

and painstaking labours of the scholars who reconstructed the individual bricks of the edifice. But H. was critical of the tendency in the field to look only at the bricks themselves, without imagining what the edifice as a whole looked like. A favourite question of H. was ‘So what?’. Reading these essays reminds us that it is still the best question.

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B. STRAUMANN, *CRISIS AND CONSTITUTIONALISM: ROMAN POLITICAL THOUGHT FROM THE FALL OF THE REPUBLIC TO THE AGE OF REVOLUTION*. Oxford: Oxford University Press, 2016. Pp. xii + 414. ISBN 9780199950928 (bound); 9780190879532 (paper). £64.00 (bound); £22.99 (paper).

C. MOATTI, *RES PUBLICA: HISTOIRE ROMAINE DE LA CHOSE PUBLIQUE*. Paris: Fayard, 2018. Pp. 467. ISBN 9782213706276. €25.00.

These two books each try to understand how late republican Romans thought about their crisis-beset political system. This is an important topic, and both are important books. However, each author approaches the subject quite differently. Benjamin Straumann is a historian of the Western tradition of political thought, and he concentrates heavily on Cicero: the problems he responded to, his legal and philosophical antecedents and the impact of his works. Claudia Moatti is a Roman political historian through and through, and she avoids an exegesis of Cicero. For her, a broader political tradition from Polybius onwards can be reconstructed; her subject is how this tradition was translated into action. She does not discuss the afterlife of Roman political concepts in the post-Roman world.

Looking first at S., his book has three parts, with quite distinct purposes and audiences. The first (which overlaps most with M.) is a history of political thought up to the death of Cicero. Its aim is to show that there existed a strain of thought which we might rightly call ‘constitutional’; under-developed, to be sure (his favourite word in this part is ‘inchoate’), but present all the same. The audience of Part I is historians of the late Republic. Part II traces the philosophical origins of Cicero’s thought, both Greek and Roman; the intended audience here is people interested in ancient political philosophy. Part III is concerned with the afterlife of Cicero’s constitutional ideas; the audience for this is historians of Western political thought over the millennia. While (of course) each part informs and justifies the other, they are rather self-contained, and a reader would not lose too much by reading just the section which interested her.

Initially, S. spends many words proving his basic point: that the Romans thought in constitutional terms. For him, that means a set of higher-order rules which are more entrenched than ordinary laws, and so constrain what may legally be done. Having successfully established this, he argues that we should see the major political issues of the period as being, at heart, constitutional issues. First, the SCU: those who supported it claimed it as *mos*, although very recent *mos*. Cicero’s *First Catilinarian* shows the fragility of this claim: the decree supposedly authorised action against Catiline, and yet Cicero was afraid to act from fear of the consequences. S. argues for the continued relevance of this debate in the modern world, explicitly comparing *hostis* declarations to the (younger) Bush’s designation of some US citizens as enemy combatants and so not entitled to the protection due to American citizens at law (this distinction between good and bad citizens is also taken up by M.). More generally, the fact that S. shows the late Republic to be a constitutional regime makes Roman debates live issues for those of us living in modern democratic states, especially the very long-lasting ones in the Anglophone world.

Apart from the SCU, S. considers the ongoing debate over extraordinary commands, the limits to what the Comitia could order, *provocatio* and private property rights. Rightly seeing the centrality of Tiberius Gracchus’ tribunate to all later debates, he thinks Tiberius won the argument in deposing Octavius. From then on, the People could act even in supposedly unconstitutional ways, and gross departures from the constitution (such as Sulla’s dictatorship or the Lex Titia) were authorised by

the Comitia. In Part II, S. examines Cicero's response to this in *De republica*, *De legibus* and *De officiis*. In despair at the loss of his *res publica* in the fifties and forties, Cicero began to use natural law as a justification for constitutional principles beyond the reach of the People. S. rightly emphasises how natural law was something new in Roman political thinking, and its shakiness as a foundation for the constitution. However, he overstates the case by calling the political dysfunction of the fifties and forties a 'state of nature'.

For S., Cicero operates more within a Roman intellectual framework than a Greek one; he attempts to show that neither Plato nor Aristotle had any conception of higher-order constitutional norms. But he errs, I think, in arguing that the fourth-century Athenian democracy was not 'constitutional' in the Roman sense. He does this by under-valuing the procedural aspects of constitutional constraints in Athens (and also in Rome) and over-valuing the substantive aspect. We should take fourth-century Athens more seriously in thinking about constitutionalism.

Part III deals with medieval and later responses to Cicero and late republican constitutional debates. The real meat of this part is its discussion of Bodin, whom S. sees as the heir to Cicero's constitutional thought. For Bodin (and S. seems to agree with this), constitutionalism is the best hope for free states to avoid the Roman Republic's fate.

M.'s scope is both longer and shorter. Her subject is the concept of *res publica* and her project is to understand its shifting meanings from the mid-second century B.C.E. down to the late Empire. The real centre of the book, however, is the period down to Augustus. The slippery nature of the term *res publica* makes this an ambitious task. Her first chapter tries to understand the term in the Roman manner, not by defining it, but by considering its relationships to other words by opposition and extension. Her starting point is Rome before the Gracchi, and before Polybius' account of the constitution had shaped the Romans' own thinking about it. Chs 2 and 3 explore the Gracchan and Sullan 'moments', chs 4 to 6 the age of Cicero and chs 7 to 10 the imperial period.

For M., what sets the pre-Gracchan Roman community apart is its heterogeneity, the recurring struggles between conflicting interests. The *res publica* was, among other things, the common space between these groups, the space where they interacted. She thus regards Machiavelli as the thinker who most clearly saw the Romans in their own terms. Like him, she sees the creativity inherent in Rome's political conflicts. One of her key concepts is '*altéronomie*', the Roman capacity for political imagination, which is born out of the cleavages in society. Sadly, the concept is not sufficiently developed in the rest of the book. But this imagining of the *res publica* as a space-between is quite fruitful. What defines this public space (or public sphere) is the network of human relationships, not a pre-existing identity, and what is crucial is action in this space. Hence the Romans' strong pull towards politics and hence, also, the central importance of the Senate, which was best placed to act. This is a refreshing way to approach the whole life of the Roman community.

Subsequent chapters show that the intellectual effort (by Polybius, Tuditanus and others) to write about and understand the *res publica* served to define it in the eyes of the Roman elite. Contrary to the earlier amorphous and interlinking *res publica*, Polybius' mixed constitution was an inherently stable idea, and understanding the *res publica* in this way naturally led to the urge to perpetuate this state of affairs. That meant that all opposition had to be treated as destabilising. Hence the response to the Gracchi. Hence, also, the tendency to treat opponents as military enemies. This definition of the *res publica* sought to render it peaceful and stable, an arena for elite competition only. But that was an optimum ideological position, not the reality. Sulla tried to entrench this project institutionally, but his effort was a failure. M. thus strongly argues for the 'political' nature of Roman politics, contrary to a strand in recent scholarship which emphasises its theatrical or social aspects, while she also sidelines the similarly important scholarly idea of 'consensus'. For M., republican politics had real substance.

M. also notes the constitutional debate after 133 B.C.E. The events of that year had thrown up a central question: was Tiberius rightly killed? This was not a question with an easy answer. Violence was not wholly out of bounds, but the killing of a tribune, and the subsequent kangaroo court which purged his supporters, were so clearly illegal that they could only be justified by appeal to some sort of higher law. Here M. covers the same ground as S., but she has a clearer eye on the political background. Thus when she treats Cicero's actions and writings, in chs 4 to 6, she regards them as instalments in a long, continuing struggle over the Roman polity. Even though Cicero championed the optimum definition of the *res publica*, his career threw up new problems. When does political action cross the line from acceptable to unacceptable, from *contentio* to *seditio*?

Who decides this? If enemies are still alive when the danger has passed, what is to be done with them, especially when the language of politics has been so thoroughly militarised?

Later chapters consider the *res publica* under the emperors. By this time, it was less a public ‘thing’, a space for the community to interact, than the public ‘things’, for which the emperor cared. The *res publica* became, essentially, imperial business, and so eventually encompassed the entire empire. In telling this story, M. focuses on the materiality of the *res publica*. What emerges from this section of the book is the emptiness of the concept once Augustus took over. Romans of the imperial period knew they had lost something, but did not really understand what that was.

What unites these two books is the seriousness with which they treat Roman political thought. Both authors recognise the existence of a native intellectual attitude to the political order which we might, following S., call ‘constitutional’. Thus both recognise Sulla’s dictatorship (created by law though it might have been) as beyond the bounds of the acceptable. Yet debate about what was acceptable (and why) was, from the start, partisan and contested; it was born in response to Polybius and the controversies of 133 B.C.E.

What impact should these two books have on scholarship? Following Wiseman, we need to accept the genuine political content of Roman politics after 133 B.C.E. Some of the aristocracy may have wanted politics to be a game just for them, but this hope was disappointed. Real and important issues were at stake, about how the Romans were to live with each other. And both scholars show the Romans’ own messy attempts to resolve these issues.

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O. D. CORDOVANA and G. F. CHIAI (EDS), *POLLUTION AND THE ENVIRONMENT IN ANCIENT LIFE AND THOUGHT* (Geographica historica 36). Stuttgart: Franz Steiner Verlag, 2017. Pp. 296, illus. ISBN 9783514116671. €54.00.

In recent years environmental history has gained prominence in scholarship on the Greeks and Romans. Alliances between historians and scientists and historical ecology changes our view of the ancient economy while environmental criticism opens new perspectives on ideology, ethics and aesthetics. *Pollution and the Environment* represents the potential of these new approaches to advance our understanding of the ancient world. The volume collects papers from a 2014 Berlin conference inspired by two questions: to what extent were ancient societies aware of environmental problems, and how did they respond? Answers vary, as the papers address social, cultural, scientific and economic aspects of the relationship between humans and the environment.

The editors’ introduction lays out the project, taking the griffin mosaic at the Villa of Casale near Piazza Armerina as an example that models a multi-layered approach to environmental history. The mosaic and its architectural context are a microcosm of elite lifestyle and values in which the emperor’s power to subjugate even exotic animals for the games tropes the owner’s social influence. The mosaic also depicts actual hunting techniques and the exploitative trade in exotic animals. Finally, closer examination reveals that the griffin is not hunted but hunter. The mythical beast clutches a cage that imprisons a man: only the human face is visible through the barred door to the cage. The scene thus figures a role reversal that challenges human control over the natural world. This nuanced reading of visual art illustrates the stimulating new approaches of the volume as well as a persistent issue, namely, the unintended consequences of human interventions in the environment.

*Pollution and the Environment* presents an impressive range of topics, evidence and approaches to environmental history. The volume is unified, but not limited, by the focus on pollution. The chapters are grouped in four sections, defined by the nature of the sources (law, literature and inscriptions, material evidence) and, to some extent, by topic.

The first section includes two papers on environmental law. ‘*Usò e gestione delle acque in Mesopotamia nel secondo millennio a. C.*’, Cristina Simonetti’s study of early Babylonian laws on flooding and navigation, is an especially welcome introduction to materials outside the usual