they had no specific memories of their migration, they were probably the earliest Greek settlers in Asia. Among the Ionian cities was Kolophon: Mimnermus of Smyrna, who lived about 580 B.C., sang in one of his elegies that the Kolophonians, from whom he was himself descended, came from Pylos, the city of Nêleus, in the south-west of the Peloponnesus.[5] As no country can send out a colony across the sea unless it is itself strong and prosperous, we may infer that the foundation of Kolophon was undertaken by the Pylians before they were threatened by the Dorians: thus one at least of the Ionian cities in Asia Minor goes back to the Mykênæan age. The Dorian settlements in Asia Minor obviously belong to the time when the Dorians of Europe had gained access to the sea, and therefore they

[1] Dr. Eduard Meyer, Dr. Busolt, and Professor Bury agree in placing the Dorian migration not later than 1100 B.C.

[2] Herodotus, 1. 149. [3] *Ibid.*, 1. 145. [4] *Ibid.*, 7. 176.

[5] Mimnermus quoted by Strabo, p. 634.

were not founded till after the great migration of the Dorians into the Peloponnesus.

During the age in which the Dorian tribes were employed in gradually conquering the Peloponnesus they were no doubt led by strong military commanders: after the conquests were made these military commanders held kingly authority in their Peloponnesian settlements and transmitted it to their descendants. Also during the age of the Dorian conquest peoples who lived near the track of the conquerors, especially the people of Attica, needed military kings to protect them from the rude mountaineers. Hence in the age of the Dorian conquests strong kings were needed in Greece, and we may believe the traditions which tell us that the earliest known governments in Greece were of kingly character. Between the age of the Dorian conquests and the beginning of chronological history, which we may place about 650 B.C., the rule of kings had everywhere been tempered or superseded by the power of the chief men in the communities. At Sparta government was conducted by kings and a council and five magistrates: in Attica, at Corinth, and at Megara castes of nobles held undisputed authority.[1]

Political conditions after the Dorian migration.

I cannot leave the prehistoric age of Greece without considering the question whether we know anything about governments during the Mykênæan age. Can we assume that the pictures of political debates in the *Iliad* and the *Odyssey* give us a faithful representation of what occurred in Mykênæ and in other Greek communities before the Dorian conquest? The answer to the question must depend on the time to which the completion of the *Iliad*

Do we know anything about governments in the Mykênæan age?

[1] Aristotle, *Ath. Pol.*, 3; Herodotus, 5. 92; Diodorus, 7. fragm. 9; Aristotle, *Pol.*, 5. 5-9, ed. Bekker, 1837.

and the *Odyssey* is assigned. If the poems were completed in the Mykênæan age they must have borrowed their pictures of political debates from the practice of that age; if they were not completed till after the Dorian conquest, we cannot be sure that we know anything about governments in the Mykênæan age.

There are, on the one hand, facts which make it difficult to believe that the Homeric poems were completed in the Mykênæan age. The poems describe the Greeks as burning the dead on pyres and burying only their charred bones, as wearing greaves and cuirasses, as knowing how to work in iron, and as using iron for agricultural implements. The objects found at Mykênæ indicate that the men of the Mykênæan age buried the dead without burning them, had no body armour, and had nothing made of iron except a very small number of finger-rings. Hence it would seem that the poems belong to a later age than the relics found at Mykênæ. Moreover, somewhere about 1100 B.C. the Mykênæan age in the Peloponnesus came to an end. If we place the completion of the Homeric poems in the Mykênæan age, we shall be compelled to believe that the genius of the Greeks after producing these two splendid epics lay dormant and produced no literature whatever till the age of Hesiod, which was three or four centuries later. On the other hand stand facts which, till Schliemann made his discoveries at Mykênæ, were supposed to prove that the *Iliad* at least was completed before the Dorian migration. The *Iliad* does not mention the Dorians nor the Greek settlements in Asia Minor, nor does it say anything about mercantile maritime adventure, which must have become common long before the Dorians of Corinth could found their colonies of Kerkyra and Syracuse.

Date of the Iliad and the Odyssey. Heads of arguments.

The arguments against supposing that the *Iliad* and the *Odyssey* were finished in the Mykênæan age seem strong.

The value of the opposing arguments from omissions or reticences is hard to estimate offhand. We cannot tell by the light of nature how epic poets would act in selecting facts for the adornment of their narrative, what they would take and what they would omit. But we may get indications to guide us from observing what amount of regard was paid to historic verities and to accuracy in describing the habits and institutions of peoples by the mediæval story-tellers who composed the epic romance of King Arthur.

The legend of King Arthur can be seen almost at its beginning, and nearly all the stages of its growth can be traced: for many of the statements and stories from which it was derived can still be read in their earliest written forms. Gildas, the first British writer of whose works anything survives, gives us in his *De Excidio Britanniæ* a picture of desolation unrelieved by achievements of any hero. He does indeed tell us that in the year of his own birth, forty-four years before the time at which he was writing, the Britons signally defeated the Saxons at the Mons Badonicus; but he does not mention the name of any British warrior who shared in the glory of the victory. Among all the marvellous battles in which Arthur was afterwards said to have been the victor, the fight at Mons Badonicus alone actually occurred. The year 520 A.D. is the earliest to which the battle can be assigned, and therefore 564 is the earliest possible date for the writing of the *De Excidio Britanniæ*. Since no mention of Arthur is made by Gildas we may infer that till after 564 no hero named Arthur was conspicuous in British story. Nennius, a Welshman or Briton, who wrote soon after 700 A.D.,[1] makes Arthur a splendid British champion, and says he won twelve

The Arthur of Nennius and Geoffry.

[1] The probable date of Nennius is discussed in the introduction to the edition of his work in *Mon. Germ. Hist.*

battles: one was the battle of the Mons Badonicus, the rest were imaginary. Thus the years 564 and about 720 are the extreme limits between which a legend of Arthur came into being. In the first half of the twelfth century Geoffry of Monmouth tried to prove that the Britons had never been subject to the Romans nor overpowered by the English. He makes the Arthur of Nennius a prime figure in his invented narrative, but the necessary inconsistencies in his story are so glaring that his work has none of the charm of a good romance. Wace of Normandy in his poem *Brut* followed Geoffry, and, having no controversial object, made a story which can be read with interest.

The Holy Grail and Arthur.

From about 1175 continental writers, among whom none but Chrêtien de Troyes, the author of *Perceval*, is known to me by name, composed stories of the Quest of the Grail, unconnected with the Arthur of Geoffry. In 1200, or a little earlier, a Frenchman, Robert de Boron, who is supposed by his editor, M. Gaston Paris, to have lived somewhere between Normandy and Flanders, composed his poem *Merlin*, which was perhaps designed to form part of a trilogy *Joseph-Merlin-Perceval*.[1] He borrowed largely from Geoffry or from Wace, but cared nothing for Geoffry's controversial aims, and merely tried to make a vivid and edifying story. The country of Merlin and Arthur is to him 'Engleterre,' he knows nothing of Britons as distinct from Englishmen, and seems to have regarded Arthur as a member of the family from which his own contemporary Richard Cœur de Lion was descended. But, for the adornment of his story, he makes the predecessors of Arthur and Arthur himself employ the same officials for governing their subjects as were employed by the French kings of the twelfth century for the government

[1] *Merlin*, ed. Gaston Paris (Firmin Didot, Paris, 1886), especially pp. ix-xxiii.

of their demesne. The kings whom he places in 'Engleterre' as predecessors of Arthur had a *conseil de preudommes* just like the French Curia: Vertigiers (Vortigern), seneschal to King Moine, and Sir Kei, seneschal to King Arthur, are precise copies of the sénéschaux who figure so largely in the history of King Louis le Gros.[1]

Later contributions to the legend of Arthur.

Romances suggested either by the *Merlin* of Robert de Boron or by the *Perceval* of Chrêtien de Troyes form the staple of the Arthurian legend in its mature form. De Boron's poem was put into a prose version of which copies exist both in manuscript and in print: from that version followed *L'Estoire de Merlin*, *La Suite de Merlin*, and *Les Prophéties de Merlin*.[2] In the vein of Chrêtien de Troyes came *Le Sainct Graal*, *Lancelot*, *Tristan*.[3] Robert of Gloucester, writing about 1300, and Huchown, or Hugon, or Hew of Eglintoun, about 1370 or 1380,[4] followed in the main Geoffry, but added incidents of great interest: Robert of Gloucester says that Arthur held a Parliament at London, and Huchown that he not only held a Parliament at York but in his Parliament put a stay on all vessels in English ports, because he would want them to transport his troops to the continent: the

[1] For the Curia see my twentieth chapter: for the French sénéschaux, Suger, *Vita Ludovici Grossi*.

[2] The prose version of de Boron's *Merlin* is published by M. Gaston Paris in pp. 1-146 of his *Merlin*. The text of *L'Estoire de Merlin*, which till recently bore the very inconvenient name, *Le Merlin Ordinaire*, was edited by Dr. Oskar Sommer for the Carnegie Institute at Washington, and was published in 1908 under its proper title as vol. ii of the *Vulgate Version of the Arthurian Romances*, by the Carnegie Institute. *La Suite de Merlin* is printed in Gaston Paris, *Merlin*, beginning at p. 147 of vol. i., and extending to the end of the second volume.

[3] For all the sources of the Arthurian epic see vol. iii. of the excellent edition of Malory's *Morte d'Arthur* by Dr. Oskar Sommer.

[4] Robert of Gloucester, Rolls Series, ed. W. Aldis Wright. On Huchown see *Quellen und Forschungen zur Sprach- und Culturgeschichte der germanischen Völker*, No. 76, *The Pistel of Swete Susan*, ed. by Dr. Köster; Trübner, Strassburg, 1895.

statement of Huchown is manifestly derived from a knowledge of the practice adopted frequently by Edward the Third of England in his war against France. Lastly, after the middle of the fifteenth century, Sir Thomas Malory took Robert de Boron, *L'Estoire de Merlin*, *Le Sainct Graal*, *Lancelot*, *Tristan*, and Huchown's *Morte d'Arthur*, and from them 'reduced' the epic romance of the *Morte d'Arthur*. His work was finished in 1469, and in 1477 it was published by Caxton, who wrote for it a most interesting preface.

Malory's romance, which gives the legend of Arthur in its final form, and therefore corresponds to the *Iliad* and *Odyssey* as we possess them, does not mention that Arthur was a Briton, nor that the English had conquered the Britons, nor that some generations before Malory's time they had been exporters of wool, but in his own time spun and wove most of their wool at home, nor that their army in his time consisted no longer of knights on horseback but of bowmen on foot. From his omissions we see that he took from his predecessors what he wanted for the adornment of his stories and did not trouble himself about historical facts. After observing what facts this mediæval romance passed over in silence, I do not think it possible to argue that because the authors of the *Iliad* and the *Odyssey* did not mention any events or conditions, those events or conditions were unknown to them, and think that the strong reasons already given for believing that the poems were written long after the Dorian migration may be accepted as conclusive without involving us in any improbable suppositions.

Malory's Morte d'Arthur.

Even if we admit no more than that we cannot be certain that the *Iliad* and *Odyssey* were completed before the migration of the Dorians, we are precluded from asserting that they tell us anything about the political institutions of the Mykênæan age: they may have borrowed pictures of

political life from anywhere and transferred them into the age of the heroes, just as the authors of the Arthurian romance borrowed a seneschal from France in the twelfth century, and a parliament and privy council[1] from England nearer to Malory's time, and transferred them all into the imaginary realm of the Britons and King Arthur. The scenes of political or military assemblies and of military councils in camp which occur in the *Odyssey* and the *Iliad* are such as could have been copied or adapted from the actual life of the Greeks in Sparta, Argos, Corinth, or Athens, in all of which places military kings were ruling in the age of the Dorian conquest, and afterwards kings and nobles shared the work of government between them. Hence it seems clear that the Homeric poems do not tell us anything about the political life of the Greeks in prehistoric ages beyond what we know independently of them from other sources.

Conclusions from the arguments.

[1] Malory himself is, I believe, the first who gives Arthur a privy council.

CHAPTER III

GREECE BEFORE 650 B.C.

THE Balkan peninsula joins the main block of the European continent in a line reaching from Fiume near Trieste to Odessa on the Black Sea. It is cut into three chief compartments by two lines of mountains running across it from east to west. The northern line is the Balkan range with its prolongation to the west, and extends from Varna to Montenegro. The southern line starts with Mount Œta near the north-western end of Eubœa, and runs east to the Gulf of Arta on the Adriatic Sea.

Physical geography of the Balkan peninsula.

The three compartments of the peninsula are of very unequal importance in the history of Greece. With the northern compartment, consisting of lands that lie to the north of the Balkan range and drain into the Danube, the ancient Greeks had no dealings. In the middle compartment the only inland regions that had much importance for the Greeks were Thessaly and Macedonia; but on all the coasts of this second compartment except those of Thessaly and Epeirus they made settlements. The third compartment of the peninsula lying south of Mount Œta was the home of the most important Hellenic peoples: and I shall designate it by the name Hellas, though the word was occasionally used in a somewhat wider signification.

Hellas, which, thus defined, covers an area no larger than a third of England or half of Scotland or Ireland, is effectually isolated from the rest of Europe by the

range of Mount Œta, and is cut up by a network of mountains into smaller natural divisions than any other region that has been a home of civilised peoples. Its mountain ranges are as near together as those in the very heart of the Swiss Alps, and it has no long valley like those of the Rhone, the Rhine, and the Inn, which provide Switzerland with its largest natural divisions: no point in Hellas is more than sixty or seventy miles distant from the sea, and therefore its valleys are short.

Physical geography of Hellas.

The largest areas in Hellas that can be confidently counted as natural divisions are Lacedæmonia and Attica: each of them is equal to a rectangle measuring about forty miles by twenty, and is of nearly the same size as Oxfordshire or Cambridgeshire. The valley of the Kopais, the home of the Phokians and the Bœotians, is about twice as large as Lacedæmonia or Attica, but is naturally subdivided: mountains mark a division between Phokis and Bœotia, and within Bœotia the swamps of the shallow lake Kopais and the rocky character of the northern shore of the lake interrupt communication and cut up the land into many distinguishable natural subdivisions. Messenia and Elis are almost as large as Lacedæmonia or Attica, but it is doubtful whether Elis is one natural area or divided into three. Argolis, the last of the larger natural divisions of Hellas, is rectangular; from east to west it measures twenty-five miles, and from north to south fifteen.

The larger divisions of Hellas.

Of the lesser natural areas in Hellas the most considerable measure about ten miles by ten or twenty by five. Among them are those in which stood Corinth, Epidaurus, and Megara, the valley that contained Sikyon and Phlius, and twelve dales in Achaia, on the south side of the Corinthian gulf, which are completely kept apart from the rest of the Peloponnesus by the

The lesser divisions of Hellas.

great mountain chain of Erymanthus and Kyllênê, and are in most cases fenced off from one another by mountain barriers. The natural comminution of the ground into very small areas is most extreme in Arcadia, Ætolia, and Akarnania, where the whole surface is a network of rocky mountains with very few pieces of flat ground and without even a straight river valley.

The strength of natural frontiers in Hellas.

The mountain barriers between the natural divisions of Hellas are with few exceptions strong for defence against such efforts to penetrate them as could be made by peoples in an early stage of civilisation. The exceptions that can be noted in a good map are these:[1] the mountains between Bœotia and Phokis are not formidable, and Megara is only divided from Attica by rocky hills which can be traversed without much difficulty.

Islands and coasts of the Ægean Sea.

The islands and coasts of the Ægean Sea are scarcely less important in Greek history than Hellas itself. Eubœa, a hundred miles long, is by far the largest of the islands, but is nearly all filled with mountains, and the largest clear space in it is one measuring about twenty miles by fifteen in which stood Chalkis and Eretria. Lesbos, about as large as Attica, is divided into at least five natural areas. The other islands are smaller, and are almost filled up with mountains, and the few clear spaces in them usually measure only three or four miles across. The western shore of Asia Minor is cut up into small valleys and amphitheatres, and in that respect it is like most of the shores of Hellas; but it is not permanently ensured from being attacked from the land. It is pierced by the channels of the large rivers Mæander, Kayster, and

[1] A map published in Philipson, *Peloponnesus*, gives contours. For regions outside the Peloponnesus the official map of Greece, published in Vienna in 1885, is the best.

Hermus, whose sources lie in the high table-land of Phrygia, two or three hundred miles inland: hence any strong power settled about the sources of the rivers would be able to descend by the valleys and attack the dwellers by the sea-shore.

During a period of about four centuries after the migration of the Dorians the youthful Greek peoples were forming their habits and characters. By about 650 B.C., when the four centuries end and European chronology begins, they can be arranged in three groups: first, peoples mainly employed in maritime and commercial pursuits; second, peoples entirely ignorant of seafaring; and third, peoples who divided their attention between the land and the sea.

The Greek peoples about 650 B.C.

The peoples who were mainly employed in maritime and commercial pursuits were much more numerous than all the rest. Long before the beginning of chronological history peoples of this sort had been established in the islands of the Ægean Sea, on the coast of Asia Minor, in about half a dozen of the smaller natural divisions of Hellas near the isthmus of Corinth, along the northern shores of the Ægean Sea, and all round the Sea of Marmora. A most characteristic feature of these peoples is that their territories were of very small extent and contained no place of any importance except a single city, and, in case the city itself stood inland, one or more adjoining seaports for the accommodation of its shipping. As each territory contained nothing of importance beyond the city and its seaport or seaports, which were practically part of the city, the purely maritime and commercial Greek peoples may be called simple urban peoples, and the community inhabiting one of them at any given time may be called a simple urban community.

Maritime and commercial cities.

The Greek peoples ignorant of seafaring were, if we neglect the barbarous Ætolians and their like, the inhabitants of Lacedæmonia, of Messenia, and of Elis; with them may be probably counted also the Bœotians, who, though they had decent access to the Corinthian gulf, do not appear to have made any use of it. In Bœotia there were about fifty towns:[1] eight or ten of them were strong fortresses. Originally these strongholds were probably independent: when first we know anything about them they had formed a confederation under the presidency of Thebes. About Elis little is known and nothing shall be said. Messenia by about 750 B.C. was already all ruled by a king residing at Stenyklarus. In Lacedæmonia the Dorians soon after they had conquered the country founded twelve or fourteen independent villages. Sparta was the strongest, and its inhabitants reduced all the other villages to obedience, and seemingly to contentment under their rule, though they never gave them a particle of political rights. Between 750 and 650 the Spartans, with the help of their subject villagers whom they called Periœki, or Dwellers Around, accomplished an enterprise such as no other Greek people ever attempted. They invaded and conquered Messenia, though it was outside their own natural frontiers; but they found it impossible to keep its inhabitants in subjection without reducing them to a condition of serfdom, and to the name of Helots. In 650 B.C. Sparta was a strong military village, and its inhabitants were the most formidable fighters in Hellas, but were compelled to spend most of their energy in constant efforts to prevent their Messenian serfs from rising in armed rebellion.

Terrestrial Greek peoples.

The peoples that divided their attention between the land and the sea were those that lived in Attica and Argolis.

[1] Smith, *Dict. of Geogr.*, article 'Bœotia,' vol. I. p. 415.

There was, as we have noticed, a people in Attica in the Mykênæan age of like civilisation with the men of Mykênæ: from this primæval Attic people the Athenians of historical times were directly descended.[1] In regard to the political condition of Attica the first thing we know is, that in some extremely remote age the soil of the country was parcelled out among about a dozen independent towns or villages, of which Athens was the strongest. In the course of time Athens conquered the other towns and undertook to govern them;[2] but we may conclude that the government of them was difficult, because so late as the times of Solon and Peisistratus sharp opposition arose between the country of Attica and the capital. There is not any direct evidence to show that the people of Attica had anything to do with maritime enterprise in the period before 650 B.C. with which alone I am concerned in the present chapter; but within one or two generations after that date they had an important organisation for providing their government with ships of war, and this organisation was not likely to arise till a century or two after they first took to maritime pursuits.[3]

Peoples partly terrestrial and partly maritime. (1) Attica.

In Argolis stood the two ancient strongholds of Mykênæ and Tiryns. When a Dorian people conquered the country they took Argos as their capital, but allowed Mykênæ and Tiryns to subsist. Their conquests were not limited to Argolis, but included the districts of Kynuria and Thyreatis, which are separated from Argolis by the swamp Lernê. The work of keeping Mykênæ and Kynuria and Thyreatis in obedience must have given them employment in their own dominions; but somewhere about

(2) Argolis.

[1] For proof of this statement derived from the pottery found at Menidi in Attica, see Frazer, *Pausanias*, 3. p. 138.

[2] Thucydides, 2. 15.

[3] See especially Herodotus, 5. 71; Aristotle, *Ath. Pol.*, 8.

750 B.C. their King Pheidon also intervened forcibly in the affairs of several neighbouring cities, and even marched an army far away to the west to take part with the people of Pisa, and to help them to usurp from the people of Elis the honour of presiding in an Olympic festival.[1] But though the Argives were so active on the land, they also employed themselves in external commerce; for Pheidon introduced into Hellas the first system of measures, and his system was afterwards taken into general use by many Greek peoples.

Similarity of Attica and Argolis.

The peoples established in Attica and in Argolis were alike in one characteristic. In each of them the authority to rule belonged to a single city; but outside the city were places of some importance whose inhabitants could on occasion act for themselves and might even be recalcitrant against the government in the chief city. As the people both in Attica and in Argolis was compounded of the community in the central city and the communities in other towns or places which retained some individuality, each people could be called a composite urban people, and the community inhabiting it at any given time could be called a composite urban community.

Enumeration of Greek peoples, 650 B.C.

About the year 650 B.C., which for Europe marks the beginning of chronological history, the Greek peoples of which we have some knowledge were (1) the Spartans, (2) a large number of simple urban peoples, and (3) two composite urban peoples. In the next four chapters it will be my business to sketch the characters and institutions of these peoples from the earliest times till 480 B.C., when Europe was invaded by Xerxes, King of Persia.

[1] Smith, *Dict. Biogr.*, article 'Pheidon.'

CHAPTER IV

SPARTA TO 510 B.C.

In historical times the organs of the Spartan government were two kings, a senate of elders, a general assembly of the Spartiatæ, and five Ephors elected annually by the assembly. One of the kings reigned by right of direct descent from Agis, the other by the like right derived from Eurypon. The senate, called Gerousia, consisted of exactly twenty-eight elders and two kings, and had therefore thirty members. The original distribution of powers among the four organs of the government is unknown: for the only statements with regard to it that have been preserved rest on a document which is probably a forgery.[1]

In the existence at Sparta of general assemblies of the warriors and of the annually elected Ephors there is nothing surprising: these institutions have their counterparts at Athens and in Rome. But the presence of two kings reigning together by right of descent from the founders of their respective families is a phenomenon peculiar to Sparta, for which there is no parallel elsewhere, and the fixity of the number of the members of the Gerousia is unusual in a half-civilised people. The duplication of the kingly dignity at Sparta was puzzling to the ancient Greeks, and they invented an explanation of it which probably has never seemed satis-

Dual kingship.

[1] See two masterly articles by Dr. Eduard Meyer in *Rheinisches Museum*, 1886 and 1887.

factory to anybody.[1] Within the last fifty years a far more plausible theory has been suggested.[2] In Sparta, when it was visited in the age of the Antonines by the traveller Pausanias, there was a quarter named after the family of Agis and containing their burial-place: another quarter was the burial-ground of the sons of Eurypon.[3] Hence it has been conjectured that there was originally an independent village or canton ruled by the sons of Agis and another ruled by the sons of Eurypon, and that these two villages or cantons were joined together to form Sparta. It must be added that if this conjecture is sound we are to imagine that the two villages or cantons joined together as equals by consent of both, and not as the result of a conquest effected by one of them; for if there had been a conquest, the king of the victorious village or canton would have reigned as sole king. If we adopt the theory that the two villages or cantons were joined together as equals by their common consent, everything strange in the Spartan government is explained. It would be natural that two communities joining together as equals should stipulate that the heads of their ruling families should always share the royal dignity as equal colleagues, and that each of the two communities should have a fixed number of its citizens as members of the Gerousia.[4]

The Ephors.

In regard to the office of the Ephors there is a conflict of authorities. Herodotus, our earliest informant, believed that the board of Ephors was one of the institutions of a mythical lawgiver, Lykurgus, or, in other words, that it was of immemorial antiquity. Aristotle, writing

[1] Herodotus, 6. 51, 52.

[2] By C. Wachsmuth in *Jahrbuch fur class. Philol.*, 1868. See Gilbert, *Griechische Staatsalterthümer*, vol. 1, p. 4, n. 2.

[3] Pausanias, 3. 14. 2, and 3. 12. 8.

[4] See Gilbert, *Griech. Staatsalt.*, vol. 1, p. 4, who, however, is inclined to think that three communities joined together to form Sparta.

about a century after Herodotus, says that it was not instituted till about 700 B.C. in the reign of Theopompus.[1] But between the times of Herodotus and of Aristotle there arose in Sparta in the year 399 B.C. a sharp conflict of parties in consequence of a suggestion that the kingly dignity ought no longer to depend merely on birth, but should be made elective. The opponents of the suggested alteration desired to make out that the kingly office was far more venerable than any other organ of the government, and it is probable that they may have invented the theory that the Ephors were not instituted till the time of Theopompus, and may have fabricated documents with a semblance of great antiquity in support of their contention.[2] As the story told by Aristotle is likely to have originated in a falsification of history, I have no hesitation in trusting the testimony of Herodotus, nor in believing that the office of the Ephors was established long before the times of any of the kings of Sparta who are in any degree historical personages.

The external progress of Sparta until 650 B.C. has already been briefly delineated in the last chapter. It was effected in two chief steps: the conquest of Lacedæmonia, and the conquest of Messenia. The conquest of Lacedæmonia was probably completed not later than 800 B.C. The Spartans after they had conquered the other villages in Lacedæmonia no doubt treated them well, and obtained their willing support in their next great enterprise, the conquest of Messenia. That enterprise was begun somewhere between 750 B.C. and 700 B.C., and by about 700 B.C. in the reign of Theopompus it was partially effected; but, as Messenia is nearly as large as Lacedæmonia and is separated from it by a natural barrier of mountains,

Conquest of Messenia.

[1] Herodotus, 1. 65; Arist., *Pol.*, 5. 11. 2, 3; Bekker, Oxf., 1837.

[2] See Dr. Eduard Meyer in *Rheinisches Museum*, 1886 and 1887.

the Messenians, who were almost as good fighters as the Lacedæmonians, could not be kept in subjection by any gentle methods: and somewhere about 650 B.C. the Spartans took the resolution of turning them into serfs, to whom they gave the name of Helots, or captives taken in war. A part of the Messenians, comprising no doubt the most energetic men in their nation, were carried away into Lacedæmonia, and their services were assigned by the Spartan government to the use of individual Spartans: the masters settled the Helots thus assigned to them on little plots of their own ground, whence they compelled them to render a fixed proportion of the produce. The remainder of the Messenians were left behind as agricultural serfs in their own country, where they needed to be constantly watched by patrols of Spartan warriors.

Spartan discipline.

After the Spartans had enslaved the Messenians they were compelled to adapt their lives and habits to the task of keeping them enslaved. Thucydides, writing of the year 424 B.C., says that till that time all the institutions of the Lacedæmonians were framed specially with a view to the Helots, to guard against their insurrections.[1] From Xenophon's description of the Lacedæmonian commonwealth we can see that from the time of the enslavement of the Messenians the Spartans took so completely the character of a garrison of slave-masters that they lost most of the qualities, and disregarded most of the aims, which are present almost universally in political communities. In order to qualify themselves for their great task of keeping down their Messenian serfs they submitted themselves to an exceedingly rigorous system of military discipline, trained themselves to endure hardships and poverty without intermission, and abjured wealth, luxury, commerce, and even the art of agriculture,

[1] Thucydides, 4. 80.

which they left to the Periœki.[1] The chief business of the Spartan warriors consisted in acting in bodies of armed policemen to prevent the Helots from rising in rebellion.

Though the Spartans from about 650 B.C. were constantly busy at home in watching the Helots, they yet were able about a century later to undertake fresh enterprises outside their own territories. From about 560 B.C. they engaged in a war with the neighbouring city of Tegea, and after a contest which lasted many years they compelled it to submit and to be taken under their protection.[2] About 547, marching over the mountains that separated them from the territory of the Argives, they conquered and annexed the districts of Kynuria and Thyreatis:[3] this time they were strong enough to keep the conquered inhabitants in subjection without enslaving them, and henceforth they were indisputably the strongest power in the Peloponnesus. It is almost certain from an expression used by Herodotus that from 547 onwards they enjoyed such an acknowledged superiority over some of their neighbours, especially the people of Elis and some of the Arcadians, that they would have been able to require them to send soldiers to aid in any war in which they themselves might chance to be engaged;[4] but from 547 to 510 they had no war to wage, and therefore needed no soldiers from their neighbours.

Wars of the Spartans, 560 B.C.-547 B.C.

During the whole period from 650 to 510 the Spartans were mainly employed on the difficult task of keeping down the enslaved Messenians: it was only for a short period ending in 547 that they found leisure or strength to

[1] Xenophon, *Rep. Lacedæm.*, 7 and 11. [2] Herodotus, 1. 66-68.

[3] *Ibid.*, 1. 82. See above, ch. 3, p. 31.

[4] *Ibid.*, 1. 68. ἤδη δέ σφι καὶ ἡ πολλὴ τῆς Πελοποννήσου ἦν κατεστραμμένη. In 508 B.C. a Spartan king demanded and obtained soldiers for a foreign war from a large number of Peloponnesian states. Herodotus, 5. 74.

engage in foreign wars. In the performance of the work of repressing the Helots their real master was their rigid system of discipline: they had little need of human directors, and consequently it mattered little to them which of the organs of their government was in the ascendant. They did their work as policemen like machines, by routine and by strict adherence to military discipline, and did not much care who were their political rulers, provided that the ruling body was small, so as to be able to give prompt and secret orders in case of insubordination among the Helots. Hence it seems to have been almost a matter of chance which of the organs of their government came out at the top.

Indifference of the Spartans to the form of their government.

The organs of the Spartan government were the two kings, the Ephors, the Senate of Elders (Gerousia), and the assembly of all the Spartiatæ. Of the assembly and the Gerousia between 650 and 510 we hear nothing, and it is natural that we should hear nothing. The work of the assembly consisted only in electing the Ephors and occasionally in filling up a vacancy in the Gerousia: and the Spartiatæ cared very little about elections. The Gerousia would have been a useful body for making and maintaining foreign alliances; but the Spartans, at any rate till about 550, had no allies, and there was therefore no important work for the Gerousia to do. The remaining organs of the government were the two kings and the Ephors: between them the small amount of governmental work that the Spartans needed was divided. The two kings when at home had no prerogative rights beyond certain trivial religious precedencies and perquisites, but when abroad they were commanders of the army: the Ephors might at any time be called upon to decide what measures should

Small importance of all the organs in the Spartan government.

be taken to repress the Helots. On the whole, it seems likely that the Ephors were the least insignificant organ of the Spartan government; and this view is confirmed by the story which tells us that King Anaxandrides, whose wife was childless, was compelled by the Ephors contrary to his own wish to commit bigamy.[1]

[1] Herodotus, 5. 39-41.

CHAPTER V

SIMPLE URBAN PEOPLES TO 480 B.C.

It is probable that the earliest maritime and commercial towns of the Greeks were those on the islands of the Ægean Sea, which had been frequented by Asiatic traders in the Mykênæan age. Next after them would come the cities of Asia Minor, and then the Dorian cities in the Peloponnesus, and the cities established on the northern shores of the Ægean Sea. Between 800 B.C. and 700 B.C. the most important of the maritime towns were, if we may judge by the colonies that they founded, Chalkis in Eubœa, Miletus in Asia Minor, Corinth and Megara on the neck that joins the Peloponnesus to the European mainland. By about 650 B.C. many scores of maritime towns had been established in and around the Ægean Sea and on the shores of Greece. All of them except twelve towns in Achaia were inhabited by separate and independent peoples, and all but one of these independent maritime peoples conformed exactly to the type of what I have called simple urban peoples: that is to say, each of them had very small territory and had no places in the territory except a principal town and sometimes one or two seaports appended to it. The one city which diverged perceptibly from the regular type was Megara, which in addition to its territory on the isthmus possessed also the important island of Salamis, separated from its own shores by a strait half a mile broad.

Nearly all the maritime cities had the size of their territories

fixed once and for always by natural frontiers so strong that political boundaries could not deviate from them. But even in the few cases in which a maritime city did not occupy the whole of a natural division of the land, and therefore was not precluded by natural obstacles from getting fresh territory, it usually remained content with what it had. Sikyon occupied only the lower part of the valley in which it stood, but it left the upper part to Phlius without dispute. The territories of Corinth and Sikyon in their lower parts adjoining the Corinthian gulf were not separated by any defensible natural frontier, and yet the two cities did not contend about the size of their shares of the plain by the sea, though it was so rich that that 'what lies between Corinth and Sikyon' became a proverbial expression for great wealth. The only instance known to me in which a maritime city got an acquisition of territory occurred in Eubœa. Chalkis and Eretria were about twelve miles distant from one another, and as they were not separated by any natural frontier, the rich Lelantine plain near Chalkis was a piece of debateable land between them: about 600 B.C. the two cities were at war with one another, Chalkis was victorious, and took the Lelantine plain definitely into its possession.[1] From the extreme rarity of disputes about boundaries between the maritime cities we can see that they did not care about territory: no doubt their inhabitants had their minds so set on commerce that they did not trouble themselves about parcels of land. The maritime cities were from the beginning and remained to the end territorially inexpansive.

The maritime cities did not care for territory.

As the maritime cities refrained generally from disputes about territory, they were almost entirely exempt from wars

[1] Strabo, p. 448 end = 10. 1, 12; Smith, *Dict. Geogr.*, articles 'Chalkis' and 'Eretria.'

waged on the land. If we take note of the number of the maritime cities and of the number of the wars by land in which any of them were engaged between 650 B.C. and 510 B.C., the disproportion between the two numbers will be apparent. From 650 B.C. to 550 B.C. there were about a hundred independent maritime cities; after 550 B.C., when Crœsus, King of Lydia, subjugated the cities of Asia Minor, there were about three score. The number of recorded wars waged on the land by any of the maritime cities between 650 B.C. and 510 B.C. is three. One war was that between Chalkis and Eretria, which has been already mentioned; the second was that in which Megara fought against Athens in the time of Solon in defence of Salamis; and the third was that in which the Megarians tried to defend their seaport of Nisæa against the Athenians under the command of Peisistratus.[1]

The maritime cities did not wage wars by land.

Since the maritime cities were generally well protected by natural frontiers, and were exempt from the fear of war by land, they had no need to defend their territories. In political communities as a general rule the sole cause that first produces good and just governments acting for the good of all is the fear of invasion, which compels all classes to look to the defence of all, and obliges the rulers to be considerate of all classes of the population, in order that all may fight zealously in a common cause. In the maritime cities this incentive to the establishment of good and just governments was absent. The governing body in the maritime peoples with small territories, which I have called simple urban peoples, was always a single class or single person, and that governing body was at liberty, if it thought fit, to govern solely for the promotion of its own selfish desires, because it did not fear

Governments of the maritime cities.

[1] Herodotus, I. 59. [Πεισίστρατος] εὐδοκιμήσας ἐν τῇ πρὸς Μεγαρέας γενομένῃ στρατηγίῃ, Νισαίαν τε ἑλὼν καὶ ἄλλα ἀποδεξάμενος μεγάλα ἔργα.

invasion from foreigners, and therefore did not need to be protected by the willing exertions of its own subjects.

In regard to the governments of individual cities our information is scanty: we know more about the governments of Corinth, Megara, and Naxos than about any others. At Corinth the Dorians, while they were making the conquest of the territory, must have had a strong king as military leader; but, when the conquest had been completed and the descendants of the conquerors had grown into a maritime and commercial people, kingship became superfluous. About 650 B.C. we learn from Herodotus, who is by four centuries our earliest informant on the matter, that the Corinthians were ruled by a powerful clan called the Bacchiadæ, and this clan in order to keep itself a distinct caste forbade its members to marry anyone outside the clan: and since Herodotus pointedly remarks that a lame woman of the Bacchiad clan whom no Bacchiad would marry, and who was therefore allowed to marry outside the clan, had a husband who lived in a village, we may conjecture that it was usual for all the Bacchiadæ to reside in the city of Corinth.[1] In Diodorus, who wrote four centuries after Herodotus, we find a statement that the Bacchiadæ were all descended from an ancient king of Corinth named Bacchis: the assertion is probable enough, but it may have been invented because it seemed probable.[2] What the government of the Bacchiadæ may have been like when first it was established we do not know; but we can be sure that eventually they governed selfishly, because their overthrow was brought about by violence. Corinth.

The leader of the revolution that put down the Bacchiadæ was Kypselus. No doubt he declared himself a champion of the poorer citizens, and with their aid overpowered the Bacchiadæ: when the victory was won, his adherents, being

[1] Herodotus, 5. 92. 2.

[2] Diodorus 7, fragment 9.

devoid of political experience, were unable to do anything but submit obediently to his despotic commands. Kypselus was succeeded as arbitrary ruler of Corinth by his son Periander, about whom many stories have been remembered or invented; in the following generation the heir was a weak man, and despotic government soon came to an end.

Corinth. Dynasty of the Kypselidæ.

After the extinction of the house of Kypselus, which occurred about 580 B.C., no precise statement has been preserved to tell us how Corinth was ruled; but Pindar, in distinguishing the members of the family of the Oligœthidæ as being gentle to their countrymen, implies that Corinth in his time was ruled by a group of wealthy families, and that some of them were not gentle.[1]

Corinth. Government of the rich after 580 B.C.

At Megara the succession of governments till about 610 B.C. was the same as at Corinth. Power was at first lodged exclusively in the hands of certain rich families, but somewhere about 640 B.C. their oppressive rule provoked a popular insurrection against them under the leadership of a man named Theagenes, who, when the rebellion had proved successful, established himself as despotic ruler. About 610 B.C., as we have already noticed, Megara engaged in a long war with Athens both by land and sea. In the war Megara lost Salamis, and in consequence of the results of the war took a different form of government; but what the new government may have been it is impossible to determine with any approach to accuracy.[2]

Megara.

Naxos stands midmost among the many islands of the Ægean Sea. It measures about eighteen miles by twelve, and is one of the larger Greek islands; but it consists of nothing but a mountain with some little valleys and amphitheatres

[1] Pindar, *Ol.* 13. 2 and 97.

[2] Aristotle, *Politics*, 5. 5, 9; Bekker, Oxf., 1837; Theognis.

about its sides. In one of the small clear places on the north-west of the island, the inhabitants founded one of the earliest of the maritime Greek cities, which like the island bore the name of Naxos. About 540 B.C. a Naxian named Lygdamis, with the aid of Peisistratus of Athens, established himself as despot in his native city.[1] As late as 532 B.C. we know that Lygdamis was still reigning: after that time we lose sight of the city of Naxos for about a generation.[2] About 502 we learn from Herodotus that the government of the city was entirely in the hands of the poor citizens, and that some of the wealthier inhabitants had been driven into exile.[3] From these facts we may infer that since the days of Lygdamis there had been a time when the rich class had governed the city, or tried to govern it; that they had offended the poorer citizens, and that a revolution had occurred, which had ended in the establishment of the poor in exclusive enjoyment of power, and in the expulsion of some of the rich who had been regarded as their oppressors.

Naxos.

At Corinth, then, after it became commercial and non-belligerent, the first government was the exclusive rule of the wealthy princes of the blood royal. Any exclusive rule of the few rich was called by the Greeks *Oligarchia*, or the rule of few; and, as the earliest government of commercial Corinth was exclusively in the hands of men who were noble as well as rich, we may call it an oligarchy of birth. The second government at Corinth was the absolute rule of a usurper: to this kind of government the Greeks gave the name *Tyrannis*. The third government at Corinth was an oligarchy, probably rather of wealth than of birth. At Megara the first known government was oligarchia, the

Governments of Corinth, Megara, and Naxos: general view.

[1] Herodotus, 1. 61 and 65.

[2] Smith, *Dict. Biogr.*, article 'Lygdamis.'

[3] Herodotus, 5. 30.

next tyrannis. At Naxos the earliest government of which we read was tyrannis; after an interval of about thirty years the Naxian government was the exclusive rule of the poor: the name given by the Greeks to the exclusive rule of the poor was *Demokratia*, the rule of Demos, or of all the citizens, among whom the poor by their superior number are predominant.

General view of the governments of simple urban peoples.

It must be confessed that the governments in the great majority of those small maritime commercial peoples which I have called simple urban peoples are left unnoticed in Greek history and literature: references to them in Greek authors rarely tell any more than that in the century from 600 to 500 many of them were governed by tyranni. We have, then, little direct testimony about the governments of the individual cities. But Aristotle in his *Politics* takes it for granted that the government of every Greek city was either oligarchia, or tyrannis, or demokratia. Hence we may conclude that in all the Greek cities about which we have no direct evidence the governments were such as might bear one of these three names: in other words, the government in any one of these cities was always either the exclusive rule of the rich, or the exclusive rule of one usurper, or the exclusive rule of the poor. It will tend to simplicity of statement if we adopt a single name to denote all these forms of government, and I will accordingly call them class governments. The name is clearly descriptive of oligarchia and demokratia, and it is not ill adapted to designate tyrannis, since a tyrannus was a class by himself, having interests and aims which he shared with no one. It is then possible to say briefly that the governments of all the simple urban peoples in early Greek history were class governments.

The simple urban peoples of the Greeks were so strong within their natural bulwarks that none of them could be

occupied, conquered, and governed by any other Greek power. It was, however, possible for any one of them, if it possessed a great superiority of naval force, to gain the power to dictate to the governments of weaker urban peoples. Such a power was gained on one occasion only before 480 B.C. The man who gained it was Polykrates, tyrannus of Samos. At some time in his reign, which lasted from 532 to 522, he dominated several islands and many towns on the shore of Asia Minor.[1] He did not attempt to govern them, since that was impossible; he left them under their native governments, but compelled those governments to obey his orders in their dealings with the cities in their neighbourhood. The Spartans were so jealous of his power that they undertook an expedition to reduce it. We must imagine, since they had no ships of their own, that their forces were conveyed across the sea by some of the islanders who shared their jealousy of Polykrates.[2] We know nothing about the fortunes of the expedition except that it failed to achieve the result which the Spartans expected of it.

Polykrates of Samos.

[1] Herodotus, 3. 39; Thucyd., 1. 13. [2] Herodotus, 3. 49-56.

CHAPTER VI

COMPOSITE URBAN PEOPLES TO 510 B.C.

ATTICA and Argolis, in the period before 510 B.C., differed from the simple cities described in the last chapter: firstly, because each of them was large enough to contain towns or districts of some importance in addition to the ruling city; secondly, because those towns or districts sometimes had a will of their own; and thirdly, because the countries themselves were not entirely exempt from the need of waging wars by land. In regard to Argolis it has already been noticed that the towns of Mykênæ and Tiryns and the districts of Kynuria and Thyreatis might be hard to keep in subordination:[1] a proof of this was given in 480 B.C. when the town of Mykênæ sent eighty hoplites to take part in the defence of Greece at Thermopylæ, though the Argives gave them no permission to do so, and themselves refused to send a contingent.[2] The wars of the Argives in the time of Pheidon before 700 B.C. have also been already mentioned:[3] at a later date in 547 B.C., they had to fight again in a vain attempt to defend the districts of Kynuria and Thyreatis from conquest by the Spartans.[4]

Argolis.

As the Argives needed to exert themselves to ensure their control over Mykênæ, and, till 547 B.C., over Kynuria and Thyreatis, and as they waged some wars against

[1] See p. 31.
[2] Herodotus, 7. 202.
[3] See p. 32.
[4] Herodotus, 1. 82.

external enemies they found it advantageous to have a single man as their ruler to direct their operations; and accordingly they retained their old hereditary kingship in ages when kingly power had been abolished in all the simple city states. In 480 B.C. there was still a king reigning in Argos by hereditary right.[1] The Argive kings, however, after 547 B.C., were inconspicuous, and in 480 B.C. the supreme power in Argos belonged to a council in which the king was no doubt the presiding officer.[2] At that time, the government of Argos was something like a constitutional kingship in mediæval Europe.

Government of Argos.

Attica, after the Dorians had finished their migrations and were settled in the Peloponnesus, was, like all the Greek territories except Lacedæmonia and those that bordered on it, exempt for ages from all thought of serious external war; at most, the Athenians only engaged in trivial frays on their borders against the Megarians or the Bœotians. Hence the Attic nobles, called Eupatridæ, with the princes of the kingly family, thought, perhaps as early as 800 B.C., that they had no further need of kings to act as their leaders. It is probable that till about 650 B.C. there was no acute opposition between the interests of the city of Athens and the interests of the country districts: for, if the Eupatridæ had foreseen the sharp strife that afterwards ensued between the men of the Plain (which included Athens), the men of the Sea Cliff, and the men of the Highlands, they would have perceived that kingly power might yet be useful for holding the city of Athens and the country districts together. As it was, they gradually diminished the prerogatives of the kings, and in 683 B.C. finally abolished the kingly office.[3]

Attica: abolition of kingship.

When the kings were gone, the general control of policy

[1] Herodotus, 7. 149. [2] *Ibid.*, 7. 148.
[3] Smith, *Dict. Antiq.*, articles 'Eupatridæ,' 'Archon.'

was vested in a council of Eupatridæ, and details of administration were entrusted to a board of nine archons, appointed annually by the council.[1] For the hearing of trials for high treason there was a law court sitting in the Prytanêum, or House of Government, under the presidency of the four Phylobasileis, or Tribe kings, who were at the head of the four tribes into which the people had from unremembered ages been divided, and who were themselves members of the caste of the Eupatridæ.[2]

Government of the Eupatridæ.

Each of the tribes in Attica was divided into twelve naukrariæ. When Kleisthenes long afterwards established the demes, he set them up 'in lieu of the naukrariæ.'[3] As nine tenths or more of the demes were situated outside the city, we may infer that the naukrariæ also were for the most part rural districts. Each naukraria contributed an equal quota to the naval and military forces of Attica, namely, a ship and two horsemen; therefore the greater part of the expense of providing the naval and military forces fell on the population outside of Athens, and it would seem that the country was economically more important than the city.

Attica: importance of the country districts before 600 B.C.

The government of the Eupatridæ was unquestionably what the Greeks called an oligarchia, since its members were all of noble birth, and no doubt many of them were rich; but it is quite likely that more than half the rich men in the country may have not been Eupatridæ, and therefore without any share in the work of government. The government of the Eupatridæ was conspicuously an oligarchy of birth rather than of wealth. Some light is thrown on its general merits

Character of the government of the Eupatridæ.

[1] Aristotle, *Ath. Pol.*, 19.

[2] Plutarch, *Solon*, 19, verbal quotation from the thirteenth Axon of Solon's laws; Pollux, 8. 111.

[3] *Ath. Pol.*, 21: τοὺς δήμους ἀντὶ τῶν ναυκραριῶν.

by an event of which the date can only be approximately determined. Somewhere between 636 and 624 a distinguished Athenian named Kylon, who had been victor in a contest at Olympia, and had married a daughter of Theagenes, tyrannus of Megara, designed with the aid of his father-in-law to destroy the government of the Eupatridæ, and set himself up as tyrannus in Athens. He obtained from Theagenes a force of Megarian soldiers, and also gathered adherents among the young Athenians of about his own age: thus supported, he seized and occupied the acropolis of Athens. The Eupatridæ called on the people of Attica to come and besiege him, and the country-folk obeyed the summons. The invaders of the acropolis were reduced to desperate straits for lack of food and water. Kylon and his brother contrived to escape; but the rest of the invaders, being unable to resist, took sanctuary as suppliants at an altar in the acropolis. The ready response of the country-folk to the summons of the Eupatridæ proves that the Eupatridæ were not generally unpopular, or, at any rate, that their government was generally thought preferable to that of the adventurer Kylon.[1]

In the half-century from 650 B.C. to 600 B.C. it is clear that the condition of Attica underwent important changes. One cause of changed conditions may have been economic, and may have consisted in the adoption of new pursuits by the wealthy class. The other cause is well known: somewhere about 610 B.C. the Athenians were involved in a war with Megara, which was in all likelihood their first serious war with a foreign enemy.

Attica: new conditions, 650 B.C.-600 B.C.

Until after the time of Kylon's conspiracy, which must be

[1] The story of Kylon is told in Herodotus, 5. 71; Thucydides, 1. 126. Where Herodotus and Thucydides are at variance I follow Thucydides. See also Plutarch, *Solon*, 8-10.

placed between 636 and 624, there is no indication of strife between classes: before 594, when Solon became archon, the rich had become grievous oppressors of the poor, and the Eupatridæ could not or would not succour the oppressed. It is, on the whole, likely that between 650 and 600 the rich men of Athens became for the first time active in maritime and commercial enterprise, and thereby greatly increased their wealth. It has further been conjectured that the poor may have been reduced to much greater poverty by a substitution of payments in coined money for a system of barter; and the conjecture is plausible because the merchants engaged in foreign trade would know the value of goods reckoned in money, and the small cultivators would not.

New economic conditions.

When Kylon's fellow conspirators and his Megarian soldiers had taken asylum at the altar on the acropolis, the Athenians did not wish them to die where they were, lest the altar should be profaned and some divine vengeance should follow. Accordingly the Prytaneis of the Naukrariæ, who seem to be identical with the four Phylobasileis, bade them leave their sanctuary, promising that their lives should be spared; but afterwards the archons of the year, of whom Megakles, the Alkmæonid, was one, perfidiously put them to death.[1] The Megarians resented the murder of their fellow citizens, and some years later Athens and Megara were at war for many years both by sea and by land. The war ended when the Athenians, directed by Solon, succeeded in taking the important island of Salamis, which lay close to their harbours, and must when in the possession of the Megarians have enabled them to waylay the Athenian ships. The acquisition of Salamis made the Athenians safe in their home waters, and the advantage that they gained by holding it may have suggested

Attica: first foreign war.

[1] Thucydides, 1. 126; Herodotus, 5. 71.

to them the seizure of another commanding naval station at a distance. Within a few years after the capture of Salamis they succeeded in occupying Sigêum, close to the strait of the Hellespont leading to the Black Sea, and in getting it adjudged to them at the end of a war by Periander of Corinth acting as arbitrator.[1]

The long war against Megara, fought both by land and sea, must have converted a large part of the poor peasantry of Attica into trained soldiers formidable to the rich merchants who had oppressed them. In 594 B.C. the rich men conceded the demand made no doubt by the poor, that Solon should be archon, and have full powers to deal with the existing distress, and to make new permanent laws and a new constitution.

Solon, 594 B.C.

The original sources from which the later Greeks drew their knowledge of Solon's doings were his laws and his poems. His laws were inscribed on revolving quadrangular prisms, and exhibited in a public place, where they remained at least till the time of Perikles:[2] complete copies of the poems may probably have been in existence as late as the time of Plutarch. Notices of the laws and quotations from the poems may probably have occurred in the writings of later Greek historians as Ephorus and Androtion: our knowledge of them is derived from the Aristotelian *Athenaiensium Politeia*, and from the life of Solon by Plutarch. It is evident that Plutarch was careful in his reading of Solon's laws: the *Athenaiensium Politeia* seems to have borrowed largely from popular historical works and from pamphlets; but its author has the great merit of giving his reasons for his opinions, and thus provides us with means of judging which of them are correct.

Authorities for the history of Solon.

[1] Herodotus, 5. 95.

[2] Plutarch, *Solon*, 25; quotation from Kratinus who was contemporary with Perikles.

Solon made temporary enactments to relieve the poor from their extreme distress, established permanent laws tending to prevent injustice or oppression in the future, and finally devised a new constitution. In his constitutional reforms he tried to do what no man before him had attempted, and only one Greek after him[1] succeeded in accomplishing: he tried to supply a community ruled by a single commercial city with a government that was not the uncontrolled rule of a single class or of a single person, but was founded on a fair division of powers among all classes.

Solon's constitution.

Before Solon's time all political power had belonged to one class, the Eupatridæ, distinguished from the rest by birth. Solon recognised four classes, discriminated from one another not by birth but by gradations of wealth. The four classes recognised by him were (1) Pentakosiomedimni; (2) Hippeis, or horsemen, able to keep a horse for service in war; (3) Zeugitæ, small landowners with a yoke of oxen, and (4) Thêtes, labourers for hire. The Hippeis, the Zeugitæ, and the Thêtes were recognised classes before his time, as we can see from the following facts. The author of the Aristotelian treatise on the Athenian Constitution did not know what was the proper definition of the second class, the Hippeis.[2] Hence it follows that no definition of it was given in Solon's published laws, since any definition of it there given would have been known to the author; and as Solon gave no definition, he must have been sure that every one already understood who the Hippeis were. The Thêtes were a distinct class even in Homer's age long before Solon's days: else the shade of Achilles could never have said to Odysseus, 'I would rather be Thête to a poor tenant-farmer than be king of all the dead.'[3] Between the Hippeis and the Thêtes, and bordering on each of these two classes, came the Zeugitæ; and there-

Classes in Attica.

[1] Kleisthenes. [2] Arist., *Ath. Pol.*, 7. [3] *Odyssey*, 11. 489-91.

fore they also must have been a distinct class before Solon's time.

The Pentakosiomedimni were the richest class, comprising all those who gained from their lands every year not less than five hundred medimni (about seven hundred bushels), in aggregate produce of corn, oil, and wine, or had from any source an income of five hundred drachmæ. The clumsy name Pentakosiomedimni looks as if it were made by a lawgiver, and the precise statements which inform us of its meaning may probably be copied from a definition of it given in Solon's published laws: hence it is likely that Solon found only the classes of Hippeis, Zeugitæ, and Thêtes already recognised, and that from the Hippeis he took out the wealthiest and formed them into a new class of rich men. Among three of his classes he distributed all public offices. The Pentakosiomedimni were alone eligible to the archonship and the treasurership; the Hippeis and the Zeugitæ could hold lesser offices suitable to their condition; and the Thêtes alone were incapable of holding places in the administration.[1]

Distribution of offices among classes.

The organs in the government were these: (1) Nine Archons, (2) a Senate, (3) Popular law courts, called Dikasteria, (4) a Council of Four Hundred, (5) Assemblies of the citizens. The board of nine archons proved to be the strongest of these five organs, and therefore it is important to examine the evidence as to the method by which the archons were appointed. The *Athenicnsium Politeia* says they were taken by lot from forty selected candidates. But the author confesses that his opinion is founded on the practice prevailing in his own day, two and a half centuries after Solon, in the appointment of treasurer:[2] and his opinion is incon-

Solon's constitution: Archons.

[1] Arist., *Ath. Pol.*, 7. [2] *Ibid.*, 8.

sistent with his own statement, made later on, that strife about the appointment of archons within four years made it impossible to have any archons at all.[1] As strife about that which is settled by hazard is inconceivable, it seems certain that Solon simply ordered that the archons should be elected by the whole Attic people. If any confirmation of this conclusion is needed, it is found in a passage in the *Politics* where Aristotle says that Solon gave the common people only the necessary minimum of power, namely, the right of electing magistrates, and of holding them to account at the end of their year of office.[2] As none but a Pentakosiomedimnus was eligible as archon, and as the archons were chosen by free election, Solon did his best to ensure that the chief executive magistrates should be well qualified by station and the public estimation of them to fulfil their important duties.

Senate.

The Senate was called the council of the Areus Pagus, or in Latin the Areopagus, and was intended to take the place of the old council of the Eupatridæ. It was to consist of archons and ex-archons, and its members were to hold their places in it for life. We do not know what functions were entrusted to it; but its power was large, since it was called guardian of the laws.[3]

Dikasteria.

The powers of the Dikasteria, the popular law-courts, were very large, since they had the right of hearing appeals from the sentences of archons, and, if they thought fit, of reversing them. It is probable also that when an archon rendered account of his doings at the end of his year of office, he was to render it before a dikasterion.

In regard to the council of Four Hundred everything is obscure. We do not know to what body or bodies Solon intended to entrust the work of making new laws, when

[1] Arist., *Ath. Pol.*, 13.
[2] Arist., *Politics*, 2. 12, 1274*a*.
[3] *Ath. Pol.*, 8, νομοφυλακεῖν.

new laws were needed; but Plutarch thought that both the council of Four Hundred and the senate of the Areopagus had some power of checking hasty legislation. His view probably was that no new law could be proposed to the assembly of the people till it had been approved both by the Areopagus and by the Four Hundred.[1]

Council of Four Hundred.

From what Aristotle says in a passage cited a little way back from the *Politics*, I am inclined to think that Solon intended that an assembly of the people should be held regularly only once a year for election of magistrates, and for appointing a dikasterion to hear the outgoing magistrates render an account of their proceedings. If new laws were wanted they must be proposed before an assembly of the people, but Solon hoped that new legislation might be long deferred.

Assemblies of the people.

When Solon had made all his changes, economic, legal, and constitutional, he went away from Attica for ten years, hoping that his regulations might for that space be kept intact.[2] But his constitution only remained in full working order for four years. It was found that in his plan of government the chief power was centred in the archons, and strife arose about the elections of these important officers. In the fifth and the ninth years of the new constitution, the strife was so hot that no archons were elected: then about 582 B.C. a man named Damasias was chosen as chief archon, and after the end of his year of office kept himself in power for fourteen months as a tyrannus, and had to be put down by force. After his deposition, the people of Attica resolved to have ten archons instead of nine, taking five from the Eupatridæ, three from country landowners, and two from those engaged in trades or professions. Whether this new regulation

Ill success of Solon's constitution.

[1] Plutarch, *Solon*, 18, 19.

[2] Arist., *Ath. Pol.*, 11.

remained in force more than one year we do not know, but the people was divided into three angry factions. The rich men of the Plain close to Athens desired that power should belong exclusively to the rich, and were led by Lykurgus; the men of the Sea Cliff (Paralia), who desired the supremacy of the middle class or some moderate government, found a leader in Megakles, head of the Alkmæonidæ, the most distinguished noble family in Attica; the poor highlanders of Diakria, who wished to gain some power for the poor, took Peisistratus as their champion.[1]

It appears that at some time not long before 560 B.C. Attica was involved in a fresh war with the Megarians: for Herodotus tells us that Peisistratus distinguished himself by capturing Nisæa, the port of the city of Megara.[2] When this success had made him famous, desiring to gain supreme power, he wounded himself, and saying that his wounds had been inflicted by his political opponents, asked an assembly of the people to grant him a bodyguard of fifty men armed with clubs. On the motion of a citizen named Aristion, his proposal was granted: he probably increased his bodyguard much beyond fifty, succeeded in taking the acropolis, and established himself as despot. His power was not at first firmly established. Twice his opponents the Alkmæonidæ succeeded in driving him into exile, once for about five years, and once for about ten. It was probably a knowledge of the insecurity of his position that led him to avoid giving offence to his countrymen by selfish behaviour: from his accession to power till his death thirty three years later, he administered the affairs of Attica with moderation, and rather as a citizen among citizens than as a tyrant.[3]

Peisistratus, 560 B.C.-527 B.C.

[1] Arist., *Ath. Pol.*, 13.

[2] Herodotus, 1. 59.

[3] Arist., *Ath. Pol.*, 16, διῴκει τὰ κατὰ τὴν πόλιν μετρίως καὶ μᾶλλον πολιτικῶς ἢ τυραννικῶς.

Peisistratus allowed archons to be elected every year, and only used his influence to ensure that one of the archons should be a member of his own family.[1] Elections of archons implied meetings of all the citizens; and if he allowed meetings he may probably also have permitted the Dikasteria and the Four Hundred to exercise their functions under his supervision. On the whole it seems likely that, while he kept the substance of power in his own control, he let the people use the forms of Solon's constitution: if this was his course, his government was managed on the same methods as were adopted afterwards in the Florentine Republic by Cosmo de Medici and his grandson Lorenzo. The condition of Attica was such as to give him always one useful task to perform: he had to bring about reconciliation between the factions of the Plain, the Sea Cliff, and the Highlands. He accomplished that task by lending money to impoverished yeomen to help them to till their lands, and by setting up courts of local justice:[2] from his time the whole Attic people were free from violent quarrels between localities. He also promoted the foreign trade of the Athenians by getting authority or influence in several Greek settlements outside Attica. He established or restored his sovereignty in Sigêum; Miltiades, an Athenian, became ruler of the Thracian Chersonese, and recognised Peisistratus as his suzerain; and in the important island of Naxos Peisistratus established Lygdamis as tyrannus and so brought the island into the position of a protected state.[3]

Government of Peisistratus.

Peisistratus died in 527 B.C. and was succeeded by his son Hippias. For thirteen years, till 514 B.C., Hippias followed the example of his father in all respects; but when Harmodius and Aristogeiton, seeking vengeance for a

[1] Thucydides, 6. 54.

[2] Arist., *Ath. Pol.*, 16.

[3] On Lygdamis, see Herodotus, 1. 61, 65.

merely personal affront, murdered his brother Hipparchus, and were only prevented by an accident from taking his own life, he was compelled to govern with despotic severity. His reign, however, only lasted till 510 B.C., and during the four years from 514 B.C. to 510 B.C. the Athenians had their only experience of harsh tyrannic government.

Hippias, 527 B.C.-510 B.C.

CHAPTER VII

SPARTA, ATHENS, AND PERSIA, 510 B.C.-480 B.C.

It has been shown already that till 510 B.C. none of the Greek peoples outside the Peloponnesus except Megara experienced an invasion of its territory. As these peoples enjoyed immunity from invasion, they did not need to co-operate for their mutual defence: and thus it followed that because they had no important relations with one another of a hostile character, they also had no important relations in the way of alliance or friendship. Such dealings as they had with one another either of a hostile or a friendly character were purely commercial, and only settled how their ships should behave on their voyages. Dealings about maritime commerce do not bring about such intimate relations between governments as dealings about territory; and in the absence of questions about territory the governments of the peoples outside the Peloponnesus remained aloof from one another, and, being little acquainted with one another, regarded each other with indifference or with distrust and suspicion.

The political isolation of the peoples outside the Peloponnesus had as its origin their belief in the impregnability of their territories. Till 510 B.C. that belief was justified by experience. Between 510 B.C. and 480 B.C. it was shattered, first by four Spartan invasions of Attica, and then by the beginnings and the culmination of a conflict between the Greeks and

Changes in the Greek world, 510 B.C.-480 B.C.

the Persians. In the present chapter I shall tell of the invasions of Attica by the Spartans, of an important consequent change of constitution in Attica, and of the wars of the Greeks against the Persian kings Dareius and Xerxes.

It has been noted already that between 532 and 522 the Spartans were jealous of the power of Polykrates, the tyrannus of Samos, and tried to diminish it. In 519 or possibly earlier Kleomenes the First succeeded his father Anaxandrides as one of the kings of Sparta, and from his accession took greater interest in the doings of the peoples outside the Peloponnesus than any Spartan before him. He saw that Hippias of Athens was sovereign of Attica and Sigêum, and suzerain over Naxos and the Thracian Chersonesus. It is probable that he thought Hippias was likely to act in concert with Argos, the hereditary foe of Sparta, and thus to imperil the predominance of the Spartans in the Peloponnesus: co-operation of Hippias with Argos was the more probable because Peisistratus had taken as his last wife a lady of Argive nationality.[1] Whatever may have been the motives of Kleomenes, it is certain that he acted to the best of his ability to diminish the power both of Argos and of Athens.

Sparta jealous of Athens, 520 B.C.-510 B.C.

Even so early as 519 B.C. Kleomenes showed his desire to weaken Athens. In that year the Platæans were threatened by the Thebans and asked protection from Sparta: Kleomenes advised them to take the Athenians as their protectors, hoping that Hippias would by aiding the Platæans give offence to the Thebans and so involve himself in a quarrel.[2] In

Two Spartan invasions of Attica, 510 B.C.

[1] Smith, *Dict. Biogr.*, art. 'Peisistratus,' vol. 3, p. 172, from Plutarch, *Cato Major*, 24.

[2] Herodotus, 6. 108. The date at which the Platæans took the Athenians as their protectors is fully established by Thuc. 3. 68 end, but is stated wrongly by two writers generally distinguished for accuracy—Blakesley, note to Herodotus, 6. 108, and Grote, ch. 31.

510 B.C. Kleomenes resolved that he would expel Hippias from Attica by force: he sent one expedition under Anchimolius, and afterwards led another himself; in the second he succeeded in driving Hippias into exile. It is true that he professed to be moved to his war against Hippias by oracles from Delphi, which bade him set Athens free from its tyrant; but it is certain that he was also influenced by a desire to keep Athens weak, because, as soon as the Athenians began to use their freedom to set up a strong government such as suited them, he again intervened by force to prevent the establishment of that government for which his own actions had cleared the ground.

Two more Spartan invasions of Attica, 508 B.C.

After the expulsion of Hippias, the Athenians were for two years divided into two factions whose leaders were Isagoras and Kleisthenes. As long as the Athenians were divided and therefore weak Kleomenes let them alone; but when at the end of the two years Kleisthenes had got the better of his opponent and was beginning to found a strong republican government, Kleomenes resolved to intervene again. His decision to meddle again proves that he wished not that Athens should be well governed, but that it should be weak. In 508 he made two fresh invasions of Attica for the purpose of expelling Kleisthenes. In the first the force employed was too weak to effect anything; in preparation for the second Kleomenes gathered soldiers from all the states in the Peloponnesus which were ready to defer to the superior power of Sparta, obtained also a contingent from Corinth, and induced the Chalkidians from Eubœa and the Bœotians to make simultaneous invasions of Attica in support of his operations. The plight of Attica when invaded on three sides by the chief terrestrial powers of Greece seemed almost hopeless; but Kleomenes was deserted by his Corinthian contingent and by Demaratus,

the other King of Sparta, and the invasions melted away, leaving Kleisthenes and the Athenians unhurt.[1]

Hegemony of Sparta in the Peloponnesus, 508 B.C.

The invasion of Attica in 508 B.C. by Peloponnesians, Chalkidians, and Bœotians is of great historical importance, not only as the first enterprise in which many Greek powers acted in concert, but also as affording the earliest tangible proof of the predominant position attained by Sparta in the Peloponnesus. Before the invasion was made 'Kleomenes gathered an army out of all the Peloponnesus, not saying for what purpose he was gathering it.'[2] Although Herodotus says that the army was collected from all the Peloponnesus, there were no doubt some Peloponnesian peoples which did not contribute any soldiers: among them must have been the Achæans whose land was separated from Sparta by the most precipitous mountains in all Hellas; the Argives, old rivals of the Spartans; and the citizens of Epidaurus and Hermionê whose cities lay on the side of Argolis remote from Sparta. The remaining powers in the Peloponnesus other than Sparta itself were Elis, many villages and small towns in Arcadia, the strong inland military fortresses of Tegea and Mantineia, Phlius, also lying inland, and the maritime cities of Sikyon and Corinth. All these were probably prepared to defer to the wishes of the Spartans, and send them troops when required to do so; but the Corinthians at least were not entirely dependent on them, as they proved by refusing after their arrival in Attica to fight on the side of Kleomenes: it is likely also that all the other towns had some will of their own, and could not be lightly coerced. The amount of independence enjoyed by some of the allies of the Spartans was shown a few years later, when the Spartans formed a project of restoring Hippias as tyrannus at Athens, and invited their allies to send envoys to discuss the proposed

[1] Herodotus, 5. 74, 75. [2] *Ibid.*, 5. 74.

enterprise and decide whether they would take part in it. Sosikles, envoy from Corinth, spoke plainly against the attempt, and the enterprise was abandoned.[1] Hence it is clear that over some at least of their Peloponnesian allies the Spartans possessed only a vague kind of predominance, such as the Greeks called Hegemonia, or leadership. Their hegemony was certainly not oppressive, and it led to a wholesome kind of intercourse among the Peloponnesian peoples for the settlement of their foreign policy.

The interventions of Kleomenes in Attica did more to strengthen the people which he wished to injure than anything that had occurred in its history. They called forth in it patriotic action, brought rich and poor into union, and led directly to the establishment of the constitution of Kleisthenes. To see how this took place we must go back to 510 B.C. when Hippias was expelled. After the tyrant was gone part of the Athenians adhered to Isagoras and part to Kleisthenes. Isagoras had been a friend of Hippias, and it is likely that he now hoped to gain a tyrannis for himself. Kleisthenes belonged to the great house of the Alkmæonidæ, and had himself been the most active of the opponents of Hippias: when Hippias was gone, he may probably have wished at first to ensure exclusive enjoyment of power for the Alkmæonidæ and the other Eupatridæ; but, when he saw that he was too weak to contend with Isagoras without the help of the poorer citizens, he made friends with them, and thus became leader both of the rich families and of the common folk. In 508 B.C. it was Isagoras who invited the two fresh interventions of Kleomenes, and thus exposed Attica to invasion on three sides at once. Against Isagoras and Kleomenes Kleisthenes stood forward as the leader of rich and poor alike, and as the champion of the independence of Attica:

Kleisthenes.

[1] Herodotus, 5. 91-93.

and he won the victory. When the victory was won, the first task of Kleisthenes and the Athenians was to make themselves safe from the Bœotians and Chalkidians: they defeated the Bœotians, and deprived the Chalkidians of the rich Lelantine plain, on which they established a Klêruchia, or body of squatting landowners, consisting of four thousand Athenian citizens. When this was done Kleisthenes was entrusted by his fellow countrymen with the work of making a constitution.

The Attic body politic for which Kleisthenes had to devise a constitution was less markedly composite, or, in other words, more nearly united than the body politic of its fathers forty years earlier. Before the advent of Peisistratus to the chief power the Plain, the Sea Cliff, and the Highland region had acted each separately for itself: now in 508 B.C. there were only two components in the body politic, namely, the townsmen who lived in the city and in the adjacent plain, and the country folk of the outlying districts. The country folk did not act as a separate unit, but their presence in large numbers must be noticed because it differentiated the body politic from a merely urban community. It was not till 431, when the country folk were compelled to move into the city, that the Attic body politic became purely urban.

The Attic body politic in 508 B.C. more nearly united than the body politic forty years earlier.

The men who had helped Kleisthenes against Isagoras and Kleomenes were rich and poor alike: therefore it was certain that when Kleisthenes was called on to make a new constitution both the rich and the poor would have their portions of political power. The constitution of Solon, which had not gone entirely out of use except probably during the four years of the severe tyranny of Hippias, was ready to hand and suitable for adoption: so Kleisthenes took it as his model. But the

The constitution of Kleisthenes.

four recent invasions proved that Attica needed a strong army of citizens led by capable commanders; and Kleisthenes in making his constitution supplied what was wanted. He wished to enlarge the body of citizens by enrolling among them men resident in the country but not of pure Attic descent, and also to provide a good method of electing military commanders. The four Attic tribes stood in the way of the admission of new citizens, since they were close hereditary corporations and would admit no new members except by right of birth. Kleisthenes deprived the four tribes of all political significance, and in their stead set up ten new tribes defined not according to birth but by locality.

The new tribes were the foundation of the system of government. In order to make them Kleisthenes took as the smallest units in the population the demes or townships into which Attica was divided. He recognised a hundred demes, giving about ten to each of his tribes; and as he remembered that strife between the Plain, the Sea Cliff, and the Highlands had been dangerous, he took care that each tribe should contain some demes from the Plain near Athens, some from the Sea Cliff, and some from the inland parts. His desire to guard against local dissensions was one of his reasons for not taking the four old Attic tribes as political divisions of the people; for those old tribes were in some way, which is not explained, arranged in a manner which did not permit of a mingling of ingredients from the Plain, the Sea Cliff, and the inland parts in each political unit. His chief object in making the new tribes was to get a good army of citizens: and accordingly it was arranged that each of the ten tribes should furnish a quota of fighting men, and should elect a general called Stratêgus as its commander.[1]

New local tribes.

[1] Arist., *Ath. Pol.*, 21, 22; Herodotus, 5. 69.

In nearly all matters other than the recruiting and command of the armed forces Kleisthenes followed very closely on the lines laid down by Solon. The council of the Arcopagus remained as Solon had left it, and consisted of all men who had served or were serving the office of archon. The election and number of the archons remained unchanged; the popular law courts may possibly have been made more numerous, and the assembly of the whole body of citizens was certainly intended to become more active, for Kleisthenes arranged that it should come together at least ten times in every year. As the assembly was an unwieldy body, Solon had provided it with a council of four hundred to prepare the business for its consideration: Kleisthenes increased the number of this council or committee to five hundred, fifty being taken from each of his new tribes; and it was arranged that the fifty committee men for a tribe should be Prytaneis, or presiding officers, at meetings both of the committee and of the general assembly for a tenth part of the year: the tenth part of a year during which a tribe presided was called a Prytaneia.[1] Some modifications were introduced in the system of local government in Attica: demes took the place of naukrariæ, and demarchs of naukrari.[2]

Organs of government.

But though Kleisthenes imitated Solon so closely in many of the provisions of his constitution, he introduced one innovation to provide against a danger which might occasionally arise. The strife between Kleisthenes and Isagoras had been mischievous: it had led to intervention by a foreign power, and it might have led to the establishment of a tyrannis. To guard against trouble

Ostracism.

[1] The existence of Prytaneiæ in the Kleisthenean constitution is authenticated by Plutarch, *Symposiaca Problemata*, 1. 10.

[2] Arist., *Ath. Pol.*, 21.

from similar contests Kleisthenes devised the process of Ostracism, or vote by the potsherds: the effect of his provisions about Ostracism was to enable the assembly to decide by voting with potsherds that one of the contending heads of parties should depart from Attica for ten years, without detriment to his status or property.[1] The practice of Ostracism was found useful in several Greek cities, and was adopted at Argos, Miletus, and Megara.[2]

Kleisthenean constitution. Stratêgi and archons.

The need felt in Attica of a strong army led very naturally to a government satisfactory both to the rich and to the poor: it was not perhaps a difficult matter to satisfy both these classes, because the paternal despotic government of Peisistratus must have tended to depress the wealthy and to help the poor. But the need of an efficient army led to a result quite as important as a fair distribution of power between rich and poor: it led to division of power between the skilled and the unskilled. The stratêgi were at the head of the armed forces, the archons other than the Polemarch managed the civil government: both sets of officers were skilled in their departments. It is probable that the stratêgi had the higher degree of skill and experience: any man could be re-elected as stratêgus year after year, but when a man had become an archon he passed into the council of the Areopagus, and we do not hear of any instance in which a man who had become an Areopagite was a candidate for the archonship. The stratêgi soon overshadowed the archons; but an archon also might have important work to do, as is seen from the fact that Themistokles during his year as chief archon (493-2 B.C.) began the work of making the port of the Peiraieus.[3]

[1] Plutarch, *Aristeides*, 7. Philochorus, 79*b*, quoted at length by Sandys, *Ath. Pol.*, 22, § 1, note.

[2] Smith, *Dict. Ant.*, 'Exsilium,' vol. 1, p. 819.

[3] Thucydides, 1. 93.

What would be the part played by the Areopagus remained uncertain. As it was composed of men of some experience in public work, it provokes comparison with the Roman Senate and with the Great Council and the other Councils of the Venetian Republic. But the Roman Senate and the Venetian Councils existed as effective organs of government only because there was work to be done which could not be performed except by a standing council composed of men of experience in government. The Roman Senate first gained its authority because it was needed for the purpose of keeping the Latin League and the Hernicans faithful to their alliance with Rome: it rose to its highest degree of influence when it was needed for the work of managing the Latins, the Samnites, and the other Italian peoples after they became dependent on Rome. The Venetian Councils in like manner were needed for the work of controlling and protecting the Venetian trading stations in the Levant, for ruling foreign dependencies first in Dalmatia and then in many parts of the Balkan Peninsula, and frequently also in forming alliances between the Venetian Republic and foreign powers. The people of Attica in the time of Kleisthenes had no allies except the Platæans, who were certain to be faithful allies, because they dreaded the Thebans: and they had no dependencies except four thousand settlers on the Chalkidian Plain,[1] separated from Attica only by the narrow channel of the Euripus. As the Athenians had practically no foreign policy, and therefore no need of a council of skilled advisers to conduct it, Kleisthenes never thought of giving them one: if he had, he would have included in the Areopagus all men who had been stratêgi, since they were generally men of higher qualifications than the men who had been archons. It is clear that Kleisthenes kept the Areopagus

Areopagus.

[1] See page 66.

only because it was a part of the old government of Athens, which he as an Alkmæonid admired, and because he could not abolish it without giving offence to the men of distinguished social position who were accustomed to be members of it. What its functions were to be we are not told: but probably it had a veto on new legislation, and certainly it exercised a general censorship of morals.

The constitution of Kleisthenes gave the Athenians a government under which all classes were contented and ready to exert themselves for the common weal. The result was that, within twenty years after the expulsion of Hippias, Athens was as strong as Sparta; and this result was due in a great measure at least to the reckless meddling of Kleomenes. The reign of Kleomenes produced some change also in the distribution of power within the Spartan commonwealth: till near the end of his life Kleomenes was allowed to have the sole management of Spartan foreign policy, and was more powerful than any earlier Spartan king known to history. In his later years, however, he committed the conspicuous folly of contriving the deposition of his colleague Demaratus, and the substitution for him of Leotychides: this proceeding, together with the subsequent madness of Kleomenes, lowered the dignity of the kingly office. Soon after the death of Kleomenes in 491 B.C., the ephors assumed the control of foreign affairs as well as home government; and in 479 B.C. they acted on their own authority in sending out the great Spartan army which defeated the Persians at Platæa. From 479 B.C. onwards to the end of Spartan history the ephors had the complete control of all departments of government except during the long reign of the capable King Agesilaus.

The Spartan constitution, 510 B.C.-479 B.C.

My description of the constitution of Kleisthenes and of changes in the distribution of power among the different

organs in the Spartan government has been in the nature of a digression, though it has been concerned with important matters. I now return to the thread of my story and speak of the second event which proved to the Greek states outside the Peloponnesus that their territories were not impregnable, namely, the conflict between the Greeks and the Persians.

Return from a digression.

The first of the Greeks who came into contact with the Persians were those in Asia Minor. When Cyrus, King of Persia, had in 546 B.C. overpowered Crœsus, King of Lydia, and annexed his kingdom to the Persian dominions, he sent an army under Harpagus to reduce the Greek cities which had been tributary to Crœsus. For forty years the cities on the mainland of Asia Minor could do nothing but submit to their Persian suzerains; but shortly before 500 B.C., when Dareius, King of Persia, had weakened himself in a foolish and futile expedition through Thrace and Scythia, they tried to recover their independence, and asked aid from their kinsmen in Europe.

Contact between the Asiatic Greeks and the Persians in Asia.

The Spartans refused to send help to the Asiatic Greeks: the Athenians, who, since they had repelled four Lacedæmonian invasions of their country, had become audacious, sent twenty ships, and their example was followed by the Eretrians, who sent five. The arrival in Asia of the twenty five ships from Europe brought European Greek peoples for the first time into contact with the Persians. The crews of the ships joined with the Ionian Greeks in a march to Sardis, the capital of the important Persian satrapy of Lydia, which ended in the capture and burning of all the town except its precipitous citadel. Soon after the burning of Sardis, the Greeks who had taken it were defeated by the Persians near Ephesus, and the Athenians, seeing probably that nothing

Contact in Asia between European Greeks and Persians.

further could be accomplished, sailed back to Attica.[1] After their departure the navy of the Ionians achieved some successes; but in 494 B.C., for want of union among the Ionian cities and of discipline in their contingents of ships, it was decisively defeated near the island of Ladê, close to Miletus, by a Phœnician fleet in the service of Dareius. The revolt ended in complete failure, and in suppressing it Dareius became stronger than he had been: before it broke out the Greeks under his suzerainty had been those of the Asiatic mainland and Mytilênê in the isle of Lesbos; after its failure he acquired Chios and Tenedos, Byzantium, and the Greek cities on the Propontis and the Thracian Chersonesus, and his fleet dominated the Ægean Sea. But the most important result of the revolt was the desire which it aroused in the mind of Dareius to punish the Athenians and the Eretrians for their interference, and to subjugate the Greeks of the European continent.

In 492 Dareius sent a strong army under Mardonius across the Bosporus with instructions to march through Thrace and Macedonia and enter Hellas from the north, and a fleet to move in concert with the army and keep it supplied with provisions. The army advanced as far as Macedonia, but off the promontory of Mount Athos the fleet was badly damaged in a storm, and Mardonius went home without having touched Hellas properly so called.[2] In 490 Dareius gathered a much smaller force merely suited to the limited task of punishing the Eretrians and the Athenians. The soldiers were embarked on transport ships in Cilicia, under command of Datis, and rowed themselves along the coast of Asia Minor as far as Samos, and thence straight across the Ægean Sea.[3] Datis reduced

Contact in Europe between the European Greeks and the Persians, 492 B.C.-490 B.C.

[1] Herodotus, 5. 99-102.
[2] *Ibid.*, 6. 43-7.
[3] *Ibid.*, 6. 94, 95.

Naxos, captured Eretria and took the inhabitants prisoners, and thence advancing to Attica set his army ashore at Marathon. The Athenians had asked aid of Sparta; but the Spartans had not yet perceived that against the Persians it would be prudent for them to co-operate with the Athenians. They did not care what ills befell a people outside of the Peloponnesus, and, though they promised to send a contingent, they waited for good luck till the full moon, and were too late:[1] the Platæans alone of the Greek peoples fought alongside of the Athenians.

The Athenian army was commanded by the ten Stratêgi, among whom the ablest was Miltiades, who had been tyrant of the Thracian Chersonesus, and by the archon Polemarch. Miltiades only succeeded in getting a battle fought at Marathon by persuading the Polemarch to vote for that course. The Greek army and the Persians were not very unequal in numbers: their fronts were of the same length, but the Athenian line was weak in the middle. The day ended in a complete victory for the Athenians and Platæans, and in the departure of the Persians for Asia.[2]

Battle of Marathon, 490 B.C.

After the Persians were gone, it is plain that the Athenians were troubled with dissensions between parties and leaders of parties: for between 487 and 484 they thrice made use of the vote by the potsherds to banish important citizens whose political activity they deemed dangerous.[3] It was probably from a desire to avoid mischievous rivalries between leaders of parties that they also made an

Change in the Athenian constitution: archons taken by lot, 487 B.C.

[1] Herodotus, 6. 106.

[2] *Ibid.*, 6. 109-113.

[3] See E. Meyer, *Geschichte des Alterthums*, vol. 3, § 198. The men banished were Hipparchus, closely connected with the expelled tyrant Hippias; Megakles the Alkmæonid; and Xanthippus, brother-in-law of Megakles, and father of Perikles. They were recalled in 480 (*Ath. Pol.*, 22. 8), and in 479 Xanthippus was stratêgus (Herodotus, 9. 114).

important change in their constitution. Hitherto the archons had been elected by direct vote of the citizens, and influence with the voters was the means by which men rose to the chief civilian office in the city. In 487 it was decided that henceforth a large number of candidates for the archonship should be selected by the demes from among the Pentakosiomedimni and the Hippeis, and out of this number the nine archons should be taken by drawing lots.[1]

Effects of the change on the Areopagus.

After it had been settled that the archons were to be taken by chance, the Athenian commonwealth had no civilian officers who were chosen for their merits, and therefore in all matters that were not naval or military or concerned with foreign policy the assembly had no advisers possessing skill or experience. As the archons were no longer qualified for performing important work, the executive business of government gradually dropped out of their hands and was undertaken by the committee of five hundred. No archon henceforth had any political significance, and no action done by an archon was worthy of being recorded by historians. The senate of the Areopagus which consisted of exarchons was in time lowered in character by the change in the position of the archons. Till 487, since the archons were chosen for their merits, there had been a chance, though only a small chance, that the Areopagus might become a senate of skilled advisers on questions of foreign policy: after its members were nobodies that small chance was annihilated. Only for ten or fifteen years a majority of its members were men who had been elected as archons because of their ability: after they had sunk through deaths of members and had become a minority, the Areopagus could no

[1] *Ath. Pol.*, 22.

longer be believed to be capable of arriving at wise resolutions.

The exclusion of the archons from all important work must have had the further effect of increasing the responsibilities of the stratêgi: and it may probably have been because the Athenians saw how much now depended on the stratêgi that either in 487 or at some later date they made a change in the method of their election. Under the rules laid down by Kleisthenes each of the ten tribes elected one stratêgus for itself: this procedure at some date which cannot be determined was modified, and it was ordered that only nine of the tribe should choose a stratêgus a piece, and that the tenth stratêgus should be elected by the whole Attic people, so that he might have a marked precedence over the stratêgi who were elected by the tribes.[1]

One stratêgus set above the other nine: date of this change uncertain.

More important than even the changes made by the Athenians in their constitution was their resolution to possess a strong navy. In the year after the defeat of the Persians at Marathon, Miltiades, the victorious general, in command of a small squadron of ships conquered a few islands near Attica, but failed in an attempt on Paros.[1] In 488 the Athenians, probably acting on the advice of Themistokles, resolved to wage a war against the island of Ægina which had a stronger navy than any other Greek state. At the outset they may probably have had only forty eight ships as in the days of the naukrariæ: certainly they were quite unable to cope with the Æginetan fleet till Themistokles, in the archonship of

Athenian navy.

[1] Meyer, *Geschichte des Alterthums*, vol. 3, § 201, and notes thereto. Dr. Meyer expresses the opinions, which seem well grounded, that there was a chief stratêgus as early as 481 B.C., and that Themistokles was then chief stratêgus.

[2] Herodotus, 6. 132-6.

Nikodemus, probably 483-2 B.C., induced them to order that the profits of the silver mines of Laurium, instead of being distributed among the citizens, should be employed in building a hundred new ships.[1] The addition to the fleet enabled the Athenians in 481 B.C. to defeat the Æginetans, and gave them, as Themistokles intended it should give them, a powerful weapon to use in the following year, when Xerxes, son of Dareius, invaded Europe with the purpose of subjugating all the Greek peoples.

The Greek powers, 480 B.C.

On the eve of the coming of Xerxes to Europe it is worth while to take a survey of the Greek powers. Voluntary alliances for defence of territory were entirely unknown to them, with the exception of one which had been established in 519 B.C. between Athens and Platæa. The only alliance formed under compulsion was that which existed among several peoples in the Peloponnesus under the hegemony of Sparta. The rest of the Greek peoples were about three score maritime and commercial urban peoples accustomed to live in political isolation and in distrust of one another.

The war against Xerxes, 480, 479 B.C.

Of the invasion of Greece by the Persian host and of its repulse it is needless to say anything but that the numbers of the invaders have been very grossly exaggerated in the narrative of Herodotus, and that to the Athenians belongs the glory of defeating them. As Xerxes had to march by a narrow track from the Hellespont to Macedonia, his army can hardly have numbered more than a hundred thousand men.[2] On the Athenians first of the Hellenes fell the full force of the attack; and all the Greeks in the Peloponnesus, fancying themselves secure behind their isthmus, were only half-hearted in lending them aid. The people of Argos

[1] Arist., *Ath. Pol.*, 22. 7.
[2] Beloch, *Griech. Gesch.*, 1. 368.

would do nothing.[1] The Spartans sent only three hundred of their best warriors, the Spartiatæ, to Thermopylæ, and only gathered seven thousand in all of their Periœki and allies to guard the mountains behind the pass: if they had used all the troops that were not absolutely necessary for keeping down the Helots, they might have spared trustworthy men to hold the path by which their position was attacked in the rear. The Athenians were not in the least to blame for not sending soldiers to Thermopylæ, because their men were better employed in serving on board ship.

Even after the Athenians and the Æginetans had defeated the Persian navy at Salamis, the Spartans and their allies hesitated whether they would do anything to help the Athenians against the Persian land force under Mardonius until it was pointed out to them that the Athenians, unless they were rescued by land, would be compelled to submit to the Persians, and the Persians would be able to use the Athenian ships for transporting their army into the Peloponnesus. It was only after they saw that they must help the Athenians or be themselves destroyed that they consented to co-operate with them in resistance to the Persians. When, however, they saw the necessity of acting for their own preservation, they acted vigorously. By land the ephors equipped by far the largest army that ever went out of Lacedæmonia, and by sea they sent out a small squadron to act with the Athenian ships. The land force commanded by Pausanias, cousin and guardian of a king of Sparta who was a minor, marched into Bœotia, and won the battle of Platæa, which drove the Persians out of Europe: and the combined fleets of the European Greeks, commanded by Leotychides, King of Sparta, and by Xanthippus, one of

Tardy co-operation of the Spartans with the Athenians.

[1] Herodotus, 7. 148-9.

the Athenian stratêgi, father of Perikles, rowed across to Asia, found the remnant of the Persian fleet drawn up on the shore of the promontory of Mykalê, between Miletus and Ephesus, and guarded by a land force in a fortified camp: they put their men ashore and burned both the ships and the camp.[1]

[1] Herodotus, 8. 131, 9. 90-106.

CHAPTER VIII

COMMENTS ON THE GREEK URBAN PEOPLES, 650 B.C.-480 B.C.

THROUGHOUT the period from 650 B.C. to 480 B.C. the Greek urban peoples exhibit a combination of characteristics that is not found again in any other group of peoples. Almost every one of them had its territory fenced around with strong natural bulwarks; every one of them except Sparta was further provided with the artificial defence of strong walls. In consequence of these two characteristics every one of the urban peoples kept its independence complete throughout the period, and there were only three instances in which territory was transferred from one urban people to another.

The urban peoples uninterruptedly independent,

Beyond this the urban peoples very rarely fought against one another by land, and therefore nearly every one of them was certain that it would not suffer an invasion of its territory. As invasion was known to be most improbable, alliances for defence were not needed. The general result was that each people had no dreaded enemies and no valued friends, or, in other words, each city was politically isolated.

and politically isolated,

And yet more. Each people lived in a home whose physical environment was so marked that the inhabitants were guided in the choice of their pursuits by that environment, and did not try to contend against its guidance. Physical environment does not change: the peoples suffered

no interference from their neighbours; and so in each city the pursuits of the inhabitants remained almost entirely free from perceptible change throughout the period. Whatever was the character of the community inhabiting a given territory in 650 B.C., that character was transmitted without perceptible change to the community that followed in the same territory a generation later, and so on through the generations until the time when Xerxes invaded Europe.

—and free from change in the pursuits of their inhabitants.

Almost every people, wherever it may live, is a family, in whose pedigree the generations are either bodies politic with a government of their own, or communities subject to a government imposed on them from outside: in the Greek peoples every generation was a body politic with a government of its own. In consequence of the immunity of the Greek urban peoples between 650 B.C. and 480 B.C. from transfers of territory, and of the persistence of their inhabitants in the pursuits of their predecessors, each generation of each people was much like the one before it and much like the one after it: thus their pedigrees were monotonous, and the bodies politic that occur in each pedigree or succession were all of one type. Hence it is easy to classify the pedigrees or successions of bodies politic of the Greek towns of the period before us, indicating what was the type of body politic in each succession, and also stating from what has been explained in the preceding chapters what was the kind of government that belonged to each type of body politic.

Pedigrees or successions of Greek urban bodies politic.

The cities and groups of cities existing in European Hellas and its adjacent islands in 650 B.C. are divided into two main classes by differences in their situations and surroundings. The two groups are these. First, about

three score maritime cities, provided with strong natural bulwarks towards the land side, and therefore exempt from waging wars by land. The pedigree of the bodies politic in each of these cities was a nearly uniform succession of simple city communities, maritime and commercial, never fighting by land. Second, four terrestrial cities or groups of cities, not provided with natural defences immediately outside their walls, but possessing some appreciable amount of rural territory or country towns which might be disobedient to the main city, and also feeling the need sometimes of waging a war with some city entirely outside their natural boundaries. The first of the four was Sparta: its pedigree of bodies politic from 650 to 480 was a succession of garisons of slave masters. The second was a group of towns in Bœotia, joined in a federation: the Bœotian pedigree was a succession of federal bodies politic. The third was in Argolis, which had a chief city, and, till after 480, had also other towns. The Argives fought often with the Spartans, and their bodies politic in the various generations were composite and frequently belligerent. The fourth terrestrial city was in Attica, which contained a chief city, Athens, and also other towns. The people of Attica rarely needed to fight outside of their natural boundaries, and they had no alliances: hence they consisted from 650 to 480 of a succession of composite bodies, usually non-belligerent. The governments of the Greek cities from 650 to 480 are already known to my readers; so I may proceed at once to draw up a tabular view of Greek urban bodies politic from 650 to 480 and of their governments.

Classification of Greek cities.

GREEK URBAN BODIES POLITIC, 650 B.C.–480 B.C., AND THEIR GOVERNMENTS.

Bodies Politic.	Governments.
Group 1.—In about sixty maritime cities, with strong frontiers towards the land, and not having appreciable territory outside their walls.	
In each city a succession of simple urban communities, maritime and commercial, not fighting by land.	Class governments: Rule of the rich (Oligarchia), or Rule of a usurper (Tyrannis), or Rule of the poor (Demokratia).
Best examples Corinth, Megara, Naxos.	
Group 2.—In four terrestrial cities or groups of cities:	
(1) In Sparta.	
A succession of garrisons of slave masters.	Many organs of government, all insignificant. Rigid custom and discipline in lieu of government.
(2) In Bœotia, which contained several towns in federation.	
A succession of federal bodies politic.	Common government for matters of common interest: and a separate government for each town for other matters.

GREEK URBAN BODIES POLITIC, 650 B.C.-480 B.C., AND THEIR GOVERNMENTS.—*Continued.*

BODIES POLITIC.	GOVERNMENTS.
(3) In Argolis, which had a chief city and other towns.	
A succession of composite urban bodies politic, fighting frequently on the land.	A king with a little power, and a strong council.
(4) In Attica, which had a chief city and other towns.	
A succession of composite bodies politic, very seldom fighting by land, and having no alliances.	At one time mild oligarchia; at another mild tyrannis; at others mixed government consisting of— (1) Yearly magistrates. (2) A senate (Areopagus) steadily growing weaker. (3) Assembly. (4) Popular law courts.

Now we have to see what facts the classification enables us to express. In the classification the bodies politic communities are described by qualities quite distinct from their governments—that is to say, by their non-governmental attributes. But each class of body politic had a kind of government belonging to itself. Thus in the period from 650 B.C. to 480 B.C., when the non-governmental attributes of a body politic are known, the character of its government is known also. Hence it is clear that there was some relation of cause and effect connecting non-governmental attributes and forms of government in the bodies politic. But we can gather from what has been said in the preceding chapters that the non-governmental attributes of a body politic were neither the

Results of the classification.

direct cause nor the direct effect of its form of government. Hence we must conclude that non-governmental attributes and forms of government were both determined in each body politic by some common causes. In the case of the urban bodies politic of the Greeks those causes were physical and human environment: they determined the non-governmental attributes of the bodies politic by very direct processes, and they determined the forms of their governments through much more indirect influences. It is no doubt to be admitted that in each body politic both non-governmental and governmental attributes were largely determined by tradition and by following in the footsteps of ancestors. But that does not invalidate what I have just said. The bodies politic could not have followed tradition and the practices of ancestors if they had not been enabled to do so by unchanged physical and human environment.

CHAPTER IX

HEGEMONIES IN GREECE DURING THE WAR AGAINST PERSIA, 477 B.C.-454 B.C.

FROM the success of Xerxes in leading his army into Attica the Greeks of Hellas learned that Mount Œta by itself afforded them no adequate protection: as soon, however, as their victory over the Persian fleet at Salamis gave them command of the near sea, the invasion of the dry land lost half its terrors, and when at Mykalê they gained the mastery in all the seas, between Europe and Asia they were for the moment safe. But they could not continue to be safe unless they kept that full command of the sea which they had just won: and they could not be sure of keeping it, unless they were aided by the maritime Greek cities of the Ægean Sea. Hence they eagerly desired support from those cities. The maritime cities demanded as the price of their support protection against the Persians. The European Greeks were willing to pay that price; and it was thereupon agreed that the Greeks of Hellas and of the Ægean Sea would co-operate for the purpose of keeping or making all of them free from the domination of the Persians.

Hegemony of Athens over the maritime cities.

Immediately after the battle of Mykalê had been won, Chios, Samos, and Mytilênê were accepted as allies by the victorious commanders Leotychides and Xanthippus. Leotychides and his Peloponnesian squadron went home, but Xanthippus with the Athenian ships remained near Asia

Minor, and was joined by vessels from many cities of Ionia and the Hellespont. During the winter of 479-8 he and his new adherents captured Sestos, the point at which the army of Xerxes had made an easy entry into Europe: this done, they dispersed to their several cities.[1] In the spring of 478 the Spartans sent out twenty ships under Pausanias, the Athenians sent thirty, and the combined fleet of fifty was joined by many more from the small maritime cities. Pausanias, partly because the Spartans, over whom he was deputy king, were regarded as the leading Greek people, and partly because he had been general of the united Greek army at Platæa, was allowed to assume the chief command. But his arrogance and insolence disgusted the captains and crews of the ships from the maritime cities of the Ægean Sea, and they requested the Athenians to take over the hegemony or leadership in the maritime war. The Spartans themselves were angry with Pausanias: they did not care to be leaders in a naval war which they did not understand how to manage, and thus they made no remonstrance when in 477 the Athenians assumed a hegemony of the maritime Greek cities.[2]

If the maritime cities of the Ægean Sea had been accustomed to making alliances for defence, and had not been mere isolated atoms, they might probably have succeeded in obtaining from Athens a compact such as would make them severally secure in the enjoyment of independence: as it was, they gave the Athenians a hegemony without any bargain to settle what should be the future relations between the leaders and the led. The Athenians alone determined what those relations should be. For the time being, since they sincerely dreaded the Persians, and therefore desired that the maritime cities might support

Duties of the maritime cities defined by Athens,

[1] Thucydides, 1. 89, 2. [2] *Ibid.*, 94, 95.

them willingly, they made arrangements which seemed satisfactory to everybody. They decided which of the cities should contribute money and which should supply ships. They established a board of Athenian officers called Hellenotamiæ, or treasurers of the Hellenes, to receive the contributions in money. The amount of the contributions for each year was fixed at four hundred and sixty talents, about equal in weight of silver to a hundred and fifteen thousand pounds. The treasure was to be kept at Delos, and meetings of delegates from the contributory cities were to be held in the temple of the Delian Apollo.[1] It was understood from the use of the word hegemony that the Athenians were to direct the operations of the fleet and to appoint its commanders.

and not by the maritime cities.

The arrangements made by the Athenians in 477 for the conduct of their hegemony bear a superficial resemblance to those that have been made in modern times at the formation of confederations; and accordingly modern writers generally say that in 477 a Confederation or League of Delos was established. But if we look at the proceedings that have established modern confederations, and at those in which temporary regulations were made for the management of the Athenian hegemony, we shall see that the resemblance between them is only superficial. Among good examples of modern confederations are that which in 1579 founded the United Dutch Provinces, and that which in 1777 first constituted the United States of America. In each of these confederations the contracting communities were approximately equal in power, the terms of the confederation were settled in a contract made by bargaining between the communities, and the communities lived in districts adjacent to each

[1] My statement of the arrangements is taken direct from Thucydides, 1. 96.

other on the dry land, so that it was easy for them to have a common government. In the Athenian hegemony there was no equality of power between the leaders and the led, since Athens was stronger than all the other cities put together; there were no terms settled by bargaining, but simply arrangements prescribed by the leading power and alterable by it, and the communities being separated by the sea could not have a common government. It seems to me that to speak of the Confederation of Delos is to use a misleading term, and that it is better to speak, as the Greeks spoke, simply of the hegemony of the Athenians. There is no doubt that the maritime cities of the Ægean Sea by giving Athens the hegemony, in fact, though possibly without knowing it, forfeited their own independence.

Two hegemonies in Greece, 477 B.C.

By the end of the year 477 there were two hegemonies in Greece: one of the Athenians over the maritime cities of the Ægean Sea, the other of the Spartans over many terrestrial powers in the Peloponnesus. In the course of the next twenty two years the Athenians were easily successful in keeping the Ægean Sea clear of the Persian fleets. After 477 the Persians could not sail on those waters, and on the one occasion, somewhere about 466, when they ordered a Phœnician fleet to approach them, it was defeated before reaching them, on the river Eurymedon in Pamphylia, on the southern coast of Asia Minor.[1] In the same twenty two years the Spartans had the utmost difficulty in maintaining their predominance in the Peloponnesus. Their king Leotychides was incompetent, and in 469, when he had led an army into Thessaly, was convicted of accepting a bribe from the enemy: their deputy king Pausanias was a traitor, living for about five years from 477 at Byzantium, and afterwards for about three more at

[1] Thucydides, 1. 100.

Kolonæ in the Troad, and hatching plots against his own country. In the Peloponnesus the peoples of Tegea and Arcadia opposed them in arms;[1] and lastly, in 464, the bravest of their Helots revolted, and fortifying themselves on Mount Ithômê in Messenia, defied their masters in open rebellion. In 462 the Spartans underwent the humiliation of applying to their old rivals, the Athenians, for a contingent to aid them in reducing their serfs on Mount Ithômê.

Rivalry and war between the two hegemonies, 462 B.C.-456 B.C.

Although the Spartans till 462 kept up the show of an alliance with the Athenians, they had long been alarmed at their rapid successes, and, when the Athenian contingent arrived in Lacedæmonia to help them against their revolted Helots, they conceived a groundless suspicion that it would betray them and help their enemies. Under the influence of this suspicion they sent it back, saying only that they no longer needed its services. The Athenians replied to the insult by gaining alliances with the Argives and the Megarians, who had been hitherto in alliance with the Spartans, and by assuming an attitude towards their neighbours the Bœotians, which indicated that they might attack them. At the end of 457 the Spartans ventured to march out into Bœotia, and with the aid of their Bœotian allies they defeated an Athenian army at Tanagra, but were unable to remain in Bœotia. After the departure of the Spartans, the Athenians at the beginning of 456 defeated the Bœotians at Œnophyta, and reduced Bœotia under their power. In the same year the Athenians also completed the long walls connecting their city with its ports of Peiraieus and Phalêrum, and conquered the Æginetans, whom they had nearly conquered in 481 but had left in enjoyment of

[1] For Tegea and Arcadia see Herodotus, 9. 35: for further evidence E. Meyer, *Gesch. d. Alterth.*, vol. 3, § 285, and note.

their independence, because they needed their help for the coming naval war against Xerxes.[1] Thus in 456 Athens rose to the greatest power that it ever attained. If its citizens had had any acquaintance with that part of foreign policy which consists in conciliating neighbours who may be made into useful helpers, they would have treated Bœotia and Megara with the utmost generosity, and so gained influence on the Hellenic mainland. But conciliation of neighbours was utterly unknown to the inhabitants of all the Greek commercial cities, and among them to the Athenians.

In the course of the twenty-three years from 477 to the end of 455 during which some important operations against the Persians were undertaken, the Athenians both made a change in their constitution and gradually altered their methods of dealing with the maritime cities under their hegemony. It has been pointed out already that, when in 487 they decided that the archons should be appointed by drawing lots, they made it certain that within a few years the Areopagus would become unfit for the discharge of important public duties.[2] It happened, however, that in 480, when the Athenians were compelled to flee from their country before the coming invasion of Xerxes, the Areopagus rendered a great service to their countrymen by finding some money to pay those citizens who were willing to serve on board the ships; and the assembly in recognition of this useful action allowed it for seventeen years to have the chief influence in the government.[3] But the great power of the Areopagus became an absurdity, because its members were no wiser than other Athenians; and in 462 Ephialtes, supported by Perikles, who now appears for the first time in

Change in the Athenian constitution, 462 B.C.

[1] Thucydides, 1. 107, 108.
[2] See p. 74.
[3] *Ath. Pol.*, 23.

history, proposed and carried in the assembly a law which deprived it of all its political prerogatives. Soon after the new law was carried Ephialtes was murdered, probably at the instigation of some of the Areopagites. After the change was made, the government of Athens possessed only three organs: first, the general assembly; second, the five hundred, which was only a committee of the assembly taken by lot; and third, the stratêgi, among whom one probably by this time enjoyed a markedly preponderant position.

Between 477 and 455 the Athenians got rid of their fear of the Persians and were free to alter their behaviour towards the maritime cities. When Naxos about 467 refused to send its quota of ships, they seized the island for their own use, and either then or afterwards planted on it five hundred of their own citizens as Klêruchi.[1] In 460 they showed that they regarded the contributions paid by the cities as their own property by employing them for the equipment and maintenance of a great fleet of two hundred triremes, which they sent on an expedition to Egypt by which they alone were likely to profit. For the next six years they spent probably the whole of the contributions on their Egyptian enterprise: at the end of those years their ships in Egypt were all captured by the Persians, and nearly all the men who had sailed in them were killed.[2] In the following year 454, since it was possible that the Persians might be able to send a fleet into the Ægean Sea, they moved the treasury, in which the accumulated contributions were kept, from Delos for greater security to Athens: thenceforth they ceased to summon meetings of delegates from the cities, and regarded the contributions as a tribute

Changes in the management of the Athenian hegemony.

[1] Thucydides, 1. 98; Pausanias, 1. 27. 6.
[2] Thucydides, 1. 104, 109, 110.

paid to them to be used as they thought fit.[1] Thenceforth there was only one year, 449 B.C., in which they undertook any enterprise against the Persians. The action of the Athenians in seizing the contributions broke no compact, for no compact had been made. It was not even impolitic according to Greek notions of policy, for the maritime cities of the Ægean Sea were never able to punish it. But it prevented for ever the growth of any friendly feelings towards the Athenians in the minds of the men who in 477 had chosen them as their leaders. It converted the lesser maritime cities from contributors into tributaries; and it changed the relation of Athens to the other cities from vague hegemony to clearly marked domination or ascendency.

The policy of Perikles, 462 B.C.-454 B.C.

The names of the men who advised the Athenians to adopt a threatening attitude towards Sparta and Bœotia in 462, and to use the contributions of the maritime cities for their war in Egypt and afterwards to assume entire possession of them for their own purposes, have not been recorded: very possibly no one in Athens doubted that the appropriation of the contribution was advantageous. But we know from evidence that will be stated in the next chapter that from 461 the chief adviser of the Athenian assembly was Perikles:[2] he, then, must have the largest share of the credit or the blame for the actions of the assembly after that date. When the appropriation of the funds had been completed it was Perikles who was entrusted by the Athenians with

[1] The date of the appropriation of the treasure and the tribute by Athens is fixed by an inscription which states that the thirty-fourth year of a certain payment from the tribute to the goddess Athena was 421 B.C., when Aristion was archon. Therefore 454 was the first year in which the payment was made.—*Corp. Inscr. Att.*, 1. 260; Hill, *Sources of Gr. Hist.*, ch. 1, 105.

[2] See p. 98.

the chief voice in determining how the money should be spent:[1] by gladly undertaking the work he showed that he heartily concurred in the policy of exacting the tribute from the maritime cities. The extremely unwise action adopted by the Athenians in 462, when they threatened Bœotia and Sparta, was certainly not the work of Kimon, who steadily advocated friendship with Sparta; and there is no other Athenian to whose advice it can be attributed except Perikles, or else Ephialtes and Perikles acting in conjunction.

[1] Plutarch, *Perikles*, ch. 11-14.

CHAPTER X

ATHENS IN RECEIPT OF TRIBUTE, 454 B.C.-413 B.C.

THE position and character of the Athenian people in 454 B.C. and for the next twenty years were in many respects unique. They can be described under three heads: (1) the relations of Athens to its tributary cities; (2) the relations of Athens to the other Greek powers; (3) the Athenian government.

(1) The relations of Athens to its tributary cities.

The important facts in the dealings of Athens with its tributary cities are these. Firstly, each tributary city was governed by citizens of its own and not by Athenians. Secondly, the Athenians sometimes sent an Athenian garrison to a tributary city to keep it intimidated. Thirdly, in some cases the Athenians left the citizens of a tributary city to choose their own constitution; in others they imposed on it a constitution of their own designing. Fourthly, some kinds of trials and suits arising in tributary cities were not decided on the spot, but were carried to Athens to be judged by a dikasterion.

Native governments: Athenian garrisons.

The first two of the assertions just made scarcely call for comment, since evidence of their truth is scattered broadcast in the works of Greek historians and orators: it is only necessary to observe on the first of them that the only Athenian civilian officers ever sent to a tributary city were Episkopi; and we shall see shortly that Episkopi were merely commissioners sent out for a temporary purpose and were not permanent officials.

Constitutions of the tributary cities.

The constitutions of the tributary cities are seldom mentioned; but we know that Mytilênê till 428 was governed by an oligarchy of its own rich citizens:[1] and as that was a government which the Athenians would never think of establishing, it must have been of native growth. Our only knowledge of a constitution imposed by the Athenians on a tributary city comes from a stone which was formerly at Athens, but is now lost.[2] On that stone was inscribed the text of a constitution for the tributary city of Erythræ, the most considerable place on the promontory of Mimas in Asia Minor, opposite to the isle of Chios. The Athenians, wishing to settle how Erythræ should be governed, sent out some commissioners called Episkopi and a garrison: the commissioners and the commander of the garrison made a draft of a constitution which was converted into a law by the assembly at Athens. The Erythræans were to be governed by a council consisting of a hundred and twenty of their own citizens appointed by drawing lots. On the first occasion the lots were to be drawn by the Episkopi and the commander of the garrison; on subsequent occasions by the commander of the garrison alone, whence it is clear that the commission of the Episkopi would have expired. It went without saying that the Athenian officers or officer who drew the lots possessed the right of rejecting any candidate at pleasure. Thus the method of appointment ensured that the council consisted exclusively of men whom the Athenian officers believed to be willing to act in the interests of Athens rather than of Erythræ. It is probable that the hundred and twenty councillors who governed Erythræ were mainly drawn from its poorer citizens, and that the constitution of Erythræ was

[1] Thucydides, 3. 27. 2.

[2] *Corp. Inscr. Att.*, 1. 9; G. F. Hill, *Sources of Gr. Hist.*, p. 27.

for that reason deemed by the Athenians to be a demokratia. Isokrates in his *Panegyricus*, composed in 380, says that the Athenians had been wont to set up demokratiæ in the cities dependent on them.[1] They could not well set up genuine demokratiæ, since the first desire of a real demokratia, in which all the poor citizens met in an assembly, would be to cease paying tribute, but it is quite likely that, when they gave exclusive power to a select body of citizens, they might, if those citizens were poor, call the resulting government a demokratia, because it excluded the rich from any share of influence.

Jurisdiction of Athenian dikastêria over cases arising in tributary cities.

The jurisdiction of the Athenian dikasteria over cases arising in the tributary cities was defined separately for each tributary city in a document which was called a compact (*σύμβολον*), though its terms were simply dictated by the Athenians. Hence the definition of the trials and suits that must be judged in Athens was not the same for every tributary city.[2] For all, however, of the tributary cities alike it was laid down that accusations of treason against Athens must be brought before an Athenian dikasterion, and also all commercial suits other than those in which the litigants were both members of the same tributary city. Further extensions of the Athenian jurisdiction were separately defined for individual tributary states in the compacts which the Athenians imposed on them.[2]

Summary.

The relations of Athens to its tributary cities may be summed up by saying that a citizen of a tributary city was a subject of his own city, and was not subject to Athens unless he were a party to a suit or trial which had to be heard in Athens: and Athens only controlled the governments of the tributary cities, but did

[1] Isokrates, *Panegyr.*, 104-106.

[2] E. Meyer, *Gesch. d. Alterth.*, 3. 278 note.

not govern their inhabitants: in other words Athens was only suzerain but not sovereign over the tributary cities. The Athenians were a separate community, and the tributary cities were separate though not independent: and, when the Athenians established and intensified their control over the lesser maritime cities, they did not add to the size of their territory or the number of the subjects under their government: afterwards, as before, the community that constituted the Athenian body politic consisted only of the inhabitants of Attica and the settlers in the Klêruchiæ.

(2) Relations of Athens to the independent Greek powers.

Athens, ever since it controlled nearly the whole naval force of the Greeks, and conquered Bœotia, and enriched itself by appropriating the moneys contributed by the maritime cities, was to the terrestrial powers an object of dread mingled with hatred. The greater part of the peoples in the Peloponnesus and the subjugated Bœotians were looking for an opportunity of making a coalition to diminish the power of their threatening neighbour, and the Athenians knew that they might at any time be opposed by the combined efforts of nearly all the peoples in terrestrial Hellas.

(3) Government of Athens, 461 B.C.-429 B.C.

As the Athenians were in danger of attack they needed to be led by one man, and the man whom they chose to lead them was Perikles. The advent of Perikles to the first place at Athens must date from about 461, not long after Ephialtes was murdered: for then a vote with potsherds was taken which cannot have been designed for any other purpose but to decide whether Perikles or Kimon should go into exile. The vote went against Kimon and he departed, leaving Perikles without a rival. In 457 Kimon asked leave to return in order to fight in the battle of Tanagra, but did not obtain it. His friends, carrying his armour as a standard,

took part in the fight, and a hundred of them were slain. Soon afterwards Kimon himself, on the proposal of Perikles, was recalled,[1] and till his death in 449 acted in harmony with Perikles. After 449 Perikles was for the remaining twenty years of his life almost unchallenged in his influence over the Athenians. From about 461, for more than thirty years the two important organs in the Athenian government were the general assembly and Perikles: and, as the assembly accepted the measures that Perikles proposed, Perikles was the moving force in the government. At some times Perikles was only the chief administrator of the funds produced by the tribute: for fifteen years continuously, probably from 445 to 430, he was elected by the whole Attic people to be chief of the stratêgi.

The use to be made of the tribute was determined by Perikles and the assembly acting together. Part of it was laid up as a provision for future wars against the tributary states or the terrestrial powers: part was spent in payments to poor citizens for civilian services: part to the navy and army: the remainder was employed in beautifying Athens with temples and statues. The treasure laid by for war amounted at one time in the life of Perikles to nearly ten thousand talents, or the whole produce of the tribute for fully twenty years: hence it is clear that the practice in most years was to store up more than half the produce of the tribute, to furnish a treasure for war. The payments to poor citizens for civilian services were made to dikasts, to members of the five hundred, and almost beyond a doubt also to all poor citizens who were present at a dramatic performance on a religious festival.[2] These payments for civilian services must have

Domestic policy of Perikles.

[1] Plutarch, *Kimon*, 17.

[2] Plutarch, *Perikles*, 9. *θεωρικά*, in l. 5, *θεωρικοῖς* in l. 19 of the chapter in the text edited by Sintenis, and published by Teubner.

used up a hundred and fifty talents annually, or a third part of the tribute so long as the whole tribute had not risen above four hundred and sixty talents: they certainly sufficed to ensure for Perikles the votes of the poor citizens who predominated in the ekklêsia.

Foreign policy of Perikles, 456 B.C.-435 B.C.

After the Spartans in 457 found it necessary, although they had defeated the Athenians at Tanagra, to retire out of Bœotia, a state of war without active hostilities continued between them and the Athenians till 452 or possibly till 450, when a truce was made for five years. When in 446 and 445 Eubœa, Bœotia, and Megara all revolted from Athens, Pleistoanax, King of Sparta, led a Peloponnesian army to Eleusis just within the western frontier of Attica. Perikles saw that Athens was no longer strong enough to keep control over any of the terrestrial peoples, and he made a peace with Sparta for thirty years, renouncing Bœotia and Megara but keeping Eubœa. Henceforth his foreign policy remained steadily settled for ten years. He rigorously enforced the payment of the tribute except when he took lands for Klêruchiæ in lieu of it, and kept up a very efficient navy of moderate size, yet powerful enough to intimidate the maritime cities: but he strove to avoid all occasions of conflict with the terrestrial powers.

War between Athens and the terrestrial Greeks: 431 B.C.

The desire of Perikles to avoid war with his neighbours on the land was not fulfilled. In 435 a naval war arose between Corinth and Kerkyra. The Athenians at first sent a small squadron of ten ships, with halting instructions to aid the Kerkyræans in case their island was in danger of a hostile descent:[1] eventually they gave the Kerkyræans an undisguised alliance. The powers of the Peloponnesus were alarmed at observing the addition to their naval force which

[1] Thucydides, 1. 45.

the Athenians gained by taking the Kerkyræans as their allies: and in the beginning of 431 the terrestrial powers and the Athenians drifted into a war which neither side very heartily desired. Thus began what the Athenians called the Peloponnesian War.

When the war began, Athens was helped by its tributary cities and by Chios and Lesbos, which still furnished ships under compulsion: its only voluntary allies were the Platæans, the Kerkyræans, and the greater part of the village communities in Akarnania. The members of the coalition opposed to Athens included all the terrestrial Hellenes except (1) the Platæans and the Akarnanians who were on the side of Athens, and (2) the peoples of Argolis and Achaia who stood neutral.[1] The extreme poverty of the Athenians in voluntary allies shows how unlucky it was for them that, when after the battle of Œnophyta they had a chance of conciliating the Bœotians and the Megarians by generous behaviour, they showed that conciliation of neighbours was an art to which they were strangers. During the first two and a half years of the war the coalition was stronger by land, and Athens gained no advantages even at sea: at the end of the two and a half years Perikles died, and henceforward the conduct of the war was undertaken rather by the assembly of the Athenian citizens than by any single statesman.

The states on the two sides.

Before long we shall have to consider the work done by the assembly: but first we must try to estimate what was the number of the citizens who might meet in assembly, and what proportion it bore to the whole population. Thucydides tells us that on the outbreak of the war the Athenians had thirteen thousand hoplites for service in the field, besides sixteen thousand for garrisons of fortresses and for guarding the

The population of Attica.

[1] Thucydides, 1. 9.

Long Walls. The sixteen thousand consisted of the oldest men and the youngest, together with any of the resident aliens who might be serving among the heavy armed men. The resident aliens are mentioned as an after thought, and as if they were not a large part of the sixteen thousand.[1] If we set them down as three thousand we shall have twenty six thousand citizens serving either in the field or behind walls. To these must be added those poor citizens who were serving as oarsmen or in the crews of the galleys of war, five hundred members of the committee of the ekklêsia, six thousand dikastæ, and may be about three or four thousand citizens with so much property that they did not care to earn wages from the public treasury. On the whole we may estimate the total number of adult male citizens at between thirty five and fifty thousand, and the citizens with their families at about a hundred and fifty thousand or two hundred thousand. The servile population, of foreign extraction and usually acquired by purchase, furnished all the domestic servants both male and female, the skilled handicraftsmen, the workers in the silver mines of Laurium, dancing girls and harlots, besides those employed on other occupations for which smaller numbers were required. The slaves cannot be reckoned at fewer than a hundred thousand, and so the whole population of Attica must have amounted to not less than a quarter of a million, and may have reached three hundred thousand.

Before the Peloponnesian war began, the greater part of the Attic population had been wont to enjoy life in the country:[2] the peasantry lived on their farms continuously, and the rich citizens had estates outside the city, to which they could resort when they wished. In 431 B.C. Archidamus, King of Sparta, invaded Attica; and the Athenians, by the advice of

The population of Athens, 431 B.C.-413 B.C.

[1] Thucydides, 2. 13.

[2] *Ibid.*, 2. 14.

Perikles made no attempt to defend their territory because they could not do it without crippling the navy, which was absolutely necessary both for attacks on the enemy and for the collection of the tribute. The whole population, therefore, was compelled to move into the city of Athens or into the large space between Athens, the Long Walls, and the sea. Invasions and devastations of Attica occurred in all the first seven years of the war except the third and the sixth, when Attica was so infected with pestilence that the enemies avoided it. The invasions were made in the spring or at harvest, and though they lasted only a month or six weeks were effectual in destroying the crops, the fruit trees, and the buildings on the farms. After one such invasion many of the peasantry might go back to their farms: after two or three they were likely to despair of getting a livelihood from the soil, and to prefer to remain in the city where they could earn something with little trouble from the state treasury. Thus for the first seven years of the war, and no doubt for somewhat longer, Athens had to house both the townsfolk and the country folk: after the seventh year there was a respite from invasions, and by the year 413, which is the last that is considered in the present chapter, we may imagine that the greater part of the rural population were re-established on their farms.

The concentration of the people, free and slaves alike, within the walls during the first eight or ten years of the war must have produced new economic conditions. The rich citizens suffered nothing but the loss of their country residences: if they were manufacturers, their skilled slaves could still produce painted vases or woven fabrics: if they had ships, their cargoes could go to foreign lands and other cargoes could return: if they were professional men, their earnings were not diminished. But the peasants and their families were

New economic conditions.

reduced to poverty. A man who had owned a small farm or had worked in the fields for wages would probably now serve as a hoplite or as an oarsman or a dikast: but his wages would only suffice for his own maintenance, and would not keep his family. The wives and children would be compelled to ply humble retail trades, or to get wages for their labour in any employment other than domestic service: that was too degrading for any one of free birth, because it must compel him to associate on terms of equality with slaves. The new economic conditions had a powerful influence in determining the foreign policy of Athens: the men, whether they served in the army or on board ship or in the dikasteria, all got their wages from the tribute, and therefore the poor citizens always desired to vote for any management of the war which might increase the amount of the tribute or make its collection more secure. The tribute had, before the beginning of the Peloponnesian war, risen to six hundred talents yearly,[1] and we can account for the increase of its amount because we know that some six or eight of the larger maritime cities, which, when Athens acquired its hegemony, had furnished ships, had since then been ordered to pay money in lieu of them. In 425 the assembly approved a proposal made by Kleon, that the total amount should be raised to twelve hundred talents. The sum demanded was more than could be extracted from the cities, and only three quarters of it was actually paid to the treasurers at Athens.[2]

In the Athenian government after the death of Perikles, the active organs were the Assembly of the citizens, the committee of Five Hundred, the Dikasteria, and the Stratêgi: the nine Archons also existed, but their functions were of little importance. The Ekklêsia consisted of those

[1] Thucydides, 2. 13.

[2] Gilbert, *Griech. Staatsalterth.*, 1. 399, 400.

citizens who were present in Athens and able and willing to attend. It is not likely that any large part of those present in Athens were hindered from attendance by the need of working for a livelihood, since the poor nearly all earned wages from the treasury: nor can we suppose that many of the poor were voluntarily absent, since they took pleasure in exercising political influence. Hence probably the steadiest attendants were the poor who remained constantly resident in the city. We may set down these steady ekklêsiasts at about six or eight thousand: six thousand was the number of the dikastæ, and it was also the quorum requisite for a vote of ostracism. Apart from these six or eight thousand resident poor citizens, the rest of the ekklêsia must have varied constantly, especially during the summer months, as military or naval expeditions went forth abroad or came home: the complexion of the assembly must have been entirely altered whenever a fleet or an army in which eight or ten thousand citizens had been serving came back from foreign service.

Structure of the Athenian government. (1) Ekklêsia: its composition.

It seems likely that at some times of the Peloponnesian war the citizens were divided into something like parties. From 425 B.C. to 422 B.C. we may suspect that there was a large body of citizens, led by Kleon, who were determined that the war should not end till Sparta and its allies had been rendered quite powerless: a year later there was certainly a large body, led by Nikias, who were willing that the war should be ended, provided that the right of Athens to extort tribute from its existing allies was kept quite safe. The existence of any parties would have something of a steadying influence on the action of the assembly, because a man does not like to vote against his party: but at Athens, if parties really existed, any steadying

Parties could not exercise much steadying influence.

influence that they might be expected to exercise was probably neutralised by the fluctuating composition of the assembly.

The decision of every question whatsoever belonged in the last resort to the ekklêsia. It could, if it chose, with its committee of five hundred, make any law or pass any resolution. It habitually appointed the commanders of naval or military expeditions, settled where they should go, and fixed the number of ships or men under their orders. It decided any question that arose suddenly during the war. When, for example, in 428 B.C., the tributary city of Mytilênê was induced by an oligarchic party to revolt from Athens, but by a democratic party was restored to its allegiance, the ekklêsia decided on one day that all its adult males, friends and foes alike, should be killed, and the women and children sold into slavery, but on the following day voted that the inhabitants should keep their lives and personal liberty, but should hand over nearly all their land to three thousand Athenian share holders. In like manner, in 416 B.C. the ekklêsia voted that the island of Mêlos, which had very long ago been colonised by the Lacedæmonians and was now under the suzerainty of Sparta, should be conquered, that its adult males should be killed, and the rest sold as slaves.

Ekklêsia: its powers.

The ekklêsia, however, though it was if it chose omnipotent, submitted to two restraining formalities. There was one rule that no law or resolution should be proposed in the assembly till it had been approved by the committee of Five Hundred, and another which provided that any new law which contradicted an existing law could be indicted before a dikasterion, and, if it were condemned, should be thereby repealed: if the indictment were brought within one year, the proposer might be condemned to pay a heavy fine. In

Restraining formalities.

regard to laws and to resolutions about home affairs, these rules were probably obeyed: in regard to foreign affairs the decisions of the ekklêsia about Mytilênê show that they provided no safeguard against capricious resolutions.

The committee of Five Hundred was taken by lot in equal proportions from the ten tribes, and remained in office for one year: no man was allowed to serve on it for more than two years in the course of his life.[1] It was by far the busiest body in the Athenian community. It sat every day in the year except public holidays, and its members received a drachma daily from the state, twice as much as was paid to the dikastæ. It prepared the business for the ekklêsia, saw to the execution of its orders, inspected all details of finance, and was the executive government for all departments except the command of military or naval expeditions and the negotiation of treaties with foreign powers. It was in power co-ordinate with the ekklêsia itself. It is not indeed known whether in the time of the Peloponnesian war it could collectively and directly initiate a measure, but it could certainly get any measure initiated by prompting some citizen to propose it: and as soon as a measure was proposed, the committee had the important right and duty of deliberating on it and deciding whether it should be brought before the ekklêsia. But though the powers of the committee were so large, its members were appointed by drawing lots among candidates, and therefore there was no reason to expect that they would have any higher qualifications for conducting public business than any average citizens, except those higher qualifications which they derived from more intimate knowledge of details acquired during their year of office.

(2) Committee of Five Hundred.

The Dikasteria were the popular jury courts. Each year

[1] Arist., *Ath. Pol.*, 62.

six thousand dikastæ were taken by lot from those citizens who offered themselves as candidates. They were divided into panels, and one panel, or two or three panels, or a part of a panel was taken for the decision of a trial or a suit. In known instances 501, 1001, 1501 were the numbers of jurymen set to decide a litigation: Demosthenes speaks of 200 and 2000 as being the smallest and the largest numbers likely to occur.[1] The presiding officer in a jury court was an archon: but as the archons were themselves taken by lot, and only served as archons for one year in their lives, it was certain that the president would not be a trained lawyer: there were indeed no trained lawyers, since every Athenian thought himself qualified to interpret a statute. From the many speeches of counsel which have been preserved, it is clear that the president had no power to restrain the orators from using irrelevant arguments: and thus the jury, in arriving at a decision, had nothing to guide it but the persuasiveness of the speakers, or its own common sense or prejudices.

(3) Dikastêria.

The ten stratêgi alone were elected, and were allowed to serve in their office year after year as often as the citizens were willing to employ them. Men of ability and skill and experience were needed for the duties of the stratêgi: for on them depended the conduct of the war and the collection of the tribute. The ekklêsia decided what expeditions should be undertaken and which of the stratêgi should have command in them: it was usual to send them out in batches of three or five or six at a time, and to give one of the batch some degree of precedence over his colleagues. Whenever an ambassador was needed to negotiate with a foreign power, it was usual to entrust the work to one of the stratêgi. The poor citizens who composed the Demos kept the stratêgi in strict subjection to

(4) Stratêgi.

[1] Smith, *Dict. Antiq.*, art. 'Dikasterion.'

themselves, partly by frequently taking a fresh person as chief of the stratêgi, and partly by ruthlessly punishing with fine or banishment any stratêgus whose naval or military operations were thought to have been mismanaged.[1]

Comments on the structure of the Athenian Demokratia.

The Athenian government in the times that immediately followed the death of Perikles, was called by the Greeks who lived in those times Demokratia, or the rule of Demos, that is to say of the whole body of citizens and especially of the poor citizens. But it differed greatly from every other Greek Demokratia, because Athens was the only Greek state in which Demos was fed from tribute. The most striking feature in its structure is the appointment of all officials except the stratêgi by the method of drawing lots between the candidates, and the limitation of their tenure of office to a short period. For the stratêgi alone skill was thought necessary: therefore the Athenians chose them by voting and not by lot, and often re-elected them for many successive years. By this course they generally secured men qualified to conduct military and naval operations, though not in most cases men with the qualities of statesmen. For all civilian officials skill derived from experience was thought superfluous, and perhaps even noxious. In truth the exclusion of distinguished men possessing experience in governing was necessary for the maintenance of the supremacy of Demos: if, for example, able administrators had found their way into the five hundred and had gained experience by long continuance in office, the five hundred would have obtained more influence than the poor citizens could like, and it would have been necessary for Demos either to purge the five hundred of its too capable members, or else to see its own authority seriously diminished. As there was no demand for men of ability in the civil services,

[1] E. Meyer, *Gesch. d. Alterthums*, vol. 3. § 588.

those citizens who knew themselves to be capable of pushing their fortunes, but had no turn for naval or military command, commonly turned to the trade of Demagogi, or self appointed advisers of the common folk. Their work consisted mainly in gaining the favour of the poor citizens by flattery, and in keeping it to their own advantage.

Before we leave considering the structure of the Athenian government, we may observe that it was in two particulars unlike those governments of modern times which are sometimes called democratic. In modern constitutions deemed to be democratic, those classes which live by the labour of their hands are citizens and have votes; in the Athenian Demokratia the working classes were slaves, and, being personally unfree, could never enjoy any political privileges. In another respect also some modern constitutions which distribute political influence widely among the population differ from the Athenian constitution: they do not authorise the citizens to meet personally in assembly and vote on laws and resolutions, but only enable them to choose representatives whose business it is to think and speak and vote on their behalf. If, however, the representatives are turned into delegates and are only permitted to think and speak and vote as their electors command, the constitution approaches more closely to the Athenian model.

Comparison with modern democratic governments.

We now have to observe the working of the Athenian government from the death of Perikles to the end of the war. The business of the government was divided into two parts—first, home affairs, and second, foreign affairs and the conduct of the war. Home affairs were, on the whole, well conducted. The poor citizens, though they controlled the voting in the assembly, did not lay excessive taxes on the rich. Direct taxation was unusual at Athens.

Working of the Athenian government, 429 B.C.-404 B.C. (1) Home affairs.

A direct tax of two hundred talents was levied in the year 428:[1] but it was only a third part of the tribute money from the dependencies at the same date, and we do not hear of any other direct taxation of anything like the same amount in any year throughout the history of Athens. The pecuniary burdens that fell on the rich alone arose from their obligation to perform leiturgiæ or expensive public duties at their own charge, as the duties of sheriffs are still performed in England. The two great leiturgiæ were the Trierarchia or command of a war galley, and the Choragia, or the provision of a chorus for a dramatic festival: the trierarchia might in the course of a year cost as much as a talent,[2] but it was usual for trierarchs and choragi to perform their duties with zeal, and hence we may infer that they did not feel the cost of them to be an unfair imposition. The considerate treatment of the rich by the poor in the matter of taxation is easily understood if we remember that the tribute brought in a much larger revenue than could have been got from taxation at home, and that it would have been most imprudent in the course of a dangerous war, fought for the retention of the tribute, to alienate the good will of those citizens who had large pecuniary resources.

(1) Treatment of the rich citizens.

In two respects, it may be admitted, the rich class at Athens had reasons for discontent. Firstly, every man of ability and wealth saw that if he could not be a successful strategus and would not be a demagogue, he had no perceptible influence in public affairs, and, unless he would spend weary hours in the ekklêsia or a dikasterion, he was more powerless than any idler who received wages from the treasury: and secondly, if he were respondent in a trial or suit before a dikasterion, he was likely to be ordered to pay an excessive fine to the

[1] Thucydides, 3. 19.

[2] Smith, *Dict. Antiq.*, s.v. 'Leiturgia,' vol. 2. p. 27.

treasury or excessive damages to a poor litigant, since the dikastæ, who were themselves poor and were paid from public funds, wished the treasury to be full and the poor to be less poor. Except in these two particulars the rich had no ground of complaint. The merits of a class government in its management of home affairs may be measured by the amount of welfare which it allows to its subjects. At Athens the rich, who were the subject class, had little to complain of: and hence it appears to me that the Athenian Demokratia was, for a class government, successful in its management of domestic concerns. It owed its success in this department very largely to its possession of the tribute, which made it needless for the ruling class to oppress its rich subjects.

In questions of foreign policy and the conduct of the war the case was different. In judging Athenian foreign policy, we must remember that any really excellent conduct towards neighbours who were not fellow citizens was alien to the ideas and experience of the great mass of the Greek communities. Few Greek peoples, when they were able to act outside their own boundaries, had ever adopted a foreign policy which their neighbours could esteem or would willingly tolerate. The Athenians in particular were committed beyond recall to a policy for which the Greek peoples generally disliked them, though any one of them would have been glad to imitate it: they had gained a hegemony over the maritime cities when they were helpless, and had made use of it to enrich themselves and so as to be able to threaten the terrestrial powers. The most, then, that could be expected of them was that they should husband their resources, and abstain from enterprises that were beyond their powers.

(2) Foreign policy and war.

For more than ten years they acted up to this standard, which alone was possible. In choosing their enterprises

they were usually guided by men of experience among the stratêgi: and when for the finishing of their operations in the island of Sphaktêria they followed the advice of the demagogue Kleon, his advice was good, and the Spartan garrison in the island was compelled to surrender. In the eleventh year they were able to end what is most properly called the Peloponnesian war by making a treaty of peace with Sparta, which had at any rate the advantage that in it the Spartans disregarded the interests of their allies, and for the time being lost their confidence. But within the next five years the Athenians listened to the advice of Alkibiades, a reckless and unscrupulous nephew of Perikles, who hoped by leading his countrymen into attractive but dangerous adventures to attain to such a half princely position as Perikles had enjoyed. Acting under suasion from Alkibiades, they first engaged in a foolish war in the Peloponnesus, which enabled the Spartans to regain a grip on the peoples around them, and then in 415 they resolved to try to compel the Dorian cities of Sicily to pay them tribute. Their expedition to Sicily ended about September 28, 413, in a naval battle in the Great Harbour of Syracuse. In that sea fight and in the hopeless operations on the dry land which followed it, they lost the largest fleet and army that they had ever sent out. Thenceforward their command of the sea could not be kept intact, and the collection of money from the maritime cities was precarious and comparatively unproductive

Foreign policy: details.

CHAPTER XI

THE GREEK CITIES, 412 B.C.–338 B.C.

The course of Greek history, 412 B.C.–338 B.C.

As a turning point in Greek history, the battle in the Great Harbour of Syracuse was only second to the battle of Salamis. In view of its importance we must notice what changes it brought about, and what was the general course of Greek history after it occurred until 338, when the Greek cities lost their independence. Before the war in Sicily the relations among the Greek cities could be expressed in a very simple formula. Athens had the control of the sea, and therefore could drain off and consume the surplus wealth of the maritime cities of the Ægean sea: the terrestrial Greek powers had formed a coalition to protect themselves against the aggressive Athenians. But during the war from 431 to 421, and in Sicily in 414 and 413, both Athens and its enemies had used up much of their strength, and after the Sicilian war Athens no longer possessed undisputed control of the sea, though it was still slightly stronger afloat than Sparta. While Athens and Sparta had been growing exhausted, Persia remained untouched, and in 412 Athens, Sparta, and Persia were about equally strong or equally weak. Hence from 412 there ensued a Competition among these powers for access to the wealth of the maritime cities. In that competition the three powers, Athens, Sparta, and Persia, at first all took part: after 405 the competitors were only Sparta and Persia. In 394 the competition ended: the

maritime cities of Asia Minor were left in subjection to Persia, and the other maritime cities became independent.

After the period marked by the competition for the tribute had ended, there ensued for seven years till 387 a second period marked by Balance of Weakness among the Greek cities. This balance, for reasons which will be explained, did not suit the Spartans, and in concert with the King of Persia they took measures to upset it. Their oppressive behaviour was resented by their neighbours, and a third period from 387 to 362 was marked by Conflicts (they were the last) between the Terrestrial Hellenic Powers.

After 362 conflicts between the Greek cities became trivial, because the cities were wearied out, and alliances were not made, because no two could trust one another. Hence the period after 362 was marked by a return of the Greek cities to a condition of Political Isolation somewhat worse than that which had prevailed before the battle of Salamis, because now they hated each other more cordially. During this period, which lasted till 338, they came into contact with the healthy and vigorous tribal kingdom of the Macedonians, and in 338 they were taken under its protection.

The periods then of Greek history after 412 were these:—

I. 412-394. Competition for control of the maritime cities of the Ægean sea.

II. 394-387. Balance of weakness among the Greek cities.

III. 387-362. Conflicts between terrestrial Greek cities.

IV. 362-338. Political isolation of the Greek cities, and the end of their independence.

I. COMPETITION FOR THE MARITIME CITIES

The competition for the maritime cities lasted eighteen years. In the course of those years the competition went through three phases:—

(1) 412-405. Balance of weakness among the competitors.

(2) 405-400. Amicable partition of the maritime cities between Sparta and Persia.

(3) 400-394. Attempt of the Spartans to rob the Persians of their share.

(1) Balance of weakness among the Competitors, 412-405.

In 412 the communities inhabiting Athens and Sparta were both much smaller in numbers than the communities in the same towns thirty years earlier. The Athenians had lost about fifteen thousand citizens in the Sicilian expedition alone, and large numbers had perished before of pestilence or in war. We may estimate the adult males who remained at something between twenty and thirty thousand. The Spartiatæ in 480 were reckoned by Herodotus at eight thousand fighting men: in 418 the three thousand five hundred who fought at Mantineia were five sixths of the whole number, and therefore the whole fighting strength was scarcely more than four thousand.[1] The Athenians had in money not much besides their reserve of a thousand talents: the Spartans had almost nothing. The Persians were rich in money, but their bowmen could not contend with the Greek hoplites.

Events 412-408.

In 412 Chios and a few other maritime cities which had paid tribute to Athens chose Sparta as their leader and thus declared war against Athens. The Athenians were for the moment extremely weak: but they had their reserved fund of a thousand talents, and by spending that fund on ships and seamen they soon became a little stronger at sea than the Spartans. In consequence the Spartans, desiring to get money to pay more seamen, were glad to make (about February 411) a treaty with the Persian satraps of Lydia and the Hellespont: in return for a promise of money they agreed to recognise that the Greek cities on

[1] Herodotus, 7. 234, and Thucydides, 5. 64, 68.

the mainland of Asia Minor were subject to the Persian king.[1] For this action they have been loudly decried: but whether the Asiatic cities were exposed to more oppression under the Persians than they would have suffered under Greeks, we cannot tell. To the maritime cities not in Asia Minor the new conditions established by the defeat of the Athenians in Sicily may probably have brought appreciable relief, since neither Athens nor Sparta could squeeze them very hard, for fear that they might change sides and go over to the enemy. For four years the treaty of 411 gave no perceptible advantage to the Spartans, because Tissaphernes, satrap of Lydia, evaded his promises to pay; but about the end of 408 Dareius Nothus, King of Persia, himself decided that the Athenians might be dangerous to him and the Spartans could not. He deposed Tissaphernes from his satrapy and appointed in his stead his own second son, Cyrus, with instructions to give liberal subsidies to the Spartans, but no doubt only on condition that the Spartans conformed faithfully to the terms of their treaty concluded in 411 with the Persian satraps, and made no attempt either to give independence to the Greek cities in Asia Minor or to get them into their own control.

Events 407 B.C.-405 B.C.; Cyrus at Sardis.

Cyrus, from his arrival at Sardis in 407, treated the Asiatic Greek cities with consideration and indulgence, because he saw that the Greeks made far better soldiers than the Persians, and he desired to have Greek soldiers under his command. Probably this desire was prompted by attention not to his father's interest but to his own. In his dealings, however, with the Spartans he faithfully obeyed his father's instructions, since in that matter his own interest and his father's were

[1] Thucydides, 8. 58. The earlier documents given by Thucydides in 8. 18 and 8. 37 were only drafts of treaties made by Spartan commanders and were not ratified by the Spartan government.

identical. When in 407 and 405 the Spartans gave the command of their fleet in Asiatic waters to Lysander, who was perfectly willing to adhere to the stipulations of the treaty of 411, Cyrus gave money in profusion: when in 406 they employed Kallikratidas, who cherished a generous desire to give independence to the Asiatic Greeks because they were Greeks, and was therefore inclined to thwart the policy both of the Persians and of his own employers, the Spartan rulers, he refused to give Kallikratidas an obol, and even avoided admitting him to his presence. Kallikratidas was defeated and slain in 406 at Arginusæ: Lysander in 405 won the decisive battle of Ægospotami. It is however to be observed that, though the results of the great sea fights at Arginusæ and Ægospotami were partly due to the hostility of Cyrus towards Kallikratidas and his warm friendship for Lysander, Kallikratidas owed his defeat and death partly also to his rash conduct in attacking somewhat needlessly a superior Athenian fleet commanded by capable officers; and Lysander would have had no chance of winning his astonishing victory if the Athenian fleet stationed at Ægospotami had been under men at all comparable in ability to handle their ships and manage their crews with the officers who in every previous year had commanded the Athenians in their naval operations.

It is now necessary to take a view of the internal condition of Athens after the disaster in Sicily. The Athenians knew that since they had lost their fleet they would no longer be able to collect the whole of their tribute; and hence even the ruling class of the poor citizens saw that it would be hard to go on voting themselves doles and wages for civilian services, and also to pay their oarsmen. They began to think they might be compelled to adopt some government less expensive than their kind of demokratia, which needed very large tribute to

Internal condition of Athens, 412.

support it. As a tentative measure they set up a board of ten Probûli, charged with the duty of suggesting retrenchments of expenditure, and almost certainly also invested with the power of settling what resolutions might be proposed in the general assembly.[1] But in their anxiety to avoid choosing demagogues among the Probûli, they elected elderly men of good character but of no political experience, like Hagnon and the poet Sophokles. It may be that no ten men could be found who combined political experience with a high reputation for personal probity.

In the course of 412 the distress at Athens was greatly increased because the Spartans had established a permanent garrison at Dekeleia in Attica and kept the country constantly devastated: it followed of necessity that the whole population was again crowded into Athens. The general situation, and especially the doubts felt by the poor citizens whether they could find themselves wages and doles, suited the purposes of a man named Peisander, who had as an active demagogue been a favourite with the distressed rulers of the city. He came forward as an advocate of a new scheme of government. He told the assembled citizens that there was no hope of salvation for Athens except in an alliance with Persia and subsidies from Persia, and that alliance with Persia and its attendant subsidies could be obtained if they would modify their demokratia so as to entrust authority to a body of men smaller than the whole body of citizens and such as the King of Persia could trust.[2] He gained a provisional assent to his proposal, and was sent as envoy with ten others to the Persian satrap Tissaphernes. Before his departure he visited all the Hetæreiæ or political

Peisander, 412, 411.

[1] Thucydides, 8. 1. 3. Grote (ch. 61) expresses an opinion that the Probûli had not the power of judging what proposals might be made: but a passage quoted by Arnold in his note on Thucydides, 8. 1. 3 from Aristotle, *Pol.*, 4. 14, 4, indicates clearly that they had.

[2] Thucydides, 8. 53.

clubs of discontented rich men in Athens and told them what to do. During his absence the clubs prepared for the success of his projects by skilfully organising a series of political assassinations.

When Peisander came back without having obtained any promise of help from Tissaphernes, a reign of terror had been established and he was able to do whatever he chose. The sovereign legislative powers of the ekklêsia were handed over nominally to a body of five thousand citizens, which however was not called into existence: the whole executive power, which had hitherto belonged to the committee of five hundred, was forcibly taken over by a new council of four hundred conspirators, who installed themselves in office by intimidation and afterwards acted under the guidance of Peisander and his confidants Antiphon and Phrynichus.[1] Since the assembly of five thousand was only a sham and had no real existence, all power—executive, legislative, and judicial—was lodged in the hands of the four hundred or of the three men who settled what the four hundred should do.

Revolution effected by Peisander, 411 B.C.

The name oligarchia is used by Thucydides to denote the government of the Four Hundred:[2] but his use of the word shows how widely its different meanings diverged from one another. It was applied by Herodotus to the government of the Bacchiad princes at Corinth, was defined by Aristotle as meaning any selfish government exclusively in the hands of the rich class, and is employed by Thucydides as a description of the rule in 411 of a gang of murderous adventurers, which was not by any means identical with the rich class of citizens. It is most unfortunate for students of political institutions that the word exists: but I have been unable to dispense with the use of it, because without it I could not make any reference

The Four Hundred: 411 B.C.

[1] Thucydides, 8. 65-70.

[2] *Ibid.*, 8. 89. 1 and 3.

to a great store of sound information contained in Aristotle's *Politics*. The best that can be done is to use the word as sparingly as possible, and never without pointing out in what sense it is employed. The Four Hundred, whether with Thucydides we call their ascendency an oligarchia or in more appropriate language speak of them as a small band of villains, did not long retain their power. For four months in the second half of 411 they kept the citizens in subjection by a few well judged assassinations: then dissensions arose in their own body, and a mutiny of some hoplites led to their overthrow.[1]

Gradual return to demokratia at Athens, 410 B.C.

After the four hundred had been deposed, the supreme power of voting in the assembly was given to those citizens who were not too poor to provide a suit of armour: they were called the Five Thousand, but were in truth about nine thousand. In 410, however, the Athenians heard that their fleet had won a victory at Kyzikus, on the shore of the sea of Propontis, which enabled it to get control of the Bosporus and to levy as a toll one tenth of the value of every cargo coming from the Black Sea.[2] The Spartiatæ offered them a peace with far larger concessions than they could have hoped for before the battle of Kyzikus, proposing withdrawal of the Spartan garrison from Dekeleia in return for withdrawal of the far less important Athenian garrisons from Spartan territory, exchange of prisoners, and retention by each side of what it had.[3] The nine thousand at Athens, being elated by their success, thought that the war could even yet be continued with profit. They declined the offer of the Spartiatæ, thus showing that in matters of foreign policy they were equally imprudent with their poorer fellow citizens. As the war was

[1] Thucydides, 8. 93; *Ath. Pol.*, 31, 32. [2] Xen., *Hellen.*, 1. 1. 16-22.
[3] Diodorus, 13. 52, 53, with passages from other sources cited by E. Meyer, *Gesch. d. Alterth.*, vol. 4. § 712 note.

to go on, the poor would be needed as oarsmen: therefore it was necessary that they should be in a good humour and willing to serve. The nine thousand gave them back their old pecuniary allowances with a new dole of two obols daily for the very poor,[1] and either in 410 or not long afterwards restored them to their places in the ekklêsia. Thus in 410 or soon afterwards demokratia was again established, but without any very certain income from abroad to provide daily bread for the ruling class.

Athenian conduct of the war, 411 B.C.-404 B.C.

From the late summer of 411 till the early summer of 408 the naval operations of the Athenians were managed mainly by Alkibiades, who, though he had while absent from Athens in 415 been condemned to death for high treason,[2] and was entirely untrustworthy, had in 411 been accepted as a commander, first by an Athenian armament in Samos and afterwards on the fall of the Four Hundred by his countrymen at home. His management of the fleet was skilful: he took a leading part in winning the battle of Kyzikus, and gained many minor successes: and in 407 he was at Athens as chief of the stratêgi. In that year, however, the Athenians suspected him of desiring to become tyrannus. They deposed him from office, and for the year 406 appointed ten stratêgi all equal in power and without a chief. Eight of these stratêgi won a splendid victory off the Arginusæ islets near Mytilênê: but after the action several Athenian ships that had been damaged sank in a storm with their crews, and it was said that the stratêgi had not taken proper pains to save them. The Ekklêsia by a legislative enactment, resembling an attainder, resolved that the stratêgi should be put to death, and six of them who alone were in custody were compelled to drink poison.[3] In the following

[1] δωβελία. *Ath. Pol.*, 28, 3.

[2] Thucydides, 6. 61 end.

[3] Xen., *Hellen.*, 1. 7. 34, 35.

year, 405, all the new stratêgi except Konon were incompetent, and the whole Athenian fleet of a hundred and eighty ships was surprised by the Lacedæmonian admiral Lysander at Ægospotami on the Hellespont, and all the ships were captured except nine which Konon contrived to save.[1] In 404 the city of Athens was closely blockaded, and was compelled by hunger to surrender. The Athenians were condemned to the loss of their Long Walls, were required to give up all their ships of war except twelve, and in foreign policy were compelled to obey the orders of the Lacedæmonians.[2]

From 405, when the Athenian navy was destroyed at Ægospotami, the Spartans took over those maritime cities which had hitherto been under the hegemony of Athens, leaving those in Asia Minor to Persia: thus an amicable partition of the cities was made between the Spartans and the Persians. The cities under the Spartans were compelled to pay their new masters a tribute probably somewhat larger than they had paid to Athens in the days before the Sicilian expedition, when the exactions of the Athenians stood at their highest point: and the Spartans made an attempt such as the Athenians had never essayed to set up governments of their own in the tributary cities. To each city they sent a Harmost or organiser: the Harmost chose a body of ten men, called a Dekarchy, to rule their fellow citizens in the interest of the Spartans. Their scheme was intended to strengthen their hold over their dependencies, and, if it had been at all well carried out, might have led the Spartans for their own sakes to promote the prosperity of the subject cities: but the Spartans who were sent out as Harmosts, having never had experience of governing any subject population except the Helots,

(2) 405 B.C.-399 B.C. Amicable division of the maritime cities between Sparta and Persia.

[1] Xen., *Hellen.*, 2. 1. [2] *Ibid.*, 2. 2. 20.

were unfit for their duties. They only cared about getting in the tribute and enjoying themselves:[1] and in consequence they were hated in the cities to which they were sent as rulers. In the mainland also of Greece the Spartiatæ used their new power in a masterful way. They made the Athenians contribute to their war fund, and deprived the Eleians of a part of their territory.[2]

Quarrel between Sparta and Artaxerxes, King of Persia.

The Spartan ascendency in Greece was no less oppressive than the maritime ascendency of Athens had been. But the Spartiatæ might probably have continued to dominate their neighbours for many years, if they had not intervened in a dispute about the succession to the Persian throne. On the death of Dareius Nothus in 404, his eldest son succeeded him at Susa as Artaxerxes the Second; but the younger son Cyrus, satrap at Sardis in Lydia, tried in 401 to dethrone his brother, and his enterprise was aided both by Sparta and by the Greek cities of Asia Minor. About the end of 401 it became known to the Greeks of Ionia that Cyrus had been slain at Cunaxa in Babylonia, and they saw that they would be exposed to the vengeance of Artaxerxes for the help they had given to the pretender. To save themselves they asked the Spartans to aid them in a war to set themselves free from Persia.

(3) 400 B.C.-394 B.C. Attempt of the Spartiatæ to rob the Persians of the Asiatic cities.

The Spartans granted the request, and from 400 till 394 they sent armies to Asia Minor under Thimbron, under Derkyllidas, and under King Agesilaus. So early as 397 Pharnabazus, satrap of Phrygia, which included the Asiatic shore of the Hellespont, saw that in order to drive the Spartans out of Asia Minor the Persians must get command of the sea; and he gained Artaxerxes

[1] Plutarch, *Amat. Narrat.*, p. 773; Xen., *Hell.*, 5. 4. 56-57.
[2] *Ath. Pol.*, 39. 2; Xen., *Hell.*, 3. 2.

to his opinion.[1] In July 394 a large Persian fleet of Phœnician vessels, under the joint command of Konon, the one Athenian who was a good naval officer, and of Pharnabazus himself, both acting as Persian admirals, won a great victory at sea off the promontory of Knidus in the south-west of Asia Minor, and put an end to the maritime supremacy of Sparta.[2] Konon and Pharnabazus visited the maritime cities and restored all of them but about four or five to complete and several independence, which they had not enjoyed since 477, when they chose the Athenians as their leaders.[3]

II. 394 B.C.-387 B.C. BALANCE OF WEAKNESS AMONG THE GREEK STATES

In 394, when the Spartans lost their maritime ascendency, they were also deprived of their domination over terrestrial Hellas outside of the Peloponnesus. Before the battle of Knidus was fought, Bœotia, Athens, and some other Greek states were thinking of combining in order to reduce the oppressive power of Sparta. Lysander marched out from Lacedæmonia into Bœotia but was slain at Haliartus. After his death the Spartans retired out of Bœotia: and then an undisguised coalition was formed by Bœotia, Athens, Argos, Corinth, and some towns in Eubœa. The armies of the coalition met at Corinth and there fought an even battle against the Spartans. King Agesilaus, who had been warring in Asia Minor, having been recalled by the Spartan government, marched through Thrace, Macedonia, and Thessaly. At Koroneia in Bœotia he was wounded in a

[1] The date 397 is fixed by Xen., *Hell.*, 3. 4. 1.

[2] Xen., *Hell.*, 4. 3. 10-14.

[3] Xen., *Hell.*, 4. 8. 1-5. Cities not restored in 394 to independence were Ægina (Xen., *Hell.*, 5. 1. 1, 2, and 5): Methymnê (*Ibid.*, 6. 8. 29): Abydos (*Ibid.*, 6. 8. 32): Oreus in Eubœa (*Ibid.*, 5. 4. 56, and Plutarch, *Amat. Narrat.*, p. 773).

battle which only enabled his army to secure its passage into the Peloponnesus. In 393 Konon was permitted by Pharnabazus to rebuild the Long Wall that joined Athens to the Peiraieus: in 393 and 392 the enemies of Sparta occupied the isthmus of Corinth in force, and the Spartans were not able to dislodge them. The powers in coalition held firmly together, and Corinth was so closely joined with Argos that it was said hyperbolically to be a part of Argive territory.[1] For seven years from 394 till 387 Sparta was no more than a Peloponnesian power. All the Greek cities had become permanently very weak in consequence of their exhausting wars, but among these weak states equilibrium was maintained. Sparta, the least weak, was kept in check by the coalition of Bœotia, Athens, Argos, and Corinth.

Negotiations of the Spartans with the Persian King, 392 B.C.-387 B.C.

The Spartans, as soon as they had failed to dislodge their enemies from the isthmus of Corinth, saw that they must for the present abandon all hope of gaining dominions in Asia, and that the most they could possibly attain was a restoration of their ascendency in Europe. Their ultimate aim, then, henceforward was merely to be able to oppress the European Greeks. A step towards that end would be taken if they could compel their opponents in Greece to desist from hostilities and submit to conditions which they would impose. But even a cessation of the war in Greece and a pacification such as suited their purposes could not be obtained, unless Artaxerxes could be induced to put some pressure on those Greek powers which were keeping them penned up within the Peloponnesus. Accordingly from 392 they exerted themselves to gain Artaxerxes over to their views. For five years Artaxerxes and his advisers were of divided opinions: at last a Spartan envoy, Antalkidas, by going to the Persian court at Susa gained

[1] Xen., *Hell.*, 4. 4. 1-13; 4. 8. 34; 5. 1. 36.

the Persian King over to countenance the projects of the Spartans. It is probable that the Persian statesmen foresaw that if Artaxerxes enabled the Spartans to impose cruel conditions on their Greek neighbours, but did not afterwards help them to enforce those conditions, all the Greeks would be kept busy fighting in Europe, and could not molest him in Asia. At any rate Artaxerxes gave Antalkidas a document prescribing such terms as the Spartans desired.[1]

The document given to Antalkidas declared that King Artaxerxes thought it right that all the Greek cities in Asia, with the islands Klazomenæ and Cyprus should belong to him, but that all the other Greek cities both great and small should be autonomous, except Lemnos and Imbros and Skyros: these should belong as of old to the Athenians.[2] The declaration was intended by the Spartans to do damage especially to Thebes, Argos, and Corinth. If the several cities in the Bœotian confederation became autonomous Thebes would be powerless, and Argos and Corinth when once they were separate could easily be reduced to obedience by the Spartans. Athens was allowed to keep Lemnos and Imbros and Skyros, where it had Klêruchiæ, in order that it might not be tempted to give aid to Thebes, Argos, and Corinth when the Spartans wished to intimidate them. Antalkidas before leaving Persia had foreseen that the Greek cities generally would detest the terms of the proposed pacification, and had therefore induced Artaxerxes to provide him with ships or money which placed him at the head of a fleet of eighty triremes and made him master of the sea.[3] The fleet under Antalkidas and a Spartan army under Agesilaus, backed with threats from Artaxerxes, convinced

The Peace of Antalkidas, 387 B.C.

[1] Xen., *Hell.*, 4. 8. 12-16; Plutarch, *Artax.*, 22; Xen., *Hell.*, 5. 1, 25-31.

[2] Xen., *Hell.*, 5. 1. 31.

[3] *Ibid.*, 5. 1. 28.

the Greeks that opposition was useless: the terms of pacification were under compulsion ratified by all the chief cities in Hellas, and the so called treaties of peace between the Spartans and the other Greeks were known as the Peace of Antalkidas.[1]

III. 387 B.C.–362 B.C. LAST CONFLICTS AMONG THE GREEK STATES

From the moment that the Greek urban bodies politic let a king of so little efficient power as Artaxerxes intervene to settle their relations with each other we can discern clearly that they were not of those fittest bodies politic, which can hand on independence to many succeeding generations. Their present communities were feeble, and their communities in the next generation would be feebler still. In spite, however, of their exhaustion they yet engaged in destructive conflicts for twenty five years more. These twenty five years from 387 to 362 were divided into two clearly marked parts:

(1) 387-379. Ascendency of Sparta among the terrestrial Hellenes.

(2) 379-362. Destruction of the power of the Spartans.

As soon as the treaties were ratified in 387, the Spartans, using the name of Artaxerxes as a bugbear, could deal as they chose with many of the Greek cities on the mainland of Europe. They destroyed Mantineia, broke up a well managed confederacy of cities in Chalkidikê near Macedonia, which had been formed under the presidency of Olynthus, and in 382 captured the citadel of Thebes by treachery. But in 379 some Theban patriots, by means of a plot devised by Pelopidas, recovered their acropolis, and thenceforward the Greek cities, even in their miserable

(1) 387-379. Ascendency of Sparta among the terrestrial Hellenes.

[1] Xen., *Hell.*, 5. 1. 32-34.

condition of exhaustion, were able to prevent the Spartans from committing any gross acts of oppression.[1]

After the Thebans had recovered their citadel and their independence in 379 B.C., the Greek cities formed a general coalition for reducing the power of Sparta, and for seven years acted together harmoniously towards that purpose. The coalition comprised both terrestrial and maritime powers. Of the powers on land Thebes was the strongest: among the maritime powers Athens, on giving a solemn promise not to repeat its old injustice of taking lands from other cities to found Klêruchiæ, was able to establish a confederation of maritime cities.[2] At the end of seven years Thebes and the other cities of Greece broke asunder. Athens and all the lesser cities both on the sea and on the land were jealous of the growing power of Thebes, and in 371 B.C. by making peace with Sparta they left the Thebans to contend against the Spartans single handed. The Thebans, within three weeks of the day when they were deserted by their allies, showed by defeating the Spartans at the great battle of Leuktra, not far from Thebes, that they were not unequal to their task.

(2) 379-362. Destruction of the power of Sparta.

The Athenians could not oppose the Thebans, for in 366 or 365 B.C. they destroyed the confederation of maritime cities by the same sort of conduct as they had adopted in the days of their maritime ascendency. They conquered Samos and the Thracian Chersonesus, and breaking their promise made in 378 B.C. took lands in them to establish new Klêruchiæ: and, though Samos and the Chersonesus were not members of the league, the confederates were alarmed at the breach of faith committed by

Great power of Thebes.

[1] Plutarch, *Pelopidas*, 7-12.

[2] For the promise, see the inscription printed in Grote, *Hist. of Greece*, octavo ed., 1862, vol. 7. p. 91. For the new confederation, Diodorus, 15. 29.

the Athenians and the confederation was gradually broken up.[1] Thus from the battle of Leuktra for nine years onwards Thebes was decidedly the strongest of the Hellenic cities, and for the first time in Greek history the leading city did not abuse its opportunities. The Thebans were guided by their statesman Epameinondas, who laboured to prevent the oppression of Greeks by Greeks: and after 362, when he was slain in winning the battle of Mantineia, none of the Greek cities was able to domineer over its fellows. But jealousies among the enfeebled cities were no less pronounced than they had been in the days of their strength: and within thirty years after the battle of Mantineia common action of the Greek cities was found to be impossible, though nothing but common action could enable them to retain their independence.

Individual Greek cities, 477 B.C.-362 B.C.

Ever since I spoke of the expedition of Xerxes into Europe in 480, and of the combined resistance offered to him in 477 by the Greeks, the relations of Greek cities to one another have been so engrossing as to leave no attention free for considering any Greek city except Athens as an individual: and even in regard to Athens I have not gone beyond 406 in portraying its character. It is now my intention to sketch as individuals those Greek cities which retained their independence after 477, in so far as this has not yet been done and can be done within a moderate compass.

In 477, as we have already seen, a large majority of the Greek cities forfeited their independence, though it may be that till 454 it was not universally recognised that they were dependent on another city. After those dates the only Greek cities that remained in plenary enjoyment

[1] For the date of the Klēruchia in Samos see Diod. 18. 18, last words. The rest of the evidence about the maritime league and its dissolution is too intricate to state in a note. It is discussed by Grote, chapters 79 and 80.

of independence were perhaps Athens and Sparta. Those peoples which at most times retained such independence that they could choose whether they would be allies of Athens or of Sparta were found in Corinth, Megara, Epidaurus, Sikyon, Bœotia: a nearer approach to complete independence was made by Achaia, Argos, and Kerkyra, which were strong enough at most times to refuse if they thought fit to act in alliance with either of the leading Greek powers.

States having some independence after 477 B.C.

In considering the internal circumstances of the Greek cities which retained independence after 454, we begin with Sparta. The new phenomena in the government of Sparta were these. Within a short time after the Peloponnesian war had ended in 404, most of the Helots in Lacedæmonia were in possession of their freedom, and inequalities had arisen among the Spartiatæ themselves.

Governments of Greek cities, 477 B.C.-338 B.C. Lacedæmonia.

The Helots gained their freedom from compulsory labour by becoming acquainted with military operations. The first occasion on which they saw fighting was the campaign of 479 which ended in the battle of Platæa. In that campaign the five thousand Spartiatæ who went out to contend with the Persians under Mardonius took with them a large number of Helots, which Herodotus, possibly with some exaggeration, sets down at thirty five thousand. It is probable that they adopted this course much more because they were afraid to leave the Helots at home unwatched than because they intended them to be useful in fighting: but it may readily be imagined that the Helots observed how greatly they outnumbered their owners. About 467 the Helots got some hopes of support from the traitor Pausanias, deputy king of Sparta: but his treason was discovered and their hopes came to nothing.

The Helots, 479 B.C.-467 B.C.

In 464 B.C., as we have already observed,[1] the best of the Helots fortified themselves on Mount Ithômê, and within ten years were able to depart from the Peloponnesus as free men. After these brave men were gone, the Spartans still had plenty of Helots left. In the early part of the Peloponnesian war they employed some of them as soldiers, though they distrusted them: in the eighth year of the war, being afraid of their prowess, they induced two thousand of them to come forward to receive emancipation as a reward of good service, but they perfidiously murdered them.[2] The exigencies of the war, however, compelled them to employ more and more Helots in fighting, and from 421 B.C. they emancipated them in good faith.[3] The men raised from serfdom did not become Periœki, but were known as Neodâmôdeis, or men resembling new commoners.[4] When the war ended in 404, it is probable that few of the Messenians remained in serfdom: for from that time forward we do not read that the Spartiatæ were constantly employed in watching their bondmen.

Gradual emancipation of the Helots, 464 B.C.-421 B.C.

In the days of the war against Xerxes the Spartiatæ were equals with one another, because all had the same privileges and the same duties. The privileges of a Spartan consisted in being supplied with Helots who provided him with produce from his land for the support of his family, in being fed at the public mess table, in being trained to efficiency as a soldier and a policeman, and in taking part in the meetings of the assembly which were held every year for the election of ephors, and on rare occasions for decision of a matter of policy: his duties were comprised in an obligation to pay his share of the cost of the common mess tables, and to conform gener-

Inequalities among the Spartiatæ.

[1] See page 90.
[2] Thucydides, 4. 80.
[3] *Ibid.*, 5. 34 and 67, 7. 19 and 58, 8. 5.
[4] *Ibid.*, 7. 58.

ally to the Spartan customs. The equality of the Spartiatæ depended on the observance by the government of their privileges, and on their own performance of their duties. Six years after the end of the Peloponnesian war equality among them was a thing of the past: for at that time a large number of them were known as Hypomeiones, or Inferiors, in contrast with the Homoioi, or Peers.[1] The inequality must have arisen from some withdrawal of privileges or from some neglect of duties, or from both causes combined. Aristotle tells us that any Spartan who ceased to pay his contribution for keeping up the public mess lost all his privileges, and that many in his time had thus been disfranchised:[2] and hence we may safely infer that the Inferiors were Spartans who could not pay.

But we may perhaps go a step further back and assign a probable reason for the impoverishment of the Inferiors. It may be that in consequence of emancipations during the war there were not enough Helots left to furnish all the Spartiatæ with slave labour for the support of their families. The inequality arising from the impoverishment of the Inferiors was aggravated by the success of those Peers who were employed as harmosts in amassing large fortunes: and in 398 B.C. or 397 B.C. a conspiracy against the ruling class of the Peers was set on foot by an Inferior named Kinadon and was joined by many Helots, Neodâmôdeis, and Periœki.[3] The conspiracy was discovered and its authors punished.

Causes of inequality.

After the suppression of the conspirators, the Lacedæmonians for nearly forty years allowed their foreign policy to be directed mainly by King Agesilaus; but with this exception they were thenceforward ruled by such a

[1] Xenophon, *Hellenica*, 3. 3. 5 and 6.
[2] Arist., *Pol.*, 2. 9. 31 and 32 (Bekker, 1837)=1271*a*. l. 34.
[3] Xen., *Hell.*, 3. 3. 5 and 6.

class government as was universal in the commercial Greek cities. The governing class consisted of those few who were rich enough to subscribe to the mess: and it was so thoroughly wanting in public spirit and political discrimination that by about 335 B.C., when Aristotle wrote his *Politics*, the Lacedæmonians had only an army of one thousand hoplites, though their country could have furnished thirty thousand, and they did not even take the trouble to choose competent men to rule them as ephors.[1]

Government of Sparta after 398 B.C.

It is, I believe, impossible to know with certainty what causes produced the deterioration of the Spartan commonwealth in the period after the Peloponnesian war. The great symptom that announced the deterioration was the concentration of all political power in the exclusive possession of the Peers, who were by far too few to exercise it well, and were not the only class in the Spartan territory fitted by their character to be entrusted with political influence. In short, the symptom of decline was the success of the Peers in excluding the Inferiors, the Periœki, and the Neodâmôdeis from political privileges.

Causes of decline at Sparta obscure.

The reason why they were able to exclude the Neodâmôdeis from all share of influence may perhaps be guessed. The Neodâmôdeis were descended from Helots, whom Spartiatæ of older generations had hated and despised, and who had hated and feared the Spartiatæ. The Periœki, who were probably the most numerous and physically the strongest class in Lacedæmonia, might, even though they resented their own exclusion from influence, see that it would be dangerous to extend political citizenship to the Neodâmôdeis, and thus they might help the Spartiatæ

[1] Arist., *Pol.*, 1270*a* and 1270*b*=2. 9. 16 and 2. 9. 19-24 in ed. of Bekker, Oxford, 1837.

to keep them out of it. But why the Spartiatæ were able to insist that the Periœki should have no political privileges I do not understand: the reason may lie hid in some facts connected with the original conquest of the Periœki by the Spartans about which we have no information and can make no plausible guesses. The reason why the Peers, now the only fully qualified Spartiatæ, succeeded in excluding the Inferiors from taking part in the government is even harder to imagine: for the common mess tables and the training of the Spartiatæ were of no political utility, since the Spartiatæ were reduced in numbers and were not sent on foreign expeditions and had no dangerous body of Helots to watch. It may be, however, that the Inferiors and the Periœki and the Neodâmôdeis were all willing, after the failure of Kinadon's conspiracy, to acquiesce in their exclusion from political privileges: if they were thinking mainly of getting plunder in the expeditions of Agesilaus in foreign lands, they might form the opinion that the plunder would be more abundant if the conduct of affairs were left exclusively to the Peers who had experience in the management of external affairs.

Next we turn to the internal history of Athens, beginning at 404, where I left it. After the Athenians were compelled in 404 to surrender their city to the Lacedæmonians, they were governed for about eight months by thirty Athenians acting in the interest of the Lacedæmonians, who are commonly known as the Thirty Tyrants. In 403 B.C., in the archonship of Eukleides, they re-established in its old form their class government of the poor citizens, which was known as Demokratia.[1] Under the new demokratia as under the old public business was divided into two parts, one consisting of foreign policy and the conduct of wars, and the other of

Athens after 404 B.C. (1) Foreign policy.

[1] Andokides, *de Mysteriis*, 80-91.

domestic government. In foreign policy, since Athens after 404 was for ten years dependent on Sparta, and afterwards was compelled to adopt generally a defensive attitude, the ekklêsia could not commit such imprudences as had led to disaster in the Peloponnesian war. Its only conspicuous folly was its attempt made about 365 to establish Klêruchiæ in Samos and in the Thracian Chersonesus. Apart from this serious error, the work of dealing with foreign powers consisted almost entirely in accepting such alliances as could be obtained, and in fulfilling the conditions of the alliances: and that work was performed in general with good sense and honesty. The conduct of wars, on the other hand, was far less spirited than it had been. The poor citizens who ruled the state were no longer generally willing to serve as hoplites now that there was no chance of exacting tribute from any cities, and from 391 onward the most effective military force of the city consisted of foreign mercenary troops who were equipped as light infantry, and from their small targets were called Peltastæ.

(2) Domestic government.

In regard to the internal government of Athens from 403 to 360 we possess no narrative, and can only get some indications from speeches composed by the orator Lysias. From these speeches I get an impression that Demokratia of the Athenian type was too expensive a form of government for any city that had not external tribute at command for giving pay to its poor citizens. This impression is confirmed by what we know about Athenian finance. From 425 to 415 when the revenue stood at its highest point, the city received nominally twelve hundred, and actually about nine hundred, talents of tribute in every year, and the whole revenue was probably something less than two thousand talents.[1] After 404 there was no tribute, and the whole revenue can hardly have been

[1] Gilbert, *Gr. Staatsalterth.*, 1. 399.

more than six or eight hundred talents. Pay to poor citizens for services in the dikasteria, the five hundred, and the ekklêsia, if given in full, would certainly use up one hundred talents. So large a sum could not easily be found: and it seems to be clear that false accusations were constantly brought against rich men in order to replenish the treasury, and that the speeches in which they were made were composed by Lysias and his like.[1]

Governments of the lesser cities after 447 B.C.

In regard to the lesser cities we know that Kerkyra was governed sometimes with great violence by the rich citizens, and on one occasion in 427 with atrocious cruelty by the poor.[2] Argos, which since the depopulation of Mykênæ and Tiryns about 468 was a simple urban community, was ruled usually by the poor, who in 370 beat more than a thousand of their opponents to death with bludgeons.[3] At Corinth, at some time probably after 350, Timophanes, brother of Timoleon, made himself a tyrannus and was killed. Beyond these facts we hear little about the governments in the lesser cities. But we may be sure that all of them were what I have called class governments, because Aristotle in his *Politics*, written about 335, takes it for granted that every government in a Greek city must necessarily be either Oligarchia, or Tyrannis, or Demokratia. Nor is it surprising that the governments in such cities as Corinth, Megara, Epidaurus, Kerkyra were class governments: for, although from the beginning of the Peloponnesian war in 431 till the battle of Mantineia in 362 these lesser cities were frequently engaged in wars against other Greek states, the wars were not such as to make it necessary for the cities to set up governments satisfactory

[1] E. Meyer, *Gesch. d. Alterthums*, vol. 5, § 871, founded on Lysias, *Orations* 28, 29, 27, 19, 22, and in particular on 27. 1. Isokrates, 8. 130 (composed in 355 B.C.) gives strong confirmation.

[2] Thucydides, 3. 70-81.

[3] Diodorus, 15. 58.

to all classes of the citizens, and capable of evoking vigorous patriotic action. The lesser cities only engaged in wars as underlings to more powerful allies: there was, therefore, no need for their governments to conciliate the citizens in order to induce them to serve willingly as soldiers or officers in their armies, since the powerful allies whom they followed in war were ready to support the governments with force and to insist that the troops that they required must be forthcoming.

Brilliant intelligence of individual Greeks in the commercial cities.

While the Greek communities and especially those communities that were concentrated in commercial cities were showing their inability to deal wisely with the more difficult problems of statesmanship, the Greeks as individual men, and especially those of them who lived in commercial cities, attained to intellectual excellence such as has never been approached by men of any other race. It is perhaps in all cases impossible to go more than a little way towards guessing how any race of men got its intellectual qualities: in the case of the Greeks our chances of going far in that direction are diminished by the fact that Greek history before 650 B.C. does not exist. But we can observe what intellectual qualities were common to all the Greeks, and which were peculiar to some of them. Vivid imagination and a love of poetry appear to have been common to all the race. Picturesque legends of gods or heroes grew abundantly everywhere: even the comparatively stolid Bœotians produced Pindar, and the Spartans valued Tyrtæus. But artistic taste, literary skill, and philosophic acumen were found only in the commercial cities, and rose to their greatest excellence in Athens: among those Greeks whose pursuits were agricultural or military they were not present.

It is possible to see vaguely why much keen intellect was produced in the Greek commercial cities, and why it was

not employed largely on the work of government. In every commercial city the citizens sharpen their wits on the wits of their fellow citizens, and gain quicker intellects than country folk are likely to have. But in the Greek commercial cities the work of government was not so serious or so attractive to men of great mental power as it has been in the larger bodies politic of later times. The commercial cities had very small territories, they possessed generally an immunity from fear of conquest, they very seldom made voluntary alliances, and they did not govern any subjects outside their own narrow limits. Hence it is probable that the citizens of an ordinary Greek commercial city were from long custom almost as incapable of taking effective interest in events outside their own city walls as the citizens of Florence in the fourteenth century after the Christian era, or of Ghent in the fifteenth.[1] Plato in his *Republic* and Aristotle in his *Politics*, while treating of the aims and characters of governments, trouble themselves very little or not at all about the qualifications of different governments for good management of foreign policy.

Character of political business in Greek commercial cities.

It is true that Athens, especially from 510 to 431, was not an ordinary purely commercial city. Attica between 510 and 479 was attacked four times by Greeks and twice by Persians, and afterwards the city of Athens was for many years occupied in the hazardous work of exacting tribute from the maritime cities in opposition to the wishes of all the Greeks; and accordingly between 510 and 431 the work of practical political life did prove attractive to some of the very ablest men in the city, as Kleisthenes, Themistokles, and Perikles. But even then in Athens only one first rate man was wanted at a time, and if two chanced to

Directions in which Greek intelligence was chiefly employed.

[1] Commines, *Mémoires*, 5. 15 and 16.

be present a vote with potsherds was taken, and one of them was banished for ten years. Hence nearly all the men of ability, who were very abundant, turned their attention away from practical politics to the construction of theories, to imagination, and to the production of things of beauty. In the commercial cities other than Athens able statesmen were superfluous, and, if present, were made to feel that they were out of place: for in those cities the ruling class, whether it consisted exclusively of the rich or exclusively of the poor, governed collectively for the protection of its own interests, and was careful that no man of ability should rise to higher influence than was enjoyed by men of only ordinary understanding: in Athens from 431, when the whole population was crowded into the city, the policy of preventing men who combined genius with high moral character from getting influence in any part of the home government was carried out with extreme rigour. Hence the men of genius in the commercial cities generally were not employed in practical politics, and had leisure to employ their wits as they would: in Athens the men of ordinary intelligence also had leisure, because very few of them worked to earn a livelihood; and in every Greek commercial city the average of intellect for everything that was not practical stood at a wonderfully high level. In Athens, where wits were most acute, the ordinary citizens took their pastimes in talking, jesting, arguing: their public duties made them good judges of oratory in the dikasteria and in the ekklêsia, and of dramatic art at the religious festivals. The men of genius were producers of things of beauty and enlightenment; and they have left to mankind jewels that last for ever in their buildings, their statues, and their painted vases, together with the still more precious treasures of their poetry, their oratory, their histories, their mathematics, and their philosophy.

IV. 362 B.C.-338 B.C. ISOLATION OF THE GREEK STATES AND THE END OF THEIR INDEPENDENCE

From the year 358 B.C. the Greek cities were hastening to disaster. Philip had then been King of Macedonia for about a year: his army was far stronger than any that could be found in Greece, and he began to interfere in Greek affairs. The Greek cities were too jealous of one another to join in resisting him, and their citizens would not serve as soldiers. In 338 B.C. he won the battle of Chæroneia in Bœotia: and from that time to about 251 B.C. all the Greek cities were obliged to obey the orders of Macedonian masters in regard to foreign policy, though they were usually permitted, if they were submissive in regard to external affairs, to manage their internal government for themselves.

The history of the Greeks in Italy and Sicily presents many points of interest and of contrast with the history of the eastern Greeks. Italy and Sicily are not naturally divided into areas so small or so defensible as the natural divisions of Hellas. Hence a Greek settlement in Italy or Sicily often had a large territory in which it had first to contend with the uncivilised natives and then to control them. It had room to plant many smaller towns with Greek inhabitants besides the capital city: and as it had no strong natural boundaries it might have to defend its territory from attack by any neighbouring community of Greeks. Hence the government of a Greek city in Italy or Sicily needed to conciliate all classes of its subjects in order that they might be willing to fight zealously. The governments of the Italiot and Sikeliot cities before 500 B.C. were indeed generally oligarchic: but in many of the cities they were what Henry Sidgwick well calls broad-bottomed

Greek settlements in Italy and Sicily.

oligarchies.[1] In Rhegium and Kroton the government was vested in a large body of the well-to-do citizens commonly called The Thousand: in Syracuse the rulers were the Gamoroi, or land sharers, the heirs of the men who had received lots of land soon after the city was founded.[2] In Sicily the Greeks from 480 B.C. onward were exposed to the peril of terrible Carthaginian invasions: and hence Syracuse had four patriotic tyranni, Gelon, Hieron the First, Dionysius the Elder, and Hieron the Second; and also a patriotic Demokratia, founded and fostered by Timoleon.

Obstacles to complete study of Greek cities in Italy and Sicily.

But we have no continuous narrative of the fortunes of the cities in Italy and Sicily: after about 500 B.C. we know very little of the Italiot cities, and before that date we know almost nothing about Sicily. Beyond this the history of the Sikeliot towns, even if we knew it, would be found to be discontinuous. Between 493 B.C. and 467 B.C. the lives of many Sikeliot peoples were ended by their violent transplantation: and the Syracusan people itself, which is by far the best known of them, suffered nothing less than a transformation into a new people, when between 485 B.C. and 480 B.C. Gelon brought into it large bodies of immigrants from neighbouring cities and added to its citizens ten thousand of his mercenary soldiers. It is true that in 461 B.C. the Greeks in Sicily tried to undo the work done by Gelon and his brother Hieron; but I cannot believe that they could bring back the Greek communities to what they had been. In consequence of the scantiness of our information and of the intrinsic difficulty of the task, I do not attempt to make a consecutive story of the doings and fortunes of the Greeks in Italy and Sicily.

[1] Sidgwick, *Development of the European Polity*, p. 95.

[2] Smith, *Dict. Geogr.*: 'Rhegium,' 'Croton,' 'Syracuse.'

Three years after the Greek cities lost their independence, Aristotle published his treatise on Politics. It is not my intention to attempt a general discussion of this great work; but it is necessary to point out that Aristotle gave new meanings to the terms *oligarchia*, *tyrannis*, and *demokratia*, and that, if we do not discriminate between the Aristotelian senses of these words and those in which they were employed by the Greeks before his time, we shall be led into making blunders about Greek history. Till Aristotle wrote the *Politics*, *oligarchia*, *tyrannis*, and *demokratia* were popular terms with meanings determined solely by somewhat superficial observation of facts, and they did not necessarily imply any attribution of blame or praise. The words *tyrannis* and *demokratia* were used without perceptible variation of meaning: tyrannis was the absolute rule of a usurper, whether gentle or oppressive; demokratia was the collective rule of all the citizens, and therefore practically of the poor who always had a numerical majority of the votes, whether that rule was just or unjust. Oligarchia denoted, as its derivation indicates, the rule of few, or the rule of any number of men who were but a fraction of the whole body of citizens. The word then was applied indifferently to the rule of a group of princes, or of a class of nobles, or of rich men, or to the domination of a small gang of murderous conspirators, and it was applied equally to the good rule or the bad rule of a small group of men. Aristotle tried to turn the popular words *tyrannis*, *demokratia*, and *oligarchia* into scientific terms by defining them: and he got his definitions not so much from an improved observation of facts as from two axioms, or statements which he deemed to be incontrovertible. His axioms were these: (1) in every city supreme power is lodged in the hands either of one man, or of the few rich, or of the many poor; (2) every government is conducted

Aristotelian nomenclature.

either for the welfare of the whole community under it, or for the selfish interest of the ruler or rulers.

Hence Aristotle deduced the following conclusions

Aristotelian classification of governments.

Governments are divided into two great classes: firstly, those conducted for the welfare of the whole community, which he calls normal or right polities; secondly, those managed for the selfish interests of the rulers, which he calls perversions of the right polities. Further, each of the two classes is divided into three species. Among the normal polities the rule of one for the common weal is Basileia, or Kingship: the rule of the few best for the best results to the community is Aristokratia: the rule of the many poor for the good of all is Polity, which bears in a laudatory sense the name common to all the sorts of governments. In like manner among the perversions, the rule of one for his selfish interest is Tyrannis, the perversion of kingship: the selfish rule of the few rich is Oligarchia, and the rule of the many poor for the interest of their class is Demokratia. Thus Aristotle introduced into the meanings of Tyrannis, Oligarchia, and Demokratia an element of reprobation, which was not present in the minds of the earlier Greeks when they made use of the words: and he omitted from the meaning of Tyrannis the implication of a usurpation which in its current use it conveyed.

We are now compelled to examine whether Aristotle's definitions contain truthful descriptions of Greek governments at all parts of Greek history alike: and it may be convenient though not strictly necessary to form a provisional notion whether his terminology is likely to be useful if applied to governments that have occurred in other lands than Greece. It is manifest that definitions derived from axioms will give truthful descriptions only of those objects concerning which the axioms are

Comments.

strictly true. In regard to the greater part of the governments that meet us in European history outside of Greece, both the axioms that Aristotle laid down are obviously untrue. It is a rare occurrence if, in a body politic much larger than a Greek city, we discover a government conducted either exclusively by the few rich or exclusively by the many poor. We do indeed find in the large bodies politic, whenever they are in danger of falling in pieces or are waging great aggressive wars, that they are governed exclusively by a single man: but under all other circumstances their governments are made up out of a combination of the rule of the one and the few, or of the rule of the one, the few, and the many. And again in history taken at large it is unusual to find a government that is entirely public-spirited or entirely selfish: most governing bodies rule partly for the common weal and partly for their own interest. There is then no presumption that the Aristotelian terminology will be useful if it is applied to the large states outside of Greek history: there is rather a presumption that it will be misleading. In regard to the polities which he calls normal his conclusions can scarcely fail to be unsound, since he confesses that he does not know any instance of Basileia or of Aristokratia, and he does not explicitly mention more than one example of Polity that can be identified with a government of which we have any historical knowledge beyond the scanty information that we obtain from Aristotle.[1]

But to go back to Greek history. Even if we confine our attention to Greek bodies politic, which alone were well

[1] The one example is found in the government of Syracuse in 415 B.C., immediately before the city was attacked by the Athenians. From Arist. *Pol.* 5. 4. 9 we learn that the government of Syracuse at that time was a Polity. From Thucydides, 5. 41. 1 we learn that the chief organ in the government was a popular assembly; but the stratêgi had the power to order an assembly to disperse, and from Thuc. 5. 41. 4 we see that an order to disperse given by a stratêgus was promptly obeyed. No stratêgus could have dared to give such an order in a demokratia.

known to Aristotle, we find that his axioms are true, not of all Greek bodies politic, but only of many. Take first his axiom that in every body politic power must belong to one, or to the few, or to the many. This axiom was true of many Greek bodies politic: for at all times in Greek history the lesser commercial cities were ruled by a person or a class, and in the time when Aristotle wrote Macedonia was governed by a hereditary king who had become practically a despot. But at all times in Greek history there were bodies politic for which the axiom was untrue: among them were in the time of Aristotle the federations of the Achæans, the Phokians, the Akarnanians, the Ætolians, and the Bœotians: in earlier times before 460 B.C. the larger cities Athens and Argos, and all those bodies politic which, like the Spartans, were employed in military or agricultural pursuits and not in commerce.

Aristotle's first axiom.

Then for the second axiom which asserts that every government is either patriotic or selfish. This axiom, like the last, even if applied only to Greek governments, is found to be in many cases untrue; for in Greece, as elsewhere, a government was usually partly patriotic and partly selfish. If Aristotle had said merely that many Greek governments were usually either in the main patriotic or in the main selfish, his dictum would have been harmless: he does say that all governments are either patriotic or selfish, and probably from a desire to make his classification a neat logical sequence from his axioms goes on to say that in all cases Oligarchia, Tyrannis, and Demokratia are selfish governments conducted with a view to the interests of the rulers. It is quite true that many of the class governments of the Greeks were selfish, and some of them were violently oppressive of their subjects: the worst of all were the demokratiæ in Kerkyra in 428 B.C., and in 370 B.C. at Argos. But Aristotle accused them all

Aristotle's second axiom.

of selfishness, meaning that they were selfish towards their subjects: for he never takes any account of the behaviour of a government towards foreigners.

Aristotle could not have made his sweeping condemnation of all Oligarchiæ, all Tyrannides, and all Demokratiæ, if he had attended more to individual instances and less to philosophic axioms. In regard to Oligarchiæ we know little: but it can scarcely be doubted that the broad-bottomed oligarchies of Rhegium and Kroton were compelled by their circumstances to pay due attention to the interests of their subjects. Aristotle certainly counted Peisistratus and the despotic rulers of Syracuse as tyranni: he says plainly that he cannot find any instance of Basileia,[1] and therefore he must reckon all absolute rulers as tyranni. Thus when he asserts that a tyrannus rules for his own selfish interest, he makes a statement that is in some cases untrue: Peisistratus, though his power was absolute, ruled more like a citizen than a despot; and the Syracusan tyranni bravely defended their subjects against the Carthaginians. The poor citizens who ruled Athens for a hundred years did not, so long as they had the tribute coming in, oppress their wealthier fellow citizens: the follies and cruelties of their external policy were aimed not against Athenians but against foreigners: and even in the time after 358 B.C., when they were too blind to see that unless they consented to serve in the army Athens would be conquered by Philip, they themselves suffered as much as anybody else from the effects of their ignorance and apathy. Illustrations.

It is then a matter of necessity to distinguish carefully between the Aristotelian and the ordinary senses of the words Tyrannis, Oligarchia, and Demokratia, and, when we read of a tyrannis in Herodotus, or of a demokratia or

[1] Aristotle, *Politics*, 3. 14.

an oligarchia in Thucydides, to understand the words in the senses which those authors intended them to bear, and not in the very different senses which Aristotle afterwards imposed on them. My task of describing Greek governments would have been greatly simplified if I had entirely abjured all mention of the deceptive words oligarchia and tyrannis and demokratia, and had, whenever a description of a government was wanted, employed such English words as seemed best to suit it: but, if that course had been adopted, I should have been debarred from citing without explanatory discussion many important passages from Greek writers in which the words are employed.

Caution needed in interpreting Greek political terms.

It is obvious that the inability of the Greek bodies politic to maintain their independence against Philip of Macedonia arose from their inability or unwillingness to join in a common policy. Incapacity, however, and aversion for combined action, did not continue for ever to be characteristics of all of them. Under the supremacy of the Macedonian kings some bodies politic in the Peloponnesus underwent such discipline as cured them of their old habit of distrusting all their neighbours, and in 251 B.C. they joined together and formed the Achæan League. That famous confederation cannot be neglected: but in order to avoid needless repetitions it is better to say nothing about it till we have to consider Federal States.

The Achæan League, 251 B.C.

CHAPTER XII

COMMENTS ON THE GREEK CITIES AND GOVERNMENTS, 477 B.C.–338 B.C.

IT has already been pointed out in my eighth chapter that until the expedition of Xerxes into Europe the Greek communities lived in political isolation from one another, having no deadly enmities and no warm friendships, and scarcely knowing one another except through commercial transactions between their citizens. An exception must now be made in favour of the communities in the Peloponnesus. Since about 560 B.C. the Spartans had gained control over some towns outside their natural frontiers, as Tegea and some of the towns in Arcadia, and had directed their doings, seemingly without maltreating their inhabitants: in 508 B.C. they had gained a voluntary alliance from Corinth and probably from some other towns near Corinth. Thus when Xerxes came to Europe the Peloponnesians were able to act together, without any great degree of mutual distrust. But the Peloponnesians knew very little about the Athenians, and would not support them against Xerxes until it became clear that they must do it for their own preservation: and two years after the defeat of Mardonius at Platæa, the maritime cities of the Ægean Sea were so ignorant of the art of dealing with an external government that they surrendered their independence to Athens in return for protection against the Persians. After the year 454 nearly all the Greek cities

Relations among the Greek cities, 480 B.C.-404 B.C.

were dependent either on Athens or on Sparta, and only a dozen at most of the town communities remained independent. But there appeared one hopeful feature in Greek political life on which I have not as yet laid proper stress: at various times between 462 and 421 some of the independent Greek towns, out of hatred of Athens, made voluntary alliances with Sparta, and it was quite possible that between voluntary allies friendly feelings might arise and become permanent.

From 454 to 404 the general course of Greek history was determined in the main by the relations between Sparta and its dependents and allies, and between Athens and its dependents. First, we may consider the relations of both Sparta and Athens with their dependencies. The most surprising feature in those relations is this: neither Sparta nor Athens governed any of their dependent towns. I do not fully understand why no Greek town between 454 and 404 ever tried to govern a dependent town, but think it likely that from habit the Greeks in a town that had dependencies could not conceive it to be possible that their own government could govern except in the town to which it was native, or that it could send a branch of itself to govern elsewhere: and, if they had thought of sending out a branch-government, they would have condemned the notion as impracticable, because the dependent towns would violently resent the rule of foreigners. It was generally thought by the Greeks that, if a town was conquered, it must either have its walls razed to the ground and be depopulated, as was done to Sybaris a little before 500 B.C., when it was conquered by Kroton, or must be governed by some part of its own citizens who could be trusted to govern it in the interest of the conquering town.

Sparta and Athens did not govern their dependent towns,

As the Spartans and the Athenians did not govern their

dependent towns, they took advantage of their superiority to demand from them either contingents for service in war, or else payments of money. The plan of requiring contingents for war was suitable for dependencies near at hand on the land, and was adopted by the Spartans. It did not answer so well with dependencies beyond the sea, because those dependencies could only furnish ships, and ships which serve reluctantly are not kept to their duty so easily as contingents of soldiers ashore: hence the Athenians after a time nearly gave up the practice of demanding contingents from their dependencies, and preferred to take money. The Spartans treated their dependents with some consideration, because they wanted to get their contingents easily and to find them zealous: the Athenians cared nothing for the welfare or contentment of their dependents, because they could always compel them to pay. Sparta was an ordinary suzerain: Athens was both a suzerain and a parasite.

—but took from them contingents or money.

The alliances voluntarily made by some Greek towns with Sparta between 462 and 421 did not succeed in joining the towns that made them in permanent friendship with the Spartiatæ. It is indeed clear that, till the great war between Sparta and Athens began in 431, the Spartans must have been careful to conciliate the peoples in alliance with them, such as the Bœotians and the Corinthians, and to treat them with consideration: but after the war was on foot the purposes of the Spartans were duly served by allotting to their allies treatment only a little less harsh than those allies could expect to get from the Athenians, if they were to go over to the Athenian side. In 421 the Spartans made a treaty of peace with Athens in which the interests of their allies were neglected. After that date I believe they had no allies who helped them quite voluntarily or regarded them as friends

Alliances with Sparta voluntary at first, afterwards compulsory.

who could be trusted. After they won the battle of Mantineia in 418, they did indeed keep as large a body of allies as they had had before 421, but it is likely that their allies were induced to support them more by fear than by good will.

In nearly all lands except ancient Greece the businesses of governing dependencies which may be disobedient, and of keeping voluntary allies contented to perform their promises, have been the departments of government in which, above all others, wisdom and civilian statesmanship have been needed and have been learned. In Greece after 477 the business of governing dependencies was not done by any city, and the work of managing voluntary allies was undertaken by no city but Sparta, and by Sparta only for about thirty years. Consequently wisdom and civilian statesmanship were not needed and were not learned, except perhaps in Sparta for one generation. It is worthy of remark that the work of governing dependencies which might disobey orders had been needed in Attica till the time when Kleisthenes made his constitution, and possibly till the battle of Marathon. For in very early times Athens, no doubt, had trouble in ruling the towns in Attica; after the time of Solon the men of the Highlands and of the Sea Cliff would not readily obey the men of the city and the Plain, and up to the time of Kleisthenes provision had to be made against local dissensions. Hence in the constitutions both of Solon and of Kleisthenes arrangements were made to ensure that men having skill in civilian government should have a large share of influence. The archons were elected for their merits, and after they had served for a year they became members of the Areopagus for life. The invasion of Datis which ended at Marathon no doubt completely united all the inhabitants of Attica. Henceforth there were

Civilian statesmanship rarely needed in Greek states after 477 B.C.

no recalcitrant dependencies in Attica: and when the Athenians acquired dependencies beyond the sea they did not govern them. Thus it came about that after the battle of Marathon the Athenians did not need civilian statesmanship for any purpose whatever, and they were free to enact that archons should be taken by lot, thus making it certain that the Areopagus would never again be filled with men distinguished for wisdom, and to decide that in the council of five hundred, which after the degradation of the Areopagus took over the civilian business of the city, no man should serve long enough to become capable of doing his work with the efficiency that comes of experience. Between 462 and 431 it is likely that among the Spartiatæ civilian statesmanship was needed, and was found in the annual boards of ephors: after 431 it was superfluous.

In 404 Sparta took over the part of general bully which had till 413 been played by Athens. Hence about 394 a new voluntary alliance was formed by Bœotia, Athens, Corinth, and Argos: but as soon as the Spartans in 379 were driven out of the citadel at Thebes, the new alliance began to break up, and its members showed their dislike of one another. After the battle of Leuktra in 371 it is hard to find any two Greek town communities that did not regard one another as potential enemies and even as probable enemies.

Absence of friendliness among Greek town communities after 371 B.C.

Within the individual Greek cities there was deterioration no less than in their relations towards one another. At Athens the poor citizens who controlled the work of government refused to serve in the army, and Plato, the most brilliant genius then living, was so little aware that skill in government can only be learned by practice, that in his *Republic* he advocated the bestowal of supreme political

Peril of the Greek towns arising from their disunion.

authority on the philosophers. At Sparta the Spartiatæ were few, and having little patriotic ardour themselves could stir none in the minds of the Inferiors, the Periœki, and the Neodâmôdeis. But the deterioration in particular towns was of small moment in comparison with the relations between the towns. The several towns were no longer without experience of political dealings with one another, as they had been in the time of Xerxes. When Xerxes invaded Greece they did not know one another, and regarded one another with indifference, or at worst with vague suspicion. Now after 371 each of them knew the rest and hated them. Meanwhile to the north of the Greeks had grown up very slowly and therefore strongly the healthy and powerful tribal kingdom of Macedonia; and none of the Greek townsmen except a part of the Athenians who listened to the warnings of Demosthenes looked outside their own walls with enough attention to discern that the Macedonians were dangerous neighbours.

General conclusions.

The general conclusions derived from a survey of the whole history of the Greek towns are these. The towns could not combine in alliances, nor, except in the case of the Bœotian towns, in a federation, nor could they be united by conquest. Isolated they were at the beginning, and isolated they remained to the end. And their isolation was caused in the first instance by the natural barriers which divided them and prevented them from fighting against one another: it was subsequently intensified by the opinion current in every town that the town was self sufficing and could secure its own interests without the support of alliances.

This chapter may properly be ended with a tabular view of Greek urban bodies politic from the beginning to the end of the history of the Greek independent cities. A general view of them extending only to 480 B.C., given in the eighth

chapter, was very simple and straightforward, because till 480 B.C. every Greek urban body politic only bred in every generation a body politic like itself in structure and character. But after 480 B.C. it often happened that a Greek body politic generated one slightly unlike itself, and that in turn generated one more unlike the first. Thus at Athens the composite body politic of 510 bred by 490 a simple body politic, and that simple body politic by 454 gave birth to a simple body politic corrupted by receipt of tribute, and that in 429 to a simple body politic, still more corrupted by receipt of tribute, and all living crowded within the walls of the city. In Sparta, by 398 B.C., there had been generated a community in which the Helots had become personally free, and inequalities had arisen among the Spartiatæ: and that Spartan community of 398 B.C. bred others like itself in the succeeding generations. In Argolis, where bodies politic had till 468 B.C. been composite, there followed from that date, at which Mykênæ and Tiryns were depopulated, a succession of simple urban communities; in these Argive communities the poor were usually the rulers, but once at least in 371-370 the rich tried to get control of the government, and in consequence a thousand of them were beaten to death with bludgeons. In the many maritime commercial cities, without appreciable rural territory, and in the Bœotian confederacy, no new forms of bodies politic arose. The greater part of the maritime cities lost their independence between 477 and 454, and thenceforth did not contain bodies politic that could act freely: those maritime cities, as Kerkyra and Corinth, which retained something nearly approaching to independence, as well as the Bœotian confederacy, only produced such bodies politic as had lived in them in earlier days. Hence in my completed tabular view of Greek urban bodies politic, there is in regard to the

General view of Greek urban bodies politic.

maritime cities and to Bœotia nothing new to add: the new forms of bodies politic that arose in Sparta and Argolis and Attica must be duly recorded. The pedigrees of bodies politic in Argolis and in Attica run parallel except in the later generations, which in Attica were corrupted by the habits bred from receipt of tribute, and in Argolis were not; therefore the pedigrees for Argolis and for Attica will be put together in a group. The pedigree of bodies politic in Sparta had none other like it, and must stand alone. Thus the groups of pedigrees in the table now inserted are not the same as in the table appended to the eighth chapter. The groups have needed to be made afresh, because our survey of Greek bodies politic is now more complete than when the earlier table was constructed.

It is manifest from the course not only of Greek history but of all history that the parentage of a body politic exercises an influence always large and often paramount in determining its character. Hence it is, that in the table now subjoined, and in other tables to follow in subsequent chapters, bodies politic are arranged in pedigrees. Where it chances that a number of consecutive generations are undistinguishable from one another, they are mentioned as a succession, and some words to describe their general character are inserted. But when a succession of generations of one character is followed immediately by a generation or several generations of a different character, the earlier generations are noted separately, and the later separately: between the earlier and the later a vertical straight line is inserted, as is done in genealogical tables, to show that the later were the direct progeny of the earlier. When, for the sake of brevity, a few generations are left unnoticed, those that are before the gap and those that come after it are shown to be of the same family by the insertion of a sinuous line.

TABULAR VIEW OF ALL GREEK URBAN BODIES POLITIC, ARRANGED IN PEDIGREES, AND THEIR GOVERNMENTS.

Bodies Politic.	Governments.
Group 1.—In about sixty maritime cities, with strong frontiers towards the land, and not having appreciable territory outside their walls.	
In each city a succession of simple urban communities, maritime and commercial, not waging wars by land as principals.	Class governments: Rule of the rich (Oligarchia), or Rule of a usurper (Tyrannis), or Rule of the poor (Demokratia).
Best examples Corinth, Megara, Naxos, and after 435 B.C., Kerkyra.	
Group 2.—In Bœotia, which contained several towns in federation.	
A succession of federal bodies politic.	Federal government.
Group 3.—In two countries, ruled each by a single city, but containing other towns, which were at first important but afterwards sank to insignificance.	
(1) In Argolis, which had a chief town, and till 468 B.C. also other towns.	

TABULAR VIEW OF ALL GREEK URBAN BODIES POLITIC, ARRANGED IN PEDIGREES, AND THEIR GOVERNMENTS.—*Continued.*

BODIES POLITIC.	GOVERNMENTS.
(*a*) Before 468 B.C.	
A succession of composite urban bodies politic, fighting frequently on the land.	A king with little power, and a strong council.
(*b*) After 468 B.C.	
A succession of simple urban communities, never fighting as principals on the land.	Rule of the poor, in 370 murderously violent.
(2) In Attica, which had a chief city and also other towns.	
(*a*) Till 490 B.C.	
A succession of composite bodies politic, very seldom fighting by land and having no alliances.	At one time mild oligarchia, at another mild tyrannis, at others mixed government consisting of (1) Yearly magistrates. (2) A senate (Areopagus) steadily growing weaker. (3) Assembly. (4) Popular law courts.
(*b*) From 454 B.C. to 431 B.C.	
A simple community, partly urban, partly rural, in receipt of tribute, and trying to avoid a war with all the Greeks.	Mixed government: Active organ, one man (Perikles). Passive organ, the poor voters in the assembly.

TABULAR VIEW OF ALL GREEK URBAN BODIES POLITIC, ARRANGED IN PEDIGREES, AND THEIR GOVERNMENTS.—*Continued.*

BODIES POLITIC.	GOVERNMENTS.
(*c*) From 429 B.C. to 413 B.C.	
A simple urban community, in receipt of tribute, fighting desperately to keep the tribute.	Class government: Imprudent rule of the poor.
(*d*) From 413 B.C. to 405 B.C.	
A simple urban community with diminished tribute, fighting desperately to keep what it had.	Class government: Usually, rule of the poor, more imprudent than before. In 411 B.C., rule of a gang of ruffians, led by an ex-demagogue.
(*e*) From 405 B.C. to 338 B.C.	
Simple urban communities, descended from receivers of tribute, and degenerating.	Class government: Selfish and unpatriotic rule of the poor.
Group 4. Isolated pedigree of bodies politic in Sparta.	
(*a*) Before 431 B.C.	
A succession of garrisons of slave-masters.	Government insignificant. Customs rigid.
(*b*) From 405 B.C. to 338 B.C.	
Communities either in receipt of tribute or descended from receivers of tribute.	Very selfish rule of the rich.

CHAPTER XIII

ITALIAN PEOPLES TO 264 B.C.

ITALY, though its surface is very uneven, is not, like Greece, cut up by mountains into rockbound natural divisions. Geographically speaking it has, in what is known as the Apennine mountains, a backbone, extending for the whole length of the peninsula, a distance of seven hundred miles, from Genoa to the straits of Messina. But it is only in a geographical sense, or because they divide the waters that flow into the Adriatic from those that run into the Tyrrhenian sea, that the Apennines can be regarded as a backbone or a range of mountains. Nowhere except in a stretch of fifty miles near the marble quarries of Carrara are they steep or difficult of transit: elsewhere they are for the most part only hills with a broad back and nearly flat on the top. Many passages over them are not more than two thousand feet above the sea, and are approached on both sides by easy slopes through valleys which abound in pasture, and offer almost up to the main watershed comfortable sites for villages of herdsmen. Hence it was easy in ancient times for pastoral peoples to advance gradually across the smooth tops of the passes. In prehistoric ages the tribes near the highest ground took advantage of their opportunities, and before 400 B.C., which is the earliest date for which we have a knowledge of the distribution of the soil among the races which inhabited the peninsula, the Umbrians, the Sabines, and the Samnites had all seated

Geography of Italy.

themselves astride of the main backbone of the peninsula: and, more than that, instances in which a political boundary coincided with the main watershed were either very rare or entirely absent. From all this we can conclude that the Apennines were too easily crossed to serve as natural frontiers for territories. Moreover, as the Apennines are not in most places a spiny backbone but rather a broad saddle back, so they do not send out strongly marked ribs, except from the lands of the Umbrians and the Sabines to the eastward. From the Sabine Apennines runs out towards the Adriatic a ridge, now known as il Gran Sasso d'Italia, whose highest points rise to ten thousand feet, far loftier than any point on the main watershed: and from the Umbrian Apennines also some lateral ranges of high hills go out to the east. Elsewhere in Italy the ground slopes easily from the round back of the Apennines to the sea. On the eastern side, from a point about fifty miles further down the peninsula than il Gran Sasso d'Italia, the broad plain of Apulia stretches unbroken to the heel of Italy: on the west a traveller going from the river Arno, on which Florence stands, to Cumæ or Naples, found even in ancient times no natural impediment to his progress except the Ciminian Forest in Etruria, and the Volscian mountains between the plain of Latium and the mouth of the river Liris.

The coast of Italy offers no natural harbours of first rate excellence except Tarentum, under the heel of the peninsula, and Misenum near Cumæ: the next best natural ports are found about the region of the Arno and the Tiber. Between these rivers the promontories of Populonia and Argentario provide fair shelter for vessels: and the channels of the rivers themselves also make tolerable natural havens, but not nearly so good as they would be if the Mediterranean were a tidal sea and filled them with deep water twice every

Italy could not tempt its primitive inhabitants to become seamen.

day. None of the natural harbours of Italy has the advantage, which in primitive ages is very important, of looking out on an archipelago of islands: and hence the most ancient inhabitants of the country had not that inducement to take to the sea in order to explore what could not be reached by land, which led the earliest Greeks to become seamen in order to settle on the islands of the Ægean Sea. The Phœnician mariners of Tyre and Sidon, who during the Mykenean age easily found their way to Greece, had no islands to serve as finger posts guiding them to Italy. In sailing to the extreme west of the Mediterranean Sea, they no doubt crept cautiously along the coast of Africa; and there are no indications tending to show that they visited Italy, which lay far from their route, or that the inhabitants of Italy in early prehistoric ages had any foreign instructors to teach them the art of the mariner.

Early inhabitants of southern Italy.

It is an indisputable fact that at any rate an overwhelming majority of the peoples who were living in Italy at the beginning of the ages known to us from records came into the peninsula from the north. Hence the primæval occupants of the soil must be sought in the south, to which they were pushed by new comers from over the Alps. Among the names of peoples who lived in the south of the peninsula in ages which were half historical and half prehistoric, those which are mentioned most frequently by Greek or Roman authors are Itali, Messapii, Iapyges, and Sallentini. The languages of the Itali and the Sallentini are totally unknown to us, and we cannot tell whether they belonged to the Aryan family of languages. Of the dialect of the Messapii (who can scarcely be distinguished from the Iapyges) some fragments have been preserved in which Mommsen detected analogies with the Greek and Latin inflexions of the genitive case, and these analogies may probably indicate

that the dialect was one of the Aryan varieties of speech.[1] Next after these primæval peoples there came from over the Alps a second group of tribes, who may be classified under the names Oscans, Sabellians, Latins, and Umbrians. They came probably in many successive swarms: from the relative positions which they occupied in the peninsula we may conjecture that the Oscan peoples came first and the Umbrians last. The Oscans settled in the valley of the Volturnus, the Latins and Sabellians further north, and the Umbrians furthest north in that region on the top of the Apennines about Iguvium (Gubbio) which still bears their name, in the valleys which from thence run down eastward into the Adriatic Sea, and in the lands to the west which are drained by the river Umbro (Ombrone) to the south of the Arno. The Oscans, the Latins, the Sabellians, and the Umbrians, as we see from literature and from inscriptions, all spoke closely allied Aryan languages.

The third group of peoples in Italy were the Tyrrhenians or Etruscans. They came to the peninsula evidently after the Umbrians: they overpowered the Umbrians in the valley of the Umbro, and made themselves masters not only of all the space between the Arno and the Tiber, which was named after them Etruria, but also of a wide district to the north of the Apennines, around the city which they called Felsina, and we call Bologna. Some inscriptions in their language have been found in Etruria, and a longer writing in the same language in Lemnos, or one of the neighbouring islands in the northern part of the Ægean Sea: but all attempts to decipher these remnants of the Etruscan tongue have hitherto failed, and all that we know for certain about the place of the Etruscans among the peoples of the world is that their language was not Aryan. The last comers who entered the peninsula

Etruscans, Celts, Greeks.

[1] Mommsen, *Unteritalische Dialecte.*

from the north were Celts from Gaul. They occupied the greater part of the valley of the Po, expelled the Etruscans from all their settlements on the north of the Apennines, and drove the Umbrians from the coast of the Adriatic Sea that lay north eastward of Iguvium, which was the central point of the Umbrian settlements. On the southern coasts the Greeks began, perhaps about 800 B.C., to establish colonies: the first Greek settlers came from Kymê in Asia Minor, and their Italian colony was named Cumæ. Before 550 B.C. all the coast from Cumæ to Tarentum was bordered with a fringe of flourishing Greek commercial cities.

The Latins.

Among all the ancient peoples of Italy those known to us at the earliest stage of their career are the Latins. We get our knowledge of them from traditions: but only those traditions are trustworthy which are confirmed by the known geography and ethnography of Latium and the parts around it. The ground occupied by the Latins lay on the south east side of the river Tiber. From the coast it extended inland a distance of thirty five miles to the hills which come down from the central Apennines on the two sides of the river Anio. Its greatest width, measured from the river Tiber to Præneste and Lanuvium, the most distant Latin strongholds from the river, was twenty miles; we must, however, imagine that Præneste and Lanuvium owned some ground beyond their actual fortresses on the side remote from the Tiber, and we may take twenty five miles as the extreme breadth of the ground occupied by the Latins. On the other hand, near the coast were no Latin strongholds except Laurentum and Lavinium, and in that part the Latin settlements only extended fifteen miles from the Tiber. Thus the ground occupied by the Latins at the earliest time to which we can go back measured thirty five miles from the coast inland,

and at a liberal estimate had an average width of twenty five miles from the Tiber towards the south east. Thus the whole area occupied by the Latins was something less than nine hundred square miles.

The inhabitants of Latium, who with their neighbours the Sabines and Rutulians were the parents of the Roman commonwealth, showed themselves in the ages known to history to be the best and the strongest of the Italians. Judging merely from their later pre-eminence we should be inclined to conjecture that when first they came into Italy they were among the more progressive of the Aryan-speaking immigrants into the peninsula, and therefore were accustomed to practise that system of agriculture which the Italians and the Greeks had originated in common before they moved into Italy and the Balkan peninsula. It is, however, for other reasons quite certain that the Latins in an extremely remote age were not mere herdsmen but were accustomed to till the soil and store its produce. For the Latins lived permanently in their strongholds upon and around the Alban hills long before Rome was founded. But mere herdsmen cannot live permanently in a stronghold. They must be habitually in the open country to get grazing for their cattle and sheep. The only strongholds that they can make use of are camps of refuge with some pasture within them, like the Maiden Castle near Dorchester, or Wandlebury near Cambridge, or Ledbury Camp in Herefordshire: these strongholds of pastoral peoples show clearly that they were only to be occupied for a few days at the most, because they are on hill tops and have no supply of spring water that could long suffice to quench the thirst of the beasts. The Latins lived throughout the year in their fortresses: and for generations before they could think of such a life they must have been accustomed to store the produce of

The Latins an agricultural people before they lived in fortresses.

the land to provide them with sustenance during a siege.

The lands on which the Latins lived included hills on either side of the river Anio and the whole isolated volcanic mass of the Alban mountains. On these hills and also on the lower ground between them are many sites admirably suited for making strong fortresses. The Latins took advantage of their opportunities and built a large number of towns. Learned Roman writers who lived in or after the Augustan age record the names of about fifty Latin towns, but confess that for most of them they know nothing but the names. Ten Latin fortresses whose positions have been identified beyond dispute, were built on sites of remarkable strength for defence: one more Corbio, is known from the stories about it to have stood near the top of the outer crater of the Alban mountains and was therefore very difficult of access. The loftier parts of the old Alban volcano were occupied by Alba, Tusculum and Corbio: lower summits on the spurs or slopes of the mountain gave space for Aricia, Labici, and Lanuvium: the lower ground near the coast furnished a strong natural site for Lavinium; and on the hills on the two sides of the Anio were built Nomentum, Tibur, Pedum, and Prænestе. Every one of these eleven greater towns of Latium was originally, and probably remained for ages, independent since each of them was too strong to be conquered by its neighbours. But each of them must have possessed for sustenance land fit for tillage and pasture in the lower ground of the Campagna: the possessions of the several towns were not marked off from one another by any natural frontiers; hence no doubt the towns contended in arms for

The Latin fortresses.

[1] For the list and sites of the original strongholds of the Latins, see Mommsen, *Hist.*, vol. 1, 357, 358: the articles on the individual towns, by Sir E. Bunbury, in Smith, *Dict. Geogr.*: and the map of the environs of Rome, in Smith, *Atlas*, plate 19.

the settlement of their boundaries, and the Latins got constant practice and skill in the art of war.

The Latins were surrounded by peoples of different stocks from their own. To the north were Sabellians, who here were called Sabines; to the east and south and west Æquians, Volscians, and Rutulians: the further side of the Tiber was occupied by some people alien to the Latins: we do not know for certain who lived there in the very early days of the Latins, but it is not improbable that the inhabitants may have been Umbrians. Although the Latin towns had fought with one another before they settled their boundaries, they were better friends with one another than with any aliens, and accordingly they formed an alliance or possibly a confederation for defence. When the Etruscans came down from the north and occupied the strong fortress of Veii, a few miles north of the Tiber, the new Etruscan stronghold was formidable not only to the Latins, but also to the Sabines and the Rutulians. Hence it came about that Latins, Sabines, and Rutulians were glad to have as a bulwark against the Etruscans a strong town held by kinsmen of their own on the river Tiber.

Neighbours of the Latins.

The site of the town which acted as a bulwark for the Latins, the Sabines, and the Rutulians was a group of seven low hills adjoining the river Tiber at a point where an island in the stream afforded an easy passage to the other side: on these hills Rome was built and grew into a strong fortress. It is probable that the original garrison of the fortress was not all drawn from one people, for the numbers that occur in the earliest Roman institutions, military, political, and religious, are multiples of three. There were three centuries of cavalry, three thousands of infantry, thirty curiæ, six Vestal Virgins, twelve Salii, afterwards increased to twenty four, twelve Fratres Arvales, twenty four chapels of the Argei. The

The beginnings of Rome.

systematic triplication of military and political units and of priesthoods could not be understood if we supposed that the original inhabitants of Rome were all of one origin and kindred: but it is explained by passages in Roman and Greek authors which tell us that the three centuries of cavalry were called Titienses, Ramnes, and Luceres, and that the Titienses were Sabini, and the Luceres received their name from Ardea, the chief city of the Rutuli, with the additional statement that the Luceres were a third part of the Roman people.[1] All the problems that arise from the prevalence of multiples of three in early Roman institutions are solved if we suppose that the original garrison of Rome consisted of three contingents, Titienses drawn from the Sabellian people of the Sabine hills, Ramnes from the Latins, and Luceres from the Rutuli of Ardea, and that these three contingents, on forming by their voluntary consent a single community for the defence of their new abode, divided public offices and public duties among themselves in equal shares.

Fresh peoples joined to the original Romans.

The earliest stronghold at Rome was Roma Quadrata, or the Mons Palatinus. Around the Palatine Mount the community formed of the Titienses, Ramnes, and Luceres spread till they covered the Septem Montes: and over this area the members of the three component tribes must have mingled indiscriminately, since we do not find that any locality was allotted to any one of them. A little to the north of the seven Montes two eminences called Colles (the Quirinal and the Viminal) were occupied by a community distinct from the community of the seven Montes. In the course of time the men of the Colles were taken into the community formed by the men of the Montes, and when they were

[1] Titienses, Ramnes, Livy, 1. 13: Luceres, Festus, apud Paul. Diac. ed. Müller, p. 119.

enrolled among its citizens were artificially divided into three bodies known as second Titienses, second Ramnes, second Luceres. Hence it is that Festus states that the body of Roman citizens consisted of six parts, the first and second Titienses, the first and second Ramnes, and the first and second Luceres.[1] The men comprised in these six parts were the Roman body of burgesses: they called themselves Patres, Fathers of Roman Households, or Patricii, the sons of the Fathers. But these burgesses did not continue, even to the end of the age that is entirely prehistoric, to be the only inhabitants of Rome. They conquered Cænina, Crustumeria, Antemnæ, Politorium, Tellenæ, Ficana, Medullia, Apiolæ, all of them Latin towns within ten or fifteen miles of Rome; after taking one of these towns they usually razed its walls to prevent it from being reoccupied by enemies, and either transported the inhabitants to Rome or left them as peasants on their own old territory, free from personal servitude but in strict subjection to their Roman rulers.[2] Besides this, it cannot be doubted that men from outside the Roman territory came voluntarily to settle in or near Rome, in search of profit, employment, or protection, just as in the early Middle Ages men gathered under the walls of a castle or a monastery. The inhabitants of the conquered towns and the voluntary new comers were all outside the body of burgesses, and were known collectively as the Plebs or Multitude.

The component parts of the government of Rome in its beginning were a king, a senate of elders, and the Patres arranged for the purpose of voting in thirty Curiæ. The earliest kings were no doubt native Romans: the garrison of Rome from its first settlement on the Palatine must have

[1] Festus, ed. Müller, p. 344. On the Montes and the Colles see Mommsen, *Hist.*, 1. 50-58.

[2] Livy, 1. 9-11, 33, 35.

needed a military commander, and the military commander was sure to be converted into a king. The names, however, of the native kings of Rome were not known to the makers of legends, and instead of real native kings they give us imaginary personifications of virtues under the names of Romulus, Numa, Hostilius, and Martius. The kings of Rome whose names were remembered were first Tarquinius Priscus, then Servius Tullius, and last Tarquinius Superbus. Tarquinius Priscus came to Rome from the Etruscan city of Tarquinii. The Roman narrators of legends say that, though he came from Tarquinii, he was in truth a Corinthian who had settled there. Tarquinius Superbus, however, whom they represent as son of Tarquinius Priscus, took refuge according to their story at Tarquinii after he had been expelled from Rome, and was able to induce the Etruscan cities of Tarquinii, Veii, and Clusium to give him aid towards his restoration by the plea that he was himself an Etruscan.[1] The forcible intervention of these cities on his behalf clearly indicates that they regarded him as their kinsman, and that he was in truth an Etruscan; hence it follows that his father or grandfather, Tarquinius Priscus, was Etruscan also. Servius Tullius, whose reign came between those of Tarquinius Priscus and Tarquinius Superbus, is represented as having attained the kingly dignity because he had married a daughter of Tarquinius Priscus: his name is neither Etruscan nor Roman, but betrays his Latin or servile origin. Thus none of the kings of Rome whose names have been preserved belonged to the Patricii or original Roman burgesses.

Earliest government of Rome.

The land of the Etruscans whence the family of the Tarquins came to Rome bore some general resemblance to Latium, but lay at a higher general altitude, was somewhat

[1] Livy, 2. 6 and 9.

less fertile and very much larger. The Latins occupied only nine hundred square miles: the Etruscans had in Etruria alone, that is, in the land between the Arno and the Tiber, fifteen thousand. Etruria, like Latium, presented many eminences or escarped ridges suitable for fortification: hence the Etruscans built themselves strongholds, and each of their fortresses was independent, because it was too strong to be conquered. But the natural sites for fortified towns were not so near together as they were in Latium: hence the Etruscan towns had more elbow-room than the Latin towns, and it cannot be doubted that among the fourteen or fifteen towns in Etruria there were some that owned a territory as large as the whole of Latium and Rome. As the Etruscan towns were large and populous, they feared no aggression from outside of Etruria, and had no occasion to act together as allies or to form a confederation, but regarded each other as rivals rather than as friends. In the course of the century from 600 B.C. to 500 B.C. the great power attained by some of the Etruscan towns was proved by the accession of Tarquinius Priscus as king of Rome, and by the appearance, about 538 B.C., of Etruscans as possessors of a navy.

Etruscans.

How it came about that some of the Etruscan towns could equip a fleet we do not know from records, but may imagine from combining some well known facts. Almost as soon as the Etruscans made their settlements in the southern part of Etruria they must have known the art of building boats. They would be likely to discover it for themselves: but, if they did not, they could not fail to learn it from their neighbours, the Latins, who, as we have already noticed, brought a knowledge of it into Italy when they migrated from the common abode of the Aryan peoples.[1] The Greek names of Pyrgi and

Naval power of the Etruscans.

[1] See p. 5, p. 11.

Telamon, on the coast of Etruria, and of Æthalia, now Elba, indicate that Greeks must have visited the Etruscan Sea at a time when some positions on the mainland, and the most important of the islands near it, had not yet any names in the Etruscan language that were generally current, and therefore before the Etruscans became a seafaring people. The nearest Greeks to Etruria were those settled at Cumæ and further south on the western shore of Italy, and hence it is likely that these were the first Greeks who frequented the Etruscan Sea. As soon as Greeks came to Etruria, the Etruscans could learn from them the art of building and managing ships. From about 600 B.C. the Carthaginians were powerful both on land and sea: and about 538 B.C. some of the Etruscan towns sent out a squadron of sixty ships to co-operate with a Carthaginian squadron of equal number in attacking a colony of Phokæans from Asia Minor, who had settled at Alalia on the east coast of Corsica and annoyed all their neighbours by piratical expeditions.[1]

Theory held by Roman antiquarians about the constitution of Rome under the kings.

The Roman antiquarians of the age of Cicero had a definite theory about the constitution of Rome under the kings. They believed that they knew that a king had almost unrestrained power as long as he lived, but that on the death of a king elaborate machinery was set in action by the senate for determining with the aid of the thirty Curiæ of Patres who should be his successor. Their theory must have been constructed by inference from the procedure that was usual in the first two or three centuries of the Roman Republic: for it cannot be supposed that they had any trustworthy records of what was done in the age of the kings. Their theory was generally accepted by the Romans; and when Livy and Dionysius, about forty or fifty years after the time of Cicero, presented legends about Rome

[1] Herodotus, 1. 163-167.

under the kings in a literary form, they assumed the accepted theory to be correct, and it serves as a background for their narratives.

But it is to be observed that their narratives make out that, in so far as concerns the respective powers of King, Senate, and Curiæ, the constitution was the same under the native kings Numa, Hostilius, and Ancus Martius, as under Tarquinius Priscus and Servius Tullius. It was easy for the narrators to believe that no change in the constitution was introduced at the accession of Tarquinius Priscus, because the Roman tradition gave out that Tarquinius was a Corinthian who had long been domiciled at Rome, and that the Romans chose him as their king of their own free will, simply because he was the man most worthy to reign. But the story that the Romans chose Tarquinius to be king simply because he was the worthiest seems grossly improbable. It is not for such reasons that peoples choose foreigners to reign over them, and we must suppose that the Romans took Tarquinius as their king under some stress of circumstances. It might be that the Romans were vanquished by a prince of the town of Tarquinii, and accepted him as a conqueror to rule over them: or it might be that they were in danger of being overpowered by the men of Veii or some other neighbouring people, and therefore purchased the aid of Tarquinii by accepting a Tarquinian as their king. But whether the king from Tarquinii came as a conqueror or as a champion, his coming would be likely to alter the constitution from what it had been. Hence it is likely that there was one constitution of Rome under some native kings of whom we know nothing except that their names were not Romulus, Numa, Hostilius, and Martius, and another under Tarquinius Priscus and Servius Tullius: and it may perhaps be not worth while to pay much attention to the theory of the

A weak point in their theory.

Roman antiquarians about the constitution of Rome under the kings, which must have been derived by inference from the constitution of the Roman republic.

Servian reform of the Roman army.

The earliest change in the Roman institutions of which we have any knowledge is the reform of the army which was attributed to Servius Tullius. Both Livy and Dionysius give us descriptions of this reform and of the army which resulted from it; but it is probable that they derived their descriptions from a document drawn up not earlier than 269 B.C. (more than two and a half centuries after the Servian reform was carried out), which described the organisation of the Roman people for military purposes as it stood when the document was drawn up, and not as it stood immediately after the Servian reform. Hence in reading their descriptions of the Servian reform we may reject those details which may probably belong to a later age. Some parts, however, of their descriptions are corroborated by historical facts which occurred long before 269 B.C.: these we must accept, and they are amply sufficient to show the importance of the Servian reform.[1]

Servian army.

From the position of Rome and its surroundings it is clear that the town from its first foundation, or from the time when the Etruscans became formidable, must have had a strong and active military force. Long before the Servian reform both patricians and plebeians must have served as soldiers; long before that reform the patricians filled six centuries or squadrons of cavalry, and perhaps the wealthier plebeians were also horsemen: the mass of the able bodied men served on foot

[1] Livy, 1. 43; Dionysius, 4. 16. Professor Botsford, *The Roman Assemblies*, p. 67, n. 4, and p. 87, gives reasons for believing that Livy and Dionysius copied from a document which described the military organisation of about 269 B.C.

in phalanxes of infantry. Thus before the Servian reform was made both king and people well knew by experience what was needed in military organisation. The Servian reform consisted in the making of new rules which ensured that every patrician and every plebeian should know his place in the army, and the duties incumbent on him in regard to service and equipment.

When those rules had been made and enforced the wealthiest Romans still continued to form a certain number, probably an increased number, of squadrons of cavalry: the rest of the able bodied men still served in phalanxes of infantry, and they also were divided into small companies called centuries. In a Roman phalanx the men stood seven ranks deep. It was essential to the efficiency of a phalanx that the best armed and strongest men should stand in the ranks nearest to the front: and therefore the Servian rules prescribed that the first four ranks should be filled with the centuries of those men who were enabled by the amount of their possessions to keep themselves well fed and fully armed. The centuries in the first four ranks were called sometimes the *classis* or *summoning*, sometimes the first classis. The fifth rank was filled with centuries composed of men somewhat poorer than those in the first four ranks and therefore less completely equipped: these centuries were the second classis. The sixth and seventh ranks were manned from the third and fourth classes, who were poorer and worse armed than the classes in front of them. And so the phalanx was complete. In addition to the four classes in the phalanx there was a fifth class composed of very poor men who served outside the phalanx as slingers or skirmishers.

In order to place the men in their proper classes it was necessary to estimate their property. The estimation, in which probably account was originally taken only of

property in land, was called *census*: and when the census had been taken every man who owned any land, whether he was patrician or plebeian, was duly placed in his class and in his century and knew the nature and extent of his military obligations. The general effect of the Servian reform was to arrange the fighting men of Rome in classes according to gradations of military efficiency and incidentally in gradations according to wealth. In order to facilitate the making of the census or register of soldiers the landowners were divided into tribes according to the local position of their plots of ground: but it is not certain whether the tribes made for this purpose included only owners of land within the town of Rome or all owners in town and country alike. In close connection with the Servian reform of the army occurred the building of the walls of Rome which enclosed both the montes and the colles in an encircling fortification.

Servian census.

The territory and power of Tarquinius Superbus can be roughly estimated. From stories told of the next age after him we may infer that the north western bank of the Tiber, from a point a little above Rome, had for very long been in the undisturbed possession of the Etruscan city of Veii: thus in this region the limit of the Roman territory was the river. Between Rome and the sea it is probable that the strip of ground on the north western bank belonged to the Romans, and gave them command of the channel. On the south eastern side of the Tiber the legends tell us that Sextus Tarquinius took Gabii by treachery, and that King Tarquin summoned the Latins to meet him at the grove of Ferentina:[1] hence Gabii and the grove of Ferentina lay on the frontiers of the Roman lands. From these indications we may believe that the Roman territory reached inland for about twenty miles from the

Tarquinius Superbus.

[1] Livy, 1. 50-60.

sea on the south side of the Tiber and its tributary the Anio, and was about twelve miles broad in its widest part: its area then was about a hundred and ninety square miles. Outside his own territory Tarquin had powerful supporters: the princes of some of the Etruscan cities were his friends, and over the Latin towns, who had now formed themselves into some sort of federation, he had a hegemony or suzerainty which empowered him to dictate their foreign policy and make use of their armies.[1] At home Tarquin was an oppressor: when the indignation of the Romans was hot against him and his son Sextus, the army made by Servius Tullius got its opportunity of settling what should be done. It met as a political assembly, deposed Tarquin, and, voting by centuries, elected two men to be its magistrates for one year. The title *prætores* (præ-itores) borne by the new magistrates indicates that their chief duty was to lead the Roman armies in war.

Livy tells us that the new magistrates possessed from the first all the power that had belonged to the kings, subject only to the limitations (1) that they bore office for one year only, (2) that they were two, and neither could enforce a command if the other protested against it, and (3) that there was a rule which enabled a citizen to appeal from the sentence of a magistrate to the mercy of the people assembled in centuries.[2] How he could know that the Romans, on first instituting their yearly magistrates, made these elaborate rules in regard to their powers does not appear. The narrative of the expulsion of Tarquin and the establishment of yearly magistrates was put into writing for the first time by Fabius Pictor, shortly after 200 B.C.,

Original powers of the two magistrates badly attested.

[1] Livy, 1. 50-52; Dionysius, 4. 43-48, especially 4. 48. 1. *τυχὼν δὲ τῆς Λατίνων ἡγεμονίας ὁ Ταρκύνιος.*

[2] Livy, 2. 1, and *ibid.*, 2. 18. 2 and 2. 8. 2.

more than three centuries after the events which it records: Livy himself says that for these occurrences Fabius Pictor was *scriptorum antiquissimus*.[1] In the absence of early written records we may consider what is probable rather than what Livy records, and may believe that in the hurry of the deposition of Tarquin the Roman people had no opportunity for doing more than electing two magistrates to lead them in war for a year, and that they left it to circumstances to determine the powers of their magistrates.

Circumstances were such as tended to give high authority to military commanders. Tarquin, after his expulsion from Rome, was still strong in his connections with the Etruscans and the Latins. At his bidding the Etruscans under Porsena of Clusium attacked the Romans for the purpose of restoring him: it may be that they captured Rome, but they did not restore the tyrant. Again at Tarquin's bidding Mamilius of Tusculum, who had married Tarquin's daughter, led the Latins into a war against the Romans, which the makers of legends adorned with the story of the battle of the Lake Regillus. In these early wars of the Roman Republic the leaders of the Romans were their elected magistrates: under their leadership the Roman state emerged from the wars independent. At the end of the wars the magistrates certainly enjoyed a high degree of authority over all the citizens: but whether they were powerful simply because they had served the state well, or, as Livy says, because they succeeded to nearly the same functions as the kings of Rome had performed, is a question which I prefer to leave undecided.

After a few years the powers of the magistrates were certainly large.

The magistrates were in all cases patricians: it is not improbable that the patricians, who had most of the wealth in Rome, may have controlled a majority of the centuries,

[1] Livy, 1. 44.

and thus got members of their own order elected simply by counting of votes. The actions of the magistrates were supported by the authority of the patricians in the Senate, and thus after the independence of Rome had been asserted against Porsena and against the Latins, the Romans were governed exclusively by the patrician order.

Supremacy of the patricians.

The government of Rome immediately after the expulsion of Tarquin was, in the fact that it was carried on by two magistrates elected yearly, of a type that occurred in the Latin towns generally. In most Latin towns the rulers were two prætors: at Lanuvium, Nomentum, and Aricia the magistrate was a single dictator.[1] All these magistrates were elective, and therefore in each Latin town the burgesses must have had the political privilege of choosing their rulers. In other respects the governments of the Latin towns differed from the government of Rome. I do not know that any of the old Latin towns had a senate: and all the work of settling the foreign policy of the Latins must have been done, not in the several towns, but in some central organ of government controlling the whole confederation.

Governments of the Latin towns.

During the years in which the Romans had to defend themselves against the attacks of Tarquin and his friends Porsena and Mamilius, the patrician magistrates treated the plebeians with consideration and mercy, because they needed their zealous service in the army: in particular, during those years of danger common to all, the laws in regard to debt, which were as cruel as the laws of Attica had been before the reforms of Solon, were not enforced against the poor plebeians. But upon the death of Tarquin, which occurred

Secession of the Plebs to the Mons Sacer.

[1] Mommsen, *Hist.*, vol. 1, p. 352 note.

at Cumæ fifteen years after his deposition, the laws were allowed to take their course. It may be that only few Romans were actually reduced to servitude: but, as soon as it was seen that the law about debt was enforced in some cases, servitude was the lot that awaited all who could not pay what they owed. A great part of the plebeian order, rich and poor alike, promptly resolved that, rather than permit such a fate to befall their poorer members, they would separate themselves from the Roman state: and only two years after the death of Tarquin a Roman army, when ordered to march out on pretext of a war against the Æquians, disobeyed the command, seceded to the Mons Sacer, three miles from Rome, and there established itself in a fortified camp as a separate community to which all plebeians might join themselves.[1]

The division of the Romans into two communities with separate places of habitation obviously could not last long.

Return of the Plebs.

Both the Patres and the Plebs had recently suffered together from attacks made by the Etruscans and the Latins: they might again be subject to attacks from the same peoples or from others. If war came while the two communities were separate, the Patres would lack the plebeian soldiers, the Plebs would be without skilled leaders and could not take refuge behind the walls of Rome. The Plebs agreed to come back under the existing government of Rome when the Patres had conceded that the Plebs should have magistrates of its own, endowed with the right to protect citizens against the consuls, and that no patrician should be eligible as one of these magistrates.[2] The new magistrates were entitled Tribuni Plebis, and described as being *sacrosancti*. From the explanation given by Festus it appears that they were called sacrosancti because the Plebs made a solemn vow

[1] Livy, 2. 32. [2] *Ibid.*, 1. 33.

to take vengeance on any one who molested them in the performance of their functions.[1]

Henceforth there existed at Rome a state within the state. The whole community composed of both Patres and Plebei was the *populus Romanus*: within it was the *Plebs Romana*. Populus and Plebs had each a government of its own, so that each can be called a state. Moreover, the two governments were co-ordinate: the government of the Plebs was not subordinate, because the Patricians could not even attempt to diminish its powers without exposing themselves to the consequences of the vow of vengeance which the plebeians had taken against any one who impeded their magistrates. The government of the Populus belonged to the patrician magistrates elected by the centuries: the government of the Plebs was vested in the Tribuni Plebis. In the first instance the Plebs chose only two Tribunes, who subsequently chose three more as their colleagues: for forty or fifty years afterwards five Tribunes, and perhaps sometimes ten, were elected every year.

The Plebs was a state within the state.

In the short time for which the Plebs was absent on the Mons Sacer one of the patrician magistrates in Rome, named Spurius Cassius, took one of the most important steps that was made in the whole course of Roman history by concluding an alliance between Rome and the confederation of the Latin cities: seven years later the alliance was joined by the Hernici, a people somewhat like the Latins but smaller, who lived in the upper valley of the river Trerus, a tributary of the Liris. The Latins and the Hernici were exposed to attack from two peoples of highlanders, the Æqui on their northern side and the Volsci to the south east. The Romans were for the time almost sheltered from

Alliance of Rome with the Latin League and the Hernici.

[1] Festus, p. 318.

inroads of the Æqui and the Volsci by the presence of the Latins and the Hernici: but they knew that if the Latins and the Hernici were overwhelmed, their own turn would come next. Hence they prudently resolved and promised that they would give aid to the Latins and the Hernici: and for nearly a hundred years they performed their promise with magnificent fidelity. Almost every summer for seventy years after the triple alliance was concluded, Roman armies were led into the field for the immediate purpose of protecting the Latins and the Hernici and for the ulterior object of guarding the future security of Rome. While fighting almost every year for two generations against the Æqui and the Volsci, the Latins and the Hernici learned to regard the Roman soldiers as brothers in arms, and to obey the Roman generals willingly because they trusted them.

Early contests between the patrician and the plebeian magistrates.

After the Plebs returned from the Mons Sacer to Rome the Romans were ruled by two co-ordinate and independent governments of about equal strength. One was the government of the Populus vested in the two patrician military commanders elected by the centuries: the other was the government of the Plebs entrusted to the civilian Tribunes, who were always plebeians. The respective powers of the two governments were at the first extremely ill defined: hence for forty or fifty years the two governments came constantly into sharp conflicts, which had to be settled not by law, since there was no law governing their respective powers, but according to the general opinion of the community as to what was needed for its welfare. The result of these conflicts was determined usually by the need which the Romans felt of success in their wars against the Volsci and the Æqui. This need was felt more strongly by the patrician military commanders and the patrician

senate, both of whom understood the supreme importance of fulfilling their engagements with their allies, than by the civilian Tribunes, who cared mainly for the interests of the plebeians at home. The patricians knew that they must have strong armies who fought well. But if they offended the plebeians or the plebeian Tribunes, they found that they had no army, or only an army which would not fight. Hence they were compelled to make some concessions: but concessions which did not satisfy the Tribunes only made them more resolute in asserting their powers.

The strife between the orders became intolerable, because it impeded the success of the Roman armies: and at last the patricians assented to the wish of the plebeians that for a year there should be no more elections of the ordinary patrician military commanders or of plebeian Tribunes, but that in their stead ten commissioners, *Decemviri*, should be elected for that year with power to reform the laws and make a new constitution. The election of the Decemvirs was in itself a revolution, because there was to be no appeal to the people from their judicial decisions. The Decemvirs governed for their year with justice, brought out ten tables of laws which the people accepted gladly, and amid the great popularity they had won they persuaded the people to elect a second body of Decemvirs to complete their work. These second Decemvirs governed like tyrants for their year of office, and when it expired, knowing that if they became private citizens they would be punished, tried to retain their absolute power by force. One of them, Appius Claudius, attempted to employ his usurped authority for the gratification of his lusts. A tumult ensued, and a mutiny of an army and a new secession of the Plebs to the Mons Sacer. In order to induce

Decemviri.

he Plebs to return to Rome the Patricians found it ecessary to insist that the Decemvirs should lay down heir usurped authority and to agree that the two governnents of the Populus and the Plebs should be restored, hat the number of the Tribunes should be raised to ten, nd that the inviolable sanctity of their persons which had itherto been gained for them only by the vow of the Plebs o avenge any violence done to them, should be from that ime assured by legal enactment.[1] The two co-ordinate overnments of Rome were therefore to continue their erpetual duel with improved chances for the champions f the plebeians.

eriods of oman istory.

From the time of the Decemvirate we possess a history of ome in the sense that we know not only the general course of Roman foreign policy, but also the chief features of the Roman constitution: for the first century, however, after the deposition of ie Decemvirs dates are known only approximately, and for early two centuries many of the stories recorded about ndividual Romans are probably inventions. The whole istory of Rome divides itself into three great periods, hich may be characterised as follows: First, till 264 B.C., ome as an Italian power; Second, from 264 B.C. to 46 B.C., ome as possessor of large dependencies across the sea, hose government the Romans neglected; Third, from 6 B.C. to 476 A.D., Rome and its provinces gradually onsolidated into an Empire under one government. The resent chapter deals with the first of these periods, in hich Rome was only an Italian power. That period ivides itself into two sections: (1) till the conquest of the atins by the Romans in 338 B.C.; (2) from 338 B.C. to 64 B.C. the conquest of Italy.

[1] Livy, 3. 44-55.

1) ROME TO THE CONQUEST OF THE LATINS

A convenient point of time for viewing the Roman constitution occurs about twenty years after the deposition of the second Decemvirs. Under that constitution Rome was, as we have seen, controlled by two co-ordinate and separate governments: one was the government of the populus, managing those affairs which affected the welfare of the whole community: the other was the government of the plebs, attending to the interests of the plebeian order. In the government of the populus the chief organs were (1) magistrates called *curule*, from the *sella curulis*, or chair of state in which they sat, (2) the senate, (3) the assemblies of the centuries. The government of the plebs was vested in (1) plebeian magistrates and (2) a plebeian assembly.

Constitution of Rome after the Decemvirate.

In the government of the populus the magistrates were these. Firstly, there were at all times the two military commanders elected by the centuries to bear office for a year, who had originally been called *prætores* or leaders in war, but who were now generally known as *consules* or colleagues. In times of danger there was also a dictator holding office simultaneously with the consuls, but with superior power: the dictator was not elected, but was nominated by one of the consuls to hold command for six months. Once in every few years two censors were elected for the purpose of making a new register of the citizens. The consuls and the dictator had the *imperium*, or right to give commands of all sorts. The dictator must be obeyed in all cases and everywhere: the consuls must be obeyed in every respect when they were in military command outside the city and its precinct: but when they were within the city walls, or within a precinct which extended for a

Government of the populus: (1) Magistrates.

mile from the walls, any of their commands could be deprived of coercive force by the intervention of any one of the tribunes. The censors did not in practice issue any commands except those that were necessary for making the register of citizens: but their decisions in regard to the amount of the man's property and his public obligations were final and could not be questioned.

The Senate derived its position and functions in unbroken descent from the times of the kings. It was a body of counsellors whose business was to give advice when it was asked to do so by the chief executive ruler of the state. Its members held their position as counsellors for life: at first they were nominated by the king and afterwards by the *praetores*: whether at the time of our survey they were selected by the consuls or by the censors is not quite certain: but the evidence inclines me to think they were chosen by the consuls. The senate could be summoned to meet by a consul or a dictator: but when it had met it had no right to offer advice except on those matters on which the magistrate who convoked it had asked its opinion, and when its opinion had been given the magistrate was free to follow the advice or disregard it as he chose.

(2) The Senate.

The gathering of the centuries was the only assembly in which all the citizens came together for any public business. At the time of my survey, about twenty years after the decemvirate, the number of the centuries is not known with complete certainty: it may have been already fixed at a hundred and ninety three, the number at which it stood from about 268 B.C. till the end of the republican government of Rome, or it may have been smaller. By 365 B.C., about eighty five years after the decemvirate, it cannot be doubted that a hundred and ninety three was the settled and invariable

(3) The assembly of centuries.
(1) Composition.

number. Our earliest description of the centuries and classes dates from about 268 B.C. or possibly a little later: it gives the number as a hundred and ninety three, and therefore about 268 B.C. a hundred and ninety three was the number. But in the description the numbers of centuries of infantry in all the classes down to the fourth inclusive are settled by the numbers of men required to fill the ranks in the phalanxes: therefore the numbers were fixed at a time when the Roman army fought in phalanxes. But we know for certain that by 340 B.C. the use of the phalanx had been entirely abandoned:[1] and there is good reason to believe that its abandonment and the substitution for it of a more effective order of battle was due to the genius of the great general, M. Furius Camillus. But by 365 B.C. Camillus was already dead, and if at his death the phalanx was a thing of the past, the numbers of the centuries must have been fixed before he died. Thus 365 B.C. is the latest date to which we can probably assign the fixing of the number at a hundred and ninety three: from many circumstances in Roman history it seems likely that that number may have been adopted at least as early as 405 B.C., when the Romans began their siege of Veii. When the number had been fixed there were eighteen centuries of cavalry, and the first class of infantry contained eighty centuries, who filled the first four ranks of four phalanxes: the second, third, and fourth had twenty centuries apiece to make up the remaining three ranks. The fifth class had thirty centuries of men armed with darts and slings who skirmished outside the phalanxes: there were also two centuries of artificers and two of musicians and one century comprising probably some thousands of citizens whose poverty exempted them from any compulsory service in the army.

[1] Livy, 8. 8.

The work of the assembly of centuries consisted in the election of consuls and censors, the passing of new laws, and occasionally the decision of a question of peace or war: but as there was not much activity in legislation, and questions of peace and war were usually settled by the obvious necessity of defence against aggressive enemies, the assembly was mainly an elective body. After the number of centuries was raised to a hundred and ninety three, the cavalry had eighteen votes and the first class of infantry had eighty out of a total of a hundred and ninety three. Before the number of centuries was raised to a hundred and ninety three, it is probable that there were only two phalanxes, and every class of infantry had only half as many centuries as it had under the later arrangement: thus under the earlier arrangement we may suppose that the cavalry and the first class taken together had fifty eight votes out of a total of about a hundred and eight. It follows that both under the earlier arrangement and the later the rich men in the cavalry and the well-to-do yeomen of the first class had between them more than half the total votes, and therefore the rich class and the class that was raised far above poverty, though they numbered much less than half of the citizens, settled the result of elections. The assembly then of the centuries was well adapted to give expression to the wishes of the most independent and intelligent classes of the citizens: but in elections it was subject to severe restraint exercised by its presiding officer, who was always a consul or a dictator. It may be suspected that the plebeian order controlled more than half the votes in the assembly, since most of the men in the first four ranks of the phalanx were probably plebeians, and it is certain that none but plebeians served in the rear ranks or among the skirmishers. Hence we may conjecture that the assembly might sometimes wish to elect

(3) Assembly of centuries.
(2) Functions.

a plebeian consul, and so to end the strife between the two orders. No such wish, however, could take effect: the presiding officer had the duty of handing on the *imperium* which he possessed to his successor: and, if the assembly chose a successor whom he deemed to be disqualified, he could refuse to give him the *imperium*, or to constitute him as consul. The existing consuls and dictators, who had the sole right of presiding in centuriate assemblies, were patricians, and they steadily rejected the idea of conveying the *imperium* to a plebeian, and therefore refused to accept the vote of any century for any but a patrician.[1]

Government of the Plebs: (1) Magistrates.

In the government of the Plebs the magistrates were the Tribunes and the Ædiles: the Tribunes alone possessed great political power. During the long wars against the Volsci and the Æqui, they had been able to influence the plebeians to serve or not to serve, to fight well or ill: and in consequence the importance of their office had grown. After the Decemvirate not only was the inviolability of every tribune's person secured by law, but it was recognised that within the walls of Rome and its precinct, a mile broad outside, a tribune could forbid a consul to issue any particular order, and, if he had issued it, could deprive it of legal force. The power of intervention, which was called *intercessio*, enabled the tribunes to protect citizens from unjust sentences of consuls, and even to prevent a consul from levying an army. The Roman army was not permanent, but dispersed every year in the autumn: when a new army was required the enrolment took place on the Capitol, within the one mile precinct, and therefore the tribunes could, if they chose, put a stop to it. The tribunes had also the power of calling gatherings of the plebeians, called *concilia plebis*, and proposing resolutions for their acceptance. The work of the tribunes,

[1] Livy, 3. 21. 8.

except when they proposed a resolution to a concilium plebis, consisted rather in prohibiting than in taking the initiative.

The only purely plebeian assembly was the concilium plebis. Ever since the first secession to the Mons Sacer the plebs had been wont to hold meetings for elections of tribunes and for other purposes. For about twenty years after that first secession the meetings were attended by all plebeians, including both plebeian landowners who were independent, and by clients of the patricians who were dependent on their patrician patrons and could be influenced by them: and all who attended the meetings could give votes. At the end of the twenty years it was found that the votes of the clients enabled the patricians to interfere effectively in the elections of tribunes and to get men chosen who were subservient to the patricians.[1] Hence the more independent of the plebeians wished to deprive the clients of their votes, and they were able to attain their desire by means of the lists of tribesmen prepared in the census.

Plebeian assembly: concilium plebis. Its original weakness.

By this time all the freehold land held by Romans both within the town walls and in the rural territory had been divided into tribes, and lists had at the census been prepared of all the freeholds and of their owners: no man was a tribesman unless his name appeared in the lists of freeholders. By the Publilian law of Volero, passed about twenty years after the first secession to the Mons Sacer, it was enacted that elections of tribunes should be conducted by the tribes in which none but landowners were included: every plebeian tribesman was to have a vote which helped to settle how his tribe should vote, and in the election every tribe had one

Strengthened by the law of Volero.

[1] Livy, 2. 56. 3, says the patricians had 'potestatem per clientium suffragia creandi quos vellent tribunos.'

vote.[1] At the time of my survey, twenty years after the Decemvirate, the Publilian law of Volero governed the proceedings in all meetings of the concilium plebis: only tribesmen had votes in their tribes and one vote was recorded by every tribe.

A concilium plebis was summoned by a tribune, who when it met was its president: its business consisted sometimes in electing tribunes and ædiles, sometimes in voting on proposals made by the presiding tribune. A proposal of a resolution when made by the presiding officer was called *rogatio*: if it was accepted by the votes of the tribes in the concilium plebis it became a *plebiscitum*, or resolution of the plebs. There is no doubt that every plebiscitum was binding on all plebeians: in regard to the question whether it was binding on patricians also, we get nothing but an inaccurate and misleading statement from Livy, who tells us that immediately after the deposition of the second Decemvirs the consuls Valerius and Horatius had passed a law in the comitia centuriata to the effect that all plebiscita should be binding on the populus, and therefore on patricians and plebeians alike.[2] His assertion is undoubtedly in some way incorrect, because some sixty years after the time of our survey the patricians were able for several years to prevent the famous Licinian Rogations, after they had been converted into plebiscita,

Business of the concilium plebis.

[1] Livy in describing the Publilian law of Volero (2. 56-60) needlessly perplexes his readers by saying that it enacted that tribunes should be elected in the *comitia tributa*. The comitia tributa, properly so called, was an assembly in which all landowners, patrician and plebeian alike, took part in the voting. But Livy did not in the least mean to say that patricians were to take part in the elections of tribunes: he shows this quite clearly by the words *summoveri præterquam qui suffragium ineant* (2. 56. 11), and (2. 60. 5), *summovendis patribus*. When he speaks of comitia tributa he means an assembly of *plebeian* tribesmen voting by tribes. If he had written accurately he would have said in 2. 56. 3, *ut plebeii magistratus tributim in concilio plebis fierent*.

[2] Livy, 3. 55. 3, 'ut, quod tributim plebes jussisset, populum teneret.'

from obtaining the force of law. At the time then of our survey plebiscita were not binding on the patricians till they had in some way or other received a confirmation from the government of the populus, or of the whole Roman community.

The condition and aims of the Plebeians.

Under the constitution as it stood twenty years after the Decemvirate the patricians alone could get access to a curule magistracy, and therefore none but a patrician could be commander of an army, and the patricians had the entire management of foreign policy: the plebeians furnished probably almost all the infantry and some small part of the cavalry. The plebeian yeoman or peasant had to tear himself away from his farm or his plot of ground for the summer months when his fields needed care and his harvest was ready for gathering: the rich plebeian in Rome served in the cavalry, but not even he could hope under the constitution as it stood to command an army or to take a part in settling a question of foreign policy. The rich plebeians thought they were no less capable than the patricians of acting as generals or as senators: the poor plebeians wished that men of their own order might become generals, because they knew by experience that some patrician commanders had acted harshly and even cruelly towards their soldiers. Therefore the whole plebeian order eagerly desired that the curule offices might be thrown open to plebeians. Towards the attainment of their desires they were helped by the exigencies of long successions of foreign wars, which for ninety years from the time of my survey imposed on the patrician magistrates the necessity of conciliating the plebeians in order that they might get soldiers to fill the ranks of their armies.

For more than a century after the Decemvirate the Romans were engaged in constant wars with their neigh-

bours. For the first sixty years a campaign to check the Volscian and Æquian highlanders occurred nearly every summer: and, though when half the sixty years had elapsed the Roman commander A. Postumius Tubertus won a great victory over the Volscians, any relief that resulted from his success was more than counterbalanced by attacks on the Roman territory undertaken by the strong Etruscan city of Veii. Eventually the Romans with the aid of their allies the Latins and the Hernici besieged Veii for ten years, keeping their armies for the first time employed on active service in the winter as well as the summer. When at last the beleaguered city was captured and destroyed by the Roman dictator M. Furius Camillus, and devoted to perpetual desolation, the Roman body politic became for a time conspicuously the strongest power in central Italy. The faithful protection that the Romans had long given to the Latins and the Hernici had been gradually converted into a protectorate over them, so that the Latins and the Hernici were no longer independent but had to adopt any foreign and military policy that the Romans dictated to them: no one dared to oppose the combined forces of the Romans and their helpers except the Æquian highlanders, and they were defeated.

Foreign wars of the Romans from the Decemvirate to 338 B.C.
(1) Against the Volsci and the Æqui.

But the Romans only enjoyed their newly gained ascendency in central Italy for six years. About sixty years after the Decemvirate, in 390 B.C., a great horde of Gauls descended from the valley of the Po and captured and burned all Rome except the Capitol. They tried for months to take the Capitol also: but when they had suffered from pestilence they consented to depart from Rome on receiving a large ransom in gold. After their departure it was found that the Romans by losing all their strong fortresses except the

(2) Weakness of Rome, 390 B.C.-360 B.C.

Capitol had also lost their ascendency in central Italy. The year after the Gauls departed, the Latins and Hernici, to whom dependence on Rome had long been irksome, thought they could easily stand alone now that Veii was destroyed, and saw also that, even if they needed a bulwark, Rome in its weakness would be of little use: and accordingly all the Hernici and all the Latin towns except Tusculum declared that their alliance with the Romans was ended.[1] For about thirty years after the capture of Rome the Romans had to wage wars against the Volsci and Æqui unaided: sometimes they found that some of the Latin or Hernican towns were giving help to their enemies: and for these thirty years they were exposed to more prolonged danger than they had known for a century past.

(3) Renewed strength of Rome, 360 B.C.

At the end, however, of the thirty years, about 360 B.C., the grievous misfortunes of the Romans were in some degree lightened.[2] At that time a new horde of Gauls came into Latium, and though they were at first welcomed by the Latin town of Tibur, and two years later by Præneste,[3] the Latins in general soon saw that they were dangerous visitors, and in 358 B.C. were glad to make a new alliance with the Romans:[4] from what followed it would seem that in this alliance the Romans and the Latins were nominally placed on an equal footing. The new alliance relieved the Romans from the worst of their apprehensions, at any rate for the few years during which the allies held firmly together. The Gauls repeated their inroads into Latium or its neighbourhood in the next twelve years, and during that time the Latins acted in support of the Romans against the invaders.

But after 348 B.C., when the Gauls made their last inroad, there was no common danger to hold the Latins and the

[1] Livy, 6. 2. 3.
[2] Polybius, 2. 18, 19.
[3] Livy, 7. 9. and 12.
[4] *Ibid.*, 7. 12. 7.

Romans together in friendship. The Latins were probably in doubt whether they or the Romans were the stronger, and were inclined to engage in a rivalry with them to decide which should be the dominant power in central Italy. The Romans were willing and even eager to help any people decidedly weaker than themselves which was likely under their protection to become a useful and obedient dependency, but they did not wish to promote the interests of any people which might become their rival. Hence there was little prospect that the alliance between Rome and the Latins would last long after the Gauls were gone. It ended in the following way. The Campanians of Capua, in the plain near Naples, being menaced by the strong Sabellian people of Samnium, were glad to become the subjects of Rome on any terms that the Romans chose to grant. The Romans accepted their offer: and then the Romans, with whom the Campanians were now incorporated, joined with the Latins in making war on the Samnites: but, after the allies had won some victories over the Samnites, the Romans, thinking that the Latins were inclined to desert them and the Campanians to try to recover their independence, concluded a separate peace with Samnium. After taking this step they could not expect that the Latins would be their friends: and very soon they had to wage a war against the combined forces of the Latins, the Volscians, and the Campanians. The war was evenly contested, but after it had lasted two years, the Romans in 338 B.C. were completely victorious, and thereupon the Latins, the Volscians, and Campanians were brought permanently under the suzerainty of Rome.

(4) War between Rome and the Latins.

During the period of more than a century that elapsed between the Decemvirate and the conquest of the Latins the patricians needed all the soldiers they could get for their foreign wars: and in order to get them they were

compelled to make concessions to the plebeians. About five years after the Decemvirate they agreed that marriages between patricians and plebeians should be legal, and the children of such marriages should follow the rank of the father. Soon afterwards, hoping to appease the desire of the plebeians to be admitted to the curule magistracies but yet determined not to give them the consular dignity, they proposed to put the consular power in commission, and to enact that instead of two consuls there should be three, four, or six military tribunes with consular power. For about twenty years the magistrates possessing the imperium were sometimes three or four military tribunes, but more often two consuls: then for about fifty years ending in 367 B.C. they were usually six or four military tribunes.

Concessions to the plebeians. (1) Military Tribunes.

The compromise of putting the consular power in commission gave no satisfaction: plebeians were seldom elected as military tribunes, and the division of command among many generals led to inefficiency in war. During the thirty years of extreme danger from foreign enemies, which followed the capture of Rome by the Gauls, the plebeians resolved that they would gain admission to the actual consulship: and in 367 B.C. they got it by means of the Licinian Rogations, one of which enacted that consuls, not military tribunes, should be elected, and in every year one consul should be a plebeian. The patricians, after the Rogations had been voted in a concilium plebis and had therefore become plebiscita, long refused to allow them to become law: but in 367 B.C., under the extreme pressure of danger from outside, they gave way: the plebeians on their side consented that the judicial duties of the consuls should be taken from them and entrusted to a new magistrate, called Prætor, who was to be always a patrician.

(2) Licinian Rogations.

The acceptance by the patricians of the rule that one

consul must always be a plebeian would have sufficed to end the bitterness of the strife between the orders, if the rule had been faithfully observed. For eight or ten years the patricians saw that it was necessary to let it be enforced, because the Latins and Hernici were alienated from the Romans or hostile, and therefore the Roman plebs must be kept content: but in 358 B.C., as we have seen, they obtained a new alliance with the Latins. After that the Licinian law about the consulate was indeed obeyed for one year more: but in 356 B.C. the patrician magistrate who held the election of consuls insisted on creating two patricians, and in the next twelve years there were seven in which neither consul was a plebeian. At last, in 342 B.C., when the Romans were beginning a war with the Samnites and thought that a war with the Latins might soon be upon them, the patricians abandoned their foolish evasions of the law to which they had consented, and thenceforth one of the consuls was a plebeian.

(3) Complete enforcement of the Licinian Rogation, 342 B.C.

Throughout the century and a half or more from the expulsion of Tarquin to the conquest of the Latins a wise foreign policy was to the Romans as the breath of their nostrils: and at the same time adhesion to such a policy was a task requiring extraordinary prudence and perseverance. The Roman stronghold had originally grown to importance as a barrier for the Latins against enemies on the north of the Tiber: it must continue to do the work of protecting its southern neighbours if it meant to keep or increase its importance, and at the same time it could not do that work unless its citizens would submit to great hardships and sacrifices. The difficult task of ensuring that the Latins and Hernici were duly protected and of controlling the rest of the foreign policy of Rome could only be performed under the guidance of a permanent

The Senate to 338 B.C.

body of skilled and experienced advisers. Such a body was found in the senate. On all questions of foreign policy and many questions of home policy the curule magistrates, when in doubt, were wont to summon and consult the senate, and, though they were not compelled to follow its advice, they did follow it, and therefore the opinion of the senate determined the policy of the community.

Procedure in the senate.

The magistrate who had summoned the senate presided over its session: he asked the senators in such order as he chose their opinion on the point at issue, and no senator could speak till the presiding magistrate called on him. When the presiding magistrate had satisfied himself, either with or without a counting of votes, what view was approved by the majority, that opinion was expressed in a resolution called senatus consultum.[1] In consequence of the method of procedure at a sitting of the senate the presiding magistrate was able to ensure that the senators who spoke early and gave a tone to the deliberation were men who had gained experience in curule magistracies, and thoroughly understood what was needed for keeping the policy of the Romans consistent.

Work done by the senate.

We have from an early period good means of judging what kinds of subjects were those on which the senate was asked its opinion, and expressed it, and saw it followed by the curule magistrates. Starting with the point of time about twenty years after the Decemvirate, which I chose for a survey of the Roman constitution, we find that within the next twenty years the senate advised and practically settled who should dedicate a temple, whether for a given year the magistrates should be consuls or military tribunes, when there should be a dictator and (seemingly) even what person should hold the dictatorial power, what number of military tribunes should

[1] Livy, 1. 32. 12.

go out as commanders in a campaign, what proportion of the tribes should be called on to furnish soldiers, whether a colony should be sent out to a piece of newly conquered territory, and how much land should be given to each colonist.[1]

By giving wise advice on such matters as these the senate enabled the Roman state to adhere to its admirable foreign policy of steadily helping the Latins and the Hernici: and in consequence it became an article of faith with all curule magistrates that the senate was the fountain of political wisdom and its advice must never be lightly disregarded. During the difficulties of the long siege of Veii, throughout the thirty years of distress that followed the capture of Rome and the defection of the Latins and Hernici, during the anxious years in which the Romans were in alliance with their old supporters but could not trust them, and finally in the war with the Samnites and the conquest of the Latins, the influence of the senate steadily grew greater, whatever might be the issue from year to year of the conflicts between the patricians and the plebeians.

Great influence of the senate.

We now have to turn to the war of the Romans against the Latins, the Campanians, and the Volscians, and to the problems which the Roman magistrates and senate had to solve at its conclusion. By the end of the year 340 B.C. the consul T. Manlius Torquatus had received the submission of the Campanians, and of all or a great part of the Latin towns. For the moment nothing was decided by the senate except that some land should be taken from each of the Latin towns which had fought against the Romans and then submitted,[2] and that the

Difficult questions laid before the senate, 340 B.C.-338 B.C.

(1) Preliminary settlement, 340 B.C.

[1] All these instances of the practical influence of the senate are mentioned in Livy, 4. 29-47.

[2] Laurentum, which was rather a country district than a town, is specially mentioned as having refused to join in the war against Rome.

Campanians should forfeit the large and fertile Falernian field. The wealthy class in Capua, who were known as the knights, had not joined in the war, and consequently it was settled that they should be admitted to full Roman citizenship, and that the poorer Capuans who had been enemies of the Romans should be compelled to pay a special tax to provide each of them with a comfortable additional income.[1]

Whatever may have been the number of Latin towns that submitted to the Romans in 340 B.C., their submission was not permanent. In 339 B.C. they were in arms again, but owing to the negligence or jealousy of one of the consuls little was done towards reducing them: in 338 B.C. they were completely overpowered in two battles by the consuls L. Furius Camillus and C. Mænius. Then it was necessary for the Romans to answer the difficult question what was to be done with them. Hitherto the Romans had thought of only two methods of dealing with conquered towns: they had either razed their walls and removed a good part of their inhabitants to Rome, or they had occupied them with a garrison of settlers. The first plan had been adopted by the ancient (patrician) burgesses of Rome when they conquered the towns of Cœnina, Crustumeria, Politorium and the rest;[2] the inhabitants of those towns had formed the chief nucleus of the plebs, and the plan of depriving them of their own towns had led directly to the long strife between the plebeians and the patricians. The experiment then made could hardly be repeated on a far larger scale. The second plan, of occupying the conquered towns with garrisons of settlers, was beyond the power of the Romans; they had not enough citizens to occupy them effectively. As both the old methods were useless or impracticable, some new plan must be

Difficult questions, 338 B.C.

[1] Livy, 8. 11. 13-15.

[2] See page 169.

devised. The consul L. Furius Camillus consulted the senate on the matter, and himself expressed a wish that some scheme might be thought of which would enable the Romans to keep the Latins as willing allies. The senate resolved to consider the case of each of the Latin towns separately. We cannot follow its deliberations, but if we enumerate the principal towns in Latium with which it had to deal we can appreciate the magnitude of the task that lay before it.

Many of the Latin towns were older than Rome, and it is quite possible that some of them may have been joined in an alliance or confederation before Rome was founded. In the reign of Tarquin the Proud the strong towns in the league were Tusculum, Corbio, Aricia, Labici, Lanuvium, Lavinium, Laurentum, Bovillæ, Nomentum, Tibur, Pedum and Præneste; these twelve no doubt took the lead in concluding the famous treaty between the Latins and the Romans in the consulship of Sp. Cassius during the first secession of the Roman plebs to the Mons Sacer. In 338 B.C. eleven of the twelve were still in existence and were members of the Latin league; Corbio alone was missing, having been destroyed by the Romans before the time of the Decemvirs.[1] Besides these ancient towns the Latins from the time of Tarquin onwards had acquired others by colonisation; among these newer towns the most important were Signia, Circeii, Norba,

The towns of Latium, 338 B.C.

[1] Livy, 3. 30, end. In regard to Labici, one of the very ancient Latin towns, Livy (4. 47. 7) tells a most improbable story, saying that about forty years after the Decemvirate it was converted into a Roman colony, and therefore implying that in 338 B.C. it was no longer a Latin town. He says the number of colonists was fifteen hundred, and they received two jugera apiece—that is, an English acre and a fifth. The usual number of colonists in a Roman colony was three hundred, and they received far more than two jugera, since they were intended to be a garrison and a governing body. All that happened at Labici was a confiscation of land which was distributed to Roman citizens in garden plots: Labici continued after the confiscation to be a Latin town.

Ardea, and Setia.[1] Thus in 338 B.C. the Roman senate had to decide what should be done with eleven ancient Latin towns and five important Latin colonies, besides a number of lesser places too inconsiderable to be known to the annalists. In addition to all this they had to consider the case of Velitræ, which had been occupied by a colony of Roman citizens, but had joined with the Latins in the war against Rome.

Dispositions of the Roman senate in regard to towns in Latium, 338 B.C.

The Roman senate considered the merits or demerits of the towns one by one. Five of the eleven ancient towns were treated with lenity. The men of Tusculum had, except in the recent two years of war, been steady friends of Rome, and had in 381 B.C. received the full rights of Roman citizenship including the privilege of voting in the assemblies. The senate in 338 B.C. judged that few of them had even in the last two years been enemies of Rome: they punished the offenders and left the rest as fully qualified Roman citizens. Lanuvium, Aricia, Nomentum, and Pedum were admitted to the same rights as Tusculum had possessed for forty three years: their inhabitants were to become fully privileged Roman citizens as soon as the holding of a census gave an opportunity of enrolling them in tribes and centuries. The rest of the Latin towns were rendered innocuous to the Romans by a dissolution of their ancient league, and by the adoption of precautions which kept every one of them in complete isolation. All contracts, including marriages,

[1] For a list of the Latin colonies founded before 338 B.C., see Marquardt, *Staatsverwaltung*, 1. 48, 49. Satricum can hardly be counted as a Latin town in 338 B.C., because Livy (9. 16. 2) under the year 319 B.C. speaks of *Satricani qui*, cives Romani . . . *defecerant*. His statement (6. 16. 6) that in 385 B.C. Satricum received a colony of *two thousand* Roman citizens is, I admit, incredible: but it seems probable that in some way before 338 B.C. it had received Roman citizenship, and in 340 B.C. was not a Latin town and had not fought against Rome. Antium had once been a Latin colony, but in 338 B.C. it was the chief town of the Volscians.

between an inhabitant of one Latin town and an inhabitant of another Latin town were declared invalid; and all agreements of a public character between Latin towns were prohibited.[1] In regard to Laurentum, the one Latin community which had not fought against Rome, the arrangements made in 340 B.C. were left unaltered. Laurentum alone among the Latin communities lost no land, and was permitted to contract a special treaty of friendship with the Romans, which Livy tells us was in his own time renewed every year at the Latin festival.[2] All the Latin towns except the five which were completely incorporated in the Roman community were counted as allies of Rome, and were compelled to furnish the Romans with contingents of troops. The governing class at Velitræ, because they were descended from men who had been Roman citizens, were treated with exceptional severity; those of them who were senators of Velitræ were deprived of their lands and deported across the Tiber. The walls of Velitræ were razed, and though new colonists were sent to occupy the lands of the senators, the place thenceforth was not a military town but a large village of farmers.

Treatment of the Campanians, 338 B.C.

The treatment of the Campanians and the Volscians is not fully described by Livy. The Falernian field, taken in 340 B.C. from the Campanians, must have been quickly occupied by Roman farmers, since in 318 B.C. it contained enough citizens to fill up a new tribe called Falerina.[3] In the great and wealthy city of Capua all the citizens except the knights were compelled to receive *civitas sine suffragio*,[4] or Roman citizenship without the right of voting, which had been imposed probably about fifteen years earlier on the Etruscan town of Cære: the poor Capuans were thus placed in a condition analogous

[1] Livy, 8. 14.
[2] *Ibid.*, 8. 11. 15.
[3] *Ibid.*, 9. 20. 6.
[4] *Ibid.*, 8. 14. 10.

to that of the Roman plebeians before their first secession to the Mons Sacer, bearing the burdens but enjoying none of the political privileges of Roman citizenship: the knights of Capua were kept in comfort and in political predominance. In the Greek city of Cumæ, in Campanian Suessula, in Volscian Fundi and Formiæ, all the freemen received the same civitas sine suffragio as the mass of the Capuans.

Treatment of the Volscians.

From the Volscians some land around the Pomptine marshes must have been seized and given to Roman citizens: for in 318 B.C. a new Roman tribe was made and called Ufentina, from the river Ufens in that neighbourhood. Some of the new tribesmen were no doubt inhabitants of the Volscian town of Privernum, which in 329 B.C. was admitted to full Roman citizenship: but the Privernatians would not suffice by themselves to make a whole tribe. Antium the strongest town of the Volscians was compelled to surrender its galleys of war and to receive a colony of Roman citizens: its inhabitants, including the new colonists, were forbidden to sail on the sea for war or for commerce.[1] Those Volscian towns which are not mentioned by name were no doubt placed, as the major part of the Latin towns had been placed, among the dependent allies of Rome.

Condition of the Latin and Volscian towns after 338 B.C.

Those Latin and Volscian towns which were not incorporated in the Roman state in 338 B.C. suffered severely from the isolation to which they were condemned, and the only alleviation of their hard lot consisted in the right of self government which the Romans had allowed them to keep. But, though the towns were grievously humiliated, their inhabitants from the first had chances of becoming prosperous, since they served under the Romans in their wars and could gain plunder or military rank: and further, within a few years,

[1] Livy, 8. 14 and 8. 12.

fresh avenues towards good fortune were opened to them, when the Romans, on making new conquests, planted on them colonies in which the settlers were drawn indiscriminately from Rome, from the Latins, from the Volscians, and from the Campanians. Within fifty years of the dissolution of the Latin league twelve such colonies were founded, and towards them Latins, Volscians, and Campanians were rapidly attracted. The old towns which had warred against the Romans in 340 B.C.-338 B.C. were thus depleted of their inhabitants, but men who had gone forth from them found new homes in which they lived under the protection of the Roman armies as citizens of large and prosperous communities.[1]

CONQUEST OF ITALY, 338 B.C.–264 B.C.

For twelve years after the end of the Latin war, from 338 B.C. to 326 B.C., the Romans waged no war on a great scale. During this interval the arrangements made in 338 B.C. took their effect in determining boundaries of territories and the status of the men living within them: and it will be well to observe at the end of the twelve years' interval what were the territories of the Romans and the territories of their allies.

Position of Rome, 326 B.C.

In 326 B.C. the territory actually inhabited by fully qualified Roman citizens was only five or six times as large as in the reign of Tarquinius Superbus. The additions made to it since the time of Tarquin were these: (1) lands taken from conquered towns and given for the most part to Roman farmers, but in three cases to colonies or garrisons of Roman citizens, and (2) territories joined to the Roman territory by the incorporation of their inhabitants in the

[1] For the names of the twelve colonies called Latin that were founded between 338 B.C. and 289 B.C., see Marquardt, *Staatsvw.*, 1. 49, 50 in edition of 1873. These twelve are nearly half of all the Latin colonies founded after 338 B.C.

Roman community. Under the head (1), lands taken from conquered towns, we have to note the territory of Veii, covering perhaps five or six hundred square miles, some small pieces taken from Latin towns, other small pieces taken from Volscian towns, and lastly the Falernian field with an area of one or two hundred square miles. All of these were given to Roman farmers. The three positions assigned to colonies of Roman citizens were Ostia, Antium, and Anxur or Terracina, all on the sea coast. Under head (2), territories incorporated together with their inhabitants in the Roman community, with full rights of citizenship, were only the five Latin towns, Tusculum, Aricia, Lanuvium, Nomentum and Pedum, and the Volscian town of Privernum. Beside the territory inhabited by full burgesses were Cære, Capua, Suessula, Fundi and Formiæ, whose inhabitants, except the knights of Capua, were Roman citizens without political privileges. All Latin and Volscian towns except those that have been mentioned, together with the Hernici, were called allies, but were in truth dependents or clients of the Roman state.

Great strength of the Roman body politic, 326 B.C.

The territories of the Romans and their allies lay in a strip a hundred and fifty miles long from Sutrium and Nepete in Etruria to Cumæ near Naples. In its northern half from Nepete to Sora on the Liris the strip was forty miles broad: further south it had only half of this width, and thus its whole area was about four thousand five hundred square miles, equal to three quarters of Yorkshire. With resources drawn exclusively from this small extent of ground, the Romans in 326 B.C. began the conquest of Italy, and sixty two years later in 264 B.C. had completed it. In view of this astonishing achievement it may reasonably be thought that the Roman community in 326 B.C. was in military force and in conduct of foreign policy the most

vigorous and efficient community that has ever subsisted on so small an area. Other instances of communities that have drawn great vigour from a small territory are the French under Philip the Second before he won conquests from John of England, and the Swiss confederation in the early years of the sixteenth century. Each of these communities, without counting any of their vassals or allies, had an area about half as large again as the territories of Rome and its allies twelve years after the end of the Latin war. The Swiss might probably have contended on equal terms against the Romans in the field, but the federal character of their constitution was in itself a source of weakness, and led in times of religious differences to the dissolution of their body politic. The French under Philip the Second were much more like the Romans in the early part of their career because their territory had been accumulated by conquests of fortresses carried out from Paris as a centre: but the French had had a far less arduous and prolonged task of conquest than the Romans, and accordingly they had not so large a force of trained soldiers nor so many skilful generals, and above all, they had no such admirably efficient organ for managing their foreign policy as the Romans possessed in their senate.

Samnites.

When the Romans in 326 B.C. began advancing their armies beyond Campania, their first opponents were the Samnites, who deserve a short notice, because they were the strongest of the tribal peoples in ancient Italy. They were one of those many offshoots from the Sabines which received from Niebuhr, and have since retained, the ethnographic name of Sabellian. The Sabines in an unknown age sent out bands of adventurers from their homes close to the highest mountains in the Italian peninsula, now known as il Gran Sasso d'Italia and Monti della Sibilla, to seek their fortunes abroad. The lesser

peoples founded by the migrant Sabines included the Frentani, the Peligni, the Marrucini, and probably the Vestini, all settled on lands which drain into the Adriatic Sea: their greatest conquest was the valley of the river Volturnus, which runs the other way into the western sea, passing on its course close to Capua.

When the Sabine adventurers came into the upper basin of the Volturnus they found the country already occupied by an Oscan people:[1] from the Oscans they conquered a territory nearly as large as that occupied in 326 B.C. by the Romans and their allies: but they adopted the language of the vanquished Oscans.[2] From this fact we may gather that the Sabine conquerors were few and the conquered Oscans were many, and that the conquest of the Oscan territory was affected with ease and rapidity: for, if it had been a slow business, the Sabines would have needed to establish themselves in great force in a part of the country, and get great reinforcements from their Sabine home in order to conquer the rest: in that case they would probably have kept the Sabine language. The Sabines in the valley of the Volturnus probably called themselves Safini: the Greeks called them Saunitæ, the Romans called them Samnites. After the arrival of the Samnites in the Volturnus valley they were a small dominant race ruling the many subject Oscans, as the Normans in our own island ruled the subject English: but before 440 B.C. it seems certain that the Samnites and the Oscans had amalgamated into one strong people which bore the name of Samnites: for about that time we learn that the Samnites began sending out offshoots further afield. Between 440 B.C. and 380 B.C. bands of Samnites conquered Campania from the Etruscans and the Greeks, and organised a number of the small tribes in the southern peninsula of

Their conquests.

[1] See p. 163.

[2] Livy, 10. 20. 8.

Italy into a large people known as Lucanians: the Lucanians in turn sent out an offshoot which gained some kind of dominance over the Bruttians further south. But the conquests made by the Samnites outside the land which had been Oscan added nothing to their power: the Campanians, the Lucanians, and the Bruttians were all separate peoples from the Samnites proper, and the Campanians between 340 B.C. and 338 B.C. were converted into a dependency of the Romans.[1]

Internal condition of the Samnites.

The Samnites within the land they had conquered from the Oscans bore in different districts the names Pentri, Caraceni, Hirpini, and Caudini. These names denote the cantons into which they were divided. The cantons of the Pentri, the Caraceni, and the Hirpini were large and peopled by hardy mountaineers and herdsmen: they had but few towns as Bovianum, Æsernia, and Malibentum (afterwards Beneventum), and even these towns probably served rather as markets and refuges in case of need than as places of continuous residence, since during the greater part of the year the Samnites had to be out on the open mountain sides in order to get pasture. The Caudini were a very small canton, and as they took their name from the town of Caudium and lived near to the wealthy city of Capua, they may have had a larger proportion of townsfolk than the other cantons.

Their qualities.

About the government of the Samnites we know nothing except that they had no kings: we do not even know whether their cantons were joined only in a permanent alliance like the Swiss before 1481 A.D., or under a federal government like the Swiss

[1] Evidence about the conquests of the Samnites is given in the articles 'Samnium,' 'Lucani,' 'Bruttii,' contributed to Smith's *Dict. Geogr.* by Sir Edward Bunbury.

after that date. On the whole the Samnites bore more resemblance to the Swiss than to any other people: but it was characteristic of a people which had made its conquests with ease that they were unskilful in managing foreign policy. They had not while they were expanding needed alliances, and in consequence they did not know how to make them. During their contest with the Romans they failed to make allies of either their kinsmen the Lucanians or the Greek Tarentines, though either alliance could have been gained with a little skill: and after they had compelled two consular armies of Romans to capitulate in the Caudine Forks they gathered no fruits from their victory. The Swiss, who had to endure most arduous exertions in asserting their independence, never failed to reap all the advantages that could be got from a successful battle, and in the fifteenth century showed excellent judgment in choosing their allies. In spite, however, of all defects in their organisation and policy the Samnites were by far the strongest of the Italian adversaries of the Romans: their war against the Romans began in 326 B.C., and it was not till thirty six years later, in 290 B.C., that it ended in their defeat.

Pyrrhus.

The second strong adversary of the Romans was Pyrrhus, King of Epeirus. In his own country he was an excellent ruler of a vigorous tribal people: during his campaigns in Italy, although he came in the first instance as the champion of the Tarentines, he was not king of a people but only commander of an army, and as such he need not detain us longer. He arrived in Italy in 280 B.C., defeated the Romans at Heraclea and Asculum, but, finding that his victories availed him nothing, went away from Italy to Sicily, where he gained some short lived successes. In 276 B.C. he came back to Italy and lost a battle at Beneventum: in the next year he went back to

Epeirus, leaving the Romans practically masters of Italy. By the year 264 B.C. they had asserted their supremacy over all the peninsula as far north as the river Arno on the west coast, and the river Æsis near Ancona on the Adriatic shore.

When the patricians in 342 B.C., just before the great Latin war, ceased to evade the law which prescribed that one of the consuls should be a plebeian, they put an end to the sharpness of the strife between the orders. From that time the tribunes made no attacks on the whole patrician order: their only onslaught against any patrician was directed against Appius Claudius, who, after being elected censor in 312 B.C., refused to obey the law which ordained that he should lay down his office at the end of eighteen months, and thereby probably offended a great part of the patricians no less than he offended the plebeians. During the wars against the Samnites and against Pyrrhus the patricians were intent on making conquests, for which they needed the zealous support of the plebeians: consequently they made no efforts to keep those minor exclusive privileges which still remained to them, but gave way to all demands made by the plebeians. Before the year 300 B.C. plebeians had held the offices of dictator and censor, besides having a legal title to one of the two consulships in every year. Thus all the great magistracies were as open to them as to the patricians. Finally in 300 B.C. by the Ogulnian law they gained access also to the religious dignities of the augurship and the pontificate.[1] A few years later the poor plebeians, being oppressed with debts, made their grievances known in a serious insurrection and in a secession to the Janiculum, of which we know very little because we possess nothing of the eleventh book of Livy except an ancient

Final concessions to the plebeians during the conquest of Italy, 326 B.C.-264 B.C.

[1] Livy, 10. 6-8, especially 10. 8. 8 and 10. 9. 2.

epitome.[1] A plebeian dictator Hortensius put an end to the secession by passing in the assembly of the centuries the famous Lex Hortensia by which it was ordained that all *plebiscita*, or resolutions accepted in the *concilium plebis*, should have the force of law and be binding on plebeians and patricians alike.

After the passing of the Lex Hortensia the patricians had no exclusive political privileges, and the plebeians had two. None but a plebeian could be a tribune or an ædile, and the plebeians had power to make laws binding on the whole community. The privileged position, however, of the plebeians produced no bad results, because, in thirty one out of the thirty five tribes, all the voters were landowners, and because, as we shall see, the tribunes soon came under the moderating influence of the senate.[2]

Provisions for securing control of Italy, 326 B.C.-264 B.C.

During the course of the conquest of Italy the Roman magistrates with the advice of the senate took wise measures for securing their acquisitions. They did not extend the Roman territory by incorporating conquered peoples with the Romans except in one instance, in 268 B.C., when they imposed Roman citizenship on the Sabines.[3] When the Sabine country had been annexed the continuous territory of the Romans had its corners at Sutrium in Etruria, at Nursia in the north of the land of the Sabines, and at Cumæ in Campania, and its area was only six thousand square miles, one third more than the territory of the Romans and their allies a dozen years after the Latin war. Within these narrow limits dwelt all the Romans who at all regularly took part as voters in the assemblies of the republic, and

[1] Livy, *Epitome* of Book 11, 'plebs propter aes alienum post graves et longas seditiones ad ultimum secessit in Janiculum: unde a Q. Hortensio deducta est.' Justinian, *Digest.*, 1. 2. 2. 8, where a long extract from Pomponius is given.

[2] See below, pp. 225, 229.

[3] Velleius Paterculus, 1. 14. 6.

who may therefore be called the active citizens of the community. There were, however, Roman citizens settled one by one or in small groups as farmers almost all over Italy: and these farmers, being liable to service in the legions, were in all senses that were not political effective members of the Roman commonwealth.

The small Roman state whose limits have just been defined had acquired a suzerainty over Italy and desired to keep it. In order that its desire might be fulfilled it was necessary that the Roman armies should be able to move freely throughout the peninsula: and this they could not do unless they had points of support to give them supplies and, in case of need, defences. Such points of support the Romans provided for them by founding a number of garrison towns or colonies at strategically important inland positions. There were not enough Roman citizens to furnish settlers to occupy these towns, and therefore the colonists were taken indiscriminately from the Romans, the Latins, the Volscians, the Campanians, and the Hernicans. By drawing on so many peoples the Romans were enabled to give each of the new fortresses a sufficient number of inhabitants: for example, 2500 colonists were planted at Cales, the same number at Luceria, 4000 at Sora, and 6000 at Alba near the Lake Fucinus in the land of the Æqui: in each case wives and children would at the first founding of the town be as many as the colonists proper, and within a generation they would be three times as many.

Latin colonies.

The inland colonies thus established were set down in the midst of Italian tribes which resented their coming to rob them of their land: they were accordingly compelled to rely for protection on the Roman armies, and therefore to be faithful to Rome. Their foundation served the threefold purpose of removing the greater part of the old

Latins and Volscians from near Rome, where they were not wanted, of making the colonists contented, and of giving bases of operation to the Roman armies.

Their dependence on Rome.

The colonies governed themselves, had the right of striking their own coinage, and were called allies, not subjects, of the Romans: and, as they were largely composed of Latins and stood in the same relation to Rome as those Latin towns which had not been incorporated in the Roman body politic, they acquired either at first or within one or two generations the appellations, *peoples of the Latin name*, or *allies belonging to the Latin name*.[1] The number of colonies of the Latin name founded between the end of the Latin war and 264 B.C. was eighteen: the most important was Venusia, at the meeting point of Samnium, Apulia and Lucania.

In regard to the peoples of Italy generally, as the Samnites, the Etruscans, and the Umbrians, we do not know what status was allotted to them immediately after they were conquered: but in dealing with the Hernici the Romans took care to break them up into small units before they dictated any terms to them, and then they dictated their terms to each small unit separately.[2] From later records we can see that a similar course was adopted then or afterwards in dealing with the Samnites, the Etruscans, and the Umbrians.[3] The terms imposed on an Italian community always contained a stipulation that it must furnish the Romans with soldiers when required.

The Italians.

The precautions just described almost sufficed to secure for the Romans the control of Italy: but for some reasons, probably local, which are not explained, they found it

[1] *E.g.* in Livy, 23. 12. 16.

[2] Livy, 9. 43.

[3] Marquardt, *Staatsvw.*, 1. 46, 47, edition of 1873.

desirable in the country east of Umbria, whence they had expelled the Senonian Gauls, and in Picenum, a little further south east, to establish two colonies on the coast at Sena Gallica and at Castrum Novum:[1] during the first Punic war, which was waged mainly on the sea, they planted three more colonies on the coast, one in Umbria, and two in Etruria. In founding these colonies, which were called maritime, they followed a precedent which had been set by their ancestors when they turned some of the towns on the Latin coast into Roman stations, by choosing the colonists exclusively from Roman citizens: in the time of the first Punic war it would have been imprudent to place a colony of any but Romans on the coast where it might receive visits from foreign fleets or foreign ambassadors, and be exposed to temptations so strong as might lead it to break faith with Rome. The number of Roman citizens sent to act as a garrison of a town at a distance from Rome was usually three hundred: that was the number in each of three colonies of Roman citizens sent out in 194 B.C., seventy years after the period of which I am speaking:[2] and it is certain that in the earlier time of the conquest of Italy and the first Punic war the number sent to the maritime colonies was not more than three hundred, and was only just enough to provide the towns to which they were sent with a garrison and a governing body. We are not definitely informed whether the settlers in a maritime colony retained their full rights as Roman citizens, though it seems likely that they may have kept them: but in any case they were too far away from Rome to exercise them habitually, and we have perfectly clear evidence that they were free from all military service except

Maritime colonies.

[1] Polybius, 2. 19. 12, and Livy, *ep.* 11.
[2] Livy, 34. 45.

their duty of holding the town in which they had been settled.[1]

When Italy had been conquered by the Romans its inhabitants were politically arranged in three classes, Romans, Latins, and Italians. The Romans were planted thickly over an area as large as Yorkshire, with Rome as its centre, and were scattered thinly about the whole peninsula. The only Romans who could habitually take part in Roman political life were those who lived within two days' journey, say forty or fifty miles, of the capital city. Towards the sea and in Etruria the Roman territory extended very much less than fifty miles from the city: and from consideration of a map we may conclude that the active Roman citizens lived on not much more than half of a circle with a radius of forty or fifty miles—that is to say, on an area of only about four thousand square miles. The inhabitants of this small extent of land were, in so far as the work of governing was concerned, the suzerain community of Italy: the Romans further from Rome exercised their citizenship merely by serving in the army. Of the Latins by far the strongest bodies were eighteen colonies far away from Latium: the colonists were descended from men who had been for a century, and then again for half a century, brothers in arms of the Romans, and they needed the help of the Roman armies to protect them from Italians whose lands had been given to them by the Romans. In consequence of these facts they were zealous and hearty in giving their services to their Roman suzerains, and in a later period when their allegiance to Rome was most severely tried it could not be shaken. The Italian communities gained little from their vassalage to Rome except that they

Italy under Roman suzerainty, 264 B.C.

[1] **Livy**, 27. 38. On the maritime colonies generally, see Marquardt, *Staatsvw.*, 1. 35-39.

were prevented from fighting with one another: but the services required of them consisted in the furnishing of troops and not in the payment of money, and as it was necessary for the Romans to treat them with conciliation because they wished that they should furnish their contingents willingly, and those contingents should fight zealously, their condition was far better than if they had been merely tributary communities, and was contrasted most favourably with the condition of Greek maritime cities under the suzerainty of Athens or Sparta.

CHAPTER XIV

SUPREMACY OF THE ROMANS IN ITALY, 264 B.C.–201 B.C.

In 264 B.C., soon after the Romans had acquired the power to control the doings of all the communities in Italy, they thought it advisable to intervene in a quarrel between two bodies politic in Sicily, just outside their own peninsula. Their interference in Sicilian affairs brought them into active rivalry with the Carthaginians, who, though unlike them in character and pursuits, were approximately their equals in effective strength. From 264 to 241 the rival peoples of Rome and Carthage waged open war with varying fortunes for the possession of Sicily: from 241 to 218 they were at peace but unfriendly: from 218 to 201 the Roman state had to contend for its existence against Carthaginian armies commanded by the splendid genius of Hannibal. As Rome and Carthage were evenly matched in strength, the Romans throughout the sixty four years of the contest from 264 to 201 never extended their supremacy so as to include more than Italy and its adjacent islands of Sicily, Sardinia, and Corsica; on the other hand, at all times except from 217 to 203 the Romans kept control of all Italy, and even in their years of adversity from 217 to 203 they retained the willing allegiance of the Latins, who were by far the most important among those inhabitants of Italy who were not Roman citizens. Hence it appears that the period from 264 to 201 can be designated without serious inaccuracy as the period of the supremacy of the

Romans in Italy. In sketching the character and circumstances of the Roman commonwealth in this period I shall depict first the causes and results of its wars against Carthage, then its constitution, next the social classes into which the Roman citizens were divided, and, lastly, the administration of justice in suits that arose between members of different communities in Italy.

Sicily, where the Romans made their first intervention outside Italy, was in 264, and had been for about twenty five years, divided into four parts. The west of the island belonged to the Carthaginians: the eastern coast except its northern extremity was Greek, and from 270 onwards was subject to Syracuse: the north eastern corner of the island was ruled since 289 B.C. by a lawless band of adventurers, called Mamertines, who were originally recruited in Campania by Agathokles, tyrant of Syracuse, but on his death in 289 B.C. had perfidiously seized the seaport town of Messana: the middle of the island and some of the northern coast was inhabited by communities of Sikels, which from 270 were so far subject to the Syracusans that they paid them a tenth of their produce.[1] The strongest power in the island was Carthage; the second Syracuse; the third the Mamertines; the Sikel communities cannot be counted as a separate power since they were dependent on Syracuse.[2]

(1) Sicily, 264 B.C.

It was probably in the year 275 that Hieron the Second was chosen by the Syracusans to be their general and chief statesman. His most troublesome neighbours were the Mamertines at Messana, and another similar body of Campanian adventurers at Rhegium, on the coast of Italy where it approaches very near to Sicily. The Campanians

[1] Cicero, *in Verrem, Act.* 2. 3. 6, 12. 13. Marquardt, *Staatsvw.*, 1. 93, *n.* 8.

[2] There is a good map of Sicily in 264 B.C. in Smith, *Atlas of Class. Geogr.*, Plate 15.

of Rhegium had been originally formed into a legion by the Romans, and had been stationed by them in 281 as a garrison of Rhegium under their Campanian commander Decius Jubellius. While the Romans were busy in thinking of their means of resisting Pyrrhus (who came to Italy in 280), the garrison of Rhegium threw off their allegiance to Rome and seized Rhegium for themselves. When Pyrrhus was gone from Sicily and Italy, the Romans and Hieron had a common interest in expelling the Jubellians from Rhegium: the Romans besieged the town, and Hieron helped them.[1] The Jubellians were for the most part killed fighting: those who were captured were publicly beaten to death in the forum at Rome. Then it was the turn of Hieron to attack the Mamertines: in 270 he defeated them in battle and shut them up in Messana: thereupon he was saluted as king of all the Greeks in Sicily. After besieging Messana for six years he at length reduced its inhabitants to extreme distress, and, if no foreign power intervened, he was sure of taking the city: but thereupon the Mamertines offered the Romans to become their dependents in return for protection against Hieron.

Hieron of Syracuse helps the Romans, and expects their friendship in return.

The Roman senate reflected that, if the Romans refused protection, the Carthaginians would give it, and thereby getting possession of Messana, only six miles distant from the shores of Italy, might dominate all Sicily and become dangerous to themselves. On the other hand, they were ashamed to aid the murderous and perfidious Mamertines against their own ally Hieron who had recently helped them to destroy the Jubellians. Being in doubt they referred the matter to the centuriate assembly, which was by custom the proper body to decide any question of peace and war on

The Romans offer protection to the enemies of Hieron.

[1] Smith, *Dict. Biogr.*, article 'Hieron II.,' from Zonaras, 8. 6.

which the senate was in doubt: the centuries voted that help should be given to the Mamertines.[1]

Not long afterwards the Mamertines declined protection from the Romans, and took it from the Carthaginians instead: the Romans decided to oppose the Carthaginians by force. Thus began the first Punic war which did not end till 241, twenty four years later. Hieron in the second year of the war saw that it was wise to make friends of the Romans while they valued his friendship: and from that time the combatants were on the one side the Carthaginians, on the other the Romans and Hieron. At the close of the war the Romans, being victorious, took into their own possession that part of Sicily which had been subject to Carthage, and thus acquired their first dependency outside of Italy. The soldiers whom the Carthaginians had employed during their twenty four years of war against the Romans were nearly all foreign mercenaries drawn from many lands. Those of them who were in service when the war ended, being defrauded by the Carthaginians of their wages, tried on returning to Africa to extort what was due to them and much more besides by mutiny. During the hideous war which ensued between the Carthaginians and the revolted mercenary troops, the Romans took the opportunity of robbing the Carthaginians of the islands of Sardinia and Corsica: in 227 they constituted that western part of Sicily which they had conquered from the Carthaginians as the province of Sicily, and at the same time established a province of Sardinia which included both Sardinia and Corsica. Appian, writing somewhere about 120-140 A.D., tells us that in the part of Sicily which they had acquired they levied direct tribute from the inhabitants, and required the cities to make a payment under the head of customs on

First Punic war and its results.

[1] Polybius, 1. 10 and 11.

maritime trade.[1] The practice of exacting tribute from dependencies outside of Italy, which was now first initiated, afterwards proved deadly to the welfare of the Romans: but so long as Sicily and Sardinia were the only Roman provinces beyond the seas the receipts from them were not large enough to change the character of the Roman commonwealth or its government.

Hannibal.

At the end of the first Punic war Hamilcar, surnamed Barca, the Thunderbolt, an excellent Carthaginian general and statesman, devoted himself and his young son Hannibal to the task of avenging the wrongs done to his country by the Romans, and for that purpose established himself in power in the south of Spain. He did not live to carry out the work that he had set himself to do: but after his death his son-in-law Hasdrubal and his son Hannibal continued what he had begun, and in 218 Hannibal invaded Italy.[2]

Condition of Italy, 218 B.C.

The Romans in 218 were far stronger than they had been immediately after they completed the conquest of Italy. The territory thickly peopled with Roman citizens now included not only the triangle with its corners in southern Etruria, in the north of the Sabine land and in Campania, which had all been Roman for half a century,[3] and which was most properly *Romanus ager*, but also a large block in Picenum on the Adriatic Sea which had in 232 been distributed to Roman settlers: their more scattered settlements were five maritime colonies at a distance from Rome,[4] and many groups of Roman farmers in all parts of Italy who had chanced to acquire plots of ground. The Roman community that took part in government was necessarily limited to those citizens

[1] Marquardt, *Staatsvw.*, 1. 92, *n.* 1, from Appian, *Sic.*, 2.

[2] Polybius, 2. 21.

[3] See p. 212.

[4] Sena Gallica, Castrum Novum in Picenum, Aesium, Alsium, and Fregenæ.—Marquardt, *Staatsvw.*, 1. 38.

who lived in Rome or immediately around it: for military purposes the Roman community included all Romans fit for service, wherever they might have their domicile. Those Romans who lived far from the city and only gave their services in war did not resent their practical exclusion from a share in the work of government, because the Romans who lived in and around Rome were for the most part thrifty and valiant landowners like themselves, and gave such votes as they approved. All the inhabitants of Italy other than the Roman citizens were either Latins or Italians. The Latin communities were thirty flourishing colonies established in important strategic positions in the inland parts of Italy,[1] and a few decadent towns in Latium: the colonies had been treated with tender care by the Romans, and well knew that they could not retain their present wellbeing except under Roman protection.[2] The Italians furnished their contingents of troops under compulsion, and without any feelings of affection for the Romans who exacted them.

The war against Hannibal was waged in Italy, Spain, and Sicily. In Italy as soon as Hannibal advanced from north to south through the country the Italian communities went over to him except in a few regions where the Roman armies were stronger than their opponents. The war was decided in favour of the Romans mainly by the resolute fidelity of the Latin colonies to their cause. After the terrible defeat of the Roman armies at Cannæ not one of the thirty colonies could be induced to join Hannibal, or even to cease fighting for Rome.[3] In the whole course of the exhausting war against the invader only twelve of the weaker colonies in 209 declared themselves unable to furnish more troops; the

The war against Hannibal in Italy, 218 B.C.-201 B.C.

[1] Livy, 27. 9 gives a list of the Latin colonies.
[2] See p. 213. [3] Livy, 23. 12.

remaining eighteen fought to the end with the same determination as the Romans themselves.[1]

The war in Spain and Sicily.

In Spain the Romans kept an army posted usually about the valley of the Ebro for the purpose of preventing or impeding communications between Hannibal in Italy and his base of operations about Carthago Nova, situated nearly midway between the Ebro and the straits of Gades: they could not for the present think of making any permanent annexation of Spanish territory. Sicily remained free from warlike operations for two years after Hannibal crossed the Alps into Italy. During those two years the Romans held the western part of Sicily as a province: the rest of the island belonged to the Mamertines of Messana or to Hieron of Syracuse, and both the Mamertines and Hieron were allies of the Romans. But on the death of Hieron in 216, his grandson who succeeded him adopted a new line of policy and made alliance with the Carthaginians. The Romans in 215 declared war against the Syracusans, and by 210 they had annexed all the dominions that had belonged to Hieron. Those dominions contained thirty six towns. Two of these towns, Tauromenium and Neetum, were specially favoured by being received as allies on the same terms as the Mamertines and the Italians, subject only to an obligation to furnish troops when required: the remaining thirty four towns were incorporated in the existing province of Sicily, and were ordered to pay to the Romans the same tithes of their produce as they had been accustomed to render to Hieron.[2] When these arrangements were completed all Sicily was Roman provincial territory except the three towns of Messana, Tauromenium, and Neetum, which were counted

[1] Livy 27. 9 and 10.

[2] Marquardt, *Staatsw.*, 1. 93, *n.* 8, from Cicero, *in Verrem, Act.* 3. 43, 109, and following chapters.

as allies and were permitted to govern themselves, provided that they duly furnished their contingents to the Romans.

Before the Romans completed the conquest of Italy they had put an end to the contest between the orders: and accordingly the Roman government was conducted from 264 B.C. till 201 B.C., when the war against Hannibal came to an end, in greater harmony than at any other period in the history of the republic. The organs of the government were (1) the magistrates; (2) the senate; (3) the assemblies of the burgesses. Of these three the senate was decidedly the most influential.

The Roman constitution, 264 B.C.–201 B.C.

The magistrates had now become numerous; it is not necessary to specify in detail the work done by each of them, since all the magistrates, including the tribunes of the plebs,[1] now consulted the senate before taking any important step, and therefore conflicts did not arise between them. The command of armies or fleets belonged to the chief curule magistrates, to consuls, prætors, and occasionally a dictator: judicial work was superintended by the prætors: a general watchfulness over all departments of government was exercised by the tribunes. Two new titles of magistrates were brought into common use during this period by the exigencies of long wars. It often happened that a consul or a prætor in command of an army came to the end of the year for which he had been elected before he had completed the military work on which he was employed. In such cases the senate prolonged his imperium, and he continued to command his army, but now bore the title of proconsul or proprætor, since he was deemed to be the deputy of the man who had been chosen to succeed him as consul or prætor.

(1) Magistrates.

[1] Livy, 22. 61. 8, gives an instance in the year 216 B.C. in which a tribune consulted the senate. For comments on the power of the tribunes to ask advice of the senate, see Mommsen, *Staatsr.*, 2. 296, in edition of 1874.

The senate consisted of all men who had been placed in the list of senators by the censors: when once a man had become a senator he remained a senator for life, unless he were removed by the censors for especially disgraceful conduct. Till 216 B.C. the censors were under no restrictions in their choice of senators, but naturally they chose men who had distinguished themselves as magistrates. In the year 216 B.C., when more than half the senators had been killed at the battle of Cannæ, it was necessary to follow some rule in filling up the vacancies: and M. Fabius Buteo being appointed dictator for the purpose, admitted into the senate all those who had held any magistracy,[1] curule or non-curule, since the last census, and all those who had been awarded special distinction for signal deeds of military virtue. The precedent that he set was regularly followed by the censors on subsequent occasions.

(2) The senate: composition.

The powers of the senate may be expressed by saying that from being the adviser of the magistrates it had become their controller. It had for generations been consulted on the expenditure of any large sum of money, on the undertaking of campaigns, and on the assignment of military commands to magistrates. Now it gave its opinion on all these subjects and on many more; and its opinion was followed. It possessed in consequence the power of the purse and all that went with that power. It settled what campaigns should be undertaken, what magistrate should be in command, and what troops should be under him: it could prolong the command of a magistrate after the end of his year of office, and on the completion of his war could give or withhold the honour of a

The senate: powers.

[1] The magistracies included the offices of consul, prætor, ædile, tribune of the plebs, but not of quæstor or legionary tribune. Men who had been dictators or censors would not need to be considered by Fabius Buteo, because it was certain they would be senators already.

triumph. It received all ambassadors from foreign states, resolved what treaties should be made, and thus controlled the whole foreign policy of Rome.[1]

The assemblies of the people were the comitia centuriata, the comitia tributa, and the concilium plebis. The only habitual attendants in any of these assemblies were those Roman citizens who lived either in Rome or so near to it that they could come to vote without being long absent from their daily occupations.

The assemblies of the people.

In the comitia centuriata the number of centuries was, as we have seen, a hundred and ninety three under the rules in force till 264 and later. The first class of infantry had eighty centuries, the next three classes had twenty each, and the fifth had thirty. Before the year 215 the numbers of centuries in the several classes had been slightly altered, in order to provide that for the sake of simplicity all the fighting men in any given tribe might be placed together in a moderate number of centuries. There were thirty five tribes: all the men in any one tribe whose property entitled them to be placed in the first class were enrolled in two centuries, one of which contained all the men under forty seven years of age, called the *juniores*, the other being composed of *seniores*, men past the age for service in the field. It is supposed, though not recorded, that all the men in any one tribe whose property came up to the standard of the second class were also enrolled in one century of juniores and in one of seniores, and in like manner the men of the third, fourth, and fifth classes. If the supposition is correct, all the fighting men of one tribe were placed in ten centuries. The men of one tribe in the first class filled two entire centuries, and controlled two votes in the comitia centuriata: the men of one tribe in the

Comitia centuriata.

[1] Polybius, 6. 13, 15 and 17.

lower classes certainly did not fill whole centuries, but at most only about a third part of two centuries of each class: for we know that the total number of centuries still remained fixed at a hundred and ninety three.[1] Under the new arrangement the centuries in the first class were eighteen of cavalry, one of smiths and carpenters, and only seventy (no longer eighty) of infantry. The new organisation of the centuriate assembly appears conspicuously in its meeting held in 215 B.C. for the election of consuls: on that occasion the century that gave its vote first consisted of the juniores of the tribe Aniensis.[2] The business of the assembly of centuries consisted mainly in elections of the greater curule officers: on rare occasions it also included a vote on a question of peace or war. It was still qualified to pass laws, but legislation was seldom proposed to it by the great curule magistrates who were its presidents.

Comitia tributa.

The comitia tributa was a gathering of the whole body of Roman citizens, patricians and plebeians alike, arranged in thirty five local tribes. Till 312 B.C. none but landowners had been tribesmen. In that year the censor Appius Claudius admitted landless men to all the tribes indiscriminately, wishing probably that the votes of a large number of tribes might be determined by men who would not resist corrupt influences: but eight years later in 304 B.C. another censor, Q. Fabius Rullianus, to the satisfaction of the more independent citizens, placed all the landless men in the four urban tribes, so that henceforth they could influence only something less than an eighth part of the votes.[3] In its composition and arrangement the comitia tributa differed from the concilium plebis only in that it included the small body of the patricians, for whom

[1] Cicero, *de Rep.*, 2. 22 (39), tells us that in his time there were a hundred and ninety three centuries in all, and the infantry of the first class was all placed in seventy centuries.

[2] Livy, 24. 7. 2 and 24. 8. 20.

[3] Livy, 9. 46.

there was of course no place in the concilium plebis. Hence it has come about that Livy, and perhaps some other ancient writers, and certainly many modern critics, have made no clear distinction between the comitia tributa and the concilium plebis. Mommsen, however, has proved that in the comitia tributa the presiding officer was a curule magistrate, whereas in the concilium plebis the president was a tribune.[1] In the period now before us the business regularly carried on in the comitia tributa was the election of the curule ædiles, quæstors, and the greater part of the field officers called tribuni militum, of whom there were six to every legion.[2]

The concilium plebis was in its composition what it had been long ago, but for the facts that the tribes were now thirty five, and that landless plebeians had obtained admission to the four urban tribes: but the importance of its work had greatly increased since the Lex Hortensia had given it power to make laws binding on all Roman citizens, and it was now the only active legislative assembly in the Roman state. The extended powers which it enjoyed did not seduce it into hasty legislation, because the landowners who composed thirty one tribes were cautious, and because the tribunes, who alone could propose a rogatio for its acceptance, never brought one forward till they had ascertained that the senate thought it could be passed without imprudence. Concilium plebis.

In the Roman constitution during the sixty years after the conquest of Italy was achieved, the senate was habitually the controlling body, because in Rome during the early

[1] The clearest evidence comes from a passage in Fronto, *de aquæ ductibus*, 129, which quotes verbatim a law passed in 9 B.C. in the comitia tributa under the presidency of a consul. On the comitia tributa generally, see Mommsen, *Staatsr.*, 3. 322, ed. of 1887.

[2] Smith, *Dict. Antiq.*, 1. 509*b*. Mommsen, *Staatsr.*, 2. 540, 541 *n.* 5, in ed. of 1874.

part of its career foreign policy took precedence of home affairs more conspicuously than in any other state at a like stage of progress, and the senate was extremely well qualified to deal with foreign policy. But the senate was by no means a supreme ruler of the state governing in its own right, like the senate of the Venetian republic in the thirteenth century. The right to sit in the senate was not hereditary, and was not conferred by the existing senators, but by the censors, who in choosing new senators usually took men who had been elected as magistrates by one of the three popular assemblies: thus the composition of the senate depended indirectly on the results of popular elections. Moreover, the powers of the senate could, as Polybius has pointed out, be annihilated at pleasure by the concilium plebis: if the plebs had chanced to be dissatisfied with the actions of the senate, it was free to choose tribunes who shared its opinions, and any one of those tribunes could not only stop the senate from passing a senatus consultum, but could prohibit the senators from coming together:[1] thus in the last resort the master of the Roman state was not the senate but the concilium plebis. In practice the popular assembly did not use the power which it undoubtedly possessed of interfering with the doings of the senate or the magistrates; the three organs of the government, magistrates, senate, and popular assemblies, acted together separately but harmoniously in their proper spheres of business, and Rome during the period before us presents us with a conspicuous example of a mixed or balanced constitution in which all those members of the community who lived in or near Rome enjoyed such powers and undertook such duties as were suited to their several capacities.

Comments on the constitution, 264 B.C.-201 B.C.

[1] Polybius, 6. 16.

During the long wars in which the Romans had been engaged new social distinctions had arisen and had established a new gradation of classes. The generals who had led the armies of the republic to their many victories had been curule magistrates, and in recognition of their services some marks of honour had been given to their families. Their descendants in the male lines were permitted to keep waxen masks of their curule ancestors, and at funerals to appoint men to wear these masks and to personate the men from whom they were taken; boys descended from a curule ancestor wore a golden amulet case called *bulla*, such as was worn by a victorious general in his triumphal procession: the men wore gold rings.[1] In the days when curule magistracies were open to none but patricians, the men who attained to curule rank were drawn for the most part from a small number out of the many patrician *gentes*.[2] It was supposed that there were three hundred patrician gentes; but the curule magistrates before 367 were taken mainly from only a small fraction of them, in which the gentes Valeria, Horatia, Postumia, Fabia, Manlia were conspicuous. In like manner, after the consulship had been made accessible to the plebeians by the Licinian Laws, consuls, prætors, and curule ædiles were selected in a large proportion of the years from about twenty five gentes, fifteen of them being patrician and eight or ten plebeian.[3] In 201 B.C. there may have been nearly a hundred families descended from curule magistrates, since one of the favoured twenty five gentes would provide more than one such family, as the Gens Fabia produced the Maximi, the Buteones, and the Rulliani, and several of the less favoured

Social classes in the Roman commonwealth: curule families.

[1] Mommsen, *Hist.*, 2. 316 *n.*

[2] A *gens* was a group of families having a common gentile name.

[3] Mommsen, *Hist.*, 2. 325 *n.*

gentes had at least one such family. These families, which were called curule, did not gain by law any political advantage over the rest of the citizens: but practically a member of a curule family had a better chance than a man of undistinguished birth of being elected to a magistracy by the centuriate assembly. Thus the curule families had established themselves as a new nobility exalted above those patricians who had no curule ancestors, and still more above those plebeians whose families had never held the highest magistracies.

Among the curule families themselves no strongly marked inequality was perceptible. A Licinius Varus or a Licinius Crassus Dives, belonging to the same plebeian gens which had produced Licinius Stolo, the author of the Licinian Laws, stood almost on a par with the patrician Fabii and Manlii and Cornelii; the distinction of curule rank had almost obliterated the memory of bygone differences between its patrician and its plebeian possessors. The eminent position enjoyed by the curule families was as yet only a social distinction, but the time might come when it would convert them into an order endowed with exclusive political privileges.

Approximate equality of the curule families.

Next after the curule families who formed the nobility came those senators who were not of curule family. After them came the equites, men possessing not less than 400,000 sesterces (£4000), and enrolled in the cavalry. Polybius says definitely that all men who had the *equester census* of 400,000 sesterces were required to be enrolled for ten years.[1] Eighteen hundred of them, usually chosen from the younger members of curule families,[2] were enrolled in the eighteen equestrian centuries and received their horses from the magistrates at the expense of the treasury. The rest must have provided horses for

Equites.

[1] Polybius, 6. 1. 2.

[2] Mommsen, *Hist.*, 2. 319.

themselves: but already by the year 201 B.C. the equites were more like an ornamental order of knights than an effective part of the army: during the war against Hannibal the Romans drew their supplies of good horsemen not from the burgesses but from the allies.

The curule families, the senators, and the equites were the upper classes; the rest of the Roman community formed the middle class and the poor. The middle class consisted mainly of those sturdy yeomen, tilling their freehold farms, who furnished the burgess infantry, and were placed by the censors in the first four classes of the footmen. Before the invasion of Hannibal the yeomen were numerous and prosperous: but the invasion greatly reduced their numbers and damaged their well-being: some of them had their farms ruined by the invader, and many had to neglect their fields because all the men were wanted for the army. By the end of the war a great part of the yeomen had lost their places in the middle class and had sunk into the class below.

Yeomen.

The poor lived in and around Rome. Their numbers must have been greatly augmented before 312 by manumissions of slaves, since in 312 and in 306 it was a matter of the utmost importance to settle whether the landless men, who were largely manumitted slaves or descendants of manumitted slaves, should be placed in all the tribes indiscriminately or only in the four urban tribes;[1] and again during the Hannibalic war the numbers of the poor were increased by the ruin of the farmers in outlying parts of Italy. It is manifest that the poor were not all alike in character. Those poor citizens whose families had never possessed any land were ready to give their votes as they were bidden by the rich: those who had till recently been landowning farmers retained the

The poor.

[1] See p. 228.

habit of thinking for themselves and of expressing their opinions in their votes. It could not, however, be expected that in the next generation the children of the ruined farmers would be independent in thought and action merely because their fathers had once enjoyed an economic independence which they themselves had never experienced.

Administration of justice between members of different communities in Italy.

The Romans, as we have seen, did not govern the Latin colonies or the Italian towns any more than the Athenians governed the cities dependent on them. But as the Athenians had found it necessary to judge suits about property that arose between citizens of different cities, the Romans also found it to be incumbent on them to do the same thing. Even in the period before 338, when the Latins were independent, it was quite conceivable that a dispute about property might arise between a Roman and a Latin: for the right of *commercium* existed between Rome and the Latin towns, so that a Roman could buy a piece of land or other property from a Latin. When a dispute about property arose in the days of the independence of the Latins, it would be decided by the court in whose jurisdiction the property lay: if the property lay in Rome by a Roman court, if in Latin territory by a Latin court. But as soon as the Latin towns lost their independence, every dispute between a Roman and a Latin, or between members of two Latin vassal towns, must be judged in a Roman court, since none but Roman officials had the power to enforce the execution of the decision arrived at. In 338 the superintendence of all jurisdiction about property was in the hands of a single prætor, who, as the cases arose, appointed arbitrators, and told the arbitrators what question they had to decide. Even after the Romans conquered all Italy the superintendence of all jurisdiction was still lodged in the hands of the single prætor.

But within twenty years after the conquest of Italy was completed, the supervision of the judicature was too much work for one man. In 246 the Romans resolved to have two prætors: one was *prætor urbanus* and attended to suits in which both litigants were Romans: the other had the *jurisdictio inter peregrinos*, and arranged for the hearing of suits in which one or both of the litigants was Italian or Latin.[1] For the settlement of such suits the prætors could not be guided by the Roman civil law founded on the twelve tables of the Decemviri, because that law recognised rights which the Romans did not intend to bestow on the Latins and the Italians. It was impossible to assign to each litigant the rights that he would have under the law of his own town, since that procedure would give one result when the rights of the plaintiff were determined by the law of his town, and possibly a very different result when the rights of the defendant were determined by the law of his. Hence the prætors had to adopt some other course. They picked out to begin with a few principles or maxims common to the systems of law prevailing in a good number of Latin and Italian communities, and when a prætor on beginning his year of office put out an edict or announcement of his intentions, he declared that he would be guided by those principles or maxims in dealing with litigations. In order to pick out maxims for insertion in the edict the prætor was compelled to study many systems of law: and the practice of studying systems of law not made in Rome contributed largely towards making the Roman lawyers what they afterwards became—the greatest masters of jurisprudence whom the world has seen. How far the process of studying bodies of law not made in Rome was carried in the period now before us I cannot say, nor do I

Prætor qui jus inter peregrinos dicit: 246 B.C.

[1] *Digest.*, 1. 2. 2. 28.

know what progress was then made in fashioning the edicts of the prætors into a body of laws suitable for application to all suits about property that could arise in Italy: but there is no doubt that even in that early period the Latins and the Italians respected the Romans for the justice of the laws which they used in suits in which a Latin or Italian were involved, and for the care which they bestowed on the management of judicature.

Comments on the political organisation of Italy.

Until the time of the war against Hannibal, Italy was kept in a very fair degree of prosperity and welfare under the suzerainty of those Roman citizens who lived in and around Rome. The prosperity and tolerable contentment of the Romans at a distance from Rome, and of the Latins and of the Italians, was in fact destroyed, as we shall shortly see, by the addition to the Roman dominions of great provinces beyond the sea, and by the flood of wealth which poured from the provinces into Rome, but not into other parts of the peninsula. It is, however, worth while to put the question whether, if Rome had not acquired provinces at a distance, Italy could have long continued to be governed in moderate happiness under the absolute supremacy of those Roman citizens who lived in Rome or near at hand. It seems possible that if Italy had lain stagnant in unbroken peace towards the outer world no alteration in the existing political conditions would have been required; but, as soon as the Italian peninsula had to resist a foreign foe, the outlying Romans and the Latins and the Italians would have demanded and obtained some convenient means of expressing their opinions about policy and the conduct of the war, and the distribution of the burdens of war among different classes and localities in the peninsula. The only convenient means by which the inhabitants of a large country like Italy can express their opinions are either the election of men to meet as repre-

sentatives in a single sovereign assembly, or else the union of all parts of the country in a federation of equal states. There were no equal states in Italy, and therefore federation would be useless as a means of contenting those parts of the peninsula which lay remote from Rome; no expedient remained except some kind of representative government exercised in a single sovereign assembly. Representative government would probably have given contentment and internal peace to Italy; but it would have destroyed the supremacy of those Romans who lived in or around Rome.

CHAPTER XV

ROME, ITALY, AND THE PROVINCES, 201 B.C.–46 B.C.

WHEN the Romans had in 201 B.C. frustrated Hannibal's attempt to conquer Italy, they thought it necessary, with a view of making similar attempts impossible for the future, to undertake some permanent responsibilities in Africa and Spain: and about the same time, desiring to check the ambition of Philip the Fifth of Macedonia, who had for a while been in alliance with Hannibal, they made an intervention in the lands that lie around the eastern part of the Mediterranean Sea. From these beginnings they were gradually led on to the acquisition of large dependencies, which in 46 B.C. included the whole civilised world. From 201 to 46 their fortunes were determined for the most part by their relations to their dependencies and to foreign peoples: and accordingly their history during that interval of a century and a half may be divided into periods which are here set forth.

PERIOD I. Acquisition of distant dependencies, 201 B.C.-133 B.C.

PERIOD II. Dissensions among classes of the Romans about the spoils of the dependencies, 133 B.C.-106 B.C.

PERIOD III. War for the defence of Italy and creation of a great mercenary army, 106 B.C.-91 B.C.

PERIOD IV. Revolt of the Italian allies, 91 B.C.-89 B.C.

PERIOD V. Predominance of armies and generals, 88 B.C.-46 B.C.

PERIOD I. ACQUISITION OF DEPENDENCIES, 201 B.C.-133 B.C.

The period from 201 B.C. to 133 B.C. in which the Romans acquired their first large group of dependencies is itself divided into two parts:

(1). Acquisition of protectorates, 201 B.C.-146 B.C.

(2). Acquisition of territories, 146 B.C.-133 B.C.

When the Romans had in 201 decisively defeated Hannibal at Zama in Africa, they took precautions against future attack from the side of Carthage. They did not think it necessary to demand any territory for themselves in Africa, but they promised their protection to Massinissa, King of the Numidians, a resolute enemy of the Carthaginians, and with the intention of rendering Carthage innocuous permitted him to worry the Carthaginians as much as he chose. The Spanish peninsula had served as an excellent base of operations for Hamilcar Barca and Hannibal, and might yet be used for the like purpose by some one like them. Therefore the Romans did not in 201 withdraw their armies from Spain: and in 197, thinking that they ought for their security to make a permanent occupation of the country, they acted as if southern Spain were already their property by sending two prætors to act as its governors. From that time the territory which they pretended to have annexed was deemed to be formed into the two provinces of Hither Spain and Further Spain:[1] but for sixty six years till 133 B.C. it was the scene of incessant wars against the native tribes, and must have cost the Romans far more for the maintenance of armies than it rendered in tribute.

(1) Acquisition of protectorates, 201 B.C.-146 B.C. Precautions against Carthage.

From Carthage the Romans turned their attention to the east. In the seas of Greece and Asia Philip the Fifth, King

[1] Marquardt, *Staatsvw.*, 1. 100, 101.

of Macedonia, was employed from about 205 onwards in mercilessly pillaging the cities of Asia Minor and the Cyclades, with which the Romans desired to trade at ease. The Romans in 200, seeing that Philip would be dangerous to them unless he were checked, intervened on behalf of the cities. When after four years of arduous war they had in 197 defeated Philip at Cynoscephalæ in Thessaly, they declared that all the Hellenic states on the European mainland should be free—that is to say, should own no protector other than Rome. By this action they offended Antiochus, King of Asia, who had hoped to make conquests in Europe: and twenty six years later their position as sole protectors of the Hellenic states of Europe was also resented by Perseus, son of Philip. In 191 they were attacked by Antiochus, and in 171 by Perseus. They defeated Antiochus in two years and Perseus in four. From 168, when they vanquished Perseus at Pydna in Macedonia, they were free for twenty two years till 146 from all wars except those which they had to wage incessantly against Spanish tribesmen.

Precautions against Macedonia.

The Romans during their wars from 200 to 168, though they won three very conspicuous victories—over Philip at Cynoscephalæ, over Antiochus at Magnesia near Smyrna, and over Perseus at Pydna, took no fresh territory, and were reluctant to take states under their protection: but the states which they delivered from foreign masters could not stand alone, and it was absolutely necessary to ensure that no new conquerors should get possession of them. Hence the Romans were compelled to act as their protectors, and the period from 200 to 146 is marked out in Roman history as the age of protectorates under Roman suzerainty. At the end of the period in 146 the states under Roman protection were Numidia, all the Greek states in Europe, Macedonia, and

Protectorates, 200 B.C.-146 B.C.

the greater part of Asia Minor. The provinces at the same date were Sicily, Sardinia, and the two Spains. None of the protected states except Macedonia paid any tribute, and that country paid only a hundred talents (£24,400) annually. Of the provinces Sardinia and the two Spains were unproductive, and Sicily was the only land outside of Italy that sent a steady revenue to the Roman treasury.

Distant campaigns, distant protectorates, and the unassailable strength of Rome brought new features into Roman public life and into the economic condition of Italy. Commanders of armies in distant lands were unavoidably free from the control of the senate as long as their command lasted: when they came home there was till 149 no regular process by which their conduct could be brought under examination in a court of law, and no means of punishing them if they had behaved badly except a special legislative enactment of pains and penalties passed in an assembly on the proposal of a tribune and resembling what we call an attainder, or else the institution by the senate of a special commission of inquiry.[1] For reasons that will appear shortly, neither of these methods of procedure was likely to inflict retribution for wrong-doing. Some few commanders, as T. Flamininus and Æmilius Paullus, used their independence honestly: a greater number, as Lucullus and Galba in Spain in 151 and 150, took it as offering an opportunity for extortion, perfidy, cruelty, and massacre. The lesser officers in armies far away also got a share of dishonest gain: the common soldiers got such share of the plunder as their general thought it necessary to allow them. Contractors and ordinary traders, who belonged generally to the equites, got large legitimate profit from finding the

New conditions arising from distant wars, 200 B.C.-146 B.C.

[1] Smith, *Dict. Ant.*, third edition. *Repetundæ*, 1. 542*a*, *Judex*, *Judicium*, 2. 1027*a*.

commissariat of armies, from undertaking public works, and from importing foreign produce: the chief commodities brought into Italy were corn from Sicily and slaves from the Ægean Sea and Asia Minor. Lastly, one fact did more than all the rest towards producing about 170 a Roman community very different in habits of thought from the Roman community which had resisted Hannibal. After the death of Hannibal, which occurred about 183, Rome was so strong that it feared no enemy in the world: consequently Roman citizens almost universally felt that henceforth they could without danger engage in a scramble for the wealth that flowed in from foreign lands, and might safely regard patriotic conduct as a superfluous display of virtue.

Ruin of the Roman farmers.

The new conditions introduced by wars and victories beyond the seas affected all classes in the Roman commonwealth: their effect on the yeomen was quickly conspicuous. We have already noticed that during the war against Hannibal a great part of the sturdy farmers, who had formerly been the pith and marrow of the plebeian order, had lost their freehold farms and had come to swell the urban proletariate of Rome. When the war was ended large quantities of land were taken from those Italian communities which had transferred their allegiance from Rome to Hannibal; these lands were distributed among the soldiers and perhaps some other poor citizens, and thus founded a new body of yeomen farmers, probably as numerous as those who had been dispossessed. But the business of a small farmer was no longer profitable. Corn raised by slave labour was imported in great quantities from Sicily immediately after Hannibal had been defeated. Soon afterwards the great landowners in Italy imported slaves from abroad to till their estates: for already before 133 B.C. Tiberius Gracchus saw with sorrow that Italy was full of barbaric prison houses—the *ergastula*, or guarded

barracks in which the slaves were locked up at night when they could not labour in the fields.[1] Thus both from Sicily and from Italy came slave grown produce into all the Italian markets: it was cheaper than the produce of the labour of freemen, because slaves could be oppressed and worked to death as freemen could not. It followed that the small farmer who employed the labour only of himself and his sons was undersold, and could not dispose of his produce at a remunerative price. The farmers therefore sold their farms to rich men, and the number of small landholders among the citizens was steadily diminished. In the country for fifty miles around Rome it is likely that land was especially attractive to the rich, and that in that district the yeomen farmers were reduced to an insignificant remnant.

In consequence of the depletion of the ranks of the yeomen the only important classes among those Roman citizens, who lived in Rome or so near to it that they could take part in government, were the old curule families, the equites, and the poor. The decision of political questions rested during the period from 200 to 146 nominally with the curule families and the poor, but in reality with the curule families alone. A great part of the votes in the centuriate assembly and in the concilium plebis were given by the poor, or by men who could be influenced by the prospect of gain. Money, or the prospect of it, could be offered either by the men of the old curule families or by the equites; but the equites did not yet take much part in political matters, and the control of the popular assemblies was left to the old curule families. They were able almost always to ensure that the curule magistrates should be chosen from their own class, and the tribunes should be men of whom they

Classes in the Roman community, 200 B.C.-146 B.C.
(1) The curule families.
(2) The poor.

[1] Plutarch, *Tiberius*, 8.

approved. If a man not of curule family sought election to a curule magistracy they called him *novus homo*, an upstart, and were usually able to turn the votes against him: the most distinguished among the few *novi homines* elected in this period, Cato the Elder, only gained his consulship in 195 because his candidature was supported by L. Valerius Flaccus, a member of one of the very highest curule families.[1] As the old curule families controlled the elections they also settled the composition of the senate and the nomination of generals for command in distant war. All men who had been magistrates, in accordance with the rule laid down by M. Fabius Buteo in 216, entered the senate as a matter of course, and filled more than half the seats in it: the remainder of the seats were filled up at the discretion of the censors who were themselves elected in assemblies managed by the curule families. The commanders in foreign wars were appointed by the senate from among the curule magistrates, or from men whose curule magistracies had just expired; it followed as a matter of course that most of the commanders belonged to the old curule families. While they held their commands they could act without fear of consequences, since neither a tribune nor the senate was likely to call them to account.

(3) Equites.

The equites, as we can see from a passage in Livy, still up to 180 B.C. comprised all those men with property above 400,000 sesterces (£4000) whom the censors chose to require to enroll themselves in the cavalry:[2] and it is not likely that till after 146 any change in the definition of an eques had taken place. The equites were still a branch of the army and not a political order: they had to produce a horse before the censors, and no man was enrolled in the equites till the censor had uttered the words *traduc equum*, 'lead on your horse.' Some few of them

[1] Plutarch, *Cato Major*, 3.

[2] Livy, 39. 19. 4.

saw actual service, but Mommsen thinks these were probably only such as desired to become officers: the rest perhaps had no military duties beyond riding in the *transvectio equitum* every fifteenth of July when the knights rode in procession from the temple of Mars without the walls to the temple of the Dioscuri in the forum.[1] The greater part of the equites were capitalists who only played at being cavalry soldiers, and who did not gain any of the titles of senator, ædile, tribune, or higher magistrate, which would have eclipsed their title of equites as a peerage now eclipses a baronetcy, although it would not cancel their right to call themselves equites if they chose, so long as they were enrolled among the cavalry.

The Latin and Italian allies habitually furnished the greater part of the soldiers employed by the Romans in wars which did not concern the allies; their contingents were employed in the most distasteful services; and when their campaigns were ended successfully they received far less rewards than those soldiers who were Roman citizens. Livy in his narrative of the year 180 says that a consular army regularly consisted of two legions (8400 men) of burgess infantry, the burgess cavalry (600 men) attached to those two legions, and 15,000 foot and 800 horse provided by the Latins:[2] for seven years other than 180 he gives almost precisely the same numbers of allied foot and horse furnished for service with an army of two legions.[3] At the end of the war against Hannibal the troops of the allies did not get, as the citizen soldiers did, their discharge and usually a piece of farm land, but twenty thousand of them were compelled to continue their service in Cisalpine Gaul, Bruttii, Sicily and Sardinia, all of them regions in which plunder would be

The Latin and Italian allies, 200 B.C.-146 B.C.

[1] Smith, *Dict. Antiq.*, 'Equites,' vol. 1, p. 755. [2] Livy, 40. 36. 6.
[3] Marquardt, *Staatsvw.*, 1. 383, *n.* 4, gives references to the passages.

scanty.[1] In the year 177, when M. Claudius Marcellus celebrated a triumph for the subjugation of peoples in Histria and Liguria, the Roman legionary soldiers received fifteen denarii apiece and the soldiers of the allies only half as much: in the triumphal procession the men of the allies showed their discontent by joining in none of the shouts of the Romans.[2] Mommsen further states, from some authority which I have not succeeded in finding, that when lands were distributed in northern Italy the Roman citizens received ten *jugera* apiece, the allies only three.[3] All the allies, both Latin and Italian, must have felt the oppression of Roman suzerainty, because it compelled them to serve in laborious wars from which all the gain went to the Roman citizens. The Italians, however, were subject to worse oppression than the Latins: for we learn that in the year 177 the Samnites and Pelignians, who were Italian allies, asked the Roman senate to reduce their contingents of soldiers on the ground that four thousand of their families had migrated to the Latin colony of Fregellae.[4] This large migration proves that it was more uncomfortable to live in an Italian allied state than in a Latin colony.

(2) Acquisition of territories, 146 B.C.-133 B.C.

The Romans from 197 onwards found their protectorates troublesome because the protected states, especially in Greece, persisted in making petty leagues for the purpose of fighting with one another, and in consequence the senate gradually formed the opinion that provinces ruled by Roman officers would be preferable to vassal peoples under native governments. From 146 the Romans acted on this opinion in many instances: in that year, after wars conducted by Q. Metellus and L. Mummius, they took Macedonia and Greece

[1] Livy, 31. 8. 5-10. [2] Livy, 41. 13. 8.
[3] Mommsen, *Hist.*, 2. 333.
[4] *Ibid.*, 2. 332, from Livy, 41. 8. 8.

under their own rule with the title of the province of Macedonia. At the same time, yielding to the persistent clamours of Cato and the desires of the Roman capitalists, who disliked any rivals in commerce so successful as the Carthaginians, they destroyed Carthage, killed most of its seven hundred thousand inhabitants, and took its territory, which had already been reduced to small dimensions, to themselves as the province of Africa. In 133, when Scipio Æmilianus captured the Spanish town of Numantia, they were able to put an end to the long wars in the two Spains, and to rule them as settled provinces. In the same year, on the death of their ally Attalus the Third, King of Pergamum, they received under his will his treasure and his large territory: they kept the western part of his kingdom as the province of Asia, and gave the rest to princes and states under their protection. Thus in 133 the provincial territory owned by the Romans included Sicily, Sardinia, the two Spains, Macedonia and Greece, and parts of Africa and Asia.

PERIOD II. DISSENSIONS AMONG CLASSES ABOUT THE SPOILS OF THE DEPENDENCIES, 133 B.C.-106 B.C.

Summary.

The period from 133 to 106 was marked by disagreements between classes at Rome in regard to the use to be made of the plunder of the dependencies, which had hitherto been enjoyed almost exclusively by the curule families. From 133 to 121 the dissensions were so sharp as to lead to violent conflicts between mobs of armed civilians and to many murders for political purposes: but they stopped short of battles between armies. Through the exertions of Tiberius and Gaius Gracchus between 133 and 121 arrangements were made which provided for a moderately even division of the booty from the dependencies among the classes of the citizens. After the death of Gaius

Gracchus in 121 the curule families regained exclusive control of Roman policy. They did not dare to meddle with the distribution of the existing booty from the dependencies: but they invented a new source of gain by taking bribes from a foreign enemy of the Roman state. The classes which suffered from their treason were discontented and angry, and waited for an opportunity to deprive them of their misused authority.

Details: Tiberius Gracchus, 133 B.C.

In 133 Tiberius Sempronius Gracchus, head of one of the proudest of the curule families, after useful services performed in the wars in Spain, began at thirty years of age to take part in Roman political life. His father, whose three names were the same as his own, had been twice consul and had also been censor, and had been conspicuously honest in the administration of Hither Spain; his mother was Cornelia, daughter of Scipio Africanus Major who had received the submission of Hannibal. The young Tiberius derived his ideas of what he ought to do partly from a Greek rhetorician and from a Greek philosopher, and partly from what he saw with his own eyes and learned from the complaints of the poor citizens.[1] He obtained his election as tribune of the plebs in the summer of 134, and soon after entering on his office on the tenth of December at the end of the same year, he proposed and carried a law designed to found a fresh body of Roman farmers as numerous as the farmers had been a century earlier. The general effect of his law was that the rich men, who had usurped public domain land beyond the amount permitted by one of the Licinian Rogations of 367, should henceforth be allowed to keep only what that Licinian Rogation allowed, and if they had sons an additional amount for the sons: that all the rest of the public domain land in their occupation should be restored

[1] Plutarch, *Tiberius*, 8, 9.

to the Roman people, and should be distributed in lots of thirty jugera (a little more than twenty acres), as heritable but inalienable leasehold property partly to Roman citizens, and partly to Italian allies: and that three commissioners should in every year be elected by the people to superintend the work of recovery of the land and its distribution.[1]

When the law was proposed by Tiberius, another tribune, M. Octavius, interposed his veto. Tiberius, in most flagrant violation of Roman practice, got his colleague deposed by the assembled people, and the law was passed: but when in the summer Tiberius sought to be elected as tribune for the following year, he was again met with a veto by some of the tribunes, and as the voters present were mainly the irresolute paupers of the city and not sturdy farmers as of old, he had no means of setting it aside. Soon afterwards a meeting of the senate was held while Tiberius was present at a meeting of the people close at hand: a mob of senators, led by Scipio Nasica, and armed with clubs or with legs wrenched from tables in the market place, rushed towards the Capitol to attack Tiberius, and did not desist till they had killed him and three hundred of his adherents.[2]

His violent proceedings and death.

After the death of Tiberius the work of his commissioners was carried on; and it seems from comparison of the totals of two census rolls that they gave away farms to more than seventy thousand citizens, and so enabled them to be placed by the censors among the citizens capable of bearing arms. But shortly afterwards the commissioners began to lay their hands on lands belonging to the Latins: Scipio Æmilianus, seeing the impolicy of their action, induced the senate to decree that

Gaius Gracchus, 123-121 B.C.

[1] Most of the provisions enacted by Tiberius are clearly stated by Appian (*Civ.*, 1. 9 and 10).

[2] Plutarch, *Tiberius*, 19.

in future the consuls and not the commissioners should decide what was public domain land; and though he was promptly murdered, his action put a stop to the distribution of farms, since all the genuine domain land had been given away. In 123 Gaius Gracchus, brother of Tiberius, but his junior by ten years, sought and gained election as tribune. He certainly intended to take vengeance on the curule families, whom we may now call the Optimates, for the death of his brother. Whether he can be regarded as a continuer of his brother's work is much more doubtful. Tiberius aided the poor citizens by restoring to them lands to which they had an equitable claim, since their fathers had won them in fight. All the favours which Gaius showered on two classes among the citizens look like mere bribes, intended to induce them to help him in his attack on the Optimates; and they were to be paid for the most part either by the state treasury or by innocent and oppressed inhabitants of provinces. His boons were given to the proletariate and the equites, that is, practically, to all the community except the Optimates.

Measures of Gaius Gracchus.

The chief measures that Gaius proposed and carried were these. To win the favour of the proletariate he enacted that every citizen should on application in Rome be supplied every month with a fixed quantity of corn at about half the ordinary price, and that large colonies should be founded in Italy and at Carthage, and be duly endowed with lands. To gain over the equites he put them in a position which enabled them to plunder provincial subjects of Rome at their ease. In Asia, the latest and the richest of the provinces, the senate had arranged that the communities should pay in every year a fixed and moderate sum as tribute direct to Roman officers. Gaius enacted, first, that the Asiatic provincials should pay tithes from tilled land, a tax called scriptura from public

pastures, and port dues, as the Sicilians did ;[1] secondly, that the right to collect the Asiatic taxes and dues should be sold by public auction in Rome, so that the companies of equites might be sure to be able to purchase it ;[2] and thirdly, that the judges in *judicia populi* (important criminal trials) should be drawn no longer as heretofore from the senators but from the equites, so that equites would give judgment on charges of extortion in the collection of taxes in the provinces.[3]

By these measures Gaius gained great political influence. After their enactment, or while they were only promised, he was, in violation of the regular practice, re-elected as tribune without having laid down his office: no doubt he may have hoped to be tribune for many years in succession. While he had this expectation he was like a tyrant, but for the fact that he had no army: a tribune could not have a military force under him. It does not appear to me that if his arbitrary power had been of long duration it would have been useful to the world. The oppressors of mankind were all the Romans and not only the curule families: the oppressed were the provincials, the Italians, and in a less degree the Latins. The only kind of usurper that would have been really useful would have been one who should arise as military commander of the provincials and the Italians and lead them to victory in fair fight over the Romans.

Comments on the aims of Gaius.

[1] Appian, *B.C.*, 5. 4, makes Antonius say in public at Pergamum to the Asiatic provincials, δημοκόπων ἀνδρῶν καὶ παρ' ἡμῖν γενομένων . . . μέρη φέρειν τῶν ἑκάστοτε καρπῶν ἐτάξαμεν . . . ὑμῖν. The passage is printed more fully in Marquardt, *Staatsvw.*, 1[1]. 180, *n.* 6.

[2] Cicero, *in Verr.*, 3. 6. 12, 'ceteris (provinciis) aut impositum vectigal est certum, quod stipendiarium dicitur . . . aut censoria locatio constituta est, ut Asiæ lege Sempronia.' Fronto cited by Marquardt, 1[1]. 180, *n.* 6. 'Jam Gracchus locabat Asiam.'

[3] Smith, *Dict. Ant.*, s.v. *Judex*, 1. 1027. Velleius Pat., 2. 6. 3, ed. Halm. '(Gaius) judicia a senatu transferebat ad equites.' Civil suits were not touched by any of the leges Semproniæ.—*Dict. Ant.*, 1. 1026*b* and 1027*a*.

In addition to the measures which he passed Gaius had a project of giving Roman citizenship to all the Latins, and promoting the Italians to the position already held by the Latins; we know of this project from a manifesto against it put forth by the consul C. Fannius Strabo.[1] It would have shown extreme stupidity in Gaius if he had hoped to induce the voters in the assembly to diminish the shares that they each got in the perquisites of citizenship by allowing the Latins, who were probably at least as numerous as the Romans, to take their proportion of them without giving the old voters something in return: hence it is likely that he intended that the Latins should relinquish something to the Romans, and the something could hardly be other than the domain lands that the Romans had allowed the Latins to occupy.

Proposal of Gaius to give citizenship to the Latins.

Whatever was the inducement offered by Gaius to the Roman voters, it was insufficient: and his proposal to give Roman citizenship to the Latins, when it was met with the tribunician veto of M. Livius Drusus, who acted in the interest of the curule families, did not pass. Then Livius Drusus, prompted by the curule families who controlled the senate, undertook to outbid Gaius by offering the poor voters in Rome very large gains in money at the expense of the treasury, and in land at the expense of the Latins or Italians, without any counterbalancing disadvantages: the assembly accepted his offer, and when in the summer and autumn of 122 elections of tribunes and consuls were held, Gaius was not chosen as a tribune, and L. Opimius, a resolute champion of the curule families, was elected as consul. In the beginning of 121, when Gaius was no longer tribune and Opimius had entered

Overthrow of Gaius.

[1] Mommsen, *Hist.*, 3. 124. See Smith, *Dict. Biogr.*, 'Strabo,' 3. 922, for citation of authorities.

on possession of the consular imperium, an assembly was held on the Capitol to vote about a proposal to repeal a law which Gaius had passed for founding a colony at Carthage. Opimius was offering the usual sacrifice in the porch of the Capitoline temple. A zealous adherent of Gaius fancied that his leader was in danger of assault and hastily murdered a man whom he suspected of meaning to hurt him. Hence followed a wild tumult. Next day the Gracchan party, in desperation, occupied the Aventine Mount, and by taking measures to defend themselves by force showed themselves as armed insurgents. In the suppression of their rebellion Gaius and three thousand of his supporters were slain.

General economic effect of the Gracchan changes.

Under the new regulations which the two Gracchi had succeeded in enacting all classes in the Roman community got about even shares in the plunder of distant provinces, in lands which earlier generations had conquered from the Italians in fair fight, and in hopes of getting other lands which the present generation thought of seizing from the Italians by unprovoked confiscation. The curule families kept the command of the armies and the governorship of the provinces. The equites had the collection of the provincial revenues in Asia and probably also in some other provinces, and the sole right of sitting as judges in trials for extortion. Some of the poor had been provided by the commissioners, whom Tiberius had established, with farms on the old domain land of the Romans, and had gone far away from Rome to try to gain a tolerable livelihood as yeomen farmers; others had been offered farms by Gaius in new colonies to be founded by the expropriation of Italian communities and of the remnant of the Carthaginians, but had in most cases preferred to remain in Rome: and lastly, both those who had declined plots of ground in disadvantageous localities and those to whom no plots had

been offered continued to live in and around Rome as paupers with abundant perquisites, enjoying the amusement of gladiatorial shows, and subsisting in idleness without much difficulty on the public doles of corn and on the money that they received from the rich in payment for their votes in the assembly of the people. All had their share of enjoyment; but nearly all the enjoyment was got by merciless oppression of defenceless provincials and very little by honest labour.

Renewed predominance of the curule families, 121 B.C.-107 B.C.

As the yeomen were tied to their farms far away in the country there was no large mass of independent and uncorrupt voters in the assembly of the tribes. The assembly had not taken the trouble to save the lives of its champions, the Gracchi, when a vote for their re-election as tribunes would have sufficed:[1] probably a quantity of the pauper citizens were paid to vote the other way. As the assembly could not be trusted to vote steadily for any purpose, no tribune after the two Gracchi rose to formidable influence, and in the absence of strong tribunician opposition the rich classes could do as they liked. The equites were quite content to gather in their share of the plunder of the provinces without troubling themselves about meddling much in politics, and therefore the other rich class, the curule families, were able until 106, when a new antagonist arose who was not a tribune, to conduct the government as they pleased, subject to the sole limitation that the distribution of the spoils of foreign lands was not to be altered. They consigned the laws which Drusus had got passed at their bidding, with one exception, to oblivion: they only retained his enactment that the farms already given away under the Gracchan laws should no longer be held from the state on inalienable lease subject to a quit

[1] See pages 249, 252.

rent, but should henceforth be owned by their occupants in fee simple free from rent and from restriction in regard to alienation.[1] The farmers thus became free to sell and the rich to buy; and it is probable that part at least of the farmers turned their lands into money and went back to Rome. If they did, they added no element of stability to the popular assembly. Till the time of Tiberius they had been habitual urban idlers: when they came back they were only men who had tried farming for a few years without success, and on their return to Rome they were necessarily without any regular employment.

In the dealings of the curule families with Italian affairs there was much folly but no flagrant misconduct. When, however, a question of external policy arose, individual members of the nobility showed that for their private gain they were ready to betray the interests, not only of the Romans in general, but even of their own order. In Numidia, which since 201 had been a vassal state, Jugurtha, a bastard son of a son of Massinissa, tried in 118 to rob two of his cousins of their kingly dignity. As the cousins were under Roman protection, it was the duty of the Roman senate to intervene without delay: but Jugurtha by giving large bribes to senators, to envoys, and to commissioners staved off the day of reckoning for six years. At the end, however, of the six years, in 112, it became impossible for any Roman to doubt that his ambition was dangerous to Roman interests in the province of Africa. He had murdered his cousin Hiempsal. The almost impregnable stronghold of Cirta, the modern Constantine, belonged to his remaining cousin Adherbal: Jugurtha besieged it, but found it so strongly defended by Italian commercial dealers settled there that he could not take it by force. The Italian defenders of the place very

Jugurtha, 118 B.C.-111 B.C.

[1] Mommsen, *Hist.*, 3. 124. *Dict. Biogr.*, s.v. 'Drusus,' vol. 1, p. 1078*a*.

foolishly advised Adherbal to surrender the place to Jugurtha, trusting that the Roman commonwealth would see to it that they did not suffer. Jugurtha murdered them all, and it cannot be doubted that he appropriated all that had belonged to them.[1]

War against Jugurtha, 111 B.C.-105 B.C. Futile operations, 111-109.

The massacre at Cirta, and the robbery that followed it, roused the indignation not only of the equites, who had no doubt lost property, but even of the corrupt popular assembly at Rome. The curule families did not dare any longer to refuse to send an army to Africa. But in 111 Jugurtha purchased continued possession of all the territory he had seized: and in 110 he compelled a Roman army to pass under the yoke and to leave him reigning over all Numidia.

Serious war against Jugurtha, 109 B.C.-105 B.C.

The senate saw that in 109 the war against Jugurtha must be waged seriously. They gave the chief command to Q. Metellus, who belonged to one of the most distinguished curule families. The new commander was honest and capable, but his successes came slowly, because he found his army in terrible disorder. The most capable of the officers serving under him was Gaius Marius, a man with no curule ancestors, but full of desire to rise to high command. In 108 Marius, who had already been prætor seven years earlier, and had as proprætor been a vigorous governor of Further Spain, asked leave of absence from his duties in Africa for the purpose of going to Rome as a candidate for the consulship, but was put off with excuses and, as some said, with contemptuous sarcasm by Metellus, who honestly believed that no *novus homo* could aspire to rise above prætorian rank without indecent presumption.[2] Thereupon he sought to win the

[1] Sallust, *Bell. Jug.*, 26.

[2] *Ibid.*, 63, 64. *Dict. Biogr.*, s.v. 'Marius.'

favour of his soldiers with indulgences, and to talk about the slowness and arrogance of Metellus, and of his own capacity for making a speedy end of Jugurtha. The men to whom he spoke in this strain were Italian dealers, who lived in great numbers at Utica in the province of Africa; Gauda, a half brother of Jugurtha; and any Roman equites or soldiers who would listen to him: to all of them he gave directions that they should write to any friends whom they might have in Rome, and repeat what he said.[1] Twelve days before the comitia for the election of consuls he obtained leave of absence. By travelling as fast as possible, and through good luck in getting a favourable wind, he arrived in time to be a candidate: and when the votes were given he was elected. Shortly afterwards a concilium plebis, usurping powers which ordinarily belonged to the senate, resolved that in the following year Marius, not Metellus, should be commander in the war against Jugurtha.[2]

Enrolment of poor citizens in the army, 107 B.C.

The new consul in levying a fresh army for Africa introduced an important innovation by allowing the poorest of the citizens, if they were strong enough to serve, to enrol themselves in the legions, from which they had hitherto been excluded: admission to the army was welcome to a great number of Roman paupers, because they hoped to enrich themselves by plunder.[3] In 107 and 106 Marius, greatly aided by L. Sulla, who held a command of cavalry under him, succeeded in securing the surrender of Jugurtha. Numidia was divided into two parts: the western portion, about co-extensive with what is now Algeria proper, became the Roman province of Numidia; the eastern part, about Cirta, was given to Gauda.

[1] Sallust, *Bell. Jug.*, 64.
[2] *Ibid.*, 64, 65, 73
[3] *Ibid.*, 86. 2 and 3 and 84. 4.

PERIOD III. SERIOUS EXTERNAL WAR AND CREATION OF A GREAT MERCENARY ARMY, 106 B.C.-91 B.C.

While the paltry war with Jugurtha was running its course, Rome and Italy were threatened by enemies as formidable as the Gauls under Brennus or the Carthaginians under Hannibal. The Cimbri and the Teutones, two migratory peoples, starting probably from the heart of Germany, moved southward, and on their way were joined by adherents from other stocks. In the eastern Alps and in Gaul they inflicted defeats on Roman generals: on the lower Rhone in 106, probably near Arausio, the modern Orange, they won a battle in which, through the gross insubordination of Cæpio, the Roman second in command, an army said to have numbered eighty thousand men of the Romans and their allies was completely cut to pieces.

Remodelling of the Roman army.

The Romans in their dismay thought it necessary to elect Marius as consul in many consecutive years, though the law forbade them to do it. Marius, putting all the fighting strength of Italy under arms, made a new army, and organised it on a new model: he attended solely to the object of creating a strong fighting body, and, disregarding the civic antecedents and status of his recruits, gave every soldier, whether Roman or Italian, whether landowner or pauper, an equal chance of winning distinction and promotion. When he had defeated the enemy at Aix near Marseilles, and again near Vercelli, between the Alps and the Po, and had disbanded his army, Italy was filled with veterans out of employ whose life's work was fighting, and who knew not what to do when they were not under arms.

PERIOD IV. REVOLT OF THE ITALIAN ALLIES, 91 B.C.-89 B.C.

As the Latin and Italian allies had for three generations furnished twice as many soldiers as the Romans, it was inevitable that at some time they would draw conclusions from their numerical superiority. The time came during the war against the Cimbri and the Teutones, perhaps all the more certainly because a great part of the Romans who fought in that war had been paupers before they entered the army. The allies had long desired to be made Roman citizens, in order to get a share of the spoils of the provinces and more merciful conditions of military service: when the Cimbri and Teutones had been defeated mainly by their exertions, they hoped that their desire might be gratified. Two vain attempts to grant what they asked by legislative enactment were made in Rome: one by a demagogue Saturninus, the other by M. Livius Drusus, a statesman of wide views, and son of the Drusus who had outbidden Gaius Gracchus in promises to the proletariate. When these attempts had failed and their authors had been killed, a good part of the Italian communities in 91 B.C. chose generals from among their townsmen, and began a war for the destruction of Rome. Although all factions of Roman citizens exerted themselves in defence of their profits from the provinces, and although the Latins generally stood by Rome, the Romans made no progress in the war till in 90 B.C. the consul L. Cæsar passed his Lex Julia giving full Roman citizenship to all those allies who had not revolted or who speedily submitted. Though the Lex Julia did not place the Italians on an equality in voting power with the Romans, since it gave them admission only to eight tribes and not to all the tribes, it sufficed for its purpose, and by the end of the year 89 the continued existence of the Roman commonwealth was assured.

PERIOD V. PREDOMINANCE OF ARMIES, 88 B.C.-46 B.C.

The little governing community of Rome, which consisted of those Romans who lived in Rome or near at hand, got rid of the danger with which the Italians had threatened it by passing the Lex Julia; but it soon found that its own armies, consisting mainly of new citizens from outlying parts of Italy, and its own generals, were not less likely than the Italians in their revolt had been to deprive it of the supremacy over the civilised world which it claimed and had hitherto enjoyed. From 88 B.C. to 46 B.C. it was constantly in fear of being suppressed by some one of its own armies under a victorious general: but it was able during that period of forty two years to maintain a semblance of power, because its generals and its armies were many, and they engaged in rivalry with one another on such even terms that no one general and no one army for any long time had exclusive possession of the mastery.

Wars between generals and armies, 88 B.C.-82 B.C.

The strife between armies and generals need not be described in detail. From 88 to 82 there was a question of politics in which the soldiers felt interest. The men in the armies in 88 were divided into old citizens, new citizens under the Lex Julia, and Italians who were not citizens. The old citizens desired to keep their privileges of citizenship to themselves: the others desired to share them. The most valued privilege of a citizen who could often be present in Rome was the power to give an effective vote in the popular assembly. That privilege had not been of much value to a majority of the yeomen of old time, because when they were disbanded at the end of a campaign they went straight away to their farms at a distance from Rome: to the mercenary soldiers in 88 and afterwards it was likely to be profitable, because when they were not on active service

they would drift to Rome. Under the Lex Julia the new citizens were excluded from giving votes of much efficacy because they were all placed in only eight tribes out of the thirty five. In the course of six years of wars between generals and armies from 88 to 82, Marius, Cinna, and Carbo were the champions of the new citizens; Sulla of the old. In 84 Cinna, being for the time master of Italy, commanded the senate and the assembly to decide that the new citizens should be placed in all the tribes indiscriminately, so that they might have the same voting power as the old citizens: and Sulla, though on his return from Asia Minor in 82 he brought his legions into Rome and ruled for a while as a conqueror, thought it necessary to leave the new citizens to enjoy the power that Cinna had given them. From 82 B.C. almost every free born inhabitant of Italy was able, when present in Rome, to give an effective vote in the popular assembly.

In 82 B.C. Sulla became absolute master of Rome and Italy and the provinces. He took the title of dictator, and kept his unlimited power for two years. In his first six months he got rid of all men likely to stand in his way by the method of proscriptions or authorised assassinations. Marius, a few years before, had attained the same end more speedily, and probably with much greater bloodshed, by turning his soldiers loose into Rome to slay and rob at their pleasure. As destroyers of their opponents Marius and Sulla were on a par: but Sulla was a statesman and Marius was not. Marius had never tried to provide for the future welfare of his countrymen: Sulla made an honest and courageous attempt to secure the inhabitants of Italy against the recurrence of such miseries as they had recently experienced.

Sulla's dictatorship, 82 B.C.-80 B.C.

Before I can describe the changes made by Sulla in the government of the Italians, it is necessary to explain how

they were governed in 82 B.C., when Sulla became their master. The four forces in the community other than Sulla himself were the senate, the generals, the tribunes, and the popular assembly. The popular assembly, under the law passed by Cinna in 84 and confirmed by Sulla two years later, no longer consisted of a few scores of thousands of urban paupers but of all the free population of Italy: the only men, however, from outlying districts, who were likely to attend its meetings and legislate for the civilised world, were those who had no employment that tied them to their homes, and were accustomed to the life of mercenary soldiers. Thus for the future the popular assembly, which still claimed to be sovereign ruler of the world, was likely to vote sometimes for the advantage of the paupers and sometimes for the interest of the mercenary soldiers and their generals, but never for the interest of any other class. The generals were the most dangerous class in the community, because they were likely to fight against one another and overturn all government: next to them in capacity for mischief came the tribunes, who might propose revolutionary measures in the assembly and might be influenced by ambitious generals. The senate, the only remaining force in the community, was selfish and corrupt, but it might be constituted on a new footing: above all, it had one great merit: it was a body of civilians, and for the preservation of such influence as it possessed it was certain to be an opponent of any general who might try to become omnipotent. Sulla decided to diminish the opportunities of generals and tribunes and popular assembly for interfering in government, and to entrust as much authority as he could to a reformed senate.

The government of Italy, 82 B.C.

Of the generals it is to be noted that for thirty years after Sulla's time they rarely had any armies in Italy except when they were levying new legions or disbanding

veterans. It seems likely that the immunity of Italy from prolonged molestation by armed forces was not due to any explicit regulation made by Sulla: no such regulation is recorded, and if any had been made, there is no reason to suppose that any powerful general after Sulla's time would have obeyed it. There is more to be said for the view that before Sulla's time a large majority of the inhabitants of Italy wished to have no armed forces in their country, and that after his time the generals thought it prudent to respect their wishes. Italy was still the sole recruiting ground of all the legionaries, and no general wishes to cause annoyance to the settled inhabitants from whose surplus population recruits have to be levied. Sulla, it may be observed, made it much more certain than it had been that the wishes of the inhabitants of Italy would receive attention from the generals. He settled a very large number of his veterans on lands that he had seized from Italian communities which had fought against him: one historian says that twenty three legions containing perhaps a hundred thousand men, after the losses sustained during a long war in Asia Minor, were thus endowed with freehold property: another less probably makes the number double as large.[1] All these men had gained all that was to be got out of campaigning, and desired to be let alone, and to live as civilians. During the thirty years after Sulla's time the consuls during their year of office stayed in Italy usually as purely civilian officers, occupied in dealings with the senate and the resident citizens, who were also civilians: their military activity did not begin till the next year when they went abroad as proconsuls.[2]

The Italian community as ordered by Sulla, 80 B.C.-70 B.C. (1) The generals.

[1] Appian, *B.C.*, 1. 100. Livy, *Epit.*, 89.

[2] Mommsen, *Hist.*, 3. 367, draws attention to the general freedom of Italy from the presence of armies in the generation after Sulla.

The tribunes could easily perceive that the popular assembly, strengthened as it was by the admission of the Italians to the full rights of citizenship, would be a serviceable instrument for giving effect to any revolutionary proposals that they could induce it to approve; and they were likely to use the instrument that was ready to their hands. Sulla daunted ambitious men who might aspire to become tribunes by ordaining that if a man had once been tribune he should be disqualified for life from holding any other magistracy:[1] and it is extremely probable that he also forbade the tribunes to bring any rogatio before the assembly till it had been approved by the senate.[2] When he had made the tribunes powerless, he could afford to deal courageously with the paupers of the city: he either abolished the corn doles entirely or greatly diminished their amount.

(2) Tribunes, and (3) the paupers.

The body to which Sulla entrusted the chief authority in his commonwealth was a senate so greatly altered that it bore little resemblance to the senate which the Romans knew and in general disliked. Forty years before Sulla's time the senate had been dominated by the curule families, and their persistent influence had been even more mischievous than the transient attempts of the tribunes and the paupers to bring about revolutions. By Sulla's time the ranks of the Optimates had been thinned by wars and murders, as the ranks of the English baronage were thinned in the Wars of the Roses, and they were no longer formidable. Sulla took precautions against their return to power by founding a reformed senate. He ordered the popular assembly to elect three hundred new senators immediately, and arranged that in future twenty quæstors should be elected in every year, and should become senators at once, and should remain senators for life.

(4) The senate.

[1] Appian, *B.C.*, 1. 100. [2] Mommsen, *Hist.*, 3. 364 note.

The senate thus became a purely elective body: but the senators when once elected were independent of their electors, and in the course of years had opportunies of gaining experience.

The greatest work of Sulla was his new constitution, but it was not his only work. He also made great improvements in criminal judicature by establishing several permanent tribunals, called *quæstiones perpetuæ*, which for the first time provided convenient machinery for the trial of such offences as murder, arson, poisoning, perjury, forgery, and corruption of judges. It happened also that for several generations before Sulla's time many Roman magistrates and citizens had applied themselves to the excellent work of mending and simplifying the law of property. The prætors who superintended suits to which Latins or Italians or other aliens were parties continued to improve their edicts by inserting in them maxims derived from systems of law not made in Rome:[1] in so far as this was done by borrowing from Latin or Italian systems of law, the work must have been completed by 82 B.C., because after that year there was only one law for all peoples in Italy. The law embodied in the edicts of the *prætores qui jus inter peregrinos dicebant* was known as the *jus gentium*, or law common to many peoples. Moreover, while the jus gentium was being fashioned, some distinguished Romans, especially three Mucii Scævolæ, made a scientific study of the indigenous Roman law of property, the *jus civile*, founded on the law of the twelve tables: the third of the Scævolæ, who was killed by the Marian faction in 82, was the first Roman who wrote a treatise on the jus civile. As the jus civile and the jus gentium existed side by side they were compared: the jus gentium excelled its rival in simplicity

Improvements in criminal judicature and the law of property before 80 B.C.

[1] See pages 234-236.

and it is probable that many of its rules were gradually adopted into the law applicable to the property of Roman citizens.

Under Sulla's regulations all free men in Italy were made as nearly equal as the existing conditions allowed, and were as far as possible formed into one community. They did not govern themselves, it is true, nor did they all take part in electing their governors: but their governors were a senate of civilians who by long experience were likely to gain skill in governing. The constitution framed by Sulla gave for the time being such a measure of general satisfaction that at the end of 80 B.C., after two years of unlimited power, its author could venture without fear of murder or revolution to lay down all his authority and retire to his villa near Cumæ, where hunting and fishing served to amuse him for the remaining two years of his life.

General effect of Sulla's regulations.

Sulla's regulations, however, could not long avail to keep armies out of Italy. The Roman community, which now included the mass of the inhabitants of all Italy except the valley of the Po, was quite as much determined to drain tribute and other wealth out of the provinces as the smaller Roman community had been in the days before the Lex Julia. Tribute and wealth could not be collected in abundance from the provinces unless the provinces were kept in subjection by large Roman armies. Generals while they were commanding armies in the provinces could not be controlled by the government at Rome, nor could they be restrained from bringing back their armies to Italy when their work in the provinces was finished. Besides all this, it chanced in 73 B.C. that an army was needed in Italy itself to quell the formidable insurrection of the gladiators under Spartacus.

Impossibility of excluding armies from Italy.

Among the great dependencies beyond the seas those that first needed occupation by strong armies to make them profitable were Asia Minor and Spain. Asia Minor was imperilled by the ambition of Mithradates, King of Pontus, and the Spaniards were trying to become independent under the leadership of Sertorius, a Roman general of great ability who had been attached to the faction of Marius. The armies of the Romans were commanded in Asia by Lucius Lucullus, and in Spain from 77 to 71 by Gnæus Pompeius, a young officer who had never been elected to a magistracy, but who had in the year 82 been most helpful to Sulla in his contest with Carbo. The war was ended in Spain sooner than in Asia, and at the end of 71 Pompeius came back to Italy at the head of his army. He found another army already in Italy under M. Crassus who had recently overpowered the gladiators under Spartacus. The senate, which Sulla had intended to be the supreme authority over Italy and its dependencies, was unable to control either Pompeius or Crassus, and thus the predominance of generals and armies in Italy was renewed.

Renewed predominance of armies and generals, 71 B.C.

It chanced that neither Pompeius nor Crassus desired to become a despot in Italy. Crassus was proud of his great wealth, and, in order to keep enough leisure to increase it by speculation and by superintending the work done by his slaves, avoided any political position that would occupy all his attention. Pompeius sought only glorification for his past provincial exploits and an opportunity of repeating them. The gratifications which he demanded at the moment were a triumph for his victories in Spain, and the consulship for next year; but neither of his requirements could be granted without a breach of the constitution, which ordained that no man could celebrate a triumph unless he were a magistrate, and

Destruction of the Sullan constitution, 70 B.C.

none could be elected as consul till he had held some lesser magistracies. So Pompeius needed to be dispensed either by the senate or by the popular assembly from obedience to the established rules. The senate did not at once grant the required dispensations: but some of the tribunes were quite willing to undertake to obtain them from the popular assembly on condition that Pompeius and his army would overawe the senate into restoring to the tribunes and to the popular assembly the powers of which Sulla had deprived them. Pompeius accepted the conditions, and the Sullan constitution was destroyed by the votes of the burgesses, supported in the near distance by the legions of Pompeius. The tribunes recovered their freedom to propose any rogation that pleased them: the paupers regained their prodigal corn doles: the right of judging in criminal trials was shared between senators, equites, and a body of men called tribuni ærarii, who nearly resembled the equites, but for the fact that they need not be resident in Rome.[1] In semblance the rules of the constitution reverted nearly to what they had been made by Gaius Gracchus. But now there was no strong civilian authority presiding over the Roman commonwealth. The senate was the only body that tried to govern in the interest of civilians throughout Italy, and it was too weak to do what it attempted: for any victorious general was likely henceforth to be supported not only by his own army but also by the tribunes and the popular assembly.

Yet for twenty four years after 70 B.C. generals and armies either in existence or in near prospect were many, and they kept one another in check, so that none of them ventured to deprive the senate of its semblance of power. Pompeius in 67 and 66 employed two tribunes, Gabinius and Manilius, to obtain from the popular assembly votes

[1] Smith, *Dict. Antiq.*, vol. 2, p. 871.

which made him proconsul with absolutely unlimited command over the whole Mediterranean Sea and in nearly all the provinces that belonged to Rome. In five years he conquered all Asia Minor and Syria, but on coming back to Italy at the end of 62 he disbanded his army, and did not attempt to deprive the senate and the popular assembly of such shadow of authority as they enjoyed. The reasons for his action are not explained by ancient historians; but we can see that, if he had tried to be despot at Rome, he would have undertaken a task of attention to matters of government which he did not like, and could not be sure that, while he was tied to his work in Rome, other armies under other generals might not arise somewhere in the provinces and thence come back to Italy and overpower him.

Pompeius not a claimant of despotic power, 62 B.C.

Pompeius made a stupid blunder when at the end of 62 he disbanded his army without obtaining from the senate all such decrees as he desired. The things that he needed to obtain from the senate were three: confirmation of all the orders he had given to conquered princes and peoples in Asia Minor and Syria, a second consulship before the expiration of the required interval of ten years since his other consulship, and lands for his soldiers. The senate refused compliance with all his demands: and in the year 60 he was compelled to seek aid from a man who had such influence over the Roman rabble that he could put effective pressure on the senate.

Helpless position of Pompeius, 62 B.C.-60 B.C.

While Pompeius had been absent in the East, Gaius Julius Cæsar had been active in political contests, and in the year 60 B.C., at the age of forty years, he was the sole powerful leader of the old Marian party. Marius had been the champion of the new citizens and of the Roman paupers:

Cæsar, in 60 B.C., was champion of the same interests, but it was no longer possible to distinguish sharply between the poorer new citizens and the paupers of the capital, since the two classes were not now kept asunder by any divergence of interests. Cæsar then was simply the leader of the poor. But the poor were now a very different body of men from the helpless and aimless colluvies of idlers which had failed to uphold Tiberius and Gaius Gracchus; since that time they had been led by Marius, and Cinna, and Carbo, who had been generals in command of armies.

Cæsar leader of the Marian party.

In the year 61 Cæsar, as proprætor of Further Spain, conducted a successful campaign in Galicia. On his return to Italy in the summer of 60 he was elected as one of the consuls for the ensuing year. To him Pompeius applied for aid, and found him willing to enter into a contract of alliance with him, on condition that the rich Crassus should also be one of the contracting parties.

Compact between Pompeius, Cæsar, and Crassus, 60 B.C.

During the year of Cæsar's consulship, 59 B.C., Roman affairs were managed by the popular assembly and by ruffians who abounded in the Roman mob, under the leadership of Cæsar. Pompeius obtained with ease all that the senate had refused him: Cæsar, under a rogation proposed to the popular assembly by his faithful henchman, Vatinius, was invested with the proconsulship of Cisalpine Gaul for five years. Soon afterwards the senate gave him Narbonese Gaul besides, believing that unless they did so he would receive that also from the assembly.

Cæsar's consulship, 59 B.C.

The provinces which Cæsar had chosen to have assigned to him were those in which the services of an able general could do more for the advantage of the Roman citizens than anywhere else in the world. Cæsar repelled an invasion

of Germans under Ariovistus into Transalpine Gaul which might have become as dangerous to Italy as the advance of the Germans whom Marius had defeated: and in eight campaigns he conquered all the Gallic land from the Alps to the ocean, and from the Pyrenees to the Rhine. In 53 M. Crassus, who was personally hostile to Pompeius and friendly to Cæsar, lost his life and a great army in war against the Parthians. Pompeius had long looked on Cæsar and Crassus as his rivals: when Crassus was dead he thought that by gaining an alliance with the senate he could crush Cæsar. The alliance was made, and at the beginning of the year 49 the allies issued a decree of the senate which would compel Cæsar to come to Rome for a short time without any proconsular imperium to protect him from being accused of high treason. Cæsar knew that if he lost his imperium he would probably also lose his life, and early in 49, as the Roman calendar then stood, but by correct reckoning late in 50, he left his province at its frontier, the river Rubicon, and marched in open rebellion into Italy. The peninsula submitted with little resistance, and then Cæsar with his army made a circuit round the Mediterranean Sea, fighting everywhere against the generals and armies that supported Pompeius and the senate. In three and a half years of hard work Spain, Thessaly, Egypt, Asia Minor, and Africa were in turn compelled to obedience, and in May 46 B.C. Cæsar returned to Rome as master of all the Roman dominions.

Cæsar conqueror of Gaul and of the Roman dominions, 58 B.C.-46 B.C.

The victories of Cæsar put an end to the supremacy of the Roman commonwealth or the Roman senate over the civilised world, and even to the existence of the Roman community as a perfectly independent state. Henceforth the Roman citizens were only a part, though still the most important part, of the

Results of Cæsar's victories.

great political aggregate from which Cæsar could demand obedience. Cæsar drew his strength not from the Roman citizens as such, but from the devoted affection of his army, and from the good will of all the provincials and of the poorer classes in Italy. In shaping his policy he had to attend quite as much to the interests of the provincials as to the wishes of the Roman citizens.

CHAPTER XVI

COMPARISON OF ITALIAN TOWNS WITH GREEK TOWNS

THE only Italian peoples that are known to us through a long period of their existence are those that lived in Latium. From the age when they settled in the Latin Campagna as agricultural tribes, the character that they were likely to assume in the course of time was indicated by their physical and human environment. They tilled the rich soil that had long ago been scattered over the plain by the Alban volcano, and therefore had far more wealth than their neighbours who lived on comparatively sterile ground. They had not, as the peoples of Hellas had, mountain ranges to protect them from attack, but were, probably from the beginning, subject to constant molestation from the rude Æquian and Volscian highlanders, and long before any time that is known to us they needed defence also against the powerful Etruscan townsmen. Hence, since they had no natural defences, they must, if they could, get security by living on sites of natural strength within the artificial protection of town walls. It chanced that they had plenty of strong sites at hand, and abundance of stone to build with. Hence they made themselves fortresses to live in, and grew into military town communities. Moreover they had no inducement to attempt maritime enterprise because few of their towns were near the shore, and those few had no islands within sight to tempt them to seafaring pursuits. Hence they had no seaborne commerce, and all of them were nothing more than purely military and agricultural communities of townsmen.

The military towns of Latium were not compelled, as the Greek maritime and commercial cities were compelled, to live in political isolation from one another. They stood in the same relations with one another as prevailed among the military towns of Bœotia. They could make alliances and keep them: they could form a confederation and act faithfully in concert together for the purposes of the confederation: but, in Latium no less than in Bœotia, it was almost impossible for one military town to govern another. In Bœotia when the strong town of Thebes conquered the weaker town of Orchomenus in 368,[1] the victorious town did not attempt to govern the conquered town, but put the inhabitants to the sword. In Latium, when the prehistoric Romans conquered Antemnæ and Crustumerium and other towns, they did not venture to keep them standing and to try to govern them. They did not indeed take such a murderous course as the Thebans had adopted when they conquered Orchomenus: they had good reason for not taking it since they knew that any Latins would be willing to help them in fighting against the Etruscans. Hence they kept the inhabitants of the conquered towns alive, but destroyed their towns. Even so it was found that they could not govern the descendants of the conquered at their pleasure: those descendants seceded from them and would not come back till they had been assured that they should have a government of their own for their protection: thus the first experiment of the Romans in dealing with conquered towns led to the establishment of a state within the Roman state. Long afterwards, when the Romans in 338 conquered all the Latin towns, they only ventured to take Tusculum and four more towns under their own government by giving the Roman citizenship to

The Latin towns could join in alliances or confederations, but could seldom govern one another.

[1] Diodorus, 15. 79.

their inhabitants. The remainder of the Latin cities were converted into dependent allies, or vassal communities, governing themselves, but compelled to obey the Romans in all matters of external policy and to provide them with contingents of troops. It was more conducive to the prosperity of a town considered as a locality to become a vassal than to be absorbed into Rome. Tusculum and the other four Latin towns that in 338 received Roman citizenship disappeared promptly from history and only reappeared nearly two centuries later as sites for the suburban residences of wealthy Romans: some of the Latin fortresses that became vassals to Rome, especially Præneste, afterwards attained to great importance in consequence of their size and wealth and commanding strategic situations. This does not however prove that individual descendants of Tusculan parents may not by migration to Rome have been in a more enviable position than the inhabitants of such a vassal town as Præneste.

No common government for all Italy resulted from Roman conquests—

When the Romans conquered all the Italians they permitted all the old Italian towns and also the newly founded Latin colonies to govern themselves, only requiring them to obey Roman orders in regard to external affairs and the furnishing of troops. Thus the conquest of Italy by the Romans did not bring the towns in the peninsula under a common government. The wars against Carthage manifestly did nothing towards bringing Italy under one government, though the second war showed how much the Romans owed to their alliance with the Latin colonies. And, lastly, the conquest of distant provinces not only did nothing towards setting up a common government for Italy but even loosened the bands of the alliance between the Romans and their vassal towns in Italy because it led the Romans to impose unfair burdens on the Latins and the Italians.

—nor any settled common government from the war against the Cimbri and the Teutones.

The event that at last led to the abolition of the separate governments of the Latin and Italian towns and their union under something that bore the semblance of a common government was the approach to Italy of the Cimbri and the Teutones. The advent of these dangerous foes compelled the Romans to enrol all the able bodied men in Italy in their army: and when the invaders had been repelled the Italians who had served as mercenary soldiers compelled the Romans to accept them as fellow citizens, and it followed that the Latins also were admitted into the Roman tribes. But after the new citizens had been admitted no one knew, except during ten years after Sulla's retirement, whether the powers of government rested with the senate, which acted on behalf of the body of civilian inhabitants of Italy, or with any general who chanced to have a strong mercenary army present in Italy. The senate yet for twenty years after the year 70, when the popular assembly turned against it, was able to enjoy a share of authority, but only because the generals and armies in the Roman dominions were still numerous, and were too jealous of one another to act unitedly for the overthrow of civilian government.

In the provinces that the Romans acquired between 146 and 59 there was in 49 B.C. no community larger than a canton or a city. When Macedonia was conquered in 168 it was broken up into four cantons:[1] when the kingdom of Pergamum was converted into a Roman province in 133, it was divided into cities. In Gaul, conquered between 58 B.C. and 50 B.C., there still subsisted in 49 B.C. some small nationalities as the Sequani and the Hædui: but those small nationalities had little capacity for acting in concert. Whether the whole of the Italians after the time of Sulla

[1] Mommsen, *Hist.*, 2. 302.

formed a fairly coherent community, it is hard to judge: the one thing certain is that, after the armies of mercenary soldiers gained a dominant position, the Italians as a civilian community were impotent. The Roman dominions in 49 B.C. when Cæsar invaded Italy consisted of a number of separate communities: all the communities outside of Italy were small, and the Roman dominions did not possess and never had possessed a common government, since the governing organ at Rome had never been able to control the generals in the provinces.

The Roman dominions in 49 B.C. had no effective common government.

The Italian towns then were like the Greek towns in not being able to govern one another or to govern any dependency. And the bodies politic in the Italian towns were comparable with the larger urban bodies politic in Greek towns: thus the Latin League of towns was comparable with the Bœotian League: the Roman bodies politic from 340 B.C. to 201 B.C. were not very unlike the Attic bodies politic from Solon to Kleisthenes except in the fact that they had an admirable system of foreign policy, whereas the Athenians had none: and lastly the Romans from 200 B.C. to 49 B.C. when in receipt of plunder and from 133 B.C. to 49 B.C. when in receipt of both plunder and tribute were like the Athenians from 454 B.C. to 413 B.C. when in receipt of tribute. On the other hand there were types of bodies politic peculiar to Greece and another peculiar to Italy. Greece alone had its three score purely urban communities engaged only in maritime commerce, and its garrison of slave masters at Sparta: Italy alone had a city in which the body politic was compounded of fully qualified citizens (Patricians) and of half qualified citizens (Plebeians), and in which the half qualified citizens had magistrates of their own and formed a state within the state.

Types of urban bodies politic in Greece and Italy.

Tabular enumeration of the types.

A tabular enumeration, showing the Greek and Italian urban bodies politic in their pedigrees, and mentioning their governments, will make it easy to remember what they were. An enumeration of the Greek communities has already been set at the end of my twelfth chapter. Those parts of it which refer to Greek communities not having analogues in Italy need not be repeated at length, and can be indicated in a few words or by reference to a page. There is in fact no pedigree of urban bodies politic in Greece running quite parallel with one in Italy, except that of the Bœotian federation, parallel with that of the Latin federation. There is no series of bodies politic in a Greek city that runs parallel throughout with the series in Rome, and the pedigree of Roman bodies politic must on the whole be deemed to be unique. But the series of bodies politic in Athens in some parts exhibits points of contrast or resemblance with the series in Rome, and it is therefore worth while to express them both without abbreviation.

TABULAR VIEW OF GREEK AND ITALIAN BODIES POLITIC, ARRANGED IN PEDIGREES, AND THEIR GOVERNMENTS.

BODIES POLITIC.	GOVERNMENTS.
Group 1.—In about sixty purely maritime cities. See p. 157.	
Simple urban communities.	Class governments.
Group 2.—In Bœotia and Latium.	
Federal bodies politic.	Federal government.
Group 3.—In Argolis and Attica, which had each a chief city and other towns.	
(1) In Argolis. See p. 157.	
(2) In Attica.	
(*a*) Till 490 B.C.	
A succession of composite bodies politic, very seldom fighting by land and having no alliances.	At one time mild oligarchia, at another mild tyrannis, at others mixed government consisting of (1) Yearly magistrates. (2) A senate (Areopagus) steadily growing weaker. (3) Assembly. (4) Popular law courts.
(*b*) From 454 B.C. to 431 B.C.	
A simple community, partly urban, partly rural, in receipt of tribute, and trying to avoid a war with all the Greeks.	Mixed government. Active organ, one man, Perikles. Passive organ, the poor voters in the assembly.

TABULAR VIEW OF GREEK AND ITALIAN BODIES POLITIC, ARRANGED IN PEDIGREES, AND THEIR GOVERNMENTS.—*Continued.*

Bodies Politic.	Governments.
(*c*) From 429 B.C. to 413 B.C.	
A simple urban community, in receipt of tribute, all crowded within the walls of Athens and fighting desperately for the retention of the tribute.	Class government. Imprudent rule of the poor.
(*d*) From 413 B.C. to 405 B.C.	
A simple urban community, with diminished spoil from the tribute, fighting desperately for the retention of what it had.	Class government. Usually, rule of the poor, still more imprudent than before. In 411 B.C. rule of a gang of ruffians, led by an ex-demagogue.
(*e*) From 405 B.C. to 338 B.C.	
A succession of simple urban communities, descended from receivers of tribute and rapidly degenerating.	Class government. Selfish and unpatriotic rule of the poor.
Group 4.—In Rome. Isolated pedigree.	
[In prehistoric times, a succession of highly composite bodies politic consisting of (1) Roman burgesses (Patres), (2) servants of the Patres, whom the Patres had fetched in to their city from towns which they had destroyed.]	Form of government little known.

TABULAR VIEW OF GREEK AND ITALIAN BODIES POLITIC, ARRANGED IN PEDIGREES, AND THEIR GOVERNMENTS.—*Continued.*

Bodies Politic.	Governments.
(*a*) From the expulsion of Tarquin to 340 B.C.	
Patres and Plebs.	Two governments constantly at strife.
(*b*) From 338 B.C. to 201 B.C.	
A succession of bodies politic, partly urban, partly rural, intent on war, with many alliances. Compare and contrast Attica (*a*).	Mixed government. Very strong senate, magistrates, assemblies.
(*c*) From 168 B.C. to 46 B.C.	
Purely urban communities, in receipt of plunder and tribute. Compare Attica (*b*) (*c*) (*d*).	Class government. Very selfish rule of the rich.

Group 5.—In Sparta. Isolated pedigree. See p. 159.

From the table it will be seen that the pedigrees of bodies politic in Attica and Rome, both of them countries in which a chief city conquered lesser towns, run roughly parallel at the beginning, then diverge, but afterwards converge again, and then run parallel to the end. In the early periods marked (*a*) for each country, we see that in Attica there was probably some dissension between the men of the chief city Athens and

Comparison of Attica and Rome.

the men of the other towns: in Rome, where the burgesses of Rome (the Patres) had fetched the natives of the conquered towns into Rome to serve them, the strife between the Patres and the Plebs was extremely acute. In the second periods, each marked (*b*) there were similarities but also a marked dissimilarity. There was in Attica in the period marked (*b*) a succession of bodies politic, partly urban, partly rural, until 508 B.C. not well united: these bodies politic had usually a mixed form of government, in which, since they had no alliances, the senate was always declining in power. In Rome in the period marked (*b*) there was a succession of bodies politic partly urban, partly rural, all of them thoroughly united by zeal for conquest: these bodies politic had mixed forms of government, and as they had foreign alliances which they knew to be of the utmost value to them, their senate was beyond comparison the strongest organ among their governing bodies. In the periods marked (*c*) (*d*) (*e*) for Attica, and (*c*) for Rome, the inhabitants of Attica and the Romans were both corrupted by the exaction and expenditure of tribute from foreign lands. The inhabitants of Attica were driven into Athens by Spartan invaders, the Roman farmers were driven into Rome by Hannibal, and their descendants stayed in Rome to enjoy doles and amusements which were paid for out of the tribute: the people of Attica were ruled selfishly by the poor, the Romans equally selfishly by the rich. And the peoples of Attica and of Rome were alike in their overthrow: the Athenians, all becoming civilians and all being idlers like their fathers before them, were conquered by the Macedonians: the civilian part of the Romans was overpowered by an army of professional soldiers, for the most part of Italian but not of Roman extraction, which their fathers had created as a serviceable instrument for conquest of territory and exaction of tribute.

CHAPTER XVII

THE EMPIRE OF THE CÆSARS

When Cæsar had defeated all the generals who opposed him, there were no longer many armies and many generals, but one army and one general. The army was the only powerful body of men acting unitedly, and its general was sole ruler in the civilised world. The civilian community of the Roman citizens and senate had failed to govern mankind: it remained to be seen whether the new military ruler would be more successful in the task of government, and whether he would transmit his authority to successors competent to continue his work.

Cæsar's own time was short. Although he had been raised to supreme authority by his army, against the will of a great part of the civilian citizens, he would not employ military force to coerce the civilians: and yet he did not pretend to the citizens that he was anything less than their absolute master. He conducted himself exactly as if he were sole ruler by common consent of all, and, treating men who had been opposed to him with the greatest possible kindness, magnanimously trusted that in return for his generous consideration they would refrain from hurting him. But his rule had not received the common consent of all. Especially it was detested by some members of the old curule families. Under the lead of Brutus and Cassius, some sixty or eighty senators, of whom the greater part had accepted benefits at his hands, conspired together and murdered him on the ides of March in the

Murder of Cæsar.

year 44 B.C. before he had completed two years of supreme authority.

The death of Cæsar left the world without a government. The armies were scattered in the provinces, and as none of them had a general with it who aspired to succeed Cæsar, they did nothing for the moment towards settling who should be the ruler. Hence the civilian Roman citizens were able to seize such a semblance of authority as they had enjoyed sixteen years earlier, before Cæsar and Pompeius and Crassus shared the great offices among them. On March 17, the second day after the murder, the senate, at a meeting which the murderers did not dare to attend, restored the old republican government of the senate and the popular assembly, but confirmed the administrative measures of Cæsar. The government thus established could only last till some ambitious men ventured to get command of armies and overthrow it. The first who got an army was M. Antonius. To oppose Antonius the senate at the beginning of 43 sent out an army under Hirtius and Pansa the consuls of the year: with them they sent also as proprætor C. Octavius, only nineteen years old, great nephew and heir of Cæsar, and under Cæsar's will his adopted son, in command of an army which he had hired at his own cost. The armies sent out by the senate defeated Antonius at Mutina (Modena): but the two consuls were killed and Octavius was left sole commander of the army of the senate. Antonius the enemy of the senate withdrew to Gaul and made a junction with Lepidus and his army: Octavius deserted the cause of the senate and made a compact with its enemies Antonius and Lepidus. The three, Octavius, Antonius, and Lepidus agreed to divide all the great commands among them, and Octavius, obtaining a *lex curiata* to confirm his adoption by Cæsar, gained a legal right to bear the name he had already assumed, C. Julius Cæsar Octavianus. In 42 Antonius and

Rise of Octavianus.

Octavianus had yet to wage a war against Brutus and Cassius, governors of the provinces of Macedonia and Syria: they defeated them at Philippi in Macedonia. Then the victors divided the Roman dominions: Octavianus had the west, Antonius the east, leaving only Africa for Lepidus. As time went on, dissensions arose between Octavianus and Antonius: after the campaign in which their navies and armies met at Actium in B.C. 31 Octavianus was the sole ruler of the civilised world.

During the brief reign of Cæsar, the dependencies of Rome beyond the seas were for the first time ruled by a government which also ruled the Roman citizens. Before Cæsar's time the provinces had indeed been under local governors appointed by the Roman government: but those local governors had not been governed by the Roman government. Cæsar ruling at Rome insisted that the provincial governors as well as every one else should obey him. Octavianus after his victory at Actium was able to exact from them no less obedience than Cæsar, and from the battle of Actium we may date the first permanent establishment of the Roman Empire as a political aggregate subject to a single government.

A common government for the Roman dominions established by Cæsar and re-established by Octavianus.

The whole mass of the Roman dominions from the battle of Actium onwards, being under one government, was one empire: but, being composed of dissimilar communities, it was a heterogeneous empire. The materials which Octavianus brought under one government were in the older provinces a multitude of cities and some rural cantons, in Gaul a number of small nationalities and cities, in Italy a moderately coherent community embracing the whole population of the peninsula: in Rome the capital of the empire the poor still hated the rich and the rich despised the poor.

Character of the Roman dominions, 31 B.C.

Octavianus when he conquered at Actium had already been master of the west for nearly twelve years, and thus when he became sole ruler of the world knew what tasks lay before him: the remaining forty five years of his life were spent in performing them. As his dominions were cleft into small fragments, he had not much reason to fear that any fragment or combination of fragments would give him trouble by trying to become independent: but he must attempt to close up some of the gaping wounds inflicted on the provinces and on the community of Roman citizens in Italy by lack of governance, and he must keep his frontiers secure from the attacks of the exterior barbarians.

The work that lay before Octavianus.

The miseries of the provinces had all been caused by the extortions of Roman generals and taxgatherers and adventurers. Under Octavianus the extortions immediately became rare.[1] Each provincial community was merely compelled to pay fixed sums, which, since it now got government in return for them, may be henceforth called rather taxes than tribute. To deal with the Roman citizens was a matter that needed delicate handling: Octavianus managed it more skilfully than Cæsar. He saw that the senate and the other citizens were deeply mortified at not possessing the political powers that senate and citizens had enjoyed long ago, and he resolved to give them such a show of privileges as they could use without abusing. His motives for adopting this course have not been recorded, but we may conjecture what they may have been. The mischievous old curule families had been almost entirely extinguished in the civil wars and in a great proscription set on foot in the end of 44 B.C. by Antonius with the consent of Octavianus. The

The provinces and the Roman citizens.

[1] Licinus at Lugdunum in Gaul, B.C. 16, is the only conspicuous instance of an extortioner under Octavianus.—Merivale, *Hist. Rom.*, vol. 4, 218.

existing upper class at Rome was more inclined than the old curule families had been to obey its master, and its services were wanted in the provinces where work had to be done which none but upper class Romans could perform. It was better for Octavianus that the men of the upper class at Rome should be amused with shadowy privileges than that they should conspire to murder him as they had murdered Julius. And lastly Octavianus must have remembered that, in case citizens in Rome of any class made any use that he disliked of the privileges that he gave them, he could call in the army and take away the privileges: on the other hand, if the privileges were employed in a way that he approved, a senate and an assembly at Rome might at some future time actually be useful: for it was quite conceivable that the army under some weak successor of Augustus might again break up into armies, and then the civilian senate might serve as a check on military violence. The result of the decision adopted by Octavianus was that in Rome, though he was sovereign, he bore himself as a citizen. In 27 B.C. four years after the battle of Actium, he resigned the irregular powers that he had seized under his agreement with Antonius and Lepidus and under subsequent agreements made with Antonius, and accepted as a gift from the senate and the assembly such powers as sufficed for his security. From the senate he received the power of imperator, or the right to be proconsul and supreme commander in all the provinces, together with the titles of princeps and Augustus, which had not as yet any definite meaning: from the assembly he accepted the tribunicia potestas or chief civilian magistracy over all Roman citizens.[1]

But though Octavianus, whom we must henceforth call Augustus, had been offered the proconsular imperium in all the provinces he declined to exercise it except in those of

[1] Mommsen, *Staatsrecht*, vol. 2, 787-821, in edition of 1875.

them which required the presence of large armies. Out of the twenty two provinces twelve were unlikely to be disturbed by war: these were left at the disposal of the senate and were called senatorial provinces. The other ten were kept by Augustus under his own control and were called imperial provinces. In the senatorial provinces the resident commanders were proconsuls or proprætors nominated by the senate, subject to the approval of the emperor; in the imperial provinces the commanders were legati Augusti, lieutenants of the emperor and appointed by him.[1] Towards the senate and the assembly the demeanour of Augustus was unassuming. He habitually consulted the senate on matters of great importance, and received from it such advice as the senators thought would be pleasing to him: he permitted the centuries to elect curule magistrates and the tribes to elect tribunes, merely indicating those candidates whom he wished to see successful. Throughout his long reign he was only troubled with four plots of senators for his assassination, and at the end of it senators and citizens alike recognised that he had been a kind and considerate master.

Moderation of Octavianus Augustus.

As the army was the only powerful body of men in the world Augustus gave it a large share of his attention. During the two years of civil strife that followed the murder of Julius the armies of the contending commanders had amounted in the aggregate to seventy five legions and a great quantity of auxiliary troops. The strength of the army at the disposal of Augustus after the battle of Actium has not been recorded, but we can calculate that it cannot have been less than fifty legions with many extra-legionary auxiliaries.[2] In the immunity from civil wars that followed the battle of Actium this large

The army under Augustus.

[1] *Dict. Biogr.*, article 'Augustus,' vol. 1, 428.

[2] Marquardt, *Staatsvw.*, vol. 2, 430, 431 in edition of 1876.

force was no longer needed, and, if it had been needed, Augustus had not the money to maintain it: accordingly he disbanded parts of it as soon as he could. In 30 B.C. he planted many of his veterans in twenty eight colonies in Italy, giving every man a plot of land: in 14 B.C. he provided in like manner for discharged veterans in a great number of colonies in the provinces:[1] in 5 A.D. he decreed that every legionary soldier on getting his discharge after twenty years' service should receive three thousand denarii containing silver worth a hundred and twenty pounds in our currency.[2] In A.D. 8, when the reductions had been completed, the army consisted of twenty eight legions containing about a hundred and forty thousand men, and of auxiliary forces not much inferior in numbers to the legionaries,[3] divided into regiments of cavalry and regiments of infantry called respectively *alæ* and *cohortes*. The legions and the auxiliaries were all stationed in the provinces and mainly on the frontiers of the empire. In Italy the only military forces were nine prætorian cohorts each a thousand strong, which served the emperor as a body guard, three *cohortes urbanæ* resembling the prætorian cohorts but less highly paid, and the *cohortes vigilum* which performed the duties of fire-watch and police for the Roman capital.

The defence of the frontiers led Augustus insensibly into making fresh conquests. Some of his generals annexed all the south side of the Danube from its source in the Black Forest to its mouths in the Euxine Sea. Others much further north pushed across the Rhine, and after very hard fighting with the German tribes got a fairly firm hold of the valley of the river Lippe, which joins the Rhine about fifty miles north west of Cologne, and obtained a

Conquests of Augustus.

[1] Marquardt, *Staatsvw.*, 1. 450, 452, ed. of 1873.
[2] Dion Cass. 55. 23. ; Marquardt, *Ib.*, 2. 545.
[3] Tac. *Ann.* 4. 5., last four lines.

more precarious tenure of lands further east on the Elbe. A Roman army of occupation was planted in B.C. 10 about Aliso (Elsen) near the source of the Lippe, but was destroyed eighteen years later in A.D. 9, when three legions and their auxiliaries under Varus were cut to pieces in the conflict or massacre of the Teutoburgerwald, which may perhaps be regarded as the most momentous of all military operations in the world's history, since it restored independence to those German tribesmen, whose descendants long afterwards were the founders of the principal states of mediæval and modern Europe. Augustus in choosing commanders for his wars beyond the frontiers was no doubt mindful of the histories of Sulla and Pompeius and Cæsar, and did not forget that generals who were allowed to conquer fresh territory might after their victories seek to be masters of the Roman dominions. For this reason all the men to whom he gave opportunities of winning great military renown were selected from those bound to him by ties of family and deeply interested in maintaining the stability of his dynasty : they were Agrippa his son-in-law, Tiberius and Drusus his stepsons, and, after the death of Drusus, Germanicus son of Drusus. All these men showed great military capacity, and were perfectly faithful to their master. But Augustus, in beginning his wars of conquest, had forgotten that even when a general is perfectly loyal his soldiers may seek to raise him to an eminence which he does not desire. It was probably some inkling of danger that might arise from insubordination in a victorious army that led him to express in one of three documents that he left behind him at his death the opinion that further additions to the Roman territory were undesirable.[1]

During the last few years of his reign Augustus employed his stepson Tiberius as his colleague in the government of

[1] Tac. *Ann.* 1. 11. end, with Suetonius, *Oct.* 101, and Dion C. 56. 33.

Italy and the empire; and when he died all men in Rome assumed that Tiberius, now fifty five years old, would be his successor. The only possible rival of Tiberius was his young nephew Germanicus, the brilliant, victorious, and popular commander of eight legions and of large auxiliary forces in the two Germaniæ: and Germanicus did not wish to compete against Tiberius. But even so Tiberius could not step into the empire as into an inheritance: it was not at all certain that Augustus had any right that would be recognised by the armies in the provinces to nominate his successor. Tiberius remembered that Augustus had accepted the proconsular imperium as a gift from the senate, and he resolved to follow his example. The senate was glad to get a recognition of its competence to confer the empire, and after debates in which individual senators made clumsy efforts to gain the favour of the new emperor, it readily gave Tiberius for his life and not for a term of years all the powers that Augustus had enjoyed.[1]

Accession of Tiberius, 14 A.D.

Only a few days after Tiberius had received the empire from the senate he was confronted with most formidable mutinies in two of the armies on the frontiers. The whole number of the legions was twenty five. Fourteen quartered in various provinces remained quiescent; but three in Pannonia on the upper valley of the river Save threatened their officers in the hope of getting easier conditions of service, four in Germania Inferior tried to set up their commander Germanicus as emperor, and four more in Germania Superior wavered visibly in their allegiance. Germanicus who commanded in both the Germaniæ honestly but with great difficulty induced the eight legions in those provinces to return to obedience: and the outbreak in Pannonia was quelled by

Mutinies on the frontiers, 14 A.D.

[1] Tac. *Ann.* I. 11-14.

Drusus son of Tiberius. Tiberius saw that Germanicus had been faithful and left him for two years more to fight against the Germans beyond the Rhine. After that he sent him to Syria where no warfare was required, and in the year 19 A.D. was probably relieved at hearing the announcement of his death.

Rule of Tiberius in the provinces and in Rome.

The two instruments that Tiberius used for the government of the empire were the armies in the provinces and the senate in Rome. After the suppression of the great mutinies and the death of Germanicus he trusted the armies, and his rule in the provinces was confident and beneficent. But in Rome, though he paid deference to the assembled senate, he distrusted individual senators. He remembered no doubt that senators had murdered Julius, that senators had hoped to murder Augustus, and that members of the existing senate were elated at the part they had recently played in disposing of the empire. His mistrust of senators was artfully encouraged by his confidant Ælius Sejanus, the prefect of the prætorian guards, and from the ninth year of his reign, A.D. 23, his government in Rome became suspicious and repressive. He believed informers who charged senators with high treason, and either got the senate to condemn the accused to death, or so frightened them that they voluntarily put an end to their lives.

The camp of the prætorian cohorts, 23 A.D.

The suggestions of Sejanus made a permanent change in the methods by which the inhabitants of Rome were kept in subjection. During the reign of Augustus and in the early years of Tiberius only three of the nine prætorian cohorts that formed the household brigade had been stationed in Rome, and even of those three the soldiers had no common quarters but were billeted in houses about the city; the other six cohorts were encamped in Italian towns, especially in those towns

in which the emperor had a residence.[1] In A.D. 23 Sejanus, being prefect of the prætorians, obtained his master's leave to collect all his nine cohorts into a camp just outside the north eastern corner of Rome where they could be lodged in barracks. After their concentration the prætorian cohorts became much more ready for action, and on the deaths of Tiberius and of his next two successors they or their prefects determined which member of the imperial family should be made ruler of the world.

Tiberius bore the family name of Claudius Nero, and was the first of the Claudian dynasty: after him came three more Claudii. All the four Claudii were oppressors of senators: but the first three took care to be either respected or liked by their legions on the frontiers. Nero, the fourth of the dynasty, never during the fourteen years of his reign went near any of the armies in the provinces. In the year 67 he conceived a groundless suspicion that some of his best generals were likely to supplant him and summoned three of them to appear before him in Greece. Domitius Corbulo, one of the ablest and most faithful generals that ever served a Roman emperor, came from Syria, and two Scribonii from the two Germaniæ: all three on their arrival were obliged to put themselves to death.[2] After this all the generals in the provinces saw that rebellion might be the only way to save their lives: but all were loath to act, because, though it would be easy to get rid of Nero, it would be hard to settle who should reign in his stead.

The Claudian dynasty, 14 A.D.-68 A.D.

In the spring of 68 Galba, legate of Hither Spain, learned through an intercepted letter that Nero intended to kill him, and saw that his only chance of escape lay in rebellion.[3] Though his revolt was supported only by the small army

[1] Sueton. *Oct.* 49; Marquardt, *Staatsvw.*, 2. 461 in ed. of 1876.
[2] Dion C. 63. 17. [3] Suetonius, *Galba*, 9.

of the Spanish province and by the prætorian cohorts in Rome, it sufficed to end Nero's life. But in January 69, soon after Galba arrived in Rome, the soldiers murdered him and set up Otho in his stead: about the same time the eight legions in the two Germaniæ proclaimed Vitellius, and six months later seven legions in Egypt and Judæa and Syria offered the empire to Flavius Vespasianus. Fierce wars among the armies brought great destruction of life and property both on the soldiers and on the civilian population of northern Italy. The generals of Vespasian, being joined by five legions and by some cohorts stationed in the Danubian provinces prevailed over their opponents, and in December of the year 69 Vitellius, the last rival of Vespasian, was slain. While the contest between Vitellius and Vespasian was still undecided, the Batavi, ancestors of the modern Dutch people, made an attempt under Civilis to regain their independence: in the year 70 their courageous rebellion was crushed and Vespasian reigned over all the empire that had belonged to the Claudian emperors.[1]

Wars to settle the succession, 68 and 69 A.D.

As the terrible conflicts of the year 69 were begun and decided solely by armies and generals, it may repay us if we notice what were the materials of which the armies were composed. The units in the armies were legions, auxiliary cohorts and alæ, and the prætorian cohorts. The prætorian cohorts were recruited exclusively from Roman citizens resident in Italy:[2] the service in them was easy and brought with it so many advantages that Italians did not disdain to undertake it. The auxiliary cohorts and alæ, with the exception of a dozen or a score of cohorts of Italian

The Roman armies, 69 A.D.

[1] Tacitus begins the five books of his *Histories* with the revolt of Galba: the fifth book went as far as the complete victory of Vespasian, but a piece at the end has been lost.

[2] Tac. *Ann.* 4. 5.

volunteers[1] were filled entirely with provincials who were not Roman citizens or with barbarians from beyond the limits of the empire: their business was to help the legions stationed on the frontiers of the Roman dominions, and the number of the men enrolled in them was at most times approximately equal to the number in the legions.[2] In regard to the legions we do not find in ancient writers any explicit statement to inform us whether all the men serving in them were Roman citizens: but Marquardt, whose opinion on this question I value more than any other, declares without reserve his belief that they were.[3] While I do not think his reasons for his belief, given in his notes, are perfectly convincing, I can without disputing his conclusion, point out that one great change in the composition of the legions was certainly made between the time of Julius Cæsar and the death of Nero. In 58 B.C. when Julius became proconsul of the Gallic provinces all the men in the legions were natives of Italy: at the death of Nero all of them, with casual exceptions of infinitesimal minuteness, were natives of the provinces.

The first legion levied outside of Italy was the Fifth, called Alauda, raised by Julius in 55 B.C., in his province of transalpine Gaul, probably from the colonies of Roman citizens in Gallia Narbonensis.[4] In the fourteen years of intermittent civil war that came between the murder of Julius and the battle of Actium many of the legions under Brutus and Cassius and all those under M. Antonius must have been recruited outside of Italy. Whether Octavianus

Change in the composition of the legions, 58 B.C.-69 A.D.

[1] The largest number of the cohorts of volunteers that we know to have existed till the time of Domitian, 81 A.D.-96 A.D., is eight. At a later time there were thirty-two: see Marquardt, *Staatsvw.*, 2. 452 *n.* 8, and 453 *n.* 2 in ed. of 1876.

[2] Tac. *Ann.* 4. 5.

[3] Marquardt, *Staatsvw.*, 2. 522 in ed. of 1876.

[4] Suetonius, *Julius*, 24.

Augustus kept any of these legions permanently in his service after he had defeated the generals who had made them seems to be doubtful; but he kept one which had been raised by Deiotarus, king of Galatia in Asia Minor. That legion was numbered the Twenty Second and bore the name of Deiotariana: probably the soldiers in it received Roman citizenship before it was reckoned as one of the regular legions of the empire. After Octavianus had taken the name of Augustus there ensued a period of a hundred and four years in which no legion set foot in Italy. During that long period, which ended only when Galba marched from Hither Spain to Rome at the end of 68 A.D., all the legions were quartered on the frontiers, and some of them remained in the same station for many years; thus for example the First Legion, Germanica, and the Fifth, Alauda, were in Germania Inferior in A.D. 14 at the accession of Tiberius, and were still there fifty five years later in A.D. 69 when they helped to salute Vitellius as emperor.[1] It is obvious that legions stationary on the frontiers must have filled up vacancies in their ranks with recruits from regions near to the places where they were stationed, and not from Italy: but it is quite possible that Marquardt is right in thinking that even in the distant provinces so many towns received Roman citizenship and so many colonies of Roman veterans were planted that the inhabitants of the favoured towns and the descendants of the veteran colonists sufficed to keep the legions up to a full complement of Roman citizens.[2]

It is well worthy of remark that though a legion was sometimes recruited almost entirely from a particular region in the empire, the soldiers in it cared much for their profession, and thought little of the places of their

[1] Tac. *Ann.* 1. 31, and *Hist.* 1. 55.
[2] Marquardt, *Staatsvw.*, 2. 523, ed. of 1876.

birth. They were proud to be Roman soldiers and eager to gain promotion or rewards in military service, and detached themselves from their native soil. If it had been otherwise, wars between armies might have broken the empire into different states: as it was, when two armies had fought and decided which was the stronger, the soldiers in the defeated army simply continued their military career by taking service under the general of their victorious opponents. The durability of the empire of the Cæsars rested mainly on the fact that there were no strong bodies of men in it except armies of mercenary soldiers who cared for nothing but their profession.

Wars between armies did not break up the empire.

For a hundred and ten years after the accession of Vespasian the civilised world enjoyed general tranquillity under the paternal government of the Flavian dynasty founded by Vespasian and under the Adoptive emperors. Vespasian did his work of conquest thoroughly, and when it was done neither generals nor armies had any stomach for rash rebellions, and senators were not even suspected except in the reign of Domitian of scheming to effect assassination. From Vespasian onwards till 180 A.D. no emperor except Domitian died unprovided with a competent and clearly designated successor: the Flavian dynasty lasted twenty six years, Nerva who came next after it adopted Trajan, Trajan showed that he intended his cousin Hadrian to succeed him by giving him the command in the war on the Euphrates, Hadrian adopted Antoninus Pius, and Antoninus adopted Marcus Aurelius. All the emperors till 180 A.D., not even excepting Domitian, attended in person to the work of government, and from the reign of Hadrian they acquired very efficient helpers in their fatherly rule through the institution of a paid council of jurisconsults, the first civilians

Tranquillity and paternal government, 70 A.D.-180 A.D.

placed in high office since the foundation of the empire. After the council was established changes in the law were made no longer by prætorian edict, but only by the emperor with his skilled advisers.[1] All the Flavian and Adoptive emperors were respected by the armies and by the inhabitants of the provinces: even in Rome only Domitian was hated, and he alone met with a violent death, murdered by his own servants.

General stagnation of private enterprise and thought, 70 A.D.-180 A.D.

During the reigns of the Flavii and of the Adoptive emperors the civilised part of the human race was in possession of greater material wellbeing than it had ever known: but it produced fewer men whose doings posterity cared to remember than in any period of equal duration since civilisation began. The emperors and their servants did nearly everything that was to be done, and little spontaneous action was left for their subjects to undertake. Latin literature ended about 120 A.D., with Juvenal, Tacitus, Martial and the younger Pliny: Greek literature about a generation later with Lucian. There was no coherent community larger than a city anywhere outside of Italy: and if a city in Asia Minor wished to build an aqueduct or a gymnasium it had to ask leave of an imperial legate before anything could be done.[2] The only groups of men who acted without seeking leave of the imperial officers were congregations of Christians which had grown up certainly in some cities of the eastern provinces and in Rome, and probably also in other parts of the empire. The emperors regarded their independence as setting a bad example, and occasionally tried to destroy it by punishing their leaders: Ignatius, Bishop of Antioch, was executed in the time of

[1] On the council of the emperor, see E. Cuq in *Mémoires de l'Institut*, 'Inscriptions,' vol. 9. *Dict. Antiq.*, under the word *Edictum*.

[2] Pliny, *Epist.*, book 10.

Trajan, and Polycarp of Smyrna in the reign of Marcus Aurelius. Outside of the little Christian congregations thought and inquiry were dormant: no man discovered anything of value in the period of the Adoptive emperors except Galen the physician and Ptolemy the astronomer.

The period of the Flavian dynasty and the Adoptive emperors exhibits the best results ever achieved by the empire of the Cæsars. After the death of Marcus Aurelius in 180 A.D. there were for more than a century no emperors capable of ruling as benevolent despots. The vices and follies of young Commodus soon disgusted mankind: on the last day of 192 he was slain by his servants. Septimius Severus, an African, was a good general and had enough of the qualities of a statesman to enable him to found a dynasty that lasted for more than forty years. He radically changed the character of the prætorian cohorts by composing them of the very best soldiers to be found anywhere in the army. As he perceived that the great jurists were the most trustworthy upholders of despotic government that could be found in the empire he chose the best man among them and made him prefect of the prætorian cohorts, assigning him at the same time the duties of first judge of appeal for all cases in the empire. Henceforth the prætorian prefect was usually second in power after the emperor, and was almost always a highly trained jurist. But one part of the conduct of Septimius was extremely unwise: he greatly increased the pay of the soldiers and neglected to keep them under discipline and firm control. In 217 an army on active service near Edessa murdered his son Caracalla, who was then the reigning emperor, and the Septimian dynasty was only carried on till 235 through the feeble reigns of the loathsome Elagabalus and the too respectable Alexander Severus.

Septimian dynasty, 193 A.D.-235 A.D.

After Alexander Severus had been murdered in a camp near the Rhine, the authority and power of the emperors declined visibly and with little intermission for nearly half a century. Till 253 armies killed emperors and made emperors as they chose, and in selecting a new emperor usually preferred a man with no Italian descent who had begun his military service at the very bottom as an ordinary legionary. From 240 the empire was attacked by Franks, Alamans, Goths and Persians. In 260 Shahpur, the second of the newly founded Persian dynasty of the Sassanidæ, took the old emperor Valerian captive, and the provinces were divided among many local emperors. Between 270 and 274 Aurelian put down the local emperors and recovered from the barbarians all the territory they had occupied except the large province of Dacia, which Trajan had annexed to the empire. But even Aurelian betrayed his opinion of the condition of the empire when he thought it necessary to surround the city of Rome with a strong outer wall for defence: and after he had been murdered by one of his secretaries, the emperors for the next nine years with the exception of Probus were as transitory and as weak as those who followed immediately after the extinction of the Septimian dynasty.

Rapid decline of imperial authority, 235 A.D.-283 A.D.

In the year 284 an army which had been engaged in a campaign against the Persians was marching back towards Europe under the command of an emperor. When it arrived near the Bosporus, the soldiers discovered that the emperor whom they believed to be their commander had been for some days a corpse, and that the orders they had imagined to be issued by him had really been given by his prætorian prefect who was also his father-in-law. The officers of the army proposed and the soldiers agreed that the officers should meet in council and select a new emperor. Diocletian on whom their choice

Accession of Diocletian, 284 A.D.

fell, though his parents had been domestic slaves, proved to be a greater statesman than any emperor since Augustus and to be the beginner of a new system of imperial government.

Diocletian began by evading an obstacle to his projects. During the nine years that had elapsed since the murder of Aurelian the senate had been raised by a seemingly capricious action of the legions and by the acquiescence of emperors to greater authority than it had enjoyed since Julius Cæsar crossed the Rubicon. It had been requested by the legions to choose a man to fill the place of Aurelian and had been allowed eight months for consideration before it made its choice. The man whom it nominated had been accepted by the legions, and after his death the strong emperor Probus who reigned from 276 to 282 professed to regard the senate as his own superior in dignity and authority.[1] Diocletian, on being chosen emperor two years after Probus had been murdered by his soldiers, resolved at once that the new influence of the senate should not stand in his way, and saw that it could be destroyed by neglect. He fixed the seat of his government at Nicomedia in Asia Minor near the sea of Propontis, and did not, so far as we know, visit Rome till the nineteenth year of his reign. From his time the ancient capital of the empire ceased to be a residence of emperors and the influence of the senate was at an end.

Diocletian absent from Rome.

The main work of Diocletian was the initiation of great improvements in the administrative system of the empire, which were carried further within forty years after the end of his reign. At his accession the machinery for the control of local governors was insufficient. The provinces,

[1] *Hist. Aug.* 27. (*Probus*), ch. 11. The speech of Probus there inserted may not be genuine, but the author Vopiscus, who wrote within thirty years of the death of Probus, could not be entirely wrong about his behaviour.

which under Augustus were only twenty two, had been divided and subdivided till they were more than a hundred.

Diocletian's administrative changes.

All questions that arose in any of the provinces had to be decided at the emperor's residence either by one of the two prætorian prefects or by some of the officials of the palace or in the last resort by the emperor himself: and the work of deciding them was more than could be done at any one seat of government. Diocletian lessened the amount of business that oppressed the officials of his court at Nicomedia by setting up other centres of imperial administration. The eastern half of the empire was predominantly Greek: the western half was largely Latin. In the third year of his reign the emperor divided his dominions into an eastern half and a western half, each under an Augustus: he himself continued to rule the east and to supervise the whole from Nicomedia, but he placed the west under the immediate control of another Augustus resident at Milan. Six years later in 292 he subdivided the two halves of the empire. Both the eastern half and the western were nearly free from enemies on the south, but on the north had a frontier exposed to the barbarians of central Europe. Diocletian resolved that the two Augusti should undertake in future the direct government only of the more tranquil southern parts of their halves of the empire, and that each should have a Cæsar under him to protect the northern boundary where danger threatened. The Cæsar of the east governed the provinces on the Danube with his residence at Sirmium about forty miles west of the modern Belgrade: the Cæsar of the west controlled Gaul and Britain from Treveri on the Mosel, which we usually call by its French name Trèves. Each Augustus and each Cæsar had a court and officers to help him with the work of government: in particular he had a prætorian prefect as his right hand man. In order to lighten the labour of the

prætorian prefects the whole empire was divided into twelve diœceses: the vicarii, or vice prefects, who superintended them could settle minor matters without transmitting them for the consideration of their superior officers the prætorian prefects.[1]

Beyond all this Diocletian hoped also to make permanent rules for the succession to the imperial authority and so to provide against the recurrence of wars between rival generals. He laid it down that each Augustus was to adopt his Cæsar, and when the Augustus ceased to reign the Cæsar was to become Augustus and was to adopt a new Cæsar. As the prætorian cohorts had often been presumptuous during vacancies of the imperial office, they were disbanded, and the duty of guarding the emperors was entrusted to two legions recruited in Illyria which was the birthplace of Diocletian.

Diocletian's provisions for a succession of emperors.

As long as Diocletian was emperor, his system of government worked well, because the other Augustus and both Cæsares conformed to his wishes. In 305, when he had reigned twenty years, he decided to abdicate. The other Augustus followed his example: the two Cæsares became Augusti, two new Cæsares were adopted, and for one year more all went as Diocletian had desired. But in 306 on the death of Constantius who was then Augustus of the west the question who should aspire to be emperor was settled not by the regulations of Diocletian but by the caprice of armies. In 308 there were six pretenders: in 312 a most sanguinary war gave possession of Italy and the west to Constantine son of Constantius: in 323 another fierce conflict made him master of the whole empire. As he, like Diocletian, desired to

Renewed wars between pretenders.

[1] For the evidence about Diocletian's administrative changes see Gibbon, ed. Bury, vol. 2, appendices 10 and 11.

absent himself from Rome and to have a station, whence he could command Europe or Asia at pleasure, he fixed his residence at Byzantium on the Bosporus.

Constantine reigned over Gaul and Britain for six years, over western Europe for eleven, and over the whole empire for fourteen more. One part of the work of his life consisted in the completion of the administrative changes which Diocletian had begun, the other and more famous part in his adoption of a system of Christian doctrines as the foundation of the religion of the empire, and at the end of his life his public expression of his belief in those doctrines.

Constantine the Great.

Diocletian and Constantine between them transformed the government of the empire. When their innovations were completed civil office and military command were kept distinct and were not entrusted to the same persons: the officials who, under the emperor, performed the work of government were ranged in three orders, the civil servants, the military commanders, and the ministers of the palace. The civil servants gathered the taxes, administered justice, and made the emperor's commands known to his subjects: the military commanders protected the frontiers, and if necessary enforced the orders issued by the civil servants: the ministers of the palace provided for the splendour of the court, aided the emperor in drawing up the edicts which he issued to civil servants and military commanders, and were his advisers on any matters on which he thought fit to consult them.

Administrative system from 337 A.D.

At the head of the civil service stood six prefects. Four were prætorian prefects, and the great regions under their charge, called the prefectures, embraced nearly the whole empire: the other two prefects took their titles from the cities of Rome and Constantinople, but the prefect of Rome also ruled a good part of Italy.

Civil service.

Next after the prefects came thirteen vicarii, whose districts were called diœceses: outside of Italy and Constantinople the diœceses were large countries: thus in the *præfectura Galliarum* the diœceses were Gaul, Spain and Britain. The last of the great civilian officers were a hundred and sixteen rulers of single provinces: in the provinces known as Africa, Asia, and Achaia they still bore the old name of proconsul: elsewhere they were *consulares, correctores* or *præsides*. Though their titles varied, all alike were subject to their vicarius and their prefect.[1]

The highest military commanders were eight *magistri militum*. Four had local commands, and among them the *magister militum per Gallias* had the largest army and the hardest task to perform, because he had to defend the empire from the Germans: the other four were retained at court. After the magistri militum came eight counts, charged with the command in important districts: below them in rank were twenty five lesser officers known as dukes. The army was increased in size till it contained probably more than half a million of men; but service in it was disliked since it now brought no plunder, and the soldiers were as lethargic as all other subjects of the emperor who were not engaged in theological controversies.

The army.

Seven ministers managed the imperial household. The duties of the chamberlain, the count of the privy purse, and of the counts of the foot guards and of the horse guards can be understood from their titles. The Count of the Sacred Largesses was treasurer of the public revenue, and his title indicated that all payments made by the emperor came from his voluntary bounty: the officers whom he directed as well as paid were the managers of the mints and of the factories of weavers, dyers,

The household.

[1] Our authority for the civil service and for other branches of Constantine's system is the *Notitia Dignitatum*, drawn up about 400 A.D.

and needle women, scattered abroad throughout the empire, in which ornaments for the palace and clothes for the soldiers were produced. The Master of the Offices managed the correspondence of the emperor with his subjects, and presided over the armourers and arsenals. The Quæstor was the draftsman of the emperor's laws and speeches and despatches. All the ministers however of the household depended for their relative importance more on the share of the emperor's confidence that they enjoyed, than on the magnitude of their departmental functions.[1]

Powers of the civil service.

The whole work of government was done under the emperor by the civil servants. The prefects sent orders to the vicarii, the vicarii to the governors of provinces, the governors of provinces through their servants transmitted them to the subjects. From the commands given by the lowest of the civil servants the most distinguished subjects if they were not themselves officials had no appeal except to some civil servant of a higher grade: for the civil servants were the only judges in the law courts and the decisions of the highest civil servants were absolutely final.

Bureaucracy.

It was characteristic of the imperial administration that orders transmitted in writing governed all those actions of the subjects which their rulers chose to dictate to them: and the same characteristic must be present in all systems of government in which assemblies for discussion are non-existent. In France a government conducted entirely in written orders was set up by Richelieu and Louis Quatorze and lasted till the abdication of Napoleon. The French either while it still existed in full force or when its intensity was diminishing gave it the nickname of *bureaucratie* or tyranny of the writing desk. Although the word is a mongrel, being half French and half Greek, it has survived,

[1] Gibbon, chap. 17.

and any government conducted by means of written despatches to the exclusion of public discussion is still generally called a bureaucracy. Governments to which the name can be applied are usually found in political aggregates that bear some resemblance to the empire of the Cæsars and not elsewhere.

The dealings of Constantine with the Christians are far too numerous and varied to be briefly described. It must suffice to say that from the beginning of his reign in Gaul and Britain he protected his Christian subjects from persecution. In 325, soon after he became master of the whole empire, he was patron of an assembly of more than three hundred bishops held at Nicæa not far from Nicomedia and his new capital Byzantium henceforth called Constantinople. The bishops came mainly from the eastern part of the empire to determine theological questions: they adopted a system of doctrines which from the place of their assembly was called Nicene, and in so doing condemned a divergent system which was advocated by Areius, a presbyter of Alexandria. Constantine ratified the Nicene doctrines, and was for a time zealous in disgracing those who dissented from them: three years later he favoured the followers of Areius, but he had broken entirely with the gods of Olympus, and to his death upheld either the Nicene or the Arian theology. In his last illness he requested the bishops at his palace of Nicomedia to give him solemn admission into the Christian community.

Constantine's dealings with the Christians.

After the death of Constantine the martial ardour of the imperial armies declined. Even for fighting against one another they no longer felt their old zest, and for contending with the barbarians they showed their incapacity in the year 355 when Gaul was overrun by the Germans. On that occasion the integrity of the empire was restored by the military genius of Julian, and till 395 it was, though often imperilled during

Decline of vigour in the imperial armies from 337 A.D.

the reigns of weak sovereigns, kept nearly intact by the distinguished abilities of the emperors Valentinian and Theodosius.

As the emperors lost confidence in their armies they needed support from elsewhere: and they found it in the communities of the Christians. The congregations of the Christians, which in the time of the adoptive emperors had been small local gatherings of men, were now joined together into churches, or federations of congregations united by their systems of theological doctrines. These churches were the only bodies of men in the empire capable of any spontaneous activity, and were therefore so powerful that no emperor after Constantine except the pagan Julian disdained to seek their support. But for more than forty years after Constantine's death there were many churches: the church of the Nicene faith and the church of the Arians were the strongest: the rest were intermediate in doctrines between these two, or divergent from both. In the eastern empire, more fond of theological controversy than the western, disputes among the churches occupied the attention of all men. Till 378 those emperors of the east who took most interest in the disputes sought the support of the Arian church, but got little advantage from it because the Nicene faith was steadily gaining proselytes. When Theodosius became emperor in 379 he announced in an edict that he believed strictly in the Nicene doctrines, and that he authorised the followers of those doctrines to assume the title of Catholic Christians: and when in 388 he conquered the western empire from a usurper he took similar measures there also. Henceforth there was only one authorised church, and its bishops were a highly privileged order, whose highest dignitaries enjoyed as much influence with the emperors as the prefects or the

Great influence of bishops, 379 A.D.

ministers of the palace. Ambrose, Archbishop of Milan, the capital of the western empire, was able to dictate a policy to Theodosius in regard to a rebellious bishop, and to impose on him a penance for a cruel massacre at Thessalonica.[1]

The empire in the time of Theodosius was threatened by external enemies, whose conquest of its western half will have to be described in the next chapter. Before however we consider the enemies of the Cæsars, we may pause to take note how their empire got its name, and what are the other aggregates of peoples to which the same name has been given.

The word 'empire.'

The Cæsars were the first men in European history who permanently united many dissimilar peoples and cities under a single government. Their power to command was called imperium, and within a few years after the battle of Actium the same word was also used to denote the dominions that obeyed them.[2] The aggregate of many peoples ruled by the Cæsars was for centuries the only concrete thing that was called imperium, and so the word imperium was afterwards used to denote any aggregate of many peoples under one government, which even superficially resembled the empire of the Cæsars. Thus it has come about that we speak of the empires of Charlemagne, of Otto the Great, of the Spanish Habsburgs, of the Russian, Chinese and German empires, of the British empire in India, and even of a British empire extending into all continents. It is obvious that no group of qualities common to all these things that are called empires can be found, and therefore the word empire cannot be defined.

History of the word.

[1] Gibbon, chap. 27. ed. Bury, vol. 3. 174.

[2] Hor. *Carm.*, 1. 2. 25. 'Quem vocet divum populus ruentis Imperi rebus?'

It follows that we cannot assume, because two things are called empires, that they bear any resemblance to one another.

The empires most like the empire of the Cæsars.

Among the many aggregates of peoples that are called empires those which seem to me to be in some important respects like the empire of the Cæsars are the Russian Empire and India under British rule. The materials of which they were formed were peoples too weak to govern themselves, or even to maintain dynasties of despots in established control over them. After the empires were formed their rulers discovered, as the later Cæsars discovered, that the easiest way of governing them was to establish civil servants in such authority that all subjects who were not in office must obey them without question, and to support the civil servants with a strong army of professional soldiers. In one respect, however, the empire of the Cæsars was far less fortunate than either the Russian Empire or the British Empire in India. The Russian Empire was founded by men already long established as hereditary sovereigns over the European Russians, even then a fairly coherent people, and the Indian Empire by Englishmen subjects of the king of the English nation: hence the empires now have as their sovereigns those men who according to well established rules succeed as sovereigns in European Russia and in Great Britain, and are comfortably exempt from contests about the succession. The empire of the Cæsars was founded by a general who was in no sense a sovereign, but merely commander of an army of mercenary soldiers who obeyed him because they chose. Hence, whenever there was no emperor at Rome, an emperor had to be found either by agreement between one general and all the armies of the empire, or by conflicts among many generals at the head of armies that chose to accept them as commanders.

As it has happened that the name empire is given to some aggregates of peoples that are not like the empire of the Cæsars, so it has also chanced that the name emperor is not given to some rulers whose authority did bear some resemblance to the power of the Cæsars. The rulers that I mean are some of the Popes from Gregory the Seventh to Innocent the Fourth, and Louis Quatorze, King of France.

Rulers not called emperors but comparable with the Cæsars.

The three empires that I regard as comparable are the empire of the Cæsars, the Russian Empire, and India under British rule. For the making of each of them the conditions were first the existence of a mass of inert and disorganised peoples, and second the presence of an active body of men with a comparatively strong organisation. For the empire of the Cæsars the passive material was firstly the civilian population of Italy, whose government, the senate, was effete, and secondly the peoples of the provinces whose selfish and arbitrary rulers had been changed every two or three years. For the Russian Empire whose formation was begun about 1550 by Ivan the Terrible and was continued to the end of the nineteenth century, the first mass of inert matter was a quantity of Tartar tribes that had been brought westward from the lofty region of the Pamirs on the flood that started under Jinghis Khan in the thirteenth century, and had, when the tide of conquest ebbed, been left like a deposit of silt over all the country between Kief on the Dnieper and Tobolsk on the upper Obi. The active community that by conquest founded the Russian Empire was the Russian people around Moscow, which between 1362 and 1389 under Dimitri Donski became nearly independent of the Tartars, between 1462 and 1505 under Ivan the Great gained a

Three comparable empires.

strong government,[1] and between 1550 and 1584 under Ivan the Terrible conquered the Tartars from Azof to Tobolsk. In the seventeenth century the Russians overpowered the remaining Tartars between Kief and Azof, conquered Lithuania, and annexed the sparse population of Siberia. About 1700 under Peter the Great they looked more definitely westward, and became masters of many weakly governed peoples in Esthonia, Livonia, Ingrelia including the site of St. Petersburg and the eastern part of Poland.[2] For the making of the British Empire of India the material consisted of a huge mass of Indian peoples which from 1658 to 1672 had suffered grievously from the persecutions and weak government of their Mohammedan Mogul Emperor Aurungzebe. After 1672 the Hindu Sivajee and his successors had by revolt formed the central part of the Mogul Empire into *Mahratta*, the Great Kingdom, and gave it a strong government: but in 1761 it chanced that the power of the Mahratta was shattered at the great battle of Paniput by a descendant of Aurungzebe, who in spite of his victory was not able to establish any systematic government over the peoples whose army he had vanquished.[3] The active force that eventually dominated all the peoples of India was an English trading company first founded in 1602 and reinforced in 1702 by the incorporation with it of a second company of like character. In 1765, four years after the battle of Paniput, the English

[1] My authority for these statements is Bernhardy in Oncken's *Staatengeschichten*. The late Lord Acton told me that this is the best book for beginning a study of Russian history, and his successor as Regius Professor at Cambridge, Mr. J. B. Bury, confirms his opinion. I regret that I have read it only to the reign of Ivan the Great.

[2] Spruner, *Hist. Atlas*, second edition, published about 1850, gives an excellent map of the conquests of the Russians. Droysen, *Hist. Handatlas*, p. 72, is more elaborate but not so clear or so comprehensive.

[3] Oxford Chron. Tables: Elphinstone, *Hist. of India*. Droysen, *Hist. Handatlas*, p. 87.

ERRATUM

Page 312, note 1: **for** Bernhardy in Oncken's *Staatengeschichten* **read** Bernhardi *Geschichte Russlands*, Zweiter Theil, Leipzig, 1874.

company acquired Bengal, its first considerable territory in India.

The government of the empire of the Cæsars was constructed experimentally. Till 117 A.D. when Trajan died both the central and the local authorities were only the emperor, and many officers in command of military forces. From the reign of Hadrian and still more from the time of Septimius Severus, an increasing share in the work of the central government was given to civilians, but provincial government was left to military commanders. From the times of Diocletian and Constantine nearly all the work of government properly so called both at the centre and in the provinces was done by great civilian officers trained in the study of the law: the business of the army, which was increased in size, consisted in defending the frontiers from the barbarians and in giving support, if it were needed, to the civilian rulers. In the Russian Empire and in India I do not attempt to follow the processes by which the governments attained their final form: it is probable that in them the process of experiment was less laborious because their rulers knew something of the result of experiments made in the empire of the Cæsars and in the Byzantine Empire, descended from the empire of the Cæsars. It is at any rate certain that both in the Russian Empire and in India during the nineteenth century the government bore an extremely close resemblance to the government established by Diocletian and Constantine for their dominions. Thus we may say that in all the three empires founded by a strongly organised body of men through conquest of disorganised peoples the government in its final form was conducted by a single man at the head, with the aid of a great body of trained civil servants, to whom and through whom orders were transmitted in writing, and with the support of a strong standing army of professional soldiers.

Governments of the three empires.

CHAPTER XVIII

BARBARIAN CONQUERORS OF CIVILISED PEOPLES

In the time of Theodosius all men in Europe outside the empire were grouped in tribes, that is to say, in societies living in the open country employed in military, agricultural and pastoral pursuits, and ignorant of life in towns. All the tribes in the area bounded by the Rhine, the Danube, and the Vistula were of German race. In the country to the north of the Black Sea Huns were arriving as barbarous nomads from the lofty region of the Pamirs in central Asia: to the east of the Vistula were Slavs, and on both sides of the entrance of the Baltic Sea were Scandinavians.

Tribes.

Tribes are a sort of protoplasm out of which in the course of many generations more definite bodies politic are made: but they themselves may have little of durable shape and structure. Groups of men are cantons, groups of cantons are tribes, groups of tribes are hordes or small kingdoms: but while men live in a tribal condition any of their groupings may break up and form new groupings unlike the old. Hence it is often impossible to trace the filiation of tribal groups, and we cannot usually have anything like a continuous history of men in a tribal condition.

If tribesmen remain surrounded by no human beings other than tribesmen, there arises out of their chaotic confusion some kind of order, and in the course of ages bodies politic are formed out of their descendants. If

tribesmen mingle with men who are not tribesmen but live in towns and have the habits and appliances of town life, their career as tribesmen is ended. In Europe before the age of Theodosius one German tribe of Salian Franks had already gone into a Roman province, and shortly after his death about half of the whole population of Germany followed its example. In the present chapter we shall consider the fate of those German tribes which conquered Roman provinces and settled among the subjects of the Cæsars and there lost themselves. In the following chapter we shall observe what happened to the German tribes that did not mix with Romans, to the Scandinavian tribes and to one or two other bodies of somewhat similar character which formed themselves in the Spanish peninsula.

Various fortunes of tribes.

From the year 400, when Theodosius had only been dead five years, Italy was threatened by the Visigoths under Alaric from the river Save in Pannonia. In 406 the imperial armies were withdrawn from the Rhine to give their services in Italy: the Germans came swarming into Gaul and Spain, and the garrison of Britain set up a usurping emperor and crossed to the continent to try what it could gain. By 411 nothing was left to the western empire except Italy and Africa and some fragments of Gaul and Spain. In 429 Africa was conquered by Vandals who came from Spain; in 476 Italy itself was conquered by a barbarian king, and the empire of the Cæsars in western Europe was at an end.

End of the western empire, 400-476.

As the Germans not only conquered the western empire but settled in it, they were compelled also to try to govern it. Each band of settlers needed some ruling agency to control the settlers themselves and the conquered Romans among whom they established their dwellings. Hence the two centuries after the death of Theodosius saw more

grouping of men under new governments than any period of like duration in European history. The new groupings of men under governments cannot well be called states because they lacked stability. They were not communities because there was little in common between the German ruling race and the subject Romans: some of them could scarcely be called political bodies because they were so misshapen. All however till the year 800 were ruled by men who bore the title of king, and till that time we may call them kingdoms.

The Germans in the western empire.

The facts, which determined that the German kingdoms established on territory which had been Roman must be unstable and incoherent, are not far to seek. The conquering Germans were rude tribesmen, valiant fighters in war, but in peace rustic peasants: during a campaign they obeyed their commanders because obedience was necessary to success: in time of peace in their German homes they had no government except that which they themselves exercised in assemblies for deliberation or in local courts for the administration of justice. The subject Romans were incapable of fighting, their men of substance were townsmen, accustomed to arts, appliances, and luxuries of civilised life, and so thoroughly over governed for many generations that even in the works of peace they could do nothing except as they were bidden. Beside all this the German settlers were few in comparison with their Romanised subjects, and in many of their kingdoms they differed from them in their religion. The political results that followed from the settlement of the Germans in the western empire will be made sufficiently manifest if we observe what happened in Gaul, in Spain and in Italy.

Their conditions.

The German peoples who settled in Gaul were Salian Franks, Burgundians, and Visigoths. The Salian Franks obtained a settlement in the extreme north, in a region

called Toxandria between the Scheldt and the Rhine as early as 355-361 when Julian was Cæsar in Gaul: between 407 and 419 the Burgundians got some territory in the south east, and the Visigoths occupied Aquitaine in the south west. By the year 486 the Salian Franks, the Burgundians, and the Visigoths had divided all Gaul among them and it was clear that Chlodovech or Clovis who had then been king of the Salian Franks for five years was stronger than either of his rivals. In 496 he was further strengthened when he and the chief men of his German followers became Catholic Christians, and thus adopted the religion of the subject Romans: in 507 he conquered Aquitaine from the Visigoths, and before his death in 511 he received the submission of the Ripuarian Franks, who held territory on the Rhine, some of it probably on the eastern side of the river and therefore in Germany.[1] In 534 two of his sons overpowered the King of Burgundia, and Salian princes ruled over all Gaul and over a strip of Germany beyond the Rhine.

Gaul, 400 A.D.-534 A.D.

Chlodovech bequeathed separate kingdoms to his four sons, and till 613 there were at most times four Gallic kingdoms governed by Salian princes. Those kingdoms which lay remote from the Rhine were entirely incoherent. The Germans in them were scattered and could not meet in assemblies: the Romanised Celts were unable to do anything but submit to any master who claimed their obedience: and when the kings in the three western kingdoms of Gaul broke up their dominions by absurd transfers of territory none of their subjects remonstrated. The kingdom on the banks of the Rhine which included the territory that had belonged to the Ripuarian Franks and from about 600 was known as Austrasia, or the East land, was different from the rest,

Gaul, 534-687.

[1] Gregory of Tours, 2. 40=2. xxix in Omont's edition.

because it had territory in Germany, was constantly recruited with new German immigrants, and was gradually transformed into something like a German tribe. In 613 the Austrasian nobles, called *leudes*, set up a mayor of the palace of their own choice as their ruler, and though after that date the Austrasians sometimes allowed a Salian prince to be called their king, their effective rulers were the mayors of the palace. The western kingdoms of Gaul were joined together in 628 under one king, and after that time western Gaul was sometimes one kingdom, sometimes two or three: but even when it was under a single sovereign it was not so strong as Austrasia. In 687 Pippin mayor of Austrasia defeated Ebroin mayor of the western kingdom, whose king was a Salian, at the great battle of Testry between Amiens and St Quentin: and thenceforth for three generations the ruler of all the Franks in Gaul was an Austrasian mayor of the palace.

Spain was invaded between 408 and 415 by Suevi, Vandals, Alans, and Visigoths. In 419 the Visigoths went backward over the Pyrennees into Aquitaine, and in 429 the Vandals went onward into Africa, so that from 429 the Spanish peninsula was divided between the Alans and the Suevi. But the Visigoths in Aquitaine grew in strength, and Euric who became their king in 466 advanced into Spain in great force, and in 477 became ruler of nearly the whole peninsula: after 507, when Aquitaine was conquered by the Salian Chlodovech, the Visigoths held no territory of much importance outside of Spain, and their kings fixed their residence at Toledo. Spain, being traversed by many ranges of mountains, is by nature hard to keep under the control of a single ruler: while it belonged to the Visigoths, local governors were almost independent; the nobles elected their kings, and, if they disliked their government, got rid of them by murder

Spain, 408 A.D.-713 A.D.

or by open rebellion.[1] One important attempt to strengthen the kingly power was made in 587, when King Reccared abjured the Arian form of Christian doctrine, and took in its stead the Catholic form, which was the religion of the Roman part of his subjects: it ended, however, not in strengthening the Visigothic kings, but in making the bishops as imperious as the nobles had been rebellious. After 680 Spain was ruled less by kings than by prelates.[2] In 710 bands of Mohammedan Moors and Arabs crossed over from Africa, and by 713 made a conquest of all Spain except some mountainous regions in the north. The districts which they neglected to reduce were firstly Asturias and Cantabria situate on the shore of the Bay of Biscay and separated from the rest of Spain by a range of jagged mountains, now famous for their beautiful scenery, and secondly some valleys on the southern slope of the Pyrennees about Jaca and Pampeluna. In these refuges four bands of Christian fugitives were able to live apart from the Moors. These little bands of refugees were the first groups of men formed in western Europe since the coming of the Germans that had common aims and interests and territory which they cared to defend, and therefore deserved to be called political communities.

The first settlement of Germans in Italy was made in 493 by the Ostrogoths. Their king Theodoric had been educated at the court of Constantinople to which he had been sent as a hostage in his childhood, and was anything but a barbarian or a destroyer. When he and his Gothic warriors conquered Italy in 493 he retained the Roman method of administration under a prætorian prefect and correctores for the government of the vanquished Italians, who constituted nine tenths or more probably nineteen twentieths

Italy, 493 A.D.-774 A.D.

[1] Oman, *The Dark Ages*, 131-144. [2] *Ibid.*, 221-234.

of his subjects: his Goths, who in comparison with the Italians were but a handful, settled as yeomen on lands that he assigned to them, and were permitted to manage their own affairs almost as freely as if they had been in Germany, provided that they were ready to serve in war when they were summoned. Under Theodoric the government of the Italians was as Roman as it had been under Constantine, but more efficient than it had been since the reign of the emperor Theodosius. At the death of Theodoric the Ostrogoth in 526, his kingdom, which he had ruled with justice and power for thirty three years, passed to a feeble successor. Between 534 and 555 it was conquered by Belisarius and Narses, generals in the service of Justinian, the emperor who reigned at Constantinople, and when the conquest was completed it was ruled for twelve years by officials of the eastern Roman empire. Thus till 567 the Italians were governed continuously under the methods of administration which Diocletian and Constantine had established. But then hordes of Germans more barbaric than any who had yet entered the empire gathered beyond the Alps: in the next year 568 they advanced southward under Alboin, king of the Lombards, and conquered all Italy except the districts round Ravenna and Rome and the promontories which jut out in the south towards Sicily and towards Greece. The new comers were not a single tribe under an established king but many bands of adventurers under a captain chosen by them to lead them to victory: within seven years of their arrival in Italy the country was divided into thirty independent duchies, and each duke ruled as he chose. In 584 the dukes elected a king, and for nearly two centuries afterwards there was a Lombard kingdom: but its kings were elected by the nobles, and were no more capable than the Visigothic kings in Spain of establishing and maintaining

orderly government. In 752 and 772 some follies committed by Lombard kings furnished powerful Austrasian rulers with pretexts for intervening in Italy, and in 774 the last of the Lombards surrendered his dominions to a conqueror from beyond the Alps.

While the administrative system of the Cæsars was perishing, and the Germans were showing their inability to establish orderly governments to take its place, the Catholic clergy gained a ruler belonging to their own body. It has been mentioned already[1] that in the year 400 Alaric king of the Visigoths was threatening Italy. In 408 he advanced into the country; thrice he blockaded Rome, and in 410 he captured it. The miseries of the blockade and the terror of pillage drove the more important men and their families to flee away: and when the Visigoths in 412 withdrew from Italy into Gaul and Spain the bishop Innocent the First was by far the greatest dignitary in the city which had once been capital of the civilised world. In 421 Valentinian the Third, who was still emperor of Italy and Africa, gave the bishops of Rome a power of appellate jurisdiction over disputes about matters ecclesiastical which arose in his dominions.[2] In 452 bishop Leo the First was sent as ambassador from a western emperor to Attila the Hun, a far more destructive conqueror than any of the German invaders, and succeeded in diverting him from his project of marching into Italy. After the time of Leo the bishops of Rome were ordinarily called Popes, and they were recognised throughout the west of Europe as the spiritual chieftains of the Catholic Christians; but none of them performed any memorable achievement till Gregory the Great in 596 sent his missionary Augustine to Britain

Growing power of the bishops of Rome, 410 A.D.-596 A.D.

[1] See page 315.

[2] Milman, *Latin Christianity*, I. 85.

and so prepared the way for the conversion of the English to the Catholic doctrines.

Summary, 400-687.

The work done by the Germans in the provinces of the western empire between 400 and 687 was this. They lost the power to govern themselves in tribal assemblies for which their forefathers in their German homes had been conspicuous. They destroyed the machinery of government that the emperors had laboriously established, and nearly all institutions that had grown up in the empire except the power of the Catholic prelates: and none of them except the Austrasians succeeded in setting up anything like an orderly government to take the place of what they had broken to fragments.

Conquests made by the Austrasian Franks, 687-803.

After the battle of Testry in 687 the Austrasian Franks were the strongest people in western Europe: and between 687 and 803 under very able rulers descended from Pippin the victor of Testry they made conquests with wonderful rapidity. Before 730 they had conquered all the German tribes except the Saxons: in 732 under Karl Martel, son of Pippin, they repelled a dangerous invasion of Mohammedan Moors from Spain: in 752 Pippin the Short, son of Karl Martel, took, with the approval of two Popes, the title of King of the Franks which had hitherto belonged to a Salian prince: and between 754 and 803, under Pippin the Short and Charlemagne, the Austrasians conquered the Saxons, the northern half of Italy, and a strip of Spain to the north of the river Ebro. In 800 Charlemagne being master of Europe from the Ebro almost to the Elbe, and from the Germanic Ocean to the Tiber received from Pope Leo the Third whom he had restored to authority in Rome, and from his army the title of Emperor.

Though Charlemagne borrowed the title of emperor that was most constantly used by the later Cæsars, his empire

was unlike theirs in origin, in structure, and in government. The empire of the Cæsars was founded by a general in command of an army of professional soldiers: the empire of Charlemagne was founded by a mayor elected by nobles to lead free warriors who were tribesmen first and soldiers afterwards. The Cæsars from first to last were upheld by a standing army of mercenaries: the Austrasian rulers usually had no army except in the summer, and before they could get an army even in the summer they must win the approval of local chieftains for the work for which the army was wanted. The empire of the Cæsars contained no local communities with a will of their own: in the empire of Charlemagne the strongest elements were the great Austrasian tribe and other German tribes which had till recently been independent under rulers of their own. The government in the empire of the Cæsars was carried on by a host of trained civilians from the prætorian prefects downwards, all acting with the discipline of an army and the precision of a machine: Charlemagne had for the work of government his own unrivalled energy, but beyond that no regular organs except for central government tribal assemblies of local chieftains held twice in the year and for local government officers called counts and dukes ruling great districts on his behalf. The counts and dukes had no regular supervisors set over them: only intermittent and imperfect control of their doings was exercised by occasional commissioners known as Missi Dominici, the Messengers of the Lord Emperor.

The Austrasian empire.

It is obvious that the Austrasian empire had no such securities against disruption as the empire of the Cæsars. It had local component parts capable of forming independent communities, and it had no standing army. Soon after the death of Charlemagne in 814 his son, Louis le Debonnaire, divided his dominions into kingdoms for his sons, keeping

for himself the title of emperor, and hoping also to retain a general control over his vicegerents. The sons fought against one another and against their father. After the death of Louis in 840 his eldest son Lothair, king of Italy and emperor, tried to exert effective authority over his brothers, Ludwig king of Germany and Karl king of Gaul. In 842 Ludwig and Karl with the armies of their kingdoms met at Strassburg to form an alliance against Lothair: the exact words of the oaths sworn by the kings and of the oath sworn by the armies have been preserved, and are the oldest monuments that we possess of the national languages of France and Germany.[1] The kings of Germany and of Gaul, which, since it acted unitedly and had a language of its own, we must henceforth call France, were successful. In 843 a treaty concluded at Verdun confirmed their independence and defined their territories: Lothair kept only Italy and a strip of land between the kingdoms of France and Germany, together with the title of emperor, which no longer gave him any authority outside his own kingdom.

The Austrasian empire divided into three kingdoms, 843.

The treaty of Verdun set the Germans free from subjection to a government which also ruled descendants of Roman provincials. After its conclusion the German kingdom was a union of pure-blooded and kindred tribes not unlike the union of tribes that existed in England at the same period under Æthelwulf, son of Egbert: the chief difference between the German and the English unions of tribes was that the several German tribes were somewhat more inclined than the English tribes to become independent. The Germans, however, for nearly a century after they had asserted their freedom from control by an emperor, needed to act together in repelling

Germany, 843-936.

[1] Nithard, 3. 5, in *Mon. Germ. Hist.*, vol. 2, 665, 666. Commentary on the French texts in Diez, *Altromanische Sprachdenkmale*, 3-14.

at first Slavic barbarians from beyond the Elbe, then Norsemen who came by sea, and after 900 the terrible Hungarian marauders. Consequently whenever they could get a strong king, they obeyed him: when their king was feeble, they fell apart, but never into more than two or three kingdoms or five separate duchies. Henry Duke of Saxony, elected in 918 by only two duchies to be king, restored kingly government over all Germany, and left it at his death in 936 to be carried to greater power by his son Otto the Great.

In France and Italy the German immigrants had always been few in comparison with the older populations descended from the subjects of the Cæsars: by 843 neither country contained any considerable element that was distinctly German. In both countries the kings being Austrasian Franks descended from Charlemagne were foreigners to their subjects; on the other hand the local rulers and land owners, whom the Austrasian sovereigns had invested with offices or endowed with estates, had in some degree assimilated themselves to their surroundings: in France they were becoming Frenchmen and in Italy Italians. The result was that the inhabitants were more inclined to be led by counts and dukes and landlords than to obey their kings: and before 900 both France and Italy were broken into a multitude of small independent communities commonly called fiefs or feudal principalities.[1] In each fief the ruler and the ruled had in the main the same desires and aims, and held spontaneously together: and thus the fiefs deserve, though in a less degree than the tribes in Spain, to be called political communities.

Fiefs in France and Italy from 900.

Otto the Great in the early years of his reign made Germany by far the strongest power in Europe: but in 951

[1] See note at the end of the chapter.

he could not resist the temptation to intervene by force in Italy, and in 962 by being crowned king of Italy and Roman emperor he sowed the seeds of trouble for Germany and its future sovereigns. His son and grandson, both named Otto, delighting to be in Italy neglected Germany, and Henry the Third who reigned from 1039 to 1056 was the last of their successors who was able to keep undisputed control of both Germany and Italy. None of the emperors from Otto the Great to Henry the Third had to deal with popes strong enough to oppose them effectively. During their times the popes were either elected by the people and clergy of Rome or nominated by emperors: those elected by the Romans were usually weak or vicious, and those nominated by the emperors were deferential. But in 1059 one of the popes decreed that his successors should be elected by the cardinal bishops. These cardinals were officials of experience in business, and were likely to be good electors of popes, just as in the time of the Cæsars the great officers of the army or of the civil service and the army combined were the best electors of a Roman emperor. From 1059 the popes advanced in power, and they opposed the emperors, thinking that they themselves and not the emperors were the proper inheritors of the sovereignty of the Cæsars over western Europe. From 1073 the popes found helpers sometimes in rebellious prelates and princes in Germany, sometimes in the regenerated towns of Italy. In 1250 one of them vanquished the last successor of Otto the Great: not only was the empire destroyed and Italy separated from Germany, but there was no longer a single German kingdom, and Germany broke up into tribes or principalities which were not brought under one sovereign till the nineteenth century.

The Saxon empire.

Now that I have sketched the characters of the Austrasian empire and the Saxon empire I may point out the features

in which those empires were alike. Each of them at the time of its formation contained an inactive subject part and an active dominant part: in each of them the inactive subject part enjoyed many of the material appliances and had many of the habits of mind usually found in civilised societies, but the dominant part was nearly barbarous and very loosely organised. The truth of these propositions will be seen if we remember that in the Austrasian empire the inactive subject part consisted of the Romanised inhabitants of Gaul and northern and central Italy, and that the active dominant part was formed by the Austrasian tribe with other German tribes dependent on it, and that in the Saxon empire the inactive part was the Italians from the Alps to Rome and the active part was the Saxons and other German tribal peoples. And further, since in each of the two empires the active dominant part was only a collection of tribes very loosely joined together, that active part was incapable of providing any strong organ for the government of the whole empire: in fact the only organs for the government of each empire were a single man and an assembly of tribal origin consisting of local governors with or without their attendant warriors. Hence it came about that in each of the two empires almost every generation of men was more disunited than the one before it. The empire of the Austrasians only held together till the death of Charlemagne: the empire of the Saxons just contrived to exist for three centuries, from 951 to 1250, but in its career there was an interval between 1056 and 1106 in which the frail bonds that held its parts together were broken, and the parts acted as independent and hostile communities.

Similarity of the Austrasian empire and the Saxon empire.

In the seventeenth chapter I described the empire of the Cæsars and briefly compared with it the empires founded by the Russians and by the English East India Company.

Each of those three empires was founded by a strongly organised body of men through the conquest of disorganised peoples. If the word *empire* were correctly used to denote only political aggregates like the empire of the Cæsars to which it was originally applied, I should say that those three are the only empires that have ever existed: as, however, the word is always used incorrectly with a wider signification, I will say that those three are the only empires of the Roman type. In the present chapter I have described the so-called empires of the Austrasians and of the Saxons, and have shown that each of them was founded by a loosely organised body of men through the conquest of disorganised peoples. These two empires may be called the empires of the German type.

Empires of the Roman type and of the German type.

Although the empires of the Roman type are not like those of the German type, the empires of the two types must be put in a bundle together, because all the empires of both types have the common characteristic of being derived from compulsory junctions of unlike bodies politic, and because this characteristic places them in contrast with all other bodies politic. The characters of the two sorts of political aggregates derived from compulsory junctions of unlike bodies politic and the nature of their governments can be compendiously exhibited in a tabular form.

Empires of the two types and their governments.

POLITICAL AGGREGATES DERIVED FROM COMPULSORY JUNCTIONS OF UNLIKE BODIES POLITIC, AND THEIR GOVERNMENTS.

KINDS OF AGGREGATES.	GOVERNMENTS.
1. Empires of the Roman type founded by strongly organised bodies of men, namely—	A single man, bureaucratic civil service, standing army.
The empire of the Cæsars, 325-395.	
The Russian Empire, 1800-1900.	
The Indian Empire, 1800-1900.	
2. Empires of the German type founded by loosely organised bodies of men, namely—	A single man, and a tribal assembly of local chieftains.
The Austrasian Empire.	
The Saxon Empire.	

NOTE ON THE WORDS 'FEODUM,' 'FIEF.'

The words *feodum*, *feudum*, *fief*, all derived from some Teutonic or Scandinavian word that meant property, were not perhaps used to denote principalities in France before the thirteenth century. No certain instance of the use of any of the words in any country before the twelfth century is known to me: for though *feudum* occurs in what professes to be a quotation of a capitulary of Conrad the Salic made in 1027 (*Mon. Germ. II. Legg.* ad annum) we do not know that the quotation is verbally accurate: the man who made it may have found *beneficium* in the original and put *feudum* in its stead, as more intelligible to his contemporaries. In 1166 *feodum militis*, *feofatus*, *feofamentum* occur profusely in the cartels delivered to Henry the Second of England by his nobles

and prelates: the cartels are printed in Hearne's edition of the Liber Niger Scaccarii.

When the words *feodum, fief* were established in common use, they meant a piece of land divided off from an estate or from a political territory and placed under a separate tenant or ruler. They are therefore perfectly suitable names for denoting those estates in land or local governments which the Austrasian kings gave to their nobles, and I have not feared to use them accordingly, though I believe that when the estates and local governments were first given they were called *beneficia* and the word *feoda* was not in use, and that after they became independent one was called *dominium* (lordship), another *comitatus*, and another *ducatus*, and there was no word but *beneficia* that could be employed to denote each and all of them.

The principalities that arose in France in the tenth century got their name of fiefs because they were portions cut off from the dominions of the Austrasian sovereigns: but they gained their most distinctive characteristics from the fact that their inhabitants were descended from ancestors who had been thoroughly crushed under the rigid administrative system of the Cæsars, and it is more important to remember that they had been portions of the Roman Empire than that they had been included in the Austrasian territories. In Germany no less than in France there were in the early part of the eleventh century independent principalities that had been under the Austrasian Kaisers; but the German principalities got their characteristics because their inhabitants were descended from tribesmen. In order to get a right notion of the German principalities it is necessary to lay stress on their tribal origin, and I shall accordingly speak of them as communities derived from junctions of tribes. For the principalities in France we must have some other name, and I have called them fiefs, though I should have preferred some name that would draw attention to the fact that they stood on portions of the empire of the Cæsars. The principalities in Italy may bear the same name as those in France: but they were so shortlived that it does not matter greatly what we call them. The estates of nobles in England and elsewhere, which were called fiefs but never became independent, will not attract our attention because they did not form bodies politic.

CHAPTER XIX

JUNCTIONS OF TRIBES, EFFECTED BY COMPULSION

In the present chapter we have to glance at those tribes in Europe which did not mingle with descendants of the subjects of the Cæsars, and at their posterity till the fifteenth century: but it will not be necessary to do more than glance at them, because they did not succeed in forming well defined political bodies except here and there for one or two or three generations at a time. The physical geography of their habitat will not detain us. I am content to say of it briefly that nowhere except in the small region now called Switzerland, which will be noticed in a future chapter, could there be found any natural barriers such as would avail to prevent a strong tribe from conquering a weak neighbour. It will be best to look first at the German tribes in Britain, because we possess information about them which indicates what they were like only two or three centuries after their original establishment.

German tribes in Britain.

The Germans on their landing in Britain were not tribes but companies of private adventurers seeking their fortunes in a new land. Before they started from Germany they had put themselves under the command of men who were to be their leaders in war: after they were settled on the land in Britain they needed some methods of deterring individual settlers from robbing or injuring their neighbours. They gathered them-

selves in very small groups which either then or afterwards were called hundreds or lathes or rapes or wapentakes, and the men in each little group met together frequently for the purpose of compelling wrongdoers to give compensation to those whom they had injured. Groups of hundreds were tribes: and each tribe took as its king or ealdorman the man who had been its military leader before it conquered the land for its settlement. The earliest document that tells us about a tribe is a collection of the Dooms of Æthelberht who was king of Kent in 596 when Augustine landed in Britain.[1] The document sets down those dooms or sentences which had been pronounced in the assemblies of the hundreds or lathes and were to serve as precedents for the future: and from it we may infer that the local assemblies had much work to do, and the king very little unless the tribe chanced to be involved in a war. The tribes showed clearly how little they cared whether they were under their own king or under the king of another tribe by the ease with which they allowed themselves to be conquered. Penda, who was king from 626 to 655 of the tribe of the Mercians on the Welsh marches, conquered all the many tribes between the mouths of the Dee, the Humber, the Nene, and the Bristol Avon. The only associations that the tribesmen cared about were their local groupings in hundreds or wapentakes.

The West Saxons.

The West Saxon tribe was very much larger than any other tribe that was made purely by expansion of a single tribe into territory conquered from the Britons, and not by junctions of many German tribes. Accordingly the West Saxons under their king Ine, who reigned from 688 to 728, were gathered not only in hundreds but also in much larger groups called shires. Each shire had a scirman or sheriff as judge, and an ealdorman whom

[1] Thorpe, *Ancient Laws and Institutes*, pages 1-10.

the king and his council of Wise Men appointed to lead its armed forces. The establishment of the shires made subsequent kings of Wessex still weaker than kings who reigned only over groups of hundreds, and in 755 Sigebryht king of the West Saxons was 'for his unright deeds deprived by Cynewulf and the West Saxon Wise Men of all his kingdom except Hamtunscir.'[1]

Between 716 and 1066 conquests of tribes by tribes were made again and again, and when the conquests were made it was said the conquered tribes were under the king who had conquered them: but in truth local groups, small at first but eventually as large as half a dozen or even more of our modern counties, were the largest associations that the people thought important and cared to maintain.[2] Throughout the tribal period of English history local groups alone had any vitality, and the central authority was weak. Even Cnut, the strongest of all tribal rulers in England, could not keep his whole insular dominions under a single government, but entrusted provinces to four great earls: in the time of Edward the Confessor the earls were strong and the king was weak.

The English tribes never all united before 1066.

In Norway and in Denmark were tribes much like what the English tribes became when they had been established for a few centuries. In Norway south of Trondhjem there were to begin with twenty or thirty *fylker* or folks, which had kings of their own: Snorre Sturleson the Icelander, who between 1221 and 1241 paid many visits to Norway and gathered traditions and records of events in the country, mentions both the folks and their kings so clearly that the homes of nearly all the

Scandinavian tribes.

[1] Dooms of Ine 39 and 8 in Thorpe, *Ancient Laws and Institutes*: Anglo-Saxon Chron. A.D. 837, 845, 851. A. S. Chron. A.D. 755.

[2] J. R. Green, *Conquest of England*, the later chapters.

folks can be identified.[1] After about the year 920 Norway was more often than not nominally under a single king: but the folks were so separate that each had a *thing* or assembly of very independent small landowners who lived on the produce of their freehold estates, and they were also so free to combine as they chose that they arranged themselves in groups of folks, and in each group established a diet composed of deputies from the things:[2] the diets and the things were so influential that the kings could not perform any important action in any locality till they had received the permission of a thing or of a diet. Denmark did not long remain divided into separate tribes, but fourteen districts called *syssaels* had local governments of much importance, and the kings were powerless if the syssaels disapproved their proceedings.[3] Of Sweden in the Dark Ages we know almost nothing: but in 1296 A.D. the Swedes had a number of provincial diets which took their several parts in the election of a king to rule over all the provinces.[4] The existence of these diets indicates clearly that what were then provinces had in earlier ages been independent tribes. When the tribes were joined by conquest, each tribe became a province, and what had been its folkmoot descended to be a provincial diet.

Tribes in Spain.

In Spain the little bands of Christians who fled from the Moors in 713 into the mountains of Asturias and Cantabria were compelled through fear of their Mohammedan enemies to abandon life in towns, to subsist in the open country on the produce of the earth or on plunder, and to adopt for a time a tribal manner of living.

[1] Laing, *Sea Kings of Norway*, a translation of Snorre: maps in Spruner-Menke and in Baedeker, *Norway and Sweden*.

[2] Snorre, *Saga* 4. 11: and Baedeker, *Norway and Sweden*, Introduction, p. xlviii.

[3] Dahlmann, *Geschichte von Dänemarck*, vol. 1.

[4] Geijer, *History of Sweden*. Translation by J. H. Turner, p. 81.

Between 800 and 1033 they made large conquests from the Moors: they occupied the lands and the towns that they had gained, and on taking to life in towns escaped from their tribal humiliation. The nobles among them who had found contingents for making the conquests acquired great estates of land in which they kept bands of armed followers, and the towns, possessing for defence against the Moors strong walls and citizens trained to fight, were almost independent. The Christians who came from Asturias had a king, and those who came from Cantabria had only a count: but both the king and the count were often powerless to control the nobles and the towns.[1] In Spain, as in England and in Norway and Denmark, the local governments were comparatively strong, and the central governments were weak.

The Normans in England.

In 1066 England was invaded by William Duke of Normandy, who claimed to be rightful king of the English people, and by a number of adventurers who came from Normandy and France as his allies, hoping to win separate principalities in the island. William got the kingdom but he gave his allies only scattered estates, knowing that they were likely to become his enemies. Even so the adventurers were strong enough to oppress the Englishmen and the Danes on their lands, and in consequence the whole English and Danish population formed itself into one community. William sought and gained the friendship of this community, the largest then existing in the world, and hence in his time and in the reigns of his two sons the central government was stronger than the local forces of the adventurers, now known as barons. After the death of Henry the First his inheritance was claimed both by Stephen and by Maud: while the claimants were contending, the barons consolidated their territories and formed

[1] Lembke, *Geschichte von Spanien*, vol. 1.

them into separate and independent principalities, which were decidedly not tribal because they contained always one or more strong castles and in many cases also a fortified town.

Henry the Second re-established a central government, and compelled both the Norman barons and the English to act together in obedience to him. The increased coherence of the English people was displayed in the days of Henry the Third. In 1258 the barons aided by the people reduced the silly king to impotence, but instead of cutting up the country into separate principalities they formed themselves into committees and tried by that means to set up a central government. The committees of barons governed selfishly in the sole interest of their own order; in little more than a year one of their number, Simon de Montfort, saw that their selfish policy was suicidal, and on becoming leader both of the barons and of the people he himself undertook the direction of the central government. As he governed in the interest of all classes, some of the most powerful men among the barons turned against him, and helped Edward the king's son to defeat him at the battle of Evesham. Simon was killed, but Edward took his place as leader of the people, and with the aid of the people overpowered those barons who cared only for the interests of their own order, and when he became king as Edward the First was stronger than any of his predecessors.

Increased coherence of the English people after 1174.

Ever since the Norman Conquest all those kings who were strong enough to prevent the barons from rebelling had found it necessary to conduct their government in concert with a council of barons and important prelates: for unless they obtained the consent of the barons and prelates to taxation and to military enterprises they could not get money for their current

Parliament.

expenses nor men to serve in their foreign wars. During the reign of Henry the Third, while the king was absent in Gascony, his queen, acting as regent in his stead, found it advisable to invite deputies from the shires to join in council with the barons and the prelates, because more money might be got from the shires if their deputies sanctioned its collection. Edward the First extended the same policy by inviting deputies also from the cities and boroughs, and thus founding a Parliament in which all local groups of men had leaders or deputies to act as their spokesmen. Only two years later the Parliament became so strong that it could compel Edward to promise that henceforth he would not resort to any of the more productive methods of taxation without its consent.

Edward the Second was incapable of any kingly deed. Edward the Third undertook an imprudent war for the conquest of France, and found that he could not obtain the men and money that the war demanded without conceding large privileges to the Parliament: at his death in 1377 the Parliament was equal or superior to the king in power. Edward left behind him a grandson eleven years old who succeeded as Richard the Second and three sons whom he had put in possession of great appanages by marrying them to heiresses: one appanage contained five important earldoms, the others one or two each. The sons with their appanages obtained great influence over Parliament: and Richard the Second spent the greater part of his reign in tutelage nominally to Parliament but in truth to princes of the blood royal. One of these princes, Henry Earl of Derby, grandson of Edward the Third, destroyed such princes as stood in his way by perfidy, and then with the aid of a Parliament supplanted Richard. As one meeting of Parliament had been employed by Henry to elect him

Decline of kingly authority, 1307-1455.

as king, another in 1406 regarded him as its creature, and either for that reason or because it reflected on the atrocious acts of treachery which had enabled him to gain the Crown, considered, though it did not accept, a proposal that the king who was in bad health should 'betake himself to some convenient place, where by the help of his council and officers might be ordained a moderate governance of his household.[1]' Henry the Fifth was enabled by the respect that men felt for his resolute character and by his brilliant victories in France to induce Parliament to treat him with deference during his short reign. But his son Henry the Sixth was feeble in body and mind, and from 1455 till 1461 England was made miserable by wars undertaken by ambitious nobles for the purpose of deposing Henry and setting one of his kinsmen in his place.

Continental peoples descended from junctions of tribes, 1300-1474.

The countries in continental Europe that were inhabited by peoples descended from junctions of tribes never suffered any occupation by foreign adventurers such as befell England, and none of them was troubled with such fierce contests between the central government and local landowners as the English people experienced in the twelfth century. But in all of them the man who claimed to be hereditary ruler, whether he was called king, or duke, or count, or markgraf, or count palatine, found it impossible to get money without the assent of an assembly or assemblies in which persons of local influence took part. The continental countries in which the inhabitants were descended from junctions of tribes, and the government was conducted by a single person under the control of an assembly or assemblies were Norway, Denmark, Sweden, all the larger principalities in Germany, and Castile. The largest of these countries were Norway, Sweden, and Castile. In each of

[1] Stubbs, *Const. Hist.*, § 636.

them government conducted under control of assemblies led at some time in the fourteenth or fifteenth century either to internal strife or to humiliation by foreign foes, since each country was inhabited not by one people but by more than one, and since travel over long distances was slow and therefore the machinery of government was ineffective. Norway and Sweden lost their independence and were compelled in 1397 to accept Margaret Queen of Denmark as their sovereign: Castile under Henry the Fourth was troubled from 1469 till 1474 first by a civil war between the king and his younger brother and then by another war to settle who was to be the king's successor. In the German principalities, whose area was comparatively small, governments of princes controlled by assemblies succeeded better, and the assemblies or *landtage* lived in tolerable harmony with the princes who sued to them for grants of money.[1]

The tribes joined together were for the most part alike.

It is to be remarked that all the most important junctions of tribes were made before the twelfth century. These junctions made in the Dark Ages constituted the kingdoms of England, Denmark, Norway, Sweden, and Spain, and the many principalities in Germany. In every junction of tribes made before the twelfth century the tribes joined together were of the same kindred and of like character. Thus in England Teutonic Saxons were joined with Teutonic Angles and Jutes but not with Celtic Britons or Welsh: in Spain the Teutonic

[1] Erach und Gruber *Lexicon*, article headed *Landstände, Landtage*. There may probably exist many collections of documents relating to the Landtage of individual principalities. The only collection known to me relates to the Landtag of Styria. The author is Dr. Krones: the collection was published in 1865-1869 at Gratz in Styria: it consists of four bundles of documents of which the first is entitled *Zur Quellenkunde und Gesch. des mittelalt. Landtagswesen der Steiermark*, the third *Quellenmässige Vorarbeiten zur Gesch. d. Landtagswesen der Steiermark*, II. 1522-1564: the second and fourth consist of *Nachträge und Ergänzungen*. The entries for the years 1522-1527 show the action taken in Styria to oppose that advance of the Turks, which led in 1526 to the battle of Mohacs. These entries are illuminative.

Goths of Asturias were joined with the Teutonic Suevi of Galicia but not with Moors. It cannot indeed be said that the bodies politic formed before the twelfth century by junctions of tribes were homogeneous, since a homogeneous body politic is like any one of the lesser urban communities of Greece and is all one piece, and has all its atoms similar: but, if I may coin a word, they were *homoiogeneous*, made of pieces of like stuff. And this is an important fact because a homoiogeneous body politic can in process of time breed a progeny of homogeneous bodies politic. I believe that the little bodies politic in Germany formed by junctions of few tribes did by about the year 1400 breed homogeneous bodies politic: but in the larger countries as England, Norway, Spain, whose bodies politic were formed by junctions of many tribes the process of generating homogeneous bodies politic was slower, and in those countries all the bodies politic down to the end of the Middle Ages about the year 1500 were only homoiogeneous. After the twelfth century a few small joinings of peoples with unlike tribes took place:—when the mark of Brandenburg was made, its population was partly German partly Slavic, and from 1284 the Welsh were subject to the English king, and in 1322 and 1326 they sent representatives to English Parliaments.[1] Thus bodies politic derived from junctions made after the twelfth century might be in a minute degree heterogeneous, made of unlike materials: but all other bodies politic derived from compulsory joinings of tribes were either homoiogeneous or homogeneous.

Summary.

The succession of bodies politics descended from compulsory junctions of like tribes are divided into those descended from junctions of few tribes and those descended from junctions of many tribes. Their characters and governments are here stated in a tabular form.

[1] Lingard, *Hist. Engl.*, edition of 1844 in thirteen small volumes, vol. 3, 328 note, from New Rymer, 2. 484, 649.

SUCCESSIONS OF BODIES POLITIC DESCENDED FROM COMPULSORY JUNCTIONS OF LIKE TRIBES

KINDS OF SUCCESSIONS.	GOVERNMENTS.
1. Descended from junctions of *few* tribes, and existing in German principalities. After 1400 A.D. successions of homogeneous bodies politic.	A single man, with a *Landtag* which granted taxes.
2. Descended from junctions of *many* tribes, and existing in England and other large countries. Throughout the Middle Ages successions of bodies politic only homoiogeneous, never homogeneous.	Ordinarily, a king and a rudely made parliament; but occasionally, in times of civil war, no effective government.

CHAPTER XX

JUNCTIONS OF FIEFS, EFFECTED BY COMPULSION

THE territory assigned to the Austrasian king Karl the Bald at the treaty of Verdun in 843 lay entirely to the west of the rivers Scheldt, Maas, Saone and Rhone, and comprised about two thirds of the country known to the Romans as Gaul. The part of it to the north of the Loire had been occupied by Salian Franks and was called Francia: the country around Dijon had formed a small part of the large district of the Burgundians and was called Burgundia: the region south of the Loire had been occupied once by Visigoths, but bore the name of Aquitania, by which part of it had been known to Julius Cæsar. Throughout Francia and Burgundia and Aquitania counts and landlords succeeded before the year 900, as I have already mentioned,[1] in establishing themselves as rulers of small independent fiefs or principalities. Soon after 900 the strongest fief-holders in the northern part of the country were the Count of Paris and the Duke of Burgundy: to them was added in 912 another prince equally strong, when Hrolf, son of Rognvald earl of Möre in Norway, a leader of Scandinavian adventurers,[2] planted the best of his chieftains as counts or viscounts or lords in the country about Rouen and Caen and Bayeux, and himself undertook the task of ruling them with the title of Duke of Normandy.

[1] See p. 325.

[2] Snorre Sturleson, Laing's translation, *Saga* 3, ch. 24.

From the year 888 the fiefholders in Francia and Burgundy found it convenient to have some one to appear as their leader or figurehead in case they needed to wage a war that was not entirely a matter of disagreement among themselves. From 888 to 898 and from 922 to 936 and again from 987 onwards the man that they set up was called king: between 900 and 922 and again from 936 to 987 he bore the title of *dux Francorum*, which means, as I believe, military commander of the men of Francia and nothing more. Whatever title he bore the man nominally elevated above his fellows had no authority outside his own fief, unless he chanced to be entrusted by several fiefholders with the command of their contingents in a war which they waged in common: but the county of Paris had such a recognised precedence among the fiefs that no fiefholder other than a count of Paris was elected to be king or dux, except in the years from 923 to 936, when a count of Paris passed on the title of king to a duke of Burgundy who had married his sister, because he understood that his own power would be the greater if he kept the military command as dux and were not burdened with the name of king which roused the jealousy of the fiefholders.

Dux and Rex.

From 987 to 1098 the counts of Paris who were called kings were decidedly less influential than their ancestors who had been only *duces*. Philip the First, count of Paris and king from 1060 to 1108, incurred the contempt of the Parisians and of every one else: by 1098 the lords of Montmorenci, Luzarches, Beaumont, Montl'héri and Le Puiset, all within twenty miles of Paris had made themselves independent in their strong castles. The presence of their castles so near to the city was intolerable to the Parisians because the lords of the castles robbed merchants bringing goods to Paris or carrying goods away. As soon then as Louis Le Gros, the king's son, who

Louis the Sixth, 1108-1137.

was from 1103 joint king with his father, showed the citizens how to attack the castles, they were enthusiastic in furnishing him with soldiers: priests sometimes acted valiantly in his little armies as captains of their parishioners.[1] Louis became sole king in 1108 as Louis the Sixth, and before his death in 1137 he had acquired a district a hundred and sixty miles long from a little south of Amiens to a little south of Orleans, and fully forty miles broad, together with outlying pieces at Laon, Reims, and Bourges.[2] Within this district, which was known as the king's demesne, the immediate successors of Louis had nothing to fear from rebellious vassals, because Louis established in it an orderly government, and the inhabitants were resolved not to tolerate unruly lords of castles. Outside the demesne Louis the Sixth and his next successor had no authority unless they sought it and got it at the head of an army as any fiefholder might do: dukes of Normandy, counts of Anjou, counts of Flanders were independent within the groups of counties of which they were the heads.

The king's demesne, 1137.

The Parisians and the country folk around Paris, when they fought bravely under Louis the Sixth, showed themselves better men than any Frenchmen before them: but they and the other inhabitants of the king's demesne were quite incapable of doing anything except in obedience to orders, and were easily governed. Louis appointed officers called *prévôts* over local districts to collect the king's dues and taxes and to act as judges in cases of small importance: before his death seventeen towns were centres of *prévôtés*.[3] When

[1] Suger, *Vita Ludov. Grossi*, ch. 18, p. 65 in the edition by Molinier.

[2] For the limits of the demesne see Droysen, *Handatlas*, p. 57, and Erläuternden Text at the end of the volume.

[3] Luchaire, *Institutions Monarchiques*, vol. 2, pp. 295-298.

he had to decide a dispute about lands between vassals on the demesne, he took care to be supported by some vassals summoned for the occasion to express their opinions and by any other men of important station who might chance to be at hand: a group of vassals and friends of the king brought together for such business or for any other purpose was called a Curia Regis or court of the king. The practice of summoning vassals and friends to advise about titles of lands was not invented by Louis: a copy of a judgment pronounced in a Curia Regis so far back as 1016 is still in existence.[1]

From the time of Louis the Sixth the king's demesne had a far more orderly government than any fief: and the inhabitants of any fief that happened to be without a ruler, or had a bad ruler, were glad to be annexed by a king and brought into the demesne. Philip the Second between 1201 and 1204 made the demesne fully four times as large as it had been by conquering Normandy, Anjou, Touraine and a small part of Poitou from John of England. In 1209 the region between Toulouse and the mouth of the Rhone was attacked by adventurers from Francia on the pretext that its inhabitants were heretics: Louis the Eighth went to the aid of the adventurers when they were in distress, and in 1229 the greater part of the land from which the heretics and their rulers had been extirpated was adjudged by a Pope to King Louis the Ninth, and added to his demesne. Other acquisitions followed, and before the year 1300 the king's demesne included about half of the territory that had been awarded to Karl the Bald at Verdun. The inhabitants of the conquered principalities were willing to be subjects of the kings, because the kings gave them more orderly government than they had known under their former rulers.

Enlargement of the king's demesne, 1200-1300.

[1] Langlois, *Textes rel. parlem.*, pp. 1-11.

Local government on the demesne of Louis the Ninth was an enlarged version of the government set up by Louis the Sixth on his small demesne. Prévôts were greatly multiplied, and higher officers called *baillis* and *sénéschaux* were appointed with some control over several prévôtés. The work of central judicature, which had been done under Louis the Sixth by the king with the aid of vassals and friends gathered together only now and again, had grown so that it was enough to employ a court of justice sitting from day to day through at least half the year. Louis the Ninth found it necessary to employ permanent judges as a nucleus of a court. A great school of trained lawyers had arisen in Paris, and some of these were paid by the king to be present constantly for judicial work. Varying groups of vassals sat with the paid judges, but the paid judges did all the most important work. The name Curia Regis gradually dropped out of use, and the court was generally known as le Parlement de Paris.[1] The sole organs in the government of the demesne were the king and le Parlement de Paris.

Government of the king's demesne, 1229-1300.

Between 1200 and 1300 the kings of France became able to put a check on the princes outside the demesne in case they grossly misgoverned or made war without justification on any of their own vassals. Even in the eleventh century the princes in Francia had done homage to the counts of Paris who held the title of king, and in their homages had made them some promises. The homages and the promises had then been without effect because they could be broken with impunity: in the thirteenth century they entailed obligations which could not be evaded, because the kings were able to insist that they should be interpreted in le Parlement de

Relations between the demesne and the fiefs, 1200-1300.

[1] Luchaire, *Inst. Françaises*, §§ 305, 306.

Paris. The skill of the lawyers in le Parlement extended their power beyond the mere interpretation of homages: they usurped a power of hearing appeals from all law courts established by the fiefholders in their fiefs, and their usurpation was not disputed because they administered better justice in most cases than any court outside the demesne. The fiefholders still managed the government of their fiefs from day to day, but they were subject to intermittent control from le Parlement de Paris. On the demesne the king was sovereign: over the fiefs he was only suzerain: the fiefholders were not his subjects but were bound to him in alliances which they dared not break; the soil of France still belonged not to one people but to many peoples.

Quarrel of Philip the Fourth with Boniface the Eighth.

Between 1295 and 1302 the authority of Philip the Fourth to rule his subjects in the demesne as sovereign and to control the fiefholders as suzerain was disputed by a foreign power. From 1075 for a century and three quarters the Popes had striven incessantly to prove that they inherited more of the majesty of the Cæsars than the German Kaisers: and Innocent the Fourth in 1250 had secured the destruction of the empire which Charlemagne had begun. In 1294 Benedetto Gaetani, who seems from his subsequent actions to have been half crazy, became Pope as Boniface the Eighth. He soon began to tell the kings of France and of England what they might do and what they might not do in such terms as a Roman Cæsar would be likely to use in writing to a tetrarch of Galilee or a king of Commagênê or of the Cottian Alps. Edward the First of England in 1301 laid the behaviour of Boniface before his barons in Parliament, and they sent the Pope a letter which convinced him that it would be imprudent to meddle further with a king whose subjects supported him with whole

hearts.[1] In the year 1301 Philip of France thought that he also could face the Pope better if he had a Parliament. If he had summoned his assembly, which as early as 1357 was known as the States General,[2] from the demesne only, it might have become something like the English Parliament: as he gathered it not only from the demesne but also from all the fiefs it was no better at best than a congress from a number of communities in alliance whose interests chanced to concur in the quarrel with Boniface, but on other occasions were likely to be at variance.

The states general comprised nobles, clergy and townsmen. Among the nobles in 1302 those who signed a letter to the Pope included two princes of the blood royal, about eighteen holders of fiefs outside the demesne, and some vassals who held land on the demesne:[3] the clergy and the townsmen came equally from the fiefs and from the demesne: in 1308 the towns that sent deputies to the assembly numbered two hundred and twenty five.[4] The men of every order were drawn from many separate principalities, and even within any one principality no two orders had much of common interest or aims. Both Boniface and Philip clearly thought that the existence of a states general was no proof that all Frenchmen would stand by their king: for Boniface disregarded the letters from the orders in the assembly and prepared a bull of deposition against Philip, feeling confident that it would avail to turn many Frenchmen against the king, and the king or his minister Guillaume de Nogaret

States general first summoned in 1302.

[1] For books that give the text of the letter see Stubbs, *Const. Hist.*, § 181, note. I have read it in Rishanger, Rolls Series, pp. 208-210. The letter is short, firm, and dignified, but respectful.

[2] See *Ordonnances des Rois de France* for 1357.

[3] Milman, *Lat. Christ.*, 5. 88 in octavo edition = Book xi. ch. ix. gives the names.

[4] Boutaric, *Philippe le Bel*, pp. 439-448.

thought the bull so formidable that de Nogaret stopped its issue by inducing some armed ruffians and a mob to offer personal violence to the Pope: Boniface was so mauled in the tumult that he died only a month later. The quarrel between Philip and Boniface ended by making the Papacy powerless for nearly a century and a half: but that result was achieved by the brutal violence of Philip and his minister, and not by the states general.

All meetings of the states general held in the fourteenth century proved themselves incapable of useful work. In 1355 when France was invaded on two sides by the English, a states general usurped control of the government: but by 1358 its mismanagement was so flagrant that the French were glad to be rid of it. Thenceforth for about eighty years meetings of states general were rare and none of them transacted any important business. The sole effective organs for the government of the demesne and for the management of the unequal alliance between the king and the fiefholders outside the demesne were the king and le Parlement de Paris.

Incapacity of the states general for useful work.

The wars waged by Edward the Third against French kings proved that the English who acted unitedly in the field were stronger than the many peoples in France. Both the English and the French suffered from the wars, but the French far more grievously: the English lost men and money, but France was pillaged from end to end by combatants on both sides. The system of government in France made very large demands on the king. In the demesne local government was conducted by baillis and sénéschaux and prévôts: but the king and his ministers needed to supervise all these officers without any aid from local assemblies. Outside the demesne the suzerainty of the king over the fiefholders

Anarchy in France, 1392-1413.

could only be maintained by careful management. It chanced that for a whole century beginning at the death of Philip the Fourth in 1314 all the French kings except Charles the Fifth were unfit for the work that was needed. From 1392, when Charles the Sixth became mad, princes of the royal family contended sometimes by murders and sometimes by craft for the enjoyment of the king's revenue: by 1413 government had ceased to exist, and both the demesne and the fiefs lay ready to be conquered by Henry of England.

The only unions of fiefs at all like those that made the French king's demesne were those that made the southern Netherlands: the northern part of the Netherlands was made by junctions of tribes. Late in the fourteenth century a French Duke of Burgundy by a politic marriage acquired Flanders and other adjoining counties: his successors mainly by prudent marriages, carefully exploited, gained many more. The dominions of the dukes in the Netherlands, nearly all acquired by them not later than 1451,[1] were joined together by commercial interests, and in the later years of Philip le Bon, who died in 1467, were well governed under a council imitated from le Parlement de Paris, but empowered to advise the duke and not only to adjudicate. It was lucky for the Netherlanders that their duke Charles the Bold lost his hold of ducal Burgundy, which could not be entered from their territory without crossing Lorraine: after Charles was dead the central government in the Netherlands was indeed weak, but no great exertion was needed for the central government of a group of provinces and towns, whose pursuits were commercial, and whose interests were in the main identical.[2]

Junctions of fiefs in the Netherlands.

[1] After 1451 they got only Gelderland.

[2] On the history of the Netherlands and their rulers from 1363 to 1477, the books that I have found instructive are *Chroniques des Religieux des Dunes*, in Collection de Chron. Belges Inédits, about half a dozen chronicles

The results of my examination of successions of bodies politic descended from compulsory junctions of fiefs can be very briefly stated.

SUCCESSIONS OF BODIES POLITIC DESCENDED FROM COMPULSORY JUNCTIONS OF FIEFS

COUNTRIES AND TIMES IN WHICH THE BODIES POLITIC LIVED.	GOVERNMENTS.
1. French king's demesne, 1300-1477.	King or sovereign duke, with a law court or judicial council.
2. Netherlands from about 1451.	[In France from 1302 also a states general: but it was thoroughly ineffective.]

If we desire to give a common name to the groups of men descended from compulsory unions of tribes or of fiefs and living each under a separate government in the fifteenth century, we may best say that they belong to the very large class of composite bodies politic, or bodies whose parts are separable and may be desirous or willing to become independent bodies politic. Every union of communities, whether it is effected by compulsion or by agreement, whether the communities joined together are like or unlike, equal or unequal, is incapable for generations of producing anything other than a composite body politic. It is true that the component communities do not breed in the successive generations communities co-extensive with themselves: those descend-

Composite bodies politic.

in the useful collection published by Ram, Adrian de Veteri Bosco (Oudenbosch) in Martène, *Le Religieux de St. Denys, Journal d'un Bourgeois*, Pierre Fenin, Olivier de la Marche, Chastellain, Commines, the documents in the edition of Commines by Lenglet Dufresnoy, and Pirenne, *Histoire de Belgique*.

ants of an original component community who live on one border of their habitat mingle with neighbours outside that habitat by intermarriage, by commerce, or by subjection to a common local government, and the descendants on another border intermingle with other neighbours: but the result of such intermingling is only to generate new local groups, not very much less separable from the whole composite body politic than the original component communities had been. The processes of intermingling of communities and the formation of new local groups are not recorded by historians, but their results can be seen, for example, in the history of England. The original components of the English were, first, tribal communities of Saxons, Angles, and Jutes (the West Saxons, the Mercians, and the rest), constituting by far the largest elements among the parents of the English race: then comparatively small communities of Danes who settled as conquerors over the Angles in the eastern part of the island: lastly the Norman adventurers who were not a community at all, but settled as local lords wherever their leader William gave them lands. The descendants of the West Saxons, the Mercians, the Danes did not hold themselves aloof as distinct local communities: their fringes intermingled, but in so doing only founded new local groups ready to be consolidated under local lords, who were till the beginning of the thirteenth century Norman lords, but afterwards English lords. By the year 1455 there was indeed no province or locality in England whose civilian inhabitants desired to separate themselves from the rest of the English: but the roving soldiers who had come back from France had gathered themselves into private armies under earls or princes, rendering implicit obedience to the nobles under whom they served and none to the king: the presence of these private armies effectually prevented the

inhabitants of England from being homogeneous or united. Something like what happened in England happened also in the other large countries that had been brought under one government through unions of tribes or of fiefs: and thus it came about that in each of these countries the inhabitants formed in the fifteenth century nothing more coherent than a composite body politic.

CHAPTER XXI

MEDIÆVAL CITIES: (1) INLAND CITIES

In Italy the Ostrogoths, the Lombards, and the Austrasian Franks, coming successively as conquerors, failed to found any large community co-extensive with their conquests. Before the coming, however, of the Ostrogoths the whole country and especially the northern part of it was dotted over with important municipal towns founded by the Romans or the Cæsars. In the time of Theodoric there was nothing to prevent the towns from flourishing as communities subject to their Gothic ruler: and the existence during his reign of officers called maritime tribunes points to activity shown by the inhabitants of some part of the Italian coast.[1] From events which happened after the time of Theodoric we may infer that activity on the sea shore and on the sea had its centre in the lagoons a little to the north of the mouths of the Po and the Adige: for on these lagoons during the two centuries of the Lombard domination in northern Italy twelve little communities of fisher folk, belonging to a people that had for ages been called Veneti, made themselves into the most active seafaring folk in southern Europe. Their advance to importance is the more striking because during the troubled times of the Lombards the inland municipal towns of northern Italy make little show in history and must be supposed to have sunk into comparative insignificance.

[1] Cassiodorus, minister of Theodoric and afterwards of his daughter, Amalasuentha, addresses an epistle (*Variarum*, 12. 24) to the Tribuni Maritimi.

In the present chapter it is my intention to describe only inland towns: but as the fortunes of the fishermen on the lagoons affected the inland towns it may be well to point out at once why the lagoons became important. They were inaccessible from the land, and the inhabitants of their islands of mud could practise their sea craft unmolested by the Lombards. Owing to their situation at the end of the long and narrow Adriatic Sea they have the advantage, most unusual in the Mediterranean, of well marked tides, and their tides make them a very much better natural seaport than any other in their neighbourhood. Lastly, they lie on the easiest route between central Europe and the eastern shores of the Mediterranean Sea. The main ridge of the Alps which divides Germany from Italy is not anywhere except in one point much lower than seven thousand feet above sea level. The one point is the Brenner pass which leads direct from the Venetian lagoons to Germany. When the Austrasian Franks after the battle of Testry in 687 were undoubtedly the strongest people in Europe, they desired wares from the east, and the seamen of the Venetian islands, not yet collected in any one town, were their carriers. In 813 when envoys were sent by the son of Harun al Raschid, reigning as Caliph at Bagdad, on a mission to Sicily, they made their voyage in a Venetian vessel:[1] when costly wares from the east were offered for sale at Pavia to the courtiers in attendance on Charlemagne, they were brought by Venetian merchants.[2] And this last incident indicates how the activity of the Venetians affected the towns in the interior. Commerce in Venetian imports arose in those towns, and enabled their inhabitants to make accumulations of wealth.

The Venetians to 814.

[1] Jaffé, *Monum. Carol.*, p. 325: letter of Leo III. to Charlemagne.
[2] *Ibid.*, p. 694. *Monach. Sangall.*, book 2. ch. 18.

Northern Italy, 814-1075.

After the death of Charlemagne in 814 the power of the Kaisers in Italy grew less, and by 888 the country was divided into fiefs. But from 900 to 930 northern Italy was cruelly raided by savage Hungarians, and the inhabitants found that their lives and property could get better protection from town walls than from fiefholders and their small bands of soldiers. In 951, when Otto the Great made his first entry into Italy, the towns were strong and the great fiefs were weak. Otto put down any great fiefholders who stood in his way, and his successors entrusted the government to officers of their own bearing the titles of count or markgraf (in Latin marchio), or even dux or ducissa: but at the same time bishops or archbishops occasionally had more influence over the inhabitants of their episcopal towns than any imperial officers. A count usually ruled a town and the district around it, which was called *comitatus*, a county: a marchio or a dux had a larger region to govern, but was sometimes also a count and attended to the humbler work of ruling a town and its circumjacent country:[1] a bishop or an archbishop could lead his townsmen into a war. Between 1008 and 1046 wars which the Lombard cities undertook against one another gave the citizens a lesson of priceless value by teaching them to estimate military training at its proper worth.

Northern Italy, 1075-1150.

In 1075 Pope Gregory the Seventh began his great assault on the authority of the Kaisers. While the Kaiser Henry the Fourth was striving to save himself from the Popes and their allies, he could no longer give steady support to his counts in Italy: from 1100 or soon afterwards counts ceased to rule in the towns, and in those towns of which we have records their place was taken by magistrates called consuls who were elected

[1] All this is proved by the documents in Muratori, *Antiquit. Ital.*, Dissert. 8 and Dissert. 6.

by the citizens or by some part of the citizens. The number of the consuls varied greatly from town to town, and probably their attributions may have varied also. But everywhere the existence of the consuls proclaimed the independence of the towns: everywhere the elected magistrates were judges in trials and suits and leaders of the townsmen in wars. Between 1107 and 1127 quarrels between groups of Lombard cities gave their inhabitants plenty of experience in the arts of offence and defence, and made them the more capable of maintaining their independence in case of need against any Kaiser who might desire to meddle with them.

By the year 1150 the towns of Lombardy had gained practical independence but had not yet made their independence permanently secure. From this time forth the history of the inland towns in Italy falls into three periods which may be thus distinguished:—

Periods in the history of the inland towns.

PERIOD I. 1154-1268. Wars brought into Italy by Kaisers or Popes.

PERIOD II. 1268-1494. Infrequency of wars between inland cities waged by citizens.

PERIOD III. 1494-1530. Subjugation of the inland towns.

PERIOD I. 1154-1268. WARS BROUGHT INTO ITALY BY KAISERS OR POPES

Ever since 1075 wars had often been caused by rivalries between Kaisers and Popes: from 1154 the cities of Italy took an active part in them. In Germany from 1125 onward the two most powerful princely families were the Swabian house of Hohenstaufen (whose castle of Waiblingen, near the place where Stuttgart has since grown up, attained accidental notoriety), and the Bavarian house of Welf or Guelf. In 1152 Frederic

Wars of Frederic Barbarossa, 1154-1183.

Barbarossa, head of the Hohenstaufer, was elected Kaiser, and two years later he tried to be master of the cities of Lombardy. In the wars that ensued and lasted till 1183 Frederic was supported by the greater part of the German princes and peoples: he was opposed in arms by nearly all the Lombard cities under the patronage of several successive Popes, and was quietly thwarted by Henry the Lion, Duke of Bavaria and Saxony, and head of the house of Guelf. In 1176 Frederic was badly defeated at Legnano, and in 1183 in a treaty made at Constance he recognised the independence of the Lombard cities.

After 1183 Barbarossa let Italy alone. His son Henry the Sixth was not only Kaiser by election and coronation but was also husband of Constance queen by birth of Naples and Sicily. When Henry in 1189 tried to rule his wife's dominions, the Sicilians took as their king Tancred, who though not born in wedlock was son of one of their princes and had no foreign blood in his veins. Hence Henry through his short reign of eight years was employed in trying to gain the submission of his southern subjects, and gave no trouble to any of the Italian townsmen except the Genoese, whom he beguiled in a fraudulent bargain. From Henry's death in 1197 there was never a strong Kaiser in Germany till 1218, and the German peoples were too much divided at home to meddle with Italy. But in 1218 Frederic the Second, grandson of Barbarossa, having been king of Naples and Sicily since 1197, gained undisputed authority in Germany. Till 1220 German affairs detained him to the north of the Alps: but then he began to reside in Italy, and employed himself till 1236 in giving good government to his many peoples in Naples and Sicily, except during eighteen months in 1226 and 1227 when he went on a crusade to Palestine.

Comparative quiescence, 1183-1237.

In 1237 Frederic, being strong in the affection felt for him by his Neapolitan peoples and being supported by most of the towns and nobles of north eastern Italy, made the grievous error of trying to become master of the Lombard cities. This folly gave Pope Gregory the Ninth a grip on him which a subsequent Pope Innocent the Fourth made tighter. In the great war which ensued from 1237 to 1250 Frederic drew his strength from Naples and Sicily, from the eastern inland towns except Bologna, Parma, and Faenza, and from alliance with the family of da Romano, which till about 1226 had owned not much more than some fiefs of rural land near Treviso and Vicenza, but had since then established a tyrannis in Treviso, Vicenza, and Verona. The Popes were upheld by the cities of western Italy except Cremona and Pisa, and they drew large revenues by persuasion from Henry the Third of England and by extortion from the English clergy:[1] Innocent the Fourth gained the countenance of a council of prelates at Lyons in 1245 when he declared that Frederic was no longer to be king in Germany, or Kaiser in Germany and Italy, or king of Naples and Sicily. Frederic when he died in 1250 had little authority except in southern Italy, and four years after his death the empire founded by Charlemagne came to an end.[2]

Wars of the Popes against Frederic the Second, 1237-1250.

During the wars waged in Italy from 1237 to 1250 the adherents of the Hohenstaufer called themselves Ghibelines by corruption of the name Waiblingen, and the supporters of the Popes called themselves Guelfs.[3] Frederic was followed

[1] See especially Matth. Paris, *Chron. Maj.*, ad ann. 1245, in Rolls Series, vol. 4, 416-422.

[2] Kington, *Frederic the Second*, cites the authorities for the wars of the Popes against Frederic. Salimbene, printed in *Docum. Parmam et Placentiam tangentia*, should be read first.

[3] See p. 357.

in his titles of German king and Kaiser, and king of Naples and Sicily by his son Conrad, who only survived him by four years: soon after Conrad's death in 1254 his half brother Manfred, son of Frederic by a Neapolitan or Sicilian concubine from the family of the di Lancia, proved himself a most capable leader of the Ghibelines of the south. By 1256 he was master of Naples and Sicily, and in 1260 he helped the Ghibeline nobles of Tuscany to win from the Guelfs of Florence the battle of Montaperto, a little north of Siena, which as Dante says *fece l'Arbia colorata in rosso.*[1] In 1263 Pope Urban the Fourth, a Frenchman, son of a cobbler at Troyes, granted the kingdoms of Naples and Sicily to Charles d'Anjou, brother to Louis the Ninth of France.[2] Charles came, defeated and slew Manfred at the battle of Benevento, got possession of his kingdoms, ordered in 1268 the execution of young Conradin, grandson of Frederic the Second and the last of the Hohenstaufer, and soon became the strongest sovereign in the Italian peninsula.

End of the Hohenstaufen dynasty.

During the wars between the Popes and the Kaisers about twenty five inland cities of some importance were governed by magistrates of their own choice. These cities, whenever hostile armies came near them, could only be defended by the combined efforts of all their citizens: hence in times of danger their governments were such as gave satisfaction to all orders in their bodies politic. Their magistrates chosen by many electors were usually called consuls: many cities had also a podestà, who was never a native of the city in which he bore rule, and was usually *electus ad brevia,* or chosen by a commission of three citizens or not many more to whom *brevia* or written

Governments of inland cities to 1267.

[1] Milman, *Lat. Christ.*, Book XI. ch. 2; Perrens, *Hist. de Florence*, 1. 495-505; Dante, *Inferno*, 10. 85.

[2] Muratori, *R.I.S.*, 18. 274 D; Milman, *Lat. Christ.*, Book XI. ch. 3.

authorisations had been sent:[1] the business of a podestà commonly consisted in supervising foreign relations, in acting as supreme judge, and sometimes in leading the citizens when they went forth to fight. But, if there were no foreign foes to fear, strife often broke out between the nobles and the humble citizens. Thus during the comparatively peaceful period from 1183 to 1237 small civil wars between the orders broke out in Faenza, Brescia, Milan, Piacenza, Modena, Cremona, and Bologna: and again after 1238 when the cities in Lombardy were freed from fear of Frederic and of Eccelin da Romano civic discord was so violent in Milan that the citizens in several successive years chose members of the family of della Torre to be captains of the people, and to enjoy a sovereignty not very different from that which tyranni had possessed in ancient Greece.[2]

Period II. 1268-1494. Infrequency of wars between inland cities waged by citizens

After 1268 the citizens of inland cities generally abstained from fighting outside their own territories, being too much occupied in commercial pursuits to care for an increase of their rural lands. Hence they had no pressing need for keeping any armed forces. In the cities of the valley of the Po and around it we do not read of citizens armed and enrolled in trained bands: but some of the cities of central Italy, especially Bologna and Florence, had a good civic militia. Thus it came about in the valley of the Po that when dissensions arose within the cities or in the rural districts belonging to them, the townsmen properly so called had no force with which

Inland cities of Italy, 1268-1494.

[1] Elections to the office of podestà for Siena about 1237-1243 are described in documents printed in *Archivio Storico Italiano* for 1866, Part 2, pages 8 and 47-51.

[2] Hallam, *Mid. Ages*, 1. 399 and 411.

to oppose any hired professional soldiers who might be brought among them by demagogues or other ambitious citizens, and fell about the year 1300 or not much later under the rule of tyranni: Bologna and Florence, having good companies of men usually employed in industrial work but ready to act in defence of their liberties, expelled or kept out professional soldiers from their territories. Without professional soldiers there can be no tyrannis: Bologna and Florence lived under civilian governments, and the lesser cities around them, Siena, Pistoia, Arezzo, Perugia, were able, partly through the influence of Bologna and Florence, and partly through the policy of the Popes, to follow their example and to maintain governments of a like character.

Cities of northern Italy, 1268-1494.

About the cities of northern Italy there is little to say. Each city had its tyrannus: but by 1350 only five tyranni reigning in Milan, Ferrara, Verona, Padua, Mantua were independent: most of the lesser tyranni were under the suzerainty of the Visconti of Milan, but some few were under the della Scala of Verona.

Cities of central Italy, 1268-1494.

As the companies of militia at Bologna and Florence gave a distinctive tone to the governments of their own cities, and helped to give a like tone to the governments in the lesser cities around, I think it well to explain how they came into existence. Bologna bore the brunt of the wars of Frederic the Second from 1238 to 1250 against the Guelfs, and during those wars drew its strength mainly from its bands of civilians trained to fight on occasion.[1] Between 1250 and 1268 the Bolognese militia compelled the city of Imola to become dependent on Bologna:[2] after 1268 the citizens of Bologna relied on

[1] *Cron. di Bologna* ad ann. 1239 in Muratori, *R.I.S.*, 18. 260 D.

[2] *Ibid.*, 275 D and 276 A.

their civic militia to keep their rural vassals obedient to their urban government. Florence took so little part in the wars against Frederic that its citizens did not feel any need of a civic militia for defence against the Kaiser: but during those wars many of the Ghibelines of Tuscany and Florence devoted themselves to military service on behalf of Frederic, and became almost as much professional knights and men at arms as the petty vassals in countries north of the Alps. In 1248 these Ghibeline warriors got possession of the city of Florence by force of arms: in 1250 the Guelfs, being far more numerous than their adversaries, regained the government and immediately established a civic militia, which thenceforward was ready to contend against the Ghibelines and which finally vanquished them in 1289 at Campaldino.[1]

Among the governments of the cities of central Italy the various kinds of governments that prevailed in Florence have alone attracted the attention of many competent critics, and about them alone it is easy for any ordinary reader to form a judgment. Hence it is that only Florentine governments will be described in some detail: a few words may also be added on the nature of the governments of Bologna.

Florence and Bologna the best known inland cities.

Before the end of the twelfth century Florence was already an industrial city with trade guilds: for in a document of 1193 we read of *septem rectores qui sunt super capitibus artium*.[2] By the same time its citizens had made an imperfect conquest of the castles belonging to noblemen within a radius of about fifteen miles from its walls: some they had demolished, but others remained to annoy them. After 1200 they were largely employed in holding the ground they had got and

Florence to 1250.

[1] Perrens, *Hist. de Florence*, 1. 310-337.

[2] Quoted by Perrens, *Hist. de Florence*, 1. 204 *n.*

in trying to get more, and their body politic in its widest sense was partly urban and partly rural. They were by no means free from wars with neighbouring cities, especially Siena, and their methods of government were such as became a city whose citizens were compelled to be patriots. Their magistrates who managed the routine of government were called *consoli* till 1232 and afterwards *anziani*:[1] above these was a podestà chosen from outside of Florence to be judge in suits or trials of great consequence and to command the armies of the commonwealth.

Feuds of Ghibelines and Guelfs in Tuscany, 1260-1267.

After the death of Frederic the Second the Ghibelines had no longer a strong Kaiser as their leader, and the Guelfs had no longer a strong Kaiser to contend against. Since the two parties were no longer engaged in a contest about an imperial question of world wide interest, they began to degenerate into local factions. It is hard to be certain how the two factions were composed in Tuscany: but it seems likely that those Florentines who had estates outside the city and wished to be local rural lords were Ghibelines, and those who cared more for their interests within the walls and for the productiveness of industry were Guelfs. The two factions contended with extraordinary bitterness. In 1260 the Ghibelines after winning the battle of Montaperto with Manfred's aid thought of levelling the walls of Florence with the ground, but at the desire of Farinata degli Uberti, who was of their number, contented themselves with driving the leaders of the Guelfs into exile. In 1267 the Guelfs being restored by Charles d'Anjou banished the Ghibelines and confiscated their property. One third of the confiscations they gave to the government of Florence, one third to persons whom the Ghibelines had injured, and the remaining third they took as a permanent endowment for the

[1] Perrens, *Hist. Flor.*, 1. 282.

Guelf party to which they belonged. In consequence of this last measure the Parte Guelfa became a state within the state no less than the Plebs had been in ancient Rome.

Supremacy of the Guelfs in Florence from 1267.

The victors in 1267 were the townsmen who cared about their industries: the vanquished were mainly rich men who lived indeed within the city, but took interest in their estates of land in the *contado*,[1] or rural districts, and preferred fighting to weaving or pounding drugs. The Ghibelines, as soon as they were driven into exile in 1267 by Charles d'Anjou, scattered themselves in many Italian cities and became a formidable band of external foes to the Guelfs. Hence for some years the Guelfs at home kept their old form of government under anziani and a podestà, which conduced in some degree to military efficiency: in 1280 they were induced by the persuasion of Pope Nicholas the Third and his nephew Cardinal Latino to let some of the Ghibelines return, and gave them six places on the board of fourteen anziani. But the two factions could not act together, and from 1282 there were no Ghibelines in Florence or its territory. Seven years later the exiles on making one last attempt to gain their restoration by force of arms were severely defeated at Campaldino, and thus in 1289 Florence was a purely Guelfic city.

Classes at Florence, 1267.

After the expulsion of the Ghibelines in 1267 the contado lost all its importance and Florence was nearly as much a simple city state as Athens had been after the death of Perikles. But the classes at Florence were not so few as they had been at Athens. In Athens there were only the poor citizens, and the rich citizens, and the slaves. In Florence there were no slaves

[1] Contado = comitatus. The word proves that in the days before 1100 Florence had had a count as ruler.

and the workers were poor citizens. Hence it came about that the Florentine community was divided into many classes defined by their employments. There was to begin with a small class of *nobili*, and many other classes all embraced under the one collective name *popolini* or commoners. The word *nobile* is not explained so far as I know in any document of the thirteenth century: in the fourteenth any Guelf was nobile if the heads of his family in two or three generations had attained the honour of knighthood. Probably the definition of a nobile was much the same in the thirteenth century as in the next: for the nobili before 1300 gave much trouble by disorderly violence. The popolani were commercial or industrial or professional. Those popolani who had enough capital to manage a business were divided into twenty one[1] arts or trade guilds: and the rich men who rose to eminence in their guilds were *popolani grassi*. Of the poor those who had no capital worked for wages. It seems clear that they worked in their own homes, and were therefore paid by the piece: if they had worked in great factories, their gatherings in their workshops must have been mentioned in some of the many narratives that have been preserved of faction fights in the streets and squares: the *bottiche* (in French *boutiques*) to which reference is so frequently made were I believe only warehouses in which raw material was kept and from which it was distributed among the craftsmen, who worked on it at their homes and carried the finished job back to the *bottica* from which the raw material had been issued. Those poor citizens who had some savings occupied a humble position as master workmen in a guild.

In 1282 the Florentines abolished the board of anziani and entrusted their government to six men called *Priori*,

[1] The arts are enumerated in a document of 1292 printed in *Arch. Stor. Ital.* for 1855, vol. 1, p. 38.

who had risen to the top of the six greater arts.[1] The greatest of these arts was the Calimala, which imported coarse woollen cloth from Flanders and remade it into a glossy fabric: the next five were the silk workers, the furriers, the money changers, the apothecaries, and the *arte di lana*, consisting of those wool workers who were not in the Calimala. The lawyers had a guild as powerful as any of the six, but they got no place in the government, because they had so much influence in advising the Priori. Each board of Priori sat for two months only, and no man could be re-elected as a Priore till after an interval of two years. The outgoing Priori, together with a few friends whom they invited to advise them, appointed their successors.

Government of the seven greater arts, 1282-1292.

Beside the Priori there were for police and justice a podestà and a captain of the people: for approving new laws or resolutions there were five councils, and no new law took effect till it had been sanctioned by all the five councils. But the largest of the councils had only a hundred members: and there is nothing to prove that any man was forbidden to be a member of all five councils at once. On very rare occasions the Priori, after a new law had been approved by all the five councils, laid it before a general assembly of the citizens gathered in a Parlamento: but when a Parlamento met it was a general rule that no proposal could be made except by the governing body of an art, and it was only by special indulgence that the president of a Parlamento in 1285 declared that any citizen might speak his

Subsidiary parts of the government, 1282-1292.

[1] From 1282 to 1348 my chief authority for Florentine history is Giovanni Villani, one of the best, if not the very best, of all mediæval historians. The text of Villani in Muratori, *R.I.S.*, strikes me as being often very corrupt: I have used the version given in *Biblioteca classica Italiana*, because it is always intelligible: but I do not know what critical process was used in making it.

opinion.[1] The whole powers of government belonged to two or three hundred successful tradesmen; the rest of the citizens took no part in the choice of their rulers, and were habitually without any assembly. What happened within each art is not definitely stated, but a passage in Giovanni Villani seems to imply that the governors of an art called *consoli* were appointed by their predecessors.[2] Whatever was the method of choosing the *consoli* of an art, it is certain that they were chosen for their experience in commercial business and not for any other qualification.

Thus in 1282 all power was lodged nominally in the hands of the six greatest arts but really of seven, since the lawyers were as powerful as if they had had a Priore. For some years after 1282 the Priori tolerated the presence in the city of the nobili, because they had some dread of the Ghibelines in exile, and thought that the military prowess of the nobili Guelfi might be useful: but when the Ghibelines had been decisively defeated in 1289 at Campaldino, and the nobili in their fortified houses became dangerous to the tradesmen, they resolved to deal hardly with those nobili who were insubordinate. For this purpose they needed allies, and they found them in the five arts next below the seven which directed the government. With the help of the five middle arts they passed and enforced the famous *Ordinamenti di Giusticia*, and thereby reduced the nobili to impotence or to exile. The five middle arts were admitted to places on the board of Priori: but still the outgoing Priori and their

Government of the greater and middle arts, 1292-1342.

[1] *Minutes of a Parlamento*, Perrens, vol. 2, p. 474.

[2] Villani (10. 111.) tells us that in 1328, when the Florentines took to electing the Priori of the Republic by anticipation, the arts adopted the same method of choosing their *consoli*. If the method of electing *consoli* had previously been different from the process of choosing Priori, he could hardly have omitted to notice the difference. On anticipated elections see next page.

friends selected new Priori, and the government was still in the hands of a small number of wealthy tradesmen, and there was no assembly or large council of the citizens. Twenty new officers called gonfaloniers were appointed to command the militia of the city, and nineteen of them were permitted to hold office for the long period of six months: but they were elected like the Priori by the outgoing Priori with the aid of a few chosen friends. All magistrates and officers except nineteen gonfaloniers were changed on the middle day of every alternate month, and the precautions taken against giving any one experience in public business made government discontinuous and despicable. Dante, writing about 1308, saw this clearly enough when after admiring Virgil and Sordello for embracing one another because they were both Mantuans he pitied the Florentines for their wretched feuds, and at last exclaimed that Florence spent more trouble in ruling its life than Athens or Lacedæmon, but spun its clauses *providing always* so thin that, before mid November brought new Priori into office, October's gossamer no longer held.[1]

About 1316 a suspicion arose that the secret elections of magistrates were being manipulated by one count Battifolle so as to exclude men whom he disliked from the share that they expected in the prizes of office. In order that all commercial magnates at the top of the twelve privileged arts might get their due share of meddling in the government, the Florentines resolved in and after 1324 that all the office bearers for two years or more should be elected at once, and all the men chosen should come into office in an order to be determined subsequently by drawing lots. From 1328, when the new system was in full working order, an election was held in January in every alternate year: a board of 216 men drawn from the twelve privileged

Anticipated elections.

[1] *Purgatorio*, canto 6, especially the last twelve lines.

arts selected from those same arts 442 prospective office bearers. Every two months thirty six men taken by lot from the 442 became rulers of the commonwealth.

Between 1300 and 1325 the companies of civic militia in Florence and in most other cities of central Italy became less and less capable of going through a campaign in the open country. In Florence, and in most other cities where the civilians governed, the tradesmen and artisans could keep within their gates and shoot missiles from their walls, but there were no professional soldiers fit for service in the field. In the cities of Lombardy the tyranni kept some body guards merely to protect them from their own subjects, and these body guards were trained soldiers, but they were not drawn from the subjects whom they were intended to control, and their numbers were small.

Decline of citizen armies, 1300-1325.

In a rich country whose inhabitants are too effeminate to defend themselves it is usually a profitable trade to be a master of trained warriors and to let them out for hire. In Italy men of enterprising mind saw their opportunity and induced soldiers of fortune to follow their banners for pay and for hope of plunder. Men who kept private armies as a speculative business were afterwards known in Italy as *condottieri*, and I will give them that name even in the fourteenth century, though I do not remember whether it was then in use. In 1320 a condottiere named Castruccio Castracani made himself master of his native city Lucca, only thirty miles from Florence. In 1325 the tradesmen and hand workers from Florence marched out against him and were badly defeated. Thenceforward no city of Tuscany thought of waging a war in reliance on its own citizens only. In a war of 1341 between Florence and Pisa the Florentines hired mercenaries from thirteen neighbouring cities under civilian

Condottieri and mercenary armies.

government: the Pisans got troops from the tyrants of northern Italy.[1] Both armies were bad, but the men hired by Florence were the worse, and were worse commanded: when they had victory in their hands they took fright and ran away.

The Pisans and their allies won a victory but had no intention of doing more than making the Florentines harmless, or perhaps compelling them to pay some money, of which they had plenty. To the Florentines their defeat would have been trivial if they had had any manly courage, but they had none. In their terror they took as tyrant Walter de Brienne, a French adventurer, who had married a niece of Robert King of Naples, and was called Duke of Athens.

Tyranny at Florence, 1342-1343.

After about eighteen months Walter de Brienne was intolerable to all classes except his favourites, and all classes combined to expel him. After they were rid of him, the seven greater arts in 1343 made an attempt to admit the *nobili*, who since 1292 had been disqualified for office, to some share of influence, hoping, we may conjecture, that they might infuse a little martial courage into the citizens. Hereupon the nine lowest arts, which had never had any share in the government, stirred the hand workers to revolt, burned palaces of nobles, and insisted on having places among the Priori. A board of eight Priori was established: the nine lowest arts had three seats, the five middle arts had three, and the greatest arts had only two. Giovanni Villani says explicitly that power belonged to the *mediani*, that is to say to the middle and the lowest arts. From 1343 to 1358 the rulers of the city were even more timid and incapable than any of their predecessors.

Government of the middle and lesser arts, 1343-1358.

But from 1343 the popolani grassi of the greater arts

[1] Perrens, *Hist. Flor.*, 4. 230-232, especially 232 *n.* 4.

were discontented at having only two seats among the Priori, and preferred to act as members rather of the Parte Guelfa than of the Florentine commonwealth. In order to strengthen the Parte Guelfa they brought back into use the word Ghibeline. What the word meant no one could say. It had till 1268 meant an adherent of the Hohenstaufer, and afterwards an adherent of nobles who were powerful in the contado. But since 1268 there were no Hohenstaufer, and since 1289 there were no country nobles. It is perhaps just possible that in 1343 it was thought applicable to any one who favoured the tyrants in the Lombard cities. But in 1346 the popolani grassi got a pretext for using it in its old sense to denote a partisan of a Kaiser: for then Karl the Fourth, hereditary king of Bohemia and elected king of Germany, resolved that next year he would march into Italy and be crowned emperor. In January 1347 the popolani grassi persuaded the Priori to propose and the councils to sanction a new law against Ghibelines. The law ran that every one who since 1300 had been a Ghibeline, or was descended in a male line from any one who since that date had been a Ghibeline, should be disqualified from bearing office, and if he took it should pay a very heavy fine. In 1358 the captains of the Parte Guelfa, which was then managed by popolani grassi, accused candidates for office of Ghibeline proclivities or of Ghibeline descent, and got twenty three convictions. From 1358 to 1375 they deterred any man whom they disliked from seeking office by sending him a warning (*ammonizione*) that if he sought it he would be accused of being a Ghibeline, and by this simple process enjoyed for seventeen years complete control over the rulers of the city.

The captains of the Parte Guelfa, 1358-1375.

We do not know precisely how the succession to the captaincies in the Parte Guelfa was regulated. In 1335 the

Parte Guelfa had resolved that the captains should bear office only for two months at a time, but provided a means by which those who had once served well should be sure of returning frequently to the captaincy.[1] After 1358 it seems likely that the captains may have been practically permanent officials: they were certainly not so cowardly as the Priori. Their mercenaries in 1362 seized the chain of the Porto Pisano which still adorns the walls of the Baptistery at Florence: in 1363 nine thousand citizens of Florence actually marched a mile or two outside their city walls and so astonished an army of mercenaries hired by Pisa that it ran away. But the authority of the captains rested solely on their practice of frightening men with menaces of false accusations, and its foundations might easily be shaken.

Comparatively vigorous government of the captains.

By the year 1375 many classes among the Florentines disliked the usurped power of the captains. The lesser and middle arts had always hated them, because the ammonizioni were most commonly addressed to their members: many of the popolani grassi had suffered in like manner, and there was a general opposition between the arts and the captains. The attitude of the hand workers who were not members of any art was uncertain: they disliked both the captains and the rulers of the greater arts, but it was doubtful which they disliked the more heartily. They numbered certainly thirteen thousand and probably more: nine thousand employed by members of the arte di lana were known by the name *ciompi*, of which the derivation is uncertain, and hence the handicraftsmen generally were often called ciompi. The chief grievance of the hand workers was that all questions regarding their pay were decided by a judge nominated by the art under which

Discontent of the arts and the hand workers.

[1] The constitution of the Parte made in 1335 is printed in *Giornale storico degli archivi Toscani*, Jan.–March, 1857. See Perrens, 4. 483 foll.

they served, and might therefore be decided unfairly: they desired to form arts of their own with judges of their own and a share in the government.

Board of eight ministers for war.

From 1375 to 1378 Pope Gregory the Eleventh, a Frenchman but resident in Rome, waged a senseless war by means of his mercenaries against the mercenaries in the pay of Florence. As the Popes were by tradition patrons of the Parte Guelfa, the war against Gregory could not conveniently be conducted by the captains. As far back as 1362 there had been at Florence a board of eight charged with the superintendence of the mercenaries, and called *Gli Otto della Guerra*.[1] In 1375 the Florentines elected a new board for managing the same business and gave them large powers. The Eight, having to attend to work that affected the whole commonwealth, and remaining continuously in office, were by far the best rulers that the Florentines had ever known, and were popularly called Gli Otto Santi, the Eight Holy Men. When the war ended the Eight quietly laid down their powers, and the captains issued ammonizioni more recklessly than ever: but the citizens had seen that among the Eight there were men who could be trusted, and among the captains and their henchmen the Priori there were none.

The ciompi.

The men among the Eight in whom the citizens put most confidence were four members of greater arts belonging to the houses of Medici, Alberti, Strozzi, and Scali. Two of these men proposed most moderate new laws, intended to set some small check on the caprices of the captains. An attempt was made by the captains to get the laws rejected, but the ciompi formed a mob to surround the council chamber, got the laws passed, and burned the houses of the captains.

[1] Matteo Villani, Book XI. ch. 10.

The ciompi insisted that they should be recognised as an art, and that the Priori should abdicate: then, acting on a sudden impulse, they chose Michel di Lando, a humble woolcomber, to be their gonfalonier, and to direct their measures. He turned out to be the only courageous ruler that Florence ever produced. He first induced his comrades to recognise some well-known citizens as his councillors: and it seems to me that it would have been a happy thing for Florence if he had stopped there and ruled with his council till he had established a government with some strength at its back. He was, however, so free from personal ambition that he called a Parlamento which gave *balia* or plenary power to a small group of men to form a provisional government. Those men who worked for hire but were not ciompi under the arte di lana were made into two new guilds, making twenty four guilds in all. Then a bad blunder was made: a board of nine Priori was appointed, without any provision for lengthening their term of office or ensuring that they should not be, as all Priori hitherto had been, afraid of their successors. Four labourers were chosen, three from the lesser and middle arts, and only two from the popolani grassi. Michel himself was continued in his office of gonfalonier, which gave him a place at the board of Priori.

Michel di Lando, 1378.

The arte di lana was indignant because only two Priori had been chosen from the greater arts, and locked out the handicraftsmen from its *bottiche*. The workmen took arms and set up a separate government of their own at Santa Maria Novella, in opposition to Michel and his Priori at the Palace. When the government of the workmen demanded that eight of its members should be admitted to sit as equals with the Priori, the nine Priori tamely assented: but Michel went forth sword in hand on to the Piazza, and finding support from

Michel di Lando in conflict with the ciompi.

men who belonged to the twenty one old trade guilds scattered the ciompi and drove their leaders into the contado.

The error that had been committed in setting up the board of nine Priori with no force behind them could not be undone, and the great revolt of the ciompi produced no permanent improvement in the government: nothing probably would have done any good except an external war so serious as to compel the effeminate citizens to act like men, and shed their blood if need be in defence of their *botticlie*. After 1378 the Priori were even more easily managed than their predecessors, and a few very rich men were able to manipulate elections and law making, without pretending as the captains had done, that they were acting as patriots on behalf of the Parte Guelfa. Thus the power of the trade guilds came to an end. From 1393 power belonged now to an Albizzi, now to a Medici, now to a Ricci: in 1434 Cosimo di Medici returned from exile and for the rest of his life was master of the commonwealth. After his death in 1464 his power was handed on to his son and then to his two grandsons: all the Medici till 1494 ruled as mild tyranni after the manner of Peisistratus.

Tyrannis, 1434-1494.

Bologna like Florence was an industrial city, but from 1237 to 1250 it needed to protect itself against the Kaiser Frederic the Second, and from about 1275 for two generations feared attack from a Visconti at Milan or a della Scala at Verona. Hence its citizens were soldiers as well as traders: moreover they took as much pride in their great university of jurists as in their commercial prosperity, and they did not treat their contado as a negligible quantity.[1] They had trade guilds called

Bologna.

[1] The chief authorities for Bologna are *Cron. di Bologna* in Muratori, *R.I.S.*, vol. 18, and Gaudenzi, *Statuti di Bologna*, published in 1888.

societates artium, but they had also *societates armorum*, or *societates pro armis*.[1] They had a board of anziani et consules drawn from their societates, which conducted the daily business of government, but they had also a podestà and a captain of the people and a council of eight hundred, and a council of the whole people:[2] when serious disputes arose they were decided by the podestà with the council of the people.[3] In 1274 the Bolognese expelled the family of the Lambertazzi, the heads of the Ghibelines in the city,[4] but did not exclude all nobili from influence, as the Florentines did eighteen years later. The nobili, being allowed to remain in the city and to get a large share of power, brought them to distress and weakness on several occasions in the next half century: and after about 1325 the citizens were so much alarmed at the power of the Visconti at Milan, of the della Scala at Verona, and of Castruccio Castracani at Lucca, that they took a force of mercenaries, mainly Germans, into their service. In 1337 Taddeo di Pepoli, having gained great popularity among the poorer citizens and also with the mercenaries, forcibly assumed the position of Signor of the city. He took precautions for his personal safety, keeping a guard of mercenaries in barracks that he made in the middle of the city, and building himself a palace near the Via Cavalleria, which still retains its name: but his government was effective, and seems to have been far less unfair and vexatious than any of the many different kinds of government which existed in Florence while he ruled over Bologna.[5]

[1] The clearest list of the *societates artium et armorum* is that for 1292, given in Gaudenzi, 207, and following pages. *Societates pro armis* are mentioned, 246, 247.

[2] Gaudenzi, 113.

[3] *Cron. di Bologna*, passim.

[4] Gaudenzi, 52, 53.

[5] All these details about Taddeo di Pepoli are taken direct from the interesting narrative in the *Cron. di Bologna*, in Muratori, *R.I.S.*, vol. 18.

The cities in the valleys of the Po and the Adige may next engage our attention for a few moments. Till about 1300 most of them were torn with internal dissensions: after that ambitious citizens established in them purely urban tyrannies, somewhat different from the tyrannies which Eccelin da Romano had established between 1226 and 1237 in Treviso, Vicenza and Verona. Eccelin had drawn his strength at least in part from his petty vassals who lived on his country fiefs: the new tyrannies after 1300 were upheld by bands of mercenaries enrolled from outside the cities, but quartered in the cities to protect their masters. The tyrants were as good rulers as their effeminate subjects deserved: many of them were lords of large groups of cities for many generations. The most powerful dynasties were those of the Visconti and their descendants the Sforzas at Milan, and the della Scala at Verona.

Tyranni in northern Italy.

Both in the valley of the Po and in central Italy the only men who could fight a battle in an open field were the mercenaries, among whom few were of Italian extraction. The cities near the Alps had their mercenaries within their walls: the cities about the Apennine range except Bologna after 1337 kept them outside. Neither the princes in the north nor the citizens in Tuscany could wage any really remunerative wars because their armies were composed of mercenaries and could not be trusted: but both princes and peoples constantly conceived hopes that they could undertake a war with profit: and consequently they formed numberless vain leagues and alliances. Diplomatic correspondence was carried on more actively during the fourteenth century in Italy, and treaties were made in greater abundance, than ever before in the world's history.

Few wars: innumerable alliances.

PERIOD III. 1494–1530. SUBJUGATION OF THE INLAND CITIES

From 1494 till 1530 Italy was often attacked by external aggressors. An invasion by Charles the Eighth of France in 1494 produced no considerable transfers of territory. At the end of 1499 Louis the Twelfth of France conquered Milan and the cities dependent on it and held them for twelve years. In 1501 Louis agreed with Ferdinand of Aragon to join with him in an attack on Naples on condition that the two partners in the enterprise should divide the conquered territory. They overran all the Neapolitan kingdom and each took half: but Ferdinand of Aragon had a great advantage over his confederate. Louis could not send a fresh army from France to Naples except by a long and toilsome march across the Alps and the Apennines: Ferdinand could send reinforcements from his kingdom of Sicily close at hand, or at worst by a sea voyage of only about seven hundred miles from Barcelona. The Spanish commander in South Italy, Gonsalvo de Cordova, *el Gran Capitan*, was stronger than the French, and by 1503 he had secured the whole of the Neapolitan dominions for his master Ferdinand. In 1512 Louis the Twelfth lost the Milanese territory, and it went to Maximilian Sforza, son of the last native Milanese duke: but in 1515 Francis the First of France recovered it and was holding it when Charles heir of the dukes of Burgundy and of the Austrian Habsburgs and of the sovereigns of Castile and Aragon and Sicily and Naples entered into possession of all his dominions, and in 1520 acquired also the titles of German King and Kaiser.

Invasions of Italy, 1494-1515.

In 1522 Charles began competing with the king of France for the mastery over northern Italy. The townsmen of the

inland cities had completely lost the practice of defending themselves in arms, and the men of each city were so jealous of other cities that they would not join with them in firm alliance. Thus the cities of Italy were as helpless as the Greek cities had been in the presence of Philip of Macedonia, and from the same causes: it was therefore certain that one or other of the two external powers would be their master. Charles had the great advantage of a strong advanced position in the kingdom of Naples: he drew a large revenue from the prosperous trade of the townsmen in the Netherlands, and he had a far larger recruiting ground in his own territories than his opponent. By 1530 he was master of the inland cities: Milan and its dependent towns he annexed to his own dominions; the other inland cities he gave to princes whom he expected to obey his orders.

Conquest of the inland towns, 1522-1530.

During the fifteenth century and till 1515, when Francis the First marched across the Alps, treaties and alliances were made by cities or by tyrants of cities even more frequently than in the fourteenth century. In the process of making the treaties or of considering the rights which they conferred on the contracting parties, it is probable that the diplomatic agents or the advisers of rulers needed some word that would denote equally well any of the contracting parties to a treaty; it is certain that they took into use the word *stato*, and could denote by it either a city or a kingdom, either a republican government or a despotic ruler. Machiavelli the first author of conspicuous genius who employs the word was himself employed more frequently in negotiating treaties than any of his contemporaries.

The word 'stato.'

It is not obvious how the word *stato* acquired its new meaning: but an attempt may be made to trace its history. The Roman jurists from the age of the Antonines used the

terms *status liberi hominis, status libertini* to denote the rights and obligations inherent in all freeborn men or in all freedmen, apart from any rights which a particular freeborn man or freedman might have acquired under contracts of his own making and from any obligations which he might have incurred by contracts.[1] From the fifth century to the end of the eleventh the works of the Roman jurists were unknown in western Europe except possibly to a few scholars, and during that interval I have not observed that the word *status* was used in any technical sense. Early in the twelfth century Ivo of Chartres, who died in 1117, was acquainted with some passages from Roman lawyers which are contained in Justinian's *Digest*. About the middle of the twelfth century a copy of nearly the whole *Digest* was discovered. From that time the study of the Roman law was revived at Bologna, at Paris, and elsewhere. From passages which I proceed to cite it will be seen that from the middle of the thirteenth century *status* could denote rights inherent in a person or a class, and that in the fourteenth it was transferred to mean a class or a community in which distinctive rights were inherent.

The word 'status': Roman usage.

In 1244 Pope Innocent the Fourth, in a sentence so long that towards the end of it he forgot what grammatical construction he had intended to give it, speaks of the *status et honor* of the English prelates: and in the same year a council of English barons, when they order that those persons whose liberties have been infringed since the last charter shall recover their rights, say *Status eorum reformetur*.[2] In 1301 the English barons

Mediæval usages of the word status.

[1] Passages from early jurists in Justinian, *Digest*, l. 5., 'De Statu Hominum.'

[2] Matth. Paris, *Cron. Maj.*, Rolls Series, vol. 4, p. 364, five lines from end, and p. 366, eight lines from end.

in the most important letter that they ever wrote, [illegible] Boniface the Eighth of the king's *status* and his *regia dignitas* in such a way as to show that the two terms are equivalent.[1] In 1339 Edward the Third in writing to Benedict the Twelfth who reigned at Avignon, speaks of *status regis suique populi.*[2] In 1357 the French king's son issued ordinances *De l'avis de nôtre grand conseil des états et des hommes des bonnes villes,* thus giving to the prelates and the nobles in the assembly of the states general the title of *états* or *status.*[3] In the resolution of the English Parliament which deposed Richard the Second the three orders in the Parliament call themselves *status regni* and twice more speak of *antedicti status* or *dicti status.*[4] Finally Machiavelli who died in 1527 frequently uses the word *stato* to denote either a community with an independent government of its own, or a government, or the territory owned by a tyrant or by a community.[5]

Cities in Germany.

In Germany as in Italy towns grew up and became independent during the Middle Ages. The histories of half a dozen German towns near the Rhine and the upper Danube have been investigated and collected by Wilhelm Arnold in his important work *Die Deutschen Freistädte.* These towns, among which were Strassburg, Mainz, and Cologne, were founded by the Romans. After the Germans occupied the western empire of the Cæsars we hear little or nothing of them for three centuries and a half, and it is probable that they became

[1] Rishanger, Rolls Series, p. 209. Stubbs, *Const. Hist.*, § 181, enumerates in a note other places in which the letter is printed.

[2] Walsingham, Rolls Series, 1. 205, l. 11.

[3] Lavallée, *Hist. des Français*, 2. 40, from *Ordonnances des Rois de France.*

[4] Walsingham, 2. 236, 237.

[5] Besides passages cited in the margin of p. 3, see Machiavelli, *Istor. Fior.*, book 3, ch. 16, ch. 17. In *Il Principe*, ch. 5, *uno stato di pochi* is a translation of the Greek *oligarchia.* Therefore in this passage *stato* means merely government.

unimportant. But after the missionary Boniface in the eighth century had persuaded the Germans to the east of the Rhine to become Catholic Christians, the towns received bishops and came to life again. Till about 1300 they were ruled by their bishops or by officers whom the bishops appointed: but, inasmuch as they were surrounded by warlike secular princelets, the bishops could not forbid the townsmen the use of arms. From about 1400 the towns became independent of their bishops, and were ruled by trade guilds: but, since the townsmen were compelled on occasion to take up arms and defend themselves from external foes, they never fell, like the Lombard towns, under tyranni, nor, like Florence, under the arbitrary power of tradesmen devoid of courage and skill in governing.

In the towns of Italy individual citizens excelled both in arts and in literature: in the German towns were found painters, sculptors and workers in metal. Florence alone between 1300 and 1530 produced Dante, Giovanni Villani, Boccaccio, and Machiavelli: in all the rest of Europe the best writers within the same limits of time were Froissart, Chaucer, Malory, and Comines. The Flemish town of Bruges, which at times was almost independent, was the home of the painters John and Hubert Van Eyck; Nürnberg of Albrecht Dürer, of Adam Krafft, and of Peter Vischer. The painters born and bred in Italian cities were too many to enumerate, but it is certain that they have given more delight to the eyes of men than the painters of any other region at any time in the world's history. In the peoples of Europe that were not urban I do not know by name any master of an art who lived between 1300 and 1530 except Alan de Walsingham, the architect at Ely of the Lady Chapel and of Prior Craudene's Chapel and of the octagonal dome of the cathedral.

Literary and artistic excellence of mediæval townsmen.

As the inland towns in Italy were many and were collected in two groups whose histories were not alike, I think it well to exhibit the communities in a tabular form. The communities in the several towns are placed in abbreviated pedigrees, after the method that was adopted in the twelfth chapter in tabulating the Greek urban bodies politic and their governments.

General view of inland urban communities in mediæval Italy.

COMMUNITIES IN THE INLAND TOWNS OF MEDIÆVAL ITALY

COMMUNITIES.	GOVERNMENTS.
Group 1.—In Milan and in each of the other large inland towns of northern Italy.	
(*a*) Till 1237 a succession of communities, commercial but also warlike.	Consuls.
(*b*) After 1300 a succession of communities, purely commercial and effeminate.	Tyranni.
Group 2.—In towns of central Italy.	
(1) In Florence.	
(*a*) Till 1292 a succession of communities, industrial, commercial and warlike.	Anziani till 1282. Then six Priori, selected from the distinguished members of trades guilds by the outgoing Priori, and holding office only for two months.

COMMUNITIES IN THE INLAND TOWNS OF MEDIÆVAL ITALY.—*Continued.*

COMMUNITIES.	GOVERNMENTS.
(*b*) After 1320 a succession of communities purely commercial and industrial, and miserably effeminate.	Class governments of various sorts: (1) Heads of trades guilds. (2) Captains of the Parte Guelfa. (3) Mild tyrannis of the Medici family.
(2) In Bologna, which resembled Florence, but was more exposed to attack from outside.	
(*a*) Till 1300 a succession of communities equally attentive to commerce and to military excellence.	A podestà carefully chosen by commissioners, a large council, and a general council.
(*b*) After 1325 a succession of commercial and unwarlike communities.	Tyrannis, mild under Taddeo di Pepoli, from 1401 ordinary tyrannis under the Bentivogli.

CHAPTER XXII

MEDIÆVAL CITIES: (2) MARITIME CITIES POSSESSING IMPORTANT TERRITORY OUTSIDE THEIR WALLS

THE maritime cities of Italy in the Middle Ages were Venice, Genoa, and till 1284 Pisa: after 1284, when the Pisan fleet was destroyed by the Genoese off Meloria, Pisa differed but little from the inland cities. Hence Venice and Genoa are the only maritime cities that we need consider. Venice till the fourteenth century had no territory in Italy except the edges of its lagoons, and was entirely maritime. Genoa from its beginning cared almost as much for its lands in Italy as for its adventures on the sea. Genoa then stood in less sharp contrast than Venice with the inland cities discussed in my last chapter: for that reason Genoa shall next occupy our attention.

Genoa: progress to 1154.

Genoa has the only good natural harbour on the Ligurian coast, and on each side of the harbour it has a larger patch of fairly level ground than is to be found elsewhere in the neighbourhood. Hence it came about that the Genoese were powerful both ashore and afloat. Before 1100, when they began to employ an official historiographer,[1] they owned the

[1] From 1100 to 1293 the official annals printed in *Mon. Germ. Hist.*, vol. 18, are the authorities for Genoese history: after 1293 Georgio Stella in Muratori, *Rer. It. Script.* From these authorities all my statements are taken direct, except possibly a few relating to Pope Innocent the Fourth. My dates serve as references to the passages in the annals.

coast for twenty miles to the east of them as far as Chiavari, and to the west for ten miles as far as Volturi: the force that they sent in twenty six galleys and six sailing ships to join in the first Crusade was so strong that in 1100 the promise of its zealous support induced Baldwin to accept the kingdom of Jerusalem. In 1121 they purchased Vultabium (Voltaggio) which commands the pass over the Apennine range fifteen miles to the north of their city, and thus became masters of the hill country in their neighbourhood: in 1147-8 they joined in a crusade against the Moors of Almeria in Andalusia. Between 1100 and 1150 they also by bribing a Pope and some Papal officials gained some degree of control in the island of Corsica:[1] but it does not seem that their influence in the island was yet very important to them, because their annalists say little about it. In 1140 they built a fort at Vintimilia seventy miles to the west of Genoa, and thus they had a good prospect of acquiring the whole western Riviera. But in 1154 the advent of the Kaiser Frederic Barbarossa in Italy so strengthened the markgrafs around Vintimilia that in 1158 the Genoese were expelled from their fortress. From that time for half a century the acquisition of territory by the Genoese was checked by the influence of Hohenstaufen Kaisers.

Genoa: government, 1100-1190.

From 1100 till 1134 Genoa was divided into seven companies, seemingly local wards, after 1134 into eight companies. The companies elected consuls, but whether the men recognised as members of the companies and thus qualified to take part in elections were the rich only or included all classes is not stated by the annalists. Till 1190 consuls, whose number was not always the same, were governors of the city: they

[1] Caffaro, ad ann. 1123, pages 18-21, text and notes, in the edition of Caffaro by Belgrano in *Fonti per la Storia d'Italia*. This edition of Caffaro is more handy than the great folio volume 18 of *M. G. H.*

judged suits, initiated foreign policy, and often commanded in war. By 1190 the consuls were divided into *consules de communi*, conductors of the policy of the city, and *consules de placitis*, judges in suits and trials.

In 1189 Henry the Sixth, son of Barbarossa and Kaiser, became king of Sicily in the right of his wife Constance, but was opposed by the Sicilians under Tancred. In the next year he desired the help of the Genoese fleet for the reduction of the Sicilians, and in order to obtain it promised the Genoese that he would give them Syracuse and some other harbours. The Genoese agreed to help with their ships, and in 1191 in order to deal with their foreign affairs and their new responsibilities chose a podestà in lieu of the consules de communi. By 1194 Henry with the aid of the Genoese had got possession of Sicily, but he repudiated his promise in regard to Syracuse and the harbours, and treated Genoese merchants and seamen with extreme harshness, so that the official Genoese annalist of the time, Ottobon by name, says *Imperator erga civitatem Januæ nerozavit.* Thenceforward the Genoese were determined foes of the Hohenstaufen dynasty. From 1191 to 1216 they had sometimes a podestà, sometimes consules de communi: from 1196 onward in any year when there was a podestà there was also a board of eight Rectores who superintended finance and the fleet and the army.

Genoa, 1191-1216.

From 1214 a new Hohenstaufen Kaiser Frederic the Second was formidable to all his foes because his Guelf rival Otto the Fourth had been defeated by the French king at the battle of Bouvines: and it was not till 1256 that the Genoese were quite free from fear of the Hohenstaufen dynasty. From 1217 to 1256 the chief rulers of Genoa were always a podestà together with eight Rectores who were sometimes called Clavigeri or Octo Nobiles, and were

Genoa in the time of the Kaiser Frederic the Second and till 1256.

changed every year: on some occasions as in 1238 there was also a Plenum Concilium of forty eight men, to which each of the companies contributed six councillors. There was no lack of popular control over the government, since Genoa had a strong army of citizens: in 1234 the citizens enrolled as soldiers from the four companies 'towards the city' had one banner, and those from the four 'towards the burg' had another. Hence meetings of all the citizens in Parliaments were not unusual: one such meeting was held in 1238 and in 1241 there were four.

The period from 1237, when the Kaiser Frederic the Second undertook his war against the Lombard cities, till 1256 was, I believe, the happiest in the history of Genoa. The citizens were all kept in concord by fear of the Kaiser, and then for the first time but by no means for the last they gained a position of international importance: they gained that position because their ships afforded a means of communication between Italy and western Europe whenever the route through Lombardy and over the Alps was made impassable by the presence of hostile armies. During the contest between the Popes and Frederic the Second it was very desirable more than once that a Pope and the prelates of western Europe should meet together either in Rome or somewhere in Gaul for the purpose of cursing the Kaiser: when a Pope and the prelates of the west wished to meet, the Genoese ships were their carriers. Although in 1241 the Genoese imprudently embarked a large contingent of bishops from France on a weak squadron of slow ships, and on their voyage towards Rome were robbed of their priceless passengers, yet in 1244 Pope Innocent the Fourth was delighted to get a chance of being conveyed by them from Civita Vecchia, the nearest port to Rome, to Genoa, whence he could easily effect a junction with his

The Genoese united and prosperous, 1237-1256.

transalpine allies. From the beginning in 1237 of the conflict between the Popes and the Hohenstaufer, and perhaps from an earlier date, the Genoese gained acquisitions of territory. By 1248 they held the coast to the east of their city for forty miles to Levanto, and by 1251 they controlled also all the western Riviera for a hundred miles to Monaco.[1] By the same time it seems likely that they had little to fear in Corsica from rivalry on the part of the Pisans: but I do not think that they cared to make settlements in the island, which has no good natural harbours, and could not attract a people of seafaring merchants. Till 1256 the urban government of Genoa was conducted in peace and order by the podestà and the eight Rectores. The hill country near Genoa was ruled by Genoese nobles from their castles, and it can hardly be doubted that the rest of the highlands subject to the republic was ruled in like manner:[2] the maritime towns to the east of the city were governed by podestàs and were called *potestatiæ*: and in 1241 and 1264 there was also a podestà who controlled the important Genoese colony in Constantinople.[3]

After 1256 Genoa and its territories were free from fear of external attack. Feuds arose among its great nobles, and were repeated again and again for a century and a half. The chronicles do not tell us whence the nobles drew their forces, but it seems likely that they may have obtained them from castles in the highlands, and from potestatiæ. From 1270 to 1339 the chief officials were one or two captains of the people elected yearly: after 1339 a doge was chosen to hold office for life and to rule conjointly with an annually elected council. Contests for the chief office were carried on so

The Genoese, 1256-1380, secure from attack and riven with feuds.

[1] Barth. Scrib. in *M. G. H., SS.* 18. 225 l. 11, and 229 l. 5.

[2] Barth. Scrib. ad ann. 1242, p. 202, mentions four castles of the Spinola family near Genoa.

[3] Barth. Scrib. ad ann. 1241, p. 197 l. 41, and 199 l. 55: also ad ann. 1264.

angrily that early in the fifteenth century the Genoese placed themselves under the lordship of the king of France, who sent military governors to control and protect them. The terrible defeat which they sustained in 1380 from the Venetians at Chioggia contributed to make them desire protection from a foreign sovereign.

The maritime activity and commercial importance of the Venetians before the time of Charlemagne have already been noticed in the last chapter.[1] We now need to examine the structure and character of their commonwealth. The earliest writer who gives us a continuous narrative of Venetian affairs is John the Deacon, who lived among the Venetians, and before and about the year 1000 was entrusted with the management of important pieces of public business by a man who was then at the head of their government.[2]

Venetian history. Early authorities.

In 452 A.D. Attila and his Huns captured the important Roman city of Aquilegia, and sacked Padua, Altinum, Concordia, and Opitergium, all situated on the mainland.[3] It is likely that dread of the Huns may at this time have driven some inhabitants of the mainland to take refuge in the miserable islands of mud that rose even at high tide above the waters of the Venetian lagoon, that the settlers on each island may have chosen a tribune to command them, and that their tribunes may have been some of those Tribuni Maritimi to

The Venetian islands to 550 A.D.

[1] Page 355.

[2] The very valuable *Chronicon Venetum* of John the Deacon is published in *M. G. H.*, *SS.* vol. 7: his other work, *Chron. de singulis patriarchis Gradensis ecclesiæ*, in *M. G. H. Scr. rer. Langob. et Ital.*, pp. 393-397. A *Chronicon Gradense*, commonly attributed to John the Deacon, but so thoroughly unhistorical that I do not believe it is his work, is in *M. G. H.*, *SS.* vol. 7. All the works attributed to the Deacon have been published in a handy shape by Monticolo in *Fonti per la Storia d'Italia, Cronache Venez. antichissime*, vol. 1. When I cite any of the works I give reference to the volume edited by Monticolo.

[3] Horatio F. Brown, *Venice, An Historical Sketch*, 1893, p. 5.

whom Cassiodorus the secretary of Theodoric the Ostrogoth about 523 A.D. addressed his well known epistle.[1] From about 550-560 we get our first explicit information about the islanders from John the Deacon. He tells us that in or about 557, and therefore at a time when a district of Italy including Padua, Bologna, and Ancona was ruled by a Byzantine exarch at Ravenna, and when the Lombards had already occupied Pannonia on the upper valley of the Save, only a hundred miles from the lagoon and the islands, the inhabitants of some of the islands voluntarily joined together in a body politic and set over them a common government, namely a council consisting of all the tribunes whom the inhabitants of each island in each year chose to be their governors.[2]

Doges of the Venetian confederacy from about 700 A.D.

By the year 700 twelve islands or other settlements were joined in the Venetian confederation. Grado, near Aquilegia and lying at the north east end of the lagoons, was the seat of their archbishop, who after the Byzantine fashion was called patriarch. Heraclea, between the rivers Piave and Livenza, was seemingly the most important of the settlements.[3] About the year 700 the people of the Venetian confederation were dissatisfied with the government of their council of tribunes: they met in an assembly, with their patriarch and bishops, and chose a doge to be their ruler and above their tribunes for the term of his life.[4] For forty nine years there were

[1] Cassiodorus, *Variarum*, 12. 24.

[2] For date Johannes Diac. ed. Monticolo, p. 94. l. 13, p. 90. l. 19. For the Lombards in Pannonia, *ibid.*, p. 60. For the council of the tribunes, *ibid.*, p. 91. l. 1, 2.

[3] Joh. Diac. ed. Monticolo, pp. 62-66, and map in H. F. Brown, *Hist. Sketch*, p. 3. From a far more carefully drawn map in Baedeker, *Northern Italy*, end, I gather that the lagoons in truth extend from Chioggia in the south to a point eastward of Grado, and that Heraclea was not, as Horatio Brown marks it, situate on the mainland but in an island of the lagoon.

[4] Joh. Diac., p. 91.

doges residing at Heraclea; then for five years (about 740-745) there was no doge, but a succession of magistri militum: from about 745 till 811 there were doges residing at the island of Malamocco now usually known as the Lido.[1] About the years 831-834 and in 980 tribuni are mentioned in John the Deacon:[2] in some modern writer I have read that from some date which I cannot recall till about the year 1000 there were always two tribuni serving under the doge.

In 810 Pippin, son of Charlemagne, king of Italy under his father, made an unsuccessful attempt to conquer the Venetians. His attack taught them that their government had in Malamocco only an insecure abode, and consequently they moved it to the islands of Rivus Altus, the Deep Channel, in the middle of the lagoon, which were afterwards known as Rialto, and are now the city of Venice. From this time forward the population and its wealth was more and more concentrated at the seat of government, and by the year 1000 the Venetian body politic was becoming a purely urban community.[3]

Rialto, now Venice, the seat of the Venetian government from 811 A.D.

The doges from the time when their office was created were the only powerful officers of the confederacy: always they were decidedly more powerful than the tribunes. They were elected officers chosen for the term of their lives: but many of them tried to secure the appointment of their sons as their successors. Their attempts provoked rebellions. In five

Arbitrary power of the doges, 811-1172.

[1] For the residence of the doges at Malamocco see Joh. Diac., pp. 97-106. In regard to dates between 700 and 810 I makes guesses from the statements of John the Deacon, though I know that the slightly different dates given by the doge and chronicler Andrea Dandolo, who ruled and wrote about 1350 A.D., are preferred by most modern critics. It is impossible to follow the Deacon precisely, because between 707 and 810 he mentions about 138 years, that is to say about 35 more years than actually elapsed.

[2] Joh. Diac., pp. 111, 143.

[3] Joh. Diac., pp. 100-106.

centuries from 700 to 1192 there were forty doges. Only eighteen remained doges till their deaths: seven resigned, seven were deposed, and eight were put to death.[1] Yet till 1172 the Venetians failed to establish any authority capable of putting a steady restraint on the ambitions and caprices of their doges.

Transmarine dependencies of the Venetians, 998-1130.

It seems to be nearly certain that between 998 and 1172 new enterprises undertaken by the Venetians and new experiences that resulted from their enterprises compelled their successive generations within that period to recognise the necessity of keeping the activity of their doges within bounds. From 998 they began to acquire transmarine dependencies, from 1081 they became active in foreign policy, and in the winter of 1171-72 their fleet was crippled in active service far away. In 998 their prudent and powerful doge Pietro Orseolo the Second set out with a naval force to rescue some inhabitants of Istria and Dalmatia from grievous molestations inflicted on them by their piratical neighbours the Narentani Slavi who lived on the mainland opposite to the isle of Lissa. When his work was done he took the peoples whom he had delivered under the protection of the Venetian Republic, took the title of doge of Venice and Dalmatia, and transmitted it to his successors.[2] Between 1081 and 1085 the Venetians fought effectively on behalf of the Byzantine emperor Alexius Comnenus against Robert Guiscard the Norman Duke of Apulia: in return for their services they received from Alexius a Golden Bull, which enabled them to trade free from import dues in all ports of his empire, and gave them a quarter to inhabit in Constantinople, in Durazzo, and in some of his other towns that could be approached from the sea.[3] Between 1100 and 1130 the service

[1] Hopf in Raumer's *Historisches Taschenbuch* for 1865, p. 24.
[2] Horatio Brown, *Venice, Hist. Sketch*, pp. 67, 68.
[3] Romanin, *Storia di Venezia documentata*, 1. 312-328.

which the Venetians rendered to the Crusaders in conveying them across the sea to Syria was rewarded by the cession to them of ground for permanent settlements in Tyre and in other ports in its neighbourhood.

In 1171 Manuel Comnenus, who had in 1155 conquered Apulia and Calabria from a grandson of Robert Guiscard, and who still cherished designs of conquests in Italy, repudiated the concessions made by his ancestor Alexius to the Venetians.[1] He imprisoned their merchants and seized their goods. The doge Vitale Michele sailed in command of a great Venetian fleet to oppose the Byzantines, but he foolishly missed an opportunity of fighting a decisive battle, and, taking shelter during the winter in the ports of Chios, Lesbos, and Lemnos, lost nearly all his sailors and their commanders through an epidemic sickness. In the spring of 1172 he came home and was murdered in a rising of the population. Thereupon, during an interregnum, the Venetians began to make far reaching changes in their system of government.

Destruction of a great Venetian naval armament by plague, 1171-2.

In the period from 998 till 1172 in which the Venetians were improving their fleets, taking part in important wars, and winning transmarine trading stations, there had been established among them many noble families of rich merchants quite distinct from the older noblesse, whose families dated from before 998 and had in that early period furnished doges and tribunes to the republic. The old noblesse were inclined to bear themselves as members of princely families, and when one of them became doge his rule was arbitrary. In 1172 the members of the new mercantile families wished to diminish the influence of the old princely families and to set bounds to the power of the

Complete change in the Venetian form of government, 1172-1300.

[1] Gibbon, ch. 56, vol. 6, 214-216 in Prof. Bury's edition.

doges.[1] Many members of the new families had learned in distant regions how to deal with difficult questions affecting the interests of their communities in foreign shores, and they thought that they were better qualified than any doge to manage the affairs of the Venetian commonwealth. They were quite right in their opinion: and so it came about that they and their successors between 1172 and 1300 transferred the supreme power in their republic from the doges, who were elective monarchs, to three councils composed of nobles highly skilled in the transaction of public business. They desired to attain three objects: first that the actions of the doge should be restrained by a powerful council, and that the council should elect the doges: second that, if a doge or any other man was guilty of any usurpation, there should be a court ready to punish him: and thirdly that foreign affairs should be wisely and secretly debated in a competent senate.

During the interregnum of 1172 the Venetians reached only the first of their requirements. Before 1172 there was already a council in existence, whose members were called *Pregadi*, or men invited by the doge to give him advice, in case he asked them to meet and desired their opinion: but no doge ever summoned them if their advice was likely to go against his own wishes, and therefore they were unable to put any restraint on his actions. In 1172 the chief men of the new families met together and resolved that each of the six wards of the city should elect two men, and that each of the twelve men thus elected should nominate forty members of a Great Council, and at the end of every year the Council should appoint electors of a new Council.[2] As

Progress to 1193 of the new mercantile nobles.

[1] Horatio F. Brown, *Studies in the History of Venice*, vol. 1, p. 48 and foll. in the essay on Bajamonte Tiepolo.

[2] Romanin, *Stor. doc.*, 2. 90.

the Venetians were disgusted at the recent folly of their doge Vitale Michele they accepted the proposal of the new families, and a Great Council of four hundred and eighty members was established. At the same time it was arranged, though not without much public dissension, that for the election of a new doge the Great Council should choose from its own numbers eleven men empowered to nominate a candidate for election to the office of doge for the approval of the assembled citizens. The townsmen at large did not like losing the power of choosing a doge freely: but they acquiesced in the proposal of the new families, and soon afterwards it was a recognised rule that the man nominated by men chosen by the Great Council should be doge of the republic.[1] The Council was amply endowed with powers: it elected not only the doge, but also all other officers of the commonwealth, among whom were the six councillors who advised the doge, and it prepared all laws and all resolutions for submission to a vote of the assembled citizens.[2] Subsequently between 1178 and 1193 when Orio Mastroperio was doge the new families attained the second of their desires and established a strong court of criminal judicature.[3] The new court was the *Quarantia*: its forty members being officers of the commonwealth were elected by the Great Council, and they were not only the supreme judges in all criminal cases of importance, but they also were a court of appeal in civil suits, and they gave audience to ambassadors from foreign sovereigns.[4] After the death of Orio Mastroperio in 1193 all the doges till the extinction of the Venetian Republic in 1797 were, with one exception, merely servants of the mercantile nobles, though they were surrounded with pomp and ceremony exceeding any

[1] Romanin, *Stor. doc. di Ven.*, 2. 89-93.
[2] *Ibid.*, 2. 90 end, and 91 first two lines.
[3] *Ibid.*, 2. 137.
[4] *Ibid.*, 2. 137.

that had been assumed by the arbitrary doges of earlier times.

The one doge after 1193 who rose to importance was Enrico Dandolo, the immediate successor of Orio Mastroperio. He found an opportunity of rising to eminence by accepting military and naval command in a most difficult enterprise. Ever since 1172 the Venetians had been longing to take revenge on a Byzantine emperor for the wrongs and the sufferings inflicted on them by Manuel Comnenus. In 1202 they succeeded in persuading a large force of Crusaders to join with them in an attack on Constantinople, in which their ships were commanded by the venerable Enrico Dandolo. In July 1203 they with their allies took the city a first time: it revolted, and in April 1204 they captured it again. Before Constantinople was taken for the second time the Venetians and the Crusaders, thinking to become masters of the whole Eastern Empire, agreed on a division of their expected conquests.[1] To an emperor who was yet to be elected were assigned two palaces in the capital, a quarter of the territory of the empire, and the prerogative rights of the Cæsars: all the rest was to be divided in two equal shares, one for the Venetians, the other for the Crusaders. From this agreement, which could not be executed, the Venetians took the pretentious title, Lords of a quarter and a half of the Roman Empire.[2] When the invaders in 1204 reckoned up the conquests of which they were able to take effective possession, the Venetians received as their share three of the eight wards in Constantinople, Modon at the south west corner of the Peloponnesus, Adrianople and an adjacent strip of territory, and all the

Fresh dependencies gained by the Venetians, 1204.

[1] For the place of the agreement in the series of events see Gibbon, ch. 61, note 1, addition by Professor Bury.

[2] Gibbon, ch. 61, note 9.

islands of the Ægean Sea except those near to the Hellespont or to Asia Minor. They soon saw that Adrianople and its district was useless to them: and they were glad to give it up to Boniface of Montferrat whose share was the kingdom of Thessalonica, and to receive in return the island of Crete, which was already commonly called Candia. Their most precious acquisition was their three wards in Stamboul: Modon was a convenient port of call for their ships on their way to the Bosporus, and Crete was a halfway house for voyagers going to Tyre or Alexandria. The Venetian Republic established a settlement at Modon and took the place into its own possession, no doubt sending thither a podestà or a *bail* as to Constantinople:[1] to the town of Candia also they sent a colony but could not keep their settlers under efficient control:[2] all the islands except Crete they gave away as benefices to distinguished Venetian families.[3] As to the relations of the Venetian sovereigns of islands to the Venetian Republic I have found no direct evidence, but there is not the slightest indication that they ever failed in obedience to the Great Council. If they had quarrelled with the government of their mother city they would have lost the protection of its fleets and would soon have ceased to draw any revenue from their islands. It seems likely that they may have resided at Venice and sent bailiffs or governors to manage their islands. If my conjecture is correct they lived at Venice like any of the other commercial nobles, and simply derived an increase of income from their distant possessions.

The man, to whom the Venetians and the Crusaders gave

[1] Gibbon, ch. 61, vol. 6, p. 416 in Bury's edition.

[2] *Ibid.*, ch. 61, *n.* 12.

[3] See the admirably complete list of the islands and of their possessors which was published by Professor C. Hopf in the *Sitzungsberichte* of the Vienna Academy, 1856, vol. 21, p. 221 and foll., and is copied into Gibbon, Bury's edition, vol. 6, app. 18, pp. 558-560.

the title of emperor and a fourth part of the Greek emperor's dominions, was Baldwin, Count of Flanders, the first of six Latin emperors of Constantinople. In 1261 his kinsman and successor Baldwin de Courtenay was dethroned and supplanted by the Greek Michael Palæologus, who had recently by usurpation acquired the empire of north western Asia Minor, including Smyrna, and Magnesia, and the capital city Nicæa near the Propontis.[1] The substitution of a Greek for a Latin emperor at Stamboul did little hurt to the Venetians: for Michael Palæologus permitted the Pisans, the Venetians, and the Genoese to retain their factories in his capital, accepted their oaths of allegiance, encouraged their industry, confirmed their privileges, and allowed them to live under the jurisdiction of magistrates appointed by the governments of their mother cities. If the Venetians suffered any loss at all it was only because the new emperor bestowed on the Genoese, who had agreed with him before he gained Constantinople that if he needed their aid they would help him, exclusive possession of Galata, which is only separated from Constantinople by the strait, two furlongs broad, at the entrance of the harbour of the Golden Horn.[2] The Venetians felt the vicinity of their rivals in Galata inconvenient: but at some time in the reign (1282-1328) of Andronicus the Elder, son of Michael Palæologus, they were so strong that one of their fleets could frighten the Genoese out of Galata, and then could land detachments of men who burnt their empty habitations.[3]

Undiminished power of the Venetians, 1204-1328.

About 1282, the time when Michael Palæologus died, the new commercial families at Venice, who already possessed nearly all the seats in the Great Council, were seized by a fear, which seems to have been groundless, lest their

[1] Gibbon, ch. 61 in Bury's edition, vol. 6, pp. 434-440.
[2] *Ibid.*, ch. 62, vol. 6, p. 466 in Bury's edition. [3] *Ibid.*, vol. 6, p. 509.

sanctuary the Great Council should be in some way invaded by their opponents, the members of the old princely families. They desired to get a law passed which should make it almost impossible for any man, unless he were descended in a male line from some man who had been a councillor since 1172, to obtain a place in the Great Council. In 1286, they proposed their law but could not get it accepted: in 1298 they gained their end. The measure which they carried is commonly called the Closing (serrata) of the Great Council: it had the effect of turning the new commercial nobles into a ruling caste of conciliar families not less exclusive and retentive of power than the curule families had been in ancient Rome in the century that followed the defeat of Hannibal.[1] It does not, however, appear that the members of the commercial families were bad or mischievous managers of public business. The Great Council, which they completely controlled, appointed men in every year to select the members of the smaller councils, but, being now a numerous body, did not perform the work of administration. That was left to the smaller councils: the members of those smaller councils were carefully selected, and there is nothing to indicate that their rule bore hardly on any class except possibly such members of the princely families as showed any indignation at their unfair exclusion from influence in the life of the commonwealth.[2]

The Closing of the Great Council, 1298.

[1] Till recently, when I found and read the essay by Horatio Brown on Bajamonte Tiepolo, I never understood what was done at the Closing of the Great Council. The essay is the second in Brown, *Studies in Venetian History*, vol. 1.

[2] My impressions of Venetian institutions and their merits are derived from the masterly treatise by Hopf, which is to be found in Raumer's *Historisches Taschenbuch* for 1865. In that treatise masses of evidence which confute the erroneous statements of Daru were for the first time collected and published. Even now the work of Hopf is without a rival among the many commentaries on Venetian government in the Middle Ages.

In 1309 Bajamonte Tiepolo, grandson of a former doge, conspired with other members of the old noblesse to overpower the Great Council by armed force and to get the councillors into his power: and it is possible that his project might have succeeded if his fellow-conspirator Badoer had not been prevented by a storm from crossing the lagoon at the appointed time with his contingent of insurgents.[1] The conciliar families were alarmed, and certain precautions which they took for their future safety gave the Venetian government from thenceforth its peculiar character of mysterious secrecy. The Quarantia was too large a body for the prompt detection and punishment of treasonable projects. The conciliar nobles selected ten men to form a nucleus of a new court of criminal justice: these ten, sitting with the doge and the six councillors assigned to him by the Great Council, were known as the Council of Ten. This new council was a committee of public safety, and, as such, before long obtained the power of secretly inflicting punishments without limit and without regard to any law: it followed as a matter of course that it was able to dominate all other organs in the government, and to usurp authority over their functions. The conduct of foreign affairs was said to be the work of the Pregadi, and till the fall of the Republic the Pregadi gave instructions to ambassadors going to foreign courts, and received their official reports: but it sometimes happened that the Council of Ten secretly gave the ambassadors quite different instructions, and received from them independent and confidential reports, which alone had influence in determining the policy of the Republic.[2] In 1355 the Ten tried the Doge Marino Falieri for treason,

The Council of Ten: soon after 1310.

[1] Horatio Brown, Essay on Bajamonte Tiepolo, the second of his *Studies in Venetian History*, and *Hist. Sketch*, pp. 168-176. The fullest narrative of the conspiracy is this last in the *Hist. Sketch*.

[2] Horatio Brown, *Hist. Sketch*, p. 182.

found him guilty, and ordered him to be executed at a few hours' notice.[1] Occasionally in the sixteenth century, certainly once in the year 1539 as we learn from records, the Ten became even more terrible by delegating all their boundless powers to Three Inquisitors of State. We do not know much about the Three Inquisitors, nor of the occasions when they were called into existence, because the Ten usually kept no written records of their proceedings: but competent critics think it likely that they may have been employed sometimes even so early as the fifteenth century.[2]

Soon after the conspiracy of Bajamonte Tiepolo had been suppressed, the Venetians began acquiring territory on the mainland near their lagoons. Between 1339 and 1406 they annexed the district of Treviso: before 1492 they possessed Padua and Verona: and soon after 1492 Friuli, Brescia, and Bergamo were added to their territory.[3] The conciliar nobles kept their subjects on the mainland equally devoid with the common folk on their islands of political privilege, and carefully abstained from employing them as soldiers. When they needed a military force they hired a mercenary army under some condottiere: the most famous of the adventurers in their service was Bartolommeo Colleoni, whose admirable equestrian statue, modelled by Andrea Verrochio, adorns the open space at the west end of the church of S. Zanipolo.[4]

Territory acquired by Venice in Italy.

The communities that lived in Venice from the beginning of the sixteenth century were less important among the powers of Europe than their predecessors of the fourteenth and fifteenth century. For three reasons they were less important. Firstly, the Turks about

The decline of Venice.

[1] Horatio Brown, *Hist. Sketch*, p. 205. [2] *Ibid.* p. 401: Hopf, p. 87.

[3] See Spruner-Menke, *Atlas* (1880), maps 25, 27.

[4] The full name of the church is Santi Giovanni e Paolo: but it is never pronounced.

the year 1500 gained an ascendancy in the Levant. Secondly, the discoveries of America and India caused long voyages on the ocean to be more attractive to mariners than short voyages in the Mediterranean Sea, and thus transferred the leadership in maritime enterprise from the Venetians to those peoples further to the north west of Europe who had the best access to those seas which must be crossed before distant continents could be visited. Thirdly, in 1530, the Austrian dynasty of Habsburg gained a dominant position in northern Italy, and thus shut in the Venetians on the west as well as on the north and on the east. In the seventeenth and eighteenth centuries the power of the Venetians visibly declined, and in 1797 Napoleon Buonaparte took their city without striking a blow, and handed over both their city and their territory on the mainland to the Habsburg sovereign of Austria-Hungary.

Genoa and Venice not similar in their histories.

At the end of this chapter I shall according to my usual practice append a tabular statement of the communities which successively inhabited the two cities Genoa and Venice, which have been described in the chapter, and of their governments. But before doing this I wish to say that the histories of Genoa and of Venice do not seem to me to resemble one another very closely. The history of the Venetians is much more like the history of the ancient Romans, than like the history of the Genoese, and in its earliest stages it also finds a counterpart in the earliest stages of the history of ancient Sparta.

The earliest inhabitants of the city of Venice, as of Rome and of Sparta, consisted of more tribes than one voluntarily joined together under one government and settled together in a single city. Sparta was founded by two tribes ruled respectively by the Agidæ and by the Eurypontidæ, Rome by the Tities, the Ramnes, and the Luceres, Venice by

twelve tribes settled on the islands of the Venetian lagoon. The descendants of the first founders of Sparta and of Rome were extremely proud and exclusive bodies of burgesses, at Sparta the Spartiatæ, at Rome the Patres: from among the descendants of the founders of Venice was formed an extremely proud and exclusive body of commercial nobles. The Roman Patres were singularly prudent in their policy both at home and abroad: so probably were the Spartiatæ until they were seduced into the folly of enslaving the Messenians, since up to that time and afterwards they were readily obeyed by their Periœki in Lacedæmonia: so certainly were the Venetian commercial nobles. Similarity of character and conduct in the later generations of three peoples following on a similar mode of junction of the earliest generation in each people cannot be thought to come from mere chance or coincidence, but must almost certainly be the effect of like causes acting in the three peoples. It is rash to guess what causes may have been acting in peoples whose history is unknown; but some similar causes must have been acting in the three peoples, and they may have been these. Exclusiveness in an urban community, compounded of more tribes than one, would naturally arise through jealousy among the tribes. Thus in Rome the Tities would not be allowed to adopt new members of their tribe at pleasure, because the Ramnes and the Luceres would fear lest they might be outnumbered: thus through jealousy no new member could be admitted to the close corporation of the Roman Patres unless his admission was sanctioned by the Tities and by the Ramnes and by the Luceres. Abundance of men skilled in government would arise from like reasons. In ancient Rome the original senate consisted of a hundred Tities, a hundred Ramnes, and a hundred Luceres: all the senators from each

Similarity of the origins of Venice, Sparta and Rome.

tribe would wish to attend all the meetings of the senate in order that the interests of their tribe might not be overlooked. Hence it would follow that senators would nearly all hear all the debates of the senate and would gain acquaintance with the course of public business. In like manner in the Venetian confederacy before 700, when the government was vested in a council of twelve tribunes, it would be impossible for Heraclea or Malamocco to admit new citizens because the tribunes of the other islands would fear that the island which acquired new citizens would also acquire preponderance in wealth and population.

Similarity of the later experience of the Venetians and the Romans.

The singular ability of the commercial nobles at Venice in conducting public business cannot be attributed to the same cause which originally taught the Roman Patres to be prudent rulers, because the class of commercial nobles did not arise during the federal period of the Venetians. Yet there were like causes for the acquisition of prudence in government by the commercial nobles of Venice and for the practice of prudence in government by those later Roman Patres who were only descended from the Patres of the federal period of the Romans, and who lived in a time when the distinctions among the Tities and the Ramnes and the Luceres had long been forgotten. Some centuries after the federal period of Rome the Romans expanded into districts won from the Etruscans of Veii, from the Capuans, from the Sabines. Some centuries after the federal period of Venice the Venetians expanded into settlements far away beyond the seas. From the necessity of defending their outlying settlements both the nobles of Rome and the nobles of Venice learned to set a right value on prudence in government and on prudence in foreign policy.

Comments on cities with dependencies.

Although the three peoples that lived in Venice, in Rome, and in Sparta (since each of them owed its origin to a voluntary junction of tribes and each of them formed itself into a city state) were alike in the earlier parts of their careers, it is manifest that they were not alike in their histories from beginning to end. Their earliest generations were alike, because like origin gives like character: and their generations continued to be alike till something occurred which prevented the transmission of inherited character to a further generation. As soon as we come in the history of one of the peoples to a generation which acquired dependencies, that generation assumes a character that was not present in its fathers or forefathers: and since dependencies can be acquired in an infinite number of ways, there is no reason why any two communities which acquire dependencies should be alike, or why their descendants should be alike. If reference is made to my tables of pedigrees of urban communities,[1] it will be seen that both in ancient history and in the Middle Ages the pedigrees of those peoples which never acquired a dependency are arranged in groups of similar pedigrees, but every pedigree of a conquering urban people has to stand in isolation.

[1] See pages 279-281, 384-5, 408-9.

BODIES POLITIC IN MARITIME MEDIÆVAL CITIES WITH DEPENDENCIES

BODIES POLITIC.	GOVERNMENTS.
(1) In Genoa, a city with adjacent dependent territory in mountainous country, and with settlements beyond sea.	
(*a*) From 1100 to 1256.	
Composite bodies politic held in concord by dread of enemies on the land.	Till 1190 consuls. From 1217 to 1256, a Podestà, eight Rectores, Plenum concilium of 48 elected councillors, occasionally a general assembly (Parlamento).
(*b*) From 1256 to 1380.	
Composite bodies politic free from fear of attack and riven with discords.	From 1270 to 1339, Captains of the People, sometimes one, sometimes two. From 1339 Doges, elected for life but often deposed.
(2) On the Venetian lagoon.	
(*a*) From 557 or 567 to about 700.	
Confederation of twelve islands.	Many governments: For each island, a tribune elected annually. For the whole, a council of the tribunes.
(*b*) From about 700 to 810.	
A closer confederation.	A Doge, first at Heraclea, then at Malamocco.

BODIES POLITIC IN MARITIME MEDIÆVAL CITIES WITH DEPENDENCIES.—*Continued.*

BODIES POLITIC.	GOVERNMENTS.
(*c*) From 810 to 998.	
A confederation gravitating towards its centre, the city of Venice.	A Doge at Venice. Frequent attempts of Doges to found dynasties.
(*d*) From 998 to 1172.	
Almost purely urban communities, with foreign dependencies, and important foreign alliances.	A Doge at Venice.
(*e*) From 1172 to 1310.	
Purely urban communities, with extremely important foreign dependencies.	A council consisting of members of the new commercial noble families.
(*f*) From 1310 to 1797.	
Purely urban communities intent on maritime commerce.	The Council of Ten, appointed by selectors chosen by the commercial nobles.

CHAPTER XXIII

UNIONS OF PEOPLES: STRONG KINGLY GOVERNMENTS

We now turn back to peoples derived from compulsory junctions of tribes or of fiefs. In the early part of the fifteenth century, as we have already seen, the four largest groups of such peoples, living in England, Castile, Sweden and France, had formed only composite bodies politic, and were suffering disasters through the weakness of their central governments, and the insubordination of local groups of men led by nobles or princes. Among the lesser peoples those in Germany were already fairly well united, because all their local districts were within short distances from their centres and could be kept under control: the other two of the lesser peoples formed through compulsory unions of communities, the Danes and the Savoyards, have not as yet come under our notice. In the present chapter we shall observe that before 1814, the larger masses of men descended from junctions of tribes or of fiefs strengthened their central governments, and all of them but one produced united bodies politic. We shall moreover see that in the same period ended in 1814 the lesser peoples also set up strong kingly or princely governments, and that in most cases they took this step because they needed authoritative leaders to protect them against aggressive action on the part of their more powerful neighbours.

The history of the strengthening of central governments in European peoples or groups of peoples, and of the progress made by the larger masses of men towards unity can be divided into three periods:

Periods between the fifteenth century and 1814.

(1) to 1530.
(2) 1530-1589.
(3) 1589-1814.

Till 1530 the strengthening of the central governments was brought about in England and Castile in the first instance by the exhaustion of the forces that tended towards strife, and by the desire of the peoples to be protected from civil dissensions in the future: in France and in Sweden it was needed in order to enable the peoples of the countries to recover their independence. After 1481 fresh additions were made to the strength of the central governments in Spain and in France, because the kings of the countries with the approval of their subjects undertook difficult external wars, and needed great authority at home in order to conduct them successfully.

(1) Till 1530. Causes of strong governments.

In France between 1415 and 1420 the greater part of the demesne was conquered from its ruler, the mad king Charles the Sixth, by Henry the Fifth of England with the connivance or the open aid of two dukes of Burgundy. After the deaths in 1422 of Henry and Charles, the fiefholders in France other than the Duke of Burgundy acted as independent allies of the new king of France, Charles the Seventh, for the expulsion of the English: and as they fought better against the foreign intruders than the lazy French king, though not so well as the heroine Joan of Arc, there was no reason to imagine that the French would be aided towards the recovery of their independence if the fiefs were brought under a common government with that part of the demesne which remained to Charles the Seventh.

(1) Till 1530. France.

But after Joan of Arc had been captured in 1430 by the enemy all the central districts of France were horribly pillaged and tormented either by the English or by small armies of French soldiers led by private adventurers who had no money to pay their men. Hence Charles the Seventh in 1439, after holding a states general at Orleans, issued a decree in which he firstly forbade any Frenchman to be a captain unless he held the king's commission, and secondly deprived the fiefholders of the power to levy any tax from their subjects which could impede the king in collecting the *taille*, a direct tax whence most of the royal revenue was derived. The edict gave the king a standing army, and an income to pay it. Louis the Eleventh, son of Charles the Seventh, feeling strong in the possession of the army, threatened Bretagne, which was not in France, and which had except on rare occasions been exempt from binding homage to the French kings. The French fiefholders, except the Duc de Bourbon, upheld Bretagne. Louis was defeated and humiliated in 1465 by the fiefholders, who included among them the Duke of Burgundy, sovereign of the Netherlands; but before his death in 1483 he had overcome them, had brought their fiefs into the demesne, and ruled all France except Bourbonnois and one or two lesser fiefs in its neighbourhood with unlimited power. The dispossessed fiefholders had not usually been hard masters: Louis taxed all his subjects with reckless cruelty. Hence, when Louis was dead, discontent became apparent, and the tyranny was relaxed. But Charles the Eighth, Louis the Twelfth and Francis the First tempted the fighting men in France with expeditions into Italy where plunder was likely to be abundant, and Francis after 1515, when he won the battle of Marignano, was as absolute a ruler as Louis the Eleventh had been. But the inhabitants of the fiefs had suffered their annexation to the demesne by

Louis the Eleventh against their will, and their sons had no reason to feel any liking for his successor Francis the First.

The English from 1455 to 1461, and again in 1471, felt that their chances of prosperity were being damaged by the wars of the Two Roses waged by a few nobles and soldiers for their own profit, and for no object in which the large masses of the people took any interest. Hence in 1485, when the men of war had killed one another off, such a remnant of a parliament as could then be got together was glad to recognise Henry the Seventh as king, though he had no title by birth to the kingly office, and to allow him to govern almost without parliamentary control. Henry the Eighth derived a perfectly sound hereditary title from his mother Elizabeth, daughter of Edward the Fourth, and was therefore able to govern more autocratically than his father: but even he, when he attempted to levy taxes without leave of parliament was reminded of his error in 1525 by a small rebellion in Suffolk,[1] and thenceforth almost always thought it prudent to get his decrees sanctioned by a subservient assembly of estates.

(1) Till 1530. England.

In Castile a war was waged, as we have already observed, between 1469 and 1474, to settle who should succeed the reigning king.[2] The combatants were on one side a group of nobles who for their own ends supported a claimant generally believed not to be of royal birth: the other side fought for Isabella, who in all probability was the rightful heiress, and for her husband Ferdinand, king of the Aragons[3] in his own right. Isabella and Ferdinand were victorious: wife and husband acted in concert, and Ferdinand employed the forces both of Castile

(1) Till 1530. Spain.

[1] Hall's *Chronicle*, reprint of 1809, p. 699.

[2] See p. 339.

[3] Ferdinand's kingdoms were Aragon, Catalonia and Valencia. Catalonia was the strongest of the three.

and of the Aragons in the conquests of Granada and of Naples: in order to make these conquests possible the Spaniards acquiesced in an increase of kingly power. After Isabella and Ferdinand were dead the royal authority in their kingdoms of Castile, the Aragons, Sicily and Naples passed to their grandson Charles of Habsburg, who was also heir to the Netherlands and Austria. When Charles in 1519 came into all his inheritances he had a larger revenue than any other king in Europe, and was in command of a small standing army created by Cardinal Ximenes. Soon after 1519 he resolved to use his kingdom of Naples as a military basis for the conquest of the rich towns in Lombardy and Tuscany. The prospect of plunder in Italy was attractive to a great number of the Spanish nobles: and when Charles in 1521 and 1522 quarrelled with the Cortes both in Castile and in the three communities which composed the kingdom of the Aragons, the nobles, after joining for a time with the towns in resistance to the king, changed sides. Charles was then enabled to suppress nearly all the privileges of the Cortes, and to govern his Spanish kingdom without being subject to any regular control.

(1) Till 1530. Sweden.

In Sweden between 1397 and 1530 the rulers were till 1435 foreign princes: after that time native Swedes bore authority with the title of regent or king or administrator. In 1520 Christian the Second, king of Denmark, overpowered Sten Sture the younger, a native administrator of Sweden, and treated the Swedes with such cruelty that he was called the Nero of the North. Gustavus Ericson, a young Swedish nobleman, afterwards usually known as Gustavus Vasa, called his countrymen to arms in the province of Dalarne or Dalecarlia, expelled Christian of Denmark, and on being elected King of Sweden in 1523 was invested with very ample powers, because a

strong king was needed to protect the country from foreign foes and from internal commotion.[1]

During the hundred years between 1430 and 1530, in which the peoples in France, England, Spain and Sweden learned by experience that they needed strong kingly governments, new forces of an intellectual nature were arising to influence men's minds and characters. Scholars at first in Italy and then elsewhere made a diligent study of those ancient Greek and Latin authors whose works had been neglected for centuries, and geographical discoveries gave new ideas of what lands were in the world and what could be done in them: and lastly men began to see that some of the actions of Popes and their officers were not in accordance with the rules of conduct which the clergy enjoined on other men, and to inquire into the foundations of the Papal authority. In consequence of their inquiries there arose first new religious congregations, and then new churches which denied the Papal supremacy, and in every body politic men had to consider the question whether the members of the new churches should be persecuted or deemed worthy of favour and active support. From the difficulty of settling this question, and from the different solutions of it arrived at in different countries, arose conditions which profoundly influenced the character of bodies politic throughout the world.

(1) Till 1530. New intellectual forces.

We shall consider the effects produced by the new doctrines in many lands: but first in the countries inhabited by peoples descended from unions of tribes, namely the German principalities, Sweden, Spain and England.

In the German principalities, in Sweden and in Spain the rulers and their subjects were in accord. In Germany some

[1] Geijer, *History of the Swedes*, well translated into English by J. H. Turner, chapters 8-10. For a short narrative of the events see Dyer, *Modern Europe*, 2. 506-515.

princes with their subjects were for the new doctrines, some for the old. Wars arose between the principalities which adopted the new opinions and those which rejected them: each prince and his subjects fought side by side, and the subjects in many principalities for the sake of victory abandoned their privilege of meeting in Landtage, and allowed their princes to rule without control. In Sweden the laity cared little for theology, and let their King Gustavus settle for them that they should become members of one of the new churches. In Spain men remembered that their forefathers since the eighth century had won nearly all their glories in crusades undertaken against the Moors on behalf of the Papal Catholic doctrines: they would not be degenerate, but were glad to give perfectly absolute power to their king Philip the Second, who shared their views, so that he might be unhindered in his work of exterminating the Pope's enemies with tortures and executions. Thus in the German principalities and in Spain the rise of the new doctrines directly strengthened monarchical authority: in Sweden it found the king's power strong and it left it unimpaired.

(2) 1530-1589. German principalities, Sweden, Spain.

In Sweden the work of unifying all local parts of the realm, which was done before 1589, held good in perpetuity. After the death of Gustavus in 1560, rivalries ensued till 1598 among three of his sons and one of his grandsons. If during the thirty eight years of rivalries among princes there had been also rivalries among provinces they must have led to wars between provinces. No such wars arose then or afterwards. Hence it is clear that from 1560 or at any rate from 1598 the Swedes were a permanently united people in the sense that no local part was willing to separate from the rest: in the present chapter I shall have no occasion to speak of them again.

(2) 1530-1589. Unification of the Swedes.

In England Henry the Eighth was prevented from getting a divorce and a chance of male issue because the Pope retained jurisdiction over suits relating to marriages: and in 1534 with the approval of a parliament he transferred all the power that the Pope had in England into his own hands. As he had no quarrel with the Papal theology he retained it unaltered. But in 1536 he dissolved part of the monasteries because the monks persisted in regarding the Pope and not the king as their master. He was met by the rebellion known as the Pilgrimage of Grace and the formation of a small but zealous party of adherents of the Pope: in his last years and in the reign of Edward the Sixth an equally zealous party was formed by the opponents of the Catholic doctrines, who were now known as Protestants or as the Reformed. The mass of the people were indifferent about doctrines and merely desired a kingly government strong enough to choose a scheme of doctrines for them, and to prevent the zealots on the two sides from making a civil war. Under Edward the Sixth the English generally called themselves Protestants: under Mary they conformed to Papal ritual but hated Mary's persecutions: under Elizabeth, who herself cared little about theology but was determined that England should be kept free from foreign interference, they were content, and made the queen even stronger than her father Henry had been in order that she might restrain the fanatics of both parties. Thus in England the rise of the new doctrines led indirectly to a great increase of monarchic authority. From 1558 to 1586 the queen and the mass of the people were exposed to great perils, because they asserted that England was independent of the Pope. They had against them always Mary Stuart, and either a king of France or the king of Spain, and it was seen in 1569 that the northern counties desired to detach themselves from

(2) 1530-1589. England.

the rest of the country in order to be under a Catholic sovereign. But, when Mary Stuart had been executed and the Armada sailed for the conquest of England, even the zealous adherents of Catholic doctrines were ready to fight for their countrymen and not for their creed. Thus it was seen in 1588 that no part of the English people would consent to separate itself from the rest and live under a government of its own: in other words all Englishmen then living had formed themselves into a united body politic, or, what is the same thing, a single political community. They transmitted to their descendants a determination to live under one common government, and from 1588 the English were one people.

Strong monarchy in England not the cause of unity but a symptom of approximate unity.

The strong monarchic power of the Tudors was not the cause of unity in England: it was itself only brought into existence in 1485 because the great mass of the people was already united and desired that all should be united. In 1455, when the War of the Two Roses broke out, no one desired strife except some of the great nobles and a quantity of soldiers who had served under them in France but were now out of employ. The proof that the sole source of disunion lay in the soldiers and their captains is seen in the fact that, when the fighting men had destroyed one another, Henry the Seventh and his successors never needed a standing army. All Englishmen were grateful to the king for protecting them against a resurrection of turbulent nobles, and their gratitude ensured his safety. After the irregular execution of Buckingham in 1521 Henry the Eighth could trust all his subjects not to turn against him: his successors could trust all but those few who were inflamed by religious zeal. The reciprocal trust between sovereign and subjects produced important results. In place of the old disorderly barons arose new classes of nobles and gentry

devoted to the kings and fit to be employed by them in public duties. Henry the Eighth set the squires to manage the local business of country districts as Justices of the Peace:[1] Mary appointed nobles to be Lords Lieutenant of shires and to lead their armed forces: under Elizabeth local business was wholesomely managed by nobles and gentlemen who lived on their estates and knew the country folk around them. The gentlemen of the country side were devoted to the interests of the queen and the country, but produced such men as Peter and Paul Wentworth who between 1575 and 1588 dared to remonstrate in parliament against the queen's interference with freedom of debate.[2] When the Armada threatened England, Elizabeth had no fighting men except untrained farmers and peasants, and no commanders except the Lords Lieutenant of the shires.

From the peoples derived from compulsory unions of tribes we turn to the peoples or rather groups of peoples in France and in the Netherlands, both of them descended either wholly or in part from compulsory unions of fiefs, which fiefs had themselves been peopled mainly by men whose ancestors had been subjects of the Roman Cæsars and had been governed under the rigid Roman system of administration. As the inhabitants of France and of the Netherlands were rather groups of peoples than anything approaching to the character of single peoples, the effect of the strife about doctrines and the government of churches was more violent in them than in the comparatively united peoples derived from unions of tribes. We take the Netherlanders first because the conflict of the old doctrines and the new produced its full effect sooner among them than among the French.

(2) 1530-1589. France and the Netherlands.

[1] Gneist, *Hist. Eng. Const.*, 2. 135.

[2] Hallam, *Const. Hist.*, 1. 191, 251, 255-261.

In the Netherlands there were as we have seen a southern group of peoples and a northern group.[1] The earliest known ancestors of the southerners had been till the fifth century subjects of the Roman Cæsars: those of later generations from the ninth century to the end of the fourteenth had been ruled by a number of independent fiefholders. The northerners were descended from unions of tribes, subsequently ruled from the eleventh century to the fifteenth by counts of Holland and of Gelderland. In the Netherlands generally, and especially in the southern Netherlands, the towns were more important than the country, and each of the great commercial towns was quite capable on occasion of adopting a policy of its own. Charles of Habsburg who ruled the Netherlands from 1519 to 1555 disliked the new doctrines, and in the thirty six years of his reign put to death many thousands of his Netherland subjects solely on account of their belief in them:[2] his son Philip set up such a furious persecution of the heretics as has no parallel in European history. In 1572 the northern Netherlanders (the Dutch) took William the Silent, who since 1559 had been called Stadholder or Viceroy for Philip of the Dutch provinces of Holland and Zealand, as their leader and commander and began a war against Philip: in 1576 the northerners and the southerners joined together in a Pacification at Ghent for the purpose of getting rid of Philip's armies from all the Netherlands, and they were so successful that in 1577 those of the king's troops who were actually Spaniards went away home.[3]

(2) 1530-1589. The Netherlands to 1577.

But the communities in the Netherlands, since some were

[1] See p. 350.

[2] Dyer, *Modern Europe*, 2. 223, *n.* 7. The passage from Ranke *Hist. of the Popes* there referred to gives the chief contemporary evidence. In Bohn's edition of Ranke *Hist. of the Popes* the passage is quoted in 1. 405 *n.*

[3] Motley, *Dutch Republic*, Part v. ch. 1. end.

urban, some rural, some mainly or entirely Protestant, some mainly or entirely Catholic, could not form a single body politic. From 1579 for some years to come they grouped themselves in combinations which did not last long. But by 1609 they were permanently arranged in two political organisations. The southerners, having satisfied themselves that the Spaniards were not strong enough to do them much hurt, consented to remain as dependents of the Spanish king: the Dutchmen of Holland, Zealand, and Utrecht in 1579 at the Union of Utrecht formed themselves into a league or confederation, which before 1625 was joined by all the seven Dutch provinces. The union of the seven provinces, which by 1625 was certainly more than a league and must be called a confederation, will receive a further brief notice in my chapter on voluntary unions of equal communities.

Northern Netherlands and southern Netherlands, 1577-1625.

In France the many peoples living side by side had never come near to being all united, and since the thirteenth century had had no kings except Charles the Fifth (1364-1380) and Louis the Twelfth (1498-1515) whose memories they could regard with affection. Hence, when the new doctrines came among them, nearly all Frenchmen became violent partisans either of the new doctrines or of the old, and there was no large party, as there was in England, that stood simply for the king and for peace. Between 1562 and 1589 eight furious wars were waged by Frenchmen against Frenchmen: in 1572 many thousands of the Huguenots, adherents of the new doctrines, were ruthlessly massacred on St. Bartholomew's Day by the Catholics led by Henri de Guise: in 1588 Guise was murdered in the king's palace at Blois by order of the king Henry the Third: in 1589 the king was himself stabbed to death by a young Dominican monk, bent on

(2) 1530-1589. France.

taking vengeance for the murder of Guise. At the en of the year 1589 Henry the Fourth was indeed recognise by the Huguenots, in whose faith he had been brought u as their king, but he had no chance of bringing all th French under his government except by continuing th civil war until he could induce the Catholics to accep him as their ruler.

Summary of unifications to 1589.

In order that we may form an idea of the unification that had been effected by 1589 in the larger people descended from unions of tribes or of fiefs, i is worth while to take a view of those people as they then stood. The English and th Swedes were permanently unified peoples. In the Nethe lands two groups of peoples had been formed, each which was certain in future generations to become mo united. The Spaniards for the time being acted togethe enthusiastically under their despotic king in the wor of extirpating the heretics at home and in fighting agains them abroad: but there were plenty of disagreement and dislikes on matters not connected with theolog between the Castilians and the Aragonese. The Frenc alone remained violently and, as it seemed, hopelessl disunited.

Policy of the Balance of Power.

Not only had progress towards unity been made in th larger countries except France, but the governments i some of those countries had adopted new aim of policy towards the preservation of their ind pendence. The governments of France and England saw that the king of Spain was stronger tha either of them, and each of them knew that if he we allowed to crush either of them the other would be crushe in its turn. Hence, if either of them chanced to be i danger from Spain, the other, for motives of self-preserv tion, agreed to give it help, and each of them conscious

aimed at maintaining a Balance of Power among the European governments. It is highly significant of the attention paid in England and in France to the maintenance of equilibrium, that in both countries the word *state* was used before 1589 to denote a body politic having a government of its own and rights which it intended to vindicate and in whose vindication it could expect the aid of some external power.[1]

(3) 1589-1814. The peoples to be considered.

Since in the present chapter I am concerned only with unifications of peoples and with the strong kingly governments that were needed during the period of the unifications, I have nothing further to say in it about the English, the Swedes, and the southern Netherlands: all these peoples had been already fairly well unified before the end of the sixteenth century. The peoples whose fortunes I have to trace from 1589 to 1814 are firstly the French, secondly the Spaniards, thirdly the Prussians and a number of other peoples that were between 1589 and 1793 brought by compulsion under their government, and lastly all the smaller peoples that derived their origin long ago from compulsory junctions of tribes or of fiefs.

France, 1596-1624.

In France during the long wars of religion from 1562 to 1596 armies, battalions and regiments obeyed their commanders, and the commanders obeyed no one. Henry the Fourth in order to become king of all the French found it necessary to purchase the support of the generals on both sides: and in 1596, when the wars ended, the men who had been commanders were in possession of money, lands, offices, provincial governments, and titles, which they could hand on to their posterity. Thus was founded a new noblesse, very

[1] Symonds D'Ewes, *Reports*, pages 162, 193, 237 in edition of 1682, 1689: Montaigne, *Essays*, Bk. 1, Essay 54; Bk. 3, Essay 9.

dangerous to the central government in a country whose inhabitants were not one people but many peoples. As long as Henry lived he contrived to keep the nobles and all other classes under his control; but after he had been murdered in 1610 his widow and his son were for fourteen years almost powerless. The French kings in their efforts to govern their many peoples had for centuries thought it prudent to grant privileges and favours to those classes which could help them and might be dangerous. After the death of Henry the Fourth the classes that enjoyed privileges were the nobles, the prelates, and the judges in the parlements which had now been established in thirteen towns. All these classes were exempt from direct taxation: the judges bought their offices from judges willing to sell, made large incomes from presents made to them by suitors, which they honestly put in a pool and divided without regard to the votes they had given about the verdict, and paid about a sixth part of their takings as a quit rent to the king for the enjoyment of their places.[1] Le Parlement de Paris had a special privilege: no new law was reckoned valid in any parlement till it had been registered in le Parlement de Paris. The effete and useless states general held one meeting four years after the death of Henry the Fourth: after that it disappeared unlamented for a century and three quarters, and no public body except the judges in the parlement had any power to hinder the enactment of any law by the king. The nobles, the prelates, and the judges in the parlements were privileged orders. Such orders grow up almost of necessity when a single government, indigenous in a country, tries to rule many peoples that care little for one another, and have no affection for the government, and give it no help. The government must

[1] Gasquet, *Précis des Institutions Françaises*, 1. 268-282, gives some information about the incomes of judges.

grant privileges to attract to itself all men who if they were active in their own localities might endanger its existence. If the privileged orders are faithful to the government, as the civil servants were to the Cæsars, they are its best prop: if they try to domineer over it, as the bureaucracy has done sometimes in Russia, they are its formidable foes.

In 1624 Richelieu entered the council of Louis the Thirteenth and soon gained a dominant influence which enabled him to direct the king's policy. The obstacles to the unification and welfare of the French were firstly at home a rebellion of Huguenots in the west and the power of the new nobles and princes in their provinces, and secondly abroad the ambitions of the Habsburg sovereigns of Spain and Austria. Richelieu began with obviously necessary measures: he overpowered the Huguenot rebels at La Rochelle, and repeatedly intervened forcibly in the Valtelline through which the river Adda flows down from two important passes over the Alps to the lake of Como, and in the neighbouring duchy of Mantua, because he desired to prevent the Spanish Habsburg from getting a route by land for sending forces to help his kinsman in Austria. After this was done the remaining foes to the welfare of the French were the nobles and princes in France, and the two branches of the Habsburgs, now unable to communicate with one another by land. Considerations derived from the subsequent histories of France and of Europe lead me to think that the nobles and the princes at home were more dangerous to the French than the Habsburgs abroad, and that Richelieu would have done the best thing for France, if he had not meddled with the Habsburgs in arms anywhere except in the Valtelline and in Mantua, but had taken the lead of the humbler classes of Frenchmen, and had by force compelled the privileged orders to pay direct

Richelieu and Mazarin, 1624-1661.

taxes in proportion to their wealth: if this had been done, it seems likely that the French would have quickly become extremely strong as a united people, and could easily have defended themselves against the Habsburgs. Richelieu could not see all that was coming, and he decided to fight the Habsburgs in Germany. He made the French generally and the nobles in particular believe that they had more to gain by fighting in a foreign land than by quarrelling at home. He tempted many great nobles to desert their provisional governments and live about the king's court. He set men of humble origin who owed everything to his favour and were entirely dependent on him to govern a few of the provinces with the new title of *Intendans*, and he deprived le Parlement de Paris of all power to interfere in matters of policy. While he lived he kept order: but the government of his successor Mazarin was rendered impotent from 1648 to 1652 by rebellions incited by two of the privileged orders: the judges of le Parlement de Paris aroused the first insurrection, princes and nobles made the second. The rebellions came to an end in 1652 because the two privileged orders could not agree together, and Mazarin was restored to power.

Louis the Fourteenth.

In 1661, on the death of Mazarin, Louis the Fourteenth, twenty two years of age, took personal control of the government; in the next thirty years he carried the plans of Richelieu to completion. In consequence of the military successes won by Richelieu and of the advantageous terms obtained by Mazarin at the treaties of Westphalia in 1648 and of the Pyrenees in 1659, Louis was already in 1661 the most powerful man in Europe and was furnished with pretexts for robbing his neighbours: he used his opportunities skilfully, and in 1678 after the treaty of Nymwegen no state in Europe except France was sure of its independence. But in spite of his glories he was afraid

of what the nobles and the princes might do if they lived in the provinces. He tempted them with prospects of splendours and pensions to desert their homes in the country and to attend on him as courtiers. Every duke or prince who was assiduous at court was sure to get an eleemosynary income from the king to supplement the wealth that he drew from his estates. The emoluments granted to the nobles and princes were sometimes simply yearly sums of money, sometimes they were titular governorships of towns or provinces: but the governorships were given on the understanding that the recipient was not to go near to the place of which he was nominal governor, and was to draw from it nothing but an income. There was one instance, possibly more than one, of a duke who actually ruled a province because one of his ancestors had ruled it well with great advantage to one of the former kings of France. This instance occurred in Dauphiné: le Duc de Lesdiguières, in perfect loyalty to Louis the Fourteenth, ruled the province admirably and won the affection of the people under his care. By so doing he was marked for the king's displeasure: when he died in 1681, Louis forbade the queen to pay his widow such a visit of condolence as she had hitherto paid to all duchesses who lost their husbands.[1] In every province Louis appointed an Intendant, he excluded le parlement entirely from political influence, and himself controlled every department of the government with the advice of his council of four ministers and two secretaries.

Louis spent money and men's lives in greater profusion than any man since the Cæsars. Men were used up in his foreign wars, money partly in wars, partly in pensions to princes and dukes: the men were furnished by the poor peasantry, the money partly by the peasantry, partly by the

[1] Saint-Simon, *Mém.*, ed. Boislisle, 12. 6.

townsfolk. The wars and the conquests to which they led taught the European powers that they must form alliances to restore a Balance of Power. In 1673, 1689 and 1701 coalitions were formed to resist Louis: the coalition of 1701, begun by William the Third of the Netherlands and England, and conducted by Marlborough and Eugene, attained its object. In 1706 Louis lost the command of the southern Netherlands and of the valley of the Po, the two most important strategic areas in western Europe: the French peasantry had already given the king all their strong men to die in his wars, and those who survived were too near starvation to pay more taxes. From 1706 for eighty years each generation of Frenchmen was weaker and more miserable than the one before it, but the kings of France after Louis the Fourteenth still engaged in needless wars and still taxed the starving poor to find pensions for the rich. In 1770 the treasury was empty and the king repudiated part of his debts. At length, after a few years income had been wasted between 1779 and 1782 in helping the American colonies of England to become independent, it became clear to every one that, unless the privileged orders were taxed, France could no longer maintain a government.

Wretched condition of the French, 1706-1789.

Early in 1789 the king summoned a meeting of the states general, and in so doing tacitly declared himself an ally of the bourgeoisie and the peasantry, who owned only about a third part of the land in France but paid the whole of the direct taxes. On May 4 the states general met: on June 20 the king broke his alliance with the bourgeoisie and the peasants by excluding the deputies from the hall in which they sat. Thenceforth the king and the privileged orders were in alliance against the bourgeoisie and the peasantry and the states general.

Defection of the king from the cause of the oppressed classes.

The bourgeoisie and the peasantry, who together made up the mass of the population, had hoped that the king and the states general would act together in diminishing the monstrous privileges of the orders and in setting up a strong government. When the king refused to join in these tasks the states general attempted to perform them alone. They succeeded in destroying the privileges and in reducing by confiscations the lands held by the extremely rich from two thirds to one third of the whole cultivated area in France; but they could not make a strong government. In the autumn of 1791 they took the name of Constituent Assembly and formulated a constitution, which though not very important in French history must be noticed because it afterwards served as a model or an ideal for reformers in Spain and in Italy. Its defects were these. It began with the famous declaration of the Rights of Man, subversive of any government: it forbade the executive ministers to sit in the legislative assembly: and it provided no second chamber of legislature. Further than this the Constituent Assembly passed a self denying ordinance, forbidding its own members to seek election to the new legislative body, thus depriving that body of the services of the only men in France who had any experience in public deliberation.

The states general and the constitution of 1791.

The constitution of 1791 was broken to pieces by the party of the Girondins, led by some fluent orators without experience or statesmanship from the Gironde near Bordeaux, who for the purpose of destroying such small authority as was still retained by the king and his executive ministers provoked the rulers of Prussia and Austria to invade France as allies of the king. On August 10, 1792, the mob of Paris, terrified at the invasion, sacked the king's palace of the Tuileries and took the king

Disruption of France, 1793.

prisoner. Thenceforth a few bullies who controlled the mob could dominate any deliberative assembly. A new assembly called the National Convention was elected in September 1792 for the purpose of making a new constitution: under pressure from the mob it killed the king and queen: on June 3, 1793, it was invaded by the populace and lost all semblance of independence. From that date France was for a time without a common government: the towns all over the country, having never been genuinely united with one another, acted independently like separate simple city states, but were far more disorderly than city states usually are, because they contained no class that was in the habit of governing. Paris had such a precedence over the other towns that it controlled the foreign policy and the armies of all the French: but both in Paris and in the other cities the inhabitants were free from any need to act unitedly as soldiers against the enemies beyond the borders of France, because they had armies levied mainly from the peasantry to do the fighting for them.

In simple city states that have been long established the classes are organised, each class knows its own interests, and some one class rules over all other classes. In Paris classes were not organised and could scarcely be said to exist. But after August 1792 crafty demagogues pretended that the poor of Paris were the rulers of the city and of France and ought to be the rulers of the world: in truth the leading demagogues themselves kept a band of ruffians to intimidate the poor and the rich, the orators and their audiences: the lesser demagogues occupied the benches of the Convention, of the Committee of Public Safety, of the Criminal Tribunal, and there voted as their leaders bade them. Thus the leading demagogues could and did order massacres on a huge scale under the name of judicial executions. The

Paris, 1792-1794. Demagogues and massacres.

leaders were at one time Danton, Marat, and Robespierre, at another Danton alone, and lastly Robespierre alone. But in the summer of 1794 the lesser demagogues generally were convinced that Robespierre, if he remained in power, would certainly send a large number of them to the guillotine: they combined against him and on July 28 secured his execution. During the year after his overthrow there was felt both in Paris and in other French towns a general loathing for the methods of the demagogues and a desire for a free election of an assembly really representative of all France. It was thought that in a free election men of substance would have some influence, and a freely elected assembly might even set up a king and allow the noblesse to recover some of their confiscated estates.

Since the spring of 1793 the French were at war with many European powers, among whom Austria, England and Prussia were the most active. In August of that year one of the demagogues at Paris proposed a *levée en masse*, or arming of the whole male population of France: but Danton perceived that a demand of service only from men under twenty-five years of age would make a much better army, and he convinced the Convention that he was right: the measure that he recommended added nearly half a million to the French armies.[1] By the summer of 1795, when the question of a free election was being debated, the armies had learned discipline and seen service, and each of them was a far more united body than any mass of civilians of equal size in France. On the subject of a free election all the armies were of one mind. The soldiers were drawn from the peasantry or the poor, and their families had profited by the abolition of privileges and the confiscations of lands: their generals were of humble origin and agreed with the men. In Paris the Convention,

Unification of France, 1813-1814.

[1] *Cambridge Modern History*, 9. 348.

though it now included many men who had opposed the most violent demagogues, was resolute against a free election which might bring persecution of its members: the bourgeoisie on the other hand nearly all desired that an election might be held freely, and on 13 Vendémiaire (Oct. 4) 1795 they made a revolt against the Convention in which thirty thousand National Guards took part. The Convention called in regular troops under Barras who was aided by young Napoleon Buonaparte: the revolt was quelled, and it was settled that there should be no free election held all at once. But a new constitution was made which established five Directors as executive governors, and two legislative chambers, of which two thirds were to be in the first instance men who had sat in the Convention, and one third was in future to be freely elected every year: in the next four years regular troops were twice called in by the Directors to purge the chambers. After 1804 there was only one French army, a perfectly united body. In the later years of Napoleon the army contained all the men in France capable of service: in 1813 and 1814 the army that fought in self defence against all the powers of Europe was scarcely distinguishable from the French people, and the whole population of France was for the first time a united body politic, or a single political community.

(3) 1589-1814. Spain.

In Spain the Castilians submitted readily throughout the seventeenth century to their Habsburg kings: the Catalans and the Biscayans regarded themselves as separate peoples alien from the Castilians, and were so regarded by the kings and ministers who ruled as Castilians at Madrid. In 1639, when the Catalans had already done much more than they cared to do in fighting on behalf of the Castilians against the French, Olivarez, the Castilian minister, tried by very cruel oppression and violence to compel them to make still greater efforts in the war: in

1640 they revolted from the Castilians, acted as an independent state, and made an alliance with the French, against whom the Castilians were trying to contend: it was not till 1652 that they were compelled by force to submit to the Castilians, and were deprived of all their distinctive and ancient privileges.[1] In 1700 on the death of Carlos the Second the last heir in a direct male line of the Habsburg kings of Spain, it became doubtful whether the next successor ought to be a French prince or an Austrian: the Castilians accepted the French claimant, the Catalans, the Valencians, and the Aragonese from 1705 supported the Austrian, and till 1713 the Castilians fought on one side, and three other peoples in Spain on the other. Long afterwards between 1808 and 1814 during the war of independence against Napoleon and his brother Joseph it was seen that even the Castilians were not one people but many peoples: the many towns in Castile set up Juntas of their own, and the Juntas could not combine and act harmoniously. The reason of the inability of the many peoples in Spain to combine must no doubt be sought in the physical features of the peninsula. Unbroken mountain ranges divide Castile from Biscay and from Valencia, Catalonia, and Aragon: Castile itself is divided by lofty ridges into six natural divisions, whose inhabitants till long after 1814 had only very bad opportunities of becoming acquainted and forming relations of reciprocal friendliness.

In the tenth century the Germans under their kings Henry the First and Otto the Great began making their first conquests from the Slavs to the east of the river Elbe and planting settlers to try to hold the half conquered districts. Each piece of territory that was entrusted to a

[1] Dyer, *Modern Europe*, 2. 602, foll. For the date of the suppression of the Catalan revolt my authority is the Oxford Chronological Tables, published 1835.

band of settlers and their chief was called a mark or frontier province: before the end of the tenth century four marks had been established reaching from the northern border of Bohemia to the Baltic Sea.[1] Men living in frontier provinces during the Middle Ages were usually exceptionally vigorous, because they had to fight in self defence: one of the marks to the east of the Elbe which had its two centres at Havelberg and Bredanburch or Brandenburg on the river Spree grew to such importance that by the fourteenth century its markgraf was one of the seven electors of the men called Kaisers who served as figureheads of the Germans. In 1415 the mark of Brandenburg, whose old line of princes had died out, was given to Friedrich von Hohenzollern, Burggraf of Nürnberg. During the fifteenth century princes of the house of Hohenzollern reigned in Brandenburg in conjunction with a Landtag: by 1589 one of their descendants was ruling the Brandenburgers with uncontrolled authority.

(3) 1589-1814. Prussia: growth of Brandenburg to 1589.

In 1589 the mark of Brandenburg measured about two hundred miles from west to east, about one hundred from north to south. Between 1589 and 1795 the princes of Brandenburg made large acquisitions of territory with reckless haste. One of them in 1614 gained the small principalities of Cleve and Mark far to the west near the Netherlands: in 1618 he took over Prussia, as large as his mark of Brandenburg, far away to the east on the coast of the Baltic Sea. The Great Elector Frederick William, who reigned from 1640 till 1688, obtained the large district of eastern Pomerania, and the smaller archbishopric of Magdeburg. In 1701 the Elector Markgraf Frederick the Third, to signify his exalted position, called himself King of Prussia: a few years later his new title was recognised by the Kaiser, and

Brandenburg-Prussia: acquisitions of territory, 1589-1795.

[1] Droysen, *Handatlas*, Map 22, 23, and Erläuternder Text, p. 28.

thenceforth the Brandenburgers have been misnamed Prussians. Frederick the Great in 1742 took Silesia by conquest from Austria, and in 1772 at the first partition of Poland got as his share the northern part of the Polish dominions except the town of Dantzic, and so filled up the gap that had divided eastern Pomerania from Prussia. Finally in 1793 and 1795 Frederick William the Second at the second and third partitions of Poland acquired the town of Dantzic and two great districts, each of them larger than the part of Poland that had been annexed by Frederick the Great. In 1795 the King of Prussia owned territory that covered fully eight times the area of the mark of Brandenburg which had been the whole principality of his ancestor at the end of the sixteenth century.

Formation of a Prussian people, 1807-1814.

The many peoples subject to the King of Prussia were dissimilar in race, history, interests, and desires, and there was not among them any one people large enough to dominate the rest. It was then impossible that they could have a good or a strong government. Frederick William the Second ruled as a despot, but his government was stupid and ineffectual, and in its dealings with the Poles and the Austrians from 1790 to 1793 extremely dishonest: Frederick William the Third who succeeded his father in 1797 could not make any improvement. When Napoleon attacked the Prussian dominions in 1806 they tumbled apart like a house of cards. Napoleon in 1806-7 took from the King of Prussia all his subject peoples to the west of the Elbe, and two thirds of his dependencies in Poland: the peoples that remained to the king were only the Brandenburgers, the Silesians, the Pomeranians, the northern Poles, and the Prussians. Even these peoples that were left to the king were grievously humiliated till 1812 by Napoleon; but they made heroic efforts to regain their strength, and by 1814 it

may be said without much exaggeration that they were consolidated into a single people.

The lesser principalities in Germany were ruled from 1589 till 1800 by native despots, whom the inhabitants for their own protection were willing to obey, and in each of them there existed during that period only one united people, or what is the same thing a series of united communities in the generations as they followed one another. But in Denmark in the middle of the seventeenth century there was no strong government, and in Savoy-Piémont at the same time the inhabitants were divided into at least three distinct local communities.

The lesser peoples, 1589-1800.

In Denmark during the Thirty Years War the nobles elected kings and formed the sole powerful and rich class. They occupied even the crown lands, and in return undertook to keep the fortresses in repair and to provide them with garrisons: but they left them ruinous and empty and would not let the king have an army lest he might employ it to curtail their privileges. In consequence of their selfish behaviour Denmark was easily overrun by Swedish armies in 1644 under Torstenson and in 1657-8 under the Swedish King Charles the Tenth. In 1660 Frederick the Third King of Denmark summoned a representative assembly of nobles, clergy and townsmen: the townsmen and the clergy were indignant at the gross misconduct of the nobles, and insisted that henceforth their kings should reign by hereditary right and their power should be unlimited.[1] In Savoy-Piémont the Savoyards on the north and west side of the Alps were one people, and the Piémontese on the south and east of the mountains were another: beside that the Piémontese were Catholics on the lower grounds and Protestants, called Vaudois, in upland valleys. In 1654 the Duke of Savoy-

Denmark and Savoy-Piémont.

[1] Dyer, *Modern Europe*, 2. 618-620, and 3. 118-120.

Piémont at the instigation of the French minister Mazarin and with the aid of his troops persecuted the Vaudois with cruelties which drew from Milton his noble sonnet. Oliver Cromwell told Mazarin that the persecution must cease, and as Mazarin needed an alliance with him, he did not speak in vain.[1] The Duke of Savoy-Piémont adopted a policy of toleration and his example was followed by his successors. From 1703 to 1706 when very nearly the whole of Savoy and Piémont were occupied by the armies of the French King Louis the Fourteenth, the reigning Duke Victor Amedeo the Second was saved from destruction by the zealous and voluntary exertions, not only of all his own subjects, but also of the Protestants who lived outside his duchy in Geneva and its neighbourhood.[2] After that there were no more local dissensions in the duchy of Savoy-Piémont, which from 1720 lost its proper name and was only a part, but the chief part, of the kingdom of Sardinia.

During the eighteenth century every one of the lesser kingdoms and principalities contained only one people. Till 1793 all of them, except three or four which were annexed to Prussia, continued to be ruled as separate states by native despots, though some of them were of very minute proportions: for example the hereditary dominion of Freiherr vom und zum Stein was no bigger than an ordinary estate of a country gentleman.[3] But from 1794 when the French Republic made its first foreign conquest till 1814 there was no room in continental Europe for small independent

Compulsory junctions of small principalities, 1793-1814.

[1] Dyer, *Modern Europe*, 3. 23, 24.

[2] See *Mémoires militaires sur la Guerre de la Succession d'Espagne*, collected by General de Vault in the generation before 1789, edited by General Pelet, and published 1835 in *Doc. Inédits*. The evidence about the Protestants is clearest in 1703.

[3] Seeley, *Life and Times of Stein*, chapter 1.

states. The French annexed first the southern Netherlands, and then in 1797 and 1801 at the Treaties of Campo Formio and Lunéville all the German principalities to the west of the Rhine. In 1803 compensation was to be found for the princes who had lost territories under the terms of the treaties of Campo Formio and Lunéville: the business of finding it was entrusted by the German Diet, which was now only a collection of ambassadors of the German states sitting at Regensburg, to a committee consisting of eight of its members. The committee was twisted by Buonaparte at his pleasure, and, when it issued its famous Reichsdeputationshauptschluss, or Principal Decision of the Committee of the Empire, men saw that all the ecclesiastical states in Germany and all the lesser secular states had been made up into parcels and given to the dispossessed princes or to other princes whom Buonaparte regarded as his friends. In 1806 the German states to the west of the Elbe were joined in a Confederation of the Rhine, of which Napoleon was master: in the later years of Napoleon they were capriciously joined in new groupings to form kingdoms for princes who served the French emperor as his vassals. Italy was treated in like manner with Germany: in particular Savoy-Piémont in 1801 was completely merged in France and governed directly from Paris. Denmark and Sweden alone remained under kings not nominated by Napoleon: Denmark from 1807 was in alliance with Napoleon: Sweden being accessible by sea but not by land found it prudent in 1812 to act with his opponents.

In the present chapter I have described successions of bodies politic descended from compulsory junctions of tribes or of fiefs, taking as the starting point of my view in most cases about the middle of the fifteenth century and following the successions of bodies politic in each case till the time, not by any means the same in the various

countries, when a united community was generated. In commenting on these successions of bodies politic I must make a distinction between those descended from junctions of tribes and French bodies politic which were descended from junctions of fiefs. Even the earliest of the bodies politic descended from junctions of tribes which are mentioned in this chapter, though they were composite, yet had as the component parts of each firstly a large united community which only longed to be at peace at home and abroad, and secondly two or three small collections of turbulent men which, when put together, were not nearly equal in magnitude to the united community. In France on the other hand all bodies politic till 1595 and some as late as 1650 were composed of small local communities which, so far as the civilian inhabitants were concerned, had no particular liking for living under the government of the French king and paying him taxes beyond their capacity: the only element that held these French bodies politic together was the fighting men, who desired that they might be led to get plunder in foreign lands, and that heavy taxes might be laid on the civilian population for their pay and their maintenance. These facts explain the different courses of conduct adopted in bodies politic descended from junctions of tribes and in the French bodies politic descended from junctions of fiefs. In the bodies politic derived from tribes joined together the one community that desired peace gladly set up and supported a despotic ruler whose business it was to curb the small turbulent groups of men: in French bodies politic there was no large community that could take any common action, and the kings had power only so long as their fighting men were moderately content with foreign plunder and all acted unanimously: whenever the fighting

General view of bodies politic derived from junctions of tribes or of fiefs, 1450-1814.

men were discontented and broke up into hostile armies, the king was powerless, and anarchy supervened. The principal bodies politic descended from junctions of tribes or of fiefs that existed in each country from about 1450 till such time as in each country one of them generated a single united community can be set forth in a tabular form.

BODIES POLITIC DESCENDED FROM COMPULSORY JUNCTIONS OF TRIBES OR OF FIEFS, 1450-1814

BODIES POLITIC.	GOVERNMENTS.
1. Descended from junctions of tribes.	
In England, Sweden, Spain and similar countries.	
Bodies politic, composite indeed, but having much more than half their population united in a single community desirous of quietude.	Despotic governments, strongly supported by large communities. In some countries also weak parliaments.
[This description is correct for England and Sweden only till 1589 : for the other countries till 1814.]	
2. Descended from junctions of fiefs in France.	
(*a*) Till 1595 and at some times till 1650. Composite and disunited bodies politic, held together, if at all, only by an army of greedy soldiers.	Sometimes despotic rulers supported by an army only : sometimes wars between armies and no effective government.

BODIES POLITIC DESCENDED FROM COMPULSORY JUNCTIONS OF TRIBES OR OF FIEFS, 1450-1814.—*Continued.*

BODIES POLITIC.	GOVERNMENTS.
(*b*) From 1661 till 1789 a succession of composite bodies politic held together only by armed force and by bribery of privileged orders.	King, seemingly strong, really weak, and privileged orders.
(*c*) From 1792 to 1795. Disruption of France.	Tyrannous demagogues in Paris, sometimes three, sometimes only one, ruling nearly all France.
(*d*) From 1795 to 1814. Body politic gradually becoming a single community by being all converted into an army.	A strong military despot.

CHAPTER XXIV

UNITARY NATIONS: PARLIAMENTARY GOVERNMENTS

Unitary nations.

In Sweden and in England, as we have already seen,[1] earlier than in any other large countries, the populations attained to unity: in each of the two countries at different times in the sixteenth century the inhabitants formed themselves into a united community and their descendants lived together as a united people. After the Swedes and the English had coalesced into single and united peoples, other united peoples were established on the continent. Till 1793 nearly all the united peoples on the continent, though they were small, had governments of native growth and enjoyed a precarious independence. Between 1794 and 1814 the greater part of these lesser peoples lost their native governments and their independence, and even after 1814 some remained subject to foreign rulers. About the middle of the nineteenth century the independent peoples under native governments were seen to be entirely different from the dependent peoples, and a distinctive name for them was needed. In order to give them a name, the word *nation*, which in the eighteenth century could denote any miscellaneous congeries of men of the same stock, was so restricted in its usage, that, when it was employed correctly and not rhetorically, it could only mean a united people living independent under a government of native growth. But even so the word was not precise enough to

[1] See pp. 416, 418.

denote only those peoples which were descended from compulsory unions of tribes or of fiefs or of other communities and had only one government apiece. For there had come into being through voluntary junctions of communities the nations of the Swiss and the Americans, which for some purposes had one government apiece, but for other purposes had many co-ordinate governments. In order to distinguish the two kinds of nations it is necessary to give each of them a qualifying adjective: nations which have one government apiece and no more are called unitary, and those with many co-ordinate governments are federal. Sweden and England from the end of the sixteenth century possessed all the qualities implied by the name *unitary nation*, and I shall give them that name from the times when it became applicable to them, although it was not invented till more than two centuries later. Whenever I have occasion to speak of all the members of a unitary nation who are living at one time by a collective name, I shall call them a national community. That name cannot properly denote anything but the contemporary members of a unitary nation: for the contemporary members of a federal nation are not one community but many, and the component communities in a federal body politic are not national communities, because they are not independent.

Experimental governments for unitary nations, 1600-1830.

When the first unitary nations came into existence, it was only by experiment that they could discover what kinds of government were conducive to their welfare. Accordingly both in Sweden and in England many new kinds of government were tried. The Swedes from 1561 to 1720[1] were so much occupied in striving to conquer fresh subjects on the mainland of Europe outside their own peninsula that they failed to find any good method of managing their home

[1] Geijer, *Hist. of the Swedes*, Turner's translation, ch. 11. p. 149.

affairs: the English wanted nothing on the continent, and their search for a government that suited their requirements was rewarded with success.

Despotic government of the first two Stuart kings.

As soon as all Englishmen had shown in 1588 that they would fight vigorously against the Spaniards, the despotic government of Elizabeth was no longer needed: accordingly the nobles and gentry of new families, endowed and promoted by the Tudor sovereigns, having already gained great influence with the country folk among whom they lived, desired to gain a share in directing the public policy of the government. Elizabeth in 1601, needing money for a war in Ireland, gave way to the wishes of the House of Commons in regard to certain oppressive monopolies which she had granted to some of her favourites: but the first two kings of the house of Stuart tried to set up a government far more despotic than any that had existed under the Tudor sovereigns. James laid taxes of his own authority: Charles did the same, and for eleven years governed without a parliament. In 1640 Charles, having been defeated by the Scots, and being unable to get money, was compelled to summon a parliament, and to assent to laws which forbade all unparliamentary taxation, and provided that England should never be more than three years without a session of parliament. But in January 1642 he tried to coerce the House of Commons with military force, and thus caused two civil wars which were waged not for the disruption of England but for the purpose of settling under what form of government it should stand united.

Stages in the decline of the king's despotic power.

From 1642 to 1660 nothing was done towards determining what should be the permanent government of the country: but, in the long period that began in 1660, when Charles the Second became king with the same powers as his father had possessed in 1642, and that ended in 1835, changes were made which

resulted in abolishing the king's despotic power and setting up in its stead a supremacy of parliament. The course of these changes may be divided into four parts.

(1) Between 1660 and 1689 parliament gained a right to control administration.

(2) From 1689 to 1760 parties were organised in parliament, and from 1714 one party had exclusive enjoyment of office.

(3) From 1760 to 1811 the king's power revived.

(4) Between 1811 and 1835 parliament was greatly strengthened by the admission of fresh classes to take part in the election of members of the House of Commons, and it was definitely settled that the king's ministers were jointly responsible to parliament, and could be turned out of office by an adverse vote of a majority in the House of Commons.

Charles the Second always had less money than he desired for squandering on his mistresses. In the first nineteen years of his reign want of money drove him to summon frequent parliaments and to make them many concessions: by 1679 parliament supervised expenditure as well as taxation, had revived the process of impeachment for removing a minister from office, and by passing the Habeas Corpus Act had prevented imprisonment without trial: these innovations gave the parliament effective control of administration. But between 1678 and 1681 the amazing folly of the newly made Country Party (called from 1680 the Whig Party), shown in the credence they gave to the fabricated story of a Popish Plot and in their attempt to make the bastard Monmouth heir to the throne in lieu of James the heir by legitimate descent, destroyed the authority of parliament. From 1681 to 1688 Charles and then James misgoverned as despots free from control. James used as his instruments a usurped power of

(1) 1660-1689. Parliament gained control of administration.

dispensing with penal statutes, a standing army maintained without leave of parliament, and a bench of judges, servile because dismissible by the king at pleasure. At the very end of 1688 James ran away from England: very early next year a Convention Parliament, so called because not summoned by a king, decided that the throne was vacant, and before electing a new king limited his powers by a Declaration of Rights. The Declaration introduced nothing that was entirely novel in the form of government: it reaffirmed the limitations on kingly power which had been established before 1679, and in regard to two matters which had come to be keenly disputed since that time it settled for the first time that the king had no power to give general dispensations from penal statutes nor to keep a standing army in time of peace without leave of parliament: even the crying mischief of judges dismissible at pleasure was left untouched, probably because it was useless to make judges sure of continuing in office till some judges of tried honesty had been found: it was not till the Act of Settlement of 1701 that the rule was made that after the accession of the house of Hanover judges should hold office during good behaviour and not during the king's pleasure. The provisions of the Declaration, though so modest, sufficed to ensure for future parliaments all the control over administration that was needed. William, the new king, almost at the time of his accession became the leader of a great coalition of European powers formed for resistance to the aggressions of Louis the Fourteenth. The Mutiny Act which gave the king authority to maintain discipline in his army was never made to hold good for more than a year at a time, and in every year the king found it necessary to ask for a new act and for money to defray the cost of war.

It is worthy of notice that between 1660 and 1689 men began to use the word *Constitution* when they wished to

speak of a settled form of government. It was a new word. In the debates of parliament in 1640 and 1641, where it would have been employed if it had been known, it does not occur: in those debates the nearly equivalent term *established government* occurs only once, since settled methods of ruling were a thing still desired, and not yet possessed.[1] But in *The Character of a Trimmer* written in 1685 by George Savile, Marquis of Halifax, but not published till 1688, *Constitution* occurs five times in the first thirty pages.[2] The word means literally a *settling together*, and when used as a political term denotes such a settlement of the relations between the powers in a government as has been established by law and custom. Halifax, the great Trimmer, shows by the context in which he uses the word that he gave it much the same sense as we now give it, and that he knew that sense would be familiar to his readers. The word was appropriate in his time because there were already powers, not merely one power, in the government, and the relations between the powers were becoming defined.

The word 'constitution.'

By 1689 politicians were divided into Whigs and Tories. For six years from that time William chose some ministers from the Whigs and others from the Tories: but the plan was inconvenient, because the members of the two houses of parliament were not informed by their party names which way they were expected to vote on any particular proposal, and the ministers could not be sure of a stable majority. In 1695 the king tried the experiment of choosing all his ministers from among the Whigs: but in his later years and in the reign of Anne till 1710

(2) 1689-1760. Parties in Parliament.

[1] My authority is a collection of *Speeches in the Great Parliament*, published by W. Cooke, London, 1641, in a volume of about 600 pages.

[2] In *Miscellanies by the late Lord Marquis of Halifax*, 1704, pp. 97, 98, 113, 114, 115. For the dates of the composition and of the publication of the *Character*, see *Dict. Nat. Biog.*, article on 'Savile, George,' p. 359.

Whigs and Tories were commonly employed together as ministers. From 1714, however, when the first Hanoverian king began his reign no Tories could be put in office, because Tories in general were suspected of a desire to bring in a Stuart Pretender as king: from the accession of George the First till the death of George the Second in 1760 all ministers were Whigs, except from 1756 the elder Pitt who was neither a Whig nor a Tory, but was needed as minister for Foreign Affairs. It was easy for the Whig ministers to keep majorities in the two houses of parliament, because no class except the nobles and the rich gentry had any means of exercising influence on the members of the houses. The lords sat of right in their own house, and they with the wealthy gentlemen nominated more than three fourths of the lower house through their influence over the small close corporations which elected the members for cities and boroughs. The patrons of boroughs generally provided the ministers with majorities because they hoped for dignities or offices: if that motive did not suffice, they could be bribed with public money. Sir Robert Walpole, Prime Minister from 1721 to 1742, kept his colleagues in the ministry under strict control: but there was no rule that all ministers were responsible for the actions of their chief, and that if he were turned out of office they must go too. Sir Robert Walpole was compelled in 1742 to resign from the purely personal reason that members of the Commons did not like his imperious control: but, when he went, nearly all his colleagues remained in office under his successor.

In 1760, when George the Third began his reign, the Whigs were thoroughly discredited as rulers. For the past fifteen years they had never been sure that any one would stand by them except the lords and the rich gentry, and in 1756, when war against France was needed for the defence of the American colonies, they were too timorous to

conduct it, and were glad to hand the work over to Pitt. The Tories of 1760 were not like the Tories of 1715 and of 1745: they could not be supposed to be Jacobites, because there was now no descendant of the Stuarts who could be set up as a Pretender. Whigs then and Tories were equally capable of being employed as ministers. The king played off one party against the other, and by 1784 had so weakened them that he could take as his Prime Minister the younger Pitt, who, like his father, was neither a Whig nor a Tory, and thought that in the main the king's views about policy were right. From 1784 to 1811 the members of the two houses voted as the king wished, and at all times, except for a twelvemonth in 1805-6, the Prime Minister was either Pitt or a disciple of Pitt. Before 1784 the wealth of England had been marvellously increased by the invention of mechanical engines and appliances which made it possible to produce useful commodities in quantities many times as great as hitherto. During the great war against France, parliaments granted moneys in amounts never dreamt of before, Englishmen gave their lives willingly for the defence of the common weal, and till 1811 George the Third was far more powerful than any other sovereign in the world except Napoleon.

(3) Revival of kingly power.

After 1811, when King George became insane, kingly power grew less. The king's eldest son, who became first regent, and afterwards king, was of despicable character. The mechanical inventions, which had multiplied produce, had also made it necessary for artisans to work together in factories, where they conferred with one another, and determined on courses of concerted action. Many of the laws made by nobles and gentry pressed hard on them, and they saw clearly that they would not be treated with consideration until they obtained a share in electing members of the

(4) Supremacy of a reformed parliament.

House of Commons. In 1831 it was seen that, unless the laws relating to elections of representatives were altered, insurrections would ensue, and in the next year changes were made which gave the artisans a right to vote at elections, and transferred many seats in the House of Commons from decayed villages to large and prosperous towns. In 1834 William the Fourth dismissed his ministers, though they enjoyed the confidence of both Houses of Parliament, and set other men in their places. In 1835 the new ministers, being outvoted in the House of Commons, were compelled to resign office, and it became clear that the Commons could if they chose get rid of any ministry. After the debates on the changes of ministries in 1834 and 1835, it was accepted as a rule that every minister was answerable for the acts of all the ministers, and the ministers were a Cabinet jointly responsible to parliament, and especially to the House of Commons, which was more powerful than the House of Lords.

National unity of Great Britain attained by 1830.

Within the period from 1588 to 1835, in which the English were trying what government suited them as a united nation, they found it desirable on two occasions to take bodies of men who were not English under a common government with themselves. After their junctions with the Scots and with the Irish their nation was no longer a whole body politic standing by itself, but it was decidedly the strongest and largest part in a composite body politic. The Scots in the early years of the eighteenth century were rather many peoples than one people: but their parliament consented voluntarily in 1707 that all the Scots in order to gain opportunities for trading more advantageously should come under a common government with the English. In 1715 and in 1745 the Scots rebelled in favour of a Stuart Pretender: but after the suppression of the second rebellion

the descendants of the rebels gradually coalesced with the English, and before 1830 a united nation of Great Britain had been established.

In Ireland no approach had ever been made towards forming a united people. English kings had nominally been rulers of the country since the Middle Ages, but few of them had attempted to govern it: by establishing a parliament, which was totally out of place in such a country, they had made discords more dangerous. From 1495 to 1782 the Irish parliament was kept subordinate to the government of England: in 1782 a Whig government in England set it free from English control, but kept the appointment of executive officers for Ireland in the hands of the ministers in England. The Irish House of Commons was elected only by absurdly minute constituencies, whose votes were controlled entirely by a few rich men of English families owning estates in Ireland. Pitt, after becoming Prime Minister of England in 1784, soon formed the opinion that the discordant elements in Ireland could not be kept quiet by any parliament elected by one or by many or by all of those elements. In 1798 disorder and violence broke loose in what was called a rebellion, but was rather a strife of many hostile factions. The only persons who cared much that there should be a semblance of a separate government for Ireland were the few rich men who nominated the members of the Irish House of Commons and sold the nominations to the best bidder. In 1801 the interests of these men were bought up by the ministers in England with hard cash, and titles, and honours, and the sundry factions of the Irish were brought under a common government with the English and the Scots: a parliament of Great Britain and Ireland was established, and in 1832 the right to vote for representatives was given to Irishmen without regard to their creed as

Junction of the Irish with Great Britain.

widely as to the English and the Scots. By about 1860 the mass of men under the government of Great Britain and Ireland were not indeed one united nation: but the English and the Scots and the north eastern Irish were united in desires and aims, and they hoped that some future generation of the other Irish might be joined in friendship and national unity with their descendants.

On the continent of Europe, as we have already seen, many united peoples had been formed in the eighteenth century.

Continental communities, 1814.

The members of a united people who live together at any one time are a community: thus in the year 1800 there were many communities in continental Europe. In 1814 two of these communities, the Swedes and the Danes, were still separate under native governments: the rest had been grouped together in large or small masses into composite bodies politic: but on the other hand new communities had been formed in France and in the reduced territory of Prussia. After the abdication of Napoleon and his relegation to Elba it had to be decided which of the communities should be separate under native governments, and which should stay in their existing groups or be put in new groups.

Continental communities, 1814-1833.

The decision of these questions rested with the Great Powers of Europe acting on May 30 in their treaty of Paris and from September 20 at the Congress of Vienna. The pronouncements of the Congress in regard to political delimitations within Germany need not detain us long. They did not undo the work accomplished in 1803 by the Committee of the Diet, which had gathered the minute German communities into groups, though they modified its details in order to reward princes who had helped to overthrow Napoleon, and to punish at least one of his adherents. It followed that many or all of the larger kingdoms or principalities which they recognised

or established in Germany contained many communities apiece, and could not for some generations to come constitute themselves as unitary nations: as a matter of fact all of them renounced all notion of becoming unitary nations in 1866 or 1871 when by their own acts they ceased to be independent and separate. Outside of Germany the Congress recognised every kingdom which had been independent in 1792 as still independent, but it transferred the Norwegians, now a thoroughly united community, from the King of Denmark to the King of Sweden, and the southern Netherlanders from the emperor of Austria, who declined to keep them, to the hereditary Stadholder, now king, of the Dutch Netherlands. The Norwegians immediately resisted annexation to Sweden, and obtained a government of their own for all but foreign affairs. The southern Netherlanders in 1830 rebelled against the Dutch king, and in 1833 it was finally settled that they should form the independent state of Belgium: the name Netherlands consequently denoted only the Dutch Netherlands. In 1833 six communities, the Swedes, the Danes, the Savoyards and Piemontese, the French, the Dutch, and the Belgians were independent under native governments, and it was therefore likely that the descendants of each of them would constitute such a succession of independent communities as bears the name of nation. The Norwegians were obliged to act in foreign affairs as the Swedes prescribed, but they were so vigorous and so united that they and their descendants in every generation were sure of having such a government as they might desire for the conduct of internal business. During the nineteenth century I shall generally consider the Norwegians as forming a seventh unitary nation, though it was not till 1905 that by their complete separation from Sweden they gained a perfect title to be so regarded.

When the power of Napoleon was broken in 1814, the event was so momentous that no one perfectly understood all that had happened. The communities everywhere except in Norway remained passive. In Norway the Danish Stadholder, on hearing that the Norwegians were to be handed over to the king of Sweden, summoned a national convention. The convention in April 1814 made a constitution with representative institutions, which was only slightly altered in November of the same year when the Norwegians accepted the king of Sweden as their sovereign.[1] The Danes and the Swedes kept their governments as they were. The Savoyards and Piemontese took back their native despotic king who since 1802 had reigned only in the isle of Sardinia. In France and in the Netherlands some changes were made, but their character was not determined by any action on the part of their communities.

Passive attitude of communities, 1814.

In dealing with the Netherlands and with France the governments allied together against Napoleon were compelled to form some immediate decisions as to the internal organisation of the two countries. In December 1813 the allied armies after their great victory at Leipzig entered the Dutch Netherlands and enabled William, son of the last Stadholder, to assume authority there as sovereign prince.[2] William, knowing well enough that the Dutch could not be governed despotically, and acting no doubt with the advice of the allied Great Powers, himself drew up a constitution, and in March 1814 offered it to a body of notables whom he had selected. The notables were satisfied and accepted what was put before them. When the southern Netherlanders were made subject to William, he appointed commissioners, half of them Dutch and half

Constitutions of France and the Netherlands, 1814.

[1] Dareste, *Const. Modernes*, 2. 159. [2] Dyer, *Mod. Europe*, 4. 537.

southerners, to make a slightly altered constitution. This was accepted readily by the Dutch, but only by a minority of the southerners: William, however, declared it to be in force for his whole dominions.[1] In France the Great Powers, Russia, Prussia, Austria, and England, were resolved that there should be no despot: they knew that a despot in France had always been a plague to his neighbours. They installed Louis the Eighteenth as king: but he knew that he reigned only by their favour and must attend to their wishes. Accordingly he thought it prudent to issue a charter without delay, which established for France a government resembling as nearly as might be that which then existed in England, with a hereditary king, an upper chamber of peers nominated by the king to sit for life and in cases determined by the king to transmit their dignity to their descendants, a lower chamber of representatives chosen by those few Frenchmen who paid not less than three hundred francs yearly in direct taxes, and ministers who were members of one of the chambers. The two chambers were to have no opportunity of spontaneous activity, since they could not initiate proposals: their function was to discuss matters submitted to them by the ministers.[2]

Governments of national communities, 1830-1884.

Between 1830 and 1884 the national communities, being now practically assured of their independence, could make trials of forms of government. The Belgians in 1831, the Dutch in 1848, the Danes in 1849, and the Swedes in 1866 peaceably took constitutions after the English model.[3] In 1848 Charles Albert, King of Sardinia-Savoy-Piémont, and his son Victor Emmanuel, desiring the vigorous aid of their subjects for a war against Austria, gave them a constitution of the

[1] Dareste, *Const. Modernes*, 1. 78.
[2] Fyffe, *Modern Europe*, 376.
[3] For dates see Dareste, *Const. Modernes*.

English type. They were badly defeated in the war, but, when it was ended, Victor Emmanuel, who had become king, did not attempt to rescind the constitution, and was therefore known as *il re galantuomo*, the honest king. The French in 1830 expelled their king Charles the Tenth for disregarding their constitution, and took in his stead his distant cousin Louis Philippe, but made no change in their methods of government beyond a trivial extension of the right to vote in elections to all who paid *two* hundred francs yearly in direct taxes. After 1846 they were disgusted with Louis Philippe, because in all his dealings and especially in his dishonest foreign policy he thought only of his family and not of his subjects and their welfare. In 1848 they set up a republican government which could not keep order. Before long a Buonaparte, nephew of Napoleon, was elected as President by universal suffrage, and in 1851 he made himself a despot. After his adventurous foreign policy had led in 1870 to his downfall, the French between 1871 and 1884 established a government that was constructed mainly on English lines, but provided for a President elected by the legislative chambers, and gave a right to vote in elections practically to every adult Frenchman. In England the right to vote was diffused widely, but not so widely as in France: since 1884 it has been possessed by every Englishman who has a house or lodging in his occupation, and has kept it for half a year.

Parliamentary governments of national communities, 1871–1900.

In the last third of the nineteenth century the national communities were those that lived in Great Britain, France, Belgium, the Netherlands, Denmark, Sweden and Norway: the inhabitants of Savoy-Piémont were not a national community because they had merged themselves in a voluntary union with the other Italian peoples: the Italians taken collectively could not as yet be confidently called a single community. The

national communities had obtained governments suited to their requirements. They wanted governments whose organs would act harmoniously together, and pay regard to the welfare of all classes and to the opinions of those classes that had opinions worth considering, but would not legislate hastily. These requirements were met by the governments they had set up, which we may best call parliamentary. Attention to the opinions of all classes was ensured by the presence and predominant influence of a deliberative chamber elected by all classes that were capable of discerning what was useful for the common weal. Hasty legislation was made improbable by the existence of a second deliberative chamber whose consent was required before any new law could be imposed on the community. Harmony between the deliberative and the executive organs was secured by the practice of choosing the executive ministers from among the members of the deliberative chambers, which gave the deliberators and the executors constant opportunities of meeting in debate. Lastly, the communities needed some machinery for ensuring that the laws when made would be applied in particular instances according to their tenour, without regard to dictation of the ministers or to popular clamour. This was ensured by the method of entrusting the business of applying the laws to skilled judges independent of the ministers, who were aided in their decisions by small juries taken at haphazard and bound to hear witnesses to facts and to declare the conclusions which they had formed after listening to the evidence given by the witnesses.

In the governments of the national communities at the close of the nineteenth century the parliaments were in theory supreme. They had the sole right to impose taxes and give assent to laws; and they supervised the whole course of administration. But the ministers proposed the

taxes and the laws: the parliaments deliberated on such laws as the ministers submitted to them. The ministers, as long as they possessed the confidence of the chambers, were their leaders, and in their capacity of leaders exercised the right of taxation and legislation which in theory belonged to the chambers. The greatest power wielded by the chambers arose from the fact that they could withdraw their confidence from the ministers. This power, if exercised by a second or upper chamber, seldom took much effect: if it was used by a first or lower chamber it usually drove the ministers out of office. But in five out of the seven national communities the ministers could, if they chose, dissolve the lower chamber and stay in office till a new chamber had been elected: in these five countries the lower chambers were shy of withdrawing their confidence from the ministers, and the ministers were almost always stronger than the parliaments.

Great power of ministers in parliamentary governments.

The rules governing the election of members of the first deliberative chamber were not everywhere the same. In France the electors were about a fourth part of the population, in Great Britain and Ireland about a sixth: in Belgium a fourth part had votes, but in that fourth the half that possessed most wealth and most education had two or three votes apiece, so that the very poor and the ignorant might be outvoted. In Denmark and in Norway the voters were a fifth of the inhabitants, in the Netherlands a ninth, in Sweden a fourteenth.[1] In France and in England far more than half the voters knew nothing outside of their own town or village or employment. In England the ignorance of the voters did not for the time being greatly damage the character of the House of Commons, because the voters were accustomed to trust men whose

First or lower chambers.

[1] *Statesman's Year Book* for 1904.

fathers and ancestors had been wont to exert themselves for the welfare of their neighbours, and chose such men to be their spokesmen in parliament: in France there was no enlightened class that was generally trusted, and the narrow views of the constituencies were reflected in their delegates. In Norway employments were few and much alike, and intelligence and property were evenly distributed: hence it came about that a man chosen by any constituency to promote its interests was well qualified to form a sound opinion on the interests of the whole community.

Second chambers were intended to form and express a second and independent opinion on the work done in the first chamber, and to prevent errors committed by the first chamber from doing harm. For the due performance of their task second chambers did not need to be equals in power with the first chambers, but they needed to be of different composition from the first chambers, and more than their equals in wisdom: their business was not to compel but to persuade. The English House of Lords was a strange body to undertake such functions, because its members obtained their seats by inheritance, and three fourths of them were useless as advisers: but the incapables stayed away and those who remained did their work admirably. On the great occasion in 1895, when they rejected a bill for setting up a separate parliament and executive government for Ireland, the voters at a general election approved their action. But a hereditary second chamber would, unless its weak members knew their own weakness, be the worst second chamber that could be imagined: accordingly the continental national communities, when they needed to construct second chambers, never thought of making membership depend on birth. In these communities members of second chambers were elected: but in most countries attempts

Second chambers.

were made to construct second chambers, called in France and Belgium senates, different from the first chambers by special rules defining who should elect them, who could sit in them, and for how long. In France, for example, the electors of senators were members of local governing bodies who had been themselves elected: and the senators sat for nine years, and only a third of them retired every third year. In Sweden the second chamber was elected by local governments: both in Sweden and in Belgium only rich men could sit in the second chambers. But none of the efforts made in continental national communities to differentiate second chambers from first chambers were completely successful. In Norway no attempt to keep them unlike was made. All members of the Storthing or parliament were elected at once, and the members thus elected chose out a fourth of their own number to form a Lagthing or upper chamber: the remaining three fourths were the first chamber or Odelsthing.[1] In 1883, when eleven ministers gave offence to the Odelsthing, it was seen that the chambers in Norway could not conduct an impeachment in a dignified manner. The members of the Odelsthing were the accusers, and the members of the Lagthing who sat as judges were men just like the accusers, and had recently been elected by the accusers. No great harm however came of the non judicial character of the Lagthing: the ministers were only sent away into private life, and that could have been done in any other community without pretence of judicial process.[2]

The office of prime minister was said to be conferred by the hereditary sovereign, in France by the President, or any man whom he might choose: but in truth the only man

[1] My details about second chambers come from Dareste, *Const. Modernes.*

[2] My authority for the proceedings in 1883 is *Rigsrettensefterretninger, Reports of the High Court of the Kingdom*, published at Kristiania while the impeachment was going on.

who at any given time was willing to accept it was he who could command most support in the first chamber. The prime minister chose other ministers. The departments of administration were put under the supervision of individual ministers: but the most important work of the ministers was done when they all met as a cabinet and in secret conference decided what should be their common line of action. In five countries the cabinet was on most occasions more powerful than the parliament because the hereditary sovereign had the power to dissolve the lower chamber and used that power according to the advice of the prime minister. In Norway, where the Storthing sat always for three years and during that time could not be dissolved, and in France, where a dissolution of the first chamber required the sanction of the senate, parliaments were strong and cabinets were weak.

Cabinets.

Impartial decisions in law courts were not less essential to national welfare than harmonious working of chambers and cabinets. In order that the courts might judge rightly, men learned in the law were chosen to preside over them, and were protected from ministerial dictation: judges, jurymen, and witnesses were by the desire of the parliaments and the peoples shielded by the executive authorities from intimidation. As the executive ministers could best discover what men were skilled in the law, one of the ministers appointed the judges: and, as the judges were to be immune from ministerial meddling, they were paid large salaries, and could not be removed from office except at the desire of both chambers of parliament. Since the courts were protected by the executive governments, which wielded the whole physical force at the disposal of the communities, no attempt to coerce them or frighten their members with threats was likely to originate within a national community

Law Courts.

unless it were part of a plot designed to overthrow the executive government and the parliament by violence. One plot of this kind was concocted in France from 1894 to 1898 by the staff of the War Office, and the plotters in the course of their proceedings found it necessary to employ military officers and newspapers to intimidate judges and jurymen in a criminal trial.[1] During the first eight months of 1898 it seemed that the plot had succeeded, and that the civilian government was compelled to obey the military conspirators: but on August 30 it was discovered that a document which had been produced before the first chamber for the purpose of justifying the action of the War Office was a forgery, and had been made in the War Office by an over zealous member of the staff. In 1899, a resolute premier, Waldeck-Rousseau, took office: General Gallifet, an honest man, was appointed as minister of war: the officers were compelled to obey the civilian government, and the law courts recovered their independence. Intimidations of judges in southern Italy by brigands, and of juries and witnesses in central, western and southern Ireland, did not affect the internal condition of any national communities. The Italian national community lived only in the northern part of the peninsula, the British community only in Great Britain and in north-eastern Ireland. The inhabitants of the regions where the intimidations were practised had not yet consented to join in the national communities though those communities eagerly desired their accession.

Six of the national communities had hereditary sovereigns: the French had an elective President. Neither the hereditary sovereigns nor the French President could perform any official act except on the advice of a minister who could be punished for his advice, if it were

Dignified sovereigns.

[1] F. C. Conybeare, *The Dreyfus Case*, ch. 12, ch. 13.

bad.[1] The hereditary sovereigns were known to be powerless, and were accordingly exempted from responsibility for their acts: but in France in 1875, when MacMahon was President, it seems to have been thought that a President might seduce a minister from his duty, and persuade him to run the risk of being punished: for it was enacted that a President could be accused of high treason by the first chamber, and be judged by the senate:[2] the resignation of President Casimir-Périer, on January 15, 1895, seems to have been prompted by his knowledge that a humiliation which he had suffered from a foreign government might involve him in awkward consequences.[3] The hereditary sovereigns though personally powerless could be first-rate advisers of their ministers, because they were acquainted with all secrets of state continuously throughout their reigns: the ministers knew the most private matters only when they chanced to be in office. In foreign affairs more than in any other department of government the intimate knowledge possessed by the hereditary sovereigns was especially valuable, and it might easily happen that a hereditary sovereign was a better agent than any minister could be for establishing a good understanding between his own subjects and some foreign community.

Bodies politic of the twentieth century.

From 1900 to the present day continental unitary nations have continued to be what they were in the nineteenth century, except that the Norwegians in 1905 declared themselves perfectly independent of Sweden, and elected a Danish prince to be their

[1] 'Chacun des actes du Président de la République doit être contresigné par un ministre.' So runs a clause in art. 3 of La Loi Constitutionnelle du 25 Février 1875. Dareste, 1. 9.

[2] *Ibidem*, art. 6, and Loi du 16 Juillet 1875, art. 12, in Dareste, 1. 15.

[3] See the evidence of M. Casimir-Périer given before La Cour de Cassation, December 28, 1898, and printed in the *Journal des Débats* for April 12, 1899; also the evidence of Risbourg and Lebrun-Renault, printed in the *Figaro* for April 20, 1899.

dignified sovereign. In England the now existing body politic seems to be different from all its predecessors, and to have a different government. What may be the actual nature of the body politic and what is its government cannot as yet be discerned.

Before we leave the unitary nations we may observe that five of them were descended from compulsory junctions of tribes, only two, somewhat unlike the rest, namely France and Belgium, from compulsory junctions of fiefs, and further that two peoples in the Iberian peninsula, Spain and Portugal, both descended from compulsory junctions of tribes, are making progress towards becoming unitary nations, and that in Germany eight or ten of the larger peoples, each descended mainly from a compulsory junction of tribes, were till 1866 making progress in the same direction. Hence we perceive that compulsory junctions of tribes are the principal origin of unitary nations and their like, and it may be worth our while to take a general view of the pedigrees of peoples descended from such junctions. As soon as we take our survey of the pedigrees we see that they are characterised by regularity, and by the occurrence in a fixed order of several successions of generations of bodies politic marked off from one another by the possession of certain characters and forms of government.

Pedigrees of bodies politic descended from compulsory junctions of tribes.

Compulsory junctions of tribes were common in Germany, Scandinavia, and England in the Dark Ages. By 1066 they had all been made in England and in Scandinavia, but in Germany some may probably have occurred between 1250 and 1273 during the Great Interregnum. Till 1300 everywhere and in Germany till 1400 the characters of the bodies politic descended from the junctions are scarcely discernible. Then from 1300 in England and Scandinavia, and from 1400 in Germany we

Succession of types in the pedigrees.

meet with about four generations of bodies politic, ruled by a king with very imperfect representative institutions: in the larger countries these bodies politic were decidedly composite, in the small German principalities much more simple. From 1474 in Spain, from 1485 in England, from 1523 in Sweden we find bodies politic of which nearly the whole masses are united, but are plagued by small recalcitrant factions or communities: in these countries the large united mass sets up a strong king to restrain the disturbers. In Germany the small principalities though not disunited internally are afraid, from 1530, of aggressive neighbours, and they like the larger bodies politic set up strong kings Thus from about 1500 we get in every one of our pedigrees some generations ruled by a strong king subject to little control of parliament. Lastly in every pedigree we come to some body politic which has finally quelled the disturbers and is a united community. Such bodies politic appear in the different pedigrees at different dates: but from the time when one such has appeared, the rest of the generations are a unitary nation, and are ruled by a cabinet and a representative assembly elected by a large part of the population with the concurrence and help of a dignified sovereign.

Three greatly abridged general tables of bodies politic descended from compulsory junctions of tribes and from junctions of fiefs may here be appended.

I. BODIES POLITIC DESCENDED FROM JUNCTIONS OF MANY TRIBES

BODIES POLITIC.	GOVERNMENTS.
In Period 1, to 1300.	
Unstable.	Unstable.
⦚	
In Period 2, 1300-1450.	
Composite bodies politic.	Sometimes a king and a rudely made parliament: sometimes civil war.
|	
In Period 3, 1450 to various dates.	
Composite bodies politic, but consisting for the most part of united communities.	King almost or entirely despotic. Parliaments if present very weak.
⦚	
In Period 4, from various dates to the present time.	
Unitary nations.	Cabinet, parliament, and dignified sovereign.

II. BODIES POLITIC DESCENDED FROM JUNCTIONS OF FEW TRIBES IN GERMANY

BODIES POLITIC.	GOVERNMENTS.
In Period 1, to 1400.	
Little known.	Little known.
⦚	
In Period 2, from 1400 to 1500.	
Simple communities with few external wars.	Prince and a Landtag.
⦚	
In Period 3, from 1530 to 1814.	
Simple communities engaged in many external wars.	Prince without a Landtag, or with a powerless Landtag.

III. BODIES POLITIC IN FRANCE DESCENDED FROM JUNCTIONS OF FIEFS

Bodies Politic.	Governments.
In Period 1, from 1250 to 1477.	
King's demesne, fairly united, having fiefs joined under it in unequal alliance.	King and Parlement de Paris.
In Period 2 from 1477 to 1789.	
Composite bodies politic held together, if at all, by armed force with or without bribery of privileged orders.	Till 1595 sometimes king upheld by army, sometimes anarchy. After 1661 king, seemingly strong, really weak, aided by an army and by bribed privileged orders.
In Period 3, 1792-1795.	
Disruption of France.	Tyrannous demagogues.
In Period 4, 1795-1814.	
Body politic gradually becoming a single community by being converted into an army.	A strong military despot.
In Period 5, 1814-1900.	
Unitary nation.	Usually parliament, cabinet and dignified sovereign [1851-1870, a military despot].

CHAPTER XXV

VOLUNTARY JUNCTIONS OF EQUAL COMMUNITIES

ALL the junctions of bodies politic which have been noticed thus far were effected by compulsion. Compulsory junctions of unlike peoples produced the empires of the Cæsars and of the Kaisers. Compulsory junctions of like communities in the course of long ages generated unitary nations. We have now to observe voluntary junctions of bodies politic: in the present chapter Voluntary Junctions of Equal Communities: in the next voluntary junctions of unequal communities or of unequal bodies politic.

Scope of the chapter.

The name *voluntary junction of equal communities* belongs, strictly speaking, only to an action by which equal communities establish a common government to which all of them promise obedience or deference. But such an action may be preceded by a different action, by which communities merely form a permanent alliance for their common defence, without setting up any common government: and the formation of a permanent alliance has in one instance led insensibly and by slow degrees to the establishment of something like a common government. Hence it is not convenient to insist on giving the word *junction* its precise meaning, and I shall notice in the present chapter the one permanent alliance which insensibly led the allies comprised in it to live under an exceedingly imperfect common government.

Voluntary junctions of equal communities have occurred (1) in ancient Achaia, (2) in mediæval Switzerland, (3) in the Dutch Netherlands, (4) in North America, and (5) in Switzerland in the middle of the nineteenth century. Before I describe these junctions I wish to point out that in each of the five instances the peoples that made the junction had throughout their existence before they joined together been precluded by their situation or their circumstances from conquering one another. The Achæan peoples and the three Swiss tribes which in 1291 made a permanent alliance were separated from one another by most formidable natural barriers. The Dutch and the Americans almost up to the time of their junctions were subject to powerful foreign rulers who effectually prevented them from contending with one another: and, though the larger part of the Swiss cantons did in 1847, just before the final voluntary junction of all the Swiss, engage in a war against the minority and defeated them, they did not dare to turn their victory into a conquest, because they could not attempt any such measure without provoking an intervention of the great powers of Europe. Preliminary remarks.

Achaia stands geographically related to the Peloponnesus nearly as Asturias to Spain: but it is more decisively isolated from the Peloponnesus than its Spanish analogue from the bulk of Spain, because the range of Erymanthus and Kyllênê, which fences it in, is precipitous on the south as well as on the north, whereas the range in Spain which gives bounds to Asturias is approached from the south by a very gradual and almost imperceptible slope, and is rather a cliff four or five thousand feet high than a mountain range. The area of Achaia is cut up by high ranges of mountains running generally from south to north into about a dozen narrow valleys. In these valleys little cantons of mountaineers (1) Achaia.

and mariners had established themselves long before the ages known to us from historical records.

Origin of the Achæans.

The Greeks of the historical period believed that the Achæans whom they knew as their contemporaries were descended from the men who in the Mykênæan age had lived at Mykênæ and Tiryns and in Laconia. Pausanias, who wrote in the age of the Antonine Cæsars, gives us the story of the migration of the Mykênæans to Achaia that had been handed down by popular tradition ;[1] and he also indicates clearly that the men who lived in Mykênæ till 468 B.C. believed that the men who then lived in Achaia were their kinsmen. He tells us that, when the inhabitants of Mykênæ were ejected from their city in 468 B.C. by the Dorians of Argos, a good part of them went to settle at Keryneia, one of the Achæan cities, and that their coming gave Keryneia a large increase of population and of renown.[2]

The earlier Achæan League till 315 B.C.

In the early and central part of Greek history the whole of the Achæan cantons acted together. Kroton and Sybaris in Italy, said to have been founded before 700 B.C., were known as colonies of the Achæans and not of any single Achæan city.[3] Thucydides on the few occasions when he mentions the Achæans speaks of them as adopting a common foreign policy, and thus indicates that in his time they were joined in some sort of league or confederation. Polybius says expressly that in the time of Philip of Macedonia and his son Alexander the Great they had a common government.[4] They acted together far more harmoniously than the Bœotians. In Bœotia war between Thebes and Orchomenus occurred more than once: among the Achæan cantons and cities we hear

[1] Pausanias, 2. 18, p. 151.
[2] Pausanias, 7. 25. 6, p. 589.
[3] Strabo, pp. 262, 263.
[4] Polybius, 2. 41. 6, says they had a *κοινὸν πολίτευμα*.

of no discords. But after the death of Alexander the Great the Macedonian king Kassander, and after him his two Antigonid successors Demetrius Poliorketes and Antigonus Gonatas, interfered in Achaia and broke the Achæan cities and cantons apart from one another.[1]

In 280 Antigonus Gonatas was unable to attend to affairs in Greece: so four Achæan cities established a common government for the management of their foreign policy: other Achæan cities afterwards joined them. In 251 Aratus of Sikyon, then only twenty years of age, expelled a tyrant from his native city, and induced the Sikyonians, though their city was not in Achaia, to join the Achæan confederation. In 245 he was chosen stratêgus of the federal body, and not long afterwards he brought into it Corinth, the key of the Peloponnesus, and nearly all the other cities in the peninsula except Sparta.[2]

Second Achæan confederation founded, 280 B.C.-251 B.C.

Each canton and each city in the confederation had a government to manage its internal affairs: and there was a central or federal government to regulate those parts of their policy which affected all alike. The seat of the federal government was at Ægium a sea port on the Corinthian gulf.[3] The parts in the federal government were a stratêgus and a *grammateus*, or secretary, a council probably in constant or almost constant session, and an assembly which met every spring and every autumn and could also be summoned for meetings at other seasons.[4]

Governments in the Achæan confederation.

[1] Polybius, 2. 41. 9 and 10.

[2] Polybius, 2. 41. foll., and Plutarch, *Aratus*.

[3] Polybius, 5. 1.

[4] In 220 the council was sitting when no assembly was being held: for Philip of Macedonia then conferred with the council on a matter of foreign policy, which he would certainly have laid before the assembly if it had been possible: Polybius, 4. 26, προσελθόντος τοῦ βασιλέως πρὸς τὴν βουλὴν ἐν Αἰγίῳ. In 224 the assembly met in spring and in autumn: Polybius, 2. 54.

The stratêgus was elected annually at an assembly and entered on his duties in May at the rising of the Pleiades.[1]

Parts of the Achæan governments.

He was at first simply commander in chief: afterwards he was rather minister for foreign affairs, and his badge of office was a seal.[2] The council contained at least a hundred and twenty members, and probably enough of them to make a quorum were in session all the year round, or at any rate a good part of the year.[3] The assembly was attended by all citizens of the component cantons or cities who chose to present themselves: it must have been so since Polybius says that the system of government was demokratia with free and equal speech:[4] but in truth a demokratia in a federation was nothing like Aristotelian demokratia or demokratia in a single city, since in a federal assembly none could be present except those who had time and money to spare. In the federal assembly votes were taken not by heads but by cities: each city or canton had only one vote, and that vote was Aye or No according as the majority of those present from the city or canton desired to accept or to reject the proposal before the assembly.[5] In the component cities no doubt the governments were conducted in popular assemblies, which however had no control over foreign policy. For thirty years, from 251 B.C. to 221 B.C., the Achæan confederation ensured a large number of Greek cities in the enjoyment of far

[1] Polybius, 5. 1.

[2] Polybius, 4. 7.

[3] In 187 B.C. Eumenes, king of Pergamum, offered 120 talents as a permanent endowment for the councillors: Polybius, 23. 7 in Dindorf, 22. 10 in Shuckburgh's translation. A talent would yield 720 drachmæ in yearly interest, and that was a large stipend for a councillor: a member of the Five Hundred at Athens got about 300 drachmæ. If the councillors at Ægium had been fewer than 120, each would have been offered even more than 720 drachmæ.

[4] Polybius, 2. 38. 5 and 6.

[5] Livy, 32. 22.

better and more orderly government than any Greek cities had known in the days when each city was entirely independent.

From 227 to 221 the Achæan confederation was at war against Kleomenes, King of Sparta; as the war went decidedly in favour of Kleomenes, Aratus as stratêgus of the confederation in 223 persuaded the federal assembly to ask aid of Antigonus Dôsôn who was ruling Macedonia as regent for his young nephew Philip.[1] The aid was given and Kleomenes was decisively defeated in 221 at Sellasia in the north of Laconia: but from that time the Achæan confederation was dependent first on kings of Macedonia and afterwards on the Roman Republic. In 146 B.C. the Achæan territory was overrun by a Roman army: from that time its inhabitants were controlled by some Roman magistrates, probably by the governors of Macedonia: from the time of Julius Cæsar Achaia was a Roman province under a proconsul whose sole duty was to govern it.[2]

Decline and destruction of the Achæan confederation.

In the heart of the Alps three German tribal communities in Uri, Schwyz, and Unterwalden were still governed in the thirteenth century by assemblies not differing in any particular except that they had no kings from those folkmoots of their ancestors which Tacitus described. They were separated from one another by mountain barriers: between Uri and Unterwalden the lowest pass, the Surenen, is more than seven thousand feet above the sea. Near them in the lower grounds were many princes who might try to oppress them: but they enjoyed favour and protection from Rudolf of Habsburg the German Kaiser. In 1291, shortly after Rudolf's death, they formed an alliance for three years

(2) Mediæval Switzerland.

[1] Polybius, Book 2.

[2] See Smith, *Dict. Geogr.*, article on Achaia; also Marquardt, *Staatsvc.*, 1. 171, in edition of 1873.

which became permanent:[1] in 1315 they won a splendid victory at Morgarten, near Schwyz, over an Austrian prince, and thereupon they concluded a new alliance in which they called themselves Eidgenossen, or sworn comrades. Between 1332 and 1353 they admitted into their alliance five more towns or tribes, Luzern, Zürich, Glarus, Zug, and the city of Bern, a component member in the German Reich or Kaiserthum. In 1370 it chanced that an unruly priest, Provost of the Great Minster at Zürich, quarrelled on private grounds with the Schultheiss, the chief magistrate at Luzern, fell upon him with armed force, and took him prisoner. Thereupon six of the eight members of the Swiss League altered the terms of their alliance by concluding a compact called Pfaffenbrief, or Declaration concerning Priests, in which they resolved to suppress and punish all private wars waged by any man in their Eidgenossenschaft, or sworn comradeship.[2] Again after they had in 1386 won their great victory at Sempach over Duke Leopold of Austria and his nobles, they varied the terms of their alliance in their *Sempacherbrief*, which was to regulate their mutual obligations in time of war.[3] In the middle of the fifteenth century Bern was so much the strongest of the allies of the eight cantons that in 1474 Louis the Eleventh of France who eagerly desired an alliance with the valiant Swiss, as soon as he had got the adhesion of the Bernese, did not care to get precise agreements with the other cantons, knowing they would follow the lead of Bern:[4] but every town and canton was independent and conducted its own foreign policy through the agency of ambassadors bound by instructions from their fellow townsmen or fellow tribesmen. Till 1481 the eight cantons were merely joined in a permanent alliance, and up

[1] Oechsli, *Quellenbuch zur Schweizergeschichte*, pp. 50, 51.

[2] Erzinger, *Schweizer Katechismus*, 23; Oechsli, *Quellenbuch*, 99-102.

[3] *Quellenbuch*, 110.

[4] B. de Mandrot in *Jahrbuch für Schweizergeschichte*, vol. 5, 170-182.

to that time nothing that I have noticed in their records indicates that they had anything at all of common government.

But from 1481 some germs of what might grow into a common government began to appear, and it seems that they sprouted up spontaneously without any deliberate design on the part of the cantons to induce their appearance. In 1481 some of the ambassadors to avoid war between the tribal cantons in the mountains and the urban cantons in the lower ground broke their instructions, and permitted the majority of the ambassadors to settle the policy of the whole body of the allies. Thus the ambassadors became for the moment not the servants but the masters of the cantonal governments, and for the moment something like a common government was set up.[1] In 1489 the ambassadors of the eight cantons were an itinerant body. Whether they all remained together during their peregrinations I cannot say: but certainly in March 1489 some of them were first at Zürich, then at Schwyz, and by the beginning of April they were back at Zürich. Both in March and April they made use of their sacrosanct character of ambassadors to try to allay a revolt made by the townsmen of Zürich and their dependent country-folk against an oppressive Bürgermeister, Hans Waldmann, thereby intervening in the domestic affairs of a canton where they were present.[2] In the last years of the fifteenth century and the early years of the sixteenth the Swiss mountaineers were by far the strongest fighters in continental Europe, and a meeting of the ambassadors of the cantons could deal on equal terms with the most powerful sovereigns in the world. In 1512 in two meetings on August 11 and September 6 they held

Beginnings of common government, 1481-1512.

[1] Oechsli, *Quellenbuch zur Schweizergeschichte*, an excellent selection of authorities, 199-206.

[2] *Ibid.*, 211-218.

thirteen interviews with ambassadors from rulers outside Switzerland, two of these being Maximilian King of the Romans, and Ferdinand King of Spain. By a fiction it might be said that they were acting under instructions from their cantonal governments: but in truth the negotiations that they had to conduct with foreign powers were so many and so intricate that they could not act except under the guidance of their own common sense.[1]

Decline and disruption of the Swiss cantons, 1512-1540.

But between 1512 and 1540 the influence of the Swiss ambassadors in the councils of Europe and their authority over the cantons were both broken. As the natives of many European countries learned skill and gained prowess in war the Alpine mountaineers were no longer invincible. In 1515 the great defeat which they suffered at the hands of Francis the First of France at Marignano lowered their reputation and their confidence. Thenceforward they were unable to settle the issue of European wars at their pleasure: in 1516 they made peace with Francis, and in 1521 all the cantons except Zürich concluded an alliance with him which enabled him and his successors for many generations to keep six thousand Swiss mercenaries in the service of France.[2] Between 1524 and 1540 the cantons were divided by differences about theologies and churches into hostile factions, and from then till 1798 they scarcely possessed anything that bore a resemblance to a common government.

About the Dutch provinces between 1579[3] and 1794 I can say but little. Trustworthy information is scarcely to be gained about them except from old writers like Peter Bor whose eight huge folio volumes in the Dutch language I have not read, and from one masterly paper by the Lord Chester-

[1] Oechsli, *Quellenbuch zur Schweizergeschichte*, 261-266.
[2] *Ibid.*, 278-281.
[3] See page 421.

field whose *Letters to his Son* are well known.[1] It may however be asserted with confidence that the Dutch provinces never formed a firmly jointed federation, but that when in 1814 the Dutch of that day emerged as a united community they came readily under a single supreme government, and since that time the Dutch nation has been not federal but unitary.

(3) No firm Dutch federation ever existed.

The Union of Utrecht made in 1579 was rather an alliance of Holland, Zealand, Utrecht, Gelderland and Zutfen, and the Frisians between the Ems river and the Zuider Zee than a confederation. The contracting parties call themselves *Bondesgenoten*, which means, I believe, only allies bound in a league, and I cannot find in the whole treaty of union any mention of a central government capable of making a new law or imposing a new tax without the consent of the governments of the several provinces.[2] In 1600 on the other hand, when Groningen, one of the Frisian provinces, was forcibly compelled by the other Dutch provinces to pay its quota of the taxes, there was evidently some sort of central government with coercive power, and the provinces may be regarded as joined in a confederation.[3] It is my impression that from 1600 to 1609, when the Dutch made their Great Truce with Spain, the junction of the Dutch provinces was more like a confederation and less like a mere alliance,[4] than at any point in the subsequent sixty years.

The Dutch provinces, 1579-1609.

[1] *Some Account of the Government of the Republic of the Seven United Provinces*, appended to the *Letters of Lord Chesterfield to his Son*.

[2] Text of the Union of Utrecht in Bor, Bk. 13, p. 26 of vol. 3 in the edition of 1679-1680. Abstract in *Student's Motley*, p. 585 and foll.

[3] The *Student's Motley*, published by Harper and Brothers, London and New York, 1898, pp. 744, 745. The *Student's Motley* is far less rhetorical than Motley's own work, and seems much more trustworthy.

[4] Just after writing the above sentence I was pleased to see that it was supported in some degree at least by the weighty opinion of Heeren, *European States and Colonies*, p. 72.

In the nine years from 1600 to 1609 there was in the central government an assembly called the states general, a council of state, and a single high officer called Stadholder. The members of the states general were elected in the provinces: but whether they were elected by the governments of the provinces, or by the governments of towns in the provinces, I do not know. The council of state contained eighteen or twenty members. Motley says that they were chosen from the various states of the republic, and that they represented not their particular states but the whole country.[1] From what he says I cannot conjecture who were their electors, but conclude that the councillors were men of some skill and experience, and that their business was to consider the collective interests of the seven provinces. The Stadholder was commander in war. The states general was a legislative body, but must not trespass on the rights of the provincial governments, and therefore had little power. Under the Union of Utrecht no war could be declared, and no treaty could be concluded without the assent of the states general, and the separate and explicit assent of every one of the provinces: in 1600 when there was a council of state the assent of that council was required in addition.

Dutch governments, 1600-1609.

During the seventeenth century there was a Stadholder either of the Dutch provinces or of the important province of Holland at all times except twenty two years of the infancy, boyhood and youth of William the Third. The Stadholders derived most of their power from their offices of captain general and admiral general of the seven provinces: the great statesman William the Third was not only captain and admiral, but also chief adviser on foreign policy, and under him the provinces were more nearly united than at any time before the nineteenth

The Dutch provinces, 1609-1713.

[1] *Student's Motley*, p. 746.

century. But even William, when he longed in 1688 to go to deliver England from its mischievous ruler James the Second, and from the influence of its resolute enemy Louis the Fourteenth, was for a time hindered by the opposition of the single large city of Amsterdam.[1] After the death of William it was impossible for Marlborough, whom the Dutch chose as their captain, to do his work expeditiously because the states general or their deputies who accompanied their armies forbade him to attempt enterprises necessary for the conclusion of the war.[2]

The Dutch, 1713-1814.

After the death of William the Third there was no Stadholder for forty five years. Lord Chesterfield, writing from experience gained in the Dutch Netherlands between 1730 and 1747, says that the true rulers of the Dutch were not the states general but the *vroodschaps*, or co-opted governments of the Dutch towns. The vroodschaps chose the deputies who made up the states general: but those deputies could do nothing important in foreign policy without getting the assent of every province, and no province could give its assent till it had obtained leave from the vroodschaps of all its towns. The right of the provinces to restrain the states general, and of the towns to restrain the provinces, was so absurd that in practice it was sometimes neglected: but the neglect of it was 'absolutely unconstitutional.'[3] In 1747 the Dutch took a new Stadholder of the family to which their two great Williams had belonged. In 1794 the Dutch territory was conquered by generals of the French Republic. Under the hard pressure of French rule the provinces were squeezed together into one community, and that community in 1814 became the founder of the Dutch unitary nation.

[1] Macaulay, *History*, chap. 9, tenth heading in the table of the contents of the chapter.

[2] Stanhope, *Queen Anne*, and Coxe, *Memoirs of Marlborough*, passim.

[3] Chesterfield, *Letters*, etc., ed. of 1774, vol. 4, 290 *n.*

In North America the English had thirteen colonies. Eleven were of English foundation: one was founded by the Dutch as New Amsterdam, another by the Swedes, but in 1664 they were taken by the English, were renamed New York and Delaware, and afterwards were gradually Anglicised. In the middle of the eighteenth century each colonial community had a representative assembly, and a governor appointed by the King of England: the communities through their representative assemblies granted taxes to their governors, and managed most of their internal affairs. They were not taxed by the Parliament at Westminster. In 1765 the Westminster Parliament, on the proposal of George Grenville, made a first attempt to tax the colonists by requiring them to pay for stamps on contracts: in 1766 however Grenville's Stamp Act was repealed at the instance of a new body of ministers in England of whom Lord Rockingham was the head. But in 1767 yet another body of ministers was in office, and one of them, Charles Townshend, induced the Parliament to pass an act requiring the colonists to pay import duties on tea and a few other commodities.

(4) North America. The English colonies.

From 1768 onwards the colonists resisted the attempts of the English revenue officers to collect the import duties. The representative assemblies used bold language and most of them were dismissed by the governors. The colonists having now no recognised representatives acted spontaneously and informally: in 1774 the inhabitants of every colony except Georgia sent delegates to a congress to deliberate about their common interests. The congress was called Continental, as being an agent for all the North American continent. It met at Philadelphia, and after attending to matters of urgent but temporary importance, it agreed that

First Continental Congress, 1774.

a second congress should meet next year, and then its members dispersed.[1]

In 1775 a second continental congress met like the first at Philadelphia. In May 1776 it advised the colonies to form new governments of their own, and its advice was followed. On July 4 it announced that the colonies deemed themselves independent, and thereby it declared war against Great Britain.[2] In consequence of the Declaration of Independence the American communities renounced the name of colonies and called themselves states. The second continental congress in 1775 and 1776 must have been, like the first continental congress, an informally constituted body, since the colonies had not yet established governments. Afterwards new governments were made, and delegates to the congress received authority from them to sit in congress: till 1781 the delegates continued their sessions and their efforts to promote the interests of the thirteen communities.

The thirteen 'States,' 1776.

In 1777 the congress drew up a scheme under which it proposed that the governments of the thirteen communities should join together in setting up a permanent government to manage some of their common affairs. The scheme, called the Articles of Confederation,[3] set up a permanent congress consisting of delegates from the thirteen states, appointed in such manner as the legislature of each state should direct. In the permanent congress each state was to have one vote.[4] The permanent congress could not command any single citizen in any particular. It could deal with foreign states, and it could ask the governments of the thirteen states to grant

Articles of Confederation.

[1] Alexander Johnston, *History of the United States*, publ. Holt, New York, 1890, pp. 86-90.

[2] *Ibid.*, pp. 97-104.

[3] Printed in Bryce, *American Commonwealth*, 1. 690-696.

[4] Art. Confed., Art. 5.

it money and men: but in case any state neglected a request it had no means of compelling compliance, since it had no authority for commanding single citizens and no resources for beginning a war against recalcitrant states. Acceptance of the scheme was to be signified for each state by the delegates of that state in the continental congress acting as plenipotentiaries for the legislature of their state, and the scheme was not to be in force till the legislatures of all the thirteen states had through their delegates signified their acceptance of it. Four years passed in disputes among some of the states about their western boundaries: at last on March 1, 1781, the scheme had been accepted by the delegates of all the thirteen states.[1]

Ineffectual character of the confederation.

It will be seen that the confederation made in 1781 was only an attempt to join governments, not to join communities: and the attempted junction was ratified by governments, not by communities. The compact made in 1781 was an attempt to join governments, not communities, because though the thirteen governments agreed that they would in certain matters be controlled by a fourteenth government, namely the permanent congress, which they set up, they did not agree that any single citizen should in any particular be controlled by the permanent congress: thus after the compact was made every citizen was a subject only of his own state and was not subject to the congress. And the parties to the compact were not communities but the ordinary legislatures of the communities acting through their delegates. The distinction that I have just made between ratification by communities and ratification by their ordinary legislatures seemed to me, when first it occurred to me, to be open to the charge of being trivial and

[1] A. Johnston, *Hist.*, 137, Art. 271. *Cambridge Modern Hist.*, 7. 235, Bryce, *Am. Com.*, 1. 696.

pedantic, because treaties of alliance that relate only to foreign policy are always made either by executive governments or by legislatures without the express sanction of individual members of the community, and yet they are perfectly valid. But I believe the distinction is of some importance, because we shall see shortly that the only strong federations that have ever been made were ratified not by ordinary legislatures but by the express and explicit approval of the greater part of the members of the contracting communities.

After the war of the Americans against Great Britain was ended in 1783, the communities in America fell into discord. Those states which had good harbours would not let their neighbours make use of the harbours till they had paid large dues on the commodities that they desired to send across the sea.[1] Danger of foreign war was not permanently removed, since Great Britain still owned Canada, and Spain had a right, which however was for the present dormant, to rule the huge territory called Louisiana from the Mississippi westward to the Rocky Mountains.[2] Congress could do nothing to mitigate discord or provide against danger. It could ask the states with good harbours to be kind to their neighbours, and could ask all the states to furnish money and men for the common defence: but when its requests were disregarded, it could do no more. The American communities were not one body politic but thirteen separate communities. Each community had its own government which did what it chose: congress, which had been intended to be a common government, could govern no longer and could not be counted as a government. As early as 1782 a desire was expressed by the legislature of New York that congress

Convention to revise the Articles of Confederation.

[1] *Cambridge Mod. Hist.*, 7. 243.
[2] Bryce, *Am. Com.*, 1. 27.

might be enabled to provide a revenue for itself.[1] In 1787 the legislatures of twelve states sent delegates to a convention at Philadelphia, which was entrusted with the task of revising the Articles drawn up ten years earlier.[2]

The making of the American Constitution.

The delegates in the convention evidently thought the Articles of Confederation too defective to admit of being patched with any good result: for at their first meeting they allowed Edmond Randolph of Virginia to expound to them his draft for a totally new compact between the thirteen states; they took his draft and not the old Articles as the basis of their discussions, and at one of their earlier meetings, when a delegate from Virginia expressed the opinion that the old confederation had been dissolved by the appointment of the delegates to the convention, no one contradicted him.[3] The debates of the delegates eventually showed that all of them except perhaps two or three were resolved to propose the establishment of a new central government endowed with authority to issue commands on certain defined matters to individual citizens and to compel obedience to those commands: and before the debates ended it was decided that ratification of the proposed compact should be signified for any state not by the ordinary legislature of the state, but by a convention elected by the inhabitants for the sole purpose of deciding whether the state would enter into the new compact or would decline: and that, when nine states had ratified the compact, the compact should be binding on those states.[4] The compact was called the Constitution of the United States: and its chief features were a central government with some power to compel, and ratification by conventions certain to express the wishes of the communities.

[1] *Cambridge Mod. Hist.*, 7. 244.

[2] Bryce, 1. 20-28.

[3] Madison, *Constitutional Convention*, 1. 73.

[4] Constitution Art. 7, printed in Bryce, *Am. Com.*, 1. 705.

The compact was to make a junction of communities and it was to be made by communities. By the year 1789 the Constitution had been ratified by conventions in all the thirteen states.

In their draft of the new compact or constitution the delegates described its parts with admirable precision and neatness: and they arranged the parts in that order which would be most intelligible to the Americans generally and would be most likely to disarm opposition. They explained the structure of the main organs of the government before they defined the functions of the organs. That order of exposition was the best for its purpose: but, since many ideas about governments which were then novel are now familiar, I do not feel bound to follow it. In making a sketch of the American Constitution I shall describe first the extent of the powers conceded to the central government, and shall thence deduce the powers retained by the governments of the contracting states: secondly, I shall notice the structure of the central government, and thirdly, I shall explain the provisions made for future modifications of the contract between the states.

Draft American Constitution. Heads of description.

The act done by a number of communities which voluntarily join together consists in the establishment of a common government to manage some part of their affairs. The character of the act depends both on the extent of the powers conceded to the common government and on the structure of that government, but I think most of all on the extent of the powers given to it, which extent in its turn determines the amount of the residue of powers retained by the communities in their own possession. In the central government set up by the American communities there were three organs, legislative, executive and judicial. The

Draft: Powers of the central government.

central legislature in two chambers had power to lay taxes, to borrow money, to regulate external commerce, to provide rules respecting naturalisation and bankruptcy, to coin money, to fix standards of weights and measures, to establish post offices and post roads, to regulate copyright and patents, to define and punish piracy, declare war, raise and maintain armies and a navy, to call upon the militia of the separate states to execute the laws enacted in the central legislature, and to be the sole legislature for the district ten miles square in which it held its sessions. The central executive officer, called President, was to see that the laws made by the central legislature were obeyed, and was commander of the army and navy of the United States, and of the militia of the several states when called into the actual service of the United States: with the assent of the upper chamber of the central legislature he made treaties and appointed all functionaries of the United States, among whom judges in the central judicature were included. The central judicature, called Supreme Court, decided on appeal, (1) all cases arising under the Constitution of the United States, or under laws made by the central legislature, or under treaties, (2) controversies to which the United States was a party, and (3) disputes between citizens of different states. In all cases affecting ambassadors, other public ministers and consuls, and in those in which a state was a party, it had original and therefore sole jurisdiction.[1]

Draft: Powers of the governments of single states.

The powers retained by the single states to be exercised by their own governments were far more numerous than those that they gave away to the central government, but the greater part of them can be indicated under a few comprehensive titles. The single states made and executed their own laws about property except those touching bankruptcy, their

[1] All this from the Constitution, Articles I., II., III.

own laws about crime except piracy and treason to the United States, and their own laws about marriage. They maintained order by forces of police. They set up local and municipal governments, and could require sanitary precautions and regulate education and medical diplomas. They gave charters to commercial associations: and finally they chose their own constitutions subject to the single condition that they could not set up a king. An American citizen was touched by the law of his own state in every circumstance of his daily life: it was only occasionally that he was touched by the law of the United States. But the occasions on which federal law came in were important: and the federal law affected all the inhabitants of the thirteen states, whereas the law of Virginia or of Pennsylvania could only touch a Virginian or a Pennsylvanian.

Draft: Structure of central government: interests and principles to be considered.

In regard to the structure of the central government the debates of the delegates consisted very properly in a process of bargaining in which the delegates of each state sought to protect the interests of their own state. The interest of every state demanded that the central government should be strong enough to ensure the confederated states against foreign enemies. The larger states Virginia, Pennsylvania and Massachussetts had nothing to lose by making the central government strong, because they were confident that in the central government their own citizens would have a large share of power. The smaller states, as New Jersey and Georgia, feared lest a strong central government might bear hardly on them. But the course of the debates was by no means all bargaining: it was largely influenced by theories of what government ought to be, derived from the experience of the American colonies and from observation of government in Great Britain, and especially by a doctrine or axiom which the disciples of Montesquieu had invented. Montes-

quieu, making his observations about the middle of the eighteenth century, saw that England was far better governed than any other large country, and that in England the legislative and judicial branches of government were not so entirely dependent on the executive as they were in France, Spain and Prussia. Hence arose a dogma that the legislative, the executive, and the judicial organs of government ought to be independent of one another. The dogma, as current in the time of the convention, was only a universal proposition derived from incorrect[1] observation of a single community, but it had great influence over the decisions of the delegates.

Draft: Structure of central government.

In constructing the central government the delegates considered the need felt by all the states of a common government strong enough to make all secure against foreign enemies, the desire of the smaller states not to be overwhelmed, and the dogma about the independence of organs. The upper house of the legislature, called the Senate, was constructed so as to induce the smaller states to consent to the new compact of confederation: its members were elected by the legislatures of the states, and every state, whether large or small, had two senators: the tenure of the senators was long, only one third of them vacated their seats at any one time, and the Senate never ceased to exist: no state could be deprived without its consent of its right to two senators. The lower house of legislature must be elected by all the citizens, since it was to take part in making laws binding on every citizen: every state elected, by such process as it thought fit, members of the lower house in proportion to the numbers of its population, one slave counting for three fifths

[1] During the debates of the delegates James Madison pointed out that in England the organs of government were not independent.—Madison, *Const. Conv.*, 1. 92.

of a free man: members were elected for two years only, and all vacated their seats at the same time. The executive was a single man, called President, elected for four years: for his election each state appointed, in such manner as its legislature might direct, electors equal in number to the senators and representatives to which the state was entitled in the two houses of the legislature: no person holding any office under the United States could be a member of either house of legislature, and therefore executive ministers appointed by the President were entirely debarred from influence over legislation: the President could, however, himself recommend to the houses such measures as he deemed necessary and convenient. The central judicature was to have, as we saw, very important functions: hence its judges were to hold office during good behaviour, and there was no method of proving that they were not of good behaviour except an impeachment begun by the lower house and judged by the Senate, and ending in a conviction.[1]

Draft: Changes of the constitution.

As the constitution was a compact or bargain concluded by many states its terms could not be altered without the consent of the parties to the compact, namely the contracting states. The delegates proposed more methods than one by which the consent of the states to a change in the compact might be given: but only one method has been actually used. Under this method a modification of the compact is proposed by two thirds of each house of the central legislature, and becomes valid when accepted by the legislatures of three fourths of the states in the confederation.

In September 1787 the delegates finished their draft of the new compact among the states. By June 1788 conventions in nine states had given their ratifications, and for those nine states the compact became binding. Soon

[1] Bryce, *Am. Com.*, 1. 229.

afterwards two more conventions ratified, and in March 1789 the new central government established by eleven communities began its work. By 1790 all the thirteen communities had ratified: but, as some of them thought that the powers conferred on the central government were too elastic, ten amendments were proposed in 1789 and ratified two years later to set limits on those powers. The amendments only made clear what was doubtful, and were such as the majority of the delegates who made the draft would readily have adopted if they had occurred to their minds.

Ratifications of draft, 1787-1790.

In the compact which took effect in 1789 the contracting communities were determined to keep much power of separate action in their own possession: and their successors have held the same determination. The desire of the states to keep control over their particular concerns has been greatly aided by the independence and separation of the executive and legislative organs in the central government. These two organs do not act together, and either deliberately or unwittingly the legislature thwarts the executive. The President cannot secure the passage of such laws as he desires because his ministers are not present in the legislature and cannot exert influence over law making. The houses of the legislature (which is called Congress) have no official leaders such as are the ministers in a unitary nation, and all bills are merely private members' bills. These circumstances lead to the introduction of a huge number of trivial proposals, and make it difficult for the houses to learn which proposals are worthy of most consideration. In one session nineteen thousand private members' bills were introduced.[1]

Later generations in the American Commonwealth.

In a unitary nation such as England is no great number of private members' bills are brought forward: members

[1] Bryce, 1. 136 and 137.

know that a private member's bill has no chance of passing unless the official leaders of the houses, who control a majority of votes in the lower house, give it some support. Thus trivial proposals are killed before coming to birth. In America they all come before one of the houses, and the houses have to do the work of sifting them. The work is done for each house by about fifty small committees, each consisting of on an average about nine or eleven members. Each committee considers bills on some special subject. The most important of the committees are the Committees on Appropriation, which report to the two houses on bills touching the expenditure of the federal revenue.

Committees of Congress.

The stages through which a bill has to pass in the American central legislature were originally copied from the practice in the British Parliament. In our parliament a bill, before it can pass, must in each house be read a first time, usually without much discussion: a second reading is preceded by the main debate, in which the house examines whether it likes the main features of the bill: after that the bill is referred, if important, to a committee of the whole house for consideration and amendment of details: then the committee makes its report to the house, and there may be a debate and voting on the amendments made in committee: lastly there is a debate and voting on the third reading. In America the first and second readings are granted without any discussion. Then the bill is referred to its proper small committee. The committee can hear witnesses, and usually hears them with open doors: but the newspapers cannot report the evidence heard by about fifty small bodies for each house.[1] After hearing the evidence the committee discusses its report, usually in secret. If the committee

Lack of general interest in debates.

[1] Bryce, 1. 158.

makes no report, the bill is dead: if it makes a report, the house, if the bill is of no great importance, accepts the report with very little debate, and no one outside the house is any the wiser, unless the bill passes both houses and is published as an Act of Congress. If a bill is of great consequence, each house has a debate on the report, and possibly on the third reading: but even then the debates are not studied by the citizens at large with any such interest as is aroused by debates of parliament in a unitary nation, because in the American federation the result of a debate cannot lead to a change of executive ruler. The bill under debate was not proposed by the President nor by any of his ministers, and its rejection cannot shake the credit of the executive government. The President was elected by the citizens of the United States for four years, and no vote of the legislature can abridge his term of office.[1]

The judicature of the central government has risen steadily in the estimation of Americans and of the world. The American Commonwealth which now contains forty eight states has forty nine governments, all co-ordinate. It has accordingly forty nine constitutions, forty nine legislatures, forty nine statute books. Among the forty nine constitutions and the forty nine statute books conflicts of laws are inevitable. It is the chief business of the federal judicature to consider cases arising from conflicts of laws, and in those cases to declare which law overrides the other with which it is in conflict. For this and for other work the judicature is provided with one Supreme Court, nine District Courts, and fifty five Circuit Courts. The judges in all these courts are appointed by the President with the sanction of the Senate, and hold office during good behaviour. The stipend of a judge in the Supreme Court is ten thousand dollars (£2000), in the

The federal judicature.

[1] Bryce, 1. 156-162.

Districts Courts six thousand, in the Circuit Courts five thousand.[1]

As conflicts of laws give rise to most of the disputes that come before the federal courts, the courts have to remember what degree of authority belongs to each system of laws and to decide accordingly. The Constitution of the United States was a compact made by all the citizens of all the states, and that constitution ranks first. The laws made in Congress were made ostensibly under the authority of the constitution: if they are really such as the constitution authorised, they rank with the constitution: if they were made in excess of the powers granted by the constitution, they are void. The constitution of each state in the union, if not in conflict with the federal constitution or with law of Congress duly made, will hold good: these constitutions rank third. Lastly the laws made by the legislatures in each of the forty eight states will hold good only if they do not conflict with the federal constitution, or the federal law, or the constitution of the state in which they were made.[2]

Principles for deciding when laws are in conflict.

For ensuring that the decisions of the federal courts take effect there is almost no official force that can be used. There is no body of police under the command of the central government: each state has its own police, but that police is not in any way under the control of the federal executive. Each federal court has one officer, a marshal, to put its decisions in execution. If the marshal is impeded in his duty, he can ask any private citizen to help him, or he can summon federal troops from Washington, the seat of the federal government.[3] In practice the decisions of the federal

Absence of federal police.

[1] Bryce, Part 1. ch. 22. I give the figures relating to the Courts as they stood in 1893, which is the date of my copy of Bryce's book.

[2] Bryce, Part 1. ch. 23.

[3] Bryce, 1. 231.

courts are obeyed. The American citizens like the federal courts, because the existence of those courts makes it possible for every citizen to live under two competing governments, and thus to be much less controlled by any government than a citizen of a unitary state can be.

Governments of the forty eight states.

The governments of the forty eight states have more control than the federal government over the actions of the citizens. Each has a government divided into legislature, executive governor elected by the citizens, and judicature. The legislature has the power to make new laws about property, crime, and marriage, but naturally does not exercise it often; sometimes it may make laws about sanitary precautions or education: most commonly it is occupied in granting charters and privileges to commercial companies. Both the judicature and the executive government in a state are kept busy. The judges are elected by the inhabitants of the districts under their jurisdiction, usually for a short term of years, and it is marvellous that they are not entirely incapable and corrupt: they may be restrained perhaps by the presence in the states of federal courts, and by the professional opinion of lawyers: but even so, justice is more costly to the suitors than it is in any unitary community. Of the executive officers the police are the most active: each county and each town has a police force of its own, and the legislature of the state in which the counties and towns are situate settles how the chief constables and their subordinates shall be elected or appointed.

Since the compact made in 1789 did not establish a single supreme government but left a multiplicity of co-ordinate governments still standing, it was not likely that any American citizen would feel, as an Englishman then usually did feel, that his circumstances made him naturally a member of a party striving for definite political aims. In England there

was only one government: every man either had or had not the privilege of helping to elect the supporters of that government, and therefore there was in England a clear division into Haves and Have-nots. In America every citizen was under two governments, and all citizens who cared could enjoy the privilege of helping to elect both governments. But the federal government at Washington was in general wiser and more active than the governments in the component states of the union, because it had to attend to wider interests. Hence Americans of some generations divided themselves into those who desired the federal government to be as strong as the compact would allow, and those who desired it to be as weak as the compact would allow. In other generations there has been no divergence of desires relating to political aims of permanent importance, and in those generations there have been no parties properly called political.

Parties in the United States.

From 1794 for nearly a generation those who desired a strong central government were called Federalists: their opponents were called Republicans, as desiring to have thirteen republics nearly free to act as they chose. Then from 1817 to 1850 there were no well marked parties. But by 1850 Americans had settled in large numbers in the expanse of territory to the west of the Mississippi, and the states in the union, of which there were then thirty, had to consider whether the settlements in the west should be admitted as new states into the confederation, and whether their inhabitants should be allowed to own slaves. On these questions the year 1854 witnessed the formation of new parties in the thirty states. Those men who aimed at obtaining a strong central government and at prohibiting slavery in new states were called Republicans, as desiring one American Republic: their opponents, who desired that every state new or old should

Intermittent existence of parties.

be free to recognise or not to recognise property in slaves were called Democrats. It is indicative of the lack of continuity in American parties that the name Republican was borne from 1794 to 1817 by those who desired thirteen small republics, but from 1850 onwards for a quarter of a century by those who desired one Republic of all the Americans.

Civil war in America, 1861-1865.

In 1861 eleven southern states, which desired that slavery might be allowed in the western territory, seceded from the United States and formed a separate confederation. The northern states for four years carried on a great war to force them back into the union, and they attained their object. The victors in the war belonged to that party which desired that all the states should by the insertion of new clauses in the federal constitution make a compact to abolish slavery in all the states in the union. The new compact that they desired was made by amendments in the constitution duly ratified by the states, and the amendments greatly increased the control of the central government over the inhabitants of the component states, and in the same degree curtailed the authority of the governments in the single states.

Modern organisation of parties in America.

Since 1875 there have been no parties in America aiming at different political objects in which every citizen must take a keen interest: but the Americans are still divided into two groups which seek to get the big offices for their leaders and petty employments under the federal government for the followers. As there are no political objects of great permanent importance in view, the citizens at large do not care to exert influence over the parties, and the proceedings of the parties are entirely managed by armies of paid wire-pullers. The organisation of the modern parties that seek only office has attained a perfection that was unknown to

the earlier parties that strove after aims of general public interest.[1]

Growth of American cities.

The communities that now live on the Atlantic shore of North America are at least in some cases rather the successors than the descendants of the communities that in 1789 founded the United States. Families have migrated in large numbers from the eastern states westward, and swarms of needy immigrants have arrived from Europe at the ports of the eastern seaboard. The best of the newcomers soon move westward, but the most shiftless, and the poorest, stay at the port of arrival for many years or for their lives. Thus New York, the chief port of debarkation, is only a halting place for enterprising immigrants, but for the helpless a domicile. The influx of population from Europe, and the inability of its weakest elements to advance to the west from the port of arrival, has made a revolution in the economic condition of some eastern states. In 1750 the State of New York had only ninety thousand inhabitants, the city only twelve thousand. In 1870 the state had nearly four and a half millions, the city nearly one million: now the state has nine millions, the city nearly five. In 1750 the twelve thousand citizens of New York consisted of steady and quiet-going Dutch traders and their dependents. Now the city contains thousands of speculating financiers some of whom count their possessions in scores of millions of dollars: but it also contains a million or two of proletariate unable to make any progress towards permanent prosperity.[2]

The legislature of the State of New York, which sits at Albany, gives a frame of government to its cities one by one, and makes no general scheme for all its cities. Till 1857 it

[1] On the whole subject of parties in America see some admirable chapters by Mr. (now Viscount) Bryce in Part III. of his *American Commonwealth*. For the history of parties see A. Johnston, *Hist.*, articles 304, 330, 417, 616.

[2] Bryce, ch. 88; *Statesman's Yearbook*, 1881, and any recent year.

gave the government of New York city mainly to an elective council: in 1857 it gave more power and in 1870 nearly all power to an elective mayor. Ever since 1789 there had been in the city an association which held friendly gatherings and promoted charitable schemes: in 1805 it took the Indian name of Tammany, and gave its officers titles which had been used by the tribe of the Iroquois, whose headquarters had been at Schenectady near Albany. About 1865 an adventurer named Tweed saw that a clever wirepuller in the Tammany Society might make his fortune. He and three other men, by making use of the machinery established by the Tammany Society, got control of a solid mass of 130,000 thoroughly ignorant voters: they were known as the Tammany Ring, and by 1870 they had plundered the city of thirty or fifty million dollars. In 1870 the personal rule of Tweed and the other three was exposed and overthrown by the honest and intelligent part of the citizens: but by 1876 a new Tammany had arisen. Its operations were facilitated by the charter given to New York in 1870, which put nearly all power in the hands of the mayor, authorising him to appoint all the chief officers in the city, and in particular the heads of the police, and the judges in the courts of first instance for criminal cases, which we wrongly call police courts. In 1894 no man who declined to subscribe to the funds of Tammany could get justice or be exempt from persecution.[1]

Tammany.

Tammany is by no means an isolated phenomenon peculiar to New York: similar methods of government prevail in Philadelphia, Chicago, Brooklyn and St. Louis.[2] And it is quite in accordance with analogy that such methods of government should prevail in the greatest American cities. The cities, now that they have grown large, are not under the control of any community larger

Rationale of Tammany.

[1] Bryce, 2. 399, 400.

[2] Bryce, ch. 88, first paragraph.

than themselves. The federal government of the United States never had any authority to interfere in their domestic concerns. The thirteen states that made the union had the power to rule their cities, and while the cities were small they made use of it effectively: now that the cities have attained to great size and wealth it is of no avail, because the cities partly by numbers of votes and partly by bribery and threats control the legislatures of the states: New York has more than half the votes in the legislature at Albany, Philadelphia and Chicago have large batches of votes in their states of Pennsylvania and Illinois. The cities are independent, or are city states, in almost every particular, except that they wage no wars, and thus are like the Greek maritime cities before 480 B.C. and the inland cities of Italy in the fourteenth and fifteenth centuries. It is then not surprising that they have class governments, or perhaps I should say, bastard class governments, not run by a class but ostensibly run in the interest of one class, and actually oppressive to other classes. New York can afford to keep an adulterine class government because it can never need to defend itself in war. A clear-sighted writer in an American periodical said in 1876 that if New York were independent in its foreign policy, as Rome was, it would have a Cæsar within six months;[1] and any one can see that in half that time it would have a government that would make a clean sweep of Tammany. The city outside America that is like New York is not Rome or Athens in the days of their worse corruption, but Florence in the second half of the fourteenth century. At Rome and Athens the strongest of the classes was always able to do the work of governing: at Florence after 1343 the dominant class, the rich merchants, could not govern because guilds and single rich men were too jealous of one another to let

[1] Bryce, 2. 395, 396.

any man learn the art of governing: therefore Florence came under the rule of the captains of the Parte Guelfa.[1] In New York the multitudes of the proletariate, who are the biggest class by far, can cram the ballot boxes with their votes, but are too ignorant and feckless to think of ruling: therefore New York is governed by Tammany, the modern analogue of the Parte Guelfa.

Successes gained by Tammany and similar rings.

As the circumstances of the American cities are such that governments like Tammany grow up in them and find in them abundant nutriment to sustain them, governments of the Tammany type have in most of the years since about 1876 succeeded in most of the cities in getting installed in authority. In New York valiant efforts have been made now and again by the honest citizens to get an honest government, and three or four of them have succeeded: in the contest that I chance to remember best the champion of the honest citizens was Seth Low, the distinguished and munificent Principal of Columbia University. The sporadic successes of the men who mean well by their neighbours have somewhat alarmed the Tammany bosses, and I do not know any evidence to show that they are now guilty of such cruel and universal persecution of their opponents as was steadily practised by their predecessors thirty or forty years ago: but on the other hand, notices that occur now and again in newspapers indicate that isolated cases of atrocities, equal to any of those perpetrated by Tweed and his colleagues, are even now not beyond the bounds of possibility.

In Switzerland strife between churches was sharp in the sixteenth century, less violent towards the end of the seventeenth, and in 1712 was laid aside at a treaty concluded by the cantons at Aarau. But the strife had done its work, and towards the close of the eighteenth century the

[1] See page 372.

meetings of the ambassadors of the thirteen cantons were simply meetings of ambassadors, and did not serve as some earlier meetings had served as an incohate common government for the cantons. If any proposition of importance was made to the ambassadors by a canton or its ambassadors, the other ambassadors or a good part of them merely took the proposition *ad referendum*, that is to say, for carrying home to their masters in their cantons for their decision by a vote taken in a council or a folkmoot.[1] And, further, the men under the rule of a single canton were for three reasons not usually one community. Firstly, a canton often had dependencies: thus even the mountain canton of Uri kept in subjection both the Urseren Thal from Andermatt to the Gotthard Pass and the Liviner Thal beyond the Alps: the dependencies were separate communities from the canton that ruled them. Secondly, in the town cantons, as Zürich and Bern, the townsmen ever since the Middle Ages had through superior wealth and intelligence kept down the country-folk: since about 1500 the best of the peasantry had gone abroad to serve as mercenaries to foreign powers, and the country-folk left behind were further weakened by their departure. Thirdly, even within the towns sharp distinctions between classes had arisen, as they always do arise in cities that are independent. In several cities the members of the richest and oldest families had engrossed all the power, and entirely deprived the other citizens of political privileges.[2]

(5) The Swiss cantons, 1700-1797.

In 1797 some of the discontented in Switzerland asked

[1] Striking instances of such action of ambassadors occurred in 1791 and again on September 3, 1792, on receipt of the news that the Swiss regiments had been slaughtered on August 10 at the sack of the Tuileries in Paris.—Müller, *Hist. Conféd. Suisse*, continuée par Monnard, 15. 452 and 466.

[2] My authorities for the history of Switzerland, 1500-1848, are in the main Oechsli, *Quellenbuch*, and the *Cambridge Modern History*, vol. 6, ch. 17, and vol. 11, p. 234 and foll. For Switzerland, 1760-1798, also vol. 15 by Monnard of *Hist. Conféd. Suisse par Johannes v. Müller, traduite et continuée.*

help of the French, then ruled by Directors: it chanced that the man most openly approached was General Napoleon Buonaparte. In 1798 the French, while Buonaparte was absent in Egypt, intervened by force in Switzerland, deprived every canton of the right to manage its domestic affairs, and tried to turn the Swiss into a republic, 'one, indivisible, democratic and representative': but they kept the new republic under their influence by means of a French army of occupation. The Swiss gained something by coming under one government, but they soon found that the French were more active in robbing than in befriending them. When Buonaparte was First Consul they applied to him for relief, and in 1803 he by his Act of Intervention restored the cantons and allowed them to send ambassadors to hold meetings, but took precautions against the abuses which before 1798 had provoked discontents. In 1814 the Powers of Europe in Congress at Vienna agreed that Switzerland should have its neutrality guaranteed by them, and thus be spared from foreign wars. In the next year the cantons, now numbering twenty two, made a new compact among themselves. It was somewhat like the compact which Buonaparte had dictated to them in 1803, but it gave more freedom of action to each of the twenty two cantons—for it only forbade cantons to make separate alliances detrimental to other cantons, thus permitting alliances that were not detrimental: and, like the Act of Intervention made by Buonaparte in 1803, it provided no representative assembly for all Switzerland, and no executive organ common to all the cantons. The ambassadors were to meet in successive years in Zürich, Bern, and Luzern, which were called *Vororte,* or Presiding Cantons. The execution of the resolutions of the ambassadors was left to the cantonal government of the Vorort for the time being, which had no means of ensuring that

The Swiss cantons, 1797-1814.

they took effect.[1] But the assembled ambassadors were empowered to take all necessary measures for the external and internal safety of the League of Cantons, and thus obtained more of the character of an authorised common government than any meetings of ambassadors had as yet enjoyed.[2]

In 1830, 1831 all the town cantons except Freiburg took new constitutions, which established in them representative assemblies, elected by all the inhabitants, townsmen and country-folk alike. These new constitutions were resented in some cantons by the old privileged orders, and in three cantons civil war ensued. The new representative assembly in the canton of Aargau suppressed monasteries, and gradually those cantons which disliked this innovation and all innovations took alarm. In 1845 seven of these cantons formed an armed Separate League, a *Sonderbund*. They had only a fifth of the Swiss population, but they hoped for foreign aid, which might enable them to overpower the remaining fifteen cantons. Austria wished to help the Sonderbund, and to crush the other Swiss: France and Prussia were half inclined to do the like, if it cost them nothing and brought them gain. Palmerston, Foreign Minister in England, outwitted Austria, France, and Prussia, and there was no foreign intervention.[3] By November 1847 the fifteen cantons had overpowered the Sonderbund by force of arms: they saw that a compact of junction of all the cantons was needed, and their ambassadors appointed[4] a committee to propose the terms of such a

The cantons, 1814-1884.

[1] *Camb. Mod. Hist.*, 11. 243.

[2] Compact of 1815, *Bundesvertrag*, art. 8, last clause: see Oechsli, *Quellenbuch*, 489. This last clause in art. 8 was noticed in 1848 in a very important document of state as making a marked innovation. *Quellenbuch*, p. 524, end of first paragraph.

[3] *Camb. Mod. Hist.*, 11. 250, in an excellent chapter by Oechsli.

[4] Oechsli, *Quellenbuch*, p. 523. Heading 233.

compact. In the spring of 1848 the committee was freed from all fear of foreign intervention by outbreaks of fierce civil strife in Paris, Vienna, Lombardy, Venice, Holstein, and Berlin.

The Swiss cantons in 1848 were moved to desire a compact of junction by much the same reasons as had influenced the American states in the like direction sixty years earlier: but in many respects the communities in the cantons were unlike what the communities in the American states had been. The American peoples at the time of their junction had none of them existed more than about a century and a half, and some were much younger. Eight of the Swiss cantons could trace their history back to the early Middle Ages, and three, Uri, Schwyz, and Unterwalden, were living in 1848 under a form of government older by at least a thousand years than any other in the civilised world. The American states were all nearly alike in history, race, language and religion. Of the Swiss cantons fourteen were purely Alamannic German in race and language: three cantons and the halves of three more, being descended from a mixture of Burgundian Germans with subjects of the Cæsars, spoke French: one canton, Ticino, was Italian in race and language: one was derived from Rhætians conquered by Drusus and Tiberius in the reign of Augustus, and spoke two dialects derived from Latin called respectively Ladin and Rhætisch-Romonsch: and lastly of the whole Swiss population three fifths were Protestants and the rest Catholics.[1] Yet in spite of all these dissimilarities a junction was brought about more easily in Switzerland than in America. A Swiss canton had in area about a twentieth part of the whole area of an American state in 1787, or a tenth of the settled area, and it would have been absurd if in Modern Europe communities

Swiss cantons contrasted with the American states.

[1] Erzinger, *Schweizer Katechismus*, 11, 12.

so minute as those in the cantons had tried any longer to stand alone. The peoples of the cantons had learned to know one another from experience in many centuries of hearty friendship or of eager strife, and the men then living in the cantons had recently gained fresh knowledge of the mischief that came of disunion.

The proposals for junction drawn up by the committee can be divided under the same heads as the proposals made in 1787 by the American convention. These heads are (1) Powers granted by the cantons to a new common government, (2) Structure of the common government, (3) Methods to be adopted in future revisions of the compact.

Draft of compact. Headings.

Before I state what powers it was proposed that the cantons should hand over to a new common government, I venture to express the opinion that the whole of the powers practically residing in the hands of the cantons were very much fewer than those enjoyed by the American states at the time of their junction. The American peoples were young, settled on large areas of virgin soil with infinite possibilities of entering on new enterprises and experiments: they had recently waged a war by sea and land with a foreign power, and they might expect such wars in the future. The peoples in the Swiss cantons were old, minute, strictly circumscribed: they had already tried most of the ventures that were possible for them, they had no access to the sea, and, since their neutrality was guaranteed by the Powers of Europe, they could not need to wage any war with a foreign power, unless their land was invaded by some one who was either crazy, or desperate, or omnipotent.

Limited nature of the powers to be disposed of.

The draft prepared by the committee gave to the new common government the sole right of making war, peace, and treaties, of imposing customs-duties and tolls, of

coining money, of ensuring uniformity in weights and measures,[1] of making and selling gunpowder, and of managing the postal service, and also authorised it to undertake public works and maintain roads and bridges, whenever any of these was of common interest to the cantons or to a large number of the cantons. Though these powers ceded to the common government were small, the powers left to the cantonal governments and actually exercised by them were, for reasons indicated above, smaller still. The cantons were not likely for the present to use much more powers than those that in England are entrusted to a large municipality.

Draft: powers of the common government and of the cantonal governments.

In the structure of the common government the committee did not keep the legislature and the executive independent of one another. The legislature was to be in two houses, elected both at once to sit for three years. The lower house, *Nationalrath*, the Council of the Nation, was to be elected by all citizens of all cantons acting as individuals, and in it each canton had members in proportion to its population: in the upper house, *Ständerath*, Council of the Cantons, each canton had two members, elected in such manner as the cantons might prefer: each member had a vote of his own, and was not bound by instructions from his canton.[2] The executive, called *Bundesrath*, Council of the Federation, consisted of seven ministers elected by the two houses in common session to hold office till there was a fresh election of the two houses. The members of the executive could not be members of either house, but, as they had a right to be present and to speak at any meeting of either house and to propose amend-

Draft: structure of common government.

[1] This is the meaning of art. 37, printed in Oechsli, *Quellenbuch*, p. 531. See Erzinger, *Katechismus*, p. 155.

[2] Erzinger, *Katechismus*, 233. Const. of 1848, art. 79. *Quellenbuch*, 535.

ments to motions, they had an influence over legislation that was unknown to an American President and his ministers:[1] on the other hand, the seven men elected to serve as an executive ministry or Bundesrath, when once elected, were independent of the houses, because the houses could not turn them out of office. A judicial organ was to be part of the common government, but it was far less important than in America because it had no authority to decide questions about the respective powers of the common government and of the cantonal governments: these questions were to be solved by the common legislature.[2]

It was to be in the power of either house of the legislature or of any fifty thousand qualified citizens to propose that the compact should be revised, without stating what form the revision should take. If such a proposal were made and the two houses were not agreed on it, all citizens were to be asked to vote on the question Shall a revision be undertaken? If a simple majority of citizens said Aye, the existing houses were thereby dissolved, and new houses were to be elected. Those new houses were to make a draft of new articles in the compact, and the draft was to be submitted to a vote of all the citizens of all the cantons. In all cases drafting of new articles in the constitution could only be done by the two houses: the constitution expressly says 'Revision of the constitution is to take place by legislative process.'[3] If the draft was approved by a majority of all the citizens and by majorities of citizens in a majority of the cantons, the new articles were to become part of the compact among the cantons.[4]

Changes in the compact.

The committee did not settle how the compact which they had prepared should be ratified. The ambassadors of

[1] Const. of 1848, art. 89, in *Quellenbuch*, 536.
[2] *Ibid.*, art. 74, clause 17.
[3] *Ibid.*, art. 111.
[4] *Ibid.*, articles 111-114.

the cantons who had appointed the committee submitted it to a vote to all the citizens in all the cantons. It was accepted by fifteen and a half cantons out of twenty two. The population of the accepting cantons was nearly two millions, of the rejecting cantons less than three hundred thousand.[1] Thus the junction of the Swiss cantons made in 1848 was emphatically a junction of communities made by communities.

Ratification and character of the compact of 1848.

The committee which prepared the articles of the compact of 1848 laid it down that the objects of the compact were the assertion of independence towards peoples outside, the maintenance of internal peace and order, the protection of the freedom and rights of the citizens, and the promotion of their common welfare.[2] In dealing with matters internal, they actually and, as it seems to me, wisely did not attempt to do more than protect each canton and its inhabitants from such injuries as experience had shown they might suffer from the action of other cantons and their inhabitants. But provisions made with so limited a scope could not suffice for long in an age when the habits of all civilised men were changing rapidly. Between 1848 and 1870 the Swiss actually suffered from the establishment of public gaming tables at Sax, from a great variety of banknotes issued by twenty five banks and not always easily redeemable,[3] from overworking of children and factory hands, from improvident destruction of forests by villagers in the mountains, and from the incompetence of the cantonal governments to construct and maintain great public works of general necessity and utility.

Insufficiency of the 1848 compact.

In 1874 proposals were made in the two houses of the common legislature to mend the compact. It was proposed

[1] Oechsli, *Quellenbuch*, 539.

[2] Const. of 1848, art. 2.

[3] *Katechismus*, 153.

(1) To forbid public gaming tables absolutely by an article in the constitution. (2) To empower the common legislature to embank rivers and torrents, to make laws about forests and game and fishing and railways and telegraphs, to ordain sanitary precautions, to regulate hours of labour, medical diplomas, banknotes, naturalisation, marriage and copyright. (3) To enable the common judicature to decide between the common and the cantonal governments both in questions relating to property and in the far more important disputes that were sure in the course of time to arise in regard to the limits of the powers conferred on the common government by the compact.[1]

Proposal to amend the compact, 1874.

Under the scheme put forward by the two houses in 1874 the powers conceded to the common government were decidedly larger than those given to the common government in America, and the powers of the cantons were less than those of the American states: this was reasonable in view of the minute dimensions of the Swiss cantons. But the houses foresaw that the citizens in the cantons, especially in the smaller cantons, would be alarmed at the large powers that they proposed to give to the common legislature, and would be likely to reject the whole scheme unless they were endowed with some new power of restraining the actions of the common legislature. In order to allay their alarms they gave them a potent weapon for killing any law that they thought mischievous. We have already seen that if the two houses proposed a change in the compact among the cantons, the proposal did not take effect unless it were approved by a majority of citizens and by a majority of cantons. In 1874 the two houses proposed in the extremely important article 89 of

Referendum, 1874.

[1] Const. of 1874, 24, 25, 26, 31*b*, 33, 34, 36, 39, 44, 54, 64. *Quellenbuch*, 548, 555.

their scheme, that henceforth whenever a new law was passed in the common legislature, any thirty thousand citizens or any eight cantons might demand that the new law should be regarded as if it were a change in the compact, and should not take effect till approved by a majority of citizens and by a majority of cantons. In connexion with the proposed popular veto on new laws the word *referendum* first became famous. The word is now used both in Switzerland and in England and probably everywhere as a name for a plebiscite or popular vote on a law that has been proposed. The process by which the word got its meaning is not easy to trace. But it may be observed that in the time before 1798 when the ambassador of a canton took a proposition *ad referendum* he also took it *ad scrutinium*, to a decision by votes: hence it might easily happen that *referendum* was thought to be equivalent to *scrutinium* or some such word. Ever since 1885 *Referendum* has meant in Switzerland a process of voting: for in a Swiss book published in that year I find a distinction drawn between *obligatorisches referendum*, compulsory voting on a project, and *facultatives referendum*, voluntary voting.[1] In some cantons every citizen is compelled under penalties to give a vote Aye or No on every cantonal law that is proposed, and there the referendum is said to be *obligatorisch*: on laws proposed by the legislature common to all the cantons and on changes in the compact among the cantons, each citizen may vote or not vote as he thinks fit, and thus in those cases the referendum is *facultative*.

The new compact proposed in 1874 was ratified by the citizens and the cantons. It gave the common legislature very large powers, but restrained it from ill considered law-making by the popular veto, that is, the referendum.

[1] Erzinger, *Schweizer Katech.*, p. 243.

The cantonal governments were by no means extinguished, but they became decidedly less powerful than the common government. The constitution worked smoothly, and any foreigner who between 1874 and 1890 chanced to be often in Switzerland, and to read some of the annual reports of the cantonal governments and to talk with the Swiss in their homes, got the impression that they lived in a singularly well-governed country.

Effects of the new compact, 1874.

In the cantons, or at least in nearly all of them, any private citizen, if he got enough backers, could propose a new law for his canton, and had a good chance of seeing it accepted. In Uri, Schwyz, and Unterwalden he could do it by simply making a proposal to his cantonal *Landsgemeinde* at its yearly folkmoot: in cantons with elected assemblies a petition signed by some considerable number of private citizens was an 'Imperative Petition' and must receive the attention of the law-making assembly. About 1890 it was suggested that a large number of citizens might be allowed to make an imperative petition proposing to the common legislature a new law binding on all Swiss citizens. Switzerland was well suited for making such an experiment, which would in a unitary nation be extremely hazardous. Nearly all the Swiss had freehold property in land or houses: employments and interests were as diverse in different cantons as the physical surroundings and the climate: there was no organisation of any one class spreading through many cantons: and the whole of the Swiss were bound over in common prudence to be of good behaviour for fear of scaring away the foreign holiday-makers who came by the million in two months of every year to enjoy their mountains. In 1891 the suggestion was adopted, and since then any fifty thousand Swiss citizens can send an imperative suggestion to the common

Popular Initiative, 1891.

legislature or can themselves draft a new law for submission to a vote of the citizens and of the cantons. The introduction of the Popular Initiative has had no striking results: the only proposal of great importance that arose from it before 1900, a demand that every Swiss should have a right to get from his government adequately remunerated employment, was rejected by a large majority.[1] It seems however possible that in course of time Swiss citizens of different cantons may by forming combinations to get new laws passed come to think less of their combinations in separate cantons, and thus breaking down some of the barriers between cantons may make the Swiss more like a unitary nation.

Absence from Switzerland of parties and great cities.

The Swiss have never formed two such opposing parties for public aims or for the private business of getting office as have been regularly present in America, and their cities are governed with no more corruption than the cities in a unitary nation. There is no occasion for two great parties. In America competition between the common government and the governments of the states gave birth to the two great parties: in Switzerland, if there is any competition between the central government at Berne and the cantonal governments, it is quickly allayed by the arbitration of a referendum. There are some inconstant political groups in Switzerland, but the seven ministers who at any one time form the common executive are chosen not from one group but from all. A man who has been chosen a minister by one parliament is usually chosen also by the next, and the work of being a minister is regarded as a permanent employment: the salary of a minister is about a tenth part of what it is in England.[2] The Swiss cities are saved from gross corruption

[1] See an instructive article by Miss Lilian Tomn (Mrs Knowles), in the Co-operative Wholesale Societies' *Annual* for 1900, p. 347.

[2] Co-op. Soc. *Annual*, 1900, p. 340 and *note*.

by their conditions. Zürich, the largest of them, had at the last census in 1910 less than 200,000 inhabitants: all cities except Urban Basel and Geneva are controlled by cantonal governments elected largely by country-folk: and all the cities are most anxious to stand well in the eyes of Europe because a great part of their earnings consists in payments made by foreign visitors at their hotels.

Of two voluntary junctions made in the last half century by communities in Canada and in Australia, it will suffice to say that the communities which made them were not entirely independent. Great Britain undertook to defend them against all enemies, and in return was allowed by them to supervise their compacts of junction, and to possess permanently the right of hearing through the Judicial Committee of its Privy Council appeals on some disputes that can arise in them from conflicts between their various systems of laws. Hence the junctions of communities in Canada and Australia were made and are maintained with singular ease, and can throw no light on the difficulties that always attend voluntary junctions of independent communities.

Voluntary junctions of semi-dependent communities are made with ease.

If we try to get a general view of voluntary junctions of equal communities, we see that there are three methods by which communities can agree to act in concert. First, the communities or their governments can make a mere alliance. Secondly, the governments can make a compact of junction of governments. Thirdly the communities can make a compact of junction of communities. If a mere alliance is made, no common government is authorised, but something like a common government may arise spontaneously. If there is a compact for junction of governments made by governments, there is nominally at least a common government, but it has no

Kinds of compacts among communities.

power to compel the obedience of any individual in any particular. If there is a compact for junction of communities made by communities, there is a common government endowed with power to issue binding commands on some important and well defined matters to all citizens in the communities that make the junction.

Thus far our survey of voluntary junctions of equal communities only gives us a classification of compacts, exhibiting the differences of their legal characters and the various legal obligations which they impose on the contracting parties. It does not give us, as our view of bodies politic descended from compulsory junctions of tribes gave us, types of bodies politic looking like the types that occur in a classification of natural objects: still less does it give us those types occurring in pedigrees in a regular order. There is, so far as I can judge from the small number of instances of voluntary compacts among communities that have produced permanent groupings of communities, no regularity in the characters of the groups of men that result from such compacts. And reasons why no regularity can be expected are easily discovered. Peoples do not make compacts to bind them permanently till they are much older, more compact, and more set in a definite form than the tribes that make conquests at random: and the diversity of forms that may exist in peoples that make compacts is unlimited. Besides this the terms of any compact may assume any of the forms that human ingenuity can invent. If the compact is a mere alliance, alliances are not all alike in their stipulations: the Swiss cantons had one form of alliance in 1291, another in 1370 contained in the Pfaffenbrief, yet another in 1393 after the battle of Sempach. Compacts for junctions of governments or of communities could probably vary no less than alliances. There is little similarity between the compacts

Bodies politic made by compact have only a legal not a natural classification.

for junction of governments made by the Dutch provinces in 1579 and by the American states in 1777, nor between the compacts for junction of communities made by the cities of the Achæan League, by the American states in 1789, and by the Swiss in 1848 and again twenty-six years later. And, as there is no regularity in the forms of compacts, there is none or very little in the forms of the bodies politic that result from them. We can make a classification of compacts according to their legal characters: but any classification that we may make of bodies politic resulting from compacts will have but few of the merits that belong to a classification of natural objects.

Permanent alliances and voluntary junctions of equal communities arranged according to their legal characters.

Although we cannot make any classification of bodies politic descended from voluntary junctions of equal communities that will have the utility that is found in all sound classifications of natural objects, yet a table in which those bodies politic are arranged according to their legal characters will give a compendious view of the results of the present chapter. Such a table is therefore here inserted. It will include permanent alliances of equal communities, because, though an alliance does not immediately establish any body politic, it may in the course of centuries by a natural and unconscious process generate a body politic: but it will not take any notice of the Achæan League because the existing records that tell us about that League do not suffice to elucidate its origination and its character.

PERMANENT ALLIANCES AND VOLUNTARY JUNCTIONS OF EQUAL COMMUNITIES, AND BODIES POLITIC RESULTING FROM THEM.

KINDS OF COMPACTS AND KINDS OF RESULTING BODIES POLITIC.	GOVERNMENTS.
PERIOD 1. — [(1) Permanent alliance in Switzerland, 1291-1481. For many generations no body politic is formed.]	No common government.
PERIOD 2. — Composite body politic formed by useful usurpation on the part of ambassadors (as in Switzerland in 1481 A.D.).	Many governments. Governments of separate communities strong. Common government—ambassadors acting as a council.
(2) Junction of governments made by governments (as in the Dutch Netherlands in 1579 and in America in 1781). Bodies politic so composite that they scarcely hold together.	Many governments. Governments of individual communities strong. Weak common government not endowed with any power to control individuals.
(3) Junctions of communities made by communities (as in America in 1789, and in Switzerland in 1848 and 1874). Bodies politic, composite but holding together. Each generation more nearly united than the one before it.	Many co-ordinate governments. The common government, having power to command individuals, is stronger than any of the other governments. The power of the common government increases with time, and the power of the other governments diminishes.

CHAPTER XXVI

VOLUNTARY JUNCTIONS OF UNEQUAL BODIES POLITIC

VOLUNTARY junctions of unequal bodies politic have occurred only in the two centuries most recently elapsed. Till 1530 junctions of peoples were made by compulsion. Since that time compulsory junctions of peoples have become more difficult for those who desired them, and have not been desired by some who had sufficient force to make them. Hence it has come about that when a junction of unequal bodies politic is needed anywhere in western or north western Europe it is usually effected with the assent either of all persons comprised in the bodies politic or of governments deemed at the time of the junction to be qualified to express the wishes of the persons comprised in the bodies politic. But all this needs some further explanation.

Since 1530 compulsory junctions have been impeded.

Before 1530 the sovereigns who made conquests were rulers of composite bodies politic, such as the kings of England in the fourteenth and fifteenth centuries, and from 1481 onward the kings of France and Spain. As none of them had known the happiness of ruling a united people, they did not care if their dominions became more composite than they were, and they recklessly annexed alien subjects. After 1530 the rulers of France, Spain, Austria still lusted after conquests, but till 1595 they were too much plagued with strife about creeds to attempt external enterprises. By 1595, when theological dissensions became less acute, they found that

the doctrine that there ought to be a Balance of Power in Europe had taken hold on the minds of the rulers of England, France, the Dutch Netherlands, and the principalities in northern Germany. In 1609, on the death of a duke of Cleves without direct heir, action founded on the doctrine of the Balance baulked the desire of an Austrian Habsburg sovereign to get the duchies of Jülich, Berg, Cleve, and Mark: in the Thirty Years' War action founded on the same doctrine severely punished the larger predatory enterprises of a later Austrian sovereign: and since the end of the Thirty Years' War the doctrine of the Balance has put a check on all robbers in western Europe except the singularly daring aggressors Louis the Fourteenth, the French Republicans, and Napoleon. Louis between 1667 and 1681, while the interests of the English were being betrayed by their King Charles the Second, took French Flanders and Franche Comté by force from Spain, and the greater part of Elsass by a mixture of fraud and force from many small German princes and from the bishop and citizens of Strassburg: and though he was defeated in two wars by the powers of Europe, he was permitted at the treaties of Ryswick in 1697 and of Utrecht in 1713 to keep these small gains. The French Republicans and Napoleon made incomparably larger conquests of many unhealthy bodies politic: but within twenty years two of the conquered peoples, the Spaniards and the Prussians, after resolute and admirable strugglings became convalescent, and were aided by the vigorous peoples of England and Russia. In 1814 all the work done by the French Republicans and Napoleon in effecting compulsory junctions of bodies politic, except some done in Germany in 1803, was undone, and in the end it had very little direct result in producing new and permanent junctions of peoples.

But there is also another reason why compulsory junctions

of bodies politic have become rare. No unitary nation, if it is wise, desires to join any alien civilised people to itself. Its health and strength arise from its being all one community. If it joins an alien civilised people to itself it will be no longer one community filling the whole of a body politic but only a part, though it may be a predominant part, in a composite body politic. If a junction must take place it desires that the body politic made by the junction may be as little painfully composite as possible: and it has better chances of attaining that desire if the junction is made with the consent of all the parties to it than if it is made by force. Since 1589 the English have been a unitary nation: since 1833 the more important peoples of western and north western Europe have been unitary nations or have had many of the instincts felt by unitary nations. As the peoples in Europe have approximated to the character of unitary nations they have felt a growing aversion to the thought of making junctions by compulsion. Hence in northern and north western Europe, where unitary nations have since about 1833 predominated, compulsory junctions have gone out of fashion, and when junctions have been needed for the welfare of peoples, attempts have been made to obtain for them the consent either of the peoples to be joined together or of governments which could at least pretend to speak for them.

Compulsory junctions not desired by unitary nations.

Even in the last two centuries junctions have been needed for the welfare of peoples. Within those centuries there have existed in divers parts of western Europe collections of men either unprovided with any tolerably good government or so small that they could not be safe in isolation. Such unlucky gatherings of men were found in Scotland, Ireland, and in large parts of Italy and Germany. All of them were relieved of their

Junctions effected since 1700.

difficulties by junction with a unitary nation near at hand. In Italy and Germany the junctions were made with the voluntary and deliberate assent of all parties concerned: in Scotland and in Ireland it may be doubted whether the men who gave assent to the junctions were qualified to express the wishes of all their countrymen and of their descendants in perpetuity.

Junction of the Scots with the English.

The junction of the Scots with the English has already been incidentally mentioned, but some aspects of it yet remain to be noticed. In 1702, when the junction was first debated, fully two thirds of the Scots were mainly of English race and differed little from the inhabitants of the northern English counties. These Angles in Scotland owned nearly all the small wealth in the country, but even they were not united. The scanty and scattered Gaelic clansmen desired no community of government with the Southrons: each clan wished to obey its own chieftain and none other. Hence when the Southron members of the Scots Parliament in 1707 gave their assent to the junction they certainly had little right to speak for all Scots then living, still less to speak for all Scots who might live hereafter. In 1715 the Highland clansmen repudiated the assent that had been given to the junction with England: in 1745 the clansmen and the Southrons did the like, and marched together as far as Derby in the hope of sending the King of England back to Hanover, and setting a Scottish Stuart in his place. Yet the Scots, after they had been defeated by the English at Culloden, gradually perceived, even though the English governments cared but little for their welfare, that they gained very largely in prosperity through their junction with the English. By 1807, when union of Scotland with England had subsisted a hundred years,

the English began to hope that in about two generations there might be a people of Scots reconciled with their neighbours to the south of them. Their hopes came true sooner than then seemed likely, and since about 1830 the Scots are no less resolute than the English in advancing the interests of Great Britain.

In Ireland in 1798 there was less semblance of a body politic than there had been in Scotland a century earlier. The settlements in the six north eastern counties of Ulster, all planted at once in the reign of James the First, formed a tolerably united community: the inhabitants of the middle, the west, and the south of the island were little groups of tenants arranged in Baronies and Half Baronies, and paying rent to English landlords of whom the greater part were non-resident. In 1800, when the civil war in Ireland had been quelled, it might probably have been best for the Irish if Cornwallis, the commander under the British government, had been provided with an army strong enough to keep control over the English and the Irish factions in Ireland, and if no locality in Ireland had been allowed to elect a member of any parliament either in Ireland or in England, till its inhabitants had shown that in elections they would not submit to dictation from any one. But soldiers were grievously needed for service on the continent of Europe, and Pitt took the easier course of buying the votes of the Englishmen who sat as Peers in the Irish Parliament and the influence of the boroughmongers who nominated the Irish House of Commons, and then allowing the two houses of the Irish Parliament to pretend that they assented on behalf of the disunited Irish, who being disunited had no will of their own, to a junction with Great Britain. After 1832, when great numbers of Irishmen took part in

Junction of the Irish with Great Britain.

elections of members of the United Parliament of Great Britain and Ireland, some members who sat for constituencies in Ireland began under the lead of Daniel O'Connell to repudiate the contract of junction said to have been made a generation earlier, exactly as the Scots in the eighteenth century had repudiated the junction said to have been made by their fathers: but the Irish did not imitate the Scots in attempting rebellion to acquire independence. From 1867 onward the Cabinets and Parliaments of the Kingdom of Great Britain and Ireland paid constant attention to the welfare of the Irish. By 1906 they had pledged British credit on several occasions in large amounts, and had thereby established a large class of landowning farmers and peasants throughout Ireland. As the Irish by that time enjoyed far greater prosperity than any of their forefathers, there was reason to hope that a generation of Irishmen soon to come might be convinced that their junction with Great Britain brought them advantages which they could not otherwise obtain.

But in 1886, 1895, 1912, 1913, proposals were made in the Parliament at Westminster to abandon the policy of maintaining a common government for Great Britain and Ireland. The first proposal was rejected by the Commons, and the second by the Lords: what has happened to the second and third cannot be stated briefly, because since 1911 such words as Parliament, Minister, Government have lost their old meanings for Great Britain and Ireland, and can no longer be employed without ambiguity or difficult discussions to discover what they may imply.[1]

Italy from 1850 to 1858 was the abode of nine bodies politic. The most important though not the largest of them lived in Piémont and the Genoese territory, and had Victor Emmanuel for its king. Much larger than Piémont and

[1] Written in February 1914.

Genoa were Lombardy with Venetia ruled by the Emperor of Austria, the States of the Church, the kingdom of Naples: of smaller size were the Grand Duchy of Tuscany, and the Duchies of Parma, Modena, Carrara, and Lucca. The Piémontese, as we have already seen, had been for two centuries a united people. Till 1848 their rulers had been despots, but native despots, usually respecting their subjects and respected by them. The Genoese had been annexed to the Piémontese in 1814 by the Congress of Vienna. In 1848 the united people of Piémont and Genoa had received from their king Carlo Alberto a constitution which gave them ministers and a parliament. They maintained a small but vigorous native army which fought with desperate valour but with ill success in 1849 as defender of the Italian peoples against the Austrians. When the war of 1849 ended in their disastrous defeat at Novara, their honest king Victor Emmanuel let them keep their constitution, though the Austrians offered him favours if he would abolish it. In 1854 they raised a new army in the place of that which they had lost, were admitted to alliance with the French and the English in their war against the Russians, and learned with pride that their army had earned distinction at the battle of the Tchernaya. In 1858 they had a better army than ever before, and they trusted their ruler Victor Emmanuel and his wise adviser Cavour.

Italy, 1850-1858: (1) Piémont and Genoa.

All peoples in Italy except the inhabitants of Piémont and Genoa were helpless. Tuscany indeed was decently governed by an Austrian prince, but he was a foreigner and not beloved. Lombardy and Venetia were under the heavy hand of the government at Vienna: Naples, Parma, and Modena were under despots, detested by all their subjects except a few whom they had corrupted: in the States of

Italy, 1850-1858: (2) the other Italian peoples.

the Church Pope Pius the Ninth had been till 1849 merciful, but since then unkind: Carrara, appended by marriage to Modena, and Lucca were too insignificant to call for further notice. All the despots in Italy were upheld by Austria, and the chief aim of nearly all intelligent Italians was to expel the Austrians from Lombardy and Venetia, and afterwards to found in some form an Italian nation.

Louis Napoleon and the Italian peoples, 1858-9.

Louis Napoleon, Emperor of the French, knew that his subjects in France had permitted him in 1851 to seize absolute power over them only in the hope that he might do something Napoleonic in getting them glory and gain: and he knew also that if their hope were disappointed his reign would end. Hence he habitually sought whom he might attack. In 1858 the Austrians in Italy were more vulnerable than any other Europeans, because all civilised peoples looked on their harsh government there with dislike. Thus an attack on them could yield glory to the French: but it could not directly yield gain, because the Austrians had nothing that the French cared to acquire. But Piémont, the resolute enemy of the Austrians, had Savoy and Nice, both valuable to the French. Louis Napoleon in July 1858 contrived to obtain prospects of gain as well as glory. Meeting Cavour the Piémontese statesman at Plombières, a place with a water-cure near Epinal and the Vosges mountains, he made with him some bargain which was not written down, and therefore cannot be precisely defined: mention was made in it undoubtedly of Savoy, and possibly also of Nice. In consequence of the bargain France and Piémont acted together as allies in 1859 in a war against Austria. As the Austrians were beaten in several battles, of which Magenta and Solferino were the most conspicuous, all the peoples in Italy between the Po

and Rome declared in favour of the Piémontese, and frightened away the despots who had been ruling them. Their action was likely to make a strong and united north Italian kingdom. Louis Napoleon desired not that the Italians should be strong but that they should be dependent on his favour. Accordingly on July 6, 1859, without the knowledge of his ally Victor Emmanuel, he made peace at Villafranca with the Emperor of Austria, taking from him only Lombardy which he promised to cede to Victor Emmanuel, and agreeing that the Austrians should keep Venetia, and might if they could re-establish the petty despots in central Italy.

At the preliminaries of Villafranca Louis Napoleon smote his ally Victor Emmanuel a foul stab in the back. The Piémontese were for a moment dismayed: Cavour resigned office and went to Switzerland. But the peoples of central Italy acted for themselves by voting either in plebiscites or in hastily made parliaments that they would come under the government of Victor Emmanuel. Sicily and Naples were freed from their Bourbon despot by Garibaldi and his volunteers with the countenance of a Piémontese army, led by Victor Emmanuel in person, and they also willingly joined in the Italian kingdom. Between 1859 and 1861 Victor Emmanuel received the allegiance of all the Italian peoples except the Venetians and the inhabitants of a small district around Rome: he had to surrender to Louis Napoleon only Savoy and Nice which are geographically outside Italy. In 1866, when the Austrians had been defeated by the peoples of northern Germany at Sadowa, the Venetians became free, and by plebiscite voted their inclusion in the kingdom of Italy, and lastly in 1870 when Louis Napoleon had been defeated by the Germans and had abdicated, there was no French garrison in the reduced States of the Church to

Voluntary junction of the Italian peoples, 1859-61.

support the despotic government of the Pope, and Victor Emmanuel reigned in Rome as constitutional sovereign of all the Italians.

Junction of the Italian peoples: comments.

The junction of the Italian peoples, though perfectly voluntary, was conspicuously a junction of unequals. Piémont alone was healthy and strong, with a well-loved king, a vigorous native army, a good government, a wise statesman, and a satisfactory constitution. The other peoples, when they had frightened away their despots, were without rulers, without armies, without strength. If they had had established governments they might have said that though they would join with Piémont in founding a new common government for defence against the Austrians their established governments must retain a good part of their powers: as they had no governments or only governments of yesterday, no course lay open to them except to ask to become subjects of the Piémontese king, who would henceforth be the Italian king, and to share in the enjoyment of the good methods of government which the Piémontese had brought into being. Thus the character of the government under which the Italian peoples were to live when joined together was settled solely by the Piémontese, the strongest of the peoples, and by Victor Emmanuel the Piémontese king. The Piémontese and their king offered their own form of government and the other peoples accepted it. The results of the junction have been satisfactory. It cannot be said that all the Italians at once formed a united people. Brigands in the parts that had been misgoverned from Naples could not be easily reduced to order. Ministers ruling in Italy thought it necessary to create a huge privileged order of petty servants of the government who did little to earn their paltry salaries except vote and get votes for the ministers: consequently

till recently the expenditure usually exceeded the revenue. Since however the Italians finished their successful war against the Turks in Tripoli and Cyrenaica there has been a marked improvement, and recently it was announced to the surprise of every one that the Italian Minister of Finance had ended a year with a surplus of revenue over expenditure.

In Germany, on the death in 1250 of the Kaiser Frederic the Second, the many dukes and princes became independent. In 1273 the seven electors chose Rudolf of Habsburg to the title of Kaiser, and from thenceforward till 1493 they chose Kaisers from any of the German princely families at pleasure. Whether during the period from 1273 to 1493 there was any trace of a common government for all the Germans it is hard to decide. Certainly a prince who allowed himself to be named Kaiser often found himself weaker after his election than he had been before: but there was a useful tradition that if any prince made an outrageous war against a neighbour he would have to fight with the Kaiser and with some of the strongest sovereigns in the diet or assembly of princes. As the diets and the Kaisers thus maintained a rude Balance of Power, reckless wars were unusual. The princes had more security than they would have had without diets and without Kaisers, and each of them, with a Landtag for his own dominions to grant him taxes, could rule quietly over a fairly united community.

The German peoples, 1250-1493.

After 1493 it became a settled practice that only Austrian Habsburgs should be chosen as Kaisers, and then changes set in. Maximilian, King of the Romans and Kaiser designate, tried with little success to make a common government for all the German peoples. His grandson Charles the Fifth, whom I have hitherto called Charles of Habsburg, took advantage of the

The German peoples, 1493-1642.

immense resources of his inherited dominions, and of the strife among rival theological creeds, to usurp for a few years uncontrolled authority over the princes: during their defence against him and their contests waged on behalf of their creeds the princes with the assent of their subjects took despotic power, and Landtage ceased to meet, or became impotent. Between 1618 and 1637 a later Habsburg, Ferdinand the Second, tried to become master of all the princes, mainly by the atrocious method of hiring soldiers of fortune and encouraging them to enrich themselves by plundering and murdering his opponents: but in his days and in the days of his son Ferdinand the Third the attempt was defeated by the princes with the aid of the Swedes and the French. When peace was made in 1648 at Münster and Osnabrück in Westphalia, all the princes became independent: it was said that a diet continued to exist, but it was only a congress of ambassadors, sitting from 1673 in permanence at Regensburg on the Danube, in which every ambassador was strictly bound by the instructions he had received from the prince who employed him.

The rise of Prussia, 1648-1814.

Though the peoples of Germany and their princes became independent at the treaties of Westphalia, they and their descendants for the next century and a half were miserably weakened by the devastations and sufferings brought on them by Ferdinand the Second of Austria. The least exhausted were the Brandenburgers. Between 1648 and 1688 under their Great Elector they annexed several peoples as large as themselves, and between 1740 and 1762 their king Frederick the Great succeeded in wresting Silesia from Austria.[1] But after 1762 Prussia and Austria still stood facing one another as jealous rivals nearly equal in power, and therefore there could be no thought of setting up a common government for the three

[1] See pp. 434, 435.

or four hundred separate peoples in Germany. The most intelligent of the Germans, being precluded from all political activity, betook themselves to thinking, and, by founding a literature and schools of metaphysical philosophy common to all Germans, did more to ensure the eventual junction of the German peoples than any of the princes under whom they lived.[1] Between 1801 and 1807 Napoleon Buonaparte, first as consul and afterwards as emperor, got a mastery over all the Germans. In 1803 he extinguished a great multitude of the most minute principalities both ecclesiastical and secular, and annexed them to neighbours. In 1806 he formed the Confederation of the Rhine. After 1807 the people of Brandenburg-Prussia incurred his especial hatred because they loved one another and were ready to die for their common weal: but though they were treated with exceptional severity, they would not be daunted, and from 1812 onward they did far more than any other German people towards breaking the power of the general oppressor.[2] After 1814 it became manifest that, if ever the German peoples set up a common government, they must do it under the leadership of the Prussians or of a Prussian king.

Ever since the sixteenth century the German peoples had been glad to have despotic rulers to protect them. Hence it followed that in 1814 the peoples had no capacity of acting for themselves, and they could not complain because their relations to each other were settled for them by their princes and by the Powers of Europe in Congress at Vienna. Stein the great German statesman and patriot had long desired that there might be an effective common government for all the Germans both to secure them against attack from outside, and to prevent the lesser despots from being oppressors. But Austria,

Germany, 1814-1848.

[1] Ernest Denis, *La Fondation de l'Empire Allemand*, p. 3.

[2] Seeley, *Life and Times of Stein*.

guided by Metternich, and the German despots generally, desired to have as little as possible of common government, and they prevailed with the Congress to let them have only a *Deutscher Bund*, a German League, with no common organ beyond a powerless congress of ambassadors strictly bound by instructions from their princes. In this congress, which sat at Frankfurt on the Main, Austria had the presidency and the chief influence, and Metternich, the chief minister of Austria, set himself resolutely to oppose all innovations and attempts at improvement, all of which he deemed revolutionary. But as the doctrine of the Balance of Power held sway in Europe, and there were no more wars for getting territory, the petty despots were no longer needed for the safety of their subjects. The German peoples began to come to life, and between 1814 and 1848 the rulers of Bavaria, Baden, Würtemberg, the two Hesses, Hanover and Saxony, found it convenient to permit their peoples to elect parliaments, which, though they had little authority, were at any rate free to deliberate. Between 1818 and 1834 the governments of three quarters of the Germans joined in a *Zollverein*, or union for customs duties. About the same time railways were made in Germany, and the German peoples saw how much had been gained by the abolition of customs houses at every internal frontier, and how much more gain of the same sort would accrue to them if their princes would agree to set up a common government.[1]

At the end of February 1848 the Parisians with great ease expelled their king, Louis Philippe. In imitation of their enterprise discontented peoples everywhere in Europe began insurrections to constrain their rulers. The Prussians, who

[1] For the Congress of Vienna see Schöll, *Histoire abrégée des Traités de Paix*, ch. 41, sect. 5; Gervinus, *Geschichte des Neunzehnten Jahrhunderts*, vol. 1. For the history 1814-1848 Ernest Denis, *La Fondation de l'Empire Allemand, Introduction*, and Fyffe, *Modern Europe*, ch. 12.

occupied fully half of Germany that was not Austrian, in March 1848 drove their king to promise a parliament and a constitution. The Austrians of Austria proper did the like at Vienna. The German peoples desired to have a parliament common to all of them in the hope that such a parliament would devise some compact in which the peoples could join together, and would exercise some control over the kings of the several German peoples: the kingly governments in Germany, being cowed by the insurrections in Berlin and Vienna, permitted the parliament to be elected, and in May 1848 it met at Frankfurt. The Austrian government was crippled by rebellions in Lombardy and in Bohemia, and till June 1848 the peoples seemed strong enough to exact and obtain all that they could desire.

Insurrections, Feb.-June 1848.

But in June 1848 the Austrians overpowered the Bohemians at Prague, and by March 1849 had crushed the Lombards and their Piémontese allies at Novara. In March 1849 the Frankfurt parliament of all the Germans proposed that the German peoples should join together, and have a compact or constitution which gave only limited powers to kings: and they offered to give the king of Prussia a hegemony or leadership of the German peoples if he would accept their constitution. The Prussian king, acting under pressure from Austria, declined the offer, and in June 1848 by forbidding any deputies from his dominions to attend at Frankfurt brought about the dispersion of the common parliament: but nearly at the same time he tried to join the German peoples under his hegemony with such a constitution as he liked. Meanwhile the Austrian government had to fight against a rebellion of the Hungarians, who under Kossuth claimed to be independent: it called in the aid of a Russian army

Small results of the insurrections, June 1848-1850.

and by August 1849 was master of all its rebels. From that time for ten years Austria was the strong state in central Europe. In 1850 at a convention signed at Olmütz in Moravia it compelled the king of Prussia formally to undertake not to attempt to make a junction of German peoples under his hegemony: the Germans thereupon went back to the condition of a Deutscher Bund as established by the Congress of Vienna. Nothing resulted in Germany from the risings of 1848 except the establishment for Prussia of a parliament, which having little experience had little influence. But in 1851 Otto von Bismarck, belonging to an old noble family which had taken its origin in Brandenburg but had migrated to a country seat near Stettin in Prussian Pomerania, having already made his mark in a parliament at Berlin, was appointed at thirty six years of age to be Prussian ambassador at the congress of German ambassadors at Frankfurt. In that post he remained till 1857 and employed himself in studying the relations among the German princes and in meditating how those relations could be modified to the advantage of Prussia.[1]

In 1859 Austria was weakened by the defeats inflicted on it at Magenta and Solferino by Louis Napoleon and the Piémontese. The ruler of Prussia was Prince Wilhelm, regent from 1857 for his incapable brother, and from January 1861 king in his own right. Wilhelm saw that now in the weakness of Austria he had an opportunity of tearing up the humiliating convention of Olmütz, and that if he did not exert himself promptly he might in a few years have to defend Prussia against France and Austria acting in concert as aggressors. Hence in 1860 he asked the Prussian parliament for a stronger army. The parliament gave him

Bismarck Minister President of Prussia, 1862.

[1] Fyffe, *Modern Europe*, ch. 20; J. W. Headlam, *Bismarck*, ch. 5.

nothing, and in September 1862 Wilhelm in defiance of the parliament appointed Bismarck as his Minister President and Minister for Foreign Affairs.[1]

When Bismarck took office as minister, he had already foreseen that Prussia would never be strong till it had expelled Austria from the congress of German ambassadors, and that it would have to fight Austria and might need to fight Louis Napoleon afterwards. Therefore Prussia must have a strong army. The Prussian parliament still refused to sanction expenditure on more soldiers: Bismarck rudely violated the Prussian constitution of 1850 and spent the revenue as he liked. In 1864 public excitement in Germany compelled him against his desire to fight Denmark about the duchies of Schleswig and Holstein: in the war he cleverly managed that his sole co-adjutor should be Austria. Prussia and Austria conquered the two duchies, and then Bismarck disagreed with Austria about the disposal of them. In 1866 Bismarck on April 9, strongly desiring that Austria might begin a war against Prussia which might seem aggressive, gave provocation to the Austrian government by declaring to the ambassadors of the German states at Frankfurt that he desired to have a common government for Germany, and by clearly indicating that he intended Prussia to have the hegemony.[2] Austria on June 11 replied by proposing to the ambassadors measures in regard to Schleswig and Holstein which Prussia could not tolerate.[3] The Austrian proposal was carried by nine votes against six, Prussia asserting that the measures proposed lay outside the powers conceded to the ambassadors in the Deutscher Bund and refusing to vote. The eight

War between Prussia and Austria, 1866.

[1] Headlam, *Bismarck*, ch. 6; Fyffe, *Modern Europe*, p. 914.

[2] Text of the declaration in Hahn, *Fürst Bismarck*, 1. 383-387; *Cambridge Mod. Hist.*, 11. 449.

[3] Hahn, 1. 450.

who voted with Austria were three states to the south of the Main, and in northern Germany Hanover, Hesse Cassel, Nassau, Saxony, and a group of minute principalities in Thuringia of which Reuss is the best known.[1] Bismarck officially informed Hanover, Saxony, and Hesse Cassel that unless they became allies of Prussia they would be treated as its enemies.[2] Hanover and Hesse Cassel tried to defend themselves in arms but were forcibly annexed to Prussia: Saxony sent its army into Bohemia to help the Austrians who were also aided by forces from three states south of the Main. On July 3, 1866, Prussia, scarcely aided by forces from any German state except Mecklenburg Schwerin, decisively defeated the armies of its enemies between Königgrätz and Sadowa in Bohemia.

North German Federation, 1866: large powers of the common government.

After the victory Bismarck succeeded in hindering Louis Napoleon from interfering, and then made the German states to the north of the Main understand that it was necessary for them to join in a compact for setting up a central government for the management of their common concerns under the hegemony of the king of Prussia: the governments consented that some compact should be made. Bismarck himself on December 22, 1866, drew up the terms of the compact.[3] Prussia, whose possessions in Germany now included Holstein, Hanover, Hesse Cassel, and Nassau, had fully three quarters of the population that would be under the common government. Hence Bismarck gave the common government very large powers, foreseeing that those powers would in general be wielded by Prussia. The common government was to have all the powers possessed by the federal government in America and others of wide scope besides. It was to define and

[1] Hahn, 1. 452.
[2] *Ibid.*, 1. 458-461.
[3] Headlam, *Bismarck*, 292.

enforce the obligations of every German subject in regard to military service, to make the civil and criminal law, including all laws relating to meetings and newspapers, to make war and peace, and lastly to enact any alteration in the constitution or compact of junction of the states provided that the alteration was approved (1) by a simple majority of those voting in the lower house, the *Reichstag*, which was elected by the population at large, and (2) by two thirds of the upper house, the *Bundesrath*, whose votes were controlled by the governments of the states that joined together to set up the common government.[1]

Structure of the common government.

In planning the structure of the common government Bismarck was guided by his experience. Between 1851 and 1857, while he was Prussian envoy at Frankfurt, he had found that both the ambassadors assembled there and the governments that employed them knew their own business and faithfully fulfilled their undertakings:[2] and this was not surprising since in most cases a lesser German state either was a small unitary nation three or four centuries old, or at least had a small unitary nation as its nucleus. Bismarck resolved to take the congress of ambassadors as it stood and to turn it into a Bundesrath, an upper house of legislature,[3] in which each state in the federation was to have a certain number of votes, all the votes of each state being given at a division collectively and to the same purport.[4] For German parliaments his memories of the Prussian parliament from 1862 to 1866 gave him a hearty contempt. For the kingly dignity in Prussia he felt profound veneration. Hence the king of Prussia was to have the chief power, the Bundesrath to come next, and the

[1] Dareste, *Constitutions Modernes*, 1. 135, 136, 158 *n.*

[2] Headlam, *Bismarck*, 300, 301.

[3] *Ibid.*, 296, 297.

[4] Constitution of the German Empire, 1871, art. 6, printed in Dareste, *Constitutions Modernes*, 1. 137, 138.

parliament, the Reichstag, to come third, and far behind the other two. The king was to declare war or make peace, to command the armed forces, and to be provided with a chancellor, the sole minister of the federation.[1] The Bundesrath besides having an equal share with the Reichstag in making laws was to have large executive powers, ordering how the laws when passed should be executed, and appointing committees of its members to supervise departments of administration.[2] The Reichstag was to have no powers except those which related to taxation and law making.

The German Empire, 1871.

On February 12, 1867, a parliament of the northern Germans, called Constituent Parliament, was elected to consider Bismarck's scheme for a compact or constitution: it met on February 24 at Berlin, and by April 17 it had accepted the scheme without any considerable alteration beyond a provision that at elections of the Reichstag voting should be secret.[3] It may be doubted whether either the governments which in the autumn of 1866 consented that some federal compact should be made, or the parliament which in the next spring accepted Bismarck's form of federal compact were perfectly free agents: they could see near at hand the Prussian army fresh from a decisive victory. But three years later, in 1870, when the north Germans had to fight their unavoidable war against Louis Napoleon and the French, there could be no doubt that they were sincere acceptants of the scheme of federation: they ratified it with their blood. While the Germans were winning their victories in France, the four south German states, Hesse Darmstadt, Baden, Bavaria, and Würtemberg, between November 15 and November 25, asked and obtained

[1] Constitution of the German Empire, 1871, articles 11, 15, 17, printed in Dareste, *Constitutions Modernes*, 1. 139, 140.

[2] *Ibid.*, articles 7 and 8.

[3] Hahn, *Furst Bismarck*, 1. 594-643; Headlam, *Bismarck*, 299.

admission to the federation: in December the Reichstag voted that the king of Prussia should be emperor: and on January 18, 1871, the king by proclamation from Versailles accepted the new title. In April 1871 the constitution was revised by the Reichstag. Most of the changes made in the text were merely verbal emendations, necessitated by the admission of four more states and by the substitution of emperor for king. One was of more importance. In accordance with agreements made by the Prussian king with the four south German new comers into the federation, it was enacted that henceforth no change in the constitution should be made unless it was approved by a majority in the Reichstag and by three fourths (instead of two thirds) of the Bundesrath.[1] Under this new provision any group of states with fifteen votes out of the total of fifty eight in the Bundesrath could forbid a change in the constitution.

The government of Germany has continued to be what Bismarck intended it should be. The Emperor and his Chancellor with the support of the Bundesrath do almost exactly as they think fit. The Reichstag has under the constitution the power to refuse new taxes: but, as it is divided into many parties, it has never prevented the imposition of a tax, and has never controlled administration. The Germans, however, are content to be governed by Emperor, Chancellor, and Bundesrath, and no body of citizens in Europe can vie with them in readiness to make individual sacrifices for their common advantage. Germany since 1871.

Before we leave those modern junctions of unequals which are said to be voluntary, we may observe that a junction said to be voluntary is sometimes not really voluntary, and then is not a permanent junction at all: it may be repudiated, but afterwards it may be followed by a real junction effected by compulsion. This was what happened

[1] Dareste, *Constitutions Modernes*, 1. 158 *n.*

in Scotland, and in a less striking degree in Ireland. The Union of Scotland with England in 1707 was not ratified by any body that could speak for all the Scots: it was repudiated by later Scots, but its repudiation was followed by a most effectual compulsory junction of the Scots with the English, which in two or three generations produced a single community of Great Britain perfectly united in hearts and aims. In Ireland also the Union of 1801 was not ratified by any body that could express the common wishes of the Irish: no such body could have existed, because the Irish had no common wishes beyond a readiness for internal strife. The so-called compact of 1801 was not indeed ever repudiated by rebellion: but Daniel O'Connell and his later disciples said and say that the Irish with the exception of north eastern Ulster wish to repudiate the compact. The people of Great Britain were in fact from the time of O'Connell onward driven by an instinct of self preservation, founded on a belief that the Irish could not govern themselves without hurting their neighbours, to maintain a junction of Ireland with Great Britain by compulsion. Till 1906 it was thought by a majority in Great Britain that the junction of Ireland with Great Britain, though maintained by compulsion, had produced in the space of two generations since 1850 almost as excellent results as the compulsory junction of Scotland with England had produced in the space of two generations between the battle of Culloden and the early years of the nineteenth century, and that the junction ought to be maintained. As I write on March 9, 1914, it seems that the general opinion of the salutary effects of the junction is unchanged, but owing to circumstances with which every one is acquainted, it is impossible to foresee what will be decided in the Parliament at Westminster in regard to the future of the Irish.

Modern junctions of unequals. Survey: (1) Scotland and Ireland.

The junctions of the Italian peoples and of the German peoples remain as the only examples of voluntary junctions of unequal bodies politic. Of them I have only to remark that both in Italy and in Germany the terms of the compacts of junction and the form of the government after the junction were settled according to the wishes of the strongest people that took part in the junction. In Italy the weaker peoples had in 1859 no governments: the Piedmontese, the strongest people, decided that Italy should have only one government, and the Italians should as quickly as possible generate a unitary nation. In Germany the lesser peoples had gone on without much change of their structure or government for one or two centuries longer than the Prussians, who were the strongest people: for the Prussians had been greatly altered from the time of the Great Elector onwards by acquisitions of new subjects and by important legislative innovations. Hence Bismarck decided that the governments of the lesser peoples must be allowed to survive, that the Germans should have not one government but many governments, and that their junction should have a federal character: at the same time, however, he contrived that the common government should be far more powerful than the common government in any other federation, and should be mainly under the control of Prussia the preponderant state in the federation.

(2) Italy and Germany.

We have now considered five ways in which bodies politic have joined together and formed new bodies politic. The five ways are these: (1) Compulsory junctions of unlike bodies politic: (2) Compulsory junctions of tribes effected by one of the tribes: (3) Compulsory junctions of fiefs effected by one of the fiefs: (4) Voluntary junctions of equal communities: (5) Voluntary junctions of unequal bodies politic. There is yet one more way in which a

junction of peoples can be at least attempted: for peoples may be ordered to join together by states not themselves parties in the junction. Several junctions of peoples were ordained by the Powers of Europe assembled at Utrecht in 1713, by Napoleon Buonaparte in 1803, and in 1814 by the Congress of Vienna. But junctions ordained from outside rarely produce new bodies politic: at any rate they rarely produce bodies politic capable of holding together and of generating bodies politic that can hold together. The Powers at Utrecht decreed that the southern Netherlands and the duchy of Milan should be transferred from Spain to Austria: but both the southern Netherlands and Milan remained bodies politic just as much separate from Austria as they had been from Spain. The Congress of Vienna tried to join the southern Netherlands to the Dutch kingdom, and Norway to Sweden: but their attempted junctions produced little permanent result. Napoleon Buonaparte in 1803, and in one isolated instance the Congress of Vienna were more successful: but the operations in which they succeeded were of minute dimensions. Buonaparte by influencing the decisions of the Committee of the German Diet in 1803 effected permanent junctions of infinitesimal groups of men to adjoining peoples much like themselves, and the Congress of Vienna permanently annexed two fifths of Saxony to the adjoining kingdom of Prussia. These are the only instances known to me in which an order given from outside has made a new body politic: and thus the chief origins of new bodies politic are only junctions effected either through compulsion or voluntarily by bodies politic or groups of men who are themselves parties in the junctions.

Junctions of states ordained by other states rarely make new bodies politic.

I now proceed to sum up the conclusions to which I

have been led in regard to voluntary junctions of unequal communities. In Italy, where the weaker communities had no governments of native growth before the junction, those communities after the junction were mere provinces, and had only such governments as the supreme government chose to allot to them: the whole was for one or two generations a composite body politic under one government: now it seems to be becoming a unitary nation. In Germany, where the many weaker communities no less than the one stronger community had governments of native growth, those communities were able at the junction to stipulate that after the junction their native governments should be assured to them by the compact of junction, and should not be entirely dependent on the will of the common government of the conjoined communities. Thus after the junction the body politic was composite with some federal characteristics: the whole had many governments, in some degree co-ordinate: each component community had its own native government, and there was also a common government to attend to the common interests of all. These facts are here set down in a table.

Summary.

BODIES POLITIC DERIVED FROM VOLUNTARY JUNCTIONS OF UNEQUAL COMMUNITIES

BODIES POLITIC.	GOVERNMENTS.
(1) In Italy, where the weaker communities had no governments of native growth.	
(*a*) For two generations.	
Composite bodies politic under one government.	King, Cabinet, Parliament.
(*b*) Since about 1910.	
Unitary nation.	King, Cabinet, Parliament.
(2) In Germany, where all the communities had governments of native growth.	
A federation.	Many governments. One government for each component community. One central government, far stronger than any of the governments in the component communities, for conducting the common policy of all.

CHAPTER XXVII

PEDIGREES OF BODIES POLITIC

My gallery of sketches now includes representations of all those bodies politic that the range of my knowledge permits me to depict. Many subjects have been omitted: among them the most important are perhaps those that occur in the histories of Russia, of India under British rule, of Austria-Hungary, of colonies founded by Europeans, and in the recent history of Japan. From a superficial acquaintance with the histories of Russia, of India, and of Japan, I am led to think that it would be my wish to depict some subjects that occur in them, if my knowledge sufficed. With the colonies and with Austria-Hungary the case is different: they might reasonably be passed over even by a delineator who knew them thoroughly. Colonial communities with few exceptions are unlike perfectly independent bodies politic because they do not conduct their own relations with foreign powers, and bodies politic in Austria-Hungary ever since 1527 have had so complicated a structure that they are not comparable with those of other lands. If Austro-Hungarian bodies politic were to be depicted at all, it should not be done till the bodies politic of other countries had been viewed as a whole, and well comprehended, and were well remembered.

Now that the work of description is done it will be advantageous to get a bird's eye view of the objects described. Bodies politic have already been arranged in their pedigrees, and the

pedigrees have fallen into groups, such that all the pedigrees that occur in a group are in some measure akin to one another. In order to get a general view of bodies politic we only need to arrange the groups of pedigrees in larger groups. Two of the groups already recognised are those that occur in ancient cities and in mediæval cities. These two can be put together as bodies politic in cities. All the rest belong to countries. Thus our two largest divisions of bodies politic are those of I. Cities, and II. Countries. In the first division, which contains the urban communities, the subdivisions are (1) ancient, (2) mediæval. In the second division, which belongs to countries, bodies politic are subdivided according as they are descended (1) from compulsory junctions of like communities, (2) from compulsory junctions of unlike bodies politic, (3) from voluntary junctions of equals, and (4) from voluntary junctions of unequals.

Plan of a general view of bodies politic.

The statements just made afford a plan of a bird's eye view: it yet remains for me to remind myself and my readers what bodies politic and what governments occur in each part of the plan. In order to save the view from being confused with details, no more must be put in than just enough to help the memory. Where pedigrees run parallel some reminder of the bodies politic and the governments that occur in one or two stages of the pedigrees will be inserted. Where a pedigree is isolated, as occurs in the histories of Sparta, Rome, Venice, Genoa and France, it will be indicated only by the name of the place to which it belongs: but everywhere references will be given to passages in earlier chapters in which the characters of the pedigrees are specified.

Character of the view.

The general view of the pedigrees of bodies politic will be given, as sectional views have been given already, in a

tabular form. The table here inserted is a memoria technica and does not pretend to be a classification of the scientific kind. A scientific classification is a form for the compendious expression of general laws. In the region of political phenomena it may be doubted whether any general laws have yet been discovered, and therefore genuine classification of things political is for the present impossible.

The view is only a memoria technica.

A TABLE OF BODIES POLITIC ARRANGED IN PEDIGREES, AND OF THEIR GOVERNMENTS

BODIES POLITIC.	GOVERNMENTS.
DIVISION I.—In Cities.	
Subdivision (1). In ancient cities.	
Group 1.—In cities with infinitesimal territory (Corinth and about sixty others). See p. 157.	
Purely urban communities.	Class governments: (1) Rule of the rich, or (2) Rule of a usurper, or (3) Rule of the poor.
Group 2.—In cities with some territory, which was at first important, but afterwards became insignificant (Argos and Athens). See pp. 157-159.	
(*a*) Till 468 B.C. (Argos), and 431 B.C. (Athens).	
Communities partly urban, partly rural.	Mixed governments.
⋮	
(*b*) Purely urban communities.	Rule of the poor.
Group 3.—Isolated pedigrees: In Sparta. See p. 159. In Rome. See pp. 280, 281.	

A TABLE OF BODIES POLITIC ARRANGED IN PEDIGREES AND OF THEIR GOVERNMENTS.—*Continued.*

BODIES POLITIC.	GOVERNMENTS.
Subdivision (2).—In mediæval cities.	
Group 1.—In terrestrial cities, having rural territory, at first important, afterwards insignificant (the Lombard cities, Florence, Bologna). See pp. 384, 385.	
(*a*) Till the thirteenth century, communities partly urban, partly rural.	Mixed governments.
(*b*) From the thirteenth century, purely urban communities.	Class governments of (1) Trade guilds, or (2) Usurpers.
Group 2.—Isolated pedigrees in maritime cities: In Genoa. See p. 408. In Venice. See pp. 408-9.	

A TABLE OF BODIES POLITIC ARRANGED IN PEDIGREES, AND OF THEIR GOVERNMENTS.—*Continued.*

BODIES POLITIC.	GOVERNMENTS.
DIVISION II.—In Countries.	
Subdivision (1).—Bodies politic descended from compulsory junctions of like communities.	
Group 1.—From junctions of tribes. See pp. 341, 440-1.	
Subgroup (*a*).—From junctions of many tribes in England, Castile, Scandinavia.	
(*a*) Till about 1450 A.D.	
Composite bodies politic.	King and a rudely made Parliament: sometimes civil war.
⦚	
(*b*) From about 1500 A.D.	
Almost united communities.	Strong king: Parliament very weak.
⦚	
(*c*) From various dates.	
Unitary nations.	Cabinet, Parliament, dignified Sovereign.
Subgroup (*b*).—Descended from junctions of few tribes, in German principalities.	
(*a*) Till 1500 A.D.	
Simple communities.	Prince and Landtag.
⦚	
(*b*) Simple communities often engaged in dangerous wars.	Prince as sole ruler.
Group 2.—From junctions of fiefs: an isolated pedigree.	
In France. See pp. 351, 440-1.	

A TABLE OF BODIES POLITIC ARRANGED IN PEDIGREES, AND OF THEIR GOVERNMENTS.—*Continued.*

Bodies Politic.	Governments.
Subdivision (2). — Descended from compulsory junctions of unlike bodies politic: Heterogeneous Empires. See p. 329.	
Group 1.—Of the Roman type.	
Empire of the Cæsars, Russia, India under British rule.	A single man, bureaucratic civil service, standing army.
Group 2. — Of the mediæval German type.	
Austrasian Empire, Saxon Empire.	A single man, and assembly of local chieftains.
Subdivision (3). — Descended from voluntary junctions of equals. See p. 516.	
Group 1.—From junctions made by governments.	Many governments. Common government weak.
Group 2.—From junctions made by communities.	Many governments. Common government strong.
Subdivision (4). — Descended from voluntary junctions of unequals. See p. 542.	
Isolated instances:	
In Italy. See pp. 522-527.	
In modern Germany. See pp. 527-537.	

Now that my view of bodies politic has been exhibited, it may be well to say a few words about the method by which it was obtained. That method differs from the one ordinarily employed in taking bodies politic and not states as the units of political organisation. It is cumbrous, no doubt: but so are most methods which require us to look at things as they really are, at least till they have been used by many successive investigators. The method which takes states as units feels handy when it is first tried, but the views to which it leads are apt to be hazy, and the habit of using it has probably led men into erroneous opinions. From regarding a state as a single political organisation there is but a short step to regarding it as one for all purposes: and from regarding a state as one for all purposes come many of the worst fallacies put forward by those who speak or write about political phenomena. There are, for example, persons who assert and perhaps believe that states wear out from old age as men do. From any such absurd error we are protected, if we regard bodies politic as our units: for we are compelled to see that a state is not an individual but a family: and the family may go on indefinitely, if it breeds progeny fitted to survive in the struggle for existence.

Merits and demerits of the arrangement of bodies politic in pedigrees.

But the assumption that a body politic is the unit of political organisation has compelled me to use the word *pedigree*, and under that word some delusions may lurk. The word, I believe, meant originally a crane's foot, a combination of lines used in the Middle Ages by men who wrote out genealogies:[1] by an easy metaphor its meaning has been changed, so that it now denotes any table of descent. It is often used as a name for a succession of men of one family: it might

Meanings of the word 'pedigree.'

[1] Skeat, *Etymological Dictionary*, article 'Pedigree.'

denote the succession of forms through which a species of plants or animals has attained its present character. As I have used it to denote a succession of bodies politic, I wish to point out that a pedigree of bodies politic differs from a pedigree of human beings, that a body politic differs from a human being, and that a pedigree of bodies politic differs from a pedigree of a kind of plants or animals.

Pedigrees political contrasted with pedigrees of men.

Firstly, then, bodies politic in a pedigree do not vary so suddenly and incomprehensibly as men in a family. In a family of human beings a son may lose his father before he is born and his mother immediately after: he may never know the care of kinsfolk, may go away into a foreign land, and may grow up entirely unlike either of his parents. Among bodies politic this cannot happen. Each generation must in its youth live with an older generation, and learn its thoughts, habits, and traditions: thus in a family of bodies politic changes of character do not occur spasmodically, but gradually, and to those who look on from a distance almost imperceptibly.

Bodies politic contrasted with individual men.

Secondly, a body politic differs from a single human being because it never has only one mind and one will. There may be rare occasions when the desires of a body politic jump together towards one main purpose, but even then each person has his own separate desires. In a single human being there may be conflicting desires, but at any given moment those desires which are not preponderant are suppressed and incapable of leading to action. In a body politic it is not so: on ordinary occasions certain wishes of certain parts of the population have a preponderance, but in other parts conflicting wishes are present, and are not suppressed but produce action which may thwart the fulfilment of those wishes which have the preponderance. What is called the will

of a people does not exist: what does exist is merely the resultant of many divergent and some directly opposite wishes.

Thirdly, a pedigree of bodies politic is unlike a pedigree of filiated species in at least two respects. For, in the first place, in a pedigree of species each generation usually comprises myriads of myriads of individual plants or animals undistinguishable from one another: in a pedigree of bodies politic each generation is only one body politic, and it is likely that in the whole world there has never existed another just like it. In the second place, plants and animals in a wild state breed progeny from generation to generation so like themselves that from shortly after the death of Linnæus in 1778 almost till the appearance in 1859 of Darwin's *Origin of Species* many masters in the sciences of botany and zoology believed that species were for ever immutable.[1] With bodies politic variation is not exceptional, but appears to occur always in the passage from one generation to another in all peoples that have attained to a civilised condition. At the present time we see clearly that no civilised body politic breeds in the next generation a body exactly like itself: and the evidence of history indicates that in past times also no body politic sufficiently civilised to be carefully described by eye-witnesses ever had issue exactly in its own likeness. The differences between pedigrees of species and pedigrees of bodies politic may be summed up by saying that, whereas among plants and animals every generation contains innumerable specimens exactly alike, and for periods extending through centuries wild plants and wild animals breed progeny undistinguishable from themselves, among bodies politic no species

Pedigrees political contrasted with pedigrees of species.

[1] Julius von Sachs, *History of Botany*, translated by H. E. F. Garnsey, Fellow of Magdalen College, Oxford, 1890, pp. 8-10.

contains more than one specimen, and no civilised body politic has issue exactly in its own image.

To my readers, whether they are students of History or of Politics, a few words may be addressed at parting. It must be confessed that what has been laid before them contains only a minute department of History and nothing that is ordinarily called Politics. History investigates all that men have felt, and thought, and done: Politics, as the word is commonly understood, has for its substance a few propositions deduced from definitions and axioms, deemed to be so obvious that they need no proof, but it also usually admits some illustrations from history. In my work all feelings and thoughts and actions of men are neglected except those that help to make communities and bodies politic: to depict individual bodies politic has been my aim. No reference has been made to any axiom: and definitions have never been used as premises for conclusions, but only as short formulæ designating things already described. But there is no reason why what has been said need be useless to students of either History or Politics. A knowledge of individual bodies politic is a sound foundation on which a superstructure of history can be erected: and it may also serve as a corrective for some of the false notions often entertained by those who deduce political propositions from axioms and definitions. At the end of my work I am even more convinced than before beginning it that in the region of political phenomena no axiom is universally true, that no definition can be trusted if it is made before all the objects which it is intended to cover have been described, and that if there is ever to be a science of politics the materials for making it must be collected by observation and description of recorded phenomena.

INDEX

ACHÆAN League, 148, 469-73.
Antalkidas, peace of, 127.
Areopagus, 56, 75, 91.
Aristotle, his axioms, definitions, and classification of governments, 143-8.
Argolis, early history of, 48-9.
Argos, 126, 137.
Asia Minor, Greek cities in, 18.
Athens before 490 B.C. *See* Attica.
Athens and the Athenians after 490 B.C.: Archons taken by lot, 487 B.C., 74; consequent decay of the Areopagus, 75; one stratêgus set above the other nine, 76; Athenian navy, 76; battle of Salamis, 78; Athenian maritime hegemony, 477 B.C., 86-9; its oppressive character, 92; Athenians in receipt of tribute, 95-113; their tributary cities, 96-8; Athens (431 B.C.-413 B.C.), its population, condition, and government, 101-9; working of its government, 429 B.C.-413 B.C., 110-13; Peisander and the Four Hundred, 119-21; battle of Ægospotami, 123; Athens after 404 B.C., 136-7.
Athens and Rome compared, 281-2.
Attica, early history of, 49-53; Solon's constitution, 53-8; Peisistratus, 58-9; Hippias, 60; invaded by Kleomenes, 63; constitution of Kleisthenes, 65-71; battle of Marathon, 74; population of, in 431 B.C., 101.
Augustus, his regulation of the army, 288-9; his conquests of territory, 290; his desire that no more territory should be conquered, 290. *See also* Octavius.
Austrasian Empire, 322-4.

BALANCE of Power, 422.
Bodies politic, pedigrees of, 543-53. *See also* Tabular views.
Body Politic, sense in which the term is used, 1, 4.
Bologna, less unwarlike than Florence and usually better governed, 376-7.
Bureaucracy, 306.

CÆSAR, 269-71.
Charlemagne, 322-3.
Cities. *See* Greek cities, Italian peoples, Rome, Cities (mediæval).
Cities (mediæval). *See* Bologna, Florence, Genoa, Milan, Venice. Cities in mediæval Germany, 382-3; tabular view of communities in the inland towns of mediæval Italy, 384-5; tabular view of mediæval maritime cities with dependencies, 408-9.
Class governments, 46.
Community, meaning of the word, 1.
Composite bodies politic, 351-3.
Constitution, early instances of the use of the word in England, 446-7.
Constitutions (modern) in Continental Europe, 454-6.

Demokratia, 46; Aristotelian *Demokratia*, 143; Demokratia at Athens, 109-13, 118, 121.
Denmark, strong kingly government established in, 436.
Dikasteria, 97, 108.
Dorians, their great migration, 17; their early political condition, 19.
Dutch Netherlands, their weak federation, 476-9.

EKKLÊSIA at Athens, 105-6.
Empire, history of the word, 309.
Empire of the Cæsars: its initial character, 285; its provinces, some imperial, some senatorial, 288; its army under Augus-

tus, 288-9; Tiberius, 291-3; wars to settle the succession, 294, 296-7; change in the composition of the legions, 294-7; tranquillity and stagnation, 70 A.D.-180 A.D., 297-8; Prætorian Prefects, 299; decay of imperial authority, 235 A.D.-283 A.D., 300; Diocletian and Constantine, their changes in administration, 300-6; Constantine's alliance with Christian bishops, 307; after Constantine, decay of armies, and great influence of bishops, 308-9; end of the western empire of the Cæsars, 315.

Empires: three empires compared, 310-13; types of empires, 327-9. *See* Empire of the Cæsars, Austrasian Empire, Saxon Empire, Russian Empire, India under British rule.

England, the Normans in, 335-6; increased coherence of the English in the thirteenth century, 336; Parliament, 326-7; after Edward the First, decline of kingly authority, 337-8; Tudor sovereigns, strong kingly power of, 413, 417-19; England, unification of, 418; governments of, 1660 A.D.-1835 A.D., 444-50; government of after 1835 A.D., 456-64.

Etruscans, 170-2.

Eupatridæ, 49-52.

FIEFS, their origin, 325, 329-30; fiefs in France, 337-50; in the southern Netherlands, 350-1; tabular views of bodies politic descended from junctions of fiefs, 351, 467.

Florence, early governments of, 363-4; Guelfs and Ghibelines in, 364-5; classes in, 365-6; feebly governed by successful tradesmen, 366-71; decay of citizen armies in, 370; condottieri and mercenary armies, 370-1; comparatively vigorous government of the captains of the Parte Guelfa, 372-4; the Eight Holy Men, 374; the ciompi, 374; Michel di Lando, 375-6; Tyrannis in, 376.

France, when it got a right to its name, 324; early kings in, *see* Paris, counts of, 343; first extensions of the king's demesne outside the county of Paris, 343-5; government in the demesne, 344-6; le Parlement de Paris, 346-7; relations between the demesne and the fiefs, 346-7; quarrel of Philip the Fourth with Pope Boniface the Eighth, 347-8; states general, 348-9; conquest of the fiefs by the demesne, 411-12; kingly government in, 413; wars of religion in, 421-2; privileged orders in, 424-5; Richelieu and Louis XIV., 425-7; misery in, 428; French Revolution, 428-32; unification of France, 432; tabular view of French bodies politic, 467.

GENOA, its prosperity till 1256 A.D., and subsequent decline, 386-91.

Germans, their settlements in conquered Roman provinces, 316-22; their inclusion in the Austrasian Empire, 322; their condition, 843 A.D.-936 A.D., 324-5; their inclusion in the Saxon Empire, 325-7; their principalities and Landtage, 338; their princes uncontrolled by Landtage after the sixteenth century, 416, 436; compulsory junctions of their small principalities, 437-8.

Germany (Modern), 527-37.

Great Britain, by 1830 A.D. a united nation, 450.

Greece, physical geography of, 26-9.

Greek cities, general view of, to 480 B.C., 80-5; their political isolation, 61, 80, 141, 149, 150, 154; their first contact with the Persians, 72; their treatment of dependencies, 150-2; history of, after 412 B.C., 114-38; general view of communities in, 157-9. *See also* Greek intellect, Greek peoples, Athens, Sparta, Greek cities (maritime).

Greek cities (maritime), 40-2; their governments, 42-7.

Greek intellect, 138-40.

Greek peoples, the earliest known governments in, 18-25; their characters about 650 B.C., 29-32; their first contact with the Persians, 72. *See also* Greek cities, Greek cities (maritime), Athens, Sparta.

Greek settlements in Italy and Sicily, 141-2.

HOMERIC poems, character of their testimony about political institutions, 20-5.

INDIA under British rule, 312.

Irish, their junction with the English 451, 521.

Italian cities, mediæval. *See* Bologna, Florence, Genoa, Milan, Venice.
Italian towns, ancient: their general character, 273; made alliances, but did not coalesce, 274-5; never were under a single government before Cæsar's time, 275-7; compared with Greek towns, 277-8; tabular view of, 279-81.
Italy, physical geography of, 160-2; its early inhabitants, 162-5; wars among them, 192-3; Gallic invasions of, 193-5.
Italy in the Middle Ages, governors of, before 1075 A.D., 356; early independence of its towns, 356-7; wars of the Hohenstaufen Kaisers in, 357-61; general unwarlike character of Italian townsmen after 1268 A.D., 361-2; Bologna and Florence exceptional in having a civic militia, 362-3; subjugation of the inland towns, 379-80. *See also* Bologna, Florence, Genoa, Milan, Venice.
Italy (Modern), 522-7.

KLEISTHENES, 63-9.
Klêruchiæ, 66, 92.
Kolophon, an early Ionian settlement in Asia, 18.

LATIN colonies, 213-14.
Latin towns, 166. *See also* Italian towns.
Latins, their early settlements, 164-7.

MILAN and other cities in Northern Italy, 362, 378.
Mykênæan civilisation, 13-17.

NETHERLANDS, history of the, 1530 A.D.-1577 A.D., 420; division of the, 420-1.
Netherlands, Dutch. *See* Dutch Netherlands.
North America, English colonies in, 480; independent states in, 481; their Articles of Confederation, 481-3; their closer union, 488-90; the working of their constitution, 490-4; parties in the United States, 494-7; American cities, 497; Tammany, 498-500.

OCTAVIUS (Octavianus), his compact with Antonius and Lepidus, 284; his victories over his rivals, 285; his behaviour towards the provincials, 286; and towards the Roman citizens and the senate, 286-7; his title Augustus, 287. For events in his later life, *see* Augustus.
Oligarchia, 45, 120-1.
Ostracism, 69.

PAPACY. *See* Popes.
Paris, counts of, 343.
Parlement de Paris, 346-7.
Peloponnesian War, 101.
Perikles, 93, 98-101.
Popes, beginning of their power, 321; improved method of electing, 326; their wars against Kaisers, 357-9; claims of Pope Boniface VIII., 347.
Prussia, growth of, 433-5; making of a Prussian people, 435.

RENAISSANCE and religious discords, 415.
Rome, its beginnings, 167-70; Patres and Plebs in, 169; under kings, 172-4; Servian reform of its army, 174-6; census in, 176; territory of, under Tarquin the Proud, 176-7; its earliest magistrates, 177-8; secession of the Plebs, 179; return of the Plebs, 180; alliance of Rome with the Latins, 182; contests between Patres and Plebs, 182, 192; Decemviri, 183; periods of Roman history, 184; consuls, senate, centuries, tribuni, concilium plebis, 185-92; wars of the Romans to 338 B.C., 193-5; conquest of the Latins by the Romans, 195; concessions made by the Patres to the Plebeians, 196-7, 211; the Roman Senate, 197-9; treatment of the conquered Latins by the Romans, 199-203; territory of the Romans, 326 B.C., 205-6; conquest of Italy by the Romans, 211; provisions of the Romans for controlling Italy, 212-17; Latin Colonies, 213-14; Maritime Colonies, 215; supremacy of the Romans in Italy, 218-37; First Punic War, 219-22; war against Hannibal, 223-37; Roman constitution, 264 B.C.-201 B.C., 225-30; social classes of Romans, 264 B.C.-201 B.C., 231-4; Roman juridical system, 234-5, 265-6; political organisation of Italy, 236-7; dependencies of the Romans, 201 B.C.-46 B.C., 238-72; new conditions in Rome, 200 B.C.-146

B.C., 241; social classes of Romans, 200 B.C.-146 B.C., 243-5; Latin and Italian dependents of the Romans, 245-6; dissensions among classes of Romans about the spoil of the dependencies, 133 B.C. - 106 B.C., 247-54; curule families, 231-2, 254-7; defensive war of the Romans against the Cimbri and the Teutones, 258; great mercenary army made by Marius, 258; revolt of the Italian allies, 259; predominance of armies in Italy, 260-7; Sullan constitution, 262-5; subjugation of the Roman commonwealth by Cæsar and his army, 271. For the history of Rome after 46 B.C., *see* Empire of the Cæsars.
Rome and Athens compared, 281-2.
Russian Empire, 311-12.

SAMNITES, their origin, conquests, and subjugation under the Romans, 207-210.
Savoy-Piémont, 436-7, 522-7.
Saxon Empire, 326-7.
Scots, their junction with the English, 450, 520.
Solon, 53-8.
Spain, despotic kingship in, 413-14; never perfectly united, 432-3.
Spartans, their earliest institutions, 33-5; their conquest of Messenia, 35; their discipline, 36; their early wars, 37; their carelessness about the form of their government, 38; their King Kleomenes the First, 62-4; their hegemony in the Peloponnesus, 64, 89-91; their temporary ascendency over the Greek peoples, 123; end of their maritime ascendency, 125; their terrestrial ascendency, 128-9; their internal condition, 479 B.C.-338 B.C., 131-5.
State, early examples of the use of the word, 2, 3, 382; is a legal conception, 4; early history of the word, 380-2.
Stratêgi at Athens, 69, 108.
Sweden, strong rule of Gustavus Vasa in, 414; unification of, 416.
Swiss Cantons, their permanent alliance, 473-4; their imperfect common government, 1481 A.D.-1512 A.D., 475-6; their disruption, 476; their disorders, 501; intervention of Buonaparte in, 502; their compact of 1814, 502; their new compacts in 1848 and 1874, 503-9; Swiss Federation, 509; Referendum and Popular Initiative in, 509-12; absence of clearly marked parties in Switzerland, 512.
Switzerland. *See* Swiss Cantons.

TABULAR VIEWS: of communities in Greek cities, 83-4, 157-9; of ancient Greek and Italian bodies politic, 279-81; of empires, 329; of bodies politic descended from compulsory junctions of like tribes, 341, 440-1, 466; of bodies politic in mediæval city states, 384-5, 408-9; of bodies politic in France, 467; of federal bodies politic, 516; of bodies politic derived from voluntary junctions of unequal bodies politic, 542; of bodies politic in general, 546-9.
Thebes, 129-30.
Tribe, usage of the word, 11.
Tribes, pastoral and agricultural, 6; pastoral, in Germany, 7-8; in the Balkan peninsula, 10; agricultural, ancient Greek and Italian, 11; Teutonic tribes in Britain, Scandinavia, Spain, and their junctions, 331-5, 338-9; compulsory junctions effected only between somewhat similar tribes, 339-40; tabular views of bodies politic descended from compulsory junctions of tribes, 440-1, 466.
Tributary cities under Athens, 96-8.
Tyrannis, 45, 143, 147.

UNIONS of peoples. *See* England, Sweden, France.
Unitary nations: experimental governments for a unitary nation, 444-50; continental unitary nations, 452; governments of unitary nations, 456-64.
United States. *See* North America.

VENICE: rise of the Venetians, 355; early history of the Venetian islanders, 391-3; their adoption of Venice as their capital, 393; their doges and dependencies, 393-5; their Great Council, 396-9; their conquests in the Eastern Empire,

398-9; closing of the Great Council, 400-1; conspiracy of Bajamonte Tiepolo, 402; the Council of Ten, 402-3; decline of Venice, 403-4; Venice like Sparta and Rome in its origin, 404-6; in some particulars like Rome in its history, 406-7.

Vienna, Congress of, 452-3.

Voluntary junctions of equal communities, 468-516; general comments on, 513-15; tabular view of, 516. *See also* Achæan League, Dutch Netherlands, North America, Swiss Cantons.

Voluntary junctions of unequal bodies politic, unknown except in modern history, 517-20; some junctions of unequals voluntary only in seeming, 520, 537; general comments on voluntary junctions of unequals, 539-41; tabular view of, 542. *See also* Scots, Irish, Germany (Modern), Italy (Modern).

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