

EXPANSION IN ROMAN TIMES: SUBJUGATION OR INTEGRATION?

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ABSTRACT

The article explores the historical experience of Ancient Rome, particularly its methods of state organisation and governance, as a lens to examine contemporary challenges in European integration. Ancient Rome's approach to expansion, international relations, administrative organisation, citizenship policies, and the manumission of slaves offers valuable insights that can be applied to modern dilemmas faced by European nations. Rome's expansion strategy, marked by the integration of diverse territories and cultures under a unified political and legal framework, demonstrates a model for managing diversity within a broader union. The Roman Empire's ability to forge alliances, negotiate treaties, and maintain stability across a vast, multi-ethnic domain parallels the European Union's efforts to harmonise relations among Member States with diverse cultural and political histories. The administrative organisation of Ancient Rome on various stages of its history also provides a historical precedent for balancing local autonomy with centralised authority. Rome's system of provincial governance, which delegated responsibilities while ensuring accountability to central institutions, resonates with the EU's ongoing quest to balance national sovereignty with supranational governance. Moreover, Rome's inclusive citizenship policies – extending citizenship rights to conquered peoples – can serve as a case study for addressing integration and identity in Europe. This historical practice highlights the potential for fostering unity through inclusive legal frameworks, even in diverse and complex societies. Finally, the Roman practice of manumitting slaves and incorporating them into the social and economic fabric of the Empire reflects an early example of integrating marginalised groups into the mainstream. This approach could inform contemporary discussions on immigration and social inclusion in Europe. By analysing Rome's historical experiences, the article underscores the relevance of ancient practices to modern governance, offering a comparative framework to address current challenges in achieving cohesion, inclusivity, and effective administration within the European Union.

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KEYWORDS

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1. Introduction

The Romans were generally focused on territorial expansion. They gained new territories not only by conquest, but also through alliances and treaties. The initially small town in central Italy gradually occupied the Apennine Peninsula before turning to overseas territories, where Roman provinces began to be founded. The people of these lands did not commonly obtain Roman citizenship, but continued to be governed by their own local laws, which Roman officials accepted. Roman religion and customs were also not customarily imposed on the conquered peoples, allowing them a far-reaching degree of freedom. Local elites were often left in power. This practice was only abandoned in communities with a warlike attitude.

The second very inclusive aspect of Roman social policy was the issue of slavery. The Romans derived their slaves mainly from conquests, and by extension from the principle that the child of a slave was born into a state of slavery. However, it was decided very early on in the Roman state that a formally manumitted slave became a Roman citizen. This policy offered a pathway to integration and social mobility, setting a significant precedent for the inclusivity of Roman society.

Many people living in Roman territory did not hold a citizenship. Very early on, the Romans began to look for a way to include them in the legal framework. The main obstacle was the principle of the personality of the law, a defining characteristic of the ancient world. Individuals were subject to the laws of their own community, regardless of their location. The answer to this hindrance was the concept of *ius gentium* – the law of nations, common to all. Based on this, Roman praetors began to provide protection in disputes where at least one party was a foreigner, creating a new layer of law – alongside the archaic *ius civile* – called *ius honorarium*.

The Roman Empire was thus a powerful and heterogeneous state, a multicultural melting pot in which customs and languages mingled, in which a global market developed, in which people moved around and which was connected for the first time in history by the world wide web, the powerful network of Roman roads.

It is this world that laid the foundations of a European culture, and it is here that we can look for inspiration and answers to many questions. Perhaps it is here that the ideas behind European integration can be found². The Romans united much more than Europe, and their motivation was debatable to say the least, but it was in Rome that ideas were born about how to keep this world in harmony.

2 | Cf. Martin, 1995; Marks, 2012.

2. Theories of European Integration – an Outline

European integration refers to the process of political, economic, and social cooperation among European nations, aimed at creating a unified and cohesive region. Theories of European integration seek to explain how and why this process unfolds, offering insights into the development of institutions like the European Union and the dynamics between Member States. There are several theories of European integration which offer different solutions and perspectives³. Neo-Functionalism theory emphasises the role of supranational institutions and the concept of spillover, where integration in one sector creates momentum for integration in others. The intergovernmentalism theory focuses on the dominance of national governments in the integration process underlining that progress is visible when states perceive mutual benefits but remains constrained by national sovereignty and divergent interests. Liberal Intergovernmentalism theory builds on intergovernmentalism but incorporates domestic politics and economic preferences. It argues that integration results from rational bargaining between states based on their national interests. The constructivism theory highlights the importance of shared ideas, norms, and identities. Integration, in this approach, is influenced by how European citizens construct their sense of community and shared purpose. Postfunctionalism is a theory that emerged in response to growing public discontent, which stresses the role of domestic politics, identity, and the limits of integration due to public opinion and nationalist resistance. Each of these theories offers valuable perspectives, emphasising different drivers of integration, such as economic benefits, political negotiations, institutional dynamics, or cultural factors. Together, they provide a comprehensive framework for understanding the complexities of European unity. Let us examine these theories through the prism of Roman experience. The Roman concept of war and the law of war, foreign policy and treaties should be covered first, followed by the administrative division of the state and how the various territories were governed, followed by citizenship and the policy of inclusion.

3. The Laws of War and the Role of the Fetiales

According to our sources, the laws of war were first regulated by two of the Roman kings: Tullus Hostilius and Ancus Marcius. The first introduced the law according to which wars were to be initiated and consecrated in accordance with the rite of the fetials, so that any war that was not declared formally and proclaimed properly would be judged unjust and ungodly⁴. The second focused on the ceremonies of war: not only were wars fought, but also declared in accordance with a specific ritual, on the basis of which compensation for damage was demanded from the foreign state⁵.

3 | Cf. Rosamond, 2000; Wiener, Borzel and Risse, 2019; Czaputowicz, 2020.

4 | Cic., *De rep.* 2,31.

5 | Liv. 1,32,5.

The *fetiales* constituted a priestly college of twenty members, which had been in existence since regal times and which was responsible for the laws of war. This included performing the ceremonies for declaring war and concluding peace⁶.

Cicero, in his treatise *De legibus*⁷, wrote that the *fetiales* should deal with peace treaties and matters of war. The powers of this college were summed up by Varro in his work *De lingua Latina*⁸ writing that it was up to them to guard allegiance between peoples, to see that war was declared and ended in an appropriate manner and that treaties were observed. They were also the ones who concluded treaties on behalf of Rome. If a peace or alliance was concluded, after the terms of the treaty had been read out in the presence of the *fetiales* and representatives of the other state, the fetial in charge called *pater patratus* performed the sacrifice in the Forum. This consisted of killing a sacrificial animal with a sharp stone and casting a curse on those who would break the agreement. Varro also reported that before declaring war, *pater patratus* demanded reparation from enemies, i.e. performed the *rerum repetitio* ceremony, during which Rome demanded that the hostile people satisfy certain conditions, failing which war would ensue. In the event that war had to be declared after an ineffective *rerum repetitio*, after a decision had been taken by the Senate and the *lex de bello indicendo* had been passed at the centuriate assembly, the *pater patratus* was again sent to the border of the hostile community, where he performed the ceremony.

First, the *pater patratus* delivered the formula for declaring war. The text quoted by Gellius⁹ includes the name of the hostile people, the Hermunduli, which may be a deliberate reworking of the authentic name of the Germanic tribe Hermunduri or another version of this name. This formula was, in a slightly more elaborate version, quoted, for example, by Livy¹⁰, writing about the war with the Latini Prisci under King Ancus Marcius:

Whereas the Hermundulan people and the men of the Hermundulam people have made war against the Roman people and have transgressed against them, and whereas the Roman people have ordered war with the Hermundulan people and the men of the Hermundulans, therefore I and the Roman people declare and make war with the Hermundulan people and with the men of the Hermundulans¹¹.

After these words, the *pater patratus* would throw a spear into enemy territory. A war thus declared was treated as a just war – *bellum iustum*, whereby the enemy had to be an organised community, i.e. the people – *populus*, and not, for example, fugitive slaves or pirates¹².

It is worth mentioning that, as the territory of the Empire grew, when the land of the people with whom war was to be initiated was too distant, the ceremony was carried out symbolically in Rome on a designated piece of land near the temple of Bellona called *ager hostilis*. Octavian declared war on Cleopatra and – indirectly – Antony in the same way¹³.

6 | Cf. North, n.d.

7 | Cic., *De leg.* 2, 21.

8 | Varr., *De ling. Lat.* 5, 86.

9 | Gell. 16, 4, 1.

10 | Liv. 1, 32, 13.

11 | Transl. J.C. Rolfe.

12 | Cf. Cic., *De off.* 3, 108.

13 | Cf. Dio Cass. 50, 4.

It is worth taking a closer look at the Roman concept of ‘just war’, or *bellum iustum*. According to Cicero, a just war (*iustum piumque bellum*¹⁴) was only fought when it was declared by the fetials against *hostis*¹⁵ *iustus et legitimus*¹⁶. In such a war, it was lawful to kill enemies, take them captive and appropriate their property. However, oaths and laws of war also had to be observed. Cicero addressed this issue by dissecting the case of M. Atilius Regulus¹⁷, who – captured by the Carthaginians – was sent to Rome to negotiate the release of Carthaginian captives in exchange for his freedom. Regulus presented his message to the Senate, but refused to participate in the deliberations, considering that as long as he was bound by the *iusiurandum* sworn to his enemies, he was not a senator. In addition, he advised against the release of captives and – when the Senate followed his advice – returned to Carthage where he was executed. By this example Cicero sought to explain the importance of the *iusiurandum*, the oath taken to Jupiter, and argued that it was absolutely necessary to keep it when dealing with the enemy¹⁸.

4. International Treaties and Policy

To foreigners, the Romans appeared as a strange people. They possessed a young and initially parochial state, yet displayed remarkable arrogance. They looked down on the ancient powers of the East – civilizations millennia older than their own – and often treated foreign customs and cults with contempt.

To the other peoples of the Mediterranean Basin, the Romans were distinguished above all by their togas – strange and bizarre garments that often inspired fear or, at the very least, respect. The Roman Republic, symbolised by the toga, was a unique phenomenon in the ancient world. Despite its humble beginnings, the scope of Roman expansion was unparalleled¹⁹. One example illustrating this phenomenon is an episode from 168 BC, featuring Gaius Popillius Laenas, who was sent to Egypt as a legate of the Senate²⁰. His mission ascended from the invasion of the Ptolemaic kingdom by Antiochus IV Epiphanes, the ruler of the Seleucid Empire. This episode was recounted by various authors²¹, including Valerius Maximus²², a collector of anecdotes.

When Popillius met Antiochus, he refused to shake the king’s extended hand. Instead, he handed him the tablets bearing the Senate’s resolution, which ordered the withdrawal of Antiochus’s army from Egypt. When the king expressed a desire to consult with his advisors, Popillius drew a circle on the ground around him and declared that he could not step out of it until he provided an answer to the Senate. Only after Antiochus announced his agreement to withdraw from Egypt did Popillius shake his hand as a gesture of

14 | Cic., *De rep.* 2, 31.

15 | Initially, the Romans used the word *hostis* to refer to foreigners. Only later did it acquire the meaning of enemy, cf. Fest. 91 L., s.v. *hostis*.

16 | Cic. *De off.* 3, 108.

17 | Cf. D. 49, 15, 5, 3 (*Pomp. 37 ad Quintum Mucium*); Calore, 2003, pp. 136–137.

18 | Cf. Catalano, 1964, pp. 373–383.

19 | Cf. Polyb. 1, 1, 5.

20 | Cf. Broughton, 1951, p. 430.

21 | Cf. Cic., *Phil.* 8, 8, 23; Polyb. 29, 27; Vell. Pat. 1, 10, 1–2; Liv. 45, 12.

22 | Val. Max. 6, 4, 3.

alliance with the Roman people. According to Valerius Maximus, the legate in this encounter embodied the very authority of the Senate. He was dignified and resolute, and though addressing a king, he assumed the role of a sovereign figure who would tolerate no opposition.

The conversation between Lucius Cornelius Sulla, Ariobarzanes, king of Cappadocia, and Orobazus, a Persian envoy sent by King Mithridates II in 96 BC, had a similarly symbolic nature. Sulla orchestrated the meeting to assert his supremacy. He ordered three chairs to be arranged, with the central one slightly elevated, which he occupied²³. This arrangement allowed him to physically and symbolically tower over his interlocutors. Ariobarzanes found himself in a supplicant position, relying on Roman support to remain on the throne, while Persia, at the time, was an undisputed power. Nevertheless, Orobazus was executed for accepting Sulla's terms.

This episode, however, is captivating for another reason. Sulla's actions mirrored those of Popillius, but with a key distinction. Popillius acted as a representative of the Senate, embodying its authority. Sulla, on the other hand, demonstrated his personal dignity and authority, emphasising his own standing rather than that of the Senate.

These events illustrate the Roman approach to international politics. The general principle of *divide et impera* that they applied is well known. However, it is worth examining how this principle manifested in formal terms, particularly in the context of the treaties concluded by Rome.

Foreign policy was in the hands of the Senate, although initially the college of the *fetiales* also played a major role. Treaties (*foedera*) were often concluded by generals in the form of *sponsio*, with subsequent approval of the agreement by the senate required. In the event of a negative decision, there could be a surrender (*noxae deditio*) of the general to the people with whom he had concluded the agreement as reparation for failure to keep his oath²⁴.

Treaties could be based on the equality of the parties (*foedera aequa*) or contain an element of Roman supremacy (*foedera iniqua*). Other peoples were given either the status of Latins, which allowed them to enter into trade agreements and marriages with the Romans, or the status of Italics, which did not include these privileges or any possibility of acquiring Roman citizenship, or the status of foreigners. In the latter case, a distinction was made between communities bound to Rome by a treaty and having a status similar to that of the Italics, communities that were free and exempt from taxes, and free communities that had to pay both direct and indirect taxes.

5. Local Administration: From the Republic to the Principate

The communities incorporated into Rome could be transformed into municipalities, with their inhabitants granted Roman citizenship. Initially, this was full citizenship (*civitas optimo iure*), but later it often took the form of limited citizenship (*civitas sine suffragio*). The latter excluded two key rights: *ius suffragii* (the right to vote in popular assemblies) and, by extension, *ius honorum* (the right to stand for public office).

23 | Cf. Plut., *Sull.* 5, 9-10; Letzner, 2005, pp. 31-33.

24 | Cf. Bederman, 2001, p. 200.

The first community to receive *civitas sine suffragio* was the town of Caere (modern Cerveteri), an Etruscan settlement known for its amicable relations with Rome. In 390 BC, during the Gallic invasion, the people of Cerveteri provided refuge to Romans, including priests and Vestal Virgins. As a probable reward, they were granted Roman citizenship *sine suffragio*, although this recognition likely came about forty years later, and notably without imposing financial or military obligations.

Aulus Gellius provides crucial information regarding the *Tabulae Caerites*²⁵, which sheds light on the practice of *civitas sine suffragio*. He notes that Roman censors recorded individuals on these tablets as a form of punishment, effectively stripping them of their *ius suffragii*. Inscription on the *Tabulae Caerites* symbolised social degradation and the loss of good name, i.e. *ignominia*²⁶.

The Romans left the municipalities a great deal of freedom, allowing them to retain their existing system and laws and to keep local officials in place. Etymologically, the terms *municipium* and *municeps* were derived from the words *munus* – ‘burden’ and *capere* – ‘to take on’, and thus it was a community that took on certain burdens²⁷. One could become a citizen of a *municipium* by birth, adoption or manumission²⁸.

Colonies, on the other hand, were cities founded by Rome, initially in the Italian territories and later outside these areas, in order to gain control over a given territory. They were called *propugnacula imperii* – ‘the bulwarks of the Empire’²⁹. Some were founded under Roman law (*coloniae civium Romanorum*), others under Latin law (*coloniae Latinae*)³⁰. A colony was founded by statute, plebiscite or senate decision. Officials called *duoviri* or *triumviri coloniae deducendae* were appointed. Roman volunteers became colonists, but in the case of a colony founded under Latin law, they lost their Roman citizenship and acquired the status of *Latini coloniarii*, thus experiencing *capitis deminutio media*.

According to Servius³¹, a colony was a group of people sent from their community to occupy a place in their name. The colony was led by *duoviri* and other local officials, especially aediles, along with a municipal council, modelled on the Roman Senate, composed of decurions.

The Roman provinces were considered as conquests of the Roman people (*praedia populi Romani*) outside Italy. The first were founded (in 227 BC) as a result of the First Punic War, one in Sicily and the other in Sardinia and Corsica. Two others were founded in Spain (Hispania Ulterior and Hispania Citerior). In the East, in addition to Macedonia and Greece, the province of Asia was founded upon by the will of Attalus III, King of Pergamon. In Gaul the province of Gallia Narbonensis was added to the Cisalpine Gaul that belonged to Rome. After the final defeat of Carthage in the Third Punic War, the province of Africa was formed from part of the lands belonging to Carthage. Subsequently, an increasing number of provinces were added.

During the Republican period, the organisation of the provinces varied and was provisional, adapted to the changing situation. The Roman state did not conclude treaties

25 | Gell. 16,13,7.

26 | More extensively Tarwacka, 2025, pp. 109–110.

27 | Cf. Fest. 155 L., s.v. *Municipium*; 126 L., s.v. *Municeps*.

28 | Cf. Fest. 126 L., s.v. *Municeps*; Ulp. D. 50, 1, 1.

29 | Cic., *De leg. agr.* 2, 73.

30 | Some municipalities could become colonies. Cf. Gagliardi, 2023a, pp. 87–114.

31 | Serv., *Ad Verg. Aen.* 1, 12.

with the province as a whole, but with the city-states (*civitates, poleis*) belonging to it and, in less developed areas, even with tribes. Some of the city-states belonging to the province were privileged as *civitates foederatae*, for example Athens, Rhodes and Massalia. While they provided fleets and armies, they did not pay taxes and were exempt from quartering the army. They also had their own judiciary. City-states that had no alliance with Rome and were dependent on the Senate (*civitates sine foedera liberae ac immunes*) were in a similar position. The most numerous, however, were those that paid tribute to Rome (*civitates stipendariae*). The inhabitants of these city-states were not, in principle, obliged to perform military service, but they did have to pay taxes, ordinarily those in effect in the province before its annexation.

Originally, the provinces were governed by those magistrates, usually praetors, who held office in Rome. Important provinces, especially those in which wars were fought, were entrusted to one of the consuls, as the other had to remain in Italy. Occasionally, the Senate extended the term of office of some of the provincial magistrates (*prorogatio imperii*). However, the system of entrusting the provinces to magistrates performing office in Rome proved inconvenient and was reformed under Sulla, in 81 BC. Henceforth, the provinces were administered for a period of one year after the end of the tenure in Rome, by proconsuls and propraetors. The governors had administrative, military and judicial powers. Only Roman citizens could appeal against their judgements and orders. Typically, proconsuls were entrusted with provinces that were not yet fully subjugated and required the upkeep of an army in them, while propraetors were entrusted with provinces that were peaceful.

The governor was assisted by quaestors in matters which in Rome fell within the jurisdiction of the curule aediles, and by legates, originally appointed by the Senate and later nominated by the governors and approved by the Senate. In addition, the governor used the services of his *cohors comituum*, to whom he entrusted certain minor tasks. He also had lower officials to assist him, such as secretaries (*scribae*).

The Senate supervised the provinces by determining which of them were to be classified as consular and which as praetorian, and laying down the main principles of provincial organisation. Additionally, the governor of the province laid down rules for dealing with detailed matters, especially in the area of jurisdiction, by issuing a provincial edict, modelled on the praetor's edict in Rome.

Governors were appointed by lot among those eligible for the office. The office of governor, like that of the Roman magistrate, was unpaid. In reality, however, the provinces became an important source of wealth for the governors.

Most of the territories transformed into provinces fell into the hands of the Romans through conquests. Their inhabitants had only those rights granted to them by the victors, which could be withdrawn from them at any time. In practice, however, they were granted considerable autonomy, especially in terms of local administration. The provincial governors interfered in the internal affairs of the provinces only for compelling reasons, such as disloyalty, anarchy or financial mismanagement.

Revenue from the provinces became the main source of wealth for the Roman state, so much so that in 167 BC Roman citizens were exempted from a tax paid for military purposes (*tributum*). Indeed, land in the provinces was the property of the Roman people and tribute was paid for its use in crops or money. The collection of tribute, especially taxes from the local population, was leased to Roman entrepreneurs who came from the

equestrian state and formed companies called *societates publicanorum* for this purpose³². They collected the tribute on their own account, often deceiving the local population. They paid only a fixed sum to the state treasury and took the surplus for themselves or shared it with the provincial governors. Finally, the local population had no right of appeal against the provincial governor's decision. Since the special tribunals for complaints about governors' extortions were of little help, the Roman provinces became poorer at an alarming rate towards the end of the Republic.

6. Subsidiarity in Roman Jurisdiction

Running a powerful Empire was not easy. Under the principate, the emperor became the supreme judge, to whom lower courts could be appealed. To enable the princeps to carry out their judicial duties, the principle of subsidiarity was introduced, whereby minor matters were delegated to local authorities. The second important element was the principle of hierarchy, which, on the one hand, emphasised the supremacy of Roman law over local laws and, on the other hand, the hierarchical order of jurisdiction of local authorities, Roman officials and, finally, imperial jurisdiction³³.

The jurist Julian stated that in case of doubt about the applicable norms one should refer to the practice, and in the absence thereof, analogy should be used, and when even this does not provide an answer, then the law used by the city of Rome should be applied³⁴. This opinion must have applied to the settlement of cases in local communities, where reference was first made to written law, then to custom and analogy, and only finally to Roman law. The Romans showed an extreme tolerance for other legal orders, as long as they did not conflict with the basic principles of law guaranteeing the order and stability of the state.

This picture is confirmed by numerous documents of legal practice showing how disputes were settled both at local level and before Roman officials, and finally by the emperor himself³⁵.

7. Inclusion by Citizenship

The Roman citizenship was an object of desire because it resulted in many privileges and possibilities³⁶. In private law, only the citizens had the right of ownership, power in the family (*patria potestas*), the capacity to make a will and receive benefits therefrom, the right to appear in court to enforce their claims, the capacity to marry and to perform legal transactions in business. Foreigners were sometimes given legal protection, but

32 | Cf. Badian, 1972, pp. 101 ff.; Milazzo, 1993; Mateo, 1999; Maganzani, 2002; Malmendier, 2002, pp. 259 ff.

33 | Cf. Hurlet, 2019, pp. 122–137.

34 | D. 1, 3, 32 pr. (Iul. 84 dig.).

35 | Cf. Yiftach-Firanko, 2009, pp. 553 ff.

36 | Cf. Sherwin-White, 1980; Gardner, 1993, pp. 1 ff.

typically by using a fiction of citizenship. As far as the rights in public law are concerned, the citizens could serve in the army (*ius militandi*), vote in the popular assemblies (*ius suffragii*), run for office (*ius honorum*), turn to plebeian tribunes for help (*ius auxilii*), as well as appeal to the people when a magistrate intended to punish them with death, flogging or high financial penalty (*ius provocacionis*).

There were various ways of obtaining Roman citizenship. First of all, children born in *iustum matrimonium*, that is a lawful marriage, became Roman citizens. The exception was when a Roman citizen married a foreigner who had the *ius conubii* – the right to marry. In such a case, the child became a *peregrinus*. According to the rule of the *ius gentium*, the child acquires the status of the mother, and children born out of wedlock acquired Roman citizenship if their mother held it. An exception to this rule was introduced by the *lex Minicia* of c. 90 BC, under which a child of a foreigner and a Roman citizen did not acquire Roman citizenship from his/her mother if the father did not have *conubium*³⁷.

Under the *ius migrandi*, citizenship by settlement in Rome could be obtained by *Latini prisca*, i.e. members of the Latin communities, although they were required to leave a son in their home town³⁸.

During the republican period, citizenship could also be granted by the popular assembly (for example, the *leges Iulia et Plautia Papiria* of 90–89 BC concerning the granting of citizenship to Rome's allies in Italy). The assembly could, however, delegate this power to other bodies in the form of *lex*. Such powers were given, for example, to officials appointed to establish a Roman colony – *triumviri coloniae deducendae*. In the period of the decline of the republic, it was also given to generals, who granted citizenship to deserving soldiers *virtutis ergo* (for valour)³⁹.

During the principate, however, citizenship was granted by the emperor through an edict. It became established practice (from the time of Claudius) to grant citizenship to soldiers who honourably completed their service in the army (*missio honesta*), along with their offspring. Additionally, *conubium* was granted to these soldiers in relation to women with whom they had been in a *de facto* relationship during their service or whom they later wished to marry. As proof of this conferral, the veteran received a document called the *diploma militare*⁴⁰.

In some municipal laws (e.g. *lex Irnitana*⁴¹) regulating non-citizen towns, it was stipulated that local office holders received Roman citizenship at the end of their term of office, along with their parents, wife and offspring from marriage.

Exceptionally, in trials for extortions of provincial governors, citizenship could be acquired by a foreigner who had won the case before the *quaestio repetundarum*, the criminal tribunal established for that crime.

37 | G. 1, 78.

38 | Cf. Gagliardi, 2023b, pp. 83 ff.

39 | Cf. McDonnell, 2006, p. 50.

40 | Cf. Wesch-Klein, 2007, pp. 442–443.

41 | *Lex Irnitana* 21.

8. Manumission as a Form of Inclusion

One of the most striking features of the Roman policy was, however, the fact that former slaves could also become citizens. The acquisition of citizenship resulted in the formal manumission of the slave⁴²: in a will (*manumissio testamentaria*), by means of fictitious proceedings before a praetor or other official endowed with jurisdiction (*manumissio vindicta*), or by registration in the relevant *tribus* and *centuria* at the time of the census by the censor or other official conducting the census (*manumissio censu*), and in Christian times in the church as well (*manumissio in ecclesia*). Manumission in a will could take two forms: direct manumission (*manumissio testamentaria directa*), when the testator imperatively granted freedom to the slave, or indirect manumission (*manumissio testamentaria indirecta vel fideicommissaria*), when the testator included a trust provision in the will requesting that a third party manumit the slave. In the first case, the patron of the freedman was his deceased owner; in the second case, the patron was the person burdened with the request for manumission, which ensured that the freedman was not alone. He needed to be loyal to his patron, but he could also expect support in return. The *manumissio vindicta* took place before an official. The *adsertor libertatis*, or so-called 'defender of liberty', assisting in the procedure (perhaps this function was performed by the lictor accompanying the official) stated that the slave was a free man, which the owner did not deny. In this situation, the praetor, seeing no dispute between the parties, granted the slave his freedom (*addictio*). As there was no dispute between the parties, this was a fictitious trial for freedom. The *manumissio censu*, on the other hand, consisted of enrolling the slave in the list of citizens. For this purpose, the owner informed the censors of his intention to perform the manumission and only then did the slave appear before the censors, when they made the entry.

Slaves were not granted citizenship if they were freed informally (for example, in the presence of the owner's friends – *inter amicos*)⁴³. Initially, even their freedom was debatable. However, under the *lex Iunia Norbana* (probably from 19 AD), they were given the status of Junian Latins (*Latini Iuniani*), following the example of the inhabitants of colonies founded under Latin law. Upon their death, all their property was inherited by the former owner, i.e. the patron, but this inconvenience was compensated for by the ease with which they could obtain Roman citizenship⁴⁴. They could achieve this by marrying a Roman citizen or a woman of Latin status having a one-year old child with her and then serve (first for six, then for three years) in the Roman city watch (*vigiles*), while providing a grain from Egypt for six years, running a mill in Rome for three years or building a house in Rome worth half an estate of at least 200,000 sesterces.

42 | Cf. Cic., *Top.* 10; G. 1, 17; *FD* 5; Weiss, 1930, col. 1366–1377; Buckland, 1908, pp. 437 ff.; Duff, 1958, pp. 23 ff.; Treggiari, 1969, pp. 20 ff.; Robleda, 1976, pp. 105 ff.; Watson, 1967, pp. 185 ff.; Watson, 1987, pp. 24 ff.; Masi Doria, 1999, pp. 1 ff.; López Barja de Quiroga, 2007, pp. 16–37.

43 | Cfr. G. 1, 41; 1,44; Ulp. 1,10; 1,18; Biscardi, 1939; Duff, 1958, pp. 21 ff.; Albanese, 1962, pp. 5–103; Albanese, 1970, pp. 19–30; Watson, 1967, pp. 196–198; Balestri Fumagalli, 1982, pp. 117–169; López Barja de Quiroga, 2007, pp. 37–40.

44 | G. 1, 28–33.

9. The Speech of the Emperor Claudius (Tabula Lugdunensis) and Encomium on Rome by Aelius Aristides

Inclusiveness in the granting of citizenship did not necessarily extend to other areas of public life. For example, there were strong protests when Julius Caesar decided to allow Gallic elites (who had already been granted citizenship) to hold the dignity of Senator. The nobility could not swallow this. Public sentiment was decidedly hostile. Opposition manifested itself in various ways. For example, there was a proclamation (*libellus*): 'Let it be done well. Let no one show the new senator the way to the Curia', which is a parody of a magistrate's edict. The new senators were unfamiliar with the topography of Rome, and some mischief-maker decided that they would not even get to the Senatorial Curia unless someone showed them the way. Moreover, songs circulated in the streets mocking Caesar for leading the Gauls in triumph – only to bring them to the doors of the Senate – and for how the Gauls had exchanged their trousers for purple-bordered togas⁴⁵.

A similar situation occurred in 48 AD when Emperor Claudius decided to admit the wealthy inhabitants of Transalpine Gaul into the Senate. There was significant opposition among the senators, prompting Claudius to deliver a speech in which he sought to persuade them that his decision, made in his capacity as censor⁴⁶, was justified.

According to Tacitus⁴⁷ Claudius reasoned that it was a Roman tradition to bind the conquered peoples by making them Roman. He also underlined the evolution of the state in which firstly only patricians were magistrates, then the plebeians were admitted to the offices, followed by the Latins and all inhabitants of Italy. The speech has been preserved in epigraphic form⁴⁸ and is displayed at the Gallo-Roman Museum in Lyon – the ancient Lugdunum, where Claudius himself was born. This version differs from Tacitus's, but it clearly bears the hallmarks of Claudius's attitude. The text begins with a long passage on the early history of Rome, with references to all the kings, the transition to Republic, the consulship, the dictatorship, the plebeian tribunate, the decemvirate, the military tribunate and the priesthood. The Emperor then pointed out that already under Augustus and Tiberius the best and richest inhabitants of the municipalities and colonies had been admitted to the Senate, and he expressed the opinion that provincial senators could prove useful to this august body. He also indicated that Gallia Narbonensis already had senators, and that the Long-Haired Gaul should therefore be granted this privilege. The main argument is that the policy of inclusion ensures peace.

A century later, the *Roman Oration*, or *Encomion on Rome*, by Aelius Aristides, a Greek orator and member of the Second Sophistic, is a praise of the Roman Empire. Its key passages⁴⁹ explain how the Romans created a common identity that included everyone in a universal way. This means that people are citizens of their towns as well as of Rome, and the Romans have nothing to fear from them. Local communities that guarded their

45 | Cf. Suet., *Div. Iul.* 80, 2.

46 | Cf. Tarwacka, 2025, pp. 33–34.

47 | Tac., *Ann.* 11, 23–25.

48 | Cf. Malloch, 2020.

49 | Ael. Aristid. 14, 214–216.

homes also guarded the Empire. The author also notes a double system of government: the central one in Rome and the local ones in the communities.

Thus, the policy of inclusion seems to have been the key element in creating a unified Empire to which people could feel they belonged.

10. *Constitutio Antoniniana* – Towards Integration

In 212 AD, Emperor Caracalla issued an edict known as the *Constitutio Antoniniana*, granting Roman citizenship to almost all free inhabitants of the Empire⁵⁰. This is often perceived as a milestone towards the integration and uniformity of the state.

The jurist Ulpian, whose account was included in the Justinian's Digest, reported that all those located *in orbe Romano*, i.e. in the Roman world, were granted Roman citizenship⁵¹. The text of the famous edict is preserved in the papyrus P. Giss. 40, but the document was damaged and raises some questions of interpretation. The Emperor wrote that he gives Roman citizenship to foreigners living in the Roman world including city dwellers, but with some exceptions. Because of the lacuna in the text, one can only assume that the category of *peregrini dediticii* is intended. This category includes former slaves who were chained as punishment by their owners, branded or tortured based on accusations of crimes, and convicted of those crimes. Some were forced to fight with words or against animals, while others were sent to gladiatorial schools or prison; if these individuals were later freed (manumitted) by the same owner or another, they would acquire the status of *peregrini dediticii*. Such disgraced slaves, regardless of how they were freed and at what age, even if they belonged to their owners in the eyes of the law, could never become citizens of Rome or Latins⁵².

The major question raised by the scholars is how actually did this edict change matters? Doubts arise due to lack of evidence and previous sources discussing unity. The *Constitutio Antoniniana* significantly extended Roman citizenship to many individuals who previously did not have it. We have to bear in mind, however, that these people were also a part of the empire, its jurisdiction, taxes and administration. They must have felt changes mostly in those areas of life where the law they used differed significantly from Roman law⁵³ and where the rules of *ius gentium* had not been adopted. This could have been the case with the Roman *patria potestas*, which also comprised adult children who then had no legal capacity, but the papyrological evidence shows that this was usually not the case⁵⁴.

The unification of the Empire must therefore be seen as a process, and the *Constitutio Antoniniana* as a stage in that process. Nevertheless, even after its publication, local laws were applied in the periphery of the state, and the primacy of Roman law was not absolute.

50 | Cf. Méléze Modrzejewski, 2011, pp. 21–36; Urbanik, 2024, pp. 27–30.

51 | D. 1, 5, 17 (Ulp. 22 *ad ed.*). Cf. Dio Cass. 78, 9, 5; Aug., *De civ. Dei* 5, 17.

52 | G. 1, 13–15.

53 | Cf. Urbanik, 2024, p. 29.

54 | Cf. Alonso, 2020, pp. 48–49.

11. Conclusions

The Roman Empire's approaches to subjugation and integration reveal a nuanced and adaptable system of governance that balanced conquest with inclusion. Through mechanisms such as *ius gentium*, municipal self-government and the eventual universal grant of citizenship through the *Constitutio Antoniniana*, Rome created a framework that allowed for the coexistence of diverse cultures and identities within a unified state. This duality of dominance and integration underpinned the Empire's enduring influence on subsequent political and legal systems.

These practices resonate with modern theories of integration, where the balance between sovereignty and unity, inclusiveness and diversity remains an enduring challenge. Roman history demonstrates that the integration of diverse peoples is best achieved through a combination of legal innovation, cultural respect and practical governance. This legacy provides a valuable lens through which to examine and address the complexities of contemporary global and regional integration efforts.

By analysing Rome's strategies, we gain insight into the dynamics of unification and the potential pathways to harmony in multicultural societies, reinforcing Rome's relevance as both a historical and conceptual guide to modern integration.

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