

'Genocide' and Rome, 343-146 BCE: state expansion and the social dynamics of annihilation

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Title page image:

Detail from Thomas Allom, 1870. *The Sack of Corinth*. Oil on canvas.

Abstract

As the nascent power of Rome grew to dominance over the Mediterranean world in the Middle Republic, they carried out mass killing, mass enslavement, and urban annihilation. In doing so, they showed an intention to destroy other groups, therefore committing genocide.

This study looks at the kinds of destruction enacted by Romans between 343 BCE and 146 BCE, using a novel application of definitions and frameworks of analysis from the field of Genocide Studies. It proposes typologies through which the genocidal behaviours of the Romans can be explored and described.

Mass killing, enslavement, and urban annihilation normally occurred in the context of siege warfare, when the entire population became legitimate targets. Initial indiscriminate killing could be followed by the enslavement of the survivors and burning of their settlement. While genocide is a valid historiographical tool of analysis, Roman behaviours were distinct from modern patterns of mass killing in lacking a substantial component of racial or ethnic motivation. These phenomena were complex and varied, and the utter destruction of groups not regularly intended. Roman genocidal violence was a normative, but not typical, adaptation of the Romans of the Middle Republic to the ancient anarchic interstate system.

In antiquity, there was no international law to govern conflict and international relations, only customs. This study posits that the Roman moral-based custom of *fides* as an internal preventative regime that inhibited genocide through rituals of submission to Roman hegemony. This process was flawed, and cultural miscommunication risked causing mass violence. Furthermore, the wide discretion of Roman commanders accepting submission could result in them flouting the moral obligation to protect

surrendered groups. In such cases, attempts at punishment and restitution from other members of the elite were only partially effective.

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D.J.C.
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Abbreviations and translations

Abbreviations of ancient authors and their works follow the usage in Simon Hornblower, Antony Spawforth, and Esther Eidinow, eds. 2012. *The Oxford Classical Dictionary*. 4th edition.

The abbreviation *HEpOL* is used for the *Hispania Epigraphica Online Database*.

Short passages of classical texts have been translated by the author. For longer passages, the translator is indicated in the footnote. In most cases these are from the Loeb Classical Library series.

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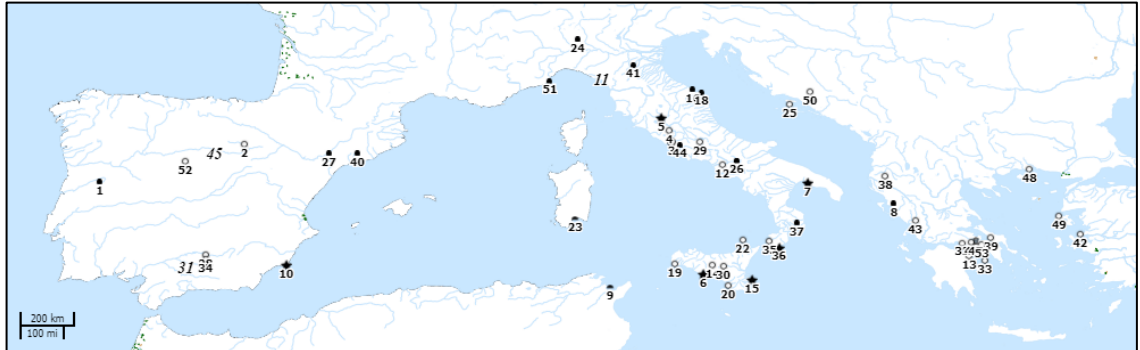
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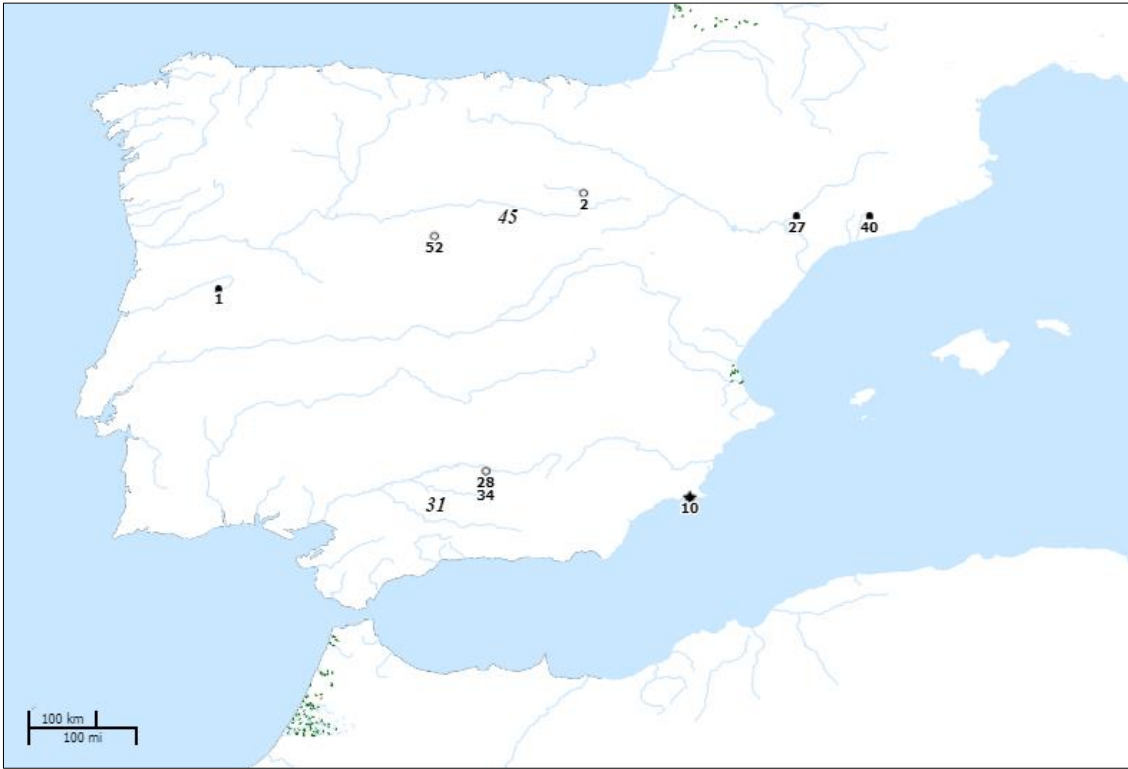


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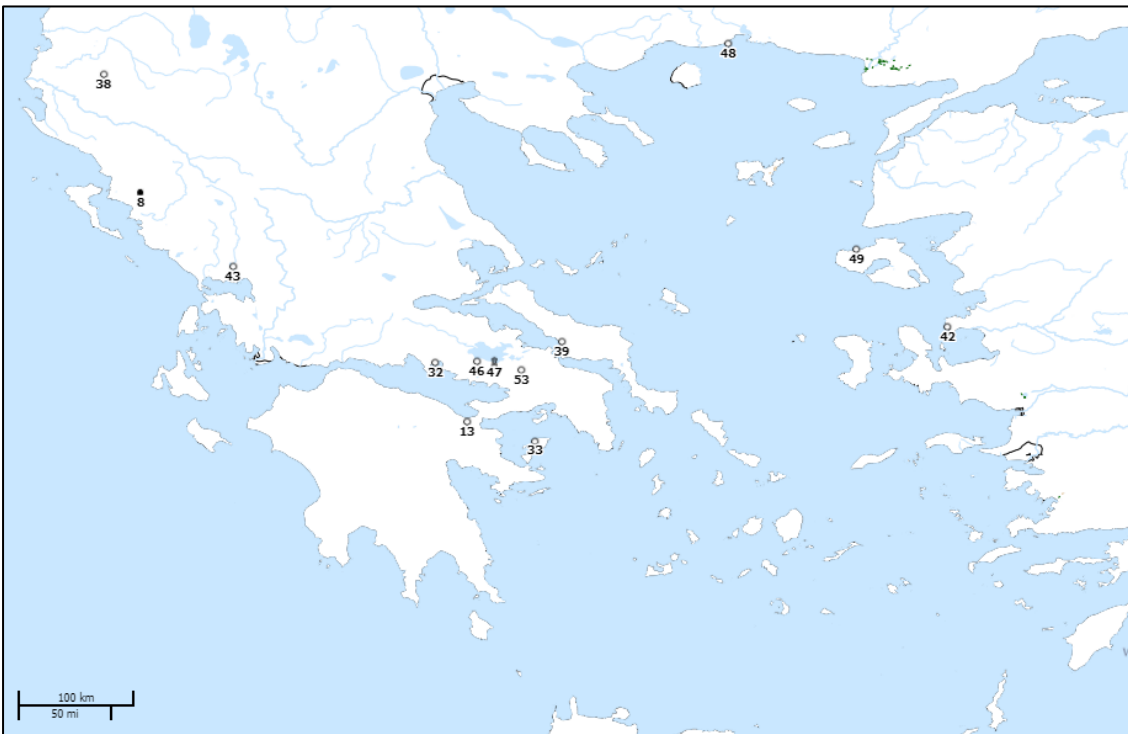
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Key for maps 1-4

Map #	Place name
1	Lusitani
2	Numantia
3	Roma
4	Falerii
5	Volsinii
6	Agrigentum
7	Tarentum
8	Molossis
9	Carthage
10	Carthago Nova
11	Liguria
12	Capua
13	Corinth
14	Mytistratum
15	Syracuse
16	Senones
17	Samnites
18	Picenum
19	Mazara
20	Camarina
21	Aeolian Islands
22	Lipara
23	Caralis
24	Insubres
25	Pharus
26	Hirpini
27	Iberi
28	Iliturgi
29	Antinum
30	(H)Enna
31	Turdetania
32	Antikyra
33	Aegina
34	Orongis
35	Metaurum
36	Lokroi Epizephyrioi
37	Bruttii
38	Antipatreia
39	Chalcis
40	Bergistani
41	Boi(i)
42	Phocaea
43	Ambracia
44	Corbio
45	Celtiberia
46	Coronea
47	Haliartos
48	Abdera
49	Antissa
50	Delminium
51	Aigitna
52	Cauca
53	Thebes



Map 2. Places of interest, the Spanish West



Map 3. Places of interest, the Hellenistic East



Map 4. Places of interest, the Italian peninsula

Chapter One



Introduction

Natural instincts bid all living human beings not merely conquer their enemies but also destroy them. In former days it was the victor's prerogative to destroy tribes, entire peoples.

These were the words attributed to Adolf Hitler by Raphael Lemkin in a 1945 magazine article, in which he promoted to the general public for the first time his newly-devised concept of 'genocide'.¹ Lemkin provided a label for what Winston Churchill could only refer to as 'a crime without a name', or as a French prosecutor at the Nuremberg trials put it, 'a crime so monstrous [...] that the term "genocide" had to be coined to define it'.² From its inception, Lemkin thought that genocide was a practice endemic to humanity, and that its origins could be traced into antiquity. He had intended to publish a compendium of historical genocides, but died before the work was more than an outline.³ Lemkin shared this belief in the antiquity of genocide, as we have seen, with those who had formulated genocidal practices. For Hitler and the Nazis, ancient antecedents justified and naturalised their own crimes.

This study looks at aspects of genocide at the time of the Middle Roman Republic, from 343 BCE to 146 BCE. It asks whether the Romans did carry out genocide, and whether they can be thought of as genocidal. In doing so, it shows that the phenomena of Roman destruction were complex, and that the same Roman ideological precepts facilitated the destruction of others, but simultaneously forestalled more comprehensive mass violence,

¹ Lemkin 1945, 39.

² Ruebner 2005, 1227.

³ Lemkin and Jacobs 2012, 3–6, 17; Docker 2004.

and that the Romans were not a uniquely nor solely bellicose and bloodthirsty people.⁴ The study will demonstrate that genocidal violence was a normative, but not typical, adaptation of the Romans of the Middle Republic to the ancient anarchic interstate system.⁵ This study aims to establish that the concept of genocide can be useful as a jumping off point to interrogate the topic of ethnicity and imperialism in the ancient world, and how they intersected. It is some small step towards making more visible the hundreds of thousands of lives destroyed by various means by Middle Republican imperialism.⁶ It furthermore aims to generate a specific, informed, and novel investigation into genocide in this period, to better inform arguments made outside the specialist fields of Ancient History and Classics.

There is a strong rationale for this sort of engagement with the scholarly field sometimes known as Genocide Studies. As we have already seen, notions about group destruction in antiquity have been embedded in the idea of 'genocide' as a crime and a framework of analysis since its inception, and in the rationales of *génocidaires* themselves before it even had a name. Indeed, classical moments of destruction had long inspired romantic artworks, such as that on the cover page of the present work, or calls to destroy other nations or peoples.⁷ However, otherwise first-rate scholars working in Genocide Studies frequently show poor scholarship when it comes to the ancient world. Ideas or approaches that have long been disproved or made obsolete in Ancient History and Classics are asserted. Fundamental errors of the sort that the minimum of research, even looking at a certain well-known online encyclopaedia or children's books,

⁴ W. V. Harris [1979] 2006; see also MacMullen 2011, 89–91.

⁵ Eckstein 2006.

⁶ Chalk and Jonassohn 1990, 7.

⁷ As when the First Earl of Shaftesbury argued in Parliament in the mid-seventeenth century that Carthage should provide a model for the destruction of the Dutch, T. Harris [2004] 2008.

would have corrected.⁸ Reference to the classical world is used by many of these scholars in a superficial and solipsistic manner, as a way of signalling their learned academic credentials. This probably also informs the frequency with which the Greco-Roman etymology of the word ‘genocide’ itself is invoked, even about which some have managed to show confusion.⁹ There have been few positive engagements with the evidence for genocide in the ancient world, and a tendency to comment sweepingly on the antiquity, or conversely the modernity, of genocide. Some of these engagements will be discussed below. This is important, because Genocide Studies is a branch of Critical Theory; its practitioners seek not only to analyse and describe real world genocidal phenomena but to prevent their future occurrence.¹⁰ The desire to address this gap, and provide a thorough and informed investigation that will fulfil this need, guides this study.

What is genocide?

The label ‘genocide’ is not only a relatively new coinage, but is also a highly contested term.¹¹ It was originally devised by Lemkin in the 1940s, as a direct response to what would become known as the Holocaust in the West, and the Shoah in Hebrew. Its range of definitions are myriad.¹² As determined by Lemkin, it was defined as,

The destruction of a nation or of an ethnic group [...] with the aim of annihilating the groups themselves [...] Genocide is directed against the national group as an entity, and the

⁸ E.g. Mann 2005, 16 thinks decimation was done as a matter of course to subjugated foreign populations; cp. ‘Decimation (Roman Army)’ 2017 (*Wikipedia*); Deary 2016, 30–31 (*Horrible Histories*).

⁹ E.g. Charny 1999a, 2:451.

¹⁰ Savigny and Marsden 2011, 270; Preventism is deeply embedded in Genocide Studies and its development as a field, see: A. Jones 2010, 388–400; Kuper 1985; Charny 1984; Totten 2004.

¹¹ Genocide’s synthetic origin being betrayed by the modern tendency to mix etymologically Greek and Latin components in portmanteau.

¹² Thus A. Jones 2010, 15–18 identifies sixteen academic definitions in addition to Lemkin’s original and the UN Convention, and adds his own at 22–23.

actions involved are directed against individuals, not in their individual capacity, but as members of the national group.¹³

Lemkin's tireless activism in promoting this term led rapidly to its adoption by the incipient United Nations in the form of the *Convention on the Prevention of the Crime of Genocide* (UNGC). The Convention provides its own definition in its Article II:

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group.¹⁴

Most academic definitions incorporate aspects of Article II of the UNGC, due to its widespread global adoption and legal normative force. This, however, has not been unanimous, some de-emphasising or omitting intentionality or requiring mass fatalities. This ambivalence and pluralism has given rise to numerous category definitions subsumed either within or alongside that of genocide itself.¹⁵

Genocide Studies literature

Since the development of the concept of genocide by Lemkin, and its adoption by the United Nations, a burgeoning literature has led to the development of the field of Genocide Studies. Numerous works have refined, extended, and redefined the definition of genocide. They have also laid the ground work for the use of the concept of genocide as an historiographical tool. There have even been the first, tentative steps into the interpretation of

¹³ Lemkin 1973, 79.

¹⁴ United Nations 1948, Article 2.

¹⁵ Mann 2005 Table 1.1; Andreopoulos 1997; Morsink 1999; Skutnabb-Kangas 2000.

genocidal phenomena in antiquity. Following its acceptance as a term by the UNGC, there was a low level of academic discourse, mostly aimed at explaining or coming to terms with the Holocaust. Beginning in the 1980s and exploding in the 1990s the field increased, partly in response to contemporaneous acts identified as genocide or genocidal, Kosovo and later Rwanda taking the focus of systematic sociological and anthropological review towards understanding and preventing this crime. Here I concentrate on key texts and structural analysis of genocide, and there is a large corpus of either eyewitness accounts or analysis of specific case studies which are not considered below.

The neologism of 'genocide' being a response to encapsulate a crime considered beyond mass murder, legal definitions of genocide are fundamental to many understandings. This is especially so given the Critical Theory agenda of many workers within the field of Genocide Studies or in fields that overlap with it.¹⁶ The scholarly work of many of authors is informed by an explicit desire to formulate and implement strategies to prevent its propagation and to punish its perpetrators. This can only reasonably be effected through engagement with international law, promoting and supporting existing preventative regimes or making proposals for the evolution of international, supranational, and national legal and state mechanisms for the prevention and punishment of genocide. Almost all authors on this subject therefore refer to the UNGC, especially to its Article II.¹⁷ This text is the foundational point of reference for most of the academic discussion on genocide, as the articles contained set out the basic criteria for defining the crime in current international law. It introduces three important features of relevance to the present study: the role of intention; that genocide does not necessarily relate just to race crimes; and, that mass killing is but one means of achieving genocide.¹⁸ The preamble also has the contracting

¹⁶ Savigny and Marsden 2011, 270–76.

¹⁷ United Nations 1948.

¹⁸ This openness has led to a fringe of the academic research into genocide that take an extremely broad approach to what exactly the term can constitute. They both take potential

parties 'RECOGNIZING [sic] that at all periods of history genocide has inflicted great losses on humanity' by way of justifying the need for such a treaty, though the legislative focus remained obviously rooted in the contemporary. This is in likelihood a clause related to Lemkin's intended, though never executed, grand historical treatment of genocide through all periods of history.¹⁹ We know from outlines in his notebooks and book proposals that this was to include the Classical world.

Although legal perspectives inform the work of most Genocide Studies scholars, and are increasingly important following the establishment of the permanent International Criminal Court and commencement of its first trials based on UN convention, the subset of works to take a predominantly legalistic approach to the issue, including its definition, is smaller. They tend to view the issue of genocide as being a legalistically normative one, which is to say one that can be contained and expressed within the customary legal frameworks of the international community. As such, issues of intent and culpability feature in depth, being crucial to the prosecution of perpetrators. These legalistic accounts tend to reaffirm the normative legal status of genocide as a crime within the scope of human rights violations and of war crimes, as opposed to being a crime so phenomenologically and metaphysically distinct that it escapes containment by mundane structures of legal definition and process.

The trend among sociologically-informed scholars of Genocide Studies has also shifted towards the consideration of genocide as a valid object of analysis, rather than something unknowable. This has been the case since the time of the meeting and subsequent proceedings of the First International Conference on the Holocaust and Genocide, organised in 1982 in Israel by the Jerusalem-based Institute on the Holocaust and Genocide.²⁰

human rights issues over the suppression of cultural markers of identity as within the bounds of the partial destruction of a group as such, as per the UN Convention. The obvious flaw is delimiting exactly where sociocultural relations of power become genocidal. For examples, see Morsink 1999; Skutnabb-Kangas 2000.

¹⁹ Lemkin and Jacobs 2012, 3, 6.

²⁰ Charny 1984.

Highly controversial even before it was held, the proceedings of this conference proved influential. It provided a representative selection of the state of the burgeoning sociological study into genocide, as well as papers looking to prevent its future occurrence. In this regard, it consolidated the dominant approaches to genocide in scholarly literature. About the same time as the conference in Israel, works by Helen Fein and Leo Kuper confirmed the importance of the field of Genocide Studies, shaping and encouraging much of its future growth.²¹ There had been a shift away from the paradigms of the generation of literature that followed the Holocaust, whereby genocide was positioned as outside the bounds of language, a horror that could be enumerated but not analysed. Developments of the later twentieth century led to the incorporation of genocide as a valid category of sociological and historical inquiry, no longer ontologically separate, being catalysed by these influential works.

This non-exceptionalist approach was henceforth increasingly advanced, although there remain some works that place themselves within the context of the methodological study of genocide yet take a moralistic stance that is reminiscent of previous ontologically exceptionalist positions.²² This shift to non-exceptionalist and non-essentialist approaches to some extent reflected general changes in academic paradigms, but was also informed by the increasing chronological distance from the Holocaust on the one hand, and the development of contemporary events. Catastrophes such as those perpetrated in Kosovo and Rwanda provided very real examples of genocidal acts. They were witnessed through global media in a newly immediate manner and exhibited marked differences from the events of the Holocaust. As such, attribution to a base and unspeakable evil did not seem an appropriate reaction, and scholarship attempted to adapt to account for and predict the occurrence of genocide.

²¹ Fein 1984; also, Fein [1993] 2009; Fein 1993; Kuper 1985.

²² Staub 1989; Card 2010.

With these developments, even those who proposed the ontological or metaphysical apartness of the Holocaust as an event embraced the need to submit it to comparative analysis. In 1994 Steven Katz, for example, expanded the perspectives he had put forwards in 1989 that the Holocaust is a valid target for historical inquiry yet phenomenologically distinct in character.²³ Deploying a broad sweep of historical times and places, including Roman genocide, he argued that the Holocaust is the only true example of genocide to date. It was a generally well supported comparative-history approach, albeit one marked by generalisation, undoubtedly due in part to the extensive scope.

Frank Chalk and Kurt Jonassohn's theoretically informed and well-received work of 1990 developed an interesting, though not entirely comprehensive, typology of genocide that distinguishes between ideological and empire-building motivations, which are useful in providing one framework to escape self-fulfilling twentieth-century causal explanations.²⁴ Their historical focus extends from slavery in the ancient world, one of the few works to consider this facet, to the modern day. In doing so, Chalk and Jonassohn introduced the analysis of veracity, reliability, and the extent of historical claims of the destruction of others. Similarly, Michael Freeman argued that although modern instances have exhibited aspects unique to the nation-state model, genocide is not the exclusive preserve of modern history.²⁵ Interestingly, the author agrees that prior formulations were 'correct to associate genocide with the process of civilization' but argues against equating civilization with modernity.²⁶ Discussion of the ancient past is however reliant on information contained in other sociological works or on outdated historical works. Indeed, the comparative approach had become by the 1990s a common theme among academic works on genocide, either in monograph or multi-author edited volumes, along with a diversification of

²³ Katz 1994; Katz 1989.

²⁴ Chalk and Jonassohn 1990.

²⁵ Freeman 1995.

²⁶ Freeman 1995, 209.

methodological viewpoints, such as anthropological ethnography of violence, or sociology.²⁷

The most wide-reaching and effective comparative account has been the ambitious work of Ben Kiernan, predominantly in his 2009 monograph but he has elsewhere written about the destruction of Carthage, which he described as ‘the first genocide’.²⁸ He has argued for the need for historically sensitive treatments of pre-modern genocide:

Historians must analyse actions and events of the pre-modern era in the context of intellectual and cultural stipulations discussed at the time, and of knowledge paradigms available to people of that era. [...] To dismiss past episodes of mass killing by explaining them as merely part of a very different society would be to grant historiographical immunity to an entire era or dominant community.²⁹

His treatment of the classical past is refreshingly grounded, and the references that he used are to recent work by historians, distinguishing himself from the woefully outdated Classical scholarship deployed by other commentators on genocide. However, discussion of the classical past in his monograph is brief due to the vast timescale under consideration, and his engagement with the ancient historiography is solely through a limited selection of modern secondary works. Kiernan's thesis that genocide through the ages is linked to agrarianism is perhaps not entirely convincing, but nonetheless this is a work that needs to be considered in any account of ancient genocide.

Also of note in terms of explicitly comparative historiographical approaches to genocide is an article in *World Politics* by Scott Straus, in which he identifies several emerging aspects of the contemporary literature on Genocide Studies, in particular the fields of idealism, political

²⁷ See Rosenbaum 1996; Chorbajian and Shirinian 1999; Hinton 2002; Fein 1993.

²⁸ Kiernan 2009; Kiernan 2004.

²⁹ Kiernan 2014, 460.

development, and state interest.³⁰ Straus argues for an open and flexible analysis of genocide as a useful tool.

Several works have in recent years stressed the role of state formation in the modern age as the causative factor in the instigation of genocidal violence. Thus, Martin Shaw sees genocide, which he does not see as needing to be based on the UN Convention, within the conceptual domain of warfare, either as its overspill or as warfare directed against the modern state.³¹ This is by necessity an argument rooted in the expression of violent force by organised states, here meaning the modern nation-state. Excepting Shaw's polemic of global, unifying pacifism, this account therefore complies in many ways with the Rationalist theory of International Relations. The work of Jacques Sémelin uses an ideological approach similar to Shaw's. Although he focuses on notions of purification of the nation-state of perceived outsiders, it presents genocide as related to a form of revisionism that takes a ritualistic form of mass murder. Mark Levene hypothesises genocide as entrenched in the rise of the international system of the nation state, though allowing simultaneously for a high degree of contributory, contingent factors.³² It is also necessary, according to Levene for phobia to be present as opposed to rational agency for genocide to occur. The second volume of this work covers a broad span of time, but suffers from the selective pressures of attempting such an opus, though he does see genocidal features in premodern states.

Eric Weitz also posits genocide as a trait of revisionist utopian symbolic power backed up by state monopoly of violence.³³ Weitz's work was somewhat limited in the selective criteria of the cases looked at, undermining the comprehensiveness of his conclusions, which appear to be self-serving. Furthermore, his approach is rooted in the historiography of totalitarianism,

³⁰ Straus 2007.

³¹ Shaw 2003.

³² M. Levene 2005.

³³ Weitz 2003.

and perhaps does not keep up with developments in historical understanding of the experiences of empire and (post)colonialism. This is contrary to the views of Michael Mann, who relates genocidal violence, which he explores in the guise of murderous ethnic cleansing, as being causally linked to democracy and failed democracies.³⁴ He asserts that prior to the modern age of the nation-state genocide was not possible due to the predominant power-relation being one of class and feudalism rather than race or ethnicity. He has some intriguing analysis, though his treatment of the premodern past is lacking in rigour and he makes very basic and easily checkable factual errors.

Within the modern attempts to understand genocide, there is a consensus that the intentionality of the agent to destroy the victim is a prerequisite. However, there are some suggestions that a category of accidental or negligent, which is to say not specifically intentional, genocide could be valid. Alexander Greenawalt, for example, takes issue with the eminence of intent in defining genocide and suggests from a legal viewpoint that culpability can be assigned according to the understanding of perpetrators of what the outcome of their actions are, therefore providing a further point of problematisation in defining the category of genocide.³⁵ Other inquiries have not so much called into question the role of intention in the agent, but rather what that intention should be. Thus, Stuart Kaufman tested International Relations (IR) Realist theory against that of symbolic politics in the cases of Sudan and Rwanda.³⁶ Kaufman found that IR Realist models are flawed in their explanation of them and instead that the political use of symbols of ethnicity had a much greater causal role.

The heterogeneity of the approaches to, and definitions of, genocide have led to the production of several overviews and general guides. Adam Jones's broad introduction to genocide as a sociological, and to a lesser

³⁴ Mann 2005; Mann 1999.

³⁵ Greenawalt 1999.

³⁶ Kaufman 2006; Cf. Mamdani 2001.

extent legal, topic is useful and comprehensive. He discusses fully the plurality of definitions of what constitutes genocide, as well as making his own proposals.³⁷ On the ancient past, Jones uses Carthage as a possible example of the relatively new taxon of 'urbicide'; although Jones's discussion on this topic lacks development or historiographical awareness, it suggests a useful route to re-analyse the fall of the Punic city. The multi-authored volume *The Historiography of Genocide* similarly provides a broad overview of many of the issues of definition and the history of the modern emergence of, as well as understanding of, genocide.³⁸ It also contains many case studies from varied historiographical contexts, demonstrating the applicability of the theory to diverse epochs, although none of them are ancient.

The aforementioned work by Kiernan represents what is perhaps the best treatment of the period yet by a Genocide Studies scholar, although varying from the present study in several key features of scope, approach, and conclusion. Grenke devotes ten pages of his *Genocide from Antiquity to the Beginning of the Twentieth-Century* to the subject of 'mass destruction and genocide among the Greeks and Romans'.³⁹ His approach is broadly sound, but reliant on out-of-date Classical scholarship. In common with most genocide scholars, his citations are to specific mass market translations of the sources rather than the traditional numbering by book and section. This both hampers the usefulness of his account, and betrays an unfamiliarity with the materials common to those from outside the fields of Ancient History and Classics. As with Kiernan, his broad diachronic study shows the usefulness, and limitations, of comparative analyses, and further validates historiographical approaches to genocide. A treatment with greater Classical historiographical awareness is Hans van Wees' chapter in the *Oxford Handbook of Genocide Studies*.⁴⁰ This represents the only rigorous, albeit

³⁷ A. Jones 2010, 15–18 Box 1.1; cp. the muddled attempts to define genocide but without consensus and failure to build a theoretical approach beyond nomenclature in Andreopoulos 1997; or the disjointed and confusing array of ideas in Charny 1999b.

³⁸ Stone 2008.

³⁹ Grenke 2011.

⁴⁰ van Wees 2010; see more recently, van Wees 2016.

brief, treatment of the subject of ancient genocide by a knowledgeable ancient historian in print to date.⁴¹ Van Wees confirms the applicability of ideas of genocide to the ancient evidence.

From this brief survey of a selection from the vast body of Genocide Studies works, several points are germane: historiographical approaches to genocide are valid; genocide may be an ancient practice, or it may be a distinctly modern phenomenon; the first steps into researching ancient genocide have been taken but there are large gaps in the literature; and, the definitional bases and parameters of investigations into genocide are plural and contested.

A definition of genocide

This study will not attempt to adopt any of the more convoluted matrices or schemes of types of genocide, such as for example that proposed by Israel Charny, and eschews the many obscure related concepts that have been proposed by this literature over the years, such as democide, planeticide, omnicide, ethnocide, linguicide, and politicide.⁴² Rather it adopts the pragmatic and open approach of Straus, who observed that the heterogeneity of observed instances of genocide, combined with issues related to the plurality of definitions, means that genocide should be considered as one possible outcome of political violence that can be traced back to several causative factors of differing agency.⁴³ The definition used here is therefore deliberately broad, to capture the range of events and behaviours in the Middle Republic that might be thought of as genocidal.

⁴¹ The soon to be published monograph *Mass Violence and Genocide in the Roman World* by T. Taylor 2017 will cover only the early second century CE to fourth century CE, and has not been seen in advance of this study. A further multiple-author volume *Cultural History of Genocide in the Ancient World* edited by T. Taylor is forthcoming.

⁴² Charny 1999b, 1:7–9, 15–16.

⁴³ Straus 2007.

For the purposes of this study, genocide is defined as: *a set of actions and/or outcomes resulting from an intention to destroy a group, wholly or in part.*

This definition conforms to that of the UNCG and allows for the inclusion of methods of destruction beyond that of mass killing. Thus defined, genocide is performed by actors or agents against a victim group, of sufficient scale to imperil that group, and achieved by means of a set of strategies that intend to realise the goal of the destruction of that group.⁴⁴ These labels are not meant to suggest a one-way relationship, with Rome the sole actor and victims as passive recipients of its aggression.⁴⁵ Indeed, some scholars see the victims' agency as essential in bringing the potential for violence to a tipping point.⁴⁶

As the definition of genocide is predicated on the destruction of population groups, the effects of the battlefield are ignored in this study. While casualties, prisoners of war, and enslavements resulting from armies engaging in the field could be extremely high, such killing is normative under conventional understandings of warfare as an extension of political will in the tradition of Carl von Clausewitz.⁴⁷ Those fighting in armies on the battlefield did so electively, and capture or death were possibilities that they could have expected from doing so. Genocidal destruction of groups therefore must apply the military mentalities, rationales, and competencies against general populations. This, as will be seen, predominantly occurred in the context of the storming of cities. The same mentalities and psychological drivers of battlefield violence no doubt pushed besiegers towards group violence when storming cities.⁴⁸ Any member of the population could prove themselves a deadly defender. The hazard can be amply demonstrated by the killing of

⁴⁴ A. Jones 2010, 19–21.

⁴⁵ Eckstein 2006, 158–76; Miles 2010, 12.

⁴⁶ Mann 2005, 4–7.

⁴⁷ Clausewitz [1832] 1997.

⁴⁸ Wheeler and Strauss 2007; Sabin 2000.

Pyrrhus of Epirus by an old Argive woman throwing tiles from a roof, and the frequent scenes of mass mobilisation of all sections of society to prepare for a siege.⁴⁹ During assaults on urban places there was likely more slippage between the categories of combatant and non-combatant, as we might now term them. This likely increased the deadliness of violence towards general population groups in some circumstances. Nonetheless, battlefield violence is distinct from genocidal violence against population groups, and therefore is excluded from analysis of this study.

Groups in antiquity

Genocide theory is 'groupist', in that it is specifically concerned with the destruction of varying kinds of victim groups. This sort of groupism has been criticised for encouraging the uncritical adoption of 'categories of ethno-political practice as [...] categories of social analysis'.⁵⁰ Indeed, while it should be stressed that these groups should not be taken to be substantive, or even primordial, they nonetheless have a real-world presence as social constructs performed by their members or imposed by the perpetrators. Because theories of genocide are predicated so strongly on the notion of the destruction of victim groups, the nature of what validly constitutes these groups is contested. The UNGC, the most widely accepted definition of genocide, defines the types of victim groups as 'national, ethnical, racial or religious'.⁵¹

The primary point of controversy nowadays is whether the destruction of political groups should be included, as they were left out of the UNGC's definition due to the reservations of the then-Soviet Union. For the purposes of the present study, this issue can be sidestepped; organised political groups were not a phenomenon in antiquity as they are in the modern world. The Romans often executed members of factions that were opposed to their

⁴⁹ Plut., *Pyrrh.*, 32-4.

⁵⁰ Brubaker 2004, 36–37; cp. Calhoun 2003; See Moses 2010, 22–25.

⁵¹ United Nations 1948, Article II.

interests in foreign communities, and such executions could on occasion be extensive but were usually limited to leaders. However, there was nothing in the way of a widespread identification and extirpation of organised political groups.

Whereas religious buildings and sites, and therefore the rites and practices associated with them, were destroyed by the Romans, these will be shown to be incidental to the religions themselves as identifiable groups, although such destruction contributed to the destruction of local communal identities in other ways. The Bacchanalian Affair, discussed in chapter two, provides an example from this period more akin to the destruction of political groups; however, it clearly qualifies as the destruction in part of a religious group, and there was a xenophobia towards the Eastern qualities of the cult and its Hellenic origin links it to the domain of ethnicity.

Ethnicity, race, and racism

It has long been the academic consensus that race is a social construction rather than an objective biological reality.⁵² The language of race has been replaced by that of ethnicity, although this was a gradual process that really began to make its mark on the fields of Ancient History, Classics, and Archaeology around the turn of the 1990s.⁵³ With this change of nomenclature, came a shift in the conceptualisation of the nature of past groups, allying with attempts to shift these fields into the postcolonial, postmodern era, and a rejection of previously-endemic, problematic, racialised precepts.

Nonetheless, debates about racism have recently undergone some resurgence. Benjamin Isaac proposed the existence of proto-racism in

⁵² Barth 1969; A. D. Smith 1988; Isajiw 1974; Huxley and Haddon 1935; see Bernard Harris and Waltraud Ernst 1999, for the development of racialised paradigms 1700-1960.

⁵³ S. Jones 1997; Shennan 1989; Cornell and Lomas 1997; J. M. Hall 1997; cp. Husband 1909.

antiquity, a force of prejudice based on ancient conceptions of pronounced difference, particularly as related to biological descent or geographic origins.⁵⁴ In this regard, he resurrects with a wider evidence-base, the argument made four decades previously by A.N. Sherwin-White that racial prejudices existed at the time of Imperial Rome.⁵⁵ Isaac moves the argument beyond conceptualisations of racialism predicated on skin colour. An important study, it has not been received without criticism.⁵⁶ Less problematic, but also less useful to this study, have been attempts to consider the role of the reception of antiquity in creating modern notions of race.⁵⁷ Against this discourse of racial or ethnic prejudice, is a scholarly tradition that stresses the openness of the Romans to outside influences and peoples, de-emphasising their Othering of outgroups.⁵⁸

The discernible existence of ethnic groups, or of Roman perceptions of them, provide a primary class of victims for this study of genocidal practices. They can be considered another form of the 'imagined communities' by which humans group themselves, or are grouped by others.⁵⁹ Identification of the nature of the victim group is essential to identifying genocide, and ethnicity is a key component. In the modern world, ethnicity is a common factor in violence; one 2005 study, for example, claimed that three quarters of then-ongoing armed conflicts were ethnic or communal.⁶⁰ Ethnically motivated intents to commit genocide have been linked to social psychological symbolic interactionism.⁶¹

Ethnicity, race, and nationality are entwined concepts, each predicated on a sense of shared descent and culture. In attempting to distinguish them, Steve Fenton offered the following definitions:

⁵⁴ Isaac 2004; Isaac 2006.

⁵⁵ Sherwin-White 1967.

⁵⁶ Haley 2005; Lambert 2005.

⁵⁷ McCoskey 2012.

⁵⁸ Gruen 2012; Snowden 1983; Brunt 1965, 286.

⁵⁹ B. R. O. Anderson 1991.

⁶⁰ Marshall and Gurr 2005; cited in Kaufman 2006, 45.

⁶¹ Kaufman 2006.

Race refers to descent and culture communities with two specific additions:

1. idea that 'local' groups are instances of abstractly conceived divisions of humankind; and
2. the idea that race makes explicit reference to physical or 'visible' difference as the primary marker of difference and inequality.

Nation refers to descent and culture communities with one specific addition:

1. The assumption that nations are or should be associated with a state or state-like political forms

Ethnic group refers to descent and culture communities with three specific additions:

1. that the group is a kind of sub-set within a nation-state;
2. that the point of reference of difference is typically cultural difference, and cultural markers of social boundaries, rather than physical appearance;
3. often the group referred to is 'other' (foreign, exotic, minority) to some majority who are presumed not to be 'ethnic'.⁶²

Fenton's definitions, reflecting wider biases in the Social Sciences, are overly presentist in their presumption of the universality of European-style nation-states, within which ethnic groups reside. With some minor modification, this scheme can be useful to describing groups in the ancient world at the time of the Middle Roman Republic. The implication that only race 'has a strong association of biological difference linked to a universal classificatory system' is valuable, and provides in more succinct terms the rationale of Isaac's definitions of proto-racism.⁶³ If we were to take 'nation' in the above scheme to have two meanings—one bound with civic identities and one with wider, regional ethnic identities, from which specific, localised instances of ethnicity are produced—we can make these definitions useful for the purposes of exploring ancient groups.

⁶² Fenton 2010, 22, emphasis original.

⁶³ Fenton 2010, 23; Isaac 2004, 25–38.

In the ancient world, civic identity was characteristically restrictive and localised. Most polities were limited to one metropolitan settlement, which controlled a territory that possibly contained lower order settlements. The identity models of urban and proto-urban settlements were based in culture and in descent. Most cities traced their descent to a founder figure, usually mythical and often plainly retroactively derived from the settlement's name. Many cities traced their descent back to colonial foundations, which, whether imagined or real, functioned to link them by fictive descent to other polities in the interstate system.⁶⁴ The lineages of descent and of origins that cities could accrue could be complex, overlapping, and self-contradictory, Rome itself being a good example.⁶⁵ The apparent dissonance was no bar to the functional role that such descent played in the definition of groups.

Ethnicities were understood as constructed in relation to both territorial or regional, and civic identities. This is most distinct of Hellenistic *poleis*,⁶⁶ but there could also be substantial overlap between state authorities and urban or proto-urban native settlements of Italy and elsewhere.⁶⁷ The linkage between ethnicity and civic affiliation is shown by the manner in which federalisation could produce, or be based upon, a shared sense of ethnicity and descent.⁶⁸ Cities and other (proto-)urban settlements were probably more important in the ancient world to the formation and maintenance of group identities than they are today. The groups of the ancient world, to which we can use the word 'ethnicity', were usually of smaller population size. They could be regional in nature. The Latins, Sabines, and so forth would be an example.⁶⁹ Furthermore, because the key organisational structure was that, very roughly speaking, of the city-state, we need to consider ethnicity on a much smaller scale. Subethnic groups of peoples

⁶⁴ J. M. Hall 1997, 34–106.

⁶⁵ Dench 2005.

⁶⁶ Hansen 1995, 5–7; Hansen 1996, 194–95; Hansen and Nielsen 2004, 62–63.

⁶⁷ Herring 2008, 283–84.

⁶⁸ J. M. Hall 2015.

⁶⁹ Accessible compendiums on the peoples of ancient Italy: G. J. Bradley, Isayev, and Riva 2008; G. J. Bradley and Farney forthcoming; *Popoli e Civiltà Dell'Italia Antica* 1974.

belonging to the same city-ethnic were in many cases likely of greater importance to the individual than the supra-ethnic groups, or regional ethnics, in which their city-ethnic nestled. The annihilation of urban places could constitute the destruction of that group.⁷⁰

The notion of descent is recurrent in the nouns Latin afforded to describe groups of peoples. While *populus* seems to have been a neutral group noun in this regard, most inherently embedded a meaning of derivation; *natio*, *gens*, *genus*, and *stirps* all bear connotations of descent by kinship.⁷¹ They were flexible appellations, variously translating into English as, among other synonyms, 'clan', 'tribe', 'family', 'race', or 'nation'. The synonymous, albeit rarer, use of the word *semen* to denote descent and belonging to a group makes it clear that there was an understanding that membership had a biological dimension.⁷² Indeed, such genetic theories of the descent of physiognomic traits can be traced at least as far as Herodotus' fifth-century BCE description of the black skin and ejaculate of Ethiopians and Indians.⁷³ The Romans of the Middle Republic without doubt did see physiognomic differences between themselves and others, as the much-debated descriptions of Hanno and his daughters in Plautus' *Poenulus* show.⁷⁴ Associations between geographically-bounded descent and moral or customary stereotypes, often linked to geographic determinism, also suggest the appreciation of pronounced difference which could in some way be inheritable. Environmental conditions were thought to mould both body and character.⁷⁵ These differences were believed to have been created a dichotomy between the peoples of highland and lowland habitats, but were not immutable.⁷⁶ These ideas likely did not amount to racialised worldviews,

⁷⁰ van Wees 2010, 243–44.

⁷¹ *Oxford Latin Dictionary*, 1982 for examples of their numerous usages.

⁷² Cic., *Leg. agr.*, 2.35.95; Cic., *Phil.*, 4, 5, 13; Liv., 1.47; Var., *R.*, 2.2.4; Plaut., *Rud.*, 2.2.23.

⁷³ Hdt., 3.101.2; Eur., *Supp.*, 219-225.

⁷⁴ Franko 1996; Franko 1994; Gratwick 1971; On Hanno's daughters, I am indebted to the presentation by J. Allen 2017, which will hopefully soon appear in print.

⁷⁵ Cic., *Diu.*, 2.96-97; Vitruvius, 6.1.3-5; Manilius, *Astronomica*, 4.711-730; Seneca, *De ira*, 2.15; Pliny, *Nat.*, 2.79-80; Ptolemy, *Tetr.*, 2.2; Vegetius, 1.2; cp. Apuleius, *Apol.*, 24.

⁷⁶ Galen, *Comm. on Airs, Water, Places*, 24; Strabo, 2.5.26, 4.6.3, 4.6.6, 5.2.7; Cassiodorus, Dio, 54.24.3; Isaac 2004, 93, 204, 410.

although they may have represented a proto-racist basis for ethnic prejudices.

Groups

Whether the communities that suffered deliberate complete or partial destruction at Roman hands can be considered as racial or ethnic in composition, they are nonetheless groups. They typically shared cultural and societal traits, as well as common descent. They imagined themselves, or were imagined by outsider Romans, to belong to the same community. Mohammed Abed argues for a similarly inclusive definition instead of pedantry over definitions, and draws our attention to the suffering that the destruction of such groups causes:

If the members of a group consent to a life in common, if the culture of the group is comprehensive, and if the social structure of the group is such that membership cannot easily be renounced, then the flourishing of the group's culture and social ethos will have profound and far-reaching effects on the well-being of its individual members. Systematic destruction of cultural and social institutions under these conditions will eventuate in individuals suffering [...] 'social death' is the harm that distinguishes genocide from other forms of political violence.⁷⁷

The issue of 'social death' will have importance in the discussion of mass enslavement as a form of genocide in chapter three. The nested nature of group identity in the ancient world, in which ethnic membership, self-ascription, and ethnic attribution operated in complex ways, means that we should consider the destruction of these various groups of varying sociocultural types.

What is 'destruction'?

Having defined what constitutes a 'group'—and if we are to understand that genocide in the ancient world constitutes *a set of actions and/or outcomes*

⁷⁷ Abed 2006, 308.

resulting from an intention to destroy a group, wholly or in part—then we should also define what constitutes 'destruction'. Destruction can be defined as:

Some form and measurable degree of damage inflicted on an object, a system or a being, usually exceeding the stage during which repair is still possible but most often [...] examined for its impact with destructive events interpreted in terms of a punctuated equilibrium, extraordinary features that represent the end of an archaeological culture or historical phase and the beginning of a new one.⁷⁸

Groups are systems, dynamically produced by the interaction of their constituents, and such systems can, while subject to incremental changes, be stable in their features over long durations. Such equilibrial systems may, however, undergo periods of sudden, dramatic change, or be 'punctuated', often because of a new, external pressure.⁷⁹ Destruction is therefore a crisis that causes a previous sociocultural condition, of the continuity of a cohesive group or community, to cease to be. Destruction is both process and outcome. The concept of punctuated equilibria contrasts with the slower evolution of social, economic, or political affairs, and usually represents a dramatic change in a short time span, usually a single event.

This study identifies three primary methods by which the Romans brought other groups to destruction during the Middle Republic: mass killing, physically destroying the members of the group; enslavement, violently removing the members from the group; and urban annihilation, destroying the means of structuring the way of life of a group. Some of these destructions will be archaeologically marked by a destruction layer sealing the site, others by sudden changes in settlement behaviour, whilst others will only be traceable in written sources.

⁷⁸ Driessen 2013, 6; See also: Engels, Martens, and Wilkin 2013; Rakoczy 2008a.

⁷⁹ Gaddis 2002, 84-88; Tucker 2009; Gould 2007, 229ff.

Historical context

The period of this study was one of significant expansion of Roman power. In 343 BCE Rome was an important local power, just about known outside Italy but relatively unimportant in terms of the *oecumene*, the ancient Mediterranean world system.⁸⁰ The Romans were in control of the Latin League of nearby city-states, and had incorporated the territory of several other nearby states, most notably the Etruscan city of Veii in 393 BCE.⁸¹ In 343 BCE, they became engaged in a series of conflicts known to us as the Samnite Wars, with the inhabitants of Samnium to the south of Campania. Probably a series of ad hoc skirmishes and annual campaigns rather than strategically planned imperial ventures, at least at first, by 290 BCE they were victorious against the Samnites, and had expanded their hegemony over larger swathes of peninsular Italy. A series of wars with other powers drew the Romans increasingly onto the international scene: first seeing off Pyrrhus, king of Epirus, in 275 BCE; then committing forces overseas for the first time in 264 BCE when, travelling to Sicily, they engaged in the first of their wars with Carthage. It concluded in 241 BCE, but another would start in 218 BCE when Hannibal crossed the Alps from Spain. By 201 BCE when the Romans were victorious in this Second Punic War, they were thoroughly occupied conquering Spain, and had fought their first, albeit somewhat phoney, war with Macedonia. Further wars in the East with Macedonia would increasingly enmesh Rome in Hellenistic affairs.

By 146 BCE Rome was no longer a leading local state, but had fought its way to be the hegemonic leader of the entire *oecumene*. They confirmed this power by the destruction in that same year of two great cities in wars to the West and East: the Punic republic of Carthage, and the leading city of the Achaean Greeks, Corinth. The Greek historian Polybius had intended to end his work charting Rome's rise to dominance in 168 BCE. The events of

⁸⁰ Cornell 1995, 36–37.

⁸¹ Diod. Sic., 14.93.2; Liv., 5.19-5, 22.1.

the following decades prompted him to extend it to 146 BCE, thinking that it was when the Mediterranean world had truly been united. This was the *symploke*, the interweaving of states, of the Mediterranean system.⁸² In the words of Diodorus Siculus, 'once they held sway over virtually the whole inhabited world, they confirmed their power by terror and by the destruction of the most eminent cities'.⁸³

The remarkable success of the Romans in extending their hegemony in these two centuries has generated diverse historiographical explanations about the nature of Roman imperialism.⁸⁴ The most influential study of the past few decades has been W.V. Harris's *War and Imperialism in Republican Rome, 327-70 BC*.⁸⁵ Drawing on a wealth of evidence, Harris dismantled the narratives of defensive imperialism that had previously been dominant,⁸⁶ stressing the exceptional bellicosity and imperialism of the Roman state. Subsequent studies stressed the roles of fear, greed, and glory in Roman imperialism.⁸⁷ Recent studies have, however, reassessed this narrative. Paul Burton's study has echoes of Ernst Badian's model of *clientelae*, though predicated on interstate social relations of *amicitia*.⁸⁸ In this, Burton borrows from the Constructivist branch of International Relations, following the important, neoliberal-influenced IR Realist study of A.M. Eckstein in 2006.⁸⁹ Eckstein's approach concentrates on the Roman Republic, but recontextualises it as a peer polity within the Mediterranean interstate anarchy. These studies do not undermine Rome's bellicosity or imperialism in rising to power, but do provide alternative models to Harris'

⁸² Walbank 2010.

⁸³ Diod. Sic., 32.4 5, trans. adapted from F.R. Walton: οὔτοι δὲ σχεδὸν τὴν ἀρχὴν πάσης τῆς οἰκουμένης ἔχοντες ταύτην ἠσφαλίσαντο φόβῳ καὶ τῇ τῶν ἐπιφανεστάτων πόλεων ἀπωλείᾳ.

⁸⁴ Finley 1981, 41–61 established the usefulness of the term 'imperialism' in ancient contexts; Schumpeter [1919] 1955; cp. Hobson [1902] 2006 who developed the concept of imperialism, but saw it as a purely modern phenomenon.

⁸⁵ W. V. Harris [1979] 2006; see further, W. V. Harris 1984; W. V. Harris [1989] 2003; these models of imperialism are prefigured by, i.a., De Sanctis 1907; cp. Gruen 1986; the review of Harris [1979] by Sherwin-White 1980.

⁸⁶ Frank 1938; Holleaux 1935; Mommsen 1894; see Linderski 1984.

⁸⁷ Rich 1993 (see also other sections in the same volume); W. V. Harris 2004.

⁸⁸ Burton 2011; Badian 1958.

⁸⁹ Eckstein 2006; Eckstein 2010; see the classic neorealist study, Waltz [1979] 2010.

exceptionalism. They allow for greater agency of other states within the international system, and for the role of opportunism. Studies such as Michael Fronda's on Southern Italy in the Hannibalic war, provide evidence that support the importance of the decisions and actions of other communities in interacting with Roman imperialism.⁹⁰

Evidence and sources

Uncovering the history of destruction in the Middle Republic poses problems when it comes to evidence, difficulties starkly different from investigations of modern genocide. We utterly lack what modern historians would consider primary documentary evidence for this period. Even the *fasti*, although generally reliable for the Middle Republic, were drawn up later.⁹¹ This study therefore draws on what remains of the ancient literary accounts and archaeological materials.

The destruction of groups is difficult to detect in the archaeology.⁹² For a start, the uncovering of datable mass graves would provide valuable data on how this mass destruction was carried out. Sites such as mass graves or in-situ skeletal remains could help us to interpret violence in the past.⁹³ Sporadic evidence of this type does contribute in a limited way to our knowledge of mid-Republican violence.⁹⁴ We do know that in the Late Republic, the urban poor at Rome had recourse to disposing of their dead in either mass burials at several locations, of which the *puticuli* uncovered by Rodolfo Lanciani provide archaeological evidence, or in mass crematoria, while during epidemics dumping in the Tiber or public sewers was common.⁹⁵ Back-filled ditches, large pyres stacked with bodies or the exposure in situ of the bodies of the slain would have been the likely fates of

⁹⁰ Fronda 2010.

⁹¹ C. J. Smith 2011.

⁹² Chalk and Jonassohn 1990, 64 lament the impossibility of an 'archaeology of genocide'.

⁹³ Marta Dockalová 2005; Hoffmann 2013, 86; Lacomba and Galvez 1995; Generally, see Haglund and Sorg 2001.

⁹⁴ Moralejo Ordax, Quesada Sanz, and Kavanagh de Prado 2010.

⁹⁵ Bodel 2000.; plague bodies: D.H., 10.53.2-1, 9.67.2.

the victims of Roman mass killing. Similarly, the material remains of cities and other settlements can be helpful in interpreting the nature and scope of violence, as shall be shown, but their destruction layers seldom lend themselves to an incontrovertible interpretation when it comes to the lives of the former inhabitants, and therefore their groups. On the other side, there is precious little archaeological evidence available with which we could identify mass killing by the Romans in this period. Evidence is lacking for triumphal display and representation of violence at Rome. We know from literary sources that there was a tradition for this.⁹⁶ Comparative evidence, such as reliefs on Trajan's Column or the François Tomb from fourth-century Vulci, suggest how the Romans might have represented and responded to their own violence towards others, or the methods by which they carried out violence against them.

The literary evidence is patchy and little of what survives is contemporary to the events they describe. Polybius' *Histories* are essential for the period after 218 BCE, but out of forty books those after book 5 are fragmentary or lacunose and books 17, 19, 37, and 40 are missing entirely. His eyewitness account of the fall of Carthage is therefore missing. Our other great surviving source on this period, the Augustan historian Livy is also fragmentary, and missing entirely for the years 292-219 BCE.⁹⁷ Diodorus Siculus, a contemporary of Livy, is important in places, although fragmentary past 302 BCE.⁹⁸ The *Antiquitates Romanae* of Dionysius of Halicarnassus, another Augustan Greek, are occasionally helpful, but, as the name suggests, focussed on Early Rome; originally ending in 264 BCE, the latter half of his twenty-book work is fragmentary. There are, however, a host of lesser historical works that frequently offer up information, including Appian, Cassius Dio, and later epitomists Florus, the anonymous epitomiser of the Livian *Periochae*, Zonaras, Orosius, and Eutropius. These are further removed in time than the Augustan historians or Polybius. To these survivors of the genre of history writing, it is necessary to observe that important

⁹⁶ Holliday 1997.

⁹⁷ Oakley 1997; Briscoe 1973, 1–5; Ogilvie 1965, 5–16.

⁹⁸ Hau 2016, 73–123.

supplementary information can be found in several other sources. Most useful are various works by Cicero, by Plutarch, especially his historically-minded *Vitae Parallelae*, and by the geographers Strabo and Pausanias. There is no surviving continuous narrative for the years 293-264 BCE, a fact which undoubtedly led to an underreporting of incidents of relevance to this study that date to that period. This cannot be avoided.

Many of the later sources derived, sometimes very closely, from still-extant antecedents, while testimonials suggest something of the other historical sources that they might have followed.⁹⁹ We are aware of more than a hundred Roman writers of history alone, although only a tiny fraction of their work survives, and an even smaller slice of the pre-Sallustian works.¹⁰⁰ We are, for example, aware of early works of the Roman historians contemporary to the period of this study by Q. Fabius Pictor, Cato the Elder, L. Cassius Hemina, Paullus Clodius, P. Rutilius Rufus, although none now exist except in fragments.¹⁰¹ Our source materials are therefore uneven. This has led to deep scepticism about the veracity of the historical record as we have received it. Karl-Wilhelm Welwei, for example, thought that the numbers for the pre-202 BCE enslavements discussed in his authoritative monograph were inventions of later annalists.¹⁰² Some even deride the presence of quantities in any of the histories of Rome as pure invention, symbolism, and formula.¹⁰³ T.P. Wiseman has argued across several works that early Roman historiography is wholly insufficient to reconstruct more than glimmers of their subject matter.¹⁰⁴ There are, however, positive arguments for the basic veracity of our sources. Although imperfect and subject to various authorial biases, the ancient historians were attempting to reconstruct truthful accounts of their pasts, and were constrained by

⁹⁹ Cornell 1995, 4–9.

¹⁰⁰ Cornell 2013, 1:7–19.

¹⁰¹ Feldherr 2012, 3–4; Duff 2004, 64–65; Cornell 2013 passim.

¹⁰² Welwei 2000; cf. Stewart 2012, 5 n.19.

¹⁰³ See however the analysis of Greek poetry and history by Rubincam 2003; Rubincam 2008.

¹⁰⁴ Wiseman 1994; Wiseman 2008; Wiseman 2004.

expectations that they should not deviate beyond the known facts of history.¹⁰⁵ In many cases, our historians demonstrate their willingness to carry out research into the past, and to sifting through their available historiographical materials.¹⁰⁶ They almost certainly had access to some public and private archival records, including family histories, although how far back they went and in what detail is debatable.¹⁰⁷

Nonetheless, the evidence presented by our sources must be considered with the general caveat that it may be inaccurate, particularly when it comes to the possibility that numbers and events are exaggerated. Our sources are not above naming and shaming their own sources where they think that they have caught them being hyperbolic, Strabo saying that 'both generals and historians easily fall into this type of deception, by exaggerating their deeds'.¹⁰⁸ Generals will, like historians, have been constrained by the need to match the accounts of others, and were not free to embellish their deeds without checks.¹⁰⁹ By the Augustan age, strong genre expectations emerged with the evolution and speciation of single-war monographs, autobiographical memoirs, and expanded histories in the annalist tradition.¹¹⁰ The Roman tradition was heavily influenced by the Greek—indeed the first Roman historian, Fabius Pictor, wrote in Greek—as well as their own indigenous tradition of record keeping as consolidated into the *Annales Maximi*.¹¹¹ Attempts to draw intertextual links will also have governed lexical choices.¹¹² For the present study, this may mean that literary representations of the sacking of cities are unduly influenced by tropes. Indeed, this topos was noted by ancient authors, as when Polybius

¹⁰⁵ Lendon 2012, 41–45.

¹⁰⁶ Forsythe 1999, 52–73.

¹⁰⁷ J. H. Richardson 2014; Cornell 2005; Cornell 1995, 9–16; Marincola 1997; Momigliano 1972; Broughton 1951, xi–xii; cp. Culham 1989 but see bibliographical notes, 1 nn.1-3.

¹⁰⁸ Strabo, 3.4.13, trans. adapted from Hamilton and Falconer: καὶ γὰρ οἱ στρατηγοὶ καὶ οἱ συγγραφεῖς ῥαδίως ἐπὶ τοῦτο φέρονται τὸ ψεῦσμα καλλωπίζοντες τὰς πράξεις.

¹⁰⁹ Cp. Julius Caesar's negotiation in representing his deeds in Gaul, Welch 2009, 1–2.

¹¹⁰ Forsythe 2000.

¹¹¹ Cic., *De or.*, 2.52-3. Frier 1999; cp. Rawson 1971b.

¹¹² Ash 1998.

attacked Phylarchus for his overly pathetic approach to writing about the miseries visited on a town during a sack.¹¹³ However, Polybius himself opts for some of the very same techniques of pathos of which he is so critical when it comes to others. Livy, too, was clearly self-aware of such *topoi* in the writing of history and of his own use and relationship to them.¹¹⁴

In summary, the evidence is far from complete. However, there are sufficient attestations of acts of group destruction within the literature, as well as supplementary archaeological materials, that this evidence should be confronted.

Structure of the thesis

The thesis is divided according to the types of *sets of actions and/or outcomes resulting from an intention to destroy a group, wholly or in part*. The chapters correspond to the methods by which the Romans of the Middle Republic destroyed other groups as defined in this introduction, comprising in order of appearance: mass killing, being the method of genocide recognised near universally; mass enslavement, which argues that the ‘social death’ of the members of entire communities destroyed those groups; urban annihilation, which looks at the ever-present threat to the existence of cities in the ancient world, and whether this threatened the groups that inhabited them; and this theme is continued in the following chapter on forced urban relocation, which looks at whether transductions represented attempts to destroy ethnic groups. Evidence and tables of incidents are provided with each of these chapters. While some cases fall firmly into one or another category of destruction, many incidents of Roman genocidal behaviour were multimodal and correspond to multiple chapters. For ease of comparison, the reader may consult the appendix of incidents at the end of the present study.

¹¹³ Polyb., 2.56.7.

¹¹⁴ Liv., 21.57.14.

Following the typological chapters, the issue of submission is discussed in chapter six. It focusses on the Roman concept of *fides*, and its application as a praxis of interstate relations. This custom structured Roman approaches to destroying other groups, and provided the conceptual frameworks both to de-escalate violence against other communities as well as to enact their destruction.

The concluding chapter provides an overview of the typologies and causations of genocide discussed throughout the preceding chapters. It posits overall arguments about the validity of the model of mid-Republican genocide, when and against whom the Romans used genocidal violence, and provides an explanatory mechanism for variance in behaviour from potential victim group to potential victim group.

Chapter Two



Mass killing

Introduction

As discussed previously, definitions of genocide are highly contested, yet all accept the role to be played by mass killing. Because of this, the Middle Republican Roman use of mass killing to destroy groups is the first type of genocide discussed in this work. Mass killing need not have destroyed the whole group to have been genocide; the partial eradication of a victim group, its destruction in part, is genocidal if the intention was to cause the destruction of the group. As we shall see, where they carried out genocidal mass killings, the Romans rarely sought the wholesale destruction of the victim group through murder, but complemented it with the other types of destruction discussed later in this study. Mass killing of at least part of the victim group was normative, forming a standard pattern of Roman behaviour towards other communities. However, it was typically constrained to scenarios that met certain criteria, in particular to the event of the storming of an enemy settlement. Mass killing outside of these conditions was generally non-normative, occurring infrequently and generally considered as deviating from Roman customary behaviours. This chapter looks first at Roman norm-abiding genocidal mass killing, then at instances that fell outside or flouted these norms.

Talking about mass killing

The preferred language in this chapter is the term 'mass killing'. Mass killing implies the destruction of a relatively large number of persons, in one or more instances of killing. Other terms such as massacre and mass murder, are less neutral, and suggest an assumption of moral censure, although they can also be appropriate. Massacre typically denotes a single event involving

the killing of many persons, usually by an aggressor wielding an overwhelming military superiority over a helpless or relatively undefended victim group. Similarly, mass murder implies an illegal or unlawful action, perpetrated in one or more instances of killing. The use of this term would perhaps, in most cases of Middle Republican killing, be inappropriate, retrojecting modern assumptions of international law into ancient contexts.

As there is a modern-English lexis of mass killing, the Romans too had a vocabulary or lexical field with which they could refer to mass killing. Most of these form twinned pairs comprising a related noun and verb.¹¹⁵

Deletum/deleo meant to 'annihilate' / 'to erase, efface, obliterate, blot out' but is often used of the annihilation of a city as a city (on which see chapter 3), rather than specifically denoting the mass killing of inhabitants. *Strages*, a relatively uncommon term, has a range of meanings including 'overthrow, destruction, ruin, defeat, slaughter, massacre, butchery, carnage', but does not differentiate between types of carnage, from battlefield to natural disaster. For example, Livy used it of a boulder falling calamitously from the Capitol onto the street below.¹¹⁶ *Diruo/diripio* meant 'to tear asunder, tear in pieces' and could imply mass killing or any tumultuous sacking of a city. This term was investigated by Adam Ziółkowski, (discussed below), who identified it as the primary lexis governing how the Romans sacked cities.¹¹⁷ However, it need not necessarily mean killing and indeed among its senses are those of demolishing either physical objects such as cities or, in a transferred sense, organisations or even made to refer to pay or bankruptcy.¹¹⁸

Trucidatio, which is again uncommon, indicated 'a slaughter, massacre, butchery'. When used, it is usually in relation to battlefield fighting, but can also be used of massacre. This sense of massacre could include post-battle rout, which could become 'no longer a fight, but a butchering as of cattle',

¹¹⁵ Definitions of Latin terms in this paragraph are all Lewis and Short 1879 s.v. cp. *Oxford Latin Dictionary* (Glare 1982).

¹¹⁶ Liv., 35.21.6.

¹¹⁷ Ziółkowski 1993.

¹¹⁸ E.g. the abolishing of '*omnia Bacchanalia*': Liv., 39.18.6; and of a soldier deprived of pay: Cic., *Phil.*, 13.12, '*homo diruptus dirutusque*', 'a ruptured and wrecked man'.

showing that there was an appreciation of the difference between fair combat and asymmetrical slaughter as there is with English 'massacre'.¹¹⁹

Occisio/occidio (alternatively spelled *obcisio/obcidio*) meant 'a massacre, slaughter, murder' and 'a massacre, utter destruction, extermination' respectively. While these are better indicators of the act of killing than most of this lexical field, the latter is subject to transference to a meaning like *deletum*, and therefore cannot indicate the mass killing with complete security. The use of *occisio* to describe anything from a single killing to an entire extirpation suggests that this lexis is not part of a specialised terminology, but ordinary parts of speech. Indeed, in many cases, the killing is assumed and subsumed into a term describing a wider effect.¹²⁰ Although this represents a lexis by which mass killing could be discussed, and provides the opportunity for attenuation of nuanced discussion, it does not seem that the Romans had by this point developed any kind of taxonomic terminology for mass killing. The expressions that reach us from the sources betray a lexical set through which such killing could be discussed, but any attempt to take such language as specific and specialised is fraught.

Mass killing in urban centres

Once the carnage that resulted from battlefield confrontations between the Romans and their enemies are put to one side, it is the massacre of the population of urban centres that comprise most of their genocidal mass killings. Indeed, the killing of the inhabitants of urban centres was part of an expected set of behaviours for the Romans, forming a norm within the customary laws of war between peoples or polities. Livy noted that the mass killing of besieged populations was normative by the rights of war (*belli*

¹¹⁹ Liv., 28.16.6: *inde non iam pugna sed trucidatio velut pecorum fieri.*

¹²⁰ E.g. with the verbs *vasto*, 'to make empty', and *expugnato*, 'to take by assault'.

iure).¹²¹ Their inhabitants could expect this treatment if their city were to be taken by storm.¹²² Polybius also describes killing as 'usual in the storming of cities'.¹²³ The constraint of the norms of mass killing to scenarios of the assault and sacking of urban sites or settlements is demonstrated by the censure for those who carried out immoral massacres on rural populations. Thus, Polybius' declaration of norms was made in contradistinction to the strategy supposedly employed by Hannibal of killing all adults encountered by his army on their march through Umbria and Picenum after the Battle of Trasimene. Such behaviour was the purview of the unusually cruel, motivated in this case by Hannibal's 'innate hatred' (μῖσος ἔμφυτον) of the Romans.¹²⁴ Later, Cicero would compare the cruelty of Hannibal to the probity of Pyrrhus although both invaded Italy.¹²⁵ Furthermore, Cicero clearly thought that civil war entailed widespread bloodshed beyond combatants. He could later address Julius Caesar's clemency by saying to him, 'you are alone, I say, by whom in victory no-one was killed unless they were armed'.¹²⁶

The Romans thought that the partial mass killing of inhabitants as a norm of war had precedence at least as far back as their quasi-legendary past. Dionysius of Halicarnassus recounted the Roman story of Tarquinius Superbus' capture of Suessa Pometia in a manner reminiscent of later, more historical episodes. Having taken it by storm, Tarquinius 'being now master of the city, put to death all he found in arms', carrying off the remainder as booty along with the gold and silver.¹²⁷ Soon after, the inhabitants of Gabii were surprised to find that, their city having been betrayed to Tarquinius,

¹²¹ Liv., 21.13.9: *sed vel haec patienda censeo potius quam trucidari corpora vestra, rapi trahique ante ora vestra coniuges ac liberos belli iure sinatis*. Cf. Liv., 45.35.6.

¹²² Liv., 21.57.

¹²³ Polyb., 3.86.10-11, trans. W.R. Paton: καθάπερ γὰρ ἐν ταῖς τῶν πόλεων καταλήψεσι.

¹²⁴ Polyb., 3.86.11.

¹²⁵ Cic., *Amic.*, 28: *cum duobus ducibus de imperio in Italia est decertatum, Pyrrho et Hannibale; ab altero propter probitatem eius non nimis alienos animos habemus; alterum propter crudelitatem semper haec civitas oderit*.

¹²⁶ Cic., *Deiot.*, 12.34.

¹²⁷ Dion. Hal., *Ant. Rom.*, 4.50.4-5: γενόμενος δὲ τῆς πόλεως ἐγκρατῆς τοὺς μὲν ἐν τοῖς ὄπλοις διέφθειρε. Cf. Liv., 1.53.2-3.

they were not also to be massacred indiscriminately.¹²⁸ While Dionysius attributed this apparent clemency from Tarquinius to his need to gain foreign supporters to help prop up his tyrannical regime, that the historian thought that those involved should have anticipated mass killing tells us about later practice, and possibly earlier practice too. Killing at least part of the inhabitants of a captured city was the norm, letting them go the exception.

Ancient historiographic attitudes towards normative mass killing were not necessarily straightforward. Livy showed himself capable of flagging the moral turpitude of negative exempla among Roman leaders for harsh, unfair, and brutal treatments of victims.¹²⁹ Yet his opprobrium results not from the acts themselves but rather the ways in which they flouted the *mos maiorum*. Livy's presentation, in common with the genre of ancient history writing, is influenced by a heightening of effect by the wretched nature of victims of Roman aggression, without necessarily censuring its use. This is not a contradictory or dissonant approach, but rather characteristic of ancient, and indeed Roman, attitudes to what we would deem to be wartime atrocities. It was just the way things were. The views of most ancient commentators of the historical genre echo the realpolitik of Thucydides' Melian Dialogue that 'in human considerations justice is what is decided when equal forces are opposed, while possibilities are what superiors impose and the weak acquiesce to'.¹³⁰ Of course, the consequence of that dialogue was the massacre of the Melian adult males by the Athenians following their eventual surrender under duress. Mass killing, as a reality of mid-Republican Roman practice, would be carried out in one of two modes: indiscriminate or selective.

¹²⁸ Dion. Hal., *Ant. Rom.*, 4.58.2-3; he claimed that the words of the resulting treaty could still be seen to his day in the temple of Jupiter Fidius: 4.58.4.

¹²⁹ Hoyos 2015, 375–76.

¹³⁰ Thuc., 5.89, trans. Lattimore. This phrase is commonly misrendered 'the strong do what they can and the weak suffer what they must'.

Indiscriminate urban mass-killing

While our sources are often vague, and mass death can only be inferred by broad references to their destruction, explicit notices of the indiscriminate mass killing of urban inhabitants are frequent. This killing could encompass the entirety of the population, killing every man, woman, and child. More commonly however, it was partial, and encompassed the killing of everyone within a constrained duration. The genocidal effects of indiscriminate mass killing of a population group are not hard to comprehend. The classical model for how Romans carried out killing as part of sacking urban settlements was laid out by Polybius, in his account of Scipio the Elder's sack of Carthago Nova in 209 BCE:

When Scipio thought that a sufficient number of troops had entered he sent most of them, as is the Roman custom, against the inhabitants of the city with orders to kill all they encountered, sparing none, and not to start pillaging until the signal was given. [...] on this occasion, such slaughter was very great owing to the numbers of those in the place.¹³¹

Polybius, who himself witnessed Roman military behaviours while accompanying Scipio's adopted son Scipio Aemilianus (i.e. Scipio the Younger), was both in awe of the discipline behind this phased method of securing urban sites—and the subsequent collectivisation of the booty—and of the violent spectacle that Roman indiscriminate killing produced. Recording that often towns captured by the Romans were treated to this violence, with not just humans but animals butchered on the streets, he

¹³¹ Polyb., 10.15.4-6, trans. adapted from W.R. Paton, F.W. Walbank, and Ch. Habicht: ὁ δὲ Πόπλιος ἐπεὶ τοὺς εἰσεληλυθότας ἀξιόχρεως ὑπελάμβανεν εἶναι, τοὺς μὲν πλείστους ἐφῆκε κατὰ τὸ παρ' αὐτοῖς ἔθος ἐπὶ τοὺς ἐν τῇ πόλει, παραγγελίας κτείνειν τὸν παρατυχόντα καὶ μηδενὸς φείδεσθαι, μηδὲ πρὸς τὰς ὠφελείας ὀρμᾶν, μέχρις ἂν ἀποδοθῆ τὸ σύνθημα [...] τότε δὲ καὶ τελέως πολὺ τὸ τοιοῦτον ἦν διὰ τὸ πλῆθος τῶν κατειλημμένων. Liv., 26.46 records fewer details, merely that, 'they turned indiscriminately to the killing of the townspeople': *hi passim ad caedem oppidanorum uersi*.

supposed that the purpose of this custom of brutal and spectacular mass killing was to ‘inspire terror’ in others.¹³²

Ziółkowski criticised this Polybian model of phased assault, arguing that the Roman mode of sacking cities was governed by a chaotic tearing apart of the city, in which killing was associated with uncontrolled plunder and rape, as indicated by the semantic field of *diripio*.¹³³ Polybius’ relationship and attitudes towards Rome and the Romans were complex, and subject to much debate in modern historiography.¹³⁴ Indeed, as part of his agenda was to explain Roman matters to a Greek audience newly under Roman sway, he tends towards over-schematisation or misunderstanding. However, he was well placed to comment on the sack of Carthago Nova, having access to evidence from multiple oral and documentary sources.¹³⁵ Ziółkowski draws too much on *diripio* to explain the sacking of towns and this colours his approach accordingly. The wider lexis of mass killing, discussed above, suggests that there was a broader range of possibilities and of describing what it was that Romans did to captured cities. Ziółkowski puts too much emphasis on the individualist determinism of legionaries, for example in not killing women to rape them.¹³⁶ In any case, in many of the examples that he cites as counters to Polybius’ model, there are indeed signs of the regulation of killing, especially through the giving of signals to start or stop. It was likely that indiscriminate killing was in part due to the speed and ferocity of the Roman assault, which would have ensured the best chance of victory at the least risk to the attacking forces.¹³⁷ It is therefore likely that it was a normal part of the way in which the Romans sacked cities, although in many cases

¹³² Ποιεῖν δέ μοι δοκοῦσι τοῦτο καταπλήξεως χάριν.

¹³³ Ziółkowski 1993.

¹³⁴ Baronowski 2011; Champion 2004; Peter Derow, Smith, and Yarrow 2012; Walbank 2002.

¹³⁵ Walbank 1967, 2:193–94.

¹³⁶ The rape of males in such circumstances is ignored by most commentators, both ancient and modern. For comparative benchmarks of contemporary phenomena of male rape, cf. Stemple 2008; A. Jones 2010, 218 notes, with bibliography, the sexual assault of men and adolescent boys as part of the programme of genocidal rape in Bosnia.

¹³⁷ Gilliver 2005, 147–48 identifies the stress on speed in the military treatises of the first century CE.

the intention might not have been to destroy the group per se through killing, rather the speedy and effective securing of a hostile urban environment.

Livy describes how he imagines a Roman sack to look with his account of the storming of Velitrae in 494 BCE. The Romans, flushed with victory on the battlefield and the routing of their opponents,

Pursued their enemies beyond [the camp] to Velitrae, where vanquished and victors burst into the city in one body. More blood was shed there, in the promiscuous slaughter of all sorts of people, than had been in the battle itself. A very few were granted quarter, having come without arms and given themselves up.¹³⁸

Livy's chief interest is in how the Romans came to enter Velitrae, that the storming of the town unusually resulted ad hoc from a battlefield rout, rather than the fact of the bloodshed itself.¹³⁹ Its depopulation may have been behind Rome's subsequent sending out of a colony to it.¹⁴⁰ That Roman forces would destroy the greater part of the human life of a polity goes without censure from the historian. As with Velitrae, mass killing of inhabitants of captured cities, or those in the process of being captured, was often linked with a retributive purpose. This is the case with the retributive mass killing that was carried out of Lucerians and Samnites at Luceria in 314 BCE, the complete erasure of which only being forestalled by Roman leaders beseeching the Plebeian Assembly, with the outcome of its refoundation as a colony.¹⁴¹ At Casilinum the inhabitants were subjected to *caedes promiscue*, 'general slaughter', which ensued from an abortive attempt on the part of the Campanian residents to parley just as the Roman assault got underway.¹⁴² Livy's commentary that the siege was already in progress may

¹³⁸ Liv., 2.30.14-15.

¹³⁹ Liv., 2.30.14-15. Cf. Diod. Sic., 14.34.7, which shows that Velitrae was still a Roman colony in 404 BCE.

¹⁴⁰ On the relationship between mass killing and the settling of colonies, see the section later in this chapter.

¹⁴¹ Liv., 9.26.2-3.

¹⁴² Liv., 24.19.8-10: *caedesque promiscue omnium circaportam primo, deinde inruptione facta etiam in urbe fieri coepta est.*

in this case be a signal that was intended to assert the legitimacy of the killing, which, as at Velitrae, possessed an almost farcical tone as the Roman soldiers burst through opened gates and engaged in indiscriminate slaughter. By the Late Republic, it is likely that the point at which the battering rams first touched the walls indicated the start of the siege proper, after which the chances of clemency from the Romans were much diminished.¹⁴³ Although presented as chaotic, the historian is nonetheless careful to establish the legitimacy of Roman killing in this instance.

Other cases of mass killing resulted from similarly confused circumstances. At Orongis, a Spanish town, in 207 BCE there was a mass killing that ensued from the voluntary opening of the city gates by the inhabitants, who feared the imminent, indiscriminate slaughter of both themselves and the Carthaginian garrison.¹⁴⁴ They were in this case killed unintentionally, presenting themselves in what the Roman besiegers mistook to be a sally. Livy is specific in noting that there was no further bloodshed, in contrast to his own expectations as well as those he ascribes to the Orongians. This city was singled out for attack because Scipio, noting the extended field of operations, was minded that ‘to circle troops around against the cities singularly would be a longer work than it was great’ but that he nonetheless did not wish to concede the territory of the Bastitanian Maesesses to Carthaginian control uncontested.¹⁴⁵ Instead he sent his brother Lucius against Orongis, as the richest city (*opulentissima urbes*) in that location, as a show of strength to intimidate the whole territory. This sort of strategic consideration in the selection of victim groups seems to have

¹⁴³ Gilliver [2001] 2005, 140.; Cic., *Off.*, 1.35; Caes., *B Gall.*, 1.32; Joseph., *BJ.*, 5.277.

¹⁴⁴ Liv., 28.3; Zonar., 9.8; Front., *Strat.*, 1.3.5.

¹⁴⁵ Liv., 28.3.1-3: *Scipio ubi animadvertit dissipatum passim bellum et circuit ferre ad singulas urbes arma diutini magis quam magni esse operis, retro vertit iter. ne tamen hostibus eam relinqueret regionem, L. Scipionem fratrem cum decem milibus peditum mille equitum ad oppugnandam opulentissimam in iis locis urbem—Orongin barbari appellabant—mittit. sita in Maesessum finibus est, Bastetanae gentis, ager frugifer, argentum etiam incolae fodiunt. ea arx fuerat Hasdrubali ad excursions circa mediterraneos populos faciendas.* See Liv., 28.4.4, where Scipio is given to claim that his brother’s capture of Orongis was as great as his own of New Carthage in 209 BCE.

been common. It suggests that the destructive processes of Roman imperialism could and did have at times explicit and considered goals in terms of influencing broader interstate systems and in the expansion of hegemony, beyond the short-termism of personal or economic considerations often ascribed to Republican imperialism. Of course, the presence of silver mining in the area may suggest a long-term economic rationale.¹⁴⁶

In many of the examples of normative indiscriminate mass killing, the accounts survive in our sources because of some other point of interest. Thus, when Geronium refused to surrender to Hannibal when the chance was offered, it was besieged and its inhabitants put to sword in 217 BCE. However, Polybius was mainly interested in this event not because of the killing but because most of the walls and houses, which is to say the urban infrastructure, were preserved by Hannibal for subsequent military use.¹⁴⁷ This latter point is marked more than the killing. This passage also suggests that the mass killing of captured inhabitants may have been normative to other peoples, and argues against the notion of Roman exceptionalism in this regard. While it may be an example of Polybius building up an image of *punica fides*,¹⁴⁸ the seeming normalcy of the Romans also committing mass killing upon capturing urban centres should caution us against assuming that this is the case. Other descriptions of the storming of cities in our period of interest indeed support the notion of chaotic mass killing of inhabitants. Sometimes, as with Velitrae, this killing is mentioned incidentally to another point of more interest to the author, and presumably their audience. This is, for example, the case with M. Claudius Marcellus' sack of parts of Syracuse. Livy's focus remained on specific points of curiosity, such as the manner of Marcellus' decision making, and the despoliation and transportation of aesthetically prominent cultic objects. The killing of Archimedes is also

¹⁴⁶ Lowe 2009, 75.

¹⁴⁷ Polyb., 3.100; cp. Liv., 22.18.7, who says that the town was already abandoned do to the collapse of a wall, but is inconsistent, 23.9.

¹⁴⁸ Cp. Gruen 2012, 115–16.

notable in Livy's description, but that is a special case from the general carnage, and likely prominent in no small part due to the stories that accrued to his composure and disinterest in the face of his own demise.¹⁴⁹

In other cases, as with the description of the pitiful destructions of human lives at the capture of Carthage in 146 BCE, the chaotic nature of mass killing takes foreground. Probably drawing on eye-witness Polybius, Appian wrote that, after taking the harbour, Scipio Aemilianus moved on the Byrsa, the densely packed area of the citadel, where street-to-street fighting commenced:

Then came new scenes of horror. The fire spread and carried everything down, and the soldiers did not wait to destroy the buildings little by little, but pulled them all down together. So the crashing grew louder, and many corpses fell with the stones into the midst. Others were seen still living, especially old men, women, and young children who had hidden in the inmost nooks of the houses, some of them wounded, some more or less burned, and uttering horrible cries. Still others, thrust out and falling from such a height with the stones, timbers, and fire, were torn asunder into all kinds of horrible shapes, crushed and mangled. Nor was this the end of their miseries, for the stonemasons, who were removing the rubbish with axes, mattocks, and boat-hooks, and making the roads passable, tossed with these instruments the dead and the living together into holes in the ground, sweeping them along like sticks and stones or turning them over with their iron tools, and man was used for filling up a ditch. Some were thrown in head foremost, while their legs, sticking out of the ground, writhed a long time. Others fell with their feet downward and their heads above ground. Horses ran over them, crushing their faces and skulls, not purposely on the part of the riders, but in their headlong haste. Nor did the street cleaners either do these things on purpose; but the press of war, the glory of approaching victory, the rush of the soldiery, the confused noise of heralds and trumpeters all round, the tribunes and centurions changing guard and marching the cohorts hither

¹⁴⁹ Liv., 25.25.7, 31.8-11, 31.9-10; Cic., *Rep.*, 1.21; Cic., *Fin.*, 5.19.50; Val. Max., 8.7.ext.7; Plin., *Nat.*, 7.125; Plut., *Marc.*, 19.4; Zonar., 9.5.

and thither—all together made everybody frantic and heedless of the spectacle before their eyes.¹⁵⁰

The terrible sights, smells, and sounds of such a scene are palpable, and we might conjecture that they left a strong impression on Polybius. Carthage was the largest metropolis in which the Romans carried out mass killing in the Middle Republic, and the density of the high-rise habitations meant greater slaughter. In such circumstances, it appears that killing might have been wholesale without necessarily being an intended outcome.

Nonetheless, indiscriminate, wholesale killing of this kind will have risked destroying the group, whether it was intended or not.

Incidents involving smaller cities provide further examples of mass killing. Myttistratum seems to have been sacked as part of the First Punic War campaigns of the summer of 258 BCE. In both Zonaras, our fullest account, and in Polybius, the city is taken following stout resistance, the former repeating what was presumably Cassius Dio's assertion that the defence was achieved in part due to Carthaginian assistance.¹⁵¹ In Zonaras' account, in the manner of the previous examples of mass killing, the storming of the city was the result of the voluntary opening of the gates by

¹⁵⁰ App., *Pun.*, 19.129, trans. adapted from H. White: "Ἄλλη δ' ἦν ἐκ τοῦδε ὄψις ἐτέρων κακῶν, τοῦ μὲν πυρὸς ἐπιφλέγοντος πάντα καὶ καταφέροντος, τῶν δὲ ἀνδρῶν τὰ οἰκοδομηματα οὐ διαιρούντων ἐς ὀλίγον, ἀλλ' ἀθρόα βιαζομένων ἀνατρέπειν. ὃ τε γὰρ κτύπος ἐκ τοῦδε πολὺ πλείων ἐγένετο, καὶ μετὰ τῶν λίθων ἐξέπιπτον ἐς τὸ μέσον ἀθρόοι νεκροί. ζῶντές τε ἕτεροι, πρεσβῦται μάλιστα καὶ παιδία καὶ γυναῖα, ὅσα τοῖς μυχοῖς τῶν οἰκιῶν ἐκέκρυπτο, οἱ μὲν καὶ τραύματα φέροντες οἱ δ' ἡμίφλεκτοι, φωνὰς ἀηδεῖς ἀφιέντες. ἕτεροι δ', ὡς ἀπὸ τοσοῦδε ὕψους μετὰ λίθων καὶ ξύλων καὶ πυρὸς ὠθούμενοι καὶ καταπίπτοντες, ἐς πολλὰ σχήματα κακῶν διεσπώντο ῥηγνύμενοί τε καὶ κατασπασσόμενοι. καὶ οὐδ' ἐς τέλος αὐτοῖς ταῦτα ἀπέχρη· λιθολόγοι γὰρ ὅσοι πελέκεσι καὶ ἀξίνοις καὶ κοντοῖς τὰ πίπτοντα μετέβαλλον τε καὶ ὠδοποιοῦν τοῖς διαθέουσιν, οἱ μὲν τοῖς πελέκεσι καὶ ταῖς ἀξίνοις, οἱ δὲ ταῖς χηλαῖς τῶν κοντῶν, τοὺς τε νεκροὺς καὶ τοὺς ἔτι ζῶντας ἐς τὰ τῆς γῆς κοῖλα μετέβαλλον ὡς ξύλα καὶ λίθους ἐπισύροντες ἢ ἀνατρέποντες τῷ σιδήρῳ, ἦν τε ἄνθρωπος ἀναπλήρωμα βόθρου. μεταβαλλόμενοι δ' οἱ μὲν ἐς κεφαλὰς ἐφέροντο, καὶ τὰ σκέλη σφῶν ὑπερίσχοντα τῆς γῆς ἤσπαιρον ἐπὶ πλεῖστον· οἱ δ' ἐς μὲν τοὺς πόδας ἐπιπτον κάτω, καὶ ταῖς κεφαλαῖς ὑπερεῖχον ὑπὲρ τὸ ἔδαφος, ἵπποι δ' αὐτοὺς διαθέοντες ἐς τὰς ὄψεις ἢ τὸν ἐγκέφαλον ἐκόλαπτον, οὐχ ἐκόντων τῶν ἐποχουμένων ἀλλ' ὑπὸ σπουδῆς, ἐπεὶ οὐδ' οἱ λιθολόγοι ταῦτ' ἔδρων ἐκόντες· ἀλλ' ὁ τοῦ πολέμου πόνος καὶ ἡ δόξα τῆς νίκης ἐγγὺς καὶ ἡ τοῦ στρατοῦ σπουδῆ, καὶ κήρυκες ὁμοῦ καὶ σαλπικταὶ πάντα θορυβοῦντες, χιλίαρχοί τε καὶ λοχαγοὶ μετὰ τῶν τάξεων ἐναλλασσόμενοι καὶ διαθέοντες, ἔνθους ἅπαντας ἐποίουν καὶ ἀμελεῖς τῶν ὀρωμένων ὑπὸ σπουδῆς.

¹⁵¹ Zonar., 8.11; Polyb., 1.24.10-11.

the besieged, the Carthaginian garrison having departed, leading to 'the Romans killing all' (οἱ Ῥωμαῖοι πάντας ἐφόνευσον) that they came across. Presumably the prior state of siege made this legitimate in the eyes of the ancient commentators, as no word is said against it. The indiscriminate killing continued until checked by the consul A. Atilius Caiatinus, offering any captured inhabitants as booty to whomever captured them. Diodorus Siculus merely notes that:

The Romans, having put Myttistratum under siege for the third time, captured it, razed the city to the ground, and sold the surviving inhabitants as spoils of war.¹⁵²

This offers confirmation of sorts that the survivors were enslaved but tells us little about mass killing. It seems not to have been significant enough for him to warrant mentioning.

The polity of the Aeolian island of Lipara became, in 252 BCE, the only recorded instance of a strategically mandated mass killing during the First Punic War, as opposed to one carried out ad hoc by the soldiers as seems to have been the case at Myttistratum.¹⁵³ Only Zonaras records that all the inhabitants were killed (πάντας ἀπέκτεινε) at the command of the consul P. Servilius Geminus.¹⁵⁴ However, other sources together with Zonaras allow the postulation of a reason for this genocidal action. The consul had delegated the command of military operations on the island to Q. Cassius, a blood relation, with strict orders to continue the siege but to avoid battle. Cassius seems to have disregarded these orders, leading to the loss of many of Servilius' men, the firing of the line of siege works and the capture of the camp.¹⁵⁵ The demotion of his subordinate on the one hand and the taking and slaughter of Lipara on the other seem to have been corrective

¹⁵² Diod. Sic., 23.94.

¹⁵³ van Wees 2010, 250.

¹⁵⁴ Zonar., 8.14, incorrectly giving the name Aurelius Servilius in that location.

¹⁵⁵ Val. Max., 2.7.4; Front., *Strat.*, 4.1.31; Polyb., 1.39.13; Diod. Sic., 23.20. Diod. Sic., 14.93.5 suggests that at least the descendants of a certain Timasitheüs were permitted to survive because of the services of their ancestor.

measures. Servilius may have been influenced by the need to maintain the public image of the *gens Servilia*, of which the Gemini formed a branch, as stern disciplinarians, as well as by exemplars of correction from the Roman canon, of which tradition this was itself to become part.¹⁵⁶

The Hispanic town Ilturgi, along with its neighbouring Castulo, was massacred in 206 BCE.¹⁵⁷ Livy stressed the justified retribution that the assault against the towns, which are described as equal in 'greatness and guilt', represented. Not only had they gone against Roman interests, being in rebellion to Roman hegemony, but had maltreated and put to death soldiers from the destroyed armies of the Scipios who had fled there. They were supposedly prepared to defend themselves as a tacit admission of their guilt, which Livy equates to a declaration of war from the Romans, a formal ritual of declaration seemingly not being a necessity.¹⁵⁸ In this case, the conclusion was implied to have been predetermined due to the earlier mistreatment of Roman soldiers, but it is notable that, the retributive motivation notwithstanding, as in other cases this is an example of a polity which resisted and was subsequently subject to mass killing.

The fate of the African city of Locha in 203 BCE is a clear signal that indiscriminate slaughter could result from Roman assault on urban centres in a chaotic and undisciplined manner, even under commanders as famed for their strict command and control as Scipio the Elder.

They also besieged a large town called Locha, where they suffered great hardships. But as they were putting up the scaling ladders, the Lochaean offered to leave the city under a truce. Thereupon Scipio sounded a retreat; but the soldiers, angry at what they had suffered in the siege, refused to obey. They scaled the walls and slaughtered both women and children indiscriminately. Scipio dismissed the survivors in safety; he then deprived the army of its booty and compelled the officers who had disobeyed orders to

¹⁵⁶ Cf. Farney 2007 on aristocratic family presentation; Roller 2004 on exemplarity.

¹⁵⁷ Liv., 28.19-20.

¹⁵⁸ Liv., 28.19.5.

cast lots publicly, and punished three of them, upon whom the lot had fallen, with death.¹⁵⁹

Hans van Wees correctly notes that this incident was the only mass killing perpetrated during the Roman counter-offensive in North Africa after Hannibal's long occupation of Italy.¹⁶⁰ Even the mass killing at Locha was evidentially not willed by the Roman elite, but was the result of near mutinous behaviour by the ordinary soldiers. On the one hand, this episode shows that the inducements and customs of indiscriminate killing were strong within the military culture of the Romans. On the other hand, were mass killing the only approach to the capture of urban settlements, then the its instance at Locha would not be the only recorded example from this campaign.

Phocaea was in 190 BCE similarly subject to *diripio* by Roman soldiers acting against the wishes of their commander.¹⁶¹ The use of this lexis here suggests that the lives of the Phocaeans were imperilled, as does the notice that all that the praetor Aemilius Regillus could do in the moment was to gather all the free citizens (*omnia liberos*) in the forum to protect them from harm. The strategy towards the Phocaeans was to accept them into Roman *fides*, but they were nonetheless subject to indiscriminate killing by Roman soldiers at their own instigation. The sack followed the Romans' admittance through the voluntarily opened city gates. Their motivation must either have been psychological or pecuniary, therefore, with Livy ascribing their disobedience to their distaste in accepting the Phocaeans submission, that it was 'an unworthy deed for the Phocaeans, never faithful to alliances, always inimical enemies, to escape with impunity'.¹⁶² Desire to punish, that is to say a retributive impulse, as well as the treacherousness of the former enemy

¹⁵⁹ App., *Pun.*, 15; possible that 'Locha' = 'Salaeca' near Utica in Liv., 29.34 but the association is by no means secure. Cf. Locha/Salaeca discussed at Hoyos 2007, n. 72 p.102, along with issues of Appian's Punic Wars era place names.

¹⁶⁰ van Wees 2010, 250.

¹⁶¹ Liv., 37.32.11-14, 37.32.11-14.

¹⁶² Liv., 37.32.11: *indignum facinus esse, Phocaeenses, numquam fidus socios, semper infestos hostes, impune eludere.*

are provided as valid, or at least plausible, reasons for Roman soldiers to plunder and kill against the orders of their commanders. The perceived treacherousness was similarly used to justify the killing at Capsa, carried out in the surrendered town during the Jugurthine War 'against the rights of war' (*contra ius belli*), as well as the 214 BCE pre-emptory massacre of the inhabitants at Henna.¹⁶³ Likewise, the Siciliote city of Henna came to be distrusted by the head of the Roman garrison there, L. Pinarius, who suspected that the Hennaian might be intending to surrender the town to the Carthaginians. He called the citizens to a public assembly and, at a prearranged signal, had his soldiers massacre them indiscriminately. The gates were barred to prevent escape.

Selective mass killing in urban centres

As mentioned above, instead of the indiscriminate killing of all or part of the populace of an urban centre, the Romans could kill selectively. Part of the victim population could be selected to be saved, or conversely to be killed. The two primary criteria used in these cases were gender and age. In most circumstances, the mass killing of either of these categories could lead to the destruction of the wider group, impairing its ability to reproduce itself. Typically, in those circumstances, battle-age males (i.e. the male *pubes*) would be killed on sight, presumably because they comprised the greatest threat to the attacking Romans during the sack or of resistance in the future.¹⁶⁴ This was, for example, the case at Corinth in 146 BCE where, 'while the Romans killed many of those caught there [most of its inhabitants having already fled], Mummius sold the women and children'.¹⁶⁵ At times, this killing would be carried out after the initial storm had been carried through, as M.

¹⁶³ Capsa: Sall., *Jug.*, 91.5-7; Henna: Liv., 24.37.1-39.13; Front., *Strat.*, 4.7.22; Polyæn., *Strat.*, 8.21.1; Plut., *Marc.*, 20.2; also, *CIL*, I² 608 = 7.1281.

¹⁶⁴ Liv., 9.31.3: *vi cepit atque omnes puberes interfecit*; Liv., 34.10.1-2, drawing on Valerius Antius: *oppidum Ilturgi receptum et puberes omnis interfectos*.

¹⁶⁵ Paus., 7.16.8: τῶν δὲ ἐγκαταληφθέντων τὸ μὲν πολὺ οἱ Ῥωμαῖοι φονεύουσι, γυναῖκας δὲ καὶ παῖδας ἀπέδοτο Μόμμιος. Note παῖδας here may in fact indicate girls rather than children: Gaca 2010.

Licinius Lucullus did at Cauca in 151 BCE, although he comes in for criticism from Appian for overstepping his authority and his actions prompted the adverse reaction of souring neighbouring cities against the Romans.¹⁶⁶ The implication however is that adult males were often selected for destruction out of the population, and that this could be willed at a strategic level.¹⁶⁷

Sometimes the young and the old would be slaughtered. At Haliartus for example, these two sets were grouped together as targets of Roman aggression, while the more mobile combatants fled to the *arx*:

In the first tumult of the capture of the city the seniors and the prepubescents, whom chance brought in the way, were everywhere killed.¹⁶⁸

Presumably they were killed for lack of anything better to do with them, as they were lacking much value either as booty or for violent sexual gratification. The genocidal killing of infants would have been a concept familiar to many Romans, not least from the passionate exhortation of Agamemnon to his brother in the *Iliad*:

Of them let not one escape sheer destruction and our hands, not even the boy whom his mother carries in her womb; let not even him escape, but let all perish together from Ilios, unmourned and unseen.¹⁶⁹

This appeal to root-and-branch genocide,¹⁷⁰ however, did not seem to gain much purchase in the Roman literary or historiographical milieu.

Nonetheless, killing of infants for whatever reason was an effective way to

¹⁶⁶ App., *Hisp.*, 52.

¹⁶⁷ The expected demographic gender imbalance in the slave population is difficult to detect. This may have been offset by the, sometimes colossal, numbers of men enslaved on the battlefield. In any case, the slave population likely regressed quite rapidly towards the mean gender balance; Scheidel 2010.

¹⁶⁸ Liv., 42.63.10: *in primo tumultu captae urbis seniores inpubesque, quos casus obvios optulit, passim caesi*. Cf. Strabo, 9.2.30.

¹⁶⁹ Hom., *Il.*, 6.56-60, trans. Murray: ἦ σοὶ ἄριστα πεπτοίηται κατὰ οἶκον / πρὸς Τρώων; τῶν μὴ τις ὑπεκφύγοι αἰπὺν ὄλεθρον / χεῖράς θ' ἡμετέρας, μηδ' ὄν τινα γαστέρι μήτηρ / κοῦρον ἔόντα φέροι, μηδ' ὄς φύγοι, ἀλλ' ἅμα πάντες / Ἰλίου ἐξαπολοῖατ' ἀκήδεστοι καὶ ἄφαντοι.

¹⁷⁰ van Wees 2010, 240–43.

assist in the destruction of the victim group as would, to a lesser extent, the killing of the elderly.

Women, especially those in fertile age-brackets (i.e. the female *pubes*), were often reserved and spared the bloodshed. Of course, being saved in these cases might be small consolation, and the killing of a large part of the population, such as all the men, would endanger the cohesion of the group (i.e. constituting *a set of actions and/or outcomes resulting from an intention to destroy a group, wholly or in part*).¹⁷¹ This is so even before accounting for further predations on the so-called saved. Modern commentators posit the twin attractions of female captives for immediate sexual gratification of the soldiers or to be sold into slavery—which itself could involve sexual slavery.¹⁷² The specific motivations for sparing women are often left ambiguous in the sources, however, and there is a risk of over- or misinterpreting the calculus behind the actions of the Romans. Indeed, if comparative evidence is anything to go by, most modern historians of the ancient world significantly undervalue the brutality of sexual assault in these sorts of circumstances, and undervalue the effect it can have on community cohesion.¹⁷³ Modern comparisons should warn us that while an attractive woman could be a prize—especially for long-term bondage—neither age, physical attractiveness nor even gender truly constrain the use of mass rape against captured civilians.¹⁷⁴ This holds for wartime abuses in general, but particularly when the destruction of the group is intended. In many cases, these rapes are fatal, or closely followed by the killing of the victim, and therefore form part of the general mass killing of the population. They are designed to terrorise, subjugate, and humiliate the raped as well as their families and the wider community. The action symbolically punctures the

¹⁷¹ Ethnic cleansing in Bosnia often comprised the killing of the men of the group after the women had been bussed out; A. Jones 2010, 216.

¹⁷² Ziolkowski 1993, 83.

¹⁷³ Gaca 2016; 2014; 2011a; 2011b for recent attempts to intervene against this trend, chiefly from the point of view of Greek wartime practices.

¹⁷⁴ Rape of males: Stemple 2008; Depersonalisation of the victim by gang rapists minimises the actual characteristics of the victim: Seifert 1994, 56.

integrity of the group by the violation of its members, and by the interference of its biological propagation, reinforced by the killing of men. The gender selective killing of battle-aged men suggests that Roman killing behaviours were gendercidal in character, seeking a genocidal outcome through the elimination of a gendered section of the population.¹⁷⁵ Jones has posited a relationship between gendercide as a ‘harbinger of “root-and-branch” campaigns of genocide’;¹⁷⁶ while Roman behaviours do not seem to have customarily included the further direct killing of the remaining parts of groups, the fates that lay in store for them mean that we could see the selective mass killing of men in the storming of cities as a first step in the wider extirpation of the group.

Illustrative of the selective norms at play in such cases is Livy’s account of Hannibal’s siege of Saguntum in 219 BCE, the event which provided the *casus belli* for the Second Punic War. Although the reported speech is that of Hannibal’s spokesperson, Alco, and the subsequent mass killing at Hannibal’s instigation, the speech is indicative of Livy’s understanding as an Augustan Roman of the normativity of mass killing when urban centres were sacked. Alco offered a settlement in that he told the Saguntines, ‘your persons and those of your wives and children [Hannibal] preserves unviolated’.¹⁷⁷ Shortly afterwards the manner of the violation that could await them is made clear when Alco posits the alternative to accepting the conditions of surrender, saying to them, ‘but I think even this you must prefer to suffer than allowing your persons to be slaughtered, your wives and children seized and dragged off before your eyes, by the rights of war.’¹⁷⁸ While preparing to kill themselves and destroy their property by fire instead of submitting, the Saguntines’ distraction allows Hannibal to take advantage and capture the town by storm. Although this might seem to be an example

¹⁷⁵ A. Jones 2010, 326–27; A. Jones 2004, chap. 2.

¹⁷⁶ Jones in Stone 2008, 244–45.

¹⁷⁷ Liv., 21.13.7.

¹⁷⁸ Liv., 21.13.9: *sed vel haec patienda censeo potius quam trucidari corpora vestra, rapi trahique ante ora vestra coniuges ac liberos belli iure sinatis.*

of Livian *punica fides*, the author is apologetic about the stratagem, saying that the order to kill all the adults was an inevitable result of the threat that the inhabitants would have posed to the city and to his troops.¹⁷⁹ It is ambiguous, but from the context of the passage in Livy, it can be inferred that perhaps the *omnes puberes interficerentur* might in fact have related to only the adult males. Presumably, the children were either seized or left exposed to die.

Although other selective criteria could be used, especially in the scourging and execution of sometimes considerable numbers of the elite in a captured or surrendering polity, by and large these do not represent a destruction of the group as such. In general, political groups are generally excluded from definitions of genocide, although this is one of the more controversial definitional criteria. More pertinently, however, these killings are usually retributive or precautionary against selected individuals rather than an entire group. Furthermore, by and large, the elite were not annihilated in their entirety. On the contrary, Rome showed a continued interest in promoting the interests of sympathetic elite parties or individuals in foreign towns throughout the Middle Republic.¹⁸⁰ This meant that in many circumstances the killing of elites was restricted in scale, intentionally leaving the group as such intact. The chief selective pressures therefore were age and gender. These seem to have been intersectional, with the selective criteria 'creating overlapping and interdependent systems of discrimination or disadvantage'.¹⁸¹

¹⁷⁹ Liv., 21.14.3-4: *non cunctandum in tali occasione ratus Hannibal, totis uiribus adgressus urbem momento cepit, signo dato ut omnes puberes interficerentur. quod imperium crudele, ceterum prope necessarium cognitum ipso euentu est; cui enim parci potuit ex iis qui aut inclusi cum coniugibus ac liberis domos super se ipsos concremauerunt aut armati nullum ante finem pugnae quam morientes fecerunt?*

¹⁸⁰ Although this link can be overstated. Ridley 2000, 15–16 refutes the axiom that Hannibal and Rome were favoured by the Italian lower and upper classes respectively; Lomas and Roselaar 2012.

¹⁸¹ 'Intersectionality, N.' 2016.

Norm-flouting killing

It has been argued in this chapter that mass killing was a normal part of warfare, at least under certain circumstances. However, against this norm, there were suggestions of moral disapproval of actions that therefore breached those norms, the exceptions that prove the rule, as it were. In some of these cases, the scenario as enacted was contrary to the moral spirit of the right to kill, and in some way unduly harsh, particularly where it was inflicted against friendly populations without warrant. Although the sources establish the normalcy and normativity of the mass killing of inhabitants by Romans when storming a city, there are recorded a significant minority of settlements whose inhabitants found themselves thus slaughtered despite having surrendered or in some other way not having been taken by storm. This might technically have been permissible under the conditions of the *fides* into which they had put themselves, but seems to have been generally considered to be bad form. In these cases, the implication is that the cities were sacked as *if* they had been captured in hot blood. It lends credence to the Polybian template of mass killing through its comparison with norm-flouting killing.

Ambiguity about when mass killing was legitimate can be seen in Sallust's account of the mass killing of adults and enslavement of the other inhabitants of the Numidian city of Capsa, which had surrendered following a surprise (and ignoble) attack. The compounded ignobility of the event, which was 'in violation of the usages of war', was however explained away:

[The policy of massacring the town] was not adopted from avarice or cruelty in the consul, but was exercised because the place was of great advantage to Jugurtha, and difficult of access to us, while the inhabitants were a fickle and faithless race, to be influenced neither by kindness nor by terror.¹⁸²

¹⁸² Sall., *Jug.*, 91.

Military necessity supposedly required this outcome, and in any case the *fides* into which the inhabitants had entered was inherently false, and therefore need not be respected. The legitimating effect of taking a city by force, and the contrary, can be seen in the political machinations in Livy regarding whether or not M. Fulvius Nobilior had taken Ambracia through siege, and thus whether his settlement and despoliation of it were legitimate.¹⁸³ A similar post-hoc legitimisation is evident in the case of Pinarius at Henna, who ordered a massacre because he could not trust the Hennaian's fidelity, as it was by Serv. Sulpicius Galba in relation to the Lusitanian massacre whereby a key argument of his original defence was that the Lusitanians were secretly preparing to attack his forces.

Under this model, the normative modalities of Roman warfare in which mass killing was perhaps a customary expectation—that is to say, in the context of the violent storming of urban settlements—precluded the systematic killing of the countryside population. It is for this reason that Roman practices of mass killing should by and large not be conflated with ideas of ethnic cleansing. This is the 'deliberate, systematic, and forced removal of a particular ethnic group from a specified territory' because the group is regarded as 'undesirable or dangerous by the more powerful group with designs on the territory'.¹⁸⁴ Ethnic cleansing is therefore typically considered to be a multimodal form of genocide, in which a territory is intended to be cleansed of an unwanted ethnic group by several means, including killing, deportation, systematic rape, and destruction of property.¹⁸⁵ Some of these other elements will be considered elsewhere in this work, and the focus in this section will remain on the murderous forms of ethnic cleansing. There are clear suggestions that mass killing outside of the context of the capture of cities was considered by classical commentators to

¹⁸³ Liv., 38.44. Cf. a fragment of Cato in Gel., 5.6.24, suggesting that Fulvius was also attacked politically for his lax attitude to awarding military crowns to his troops.

¹⁸⁴ Charny 1999b, 1:215; See Bell-Fialkoff 1996.

¹⁸⁵ Rakoczy 2008a, 131; A. Jones 2010, 17; This definition can however vary, Mann 2005 for example equated 'ethnic cleansing' almost entirely with 'murderous ethnic cleansing'.

have been aberrant within the customary rules of war. Thus, Hannibal's execution of any Romans that his armies could lay their hands upon during their march across Italy was described by Polybius as being akin to being 'as at the capture of cities by assault'.¹⁸⁶ This implies that whereas mass killing was customary in taking an urban settlement, killing members of an ethnicity outside of this context was not, and Polybius attributes this policy of ethnicised killing to Hannibal's 'deep-seated hatred of Rome'. Hannibal's intention to kill Romans in the countryside as well as in the towns was therefore, to Polybius, a symptom of an excessively and aberrantly violent spirit. We should not see Hannibal's actions as normal in the context even of the drawn out and at times fraught Second Punic War as has been the case in modern scholarship.¹⁸⁷

The tendency to interpret Roman actions as a form of murderous ethnic cleansing, was formerly more prevalent and, for example, Vedia Izzet noted that W.V. Harris's interpretation of settlement change in Etruria was tantamount to a claim of ethnic cleansing.¹⁸⁸ Often this supposed process was linked to the creation of mono-ethnic viridane land distributions or colonial foundations.¹⁸⁹ Current models however increasingly stress the presence of native *incolae* in these locations and their role as sites of integration.¹⁹⁰ Cities subjected to mass killing often subsequently rebounded, such as Luceria in 314 BCE and Veltirae in 494 BCE, possibly because they could be rapidly repopulated by survivors who had remained in the surrounding countryside during the siege or assault. These factors suggest that the widespread and systematic killing of non-Romans was not a customary practice. Doubtlessly, inhabitants of the countryside in hostile or vanquished territories likely had to fear the depredations of Roman soldiers, but Roman mores prohibited the extended extermination through killing of

¹⁸⁶ Polyb., 3.86.11: καθάπερ γὰρ ἐν ταῖς τῶν πόλεων καταλήψεσι, καὶ τότε παράγγελμά τι δεδομένον ἦν φονεῦν τοὺς ὑποπίπτοντας τῶν ἐν ταῖς ἡλικίαις. ταῦτα δ' ἐποίηε διὰ τὸ προϋπάρχον αὐτῷ μῖσος ἔμφυτον πρὸς Ῥωμαίους.

¹⁸⁷ Kern 1999, 326.

¹⁸⁸ Izzet 2008, 124.

¹⁸⁹ Salmon 1969, 25–26.

¹⁹⁰ Roselaar 2011; Bispham 2006; G. J. Bradley 2006.

the group at large, even if individuals might become incidental casualties of war.

Servius Sulpicius Galba and the Lusitanian massacre

Although countryside inhabitants doubtlessly suffered as a result of the endemic violence of the Middle Republic, one of the events that most prominently flouted the customary norms of warfare discussed in this chapter was the massacre of Lusitanians under the orders of Galba in 150 BCE.¹⁹¹ This event represents one of the most thorough attempts at extirpation through killing by any Roman state actor in this period, and has clear indications of meeting the criteria for genocide. The fullest source for this episode is in Appian, but textual confirmations come from Suetonius, Cicero, Aulus Gellius, Orosius, Valerius Maximus and most importantly the *Periochae* of Livy.¹⁹² From these sources we know that Cato included details about the affair, chiefly in the form of information embedded in and around his speech against Galba at the latter's trial for misconduct. This was inserted into book four of Cato's *Origines* at a late stage in his life, and although it does not survive beyond fragments today, Cato's intervention certainly preserved and transmitted details about the massacre to the surviving sources.¹⁹³

The lead up to the massacre supposedly saw Roman generals depopulate Lusitania. This assertion is ambiguous, but may intimate previous massacres of a smaller or less perfidious character. The praetor Galba systematically and with planning and intention betrayed a tribe with whom a treaty was in place. Having divided the population into thirds, and having had them lay down their arms, he sent in troops to carry out a planned massacre of the entire captive populace. This stepwise, premeditated process—which has echoes of Aemilius Paullus' enslavement

¹⁹¹ App., *Hisp.*, 12.59-60; Liv., *Per.*, 49-50.

¹⁹² Suet., *Galb.*, 7.1; Cic., *Brut.*, 89; Gel., 1.12.17, 13.25.15; Oros., *Hist.*, 4.21.10; Val. Max., 8.1.2, 9.6.2; Liv., *Per.*, 49 (also POxy., IV 0668); App., *Hisp.*, 59-61.

¹⁹³ Gel., 1.12.7, 13.25.15.

of the Epirote Molossians in its systematic division of the victim group timed to preclude each finding out about the fate of the others—indicates unambiguously that there was an intention to destroy the group as a group in its entirety. The massacre was likely the result of frustrations, in both the leaders and the regular members of the Roman army, which accumulated into an extreme of group annihilation. The Spanish *provinciae* were notoriously hard fought for the Romans, and to a greater extent constituted a warzone for most of the period 218-16 BCE.¹⁹⁴ It had precipitated the creation of new praetorships to ensure the permanent presence of Roman *imperium* in the *provinciae*, essentially turning them into one of the first Roman experiments in annexation, and had even required the adjustment of the Roman consular year to a January commencement in order to fit operational needs in Spain.¹⁹⁵ Right from the initial years of the Roman campaign there, a number of notable and brilliant commanders had been killed, most notably the Scipio brothers, and legions lost. What is more, the Spanish tribes did not seem to abide by the rules as the Romans understood them. The humiliating terms of peace obtained by some proconsuls had been rejected vehemently back in Rome.¹⁹⁶ Other peace terms had been rejected unilaterally by the Spanish tribespeople once it had become favourable for them to do so. This did not fit with Roman understandings of what it meant to submit to their *fides*. The situation was therefore one of cumulative radicalisation, and of escalating modalities of warfare.

¹⁹⁴ Curchin 1991, 7.

¹⁹⁵ Curchin 1991, 29; Annexation: W. V. Harris [1989] 2003, 121. Roman consular year: Liv., *Per.*, 47; *CIL*, Add. 8, Jan 1; Ov., *Fast.*, 3.147-48; Cassiod. *Chronica*, 607. Of course, the calendar adjustment might have had other causes, but it is to the Spanish campaigns that our sources attribute it.

¹⁹⁶ Refusal to ratify: Liv., *Per.*, 54, 55; Liv., 46.fr.14; Cic., *Off.*, 3.109; Cic., *Rep.*, 3.28; Plut., *Ti. Gracch.*, 7.1-6; Cass. Dio, fr.79.1-3, 83.2; App., *Hisp.*, 83; Vell. Pat., 2.2.1; [Aur. Vict.], *De vir. ill.*, 59.4, 64.2; Oros., *Hist.*, 5.4.21, 5.3; Eutr., 4.71.1, 10.17.2. Pompeius: Liv. 46.fr.14; Cic., *Fin.*, 2.54; ; Cic., *Off.*, 3.109; Vell. Pat., 2.1.5; Val. Max., 8.5.1; App., *Hisp.*, 79; Mancinus handed over: Liv., *Per.*, 56; Cic., *De or.*, 1.81, 2.137; Cic., *Off.*, 3.109; App., *Hisp.*, 83; *Dig.*, 50.7.18; Plin., *Nat.*, 34.18; Oros., *Hist.*, 5.4.21, 5.4, 6; [Aur. Vict.], *De vir. ill.*, 59.4; Amm. Marc.. 14.11.32. Rosenstein 1986.

The entrenched cultural difficulties in implementing Roman control in this sphere is in contrast with the emergence from the late 180s BCE, with the disputations of Callicrates with the Senate, of an explicit and unambiguous expectation 'that being favourable to Rome was openly equated with absolute readiness to obey Rome's orders'.¹⁹⁷ Romans, especially when implementing a relationship of *fides*, had by the middle of the second century, come to expect their will to be obeyed. The repeated intransigence of the peoples of Spain must have exerted an enormous psychological and political pressure on Rome's troops and leaders in the field to end the conflict and secure their victory—not to mention their safety, booty, and glory—by the most brutal of means. The Lusitanian massacre of 150 BCE under Galba would later provide a model for a massacre perpetrated by T. Didius in around 93 BCE, in which he supposedly killed all inhabitants of a Celtiberian town named by Appian as Kolenda.¹⁹⁸ There too, the hardships of the campaign might have encouraged an excess of genocidal violence, following nine months of siege.

The Lusitanian massacre led to an unsuccessful prosecution of Galba at Rome for breaching normative laws of war and fidelity, the failure of which confirms the reluctance of the Roman people to indict those who committed the wholesale destruction of civilian groups through killing. Galba had claimed—as, according to the testimony of the Livian epitomes, was recorded in a speech against Lucius Cornelius Cethegus—that the massacre was necessitated by circumstances:

The Lusitanians encamped near him were killed because he determined that, following their custom, they had sacrificed a

¹⁹⁷ Astin [1989] 2003, 8:300–301, 310.

¹⁹⁸ App., *Hisp.*, 99.432: the town and the destruction of its people are otherwise unattested. Seen by J. Richardson 1996, 85 as the transference of 'a policy (if it can be dignified with that name) which had previously been used in Lusitania' to the Celtiberians.

man and a horse and under the pretext of peace had intended to attack his own army.¹⁹⁹

Yet this argument seems to have been insufficient in the eyes of the Senate and the political class at Rome. Knowing that he was about to be convicted, Galba secured his acquittal by displaying his own children, still in the *toga praetexta*, as well as those he had guardianship over, and by speaking so 'pitiably on his own behalf' that the audience was moved to exculpate him.²⁰⁰ These turns of events reveal several factors of the mode of Roman imperialism that led to the Lusitanian affair: that the Senate presumed authority over, and the right to annul the actions of, generals in the field;²⁰¹ that nonetheless, Romans with *imperium* in the field could carry out acts of violence due to distance from Senatorial authority; and, that the censorship regime back in Rome could be relatively weak and ineffectual.

The cumulative effect helps to explain the pressure towards extremes of violence, but this was not an act that was accidental, or a result of the actions of soldiers in the heat of the moment. Rather, it was a deliberate set of actions that seem to have been planned and executed according to a blueprint. What is more, the campaigns in the provinces of Spain were accompanied by a long-term process of gubernatorial corruption and haughty behaviour on the part of the Romans, which the Senate were compelled to begin to restrain from 177 BCE, with mixed success.²⁰² Clearly, the interest of most ancient authors was less in the fact that the Lusitanians were massacred as in the fact that Galba perpetrated the matter in such a perfidious manner and that he escaped attempts at prosecution. His acquittal being brought about because of a display of pitifulness, his later acquisition of the consulship, and his later still reputation as an orator and statesman, all suggest that the interest of our Greco-Roman sources were in the affairs of

¹⁹⁹ Liv., 49. Curchin 1991, 170 sees archaeological parallels with Gaul and Iberia but neglects to provide references.

²⁰⁰ Liv., 49.

²⁰¹ Not that this should be taken as indicative of a Senatorial grand strategy for Spain: Curchin 1991, 31; J. Richardson 1996, 97–98; Continued Senatorial oversight is indicated by Scipio Aemilianus agreeing to the *deditio* of Hasta Regio, Spain, 'so long as the Senate and People of Rome are willing'; Curchin 1991, 32, 39.

²⁰² W. V. Harris [1989] 2003, 131.

the Roman state actors rather than in the Lusitanian victims themselves. This suggests the sort of atmosphere that allowed the Lusitanians to be massacred in the first place.

Notably this was the killing of one segment, likely equating to one tribe, of the broader Lusitanian ethnic group. Of course, this is to use Greco-Roman ethnic definitions; discerning the self-identifications of the various and varied ancient tribes of the Iberian Peninsula is impossible, and most observations of socio-political organisation must be gleaned from the Greco-Roman sources, assisted somewhat by epigraphic and archaeological materials.²⁰³ The massacre cannot and should not in itself be taken to mean that the Lusitanian ethnicity was targeted for destruction in its entirety. The Lusitanian massacre was not motivated by an ideology of ethnic or racial destruction, although it was likely informed by a general disregard for, or even prejudice against, them on the Roman part. Rather, Galba showed his willingness to extirpate this group in a more strategic, self-contained manner. Although the stepwise method and premeditation might echo modern genocides, especially the Holocaust, the motivation did not.

The Bacchanalian Affair

The Bacchanalian Affair is the final major area of analysis in this chapter. It shows some interesting characteristics, and in many ways represents a model for systematic, murderous repression that was otherwise not followed by the Romans. The Bacchanalian Affair was the suppression in 186 BCE of the adherents of the Bacchanalia. The term denotes a cult named for its ritual sites (Bacchanals), in turn deriving their name from Bacchus, the Italian syncretised form of Dionysus.²⁰⁴ The cult was imported from the Greek East into Italy via the cities of Magna Graecia, and remained most popular in the more southerly parts of the peninsula, but the *lucus stimulae* at the foot of

²⁰³ Curchin 1991, 18.

²⁰⁴ Liv., 39.8 ff.; DKP 1964; BNP 2006, s.v. Bacchanal(ia).

the Aventine was to feature prominently in the sources²⁰⁵ It was a mystery cult and initially restricted access to female bacchantes only. This latter criterion was modified under the leadership of the priestess Annia Paculla, who first admitted men to the cult rights at specific meetings. Around this time, the evidently growing popularity of the Bacchanalia led to a sort of moral panic or political crisis, and the Senate moved to suppress them. These fears seem to have rested on some combination of anxieties about the corrupting influence of Greek religion on Italians and more importantly on Roman citizens, about the concealed nature of the activities of the bacchantes, and about rumours of the immorality of cult activities. Pretext was found, according to Livy, through a complaint to the magistrates of mistreatment of citizens. Although the historicity of this complaint is dubious, it is plausible that such a complaint might have initiated a wider political backlash, or even have rendered the Senate or members within it pretext to carry out an already mooted pogrom. The presence of members of elite families among those affected might tell against a unanimous will to act before provoked however. The *senatus consultum de bacchanalibus* was issued, prohibiting the cult, its members, and their activities;²⁰⁶ the punishment was to be the death penalty.

Systems of mass killing in the Bacchanalian Affair

A commission was tasked with investigating the supposed crimes. The numbers involved in the repression were evidently immense. At Rome, some seven thousand were supposed to have been killed as a result. As with any kind of witch-hunt, metaphorical or literal, the repression grew as more were arrested and ever more names named. Exculpation was granted only in exceptional circumstances in consequence of application for special permission. By all signs, the suppression through juridical mass killing

²⁰⁵ Liv., 39.12-13; Juv., *Scholia Vetera on Juvenal*, 2.3; referred to as the *Semele Stimulaene* in Ov., *Fast.*, 6.503, 13, and *CIL*, VI 503.

²⁰⁶ *CIL*, I² 581.

seems to have been successful. Although orgiastic cults would survive in the Italian peninsula, the Bacchanalian cult seems to have been effectively exterminated. This reaction was at variance with previous suppressions of *superstitio*, such as that of 213 BCE, which were largely handled through non-violent state coercion.²⁰⁷

As with Galba's massacre of the Lusitanians, the killing of the Bacchanalian Affair was systematic in nature. However, whereas the Lusitanian massacre was illicit, the Bacchanalian Affair used the pre-existing mechanisms of state jurisprudence and magisterial *imperium* to bring about the repression of the Bacchantes in Rome and Italy. In parallel to representation of self-annihilation in Spanish cities discussed above, the progression of executions in part relied on the patriarchal structure of the *pater familias*. Condemned women were, where possible, turned over to their male relatives to execute their sentences, relying on pre-existing quasi-legal and customary structures of paternal authority.²⁰⁸ The Affair also parallels expulsions of Greeks or practitioners of stereotypically Greek occupations from the city of Rome on the grounds of their supposedly corrupting influence, and possibly persecutions of Christians because of the perceived threat that they posed by their rejection of Roman *religio*, and therefore the Roman *mos maiorum* and social order.²⁰⁹ The patriarchal arrangement of the Roman family was employed to effect the scale of the application of the death penalty demanded by the organs of the Roman state. *Patres familias* were co-opted into being state agents as part of their duties as possessors of *patria potestas*. No doubt legendary tales of Romans who killed their children out of principle, often for transgressive acts, served their function of cultural role modelling.²¹⁰

²⁰⁷ Liv., 25.1.6.

²⁰⁸ Liv., 39.18.6. Nippel 1995, 31–32 draws a connection between paternal authority in the Bacchanalian Affair and the congruence of military or political discipline and paternal authority.

²⁰⁹ Cic., *Brut.*, 109; Cic., *Off.*, 3.47; Lucil., 1017; Plin., *Nat.*, 29.16; Husband 1916.

²¹⁰ Feeny 2011, 210.

Intentions of the Bacchanalian Affair

The reasons for the Bacchanalian Affair are uncertain. Most likely it represented a peak of hysteria about the influence of foreign cults as a vector for corruption. Their lack of interest in pursuing other similar orgiastic cults suggests that some confluence of factors meant that the Senate for some reason developed a consensus that the Bacchanalia were uniquely threatening. Crucially, the Bacchanalia were couched in terms of a conspiracy against the state in a way that other orgiastic mystery cults did not come to be; the Senate and Rome's magistrates had historical experience with both having to deal with such conspiracies or revolts, as well as with using fears or accusations of conspiracy to an end in repressing opposing individuals or groups.²¹¹ Certainly, the Bacchanalian Affair represented a shift in the outward display of confidence of the Senate in treating the peoples and municipalities of the Italian peninsula as within the remit of Roman moral and social control.²¹²

The only criterion for condemnation was participation in the cult rather than ethnicity, nationality, citizenship, and so forth. Construed as a conspiracy against the state, it was perhaps prompted more by a fear of 'parallel structures' that threatened state control. Whether we should therefore deem it an instance of genocide is questionable. To consider it through the prism of modern interstate, normative law throws up questions as to whether to consider the Bacchanalian Affair a repression of a political or religious group. Under the UNGC the former would not be genocide per se but the latter might be. This sort of hair splitting is, however, neither desirable or necessary for the conclusions about the Middle Republic and genocide that the Bacchanalian Affair engendered. It provides a genocidal blueprint, showing that the Roman state had, by 186 BCE, the reach, power, will, and bureaucratic means by which to intentionally effect the near-total

²¹¹ Pagán 2013, 50–87.

²¹² Gruen 1990, chap. 2, sees this as the primary purpose of the Affair, and 'seeks to establish that the inquisition aimed less at rooting out any real or perceived evil than at asserting the collective ascendancy of the Roman Senate and at disassociating state policy from the more insidious effects of Hellenism', p.2.

destruction of an identified group through the means of mass killing. That the Romans did not replicate this model of persecutory and genocidal extirpation again in this period is telling. Having the means to carry out such pogroms, the Romans chose not to replicate it. This suggests that the Romans were not interested per se in a model of purity. Concerns about the corrupting influence of foreign contact were pervasive throughout Roman history as we know it, yet it took additional concerns, chiefly fear of conspiracy against the Roman state and its hegemony, to prompt the extra-ordinary carnage of 186 BCE.

Weapons of mass destruction

Killing requires tools. The choice of weapons by which mass killings were carried out by the Romans were based on pragmatism and expediency, but also on symbolism. Naturally, genocidally minded Romans had no nuclear, chemical, or biological means of mass killing. They could not create the death camps of Nazi Germany, by which millions of humans could be processed through gas chambers, even had they wanted to. However, genocide need not require such technology. The origin of the term 'weapons of mass destruction' has been traced by the *Oxford English Dictionary* to the Archbishop of Canterbury's 1937 Christmas broadcast, republished in *The Times*, where it was used about the aerial bombardment of Guernica.²¹³ The development of high explosives and of small arms into their modern highly effective, highly available forms has been crucial in amplifying the killing power of the various types of agents of mass killing. The lessons of Rwanda, where much of the killing was perpetrated by machete and other peasant tools, serve as a reminder that not even this level of ordinance is required for genocidal mass killing to be effected if other means and the intention exist.

²¹³ *The Times* 1937.

Roman methods of killing were dependant on the scenario: the perpetrator, the context, the victim, and the time. For example, after defeating Carthage, Scipio the Elder punished Latin deserters with beheading by axe (*securi percussit*) while Roman ones were crucified.²¹⁴ Crucifixion was in general reserved for the punishment of slaves and deserters in the Middle Republic. Yet in the days before the Servile Wars, that is before 135 BCE, crucifixion had not yet seen widespread usage against whole groups, instead being the preserve of individuals for specific crimes.²¹⁵ The inherent spectacularity of crucifixion is likely to be associated with its role as a deterrent rather than as a practical method of extirpation.

The regular method of execution was by beheading, typically after the victim had been scourged.²¹⁶ This set of practices was enmeshed with ritual and symbolic significance. It was not for nothing that the symbols of magisterial power in the Republic were the fasces, the bound rods and axe carried by their lictors. Although by the Middle Republic execution was no longer a direct form of sacrifice for the Romans, it retained a definitive sacrality.²¹⁷ This method of killing was on occasion used en masse, but was not characteristically employed for wholesale killing. The axe was not a combat weapon for the Romans. The larger groups killed by beheading were typically rebel elite *socii* who had taken up prominent partisan positions and were condemned by whichever magistrate with *imperium* had either captured their town or received its surrender. This use of killing was necessarily intended, even when encompassing hundreds of persons, to restrict violence to the so-called anti-Roman ringleaders, and was used to further Roman political aims while preventing wider violence being levelled against the broader populace. It was therefore by and large antithetical to genocidal uses, and intended not to destroy out-groups. The closest that

²¹⁴ Val. Max., 2.12.

²¹⁵ The issue of the destruction of slave groups in the Servile Wars would also open up an interesting set of questions as to whether this counted as a victim group that would meet the common criteria for genocide, or whether it would be mired in the same hermeneutical issues as the destruction of twentieth-century political groups.

²¹⁶ Nippel 1995, 5–7.

²¹⁷ Rüpke 1992, 64–65; Kyle 1998, 40–41.

normal execution came to such group destruction was in the Bacchanalian Affair, which utilised Roman legal and customary frameworks to carry out a socio-political purge of a religious in-group. The Bacchanalian Affair was the closest that the Romans of the Middle Republic came to carrying out a pogrom, and was entirely characterised by judicial and quasi-judicial ways of killing. There is little evidence of spontaneous mob-instigated killing of whole groups in this temporal context beyond those killings targeted at specific individuals.²¹⁸

It was the sword that was the dominant weapon of mass destruction for the Romans. By the time Polybius was writing, the *gladius hispaniensis*—the Spanish sword—had won out as the weapon of choice for the armies of the Republic, having been adopted from military interactions in Spain.²¹⁹ It had a reputation not just for its high-quality design and suitability for Roman manipular and cohortal modes of combat,²²⁰ but also for the terror that could be spread upon witnessing the aftermath of the *gladius's* devastating brutality. We have seen above Polybius' comments about Carthago Nova, that often the spectacle of people and dogs cut in two, and animals dismembered, could be seen in captured towns, and that he thought this was to inspire terror.²²¹ Livy describes the effect that such butchery could have on potential enemies:

Philip's men had been accustomed to fighting with Greeks and Illyrians and had only seen wounds inflicted by javelins and arrows and in rare instances by lances. But when they saw bodies dismembered with the Spanish sword, arms cut off from the shoulder, heads struck off from the trunk, bowels exposed and other horrible wounds, they recognised the style of weapon and the kind of man against whom they

²¹⁸ The interring alive of Vestal Virgins and of Gallic and Greek men and women has been interpreted as a vestigial practice of human sacrifice from early Rome, but their significance remains obscure. For which see Nippel 1995, 39 ff.

²¹⁹ S. James 2011; Campbell and Tritle 2013, 423–24; cf. bibliographic commentary in Garland and Dillon 2005, 245.

²²⁰ Veg., 1.12; Polyb., 6.23.6-7.

²²¹ Polyb., 10.15.4-6.

had to fight, and a shudder of horror ran through the ranks.²²²

W.V. Harris rightly observed that the ‘*quosque viros*’ in this passage implied that this was not just a commentary about the weapons of the Romans; the effectiveness of the Roman soldier and their weapons were congruent.²²³ Swords and daggers were the weapons most used to effect mass killing in the Middle Republic. A large body of soldiers were trained in their use and had possession of them, unlike for example the executioner’s axe. What is more, the Romans were most likely to kill wholesale when storming densely populated urban centres, actions which were the preserve of the sword-armed soldier.

Conclusions

We have seen that the Romans carried out mass killings, and that these either intentionally or knowingly destroyed their victim groups. These practices were not unrestrained however, and the Romans did not routinely seek to kill every member of an opponent group. Such killing seems to have been systemic rather than systematic. Mass killing was generally constrained to the duration of the storming of urban centres, a scenario in which violence would be unleashed against the general population. Once the urban centre was secured, by and large the killing stopped. Before that, it might be either indiscriminate or it might target subsets of people, typically adult males. The genocidal effects of Roman assaults were therefore by-products of a mode of war that directed violence against urban centres as centres of political and military control. This custom constituted a norm of war. Those mass killings that fell outside this norm—killing rural dwellers, or killing in cold blood after the moment of the sack—risked censure and

²²² Liv., 31.34.4-5: *nam qui hastis sagittisque et rara lanceis facta vulnera vidissent, cum Graecis Illyriisque pugnare adsueti, postquam gladio Hispaniensi detruncata corpora, brachiis cum humero abscisis, aut tota cervice desecta divisa a corpore capita patentiaque viscera et foeditatem aliam vulnerum viderunt, adversus quae tela quosque viros pugnandum foret, pavidi vulgo cernebant. Ipsum quoque regem terror cepit nondum iusto proelio cum Romanis congressum.*

²²³ W. V. Harris [1979] 2006, 52; contra Toynbee 1965, ii. 438.

possible restitution. This possibility is explored further in chapter six. The closest that the mid-Republican Romans came to a systematic pogrom was the killing pursuant to the Bacchanalian Affair, which was embedded within the judicial processes of dealing with conspiracies against the Roman state. It shows a capability for systematic mass killing of groups that the Romans did not replicate again. Although the Romans possessed the means to kill en masse, asymmetric military power over potential victims, and the opportunity to carry out killing, they often abstained from or restricted this behaviour. Generally, when they did use mass killing, it was motivated by several factors and under circumstances that legitimated such carnage.

Of the motivations for genocidal mass killing, strategic aims were important. Killing ensured the most rapid overwhelming of potentially dangerous scenarios, providing the best amelioration of the hazards of urban assault and street-to-street fighting. Siege warfare could be extremely perilous to the besieger, especially in the presence of the sophisticated defensive architecture that had been developed by many Mediterranean cities in response to Hellenistic siege techniques.²²⁴ This possibly encouraged the mid-Republican prominence of the *corona muralis* which, among other decorations, not only prompted great competition between elites as a sure route to high renown (and therefore the highest offices) but may have also been intended to incite Roman soldiers to even attempt to assault the enemy walls at all.²²⁵ Mass killing was also strategically terroristic, shocking and demoralising current or potential enemies into submission. Such killing was intended to operate as a symbolic deterrent to other groups locally and further afield, working as a tool of international relations. The Romans found success with it at Iliturgi in Spain and at Agrigentum in Sicily, both incidents bringing other communities in their regions into the Roman fold out of fear.

²²⁴ Gilliver [2001] 2005, 130.

²²⁵ Rosenstein 2011, 134–35; Gilliver [2001] 2005, 141,144.

One of the pieces of evidence often adduced as a motivator of Roman militaristic bellicosity, and especially in favour of excess bloodletting, is the so called *de iure triumphi* or triumphal laws, recorded by Valerius Maximus who states:

It was enacted by law that no one should triumph who had not killed five thousand of the enemy in a single engagement. For our ancestors held that the dignity of our city would be heightened not by the number of triumphs but by their glory.²²⁶

While it might commonly be assumed that this stipulation would lead to a pressure to increase the number of victims being killed, or to an over-reporting of those who had been, there is little evidence that this criterion was present in the era of the Middle Republic.²²⁷ Valerius Maximus cites the claiming of triumphs for trivial victories and the false reporting of enemies killed as necessitating the legislation, which is to say the violence before the law was overstated. What is more, his evidence dates to the changed political system of the Principate, and attests that the law ‘was propped up by another law’ ascribed to L. Marius and M. Cato, which can be dated to 62 BCE.²²⁸ Not only is there no positive evidence for it the Middle Republic period, but there are counter examples—such as M. Fulvius’ demand for a triumph in 187 BCE on grounds of having captured Ambracia during which 3,000 had died, or the double triumph over the Ligurian Apuani granted without battle to P. Cornelius Cethegus and M. Baebius Tamphilus in 181 BCE.²²⁹ Middle Republican politics featured much jockeying, bargaining and politicking in order to gain the honour of holding a triumph within the city, which suggests a much more fluid and contestable situation rather than one governed by any ‘laws’ or explicit criteria.²³⁰

²²⁶ Val. Max., 2.8.1: *lege cautum est ne quis triumpharet nisi qui quinque milia hostium una acie cecidisset: non enim numero sed gloria triumphorum excelsius urbis nostrae futurum decus maiores existimabant.* Cf. Oros., 5.4.7.

²²⁷ Beard 2007, 209–12.

²²⁸ Val. Max., 2.8.1: *legis alterius adiutorio fulta est, quam L. Marius et M. Cato tribuni plebis tulerunt.*

²²⁹ Fulvius: Liv., 39.4-13; Pittenger 2008, 200–210. Cornelius and Baebius: Liv., 40.38.9.; the relevant lines of the *Fasti Triumphales* are missing, Degrassi 1954, 103.

²³⁰ Bastien 2007; Pittenger 2008; Östenberg 2009.

The Roman troops doing the killing needed motivation to do so too. That they were usually expected to kill in the heat of the moment, and not in cold blood, probably facilitated this behaviour. There seems to have been little ideological fervour to motivate them, no utopian vision requiring the elimination of othered groups. They do however seem to have been susceptible to the motivation of revenge, such as when there was difficult or recidivist warfare, or when a previously-accepted dedicant into Roman *fides* demonstrated unfaithfulness.²³¹ On a more personal level the opportunity to enrich themselves through pillaging seems to have been a large part of the reason for volunteering to serve in the army during much of the Middle Republic, and the opportunity to pillage a captured town represented a good source of income.²³² In relation to spheres of operation that became known for a lack of economic booty in recompense for the dangers hazarded, it could become difficult to recruit the required numbers of citizens to fill out the legions.²³³ Chaotic scenes of rape and rapine went together with mass killing, as inhabitants were killed protecting their loved ones or property, or were tortured in the hope that they might reveal hidden loot.

However, the assumption that Roman soldiers were solely, or indeed uniquely, bloodthirsty should be resisted. Ameliorating any potential blood guilt was important to those whose role it was to do the dirty work of killing. There was clearly a hierarchy of permissibility in relationship to killing. Jörg Rüpke derived a set of plausible principles, chiefly from literary representations of the Horatii and Curiatii, that killing was broadly speaking unproblematic in war, was to be minimised between allied states but could be legitimate nonetheless, and that in war the commander should order the killing for it to be legitimate.²³⁴ Unrestricted killing was not the absolute purview of the Roman legionary, but was contextually dependent. The devolution of the legitimacy of killing stemmed from the possessing of *imperium*, which was contextually dependent also. A commander with

²³¹ See Fein 1984 on retributive genocide.

²³² Examples abound, see Liv., 2.25.5 (possibly a doublet for 2.17.6); Liv., 43.1.9.

²³³ Astin [1989] 2003, 8:194–95.

²³⁴ Rüpke 1992.

imperium could find it challenged if accusations that he acted outside of his remit were levelled by political opponents. Thus, licit mass killing had to be within the legitimate chain of command of the Roman military state-structure. Even within the legitimate command structure, textual glimpses of purificatory, possibly even expiatory, rites indicate that blood guilt and the corrupting influence of killing was taken seriously. We know that in Greek contexts rituals for purifying blood guilt were elaborated, with various actions designed to forestall different consequences.²³⁵ Roman analogues are less well known, but even the army celebrating a triumph, the apogee of legitimate killing in service of the Roman state, entered Rome following the purificatory rites of the *lustrum* to absolve them of any corruption. Indeed, from one point of view, the triumph may represent an elaborated purificatory rite as well as being the unsurpassable state spectacle of the Middle Republic.²³⁶ There were likely many other ways in which the potential damage of blood guilt was mitigated in this period of which we are no longer cognisant. The conclusion must be however that the Romans were mindful of the potential negative effects of their own violence to those carrying it out, and that having embedded this awareness into their *religio* they were concerned about not unleashing unrestricted state violence *per se*.

Although such cases of genocidal agency are likely representative of further atrocities of which no attestation survives, in general Roman expansion was accompanied by fewer instances of murderous clearance and mass killing than the history of the colonialism and imperialism of the past few centuries of the modern era might predispose us to assume. Nonetheless, the expansion of their hegemony and empire was accompanied by genocidal uses of mass killing that destroyed victim groups.

²³⁵ Green 1997, 322 comm. on Ap. Rhod., Argon., 705-717, including references to other Greek examples.

²³⁶ Warren 1970, 49; Holliday 2002, 22–23; cp. Beard 2007, 92, 246.

'Genocide' and Rome, 343-146 BCE

Table 1. Incidents of Roman mass killing of groups, 343-146 BCE

BCE	Victim	Quantity	Sources
314	Luceria	All	Liv., 9.26.2-3
314	Sora		Liv., 9.24.1-25, 31.13
313	Fregellae	200	Enn., <i>Ann.</i> , 168-169; Diod. Sic., 19.101.1-3; Liv., 9.28.2-3, 31.13
311	Cluvia	Adult males	Liv., 9.31.3
296	Cimetra	830	Liv., 10.15.6
293	Velia, Palumbinum & Herculaneum	>5,000 killed or captured	Liv., 10.45.11
284	Senones	Adult males	App., <i>Sam.</i> , 13; App., <i>Gallica</i> , 9; Liv., <i>Per.</i> , 12; Oros., <i>Hist.</i> , 3.22.12-15; Polyb., 2.19.11
265	Volsinii	Servile class	Flor., 16.1; Liv., <i>Per.</i> , 16; Plin., <i>Nat.</i> , 31.31; Zonar., 8.7
258	Myttistratum		Diod. Sic., 23. 9. 4; Zonar., 8.11; Polyb., 9.10.11
254	Panormus		Diod. Sic., 23.18.5; Polyb., 1.38.9-10; Zonar., 8.14; Flor., 1.18.12; [Aur. Vict.], <i>De vir. ill.</i> , 39.2; Sen., <i>Ep.</i> , 114.17; Cic., <i>Rep.</i> , 1.1
252	Lipara	All	Zonar., 8.14
229	Illyrians		Flor., 1.21.4
213	Henna		<i>CIL</i> , VI 1281; Front., <i>Strat.</i> , 4. 7. 22; Liv., 24.39.4-6; Polyæn., <i>Strat.</i> , 8.21
212	Syracuse		Diod. Sic., 26.20.1-2; Liv., 25.28.1-31.15, 26.31-32, 31.31; Cic., <i>Ver.</i> , 2.4.120; Val. Max., 5.1.4, 8.7; Plin., <i>Nat.</i> , 7.125; Sil., 14.627-683; Flor., 1.22.33-34; Plut., <i>Mor.</i> , 19.7-12, 21.1-7; Zonar., 9.5; Cass. Dio, 15.5 Liv., 24.20
212	Telesia, Compsa, Fugifulae, Orbitanium, Blandae, Aecae	25000 killed or captured	
210	Agrigentum	All	Eutr., 3. 14; Liv., 26.40.13; Oros., 4.18.2; Zonar., 9.7
209	Carthago Nova		App., <i>Hisp.</i> , 23; Cass. Dio, 16.57.42; Diod. Sic., 26.21.1; Eutr., 3.15; Flor., 1.22.37-40; Liv., 26.49f; Polyb., 10.17.6; 19.8; Oros., 4.18.1; Zonar., 9.8
207	Orongis		Liv., 28.4.4; Zonar., 9.8
206	Illiturgi / Ilurgia	All	Liv., 28.19.1-23.5; Val. Max., 9.11 ext.1; Sil., 16.277-591; App., <i>Hisp.</i> , 32-33; Eutr., 3.16.2; Jer., <i>Ab Abr.</i> , 1813; Zonar., 9.10
200	Antipatrea	All	Liv., 31.27.4
200	Chalcis	All	Liv., 31.23
177	Histriian towns. Nesactium, Mutila, Faveria		Liv., 41.11.8
173	Carystus	10000	Liv., 42.7.8-9; Cic., <i>Off.</i> , 1.36; Liv., 42.7.1-9.6, 10.9, 21.6-7, 45.15.10
171	Haliartus		Liv., 42.63.11; Strabo, 9.411
151	Cauca	All	App., <i>Hisp.</i> , 52
150	Lusitanians	All	App., <i>Hisp.</i> , 59
146	Corinth	Adult males	Oros., <i>Hist.</i> , 5.3.5; Zonar., 9.31; Paus., 5.10.5, 7.16.7-8; Flor.,

146	Carthage	Majority	1.32.5; Oros., <i>Hist.</i> , 5.3.5; Festus, <i>Breviarium</i> , 7.2 App., <i>Pun.</i> , 127-133; Oros., <i>Hist.</i> , 4.23.2-6; Zonar., 9.30-31; Flor., 1.31; Polyb., 39.8.6; Cic., <i>Leg. agr.</i> , 2.51; Diod. Sic., 32.4; Liv., <i>Per.</i> , 51; Liv., <i>Epit. Oxyrh.</i> , 51.137-39; Vell. Pat., 1.12.5; Val. Max., 1.1.18; Dig., 7.4.21; Jer., <i>Ab Abr.</i> , 18.71
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Chapter Three

Mass enslavement

Introduction

The enslavement of massive numbers of people was a prime way in which the Romans of the Middle Republic committed genocide. The relationship of enslavement to genocide has been relatively neglected. Where slavery usually enters the literature on genocide, it is usually in relation to sexual slavery and systematised programmes of wartime rape.²³⁷ Recent outrages by Islamic State in the Levant, for example, have been identified as probably constituting the crime of genocide, in part on the basis of their systematic use of sexual slavery, and the use of ‘rape camps’ for ethnic cleansing in Bosnia has been well documented.²³⁸ Roman slaves, male and female, were indeed vulnerable to sexual exploitation, either during the moment of their enslavement or during their subsequent servitude, but the Roman genocidal use of mass enslavement went far further.²³⁹ There has been some scholarly recognition of the wider, contemporary role of enslavement as a method of community destruction.²⁴⁰

²³⁷ Bloxham and Moses 2010, 71–74, 245; Stone 2008, 526, 529–30; Baaz and Stern 2009; Snyder et al. 2006; Gottschall 2004; Card 2008; Card 1996; Card 1997; Diken and Laustsen 2005; Sjoberg 2011; Miller 2009; B. Allen 1996 is considered something of an urtext on this subject; but see also Seifert 1994; on war-rape and sexual servitude in ancient contexts, see: Gaca 2011b; Gaca 2014; Gaca 2016; Vikman 2005.

²³⁸ ISIL/ISIS: Kennedy 2017; Ahram 2015; United Nations High Commissioner for Human Rights and Office of the high Commissioner and the Secretary-General 2015; Bosnia: B. Allen 1996; Faber and Stiglmayer 1994; Kozaric-Kovacic et al. 1995.

²³⁹ Polyb., 10.18, 9.3-5, for example, suggests that the rape of inhabitants during the sacking of cities was normal.

²⁴⁰ Gauthier 2009; Saunders and Mantilla 2002; Aidi 2005; Edelman 1998; Meron 1986; Biondi 2007; Gonzalez-Calvo 2000; Drescher 1999; Docker 2004; Jennings 2011; Scherrer 1999; A. Jones 2010, chap. 1.

There have furthermore been some, usually cursory, considerations of genocidal enslavement in antiquity, of which a few are notable. Chalk and Jonassohn considered it as part of their paradigm of comparative-genocide analysis, but did not expound on their ideas.²⁴¹ Adam Jones, in his wide ranging *Genocide: A Comprehensive Introduction*, briefly discusses the genocidal enslavement of out-group women in the *Odyssey* and in Thucydides' Melian Dialogue.²⁴² Conversely, Ben Kiernan, arguing for an agrarian-genocidal ideological model for the Spartans, ignores the issue of slavery and its connection to the Helots.²⁴³ Finally, Hans van Wees pinpoints the usefulness and relevance of slavery to understanding ancient modes of genocide, noting that it resulted in the 'complete dispersal of a community' and that the 'irrevocable destruction of a group in this way could be counted as a form of genocide, even if few were killed'.²⁴⁴ Considering how deeply embedded the institution of Roman slavery was—whether or not it should be considered a 'slave society' or 'slave state'²⁴⁵—the use of mass enslavement against other groups made it one of their prime methods of genocide.

Social death

The effects of enslavement must indeed have been profoundly devastating to the individual. Anxiety over the possibility of being reduced from liberty to enslavement was a legitimate fear, present from Plautus' plays through to Principate-era jurists.²⁴⁶ As well as the deprivation of liberty and autonomy, physical controls, and vulnerability to physical and sexual violence, being enslaved meant the complete loss of former identity.²⁴⁷ The enslaved could be renamed arbitrarily by their new masters, whose household religion they

²⁴¹ Chalk and Jonassohn 1990, 33.

²⁴² A. Jones 2010, 464.

²⁴³ Kiernan 2009, 45–49.

²⁴⁴ van Wees 2010, 245–46.

²⁴⁵ Scheidel 2011; Stewart 2012; Influential is Finley 1973, 71; Finley 1980, 86; Followed by Hopkins 1978, 99ff.; K. Bradley 1987, 1; Garnsey 1996, 2–3; Finley's terminology is slightly updated but definition largely followed in Dal Lago and Katsari 2008; See Alston 2011, 3–11.

²⁴⁶ Plaut., *Rud.*, 215-8; Isodore of Seville, *Definitions*, 5.27.

²⁴⁷ F. H. Thompson 2003, 217–44; Stewart 2012, chap. 2 and bibliography in p.80, n. 3.

were expected henceforth to observe.²⁴⁸ At Rome, manumission was supposedly common, and achievable after a term of six-years' service, although this might vary considerably in practice.²⁴⁹ The best chance for the restoration of a group under enslavement was for them to be sold at markets near to their home and ransomed. For most, however, there was a slim chance that they could re-join their native group, if it still existed, upon eventually gaining freedom, but resocialisation while enslaved and probable physical and psychological alienation from their homeland made this unlikely. Formally, those at Rome who were later manumitted did not re-join their natural group, but entered a new category of the *libertini*.²⁵⁰ The process by which a slave would be 'violently uprooted from his milieu [...] desocialized and depersonalized' has been aptly labelled 'social death' by Orlando Patterson.²⁵¹ The link between social death and the genocide of the community has been noted by Claudia Card, but has received insufficient wider appreciation.²⁵² From the point of the originating community, the symbolic death that the enslaved underwent was in real terms the same as if they were killed. When this was done en masse either to entire groups, or large segments of them, enslavement was genocidal.

Patterns of mass enslavement

Data-led approaches

Interest in the demographics of slavery has long meant that the subject has been more metric-led than most areas of Classical history. It is therefore

²⁴⁸ Strabo, 7.3.12; Varro, *Ling.*, 8.9.

²⁴⁹ Cic., *Phil.*, 8.32; there are good reasons to doubt Cicero on this however: Hunt 2017, 119; Scheidel 1999 is sceptical of high rates of manumission.

²⁵⁰ Freedpersons were socialised such that they were prevented from developing a class consciousness of themselves as *libertini*, K. Bradley 1987; cp. Alston 2011, 2–7.

²⁵¹ O. Patterson 1985, 38 ff.

²⁵² Card 2003.

useful to compare the best available data on mid-republican slavery with that on genocidal mass enslavement.

The below Table 2 presents the figures compiled by Walter Scheidel for enslavements between 297-167 BCE.²⁵³ While not comprehensive for the current period of study, they cover most of it. Scheidel follows both the chronological divisions and the calculations of Karl-Wilhelm Welwei for the Third Samnite War and first two Punic Wars, and of Adam Ziólkowski for the period 201-167 BCE.²⁵⁴ These calculations are by nature based on highly partial information, subject to vagaries of bias and of survival, and Welwei was himself deeply sceptical about the veracity of the numbers enslaved pre-202 BCE contained in his own work, seeing them as the inventions of the annalists.²⁵⁵

Table 2. Reported enslavements of war captives, 297-167 BCE (from Scheidel 2011, 295, table 14.3)

Period	# of enslaved
Third Samnite War (297-290 BC)	58,000-77,000
First Punic War (264-241 BC)	107,000-133,000
Gallic War (225-222 BC)	32,000
Second Punic War (218-202 BC)	172,000-186,000
Various wars (201-168 BC)	153,000
Sack of Epirus (167 BC)	150,000
Total	672,000-731,000

To provide comparative data, like-for-like figures for genocidal mass enslavements were recalculated but eliminating, as previously discussed, those enslavements resulting from battlefield engagements. These numbers are provided in Table 3 below.²⁵⁶ The numbers that result are very different in quantity and distribution. The difference between the two sets of data, and the variation in difference, is charted in Figure 1.

²⁵³ Scheidel 2011, 295, table 14.3.

²⁵⁴ Welwei 2000, 159–60; Ziólkowski 1986, 74–75; cp. Volkmann 1990, 113.

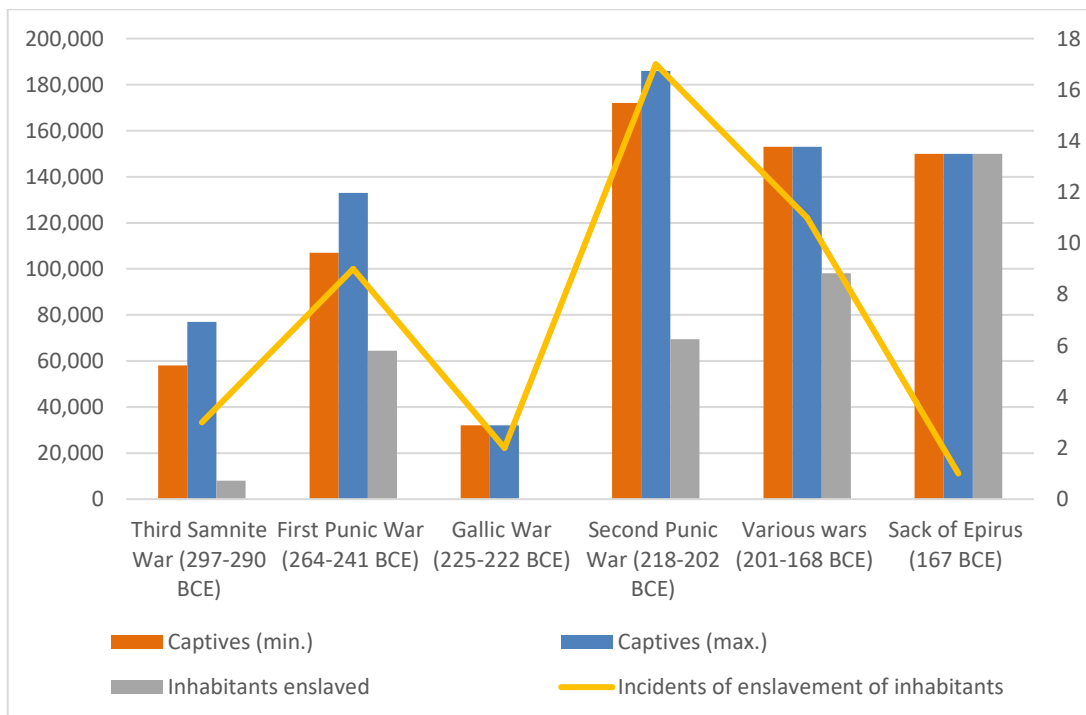
²⁵⁵ cf. Stewart 2012, 5 n.19.

²⁵⁶ For sources, see Table 4 below.

Table 3. Reported enslavements excluding battle captives, 297-167 BCE

Period	# of enslaved
Third Samnite War (297-290 BC)	5,000?
First Punic War (264-241 BC)	61,500
Gallic War (225-222 BC)	1,000
Second Punic War (218-202 BC)	62,000
Various wars (201-168 BC)	97,500
Sack of Epirus (167 BC)	150,000
Total	377,000

Figure 1. Chart comparing maximum and minimum reported enslavements of war captives (from Scheidel 2011) with reported enslavements excluding battle captives, 297-167 BCE



The proportion of those enslaved in a genocidal manner seems to have been greater in the First Punic War, the various wars of 201-168 BCE and the so-called sack of Epirus in 167 BCE. The line of incidence—which shows the number of genocidal, non-battlefield mass enslavements recorded for each period—gives a further idea of the distribution. Thus, for example, the Second Punic War has a relatively low total of enslaved for the number of incidents of enslavement, indicating many incidents with a low or unrecorded

yield each, whereas 167 BCE is shown as an outlier in having a high total but extremely low incidence value of one. Due to the apparent existence of periodic trends in the data, and the data-driven approach of research into Roman Republic slavery, I examine the incidents of mass enslavement using the same periods, before examining the difference between enslavements that complemented other forms of community destruction and those that destroyed communities wholesale.

Samnite Wars, 343-290 BCE

Figure 1 suggests a large difference between the total numbers enslaved and the number of people subjected to genocidal mass enslavement during the Third Samnite War. This trend holds for the entire period of the Samnite Wars, starting in 343 BCE. In these years, there are only four sites of mass enslavement that seem genocidal as opposed to battlefield-related: Silvium in 305 BCE; and Velia, Palumbinum and Herculaneum in 293 BCE. These mass enslavements were characteristically smaller in scale, and less secure in their attestation than later mass enslavements. The enslavement, for example, of 5,000 at Silvium, an Apulian city, is only attested by Diodorus Siculus.²⁵⁷ It is not precisely clear who it was that was enslaved. The town was garrisoned by the Samnites. It may have been they who were enslaved, not the wider group of the inhabitants of the town, although the storming and sacking of the city suggest the latter.

Likewise, the evidence for the enslavement during the antepenultimate year of the Samnite Wars of people from Velia, Palumbinum, and Herculaneum is scant; Livy tells us that after a short siege of each by consul Spurius Carvilius Maximus, they were stormed and captured, and that 'in these three cities the captured and the dead came to 10,000 people, such that those seized were a slim majority of the total'.²⁵⁸ Therefore, a little over

²⁵⁷ Diod. Sic., 20.80.2.

²⁵⁸ Liv., 10.45.9-11; quote: 10.45.11: *in his tribus urbibus capta aut caesa ad decem milia hominum, ita ut paruo admodum plures caperentur.*

5,000 people were probably enslaved, but according to what proportions of the three settlements is impossible to say. In the same year, the other consul, L. Papirius Cursor, attacked the Samnite city of Saepinum, which he captured by storm along with 3,000 people.²⁵⁹ Livy is however vague in these passages, referring to capture and not specifically enslavement, deepening our uncertainty and possibly referring to prisoners of war instead. Our poor knowledge of these events is further confounded by the probability that the Velia and Herculaneum in question are distinct from the well-known settlements with which they share their names and are otherwise unattested, and that Palumbinum is otherwise unknown.²⁶⁰ Spurius Carvilius, was the first of the Plebeian *gens Carvillii* to attain the consulship and to appear on the *Fasti Triumphales*, and his memory was well storied into Pliny's day.²⁶¹ The possibility that Livy consulted their family records and those of the ancient *gens Papiria*, or that Fabius Pictor contained further details, hints at a potential underlying reliability, but does not permit much further analysis.

Beyond issues with the evidence, the paucity of genocidal mass enslavements in this period reflects different mentalities towards war and destruction among the Romans, and a different interstate context than later in our period. The settlement patterns of the Samnites were not conducive to the capture of large numbers of inhabitants, being primarily characterised by low urbanisation and a high-density network of defensive hillforts.²⁶² Moreover, the low use of mass enslavement to destroy communities supports the idea that the so-called 'Samnite Wars' are an anachronistic convention, and that these conflicts were more akin to a series of raids and one-off campaigns, and show little coordinated and long-term strategic planning, at least until near their conclusion.²⁶³ This reduced the Romans' resource commitment, necessary to pursue sieges and deport masses of

²⁵⁹ Liv., 10.45.12-14.

²⁶⁰ Purcell et al. 2015; Oakley 2005, 4:384–86, 388, 440; Purcell et al. 2016.

²⁶¹ Plin., *Nat.*, 34.18; Degrassi 1954, 97, 98.

²⁶² Oakley 1995.

²⁶³ Cornell 2004.

people, the consequent logistical ability and warcraft necessary to effect these outcomes,²⁶⁴ as well as the imperial mentality that enabled their envisaging.

First Punic War, 264-241 BCE

This trend continued for the period between the end of the Samnite Wars and the commencement of the First Punic War. The Pyrrhic War in the South necessitated major military resources, but produced little genocidal enslavement. Fighting the invading army did not require the waging of war against population groups and captives were of the military kind. To the North, Rome was involved in a series of campaigns fought against tribes of the Cisalpine Gauls in Northern Italy.²⁶⁵ Comprised of annual raiding campaigns with little evident overarching strategy, there is little recorded in the way of mass enslavement that could be classed as genocidal. The Roman assault led by Publius Cornelius Dolabella against the Gallic Senones tribe in 284 BCE, resulted in the enslavement of the women and children, while the adult males were killed, at least according to the late evidence of Appian.²⁶⁶ If he was reliable in this, the exception might be due to the Roman desire for revenge for the murder of Roman ambassadors by the Senones.²⁶⁷ Otherwise, the historian may have been influenced by stock representations of the killing of young adult males and the enslavement of the survivors among conquered populations.

With the onset of the First Punic War, as the data tables and chart presented above shows, there seems to have been a major increase in the scale and incidence of genocidal mass enslavement. This reflects a real-world change in the way that the Romans were engaging with other peoples, as well as a coincidental rise in Latin historical epic poetry, with Naevius and

²⁶⁴ Levithan 2013, 82–85.

²⁶⁵ Oakley 1997, 1:360–61.

²⁶⁶ App., *Gallica*, 13; App., *Sam.*, 13; cp. Polyb., 2.19.10-11.

²⁶⁷ Polyb., 2.19.9; App., *Gallica*, 13; App., *Sam.*, 13; Oros., *Hist.*, 3.22.12-13; August., *De civ. D.*, 3.17.

Ennius, and Roman history writing, especially the influential but now fragmentary works of Fabius Pictor, Claudius, Curtius Rufus, and Cato the Elder.²⁶⁸ What is more, developing on the *Lex Ovinia* of 312 BCE, the Senate was increasingly asserting authority over Roman policy, enabling imperial strategies that could look beyond the immediate. The clash of two republics with imperialist agendas were more likely to produce genocide, which is prevalent in periods of contraction and expansion of empire, and this was expressed in the increased use of mass enslavement.²⁶⁹ The scale of enslavement dramatically increased, starting with 25,000 people hauled off from Agrigentum in 261 BCE.²⁷⁰ They were probably a proportion of the freeborn citizens, but may have comprised the servile strata. Within just over half a decade, the inhabitants of the Siciliote cities of Mazara, Myttistratum, Camerina, and Panormus would similarly be subjected to mass enslavement following their violent capture by Roman armies.²⁷¹ The residents of Panormus seem to have been given opportunity to be ransomed, but 13,000 of them who could not afford their liberty were subsequently sold off.²⁷² This practice of locally ransoming the enslaved might have been more widespread than the scant references suggest, as it was common for prisoners of war. That would complicate the destructive effects of social death on communities.²⁷³ Each of these settlements had required multiple attempts at capture, and the mass enslavement of their populaces was inflicted to punish them and reassert Roman status.

The campaigns of the 250s BCE also provide us with rare attestations of enslavements of non-urban populations, as the Romans enslaved

²⁶⁸ Feldherr 2012, 3–4; Duff 2004, 64–65.

²⁶⁹ Delanty and Kumar 2006, 320–23.

²⁷⁰ Diod. Sic., 23.9.1; Oros., *Hist.*, 4.7.6; Polyb., 1.19.15; Zonar., 8.1.

²⁷¹ Mazara: Diod. Sic., 23.9.4; Myttistratum: Diod. Sic., 23.9.4; Zonar., 8.11; Polyb., 9.10.11; Camerina: Diod. Sic., 23.9.4; Polyb., 1.24.12; Val. Max., 6.5.1; Zonar., 8.12.

²⁷² Diod. Sic., 23.18.5; Polyb., 1.38.9-10; Zonar., 8.14; Flor., 1.18.12; [Aur. Vict.], *De vir. ill.*, 39.2; Sen., *Ep.*, 114.17; Cic., *Rep.*, 1.1.

²⁷³ D.Chr., 15.14-15; Macr., *Sat.*, 1.10.31; Stewart 2012, 55–58.

inhabitants of Corsica and Sardinia and of the countryside around Clupea.²⁷⁴ Many of the several thousand slaves from Corsica and Sardinia will have been captured from Olbia in Sardinia and from the Corsican capital Aleria, the capture of which L. Cornelius Scipio celebrated on his epitaph. Archaeological evidence suggests it was a thriving town until the Roman conquest, and so probably provided many of the slaves taken following its sack.²⁷⁵ Polybius says that 20,000 were taken from Clupea itself, whereas Eutropius and Orosius both give a figure of 27,000 as having been enslaved from its general region, probably derived from the same missing source. Orosius adds that '300, or more, strongholds' were plundered.²⁷⁶ This detail also survives in Florus and may suggest that the other two later historians got their information on this point from Livy.²⁷⁷ The capture of many small settlements and forts, might be added to Polybius' slaves from Clupea to make up the discrepancy.

Gallic War, 225-222 BCE

The subsequent Gallic War in Northern Italy saw a reversion to the mode of warfare that predominated before the war with Carthage. There was little evident imperial strategy, as opposed to reciprocal raids between the Boii and the Romans. Following the decisive Roman victory at Telamon, they seem to have turned their attention to more long-term imperial strategy in the cisalpine Gallic region.²⁷⁸ The result was the practical expulsion of the Gallic tribes but even when the major settlements of Acerrae and Mediolanum

²⁷⁴ Corsica and Sardinia: Eutr., 2.20; Flor., 1.18.15-16; Front., *Strat.*3.9.4, 10.2; Oros., *Hist.*, 4.7.11; Zonar., 8.12; Liv., *Per.*, 17.4; Sil., 6.670-72; Clupea: Polyb., 1.29.7; Oros., *Hist.*, 4.8.9; Eutr., 2.21.2.

²⁷⁵ Goudineau 1976.

²⁷⁶ Oros., *Hist.*, 4.8.8, trans. Fear: *inde Carthaginem petentes trecenta aut eo amplius castella populati sunt.*

²⁷⁷ Flor., 1.18.19.

²⁷⁸ Polyb., 2.31.7-9.

were captured by the Romans no genocidal mass enslavements were recorded.²⁷⁹

Second Punic War, 218-201 BCE

The Second Punic War brought an escalation in the Roman use of mass enslavement. Hannibal's invasion of Italy posed an existential threat to the Roman state, threatening to unravel the patchwork of alliances that formed their incipient empire and even to sack Rome itself.²⁸⁰ However, in the initial years of the Hannibalic War, the Romans were fighting among their own territories, and were therefore engaged in a mode of warfare predicated on battlefield engagements and Q. Fabius Maximus Cunctator's strategy of delayed confrontation. The three rebel towns of the Hirpini sacked in 215 BCE—Vercellium, Vescellium, and Sicilinum—probably produced a little over 5,000 slaves, although it may have been as low as 1,000 if an emendation of the fifth-century Puteanus manuscript of Livy is followed.²⁸¹ The inhabitants of Malta and Sardinia were subjected to enslavements, although the 2,000 and 1,500 people, respectively, taken likely posed little threat of destroying their communities.²⁸² Antinum, a Marsic city captured in 213 BCE was of some greater importance and correspondingly rendered over 7,000 slaves, but its continued existence after this suggests that this was not so great a number as to destroy the people or that it was subsequently resettled.²⁸³

However, the situation changed as the Romans went increasingly on the offensive on multiple fronts. In 212, the Turdetani in Spain were enslaved in their entirety, as well as the capture of Syracuse in Sicily producing

²⁷⁹ Polyb., 2.32.3-13; Oros., *Hist.*, 4.14-15; Zonar., 8.20.

²⁸⁰ Polyb., 9.5-7, 15.7; Liv., 26.9-11, 41.12, 30.30.17; Front., *Str.*, 3.18.1-2; Val. Max., 3.7.10; [Aur. Vict.], *De vir. ill.*, 42.6; Nep., 23.5.1; Eutr., 3.14.1; Oros., *Hist.*, 4.17.2-3; Zonar., 9.6; App., *Hann.*, 40-43; Flor., 1.22.42-44; Juv., 7.163-64.

²⁸¹ Liv., 23.37.13 and apparatus in the Loeb.

²⁸² Malta: Liv., 21.51.2; Sardinia: Eutr., 3.13; Flor., 1.22.35; Liv., 23. 41. 7.

²⁸³ Liv., 24.47.

slaves.²⁸⁴ That same year seven rebel settlements in the Samnium area, especially those associated with Caudium, were captured and some '25,000 of the enemy in these cities were captured or killed'.²⁸⁵ The ambiguity of this statement obscures any attempt to divine how many were enslaved, but it does make clear the connection between the killing and enslavement of inhabitants as typologies of community destruction. In the following year, the inhabitants of Locrian Anticyra in Greece were enslaved, in conjunction with the Aetolians.²⁸⁶ Polybius is unambiguous in saying that the women and children were enslaved, but probably only highlights them for rhetorical effect, and implied that all the inhabitants who had survived the Roman naval bombardment and surrendered were enslaved.

The coming of the last decade of the third century BCE saw a drastic escalation in genocidal enslavement. Aegina was taken in 210 BCE and enslaved.²⁸⁷ 5-8,000 were taken from North Africa, although it is difficult to tell the effects of this on its communities due to the vagueness of the reports.²⁸⁸ The city of Manduria was taken by force by Fabius in 209 BCE, as other peoples in Southern Italy offered their renewed *deditio* to Rome, and 3,000 enslaved.²⁸⁹ The sacking of Agrigentum in 210 BCE and Tarentum in 209 BCE dwarfed these however.²⁹⁰ Both were Greek cities of major influence in their regions, Agrigentum for its strategic position in Sicily and Tarentum for its pre-eminent harbour and its influence over the neighbouring Italian tribes. Both had renounced the *socii et amicitia* of Rome to side with Hannibal and the Carthaginians. Once they had captured them, through ruse and the complicity of partisans inside, the general populations of the

²⁸⁴ Turdetani: Liv., 24.42.11, 28.39.5; Zonar., 9.3; Syracuse: Diod. Sic., 26.20.1-2; Liv. 25.28.1-31.15, 26.31-32, 31.31; Cic., *Ver.*, 2.4.120; Val. Max., 5.1.4, 8.7; Plin., *Nat.*, 7.125; Sil., 14.627-683; Flor., 1.22.33-34; Plut., *Mor.*, 19.7-12, 21.1-7; Zonar., 9.5; Cass. Dio, 15.5.

²⁸⁵ Liv., 24.20: *millia hostium in his urbibus viginti quinque capta aut occisa.*

²⁸⁶ Polyb., 9.39.2; Liv., 26.26.3.

²⁸⁷ Polyb., 9.42.5.

²⁸⁸ Liv., 29.29.3; Oros., *Hist.*, 4.18.19; Zonar., 19.12.

²⁸⁹ Liv., 27.15.3. Madvig reads this as 4,000.

²⁹⁰ Agrigentum: Eutr., 3.14; Liv., 26.40.13; Oros., *Hist.*, 4.18.2; Zonar., 9.7; Tarentum: App., *Hann.*, 49; Cic., *Brut.*, 72; Diod. Sic., 26.21.1; Eutr., 3.16; Liv., 27.16.7; Oros., *Hist.*, 4.18.5-6; Plut., *Fab.*, 22.4; Plut., *Mor.*, 195f; Polyæn., *Strat.*, 8.14.3; Zonar., 9.

captured cities were subjected to enslavement en masse. At Agrigentum, there was an initial indiscriminate mass killing, with the Romans enslaving those who survived. They aimed to destroy the entire group, shutting the gates to prevent the escape of the desperate inhabitants. The number enslaved must have been considerable; although it had been depopulated somewhat by successive wars and the earlier Roman enslavement in the First Punic War, Sicilian-born historian Timaeus estimated its population at 800,000 inhabitants.²⁹¹ At Tarentum too, those who survived the general slaughter of the storming were enslaved, numbering about 30,000. The Tarentines had previously been treated with leniency in conflicts with the Romans and its population spared.²⁹² The Romans were done with leniency and increasingly comfortable storming settlements and enslaving the survivors.

Earlier in the same year as the mass enslavement of the Tarentines, Scipio the Elder conquered Carthago Nova, capital of the Carthaginians' Spanish empire.²⁹³ However, they were treated very differently to the cities of Magna Graecia. Scipio took the opportunity to ostentatiously display his *clementia* by not enslaving the population as they expected he would. He is presented as having committed publicly to vouchsafe the sexual inviolability of the Spanish noble women under Roman guard, which might have been effective propaganda for Scipio both with the locals and back home in Rome.²⁹⁴ His astute politicking and self-presentation as a man of clemency following the capture of Carthago Nova, no doubt coupled with the onerousness of Carthaginian demands for their war effort and the ascendant military strength of Rome, led to many of the Iberians renouncing

²⁹¹ Diog. Laert., *Empedocles* 63; cp. Diod. Sic., 13.90.3.

²⁹² Front., *Str.*, 3.3.1; Liv., *Per.*, 15; Zonar., 8.6.

²⁹³ Polyb., 10.6.1-20.5; Liv., 26.4-51.14; Val. Max., 4.3.1; Front., *Str.*, 3.9.1; Plut., *Mor.*, 196b; App., *Hisp.*, 19-23; Gel., 8.1-3; [Aur. Vict.], *De vir. ill.*, 49.7; Eutr., 3.15; Oros., *Hist.*, 4.18.1.

²⁹⁴ Liv., 26.49.11-16, 26.50.1-14; Zonar., 9.8; Polyb., 10.18.7-15, 19.3-7; Val. Max., 4.3.1; Front., *Str.*, 2.11.5; Plut., *Mor.*, 196 b; Polyæn., *Strat.*, 8.16.6; Gel., 8.1-3; Cass. Dio, 16.42; [Aur. Vict.], *De vir. ill.*, 49.8. Cp. Gel., 8.4-6 for the negative view of Valerius Antius.

Carthaginian hegemony for Rome's.²⁹⁵ He was seemingly put in the position of having to refuse the title of king from the Iberians.²⁹⁶ However, while declining the opportunity to enslave the community at large, not all escaped. Those of an ill-defined artisanal class (Polybius: 'χειροτέχνης', translated 'opifices' by Livy) were made public slaves of the Romans with the promise that 'if they showed goodwill and industry in their several crafts he promised them freedom upon the war against Carthage terminating successfully'.²⁹⁷ They seem to have been distinct from the citizens yet not slaves, and may have represented an order of quasi-serfs. He furthermore press-ganged a selection of the most able-bodied male inhabitants to similarly serve in the navy. Scipio was thus able to benefit from increasing the productive, free labour available for the Roman war effort while still avoiding the destruction of the population as a group, winning a public relations victory by preserving its citizenry as a group. This seems to have been a general policy of Scipio in Spain, as he supposedly systematically released any Spanish captives without ransom from the eighty cities that he captured through surrender or assault.²⁹⁸

Various wars, 201-172 BCE

Few large settlements were targeted for enslavement by the Romans in the early years of the second century BCE. The great campaigns of the Second Punic War had ended in 201 BCE with the battle of Zama. The Second Macedonian War (200-197 BCE) that immediately followed it was largely predicated on the Flamininus' public policy of freedom for the Greek states, and therefore the Hellenic cities were mostly spared being targets of Roman aggression.²⁹⁹ Some settlements in the Hellenistic East must have been

²⁹⁵ J. Richardson 1986, 59.

²⁹⁶ Polyb., 10.38.1-4, 40.2-9; Zonar., 9.8.

²⁹⁷ Polyb., 10.17.9-10: τοῖς δὲ χειροτέχναις κατὰ τὸ παρὸν εἶπε διότι δημόσιοι τῆς Ἰβηρίας εἰσὶ παρασχομένοις δὲ τὴν εὐνοίαν καὶ προθυμίαν ἐκάστοις κατὰ τὰς αὐτῶν τέχνας ἐπηγγείλατο τὴν ἐλευθερίαν, κατὰ νοῦν χωρήσαντος τοῦ πρὸς τοὺς Καρχηδονίους πολέμου.

²⁹⁸ Oros., *Hist.*, 4.18.7.

²⁹⁹ Walsh 1996; Eckstein 1976; Eckstein 1990.

enslaved however, as Philip V of Macedon had issued orders to ransom the enslaved inhabitants of Dymae wherever they were found.³⁰⁰ Also, in 188 BCE all the surviving inhabitants of the four-month siege of Same were enslaved by M. Fulvius Nobilior.³⁰¹ Their enslavement was a punishment for revolting from Roman hegemony shortly after having submitted to it.

Elsewhere, the town of Corbio, belonging to the Suessetani tribe in Spain, was besieged in 184 BCE, with the survivors sold by A. Terentius Varro.³⁰² The action quelled the area in advance of winter. These actions were not new, as about a decade previously, in 195 BCE, seven fortified *castella* of the Spanish tribe of the Bergistani were enslaved in their entirety after Cato was compelled to conquer them for a second time in short order. Livy says that this was ‘to put an end to their frequent breaking of the peace’, and they were therefore destroyed to break a cycle of recidivist infidelity.³⁰³ Doubtlessly, Cato’s consummate self-promotion framed the record of this episode, making his actions seem both noble under Roman morality and strategically necessary. The episode may stand as a doublet with Livy’s more detailed account of Cato’s assault on the *castrum Bergium*, presumably the tribe’s capital, later in the same book, or the Bergistani might have revolted three times.³⁰⁴ In this latter account, all the inhabitants except those of a pro-Roman party were enslaved following the capture of the city.

The 170s BCE seem to have brought an increase in predatory enslavement. In Sardinia, Tiberius Gracchus boasted on a tablet that he had set up in the temple of Mater Matuta about the 80,000 Sardinians that had been enslaved or slain under his auspices.³⁰⁵ While such self-display would be ripe for exaggeration, the quantity of Sardinian captives on the market led to the phrase ‘Sardinians for sale!’ (*sardi venales*) becoming proverbial for cheapness. The 170s BCE brought a shift in the way in which Roman

³⁰⁰ Liv., 32.22.10.

³⁰¹ Liv., 38.28-29.

³⁰² Liv., 39.42.1.

³⁰³ Liv., 34.16.10, trans. Yardley: *sub corona veniere omnes, ne saepius pacem sollicitarent.*

³⁰⁴ Liv., 34.21.1-6. see J. Richardson 1986, 83 n. 98.

³⁰⁵ Cic., *Fam.*, 7.2.4, 2 ; [Aur. Vict.], *De vir. ill.*, 57 ; Festus, *Gloss. Lat.*, 322. Cf. Plut., *Quaest. Rom.*, 53.

commanders were using enslavement to destroy communities. Previously, as we have seen, enslavements had resulted from the sack of a settlement when it was captured through force. Therefore, enslavement had been a complement to a prior phase of killing as the settlement was conquered.

There are suggestions that the Romans were willing to inflict enslavement as a punishment on some wider, rural populations, as we have seen in the rounding up of Sardinians and Corsicans. The non-free status inflicted by the Romans on the Bruttians after Hannibal's departure from Italy likewise restricted the liberty of an entire region, although probably stopping short of actual enslavement. However, those that surrendered or voluntarily submitted to Roman *fides* were perforce expected to be safe from collective reduction to slavery. These protections were eroded with M. Popilius Laenas' enslavement in 173 BCE of the Ligurian town of Carystus.³⁰⁶ They were previously friends and allies of Rome, and therefore within the mutual sphere of obligations of protection that this entailed. They resubmitted to Rome, entrusting themselves to the *clementia* that they knew to expect as prior supplicants to Roman commanders. However, Laenas enslaved all the people within the town. As it seems that it was the metropolitan settlement to which a bulk of that tribe had fled upon the Romans' unexpected invasion of their territory, this likely meant the symbolic extirpation of a bulk of their people. It certainly numbered in the tens of thousands, as there were a little under 10,000 men of fighting age present, having already lost the same number on the battlefield, if Livy is to be believed. As the city had surrendered voluntarily, enslavement was for the first time in the present study the sole and wholesale method of destroying the community.

Wholesale, monomodal mass enslavement is therefore an outlier in the historical record, and enslaving in this fashion could be considered aberrant by contemporary ancient Romans. M. Popilius Laenas' enslavement of the town of Carystus in 173 BCE, for example prompted an

³⁰⁶ Liv., 42.8.3, 42.7.1-9, 10.9, 21.6-7, 45.15.10; Cic., *Off.*, 1.36.

angry and incensed reaction from the Senate in Rome.³⁰⁷ Carystus was the metropolis for the Statelite tribe of Ligurians, to which numerous of its people had fled when Laenas unexpectedly invaded their territory and at which a grand army of the tribe was convened to defend themselves. He was deemed by his peers to have been in breach of the spirit of mutual obligations attendant on the submission of a people to Roman *fides*.³⁰⁸ The implications of this reaction are discussed further in chapter six of this study. The Senatorial opprobrium marked the event out as unusual and resulted from the use of a method of destruction without the legitimating context of a siege. The allied status of the Statelites, further compounded the illegitimacy of the consul's actions in enslaving them.

Third Macedonian War, 171-168 BCE

The onset of the Third Macedonian War brought with it a renewal of mass enslavement, and the abandonment of Flamininus' openly Hellenophilic policy from the previous war with Macedon. Nonetheless, the enslavements at Abdera and Coronea in 171 BCE were contemporarily considered to have been achieved in contradiction of norms of war, international relations, and moral expectations at Rome. The wholesale enslavements had been carried out after the cities had peacefully surrendered, thereby delegitimizing their destruction.³⁰⁹ Because of the inherent infidelity of the mode of wholesale enslavement employed in these cases they were rejected at Rome. The Roman elite were not averse to treating their enemies with severity when they considered the occasion demanded, but they had their limits. Roman state actors who made use of wholesale destruction could leave themselves open to charges of wanton and immoral destruction contrary to Roman sociocultural norms and to the interests of the state.

³⁰⁷ Liv., 42.8-9.

³⁰⁸ Reiter 1988, 73–74 argues that the Senate's reaction was because they thought it not in the state's best interest with the threat of Perseus in the East; cf. Golden 2013, 170–71.

³⁰⁹ Abdera: Liv., 43.4.10; Diod. Sic., 30.6; Coronea: Liv., 43.4.5; Liv., *Per.*, 43; Zonar., 9.22.

The most significant mass enslavement of the Third Macedonian War, however, came with the so-called sack of Epirus, which was a direct consequence to it, despite Scheidel and others' treating it as separate.

Sack of Epirus, 167 BCE

As Figure 1 shows, the sack of Epirus is an outlier in the available data. While its total of genocidal enslavement, at 150,000 people, is nearly equal to the previous two periods combined, it was only one incident. Furthermore, the chart shows that the mass enslavement was entirely directed against communities and not resulting from pitched battle. Despite similarities to the predatory, wholesale enslavements of Abdera and Coronea, there was little censure of this incident. It represents the clearest example of a genocidal use of enslavement in the Middle Republic.

It was enacted by the consul Aemilius Paullus, who was returning to Rome from the victory at Pydna at the culmination of the Third Macedonian War after his subsequent tour and settlement of the Hellenic states. Our sources are at least as interested in the logistical precision shown by Paullus than in the fact or scope of the enslavement itself:

Not far from here [viz, Passaron] was the camp of [praetor] Anicius. Paullus sent him despatches, so that there should be no disturbance over what was about to take place, saying that the senate had granted to Paullus' army the booty from those cities of Epirus which had deserted to Perseus. The consul sent centurions to the several cities, who were to say that they had come to remove the garrisons so that the people of Epirus might be free like the Macedonians; ten leading men from each city were summoned to the consul. These men were instructed to have the gold and silver collected at the civic centre. Then cohorts were sent to all the cities, those bound for the more distant leaving before those for the nearer, so that they would arrive at all the towns on the same day. The tribunes and centurions had been instructed as to their mission. Early in the day all the gold and silver was collected; at the fourth hour the soldiers were given the signal to plunder the towns. So great was the booty that a distribution was made of four hundred denarii apiece to the cavalry, and two hundred apiece to the infantry, and one hundred and fifty thousand persons were

removed. The walls of the plundered cities were destroyed; the number of communities was about seventy. All the booty was sold, and from the proceeds the amounts given above were paid to the army.³¹⁰

Livy's account here likely derives from Polybius' description, which is now lost but to which Strabo attests.³¹¹ The scale and the meticulous, thorough planning and execution are chilling, and reminiscent of the systematic genocides of the twentieth century. It also bears similarities to the massacre of Lusitanians carried out by Paullus' political enemy Ser. Sulpicius Galba when praetor in 150 BCE, but lacks the universally negative judgement that he garnered from the sources.³¹² As Galba would, Paullus cannily divided his victims after their submission to Rome, encouraged them to think that they were safe, and then carried out the act of destruction. He thereby maximised the destructive effect while minimising the risk to his own troops.

If Polybius' statement that Scipio the Elder assigned one Roman superintendent (ἐπιμελητής) per thirty slaves upon the capture of Carthago Nova is indicative, then Paullus would have required about 5,000 troops in total to achieve the Molossian operation. The mean number of persons per settlement, there being 70 settlements, would be roughly 2,143, so requiring about 71 soldiers per settlement. The number of people per settlement would in reality be uneven, with several larger cities containing many people and many smaller *komai* containing far fewer.³¹³ This would seem to suggest that Paullus used one legion, which in the second century before the so-

³¹⁰ Liv., 45.34.1-6, trans. Schlesinger.

³¹¹ Polyb., *Fr.*, 30.15 in Strabo, 7.7.3, which concurs in the number of enslaved and the number of cities. App., *Mac.*, 2.9; Eutr., 4.8.1; and, Cass. Dio fr. 67.2 follow various parts of the substance. Plut., *Aem.*, 29.1-30.1 also follows closely, except for a few embellishments and for the amount of coin realised, which he says was niggardly. Cf. Plin., *Nat.*, 4.39: 'this also is the Macedonia seventy-two of whose cities [sc. those in formerly-allied Epirus] our general Aemilius Paullus pillaged and sold in a single day' ('*haec eadem est Macedonia cuius uno die Paullus Aemilius imperator noster lxxii urbes direptas vendidit*').

³¹² Cic., *Brut.*, 89; Nep., Cato 3.5; Liv., *Per.*, 49; Val. Max., 8.1.2, 9.6.2; App., *Hisp.*, 59-61; Oros., *Hist.*, 4.21.10; Suet., *Galb.*, 3.2.

³¹³ Sakellariou 1997, 30, 90-92.

called Marian reforms numbered about 5,000, and organised the enslavements around detachments of centuries, numbering roughly 60 soldiers a piece.³¹⁴ The scale of Paullus' enslavement of the Molossians, as well as the logistics behind it, are therefore plausible.

The characteristically meticulously planned execution of the enslavement is probably as much the reason for the textual survival of this episode than the scale of enslavement itself, though the latter has been of greater interest to modern commentators. Paullus probably became eulogised as a moral exemplar in his own time, the friendship of Polybius no doubt playing its role, and his virtuousness is a recurrent theme of discourse on him, both ancient and modern.³¹⁵ Among his plaudits, stories circulated:

He used to say to those who wondered at his attention to details that the same spirit was required both in marshalling a line of battle and in presiding at a banquet well, the object being, in the one case, to cause most terror in the enemy, in the other, to give most pleasure to the company.³¹⁶

The way the enslavement was carried out was a large part of the mythos that surrounded it, and Paullus, in antiquity, emphasising the extraordinary attention to detail shown by the consul. The apparent dissonance between the scope and the enslavement went largely unnoticed, except for some slight anxiety that it seemed 'so contrary to his mild and generous nature'.³¹⁷

Another, important, similarity between Paullus' enslavement and Galba's massacre is that in both incidents the result was to functionally destroy an entire tribe or ethnic group within a wider ethnic identity. Galba did not massacre all the Lusitanians, but rather one of their tribes. So too, Paullus targeted, for the most part, just one of the tribes of Epirus, the

³¹⁴ Gilliver [2001] 2005, 16–17; Rawson 1971a.

³¹⁵ Vell. Pat., 1.13.3; Cass. Dio, 20.1-2; Plut., *Aem.*, 6.6, 11, 30. Reiter 1988, 3–15 provides an in-depth historiographical essay on the tenacity of the positive reception of Paullus from Machiavelli up until the time of publication. His reputation has not been significantly revisited since.

³¹⁶ Plut., *Aem.*, 28.9; see Polyb., 14 fr. 1; Eutr., 4.7.

³¹⁷ Plut., *Aem.*, 6.6, 11.29; Liv., 45.34.1-9; App., *Ill.*, 10.2.9; Cass. Dio, 20.1-2.

Molossians. While the 150,000 persons sent *sub corona* in one stroke was unprecedented in scale, it would be of less interest to the question of genocide if thought of in terms of the whole *koinon* of Epirus.³¹⁸ However, when the seventy cities—many of which were probably in reality *komai* (villages), proto-urban sites or large defensive enclosures³¹⁹—were depopulated, the specific and intentional destruction of the Molossian tribe was the outcome. Unfamiliarity of commentators with the political and ethnic constitution of Epirus has likely obscured this point in ancient times as well as in modern. Some ancient authors mistake Epirus for a part of Macedonia, no doubt because of deep intercultural ties between the states and formal political links from at least the time of Philip II, or even as being Illyrian.³²⁰ It is common for the modern literature to refer to the event as being inflicted on the Epirotes, and therefore the genocidal effect on the Molossians has previously been missed.

The collective ethnic identifier of Epirotai or Apirotai is attested from the fifth century BCE, and was substantially consolidated by the Molossian Aeacid kings such as Pyrrhus I.³²¹ As with neighbouring Illyria, it was an identity largely constructed by outsiders, meaning ‘Mainland’ as opposed to Hellas proper.³²² The Molossian identity was older and more entrenched than that of the Epirote, and was still a key societal organising structure within the superstructure of the Epirote *koinon*. Although the state and society of Epirus was partially centralised, the regional ethnicities within it were substantially decentralised. The geomorphic conditions of Epirus, comprised of distinct valleys separated by steep mountain ranges, facilitate linear communication but circumscribe movements in other directions.³²³ As

³¹⁸ Although it may still have been a sizable proportion of Epirus’ population as a whole, Hammond 1967, 21, 43 estimated that the sum population of Albanian and Greek Epirus in 1928 was about 500,000 and that the ancient population was greater.

³¹⁹ Sakellariou 1997, 30, 90–92.

³²⁰ Fine 1932, 291–93.

³²¹ Sakellariou 1997, 10; Hammond 1967.

³²² Roisman and Worthington 2010, 280.

³²³ Hammond 1967, 33–40.

such the history of Epirus was one of the increasing Hellenization and constitutional consolidation in the context of distinct ethnic or tribal groups. Strabo, quoting Theopompus, says that the Chaonians and Molossians were the most prominent, with the Molossians coming into the greatest power.³²⁴ Under the Epirote Republic these two ethnic blocs were in a potentially uneasy power-sharing agreement. As they were a distinct entity, eliminating the Molossians by means of enslavement was to extirpate an entire group.

It was logical for Paullus to concentrate his enslavement for the most part to the Molossians. It was they who had in 170 BCE, headed by their leaders Antinous and Theodotus, rejected Roman hegemony and re-joined their erstwhile allies Macedonia during the war. The subsequent attempted abduction of the consul Aulus Hostilius Mancinus at Phanote and the capture of most of the territory of the Molossians and Thesprotians by the Macedonians made this rupture irrevocable.³²⁵ This had led to internecine strife between the ethnic blocs that made up the Epirote Republic.³²⁶ The Chaonian tribe, led by Charops the Younger, championed the Roman cause. They had long been rivals with the historically more dominant Molossians for the leadership of Epirus. It would have made little sense for Rome to target their staunch allies for destruction, and nor did they. Instead they restricted themselves to rebellious Molossia and adjoining regions. Epirote sites outside Molossia do evidence damage from this time, including the significant sites of Cassopia and the Necromanteion-on-the-Acheron. Possibly they were judged by Paullus to have colluded with the Macedonians too.³²⁷ Otherwise, perhaps they were selected to demonstrate Roman power

³²⁴ Strabo, 7.7.5.

³²⁵ Polyb., 27.16.1-6; Diod. Sic., 30.5: Phanote was supposedly a town of Thesprotia, and the abduction was in the end prevented by the Molossians. However, Phanote was proximal to Molossia (approx. 30 km from both Dodona and the strongholds of the Ioannina basin) and went over to the Macedonians with Molossia (Liv., 45.26). It may have been considered to have been part of the territory of Molossia at the time. The involvement of pro-Macedonian Theodotus as a leader of the plot, who would be one of the holdouts in the subduing of Molossia by praetor Anicius, establishes a link between the attempt and the group punishment.

³²⁶ Sakellariou 1997, 115; Cabanes 1976, 293ff., 300.

³²⁷ Sakellariou 1997, 116.

or fulfil their avarice, or both. It is unknown if these sites should be included among those subjected to the enslavement however.

Indeed, Paullus' actions were very much tied up with economic considerations. Several of the sources indicate that the right to pillage the Molossians came from the Senate, while Appian makes the affair a consequence of 'secret orders' from them.³²⁸ Appian seems somewhat confused about the order and disposition of events, however, thinking that the Epirote towns despoiled had belonged to Gentius of Illyria and that Paullus went back to them after having already returned to Rome. The more credible of the accounts that mention the Senate's role, those of Plutarch and Livy, are more restrained, and merely suggest that the senators had granted to Paullus' triumphant veterans the privilege to the plunder of those Epirote cities that had sided with Perseus. No source explicitly states that the Senate were seeking slaves and had ordered Paullus to extract them writ large. Although taking the population might be considered part of the typical elements of plundering, these were people that had been quickly subdued and had had their submission to Roman *fides* accepted, and so this outcome might not have been a foregone conclusion. Indeed, Livy provides clear evidence that the Senate had made a general outline of policy and had sent it along with a commission to advise Paullus but that he was given broad discretion in how to implement it.³²⁹ Any economic calculus to enact the mass enslavement would therefore seem to have been Paullus'. He was probably keen to placate his troops prior to their return to Rome, Epirus being the last leg of the journey before Oricum, the port of departure across the Strait of Otranto. He intended to use the spectacular royal treasury of Macedonia as part of his triumph and deposit it in the Aerarium, and had therefore not distributed it to his men. The bonus payment seems to have been insufficient reward for them however. Although Livy had recorded a grand stipend of 400 denarii per cavalryman and 200 per infantry soldier, Plutarch recorded a paltry eleven drachmae for each of Paullus' soldiers. In

³²⁸ Plut., *Aem.*, 29-30; Liv., 45.34.1-9; App., *Ill.*, 10.2.9: τῆς βουλῆς ἐπιστειλᾶσης ἐν ἀπορρήτῳ. Pagán 2013.

³²⁹ Liv., 45.17.4-18.2.

any event, the amount yielded from the plunder of the valuables and enslavement of the urban population of Molossia was not enough to quell dissent, which nearly disrupted the rubber stamping of his right to a triumph.³³⁰

An economic rationale behind the plundering of Epirus has been stressed by Ziółkowski.³³¹ He takes the Senate's role in the incident as crucial, identifying the importance of this centralised decision making and the fact that Epirus was the last location in the consul's itinerary before Italy, making it the ideal place to source slaves for the peninsula. His argument that the slaves were required due to an increase in demand resulting from plague is well made, but contingent on too many factors. If he is correct in seeing a demand-side economic rationale in the enslavement of the Molossians as a slave hunt to supply a demand, then this would seem to have been a novelty that would not be soon repeated. It would require the Molossian enslavement to have been an exceptional departure in the Roman acquisition of slaves through warfare from an almost incidental model to one of demand-based slave hunting, and the seeking of exceptional models to explain the sheer scope of the 150,000 people enslaved. Erich Gruen made this incident the exception in his observation that 'the facts plainly militate against any Roman policy of slave hunting in the East to stock the farms of Italy', although he did balance it alongside further rationales.³³² Ziółkowski's argument posits a centralising economic strategy, led by pull factors. However, as an argument it rests on too many contingent factors producing a special outcome nonconformant with Roman interstate behaviour at any other time, whereas simpler solutions are available that do not test the limits of the law of parsimony nor disregard the issue as being simply an exceptional case. As stated above, Paullus probably had a wide latitude to interpret the overall senatorial policy for Greece and Macedonia, and any

³³⁰ Liv., 45.35-39; Plut., *Aem.*, 31.1-32.1; cp. Liv., 10.46.2-7.

³³¹ Ziółkowski 1986.

³³² Gruen 1986, 298-99; See similar attitudes towards this episode as exceptional in W. V. Harris 2004, 23; Frank 1938, 188.

economic considerations were likely to have been short-termist rather than an attempt at centrally-planned economic management.

Irrespective of the various rationales provided for the enslavement, the connection between the targeting of an entire ethnic group, the Molossian tribe, for destruction through enslavement betrays a clear intention to commit genocide. The ethnic consideration is probably most strongly felt when it comes to Paullus' enslavement of the Molossians. The liminality of the Epirote identity—Hellenised but of contested Greekness—existing in the border regions among Illyrians and Macedonians, possibly made their enslavement more palatable. The Romans could still claim to have been defending the freedom of the Greeks, providing the Greekness of the Epirotes was downplayed. The fracturing of partisanship in the state of Epirus along ethnic and geographic lines was relatively unusual in those who would become Rome's victims. Savage reprisals were meted out to the anti-Roman factions in other Greek states following Pydna, and Roman factional elements given free reign, and tacit support, to purge their opponents. These, however, were characteristically internal elements to each *polis*. No other league or state in Greece ended up in the same position of having a strongly demarcated pro-Roman/anti-Roman geographically-defined ethnic split. The Roman plundering was thereby confined to one ethnicity within the larger identity of the Epirotes, with Molossia destroyed in a like manner to the anti-Roman partisans in other states and according to similar principles.

The state capture effected by the Chaonian leader Charops the Younger, who was much loathed by the statesmanlike Polybius,³³³ was in part a reflection of and a cause for the split of the Epirote republic along ethnic lines. It is, however, not necessary to see him as the orchestrator of events conspiring with a Plebeian coalition in power at Rome, as H.H. Scullard proposed.³³⁴ His explanation of events blames the affair on the machinations of Charops in conspiracy with an implausible plebeian clique

³³³ Polyb., 32.5.5-6.2; Diod. Sic., 31.31.1.

³³⁴ Scullard 1945.

that Scullard conceived of as being in control of the Senate at the time. This reconstruction relied on a high degree of central senatorial authority in deciding policy, and as we have seen Paullus likely had some broad initiative in the enslavement and acquisition of Epirote booty. Scullard was also overly swayed by the ancient presentation of Paullus as an ideal type, who could not have carried out the deplorable enslavement unless he had been forced by the policy of a higher power.³³⁵ That Paullus' acceptance of the consulship to pursue the war against Perseus of Macedon was famously predicated on the Senate and People of Rome allowing him complete autonomy in doing so militates against this interpretation. Instead, Charops' continued elevation, and freedom to autocratic, corrupt rule even despite the disaffection of prominent Romans themselves, were symptomatic not causative. As venial as Charops may have been, it was not him that carried out the destruction of Molossia, but he was part of the fracturing along ethnic lines that led to it being thus destroyed.

Cultural memories of Pyrrhus I of Molossia's campaign into Italy may not have hindered Roman willingness to destroy them, and may have helped them to draw a distinction between Molossians and those of the other ethnicities of Epirus. However, there is little evidence that there was any specific ethnic hatred of the Molossians by the Romans as opposed to any other group in the region. Most likely, the liminal status of Epirote identities informed a permissiveness towards the enslavement of one of them.

Achaean and Third Punic Wars, 158-146 BCE

Taking the account of mass enslavement into the final years of our period of study, after the resettlement of Greece and dismemberment of Macedonia following the Third Macedonian War, both the incidence and the scale of mass enslavements lessened again, until the contemporaneous events of the Fourth Macedonian or Achaean and Third Punic Wars led to another spike that interrupted that trend. After the former of these, an unknown

³³⁵ Reiter 1988, 2–15.

number of the inhabitants of Corinth were enslaved. The majority of those still in the city were killed in the sack, but the women and children were sold, as were those former slaves who had been previously freed during the crisis.³³⁶ Those Corinthians that L. Mummius could locate in nearby towns he also ordered to be enslaved.³³⁷ The extension of this policy beyond the immediate confines of the sack shows an intention to complete the destruction of the Corinthians by means of enslavement. The fall of Carthage was not accompanied by the seeking out of Carthaginian or Punic people elsewhere to enslave. It may however have furnished 50-55,000 slaves from the survivors of the city's population. The sources on this matter are ambiguous or contradictory, and hinge on whether the 50-55,000 suppliants who were allowed safe passage under guard out of the carnage were enslaved or allowed to go free as a performance of *clementia*.³³⁸ If the former, then it would be among the largest numbers of people taken in a single mass enslavement in this period. While they may indeed have been reduced to slavery, the first source for this titbit is Orosius, and therefore quite late as evidence. This is perhaps not surprising, as the sack of Carthage is remarkably poorly evidenced and little contemporary evidence survives considering its major cultural and political impact and legacy. His sources recording the fact of the enslavement have been lost to us, but equally he could have been working on a plausible assumption of how the Roman Republican army would have acted. It is therefore difficult to say whether they were released or sent *sub corona*. Their appearance as suppliants—'bearing the sacred garlands of Aesculapius' and 'olive branches from the temple'—could have prompted a reciprocal clemency from Scipio Aemilianus.³³⁹

³³⁶ Paus., 7.16.7.

³³⁷ Cass. Dio, 21.72.1.

³³⁸ App., *Pun.*, 19.130; Oros., *Hist.*, 4. 23. 3, 23.7; Zonar., 9. 3.

³³⁹ App., *Pun.*, 130: προσέφυγον ἑβδόμης ἡμέρας αὐτῷ τινες ἑστεμμένοι στέμματα Ἀσκληπίεια [...] ὅθεν οἶδε τὰς ἰκετηρίας λαβόντες ἐδέοντο τοῦ Σκιπίωνος περὶ μόνης συνθέσθαι σωτηρίας τοῖς ἐθέλουσιν ἐπὶ τῷδε τῆς Βύρσης ἐξιέναι.

Appian's account has them beseeching Scipio Aemilianus 'that he would spare merely the lives of all who were willing to depart on this condition from Byrsa', so that 'forthwith there came out 50,000 men and women together, a narrow gate in the wall being opened, and a guard furnished for them'.³⁴⁰ Zonaras recorded that 'the majority of the men captured were thrown into prison and there perished, and some few [...] were sold'.³⁴¹ However, his epitomisation, although working with elements familiar from other sources, seems in several ways to follow a different chronological structure. This makes it difficult to identify to whom Zonaras is referring, not specifying that these captives are the same as the 50-55,000 suppliants, as well as casting doubt on the causation and victims that he presents. That most of Zonaras' group ended up mouldering in prisons, and that he in the very next sentence tells of the fate of Hasdrubal, Bithias and the other 'very foremost' of the captives imprisoned in Italy, suggests that perhaps he might be talking about military captives rather than those of the general population. It is difficult to believe that the Romans would have imprisoned, rather than enslaved, 50-55,000 people for any length of time, unless it was the case that they were briefly held under guard before being deliberately extirpated, although this would have been an exceptional and unusual act for the Romans. It might just be that our earlier surviving narratives are either lacunose or overly circumspect and euphemistic, and Scipio could have reasonably claimed the survivors as legitimate booty taken from a city under storm;³⁴² it is unlikely that any would have opposed him, and simply preserving their lives might have been demonstration enough of his *clementia* if he had.³⁴³ The putative enslavement of 50-55,000 Carthaginians in 146 BCE is therefore not well substantiated. Most of the

³⁴⁰ App., *Pun.*, 130, trans. H. White: ὅθεν οἶδε τὰς ἰκετηρίας λαβόντες ἐδέοντο τοῦ Σκιπίωνος περὶ μόνης συνθέσθαι σωτηρίας τοῖς ἐθέλουσιν ἐπὶ τῷδε τῆς Βύρσης ἐξιέναι' [...] ἐξήεσαν αὐτικά μυριάδες πέντε ἀνδρῶν ἅμα καὶ γυναικῶν, ἀνοιχθέντος αὐτοῖς στενοῦ διατειχίσματος. καὶ οὗτοι μὲν ἐφυλάσσοντο.

³⁴¹ Zonar., 9.30, trans. E. Cary: καὶ τῶν ἀνδρῶν τῶν ἀλόντων οἱ μὲν πλείους εἰς τὸ δεσμωτήριον ἐνεβλήθησαν κάκει διεφάρησαν, ὀλίγοι δὲ τινες πλὴν τῶν πάνυ πρώτων ἐπράθησαν.

³⁴² See App., *Pun.*, 128-30 for the ferocity of the street-to-street fighting.

³⁴³ Cp. *Dig.*, 1.5; *Gai.*, *Inst.*, 9; *Isid.*, *Etym.*, 5.27 for spurious Roman etymology that euphemistically associated the noun *servi* with the verb *servare*.

sources mentioning the suppliants do not suggest that they were enslaved, although it cannot be ruled out.

Types of Roman genocidal mass enslavement

Complementary mass enslavement

Most of the incidents of mass enslavement discussed above occurred following the partial destruction of the group by other means. Typically, those reduced to the pitiable status of slaves were those who had survived the indiscriminate or selective mass killing that ensued when the Romans stormed a city.³⁴⁴ Therefore, the social death of a large part of the group complemented the actual killing of another part, destroying the group. Because such mass killing was often selective of male adults, as we have seen, there was a de facto selection of women and children to be enslaved. The prevalence of complementary mass enslavement was due to the stigma attached to the enslavement of those who had submitted to Rome. If relations were conversely hostile, it was normal for Roman troops to kill a portion of the population when capturing and securing a settlement. This meant that under normal circumstances it would not be possible to enslave a people without first attacking them and causing bloodshed. The moral regime that regulated this praxis is discussed in more detail in chapter six.

Wholesale enslavement

As we have seen, however, there were indeed times where populations were enslaved in their entirety without first being killed en masse. This was relatively uncommon. The *mos maiorum* militated against the acceptability of destroying a community unless it was captured legitimately in war,³⁴⁵ and so the enslavement of a community was normally carried out as part of

³⁴⁴ On the general violence of which, see Ziółkowski 1993; See Rankine 2011, 36 on social death of slaves taken following the killing of their kin in war.

³⁴⁵ Liv., 42.47.

warfare.³⁴⁶ Thus, some instances of wholesale enslavement discussed above led to opprobrium from the Senate. The most prominent example, the total enslavement of the Molossians by Paullus, are therefore marked out as exceptional, in that the wholesale enslavement of the population was enacted despite that population having resubmitted to Roman *fides*. A range of factors probably legitimated their treatment to the Romans. Most important among these was the previous infidelity shown by the Molossians, making their future adherence to their submission to Roman suzerainty questionable. Undoubtedly, pecuniary concerns informed the opinions of both Senate and consul, assuaging any qualms they might have about bloodlessly enslaving wholesale this liminal ethnic group.

Conclusions

Enslaving groups, wholly or in part, served to fatally sever the social bonds that tie communities together, consigning those communities to social death. In many cases, enslavement was supplementary or complementary to the killing of urban populations, often taking the form of the killing of adult males of military age and the enslavement of those who remained. At other times, enslavement was not accompanied by any bloodletting, but was itself the sole, wholesale method of annihilating that given community. Both the complementary and the wholesale modes of mass enslavement were used with the intention to destroy groups.

The taking of slaves served several ends. As a method of destruction, enslavement destroyed potential threats to Roman suzerainty and thereby compelled neighbouring states or peoples to acquiesce. Polybius thought that the tipping point in the Roman lust to conquer the Mediterranean was the capture of Agrigentum in 241 BCE.³⁴⁷ It may well have been, once the Romans understood the domino effect that its enslavement had on bringing

³⁴⁶ Kern 1999, 321–46.

³⁴⁷ Polyb., 1.20.1-3; Walbank 1963.

the other inland Siciliote cities over to Rome. Mass enslavement was meted out in revenge for lack of loyalty, in addition to its embeddedness in the annual sequence of warfare of the militarised society of Rome.³⁴⁸ It was therefore terroristic. The literary topoi that permeate the possibility of the enslavement of oneself and one's family reveal the anxiety and fear that the threat of enslavement posed. This perhaps, informed the practice of self-annihilation, the patriarchies of threatened cities preferring to kill their own families than risk their violation upon capture.³⁴⁹ The normativity of the practice of mass killing of the adult males and enslavement of the women and children among ancient peoples meant that this threat was very real under the *ius bellum* and *ius gentium*.³⁵⁰

Roman commanders had good incentives to their self-interest to 'save' the inhabitants of plundered settlements rather than putting them to the sword. Slaves were useful to members of the Roman elite in furthering their own position within the competitive social and political culture of Rome, although this should not be taken to indicate a straightforward model of avaricious imperialism.³⁵¹ They had more economic value alive than dead. Economic considerations were inevitably part of the calculus of those deciding to enact mass enslavement, because slavery is inherently the process of reducing humans to their economic function as property, or to the role of 'fixed capital labour', bereft of worth as autonomous people.³⁵² Enslavement could help to provide the booty that the Roman soldiers expected their commanders to provide.³⁵³

Purchasing goodwill in this way was an essential step in having a request for a triumph accepted, and commanders perceived as stingy risked

³⁴⁸ W. V. Harris [1979] 2006, 54–104.

³⁴⁹ Liv., 3.18.1-9, 28.23.1-5; Liv., *Per.*, 57; App., *Hisp.*, 3.12; App., *Pun.*, 131; Polyb., 16.34.8.

³⁵⁰ Liv., 21.13.8.

³⁵¹ Rich 1993.

³⁵² R. V. Anderson and Gallman 1977, 25; Rankine 2011, 35.

³⁵³ There are many examples, e.g. Liv., 30.45.3-4, 34.46.2-3.

losing their moment for glory.³⁵⁴ Selling slaves could produce more money to donate to the treasury on returning to Rome, another ploy to secure a triumph and a positive reception among one's peers.³⁵⁵ It was supposed to have been the marker of a morally good general to have not made himself wealthy at the expense of the towns that he sacked. Those who deposited the wealth that they had captured, including that derived from the sale of human beings, in the state *Aerarium* were especially well regarded.³⁵⁶ The display of captives in the triumph itself was a powerful way of increasing the social standing of a commander. The alterity of those enslaved by Rome was part of the spectacular power of the procession.³⁵⁷ It was a performance of imperialism over other, vanquished peoples, a spectacle akin to the display of exotic animals, lustrous valuables, or even trees.³⁵⁸ This triumphal dramatization aggrandised the *imperator*, but did so predominantly through the conferment of a symbolic status. It made (some) slaves worth more than just their market value and provided a powerful incentive to take slaves during or after the capture of foreign settlements to use them as adornments of imperial prestige.

The social and economic benefits of enslavement encouraged some to overstep the bounds of what was morally permissible. Those who otherwise carried out morally objectionable enslavements could be attacked for being motivated by economic considerations. Pursuing his programme of demonstrating negative exemplars, Livy criticized those 'who waged war harshly and greedily in Greece' on this basis.³⁵⁹ The competitive need to make use of the opportunities of imperialism probably motivated Popilius Laenas and others to attack and enslave wholesale populations already

³⁵⁴ Liv., 49.39.15-19; Plut., *Aem.*, 31.5-6.

³⁵⁵ Shatzman 1972.

³⁵⁶ Östenberg 2009, 58–79.

³⁵⁷ E.g. Dion. Hal., *Ant. Rom.*, 6.17.2; Liv., 7.27.8-9; Flor., 1.13.27; App., *Hisp.*, 98; Polyb., 2.31.1-6; Eutr., 2.5.2; Joseph., *BJ*, 6.416-9; [Aur. Vict.], *De vir. ill.*, 57; Festus, *Gloss. Lat.*, 428-30.

³⁵⁸ Östenberg 2009, 128–88; Beard 2007, 116–19.

³⁵⁹ Liv., 43.4.5: *quo crudelius avariusque in Graecia bellatum.*

under *fides*. This precept could lead to some apparent dissonance when morally exemplary Roman figures enacted enslavements that appeared like the cruel and avaricious actions of their antitheses. Sallust felt the need to assert that when Marius carried out the complementary enslavement of the survivors of Numidian Capsa, he did so ‘contrary to the rules of war’ not from ‘avarice nor his cruelty’ but due to strategic necessities, reinforced by a healthy dose of victim-blaming the inhabitants for their untrustworthiness.³⁶⁰ Other authors would show some small discomfort in trying to reconcile Paullus with his actions in Molossia, which were self-evidently ‘so contrary to his mild and generous nature’.³⁶¹

The Roman economy of slave trading and holding was inseparable from their imperial expansion. As has been shown in this chapter, slave hauls resulting from warfare could be extensive. Delos was renowned because it ‘could both admit and send away ten thousand slaves on the same day’ and was proverbial for its facilities and capacities.³⁶² The high volume of human traffic was, Strabo suggests, due to the Romans’ possession of many slaves following their destruction of Corinth and Carthage. Imperial expansion and the slave trade were commensurate. Furthermore, the opening of the port of Delos seems to have been a concerted, and successful, policy attempt to use economic means to undermine the position of Rhodes, showing the Roman capability for some level of economic strategy.³⁶³

The longstanding behaviour of enslavement was dynamic and contingent. Its use increased as the Roman hegemony expanded along with Rome’s capacity for and engagement in military activities across wider

³⁶⁰ Sall., *Iug.*, 91.7: *Id facinus contra ius belli non avaritia neque scelere consulis admissum, sed quia locus Iugurthae opportunus, nobis aditu difficilis, genus hominum mobile, infidum, ante neque beneficio neque metu coercitum.*

³⁶¹ Plut., *Aem.*, 30.1: ‘Αἰμίλιος μὲν οὖν τοῦτο πράξας μάλιστα παρὰ τὴν αὐτοῦ φύσιν ἐπιεικῆ καὶ χρηστὴν οὖσαν εἰς Ὀρικὸν κατέβη’.

³⁶² Strabo, 14.5.2: *ἡ Δήλος, δυναμένη μυριάδας ἀνδραπόδων ἀύθημερόν καὶ δέξασθαι καὶ ἀποπέμψαι.*

³⁶³ Rosenstein 2012, 222–23.

territorial spans.³⁶⁴ The quantity of human booty acquired through complementary enslavement grew. The Romans did not need to commit themselves to dedicated slave hunting expeditions to feed their intrusive model of slavery, as they had ample and opportune sources from which to acquire such captives.³⁶⁵ More than this, however, as Roman imperialism developed, so too did their use of enslavement as a genocidal method of destroying other communities.

Table 4. Incidents of Roman mass enslavement of groups, 343-146 BCE

BCE	Victim	Quantity	Sources
308	Allifae	7000	Liv., 9.42.7-8; Diod. Sic., 20.35.2
305	Silvium	5000	Diod. Sic., 20.80
293	Velia, Palumbinum & Herculaneum	>5000	Liv., 10.45.11
293	Saepinum	<3000	Liv., 10.45.14
284	Senones	Women & children	App., <i>Sam.</i> , 13; App., <i>Gallica</i> , 9; Liv., <i>Per.</i> , 12; Oros., <i>Hist.</i> , 3.22.12-15; Polyb., 2.19.11
261	Agrigentum	25000?	Diod. Sic., 23.9.1; Oros., 4.7.6; Polyb., 1.19.5; Zonar., 8.1
260	Mazara	All	Diod. Sic., 23.9.4
259	Corsica and Sardinia	Several thousand	Eutr., 2.20; <i>CIL</i> , VI 1287; Flor., 1.18.16; Front., <i>Strat.</i> , 3.9.4, 10.2; Oros., 4.7.11; Zonar., 8.11; Liv., <i>Per.</i> , 17.4; Sil., 6.670-72
258	Mytistratum	All	Diod. Sic., 23.9.4; Zonar., 8.11; Polyb., 9.10.11
258	Camarina		Diod. Sic., 23.9.5; Polyb., 1.24.12; Val. Max., 6.5.1; Zonar., 8.12
256	Countryside around Aspis/Clupea	23500	Eutr., 2.21; Oros., 4.8.9; Polyb., 1.29.7
254	Panormus	c. 13000	Diod. Sic., 23.18.5; Polyb., 1.38.9-10; Zonar., 8.14; Flor., 1.18.12; [Aur. Vict.], <i>De vir. ill.</i> , 39.2; Sen., <i>Ep.</i> , 114.17; Cic., <i>Rep.</i> , 1.1
218	Malta	2000	Liv., 21.51.2
215	Vercellium, Vescellium and Sicilinum,	> 5000	Liv., 23.37.13
215	Sardinia	1500	Eutr., 3.13; Flor., 1.22.35; Liv., 23.41.7
213	Antinum	>7000	Liv., 24.47
212	Turdetani	All	Liv., 24.42.11, 28.39.5-8; Zonar., 9.3
212	Syracuse		Diod. Sic., 26.20.1-2; Liv., 25.28.1-31.15, 26.31-32, 31.31; Cic., <i>Ver.</i> , 2.4.120; Val. Max., 5.1.4, 8.7; Plin., <i>Nat.</i> , 7.125; Sil.,

³⁶⁴ K. Bradley 2011, 246.

³⁶⁵ Gruen 1986, 298–99; O. Patterson 1985, 38ff.

			14.627-683; Flor., 1.22.33-34; Plut., <i>Mor.</i> , 19.7-12, 21.1-7; Zonar., 9.5; Cass. Dio, 15.5
212	Telesia, Compsa, Fugifulae, Orbitanium, Blandae, Aecae	25000 killed or captured	Liv., 24.20
211	Antikyra	All	Polyb., 9.39.2; Liv., 26.26.3
211	Capua		App., <i>Hann.</i> , 43; Liv., 26.14.1-4, 16.6, 34.1-13; Oros., 4.17.12; Zonar., 15.6
210	Agrigentum	All	Eutr., 3. 14; Liv., 26.40.13; Oros., 4.18.2; Zonar., 9.7
210	Aegina		Polyb., 22.8.10; <i>OGI</i> , 281
209	Carthago Nova	~2000 of artisan class	App., <i>Hisp.</i> , 23; Cass. Dio, 16.57.42; Diod. Sic., 26.21.1; Eutr., 3.15; Flor., 1.22.37-40; Liv., 26.49f; Polyb., 10.17.6; 19.8; Oros., 4.18.1; Zonar., 9.8
209	Tarentum	25-30000	App., <i>Hann.</i> , 49; Brut. 72; Diod. Sic., 26.21.1; Eutr., 3.16; Liv., 27.16.7; Oros., 4.18.5-6; Plut., <i>Fabius</i> , 22.4; Plut. <i>Mor.</i> , 195f; Polyaeus, <i>Strat.</i> , 8.14.3; Zonar., 9.8
209	Manduria	3000 (4000?)	Liv., 27.15.3
204	North Africa	5-8000	Liv., 29.29.3; Oros., 4.18.19; Zonar., 19.12
203	Bruttians	All	App., <i>Hann.</i> , 61
199	Dyme		Liv., 32.22.10
193	5 Bergistani towns	All	Liv., 34.16.10
188	Same	All	Liv., 38.29.11
184	Corbio	All	Liv., 39.42.1
177	Histriian towns: Nesactium, Mutila, Faveria	5632	Liv., 41.11.8
177	Sardinia	80000	[Aur. Vict.], <i>De vir. ill.</i> , 57; Liv., 41.28.7-10; Festus, <i>Breviarium</i> , 322
173	Statelite Carystus	All	Liv., 42.7.8-9; Cic., <i>Off.</i> , 1.36; Liv., 42.7.1-9.6, 10.9, 21.6-7, 45.15.10
171	Haliartus	2500	Liv., 42.63.11; Strabo, 9.411
170	Abdera	All	Liv., 43.4.10; Diod. Sic., 30.6
170	A few Greek cities held by Philip		Liv., <i>Per.</i> , 43; Zonar., 9. 22
167	Epirus	150000	App., <i>Ill.</i> , 29.4; Liv., 45.34.5; Polyb., 30.15; Strabo, 7.7.3
155	Delminium		Zonar., 9.25
154	Aegina	All	Polyb., 33.10.3
150	Lusitanians	?	App., <i>Hisp.</i> , 59
148	Macedonians		Ampelius, <i>Liber Memorialis</i> , 16.5; Flor., 1.30.5
146	Corinth	Women & children	Oros., <i>Hist.</i> , 5.3.5; Zonar., 9.31; Paus., 5.10.5, 7.16.7-8; Flor., 1.32.5; Oros., <i>Hist.</i> , 5.3.5; Festus, <i>Breviarium</i> , 7.2
146	Carthage	50-55000?	App., <i>Pun.</i> , 127-133; Oros., <i>Hist.</i> , 4.23.2-6; Zonar., 9.30-31; Flor., 1.31; Polyb., 39.8.6; Cic., <i>Leg. agr.</i> , 2.51; Diod. Sic., 32.4; Liv., <i>Per.</i> , 51; Liv., <i>Epit. Oxyrh.</i> , 51.137-39; Vell. Pat., 1.12.5; Val. Max., 1.1.18; <i>Dig.</i> , 7.4.21; Jer., <i>Ab Abr.</i> , 18.71

Chapter Four

Urban annihilation

Introduction

The first two chapters have dealt with destructive and genocidal force against population groups at large. We have seen that much of this violence was aimed at those located within urban settlements. While rural dwellers were no doubt vulnerable to the predations of Roman armies, it was the populations of urban settlements that withstood the worst of Roman military communal violence. There will have been several reasons for this: populations often seek refuge in fortified locations when threatened with invasion; cities and nucleated settlement types concentrate a larger number of the victim group into densely populated nodes; the frequently-bloody nature of the Roman method of sacking cities; and, the strategic importance of such settlements, especially for states or state-like organisations with a single metropolis, meant that they were a focus of military action. As centralised sites of 'militarized power and control' cities were both 'primary agents, as well as the main targets, of war'.³⁶⁶ The mass killing or enslavement of urban populations was probably also easier for the authors of our sources to identify, and to make compelling, than any atrocities that were levelled against the general, rural population or smaller order settlements of which none of their audience would have heard. There is therefore probably a selective bias to the inclusion of destructive violence aimed at urban populations.

When the Romans destroyed, they did not just destroy members of the group, but the settlements in which they lived could likewise be annihilated. This posed an existential threat to the inhabitant group, particularly because

³⁶⁶ Graham 2014, 10.

of the localism of ethnocultural groups in this period. The category of urban settlements and places should be considered broadly, and should be thought of as including bona fide cities, be they Greek *poleis* or other indigenous forms, but also towns, proto-urban places, and what the Romans called *oppida*. These heterogenous forms share certain commonalities of urbanism. Each feature some or all of the defining features of urban settlements: 'centralized authority and state or public cult [and] a defensive system of town walls'.³⁶⁷ These features conditioned the patterns and ways of life of the groups inhabiting urban places. Therefore, the destruction of these features, and of entire urban sites, contributed to the destruction of the groups that built their communities within them.

The 146 BCE annihilation of the city of Carthage has for many centuries played the role as a sort of foundational myth of Western European civilisation. In the ancient world, it was joined in significance with the destruction of Corinth in the same year and Numantia in 133 BCE. They belonged to a long line of urban annihilation that stretched back through Roman history and into mythology, a tradition through which their destruction would later be parsed.³⁶⁸ The Romans linked their mythological and (quasi-)historical origins and development to past acts of destruction. The Romans developed the mythology of the *Iliad* to include the foundational figure of Aeneas fleeing as a refugee of the destruction of Troy, and the Roman destruction of Alba by Tullius Hostilius was perceived as a key development in the state formation of Rome.³⁶⁹ The destruction of Veii as it reached our sources bears features that suggest that elements of the Trojan war had been assimilated with it, such as the ten year siege and the infiltration that led to its capture.³⁷⁰ The destruction of cities, therefore, had deep links into the Roman's sense of ethnocultural identity, at least as far as a core defining feature of ethnicity is a conception of shared descent.³⁷¹

³⁶⁷ W. V. Harris 1989, 379–80; as paraphrased by Rasmussen 2005, 79.

³⁶⁸ East 1971; Harrison 1984; Farron 1980; Frangoulidis et al. 2016, 403; Reckford 1961; Bell 2008; Morwood 1991; Estevez 1978.

³⁶⁹ Alba Longa: Liv., 1.28-29; Dion. Hal., *Ant. Rom.*, 3.31.

³⁷⁰ The parallel is marked at Liv., 5.4.11. Cf. Ogilvie 1965, 628.

³⁷¹ Fenton 2010, 19–23.

However, these myth-historical episodes do not seem to have acted as role models for real world behaviours in our period of interest. Neither Roman commanders nor the Senate sought to destroy cities merely because of mythological precedents. They were aware of the parallels, however. Polybius reputedly recorded the lament of Scipio Aemilianus as he looked down on the ongoing sack of Carthage:

Scipio, when he looked upon the city [...] as it was utterly perishing and in the last throes of its complete destruction, is said to have shed tears and wept openly for his enemies. After being wrapped in thought for long, and realizing that all cities, nations, and authorities must, like men, meet their doom; that this happened to Ilium, once a prosperous city, to the empires of Assyria, Media, and Persia, the greatest of their time, and to Macedonia itself, the brilliance of which was so recent, either deliberately or the verses escaping him, he said:

A day will come when sacred Troy shall perish,
And Priam and his people shall be slain.

And when Polybius speaking with freedom to him, for he was his teacher, asked him what he meant by the words, they say that without any attempt at concealment he named his own country, for which he feared when he reflected on the fate of all things human. Polybius actually heard him and recalls it in his history.³⁷²

Quoting from the *Iliad*, Scipio hinted at the connections made by Roman actors between their destruction of other cities and the destructions that lay in their past, as well as the cyclical possibilities for their own future. While suggesting empathy for the destroyed and fear for the possible annihilation

³⁷² App., *Pun.*, 132, trans. Olson: Ὁ δὲ Σκιπίων πόλιν ὄρων [...] τότε ἄρδην τελευτῶσαν ἐς πανωλεθρίαν ἐσχάτην, λέγεται μὲν δακρυῦσαι καὶ φανερὸς γενέσθαι κλαίων ὑπὲρ πολεμίων· ἐπὶ πολὺ δ' ἔννοος ἐφ' ἑαυτοῦ γενόμενός τε καὶ συνιδὼν ὅτι καὶ πόλεις καὶ ἔθνη καὶ ἀρχὰς ἀπάσας δεῖ μεταβαλεῖν ὥσπερ ἀνθρώπους δαίμονα, καὶ τοῦτ' ἔπαθε μὲν Ἴλιον, εὐτυχῆς ποτε πόλις, ἔπαθε δὲ ἡ Ἀσσυρίων καὶ Μήδων καὶ Περσῶν ἐπ' ἐκείνοις ἀρχὴ μεγίστη γενομένη καὶ ἡ μάλιστα ἔναγχος ἐκλάμψασα ἡ Μακεδόνων, εἴτε ἐκὼν, εἴτε προφυγόντος αὐτὸν τοῦδε τοῦ ἔπους <εἰπεῖν>, "ἔσσειται ἡμῶν ὅταν ποτ' ὀλώλῃ Ἴλιος ἱρὴ καὶ Πριάμος καὶ λαὸς ἐϋμμελίω Πριάμοιο." Πολυβίου δ' αὐτοῦ ἐρομένου σὺν παρρησίᾳ (καὶ γὰρ ἦν αὐτοῦ καὶ διδάσκαλος) ὃ τι βούλοιο ὁ λόγος, φασὶν οὐ φυλαξάμενον ὀνομάσαι τὴν πατρίδα σαφῶς, ὑπὲρ ἧς ἄρα, ἐς τάνθρωπεια ἀφορῶν, ἐδεδίει. Cf. Diod. Sic., 32.24. The relevant section of Polyb., *Fr.*, 38.21, is lacunose and the quotation of Hom., *Il.*, 6.448-9 attested in both App. and Diod. Sic. is absent.

of his own city, it does not posit the mythological as a justification nor motivation for urban destruction.

Urbicide

While the term ‘urban annihilation’ is employed here, ancillary to the field of Genocide Studies is the useful concept of ‘urbicide’. This word denotes the targeted destruction of the built environment, literally indicating the killing of cities. It specifically refers ‘both to the destruction of the built environment that comprises the fabric of the urban as well as to the destruction of the way of life specific to such material conditions’.³⁷³ As Cicero put it, the close bonds of belonging to the same *gens*, *natio*, and *lingua* is exceeded by that of fellow citizens who have the ‘forum, temples, porticoes, roads, laws, lawcourts, suffrage’ in common.³⁷⁴ The Romans had some sort of conception not completely dissimilar from that of urbicide. Florus, for example, comments that the Third Punic War was ‘fought not so much against an army in the field as against the city itself’.³⁷⁵ However, like ‘genocide’, there is no specific Roman conception nor terminology that maps precisely to ‘urbicide’.

It is a term that rose to prominence simultaneously from the works of Marshall Berman in the United States and of a group of Bosnian architects responding to the targeted destruction of the built environment as part of the ethnic cleansing during the Bosnian War.³⁷⁶ Urbicide can entail the destruction of cultural landmarks, being objects that enable the continued reproduction of ethnic, religious, social, and cultural identity. In the examples

³⁷³ Coward 2009, 38.

³⁷⁴ Cic., *Off.*, 1.17.53: *gradus autem plures sunt societatis hominum. Ut enim ab illa infinita discedatur, propior est eiusdem gentis, nationis, linguae, qua maxime homines coniunguntur; interius etiam est eiusdem esse civitatis; multa enim sunt civibus inter se communia, forum, fana, porticus, viae, leges, iura, iudicia, suffragia.*

³⁷⁵ Flor., 1.31.15.1, trans Forster: *non enim tam cum viris quam cum ipsa urbe pugnatum est.*

³⁷⁶ Berman 1987; Šego et al. 1992; See, Coward 2009, 35; Easterling 2014, 75 n.2; Berman 1996.

of Roman destruction, this would primarily mean public buildings and temples. As shall be seen, the Roman approaches to such edifices varied from case to case. The deliberate destruction of cultural landmarks is consistent with a strain of Genocide Studies as a form of cultural genocide as envisaged by Raphael Lemkin.³⁷⁷ However, scholarship on urbicide since the early 1990s has increasingly incorporated the analysis of the destruction of more mundane aspects of urban settlements, on the understanding that these equally constitute the physical environment in which people live their lives and create their communities.³⁷⁸

Genocidal agrarianism

Benjamin Kiernan's interpretation of the destruction of Carthage—which he has referred to as 'the first genocide'³⁷⁹—is essentially one of urbicide taken to its ultimate extension of an anti-urbanism stemming from a fundamental agrarianist ideology.³⁸⁰ While agrarian ideology undoubtedly informed Roman conceptions of ethnicity and morality, particularly when it came to other (non-elite) classes or other peoples, this kind of pathological anti-urbanism cannot account for Carthage's destruction. It is true that the Carthaginians, as a Phoenician offshoot, were identified by the Romans, as did the Greeks before them, as a seafaring, mercantile people in fundamental opposition to the morally rectitudinous in-landers.³⁸¹ However, the evidence of the crisis that led to the war in which Carthage was destroyed can be interpreted in ways other than in fulfilment of an agrarian ideology.

During the diplomatic overtures between Carthage and Rome at the start of what we know as the Third Punic War, the former had offered their surrender to the latter. Several demands were made of them by the consuls.

³⁷⁷ A. Jones 2010, 9.

³⁷⁸ Coward 2007, 26–28.

³⁷⁹ Kiernan 2004.

³⁸⁰ Kiernan 2009, 49–58.

³⁸¹ Isaac 2004, 324–35; cp. Gruen 2012, 115–40.

The final one was consul L. Marcius Censorinus' ultimatum instructing the Carthaginians to remove themselves inland by 80 stades.³⁸² It was an order that could be couched, as least as presented by Appian, as a gesture of moral improvement for the Carthaginians, the Romans taking the opportunity to do the Carthaginians a favour:

The sea reminds you of the dominion and power you once acquired by means of it. It prompts you to wrongdoing and brings you thus into disaster. [...] Believe me, Carthaginians, life inland, with the joys of agriculture and quiet, is much more equable. Although the gains of agriculture are, perhaps, smaller than those of mercantile life, they are surer and a great deal safer.³⁸³

It is perhaps no coincidence that 80 stades was chosen. It was the minimum distance that Plato considered possible for a moral and uncorrupted city to be located from the sea.³⁸⁴ While the length of a stade varied widely from about 162-210 metres depending on the standard adopted, the correspondence of about 8 stades to a Roman mile means that Appian was probably converting from a Roman distance of 10 miles.³⁸⁵ Therefore, by modern measures, the Carthaginians were directed to move about 15 kilometres, or about 9.3 miles. This would have been a trauma for a Phoenician group whose identity and prosperity were predicated on the ocean. It seems likely that Plato's influence, perhaps indirectly, informed the ultimatum to the Carthaginians, as it undoubtedly informed Cicero's later thoughts on the negative effects of proximity to the sea.³⁸⁶ Indeed, many of the same criticisms levied against Carthage by the Romans could be said to have also been aimed at the Corinthians, Cicero described their destruction together as 'those two ornaments of the coast of the sea'.³⁸⁷ Hellenism was

³⁸² Diod. Sic., 32.6.3; App., *Pun.*, 12.81; Cass. Dio, 21.9.26.

³⁸³ App., *Pun.*, 12.86-87, trans. H. White: ἡ θάλασσα ὑμᾶς ἤδε, μεμνημένους τῆς ἐν αὐτῇ ποτὲ ἀρχῆς καὶ δυνάμεως, ἀδικεῖν ἐπαίρει, καὶ ἀπὸ τοῦδε ἐς συμφορὰς περιφέρει. [...] εὐσταθέστερος γάρ, ὡς Καρχηδόνιοι, ὁ ἐν ἡπείρῳ βίος, γεωργία καὶ ἡρεμία προσπονῶν· καὶ σμικρότερα μὲν ἴσως τὰ κέρδη, βεβαιότερα δὲ καὶ ἀκινδυνότερα καθάπαξ τὰ τῆς γεωργίας τῶν ἐμπόρων.

³⁸⁴ Pl., *Leg.*, 4.704a-705b.

³⁸⁵ For the *stadion* as a measure, Schulzki and Decker [2006] 2011.

³⁸⁶ Cic., *Rep.*, 2.5-9, 2.7-9. See commentary in Zetzel 1995, 162-63.

³⁸⁷ Cic., *Nat. D.*, 3.91: *duo illos oculos orae maritumae*.

still highly contested in Rome even at the end of what we might call the Middle Republic, and for every Hellenophile T. Quinctius Flaminus there was a Cato the Elder to decry the corrupting influence of Eastern, Hellenic culture and mores.

However, as much as ideas of moralising, thalassophobic environmental determinism may have informed the ultimatum that tipped the Carthaginians into retracting their *deditio* and pursuing war, it is a step too far to claim that Carthage, or Corinth for that matter, was destroyed in pursuance of some agrarian ideology. The Middle Republican Roman state was itself highly urban in nature. Even if most of its citizens and subjects were rural inhabitants, and if agricultural sources of wealth were considered more legitimate than *negotium*, the civic functions of the Roman state were deeply embedded in the urban topography of the city of Rome, and Roman control of various colonies and allied cities was instrumental to their empire.³⁸⁸ While much Roman military action was against urban or proto-urban settlements, the Romans did not seek the destruction of urban precincts as a matter of an urbicidal ideological imperative. Indeed, the unnecessary destruction of cities was considered immoral and unnatural. Polybius has Alexander Isius accuse Philip of Macedon of being deviant, and with breaking with his royal forebears, by destroying cities, and in doing so destroying the prize and therefore spiting himself.³⁸⁹ Destroying cities without needing to was perceived as irrational, a mark of hubris and tyrannical behaviour. One might compare the tradition of the descent into decadence, hubris, and tyranny of Alexander the Great, manifest by his destruction of Tyre and, more egregiously, Persepolis.³⁹⁰ Indeed, it seems that the actual annihilation of cities by the Romans was comparatively rare considering the amount of military action taken against metropolitan peoples. The Middle

³⁸⁸ Of the numerous works that take as essential the notion of Roman urbanism, see Purcell 2010; Finley 1977; Rich and Wallace-Hadrill 1992; Cornell and Lomas 1996; Parkins [1997] 2005.

³⁸⁹ Polyb., 18.3.

³⁹⁰ Tyre: Curt., 4.4.12-18; Diod. Sic., 17.46.4; Arr., *An.*, 2.24; Persepolis: Curt., 5.7.1-7; Diod. Sic., 17.71.1-3, 72.1-6; Arr., *An.*, 3.18.10-12; Plut., *Alex.*, 38.1-8.

Republic was not inherently urbicidal, and ideological explanations of urban destruction are not sufficiently supported by the evidence.

Physical destruction of cities

Destroying settlements is difficult. Monumentalised defensive architecture necessitated the development of siege weaponry and tactics just to enable their circumvention.³⁹¹ Jonathan Schell wrote about the lengths to which he witnessed the United States Army going in 1967 to destroy the Vietnamese village of Ben Suc, which had a population of about 3,500 people.

G.I.s moved down the narrow lanes and into the sunny, quiet yards of the empty village, pouring gasoline on the grass roofs of the houses and setting them afire with torches. [...] Before the flames had died out in the spindly black frames of the houses, bulldozers came rolling through the copses of palms, uprooting the trees as they proceeded and lowering their scoops to scrape the packed-mud foundations bare. [...] Air Force jets sent their bombs down on the deserted ruins, scorching again the burned foundations of the houses and pulverizing for a second time the heaps of rubble, in the hope of collapsing tunnels too deep and well hidden for the bulldozers to crush.³⁹²

The Romans had recourse to neither bulldozers nor high explosive munitions to drop from the air, and the task of obliterating a settlement completely would have been manifestly more laborious. We may justifiably doubt whether the complete destruction of settlements, in the manner of the US Army 'bent on annihilating every possible indication that the village of Ben Suc had ever existed', was achievable.

The archaeological excavation of sites that can be securely identified as destruction layers is uncommon and requires a set of indicators to diagnose a cause of destruction due to purposeful human violence.

³⁹¹ Vitruvius, 10.13.
³⁹² Schell 1967.

Talking about annihilation

Once again, the nature of the evidence, and its parlous state, is problematic. It is difficult to say how much of the language describing urban annihilation is accurate, unexaggerated, and terminologically precise. Ancient authors were themselves aware of the different effects that lexical choices could make on the presentation of urban annihilation. Attempts to reconcile the apparent exaggerations of their sources by our sources are not infrequent, as with this from Strabo:

Polybius narrates that Tiberius Gracchus destroyed 300 cities of the Celtiberians. This Posidonius ridicules, and asserts that to flatter Gracchus, Polybius described as cities the towers such as are exhibited in the triumphal processions. This is not incredible; for both generals and historians easily fall into this species of deception, by exaggerating their doings.³⁹³

While the Latin terminology for urban annihilation is imprecise, some words do more to suggest either the outcome or method than others. Thus, *ruina*, *ruo* (and its derivative *diruo*) suggests the visible outcome of collapsed buildings.³⁹⁴ Likewise, *ex(s)cindo* might suggest the demolition through ripping apart or ripping down, as might *excido* and *diripio*.³⁹⁵ *Adaequo* and *complano* suggest the demolishing of the settlement so that it is level with the ground and, while undoubtedly exaggerative, it suggests an attempt at complete effacement. Other words are more metaphorical and tell us little about the actual destructive method: *deleo* (and its derivative noun *deletio*), *stinguo*, *perdo*, *everto*, and *consumo* fall into this category.³⁹⁶ *Vasto* suggested the creation of a featureless wasteland where the settlement once stood, but likely is figurative or symbolic rather than literal in meaning.

³⁹³ Strabo, 3.4.13, trans. Hamilton and Falconer: Πολυβίου δ' εἰπόντος τριακοσίας αὐτῶν καταλῦσαι πόλεις Τιβέριον Γράκχον, κωμωδῶν φησι τοῦτο τῷ Γράκχῳ χαρίσασθαι τὸν ἄνδρα, τοὺς πύργους καλοῦντα πόλεις, ὥσπερ ἐν ταῖς θριαμβικαῖς πομπαῖς. καὶ ἴσως οὐκ ἄπιστον τοῦτο λέγει: καὶ γὰρ οἱ στρατηγοὶ καὶ οἱ συγγραφεῖς ῥαδίως ἐπὶ τοῦτο φέρονται τὸ ψεῦσμα καλλωπίζοντες τὰς πράξεις.

³⁹⁴ For examples, see relevant entries in the *Oxford Latin Dictionary* (Glare 1982).

³⁹⁵ For discussion of *diripio*, see Ziolkowski 1993.

³⁹⁶ *Consumo* is sometimes associated with fire as an agent of destruction, e.g. Caes., *B Gall.*, 2.14.2 and Liv., 25.7.6, but not necessarily, e.g. Lucr., 1.226.

Likewise are the range of words that take their meaning from reduction to nothing, among which are *adnullo*, *adnililo*, *adnihilo*, and *annullo*. Of course, much of the Latin usage dates to the Late Republic, Principate and even later, due to the vagaries of the survival of works from the earlier periods. As such, the complete range of terms and concepts through which the Romans of the Middle Republic thought about their annihilatory behaviours is uncertain. This ambiguity applies, for the most part, also to the words used by the Greek sources for Roman urban annihilation; among the more common are ἀπόλλυμι, διαφθείρω, διόλλυμι, φθείρω.³⁹⁷ Some of the Greek vocabulary is more suggestive of the methods of destruction, especially those such as καθαιρέω, Κατασκαφή/κατασκάπτω, καταλύω whose prefix suggest the demolishing of structures, which we will return to in due course.

Burning

For smaller settlements, burning likely served to achieve their effective destruction. Wooden structures would be easily dealt with, and even many stone structures would have had wooden elements—beams, supports, and so forth—liable to catch fire.³⁹⁸ Literary evidence suggests that villages could be burnt when the land was harried.³⁹⁹ It seems that burning was the primary method of destruction at Corinth, the fire being so intense that it gave rise to the later misconception of having created the Corinthian bronze alloy.⁴⁰⁰ Other large scale settlements were subjected to burning as a method of destruction.⁴⁰¹ Large parts of Syracuse were burned when M. Claudius Marcellus captured some of its neighbourhoods.⁴⁰² The razing through fire of a settlement if captured was considered normal: Livy had the pro-Hannibalic

³⁹⁷ For examples, see relevant entries in Liddell, Scott, and Jones 1940.

³⁹⁸ Adam [1994] 2005, 236–42. See comments by Vitruvius, 2.9.14–16, on the naturally fire-proof nature of larch wood for concern over flammability of materials.

³⁹⁹ Livy, 10.4; Cass. Dio, 4.34.4.

⁴⁰⁰ ‘Corinthian bronze’: Pliny, *Nat.*, 34.3.6–7; Florus, 1.32.16.6–7; Orosius, *Hist.*, 5.3.7. See: Mattusch 2003; Jacobson and Weitzman 1995; Jacobson and Weitzman 1992; Emanuele 1989.

⁴⁰¹ Antipatrea: Livy, 31.27.

⁴⁰² Livy, 26.32.4.

leaders of Capua imagine the burning of their city if the Romans were to capture it.⁴⁰³

The destructive effects of fire on densely-packed, combustible urban environments were genuinely feared. At Rome itself, the problem of periodic, accidental fires was only systematically addressed under Augustus, and, even then, were only partly successful at ameliorating their effects.⁴⁰⁴ Arson was perceived as the weapon of choice for insurrectionists and conspirators in Rome, both alien and domestic.⁴⁰⁵ Among the crisis reactions to the Bacchanalian Affair was the organisation of *vigiles* to ensure that adherents of the cult did not burn Rome down.⁴⁰⁶ The Roman legate Q. Pleminius, in one tradition, was executed after bribing men to set fires in Rome to coincide with Scipio the Elder's *ludi* so that he could escape from confinement.⁴⁰⁷ The trope of the arsonist conspirator would reappear with Catiline's infamous plot in 63 BCE.⁴⁰⁸ Indeed, Cicero frequently levelled the accusation of attempted arson to destroy the city of Rome at those for whom he alleged criminal and treasonous activities.⁴⁰⁹ Looking backwards to Livy's account of the Gallic sack of Rome, arson features prominently as the main method of destruction.⁴¹⁰ The greatest existential threat to Rome was imagined, probably rightfully, to be through fire because it was an effective way to destroy urban places and formed part of the practices of Roman attempts to destroy other cities.

Demolition

Along with incendiary techniques, the Romans could use physical demolition to annihilate urban settlements. In some cases, this could be with the

⁴⁰³ Liv., 26.13.15.

⁴⁰⁴ Southern 2007, 119–20.

⁴⁰⁵ E.g. Capuan conspirators in Liv., 26.27.12–14.

⁴⁰⁶ Golden 2013, 166 f.

⁴⁰⁷ Liv., 29.22.9–10.

⁴⁰⁸ Pagán 2013, 31–35, 41.

⁴⁰⁹ Cic., *Sull.*, 6.19.

⁴¹⁰ Liv., 5.41.10–43.4; cp. Diod. Sic., 14.116.8; Plut., *Cam.*, 22.6.

apparent intention to destroy utterly, as far as that was practical, the urban fabric of the city. Some sites, such as that of Numantia, provide archaeological evidence for both burning and demolition.⁴¹¹ Iliturgi in Spain was subjected to this kind of attack. They had killed those remnants of the Roman army of the Scipio brothers, and the Romans took their revenge, killing many of the inhabitants and then razing the place:

Threw firebrands into the houses and demolished what could not be consumed by the flames. So delighted were they to destroy even the traces of the city and to blot out the memory of their enemies' abode.⁴¹²

Demolition was therefore probably in many cases carried out after the structure of buildings had been compromised by firing. For his description of this attack, Appian uses a term derived from κατασκάπτω to describe the demolition of this town, which he calls Ilurgia.⁴¹³ Zonaras' description of the Romans having burnt it to ashes (κατέπρησαν) may not be a contradiction;⁴¹⁴ the demolition of the remains and foundations of destroyed towns as represented in many of the Greek sources with this verb (and the associated noun κατασκαφή) seem to have occurred following the torching of the buildings, although some of the less reliable sources seem to also use the word more generically.⁴¹⁵ The two phase destruction is well expressed by

⁴¹¹ Dobson 2007, 98, 140.

⁴¹² Liv., 28.20.7, trans. Gardener Moore: *ignem deinde tectis iniciunt ac diruunt quae incendio absumi nequeunt; adeo vestigia quoque urbis exstinguere ac delere memoriam hostium sedis cordi est.* Cf. Zonar., 9.10; App., *Hisp.*, 32-33; Val. Max., 9.11.ext.1; Eutr., 3.16.2. The Iliturgi here may be the Ilorci of Plin., *Nat.*, 3.9. See comm. in Gardner Moore 1949, 8:28.19.1 n.1; and Yardley 2006, 26.36 n., 28.19 n.

⁴¹³ App., *Hisp.*, 6.32: μέχρι και την πόλιν αυτοις επικατέσκαψαν.

⁴¹⁴ Zonar., 9.10: την δε πόλιν κατέπρησαν ἅπασαν.

⁴¹⁵ Connor 1985, 85. Carthage and Corinth: Strabo, 14.5.2; Carthage: App., *Pun.*, 12.83, 20.136; Carthage and Numantia: Plut., *Aem.*, 22.4; Numantia: App., *Hisp.*, 15.98; Pharos: Polyb., 3.19.12; Cannae (town): Polyb., 3.107; Cameria: Dion. Hal., *Ant. Rom.*, 5.51.1; Judea: Joseph., *AJ*, 15.357, 18.8; Syracuse: Plut., *Marc.*, 19.2; examples of the Romans avoidance of include: Latin War: Dion. Hal., *Ant. Rom.*, 3.34.8, 51.1, 6.75.3; Sabines: Dion. Hal., *Ant. Rom.*, 3.66.2; Fidenae: Dion. Hal., *Ant. Rom.*, 5.43.1; Plut., *Rom.*, 23.6; cp. non-Roman examples, including Sybaris: Diod. Sic., 11.90.3; Lyttus: Polyb., 4.54.2; Dium: Polyb., 4.62.2; walls of Paeanium: Polyb., 4.65.4; Dodona: Polyb., 4.67; Thermus: Polyb., 5.9.3; Athenian designs on Syracuse: Diod. Sic., 13.29.4; Thebes: Diod. Sic., 15.88.4; Polyb., 5.10.6; Metape: Polyb., 5.13.8; risk to Rome: Dion. Hal., *Ant. Rom.*, 8.50.1, 9.53.5, 11.18.2.

Plutarch's 'κατεπίμπρασαν καὶ κατέσκαπτον' ('they burned them down and levelled them with the ground').⁴¹⁶ The importance of these lexical choices linked them to a ritual domain, the symbolic consequences of which will be discussed a little further on.

The Romans could selectively apply their demolitions. They could, for example, destroy certain suburbs only to achieve strategic aims through the partial destruction of the urban environment. Thus, at Nola in 313 BCE, the dictator Gaius Poetelius supposedly ordered all the extramural neighbourhoods to be demolished to facilitate the approach to the town, and thus the Roman assault on it.⁴¹⁷ Indeed, much damage to the urban fabric could be made during the siege and the attack on a settlement.⁴¹⁸ In Epirus, the Molossian cities at Megalo Gardiki and Kastritsa show signs of damage from the Romans in the Third Macedonian War. Damage to the walls at Megalo Gardiki may be attributed to the Roman campaign of the praetor L. Anicius, who quelled the region prior to the sojourn of Paullus, whereas the site of Kastritsa shows evidence of the assault in the form of iron arrowheads from ballista projectiles and stone projectiles excavated in the destruction layer surrounding the southern tower that guarded the main entrance to the city which must have been deposited at the time of the attack.⁴¹⁹ M.V. Sakellariou and N.G.L. Hammond identify these places as Passaron and Eurymenai respectively.⁴²⁰ If this is the case, then our literary sources would be wrong, as Livy is clear that of the Molossian settlements it was only Passaron, Tecmon, Phylace, and Horreum that did not immediately surrender out.⁴²¹ Therefore, Sotirios Dakaris and Pierre Cabanes may instead have been correct in identifying Kastritsa as Tecmon instead.⁴²² Kastritsa, like other sites in the region, has not yet produced any epigraphic evidence for its ancient name and so we cannot be certain. In any case

⁴¹⁶ Plut., *Cam.*, 22.6.

⁴¹⁷ Liv., 9.28.5.

⁴¹⁸ E.g. see the evidence for the siege works and assault on Numantia: Schulten, Barthel, and Groller 1927; Dobson 2007.

⁴¹⁹ Yiouni, Kappa, and Faklari 2015, 41–45; Pliakou 2007.

⁴²⁰ Sakellariou 1997, 30; Hammond 1967, 176, 181–82, 527, 576–77; Cabanes 1976, 302.

⁴²¹ Liv., 45.26.

⁴²² Dakaris 1956, 54–57; Cabanes 1976, 302.

these sites attest to damage occurring not just after the Roman conquest, but during the invasion itself.

Indeed, the site at Kastritsa may therefore represent an example of archaeological evidence for destruction that lacks literary attestation. There are others about which nothing is known about the site nor its destruction beyond the archaeological data, and indeed we must remain conscious of the partialness of the literary evidence for urban annihilation. The large Etruscan city at modern Doganella in the lower Albegna Valley, for example, is seemingly absent from the literary history of Rome's expansion into Etruria. However, the archaeological remains, as far as they can provide diagnostic data, seem to suggest the termination and rapid decline of the settlement, with evidence for its having been set fire to, sometime after the first half of the third century BCE. Philip Perkins and Lucy Walker plausibly suggested its destruction belonged to the period between 212 and 200 BCE, if indeed it had not already been destroyed by the time of the fall of Vulci in 225 BCE.⁴²³ Whatever city once existed at the Doganella site, it was impressive and large. Its literary absence suggests a larger set of unknown destruction sites, especially those that were lower order settlements and left fewer archaeological remains. Other examples of such sites include those in the Iberian Peninsula, where literarily unattested towns such as those at Castellet de Banyoles and at Cerro de la Cruz show evidence of having been violently destroyed.⁴²⁴

Carthage's urban fabric was severely damaged during the Romans' assault. The successive series of walls were likely partially destroyed during the fighting.⁴²⁵ Appian's account on the storming, as the Romans broke out from the military harbour known as Cothon and attacked the Byrsa reads:

There were three streets ascending from the Forum to this fortress, along which, on either side, were houses built closely together and six storeys high, from which the Romans were assailed with missiles. But they captured the

⁴²³ Perkins and Walker 1990, 77.

⁴²⁴ Noguera et al. 2014; Moralejo Ordax, Quesada Sanz, and Kavanagh de Prado 2010.

⁴²⁵ Flor., 31.15.11.

first few houses, and from them attacked the occupants of the next. When they had become masters of these, they put timbers across over the narrow passage-ways, and crossed as on bridges. [...] No one dared to set fire to the houses on account of those who were still on the roofs, until Scipio reached Byrsa. Then he set fire to the three streets all together, and gave orders to keep the passage-ways clear of burning material so that the charging detachments of the army might move back and forth freely. [...] The fire spread and carried everything down, and the soldiers did not wait to destroy the buildings little by little, but pulled them all down together.⁴²⁶

The buildings comprising the urban fabric of Carthage were targeted for methodical destruction. This work of demolition-under-arms lasted, he says, six days and nights. At least fragments of this part of Appian's work were derived from Polybius, and that the latter's influence is likely to have been quite extensive.⁴²⁷ It is therefore the closest to an eyewitness record that survives.

Yet, despite the carnage of the storming, and the subsequent deliberate burning and demolitions, archaeological evidence of destruction is slight relative to the magnitude of the descriptions.⁴²⁸ Certainly it would have been foolhardy to have attempted to flatten Carthage in its entirety: Strabo estimated that the walls alone 'comprise[d] a circuit of three hundred and sixty stadia', of which sixty, where they went across the neck of the isthmus, were tripled.⁴²⁹ In all probability the smoking ruins of the city of Carthage would have been expansive. At Corinth too, the damage to the city seems to have not been absolute. The effect on the urban centre has been described

⁴²⁶ App., *Pun.*, 128-129, trans. H. White: τριῶν δ' οὐσῶν ἀπὸ τῆς ἀγορᾶς ἀνόδων ἐς αὐτήν, οἰκίαι πυκναὶ καὶ ἐξώροφοι πανταχόθεν ἦσαν, ὅθεν οἱ Ῥωμαῖοι βαλλόμενοι τὰς πρώτας τῶν οἰκιῶν κατέλαβον, καὶ ἀπ' αὐτῶν ἠμύνοντο τοὺς ἐπὶ τῶν πλησίον. ὅτε δ' αὐτῶν κρατήσειαν, ξύλα καὶ σανίδας τοῖς διαστήμασι τῶν στενωπῶν ἐπιπιθέντες διέβαινον ὡς ἐπὶ γεφυρῶν. [...] ἐνεπίμπρη δ' οὐδὲν οὐδεὶς πω διὰ τοὺς ἐπὶ τῶν τεγῶν, ἕως ἐπὶ τὴν Βύρσαν ἦκεν ὁ Σκιπίων· καὶ τότε τοὺς τρεῖς ὁμοῦ στενωποὺς ἐνεπίμπρη, καὶ τὸ ἀεὶ πιμπράμενον ἑτέροις ὁδοποιεῖν ἐκέλευεν, ἵν' εὐμαρῶς ὁ στρατὸς ἀλλασσόμενος διαθέοι. [...] τοῦ μὲν πυρὸς ἐπιφλέγοντος πάντα καὶ καταφέροντος, τῶν δὲ ἀνδρῶν τὰ οἰκοδομηματα οὐ διαιρούντων ἐς ὀλίγον. The briefer treatment in Zonar., 9.31 bears many similarities.

⁴²⁷ Rich 2015.

⁴²⁸ Ridley 1986, 141–43; Miles 2010, 447 n.1.

⁴²⁹ Strabo, 17.14.

as 'selective destruction'.⁴³⁰ While most of the monuments in the civic area of Corinth seem to have survived the sack unscathed, the Romans targeted, in addition to inscriptions, the Columned Hall, North Stoa and Theatre. These likely played the role of tax office, armoury, and civic or military council meeting place, respectively. The destruction of these would have effectively destroyed the ability of the state to organise itself, not least because the burning of the tax office would have destroyed the land registry. It is possible that the lexis of devastation refers to this functional destruction rather the physical reduction or desolation of the site.⁴³¹

Public buildings were looted rather than razed to the ground, and it seems that most of the edifices of the city would have remained standing.⁴³² It is also likely that some habitation occurred in the interim period between Corinth's fall and re-establishment. Probably there were so-called 'miserable huts' built in levelled areas, possibly housing the *Corinthioi* spoken of by Cicero.⁴³³ Evidence suggests that there were some limited building works carried out during this period as well as use and maintenance of some of the roads.⁴³⁴ Small finds of pottery and coinage also attest to the continued use of the site of Corinth after its fall. Estimates for the size of the population of these dwellers range from about 500-1,000 to 2,500-4,000.⁴³⁵ These dwellers may have been those Corinthians who had escaped L. Mummius' predations. However, lacking the organisational level of the former *polis* and living on a subsistence basis, it would scarcely be tenable to claim that the Corinthians escaped as a functional social group.⁴³⁶

The destruction of the core, administrative buildings of Corinth—and the valuable records of landholdings, laws, and citizen rolls that they

⁴³⁰ S. A. James 2014, 25.

⁴³¹ Gebhard and Dickie 2003, 212–64.

⁴³² S. A. James 2014, 23.

⁴³³ S. A. James 2014, 26–27; Millis 2006.

⁴³⁴ Gebhard and Dickie 2003, 270f.

⁴³⁵ Given by S. A. James 2014, 29; Sanders 2014, 116 respectively. Sanders's measure includes the area of one hour's walk from the *polis*.

⁴³⁶ Gebhard and Dickie 2003, 262–64.

contained—seem to have sufficed to prevent its further functioning of the material conditions that could produce a way of life. Cities, even in the ancient world, are comprised of complex, specialised mechanisms and processes that enable high order functioning, but simultaneously introduce vulnerabilities.⁴³⁷ These require a high degree of maintenance to continue in an operational and effective state. The disruption of established equilibrium through even partial destruction can cause the urban system, reliant on many interconnecting infrastructures, to collapse to a state of higher entropy, that is to say one characterised by greater disorder. Thus, even partial destruction of cities, or of the networks in which they were embedded, may have induced an inevitable decline of the settlement, unless a high degree of social or economic capital was available to rebuild. Much of the settlement pattern disruption detected through surveys such as the Tiber Valley project may represent the result of the disruption caused by Roman conquest to the socioeconomic systems in which such settlements were embedded.⁴³⁸ Whether these therefore represent a deliberate attempt to destroy the group is debateable. On the other hand, the direct violence and damage levelled by Roman forces against urban sites may have led to their inexorable decline, such that they died out despite not being obliterated in their entirety.

Conversely, some settlements that had supposedly been annihilated pop up again later in the historical record. This suggests that the destruction of these settlements was less than intimated, that external populations re-inhabited the site and put substantial efforts into rebuilding, or that a sufficient proportion of the native inhabitants survived and rebuilt. It seems that some populations fled their urban centres when a Roman attack was imminent. In 232/1 BCE Marcus Pomponius, assailing the Sardinians, found that much of the population had slipped away to hide in caves in the forests, and he had to resort to tracking them with dogs called across from Italy.⁴³⁹ Similarly, the Ligurian Friniates tribe fled across the Apennines in 187 BCE, seemingly in consequence to their reluctance to comply with consul C.

⁴³⁷ Graham 2014, 263.

⁴³⁸ H. Patterson and Millett 1998; H. Patterson 2004.

⁴³⁹ Zonar., 8.18. Degrassi 1954, 101.

Flaminius' demand that they disarm made following their *deditio*. Flaminius had to pursue them with his legions to compel their compliance. His colleague, M. Aemilius Lepidus likewise had to chase those lowland Ligurian populations who had fled to the mountains to evade him.⁴⁴⁰ The inhabitants at Thebes and Corinth also both abandoned their cities for refuge elsewhere when the Romans marched against them.⁴⁴¹ The Corinthians were for a time sought out, and their city remained destroyed until its Julian colonial re-foundation, but the Thebans expressly were not, and their city was re-established well enough for Sulla to capture it in 86 BCE.⁴⁴²

Temples, religious sanctuaries, and sacred sites

It would seem likely that a crucial element of the Roman annihilation of urban settlements would be the targeted destruction of temples, religious sanctuaries, and sacred sites due to the central cultural heritage role that such places played in shaping communities' way of life. Indeed, some urban sites may have been dominated by, or originated from, religious sanctuaries. The Umbrian town of Fanum Fortunae is a good example of such a town; while the origins are unstated by our sources and the eponymous temple has not been found, it is clear that the town took its name from a temple to Fortuna.⁴⁴³ Cities that the Romans subjected to destruction events that possessed regionally or supra-regionally prominent religious sites include Carthage, Corinth, Falerii, Volsinii, and Agrigentum.

Alba, having undergone its *synoecism* with Rome, was said to have had its urban fabric destroyed but its temples spared.⁴⁴⁴ Indeed, the Alban mount remained an important site for the Latins, including the Romans, for

⁴⁴⁰ Liv., 39.2; Strabo, 5.217; Cass. Dio, fr. 65.2.

⁴⁴¹ Thebes: Paus., 7.15.9-10; Polyb., 38.16.10, Liv., *Per.*, 52; Corinth: Paus., 5.10.5, 7.16.7-9; Zonar., 9.31.

⁴⁴² Paus., 9.7.5-6, 30.1; Plut., *Sull.*, 19.12.

⁴⁴³ Caes., *BGall.*, 1.11.4; Plin., *Nat.*, 3.113.3; Strabo, 5.2.10. Uggeri 2006; E. Richardson 1976a.

⁴⁴⁴ Liv., 1.29.

centuries following the dissolution and destruction of any urban settlement there. Volsinii's extra-urban Fanum Voltumnae, the federal sanctuary of the Etruscans, continued in use until Late Antiquity, despite the destruction of the original city.⁴⁴⁵ Likewise, the extra-urban sanctuary of Juno at modern Celle in Civita Castellana, associated with the ancient Falerii veteres, continued in use after the Roman destruction of that city. Both Falerii and Volsinii are discussed further in the next chapter. In Umbria, while the Roman conquest seems to have produced a general decline in the frequentation of rural sanctuaries, especially in those more closely associated with urban centres, they do not seem to have been specifically targeted as part of Roman military actions.⁴⁴⁶

The site at Mesopotamon in Epirus, near to the *polis* of Ephyra, was argued by Dakaris to have been the famous Necromanteion and may represent a significant religious site targeted by the Romans in this period.⁴⁴⁷ Recent decades have introduced increasing scepticism as to this identification, reinterpreting it as a Hellenistic fortified farmhouse, the *hypogaeum* a storeroom rather than the crypt of the oracle.⁴⁴⁸ The final decision is uncertain, and it is likely that the actual oracular site may have been nearby. If this is so, then the fortified site, the destruction of which in 168 BCE is still the consensus, may indicate the destruction of a nearby, monumentalised oracular site. This shows the methodological complexities in interpreting the effects on religious sites of Roman destruction.

Steven Rutledge has argued that Romans did not necessarily regard foreign cult sites as *sacer*, and that they were therefore open to destruction with legal impunity especially during war where such sites were *de facto* targets for destruction.⁴⁴⁹ He does however note that there was an unwritten social dynamic that meant that respect to sacred sites, and thus whether a sacred site was destroyed, was contingent on a range of factors including

⁴⁴⁵ Stopponi 2011.

⁴⁴⁶ G. J. Bradley 1997.

⁴⁴⁷ Dakaris 1993, 13–31.

⁴⁴⁸ Ogden 2001, 19–21.

⁴⁴⁹ Rutledge 2007.

antiquity and reverence. This variability of behaviours is bore out in the examples in the present study. The presence of sacred sites, even prominent ones among those recognised and respected by the Romans, were not immune to the destruction wrought on cities. They were especially prone to mutilation during looting, and widespread burning and demolition likely would have caused damage or destruction. However, the Romans of this period did not seem to have specifically sought out the destruction of urban religious sites to destroy the social order of victim communities. The deliberate preservation of some temple sites belonging to annihilated urban settlements, especially those connected to but not within them and therefore less likely to constitute collateral damage, demonstrates that this was not an objective of Roman genocide.

Symbolic capital of destruction

Destroying a city was a performative act that communicated messages of terror and power. A both symbolic and practical, permutations in the scope, meaning, and method of urban destruction were possible. The destruction of cities could be successfully used to induce other cities to surrender without resistance to the Romans.⁴⁵⁰ In other cases, the destruction of cities through treacherous means could lead to other cities strengthening their resolve against Rome as they could not trust in surrender as a safeguard.⁴⁵¹ In such cases, the terroristic message of the urban annihilation produced an opposite effect within the interstate system to that intended.

Ruin lust

As has been argued above, the destruction of urban sites could involve substantial effort, and in many cases will not have been absolute. However,

⁴⁵⁰ Codrion surrenders after Apustius was destroyed: Liv., 31.27.5.

⁴⁵¹ Intercatia in Spain refused surrender after Lucullus destroyed Cauca, until a young Scipio the Elder could earn their trust: App., *Hisp.*, 52-54.

even the partiality of the physical destruction of sites could itself have its own value for the destroyers. The ruinous remains of cities were in themselves a powerful signifier of their own erasure, and were expressive of having been put ‘under erasure’.⁴⁵² This might be considered an ancient form of ‘ruin lust’ or ‘*ruinenlust*’ in German, which could be described as ‘the various kinds of pleasure given to various people at various epochs by the spectacle of ruined buildings’.⁴⁵³ In the first century BCE, a Servius Sulpicius recalled in a letter to Cicero his reflections on mortality prompted by the views of Corinth and adjacent destroyed settlements:

As I was on my way back from Asia, sailing from Aegina towards Megara, I began to gaze at the landscape around me. There behind me was Aegina, in front of me Megara, to the right Piraeus, to the left Corinth; once flourishing towns, now lying low in ruins before one’s eyes. I began to think to myself: ‘Ah! How can we manikins wax indignant if one of us dies or is killed, ephemeral creatures as we are, when the corpses of so many towns lie abandoned in a single spot?’⁴⁵⁴

Corinth, whose cultural renown was widespread both long before and after its destruction, formed a poignant ruin.⁴⁵⁵ Diodorus Siculus wrote passionately about the ruins of Corinth:

Nor was it only at the time of her downfall that Corinth evoked great compassion from those that saw her; even in later times, when they saw the city levelled to the ground, all who looked upon her were moved to pity. No traveller passing by but wept, though he beheld but a few scant relics of her past prosperity and glory.⁴⁵⁶

⁴⁵² I employ here the sense used by Derrida 1997; developing Heidegger 1956, 81 f.

⁴⁵³ Macaulay and Beny [1954] 1966, 26; see Dillon 2014.

⁴⁵⁴ Cic., *Fam.*, 4.5.4, trans. Bailey: *ex Asia rediens cum ab Aegina Megaram versus navigarem, coepi regiones circumcirca prospicere. post me erat Aegina, ante me Megara, dextra Piraeus, sinistra Corinthus, quae oppida quodam tempore florentissima fuerunt, nunc prostrata et diruta ante oculos iacent. coepi egomet mecum sic cogitare: ‘hem! nos homunculi indignamur si quis nostrum interiit aut occisus est, quorum vita brevior esse debet, cum uno loco tot oppidum cadavera proiecta iacent?’*

⁴⁵⁵ Graverini 2002, 61–65.

⁴⁵⁶ Diod. Sic., 32.27.1.

The same sort of incorporation of the landscape into the culturally-ordained spatial construct is seen in the commemoration of the scars, or *vestigia*, that battle sites and campaign camps left, or on a smaller scale the incorporation of the remains of the past into the cityscape of Rome itself.⁴⁵⁷

An echo of this cultural-embeddedness of the ruined city is shown in, for example, Pliny's frequent recitation of towns that formerly existed in the various locales of which he writes but that had expired by his time of writing. The wide variety of cultural significances that could attach themselves to destroyed places can also be seen in Strabo's elicitation of, for example, the destroyed ruins of Laurentum, Lavinium, and Ardea, where:

Although only traces of cities are left, those traces have become famous because of the sojourn which Aeneas made there and because of those sacred rites which, it is said, have been handed down from those times.⁴⁵⁸

The perished site of Parra similarly functioned as a form of vestige.⁴⁵⁹ The ruins left behind at destroyed sites such as these communicated their erasure and could be a powerful signifier for both the imperial might of Rome, but also for the societies that formerly inhabited them. The symbolic element can be seen in Cicero's description of the destruction of his house by Catiline, an act which he compares to the destruction of cities in the manner that it was cruelly executed, and like an attack on his own person.⁴⁶⁰

Magical and ritual annihilation

It has been conclusively shown that Scipio Aemilianus did not have Carthage's soil salted as a ritualistic performance of its destruction, this being a modern invention.⁴⁶¹ However there were ritual measures available

⁴⁵⁷ Clark 2014, 30 ff.; Rutledge 2012.

⁴⁵⁸ Strabo, 5.3.5: καὶ λείπεται μὲν ἵχνη πόλεων, ἔνδοξα δὲ διὰ τὴν Αἰνείου γέγονεν ἐπιδημίαν καὶ τὰς ἱεροποιίας ἃς ἐξ ἐκείνων τῶν χρόνων παραδεδοῦσθαι φασί.

⁴⁵⁹ Plin., *Nat.*, 3.125.

⁴⁶⁰ Cic., *Dom.*, 23-24.

⁴⁶¹ Ridley 1986.

by which to secure the annihilation of urban centres in dimensions beyond the physical destruction of arson and demolition. Belief in curses and evil spells (*carmina mala*) was a persistent feature among the Romans, as with most premodern societies; there is copious enough later evidence in the form of curse scrolls, and the Twelve Tables provide early testimony for the credence in them.⁴⁶² The ritual and magical destruction of the cities of enemies could be performed through the appropriate use of spells: *evocatio* to coax away the tutelary god; and *devotio*, to commit the city to the chthonic deities. Macrobius, citing his now lost sources, is very clear on the distinction between the appropriate spells for *evocatio* and for *devotio*, which he provides at length along with the appropriate gestures to be made.⁴⁶³ Livy has Camillus besieging Veii offer two distinct, though shorter, prayers that follow this divide between *devotio* and *evocatio*.⁴⁶⁴

Pliny, who cites in turn the credible sources of Verrius Flaccus, says that the use of *evocatio* was customary and was still then in use:

In sieges, before everything it was customary for the Roman priests to call out the deity in whose protection that town was and promise them the same or greater worship among the Romans.⁴⁶⁵

However, despite the assertions of Macrobius and Pliny that the *evocatio* was regularly performed, it is infrequently attested. It is likely to have been performed during the destruction of Veii in 396 BCE, in which Camillus ritually drew out Juno Regina.⁴⁶⁶ Her temple on the Aventine subsequently housed

⁴⁶² Warmington 1979, 3:Table 8.1a-b, 8a-b; For evidence of magic, witchcraft, curses, and spells, see Gager 1999; and, Ogden 2002; for the Twelve Tables, Rives 2002.

⁴⁶³ Macr., *Sat.*, 3.9.6-12.

⁴⁶⁴ Liv., 5.21.2-3.

⁴⁶⁵ Plin., *Nat.*, 28.18: *Verrius Flaccus auctores ponit quibus credatur in obpugnationibus ante omnia solitum a Romanis sacerdotibus evocari deum cuius in tutela id oppidum esset promittique illi eundem aut ampliozem apud Romanos cultum. et durat in pontificum disciplina id sacrum.*

⁴⁶⁶ Liv., 5.21.1-4, 5.22.3-8; Dion. Hal., *Ant. Rom.*, 13.31.1; cf. Val. Max., 1.8.3, who identifies the deity as Juno Moneta, presumably in confusion with Camillus' son's dedication of a temple to the latter around 344 BCE, see Ov., *Fast.*, 6.183-186; Liv., 7.28.4-6. One inscription, *CIL*, VI 362, identifies a Juno Moneta Regina, so it may be that a later merged cult aided his confusion, see Miano 2012, 92–93; Meadows and Williams 2001.

her wooden cult statue brought from Veii.⁴⁶⁷ The attention given by Livy, Valerius Maximus, and Dionysius of Halicarnassus suggest that the ritual there was exceptional and not common practice.⁴⁶⁸ It may be inferred from Pliny that the rite was not a matter of course because only ‘certain gods’ (θεοὺς τινᾶς) had been coaxed to Rome.⁴⁶⁹

Other than Veii, the identification of *evocationes* is much more insecure. There are several potentials. Giorgio Ferri argues that it is likely that Juno Curite was led off from Falerii.⁴⁷⁰ The Etruscan god Vortumnus may also have been led off from Volsinii. Carthage is suggested by Macrobius as having undergone an *evocatio*, and there has been suggestion that Juno Caelestis (Phoenician Tanit) was led away from Carthage, although the factuality of this rite has been questioned.⁴⁷¹ Tertullian does hint at the *evocatio* of tutelary Tanit, when he questions Juno’s willingness to allow the destruction of Carthage by the Romans.⁴⁷² C. Gracchus’ ill-fated Roman colonisation of Carthage under the name Colonia Iunonia in 123/2 BCE,⁴⁷³ may represent an attempt to reintroduce the tutelary Tanit back to her city. Falerii and Volsinii were, however, not destroyed as civic entities; their urban centres were destroyed and their cities relocated (see the next chapter). If these led to the *evocatio* of their tutelary gods, this suggests either that their destruction was initially intended or that their transfer was in service of other ends than the complete ritual destruction of the community. Macrobius suggests that the existence of the spell with which the Romans would coax out the tutelary gods was kept secret.⁴⁷⁴ This may account for the dearth of historical records, but seems unlikely given the transparent

⁴⁶⁷ E. Richardson 1976a, 215–17; Ziolkowski 1992, 238–40.

⁴⁶⁸ Rutledge 2007, 180.

⁴⁶⁹ Plut., *Quaest. Rom.*, 61. Serv., *Aen.*, 9.446.

⁴⁷⁰ Ferri 2011, 149–50.

⁴⁷¹ Blomart 1997.

⁴⁷² Tert., *Apol.*, 25.8-9; Tert., *De Pallio*, 1.2.

⁴⁷³ Plut., *C. Gracch.*, 10.2 *CIL*, I 585.

⁴⁷⁴ Macr., *Sat.*, 3.9.2, trans. R.A. Kaster: *moremque Romanorum arcanum [...] certo carmine evocarent tutelares deos.*

signs of an *evocatio* in the building of a new temple to the deity at Rome and the processional transference of their cult image to it.

The *devotio*, by which the chthonic gods were called on to ensure the destruction of a city by receiving it as a sacrifice,⁴⁷⁵ is similarly uncertain in usage. Only dictators and the generals, those possessing *imperium*, could use this spell according to Macrobius. As he does with the *evocatio*, he provides the spell for *devotio*, using Carthage as the exemplar victim. Macrobius furthermore identifies the following victims: Fregellae (destroyed 125 BCE); Stonios, which is unattested but may be a manuscript corruption for Thurii (colonised in 193 BCE); Gabii, whose destruction is unrecorded; Veii (396 BCE); Fidenae (498 BCE); Carthage and Corinth (146 BCE);⁴⁷⁶ and also, the vague ‘many armies and towns of our enemies the Gauls, the Spaniards, the Africans, the Mauri, and other nations that the ancient annals mention’, which go unrecorded.⁴⁷⁷ Beyond the mere fact of their destruction or capture by Rome, we have no corroboration of *devotio* in most cases, excepting Veii and Carthage.⁴⁷⁸ Gabii and Fidenae were, however, bywords for desolation by the Principate, and a tradition of destruction may have grown attached to them.⁴⁷⁹ For Carthage, the *lex agraria* of 111 BCE seems to reconfirm the exclusion zone for the land where the city of Carthage stood, as well as attesting the *Lex Rubria* by which the Colonia Iunonia was decreed, and special attention seems to have been given to the auguries surrounding the establishment of the failed Gracchan colony and later

⁴⁷⁵ Versnel 1976.

⁴⁷⁶ Listed in Macrobius’ ordering. Destructions: Fregellae 125 BCE: Liv., *Per.*, 60; Amm. Marc., 25.9.10; Vell. Pat., 2.6.4; Val. Max., 2.8.4; *Rhet. Her.*, 4.13, 22, 37; Cic., *Planc.*, 70; Thurii: Liv., 34.53.1-2; Strabo, 6.263; Veii: Liv., 5.21.1-4, 5.22.3-8; Dion. Hal., *Ant. Rom.*, 13.31.1; Val. Max., 1.8.3; Fidenae: Flor., 1.12.4.

⁴⁷⁷ Macr., *Sat.*, 3.9.13, adapted from trans. R.A. Kaster: *in antiquitatibus autem haec oppida inveni devota: Stonios, Fregellas, Gabios, Veios, Fidenas; haec intra Italiam, praeterea Carthaginem et Corinthum, sed et multos exercitus oppidaque hostium Gallorum Hispanorum Afrorum Maurorum aliarumque gentium quas prisca loquuntur.*

⁴⁷⁸ Liv., *Per.*, 52; App., *Pun.*, 20.136. See bibliography in Miles 2010, 447 n.3; Versnel 1976, 408 argues that *devotio* was ‘an ancient rite and was frequently practised’.

⁴⁷⁹ Hor., *Ep.*, 1.11.7-8.

Caesarean one.⁴⁸⁰ Sarah James's use of the Carthaginian example to argue that no *devotio* occurred at Corinth, on the grounds that the existence of a subsistence, interim community at the latter would have been precluded had the land been cursed, overly privileges Roman religious behaviours and views.⁴⁸¹ These might not have determined the informal settlement patterns of the community that established itself in the ruins, and the lack of any organised, official community until it gained its own Caesarean colony in 44 BCE at the same time as Carthage indicates that the site remained formally dead. The site of destroyed Corinth was, therefore, possibly cursed, although the evidence is inconclusive.

The use of the *evocatio* and, more significantly, the *devotio* to extend the obliteration of cities beyond the mundane destruction of their fabrics and into a symbolic dimension, robbed their settlements of their tutelary deities and their sites a future. Although the evidence is scant, these practices were probably more widespread than recorded. It is evident that there were ritualistic understandings of destruction stretching back into the Archaic period among Italian peoples.⁴⁸² Parallels may be found in the Greek concept of *κατασκαφή*, which has been demonstrated above to have been among the lexis of Roman urban annihilation. Cassius Dio uses this word to describe the ritualistic confiscation and destruction of the house of M. Manlius Capitolinus in 354 BCE.⁴⁸³ Generally meaning the utter destruction of structure, originally the house of the condemned and later by extension of entire cities, it also had a symbolic component. Edith Hall described it as:

The overthrow, the physical razing to the ground of the house [...], which was symbolically charged as the concrete manifestation of the whole kinship line through time [...] the denial of burial, destruction of family altars and tombs,

⁴⁸⁰ *CIL*, I 585.46.7; Plut., *C. Gracch.*, 11.1; Cic., *Leg. agr.*, 1.5; Tert., *De Pallio*, 1.2.3. Stevens 1988.

⁴⁸¹ S. A. James 2014, 21–23.

⁴⁸² Edlund-Berry 1994.

⁴⁸³ Cass. Dio, 7.26.1.

removal of ancestors' bones, confiscation of property, exile, and a curse applying even to offspring and descendants.⁴⁸⁴

The destruction of cities achieved the same thing, obliterating the cultural and ritual fabric of the community, and severing its link to its continued ethnic and civic lineages. Florence Gaignerot-Driessen has argued that in some contexts, *κατασκαφή* was used to ritually kill *poleis*.⁴⁸⁵ In all likelihood, the very act of demolition involved with it ritual practices to effect the magical and religious annihilation of the settlement as the Romans understood it.

Slighting

Other places were certainly subjected to the physical destruction of stone works. Evidence suggests the partial destruction of walls at some of the larger settlements of Molossia, which have been associated with the deportation of its tribespeople by Paullus. This evidence is not conclusive but plausible nonetheless. Crucially it confirms the related practice of the demolition of walls of enemy cities that had tendered their *deditio in fidem populi Romani*. An example of this would be the cities that Cato compelled to defortify in this way.⁴⁸⁶ The destruction of fortified towers in Spain, mistakenly claimed to be full cities, is similar. Not only did this destruction of defensive capabilities have a real-world utility of reducing the defensive capabilities of the settlement, and therefore the capability to withstand Rome should hostilities be renewed, but it was demonstrative of Roman majesty and *imperium* over them. Other towns which had their walls demolished by the Romans in this period include Velitrae in 338 BCE,⁴⁸⁷ Privernum in 329 BCE,⁴⁸⁸ unnamed Ligurian cities in 182 BCE and unnamed Greek cities in 146 BCE.

⁴⁸⁴ E. Hall [1997] 2003, 104–5; For details, Connor 1985.

⁴⁸⁵ Gaignerot-Driessen 2013, 293–94.

⁴⁸⁶ Liv., 34.17.1-18.5; Front., *Str.*, 1.1.1; Plut., *Cat. Mai., Min.*, 10.3; Plut., *Mor.*, 199.C; App., *Hisp.*, 41; Polyæn., *Strat.*, 8.17.1; [Aur. Vict.], *De vir. ill.*, 47.2-3; Zonar., 9.17.

⁴⁸⁷ Liv., 8.14.5-7.

⁴⁸⁸ Liv., 8.20.7.

Walls were a status feature, serving to indicate that an urban centre had reached a level of confidence, prestige, and cohesion. It also served to delimitate the areas within and without the official confines of the city proper, therefore acting as a 'manifestation of the symbolic and ideological unity of a city and its political community'.⁴⁸⁹ One might look to the Romans' ascription of cultural meaning to the establishment of the *pomerium* of a city, and the religious and cultic importance of its maintenance. However, walls can also be a reaction to increased peril. Etruscan cities, for example, seem to have added monumental walls to their already naturally formidable cities at the same time as the Roman state began to aggressively assert itself beyond Latium. Similarly, Roman interventions in Samnium led to an increased density in defensive hillfort settlements there.

While the *pomerium* and walls of a city did not necessarily overlap, they often did, and the Romans might have assumed that they did when it came to foreign cities.⁴⁹⁰ The deep linkage in the Roman mentality between the city as an incorporated entity and its *pomerium* is suggestive.⁴⁹¹ The Romans clearly had the sense that foreign states possessed ritually-constituted *pomeria*, as indicated by the famous tale of Dido's cunning ploy to enlarge the *pomerium* of Carthage upon its foundation.⁴⁹² While he might not have salted the soil of Carthage, Scipio Aemilianus may indeed have had the boundary of the city ritually disrupted by the plough, which in Roman ritual was also the means by which it was instituted.⁴⁹³ Demolishing the walls in part, and ploughing a furrow across its path ritually and symbolically killed the city. As far as the Roman conception of the *pomerium* prohibited the presence of 'hostile authority, forces, persons, and even gods' within it,⁴⁹⁴ breaking it may have thereby ritually and symbolically permitted the penetration of the former city by such inimical forces.

⁴⁸⁹ Fulminante 2014, 104.

⁴⁹⁰ Liv., 1.44; Plut., *Quaest. Rom.*, 11; Varro, *Ling.*, 5.143.

⁴⁹¹ Simonelli 2001.

⁴⁹² Verg., *Aen.*, 1.366-67; Liv., 34.62.11.

⁴⁹³ Stevens 1988.

⁴⁹⁴ Drogula 2015, 105.

These symbolic practices should perhaps be seen as cognate to the concept of the 'slighting' of castles in the English Civil War, the 'intentional damage or destruction of a castle or fortified place to render it useless', which was done both during and immediately after the conflict. Even partial demolition of civic defences could cause serious status harm and the demotion of power and prestige of that settlement. Lila Rakoczy has furthermore argued that these processes of slighting were not just predicated on a binary divide between the military and civilian, but 'consisted of specific and complex actions' within social and economic contexts.⁴⁹⁵ Unfortunately, these contexts and the complexity of interactions between Roman and indigenous groups in the partial destruction of their own fortifications are largely irrecoverable. Nonetheless, we should expect that in many cases the demolition of fortifications, and the slighting of the settlement, would have engaged the locals, some of whom may indeed have profited from the process. Indeed, slighting may have represented an alternative to utter destruction, typically prompted by the submission of the former enemy to Roman *fides*.

The disincorporation of Capua

The ultimate extension of the symbolic potential of destruction can be found in the disincorporation of Capua. This was the punishment of the city for having sided with Hannibal in the Second Punic War, the most significant to Rome of their allies to have disaffected.⁴⁹⁶ The Capuans had held out during a long siege, which had seen Hannibal attempt to lift the assault, and then try to draw the Romans off by advancing on Rome itself. Throughout, the Romans had maintained a fierce focus on defeating Capua, the Senate ordering two consuls and a praetor to commit their armies to the task. However, the resulting punishment was mild in comparison to the alternatives. The anti-Roman ringleaders were scourged and beheaded,

⁴⁹⁵ Rakoczy 2008b, 282–83.

⁴⁹⁶ Fronda 2007.

inhabitants of the city enslaved, and the city stripped of its corporate existence.⁴⁹⁷ Cicero, who compares the act to the destructions of Corinth and Carthage, writes about the decision-making process behind its disincorporation:

For a long time, the lot of Capua was the subject of earnest discussion; public records and several decrees of the senate are to be seen, O Romans. Our ancestors wisely decided that, if they deprived the Campanians of their territory, removed the magistrates, senate, and public council from that city and left no semblance of a republic, there would be no reason why we should be afraid of Capua. Accordingly, you will find it written in ancient records that a city might exist to supply the means for the cultivation of Campanian territory, a place where the crops could be collected and stored, and in order that the labourers, fatigued by work in the fields, might make use of the houses in the city; that that was the reason why the needful buildings were not destroyed.⁴⁹⁸

Similarly, Livy says the Senate's decision was that Capua henceforth, 'as a nominal city, should merely be a dwelling-place and a centre of population, but should have no political body nor senate nor council of the plebs nor magistrates',⁴⁹⁹ and elsewhere says that they 'destroyed, not the walls alone, but the city'.⁵⁰⁰ The Romans were aware of the difference between the type of destruction that they meted out to Capua and to those that they burned and demolished. Yet henceforth the city of Capua symbolically functioned in the landscape in the same manner as the physical ruins of destroyed cities,

⁴⁹⁷ Liv., 26.12-16, 33.4-13, 31.31.14, 39.37.10-12; Val. Max., 2.3.3, 3.2 ext.1, 8.1, 5.2.1; Cic., *Leg. agr.*, 1.20, 2.88, 2.90; Flor., 1.22.41-42; App., *Hann.*, 43; Oros., *Hist.*, 4.17.12; Zonar., 9.6; Vell. Pat., 1.7.4.

⁴⁹⁸ Cic., *Leg. agr.*, 2.32.88, trans. J.H. Freese: *de Capua multum est et diu consultum; extant litterae, Quirites, publicae, sunt senatus consulta complura. Statuerunt homines sapientes, si agrum Campanis ademissent, magistratus, senatum, publicum ex illa urbe consilium sustulissent, imaginem rei publicae nullam reliquissent, nihil fore, quod Capuam timeremus. Itaque hoc perscriptum in monumentis veteribus reperietis, ut esset urbs, quae res eas, quibus ager Campanus coleretur, suppeditare posset, ut esset locus comportandis condendisque fructibus, ut aratores cultu agrorum defessi urbis domiciliis uterentur, idcirco illa aedificia non esse deleta.*

⁴⁹⁹ Liv., 26.16.9, trans. F. Gardener Moore: *Ceterum habitari tantum tamquam urbem Capuam frequentarique placuit, corpus nullum civitatis nec senatum nec plebis concilium nec magistratus esse.*

⁵⁰⁰ Liv., 39.37: *vos non muros tantum sed urbem agros ademistis.*

visible as the 'sepulchre and monument of the Campanian people'.⁵⁰¹ The disincorporation of Capua represented the furthest abstraction of the symbolic capital that accompanied and lay underneath the performance of destruction.

Authority to destroy

With whom the authority and agency to destroy lay is important in describing and explaining the Roman annihilation of urban places. As with our discussion of mass enslavement, the destruction of cities was seldom accidental, due to the physical energy that had to be employed in setting fires and demolishing in such a way as to generate general rather than localised destruction. While sacking and looting of urban spaces probably produced much damage to public and private buildings during the general chaos,⁵⁰² evidence is lacking that it resulted in urban annihilation. As the Romans did not routinely annihilate urban places when they captured them, there must have been a decision making or exigent process that led to that outcome. In searching for who among the Romans had the authority to determine the annihilation of a city, let us look first to the outbreak of the Third Punic War.

Cato the génocidaire and the annihilation of Carthage

The process that resulted in the destruction of Carthage in 146 BCE is among the best evidenced and most discussed of the incidents of urban annihilation in this period, as well as being one of the most important for the development of Roman Mediterranean hegemony. The path to the destruction of Carthage is also prone to reductive analysis. There is a tendency, in both modern and ancient literature, to consider its annihilation to have either been the inevitable clash of two antithetical empires or civilisations, or to have been the result of the relentless genocidal agitation of

⁵⁰¹ Liv., 31.29.11: *Capua quidem sepulcrum ac monumentum Campani populi.*

⁵⁰² For the chaos as a real event, see Ziółkowski 1993; for depictions of sacking as literary motif, see Paul 1982.

Cato the Elder. He is often credited with the utter destruction of the Carthaginians; in this regard, he has been labelled a greater ‘threat to Carthage’ than Carthage was to Rome.⁵⁰³ This is not only a modern view but is one gleaned from the ancient texts. For example. Plutarch says that:

The last of his public services is supposed to have been the destruction of Carthage. It was Scipio the Younger who actually brought the task to completion, but it was largely in consequence of the advice and counsel of Cato that the Romans undertook the war.⁵⁰⁴

Cato is repeatedly noted by the ancient sources for his role in agitating for the destruction of Carthage.⁵⁰⁵ This is most famously expressed in his supposed maxim that ‘Carthage must be destroyed’, usually rendered as either ‘*Carthago delenda est*’, or ‘*ceterum censeo Carthaginem esse delendam*’, or a similar phrase. The Latin formulation is modern, appearing in English, French, and German starting in the early eighteenth century.⁵⁰⁶ The Greek historians Appian, Plutarch, and Diodorus Siculus all attribute the exhortation ‘Καρχηδόνα μὴ εἶναι’ to Cato, while the later writers Orosius, Aurelius Victor, and Florus give Latin phrases somewhat similar to the modern version.⁵⁰⁷ While it is impossible to know what it was that Cato might have said, the sources are unanimous in stressing his intransigence on this matter; the Greek sources in particular, say that to foment war with Carthage he added the call to destroy Carthage to the end of any speech of his in the Roman Senate, no matter the subject.

⁵⁰³ Kiernan 2009, 58.

⁵⁰⁴ Plut., *Cat. mai.*, 26.1, trans. Bernadotte Perrin: εσχατον δὲ τῶν πολιτευμάτων αὐτοῦτην Καρχηδόνα ἀνάστασιν οἴονται γεγονέναι, τῷ μὲν ἔργῳ τέλος ἐπιθέντος τοῦ νέου Σκηπίωνος, βουλή δὲ καὶ γνώμη μάλιστα τῇ Κάτωνος ἀραμένων τὸν πόλεμον ἐξ αἰτίας τοιαύσδε. Cf. Cass. Dio, 21.70.30.

⁵⁰⁵ Plut., *Cat. mai.*, 26.2-3, 27.4; Cass. Dio, 21.9.26; Cic., *Off.*, 1.23.79; Liv., *Per.*, 79.2; August., *De civ. D.*, 1.30.

⁵⁰⁶ Vogel-Weidemann 1989, 79 with bibliography; Also, Hofmeister 2010; Burian 1978; Thürlemann 1974; Little 1934.

⁵⁰⁷ Diod. Sic., 34.33.3; App., *Pun.*, 10.69; Plut., *Cat. mai.*, 27.1; Oros., *Hist.*, 4.22.1; [Aur. Vict.], *De vir. ill.*, 47.8; Flor., 1.31.4. Cf. Cic., *Sen.*, 18.

Fragments of Cato's own writing confirm that he was an agitator for renewed hostilities with Carthage. A fragment from his *De bello Carthaginiensis* survives, and may be a section from a speech of his:

The Carthaginians are already our enemies; for he who prepares everything against me, so that he can make war at whatever time he wishes, he is already my enemy even though he is not yet using weapons.⁵⁰⁸

Furthermore, fragments of his *Origines*, likely composed in the late 150s BCE, show him arguing that the Carthaginians had committed treaty-breaches six times.⁵⁰⁹ Undoubtedly, this was part of an argument for the untrustworthiness of Carthage at a time in which Cato was attempting to convince others of the danger that it posed to Rome. His stunt of, supposedly accidentally, dropping fresh figs on the floor of the *curia*, which he claimed were picked two days previously in Carthaginian territory, was intended likewise to impress a sense of urgency to the threat.⁵¹⁰ Indeed, Pliny directly linked the stunt with the figs to Carthage's annihilation, saying that 'they promptly embarked on the Third Punic War, in which Carthage was destroyed'.⁵¹¹

It is entirely plausible then, that Cato was an agitator for not just war but for the utter annihilation of Carthage as a city and as a corporate entity. Cato would seem to fit the model of the *génocidaire*. However, such arguments are substantially hampered by the fact that Cato did not live to see the outcome of the Third Punic War, dying in 149 BCE, shortly after the war had started.⁵¹² To put it in legal terms, while he might have possessed a

⁵⁰⁸ Malcovati 1955, 3:fr. 195, trans. A.E. Austin. Cp. *Rhet. Her.*, 4.14.20; Quint., *Inst.*, 9.3.31, which are sometimes presumed to have been written by Cato, but are not attributed to him in the texts themselves, and are more plausibly artificial rhetorical training aids of a later date.

⁵⁰⁹ Non., 100M=142L; Gel., 10.1.10. Cf. Cornell 2013, 1:i. 125-6.

⁵¹⁰ Plin., *Nat.*, 15.74-75; Plut., *Cat. mai.*, 27.1; Liv., *Per.*, 48; App., *Pun.*, 69. Meijer 1984.

⁵¹¹ Plin., *Nat.*, 15.75, trans. adapted from Rackham: *statimque sumptum est Punicum tertium bellum, quo Carthago deleta est.*

⁵¹² Cic., *Brut.*, 61, 80; Plut., *Cat. Mai.*, *Min.*, 1.13.1; Plin., *Nat.*, 14.45, 29.15; Vell. Pat., 1.13.1.

genocidal *mens rea*, the state of mind, in respect to the Carthaginians, he did not carry out the *actus reus*, the prohibited act.⁵¹³ Cato's influence, although it might have been great, is very unlikely to have continued to have directed the course of action. The political constitution of the Roman state of this time was generally unsuited to long-term thinking, and to suppose that Cato could continue to cause the annihilation of Carthage after his death is questionable. His influence over the Senate should not be overestimated, and is likely to have been magnified in the tradition as time passed. A.E. Astin noted that although Cato stands out as an energetic and vigorous orator and politician, there is little evidence for him having a decisive role in other big issues of foreign affairs and that, rather, he was reflective of the general leanings of large sections of the Senate.⁵¹⁴ The continual opposition of Scipio Nasica, who replied that Carthage should be preserved, shows that substantial voices among the elite dissented from Cato's opinion.⁵¹⁵ Both of these men likely disguise and represent a varied and mixed set of attitudes towards the possibility of Carthage's extirpation. That Cato seems to have started his agitations in 157 BCE, following his trip to Carthage as an ambassador,⁵¹⁶ shows limits to his influence in this matter.

Therefore, Cato can only be considered as one part of the process that resulted in Carthage's destruction. However, approaches that directly draw a line between Cato and Carthage's annihilation tend to afford a large degree of political instrumentality to Roman state operations. It is worth looking in greater detail at the events that led to the outbreak of hostilities known as the Third Punic War.⁵¹⁷ In 151 BCE the Carthaginians, tiring of Rome's continual toleration of Masinissa's aggressive acquisition of their territory, fought

⁵¹³ Bazylar 2017, 41–44.

⁵¹⁴ Astin 1978, 288, 291.

⁵¹⁵ Polyb., 36.1.1-2.4; Liv., *Per.*, 49; Plut., *Cat. mai.*, 27.2-5; Flor., 1.31.4-5; Diod. Sic., 34.33.3-5; Cic., *Off.*, 1.79; Cic., *Tusc.*, 3.51; Cic., *Leg. agr.*, 2.87; [Aur. Vict.], *De vir. ill.*, 47.8; August., *De civ. D.*, 1.30, 2.18; Oros., *Hist.*, 4.23.8-10; Zonar., 9.30.

⁵¹⁶ Liv., *Per.*, 48; Plut., *Cat. mai.*, 26.1-3; App., *Pun.*, 68-69.

⁵¹⁷ Polyb., 36-37 being fragmentary and Liv., 49 lost, App., *Pun.*, 74-93 is the fullest remaining account for the following events but problematic.

against the Numidians and lost. Envoys were immediately dispatched to Rome, to explain their position and apologise for having taken up arms, in contravention of the treaty made at the end of the Second Punic War. Three years later, in 149 BCE the Roman Senate voted for war with Carthage, shortly before Cato's death.⁵¹⁸ In Polybian terms, given the cause (αἰτία) for the war was provided in the form of Cato's agitation, the reason for the delay between the pretext (πρόφασις) and commencement (ἀρχή) is unclear.⁵¹⁹ Perhaps the delay was to accommodate further intelligence gathering.⁵²⁰ The Carthaginians sent a delegation with plenipotentiary powers to Rome, and, finding that the consuls had already left in preparation of the war, they committed themselves to the *fides Romanus*.⁵²¹ Their submission was accepted, and they were ordered to deliver 300 hostages, sons of the elite, to the consuls at Lilybaeum, and to follow any further instructions that they issued.⁵²² With the consular army landing near Utica, the Carthaginians again sent envoys, who were instructed to surrender all of the arms belonging to Carthage, which they promptly did.⁵²³ Then came the final order, sometimes known as the Censorinus ultimatum, that the Carthaginians abandon their city and relocate to a new site 80 stades inland.⁵²⁴

There has been a tendency to view this ratcheting up of demands as a way to compel the Carthaginians to reject their *deditio in fidem* and thus enable the Romans to justify their annihilation. This is certainly the view of Appian, and subsequently of Cassius Dio, who refer to secret orders of the

⁵¹⁸ App., *Pun.*, 75, 86; Polyb., 3.5.5; Liv., *Per.*, 49; Liv., 49.88-89; Strabo, 17.833; Flor., 1.31.3-6; Ampelius, *Liber Memorialis*, 46.7; Eutr., 4.10.1; Oros., *Hist.*, 4.22.1; Zonar., 9.26; Vell. Pat., 1.12.2.

⁵¹⁹ Baronowski 2011, 16ff., 73-77. Polybius explains this tripartitism himself at 3.6.3ff.

⁵²⁰ Austin and Rankov 1995, 92-93; Cp. Hoyos 2010, 214. Liv., *Per.*, 48; Zonar., 9.26.

⁵²¹ Polyb., 36.3.9-4.7, 9.12-13; Diod. Sic., 32.6.1; Liv., *Per.* 49; Liv., 49.90-91; App., *Pun.*, 76, 80; Zonar., 9.26.

⁵²² Polyb., 36.4.8-5.9, 11.3; Diod. Sic., 32.6.2; Liv., *Per.*, 49; App., *Pun.*, 77-81; Zonar., 9.26. See J. Allen 2010, 63-66.

⁵²³ Polyb., 36.6.1-7; Diod. Sic., 32.6.2; Liv., *Per.*, 49; Strabo, 17.833; Flor., 1.31.7; App., *Pun.*, 78-80; Oros., *Hist.*, 4.22.1-2; Zonar., 9.26.

⁵²⁴ Polyb., 36.7.1-5; Diod. Sic., 32.6.2-4; Liv., *Per.*, 49; Liv., 49.91-93; Flor., 1.31.8-9; App., *Pun.*, 80-93; Oros., *Hist.*, 4.22.3; Zonar., 9.26; Suda, B 320.

Senate who had already decided on the course of action.⁵²⁵ However, there are significant problems with this interpretation. The Romans did not require a pretext to go to war with the Carthaginians nor to destroy their city; pretext had been provided in 151 BCE, and the Romans only had to not accept the Carthaginian *deditio* if they wished to remain in a state of war. The acceptance of hostages would have been utterly pointless if a peaceful, albeit unequal, solution was not being sought. What is more, the war conspiracy interpretation is undermined by the fragmentary evidence of Polybius and Livy, the latter in the form of the epitome of Florus. Polybius says that 'the Romans turned their hands against Carthage, having resolved in the first place on changing its site and subsequently on its utter destruction'.⁵²⁶ Florus says that, when Cato and Scipio Nasica had trenchantly presented their opposing views as to whether Carthage should be destroyed or preserved in the Senate, the 'Senate decided upon the middle course, namely, that the city should merely be removed to another site'.⁵²⁷ The necessity to find compromise among the many diverse and competing needs and strategies of the members of the Senate may have obliged the use of delaying tactics with the Carthaginian envoys. What Appian and Cassius Dio see as a cunning stratagem to force the Carthaginians to give up their arms, all the while planning the ultimatum, may in fact be a result of the senate not being able to reach consensus. This may also explain the Roman desire to move the Carthaginian envoys between Rome, Sicily, and Utica, as a delaying tactic while they made up their collective mind.

It therefore seems more plausible that an intractable set of views were voiced in the Roman Senate. At some point in 149 BCE the body decided for war, but there was no unanimity as to how it should be pursued and whether Carthage's annihilation should be its goal. The consuls were briefed on the

⁵²⁵ App., *Pun.*, 10. 67-68, 72, 11. 74, 77; Cass. Dio, 32.1.1, 32.3.1.

⁵²⁶ Polyb., 3.5.5, trans. adapted from Paton: οἱ δ' αὐτοὶ μετ' οὐ πολὺ Καρχηδονίοις ἐπέβαλον τὰς χεῖρας, τὸ μὲν πρῶτον μετανασθῆσαι, μετὰ δὲ ταῦτα πάλιν ἄρδην αὐτοῦς ἐξανασθῆσαι προθέμενοι διὰ τὰς ἐν τοῖς ἐξῆς ῥηθησομένης αἰτίας.

⁵²⁷ Flor., 1.31.5, trans. E.S. Forster: *medium senatus elegit, ut urbs tantum loco moveretur.*

wishes of those in the Senate, with plenipotentiary authority to secure the best outcome as the situation determined. That the Senate and the consuls might have thought that they could have seriously demanded that Carthage relocate is not as ludicrous as often believed; the Romans had previously set successful precedents for forced urban relocation of other peoples, most notably the Italian cities of Volsinii and Falerii. These are discussed in more detail in the following chapter. While Carthage was a much larger, and more important, city than any other that they had hitherto forced to relocate under their *fides*, Rome was at that time at an unprecedented height of its revisionist power, and previously unthinkable ideas had become possible. The reaction of the Carthaginians seems not to have been predicted by the Romans, who lost their opportunity to deal easily with their erstwhile bipolar competitor for the hegemony of the Western Mediterranean.⁵²⁸ It was therefore a failure of 'compellence diplomacy', but the Romans were prepared to carry through the alternative by force.⁵²⁹

Cato's influence might have been significant, but it is overly teleological simply to connect his genocidal agitations to the outcome; the diverse and plural interaction of various agents, including competing elements among the Roman Senatorial elite, their plenipotentiary representatives, as well as the representatives of the Carthaginians, and their senate. Once the siege got underway, authority passed to the consular agents in command of the Roman military forces. Undoubtedly the protracted siege, marked by repeated setbacks until Scipio Aemilianus took command, and the difficulty of its capture once its storming got underway, made more likely the violence that ultimately befell the place.

⁵²⁸ Or 'militarized dyadic rivalries', W. R. Thompson 1999, 3–6.

⁵²⁹ Eckstein 2006, 60–61.

Imperium

Cato's role in the convoluted process that led to the destruction of Carthage is illustrative of the wider issue of where the loci of authority to annihilate cities resided, the instrumentality of Roman state agents, and the conditions under which they could annihilate settlements. The Romans did not routinely annihilate urban places when they captured them,⁵³⁰ so there must have been a decision making or exigent process that led to that outcome. The literary evidence seems to suggest that in many cases the *imperium* of commanders in the field—consuls, praetors, and their prorogued colleagues—legitimated their application of force, including urban annihilation, and it was their right to use as they deemed fit.⁵³¹ Their right to lead and command armies, and to use their force was practically unrestricted once they were in the field. As with our previous analysis of mass killing, it is likely that the *imperium* provided religious authority to command destruction, and that this was an inheritable trait to the classes of citizens under their authority and bonded to them by the army oath. However, this apparent legitimatisation of the use of violence did not in reality equate to *carte blanche* to annihilate urban settlements. Carrying out inappropriate or unauthorised urban annihilation could be perceived as impinging on the *auctoritas* of the Senate and the *potestas* of the People.⁵³² This was another area of unwritten rules and expectations. Legitimacy to destroy a settlement was contingent on the charismatic ability of the general to do so without censure, on the nature of how the destruction came to happen, and on Roman perceptions towards the settlement annihilated. Thus, for example, Appian recalls that Scipio Aemilianus destroyed Carthage by Senatorial authority but Numantia by his own, both earning him triumphs and agnomens.⁵³³

⁵³⁰ Polyb., 18.37.

⁵³¹ Eckstein 2010; Lintott 1999; Lintott 1981; Giovannini 1983; Morstein-Marx 1995.

⁵³² Cic., *Leg.*, 3.28.

⁵³³ App., *Hisp.*, 15.98.

The transitory nature of *imperium*—which was held only so long as the magistracy was held, which is to say usually one year unless prorogued—meant that the opportunities that it afforded were fleeting. The chance to acquire fame and fortune might not arise again. It might be the only opportunity to lead a triumph, and to add a triumphal cognomen. This meant that commanders were sometimes eager to bring about urban annihilation when they had the prospect. In the Achaean or Fourth Macedonian War, the praetor Q. Caecilius Metellus had defeated both the pretender Andriscus in Macedonia and the armies of the Achaeans, but was preempted by the arrival of the consul Mummius, to whom went the spoils of sacking Corinth and the subsequent triumph and fame back at Rome.⁵³⁴ Indeed, Mummius' triumph was renowned in part due to the artworks he brought back. He capitalised on this with their public display and by setting up inscriptions, incorporating the sacking of Corinth into his public presentation of self as a *triumphator*.⁵³⁵ Even Scipio Aemilianus was warned, by Masinissa's son Gulussa, that he should press to complete the siege of Carthage because the 'appointment of the new consuls was close at hand and he should take this into consideration, lest when he was overtaken by winter another commander should succeed him and without any trouble credit himself with the result of all his pains'.⁵³⁶

The fame and wealth that a commander could accrue through destroying other cities likely encouraged a hastiness or even rashness in the behaviour of some, as they sought to maximise the rewards of gaining the curule magistracies and the *imperium* that was attached to them. This time pressure may lie behind those urban annihilations which the Romans themselves considered problematic. Some of these, such as the destruction of the Ligurian town of Carystus, were clear breaches of the customary expectations of *fides* in attacking allied towns. This posed both a moral

⁵³⁴ Paus., 7.15.1.

⁵³⁵ *CIL*, I² 626.

⁵³⁶ Polyb., 38.8.2, trans. W.R. Paton: χωρὶς γὰρ τῶν ἀδήλων καὶ τὴν κατάστασιν τῶν ὑπᾶτων ἤδη συνεγγίζειν, ἧς δεῖν ἔφη στοχάζεσθαι, μὴ τοῦ χειμῶνος προκαταλαβόντος ἔπελθῶν ἕτερος ἄκο νητὶ λάβῃ τὴν ἐπιγραφὴν τῶν ἐκείνου πόνων.

hazard as well as potentially harmful consequences to the status of the Romans among others. Those who strayed outside their allotted *provincia* to attack and destroy towns were similarly apt for backlash, as this risked upsetting both international and domestic balances. Yet, even Scipio Aemilianus came in for comment for carrying out the destruction of Numantia, a hostile city within his province that, one would presume, he had a *prima facie* right to destroy due to his *imperium*.⁵³⁷ *Imperium*, as far as it informed the use of urban annihilation, was not unlimited.

Senate and assemblies

The authority of *imperium* was circumscribed in important ways by the Roman Senate. It was to the Senate that the survivors of foreign peoples who had been treated severely or unfairly by Roman curule magistrates went to seek redress, because they were the locus of power and the best check on the powers of the Roman state's magistrates.

It was usual for the Senate, and for the People, to react positively to news that enemies had been defeated and their city destroyed. It was a near sure-fire way of getting the acclamation necessary to be recognised with a triumph. Politics could intervene, as when M. Fulvius Flaccus was denied a triumph because he had regained a dominion of Rome and had not augmented it. Marcellus' destruction of parts of Syracuse evoked sympathy from some quarters, but Livy maintains that the majority approved of his actions and that that 'a decree was passed confirming Marcellus' deeds both during the war and after his victory' and incorporating the Syracusans into the protection of the Senate and People of Rome's *fides*.⁵³⁸ The corollary is that Marcellus could have had his acts of urban annihilation deemed illegal, as M. Popilius Laenas found when he destroyed the Ligurian city of Carystus in 173 BCE.⁵³⁹ The Roman Senate and People could censure or annul unpopular measures, and the conditionality of their consent was by the

⁵³⁷ App., *Hisp.*, 15.98.

⁵³⁸ Liv., 26.32.4-5.

⁵³⁹ Liv., 42.7.1-9.6, 10.9, 21.6-7, 45.15.10.

Middle Republic formally included in the diplomacy of generals in the field, their *imperium* notwithstanding. Shortly after our period of interest, the 139 BCE treaty of Q. Pompeius with the Numantines was repudiated by the Senate, and a few years later still saw the retraction of the peace negotiated on unfavourable terms by C. Hostilius Mancinus and the bizarre, propitiative delivery of him to the Numantines, bound and naked.⁵⁴⁰

Once victory was secured over an enemy, the Roman Senate often sent out boards of delegation to oversee the post-war settlement. At the withdrawal of Hannibal from Italy for Africa, for example, boards of commission decided the punishment of numerous seditious or insufficiently pro-Roman communities in Italy.⁵⁴¹ Some Roman commanders, such as Aemilius Paullus seem, perhaps, to have pre-empted this Senatorial interference by ordering the destruction of several settlements prior to the arrival of the decemviral commission.⁵⁴² Paullus supposedly accepted the consulship on the condition that he be given free-reign to conduct the Third Macedonian War without interference, so this might have been him exercising his freedom before he lost it. Although he did not destroy Capua itself, one might compare the actions of Fulvius. In pocketing a letter from the Senate ordering a stay of execution for the Capuan ringleaders, so that a Senatorial commission could investigate their supposed crimes and seditious overtures with Rome's other allies, Fulvius could claim a plausible deniability.⁵⁴³ Cicero attests to the debates—he had seen the records—held over whether to destroy or preserve Capua once it had been captured.⁵⁴⁴ Camillus' speech after marching to destroy Pedium is probably a reflection of

⁵⁴⁰ Refusal to ratify: Liv., *Per.*, 54, 55; Liv., 46.fr.14; Cic., *Off.*, 3.109; Cic., *Rep.*, 3.28; Plut., *Ti. Gracch.*, 7.1-6; Cass. Dio, fr.79.1-3, 83.2; App., *Hisp.*, 83; Vell. Pat., 2.2.1; [Aur. Vict.], *De vir. ill.*, 59.4, 64.2; Oros., *Hist.*, 5.4.21, 5.3; Eutr., 4.71.1, 10.17.2. Pompeius: Liv. 46.fr.14; Cic., *Fin.*, 2.54; ; Cic., *Off.*, 3.109; Vell. Pat., 2.1.5; Val. Max., 8.5.1; App., *Hisp.*, 79; Mancinus handed over: Liv., *Per.*, 56; Cic., *De or.*, 1.81, 2.137; Cic., *Off.*, 3.109; App., *Hisp.*, 83; *Dig.*, 50.7.18; Plin., *Nat.*, 34.18; Oros., *Hist.*, 5.4.21, 5.4, 6; [Aur. Vict.], *De vir. ill.*, 59.4; Amm. Marc.. 14.11.32. Rosenstein 1986.

⁵⁴¹ Gel., 10.3.19.

⁵⁴² Liv., 45.16.1-18.8, 27.1-4.

⁵⁴³ Liv., 26.15.

⁵⁴⁴ Cic., *Leg. agr.*, 2.88.

later debates found in such records as well as histories. He is made by Livy to outline the two options of annihilation, as a way of decisively and permanently ending intercommunal strife, or leniency.⁵⁴⁵ These options were weighed up for Luceria in the Senate. While there had been mass killing within the town already by the Roman troops, the Senate still needed to consider whether to destroy it or renew it. While many voted to utterly destroy the town, an argument to send a colony out to it prevailed.⁵⁴⁶ In a similar debate, Cato performed for Rhodes a role opposite that he had played for Carthage, persuading the Senate not to seek its annihilation.⁵⁴⁷

The Senate could, rather than their magistrates, be the ones seeking the destruction of settlements. Their authority and intention, once Censorinus' ultimatum failed and the siege got underway, to destroy Carthage cannot be denied, no matter whether there was an antebellum consensus on its annihilation. The Senate had a hand in the mass enslavement of the Molossians, during which many settlements were destroyed. Corinth was supposedly attacked by Mummius under orders of the Senate. The role of the assemblies seems to have been less than that of the Senate. Probably, their role was predominantly to assent to the settlements proposed by the Senate. Where their role was more prominent seems to have been in the few cases where assemblies dissented, typically demanding more destructive outcomes. Thus, after Falerii is selected for forced urban relocation rather than outright destruction, the People had to be persuaded by C. Papirius Maso, who had authored the Faliscan *deditio*, to persuade the voters to ratify the resolution rather than demand the city's obliteration.⁵⁴⁸ For Capua, on account of the citizenship held through

⁵⁴⁵ Liv., 13.11-18.

⁵⁴⁶ Liv., 9.26.1: *eoque ira processit ut Romae quoque, cum de colonis mittendis Luceriam consuleretur senatus, multi delendam urbem censerent. Praeter odium, quod execrabile in bis captos erat, longinquitas quoque abhorreere a relegandis tam procul ab domo civibus inter tam infestas gentes cogebat. Vicit tamen sententia ut mitterentur coloni. Duo milia et quingenti missi.*

⁵⁴⁷ Gel., 6.3.5-55; Liv., 45.25.3-4. Astin 1978, 123–24.

⁵⁴⁸ Liv., 21.13.9.

coniubium by many of the Capuans, the Senate was judged not competent to deal with them without an order from the People.⁵⁴⁹ Therefore a plebiscite was proposed by a tribune and passed, although it authorised the Senate to do what it wanted with the Capuans rather than proposing an alternative Plebeian solution.

Conclusions

As we have seen, the evidence shows unequivocally that the Romans did destroy urban centres. The destruction of these places will frequently have led to the destruction of the groups that inhabited them, and whose identities were structured by them. The destruction of these places was likely achieved through fire, followed by the tearing down of the burned ruins. Often only part of the place would be targeted for deliberate physical destruction, and in many cases the undamaged remains of the city would have been quite extensive. In some cases, the destruction seems to have been transient, with the city later appearing again as operational agent. Therefore, the claims of our sources that places were utterly destroyed or wiped off the map are somewhat exaggerated. However, the effect on the communities that called these places home would have been similar. Alan Lloyd was correct in saying that the destruction of Carthage was ‘a stroke as final in effect as a nuclear strike’.⁵⁵⁰ The mass killing and enslavement of the populace that commonly preceded the annihilation of the urban form itself will have contributed to the death of these urban sites. Probably more places were destroyed than we know about, as Macrobius hinted at. Those later authors who chose to take an interest in such things—Strabo, Pliny the Elder, Ptolemy, Pausanias—noted repeatedly the disappearance of sites of which they were aware from older works. The causes of the death of these places will have been various. Some will have been deliberately destroyed, while some vanishing as a second order result of the disruption of local ways of life and patterns of habitation due to the coming of Rome. This probably does

⁵⁴⁹ Liv., 26.33.

⁵⁵⁰ Lloyd 1977, 182.

not count as a form of genocide, as the effect was likely accidental or incidental rather than intentional on the part of the Romans. Their deliberate destruction of other towns, on the other hand, probably did contribute to the intentional destruction of the groups that lived there.

The deliberate, intentional annihilation of an urban settlement went beyond the mere act of killing or enslaving its inhabitants. Burning and demolition was an arbitrary act, enacted by the decision of the Roman commander through his *imperium* or by Senatorial authority, and one that could take substantial resources if carried beyond the superficial slighting of a settlement. These acts of destruction were meaningful for those carrying them out, but were also intended to signal other communities, calculated to imbue existential terror of Rome. The deep semiology of the act of destruction was heightened by rituals that were carried out. Possibly this could have included an *evocatio* of the tutelary god, and the *devotio* of the site to the chthonic deities, although the attestation of these is insecure beyond a couple of examples. The ploughing of the soil, and severing of the sacred boundary of the *pomerium* featured in these activities as an inversion of the ritual of foundation. These symbolic acts possibly served the religious needs of the Romans involved, although it does not seem that they were too worried about preserving the sacrosanctity of foreign cult sites, but they also communicated a message about destruction to the rest of the world. The continued visibility of destroyed sites as ruined *vestigia*—erased but still present—made the existential threat of contesting Roman imperialism transparent. Destroying a city or urban settlement therefore not only removed a challenge to Roman hegemonic power, but was intended to compel other communities to comply. It was therefore an act of the uricide of heterotopic spaces, although the Romans were not ideologically opposed to urbanism, and were content to leave othered spaces unchanged if their communities did not defy them. The genocidal destruction of urban settlements destroyed or contributed to the destruction of the groups who lived there, and were an audacious performance of Roman imperialism.

Table 5. Incidents of Roman urban annihilation, 343-146 BCE

BCE	Victim	Sources
275	Caulonia	Paus., 6.3.12
264	Volsinii	Flor., 16.1; Liv., <i>Per.</i> , 16; Plin., <i>Nat.</i> , 31.31; Zonar., 8.7
258	Mytistratum	Diod. Sic., 23. 9. 4; Zonar., 8.11; Polyb., 9.10.11
241	Falerii	Eutr., 2.81; Liv., <i>Per.</i> , 20; Polyb., 1.65.2; Zonar., 8.18
238	Cities inc. Caralis	Flor., 1.22.35. Festus, <i>Gloss. Lat.</i> , 430L; Polyb., 1.88.8-12; Liv, <i>Per.</i> ,20; Zonar., 8.18
219	Pharos	App., <i>Ill.</i> , 8.2; Polyb., 3. 18. 12
212	Turdetani	Liv., 24. 42. 11, 28.39.5-8; Zonar., 9.3
206	Iliturgi / Ilurgia	Liv., 28.19.1-23.5; Val. Max., 9.11 ext.1; Sil., 16.277-591; App., <i>Hisp.</i> , 32-33; Eutr., 3.16.2; Jer., <i>Ab Abr.</i> , 1813; Zonar., 9.10
183	A town twelve miles from Aquileia	Plin., <i>Nat.</i> , 3.131
177	Histrrian towns: Nesactium, Mutila, Favaria	Liv., 41.11.8
173	Statelite Carystus	Liv., 42.7.8-9; Cic., <i>Off.</i> , 1.36; Liv., 42.7.1-9.6, 10.9, 21.6-7, 45.15.10
171	Haliartus	Liv., 42.63.11; Strabo, 9.411
170	A few Greek cities held by Philip	Liv., <i>Per.</i> , 43; Zonar., 9. 22
167	Antissa	Liv., 45.31.13-14; Plin., <i>Nat.</i> , 5.39
146	Corinth	Oros., <i>Hist.</i> , 5.3.5; Zonar., 9.31; Paus., 5.10.5, 7.16.7-8; Flor., 1.32.5; Oros., <i>Hist.</i> , 5.3.5; Festus, <i>Breviarium</i> , 7.2
146	Carthage	App., <i>Pun.</i> , 127-133; Oros., <i>Hist.</i> , 4.23.2-6; Zonar., 9.30-31; Flor., 1.31; Polyb., 39.8.6; Cic., <i>Leg. agr.</i> , 2.51; Diod. Sic., 32.4; Liv., <i>Per.</i> , 51; Liv., <i>Epit. Oxyrh.</i> , 51.137-39; Vell. Pat., 1.12.5; Val. Max., 1.1.18; <i>Dig.</i> , 7.4.21; Jer., <i>Ab Abr.</i> , 18.71
146	Chalcis and Thebes	Liv., <i>Per.</i> , 52; Polyb., 40.11

Chapter Five

Forced Urban Relocation

Introduction

The annihilation of a city did not always end that city's existence. As has been suggested in the previous chapter, there were several occasions where the Romans re-established, on new sites, cities that they had destroyed. These are examples of what is termed here 'forced urban relocation', the formal transferral of urban places to a new site obligated by a stronger, imperial power. This differed from the voluntary removal of a city to a new site, as has been well documented for Greek *poleis*.⁵⁵¹ As the process of forced relocation involved the destruction of the former urban form of the transferred place, this may be considered an extension of the destruction typified by urban annihilation. The destroyed settlements, however, survived their erasure, at least in name. How far the act of forced urban relocation, therefore, represented the destruction of the group that formerly inhabited the original site can be investigated. Forced urban relocations did not happen often and can be divided into two categories. The first type, translational urban relocations, was when one city was moved to a new site. We have already seen that the Romans attempted to command this sort of move for Carthage at the start of the Third Punic War. In addition, the cities of Volsinii and Falerii were successfully relocated in this manner. The second type were concentrative relocations. These were occasions where the inhabitants of multiple settlements were forcibly settled into one, new urban space. Again, this was not a common practice for the Romans of the

⁵⁵¹ Cp. the voluntary urban relocation of Greek *poleis*, Demand 1990.

Middle Republic to enact. The cities of Ligures Baebiani et Corneliani and Picentia were established in this manner.

These settlements were built in an historical context where colonisation on the one hand, and the cultivation of the *socii italici* on the other, were the key elements of imperialism for the Romans; while the army could win battles, colonies and alliances enabled them to build up a large empire. Whereas colonies were, at least in the traditional model, for the benefit of settlers sent out from Rome or Latium with either Roman or Latin rights, these relocations involved foreign communities. If the relocated settlements were shown to be Roman colonial foundations, merely co-opting the names of local cities, then this would indicate a larger destructive effect on the groups belonging to the original sites. However, it appears that the relocated cities, although influenced by Roman colonisation, were not colonies themselves. Rather they represent an attempt to control and reshape foreign communities under the aegis of the Roman empire through the destruction of their previous modes of habitation and the creation of new ones. In this regard, forced urban relocation is urbicidal. A function of uricide is to reduce the potentialities of heterotopic spaces, to eliminate urban forms that allow for sociocultural forms and expressions that challenge the dominant hierarchies of power.⁵⁵² Forced urban relocation provided a method by which the political and military challenge posed by the lived-in spaces of alternative settlement forms could be annihilated, while the populations were transferred to newly constituted urban spaces that conformed to the spatial formalities of the Romans. In re-organising and restructuring the functional spaces of the city, the Romans sought to re-organise and restructure these groups. In doing so they aimed to create enduring relationships of loyalty and alliance.

Translational urban relocation

In 264 BCE, the Etruscan city of Volsinii was razed and relocated following a plea from its elite for Roman intervention. In 241 BCE, the rebellious Faliscan

⁵⁵² Coward 2009; Foucault and Miskowiec 1986.

city of Falerii was conquered by a double consular army. Following its submission, it too was relocated to a new city on a nearby site. In modern parlance, the old and new sites for these cities are indicated by the suffixes 'veteres' or 'novi'. In antiquity however, there was no such disambiguation between them. The shifting of these organically constituted urban centres from places of natural defensibility and domination to low-lying, freshly constructed new cities show discernible parallel traits. Both events can be understood as punctuated equilibria, 'demonstrating extraordinary features that represent the end of an archaeological culture or historical phase and the beginning of a new one', as we have defined destruction in the introduction.⁵⁵³

These Roman actions were explicit interventions in the autonomy, the power, and the relation to the landscape of these urban centres. This bears a close resemblance to elements of ethnic cleansing, such as the 'forced removal of a group from a particular area' and was a coercive remaking of the human landscape.⁵⁵⁴ Nonetheless, there remains an ambiguity of purpose, as there were also elements of continuity, not least in the persistent use of the original major cult sites and in the retention of the original names. Roman agency in choosing to relocate these cities allowed a third option to those of annihilation on the one hand, or doing nothing to prevent future recidivist violence on the other. Direct incorporation of territorial provinces was novel to the end of the First Punic War in 241 BCE and did not even then form a standard part of Roman policy options. Forcibly relocating Volsinii and Falerii allowed demonstration of both power (*potestas*) and clemency (*clementia*). This section proposes that complicity of the victim in placing itself under Roman *fides* through the voluntary act of the *deditio in fidem populi Romani* was crucial in creating the opportunity for this third way to be taken. Submission was instrumental in avoiding potentially greater bloodshed, or perhaps annihilation. Subsequently, these mongrel urban centres, exhibiting both endogenic and exogenous (i.e. Roman) traits,

⁵⁵³ Driessen 2013, 6.

⁵⁵⁴ Bloxham, Moses, and Benjamin Lieberman 2010, 44.

occupied modified places in the landscape and within networks of political power in central Italy. This contributed to the demise of the local ethnicities in both locations, though this element of group destruction was probably not an intended, long-term outcome.

Before their forced relocations, Volsinii (*Velzna* in Etruscan) and Falerii both occupied substantial and leading roles in the territories in which they were situated. The first is located at modern day Orvieto, and the second at Civita Castellana. They showed substantial parallels in terms of their topography. They were situated on plateaux, high and prominent positions naturally occurring as part of the volcanic natural history distinctive of this area north of Rome. These sites offered not just command of their landscapes but also high levels of defensibility. Volsinii was the location of the Fanum Voltumnae, the chief sanctuary of the Etruscan league of twelve cities. It has now been securely identified with the site of the Campo della Fiera at Orvieto.⁵⁵⁵ The Fanum Voltumnae's status as the sanctuary for the Etruscan cities is well established, although there has long been much debate about whether the Greco-Roman sources are correct in identifying a bona fide duodecenary league, and what role any such league would have had. The attested *zilath mechl rasnal* has been taken to be the head of this league, though that view is by no means secure.⁵⁵⁶ A religious function is definitely implied by Livy, who equates it with the office of *sacerdos*.⁵⁵⁷ Regardless of whether this league is to be considered as a political or religious federation or merely symbolic in nature, its association with Volsinii indicates a key position of that city in the ethnic and civic identity of

⁵⁵⁵ As with the longstanding controversy of identifying the location of Volsinii veteres with Orvieto, the identification of the Campo della Fiera at Orvieto with the ancient Fanum Voltumnae is increasingly secure: cf. Gleba 2008, 116

⁵⁵⁶ Becker 2013, 355.

⁵⁵⁷ Liv., 5.1.5. Cf. Liv., 4.23.5, 25.7, 61.2, 5.17.6, 6.2.2; *CIL*, XI 5265. Bruschetti 1999, 163 overstates the case: '*in essi si divideva una volontà politica nazionale, che sfociava nelle elezioni di un capo supremo politico-militare, identificabile nello zilath mechl rasnal, cui era affidata la guida delle azioni comunitarie su argomenti spesso essenziali per la sopravvivenza stessa della nazione*'; Cp. Becker 2013, 355.

Etruria.⁵⁵⁸ Its reputation was clear to later historians and epitomists, Volsinii being referred to variously as the ‘head of Etruria’ (*etruria caput*), ‘oldest of the Tyrrhenians’ (ἀρχαιότατοι Τυρσηνῶν), ‘most opulent city of the Etruscans’ (*oppidum Tuscorimi opulentissimum*, and *opulentissimi Etruscorum*), ‘renowned city of Etruria’ (*Etruriae nobile oppidum*), and ‘the most prosperous of the Etruscans’ (*Etruscorum florentissimi*).⁵⁵⁹ Roman historical memory preserved the pre-eminence of Volsinii and its economic power, although it seems to have had fewer dealings in general with Rome than the smaller Falerii, and thus entered the surviving historical record at fewer points.⁵⁶⁰

Falerii was the chief town, the most populous and wealthiest centre in the *ager Faliscus*.⁵⁶¹ The presence of *cuniculi*, cisterns and roads, in addition to co-ordinated burial sites, suggest ‘a purposeful construction of place and a corresponding projecting of local identity’.⁵⁶² There is some confusion over the names presented in the ancient sources about Falerii, and it appears to have been synonymous with the territory. The *ager Faliscus* was likely to have been either the direct territory of the city-state of Falerii, or alternatively a less centralised area containing a culturally and ethnically distinct people with Falerii at its heart.⁵⁶³ Although it is now well established that the Faliscans were a distinct ethnic identity, they were until recently conflated with the more dominant Etruscans.⁵⁶⁴ The Etruscans had substantial cultural, and economic links and dominance over the *ager Faliscus*, especially in the

⁵⁵⁸ Cf. Torelli 2000, 18 for the suggestion that there was a second Etruscan league of twelve in the Po valley, with its own *Felsna (=Velzna).

⁵⁵⁹ Respectively: Val. Max., 9.1 ext.2; Zonar., 8.7; Plin., *Nat.*, 2.54.139; Flor., 1.21.16; [Aur. Vict.], *De vir. ill.*, 36.1; Oros., *Hist.*, 4.5.3.

⁵⁶⁰ Respectively: Val. Max., 9.1; Zonar., 8.7; Plin., *Nat.*, 2.139; Flor., 1.21; [Aur. Vict.], *De vir. ill.*, 36.1; Oros., *Hist.*, 4.5.3.

⁵⁶¹ de Lucia Brolli and Tabolli 2013, 260; Ceccarelli and Stoddart 2007, 133–34 for the historiography of the range of qualitative and quantitative research methodologies applied to the region.

⁵⁶² Ceccarelli and Stoddart 2007, 145; Cf. Moscati 1990; de Lucia Brolli and Tabolli 2013, 265.

⁵⁶³ Summary of discussion in Bakkum 2009, 20–21; Di Stefano Manzella 1977.

⁵⁶⁴ E.g. L. R. Taylor 1923; and, Scullard 1967 incorrectly identify Falerii as Etruscan; whereas Banti [1968] 1971, 62–69 made some distinction, although she was unsure if perhaps Falerii was twinned with Capena.

years before Rome's extirpation of Veii, but there are notable differences in material culture. Crucially, language marks the Faliscans as distinct from the Etruscans, G. Bakkum having convincingly argued it to have been a dialect of Latin.⁵⁶⁵ There has been a recent challenge to the 'ethnocentric notion' of the Faliscans 'as an autonomous and autochthonous group' instead proposing that their identity was a result of 'a ductile ideology' related to geopolitical changes of the eighth to fourth centuries BCE.⁵⁶⁶ Nonetheless, the modern consensus is that the Faliscan regional identity was distinct from, and constructed against, the surrounding Etruscan, Roman and Sabellian communities. The dynamism, viability and attractiveness of the Faliscan ethnic identity, and of its territory as a destination for artisanal immigration, is shown in the dramatic increase in Faliscan language inscriptions and production of black gloss and red-figure vases from the fourth century BCE.⁵⁶⁷ As with Volsinii, Falerii veteres contained some of the major cult sites for the region (Figure 7), probably in conjunction with a federal or regional cult of Dis Soranus on Mount Soratte.⁵⁶⁸ The Vignale functioned as an acropolis, and housed two temple structures, one to Apollo, the other being as yet unattributed.⁵⁶⁹ The intramural site known as Scasato also held two temples, the more central of which being decorated with a distinctive and remarkably well crafted terracotta decoration of Apollo.⁵⁷⁰ Extramural complexes included that of Sassi Caduti, which also possessed fine, terracotta acroterion and pediment decorations (Figure 5), as well as the sanctuary of Celle. This last was the largest and most important, housing the cult to Juno Curitis, significant to the Faliscan territory.

⁵⁶⁵ Bakkum 2009, 5; Faliscan's status as a Latin dialect had been suspected since the discovery of the so-called Lapis Satricanus, Cornell 1995, 43.

⁵⁶⁶ Cifani 2013.

⁵⁶⁷ Ceccarelli and Stoddart 2007, 142.

⁵⁶⁸ Plin., *Nat.*, 7.2.19; Serv., 11.785, 787.

⁵⁶⁹ Keay et al. 2004, 231f.; Carlucci et al. 2007.

⁵⁷⁰ For the types and development of architectural terracottas at Falerii and elsewhere in the *ager*, see Carlucci 2013.

Both Volsinii and Falerii had had relationships with Rome that were characterised by intermittent periods of peace, guaranteed at times by formal treaties, punctuated by recidivist warfare. Livy records numerous conflicts with both Volsinii and Falerii.⁵⁷¹ From these events, certain assertions can be made regarding the specifics of interstate treaties concluded between them. Less can be said on Volsinii, although W.V. Harris thought that it was possible to say that they had a formal *foedus* with Rome prior to the events of 264 BCE.⁵⁷² More can be said about Falerii regarding types of treaty relations. Discussing their defeat by Camillus in 394 BCE, Livy wrote of a *deditio in fidem*, however the mythohistorical nature of the encounter makes it difficult to discern its historicity.⁵⁷³ Possibly a relationship of *amicitia* did result from this engagement, or perhaps more likely one governed by an *indutiae*. Certainly this latter was the resultant settlement in 351 BCE of a joint enterprise with Tarquinia against Rome, specifying a forty year truce.⁵⁷⁴ This was superseded by a *foedus*, requested by Falerii following the Romans' display of might in defeating the Samnites in 343 BCE.⁵⁷⁵ It has been speculated that they may have been present at the siege of Sutrium in 311 BCE.⁵⁷⁶ Fifty years after their *foedus* with Rome, although they had 'lived in friendship for many years', they are attested preparing to side with the Etruscans against Rome in 293 BCE.⁵⁷⁷ The extremity of the situation supposedly prompted the Romans to first send fetials, then to declare war.⁵⁷⁸

⁵⁷¹ Volsinii: Liv., 5.31.32, 9.41.6, 10.37.1; Falerii: 4.17, 4.21.1-2, 4.32.3, 5.8.4-5, 5.10-24, 5.26-27, 7.12-17, 10.46.

⁵⁷² W. V. Harris 1965, 291–92.

⁵⁷³ Liv., 5.27: *qui dederent Falerios and nec vos fidei nostrae nec nos imperii vestri paenitebit'. Camillo et ab hostibus et a civibus gratiae actae. Faliscis in stipendium militum eius anni, ut populus Romanus tributo vacaret, pecunia imperata. pace data exercitus Romam reductus.*

⁵⁷⁴ Liv., 7.20.9; Liv., 7.22.4-5: *ad bellum ambo profecti, Faliscum Quinctius, Sulpicius Tarquiniense, nusquam acie congresso hoste cum agris magis quam cum hominibus urendo populandoque gesserunt bella; cuius lentae velut tabis senio victa utriusque pertinacia populi est, ut primum a consulibus, dein permissu eorum ab senatu indutias peterent. in quadraginta annos impetraverunt.*

⁵⁷⁵ Liv., 7.38.1: *huius certaminis fortuna et Faliscos, cum in indutiis essent, foedus petere ab senatu coegit.*

⁵⁷⁶ Bakkum 2009, 40.

⁵⁷⁷ Liv., 10.45.6: *per multos annos in amicitia fuerant.*

⁵⁷⁸ Liv., 10.45.6-8; Liv., 10.26.15.

Again, the Faliscans seem to have sued for peace without coming to battle, on the basis of Carvilius' predations on Etruria, and they were granted an *indutiae* for one year on condition of paying an indemnity.⁵⁷⁹ Presumably the earlier *foedus* was still considered to have been in effect, the extant sources being silent on the matter. This was the state of affairs preceding its final conflict with Rome. Certainly Polybius' description of the war as a civil war (πόλεμος ἐμφύλιος) suggests that the Romans considered the matter to be domestic in nature, well within their own sphere of influence.⁵⁸⁰

We should consider the longstanding normativity of both violent and amicable interstate relations in the region in the Middle Republican period as bearing a causal relationship to Rome's actions in 264 and 241 BCE. What is more, any act of substantial modification to the cities of Volsinii and Falerii must necessarily have had wider impacts, both to lower order settlements and to the cultural and ethnic identities of their respective regions. This could reasonably be expected to be more pronounced in the case of Falerii, as the ductility of Faliscan identity meant it was somewhat more precarious than the dominating influences of the abutting Etruscan and Romano-Latin areas. It also lacked the reinforcement of other ethnically similar urban centres of alike size, being the primate settlement of the Faliscan ethnos—that is to say 'the largest city within a nation which dominates the country not solely in size [...] but also in terms of influence'⁵⁸¹—unlike Volsinii which had the other Etruscan city-states.

Roman interventionism

Rome was called in at the behest of the Volsinian elite, due to the supposed usurpation of the ancestral rites of its elite by the lower echelons of Volsinian

⁵⁷⁹ Liv., 10.46.12: *et Faliscis pacem petentibus annuas indutias dedit, pactus centum milia grauis aeris et stipendium eius anni militibus.*

⁵⁸⁰ Polyb., 1.65.2.

⁵⁸¹ Mayhew 2009.

society.⁵⁸² Moralising references to slaves and freedmen usurping power in the sources may correspond to a breakdown of the strict stratification typical of Etruscan society, and the rising social status of the *lautni* or *lautnitha*.⁵⁸³ The willingness of the Volsinian aristocratic element to call on Roman *hospitium*, and its self interest in quelling plebeian revolutions, confirms the existence of mutually supportive networks among the elites of Italy at this time. It also potentially suggests the terms on which the then current agreement with Rome had been made, which may have been a formal *foedus* to which the Volsinian elite appealed.⁵⁸⁴ Rome repeatedly demonstrated a preparedness to intervene in the affairs of other states in the Middle Republican period in order to support, preserve or reinstate foreign elites.⁵⁸⁵ Rome similarly intervened at Arretium in 302 BCE and Lucania in 296 BCE in favour of allied aristocratic interests.⁵⁸⁶ However the Volsinian affair quickly seems to have devolved into one of more conventional warfare against foreign polities. Perhaps bolstered by the seemingly impregnable situation of their 'extremely strong citadel', the defenders undertook to defend against a siege.⁵⁸⁷ Following the victory of the Roman forces under consul M. Fulvius Flaccus, the ringleaders of the usurping element were executed, and the surviving population deported to a new location, Volsinii novi next to modern Bolsena.⁵⁸⁸ The new site was on much flatter land 14 km away, next to the Lago di Bolsena, and completely lacking the defensive advantage distinctive to Volsinii veteres.

There is no indication however that any element of Falerian society invited the Roman campaign against them as in the case with the elites of Volsinii. Instead, it is more likely either that Falerii had taken the opportunity

⁵⁸² The key historical sources are Flor., 1.21; and Zonar., 8.7 = Cass. Dio, 10.7. Liv., *Per.*, 16 shows that Livy had an account, now lost.

⁵⁸³ Haynes 2003, 328–29.

⁵⁸⁴ W. V. Harris 1971.

⁵⁸⁵ Cf. Liv.23.2.1-4 on the allies after Cannae, who were only prevented from immediate rebellion by ties of *conubium* to the Roman elite. Also Liv., 24.2.1-8. Gros 1981, 8–9; Cornell 1995, 366–67.

⁵⁸⁶ Liv., 10.3-5, 10.18.8.

⁵⁸⁷ Zonar., 8.7.

⁵⁸⁸ [Aur. Vict.], *De vir. ill.*, 36.1 credits a Decius Mus (he does not say which one), but that this cannot be correct is shown by the evidence for Fulvius Flaccus' triumph.

of the distraction of the First Punic War to secede from Roman hegemony, or that they had become exhausted by its duration. It is unclear whether they came into antagonism with Rome through conscious armed resistance or a refusal to supply troops under the conditions of the *foedus* with Rome. Either of these might provide a possible reason for Falerii entering a state of war with no other support when its relations with Rome had seemingly been peaceable for many years. Also unknown is at what juncture this might have occurred, it being possible that the rebellion, if that was what it was, may have started in the years prior to the conclusion of Rome's war with Carthage. The sources are somewhat more comprehensive than those about the fall of Volsinii, although regrettably it is mostly only the later sources for this event that survive.⁵⁸⁹ The account that these sources give is one of a brief war of six days with the dual consular army, headed by Manlius Torquatus and Lutatius Cerco. The figure of 15,000 Faliscans killed, possibly in multiple battles, is likely exaggerated but provides a good indication of a massive loss of life. We need not put undue emphasis on the subsequent double triumphs as a way of calculating the minimum number slain, nor on arguments for the maximum based on the carrying capacity of the land. The first of these is over reliant on Valerius Maximus' so-called triumphal laws, which are unattested in any source before him;⁵⁹⁰ the second is over prone to assumptions and the results subject to too high a margin of error for such a small territory. The number of men killed would have been a genuine demographic trauma for an area such as the *ager Faliscus*. After the submission of Falerii, half their territory was confiscated to become Roman *ager publicus*. The actual removal of the population to a new urban environment—at modern Falleri/Santa Maria di Falleri—5 km

⁵⁸⁹ The key sources are: Polyb., 1.65.1-2; Zonar., 8.18; Eutr., 2.28; Val. Max., 6.5.1; Oros., *Hist.*, 4.11.10; Liv., *Per.*, 20.1.

⁵⁹⁰ Beard 2007, 209–12; Cf. Pittenger 2008, 81 for discussion on other examples where Roman commanders triumphed after joint consular campaigns.

away probably did not happen until between 240 BCE and 220 BCE, when the Via Amerina, which passes through Falerii novi, was extended from Nepi.⁵⁹¹

Voluntary surrender

In both cases, the victim group underwent submission to Roman *fides* of their own volition. The agency of the surrendering party in the act of entering Roman *fides* was crucial.⁵⁹² While some aspects of the rites of surrender to Rome are discussed here, the next chapter gives a fuller description. For Volsinii, this was achieved by representatives for the traditionalist oligarchs freely appealing to Rome for assistance. Indeed, Florus described Volsinii as ‘the last of the Italians to come into *fides*’ (*postremi Italicorum in fidem venire Volsinii*), and that it was achieved following them imploring the Romans for help against their former serfs.⁵⁹³ For Falerii and the *ager Faliscus*, submission to Roman *fides* came about under the duress of Roman conquest. Yet, the emphasis of the texts is always on the dedicant as the actor in the process.⁵⁹⁴ Entering the authority of Rome could be either achieved ‘voluntarily in anticipation of Roman protection [...] or under duress after military defeat’.⁵⁹⁵ This certainly was the view espoused by Cicero, and distinctions in the formulas used to discuss *deditio*, making reference to *in fidem* or *in potestatem*, by ancient authors have in the past led to a false legal distinction being identified.⁵⁹⁶ It was a flexible tool, used variously, with the end result of an establishment of permanent *amicitia*, to which category we should assign those states with *societas* in the Middle Republic.⁵⁹⁷ This *amicitia* did not, of course, entail equality of friendship but recognised the

⁵⁹¹ Bakum 2009, 102; cf. Zonar., 8.18: ὕστερον δὲ ἢ μὲν ἀρχαία τόλις εἰς ὄππος ἐπθμνὸν οδρυμένη κατεσκάφη, ἑτέρα δ’ ὠκοδομήφη εὐέφοδος.

⁵⁹² Cf. Burton 2011, 134f. on the 263 BCE *deditio* of minor Sicilian towns: ‘compulsion in the face of fear does not mean that these *deditiones* were any less voluntary’.

⁵⁹³ Flor., 1.21.

⁵⁹⁴ See Liv., *Per.*, 20.1, Val. Max., 6.5.1.

⁵⁹⁵ Burton 2011, 114; See also Dahlheim 1968, 54ff.; Rich 2008, 62.

⁵⁹⁶ Cic., *Off.* 1.35; Val. Max., 6.5.1; Liv., 39.54.6-7.

⁵⁹⁷ Gruen 1986, 54–55; Burton 2011, 114–15; Cp. Badian 1958, 55 who sees the functional result of *deditio* as being a formal relationship of clientship. On the relationship of *amicitia* and *societas*, see Cursi 2014.

mutual responsibilities of the relevant parties as being hierarchical and asymmetrical.⁵⁹⁸

It could be said that the Faliscans had a choice, even if it does not seem like it was much of one: submit voluntarily or be taken, dead or alive, against their will. Nonetheless there was a choice, and no doubt the formula for accomplishing the process would have ritually stressed its voluntary nature. The distinction between the two options could be stark. Choosing to fight risked the systematic killing and enslavement that was, as we have seen, customary on the storming of a city.⁵⁹⁹ Yet volunteering for submission could risk violent outcomes nevertheless. Valerius Maximus makes this clear in his account of the decision-making process following their submission, occurring sometime soon after the six-day military campaign:

The Roman people wished to take violent measures against them [the Faliscans], but were instructed by Papirius, by whose hand the words of the surrender were written at the consul's order, that the Falisci had committed themselves not to Roman *potestas* but to Roman *fides*. Thus, the people became calm, putting all anger aside.⁶⁰⁰

The 'words of surrender' (*verba deditiois*) no doubt refer to the ritualised formula for enacting or activating *fides*. Indeed, we have two glosses of the nature of this surrender, possibly reflecting the ritual formula itself, those of Polybius and Livy. They are discussed in the next chapter. Submitting to *fides* was fundamentally an act of undoing. It ritually destroyed and disincorporated the civic existence of the community that was enacting it. The destructive ramifications of the loss of civic institutions can be demonstrated in responses to the 211 BCE treatment of Capua. Having shown infidelity by

⁵⁹⁸ Hölkeskamp 2010, 33–34.

⁵⁹⁹ Liv., 21.13.9.

⁶⁰⁰ Val. Max., 6.5.1: *Eadem civitas aliquotiens rebellando semperque adversis contusa proeliis tandem se Q. Lutatio consuli dedere coacta est. adversum quam saevire cupiens populus Romanus, postquam a Papirio, cuius manu iubente consule verba deditiois scripta erant, doctus est Faliscos non potestati, sed fidei se Romanorum commisisse, omnem iram placida mente deposuit pariterque et viribus odii, non sane facile vinci adsuetis, et victoriae obsequio, quae promptissime licentiam subministrat, ne iustitiae suae deesset obstittit.*

siding with the Carthaginians during the Hannibalic War, the Roman government choose to dismantle in its entirety its organs of state.⁶⁰¹ As a result Capua was henceforth counted by the Romans alongside Numantia, Carthage and Corinth as a once great city now extirpated, 'a tomb and monument' because it was 'without senate, without people, without magistrates, a monstrosity, more cruelly left habitable than if it had been destroyed'.⁶⁰² The party placing themselves into the faith of a superior state, especially following violence, had to take the gamble that the Romans would reconstitute their community by authority of their *imperium*, and return their land and belongings to them.

It was a strategy not without its risks. Cities under Roman so-called protection could fall prey to the vicissitudes of those governing. But crucially the relationship of *amicitia* governed by the act of *deditio in fidem populi Romani* could provide a valid mechanism through which restoration could be sought. Thus the positive and restorative resolutions issued by the Roman Senate in response to a Locrian diplomatic mission complaining about the predations of legate Q. Pleminius in 204 BCE.⁶⁰³ Much has been written of the failure and reversion of the *deditio* of the Aetolians.⁶⁰⁴ So too, consul M. Popilius Laenas in 173 BCE enslaved wholly the members of a Ligurian tribe situated in a town of Carystus (of unknown location) that had placed itself into Roman *fides*, demolishing their town and selling all of their property. Yet this example, as with C. Papirius Maso's advocacy in favour of the Faliscans, also demonstrates the potent reciprocity that *fides* invoked. Their enslavement scandalised the Senate of Rome, members of which prosecuted Laenas and attempted to rectify the situation by restoring three

⁶⁰¹ Liv., 26.16: *non saevitum incendiis ruinisque in tecta innoxia murosque, et cum emolumento quaesita etiam apud socios lenitatis species incolumitate urbis nobilissimae opulentissimaeque, cuius ruinis omnis Campania, omnes qui Campaniam circa accolunt populi ingemuissent.*

⁶⁰² Liv., 31.29.11: *Capua quidem, sepulcrum ac monumentum Campani populi, elato et extorri eiecto ipso populo, superest, urbs trunca, sine senatu, sine plebe, sine magistratibus, prodigium, relicta crudelius habitanda quam si deiecta foret.* Cf. *ibid.* 26.33, 26.16; Cic. *Leg. Agri.* 2.87.

⁶⁰³ Liv., 29.19.6-8.

⁶⁰⁴ Polyb., 21.2.3; Liv., 37.1.5-6. Piganiol 1950; Burton 2011, 116–19; Burton 2009; Eckstein 2009; Eckstein 1995; Moreno Leoni 2014.

of the essential requirements for civil existence, their liberty, property, and weapons. Here, unlike Papirius, members of the Roman elite were only partially successful in their reciprocal protection of their *amici*, due to the complexities of the Roman legal system. Social custom among the upper orders of Rome seems to have been a bar to unrestricted and immoral violence. By committing themselves to *fides*, the Faliscans de-escalated the scenario. They demonstrated their submission and willingness to accept Roman authority on the one hand, and positioned themselves within an ideological construct that delegitimised Roman state actor's ability to force violent action without moral risks on the other.⁶⁰⁵

Deditio was a voluntary act, undertaken purposefully, and one that offered substantial benefits in the long term, even though it was an uncertain and potentially risky business. This is not to say that such states had much option in the matter, or rather their alternatives could have been far more deleterious. Asymmetries of power however, do not reduce the essential requirement that the state dedicating itself was the active agent in doing so and that this mitigated towards more favourable treatment. We should be under no doubt that the submissions of Volsinii and Falerii were considered victories over foreign peoples by the Romans. Substantial booty was appropriated, as well as significant tracts of land to add to the *ager publicus*.⁶⁰⁶ Archaeological remains attest to triumphal building by Flaccus to commemorate his victory, and Festus indicates that the triumph was also pictorially commemorated in a prominent position on the temple to Vertumnus that he had constructed on the Aventine.⁶⁰⁷ The *fasti triumphales* record the triumphs granted to M. Fulvius Flaccus over the Volsinians on the calends of November 264 BCE, and to Q. Lutatius Cerco and A. Manlius Torquatus over the Faliscans on the calends and fourth of March 241 BCE,

⁶⁰⁵ Mann 2005, 6.

⁶⁰⁶ *FGrH*, 184F12 = Plin., *Nat.*, 34.34: *deorum tantum putarem ea fuisse, ni Metrodorus Scepsius [...] propter MM staturarum Volsinios expugnatos obiceret.*

⁶⁰⁷ Festus, *Gloss. Lat.*, 228L: *pictum in aede Vertumni, et Consi, quarum in altera M. Fulvius Flaccus, in altera T. Papirius Cursor triumphantes ita picti sunt.* Cf. Rutledge 2012, 138–44. Wiseman 1994, 44; Skutsch and Cornell 1987, 515 with bibliography in n.4.

respectively.⁶⁰⁸ The state of Rome, and by extension its people, considered these to be victories worth celebration, twice in the case of the conquering of Falerii. This double triumph was possibly related to the need to re-stamp Roman authority on a recalcitrant state following the extra-peninsular preoccupations of the First Punic War, to serve as an exemplar to others. While the Romans celebrated their victories, the defeated positions of Volsinii and Falerii would have been clear to themselves, and made clearer by the dramatic act of relocation to which they were subjected. Nonetheless it not only prevented the triumphalist state apparatus of Rome from tending towards more violence, but acted as a bar against it. With the moral legitimacy of annihilation impaired, and the undesirability of preserving the status quo ante bellum, the Roman elite could continue their experimentation with urban forms in performing an act that was neither destruction nor preservation but both: the forced relocation of the cities of Volsinii and Falerii.

Urbes novae: continuities and discontinuities

The result of *fides* with Rome for these communities was one of a sociocultural rupture, and a punctuation in the equilibria of both territories. The surviving inhabitants of those towns were transported to new places. In both instances, the urban cores were moved from their lofty tableland – having been situated on small tuff outcrops in common with the general settlement pattern of Etruria and the *ager Faliscus* – to lowland situations at some remove from the original sites.⁶⁰⁹ The move away from their defensible situations is pronounced, and should be understood in light of increasing evidence that the Republican-era walls at both Volsinii and Falerii novi were not coterminous with their foundations, but came at a later point, and involved the modification of both settlements.⁶¹⁰

⁶⁰⁸ Degrassi 1954, 99, 101.

⁶⁰⁹ Ceccarelli and Stoddart 2007, 137.

⁶¹⁰ Carlucci et al. 2007, 85; Massa-Pairault 2014, para. 14.

In the case of Falerii, the distance at c.5 km was not great, though the dramatic change in the topography is notable even at this shorter distance. The relocation of Volsinii to the shores of the modern Lago di Bolsena was a greater distance, though not insurmountable; walking the c.14 km along the current road network would take only about four hours, and it need not have taken much longer in antiquity. The old cities were essentially disincorporated, the new ones taking their place in both name and function. Modest repopulation of the site of Volsinii veteres is evidenced following the events of 264 BCE.⁶¹¹ This was not uncommon following the supposed destruction of sites, and we can draw parallels with the small subsistence community evidenced at Corinth following its destruction in 146 BCE.⁶¹² Most urban sanctuaries at Volsinii veteres show decline from 264 BCE, coupled with a paucity of later Latin epigraphy. This is expected, but does confirm the depopulation of the old *urbes* and the cessation of its civic functions. Falerii veteres too is likely to have ceased to house a community, and if it did it would have been insignificant.⁶¹³

It is tempting to see a causal relationship between the defeat of Falerii and the rapid decline of the second order Faliscan settlements of Corchiano and even the second Faliscan town of Narce, in contrast to the flourishing, nearby Roman colony of Nepi. Vignanello seems to have disappeared in the following century. The disruption of the locus of authority, power, and economy in the *ager Faliscus* led to a general shift to the ruralisation of the area. It is possible that these effects were the result of devastations associated with the Roman conquest, but, if the sources are accurate, the conquest was rapid and there was unlikely time for the Romans to carry out such predations. It may represent an intentional policy of fragmentation and ruralisation. More likely, a combination of the shift in identity and status of Falerii coupled with the disruption of the functional role of the zone as a crossroads, made obsolete by the Roman hegemony by that time of the surrounding areas, was fatal to the Faliscan ethnic identity and to the ability

⁶¹¹ Calapa 2013, 39–40.

⁶¹² S. A. James 2014.

⁶¹³ Bakkum 2009, 44.

of smaller settlements to prosper under such conditions. Not all Faliscan settlements were equally vulnerable to this effect, Vignanello for example showing greater resilience in its expression of ethnic identity through late Faliscan inscriptions and traditional funerary practices, though it too evidenced the same pattern of decline.

The relocated urban centres were significantly more influenced by Roman characteristics. Falerii novi's layout (Figure 4) shows substantial influence of Roman colonial planning, and has often been taken as a prime model for Roman Republican town planning, particularly the road grid of so-called *decumani* and *cardines*, with a 'full suite of buildings playing a key structuring role'.⁶¹⁴ A shallow ravine along its southern end, and likely the desire to conform to pre-existing roads, means that it deviates from the perfect playing card shape it might otherwise be. It is possible that the colony-like aspects of its plan were deliberate, as Falerii in many other ways fits the strategic concern of *coloniae*:

Carefully constructed urban communities, equipped with all the necessary institutional apparatus and hierarchical social divisions to operate as selfgoverning city-states [...] their primary purpose was to act as strategic outposts in newly conquered territory (*propugnacula imperii* as Cicero calls them). Naturally, they were all surrounded with defensive walls.⁶¹⁵

Even if it did not have the legal status of a colony, it was likely a *municipium sine suffragio* at this point, though it does later possess colony status, it may have been functionally intended to fulfil many of the same roles, or nonetheless to have been informed by the Romans' by now extensive experience of planning regular colony plantations.⁶¹⁶ This may have been connected to later viridane distribution however and not actually reflective of

⁶¹⁴ Keay et al. 2000 Republican town planning: p.1-2, public buildings: 88; cf. Salmon 1969, 21–23.

⁶¹⁵ Cornell 1996, 132. Cic., *Leg. agr.*, 2.73.

⁶¹⁶ *CIL*, XI 3089 and 3094 hail Gallienus as: *redintegrator coloniae Faliscorum*; Plin., *Nat.*, 3.5.51: *intus coloniae Falisca, Argis orta, ut auctor est Cato, quae cognominatur Etruscorum*; *Lib. colon.*, 217.5: *colonia Iunonia quae appellatur Faliscos*.

the legal status of the town itself. Although most Roman and Latin colonies were, until the Gracchan programmes of 133-120 BCE, founded *ab initio*, they could be founded on pre-existing sites. This is linked to the use of citizenship grants en masse 'to destroy autonomous existence'.⁶¹⁷ However, unlike at Capua where autonomy was starkly deleted, we cannot be sure of the legal identity of Falerii. There is no definitive proof as to whether it was a *municipium sine suffragio*, a nominally independent state under *fides*, or an outright colony founded as a continuation of a previously autonomous settlement. Volsinii novi too is structured along principles of colony planning (Figure 3), although it is much larger and demonstrates a far lower level of dogmatic adherence to the model. Volsinii would see substantial restructuring over the coming centuries, bringing increasingly Roman urban civic forms. Not only this, the topographic shift from lofty and highly defensible vantage points to lowland positions would have stressed the change in agency and in modes of habitation. The world would have looked geographically and architecturally different for those inhabitants transported from the destroyed sites to their new homes.

However, the rupture was not total. The populations of the refounded cities perhaps went unchanged. Alternatively, they may have been more mixed, especially in the example of Falerii, having a smaller and more precarious territorial ethnicity from which it could replenish its population following losses from the Roman campaign in 241 BCE. It is likely however that the population in Falerii still contained a substantial Faliscan contingent, as can be adduced from epigraphic evidence at Falerii novi. Indeed, there is textual evidence of population admixture elsewhere: Antium was refounded as a citizen colony in 338 BCE following the conclusion of the Latin War and after centuries of Volscian control, 'on the condition that the people of Antium were allowed to enrol themselves as colonists if they wanted to', a clear sign of the possibility of the admixture of inhabitants;⁶¹⁸ and the people of Croton

⁶¹⁷ Lomas 1996, 36. Its punitive use is confirmed by Liv., 9.45.

⁶¹⁸ Liv., 8.14.

agreed in 215 BCE to move to Locri rather than face a Bruttian siege.⁶¹⁹ This last agreement was a contingency plan, the initial strategy being to use a Bruttian colony as a way of 'restoring the level of population of the city, which was deserted and devastated by earlier wars'.⁶²⁰ There are therefore Italian examples of other settlements having their populations mixed to either preserve or restore the population of a place or for strategic rationale. Appian implies that, in the period following the Civil Wars, when the Romans defeated an enemy they 'seized a portion of their lands and built cities there, or enrolled colonists of their own to occupy existing ones'.⁶²¹ Indeed, both Volsinii and Falerii novi seem to have been founded on top of pre-existing local settlements.⁶²² Although Falerii from 241 BCE occupied a new place in the landscape, it conformed to a pre-established spatial node, possessing a relationship to other settlements and cult sites within the landscape.⁶²³ Excavations at Bolsena have found evidence of a minor settlement prior to the forced relocation of Volsinii, and no doubt within its sphere of influence prior to 264 BCE.⁶²⁴ The discovery of a 5 metre-wide road from the Hellenistic period, which connected Orvieto to Bolsena, suggests that connections between Fanum Voltumnae and the site to which Volsinii would be moved predate that removal.⁶²⁵ Indeed, the pre-established connectivity may have been taken into account among the factors for deciding on the Bolsena site. In both cases, although the Roman intervention dramatically changed the relationship of those societies with their landscapes, this was done within a pre-existing and developed network of communications and settlement. No doubt this would have aided the inhabitants of the *ager Volsiniensis* and the *ager Faliscus* to reconcile the changes with their pre-existing paradigms of place and space. Thus, when the Roman road network was developed across and through the Etruscan and Faliscan territories, to a large extent it

⁶¹⁹ Liv., 24.3.11-15.

⁶²⁰ Liv., 24.3.11-15.

⁶²¹ Liv., 8.14; App., *B Civ.*, 1.7-8.

⁶²² This is however uncertain at Falerii, and depends on the date of rock-cut Faliscan tombs cut through by the circuit wall, see Keay et al. 2000, 87.

⁶²³ de Lucia Brolli and Tabolli 2013, 267.

⁶²⁴ Certain elements, such as the forum, seem to have been built on virgin ground: Calapa 2013, 44.

⁶²⁵ Stopponi in Gleba 2008, 115.

was an aggrandisement and refashioning of the pre-existing one to meet Roman needs.

At Falerii the suburban temple of Juno Curitis continued in use, as did the Fanum Voltumnae at Volsinii. The continuities of the road linkages with their cults within the discontinuities of place are highly illustrative of the processes, intentions, and problems adherent to the Roman forced relocation of Volsinii and Falerii. Both remained intimately associated with their sanctuaries, which seem to have operated as ethnoreligious centres for broader, geographically bound peoples. The beginnings of the *via sacra* leading from the civic buildings of Falerii novi have been identified, along with epigraphic evidence of the priesthood of Juno Curitis at the city.⁶²⁶ These new cities were furnished with temples as per the usual practice, yet regional cultic importance meant that the Fanum Voltumnae and the temple to Juno Curitis at Celle assumed a superordinate role. These sites would have represented easy prey to the Romans had they wanted to expunge the regional ethnoreligious identity of those societies.⁶²⁷ Analysis of the historical record shows numerous points at which sanctuaries or sacred sites were, or were likely to have been, intentionally destroyed because ‘for the Romans, the wholesale destruction of communities could include the demolition of sacred buildings’.⁶²⁸ The extramural sanctuary at Celle to Juno Curitis, contains the remains of a monumentalised temple edifice of the fourth century BCE (Figure 6). As with the fragments found for the Falerian temples of Sassi Caduti and Scasato, its terracottas were of a high quality.⁶²⁹ The earliest of these structures date back to the archaic early sixth century, but the most important belong to the monumental reconstruction programme of the beginning of the fourth century, which saw the reorganisation of civic life

⁶²⁶ Keay et al. 2000, 91. Cf. *CIL*, XII 1.3126, XI 1.310; *Ov., Am.*, 3.13.

⁶²⁷ Gabba 1994, 98.

⁶²⁸ Rutledge 2007, 183; Cp. Gualtieri 2012, 28–29 who adduces little evidence of the deliberate shutting down of sanctuaries.

⁶²⁹ Barker and Rasmussen 1998, 305–6; Carlucci, De Lucia, and Museo nazionale di Villa Giulia 1998, 49–51.

in Falerii.⁶³⁰ Crucially, however, there is evidence that the religious precincts uncovered at and around Civita Castellana continued in use following the city's demise and relocation. Continuity of cult practice is attested by deposited terracotta votives: Mid-Republican in a cistern near the temple of Juno Curitis; sixth century through to the Imperial period at the Ninfeo Rosa at the Fosso dei Cappuccini; and at the Vignale, the sanctuary of which shows use into the second century BCE.⁶³¹ Votive deposits of textile implements have also been uncovered at Sassi Caduti and the Vignale, demonstrating a wide geographic continuity from the fifth to first centuries BCE.⁶³² The temples of Falerii, and indeed those of its hinterland, seem to have all, or nearly all, survived the coming of Rome.⁶³³ Not only this, at least some of them seem to have flourished. Ovid described his participation in a festival to Juno at Falerii in emotive and celebratory terms, and multiple extant inscriptions boast of having performed the role of *pontifex sacrarius lunonis Quiritis*.⁶³⁴

Excavation at the Campo della Fiera near Orvieto, shows evidence of the continuation of use of the Fanum Voltumnae into the Augustan period, with replastering works dating to that time as well as the rebuilding of central monuments in the Late Republic, when point paving with red *opus signinum* with black and white *tesserae* was installed.⁶³⁵ Further finds show that cult activities continued there through into the Imperial period.⁶³⁶ It is extremely likely that this cult continued at least as far as the reign of Constantine, in whose name the famous *Rescript of Hispellum* was issued, excusing a small community (modern Spello) from the arduous journey to celebrate an annual joint festival, held at least every other year 'at Tuscan Volsinii' (*apud Volsiniis Tusciae*).⁶³⁷ The old role of *zilath mechl rasna*, which Livy had equated to

⁶³⁰ de Lucia Brolli and Tabolli 2013, 265; Ceccarelli and Stoddart 2007, 152–53; Benedettini, Carlucci, and de Lucia Brolli 2005, 219.

⁶³¹ Ceccarelli and Stoddart 2007, 153–54; Banti [1968] 1971, 68–69; Comella 1986, 165–68.

⁶³² Banti [1968] 1971, 70–71.

⁶³³ de Lucia Brolli and Tabolli 2013, 263.

⁶³⁴ *Ov.*, *Ars*, 3.13; *CIL*, IX 3100, 3125.

⁶³⁵ Stopponi in Gleba 2008, 115.

⁶³⁶ Stopponi 2011.

⁶³⁷ *CIL*, XI 5265. Sensi 1999; G. J. Bradley 2008, 312–13.

that of *sacerdos*, became assimilated into the Romanised magistracies of the *praetor (Etruriae) XV populorum*. Even if this position was primarily a civic and religious one, rather than a politico-military one, then it shows not only a lack of desire to eradicate the markers of ethnic identity but even a recognition of their utility. Moreover, Roman concern to not extirpate but instead to co-opt and engage with the significant symbol that the Fanum Voltumnae represented can be seen in the discovery of altars erected, at the time of the forced relocation of Volsinii, in front of temple structures in a manner and date concomitant with those erected in front of the temples of Mater Matuta and Fortuna in the Forum Boarium.⁶³⁸ These must have been at the instigation of Fulvius Flaccus, whose obvious willingness to associate himself with the Volsinian pantheon is indicated by his building of and close personal association with Vertumnus/Voltumna. Within the new city, continuance of the *municipalia sacra* of pre-Roman Volsinii is suggested by the continuation of civic cult rites related to Nortia.⁶³⁹ She was likely worshipped there, including in her identification with Minerva, Fortuna and Necessitas.⁶⁴⁰ Other members of the Etruscan pantheon were undoubtedly worshipped there too, Tinia is certainly archaeologically attested, and probably the Volsinian tutelary god Voltumna featured prominently.⁶⁴¹ Although the deities in question are still archaeologically uncertain, there is definite architectural evidence for cultic continuity between the urban temple sites of Volsinii novi and those of its predecessor. It seems certain that ‘*l’intime dialectique entre le fanum Voltumnae et les autres sanctuaires de la cité*’ continued after its relocation.⁶⁴²

⁶³⁸ Massa-Pairault 2014, para. 28.

⁶³⁹ Tert., *Apol.*, 24.8 provides late evidence of the cult at Volsinii; For other periods, see Liv., 7.3.7, Juv., 10.74-77, *CIL*, VI 537 = *ILS* 2944. For *municipalia sacra*: Festus, *Gloss. Lat.*, 157.

⁶⁴⁰ Calapa 2013, 43–44.

⁶⁴¹ Massa-Pairault 2014, paras 15, 17.

⁶⁴² Massa-Pairault 2014, paras 15–23.

As we have already touched upon, both Volsinii and Falerii have been connected to the process of the *evocatio* over the years.⁶⁴³ The cults of Juno Curitis and Minerva Capta at Falerii have been cited as evidence of a probable *evocatio* following or during the rebellion.⁶⁴⁴ Janus Quadrifrons may have been imported from Falerii to Rome in some fashion.⁶⁴⁵ Inferences are sometimes made about Fulvius Flaccus' establishment of a temple to the Volsinian tutelary god Vertumnus following his victory. However the only explicitly, historically attested *evocatio* occurred in relation to the 396 BCE destruction of Veii.⁶⁴⁶ Other ancient sources either discuss the process in the abstract or make reference to carrying statues of gods, with the implication of their blessing, to Rome.⁶⁴⁷ *Evocatio* seems inevitably to enter historiographical discussion whenever a major act of destruction is perpetrated by the Romans, sometimes in conjunction with further acts, such as the supposed cursing of the site of Carthage in 146 BCE.⁶⁴⁸ There is, however, good reason to discount *evocatio* as a normative act, as we have seen, because there is very little direct attestation in the sources with the above exception of Veii.⁶⁴⁹ Were the *evocatio* to be proven to have been associated with the destruction of Falerii or Volsinii veteres, it could be taken as part of an attempt to undermine the victim community on the most basic level. It would provide reason to explicitly attack their religious centres, and therefore the structures of ethnic and sociocultural cohesion, as the god or goddess would be no longer resident there. However, the evidence for Volsinii and Falerii suggest otherwise. The continued operation of the major cult sites of Juno Curitis and Voltumna, coupled with the evident patronage of members of the Roman elite, such as Fulvius Flaccus' dedication of a temple to Vertumnus on the Aventine and his erection of altars in the Fanum

⁶⁴³ E.g. Scullard 1967, 275; L. R. Taylor 1923.

⁶⁴⁴ E.g. Ferri 2011, 149–50.

⁶⁴⁵ Serv., 7.607.

⁶⁴⁶ Liv., 5.21.1-4, 5.22.3-8; Val. Max. 1.8.3; Dion. Hal. 13.31.1.

⁶⁴⁷ Liv., 6.29.8-10. Cf. Macr., *Sat.*, 3.9, Plin., *Nat.*, 28.18, Plut., *Mor.*, 2.278, Serv., 9.446.

⁶⁴⁸ Ridley 1986.

⁶⁴⁹ Rutledge 2007, 180, esp. n3 with extensive bibliography; Gualtieri 2012, 30 with bibliography; Östenberg 2009, 89–90 stresses that in relation to *divi captae*, 'the statues were carried off, the gods stayed put'.

Voltumnae, are evidence that *evocatio* was not a tool used as part of an intentional campaign to destroy these communities.

The *cursus honorum* at both locations seems to have continued, though perhaps modified to allow for Roman constitutional requirements. Falerii novi seems to have gained *duumviri*, a clear sign of a subordination of sovereignty to the needs of Rome.⁶⁵⁰ Indeed, other than *aedilis* and *rex* we lack evidence for emic, native Faliscan magistracies, the rest of the inscriptional evidence being Late Faliscan, Latino-Faliscan, or Latin, and relating to the refounded civic institutions at Falerii novi. Evidence that *duumviri* were installed at Volsinii is lacking. In contrast, there are clear indicators that the local Volsinian magistracies not just survived but were actively engaged in the formation of Volsinii novi.⁶⁵¹ They are implicated by the presence of career markings, indicating the roles of '*fle[re]*' and '*ca[z]lanie*', and a boundary-marking *cippus*, which was marked '*methlumes*' and suggests the involvement of local magistrates in establishing the sacred *pomerium* according to their own rites. Their presence may also be detectable in the use of the Ptolemaic foot as the metric basis for the original construction of Volsinii novi, rather than the slightly smaller Roman foot.⁶⁵² The *opus quadratum* enclosing wall of the city seems to date to the early second century BCE, datable by certain Hellenistic techniques imported from Magna Graecia.⁶⁵³ This provided a point of continuity with Volsinii veteres, which was similarly built using *opus quadratum*. Many of the more monumentalised elements of Volsinii novi, such as the forum and temples, seem to have been reorganised and realigned in the same period as the wall, which also saw the extension of the via Clodia and the creation of Roman and Latin colonies in the area. The initial forum area does not seem to have been constructed on top of the pre-existing Etruscan settlement.⁶⁵⁴ It was only at a later stage, in conjunction to major Roman civic and road

⁶⁵⁰ Bakkum 2009, 262.

⁶⁵¹ Massa-Pairault 2014, para. 14.

⁶⁵² J. R. Patterson 1986, pt. 1.

⁶⁵³ Massa-Pairault 2014, para. 14.

⁶⁵⁴ Calapa 2013, 41.

building programmes, that the public areas of Volsinii novi were reoriented and rebuilt along Roman lines. There is evidence that the destruction of Volsinii led to the partial fragmentation and relocation of some members of the elite, whose onomastics show the Volsinian *gentes* crop up both in Volsinii novi and in Falerii veteres, prior to its own relocation. However, Rome had, whatever deeper motivation one ascribes to its designs on empire, undertaken this final war against Volsinii on the clear pretext of the restoration of the local elite. This was likely achieved. Indeed, the local elite would, as in the *ager Faliscus*, have provided a pre-established system of authority through which Roman hegemony could be enacted. Volsinii probably retained a nominal status as an independent state, possibly under a *foedus* and certainly with a transparent understanding of the asymmetrical nature of *amicitia* with Rome following its *deditio in fidem* and subsequent relocation.⁶⁵⁵ Later inscriptional finds refer to it as a *res publica* and *civitas volsiniensium*.⁶⁵⁶ It is probable that significant portions of the elites of both towns continued to hold significant roles in the civic, religious, and social lives of the reconstituted and refounded states of Volsinii and Falerii. In the *ager Faliscus*, close links between Faliscan and Roman elites facilitated the transition to new realities of life in the area under permanent Roman hegemony, and these close links may even have begun a process of rural Romanisation prior to the events of 241 BCE.⁶⁵⁷ The areas surrounding Volsinii and Falerii would have continued to be governed from them, albeit increasingly in favour of the new reality of Roman dominion and patronage. This dominion would, however, have been intermediated by the self-administration of the local elite.⁶⁵⁸

The reorganisation of communication routes through Etruria and the *ager Faliscus*, into which Volsinii novi and Falerii novi were integrated, however, was probably the greatest facilitator of their eventual

⁶⁵⁵ W. V. Harris 1965, 291–92.

⁶⁵⁶ *CIL*, XI 2702, 2710a.

⁶⁵⁷ de Lucia Brolli and Tabolli 2013, 267–68 with bibliography.

⁶⁵⁸ Hölkeskamp 2010, 33–34.

'Romanisation'. To a large extent this will have been due to the shifting paradigms of travel and space, which saw the relegation of the cities of central Italy as Roman attention shifted elsewhere.⁶⁵⁹ Both cities would come largely to be nodes on the Roman itinerary along a road network increasingly designed to facilitate rapid communications with spheres of interest in the *ager Gallicus*, Po Valley and Ligurian areas. For the Faliscan ethnic identity, this seems to have been more detrimental. Its construction of self as a ductile identity was in part related to its precarious geographic location as a buffer zone between major powers, and therefore to its ability to control the valuable crossroad of communication between East and West and North and South. As all roads increasingly led to Rome, the economic function of that crossroad ceased to bear significance, due to the constitutional shift of the central Italian states from relations of recidivist warfare to outright Roman hegemony, and so too did its cultural function.⁶⁶⁰ The close relationship between an increasingly irrelevant Faliscan tongue and the new Roman language of power probably facilitated its rapid absorption, and thence its swift disappearance within the next century.⁶⁶¹

The linguistic situation of Volsinii was rather different. The sociocultural reinforcement of the prestige of Etruscan on the one hand, and of its use, both vulgar and civic, in multiple major urban centres mean that this is unsurprising. Indeed, we know that the language survived until at least as long as the reign of Claudius, who was a speaker and scholar of Etruscan, though its use had been substantially replaced by Latin by then.⁶⁶² Epigraphy in the new Republican forum at Volsinii novi demonstrates the civic use of Latin there, but Etruscan retained its value as a language.⁶⁶³ The important point for this study is that in neither place is there any evidence of an attempt, concerted or otherwise, to eradicate the ethnicity through sociolinguistic suppression. The epigraphic increase in Latin at both

⁶⁵⁹ Laurence 1999 *passim*, discusses the contraction of Roman/Italiote conceptions of spacetime in this period.

⁶⁶⁰ de Lucia Brolli and Tabolli 2013, 268; Bakkum 2009, 104.

⁶⁶¹ Bakkum 2009, 111.

⁶⁶² Suet., *Claud.*, 42.

⁶⁶³ Calapa 2013, 41.

locations can be ascribed to an increased attractiveness of the utility of Latin as the language of the hegemonic state, as well as a rise in the settlement of Latin speakers following their permanent subordination to that hegemony. It seems that the Romans had not intended to destroy the groups of Volsinii and Falerii.

Concentrative relocation

The Romans also enacted forced relocations that did not translate an existing city from one site to another, but instead concentrated more diffuse populations into a single urban node. Elements of the Picentes and the Ligurian peoples were subjected to this displacement. Both these peoples possessed organised settlements, and that the Ligurians had cities is attested by various Greco-Roman sources. These relocations produced the cities of Ligures Baebiani and of Picentia, both of which were located at considerable distance to original homes and territories of their new inhabitants.

The Picentes and Picentia

The forced relocation of the Picentes evidently occurred in 268 BCE, following the victory of the consuls Sempronius Sophus and Claudius Russus over the Picentes.⁶⁶⁴ The Picentes are attested by various names in the extant Greek and Latin sources, and this may represent a diversity of self-identification, the inhabitants of Picenum, as the region was known to the Romans, being split into independent Picentine tribes, and home to at least two distinct linguistic groups.⁶⁶⁵ The Romans shifted their attentions towards Picenum at the turn of the third century BCE, and they were initially on friendly terms. In 299 BCE, they allied against the common threat of the cisalpine Gauls under

⁶⁶⁴ Eutr., 2.16.1; Flor., 1.14.1-2; Plin., *Nat.*, 3.110; Oros., *Hist.*, 4.4.5-7; Liv., *Per.*, 15; Front., *Strat.*, 1.12.3; Degrossi 1954, 99.

⁶⁶⁵ Naso 2000, 30; Szemerényi 1971; Marinetti 1985; Di Carlo 2007; Agostiniani 2003; Durante 1978.

a *foedus*, and the Picentes further demonstrated their loyalty to Rome by subsequently providing valuable intelligence on the Samnite preparations for war.⁶⁶⁶ However, following the shift in the balance of power after the Roman victory in 295 BCE over the Etruscans, Samnites, and Gauls at Sentinum,⁶⁶⁷ the Picentes found Roman power in their sphere to have grown too great. With the conclusion of the Samnite Wars in 290 BCE, consul Marcus Curius Dentatus expelled the Gallic Senones tribespeople from the area around Picenum and subjugated the Praetutti, who had aligned themselves with Rome's enemies. The Praetutti may have been a subset of the Picentes, and were often conflated with them. Their land was confiscated and allocated to the *ager publicus* or allotted to Roman colonists.⁶⁶⁸ The establishment in 290 BCE of the Roman colonies of Hadria, Castrum Novum, and Sena Gallica surrounded the Picentes at key strategic points.⁶⁶⁹ The Picentes seem to have renounced their affiliation with Rome, because they were subjected to campaigns against them in 269 BCE and 268 BCE. Both ended in the celebration of triumphs for Roman generals, and the chief city in Picenum, Asculum, was captured. The defeat of the Picentes led to the establishment of a further Roman colony on the northern border of their territory, Ariminum, founded in 268 BCE although possibly decreed the year before.⁶⁷⁰ The Picentes were made to made to undergo a forced urban relocation.

Picentia was established in the vicinity to the North of Paestum, on the Poseidonian Gulf. The new urban centre was given the trappings of a full city, being assigned a territory known as the *ager Picentinus*, within which were the Greek-founded Oscan city of Surrentum and, later, the Roman

⁶⁶⁶ Liv., 10.10.12, 11.7-8.

⁶⁶⁷ Polyb., 2.19.6-7; Cic., *Nat. D.*, 3.15; Liv., 10.27.8-29.20; Cic., *Sen.*, 43; Diod. Sic., 21.6.1; Flor., 1.12.5-7; [Aur. Vict.], *De vir. ill.*, 27.3-5; Val. Max., 5.6.6; Front., *Strat.*, 2.1.8, 4.5.15; Accius, *Fabulae Praetextae*, 1.16; Oros., *Hist.*, 3.21.4-6; Zonar., 8.1; Plut., *Mor.*, 499; Juv., 8.254-258; August., *De civ. D.*, 5.18.

⁶⁶⁸ Polyb., 2.19.7-9; Val. Max., 4.3.5; Plin., *Nat.*, 18.18; Plut., *Mor.*, 194; [Aur. Vict.], *De vir. ill.*, 33.5-6; Jer., *Ab Abr.*, 1726.

⁶⁶⁹ Liv., *Per.*, 11.7.

⁶⁷⁰ Vell. Pat., , 1.14.7; Plin., *Nat.*, 3.105; Liv., *Per.*, 15; Eutr., 2.16.1. The colony of Beneventum was founded in the same year.

colony of Salernum.⁶⁷¹ The location of the city itself is uncertain, but probably to be identified with a site near the modern Pontecagno.⁶⁷² Strabo is the only literary source for the relocation, as he describes ‘the tribe of the Picentini, a small offshoot of those Picentini who dwell on the Adriatic, which has been transplanted by the Romans to the Poseidonian Gulf’.⁶⁷³ His use of the diminutive, which he only uses here, along with language that implies a clear descent from the Picentes of Picenum, implies a shift in the signification of their ethnic marker. It is likely that at first the inhabitants were made *cives sine suffragio*, until they were made *civitas optimo iure* after 241 BCE.⁶⁷⁴

If the relocation of those Picentes moved to the Tyrrhenian seaboard was supposed to secure their future loyalty, it was a failure. They went along with much of Campania, the Samnites, and the Bruttians in siding with Hannibal, and were seemingly punished by being displaced from their metropolis of Picentia, and the establishment of the Roman colony of Salernum to guard against further rebellion.⁶⁷⁵ Silius Italicus suggests the positive participation of the Picentes of Picentia in the Hannibalic War, although he is an untrustworthy narrator.⁶⁷⁶ Florus indicates that the city was destroyed in the Social War.⁶⁷⁷ Its relatively short time as the metropolitan city of the *ager Picentinus* may partially account for the past uncertainty over the location of Picentia. Nonetheless, the Picentine ethnic persisted in the area. The *ager Picentinus* kept its name, and the river that flows passed Pontecagno into the Tyrrhenian sea is still called the Picentino. Over time the presence of the Picentes as a distinct ethnic group in this region waned and the colony of Salernum took over as the chief city of the *ager*, but the authority of Strabo indicates that there was still an identifiable group of

⁶⁷¹ Ptol., *Geog.*, 3.1.7; Plin., *Nat.*, 3.9.13. Horsnaes 1991; Greco Pontrandolfo and Greco 1981; Strom 1993; Fedi et al. 2008; E. Richardson 1976b.

⁶⁷² Naso 2000, 273; Fedi et al. 2008; Ciuccarelli 2012; Franchi Dell’Orto and Schirn Kunsthalle Frankfurt 1999; Delplace 1993, 3; Menozzi and Ciarico forthcoming; Agnati 2006; Pretzler 2003; Giglio 2005; Strom 1993.

⁶⁷³ Strabo, 5.4.13, trans. H.L. Jones: τὸ τῶν Πικέντων ἔθνος οἰκεῖ, μικρὸν ἀπόσπασμα τῶν ἐν τῷ Ἀδρίᾳ Πικεντίνων, ὑπὸ Ῥωμαίων μετωκισμένον εἰς τὸν Ποσειδωνιάτην κόλπον.

⁶⁷⁴ Naso 2000, 273.

⁶⁷⁵ Strabo, 5.13; Plin., *Nat.*, 3.9.13; App., *B Civ.*, 1.5.42.

⁶⁷⁶ Sil., 8.564-91.

⁶⁷⁷ Flor., 2.6.11.

people considered a branch of the Picentes proper. With the paucity of evidence, it is impossible to identify from which of the tribes of Picenum the deported Picentes originated; given the apparent role of Asculum in the sedition of 269/8 BCE, they might have been taken from its citizens, or they might have been the original inhabitants of the territory taken by the contemporary foundation of Ariminum.

The Ligurian Apuani and the Ligures Baebiani et Corneliani

The Ligurian tribe of the Apuani were forcibly relocated in 180 BCE. As among other peoples, the Ligurians were comprised of many subgroups, of whom the Apuani were one of the most prominent and the most easterly.⁶⁷⁸ They therefore were open to Roman imperialism, as well as being the Ligurian tribe that posed the greatest perceived threat to the city of Rome and its territory. The Romans had found themselves in a crisis in Liguria at least twice in the 180s BCE. In 186 BCE, the army of the consul Q. Marcius Philippus was roundly defeated and put to flight by the Apuani, who made use of their superior local knowledge to lay an ambush in a forested defile.⁶⁷⁹ Philippus disbanded his army to try to prevent the extent of the shame of the disaster getting out, but it became public knowledge anyway; the pass was henceforth nicknamed the 'Saltus Marcius' in the tradition of the Roman commemoration of sites of battlefield defeat. Then, in 181 BCE, the army of proconsul L. Aemilius Paullus was surrounded and faced almost certain defeat by the Ligurian Ingauni. The apparent declaration of a *tumultus*, the customary Roman crisis response, enabled the drawing up of emergency levies in anticipation of a disaster, and shows that at Rome there was a genuine fear of the Ligurians.⁶⁸⁰ The 180 BCE campaign against the Apuani, on the other hand, seems to have been entirely opportunistic. The proconsuls P. Cornelius Cethegus and M. Baebius Tamphilus, took

⁶⁷⁸ J. R. Patterson 1988; Marcuccetti 2007; Del Ponte 1999.

⁶⁷⁹ Liv., 39.20.1-10; Oros., *Hist.*, 4.20.26.

⁶⁸⁰ Golden 2013, 67.

advantage of the delay in the appointment of their successors to rectify their lack of any notable achievements in their consular year.⁶⁸¹ Despite the background of Roman aggression against themselves in 187 BCE, 186 BCE, and 185 BCE,⁶⁸² and the decisive defeat meted out by Aemilius Paullus to the Ingauni in the previous year,⁶⁸³ the Apuani seem to have been caught entirely unprepared and so submitted to the Romans.⁶⁸⁴ This represents the first time that the Senate granted triumphs without a battle being fought.⁶⁸⁵

The proconsuls then set about transporting 40,000 of the Apuani to a new site in Samnium, who were to be followed the succeeding year by another 7,000 moved by the consul Q. Fulvius Flaccus.⁶⁸⁶ They were assigned to settle what was subsequently called the Ligures Baebiani et Corneliani.⁶⁸⁷ Where this was once thought to have meant two cities, one under the patronage of each of the founding proconsuls, it is now generally thought that one urban centre was given the name of both consuls.⁶⁸⁸ It was located on the public land taken from the Samnite city of Taurasia. The existence of a town in this locale in the time of Trajan has been epigraphically confirmed by the discovery of a bronze tabula that identifies itself as such.⁶⁸⁹ It is likely that by this time the prolix original name had been shortened. The late attestation shows that the community succeeded, and that it maintained its Ligurian ethnic marker. The number of people transported, at 47,000 in total, was significant, and likely contributed to the continuation of a sense of group identity. The transplanted community seems to have left little trace in the genetic record, but that means only that

⁶⁸¹ Liv., 40.37.8-9.

⁶⁸² 187 BCE: Liv., 39.1.1-2.11, 20.2, 40.52.1; Strabo, 5.217; Cass. Dio, fr. 65.2; 186 BCE: Liv., 39.20.1-10; Oros., *Hist.*, 4.20.26; 187 BCE: Liv., 39.32.1-4.

⁶⁸³ Liv., 40.25.1-28.10; Front., *Strat.*, 3.17.2; Plut., *Aem.*, 6.1-7; Obsequens, 6.

⁶⁸⁴ Liv., 40.38.1.

⁶⁸⁵ Liv., 40.38.9. The relevant lines of the *Fasti Triumphales* are missing, Degraffi 1954, 103.

⁶⁸⁶ Liv., 40.37.8-38.9, 40.41.1-5.

⁶⁸⁷ Plin., *Nat.*, 3.105.

⁶⁸⁸ J. R. Patterson 2013, 17–28; Marcuccetti 2007; Thornton 2015; Barzano 1995; Pagé 2012; Bispham, 343–45; Curti, Dench, and Patterson 1996, 180; Pina Polo 2009; Pina Polo 2006; Pina Polo 2004.

⁶⁸⁹ *CIL*, IX 1455; Blanch 2017; Veyne 1957.

the community was small relative to the genetic pool into which it was placed, and into which it was presumably subsumed over time.⁶⁹⁰ The differentiation of the Apuani of the territory of Ligures Baebiani likely lessened over time also, probably in accord with the general process by which the whole region became increasingly dominated by Roman culture.

The Romans seem to have taken steps however to maintain the cohesion of the transported Apuani as a group when they were relocated. Adults of both sexes and their children were included, and they could take their property with them. A large amount of money was offered at state expense for the Apuani to procure necessities in their new home, totalling 150,000 silver sesterces.⁶⁹¹ According to Livy, the Senate were consulted, but the agency was clearly the proconsuls', and they were put in charge of dispersal of the money and lands. The Apuani's appeals to the Senate were ignored and they could do nothing but acquiesce. The subsequent deportation of 7,000 more Apuani by Flaccus, which we are told he moved by sea, emplaced them with those who had already been transported.⁶⁹² If the Romans had wished to completely disrupt and destroy the ethnic cohesion of the Apuani they could have done so. Instead, they determined to reorganise the relationship of the Apuani to the geography of Italy, and therefore with themselves. Further steps were taken to pacify those left behind. In addition to the military base of operations at Pisa, colonies were established at the Etrusco-Ligurian settlements of Luca and Luna. The first of these was the last Latin colony, sent out in 180 BCE to land offered by the Pisans.⁶⁹³ The second was founded in 177 BCE.⁶⁹⁴ They aimed to bulwark the region against further restlessness. Despite this, and the transportation of a significant portion of the natives, this was not enough to quell completely the Ligurians nor the remaining Apuani. Sporadic warfare with the Ligurians

⁶⁹⁰ Bertoncini et al. 2012.

⁶⁹¹ Liv., 40.38.4, 6. Schlesinger and Sage note that one must infer the denomination to be sestertii not asses: *argenti data centum et quinquaginta milia*.

⁶⁹² Liv., 40.41.3-4.

⁶⁹³ Liv., 40.43.1. Uggeri [2011] 2006.

⁶⁹⁴ Liv., 41.13.4; Plin., *Nat.*, 3.50.5. Gordon and Angeli Bertinelli [2011] 2006.

continued for decades, and M. Claudius Marcellus triumphed over the Apuani in 155 BCE.⁶⁹⁵

Relocation and colonisation

Neither Volsinii novi, Falerii novi, Picentia, nor Ligures Baebiani et Cornelianii were colonies of the Romans. However, their existence must be understood in the context of Roman colonisation and infrastructural expansion. Colonial mentalities intimately informed the geospatial understanding of the networks of Italy:

If the Roman Senators did not have a precise perception of the political situation of the whole of Italy, this kind of project would never have taken place: Rome was starting to deal with the concept of Italy as a Roman state, and ultimately each part had to work in 'harmony' with the others, the whole a perfect machine.⁶⁹⁶

While this may overstate the case, and there was likely a greater element of ad hoc adaptation than it makes *prima facie* allowance for, the use of long- and short-distance urban transfers required a holistic mentality to the parts of Italy. A key element of the development of this encompassing view of Italy, which provided the framework for the conceptualisation and implementation of forced relocation, was the Roman use of colonisation.

The new cities retained, in the case of the translational examples, their old names—semiotically minimising the break between the old and new incarnations, and the punctuation of the equilibrium of their existence. The names of the concentrative relocations were neologisms, yet retained and signified the ethnic identities of those who were relocated. The Roman actors wanted to encode or re-ascribe the prior group identities of these people that would otherwise have been destroyed. This habit of naming

⁶⁹⁵ Degrassi 1954, 105.

⁶⁹⁶ Curti, Dench, and Patterson 1996, 188; Also, Laurence 1999, 170; G. J. Bradley 2014.

bears similarities to colonial practices, which often saw the retention of the original names of settlements, or were named after their location.⁶⁹⁷ The alternative, the generation of a new name for the colony, served to obliterate the prior identity of the site, as at the Roman maritime colony of Cosa.⁶⁹⁸ This practice, informed by colonial habits, served to continue the existence of the group identities of the relocated groups, even if in a form modified to fit Roman caprices.

As we have seen, the translational relocations of Volsinii and Falerii saw the foundation of settlements that bore substantial influences from Roman colonial planning as well as, especially in the case of Volsinii novi, elements of indigenous architecture. The landscape surrounding the relocations evidence a process of centuriation, the land either being allocated to natives or settlers with Latin or Roman status. Doubtlessly, Roman expertise in surveyance was brought to bear and their *agrimensores* employed in parcelling the land.⁶⁹⁹ The building of the settlements themselves probably provided employment for the labour force, aiding the productivity of Rome and its allies. In the case of Ligures Baebiani, at least, there was an apparent role played by a quinqueviral board of commission in administering the foundation of the city and the settling of inhabitants there.⁷⁰⁰ Under the traditional model, Republican Roman colonisation was seen as an enterprise of the state, initiated by the Senate, the resulting proposed *lex* assented to by the People, and a board of commission appointed.⁷⁰¹ These boards were typically triumviral, but could vary in number.⁷⁰² However, the tenet that the Senate necessarily initiated colonial foundations or appointed their boards of commission has been challenged in recent years.⁷⁰³ The institution of colonisation was likely more ad hoc and

⁶⁹⁷ Strabo, 5.1.6.8; Dion. Hal., *Ant. Rom.*, 2.53.4.

⁶⁹⁸ Evans 2013, 481; Dyson 1978.

⁶⁹⁹ Dilke 1971; Tarpin 2014; Broadhead 2011; for the empire, see Moatti 1993.

⁷⁰⁰ Liv., 40.38.8: *quinqueviri ab senatu dati*.

⁷⁰¹ Salmon 1969, 19–20.

⁷⁰² Liv., 37.46.10, 6.21.4.

⁷⁰³ Coles 2017.

complex than the record at first glance suggests, and it is likely that the process of forced relocation drew on these heterogeneous procedures.

Colonialisation was one, albeit very important, tool within the heterogeneity of means of expansion, for the state as well as for the private individuals within the Roman elite. They were actively expanding their private bases wherever possible through the building of roads, *fora*, *mansiones*, as well as by receiving groups into the *fides Romana*.⁷⁰⁴ It seems certain that none of these relocated settlements bore the formal designation of *colonia* at that time, although some would later so do. This has caused confusion over the nature of the relocated settlements in the past. Thus, Papirius appeared in a patronal role regarding Falerii, and the patronage of Baebius and Cornelius is evident from the eponymy of the Apuani settlement. These settlements were more securely tied to the Roman state. Although it cannot be confirmed for all the cases here, it seems likely that they had the status of *municipia*, nominally independent but subordinate to Rome, governed by *duoviri*, and made *cives sine suffragio*.

The establishment of the concentrative urban centres of Ligures Baebiani and Picentia also served the colonial purpose strategically surrounding potentially hostile states and peoples. Cicero later referred to colonies as the 'bulwarks of empire'.⁷⁰⁵ The foundations of numerous colonies were predicated on their defensive functions: Narnia over the Umbrians; Minturnae and Sinuessa over the Aurunci; and Cremona and Placentia over the Gauls of the Po valley. However, while this was normally achieved by the sending out of citizens to strategic positions in Italy (*deductio*) to expand the sphere in which Rome could exert dominion, these cases saw the people surrounded through their induction further into the sphere of Roman dominion (*traductio*). It was therefore an inverse of colonisation, but informed by the same rationales and mentalities. These were, indeed, complex operations that required the committed deployment of

⁷⁰⁴ Laurence 1999, 33.

⁷⁰⁵ Cic., *Leg. agr.*, 2.27, 73: *propugnacula imperii*; cf. Cic., *Font.*, 1, 13.

considerable resources, as well as requiring a worldview that see the geospatial arrangement of Italy, its settlement nodes, and its peoples as malleable. It was an available paradigm that increasingly saw Italy as a single spatial entity, subject to Roman imperialism. It was a symptom of self-confidence in their ability to manipulate these relationships but also of fear in the potential challenge posed by the agency of other groups. The techniques, tools, and mentalities that enabled this manipulation were provided by their experience with colonisation.

From highlands to lowlands

Part of this paradigm of geospatial conceptualisation was predicated on the dichotomy of highland and lowlands. In each of the forced relocations discussed in this chapter the relocation was from the former to the latter. In the cases of the translational relocations of the cities of Volsinii and Falerii this difference is obvious, as they were shifted from their defensively-advantageous elevations to nearby sites on the low plains. Situated near to their former sites, their relationship to the geography of their landscape was completely transformed. So too was the defensibility, or lack thereof, of their cities. Had the forced relocation of Carthage come to fruition, as well as being moved away from the sea, it would have been dislodged from the Byrsa, the great hill that housed its citadel.

The concentrative relocations of the Apuani and the Picentes similarly featured transfers of the respective populations from highland to lowland areas. The Apuani were associated with their defensive use of their heavily forested mountains and ravines, as in their ambush at the Saltus Marcius. When it came to their deportation, Livy makes explicit that it was a movement down from the highlands:

Cornelius and Baebius determined to move them down from the mountains to lands on the plains, far from home, that there might be no hope of return, thinking that there would be no end to the Ligurian war until this was done. [...] they

issued an edict that the Ligurian Apuani should come down from the mountains.⁷⁰⁶

One could compare M. Aemilius Lepidus' transference from the hills to the local plains in 157 BCE of those Ligurian Freniates and Apuani who had previously used the refuge of the mountains in bad faith to evade having to comply with their submission to Roman *fides*.⁷⁰⁷ A similar motivation could probably be inferred from the creation of Picentia. While parts of the *ager Picentinus*—especially those on its northern headland, upon which Surrentum and Salernum lay—were undoubtedly hillier than parts of their home country, the site of Picentia itself was along the gentle coastal plain. Other than the port city of Ancona, all the major native Picene towns were on sites of substantial elevation, and their peoples highlanders.

The relocation was practically from a highland to lowland elevation, but also matched Roman cognitive understanding of the geography of Italy and the types of peoples that it produced. Livy remarked that the Ligurians were an enemy 'born [...] to keep alive the military discipline of the Romans', through the union of the challenges posed by the terrain, its people, and their fortified settlements, in contrast to the enervating effects of fighting in Asia because of the 'delightfulness of its cities' (*amoenitate urbium*) and its 'effeminate enemies' (*mollitia hostium*).⁷⁰⁸ Mountain peoples could be of differing ethnicities but possessed the same ways of life.⁷⁰⁹ In Roman thought, highlands and lowlands bred peoples with different kinds of characters, as expressed by Strabo, who distinguishes hardy and warlike mountain-dwellers from more urbane, passive lowlanders.⁷¹⁰ However, these were not seen as fixed traits in these highland ethnicities, but could be corrected. As the habits of life in upland areas produced the unwanted

⁷⁰⁶ Liv., 40.38.2-4, trans. E.T. Sage and A.C. Schlesinger: *Cornelius et Baebius statuerunt, nullum alium ante finem rati fore Ligustini belli. [...] Eo cum traducere Ligures Apuanos vellent, edixerunt, Ligures Apuani de montibus descenderent.*

⁷⁰⁷ Liv., 39.2.2-9.

⁷⁰⁸ Liv., 39.1.2-8.

⁷⁰⁹ Strabo, 2.5.28: ἔθνη δὲ κατέχει πολλὰ τὸ ὄρος τοῦτο Κελτικὰ πλὴν τῶν Λιγύων· οὗτοι δ' ἕτεροεθνεῖς μὲν εἰσι, παραπλήσιοι δὲ τοῖς βίοις.

⁷¹⁰ Strabo, 2.5.26, 4.6.3, 6, 5.2.7; Cass. Dio, 35.24.3; Gal., *Comm. on Airs, Water, Places*, 24. Isaac 2004, 410.

aggressive traits, the transference of these peoples, in mentalities of the Romans, may have represented a way to condition them to peace under Roman rule.

Conclusions

The forced relocation of these communities dramatically changed them. The translative interventions at Volsinii in 264 BCE, and at Falerii in 241 BCE reshaped the relationship of the Volsinian and Faliscan groups to their environments. The concentrative transfers to Picentia in 268 BCE and to Ligures Baebiani et Corneliani in 180 BCE not only did likewise but did so in much more dramatic fashion. The pre-existing dynamic equilibria of these peoples were shattered, and new equilibria created of permanent, asymmetrical friendship. Forced urban relocation was an effective tool of achieving this altered relationship between these groups and the world. The subsequent invisibility of these groups in the Roman historical record suggests that these initiatives were an effective way of eliminating the agency of foreign peoples within the interstate anarchy, and therefore the chance of recidivist warfare with them.⁷¹¹ Where they are referred to later, it was typically in pastoral and idyllic contexts, rather than as formidable polity actors on the interstate scene. This is despite archaeological and textual evidence of their continued cultic and economic significance, especially for the cities of Volsinii novi and Falerii novi. Only for Picentia, which seems to have been destroyed in the Social War, does one of the cases of forced relocation seem not to have been successful, although we lack details about Picentia's part in the conflict. The others had no significant role in the tumults of the Social War or the Civil Wars. From the point of their refounding they

⁷¹¹ J. R. Patterson 1986, 312 cites evidence of Bacchanalian rites at Volsinii and Falerii and their destruction and refounding as being 'linked with anti-Roman feeling'. More likely is that they had mixed populations following the refounding, which may have facilitated adoption of the cult. In any case, Volsinii and Falerii, far from being centres of unrest, do not show up in the histories as being vexatious to Rome from this time onwards, although the tradition does link the practice to the *ager Faliscus*; Cp. Gruen 1990, 49: 'the capture of numerous Tarentine prisoners in 208 and the social dislocations wrought by Hannibal in the southern part of the peninsula created large numbers of refugees who brought their Hellenic religious baggage into central Italy and into Rome itself'.

are remarkably loyal to the Roman imperial enterprise. Given this effectiveness, it should be of little surprise then that the Romans might seek to use this extraordinary procedure on their great imperial opponent Carthage; nor should it be of surprise that the Carthaginians rejected the ultimatum that they forcibly relocate.

Falerii and Volsinii possessed substantial continuities despite the cleavage between their original and reborn selves and the purposeful or incidental discontinuities that resulted. There were religious, cultural, architectural, and linguistic links between past and new. While they found themselves in new topographies, they were geographically near to the original sites, the extra-mural sanctuaries of which being able to continue to play an important role in creating and continuing the group identities. Thus, there seems to have been a concerted attempt on the part of the Romans to preserve the groups. On the other hand, the cities fashioned for the Ligurians and the Picentines fulfilled Roman ideas of them, and ignored and obliterated any nuance in local- or city-ethnics. By concentrating people who did not necessarily live in the same urban settlement, the Romans showed a lack of nuanced understanding of or care towards the dynamics and settlement patterns of the relocated tribes. Nonetheless, the Romans went to substantial efforts to preserve the groups, albeit in a form as seen through Roman eyes. Perhaps the long-standing familiarity, cultural similarities, and ethnic ties of the Romans with the Volsinians and the Faliscans better disposed them to relocate them with more sensitivity, as opposed to the Ligurian Apuani and the Picentines.⁷¹² This chapter has provided evidence that supports the conclusion that, although partially destructive, neither the translative nor the concentrative forced relocations were genocidal. Forced relocation must have been a traumatic experience for those who lived through it, as the Carthaginians anticipated. However, with both types of relocative processes the Romans showed a clear intention to not destroy the

⁷¹² Gallic and Iberian dedicants were not always so lucky Burton 2011, 268; Cf. Scipio Africanus distinguishing between killing Italians and Iberians: Liv., 28.32.4.

groups in question by relocating them. This provides further evidence that the Romans were not pursuing racial or ethnic conflict.⁷¹³ Indeed, relocating seems precisely to have been intended as an alternative to destruction. This was an alternative that could only be an option under the circumstances of the total submission of these groups to Rome, through the ritual of the *deditio in fidem populi Romani*.

If not genocidal, the forced relocations were unequivocally urbicidal, destroying Othered urban spaces and substituting them for those influenced by Roman urban planning. The process of destruction and recreation established new, unambiguous hierarchies of control and power, location and form being guided ultimately by Roman considerations. The ability to first imagine the feat of relocation and then to implement it owes itself to Roman colonisation and the expanding infrastructure that abetted Roman imperialism. This process might be considered part of Romanisation. This is a much-contested term that has been criticised for its Romanocentricism and its assumptions of top-down Roman paradigm of colonisation. Indeed, many of these criticisms of Romanisation pertain to the relocated towns. The new urban spaces demonstrated a substantial heterogeneity of influences, including local and indigenous, Greek, and Roman.⁷¹⁴ They need not have included the Capitoline cults of Jupiter, Juno, and Minerva.⁷¹⁵ They were unmistakably not created as part of any centralised imperial strategy or programme, but were ad hoc solutions to individual scenarios.⁷¹⁶ The magistracies and governance of the relocated places varied. There seems to have been no concerted effort at the ethnic cleansing of the areas. What is more, they were inhabited by non-Roman groups, who continued to live modes of life that were expressive of non-Roman identities.⁷¹⁷ Nonetheless, these new urban places were influenced by Rome in a way that their precursors were not, and this new equilibrium modified the culture of these

⁷¹³ Cornell 1995, 313.

⁷¹⁴ Sewell 2010.

⁷¹⁵ Lackner 2013.

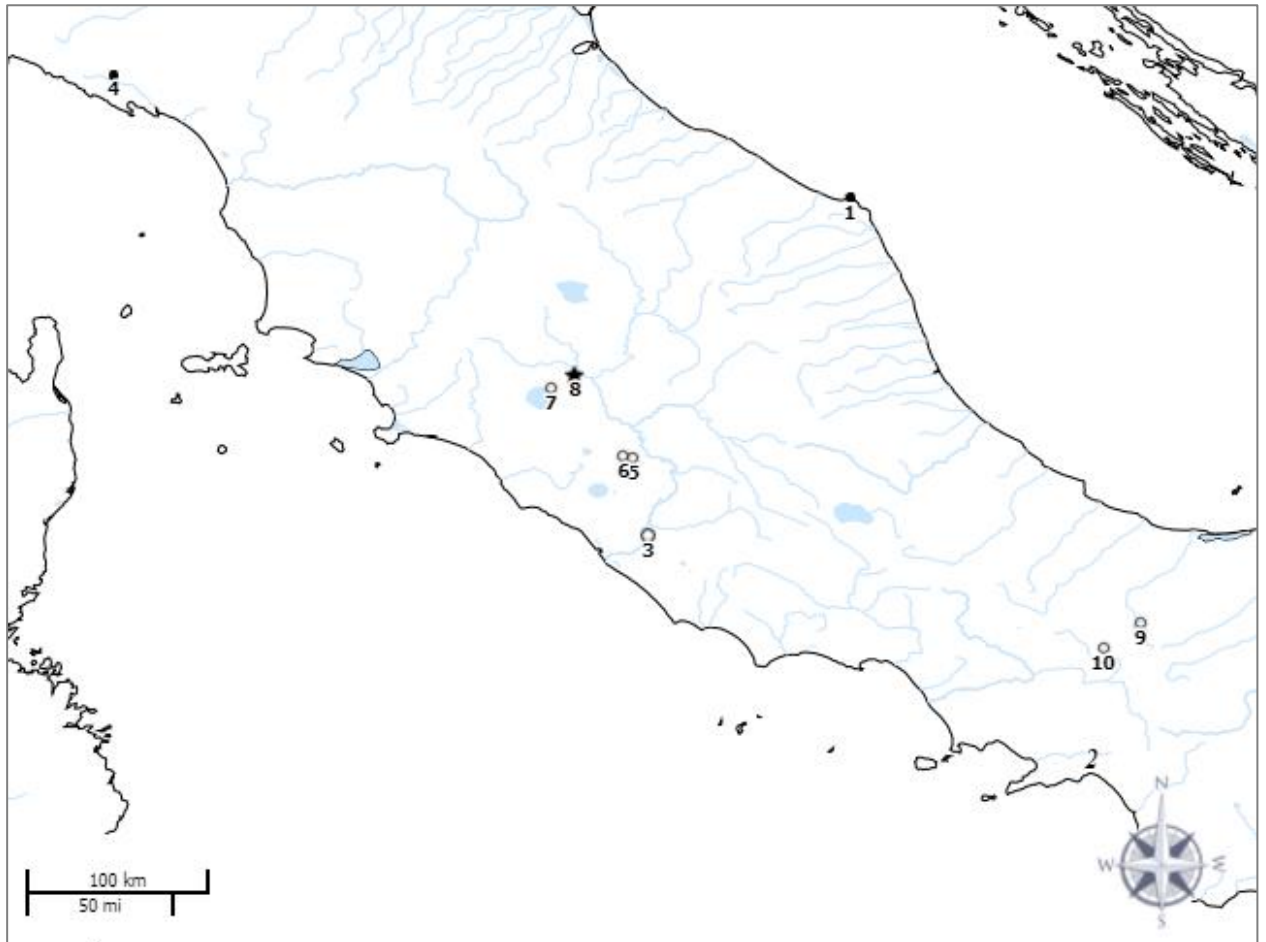
⁷¹⁶ Coles 2017; Hampf 1966, 120–21; Heinze 1960, 30; Barton 2007, 251.

⁷¹⁷ Bispham 2006; G. J. Bradley 2006.

groups. Later, the increasing co-option of *municipalia sacra* into the radical and revivalist nostalgia of the Augustan period and beyond would serve to revitalise regional cult centres such as the Fanum Voltumnae and temple to Juno Curitis. It would also place these elements within a matrix of Roman(ised) identity, creatively using the process of commemoration and memory.⁷¹⁸ This would have been impossible had these groups been genocidally wiped out during their forced urban relocation.

⁷¹⁸ Cf. G. J. Bradley 2008, 310–17.

Figures



Map 5. Urban relocations

Key

- | | |
|------------------------------|---------------------------|
| 1. Picenum | 6. Falerii novi |
| 2. Ager
Picentes/Picentia | 7. Volsinii novi |
| 3. Rome | 8. Volsinii veteres |
| 4. Ligurian Apuani | 9. Ligures
Corneliani? |
| 5. Falerii veteres | 10. Ligures Baebiani |

'Genocide' and Rome



Map 6. Picenum and Roman colonies

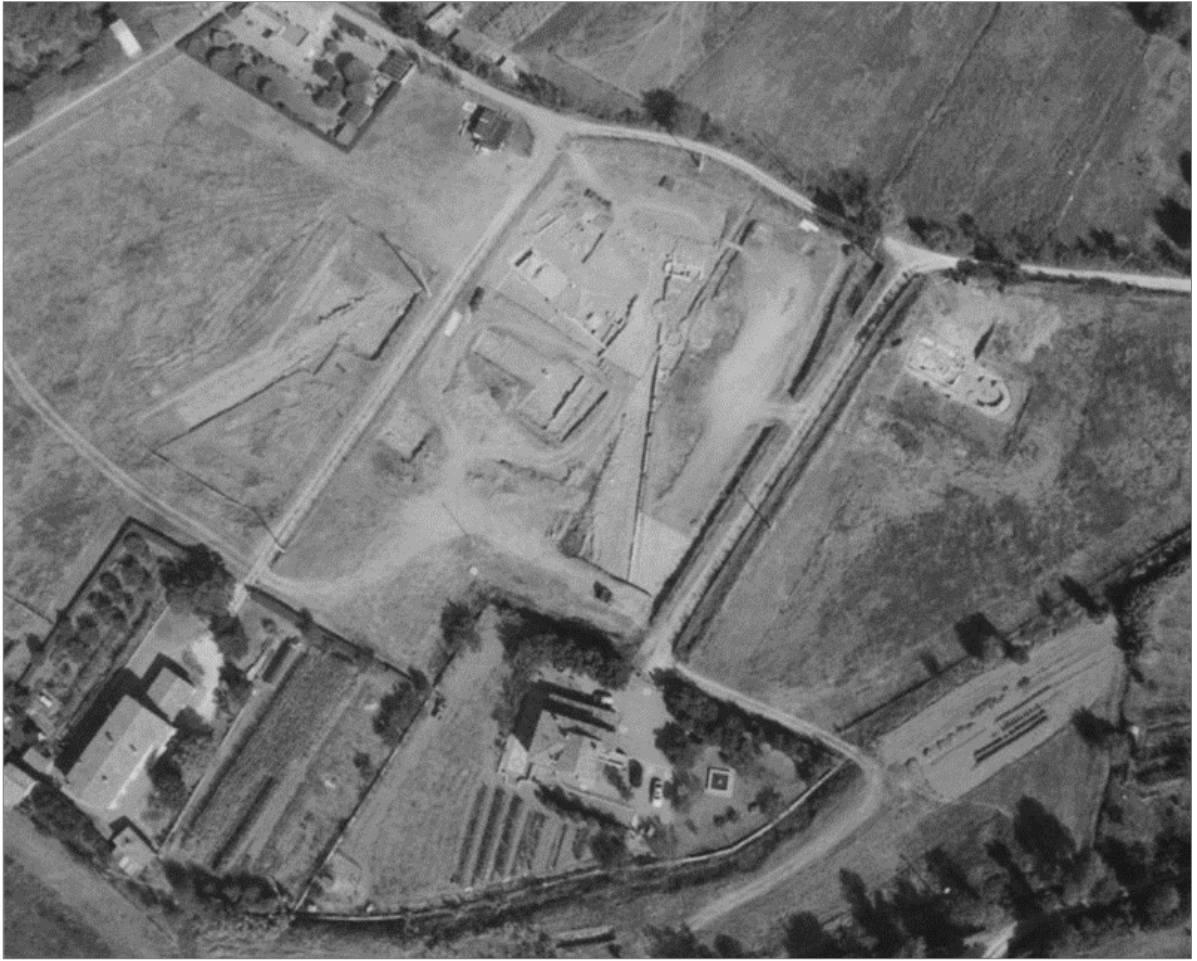
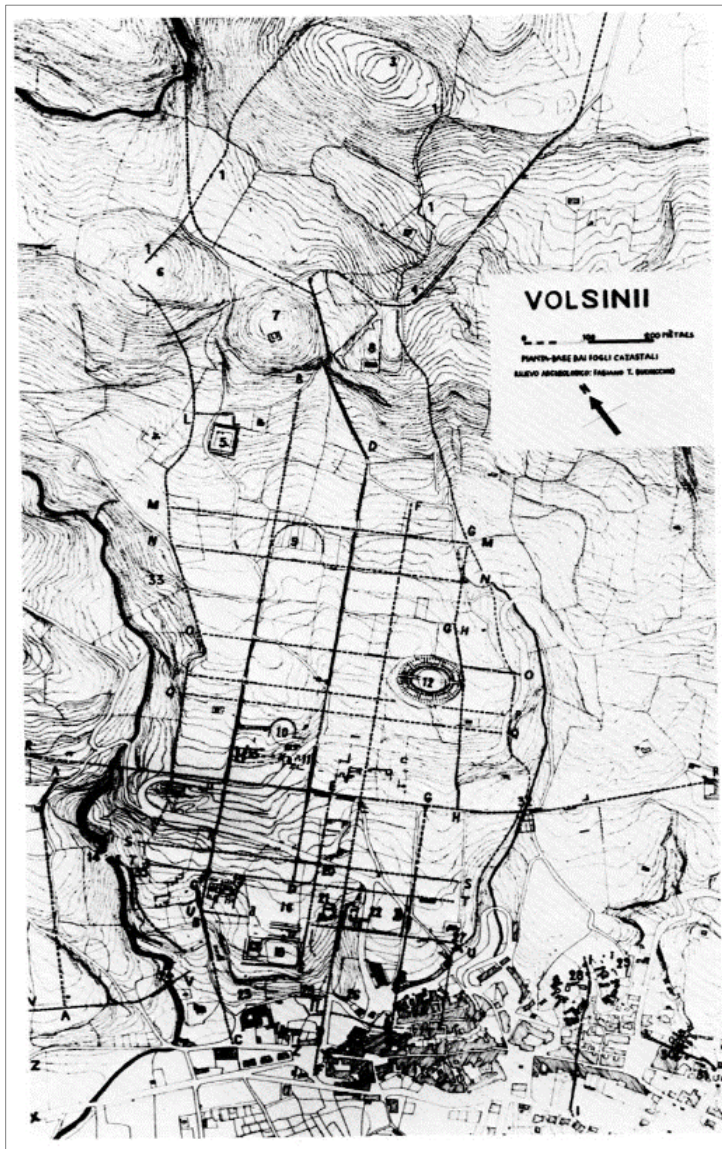


Figure 2. Campo della Fiera, Orvieto

Aerial view of the site. C. Bizzarri, in Margarita Gleba, 'Archaeology in Etruria 2003–2009', Archaeological Reports, 2008-2009 (2008), 103–21, Figure 20.



1. Muro di cinta (scavato da R. Bloch)
2. Via Traiana nova
3. Mozzeta di Vietena
4. Via Cassia
5. Santuario del Pozzarello
6. Gratte
7. Tempio del Poggio Casetta
8. Montebello
- 9-10. Depressioni semicircolari (teatri ?)
11. Casa di Laberio Gallo
12. Anfiteatro
13. Casa scoperta da Paporozzi (1926)
14. Porto scavato nel tufo
15. Scavi del Poggio Moscini (Scuola Frances)
16. Zona del foro
17. Basilica civile
18. Terrazza inferiore della zona del foro
19. Fondamenta di un edificio non identificat
20. Vestigia di un tempio (?)
21. Grande cisterna
22. Terme dette di L. Seio Strabone
23. Grande esedra
24. Ponte romano
25. Tratto di mura di cinta con porta
26. Santuario del Poggetto
27. Tratto del muro di cinta
28. Poggio Pesce (necropoli)
29. Poggio Battaglini (necropoli)
30. Catacombe di Santa Cristina
31. Necropoli tarda
32. Ponte del Diavolo
33. Catacombe di Gratte
34. Stazione di posta
35. Tratto del muro di cinta con porta (?)

- A. Strada extraurbana
- B. Decumanus
- C. Variante di B
- D. Decumanus maximus (?)
- E. G. Decumani
- H. Variante di G
- I. Strada extraurbana
- L. Q. Cardines
- R. Cardio maximus (?)
- S. U. Cardines
- V. Strada extraurbana
- Z. X. Strade medievali

Figure 3. Relief vestiges of the urban area of Roman Bolsena visible to date in 1970

T.F. Buchiccio, in 1. Pierre Gros, *Bolsena I. Scavi della scuola francese di Roma a Bolsena (Poggio Moscini). Guida agli scavi*, trans. by Laura Mascoli, *Melanges d'archeologie et d'histoire supplements*, 6 (Rome: L'Ecole Française de Rome, 1981), I, Figure 3.

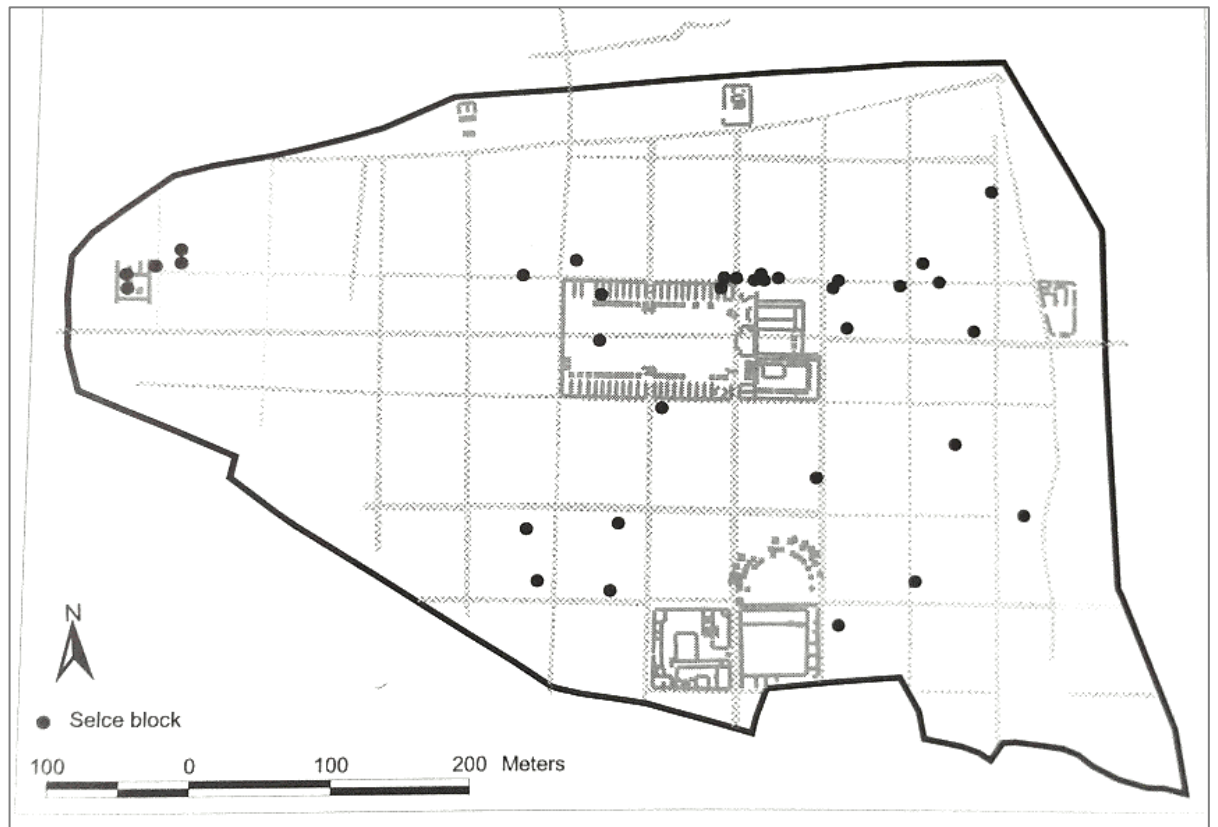


Figure 4. Falerii novi street plan

Simplified plan of the walled area showing the distribution of basalt (selce) blocks recorded in the extensive survey. Selce is indicative of paved surfaces. Simon Keay and others, 'Falerii novi: A New Survey of the Walled Area', Papers of the British School at Rome, 2000, 1–93. Figure 48.



Figure 5. Terracotta acroterion with pediment fragments, Falerii veteres

Early fifth century BCE, from temple of Sassi Caduti, Celle, Falerii (Civita Castellana). Museo Nazionale Etrusco di Villa Giulia Room 30. 20/09/2013.

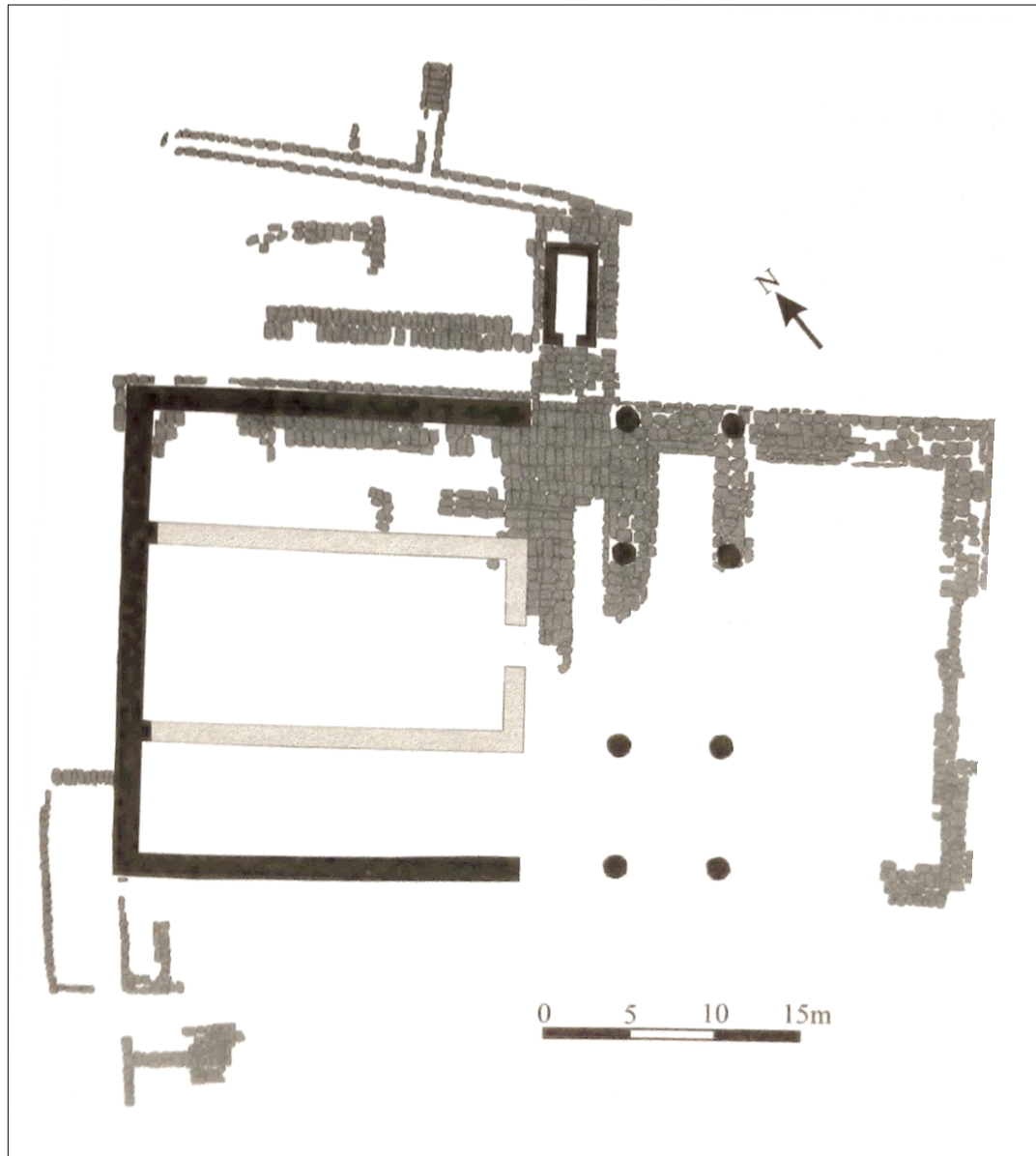


Figure 6. Sanctuary of Juno at Falerii veteres

The sanctuary of Juno Curitis at Celle, Falerii veteres (Civita Castellana). Simon Keay and others, 'Falerii novi: A New Survey of the Walled Area', Papers of the British School at Rome, 2000, 153, Figure 31.

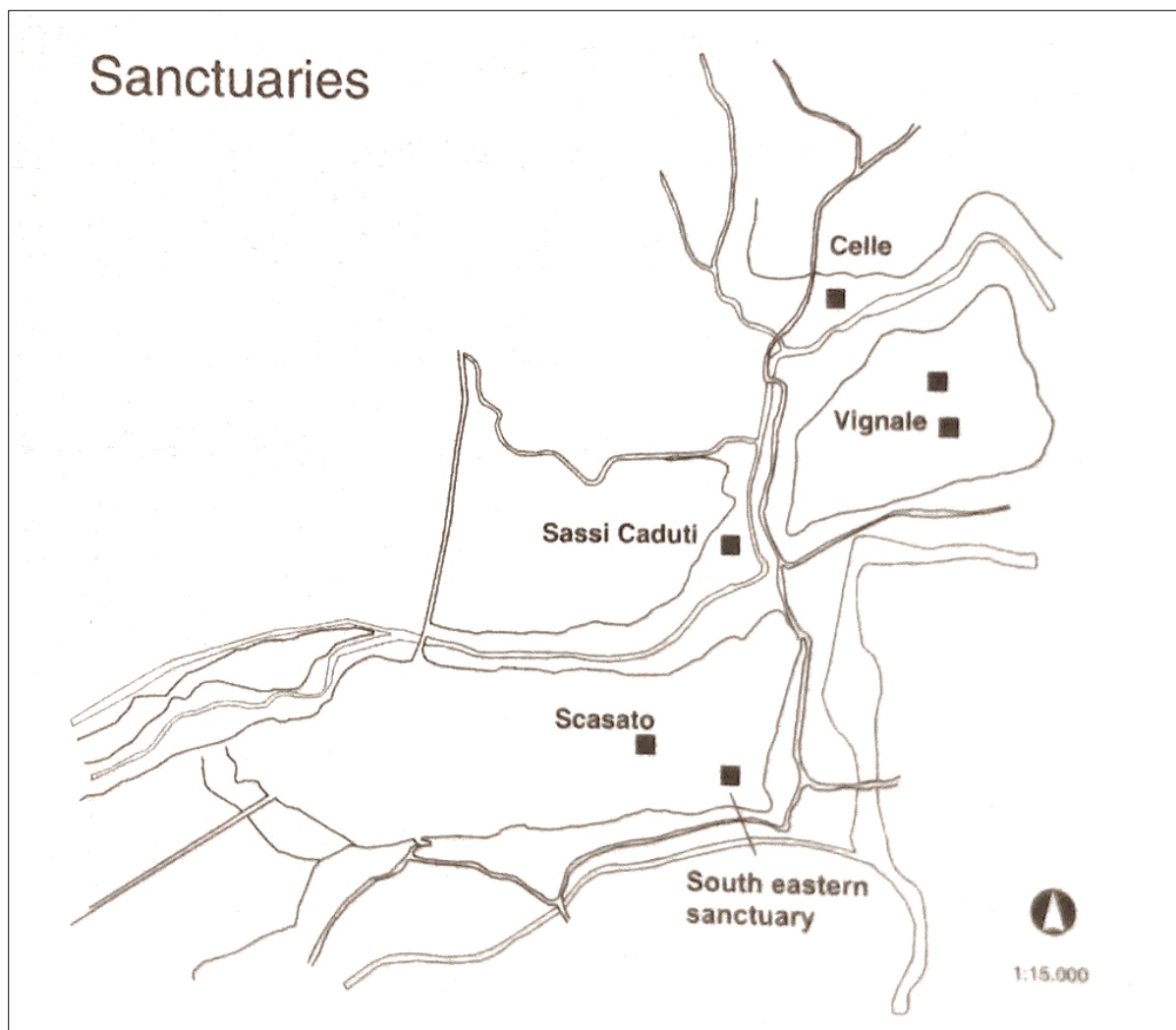


Figure 7. Sanctuaries at Falerii veteres

Letizia Ceccarelli and Simon Stoddart, *The Faliscans*, p. 143 Figure 25.

Chapter Six

Submission to Rome

Introduction

In discussing the typologies of Roman genocide, the issue of submission has been pervasive. Submission, performed through the *deditio in fidem populi Romani*, constrained the excesses of Middle Republican interstate violence. However, asymmetries of power meant that submitting to Rome was not a true safeguard, in some cases precipitating the submitting group's destruction. Its precepts were moral and quasi-legal, operating in an interstate anarchy subject to no external, policed international law.⁷¹⁹

Mechanisms that allow submission, and therefore de-escalation, are important to a study of genocide, as they provided a diplomatic route by which groups could seek to avoid destruction and violence when confronted by Rome. In his study of the relationship between ethnic cleansing and democracy, the sociologist Michael Mann posited that the 'brink of murderous cleansing' was reached either when the weaker party 'is bolstered to fight rather than to submit (for submission reduces the deadliness of the conflict)' or when the stronger party has 'such overwhelming military power and ideological legitimacy that it can force through its own cleansed state at little physical or moral risk to itself'.⁷²⁰ The practice of receiving *deditiones in fidem populi Romani* was the ritual by which the Romans enabled other communities to submit, and therefore reduce the deadliness of the conflict. It provided an internationally recognisable protocol to seek to avoid destruction. It also placed the potential victim group within a moral category of patronage and protection,

⁷¹⁹ Eckstein 2006, 79–80.

⁷²⁰ Mann 2005, 6–7; first in the working paper, Mann 1999, 16.

introducing a heightened moral hazard to Roman state actors in the eventuality that they destroyed them anyway. Without the normativity of moral risk, submission would have been avoided, deadliness of conflicts generally higher, and genocide more prevalent.

The *fides* to which these groups submitted was, however, an ambiguous cultural institution. It will be shown that, while usually forestalling and preventing destruction, it provided a wide ideological mandate for the utter destruction of dedicants. Furthermore, processual defects in the protocol of *deditio* at times escalated the potential for genocidal violence, despite the intentions of the victims in seeking to yield. In this chapter, I outline how *deditio* prevented genocide, how its failure could escalate violence, and, subsequently, how parties used *fides* as a framework for restitution.

Deditio in fidem populi romani

Despite the importance of the *deditio in fidem populi Romani* to comprehending Republican imperialism, there have been few works exploring it in depth. Little has been written on this subject in English, except in passing or beyond a few journal articles of a narrower nature, which predominantly take an International Relations approach.⁷²¹ There have been some attempts to treat the subject more fully from continental European schools with traditional philological approaches.⁷²² Burton's *Friendship and Empire*, a processual study of Middle Republican interstate *amicitia*, is not about *fides* but is relevant to it throughout.⁷²³ Perhaps, the paucity of

⁷²¹ Eckstein 2009; Burton 2009; Eckstein 1995; Gruen 1982.

⁷²² Freyburger 1986; Piganiol 1950; Boyancé 1972a; Boyancé 1972b; Flurl 1969; Nörr 1991; Nörr 1989; Ziegler 1991; Bellini 1964; Hölkeskamp 2000; and most recently Sanz 2015; Piganiol 1950, 345–46 gives a summary of some of the formative historiography; Morgan 2015, 5 ff. provides useful bibliographic discussion; as does the review of Nörr's works by Eckstein 1994; Valsan 2017 for incorporation of religious and social *fides* into Roman law in substantive and arbitrary forms.

⁷²³ Burton 2011.

academic treatments lies behind the frequent mistranslation of *fides* into English. In interstate contexts, it does not translate well to the English ‘faith’ or ‘good faith’ by which it is often rendered. The *Oxford Latin Dictionary* glosses it as ‘the condition of having trust placed in one’, and to submit to it was to place one’s community into the Roman protectorate and their suzerainty.⁷²⁴ The substitution of *postestas* (power) or *dicitio* (jurisdiction) for *fides* in some *deditio* formulas formerly led some to suppose that they represented different codified, legal practices, by which the dedicants were treated with more severity or clemency, but this is no longer the case.⁷²⁵ Entering into Roman *fides* was, at least by the second century BCE, also to submit to broad Roman authority and the expectation that Roman will was to be obeyed.⁷²⁶

Total submission

The formula of the *deditio* typically included a list that emphasised the totality of what was being surrendered to the Romans. It included the land, the people, the temples and religious precincts, buildings, portable goods, rivers, and geographic features. The effect was not lost on ancient commentators; the Greek historian Polybius aimed to make the implications of *deditio* to Roman *fides* unambiguous:

Those who thus commit themselves to Roman authority surrender in the first place the whole of their territory and the cities in it, next all the inhabitants of the land and the towns, male and female, likewise all rivers, harbours, temples, tombs, so that the result is that the Romans enter into possession of everything and those who surrender remain in possession of absolutely nothing.⁷²⁷

⁷²⁴ *Oxford Latin Dictionary* 1982, s.v. *fides*, 1; cp. Lewis and Short 1879, s.v. *fides*.

⁷²⁵ Dahlheim 1968, 31–33 aptly deconstructs the apparent dichotomy between types of *deditio*.

⁷²⁶ Astin [1989] 2003, 8:300–301, 310.

⁷²⁷ Polyb., 36.4.2-3, trans. Paton: οἱ γὰρ διδόντες αὐτοὺς εἰς τὴν Ῥωμαίων ἐπιτροπὴν διδῶσι πρῶτον μὲν χώραν τὴν ὑπάρχουσαν αὐτοῖς καὶ πόλεις τὰς ἐν ταύτῃ, σὺν δὲ τούτοις ἄνδρας καὶ γυναῖκας τοὺς ὑπάρχοντας ἐν τῇ χώρᾳ καὶ ταῖς πόλεσιν ἅπαντας, ὁμοίως

Here Polybius uses the terminology of ἐπιτροπήν, indicating the authority to decide matters, but the context and parallels show that he was describing what was in Latin called *fides* and in Greek usually πίστις.⁷²⁸ The intended meaning is clear: Polybius wanted his audience, presumably Greek, to know that the *deditio in fidem populi Romani* was totalising and permanently transferred the primacy of authority to the Romans. His gloss quoted above formed part of his account of the annihilation of Carthage, as well as obliquely commenting on Roman power in the context of the loss of Corinth, both of which were bound up in the failure of interstate *fides*.

The totalising nature of *deditio* given by Polybius can be compared with a Livian gloss, which is in substance consistent with that previously given:

The old custom of the Romans in establishing peaceful relations with a people neither on the basis of a treaty nor on equal terms had been this: not to exert its authority over that people, as now pacified, until it had surrendered everything divine and human, until hostages had been received, arms taken away and garrisons posted in its cities.⁷²⁹

Note that Livy here overemphasises the garrisoning of dedicant cities and the confiscation of their arms to establish a rhetorical counterpoint to P. Scipio Africanus' 206 BCE acceptance of the *deditio* of the Spanish rebel Mandonius, which immediately follows.⁷³⁰ In fact, Scipio's treatment of the Iberian Iltergetes, in which he mulcted payment for his troops but otherwise made a great show of his performance of *clementia* by restoring their freedom without further confiscations or garrisoning, is in fact more in line with the use of *deditio* by that time than Livy suggests.

ποταμούς, λιμένας, ἱερά, τάφους, συλλήβδην ὥστε πάντων εἶναι κυρίου Ἰρωμαίου, αὐτοῦ δὲ τοῦς διδόντας ἀπλῶς μηκέτι μηδενός.

⁷²⁸ See Gruen 1982 on the equivalency of πίστις and *fides*.

⁷²⁹ Liv., 28.34.7, trans. Moore: *mos vetustus erat Romanis, cum quo nec foedere necaequis legibus iungeretur amicitia, non prius imperio in eum tamquam pacatum uti quam omnia divina humanaque dedidisset, obsides accepti, arma adempta, praesidia urbibus imposita forent.*

⁷³⁰ Cf. Polyb., 21.11.7; App., *Hisp.*, 37; Diod. Sic., 26.22.1; Eutr., 3.17.1; Zonar., 9.10.

Such was the potency of the formula to indicate omnifariousness, it outlasted the practice of the *deditio* itself: when the ninth-century CE Patriarch of Constantinople, Photius, wanted to comment on the completeness of the contents of Apollodorus' *Bibliotheca*, he did so in terms reminiscent of the ancient formula, remarking that it contained 'all that time has given them to believe [...] about the rivers, and lands, and peoples, and towns, and thence everything that goes back to the earliest times'.⁷³¹ For Photius, as for his Republican forebears, these constituent parts synecdochally stood for the whole. However, we need not go that far forward to find the same sentiment. Plautus in the mid-190s BCE gave similar words to the Thebans in *Amphitruo*, acting as dramatic surrogates for the Romans, when they were made to receive the Teleboans with the terms of the *deditio*:

The next day their leaders came from the city to our camp, crying, and with covered hands they asked us to forgive them their transgression. They all surrendered themselves, all their sacred and profane possessions, their city and their children, into the power and sway of the Theban people.⁷³²

These formulas are echoed by Livy's first, albeit historically dubious, interstate *deditio in fidem* in his history: representatives of the city of Collatia surrendered '[them]selves and the people of Collatia, city, lands, water, boundary markers, shrines, utensils, all appurtenances, divine and human' to Tarquinius Priscus.⁷³³

Each element was metonymic for the greater, civic existence of the community, which was thus reduced to its constituent parts. Having given up the physical, geographical, religious, and corporeal constituents by which the imagined community was embodied and performed, it symbolically ceased to exist and was thus destroyed through an act of auto-erasure. The laws and

⁷³¹ Trans in Hard [1997] 2008, viii.

⁷³² Plaut., *Amph.*, 254-7: *postridie in castra ex urbe ad nos ueniunt flentes principes: | uelatis manibus orant ignoscamus peccatum suom, | deduntque se, diuina humanaque omnia, urbem et liberos | in dicionem atque in arbitratum cuncti Thebano poplo; cf. 225-56: conuenit, uicti utri sint eo proelio, | urbem, agrum, aras, focus seque uti dederent.*

⁷³³ Liv., 1.38.3-4, trans. Champion: '*deditisne vos populumque Collatinum, urbem, agros, aquam, terminos, delubra, utensilia, diuina humanaque omnia in meam populiue Romani dicionem?*'.

constitution of the community were simultaneously destroyed with the act of *deditio*. As the totality of the existence of the former community was placed in the power of the Roman commander receiving the *deditio*, there was therefore a broad scope for him, or those making decisions after him, to do what he wanted to them. This could hypothetically have included enslavement, urban destruction, expulsion, and mass killing. However, these genocidal outcomes were, by and large, averted in favour of constructive continuity.

Suppliant agency

Submission to Rome was founded on its voluntary nature, in which the *dediticii* themselves were the agents. Although overtures could be made, the Romans did not typically demand the surrender of those who were about to be besieged, as would be done in Medieval contexts, and the submission had to be made of their own agency.⁷³⁴ The language by which the *deditio* is described—*accipere, redigere, se permittere, se recipere, se dedere, deditos, deditione, dare*—is terminologically equivocal, but reflect the suppliant agency of the dedicant.⁷³⁵ The words, gestures, and clothing of the dedicant and dedicand situated their performance of the *deditio* within the ritual paradigms of oaths, contracts, and the religious observance of the goddess Fides.⁷³⁶ As in other forms of supplication,⁷³⁷ the offer, on the part of legitimate representatives of the community, was subject to arbitration by the representative of Rome, who had the power to accept or reject it.

The suppliant agency of *deditio* made the resulting *fides* into a powerful fiction. As Livy had M. Furius Camillus say, 'that *imperium* is by far the strongest to which its subjects are gladly obedient'.⁷³⁸ The Romans understood well that those who symbolically offered up themselves rather

⁷³⁴ Gilliver [2001] 2005, 154–56.

⁷³⁵ Dahlheim 1968, 25 esp. n.2.

⁷³⁶ Liv., 1.1.8, 36.20. Cp. Tib., 1.10.67 in which white robes and *spica* adorn the figure of Pax. For an example of hands covered in white cloths during *deditio*, see Plaut., *Amph.*, 254–7. Naiden 2006, 82–84; Naiden 2003; Hölkeskamp 2000.

⁷³⁷ Naiden 2006, 4.

⁷³⁸ Liv., 8.13.16: *id firmissimum longe imperium est quo oboedientes gaudent.*

than being taken by naked force (*vis*) were more likely to display long-term and meaningful loyalty rather than to foster seditious resentment. Likewise, Sallust opined that:

The Roman people from the beginning of their rule have preferred to seek friends rather than slaves; they have thought it safer to govern the willing than those forced to obey.⁷³⁹

Polybius describes a similar general principle when he contrasts the hatred-engendering rule through fear of a tyrant in opposition to that of a king, who should rule beneficently over willing subjects.⁷⁴⁰ Imperialism for the Middle Republic was a matter of the hegemonic maintenance of a network of *socii et amici*; former enemies could be put to better uses by being made friends than being destroyed, and were to become crucial as Rome came into increasingly larger conflicts, enabling her to weather out the Pyrrhic and Hannibalic invasions of Italy and the First Punic War in no small part due to the strength of its interstate hegemony.⁷⁴¹

The extent to which the Romans were invested in the success of the mechanism of submission can be seen in their willingness to be amenable to negotiation in the settlement of the *deditio*. It was trust-building process that aimed to induce permanent reciprocal relationships, and thus avoid genocidal violence. When the Aetolians retracted their *deditio* to M. Acilius Glabrio in 191 BCE, not having understood the unconditionality of their surrender, they were allowed an armistice to seek out consensus among their communities, and were even offered a *foedus iniquum* instead of the

⁷³⁹ Sall., *Iug.*, 102.6, trans. Rolfe: *populo Romano iam a principio imperi melius visum amicos quam servos quaerere, tutiusque rati volentibus quam coactis imperitare*. See also, Sal., *Cat.*, 9.5; Liv., 8.1.7.

⁷⁴⁰ Polyb., 5.11.6: τυράννου μὲν γὰρ ἔργον ἐστὶ τὸ κακῶς ποιοῦντα τῷ φόβῳ δεσπάζειν ἀκουσίῳ, μισοῦμενον καὶ μισοῦντα τοὺς ὑποταττομένους· βασιλέως δὲ τὸ πάντας εὖ ποιοῦντα, διὰ τὴν εὐεργεσίαν καὶ φιλανθρωπίαν ἀγαπώμενον, ἐκόντων ἡγεῖσθαι καὶ προστατεῖν. See also, Polyb. 10.35.5-7; Ter., *Ad.*, 57-8; Sen., *Clem.*, 1.8.6-7; Plin., *Ep.*, 8.24.6.

⁷⁴¹ Plut., *Pyrrh.*, 21.10 is telling on recognising the ability of Rome to defeat Pyrrhus through attrition.

deditio.⁷⁴² The only contemporary epigraphic evidence mentioning a *deditio* from this period confirms the consensus seeking: the *imperator* Caesio thought it apt to ask the council of a Lusitanian settlement surrendering to him ‘what they should consider reasonable for him to demand from them’.⁷⁴³ His demands of them were for what that they themselves had recommended that he demand, articulating the locus of authority on the one hand while ensuring the assent of the subjugated people on the other. The memorialisation of this act led to this being set up on a tablet in situ. The role of the Pontifex C. Papius Maso in helping to author the 241 BCE *deditio* of the Faliscans also demonstrates this process of negotiation and consensus seeking.⁷⁴⁴ In most cases the legal constitutions of the dedicant community were reinstated, on the condition of the supremacy of Rome, perhaps minus a mulcting of land.⁷⁴⁵

As well as serving the need for consensus with the suppliants themselves, the acceptance of the submission by the *imperium*-holder was conditional to acceptance and ratification by the Senate and People of Rome. Both the inscription above found at Alcántara, which directly attests a *deditio*, and the one found at Hasta Regia, which is best interpreted as recording a *deditio*, include conditional clauses at the end that made the submission valid ‘so long as the People and Senate of Rome wish’.⁷⁴⁶ A negative reaction in the Assembly back in Rome could be disastrous for the dedicants, the Faliscans for example nearly being extirpated, we are told, were it not for the intervention of Papius on their behalf, as well as on

⁷⁴² Polyb., 20.9-10, 21.2; Diod. Sic., 29.4; Liv., 36.27.4-29.3, 37.1.1-7.

⁷⁴³ *HEpOL*, 22832.: *L(ucius) Caesius C(ai) f(ilius) imperator postquam [eos in deditionem] | accepit ad consilium retolit (sic) quid eis im[perandum] | censerent de consili sententia imperav[it ut omnes] | captivos equos equas quas cepis(s)ent.* Cp. *HEpOL*, 1755.

⁷⁴⁴ Val. Max., 6.5.1. Broughton 1951, 220.

⁷⁴⁵ Cp. the issuing of town charters, Riccobono 1941 1.16, *CIL* 1².590; On mulcting, see Roselaar 2013, 31–63 for a wealth of examples.

⁷⁴⁶ Alcántara: *HEpOL* 22832.: *dum populus [senatusque] | Rومانus vellet*, J. Richardson 1986, 199–201; Melero, Abal, and García Jiménez 1984, 265–83; Hoyos 1989; Hasta Regia: *HEpOL*, 1755 = *CIL*, II 5041.: *dum populus senatusque | Romanus vellet*, Curchin 1991, 32; Riaza 2006, 177–78.

behalf of the *deditio* he himself helped to write.⁷⁴⁷ These Romans had a stake in the success of the submission. The annulment of these agreements was politically damaging. The successor to Q. Pompeius rejected the terms on which the former had accepted the Numantines into Roman *fides* and so referred the matter to the Senate, who rejected it and renewed the war against them, albeit ineffectually.⁷⁴⁸ The Senate would deal more forcibly with C. Hostilius Mancinus and M. Claudius Clineas for making treaties in Spain in 137 BCE and Corsica in 237 BCE respectively, considering them to have overstepped their authority in giving overly lenient terms. Both were handed over to their erstwhile opponents when the Roman Senate renewed hostilities, thereby cancelling the contract of submission with an act of propitiation.⁷⁴⁹ It was as in the interests of Roman commanders as in that of the dedicant community to generate an acceptable solution, and in most cases this would have been achieved.

Interstate and sociocultural normativities

There was no external source of international law in the Mediterranean anarchy through which Rome was ascending. That is not to say, however, that there were no understandings between nations that formed customary frameworks analogous to modern international law. The *ius gentium*, which was the 'law observed by all nations', somewhat corresponded to international law today.⁷⁵⁰ The practice of *deditio in fidem populi Romani* is considered to have been part of this international law.⁷⁵¹ The *deditio in fidem* was formally and practically different to the other peaceable forms of Roman

⁷⁴⁷ Val. Max., 6.5.1.

⁷⁴⁸ App., *Hisp.*, 79; Cic., *Fin.*, 2.54; Cic., *Off.*, 3.109; Vell. Pat., , 2.1.5; Val. Max., 8.5.1.

⁷⁴⁹ Mancinus: Plut., *Ti. Gracch.*, 5.1-6; Liv., *Per.*, 55; Vell. Pat., , 2.1.4, 90.3; Flor., 1.34.4-7; App., *Hisp.*, 80; Gel., 6.9.12; [Aur. Vict.], *De vir. ill.*, 59.1-4; Oros., *Hist.*, 5.4.20, 5.1.11; August., *De civ. D.*, 3.21; Obsequens, , 24; Claudius: Cass. Dio, 22 fr. 45; Zonar., 8.18; Val. Max., 6.3.3; Amm. Marc., 14.11.32; Briscoe 1974, 125–27; Curchin 1991, 34–36.. Cp. the early Republican example of the Roman consuls whose treaty with the Samnites was annulled and they themselves handed over to the Samnites after having been led under the yoke at the Caudine Forks (Liv., 9.3.4-13).

⁷⁵⁰ Gai., *Inst.*, 1.1.

⁷⁵¹ Eckstein 2009; Burton 2009; Dahlheim 1968.

interstate relationships, truces (*indutiae*) and treaties (*foedera*).⁷⁵² Both the *indutia* and the *foedus* were conditional and did not involve the supplicatory, totalising surrender of the corporate existence of the community. At times of existential threat from Roman forces presenting overwhelming military power, neither *indutia* nor *foedera* were acceptable to the Romans compared to unconditional surrender.

The *deditio in fidem populi Romani* arose in a context of Italic cults that, although diverse, would have ensured the mutual intelligibility of the form of surrender.⁷⁵³ There was a broadly understood set of ritual, Italic behaviours, such as the use of fetials to initiate war and the practice of sending vanquished foes under the yoke. The divine personification of the goddess Fides had likely spread and localised by about 300 BCE, and continued to do so in the third and second centuries BCE.⁷⁵⁴ The effectiveness of *fides* as an international custom can be seen in the reticence of most of the *socii italici* to renege on their relationship with Rome when Hannibal entreated them to join him.⁷⁵⁵ As the Romans' hegemony grew, they increasingly came into contact with states outside the international customs of the Italians, leading in some cases, as with the Aetolians above and other cases dealt with below, to problems with understanding the rite. Polybius for this reason sought to explain to his Greek-reading audience what *deditio* to the Romans entailed.⁷⁵⁶ It must, however, have been broadly intelligible to a large number of actors within the customs of international law. Indeed, it was sometimes enthusiastically sought out, in the way smaller states often flock to larger poles in an interstate anarchy for protection.⁷⁵⁷ In many cases,

⁷⁵² Of the two forms of *foedus*, the unequal or *foedus iniquum* was closer to the submission of the *deditio in fidem*, in that it required the recognition of Roman *maiestas*, than the equal *foedus* or *foedus aequum*. However, it was still substantially different to the complete submission of the *deditio in fidem*. Cp. *Dig.*, 49.15.7.1. States could also submit via *sponsio*, as Oriculum did in 308 BCE (Liv., 9.41.20), but this was rare.

⁷⁵³ de Cazanove 2011.

⁷⁵⁴ Miano 2015.

⁷⁵⁵ Polyb., 3.90.

⁷⁵⁶ Champion 2004.

⁷⁵⁷ E.g. Polyb., 2.11.5-6, where the Corcyreans volunteered a *deditio* unprompted, to afford them protection against future Illyrian attacks. Cp. the so-called second Romano-

however, it was a matter of last resort, to be used when the Romans possessed overwhelming military advantage over a vanquished, or about to be vanquished, foreign community. At times, the Romans could be demanding, as in 308 BCE when Q. Fabius Maximus Rullianus rejected overtures from Nuceria Alfaterna, leaving them with the binary options of a siege or *deditio*. They chose the latter.⁷⁵⁸

In situations where Romans did possess overwhelming military advantage over a dedicant community, there was no external international authority that could compel the clemency and good faith of the Roman commander. The good functioning of *fides*, and of the de-escalatory submission to it, relied on the adherence of such commanders to international and Roman mores. Due to the totality of their surrender and the discretion over their fate placed offered by the dedicants, dedicands could in theory do as they wished with them. This could have been interpreted as giving free reign to sack, murder, and pillage, just as if the community had been taken by storm. However, most did comply with the internal and external expectation that they could demonstrate their *clementia*, and sensible commanders would use these capitulations to their own political self-interest, as well as the interest of the Roman state.⁷⁵⁹ Even when Roman soldiers could not be restrained from the disorderly sacking and looting of a city, their general could make good their duties to their dedicants as best as they could by protecting the lives of the inhabitants.⁷⁶⁰

This relationship of trust was generated not by any external legal agency, but constituted a form of habitus. Sociologist and philosopher Pierre Bourdieu, in characteristically periphrastic style, defined habitus as:

The structures constitutive of a particular type of environment [...] produce habitus, systems of durable,

Carthaginian treaty of 348 BCE (Polyb., 3.24.3), which implied the de facto protection of those Latin states that had formally submitted to Rome.

⁷⁵⁸ Liv., 9.41.2-5; Diod. Sic., 20.44.8; Suet., *Vit.*, 1.3.

⁷⁵⁹ Cp. early modern customs of the treatment of those who surrendered, Childs 2012, 155–57.

⁷⁶⁰ As Regillus did at Phocaea: Liv., 37.32.12-14. He subsequently made good the city, fields, and laws, i.e. the elements surrendered by the *deditio*.

transposable dispositions, structured structures predisposed to function as structuring structures, that is, as principles of the generation and structuring of practices and representations which can be objectively 'regulated' and 'regular' without in any way being the product of obedience to rules, objectively adapted to their goals without presupposing a conscious aiming at ends or an express mastery of the operations necessary to attain them and, being all this, collectively orchestrated without being the product of the orchestrating action of a conductor.⁷⁶¹

Otherwise expressed, habitus is the process by which members of any society are socioculturally constituted as beings within society, autonomous within but indivisible from their cultural existence.⁷⁶² It was habitus that ensured that the behaviour of Roman generals was consistent with the *fides* expected of them. Therefore, the behaviour of elite Romans towards other communities surrendering to them was governed by the expectations of Roman patrician culture, which is to say by the *mos maiorum*. In this way, *fides* functioned as a tool of international relations to forestall genocide principally through intra-social morality. Simply put, destroying a people who had placed themselves into their *fides* constituted taboo and unbecoming behaviour.

By accepting a community into *fides*, they assumed certain customary obligations towards them. This parallels the creation of intra-societal contracts, of the sort that individuals could possess between each other.⁷⁶³ Of course, what one might deem friendship another might call clientage as, even though the relationship was guaranteed by cultural custom, it did not imply equality of the contracting parties.⁷⁶⁴ The assumed patronage role was also paralleled in the creation or extension of *fora* and other civic centres along the burgeoning Roman road network, sponsored by elite Romans and

⁷⁶¹ Bourdieu 1977, 72.

⁷⁶² Webb, Schirato, and Danaher 2002, 36–37; Kögler 2013.

⁷⁶³ Fiori 2012.

⁷⁶⁴ Badian 1958 is most influential here, though note the criticisms of Burton 2003; and Burton 2011, 3–6; Hölkeskamp 2010, 33–34.

henceforth connected to their families.⁷⁶⁵ The patronage that resulted from the *deditio* was guaranteed by the moral and religious ‘superstructure’ of *fides* rather than any clear legal definition,⁷⁶⁶ and enmeshed the fortunes of these Romans as much as it might do their suppliants. This sort of guarantee through sociocultural expectation is inherently fallible, and its successful functioning as an effective preventive regime was dependent on the moral constitution of individuals wielding massive amounts of power through their *imperium*. The mutability of society and the variability of humans meant that interpretation and implementation of broader cultural mores would not be consistent. Thus, the weak, moral-based regime of *fides* could not function as a true guarantor against the destruction of communities.

Failing to prevent genocide

The sociocultural and normative functions of *fides*, perhaps unsurprisingly, were insufficient to ensure wholly that those states who had nominally entered Roman protection were indeed safeguarded from the predations of their supposed protectors. The wide mandate and totalising nature of this mode of submission may have contributed towards instances of genocidal behaviours. Some of the failures of *fides* demonstrably lay in its inability as a moral mechanism to adequately police the behaviour of Romans and to restrain excessive uses of violence enabled by their position of power and the *imperium* that came with it. In such cases, the habitus that generally restrained genocidal behaviours was insufficient, and submission to Rome could enable the unleashing of destructive violence against these subjugated communities. The paradox of the *deditio in fidem populi Romani* contained within it the force of preservation but also that of destruction.

Furthermore, instances of the flouting of maxims surrounding the attendant expectations of *fides*, particularly in those that obliged Roman

⁷⁶⁵ Laurence 1999.

⁷⁶⁶ Badian 1958, 11.

state actors to protect and recognise those under it, may represent generational shifts in the modes of production of the habitus.⁷⁶⁷ What was thought to be possible, impossible, or probable shifted as the Roman state ascended to its remarkable hegemony over the Mediterranean interstate system during the timespan of the Middle Republic. It might have risked becoming a true ‘unlimited revisionist state’, one that saw its emerging role as a unipolar superpower in the 180-60s BCE as an expression of, or prompt for, the desire for a complete overthrow of the interstate system and the establishment of a new, globalising order.⁷⁶⁸ Actors within such states are more likely to have the desire and capacity to wield their power and impunity to effect revisionist aims, and it is this revisionism that led to attempts in the twentieth century to produce mono-ethnic territorial states through genocide. While it is doubtful whether Roman state behaviour was yet influenced by pretensions towards universalist power,⁷⁶⁹ some Roman state agents evidently privileged the benefits of destroying communities over the sociocultural norms of *fides* in this period of rapid expansion. These benefits were measured in terms of economic boons from sacking cities, satisfying the soldiers by giving them chance to likewise benefit from looting, and in opportunity for military glory. There may have been increased peer competition among the elite to access these benefits, and a willingness to engineer the opportunities to do so should they not present themselves. The expansion of Roman authority itself resulted in the flocking of many small communities to the suzerainty of the newly unipolar Rome, leaving in turn fewer legitimate targets within any allotted *provincia* from which economic and status benefits could be extracted through conquest. This may have increased the competition for benefits and the temptation to flout the sociocultural habitus of *fides*. The result was an apparent generational shift, testing the assumptions of Roman obligation to those states within the orbit of Roman *fides*. This shift can be detected in the moral backlash by other

⁷⁶⁷ Bourdieu 1977, 77–78.

⁷⁶⁸ Eckstein 2006, 26; on the aims of revisionist states in International Relations Realist theory, see Schweller 1994.

⁷⁶⁹ Although ideas about Rome’s mastery were current to Polybius, see Walbank 1964; universalist ideas grew again in the Augustan age with the concept of Rome as the *urbs aeterna*, for sources see Moore 1894.

members of the elite against those who flouted international and sociocultural norms of protection.

The short period of the 180-60s BCE, and the late 170s BCE in particular, saw a shift towards behaviours that resulted in the egregious destruction of communities contrary to the norms of *fides* in a manner that suggests this sort of generational change in *doxa*. Consuls M. Popilius Laenas and Gaius Cassius were both embroiled in scandals for attacking communities to the north of Italy: Laenas for an assault against the otherwise unattested Statiellate Ligurian settlement of Carystus;⁷⁷⁰ and Gaius Cassius for attacks against Alpine Gallic tribes, the Carnians, the Histrians and the Iapydes.⁷⁷¹ Both events are known about in consequence of complaints made to the Senate. The assault of Laenas is presented by Livy as a typical battle narrative: the gathering of a grand Statiellate army at Carystus; preparations for battle; the engagement of the forces, the ebb and flow of combat and the turning of the Ligurians by a Roman cavalry charge; and finally, the numbers killed or captured and the standards taken. The enumeration seems *prima facie* to be high, at 10,000 slain and 700 captured on the Ligurian side, which may indicate an inflated figure presented by the consul in dispatches to the Senate to support his demand for a triumph. Likewise, Gaius Cassius was accused of visiting destruction on communities of Alpine Gauls, the Carnians and the Histrians, subjecting ‘many thousands’ of them to reduction into slavery and carrying out ‘general slaughter, pillage and burning’.⁷⁷² In both cases, approbation was attached in the first place to the fact that the victims were not legitimate targets, which is to say that the destructions resulted from the waging of unjust wars. While Laenas attacked a community that

⁷⁷⁰ Liv., 42.6.3-9, 10.9-15. Ligurian Carystus is not to be confused with its more notable, and abundantly attested, namesakes in Euboea or Arcadia. Ligurian Carystus likely did not survive Popilius Laenas’ assault, and hence is now obscure and known only from this section of Livy.

⁷⁷¹ Liv., 43.2.1-4, 43.5.

⁷⁷² Liv., 43.5.2: *Alpinorum populorum agros, sociorum suorum, depopulatum C. Cassium esse et inde multa milia hominum in servitatem abripuisse*; Liv., 43.5.4: *caedes passim rapinasque et incendia facta*.

was on good terms with them and 'who alone of the Ligurians had not made war on the Romans, who even on this occasion had been attacked although they had not begun a war', Gaius Cassius had attacked communities that were not only friendly to Rome but had recently rendered assistance to his own army on the outward leg of his campaign.⁷⁷³

The unjustness of their campaigns was in both cases aggravated. Laenas maltreated the Statiellates when he accepted their (possibly renewed) *deditio*, using the wide mandate that it permitted him to compel their total destruction through enslavement and the destruction of their city.⁷⁷⁴ While this produced an immediate benefit in the form of booty and slaves, it incensed the opinion of Laenas' peers in the Senate as an unfair and unjust treatment of his suppliants, especially when they had given no cause to warrant such a harsh implementation of the *deditio*. At least as preserved in Livy, whose level of detail suggests access to earlier material and possibly to speeches, there was an explicit link between the Senate's reaction and the breaching of the obligatory expectations of protection that the submission should have entailed. The opprobrium levelled against Gaius Cassius, on the other hand, was amplified by his disregard of his allotted *provincia*, his campaign being wrought on the return leg of an abortive attempt to forge an overland route to Macedonia, for which the victims had innocently provided guides when he first passed through. This campaign was therefore outside the remit of his *provincia*, and not authorised by the Senate. No doubt first hearing about his foray from foreign delegations did not make the Senate well-disposed to Gaius Cassius. In both cases, the legitimate holder of *imperium*, consuls no less, were considered by their peers to have acted outside the international and sociocultural norms obliged by *fides*. In both cases, too, the actors were themselves unrepentant, and the Senate moved to reassert their authority and to reply positively to the complaints put before them. We will return to the issue of the punishment of

⁷⁷³ Liv., 42.7.5, trans. Sage and Schlesinger: *qui uni ex Ligurum gente non tulissent arma adversus Romanos, tum quoque oppugnatos, non ultro inferentes bellum.*

⁷⁷⁴ Expressed metonymically as the surrendering of arms, of property, of the razing of the city, and the enslavement of the populous.

Laenas and Gaius Cassius and restitution for their victims later in this chapter.

The end of the 170s BCE provides us with several cases of attempts to punish and offer restitution for the genocidal flouting of the norms of *fides*: These claims were not brought in a vacuum, but among an apparent flurry of diplomatic activity in Rome because of her increasing prominence on the international scene. Licinius Crassus was accused of razing the few Greek cities, most notably the Boeotian city of Coronea, that he managed to capture in his 171 BCE campaign against Perseus, selling the captives.⁷⁷⁵ The incensed reaction (‘ἡγανάκτησαν’ in Zonaras) back in Rome, the liberation of the captured cities, and the repurchase of the enslaved, or at least those that could be located in Italy, from their buyers has all the hallmarks of a senatorial reaction to a breach in fideal obligations towards dedicant communities. The objections of the Senate make most sense if we infer that Zonaras’ use of ‘ἐχειρώσατο’ refers to subduing by acceptance into Roman *fides*, unless the author considered the act of attacking them in the first place rather than seeking to establish a more amicable solution to have been itself taboo. As at other loci of violence, this betrayal seems to have come at a low point in military operations, the war against Perseus then going badly, and most of the Greek towns having repulsed Crassus’ assaults. It shows that the habitual obligations of *fides* were more likely to have been flouted under times of stress to achieve glory, military objectives, or acquire booty.

The generals C. Lucretius Gallus and L. Hortensius were associated with one another in reports that survive, accusing them of crimes against the states of Greece, with Hortensius continuing in 171 BCE in the style that Lucretius had established the year previously in their successive predations of Chalcis, the principal city of Euboea. Livy explicitly contrasts their behaviours to the co-temporal leniency of the praetor of Spain towards

⁷⁷⁵ Liv., 43.4.5; Liv., *Per.*, 43; Zonar., 9.22.

sedition towns.⁷⁷⁶ It would have been safer, the Chalcideans claimed, for them to have not allowed the Romans into their city, as those who had refused to do so had escaped unharmed. The Chalcideans are implied to have considered themselves to be in a state of perpetual sack, despite undergoing the trust-building measures of the *deditio in fidem populi Romani*. While stopping short of complete group destruction, the crimes committed in breach of the mores of *fides* were comprised of the familiar elements: plundering, temple despoliation, and enslavement. More explicitly genocidal were the accusations of the envoys from Abdera:

Who wept before the senate-house and complained that their city had been stormed and plundered by Hortensius; the reason for the destruction of the city had been, they said, that when the praetor had ordered a hundred thousand denarii and fifty thousand pecks of wheat, they had asked for a stay, during which they might send envoys about the matter to the consul Hostilius and to Rome. Hardly had they come to the consul when they heard that their town had been stormed, their leading men beheaded with the axe, and the rest sold at auction.⁷⁷⁷

The beheading of the principals and the enslavement of all the other inhabitants fits the genocidal patterns of community destruction outlined in the relevant typological chapters. The negative judgement of the sources is related to the fact that the decision to destroy the community was made illegitimately, the process of submission still being negotiated as per the process outlined above.

Roman commanders, whose authority derived from the religiously-sanctioned *imperium* with which they were invested, were supposed to wage

⁷⁷⁶ Which praetor is slightly unclear, as the Livian account (43.4) opens with a lacuna, and the epitomisers gave only scant details for Spain for 171 BCE and the preceding year. Likely to be L. Canuleius Dives, who was praetor of both *provinciae Hispaniae* in 171 BCE and who was likely prorogued until 169 BCE, Broughton 1951, 416, 421.

⁷⁷⁷ Liv., 43.8-11: *Abderitae legati flentes ante curiam querentesque oppidum suum ab Hortensio expugnatum ac direptum esse: causum excidii fuisse urbi, quod, cum centum milia denarium et tritici quinquaginta milia modium imperaret, spatium petierint, quo de ea re et ad Hostilium consulem et Romam mitterent legatos. Vixdum ad consulem se pervenisse et audisse oppidum expugnatum, principes securi percussos, sub corona ceteros venisse.*

war in a just manner, or at least to provide suitable pretext to justify warfare. Not doing so was stereotyped as being characteristically un-Roman, and the killing of those who were under one's *fides* thereby ascribed negative exemplarity. It was in this manner that Sallust used the rhetoric of infidelity to condemn Jugurtha in his killing of Adherbal and the Italians who surrendered to him at Cirta.⁷⁷⁸ It was supposedly an act of a 'spirit blinded by cupidity, [which] impelled him to undertake the wicked crime'.⁷⁷⁹ The cases in which Romans destroyed dedicant communities with no attempt to proffer any kind of pretext for doing so appear to have been rare, however. Most instances of such genocidal force can be implicated in one or more failure points, either in the process of engaging *fides* or in mistrustfulness of the actors involved.

Processual failure

The process of submission into Roman authority could present critical points of failure that could lead to destruction. Some of these failures are to be located in the process of establishing the *deditio*, either due to unclear communication or due to cultural misunderstandings or misgivings. While the Romans were agent in the resultant extirpation, being the ones ready, willing, and enacting the killing, some of these instances were almost farcical. This can be seen in examples discussed in chapter two on mass killing, whereby portions of the enemy were slaughtered while attempting to surrender due to miscommunication of their intentions. This is not, of course, to blame the victims of Roman aggression in such circumstances, which had clear capacity for murderous execution of imperialist objectives. However, it does show the fraught nature of the structural issues of warfare and peace in this period. Lacking clear intelligence on the mind-set of the enemy meant that actions intended for peaceable ends, aiming to signify supplication and submission, could be interpreted as indicators of aggression, or not interpreted as carrying an active signification either way.⁷⁸⁰

⁷⁷⁸ Sall., *Jug.*, 25-27; See Morstein-Marx 2000 for discussion.

⁷⁷⁹ Sall., *Jug.*, 25.7.

⁷⁸⁰ On military intelligence, and lack thereof, see Austin and Rankov 1995, 87–108.

Fundamental cultural misunderstandings could arise in the process of *deditio*, particularly where the level of safeguards expected by the Romans were not aligned with those of the dedicants. This was a key problem pertaining to the abortive *deditio* of the Aetolians to Glabrio in 191 BCE.⁷⁸¹ It is in relation to this affair that the *deditio in fidem* has received most attention in English-language scholarship.⁷⁸² Destruction could have ensued had not first Glabrio and then Scipio Africanus been more interested in pursuing the war against Antiochus to the East than committing more military resources towards the siege of Aetolian-held Amphissa.⁷⁸³ The root of the problem, according to Polybius, was that the Aetolians did not understand the nature of committing to Roman *fides* (‘δόντες αὐτοῦς εἰς τὴν Ῥωμαίων πίστιν’) and so had not anticipated the omnifariousness of the commitment discussed above.⁷⁸⁴ When they objected to the demands made of them subsequent to presenting their submission to Glabrio, arguing that they were ‘neither just nor Greek’,⁷⁸⁵ the Aetolians were threatened with chains to illustrate the range of actions that were therefore available to the Roman general. The threat of enslavement and deprivation of liberty that the manacles represented could be interpreted as being made against the delegates, or as signifying the mass enslavement of the community as a whole. This cultural clash in the expectations held by the two parties could have resulted in the destruction of the community, yet the parties were able to use the flexibility of the process to seek a solution that would prevent annihilation. In this case Glabrio agreed with the Aetolian representatives that they should seek internal consensus, with the *deditio* being suspended in the meantime, tantamount to an admission that they indeed lacked the plenipotential authority to ensure the utility of the *deditio*.

⁷⁸¹ Polyb., 20.9-11; Liv., 36.26-30; Zonar., 9.19; App., *Syr.*, 21.

⁷⁸² Eckstein 2009; Eckstein 1995; Burton 2009; Gruen 1982; Moreno Leoni 2014.

⁷⁸³ Polyb., 21.4.1-6; App., *Syr.*, 23. While Lucius Cornelius Scipio formally succeeded Glabrio in command as consul, he was inexperienced and accompanied by Publius Scipio Africanus who took a lead in decision-making.

⁷⁸⁴ Polyb., 20.9.10.

⁷⁸⁵ Polyb., 20.10.6: ἀλλ’ οὔτε δίκαιον,” ἔφησεν, “οὔθ’ Ἑλληνικόν ἐστίν, ᾧ στρατηγέ, τὸ παρακαλούμενον.

The Carthaginians were less fortunate. While the destruction of Carthage in 146 BCE was, and indeed still is, usually seen as determined by the genocidal agitations of M. Porcius Cato, this view is overly teleological, giving too much credence to the supposed desires of a man who was already dead three years before Carthage fell. Indeed, this teleology ignores the very crucial fact that upon Rome's declaration of war against them in 151 BCE, Carthage immediately submitted via the *deditio in fidem populi Romani*. This should normally have de-escalated the scenario, and thus have prevented the annihilation of the city and its population. However, a tipping point, was reached when the consul L. Marcius Censorinus issued the ultimatum that the city was to be evacuated and relocated. This demand is often, following Appian, seen as an attempt to deliberately push Carthage into aborting their *deditio*, thus hastening their own demise.⁷⁸⁶ However, the Romans likely had good reason to believe that their request might be followed. They had, by and large, come to expect that their will would be followed by those militarily and politically subjugated by them. What is more, they had previously enacted the forced urban location of cities that had submitted to its *fides*, as at Falerii and Volsinii (see chapter five). Therefore, it is unnecessary to follow the Appianic view that there was a conspiracy to force the Carthaginians into providing the pretext for their own annihilation. Rather a simpler solution is to see the destruction of Carthage as resulting from a failed process of *deditio*, itself probably resulting from a compromise between pro- and anti-Carthaginian factions in the Roman Senate.

Failures in trust

There were times where failures of trust in the process of trusting led to the extermination of a group. It has been suggested that terroristic amputations carried out by Romans in the campaigns in Spain during the Middle Republic were related to use of the right hand being as a symbol of *fides*, the

⁷⁸⁶ App., *Pun.*, 1.2, 10-20.

amputation of which symbolised ignominy through the loss of the *destrarum iunctio* used to seal pacts.⁷⁸⁷ This reading supports the notion that the increasing barbarity of Roman state actors in the West was related to their inability to trust their erstwhile enemies when they had undergone submission in the Roman mode. Praetor Ser. Sulpicius Galba's massacre of Lusitanians occurred because of this sort of breakdown in the general's confidence that submission to Roman *fides* was enough to guarantee the compliance of the subjugated population.⁷⁸⁸ Indeed, a key plank of his defence against his accusers when he was brought to trial was, supposedly, that the Lusitanians could not be trusted. He adduced the evidence that they had sacrificed a man and a horse at their nearby camp as a propitiatory rite in preparation for an assault against his position.⁷⁸⁹ By extension we can infer that Galba attempted to justify his actions, and may have indeed felt that they were justified, in reference to the fundamental breakdown of trust between the contracting parties of the submission. In effect, Galba argued that his extirpation of a group under his *fides* was justified because their sureties could not be trusted. Other peace terms had been rejected unilaterally by the Spanish tribespeople once it had become favourable for them to do so, which did not fit with Roman understandings of what it meant to submit to their *fides*. Galba's argument, and his stepwise extermination of a tribe, occurred in a context of long-term frustrations with what the Romans saw as the capriciousness, and fundamental unfaithfulness, of local ethnic groups.

A similar ambiguity about when mass killing was legitimate is present in Sallust's account of the mass killing of adults and enslavement of other inhabitants of the Numidian city of Capsa, who had offered their *deditio* to Marius following a surprise attack on their undefended town in 107/6 BCE.

⁷⁸⁷ Simón 2015, 230.

⁷⁸⁸ App., *Hisp.*, 12.59-60; Liv., *Per.*, 49-52; Plut., *Galb.*, 7.1.

⁷⁸⁹ Liv., *Per.*, 49.

The compounded ignobility of the event, which was ‘in violation of the usages of war’, was however excused by the historian, as it was

Done neither due to the consul’s avarice nor his cruelty, but because that place was advantageous to Jugurtha, and difficult of access to us, while that race of men was fickle, unfaithful, and had previously been coerced neither by kindness nor terror.⁷⁹⁰

Military requirements could necessitate the outcome, and in any case the *fides* into which these inhabitants had entered was inherently false and therefore need not be respected. In this case, the Roman interstate *modi operandi* of terror and friendship were inadequate to secure the necessary military objectives. It is likely that the Romans considered certain people, rightly or wrongly, to be inherently less trustworthy, meaning that there was an ethnic determination to some instances of annihilations. The issue of whether a city was considered to have been taken legitimately by force was a crucial deciding factor in the reception back in Rome. This problem of the validity of the use of force caused the political row over M. Fulvius Nobilior’s demand for a triumph following his sacking of Ambracia in 187 BCE, after what he claimed was a legitimate siege.⁷⁹¹ A similar post-hoc legitimisation to that of Capsa is evident in L. Pinarius’ massacre of the Sicilian townspeople of Henna when they were at an assembly, ordered because he could not trust their fidelity.⁷⁹² Attacking defended urban centres could be extremely hazardous. Any inhabitant could become a lethal enemy, as Pyrrhus found out when he was mortally struck by a roof tile thrown by an old woman at Argos.⁷⁹³ Accepting the *deditio* of a potential adversary lessened the threat to the Roman besiegers, and sometimes the justification of the use of ignoble tactics to secure the same end could be argued by

⁷⁹⁰ Sall., *Iug.*, 91.7: *Id facinus contra ius belli non avaritia neque scelere consulis admissum, sed quia locus Iugurthae opportunus, nobis aditu difficilis, genus hominum mobile, infidum, ante neque beneficio neque metu coercitum.*

⁷⁹¹ Liv., 34.4.11-12, 43.5; Pittenger 2008, 200–210.

⁷⁹² Liv., 24.37-39; Front., *Strat.*, 4.7.22; Plut., *Marc.*, 20.2; Polyæn., *Strat.*, 8.21.1; *CIL*, I 2057. D. S. Levene 2010, 342 notes that Pinarius’ justification was not endorsed by Livy.

⁷⁹³ Plut., *Pyrrh.*, 32-4.

Roman state actors where they felt they could not trust the reciprocal obligations of *fides* to guarantee their safety and objectives.

Generally, the likelihood of mass killing seems to have been correlated with the difficulty of capturing a given site; the harder fought the siege and/or campaign, the more likely the soldiers would be ordered or permitted to massacre the inhabitants. This was especially true when there existed a recidivist relationship, particularly when a previously accepted dedicant into Roman interstate *fides* demonstrated unfaithfulness towards the Roman imperial enterprise, as was suggested at Capsa. This seems to have informed the decisions of some Roman generals, and destruction was therefore retributive. Indeed, the Romans seem to have been more likely to use the latitude for destructive behaviours against those who had surrendered when they had in some way demonstrated themselves as unfaithful previously. Aemilius Paullus showed this trend when he genocidally punished wholesale the Molossian tribe by mass enslavement, because they had reneged on a previous expectation of fidelity to Roman interests.⁷⁹⁴ The neighbouring Epirote regions, excepting some areas connected to Molossia, were spared because they had remained loyal to Rome. This episode must be interpreted as the intentional destruction *in toto* of a populace as a group to punish their lack of compliance to Roman *fides*. Paullus certainly was not above arranging the destruction of states, overseeing the dismemberment of Macedonia and ordering the destruction of several cities after the conflict had ended: Aeginium for unfaithfulness as an ally; Agasse for killing Roman soldiers when they mistook reports of the Macedonian defeat for a ruse; and Aeniae for showing 'greater obstinacy than the surrounding cities'.⁷⁹⁵ This makes the interpretation that the Molossian enslavement was retribution for their unfaithfulness more secure, as it fits the pattern. When there was a fundamental breakdown of faith between the Roman aggressors and their would-be victims, *fides* could no longer act as a guarantor of the safety of either party. Therefore, the

⁷⁹⁴ App., *Ill.*, 9; Plut., *Aem.*, 29; Polyb., 30.1.6; Liv., 55.34; Plin., *Nat.*, 4.39; Strabo, 7.322.

⁷⁹⁵ Liv., 45.27.1-4, trans. Roberts: *quod pertinacius quam finitumae civitates in armis fuerant.*

Romans were, under those conditions, more predisposed to annihilatory behaviours.

Retribution could be sought against those who had potentially come into Roman *fides* by alternative means other than the *deditio*. For example, Falerii had been under treaty to Rome prior to 241 BCE. It had not formally placed itself into Roman suzerainty, as indicated by the existence of the treaty, which would have been pointless had a *deditio* been tendered. Therefore, the rebellion, for want of a better word,⁷⁹⁶ of the Faliscans may not have been a revolt from their point of view, but merely their assertion of independence following the expiry of their treaty obligations to Rome. However, the Romans, freshly victorious in the First Punic War, had other ideas. While these were undoubtedly the expectations of a state increasingly seeing itself in an imperial role, they considered Falerii to be under their *fides*, with attendant obligatory expectations. Hence, the Romans destroyed and relocated the city once it had been defeated in battle and had formally offered its *deditio*, dramatically demonstrating Roman authority to break permanently the pattern of recidivism between them. The alleged desire of the Roman people in the Assembly to completely extirpate Falerii and its people shows that perceptions of the latter's betrayal were strong and prompted a genocidal reaction.

The disincorporation of Capua falls into a similar, retributive model. Although the populace were not displaced and the city was not razed, the formal extinguishing of the civic existence of Capua was enacted to punish it for their disloyalty to Rome in siding with Hannibal.⁷⁹⁷ In that case the destruction of the city was purely symbolic in nature, but that is not to say that the other instances of retributive destruction were any less symbolic.

⁷⁹⁶ Polyb., 1.65.2 describes it as 'a civil war at Rome against the Faliskoi', πόλεμος ἐμφύλιος Ἰωμαίους μὲν ὁ πρὸς τοὺς Φαλίσκους καλουμένους; other authors simply describe Rome as waging war against Falerii/the Faliscans without stating the nature of the war as either aggressive or counterinsurgent.

⁷⁹⁷ Liv., 26.13-16, 33-34, 31.29.11; Cic., *Leg. agr.*, 2.88.

Each was an act to assuage the status harm caused by disloyalty to Roman interests, and to send out a terroristic signal that such infidelity could carry with it grave consequences, even to those who later placed themselves back into Roman *fides*.⁷⁹⁸ It was the macro, polity-level, equivalent of the scourging and beheading of ringleaders of rebellions against Rome. Precedents of faithlessness could be used to justify the destruction of towns or peoples despite their *deditio*, to permanently secure Roman interests, either by annihilating the problematic community completely, or by realigning it in such a way as to secure its future loyalty.

Punishment of génocidaires and restorative justice

There were attempts back in Rome to punish some perpetrators and to offer restorative justice to their victims. This was prudent for the long-term constructivist and realist, to use IR parlance, interests of the Roman state, and therefore it was the Senate, as the most permanent institutional body, that showed the greatest concern in protecting Rome's reputation. Although limited in their efficacy, the period shows adaptations and innovations in Roman legal and diplomatic processes that attempted to restrain and mitigate the impunity with which their generals could genocidally breach the mutual obligations of *fides*. These attempts at punishment and restorative justice were limited to those who had breached this moral code, but did not constitute a body of law against genocide as a crime in and of itself. Roman commanders had free reign to destroy communities without moral risk if they were not in breach of the sociocultural normativities of *fides*. Thus, communities which did not offer their submission had no legal or moral recourse available to them at Rome. Nor did those that submitted but were judged as undeserving of the protection of Rome and her representatives. For example, Aemilius Paullus' genocidal enslavement of the Molossians is considered with only some small degree of unease by the sources, but he was evidently not subject to any censure or punishment for this act, nor were

⁷⁹⁸ Cp. the settlement and punishment of rebellious cities following the Latin War, which were adjudicated separately depending on the level of betrayal felt by Rome (Liv., 8.14).

those enslaved given any chance at restoration. Instead, the Roman state showed an interest only in those cases where its representatives had breached the sociocultural and international norms of the *deditio in fidem populi Romani*. Such cases were dealt with as part of a wider remit of adjudication on potential abuses made by those Romans invested with *imperium* by the state. The Middle Republic had no concept of a regime to prevent genocide nor of punishing its perpetrators beyond where this modern concept coincided with other, actionable, legal, and moral domains.

While the Senate had the principal interest in pursuing the punishment of perpetrators and of offering restorative justice to its victims, it had limited direct judicial power, even where it possessed the greatest constitutional authority. *Senatus consulta* were, in the Middle Republic, advisory by nature, and required a magistrate to formally enact them.⁷⁹⁹ This presented a conflict of interest, because it was current or former magistrates who would be the ones prosecuted. The question of punishment and restoration was in part subsumed into the development of legal process at Rome during the early second century BCE. The *senatus consultum de bacchanalibus* evidences the shift in trials of some criminals from the *comitia* to a *quaestio extra ordinem*,⁸⁰⁰ and likewise 171 BCE provides the first attestation, among a flurry of supplicatory and diplomatic activity from both East and West,⁸⁰¹ of an ad hoc *quaestio de repetundis* to deal with complaints from foreign states of abuses by Roman state representatives.⁸⁰² The services of the boards of commissions of three or five *recuperatores* would later come to be available to private, Roman citizens.⁸⁰³ They were, however, originally created to deal with cases ‘when the law meets foreign peoples, kings, nations and

⁷⁹⁹ Lintott 1999, 89–90.

⁸⁰⁰ Beggio 2016, 45.

⁸⁰¹ Naiden 2006, 229–30.

⁸⁰² Liv., 43.2. Prior to the establishment, per the *lex de pecuniis repetundis* of Lucius Piso, of the *quaestiones perpetuae* in 149 BCE (Cic., *Brut.*, 106), all such proceedings had to be referred specifically to specially drawn up *repetundae* boards of commission.

⁸⁰³ See Johnston 1987, 67 ff. on the later development of the *repetundae* court; also, Brunt 1961; Sherwin-White 1949; Balsdon 1938.

citizenships, by which things might be restored by the *recipitatores* and recovered, and stolen things might be pursued among one another'.⁸⁰⁴ The *recuperatores*, or *recipitatores*, were drawn from the senatorial ranks.⁸⁰⁵ Its first attested usage, although Livy's account does not rule out antecedents, saw M. Titinius, P. Furius Philus, and M. Matienus prosecuted. Of these the former-praetors Furius and Matienus were said to have been 'accused of the most serious charges'.⁸⁰⁶ While the exact extent of their crimes is now unclear, evidence for pecuniary extortion made the *quaestio de repetundis* the appropriate tool through which to prosecute. The evident development of the *repetundae* courts notwithstanding, cases dealing with the perfidious destruction of communities by Romans were largely dealt with by ad hoc boards of commission or by public trial in the Assembly. The following sections deal first with the punishment of Roman individuals and then with the restorative justice offered to their victims through these means.

Punishment

The instances of the failure of submission to safeguard communities from Roman aggression are to a large extent known about because of the scandal and controversy that they caused in Rome. Complaints to the Roman Senate spurred attempts to punish the perpetrators. This served the twin goals of the desire to enforce what was perceived to be the traditional values of the *mos maiorum* on the one hand, and to protect and project a positive image to current and potential allies on the other. Punishing perpetrators would have sent a signal that the Romans took seriously their interstate obligations, even to the extent of being willing to prosecute those who had reached the curule magistracies. Cases would be brought on an ad

⁸⁰⁴ Festus, *Gloss. Lat.*, 342 s.v. 'reciperatio': *Reciperatio est, ut ait Gallus Aelius, cum inter populum et reges nationesque et civitates peregrinas lex convenit, quomodo per recipitatores reddantur res reciperenturque, resque privatas inter se persequantur.* Cp. Festus, *Gloss. Lat.*, 343 Pauli Excerpta s.v. 'reciperatio': *Reciperatio est, quum inter civitates peregrinas lex convenit, ut res privatae reddantur singulis recuperenturque.*

⁸⁰⁵ Badian and Lintott 2012; J. M. Kelly 1976, 40 ff.

⁸⁰⁶ Liv., 32.2.10: *Gravissimis criminibus accusati ambo ampliatiq.*

hoc basis, using *rogationes*, *senatus consulta*, or the developing quasi-civil law of the *quaestio de repetundis*.

There were potentially dire consequences if found guilty. At their most severe, such malfeasance could result in capital sentences. The propraetorial legate Q. Pleminius may have been executed for his maltreatment of the inhabitants of Locri Epizephyrii.⁸⁰⁷ Whilst not meeting the test of genocide as defined in the present study—i.e., *a set of actions and/or outcomes resulting from an intention to destroy a group, wholly or in part*—it was subsumed into the same conceptual category by contemporary Romans. Therefore, events surrounding Pleminius provide a valid model for what could happen to *génocidaires* who abused the subjects over which they governed. In 205 BCE, the Senate assigned a commission to investigate the crime alleged by a Locrian deputation. They were also tasked with considering accusations that his superior, Scipio the Elder, had succumbed to immorality, philhellenism, and un-Roman behaviours.⁸⁰⁸ They proceeded to Locri to detain Pleminius.⁸⁰⁹ Finding him and thirty-two others guilty at a preliminary hearing, they brought them back to Rome. The extant record of the case is complex and ambiguous.⁸¹⁰ Pleminius either died there in prison before his trial was concluded,⁸¹¹ or was at the order of the Senate 'transferred to the Tullianum', which is to say, executed.⁸¹² This latter

⁸⁰⁷ Liv., 29.8.6-22.12, 31.12.2-3, 34.44.6-7, 38.52.7; Diod. Sic., 27.4.1-8; Val. Max., 1.1.21; Cass. Dio, fr. 57.62; Plut., *Cat. mai.*, 3.5-7, 32.4; App., *Hisp.*, 55.

⁸⁰⁸ The presence of an aedile along with two plebeian tribunes accompanying the praetor and his decemviral commission is adduced as evidence by Livy that they were in fact prepared in the case that they should meet resistance from Scipio in the matter of the apprehension of Pleminius, and so had ensured that legitimate magistrates were present should they have to arrest Scipio as one of the serving consuls.

⁸⁰⁹ Doing so, according to Liv., 29.21, either by intercepting Pleminius as he fled into exile, or was arrested peremptorily at Scipio's orders and then turned over to the commission. Diod. Sic., 27.4.6 gives only the version with Scipio acting before their arrival.

⁸¹⁰ See further discussion in Brennan 2000, 142.

⁸¹¹ Liv., 29.22.9; According to Val. Max., 1.21 he was consumed by a divinely ordained '*taeterrimo [...] morbi*'.

⁸¹² Liv., 29.22.10: *patefacto dein scelere delegatum in Tullianum ex senatus consulto*, 34.44.6. Execution seems to have been the punishment originally intended by Q. Fabius (29.19.5): *Sententiam deinde aequae truce orationi adiecit: Pleminium legatum vinctum Romam deportari placere et ex vinculis causam dicere ac, si vera forent quae Locrenses quererentur, in carcere necari bonaque eius publicari.*

version, which Livy attributed to the no-longer extant historian Clodius Licinus, was supposedly a response to a series of fires set around the city in a bid to engineer his escape in 194 BCE. This would imply either that he had been found guilty and imprisoned, which is unlikely, or that he had been allowed to languish without trial for up to ten years.

The first, and more plausible, version however is more immediate to the crimes alleged, with the case being put before the people on three non-consecutive days by the tribunes, and finally put to a deciding vote of the *comitia centuriata* four weeks later.⁸¹³ It also recorded the waning interest of the people in desiring the conviction of Pleminius. There are similarities with the trial of Galba, which was also brought before the Assembly following the issuing of a plebiscite against him by the tribune Lucius Scribonius Libo, and supported by Cato.⁸¹⁴ His acquittal was only secured during the final day of the trial, and this only because he could induce pity among the onlookers by displaying his dependents. A similar performative influence was effected by Pleminius' disfigured visage. His nose and ears had earlier been slit during scuffles with Roman soldiers who supported his rivals the military tribunes at Locri.⁸¹⁵ While ambiguities abide about the ultimate verdict on Pleminius, who either died before the trial's conclusion or was later executed, there is none about the fate of Galba who ultimately escaped punishment. Pleminius' scurrilous reputation to subsequent generations is at odds with their lauding of Galba as a great rhetorician of his generation, a reputation little affected by his near conviction for the genocide of the Lusitanians who had submitted to him.⁸¹⁶

The record of success in prosecuting these crimes was poor, and later commentators such as Livy could only conclude that there was a

⁸¹³ On association of trial for *perduellio*, the tribunes and the *comitia* see Lintott 1999, 122, 150 ff.; Cloud 1994, 502.

⁸¹⁴ Liv., *Per.*, 49; Val. Max., 8.1.2; App., *Hisp.*, 59-60; Cic., *Brut.*, 89-90.

⁸¹⁵ Liv., 29.9; Diod. Sic., 27.4.4.

⁸¹⁶ Suet., *Galb.*, 7.1; Cic., *Brut.*, 89-94 attest the reputation of Galba in later times. Cp. the general opprobrium of App., *Hisp.*, 60.

degeneration of morality among the Romans from this time.⁸¹⁷ Licinius Crassus was found guilty, but only had a fine imposed on him, for ‘attacking and savagely pillaging many cities in Greece’, during which he carried out mass enslavements.⁸¹⁸ He did not suffer further punishment. Some magistrates may have taken steps to avoid punishment, or indeed to prevent themselves being brought to trial at all. While Pleminius might have taken the drastic step of attempting to flee into exile, which would have been an unprecedented action for a magistrate with *imperium*,⁸¹⁹ Gaius Cassius took the canny precaution of taking up a military tribunate in Macedonia in the year after his own consulship. He had been censured for overstepping his authority as consul and was likely attempting to make himself indisposed for trial by continuing his public service by whatever means he had available.⁸²⁰

Furius Philus and Matienus took the opportunity of the adjournment of their own trials to flee into exile. They thus incurred the penalty of losing their Roman citizenship in favour of the Latinity of their asylums, but avoided being condemned and sentenced. They were prosecuted by means of the *quaestio de repetundis* of 171 BCE, and were not the only ones to ultimately escape its justice. Indeed, it was afterwards tainted with a reputation that suspected that there was reluctance on the part of the presiding praetor L. Canuleius Dives to prosecute the most serious offenders, who were ‘men of rank and influence’.⁸²¹ Instead, he abruptly held the levy and departed for his province, forestalling further proceedings. The only known legal outcome of the trials was that of M. Titinius, who was acquitted after several adjournments. The ineffectiveness, and suspicions of corruption, resulted in

⁸¹⁷ Lintott 1972; Mellor 2002, 69–70.; cp. the encroachment of *luxuria* from the East at Liv., 39.6.3, 7, 9; Sall., *Iug.*, 10, 11.5, 41.

⁸¹⁸ Liv., *Per.*, 43: *complures in Graecia urbes expugnavit et crudeliter corripuit: ob id captivi, qui ab eo sub corona venierant*. The Livian epitome omits the punishment completely and the relevant sections of Livy’s full text have been lost. Further details, including the fining are found in Zonar., 9.22. Clearly identified as proconsul in the summary of Livy, but is unlisted as such in Broughton at p. 421, for the year following his consulship in 171 BCE.

⁸¹⁹ G. P. Kelly 2006, 164–65.

⁸²⁰ Schlesinger 1951, XIII:19 n. 1.

⁸²¹ Liv., 43.2.11, trans. Schlesinger: *fama erat prohiberi a patronis nobiles ac potentes conpellare*.

attempts to reform the court process under the Gracchi, who recognised its weakness, liability to corruption and the senatorial reluctance to condemn their peers, and so instituted a standing court that could draw its jurors from the *equites* as well.⁸²²

It must be concluded that members of the senatorial elite were reticent to punish their peers on behalf of foreigners. Implicit and explicit biases generally cause individuals to favour those of a familiar background to those more dissimilar. The senators, however, also had specific motivations to stymie these cases, fearing damage to their social networks or retributive legal cases resulting from punishing prominent individuals. In the prosecution of M. Popilius Laenas for the destruction at Carystus, the trial was eventually sabotaged by the prosecutor.⁸²³ Licinius scheduled the third, and final, day of the trial for the Ides of March. This was the date that the magistrates were due to change, and he thereby contrived to indefinitely postpone proceedings but still save face. He supposedly did so out of respect to the reputation of the serving consul, Laenas' brother Gaius Popillius Laenas, and due to pressure from the Popillii. However, that was only the end of the attempt to bring Laenas to justice. It was preceded by a series of oratorical attacks traded between the Senate and him during his 173 BCE consulship and 172 BCE pro-consulship, which escalated to a series of vetoes between himself and other magistrates that brought the Senate and the executive into a political impasse. This continued into the following year, when his brother was elected consul. While Laenas was eventually compelled to stand trial, it demonstrated the 'impotency of the senate when it did not have the backing of the highest magistrates in office'.⁸²⁴ Combined with the constitutional lack of accountability, and the influence of powerful, networked families, Laenas escaped the concerted efforts of the Senate with little but a temporary cost to his public reputation.⁸²⁵ Even this penalty was slight, not damaging the election chances of his brother in 172 BCE nor his

⁸²² The *lex acillia repetundarum*: Bruns [1919] 1958, 1.3.10.

⁸²³ Liv., 42.6.3-9, 10.9-15, 21-22.

⁸²⁴ Golden 2013, 170-71.

⁸²⁵ Pittenger 2008, 244-45.

own election to the censorship in 159 BCE. The apparent incompatibility of his destruction of the Ligurians in contravention of the international and sociocultural norms of submission to Rome and the role of arbiter of public morality did not seem to have induced any cognitive dissonance in the Romans.

Given the reticence of Roman officials to prosecute their peers for genocidal breaches of *fides* obligations, one must wonder how many destructions occurred that did not survive in the record, lacking the sensationalism of a political scandal.

Restorative justice

Attempts to provide redress to victims were somewhat more successful than the attempts to punish those who had victimised them. Broadly speaking the process of redress and punishment adopted several measures, which essentially attempted to address the primary metonymic elements of the former corporate existence of the destroyed state. This is aptly expressed in the following senatorial decree:

The senate decreed that the consul Marcus Popilius should restore to liberty the Ligurians themselves, returning the purchase-price to the purchasers, and should see to it that their property, such of it as could be recovered, should be given back to them; that their arms also should be returned to them; and that all this should be done at the earliest possible moment; and that the consul should not leave his province until he had re-established the surrendered Ligurians in their homes.⁸²⁶

The restitution of those unjustly destroyed even though they had submitted to Roman *fides* therefore presents a mirror image to the formula of the *deditio* itself, offering back to the inhabitants the elements that they should

⁸²⁶ Liv., 42.8.7-8, trans. Schlesinger: *Quas ob res placere senatui, M. Popilium consulem Ligures, pretio emptoribus reddito, ipsos restituere in libertatem, bonaque ut iis, quod eius recipari possit, reddantur curare; arma quoque reddi, eaque omnia primo quoque tempore fieri; nec ante consulem de provincia decedere quam deditos in sedem suam Ligures restituisset.*

have had reinstated under the customary expectations of *fides*. The effects were therefore intended to be both practical and symbolic.

The restoration of the community, where deemed morally necessary, was generally carried out by means of the Senate issuing a *senatus consultum* asserting that the enslaved members of the victim community should be restored to liberty.⁸²⁷ This would have been at best partial, and in some cases restricted specifically to those that could be found in Italy,⁸²⁸ presumably having been brought there prior to sale rather than being sold in situ.⁸²⁹ The specifics are not given, but probably apply to the centralised processing of slaves captured during war, or possibly those for whom good records of sale had been kept and who were therefore locatable. They may have only referred to those slaves who were sold to Italian owners, and were therefore more directly under what the Senate considered to have been its jurisdiction. In at least one circumstance, on the other hand, it appears that slaves sold outside Italy were supposed to be restored: the plebeian tribune L. Scribonius Libo in his *rogatio* against Galba proposed the liberation of Lusitanians that he had sold in Gaul.⁸³⁰ We do not, unfortunately, know the outcome of this measure. The detail of the enslaved is contained only in the *Periochae* of Livy, with all the extant sources predominantly interested in the prosecution, and eleventh-hour acquittal, of the renowned orator. Inevitably there would have been those who were irrecoverable and who remained enslaved, but a critical number were evidently considered recoverable to the extent that the restoration of the destroyed community was thought possible.

A similar set of issues applied to the commitment to restore the possessions of those unfairly destroyed in breach of *fides*. Excepting items of a large scale or of significant enough value to have been retained in

⁸²⁷ E.g. the redress offered for Pleminius' crimes: Val. Max., 1.21; Liv., 29.8.6-9.12.

⁸²⁸ Zonar., 9.22.

⁸²⁹ K. Bradley 2011, 246; Scheidel 2011, 288–89, 296.

⁸³⁰ Liv., *Per.*, 49: *cum L. Scribonius tribunus plebis rogationem promulgasset, ut Lusitani, qui in fidem populo R. dediti ab Ser. Galba in Gallia venissent, in libertatem restituerentur, M. Cato acerrime suasit.*

expectation of triumphal display, it must surely have been impossible to retrieve items looted by individual soldiers or already sold.⁸³¹ We should probably read the restoration of possessions in part symbolically, as the restoration of their *right* to their possessions, whether or not they were returned to them. This was a key element of their existence as an autonomous community under the protection, and control, of Rome. Of chief importance among the assets of a people were their weapons and the right to possess them.⁸³² Returning them consequently restored the ability of those communities to safeguard their own autonomy. Any inability to fully recover monies, possessions or weapons that had been taken from them, would in some cases have been ameliorated by gifts granted to them from the state *Aerarium* on the orders of the Senate. This would have facilitated the re-establishment of the friendly reciprocal relationships of normative states. It may also have helped allay any sense of guilt among the Roman elite for the breach of religious *fides*, diverting any religious stigma away from themselves as well as the moral dishonour.

Overall, it is not easy to estimate how effective these restorations were, but they were resisted and denounced by the generals who had carried out the destruction, suggesting that they did have some efficacy, at least symbolically. It undid the erasure of the civic identity of the community. This symbolism reconfirmed the autonomy of the community, and their relationship in submission to Rome. This re-established the normative interstate hegemonic associations so desired by the Middle Roman Republic's mode of imperialism. These are confirmed by the re-assertion of the Senate of Rome's obligation to them as its suppliants, reaffirming the *fides*, and therefore both the protection but also the suzerainty of Rome, that had been flouted. However, as with the process of punishment, even these could be stymied. The magistrate who had destroyed a community against the customary expectations of *fides* could refuse to comply with the Senate's wishes, powerful political allies could thwart the process, or those tasked

⁸³¹ Ziolkowski 1993, 90.

⁸³² Liv., 26.40.8-13; 39.3.1-3; 37.60.4-6; 39.54.8; 40.16.4-6; App., *Hisp.*, 15.95.

with pursuing the matter could fail to do so in fear of offending their peers. Undoing the actions of a magistrate was a form of symbolic attack upon them, and thus it was in their interests to prevent the passage of restorative justice. It delegitimated and contested the narrative that these individuals created about their public service, threatening their right to demand a triumph from the Senate. This was a sticking point with M. Popilius Laenas. Such matters were not trivial, contributing to the reputation of not just the individual but also their family through association with the coveted title of *imperator* and the memorialisation consequent to the triumphal procession and addition of their name to the *fasti triumphales*. Reputation and fame, which could be created through the record of service, was an important source of social capital to the Roman elite, and any threat to it jealously guarded against.⁸³³

Conclusions

Fides was a causal mechanism for destroying out-groups as well as, paradoxically, for preventing their destruction. This should not be considered a true contradiction, despite its apparent contradictoriness. *Fides* was a regulatory and symbolic framework. It guided, though did not dictate, the behaviour of individual *imperium*-holders in their interaction with outsider communities by means of the sociocultural norms of the habitus. It was a mechanism through which trust could be built, bridging either the distrustfulness inherent to anarchic interstate systems or mutual ill-feeling resulting from militaristic imperialism. This trust was built by the symbol auto-erasure of the dedicant community as an incorporated entity. Such a community would then owe its subsequent existence to the largesse of the Romans who re-granted it its former existence. This relationship could, indeed, be parallel to and akin to the way *amicitia* could be established between individuals within Roman society. It was also like the persistent patronal relationships that could be established by the founding or re-

⁸³³ Hölkeskamp 2010, 50, 107–24.

founding of *coloniae*, *fora*, *mansiones* and so forth. This affiliation was ingrained into elite behaviour as part of an ideology of state augmentation, but also played to self- and familial-interests through the creation of persistent connections that could confer economic and status boons.

This mechanism emerges as a sociocultural strategy that restricted and de-escalated the violence of warfare. This is incredibly important to the crafting of hegemony, and had become a core part of the cultural and military outlook of the Roman state in seeking to absorb, assimilate, and augment their span of control through durable alliances. Trust-based, fideal relationships were more reliable, resilient, and crucially needed fewer resources to maintain Rome's hegemony than direct coercion by force. The effectiveness of this strategy can be seen in the reluctance of many Italian states to side with Hannibal against Rome. Even the greatest test of the relationship between Rome and her allies, the Social War, was not initially predicated on a secessionist movement, but one that sought greater recognition and rights within the Roman hegemony.

Failures in *fides* could however lead to the escalation of warfare to destructive ends. This occurred in several ways. Roman state actors could choose to ignore the expectation that they would restore a submitting community, and treat these communities as no different than if they had been captured through force as at the storming of a city. In some cases, such destruction *in toto* of a community could be claimed to have been justified, thereby not just removing the moral bar on destruction but providing a moral impetus for it. Typically, this argument was made on the grounds of the untrustworthiness and faithlessness of the submitting group, based either on recidivist precedents or on base stereotyping. By betraying the good faith of Rome, or being imagined to be prone to do so, Roman state actors could consider themselves no longer obligated to abide by the strictures usually imposed by *fides*. The reception of these arguments varied between complete acceptance, unease, and denunciation depending on the actors in question and the context.

Fides furthermore provided the moral basis for correctives to the behaviours of those Romans that abused it, in the form of punishment of the perpetrators and the restoration of the victims. These were of mixed success in avoiding genocide, but attempts to regulate the behaviours of the elite do demonstrate a broad cultural awareness of the need for prevention and a willingness to take steps to do so, however ineffectual. Despite a general desire to effect punishment for the genocidal abuse of dedicant communities, as evidenced by evolving legal and civil mechanisms, they were seldom effective in convicting the accused. Individuals serving as prosecutors had conflicts of interest and were reticent to condemn their peers for the sake of foreigners. The peer group of Roman nobles colluded to prevent justice from being achieved.

Perhaps most interestingly, the restitutive steps taken—by the Senate through *senatus consulta* or through lawsuits initiated by magistrates—provided a means by which genocide could in effect be undone. This is a surprising feature of Roman genocide, and a major way in which it was dissimilar to the genocidal dynamics of other societies. The undoing of genocide could be attempted because of the prevalence of mass enslavement in the Roman mode of warfare. Because the former members of at least part of the community still existed, there was the possibility of freeing them and reconstituting the formerly-destroyed group. The effectiveness of this undoing of genocide was probably limited however, at least in cases where the group had suffered an effective, as opposed to symbolic, destruction. These communities tend not to reappear following their putative restoration and lack later evidence for their continued existence as groups. While this absence of evidence is not a positivist indication that these communities failed to be re-established, it suggests the communities remained destroyed, even if some of its constituent members were free.

In summary, *fides* was a significant component of the Roman worldview, involving Roman conceptions of interstate relations, imperialism, and ethnicity. The performance of the praxis following from *fides* could have very real consequences, preventing or precipitating mass violence.

Communities lived or died by its strictures and its potential for interpretation into concrete, genocidal actions.

Chapter Seven



Conclusion

In this study, we have seen how the Romans, between 343 BCE and 146 BCE, enacted the destruction of other groups through mass killing, mass enslavement, and urban annihilation. The usage of these types varied from case to case, and, in many examples, they complemented each other in sequence. The greatest portion of this mass violence was directed at populations in urban centres. The customs of war (*belli iure*) dictated that at the moment of the storming of a settlement, the lives of the inhabitants were forfeit and liable to destruction either through killing or enslavement. The slaughter could be indiscriminate, and this not only achieved an immediate goal of securing the urban environment through a maximal application of force, but was also symbolically effective as a method of advancing the Roman imperialist agenda by terrifying other peoples into compliance. In acutely bitter conflicts, the entirety of the population might be killed during the storming, although that was rare and considered exceptional by our sources. The killing of fighting-age males and the enslavement into social death of the survivors, especially women and children, was considered usual, although we have seen examples where the selective criteria differed.

Broad trends in the Roman use of genocide, annihilation and destruction can be discerned, but the incidents are themselves highly variable. This phenomenology resists the giving of a universal description of what the Roman destruction of others entailed, as well as of uniform statements about its development over time. Generally, the end of this period of the Middle Republic contained more genocidal incidents, and they were of a larger scale than at the beginning. The biases of our sources, and the happenstance of their survival, can account somewhat for this, but the trend is nonetheless likely an indicator of real change over time. Indeed, Rome at the time of the so-called Samnite Wars had little competency to

carry out the largescale, resource-heavy operations that could destroy other peoples, except against some unfortunate nearby rivals such as Veii. The incidence and the scale of destruction generally increased concomitant to Rome's wars with others. While Rome was indeed generally waging war in some fashion in any given year in this period,⁸³⁴ the nature of these varied greatly. Single campaigns against small foes were dissimilar in many ways from the pluriannual and multidecadal wars against Carthage or Macedonia, for example. In general, small campaigns featured less destruction, whereas larger ones featured more. This was not the rule, however; during the Second Macedonian War, for example, the destruction of groups was kept to a minimum despite the war between two large, hegemonic powers. There was also seemingly a generational shift in attitude about the potential uses of imperial power. Roman magistrates and the Senate became increasingly aware of their ability to fashion the geospatial and political landscape of their world. Building roads and colonies was one way of furthering this revisionism and augmenting their imperial hegemony; destroying communities was another.

In looking at these aspects of Roman destructive behaviours, we can draw several conclusions: about whether they were genocidal; how far they were characteristic of the interaction of Rome with other communities; and we can begin to reconcile the apparent dissonances within them. In doing so, we have seen that these phenomena were complex, that the same habitus of *fides* and the customs of interstate relations underpinned the contradictory impulses to destroy and to preserve foreign communities, and that ethnocultural alterity did not define the use of destruction but could influence it.

Rome, genocide, and genocidal states

It has been demonstrated throughout this study that much of this destructive behaviour was genocidal. The state actors involved, *imperium*-wielding

⁸³⁴ W. V. Harris [1979] 2006, 9–10.

Romans and the Senate, knowingly and intentionally caused the destruction of other groups. Hundreds of thousands of people were enslaved or killed; we will never know how many. The conclusion that the Romans carried out genocide, however, relies on an understanding of genocide as defined in the introduction as *a set of actions and/or outcomes resulting from an intention to destroy a group, wholly or in part*. This broad definition conforms to most, but not all, of the scholarly usage within Genocide Studies, as well as the internationally-recognised UNGC. Yet, public understandings of the concept and meaning of genocide differ enormously from these, denoting the systematic, lethal extirpation of an ethnicity or race. The labelling of behaviours in the Middle Republic as genocidal should be used with caution in non-academic, public contexts, marking them with appropriate caveats so as to neither devalue modern systematic mass killing nor increase confusion about ancient praxis.

While the Romans can be said to have carried out genocide in the Middle Republic, they did not comprise a 'genocidal state'.⁸³⁵ The instances of genocide discussed in this study were discrete events, spread across the course of about two hundred years, and directed at various types of peoples. The incidents do not belie a systematic programme of destruction. Indeed, the Roman state at that time does not seem to have been capable of the sort of centralisation and bureaucracy required. Nor was there a propaganda platform that aimed to spur potential Roman *génocidaires* into distributed, non-centralised genocide or pogroms. The closest that we see to this, Cato, seems to have been relatively ineffective at drumming up enthusiasm for the destruction of the Carthaginians. The mid-Republican Romans probably lacked the requisite concepts of ethnicity, race, nationhood, and territorialisation to have conceived of such an ideological programme of ethnic cleansing. As such, Roman group-destructive acts were predominantly carried out during the waging of war against external threats

⁸³⁵ Kuper 1990.

and were not directed inwards at domestic groups as has been characteristic of modern genocide.⁸³⁶ The Romans did not desire to create a monoethnic territorial state.⁸³⁷ Only the Bacchanalian Affair saw a substantial suppression of an internal religious group, but was not repeated as a model of internal state cleansing. The absence of ideological motives contradicts the findings of Ben Kiernan, who concluded that the annihilation of Carthage resulted from Roman ideologies of agrarianism. It has been shown in this study that the destruction of Carthage should not be thus explained, but instead resulted from an unpredictable mix of internal and international political agency and failed compellence diplomacy. Roman genocidal behaviours were usually adaptations to the needs of strategy or revenge. Helen Fein influentially proposed four categories of genocide: developmental; despotic; ideological; and retributive. Of these, the last best fits Roman behaviours, which were related to struggles of orders and dominance.⁸³⁸ Roger Smith identified Roman genocide as a form of 'institutional genocide', which was 'routinized [...] motivated by the desire to create terror, to display one's power, and to remove the possibility of future retaliation'.⁸³⁹ This seems, broadly, to have been the case. The lack of a defined ideology that promoted genocidal actions against ethnic, racial, or national groups supports the notion that there were fundamental differences between mass violence in the ancient world and in the age of the nation-state.

Genocidal behaviours of killing, enslaving, and destroying cities were normal but not typical for the Romans. They were considered appropriate tools to appropriate situations. The Romans were aggressive imperialists, having this in common with all the major powers of the interstate anarchy in which they participated. However, that aggressive imperialism does not mean that they were exceptionally bloodthirsty compared to their peers.

⁸³⁶ R. W. Smith [1987] 2009, 42.

⁸³⁷ K. Smith 2008, 131–32; Mann 2005, 4.

⁸³⁸ Fein 1984; Charny 1999b, 1:5; Totten and Bartrop 2009, xii.

⁸³⁹ R. W. Smith [1987] 2009, 41.

Dominance could be achieved in a multitude of ways, and often the best way of securing Roman imperial interests was to prefer diplomatic solutions, which, backed up by the threat of war, bloodshed, and destruction, were forms of compellence or coercive diplomacy.⁸⁴⁰ The assimilative hegemony of the Romans over other communities was the dyad to their mass killing, mass enslaving, and urban annihilation. Smith was incorrect to say that Roman institutional genocide was a ‘failure of political imagination’ and ‘a substitute for politics’.⁸⁴¹ Both were diplomacy by alternative means.

The prevention of genocide in the Middle Republic

Although the Romans sometimes destroyed, in many cases they did not. Had they wished to—had they not only possessed overwhelming military power but also an ideology that legitimised genocide without moral risk—many more peoples would have perished. We have seen that the primary restriction on the use of violence was the habitus of *fides* and therefore this might be considered a weak analogue of a preventative regime. This inhibited further genocide by providing a way for threatened communities to de-escalate the potential for violence, obliging the Romans accepting their *deditiones* to extend patronage and protection. The Augustan Roman historian Livy, contemporary Greek historian Polybius, and mid-Republican dramatist Plautus described the process in very similar terms. The *deditio* worked by drawing on the symbolism of annihilation, ritually surrendering the totality of the community’s existence in the expectation that the general would reconstitute it upon acceptance. The *deditio in fidem populi Romani* was totalising and permanently transferred the primacy of authority to the Romans, particular in regards to agency in international relations and war. Inscriptional and literary evidence suggests that there could be in some circumstances substantial room for negotiation and consensus-seeking about the settlement that resulted. The Romans understood that such consensus was in their own best interests. The Romans well appreciated

⁸⁴⁰ George 1991; Eckstein 2006, 121, 155, 166–67, 219, 229.

⁸⁴¹ R. W. Smith [1987] 2009, 41.

that those who symbolically offered up themselves instead of being taken by naked force (*vis*) were more likely to display long-term and meaningful loyalty rather than to foster seditious resentment. Or, as the Roman historian Sallust put it:

The Roman people from the beginning of their rule have preferred to seek friends rather than slaves; they have thought it safer to govern the willing than those forced to obey.⁸⁴²

In return for the good faith of the suppliant people, the Roman commander, and after him the Senate and People of Rome, were supposed to safeguard the dedicant from genocidal harm.

Aggravating factors could make the acceptance of the submission of communities less likely, such as: a siege already having been commenced; previous infidelity following a prior *deditio in fidem*; or, excessive or cruel behaviour to Roman envoys or refugees. Each of these could reduce the moral hazard of rejecting a suppliant community and thence destroying them. Yet, even if a group was accepted in submission, the totalising surrender to the Romans placed the dedicants in an ambiguous position. While simultaneously having a forestalling effect through moral obligatory force, *fides* also, seemingly paradoxically, provided a wide mandate for the utter destruction of those who submitted to it. On other occasions, cultural misunderstandings in the process, meaning, or goals between the dedicants and the dedicands could lead to the failure of the procedure and an escalation of warfare. Several of the mass killings that we have looked at in this study fit this model, as does the retracted *deditio* of Carthage.

While it was supposed to ensure protection, we have already seen some circumstances where dedicant communities were subsequently destroyed even after acceptance. In these cases, the habitus-based preventative regime failed. Some *génocidaires* would seek to rationalise their

⁸⁴² Sall., *Jug.*, 102.6, trans. Rolfe: *populo Romano iam a principio imperi melius visum amicos quam servos quaerere, tutiusque rati volentibus quam coactis imperitare*. See also, Sal., *Cat.*, 9.5 ; Liv., 8.1.7.

actions within the moral framework of the suspected perfidy of the destroyed community, to varying success. In other cases, the destruction of communities through mass killing, enslavement, and urban annihilation was carried out with no reason other than avarice and the opportunity to claim a triumph. These magistrates challenged the morality-rooted norms of the preventative regime of *fides*, and therefore challenged the *auctoritas* of the Senate. Indeed, attempts to police the adherence of those Romans with power over their dedicants could only come from within. There was no superior source of international law, no The Hague, or United Nations, no UNGC. Besides, there was a strong moral impetus at Roman to at least appear to abide by the custom of *fides*. The strength of this impetus resulted in some attempts by members of the Roman Senate to offer restitution to unjustly targeted victim groups, and to prosecute their aggressors. These were only partially effective.

Destroying the 'Other'

While the Middle Republic was not a genocidal regime, and the cleansing or extermination of races, nations, ethnicities, or religious groups was not pursued, alterity did play a limited role in Roman genocidal behaviour. This was because of the arbitrary nature of the destruction, which was guided by the preferences and behaviours of the state actors in question. In behavioural economics, preferences describe the favoured strategies of agents, while behaviours describe what it is that they do given a scenario.⁸⁴³ This model accounts for both the heterogeneity of actor behaviours and of outcomes given differing scenarios.

Broadly speaking, the preferred outcome of a military campaign for Roman generals was the submission of the enemy, or a *foedus* if that was not possible. This spared the Romans from risking warfare, gave generals and their soldiers opportunity for gain, and augmented the state. This preference seems to have grown stronger through the two hundred years

⁸⁴³ Sen 1973.

covered by this study, and in the early years' time-limited treaties were much more common between the Romans and foreigners. The preference for *deditio* probably increased concomitantly with the overwhelming military power to demand it. Submission could be extracted either in lieu of or after battle, the latter being a second order preference to compel the first. If the scenario was such that the invaded refused to submit but persisted in resisting Roman preferences, then the next best preference was for the Romans to engage in behaviours that would result in the defenders' destruction. Thus, genocidal behaviour was not the preferred response, but was situationally appropriate. Naturally, there was heterogeneity in the preferences of the actors involved. This has in part been explained by the generational shifts in habitus described previously. The existence of the Senate helped to provide an element of the wisdom of the crowd. This ameliorated and moderated more extreme preferences, and smoothed the effect of the heterogeneity. In circumstances where individuals abused their *imperium* to wage war in an unsanctioned manner, and therefore to risk broader state interests, the Senate's reactions show their role in censuring and enforcing normative behaviours.

The nature of the victim group seems to have had an attenuating effect on the behaviours and preference selection of the Romans. The alterity of ethnicities of greater liminality seems to have been correlated with the chance of them being subjected to destruction. In the Early Republic, this could mean Veii. By the later years of our period, this meant groups of the Lusitanians, Spanish, Ligurians and Celts, as well as those on the fringes of the Greek world. These were the peoples most marked out as of inherently treacherous character, and were more Other to the Romans in several ways, having different material cultures and cultural norms. This alterity amplified the likelihood of the preference seeking behaviours of the Romans to revert to violence. However, the greatest attenuation based on alterity was in the cases where the Romans decided not to destroy. As their hegemony spread, peoples previously perceived as more Other came to be seen as less so. The relations developed with these peoples militated against their utter physical destruction when it came to it. Thus, Falerii, Volsinii, and Capua

were only symbolically destroyed. Roman perceptions of the ethnic characteristics of other groups were therefore important if generals, the Senate, and People of Rome were willing to base their behaviours on them. Some peoples were considered inherently more perfidious than others, and the Romans' mistrust in them due to stereotypical and prejudicial constructions of Othered ethnicities could lead to their destruction.

In summary, we have seen how the application of the concept of genocide can be used in a novel fashion to address gaps in the scholarship, interrogating the intersection of ethnicity and imperialism in the Middle Republic, and generating a specific and informed set of findings to contribute to historiographical narratives of mass violence. The Romans of the Middle Republic did not necessarily seek to destroy other groups, and show a longstanding preference to build their interstate hegemony through alliance and friendship. However, genocidal destruction was a normal and customary tool of Roman international relations, to be used when the scenario justified it. Their genocidal behaviours were not exceptional nor definitional. These situations were failures of preferred peaceful means of crisis resolution backed up with compellence diplomacy. Therefore, each case of genocidal destruction was phenomenologically distinct. Nonetheless, the Romans of the Middle Republic carried out genocides that, through mass killing, enslavement, and urban annihilation, destroyed the lives of hundreds of thousands of people.

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Appendix

Table 6. Comparison of typologies of incidents of group destruction, 343-146 BCE

BCE	Victim	Killing	Enslavement	Urban annihilation	Forced Relocation	Sources
314	Luceria	All				Liv., 9.26.2-3
314	Sora	•				Liv., 9.24.1-25, 31.13
313	Fregellae	200				Enn., <i>Ann.</i> , 168-169; Diod. Sic., 19.101.1-3; Liv., 9.28.2-3, 31.13
311	Cluvia	Adult males				Liv., 9.31.3
308	Allifae		7000			Liv., 9.42.7-8; Diod. Sic., 20.35.2
305	Silvium		5000			Diod. Sic., 20.80
296	Cimetra	830				Liv., 10.15.6
293	Velia, Palumbinum & Herculaneum	>5,000 Killed/Captured	>5000			Liv., 10.45.11
293	Saepinum		<3000			Liv., 10.45.14
284	Senones	Adult males	Women & children			App., <i>Sam.</i> , 13; App., <i>Gallica</i> , 9; Liv., <i>Per.</i> , 12; Oros., <i>Hist.</i> , 3.22.12-15; Polyb., 2.19.11
275	Caulonia			•		Paus., 6.3.12
265	Volsinii	Servile class		•	•	Flor., 16.1; Liv., <i>Per.</i> , 16; Plin., <i>Nat.</i> , 31.31; Zonar., 8.7
261	Agrigentum		25000?			Diod. Sic., 23.9.1; Oros., 4.7.6; Polyb., 1.19.5; Zonar., 8.1
260	Mazara		All			Diod. Sic., 23.9.4
259	Corsica and Sardinia		Several thousand			Eutr., 2.20; <i>CIL</i> , VI 1287; Flor., 1.18.16; Front., <i>Strat.</i> , 3.9.4, 10.2; Oros., 4.7.11; Zonar., 8.11; Liv., <i>Per.</i> , 17.4; Sil., 6.670-72
258	Mytistratum	•	All	•		Diod. Sic., 23.9.4; Zonar., 8.11; Polyb., 9.10.11
258	Camarina		•			Diod. Sic., 23.9.5; Polyb., 1.24.12; Val. Max., 6.5.1; Zonar., 8.12
256	Countryside around Aspis/Clupea		23500			Eutr., 2.21; Oros., 4.8.9; Polyb., 1.29.7

254	Panormus	•	c. 13000		Diod. Sic., 23.18.5; Polyb., 1.38.9-10; Zonar., 8.14; Flor., 1.18.12; [Aur. Vict.], <i>De vir. ill.</i> , 39.2; Sen., <i>Ep.</i> , 114.17; Cic., <i>Rep.</i> , 1.1
252	Lipara	All			Zonar., 8.14
241	Falerii			• •	Eutr., 2.81; Liv., <i>Per.</i> , 20; Polyb., 1.65.2; Zonar., 8.18
238	Cities inc. Caralis			•	Flor., 1.22.35. Festus, <i>Gloss. Lat.</i> , 430L; Polyb., 1.88.8-12; Liv., <i>Per.</i> , 20; Zonar., 8.18
229	Illyrians	•			Flor., 1.21.4
219	Pharos				App., <i>Ill.</i> , 8.2; Polyb., 3.18.12
218	Malta		2000		Liv., 21.51.2
215	Vercellium, Vescellium and Sicilinum,		> 5000		Liv., 23.37.13
215	Sardinia		1500		Eutr., 3.13; Flor., 1.22.35; Liv., 23.41.7
213	Henna	•			<i>CIL</i> , VI 1281; Front., <i>Strat.</i> , 4. 7. 22; Liv., 24.39.4-6; Polyæn., <i>Strat.</i> , 8.21
213	Antinum		>7000		Liv., 24.47
212	Turdetani		All	•	Liv., 24.42.11, 28.39.5-8; Zonar., 9.3
212	Syracuse	•	•		Diod. Sic., 26.20.1-2; Liv., 25.28.1-31.15, 26.31-32, 31.31; Cic., <i>Ver.</i> , 2.4.120; Val. Max., 5.1.4, 8.7; Plin., <i>Nat.</i> , 7.125; Sil., 14.627-683; Flor., 1.22.33-34; Plut., <i>Mor.</i> , 19.7-12, 21.1-7; Zonar., 9.5; Cass. Dio, 15.5
212	Telesia, Compsa, Fugifulae, Orbitanium, Blandae, Aecae	25000 killed or captured	25000 killed or captured		Liv., 24.20
211	Antikyra		All		Polyb., 9.39.2; Liv., 26.26.3
211	Capua				App., <i>Hann.</i> , 43; Liv., 26.14.1-4, 16.6, 34.1-13; Oros., 4.17.12; Zonar., 15.6
210	Agrigentum		All		Eutr., 3. 14; Liv., 26.40.13; Oros., 4.18.2; Zonar., 9.7
210	Aegina				Polyb., 22.8.10; <i>OGI</i> , 281

209	Carthago Nova	•	c. 2000 of artisan class		App., <i>Hisp.</i> , 23; Cass. Dio, 16.57.42; Diod. Sic., 26.21.1; Eutr., 3.15; Flor., 1.22.37-40; Liv., 26.49f; Polyb., 10.17.6; 19.8; Oros., 4.18.1; Zonar., 9.8
209	Tarentum		25-30000		App., <i>Hann.</i> , 49; Brut. 72; Diod. Sic., 26.21.1; Eutr., 3.16; Liv., 27.16.7; Oros., 4.18.5-6; Plut., <i>Fabius</i> , 22.4; Plut. <i>Mor.</i> , 195f; Polyaeus, <i>Strat.</i> , 8.14.3; Zonar., 9.8
209	Manduria		3000 (4000?)		Liv., 27.15.3
207	Orongis	•			Liv., 28.4.4; Zonar., 9.8
206	Iliturgi / Ilurgia	All		•	Liv., 28.19.1-23.5; Val. Max., 9.11 ext.1; Sil., 16.277-591; App., <i>Hisp.</i> , 32-33; Eutr., 3.16.2; Jer., <i>Ab Abr.</i> , 1813; Zonar., 9.10
204	North Africa		5-8000		Liv., 29.29.3; Oros., 4.18.19; Zonar., 19.12
203	Bruttians		All		App., <i>Hann.</i> , 61
200	Antipatrea	All			Liv., 31.27.4
200	Chalcis	All			Liv., 31.23
199	Dyme				Liv., 32.22.10
193	5 Bergistani towns		All		Liv., 34.16.10
188	Same		All		Liv., 38.29.11
184	Corbio		All		Liv., 39.42.1
183	A town twelve miles from Aquileia			•	Plin., <i>Nat.</i> , 3.131
177	Histriani towns: Nesactium, Mutila, Favaria	•	5632		Liv., 41.11.8
177	Sardinia		80000		[Aur. Vict.], <i>De vir. ill.</i> , 57; Liv., 41.28.7-10; Festus, <i>Breviarium</i> , 322
173	Statelite Carystus	10000	All	•	Liv., 42.7.8-9; Cic., <i>Off.</i> , 1.36; Liv., 42.7.1-9.6, 10.9, 21.6-7, 45.15.10
171	Haliartus	•	2500	•	Liv., 42.63.11; Strabo, 9.411
170	Abdera		All		Liv., 43.4.10; Diod. Sic., 30.6
170	A few Greek cities held by Philip			•	Liv., <i>Per.</i> , 43; Zonar., 9.22
167	Antissa			• •	Liv., 45.31.13-14; Plin., <i>Nat.</i> , 5.39

167	Epirus		150000			App., <i>Ill.</i> , 29.4; Liv., 45.34.5; Polyb., 30.15; Strabo, 7.7.3
155	Delminium					Zonar., 9.25
154	Aegina		All			Polyb., 33.10.3
151	Cauca	All				App., <i>Hisp.</i> , 52
150	Lusitanians	All	?			App., <i>Hisp.</i> , 59
148	Macedonians					Ampelius, <i>Liber Memorialis</i> , 16.5; Flor., 1.30.5
146	Corinth	Adult males	Women & children	•		Oros., <i>Hist.</i> , 5.3.5; Zonar., 9.31; Paus., 5.10.5, 7.16.7-8; Flor., 1.32.5; Oros., <i>Hist.</i> , 5.3.5; Festus, <i>Breviarium</i> , 7.2
146	Carthage	Majority	50-55000?	•	Failed	App., <i>Pun.</i> , 127-133; Oros., <i>Hist.</i> , 4.23.2-6; Zonar., 9.30-31; Flor., 1.31; Polyb., 39.8.6; Cic., <i>Leg. agr.</i> , 2.51; Diod. Sic., 32.4; Liv., <i>Per.</i> , 51; Liv., <i>Epit. Oxyrh.</i> , 51.137-39; Vell. Pat., 1.12.5; Val. Max., 1.1.18; <i>Dig.</i> , 7.4.21; Jer., <i>Ab Abr.</i> , 18.71
146	Chalcis and Thebes			•		Liv., <i>Per.</i> , 52; Polyb., 40.11