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About the Association

The RRRA was formed in 2015 as a registered charity to bring together disparate individuals who were researching Roman roads, and to coordinate a nationwide programme of consistent and high quality research, promoting the study of Roman roads and Roman heritage throughout the former Roman province of *Britannia*. Over the last couple of decades, it has often been a race against time to discover and record what we can of the 60% of the Roman road network about which we are still uncertain, since modern agricultural methods and urban development have been steadily removing surviving features from the landscape. Fortunately, new technologies such as lidar and geophysical survey have helped enormously and enabled researchers to identify the remains of hundreds of miles of previously unknown Roman roads, along with associated Roman sites, and we continue to work to fill the many gaps. Research is only half the story though, we also have to ensure that the results of our work are readily available. We aim to:

1. bring together all known information on Roman roads in Britain, summarised in a freely accessible online interactive gazetteer, hoped to be complete by 2026.
2. identify key sites where important questions remain, and organise fieldwork necessary to answer those questions. 200 Ha of geophysical survey have been completed, with a further 400 Ha already planned, and several future excavations are currently at the planning stage.
3. encourage the involvement of as many people as possible in our activities. We care passionately about community archaeology, and will always encourage local people to get involved in our work, without any charge (unlike some organisations, we will never do this!).
4. make resources available to researchers and other groups, organise events to keep people up to date with research including online talks & seminars.
5. ensure that all our published work is Open Access, including our quarterly newsletter and *Itinera* (following a brief one year members only embargo).

Membership is open to everyone, and our four hundred and seventy or so members come from a wide variety of backgrounds, ranging from those with just a general interest in our Roman heritage to professional archaeologists from both the public and commercial sectors, alongside seasoned Roman roads researchers. The Romans tended to apply their technology uniformly across the empire, this is especially so for Roman road layout and construction. Consequently we do not just restrict our interest to *Britannia* and our membership now includes many international members. Joining the RRRA gives you the knowledge that your modest subscription (just £14 a year for a single adult) is helping to support our important work. You might even get a warm and fuzzy glow.

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EDITORIAL

ROBERT ENTWISTLE

The publishing of *Itinera* Volume II is no less an important moment than that of Volume I: it demonstrates that our journal has arrived definitively as a point of reference for all transport-related aspects of Roman archaeology – and that this has been possible in a year dominated by Pandemic-related lockdowns. As in Volume I, you will find a range of authoritative and stimulating papers aiming to develop the study and understanding of everything to do with Roman roads and transport, for academics and the informed public alike.

In this volume you will find some contributors familiar to you from the last volume, and other important new ones. We are delighted to have a welcome extension of focus to other regions of the Roman empire, drawing us beyond a comfortable local perspective. We publish a lively paper (translated by Mike Bishop) from the Spanish academic and presenter Isaac Moreno Gallo, who has, single-handedly, done much to develop an informed awareness of Roman roads in his native country. A man of trenchant views, he champions a rational and rigorous approach not always evident in the past. The perspective he provides has much in common with that of the UK, while being stimulatingly distinct. *Itinera* would be most pleased to host other papers from international contributors, developing an understanding of roads and transport systems across the empire.

Once again, we have an impressive range to the topics covered in our journal. The international theme is continued by Bev Knott who considers an aspect of transport that may be new to many: the likely extent and impact of brigandage and banditry on the roads across the empire. Closer to home we have a major paper from David Ratledge, who has become Britain's leading interpreter of Lidar in terms of Roman roads. He demonstrates the remarkable degree to which he has been able to extend knowledge of Norfolk's Roman roads, filling in gaps on the map. At the other end of the country, our Chairman, Mike Haken, explores what Lidar is able to reveal for the Stainmore Pass. He investigates how this might develop understanding of a murky but much-debated topic, the relation of some Roman roads to Iron-Age predecessors.

Of course, roads are not only a topic of study in their own right but help us develop understanding of other areas of archaeology and history. Thus Dave Armstrong, who recently published a book on the Hadrian's Wall Military Way, contributes a paper that is likely to become a work of reference in its own right. It explores and sets out the sum of present knowledge on the network of link roads connecting the Wall to other aspects of Roman infrastructure in the North, a topic little examined in the past.

Yet another topic is tackled by John Poulter in a paper recording how Roman Long-distance Alignments came to be suspected, recognised and understood, with worked examples from

across the country. A further paper investigates how such matters could potentially elucidate aspects of the Claudian Invasion. Finally, and returning us to basics, we have accounts of road excavations from different ends of the country: the Culver Archaeology Project in East Sussex, and an excavation supported by NAA (Northern Archaeological Associates) in Lancashire.

Our section 'Roman Roads in 2021' is inevitably impacted by a year in which Covid 19 has limited much fieldwork, including the work of many local societies. Fortunately, through our valued local correspondents, we can see that not all the work of investigation ceased.

A new enterprise this year is our introduction of Book Reviews, a feature we hope to continue and develop in years to come. We are most grateful to Dave Fell and John Poulter for their contributions on this occasion.

We should not forget that the RRRA is a charity supported only by its own expanding membership. The dedicated band that makes the production of this journal possible to the highest professional standards, has done so through generous donation of time and expertise, whether they be experienced archaeological professionals or knowledgeable enthusiasts contributing specialist skills, understanding and commitment. This is the group that make up our Editorial Committee and Advisory Panel (listed at the front of this volume), and our wider network of supporters and contributors.

Ultimately, of course, we are dependent upon our authors for demonstrating the health and range of this aspect of Roman archaeology. Our 'Notes for Contributors' are readily available on the *Itinera* section of the RRRA website, and we encourage all, professional or otherwise, to submit their papers to us. All contributions will be peer reviewed, and we take great pleasure in publishing all that can pass that test. We look forward to your contributions for our next volume.

Robert Entwistle

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Bandits and Roman Trade

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Abstract

This paper seeks to examine the effect of banditry along Roman roads. The Roman world could not function properly without huge volumes of trade to generate the wealth of its economy; yet endemic and ubiquitous banditry would have endangered such prosperity. Evidence is meagre and scattered and has been distorted by misunderstanding, and by over-concern to emphasise levels of banditry. Evidence is re-examined to challenge this view. It is argued that the extent of trade and heavy road traffic indicates that banditry was more limited than is sometimes acknowledged. Comparison with modern freight movement suggests that road crime remained, for the most part, insufficient to greatly inhibit the flow of commerce along Roman roads.

Abbreviations and references used in this paper:

CIL = corpus inscriptionum Latinarum: a comprehensive collection of ancient Latin inscriptions

AE = Année épigraphique (The epigraphic year): a French publication concerning Latin and Greek inscriptions.

Digest = abbreviation for Digesta, the name of the compendium of juristic writings on Roman law compiled by the order of the Byzantine emperor Justinian in AD 530–533.

Introduction

The purpose of this paper is to enquire into the effect of banditry on free movement of trade along Rome's roads. It is its contention that during the period commonly called the time of the Empire, that is from the time of Augustus onwards, the success of its economy as a producer of wealth depended on the free movement of trade. Therefore if banditry, which certainly existed, had a stranglehold or even a strongly negative effect on this free movement of trade, then the success of the economy and the production of wealth would be significantly constrained. The paper will consider the evidence presented by five writers on the topic of banditry and consider the arguments and inferences drawn from that evidence. New interpretations will be offered for some of these arguments and inferences drawn from the presented evidence. The five main modern authors are Thomas Grunewald,

Bandits in the Roman Empire, Myth and Reality, 1999; Adrian Goldsworthy, *Pax Romana*, 2016; Ray Laurence, *The Roads of Roman Italy*, 1999; Brent Shaw, *Bandits in the Roman Empire,* 1984; and Lionel Blumell, *Beware of Bandits! Banditry and land travel in the Roman Empire*, 2008.

This paper first considers the meaning of the Latin word for bandit, *latro,* then reviews evidence for banditry quoted by modern authors. We will examine this critically before describing and examining actions taken against banditry by the state, at both local and imperial level. That will lead us to explore how far free movement along the roads was the norm in spite of banditry, using statistics of modern UK road crime to point up and illuminate certain aspects where detail is lacking. The conclusion will assess how far banditry can really be considered to have constrained the free movement of trade and traders. The paper focuses generally upon small-time banditry (in terms of the number of bandits involved) and takes only a brief look at occasional examples of large bandit groups such as 'Bulla Felix'. It will not consider events sometimes described as banditry but which relate rather to uprisings and unrest, such as the minor war against Tacfarinas in North Africa and the complex phenomenon of the late empire *Bacaudae.*

Who were the bandits?

The usual translation of the Latin word *latro* is 'bandit'. This is not a word in common use in today's world and gives the feel of something long ago, evoking lawless environments such as the 'Wild West' of the late 19th century for men often termed 'outlaws'. The phrase 'organised crime group' could perhaps be a modern equivalent. The Smith Latin dictionary shows that its original meaning of a mercenary soldier developed into the meaning highwayman, robber, brigand (another archaic word), as we see in the phrase *'latrones antiqui eos dicebant qui conducti militabant; at nunc viarum obsessores dicantur': 'Latrones* were termed in ancient times men who fought for hire but now are termed the blockaders of roads' (Paul's *epitome* of Festus' *De Verborum Significatu 118, 6,* quoted Smith, 1855, 626). The Roman legal system frequently refers to *latrones.* Words have a life of their own, and usage often leads them astray from their basic meaning: thus in the increasingly wild political scene of the late Roman Republic, opponents were often described as bandits. The use of the word in crime situations could be very vague. In Egypt a set of papyri describing crime now preserved in the John Rylands Library (Univ. of Manchester) appear to be depositions from a small town or rural village to the local law enforcement authority (Grenfell, Hunt and Hogarth 1900, 259–60). The level of theft described is minor, for example hay, bowls, shovels, but little of real value such as money or jewellery. Often the suspected perpetrators were known to the victims and were ordinary inhabitants e.g. village gatekeeper, shepherds, a builder. Death or injury are unknown. Despite this being a record of petty crime in a rural community the crimes are regularly described as being carried out in 'bandit fashion' (Grunewald,1999, 25-31). At the other end of the scale from this rural village, the Roman state often used the term 'bandits' to refer to minor uprisings and unrest, perhaps to downplay their significance or to distract from the issue that caused the troubles. Finally the concept of 'social bandit' has been proposed by the historian Hobsbawm, to describe a kind of 'Robin Hood' scenario whereby a bandit group relieved the sufferings of the poor by robbing from the rich (Hobsbawm, 2001 *passim*). It is true that some banditry in the Roman

world seems to have been embedded in local communities who might manage the disposal of stolen goods and harbour the bandits themselves, but there is no evidence that there was any altruistic motivation involved.

In view of this widespread usage of the word for bandit, it would seem that only vague modern words such as criminal or crook can be useful for coping with the word in a general sense. This paper will concentrate on the type of usage that refers to the phrase 'armed robber gangs', since it is this form that affected roads, transport, and mobility.

Claims of endemic banditry

Goldsworthy (2016, 266) says,

> modern scholars routinely describe banditry as endemic within the Roman Empire. They tend to depict the authorities as incapable of eradicating it, perhaps even of keeping it under control

Blumell is one scholar who believes that to be true:

> this paper considers the perils of travel by focusing on banditry, a conspicuous yet often neglected feature of the Roman Empire... It was thoroughly entrenched in Roman society and affected both rich and poor alike. But the primary victim of banditry and one to whom it posed the greatest threat was the ancient traveller since brigands tended to operate mostly along roads and rural highways in search of prey. The very real danger brigands posed to the ancient traveller can be detected from a number of diverse sources. While the government took some measures to curb and even stamp out banditry, given the administrative and policing handicaps inherent in the empire, it remained fairly widespread (Blumell 2007,1).

He continues, 'it would appear that banditry was both ubiquitous and endemic' (Blumell 2007,4).

McMullen agrees: 'banditry gradually increased in the second century and grew virtually out of control in the later empire' (McMullen, 1966, 249–60). Shaw also takes a similar view: 'insecurity of this type is to be found not only in Italy and Judaea of the first century; it was ubiquitous, although in varying degrees of intensity in the Empire at all periods of its existence' (Shaw 1984, 10).

Roman authors have been used to support this view, as in the following examples. Apuleius in his novel 'The Golden Ass' appears to represent the threat of banditry as ever present for the ordinary traveller, as in the following examples: 'Just before I reached Larissa, walking along a rough and desolate valley, I was attacked by fierce bandits, and stripped of all I had' (Apuleius *Metamorphoses* I, 2-5, trans. Kline AS, 2013). Similarly, '... Another of the robber band arrived... When he had recovered his breath, he announced the following to that assemblage of bandits' (Ap. *Met*.,VII,1). Also: 'Caesar proscribed the group composed of Haemus and his bandits and we instantly disbanded, such is the strength of a nod from an emperor' (Ap. *Met*. VII, 5-8).

The same impression may be given in other ancient sources. The Roman historian Dio Cassius wrote: 'ever since war had been carried on continuously in many different places at once, and many cities had been overthrown, and there was no freedom from fear anywhere, large numbers had turned to banditry' (Dio Cassius, 36.20.2. Loeb Classical Library).

Evidence from the Ancient World

The younger Pliny describes in one of his letters how a centurion in the Roman army vanished on the road along with his slaves and all his equipment which had been supplied by Pliny at a cost of 40,000 sesterces, reminding Pliny of a friend of the prefect of *vigiles* (commander of the firefighters in Rome) who had also disappeared on the road. Nothing was known of what had happened to either of these men (Pliny, Letters, 6,25, trans. *Radice*, B).

Symmachus, writing in the fourth century, stated in one of his letters that the roads were so infested with bandits that people feared travel (Symmachus, *Letters*, 2,32).

Even military officers could suffer from bandits. The future Emperor Hadrian, while still a legionary officer earlier in his career, fell victim on a journey from Mainz to Cologne to a carefully planned attack on his carriage and had to finish his journey on foot (HA Hadr 2.6. in Grunewald 1999, 21). Even a full legionary commander, Valerius Etruscus, when travelling in North Africa 'suffered an attack by bandits; stripped and wounded, he escaped with the people accompanying him' (CIL VIII.2728, in Grunewald 1999, 21).

Such men might well have had costly equipment and money and valuables. More ordinary people suffered also. A third century papyrus records that a traveller was brutally beaten, robbed of his money and clothing, and left for dead by a group of bandits while he travelled on a road in Egypt to visit his sister. Similarly, in the second half of the second century, two pig merchants were travelling along the road in Egypt when they were attacked, badly beaten, then robbed of a pig and some of their clothing by a group of armed men (Grenfell, Hunt, and Hogarth, 1900, 259–60).

Of course it was always sensible to take precautions. In an exchange of letters between husband and wife in third century Egypt, the husband warns his wife not to wear jewellery when she comes to visit him by bandits while travelling through a mountainous area in Greece, accompanied only by two servants and carrying two cups and five bowls of solid gold (Lucian, Dialogi Mortuorum 27.2 in Blumell 2007,10).

Further evidence comes even from the dead. Brent Shaw and other scholars tell us of inscriptions found on tombstones that commemorate men, women, and children who were murdered by bandits as indicated by the phrase '*interfectus a latronibus*'. He reports these tombstones as found 'in almost all regions of the Empire' from Romania in the north to North Africa in the south and to Spain in the west (Shaw 1984, 10-11).

In order to afford some protection against the kinds of attacks described above, the presence of one or more armed guards might reasonably be expected. Presumably a military

Fig. 1, Described by Shaw (Shaw, 1984, 13) as a '*Speculator* (a military officer) on a mission in his official transport, protected by a rear riding guard with a spear'. In fact, as shown below, the so-say spear is the staff of office of a *Speculator*. (Drawn by Charmaine Hawkins after a tombstone from Kostolac ([east of Belgrade] CIL, I I I, 1650)

personage such as the legionary commander had a weapon himself and perhaps those with him did; not that it did him any good in fending off the attacking bandits.

A tombstone relief (see fig.1) of a *speculator* (a position in the Roman army) is described by Brent Shaw as showing him 'on a mission in his official transport, protected by a rear-riding guard with a spear' (Shaw 1984, 13). Neither the driver nor the *speculator* himself appears to bear weapons, although it is unclear what the *speculator* is holding. More will be said about this relief below, together with an illustration (CIL III, 1650).

Of this writer's photographic collection of about 50 Roman vehicles, mostly relief carvings with some mosaics, only one depicts a person riding on a vehicle bearing a weapon, in this case the driver. He does not wear military clothing but does sport a sword. This sword appears to be too long (if accurately carved) to be a legionary sword; perhaps he is an auxiliary soldier, whose equipment would not be of legionary standard. According to Mike Bishop, its shape and the way in which it is carried shows the driver to be a soldier of the first century or first half of the second (pers.comm. Mike Bishop, 1.11.2021).

Ordinary travellers were permitted by law to carry a weapon for self-defence in certain circumstances, including travel. Marcian, for example, tells us that 'the *Lex Julia de vi* concerning use of force in a public place, applies to those who have collected arms in their house or farm or country house, except for use in their hunting or while travelling by land or sea' (Digest of Justinian 48.6.1 translated Watson). We similarly see that Apuleius' fictional character Lucius, in 'The Golden Ass', uses his sword against imagined bandits, so was clearly armed while travelling (Apuleius, 'Golden Ass', trans, Graves,1950, 71).

If beset by a ruthless gang practised in using weapons, it is hard to imagine a lone traveller or even a small group standing much chance. The legionary commander mentioned above did not fare well even though presumably armed and practised in using weapons, and we see some of the fictional bandits in Apuleius' 'Golden Ass' lose their lives through events that do not turn out well. A further real-life example is shown by the experience of Galen, a Roman doctor and medical writer of the second century. 'On one occasion we saw the skeleton of a bandit lying on rising ground by the roadside: some traveller repelling an attack had killed him. None of the local inhabitants will bury him, but in their hatred of him are glad enough to see his body consumed by birds so that in a couple of days the flesh had left the skeleton as if for a medical examination' (Galen, *de anatomiis administrationibus* 1.2.).

Any opposition to some of the really large gangs of bandits would have required rather more than personal weapons or even armed guards: small armies would sometimes be more appropriate and were at times deployed. A good example is an uprising led by Tacfarinas in North Africa. For seven years from AD 17-24, in the reign of the emperor Tiberius, he proved a thorn in the flesh of the Roman province of Africa Proconsularis. Described as a bandit, Tacfarinas raised a small army on the southern frontier of the province and was swiftly defeated by the provincial governor at the head of a legion. Thereafter Tacfarinas resorted to guerilla warfare until he was finally defeated and killed. Although these events were repeatedly described as banditry, perhaps to save the face of the Roman authorities, they were actually more in the nature of a local uprising and expression of unrest. It is perhaps surprising that Tacitus, our chief source for Tacfarinas, gives him so much space in the Annales (e.g. Tacitus, *Annales*, 2.52.5), considering that he was never a military threat to the Empire. Grunewald suggests that Tacitus was prompted less by genuine interest, than by a desire to highlight a difficult episode that might serve to damage the reputation of Tiberius, whom Tacitus despised. Although Tacfarinas was consistently labelled a bandit and clearly caused significant disruption, he would not seem to represent the run-of-the-mill style of bandit who made his living preying on road traffic (Grunewald 1999, 51-52,55).

There were other large groups which, although described in our sources as bandits, nevertheless operated on a grand scale which went well beyond troubling road travellers. Such was Bulla Felix and his gang of 600 men who plundered Italy for more than two years until he was betrayed (Grunewald 1999,111-136). Similarly Julius Maternus, who deserted the Roman army and collected a large band of criminals in Gaul, then began making raids on farms and villages. He later turned to towns, and prisons in order to release the inmates. Breaking into Italy, he finally overreached himself and was betrayed (Grunewald 1999,124-136). Another example is Claudius, who operated in Judaea and Syria (Grunewald 1999, 112, 115, 120). All of these 'bandit leaders' had significant geographical reach.

However another set of leaders of violent groups, who operated in Judaea and are regularly described by the Roman historian Josephus as bandits, did carry out attacks on traffic along roads. Grunewald claims that Josephus had a motive for criminalising them as bandits as in fact they were his political opponents during turbulent times in Judaea: 'Josephus deployed that word entirely pejoratively and described his rival politicians to whom he applied it using the same conventional cliches as used by Roman writers' (Grunewald,1999,109).

Josephus had deserted the Jewish side and gone over to the Romans, so in this interpretation was using the term simply to undermine insurgents (Grunewald 1999,91-109).

This brief discussion of large bandit groups is not intended as thorough, and others have been omitted. For a full examination of them, see Grunewald. Such groups appeared from time to time in different places and then vanished entirely. In character they could be described as representing unrest with uprisings stemming from particular circumstance, rather than ordinary criminals trying to make a living. A key factor was the occasional emergence of an able leader capable of lifting an ordinary gang to a more damaging level of impact. They no doubt caused havoc with travellers and transport for a time but were not part of the regular hazards faced by users of the roads.

A critical look at some of the evidence presented

We should not necessarily doubt many of the examples quoted above. There is nothing intrinsically unlikely in the anecdote about Hadrian, or about the legionary commander. The pig merchant story sounds perfectly possible and well within the parameters of likely rural robbery. The third century papyrus rings true. And as for the husband advising his wife not to wear jewellery on a journey, that seems completely unremarkable for many times in history.

Other items, however, need further examination. Firstly the tombstones bearing the inscription 'killed by bandits'. The fullest list comes from Shaw, who prefaces them with the comment 'such inscriptions are found in almost all regions of the Empire including places close to Rome itself' (Shaw, 1984,10).

Below is Shaw's list of provinces affected (with three additions from Grunewald):

Baetica (Southern Spain)	2
Tarraconensis (Central and northern Spain)	3
Dacia (Romania) -	3
Dalmatia (Central Balkans)	6
Upper Moesia (Northern Balkans)	5
Rome	2
North Africa	1
Lugdunensis (Northwest and east central France)	2
Belgica (Northwest France)	1
Upper Germany (Southern Rhineland)	1
Aquileia (Town in north-east Italy) -	1
Aquitania (Southwest France)	1

(Shaw, 1984,10, note 25; Grunewald, 1984,117, note 91).

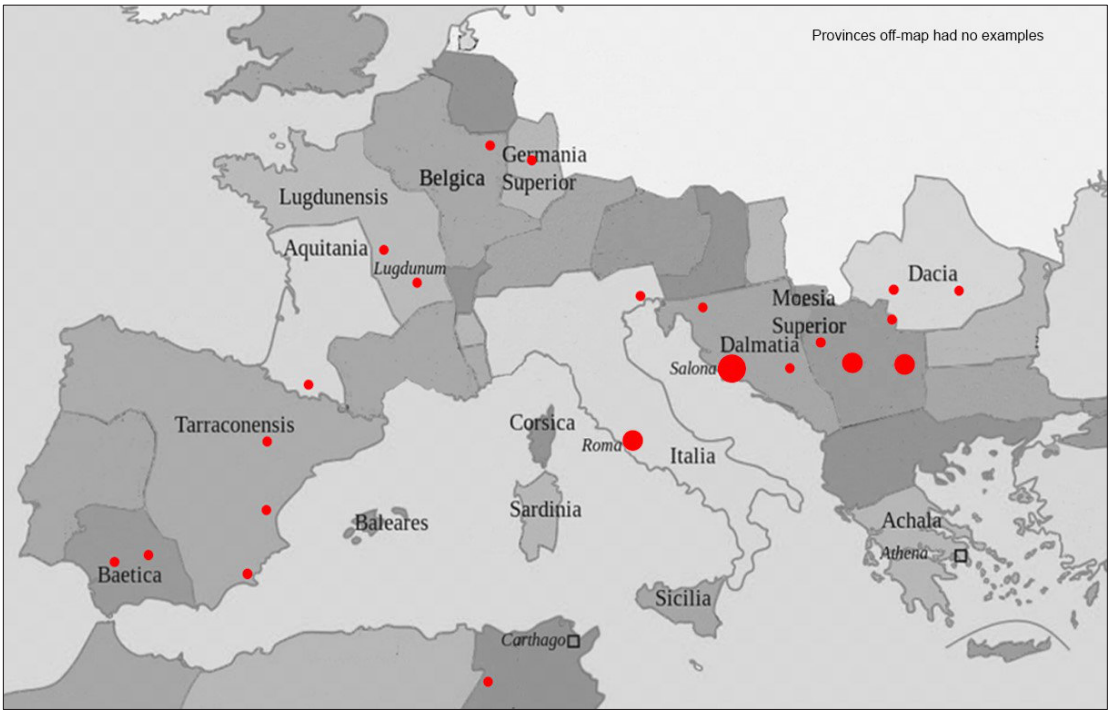

Fig. 2, Map of Roman Empire showing find spots of tombstones with the inscription 'killed by bandits'. The large red spot at *Salona* denotes four tombstones, the next size indicates two finds, the rest are single instances. The northern Balkans and southern *Dacia* reveal a significant concentration. Apart from this, examples are scattered or non-existent. Interestingly there are none found in the Alps or along the route of the *Via Egnatia* in the central Balkans. (Drawn and produced by Trevor Welsman, using information from Shaw, 1984, 10, note 25; Grunewald, 1999, 117, note 91)

Seventeen of the 28 examples come from just four provinces, nearly two thirds of the list. Eleven come from two neighbouring provinces in the northern Balkans. This does not agree with the tenor of Shaw's 'almost all regions'. Twelve provinces are mentioned, out of 46 which existed under Trajan or 96 under Diocletian: a small fraction of all the total, although it should be added that evidence seems to be lacking from the eastern provinces. Shaw suggests that there may well be other examples which have not yet been found, and some may be recorded outside of Shaw's list or Grunewald's additions. Nevertheless, it is clear that this evidence is insufficient to portray widespread infestation.

Identification of some of the actual towns where tombstones were found show that they are situated near or in mountainous areas and so may afford profitable targets near terrain suitable for bandit hideouts. For example, Ecija in southern Spain, although situated in the rich plain of the River Guadalquivir, has a great mountain range not far to the south. The two near Rome are hardly surprising since the likelihood of rich takings on the roads radiating from that city must have been highly attractive to thieves. In the same way roads out of London proved a good hunting ground for highwaymen in the early 18th century, until police patrols were instigated.

Another item requiring a closer look is the tombstone of the *speculator* mentioned above (Fig. 1). According to Shaw he was 'on a mission in his official transport, protected by a rear riding guard with a spear' (Shaw,1984,13). A cursory glance at this so-called spear, and especially the spearhead, reveals it to be no actual weapon. As Pilipović points out, it is very likely the staff of office to which a *speculator* was entitled, with a sort of fancy spearhead on top (Pilipović, 2016, 7-24). This tombstone was found at Kostolac, Serbia, right on the bank of the river Danube. This is a border area where you might assume that armed guards might be required, and yet no guard is apparent. Examples of this staff of office may be seen on two other *speculator* tombstones (for which information I am indebted to Mike Bishop pers.comm. 15.9.2021).

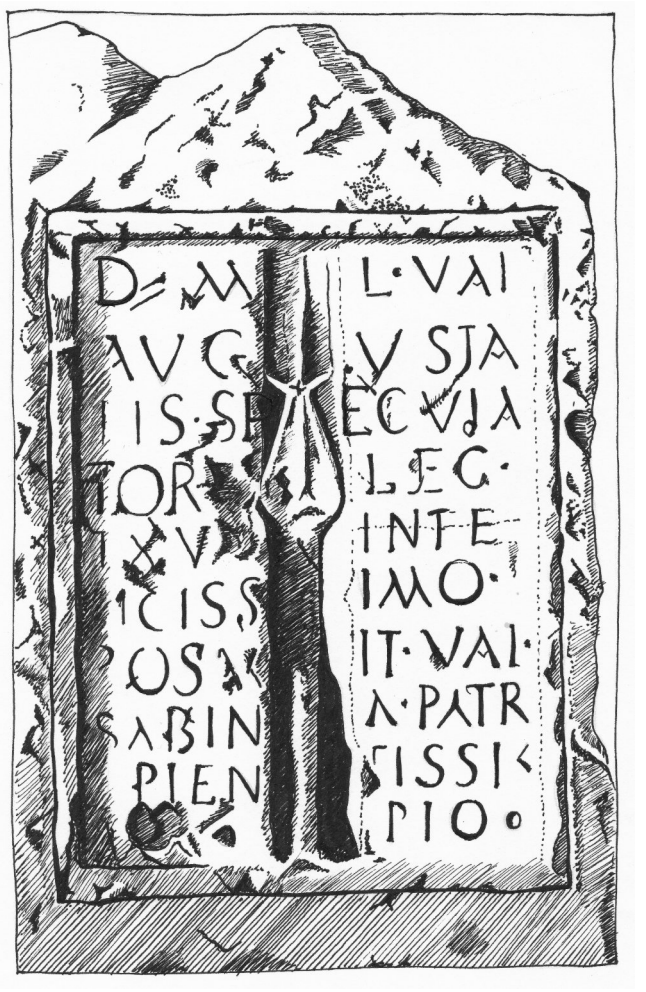

Fig. 3, Tombstone of a *Speculator f*ound in Salona (Split, Croatia), depicting his staff of office and making clear this is not an ordinary spear. The word *speculator* can be picked out starting with SP on the third row on the left, carrying on the other side of the staff of office, and ending on the fourth row with TOR. (Drawn by Charmaine Hawkins after a tombstone of a *speculator* found at Split, AE 1945, 88)

This particular item, and the sword bearing driver of a wagon mentioned above, are the only examples of arms being carried out of fifty images of wagon drivers, implying that armed travellers were not the norm. This small sample does not of itself prove that travellers carrying weapons was uncommon, but neither can it be said that such evidence as we have supports the argument that bearing arms was common – although in areas such as the northern Balkans it would not be surprising to find travellers with personal weapons. Apuleius' fictional character Lucius is described as wearing a sword when travelling in the central Balkans on business (Apuleius, *The Golden Ass*, trans. Radice,1950, 72).

Neither does there seem to be much evidence of armed guards protecting travellers, although of course it is reasonable to suppose that protection was put in place for convoys transporting coinage from the mints for military pay, for conveyance of valuable commodities such as silver and gold from the mines, and for the transport of expensive products from manufacturers to markets. It would have been a matter of appropriate risk assessment. Most of us could agree with one of our scholars (Adrian Goldsworthy) who notes that venturing onto the road in a motor car potentially exposes us to accidents with the possibility of horrific outcome, and that such accidents happen all the time. Nevertheless there is a very good chance of avoiding anything really bad, and so we unthinkingly venture forth without misgiving (Goldsworthy 2016, 274).

Let us next consider Pliny's letter (6.25), quoted earlier, in which he states that a distinguished Roman knight (a member of the equestrian order) had completely vanished on the *VIa Flaminia* north-east of Rome, and that this reminded him of a similar incident that once happened to his fellow townsman, Metilius Crispus. He, Pliny, had obtained this man's promotion to the rank of centurion and had given him a large sum of money for his outfit and equipment, but never had a letter from him afterwards nor any news of his death. He says 'whether he was killed by his slaves or along with them, no one knows'. A word and a phrase stand out: the word 'once' makes it sound as though what had happened to Crispus was not a recent or frequent occurrence; surely Pliny would have mentioned some other examples along with some comment about how terrible these things were. Meanwhile the suggestion that he was 'killed by his slaves' means that Pliny's first thought was not of banditry but of concerns about the trustworthiness of one's slaves. Indeed, the word 'bandit' does not even occur, although perhaps it is reasonably inferred from the phrase 'or (killed) along with them'. Of course, we know nothing about Crispus and what kind of person he was. Perhaps he lost the money betting at the races: as that kind of gambling was illegal, he would not want to write to Pliny about it. Perhaps he decamped to the Roman Costa del Sol so beloved of retired criminals today. But if bandits really did make off with him, undeniably a possibility, then the way Pliny writes about it does not imply an alarmingly endemic state of affairs. Shaw, however, considers it evidence of 'insecurity of this type, endemic in the countryside...' – although he accepts that not all scholars agree. He says of Sherwin-White (Sherwin-White,1966, 384–6): 'I cannot accept his conclusion that such incidents would necessarily be rare just because Pliny notes them' (Shaw, 1984, 10, note 22). Goldsworthy seems to have it right when he says: 'Pliny did not appear to see such incidents as common and after all he and many of his correspondents travelled over wide areas and only these two actually vanished' (Goldsworthy 2016, 274).

Blumell, as we have seen, quotes an item from the satirical writer Lucian in order to demonstrate that carrying valuables through a deserted area without any security is not a good idea. Lucian recounts how a traveller crossed a mountain range with only two slaves, carrying 4 cups and five bowls of solid gold, which got him killed and, presumably, robbed. However, as a satirical writer Lucian is poking fun at absurd behaviour rather than providing a serious commentary about travel. This tale comes from his Dialogues with the Dead (*dialogi cum mortuis,* 27.2), a well-known collection of humorous stories. It hardly provides us with useful evidence. In any case, for bandits to sit on top of a mountain waiting for frequent profitable takings is more a recipe for boredom than success. It was pointed out above that 18th century highwaymen were most likely to be encountered on roads radiating from London because that is where the money and frequent traffic was.

In summary, trying to squeeze too much from meagre sources, which may be unsuitable and insufficiently analysed, risks leading to unwarranted conclusions. Such actions only make it more difficult to assess the impact of banditry upon road travel and lead us to question whether banditry really was, as has been claimed by the scholars quoted, a major problem throughout the Empire

State action against banditry

If some material proffered by scholars for endemic banditry pushes the limits of acceptability, this does not mean that banditry can be ignored. The state did indeed take action, both at Imperial and local level. However, in considering state action, we must once again examine critically some of the evidence presented.

Shaw, in his discussion of state action against banditry, discusses an inscription found at a military watchtower built in the time of the Emperor Commodus (Shaw 1984,13). His translation includes the words 'to provide surveillance over places subject to clandestine forays by bandits'. His word 'forays' is translated from the Latin word *transitus*, which actually means crossings. Since the watchtower had been set up on the bank of the river Danube, the frontier of the Empire, surely it was intended to guard against raids across the river from the German side, with the Latin word for bandits being used in a wide sense that was not limited to highwaymen. The tower forms part of the defended frontier of the Empire, not intended primarily for the protection of travellers along ordinary roads.

Blumell talks of a fort built by Commodus with an inscription saying 'between two highways for the safety of travellers' (Blumell 2007, 12). This military post with the inscription is located in the far south in Numidia near a place called El Kantara. Confusingly there are many places with this Arabic name meaning 'The Bridge' (e.g. the magnificent bridge in central Spain), but the Roman name for this particular Bridge was *Calceus Herculis,* meaning 'The Kick of Hercules'. This refers to the deep but narrow gorge now known as the 'mouth of the desert' because it leads through the mountains to the open desert to the south. Blumell calls the structure a fort, but the words *burgum speculatoribus* in the inscription means watchtower (Darvill 2008, 63), so clearly once again we have a frontier structure like the one described in the previous paragraph – not the sort of thing you would find on ordinary roads

to guard against ordinary bandits for ordinary travellers. The expense of constructing and maintaining such buildings across Rome's huge road network, all with guards, would have been astronomical. This writer is not aware of any evidence, literary or archaeological, for the widespread existence of such posts even in high-risk areas such as the Balkans.

In his section entitled 'Government Action against Bandits', Blumell tells us that according to Dio Cassius (56.19.1-2) 'Quintilius Varus, a governor of Germany in the first century employed his soldiers to guard roads, escort provision trains, and arrest bandits' (Blumell, 2007,14). However, we should remember that this was no ordinary province and he was no unknown provincial governor. The conquest of a large area of Germany east of the River Rhine (deep into *Germania* proper) proved one of Augustus's most daring ventures. The German tribes had no great enthusiasm for this extension of Roman power, so it is no wonder that soldiers were needed to guard the roads and escort provision trains. The talk of bandits showed a typical Roman tendency to belittle and play down the actions of a hostile population. As for Varus, he lost the entire occupying army of three legions in the battle of the Teutoburg Forest, and consequently lost the whole province itself. Augustus was famously described as wandering through his palace in Rome crying out 'Varus, Varus, give me back my legions', realising that his dream of finally solving the threat from the north had come to nothing. Blumell makes no mention of this context, his account purporting to describe what was to be expected in any province, rather than this totally exceptional province.

These suggested emendations to treatment of the evidence do not, and are not intended to, disprove the existence of banditry, but to qualify conclusions about its widespread nature. A more nuanced approach should be adopted.

Let us finish this critique with one last comment upon Shaw's treatment of his evidence (Shaw,1984,12). He suggests 'an index of the ubiquity of banditry is to be found in the number of concrete measures taken by the Roman state (guard posts, watchtowers, advanced stations, and other fortifications) to provide protection for those using the Roman roads'. He gives no support for this assertion except to cite the elaborate defensive system along the frontiers, such as the rivers Rhine and Danube, and in Syria and North Africa, providing examples such as the one noted above on the Danube frontier. It is hardly surprising that along these frontier zones there would be more security.

That banditry did exist at a level that required at least some response from the state will be discussed below, first of all at Imperial level. At this level action could be robust and decisive. During the period after the assassination of Julius Caesar, turbulence and chaos spread throughout the Roman world. Finally, it came to a contest for supreme power between Octavian (later the Emperor Augustus) and Mark Antony. In the years before Octavian's final victory at Actium in 31BC, when Mark Antony was based in the provinces around the eastern Mediterranean, Octavian needed to build up his position in Italy, and decided the time was opportune to deal with the lawlessness spreading there. Ever the master organiser, he rapidly swept Italy clean of the bandit menace, with such success that according to Appian 'order was restored within a year, much to many people's astonishment' (Appian, 5.132). Shaw disagrees with this picture and suggests 'it is most unlikely that these measures succeeded so dramatically'. Even allowing for Octavian's huge skills with propaganda it is

surely more likely that, in order to strengthen his hold over his powerbase of Italy, he had to be seen to succeed in this, and that he was able to deploy the resources and the organisational powers necessary to achieve this resounding success.

Later in his reign, Augustus ensured without much difficulty that the Alpine territories and passes were cleared of bandits. Such important communication links with the provinces, passing through very difficult terrain in the north of Italy, could not be allowed to be at risk (Strabo, 4.6.6,7). This important piece of evidence seems to have been neglected by the scholars mentioned. How long Octavian's special measures survived (and indeed how long they were needed) is not known. Apart from a brief mention in Suetonius' account of Tiberius which says the measures were increased (Suetonius, *Life of Tiberius*, 37.1), no more is heard of them.

Unsurprisingly, periods of civil war were productive of an increased incidence of banditry. After Septimius Severus fought his way to become emperor in AD 193, defeating the armies of his rivals, Pescennius Niger and Clodius Albinus, he faced problems with bandits. These included well organised bands such as those of Bulla Felix (Dio Cassius, 77.10 f) and Claudius (Dio Cassius, 75.2.4), both of which took some dealing with before they were eradicated.

Shaw declares that in those provinces where the main military were stationed, mostly on the frontiers, units from the professional army policed, 'not just at the frontiers but in the interior also' (Shaw,1984, 18). He comments that this is one of the most neglected subjects in studies of bandit policing, and certainly it is beyond the scope of this paper to attempt to remedy that neglect.

Nevertheless at Imperial level a decision could certainly be taken to make large scale interventions in the interior of a frontier province. In the reign of Marcus Aurelius, in AD 175, this is well exemplified by an expedition of front-line regular troops to deal with bandits in a particular hotspot, the upper Balkans. Thus we find an inscription referring to the career of M. Valerius Maximianus, which states: 'having received the office of *procurator* in the province of Lower *Moesia* at an increased salary and at the same time put in command of troops drawn from the legions and sent by the Emperor to dislodge the bands of Brisean bandits on the borders of Macedonia and Thrace...' (*Annee Epigraphique* 1956, 124).

As well as actions at Imperial level, matters of policy also should be considered and two areas may be considered. Firstly the state subjected captured bandits to the most savage punishments. 'Certainly' says Shaw, 'members of the upper-class believed that bandits deserved the worst type of death sentence'. The law sanctioned the most brutal of death penalties: *summa supplicia.* This included throwing to the wild beasts, burning alive, and crucifixion (Shaw,1984. 20). These savageries were considered necessary 'to set a public example' (Saturninus, *Digest* 48.19.16.10). Shaw proposes (op.cit.) that such punishments of bandits were clearly viewed as a form of state retribution. This writer suggests that banditry, as highway robbery, was tantamount to abuse and contempt for the provision and maintenance of the *via publica* and was therefore an outrage and an affront to the state itself. Such actions would particularly enrage the upper classes since it was primarily their goods (their business interests perhaps being prosecuted through freedmen), their persons, and

their dignity that were being attacked. These targets would have presented the best chance of profitable takings for bandits.

Secondly, it came to be realised that collaborators, receivers of stolen goods, and those who gave shelter and support should also be included in the net of investigation and sanction. Thus, in later law it was decided that those who supported bandits were to be punished as bandits themselves (*Digest*.47.16.1, Marcian, Roman jurist, early third century). A century before this, Antoninus Pius, as governor of the province of Asia in AD135, required irenarchs (law officers, see below) to interrogate all captured bandits about their associates and those who had sheltered them (*Digest* 48.3.6). It is hard to believe that this did not greatly improve effective action at a local level.

Turning to local actions against bandits, Shaw says 'the local instruments of state repression in the Roman Empire, common in the modern form of a deep and effective infrastructure of police power (local gendarmeries, solid networks of investigative agencies), simply did not exist' (Shaw,1984,16). We must wonder how far that may be true. Bearing in mind the huge population and complexities of modern society, was there a proportionate system of local law enforcement in the Roman era? Was there some form of systematic local system? Unfortunately, only random scraps of evidence survive. It may be that effective local organisation only existed here and there but not overall, or it may be a question of local administrative paperwork simply not being considered worthy of preserving over the millennia. We must wonder whether the surviving scraps are indications that law-enforcement structures once existed widely.

Two such scraps will be noted, the first being a chance reference by a single author which shows that in the imperial period the municipality of Ephesus possessed an archive in which the city's criminal records were stored (Eusebius, *Hist. Eccl.* 5.18.6.9, quoted in Grunewald 1999, 8).

The second is a survival among the random finds of papyri preserved in the dry desert sands of Egypt. Twenty-nine papyri, covering the years AD 28-42, survive in good condition from the small town of Euhemeria (mentioned above in another context). Its population is unknown but the nature of the evidence suggests it was not large. The individual papyri appear to be depositions to local law enforcement authorities concerning crimes committed against the deposition providers. In seven cases the petitions are directed towards the *strategos* of the *Nome* (the chief official of the local administrative district). Twenty notifications, the great majority, were presented to an official bearing the title *epistates phylakiton;* 'this officer is known from the Ptolemaic period as the regional superintendent of police' (Grunewald 1999, 27). One text mentions an *archephodos* to whom the *epistates phylakiton* delegates the task of apprehending the suspects; the Greek verb *ephodeuo* means to patrol (perhaps, says Grunewald, he may be a sort of local beat policeman). These papyri seem to indicate the presence of a local organised police force and legal system although unfortunately provide little detail. Nevertheless, crime was being dealt with in an apparently systematic way. This does not prove that a universal system operated, and different regions of the Empire may well have worked with different models. The titles of the officials mentioned above are expressed in Greek, reflecting the widespread use of that language throughout the Middle East (until it was supplanted by Arabic after the Arab

conquest of the whole region including North Africa during and after the seventh century). In sum, Grunewald tells us, the offences registered were just part of the petty criminality of everyday life in a rural community (Grunewald 1999, 25 to 31).

The point is that even at this lowly level, offences were addressed in a regular and systematic way. Even though the depositions often use a formula 'in bandit fashion', we are not here discussing the existence of banditry. We merely demonstrate that a local process and infrastructure of law enforcement apparently existed.

These two examples from the Imperial period are very local: one city and a small rural town, both small parts of a province in which the state was ultimately represented by the governor. A good idea of how this relationship had worked in practice previously can be gained from that intelligent, prolific letter writer, Marcus Tullius Cicero. Shaw provides us with what we can learn from this source: 'to judge from Cicero's advice to his brother Quintus, dependence on local civic patrols was not an advisable course to be followed by a provincial governor' (Shaw, 1984, 16). However it must be remembered that in late Republican times, in this part of the empire, governors were working with forms of enforcement inherited from the Hellenistic cities that had preceded Roman control, a pre-Roman system which the authoritative scholar AHM Jones had little time for (Jones 1940, 211–13). We should also remember that this was a time when the late Roman Republic was wracked with civil war and when systematic local administration was difficult to achieve.

During the Imperial period the system of provincial government became more systematised. Aspiring governors were no longer expected (as in the days of the Republic) to spend a fortune to be allocated a province from which they could recoup their outlay, with as much profit as possible. They had to beware only of getting hooked by the *Lex Calpurnia de repetundis,* a law designed to punish provincial governors during the late Republic for excessive extortion, but which only came into operation after they had finished their term of office. Indeed, the law of the imperial period now regularised and set out the duties of a provincial governor, including their responsibilities with regard to banditry:

> It is the duty of a good and serious governor to see that the province he governs remains peaceful and quiet. This is not a difficult task if he scrupulously rids the province of evil men, and assiduously hunts them down. Indeed he must hunt down desecrators and pillagers of sacred property, bandits, kidnappers, and common thieves, and punish each in accordance with his misdeeds. And he must use force against their collaborators (*receptatores*) without whom the bandit is not able to remain hidden for long (Digest 1.18. 13., the jurist Ulpian, early third century).

What are we to make of the phrase 'this is not a difficult task'? Taken at face value, it suggests that law enforcement posed no great problems, but it is possibly intended as an exhortation, or to give the governor no excuse for being insufficiently proactive.

So, how could a governor act against bandits? If his province contained regular armed forces, then he could use detachments from these. If not, then presumably he must rely on the municipalities and *civitates* within his province in order to organise some kind of law

enforcement. We are uncertain how far governors retained direct control in such cases. Shaw tells us (Shaw,1984, 16)

> The best evidence for any direct linkage between governors and management of law enforcement comes from the province of Asia (western modern Turkey) where the governor involved himself in the appointment of Irenarchs. Each city sent a list of ten candidates from which he chose one (Aristides, Orationes, 50. 72f).

What this seems to show is that local administrations, i.e. cities, possessed a function in law enforcement, which probably extended beyond strictly urban areas to responsibility for their surrounding territory as well.

There is another relevant reference, this time a general instruction from Imperial level itself:

> The Divine Pius (the Emperor Antoninus Pius), when governor of the province of Asia (western modern Turkey), published in the form of an edict that when Irenarchs apprehended bandits they should question them with reference to their accomplices and associates, and that they should forward the interrogatories (the questions and answers from an interview directed by this investigating officer) reduced to writing and sealed, for the examination of the magistrate. Therefore those who are sent under such circumstances should again be heard, even though they had been dispatched with letters or brought in by the Irenarchs. The Divine Pius and other emperors stated in rescript that "proceedings should be taken as in a preliminary inquiry, even with reference to those who had been accused but not yet condemned, and if he does so diligently and faithfully, his action shall be approved" (Digest 48.3.6.).

This clearly shows that Irenarchs (also spelled Eirenarchs) were part of the general structure of law enforcement, and seemingly at the head of it locally, with other subordinate officers, i.e. *Diogmatai* (hunters) and *Paraphylax* (see Fig. 4 in which we see a senior officer of a police unit).

These titles and locations, however, come from the eastern Mediterranean: the words themselves are Greek. Much less evidence of law enforcement at a local level survives from the western and northern provinces – although it is obviously not feasible to think criminal activity diminished the farther west one went, nor that the Roman state would show less interest in addressing it there. Only three examples present themselves: a 'superintendent of banditry countermeasures' (the Latin is *praefectus arcendis latrociniis*) buried at Nyon, Switzerland; another with the same title in Bingen am Rhein, Germany; and a third in Normandy (Grunewald 1984,22: CILXIII 5010; CIL XIII 6211). As Grunewald says, 'since this job title occurs in the same terms in three widely different places, it was probably the official designation of municipal police officers in the Gallo-German provinces' (Grunewald 1984, 22).

We therefore appear to have three different kinds of police titles: those in Egypt, those elsewhere in the Middle East inherited from previous regimes, and those in the Gallo–German provinces where their Latin forms suggest (Grunewald above) 'municipal police'. Shaw sums up his view very sensibly as follows, with an example of actual practice: 'The

Fig. 4, A local law enforcement officer (paraphylax) with three of his men who are equipped with paramilitary gear. Being on horseback demonstrates his superior status. He is hailed as a 'hero' by one of his men and this is underlined by the words in the inscription, which say 'PARAPHYLAX HERON' (paraphylax the hero). (Drawn by Charmaine Hawkins after a relief from western Turkey now in Smyrna museum)

phenomenon of banditry places in high relief one of the critically weak articulations of the ancient state'. We will consider this statement later. Shaw continues, 'the Roman governor had to rely on local individuals and corporate entities, such as municipalities to maintain regional order' (Shaw 1984, 19). Municipalities here means the *civitates* or local administrative areas into which a province was divided, and which were given a charter delineating their processes and powers, for example the *Lex Tarentina*. Many laws in the legal codes (for example the *Digesta*, frequently referred to in this paper), as well as the foundation charters issued to municipalities, specify that it is the responsibility of the town to capture and hand over to the court of the provincial governor, bandits found operating in their rural territory. There are many known instances of this behaviour in practice, of which this writer will cite only one. In the year AD 190 the Emperor Commodus publicly thanked the council (the local Senate or *Ordo*, the legislative body of the local area), and the people of the town of Bubon in north-west Lycia for the zeal and energy with which they had hunted down, attacked, and defeated local bandits, taking some prisoner and killing others (Schindler 1972, 11–23).

A fairly peaceful countryside

So how far did law enforcement, whether local or Imperial, promote the safety of travellers? How far was it even necessary? We have seen that the evidence for prevalence and impact of banditry ranges considerably in quality, although impact could certainly be severe at times and in certain places. Overall, however, the evidence is scrappy and completely lacking in useful statistical quantities. The reason is simple. During the ever more chaotic conditions at the end of the Roman Empire in the West, resources for copying manuscripts and storing them in libraries or safe archives began to decrease or fail altogether as the economy went into catastrophic decline. The organised, well-resourced structures of local government, enshrined in statute, collapsed and disappeared. No great period of time elapsed before Christian monasteries took on the main work of preservation of texts by copying, a relatively small resource compared to what was in place before. Although this form of preservation increased as things settled down with time, it is hardly surprising that local government records and documentation did not receive the same attention as literary and scientific works (although many of these also vanished). Unsurprisingly, monks did not carefully copy and preserve such materials as lists of criminal activity and legal process.

Nevertheless, a tiny amount of material describing actual journeys has come down to us, including the following examples.

The first is the opening part of a poem by Ausonius, *the Moselle*, written in the early AD 370s and describing a journey beginning at Bingen am Rhein on the River Rhine (Roman *Bingium*). Ausonius travels to Trier, first by road to Neumagen, then by boat down the river Moselle. Most of the poem describes his progress along the river but the passage below covers the initial route by road.

> I made an early start,
>
> Mist was still on the Nahe, swift flowing.
>
> I crossed and from the bridge looked back at
>
> Old Bingen town with its brand-new walls.
>
> Once there was a battle there, bloody as Cannae,
>
> And pitiful companies lie unwept on the fields.
>
> That was the start of my solitary journey.
>
> No road; just woods. No sign of human cultivation.
>
> Then Denzen, thirsty town,
>
> The land was parched all round as I passed.
>
> Next Tabernae, well-watered. Its spring never fails.
>
> Now fields, of the Sauromates,

Newly marked out by settlers, and now,

At long last, on the borders of Belgian territory, I see

Neumagen. The air is clearer here. The Sun unclouded

Spreads out a brilliant heaven, serene and bright.

After the woodland journey, where thick branches

interlocking, shut out the sky with green shade, the clear air of this generous morning

shows limpid sunlight and red gold sky.

And the view!...

The pleasant stream below

Of the gently murmuring Moselle.

(Translation by Parsons, 2003)

The reader may wonder why this piece is included in a paper about bandits, when none are mentioned. That, however, is the point! The traveller, Ausonius himself, held high rank in the western Empire, yet seemingly travels alone from a fortification on the Rhine frontier just across from barbarian Germany. He then proceeds through wooded country for 200 km (the final stretch by boat along the Moselle being only 38 km). It is interesting that Bingen am Rhein has the tombstone of one of the 'superintendents of bandit countermeasures' mentioned above; perhaps his countermeasures had proved effective!

The Roman poet Horace's journey from Rome to Brindisi gives us the next example. His poem, *Satires* 1.5, is too long to quote fully here, and in any case mainly concerns incidents along the way rather than travel details. The start of the poem is, however, relevant.

'Having left great Rome, I was received in Aricia

At a middling inn; my companion was Heliodoros, the most learned of the Greeks by a long way;

From there to Forum Appi ...'

This part of the journey, and indeed most of its 500 or more kilometres, followed the *Via Appia*. At one stage he is joined by important fellow travellers including Maecenas, one of Augustus's (then Octavian) closest advisers. This major journey is no idle jaunt through the countryside but was leading to a crucial meeting between Octavian and Mark Anthony, Octavian's supposed but increasingly estranged partner in ruling the Roman world. The journey took place in southern Italy in 37 BC in the troubled years before Octavian's final victory at Actium. Once again we have no expression of concern about banditry, even though the journey occurred in the troubled years (mentioned previously) when Octavian was addressing the growing problem of banditry in Italy. With Maecenas joining the party it is hard to imagine there would not be adequate security provisions, yet the tone of the poem

is affable and apparently unconcerned. Certainly, the journey went ahead whatever might be the threat of bandit attack.

Of course, these are merely two examples of real journeys and do not in themselves prove any lack of concern about banditry. However, their tenor does not suggest that worries about bandits constrained ordinary journeying.

The last example is fictional, again from 'the Golden Ass' by Apuleius. The first words of Lucius, the hero, tell us 'Business once took me to Thessaly' and a little later he meets Aristomenes, who 'is in the wholesale provision trade and travels regularly through Thessaly, Aetolia, and Boeotia buying honey, cheese and goods of that sort' ('Golden Ass' by Apuleius, as quoted in Chevallier, 22). These are items of everyday life, and while of course banditry figures pretty large in the 'Golden Ass', Grunewald (Grunewald 1999, 7) proposes that

> the truth may be that while popular novels were generally true to ordinary life, they were not so where bandits were concerned'. Millar also comments that, 'recent research has judged the world of the novels as being fairly realistic in the depiction of the living conditions of ordinary people... (Millar 1971, 63-75).

It seems that the sheer amount of banditry in the novels in the context of ordinary life is much exaggerated, presumably for entertainment. One is reminded of the torrent of murder and mayhem populating TV programmes, presented in otherwise painstaking realism, giving a false impression of the actual amount of murder in our society.

Although we have seen, earlier in this paper, various quotations from the ancient world suggesting mayhem and even murder at the hands of the bandits, other sources paint a different picture:

'The Pax Augusta which has spread to the regions of the east and of the west and to the bounds of the north and of the south, preserves every corner of the world from the fear of brigandage' (Velleius Paterculus, 2.126.3)

Aelius Aristides similarly gives a glowing picture of Roman communications, implying easy access, with no mention of bandits:

> And what was said by Homer, the Earth was common to all, you (Rome) have made a reality by surveying the whole inhabited world, by bridging rivers, by cutting carriage roads through mountains, by filling deserts with waystations, and by civilising everything with your way and good order Aelius Aristides, Orationes, 26.101).

The same kind of positive view can be seen in the works of other Roman writers. Grunewald provides a list: Seneca, *Clem*.1.4.2; Flaccus11; elder Pliny, *Natural history* 14.2; Epictetus, 3.13.9; Plutarch, *Moralia*, 499E; Vegetius,4.13.

Glowing eulogies of the state of law and order in the Roman world should not, of course, lead us to conclude that bandits posed no constraints on travelling, any more than accounts and quotations from earlier in this paper make us believe the banditry strongly inhibited ease of travel. Clearly, a balance must be struck, but before this is attempted, it will help to adopt

another, perhaps more oblique approach. If indeed banditry severely impeded free movement of traffic on roads, then we should perhaps not expect the heavy road usage that may be inferred from other evidence.

Firstly we might note the damage suffered by road surfaces caused by animal-drawn wheeled traffic. It is becoming increasingly evident that roads often needed repair or even complete reconstructions. Excavation is increasingly revealing layers of refurbishment. A good example is the Fosse Way at Clandown near Radstock in Somerset, where the Bath Archaeological Trust excavation in 1998 found no less than 13 layers. These layers were interpreted as the result of resurfacings; wheel ruts and wear surfaces among the layers clearly confirmed this interpretation. The first and therefore lowest road surface had wear clearly evident. The uppermost metalling under the turf was interpreted as a metalling of a later date, perhaps 18th century. At Clandown it is now certain that the agger is formed from repairs over time (Davenport 2007, 131–133). A comparison might be made with the very similar but slightly longer sequences of road construction and repair revealed along the Ermine Street north of Cirencester. There similar impressive aggers were again merely the result of a long process of repair and maintenance (implying heavy usage), also topped off by post mediaeval metalling (Davenport 2007, 131–133).

It might have once been thought that after the military entirely moved away from the Southwest in the AD 70s to 80s, the roads saw relatively little use, but it is clear that this is not so. It would seem that significant amounts of traffic continued to run on the two roads noticed above, whether or not there was banditry, and that the traffic comprised commercial and private vehicles. There can be no doubt that there is a link between the state of the roads and the level of economic activity.

The question arises, how was this substantial commercial traffic generated? Many Roman sites across the provinces of the Roman world – not just palatial villas or Imperial residences – contain huge amounts of goods, whether mundane or costly. All these goods had to be transported to their destinations, their points of end use. We might ask what drivers created the wealth evident not only in the costly possessions of the rich but also in the quality mass-produced goods of the rather less wealthy. Large amounts of treasure had flowed towards Rome and Italy during the conquests of Republican times, but expansion largely died away in the period of the emperors, and such acquisitions as there were, e.g. Britain and Dacia, were expensive to defend.

The answer is the Roman market economy. It is now widely accepted that trade and commerce in the Roman world functioned and thrived through a series of inter-regionally connected economies that added up to an overall market economy. This was strongest and most pervasive in the first and second centuries but still continued in the third and fourth centuries at a lower level of prosperity, which nevertheless exceeded that of areas beyond the frontiers. Moses Finley's ideas (Finley 1973) of a mainly subsistence economy in which a relatively restricted elite creamed off the limited surpluses of a poor peasant mass of small farmers, has been substantially modified, not least thanks to greatly increased archaeological investigation. Scholars such as Temin (Temin 2012), Hopkins (Hopkins 1980), and Ward Perkins (Ward Perkins 2005) characterise the Roman economy as being driven by the huge quantity of coinage in circulation, the increasing marketisation and

commercialisation of trade, and the consequent specialisation of production in certain areas.

Certain examples must suffice to show the extent of the market:

1 Glossy red (Samian) ware was produced in quantity from La Graufesenque, near Millau, Aveyron, France. There were a number of other centres but none of the scale and reach of this centre in southern Gaul. Its produce was distributed widely throughout the western empire, and to the south, e.g. Mauretania and Africa, and also to the eastern Mediterranean, e.g. Greece, Levant, Egypt. Its output reached from sites in northern Britain to Meroe in the Sudan, far to the far southeast. Production approximated 5 million vessels per year (Fulford and Durham 2013, chapter 8).

2 Olive oil production, centred in Baetica (in southern Spain) and parts of North Africa, supplied much of the western half of the Empire, even as far as northern *Britannia*. Exports to the city of Rome were so huge that a small hill about 1 km in circumference came into being from piled up broken amphorae, calculated to represent some 6,000,000,000 litres (Ward-Perkins 2005, pp 91,92).

3 Bamuqqa, a small hilltop village in Syria, illustrates the process of specialisation in a market economy. The inhabitants scraped a subsistence existence from pockets of poor-quality soil on the hill until the market economy enabled them to improve their quality of life by specialising in olive growing, more suitable for this soil, with much of their food being bought in, making use of the improved transportation system of Roman roads. When the Roman market economy came to an end the village reverted to subsistence farming and relative poverty (Ward-Perkins 2005 p 143,4,5).

4 Customs duties paid at various places within the Roman Empire provided local revenues and give some indication of flow of goods. For example, at Zarai in modern Algeria, lists of these tariffs survive which, according to Chevallier (1976, 203), 'allows us to draw up a balance sheet of trade'. Amongst the articles listed on sale were slaves (from the desert), livestock, clothing, leathers, furs, wine, condiments, and fruit, in exchange for which the town imported salt, iron, copper, and flax.

A small sample of tariffs levied on a few of these goods will demonstrate the range of products comprised within two generalised headings:

Scale of duties on foreign fabric:

One tablecloth:	1 ½ denarii
One tunic:	1 ½ denarii
One bed cover:	½ denarius
One crimson hat:	2 denarii
Other African fabrics:	(Tariff lost)

Scale of duties on leather

Tanned leather with bristles, one sheepskin:	(Tariff lost)
One goatskin:	2 as
Soft leather horse covers, per 100 pounds:	1 sesterce
Untanned leather per hundred pounds:	½ denarius
Glue per 10 pounds:	2 as
Sponges per 10 pounds:	2 as

(Asakura, 2003, 76)

The crucial point emerging from this is the enormous scale and volume of the flow of trade. It did not merely serve the luxuries of the rich (as happened at all stages of history) but underpinned the whole Roman way of life – so that for example mass-produced red Samian is found to penetrate even into the countryside. Thus, a late third century farmstead in Somerset with rectangular stone buildings, revealed small amounts of Samian ware, colour coated vessels, mortaria, and 27 coins: not a lavish lifestyle but nevertheless moderately comfortable (Fowler 1970, 169–194). In another example from further afield, 'Archaeological research has revealed a sophisticated world in which a north Italian peasant of the Roman period might eat off tableware from the area near Naples, store liquids in an amphora from North Africa, and sleep under a tiled roof' (Ward-Perkins 2005, 87,).

It is clear that trading in a huge range and high volume of goods can be evidenced throughout the Roman world, and that this was not stifled by the actions of bandits.

Roman bandits and modern cargo theft

Statistics for transported freight are almost entirely lacking from the Roman world. Nevertheless, it is clear that plenty of cargo travelled along the roads: valuable minerals from mines, high value building materials, expensive fabrics for clothes and furnishing, imports from India or Africa, and so on. Alongside this would have been more ordinary kinds of cargo such as foodstuffs, moderately expensive building materials, alcoholic beverages, mass produced middle quality goods, and many other items. Where there were tariffs (as with the Zarai tariff lists above) smugglers and general tax evasion must be supposed to have existed. Robbery of goods in general would also have existed.

Where freight transportation covered long distances, journeys would have lasted several days. Thus Cato the Elder tells us that delivery of a new mill to his villa took three days (Cato, *de agricultura*, 22,3; Laurence, 1999, 96); lead from Mendip travelled to northern France (Elkington 1976, 188); the cartage of hides from Catterick to Vindolanda comprised a journey of a hundred kilometres (*Vindolanda* tablet 343 in RIB Online); and another hundred kilometre road journey in wagons would have been required for pottery produced at the great centre at La Graufesenque to reach the nearest port at Narbonne (Lewit, 2013, 115). Many other examples could be given. Perhaps in some cases a driver slept with his wagon;

presumably also a handy inn could provide a sleepover, but either situation afforded an excellent opportunity for theft. In Britain today, overnight halts constitute the scenario for the large majority of loss from heavy goods vehicles. As it is difficult to steal from a moving lorry on the road, the prime locations for lorry freight theft are insecure parking areas, especially during overnight stays. Heavy goods vehicles parked up overnight in a layby or some other informal parking place constitute a major risk, but even many proper lorry parks lack effective security. According to the National Vehicle Crime Intelligence Service, in 2019 there were 4364 notifications of road freight crime with a loss value of £115,054,173. If total costs are calculated to include the cost of insurance claims, the cost of police investigation, the cost of delays to goods arriving at destination, the cost of judicial proceedings where perpetrators are caught, and other costs, then the true total climbs to £724 million. Much of this robbery is carried out by organised-crime groups. Secure freight movement requires expenditure which many transporters cannot or will not defray as, after all, the majority of goods travel safely. The figures given above must be seen in the context of registered heavy goods vehicles making an estimated contribution to the UK economy of £13.6 billion in 2019 (All statistics: National Vehicle Crime Intelligence Service, 2020, 6). It must be concluded therefore that although the cost of road transport freight crime is considerable, this cost does not cripple UK road freight costs. It was admitted at the beginning of the section that statistics for robbery from road transportation in the time of the Roman empire do not exist. What is known is that bandit gangs did exist, that significant cargo was carried on Roman roads, and that conditions and opportunities for robbery would also have existed. It must surely be concluded that robbery from Roman freight vehicles occurred, but not at a level that stifled freight transportation, just as in the more complex economy of the present day.

Guards could of course be employed to lessen the risk. A papyrus from Egypt records such arrangements:

> I will weigh and give to your cameleer 20 talents (an ancient Greek currency) for loading up for the road inland to Coptus and I will convey the goods inland through the desert under guard and under security to the public warehouse for receiving revenues at Coptus (Harris 2016).

However, presumably then and certainly now, security could not be guaranteed even with the utmost precautions. Thus in 2021 a G4S guard was attacked and robbed by three armed men when delivering cash to a bank in Liverpool (Liverpool Echo, May 24, 2021), one of many examples which could be quoted. Theft of cash is attractive because it can be spent or laundered; however robberies of goods need a different mechanism to realise cash value. That requires people able to organise illicit trading of the stolen items: it is no good stealing a lorry load of pushchairs unless they can be turned into cash. To be a Receiver or handler of stolen goods is a criminal offence in modern times; in the Roman period being a *receptator* earned the same punishment as did a bandit. This Latin word can indeed mean a receiver, but its more common meaning is a harbourer or supporter of criminals, and the cognate word *receptaculum* can mean a hiding place for booty. The *Digest* uses the word *receptator* to refer to hiding and harbouring the robbers themselves: 'It is the worst kind of receivers without whom no one can hide for long: and it is directed that he should be punished in the same way as bandits' (Digest 47.16.1). The phrase 'the worst kind' (*pessimum genus*) is

intriguing. It seems to suggest there are other kinds of receiver/harbourer – possibly the kind that handles and disposes of stolen goods to turn them into cash.

Conclusion

We have stated earlier that this paper largely ignores the occasional and exceptional large bandit groups that arose from time to time, which might have had a serious temporary effect on local economies but would not have affected the empire's economy as a whole. We focus instead upon those forms of banditry that had the potential to impact significantly upon the fruitful working of the broader economy, and upon the free movement of people and trade along the roads of the Roman world: what might be termed routine banditry, undertaken by gangs of armed men against road traffic.

Evidence allowing statistical analysis of such banditry in the Roman world does not exist: only scraps have come down to us, as is not surprising. With the chaotic disintegration of the western Roman Empire and the slow dissolution and final extinction of the Eastern (later Byzantine) Empire, legal records of such everyday criminal activity have simply disappeared. Successor states had no interest whatsoever in their preservation.

The great summations of the law from the eastern empire, the codifications of Theodosius and Justinian principally, have survived and are referred to in this paper. However, they are principles of law and not the details of routine practice and application. They give us the policies for addressing banditry but not the actuality on the ground.

The evidence that we have examined – all taken from the scholars mentioned in the introduction – varies considerably in quality. On the one hand we have advice not to wear jewellery on a journey, and the grim humour of a satirical writer on the inadvisability of carrying gold objects through the mountains. On the other hand, we have evidence of inscriptions from two watchtowers (one in Numidia, one on the Danube bank) which it is claimed were constructed to protect travellers on ordinary roads, but in fact formed part of the empire's frontier defences. We have also noted the tombstones of individuals killed by bandits but seen no attempt to relate findspots to the significance of locations. They are described as being found in almost all regions of the Empire, but are actually concentrated in just a few areas, especially the Balkans, and strangely absent from the whole eastern part of the Empire – as they are also, curiously, from ideal bandit country in the Alps.

Obviously, modern society is much more complex than the Roman period, but a better comparator is the fairly and increasingly complex 18th century England when local law enforcement were beginning to be effective. Although the evidence demonstrates that bandits existed, we should be surprised if the opposite were not true in a complex society with a steep wealth gradient. Blumell seems disappointed and critical that road crime was not 'wiped out or completely suppressed' (Blumell 2007,16). Yet even in our own stable United Kingdom, with what Shaw describes as 'the modern form of a deep and effective infrastructure of police power (local gendarmeries, solid networks of investigative agents)', crime is always expressed as one of the chief concerns of people: in 2019 only 8% of crime were resolved by a charge or a summons. Even in what Brandon declares to be the golden

age of highwayman (late 17th century and 18th century) the overwhelming majority were eventually caught and hanged (Brandon, 2001). This suggests that sweeping condemnation of the capacity of local law enforcement in Roman times may be misplaced.

Effective state action did occur from time to time against specific threats, as described earlier. Within provinces it seems likely that governors often devolved the work of addressing crime (including banditry) to the municipalities and local administrative areas (the *civitates*). Shaw describes this level of operation as being conducted by the 'municipal police' (Shaw 1984, 22). Certainly such officials existed; we have seen the *paraphylax phylakiton* In the eastern provinces, the *epistates* in Egypt, and the *praefectus arcessendis latrociniis* in Gallo-German provinces. There are instances of this system working well, for example the Emperor Commodus praised the magistrates (executive officers, not judges) and council of the city of Bubon for the energetic way they had destroyed a gang of bandits, and other instances could be mentioned. It seems reasonable to suppose that the surviving scattered examples of law enforcement officers represent a wholesale system. We might expect that the state, which required provincial governors to be responsible for law and order, would have made it clear to the municipalities and *civitates* that they represented the operational level for routine law enforcement, but sadly this is lacking proof.

A different form of evidence is, as we have noticed, represented by regular road repairs. In the Southwest of England (where this writer lives) that great state road, the Fosse Way south of Bath continued to be used, and used heavily, long after military control of the area ceased. The evidence is clear in the refurbishments and even total rebuilds that have been found by excavation, as at Radstock, Somerset (Davenport 2007 127-138). The same is true of a Roman road far to the west (RR491) near Newton Abbot, 17 miles to the south of Exeter. Even though this city was long considered the final frontier of 'Romanitas' in the west of England, this road also had to be rebuilt a number of times because of usage damage (Wootton 2017).

If military traffic did not cause all this wear, we must presume it to be the traffic of commerce. Specialised bulk production of certain products concentrated in specific regions led to long-distance trade and provision of consumer goods, fuelled by massive circulation of coinage (Ward-Perkins 2005, passim). This brought a rise in inter-regional trade (Hopkins 1980, 101–12), generated by what Temin calls the concept of profitability within a market economy (Temin 2012, passim) and enabled by what Laurence explains as improvements in road technology bringing towns and districts more closely together (Laurence 1999 58-78).

Such quantity of commercial movement could surely not have occurred if severely constrained by the actions of bandits, although as modern evidence shows, a degree of transport crime is not precluded. Nowadays millions of pounds are lost to road freight crime each year, yet freight transport contributes billions of pounds to the economy. In a climate of reasonable expectation, freight carriers can set out on journeys knowing that attacks from criminals are possible, but unlikely to affect them. Although we should be wary of extrapolating from modern to Roman times, the comparison may be useful.

Nevertheless a sense of unease, sometimes escalating to annoyance, does appear to have percolated Roman society. if we can accept the indignantly expressed concerns of some of

the literary classes. Perhaps then as now a vague pervasive worry regarding crime was more a matter of perception than actuality.

It is this paper's contention that our perception of Roman road crime needs to be more nuanced than has sometimes been the case. It clearly existed, it exercised the minds of some, but it did not seriously inhibit the movement of people and trade.

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