

CHAPTER II

WESTERN EUROPE BEFORE THE BARBARIAN INVASIONS

I. SOME RESEMBLANCES BETWEEN THOUGHTFUL PAGANISM AND CHRISTIANITY

The philosopher and statesman, Seneca (d. A.D. 65), who lived in the time of Nero, in his little book on *Benefits* speaks thus of the bounty of God:

1. Seneca on God's gifts to man.

Doth not God bestow all benefits upon us? From whence then hast thou all those things whereof thou art possessed? which thou givest? which thou deniest? which thou keep-est? which thou takest unjustly? From whence come the infiniteness of things that delight the eye, affect the ear, and please the understanding? . . . From whence have we so many trees, bearing sundry sorts of savory fruit, so many wholesome herbs, for the maintenance of our health, such variety of meats, strong for all seasons through the whole year, so that an idle sluggard may pick up without effort sufficient sustenance upon the earth to feed and nourish him? . . .

If a man should give thee money, and fill thy coffer (for that seemeth a great thing in thy sight) thou wouldst term it a benefit. And thinkest thou it no favor, that God hath hidden so many metals in the earth, spread so many rivers on the sands, which floating, discover ingots of massy gold, silver, brass, and iron, which he hath hidden everywhere; that he hath given thee means and knowledge to find it out, by setting marks of his covert riches on the upper face of the earth? If a man should give thee a house enriched with marble pillars, if the cover thereof were resplendent, and painted with gold and goodly colors, thou

wouldst highly esteem this present of his: God hath builded thee a great palace, without any danger or fear of falling down, wherein thou seest not little pieces, smaller than the chisel itself wherewith they were carved, but entire huge masses of precious stone, all fastened and fashioned after divers manners, the least piece whereof maketh thee wonder at the beauty of the same: the roof whereof shineth after one sort by day and after another by night: and wilt thou then deny that thou hast received any benefit at all? . . .

It is Nature, saith one, that communicateth and giveth me all these things. But understandest thou not that in speaking after this manner, thou only changest the name of God? For what else is Nature but God, a divine being and reason, which by his searching assistance resideth in the world, and all the parts thereof? . . .

To bestow a favor in hope to receive another, is a contemptible and base usury. How badly soever thy former favors have fallen out, yet persevere thou in bestowing others. They are best hoarded in the hands of the ungrateful, whom either shame, or occasion, or imitation, may at length fashion to be grateful. Persevere continually, and cease not to be bountiful: accomplish that good work which thou hast begun, and perform the duty of a good man. Relieve this man with thy goods, another with thy credit; that man by thy favor, this with thy good counsels and wholesome precepts.

Seneca on unselfish giving

Some idea of the resemblance between the beliefs of the Stoics and those of the Christians may be obtained from the teachings of Epictetus, a slave who for many years belonged to a member of Nero's household. By some whim of his master's, Epictetus was given a good education, and after his master's death he taught philosophy at Rome. He himself wrote nothing, but a devoted pupil of his — Arrian — has left us a conscientious account of his teachings, which represent the most elevated form of stoicism.

2. Epictetus.

The attitude of the Stoic towards the evils of life is clearly expressed in the following passage :

Attitude of the Stoics toward the evils of life.

When you are going in to any great personage, remember that another also from above sees what is going on, and that you ought to please him above all others. He then who sees from above asks you : In the schools what used you to say about exile, and bonds, and death, and disgrace? I used to say that they are things indifferent (neither good nor bad). What then do you say of them now? Are they changed at all? No. Are you changed then? No. Tell me then what things are indifferent? The things which are independent of the will. Tell me, also, what follows from this. The things which are independent of the will are nothing to me. Tell me also about the Good; what did you hold it to be? A will such as we ought to have and also a right use of things about us. And our aim, what is it? To follow thee. Do you say this now also? I say the same now also.

Then go in to the great personage boldly and remember these things; and you will see what a youth is who has studied these things when he is among men who have not studied them. . . .

If the things are true which are said by the philosophers about the kinship between God and man, what else remains for men to do than what Socrates did? Never say, in reply to the question, To what country do you belong? that you are an Athenian, or a Corinthian, but that you are a citizen of the world. . . . He who has observed with intelligence the administration of the world, and has learned that the greatest and the supreme and the most comprehensive community is that which is composed of men and God, . . . why should not such a man call himself a citizen of the world, why not a son of God, and why should he be afraid of anything which happens among men? Is kinship with the emperor or with any other of the powerful in Rome sufficient to enable us to live in safety, and above contempt and without any fear at all? But to have God for your maker, and father, and guardian, shall not this release us from our sorrows and fears?

Like the Christians, Epictetus held that all men were brothers, for all were God's children.

The *Thoughts* of the emperor Marcus Aurelius, a collection of notes which he made for his own private use, is one of the most famous and stimulating books which Roman writers have handed down to us. It is easily obtainable and every one should possess a copy. A single extract will serve to illustrate its character :

3. The *Thoughts* of Marcus Aurelius.

Begin the morning by saying to thyself, I shall meet with the busybody, the ungrateful, arrogant, deceitful, envious, unsocial. These are so by reason of their ignorance of what is good and evil. But I who have seen the nature of the good, that it is beautiful, and of the bad, that it is ugly, and the nature of him who does wrong, that he is akin to me, not only of the same blood and origin, but that he participates in the same intelligence and the same portion of the divinity, I can neither be injured by any of those I meet, for no one can fix on me what is ugly, nor can I be angry with my kinsman, nor hate him. For we are made for coöperation, like feet, like hands, like eyelids, like the rows of the upper and lower teeth. To act against one another then is contrary to nature; and it is acting against one another to be vexed and to turn away. . . .

If thou workest at that which is before thee, following right reason seriously, vigorously, calmly, without allowing anything else to distract thee, but keeping thy divine part pure, as if thou shouldest be bound to give it back immediately; if thou holdest to this, expecting nothing, fearing nothing, but satisfied with thy present activity according to nature, and with heroic truth in every word and sound which thou utterest, thou wilt live happy. And there is no man who is able to prevent this.

It should not be forgotten, however, that there were a great many fundamental differences between the pagan religions and Christianity. These have been admirably stated by Mr. Lecky in his well-known *History of European Morals*.

4. Important contrasts between Christianity and the pagan religions.

The chief objects of Pagan religions were to foretell the future, to explain the universe, to avert calamity, to obtain the assistance of the gods. They contained no instruments of moral teaching analogous to our institution of preaching, or to the moral preparation for the reception of the sacrament, or to confession, or to the reading of the Bible, or to religious education, or to united prayer for spiritual benefits. To make men virtuous was no more the function of the priest than of the physician. On the other hand, the philosophic expositions of duty [such as those given above] were wholly unconnected with the religious ceremonies of the temple.

The high moral teachings of the philosophers, like Seneca, Epictetus, and Marcus Aurelius, had doubtless been brought to the attention of a considerable number of educated people through the discussions of the rhetoricians. Some sects, like the Pythagoreans, recommended religious ceremonies for the purpose of purifying the mind, and among the Oriental religions (such as the worship of Mithras), which were introduced at Rome under the Empire, certain rites were to be found which closely resembled those of the Christians.

Moral teaching the duty of the Christian priest.

But it was the distinguishing characteristic of Christianity that its moral influence was not indirect, casual, remote, or spasmodic. Unlike all Pagan religions, it made moral teaching a main function of its clergy, moral discipline the leading object of its services, moral dispositions the necessary condition of the due performance of its rites. By the pulpit, by its ceremonies, by all the agencies of power it possessed, it laboured systematically and perseveringly for the regeneration of mankind. Under its influence, doctrines concerning the nature of God, the immortality of the soul, and the duties of man, which the noblest intellects of antiquity could barely grasp, have become the truisms of the village school, the proverbs of the cottage and of the alley.

II. THE EARLY CONCEPTION OF A CATHOLIC (I.E. UNIVERSAL) CHURCH

It was not unnatural that differences of opinion should develop among the early Christians in regard to particular religious beliefs and practices. This led to the formation of sects similar to the various denominations which exist in Protestant lands to-day. This want of agreement seemed a terrible thing to those who felt that there could be but one true faith handed down from Christ through the apostles, and consequently one Catholic or Universal Church outside of which there could be no salvation. They accordingly denounced all who departed from the generally accepted (i.e. orthodox) beliefs as heretics who were destroying the unity of the Church by their perversity.

This conception of one all-embracing Church to which all should be forced to belong was accepted by the Roman emperors after Constantine, and prevailed all through the Middle Ages. It was earlier clearly set forth by Cyprian, bishop of Carthage, who died in 258.¹

The old enemy of mankind was vanquished and overcome at the advent of Christ's kingdom. He saw his idols forsaken and his fanes and temples deserted for the altars of Christ; so he devised new wiles by which he might deceive the unwary Christian under the very name of Christianity itself. He invented heresies and schisms; and by these he hath overthrown the faith, corrupted the truth, and broken the unity of the Church. Those whom he cannot keep back in the darkness of the old way, he entraps and deceives by error in the new path. He snatches men from the Church

5. The Catholic or Universal Church as conceived by Cyprian in his *Unity of the Church*.

¹ A description of the martyrdom of Cyprian, who was beheaded during a persecution of the Christians, may be found in *Translations and Reprints*, Vol. IV, No. 1.

herself; and while they think they have now drawn near to the light and have escaped the night of heathenism, he casts over them in their ignorance yet other shades, so that they call themselves Christians, and yet do not abide in the Gospel and the precepts and the law of Christ. They think they have the light, and yet walk in the darkness. . . .

Our Lord said to Peter: "I also say unto thee, That thou art Peter, and upon this rock I will build my church; and the gates of hell shall not prevail against it. And I will give unto thee the keys of the kingdom of heaven: and whatsoever thou shalt bind on earth shall be bound in heaven; and whatsoever thou shalt loose on earth shall be loosed in heaven." He thus erected his Church upon *one* [foundation].¹ And though after his resurrection he gave equal powers to all the apostles, saying, "As my Father hath sent me, even so send I you. . . . Receive ye the Holy Ghost: Whosoever sins ye remit, they are remitted unto them; and whosoever sins ye retain, they are retained," nevertheless, that he might manifest unity he established one Church, and by his own authority determined that in its origin this unity should proceed from *one* [source or person]. . . .

He who holds not this unity of the Church, does he believe that he holds the faith? He who struggles against the Church and resists her, does he believe that he is a member of the Church? . . . The episcopate is one: it is shared among individuals, yet each possesses the entire authority.² The Church also is one, though she is widely extended among the multitude. As there are many rays of the sun, but one light; and many branches of a tree, but one strength lying in its tenacious root; and since from one spring flow many streams, yet the unity is preserved in the source. Separate a ray of the sun from its body of light, its unity does not permit a division of the light; break a branch from the tree, when broken it will not be able to bud; cut off the stream from its fountain, and that which is cut off dries up.

¹ Super unum aedificat ecclesiam.

² Episcopatus unus est, cuius a singulis in solidum pars tenetur.

Thus the Church sheds forth her rays over the whole world; yet it is one light which is everywhere diffused. . . .

Whoever is separated from the Church is separated from the promises of the Church; nor can he who forsakes the Church of Christ attain to the rewards of Christ. He is a stranger; he is profane; he is an enemy. He can no longer have God for his father who has not the Church for his mother. If any one could escape who was outside the ark of Noah, then he also may escape who shall be outside of the Church. . . . These heretics appoint themselves prelates without proper ordination, and assume the name of bishops, although no one gives them the episcopate. . . . They sit in the seat of pestilence, are plagues and spots of the faith, deceiving with serpent's tongue and artful in corrupting the truth, vomiting forth deadly poisons from pestilential tongues; whose speech doth creep like a cancer, whose discourse forms a deadly poison in the heart and breast of every one. . . .

Though such a man should suffer death for confessing the name of Christ, his guilt is not washed away by blood, nor is the grievous and inexpiable sin of discord wiped out by suffering. He who is without the Church cannot be a martyr. He cannot reach the kingdom of heaven. . . . Though they are given over to the flames and burn in the fires; though cast to the wild beasts, they lay down their lives, this shall not be a crown of faith, but a punishment of faithlessness. Such a man may be killed, but not crowned. . . .

III. THE CHURCH AND THE ROMAN EMPERORS

In spite of the fact that the Roman emperors permitted the greatest variety of worship within their vast realm and showed no disposition to compel their subjects to think alike upon religious matters, they viewed Christianity with the most cruel suspicion almost from its first appearance. Christians were assumed to be

Denuncia-
tion of the
heretics.

6. Edict of
Galerius
(311), which
first granted
toleration
to the
Christians.

hostile to the government, and were consequently treated with the utmost harshness. Even the wisest and best emperors, such as Trajan and Marcus Aurelius, ordered that any one should be condemned to death who was convicted of bearing the name of Christian.¹

Christians were first put upon a legal footing with adherents of the various pagan religions by Emperor Galerius in the year 311.² His edict reads as follows:

Amongst our other measures for the advantage of the Empire, we have hitherto endeavored to bring all things into conformity with the ancient laws and public order of the Romans. We have been especially anxious that even the Christians, who have abandoned the religion of their ancestors, should return to reason. For they have fallen, we know not how, into such perversity and folly that, instead of adhering to those ancient institutions which possibly their own forefathers established, they have arbitrarily made laws of their own and collected together various peoples from various quarters.

After the publication, on our part, of an order commanding the Christians to return to the observance of the ancient customs, many of them, it is true, submitted in view of the danger, while many others suffered death. Nevertheless, since many of them have continued to persist in their opinions and we see that in the present situation they neither

¹ Christians were not, however, to be sought out by the government officials and could only be tried when accusation was brought against them by some definite person. A series of extracts illustrating the extent and character of the early persecutions of the Christians is to be found in *Translations and Reprints*, Vol. IV, No. 1.

² A German scholar, Seeck, has pretty conclusively shown that the so-called Edict of Milan, by which Constantine was long supposed to have rescued the Christians from persecution, was not really an edict at all, but a letter addressed by Constantine's colleague, Licinius, to some government official in the East, commanding him to see that the edict of Galerius was carried out in a thorough manner. See *Zeitschrift für Kirchengeschichte*, Vol. XII, pp. 381 sqq.

duly adore and venerate the gods nor yet worship the god of the Christians, we, with our wonted clemency, have judged it wise to extend a pardon even to these men and permit them once more to become Christians and reestablish their places of meeting; in such manner, however, that they shall in no way offend against good order. We propose to notify the magistrates in another mandate in regard to the course that they should pursue.

Wherefore it should be the duty of the Christians, in view of our clemency, to pray to their god for our welfare, for that of the Empire, and for their own, so that the Empire may remain intact in all its parts, and that they themselves may live safely in their habitations.

When under Theodosius II a collection of the laws of the Roman Empire was published (438), the edicts which had been issued by Constantine and the succeeding emperors in regard to the Christian religion, — the privileges of the clergy, the status of heretics, etc., — were conveniently brought together in the last book of the new code. The very first title, *On the Catholic Faith*, makes it clear that the government would tolerate no one who disagreed with the particular form of Christian belief which the state chose to sanction.

We desire that all those who are under the sway of our clemency shall adhere to that religion which, according to his own testimony, coming down even to our own day, the blessed apostle Peter delivered to the Romans, namely, the doctrine which the pontiff Damasus [bishop of Rome] and Peter, bishop of Alexandria, a man of apostolic sanctity, accept. According to the teachings of the apostles and of the Gospel we believe in one Godhead of the Father, Son, and Holy Ghost, the blessed Trinity, alike in majesty.

We ordain that the name of Catholic Christians shall apply to all those who obey this present law. All others we judge to be mad and demented; we declare them guilty of the

7. The edicts of Constantine and his successors relating to the Church in the Theodosian Code.

The Roman government orders every one to accept the view of the Trinity defined by the Council of Nicæa.

infamy of holding heretical doctrine; their assemblies shall not receive the name of churches. They shall first suffer the wrath of God, then the punishment which in accordance with divine judgment we shall inflict [A.D. 380].

The emperors showed themselves ready to exempt the orthodox clergy from the various taxes and other public burdens imposed by the state, but upon condition that only poor men should become clerics. No decurion, that is to say one who was rich enough to assume the heavy responsibilities which the government threw upon the wealthier class in the cities, might join the clergy.

The clergy to be exempted from public burdens; but only the poor in this world's goods to be admitted to the clergy.

Those who exercise the functions of divine worship, that is to say those who are called clerics [*clerici*], shall be exempt from all public burdens, lest otherwise they might be called away from their sacred duties through some one's malicious interference [A.D. 319].

Immunity from public burdens is to be granted neither by custom nor upon any one's plea that he is a clergyman; nor may persons join the order of the clergy easily or in too great numbers. But when a cleric dies another shall be chosen in his stead. He shall not be of decurion rank by descent, nor possess sufficient means easily to bear the public burdens. Should doubt arise between a city and the clergy in regard to any candidate, if justice indicates that he should bear the public burdens and he should appear, either by descent or owing to his patrimony, to be suitable for the rank of decurion, he shall leave the clergy and be turned over to the city. For it is proper that the rich should bear the burdens of the world and that the poor should be supported by the wealth of the Church [A.D. 326].

The government would have the clergy a poor, hereditary class.

From public burdens and from every disquietude of civil office all clerics shall be free, and their sons shall continue in the Church if they are not subject to public responsibilities [A.D. 349].

We decree that all priests, deacons, subdeacons, exorcists, lectors, and doorkeepers, likewise all who are in higher orders, shall be free from personal taxes¹ [A.D. 377].

Exemption from personal taxation.

In every city, in every town, hamlet, and burg, whoever, according to the spirit of the Christian law, shall have sincerely striven to bring home to all its supreme and peculiar merits shall enjoy permanent protection. We should rejoice and be exceeding glad in the faith, knowing that our empire is maintained more by religion than by officials or by the labor and sweat of the body [A.D. 361].

The power of the empire maintained by the clergy.

Inasmuch as we have learned that certain clergymen and others who minister to the Catholic faith have been compelled by men of other religions to celebrate the lustral sacrifices, we hereby ordain that, should any one maintain that those who keep the most holy law should be forced to observe the rites of another's superstition, such an one shall, if his station permits, be beaten with rods. If his rank forbid this punishment, he shall be condemned to a heavy fine which shall fall to the state [A.D. 323].

Christians not to be forced to observe heathen rites.

Every one shall have the right, when he is dying, to leave so much of his goods as he will to the holy and Catholic Church . . . [A.D. 321].

Bequests to the Church.

It is right that clerics, whether they be bishops, priests, deacons, or those of lower rank, ministers of the Christian law, should be accused only before a bishop—unless there is some reason why the case should be considered elsewhere [A.D. 412].

Judicial privileges of the clergy.

Minor civil cases and those where church rites were involved were also to be tried by ecclesiastics. These provisions were the beginning of benefit of clergy and of the vast jurisdiction of the mediæval Church.

¹ Church lands were, however, by no means to be exempted from the land tax, nor were the clergy to engage in trade on any considerable scale without paying the tax to which lay tradesmen were subject.

None but the orthodox clergy to enjoy privileges.

Privileges which are granted on religious grounds should be confined to those who observe the law. We will that heretics and schismatics should not only be excluded from such privileges, but that they should be subject to various burdens [A.D. 326].

Manichæans to be prosecuted.

Whenever an assembly of Manichæans¹ is discovered, let their teachers be heavily fined. Those who are in attendance should be cast out from among their fellow-men as infamous and discredited. The houses or dwelling places in which their profane doctrines are taught should be confiscated by the government [A.D. 372].

Clerics adhering to the Eunomian or Montanist superstition shall be excluded from all intercourse with any city or town. Should any of these heretics sojourning in the country attempt to gather the people together or collect an assembly, let them be sent into perpetual exile. . . .

Heretical books to be sought out and burned.

We command that their books, which contain the substance of their criminal teachings, be sought out with the utmost care and burnt with fire under the eyes of the magistrates. Should any one perchance be convicted of concealing, through deceit or otherwise, and of failing to produce, any work of this kind, let him know that as the possessor of harmful books written with criminal intent he shall suffer capital punishment [A.D. 398].

Various disabilities of the heretics.

Here we find the same spirit of active and cruel religious intolerance which appears in the mediæval laws, notably the thirteenth century. Other edicts provide that certain heretics — e.g. the Manichæans — should lose the right to bequeath and inherit property. Illegal bequests of heretics were to revert to the public treasury. Heretics were to be heavily fined, and in some cases were excluded from the army. Slaves might be

¹ This Manichæan heresy was revived in the later Middle Ages. See the account of the Albigenses in *History of Western Europe*, p. 221.

beaten into the orthodox faith. One edict (407) deprives convicted Manichæans of the right of buying, selling, or entering into any contract, on the ground that "this kind of man has nothing in common with other men, either in customs or laws." Even the dead, if they be proved to have been tainted with Manichæan heresy, are to have their wills invalidated. In 409 the following edict was issued:

Lest the Donatists and other deluded heretics and those who, like the Jews and the Gentiles (commonly called "pagans"), cannot be brought into the communion of the Catholic religion, should conclude that the force of the laws formerly directed against them had declined, let all the magistrates take note that those provisions of the law are to be faithfully observed, and that they should not hesitate to enforce all that we have decreed against the heretics.

Laws against heretics to be carefully enforced.

A later title of the Theodosian Code is devoted to "pagans, sacrifices, and temples." The temples were first ordered to be destroyed in the towns, later in the country. Heavy fines were to be inflicted upon those who dared to offer sacrifices to the old heathen gods. Pagans were excluded by law from judicial and administrative offices, although it seems impossible that this measure could have been strictly carried out. In 423 we find a law declaring that, although pagans deserved to suffer capital punishment, they were required only to surrender their property to the government and go into exile. It is noteworthy, however, that far less attention is given to the pagans than to the Manichæans and the various Christian sects, like the Arians, Montanists, Donatists, and others, who ventured to differ from the theological opinions sanctioned by the government.

Provisions of the code in regard to pagans.

IV. COMPARISON BETWEEN THE LOT OF THOSE WITHIN THE
EMPIRE AND THOSE WHO LIVED AMONG BARBARIANS

It was inevitable that thoughtful observers should be struck with the contrast between the habits and government of the Romans and the customs of the various barbarian peoples. Tacitus, the first to describe the manners and institutions of the Germans with care, is frequently tempted to compare them with those of the Empire, often to the obvious disadvantage of the latter.¹ We have two other notable comparisons of a much later date: the first by a fervid Christian, the other by a judicious writer, who was probably a pagan.

8. Salvian's
comparison
of the
Romans
with the
barbarians
(ca. 440).

Salvian, a Christian priest, writing about 440, undertook in his book *Of God's Government* to show that the misfortunes of the time were only the divinely inflicted punishments which the people of the Empire had brought upon themselves by their wickedness and corruption. He contends that the Romans, who had once been virtuous and heroic, had lapsed into a degradation which rendered them, in spite of their civilization and advantages, far inferior to the untutored but sturdy barbarians.

In what respects can our customs be preferred to those of the Goths and Vandals, or even compared with them? And first, to speak of affection and mutual charity (which, our Lord teaches, is the chief virtue, saying, "By this shall all men know that ye are my disciples, if ye have love one to another"), almost all barbarians, at least those who are of one race and kin, love each other, while the Romans persecute each other. For what citizen does not envy his fellow-citizen? What citizen shows to his neighbor full charity?

¹ The very important little work of Tacitus on Germany, the *Germania*, has been published in *Translations and Reprints*, Vol. VI, No. 3.

[The Romans oppress each other with exactions] nay, not each other: it would be quite tolerable, if each suffered what he inflicted. It is worse than that; for the many are oppressed by the few, who regard public exactions as their own peculiar right, who carry on private traffic under the guise of collecting the taxes. And this is done not only by nobles, but by men of lowest rank; not by judges only, but by judges' subordinates. For where is the city—even the town or village—which has not as many tyrants as it has curials? . . . What place is there, therefore, as I have said, where the substance of widows and orphans, nay even of the saints, is not devoured by the chief citizens? . . . None but the great is secure from the devastations of these plundering brigands, except those who are themselves robbers.

[Nay, the state has fallen upon such evil days that a man cannot be safe unless he is wicked] Even those in a position to protest against the iniquity which they see about them dare not speak lest they make matters worse than before. So the poor are despoiled, the widows sigh, the orphans are oppressed, until many of them, born of families not obscure, and liberally educated, flee to our enemies that they may no longer suffer the oppression of public persecution. They doubtless seek Roman humanity among the barbarians, because they cannot bear barbarian inhumanity among the Romans. And although they differ from the people to whom they flee in manner and in language; although they are unlike as regards the fetid odor of the barbarians' bodies and garments, yet they would rather endure a foreign civilization among the barbarians than cruel injustice among the Romans.

So they migrate to the Goths, or to the Bagaudes, or to some other tribe of the barbarians who are ruling everywhere, and do not regret their exile. For they would rather live *free* under an appearance of slavery than live as captives under an appearance of liberty. The name of Roman citizen, once so highly esteemed and so dearly bought, is now a thing that men repudiate and flee from. . . .

Why Roman
subjects
prefer to live
among the
barbarians.

It is urged that if we Romans are wicked and corrupt, that the barbarians commit the same sins, and are not so miserable as we. There is, however, this difference, that if the barbarians commit the same crimes as we, yet we sin more grievously. . . . All the barbarians, as we have already said, are pagans or heretics. The Saxon race is cruel, the Franks are faithless, the Gepidae are inhuman, the Huns are unchaste, — in short, there is vice in the life of all the barbarian peoples. But are their offenses as serious as ours? Is the unchastity of the Hun so criminal as ours? Is the faithlessness of the Frank so blameworthy as ours? Is the intemperance of the Alemanni so base as the intemperance of the Christians? Does the greed of the Alani so merit condemnation as the greed of the Christians? If the Hun or the Gepid cheat, what is there to wonder at, since he does not know that cheating is a crime? If a Frank perjures himself, does he do anything strange, he who regards perjury as a way of speaking, not as a crime?

About the time that Salvian was writing, the imperial government at Constantinople dispatched an embassy to Attila, the king of the Huns. One of the imperial messengers, Priscus, has left a very interesting account of his experiences. He tells, among other things, of a conversation that he had with a former inhabitant of the Roman Empire who declared that life among the barbarians had many advantages. As Priscus was waiting for his audience with Attila, he says :

A man whom, from his Scythian dress, I took for a barbarian, came up and addressed me in Greek, with the word "Hail!" I was surprised at a Scythian¹ speaking Greek. For the subjects of the Huns, swept together from various lands, speak, beside their own barbarous tongue, either Hunnic or Gothic, or — as many as have commercial dealings

¹ Priscus seems to use this term "Scythian" as almost synonymous with barbarian.

9. Conversation of Priscus with a Greek living among the barbarians (448).

with the western Romans — Latin; but none of them speak Greek readily, except captives from the Thracian or Illyrian seacoast; and these last are easily known to any stranger by their torn garments and the squalor of their head, as men who have met with a reverse. This man, on the contrary, resembled a well-to-do Scythian, being well dressed, and having his hair cut in a circle after Scythian fashion.

Having returned his salutation, I asked him who he was and whence he had come into a foreign land and adopted Scythian life. When he asked me why I wanted to know, I told him that his Hellenic speech had prompted my curiosity. Then he smiled and said that he was born a Greek and had gone as a merchant to Viminacium, on the Danube, where he had stayed a long time, and married a very rich wife. But the city fell a prey to the barbarians, and he was stripped of his prosperity, and on account of his riches was allotted to Onegesius [a Hunnish leader] in the division of the spoil, as it was the custom among the Scythians for the chiefs to reserve for themselves the rich prisoners. Having fought bravely against the Romans and the Acatiri, he had paid the spoils he won to his master, and so obtained freedom. He then married a barbarian wife and had children, and had the privilege of partaking at the table of Onegesius.

He considered his new life among the Scythians better than his old life among the Romans, and the reasons he urged were as follows: "After war the Scythians live at leisure, enjoying what they have got, and not at all, or very little, disturbed. The Romans, on the other hand, are in the first place very liable to be killed, if there are any hostilities, since they have to rest their hopes of protection on others, and are not allowed, by their tyrants, to use arms. And those who do use them are injured by the cowardice of their generals, who cannot properly conduct war.

"But the condition of Roman subjects in time of peace is far more grievous than the evils of war, for the exaction of the taxes is very severe, and unprincipled men inflict injuries on others because the laws are practically not valid against all classes. A transgressor who belongs to the wealthy

Advantages of living among the barbarians.

classes is not punished for his injustice, while a poor man, who does not understand business, undergoes the legal penalty, — that is, if he does not depart this life before the trial, so long is the course of lawsuits protracted, and so much money is expended on them. The climax of misery is to have to pay in order to obtain justice. For no one will give a hearing to the injured man except he pay a sum of money to the judge and the judge's clerks."

Priscus
defends
the Roman
government.

In reply to this attack on the empire, I asked him to be good enough to listen with patience to the other side of the question. "The creators of the Roman Republic," I said, "who were wise and good men, in order to prevent things from being done at haphazard, made one class of men guardians of the laws, and appointed another class to the profession of arms, who were to have no other object than to be always ready for battle, and to go forth to war without dread, as though to their ordinary exercise, having by practice exhausted all their fear beforehand. Others again were assigned to attend to the cultivation of the ground, to support themselves and those who fight in their defense by contributing the military corn supply. . . . To those who protect the interests of the litigants a sum of money is paid by the latter, just as a payment is made by the farmers to the soldiers. Is it not fair to support him who assists and requite him for his kindness? . . ."

"Those who spend money on a suit and lose it in the end cannot fairly put it down to anything but the injustice of their case. And as to the long time spent on lawsuits, that is due to anxiety for justice, that judges may not fail in passing accurate judgments by having to give sentence offhand; it is better that they should reflect, and conclude the case more tardily, than that by judging in a hurry they should both injure man and transgress against the Deity, the institutor of justice. . . ."

"The Romans treat their slaves better than the king of the Scythians treats his subjects. They deal with them as fathers or teachers, admonishing them to abstain from evil and follow the lines of conduct which they have esteemed

honorable; they reprove them for their errors like their own children. They are not allowed, like the Scythians, to inflict death on their slaves. They have numerous ways of conferring freedom; they can manumit not only during life, but also by their wills, and the testamentary wishes of a Roman in regard to his property are law."

My interlocutor shed tears, and confessed that the laws and constitution of the Romans were fair, but deplored that the officials, not possessing the spirit of former generations, were ruining the state.

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The books here mentioned are selected with a view to explaining those conditions in the later Roman Empire some conception of which is essential to an understanding of the Middle Ages. Almost all the accounts of Roman society deal with the period of the later Republic and the early Empire.¹

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B. Addi-
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¹ The most notable of these is Friedländer, *Darstellungen aus der Sittengeschichte Roms in der Zeit von Augustus bis zum Ausgang der Antonine*, 2 vols., 7th ed., Leipzig, 1901.

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C. Materials
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References for the highly important history of the law will be found at the end of Chapter III; those for the development of the Christian Church under the Roman Empire, at the close of Chapter IV.

CHAPTER III

THE GERMAN INVASIONS AND THE BREAK-UP OF THE ROMAN EMPIRE

I. THE MOVEMENTS OF THE HUNS FORCE THE WEST GOTHS ACROSS THE DANUBE INTO THE ROMAN EMPIRE, A.D. 376

The retired soldier, Ammianus Marcellinus, writing not more than ten or fifteen years after the battle of Adrianople, thus describes the Huns and the passage of the Goths into the Empire.

The people called Huns, barely mentioned in ancient records, live beyond the sea of Azof, on the border of the Frozen Ocean, and are a race savage beyond all parallel. At the very moment of birth the cheeks of their infant children are deeply marked by an iron, in order that the hair, instead of growing at the proper season on their faces, may be hindered by the scars; accordingly the Huns grow up without beards, and without any beauty. They all have closely knit and strong limbs and plump necks; they are of great size, and low legged, so that you might fancy them two-legged beasts, or the stout figures which are hewn out in a rude manner with an ax on the posts at the end of bridges.

They are certainly in the shape of men, however uncouth, and are so hardy that they neither require fire nor well flavored food, but live on the roots of such herbs as they get in the fields, or on the half-raw flesh of any animal, which they merely warm rapidly by placing it between their own thighs and the backs of their horses.

They never shelter themselves under roofed houses, but avoid them, as people ordinarily avoid sepulchers as things

10. Description by Ammianus Marcellinus of the Huns and of the movements of the Goths