

Killing Romans: Legitimizing Violence in Cicero and Caesar

by

Jacqueline J. Stimson

A dissertation submitted in partial fulfillment
of the requirements for the degree of
Doctor of Philosophy
(Classical Studies)
in The University of Michigan
2017

Doctoral Committee:

Professor David S. Potter, Chair
Professor Jane Chaplin, Middlebury College
Professor Arlene W. Saxonhouse
Professor Celia E. Schultz

Jacqueline J. Stimson

jpincus@umich.edu

ORCID iD: 0000-0002-6443-5236

© Jacqueline J. Stimson 2017

Meis Parentibus

Acknowledgements

As overwhelming as the dissertation process is, I am extremely lucky to have had the help of so many wonderful and thoughtful people. First, I owe the greatest debt of gratitude to my adviser, David Potter, for his time, energy, and constant encouragement. In the beginning, he knew when to let me find my way in the darkness, even when it seemed like all I was finding were dead ends, and when to gently nudge me in a productive direction. Throughout, he has been an endless fount of knowledge and scholarship, and unfailingly supportive of my ideas. I have learned so much from him, not only about Roman history, but also the art of articulating and refining arguments. I am also thankful for my other committee members, Celia Schultz, Arlene Saxonhouse, and Jane Chaplin. My dissertation as a whole is stronger because of my meetings with them and their attentive feedback on chapters. They have helped me go outside my comfort zone into new areas of research and exploration, and I am grateful for their support.

The resources at the University of Michigan that are free and open to all graduate students are unparalleled. I am grateful for the many workshops and opportunities offered by the Rackham Graduate School, Sweetland Writing Center, and the Center for Research on Learning and Teaching, for they have helped me to define my goals as a writer and a thinker. I particularly want to thank Louis Ciccirelli from the Sweetland Writing Center, who was my writing consultant during the wonderful bootcamp known as the Sweetland Dissertation Writing Institute. He taught me the value of separating content from rhetoric, which was enormously helpful in evaluating the clarity of my writing. His moral support, along with Kelly Slay and my

DWI workshop group, gave me the push I needed to blaze through the rest of my dissertation and to revise it with a new understanding of what I wanted to accomplish.

I would not have survived graduate school without the community of graduate students in the Department of Classical Studies. First, to my cohort, the Third Triumvirate, Amy Pistone and Nick Geller, as well as to my fellow IPGRH cohort, Tim Hart and Tiggy McLaughlin. I am so lucky to have known all of them, and to have spent the past seven years commiserating about classes, exams, and dissertating, as well as celebrating with them the completion of the above. In addition, I want to thank Ellen Lee, Evan Lee, Clara Bosak-Schroeder, and Michael Leese for filling the role of “wise older graduate student” and “older sibling” countless times, and more importantly for being dear friends throughout my time here in Ann Arbor. I will treasure the memories I have made with these wonderful people, and look forward to making more.

Living in Michigan, far from my home in Washington, has been an adventure. My parents, siblings, and friends from home have been an invaluable support network. They have been patient of my less-frequent phone calls and Skype sessions, when I have been too busy to talk, and understanding, when I come home only briefly for the holidays and have to spend much of my free time working. Their unwavering belief in me propelled me through many difficult times and I am so thankful for all of them.

Finally, I have only love and appreciation for my husband, Drew. Navigating a relationship during graduate school can be tricky, to say the least, but he has made my life infinitely happier and his steadfast support has enabled me to succeed far beyond what I had hoped. This is just the beginning.

Table of Contents

Dedication	ii
Acknowledgements	iii
List of Tables	vi
Abstract	vii
Introduction	1
CHAPTER I: Cicero in 63	23
CHAPTER II: Cicero and Civil Strife	68
CHAPTER III: Caesar in Gaul	110
CHAPTER IV: Caesar and Civil War	154
CHAPTER V: Rationalizing Violence and Politics	211
Works Cited	240

List of Tables

Table 1.	Violent and Graphic Language in the <i>De Bello Gallico</i>	113
Table 2.	Violent and Graphic Language in Livy's <i>Ab Urbe Condita</i> 21-27	116
Table 3.	Violent and Graphic Language in the <i>De Bello Civili</i>	159

Abstract

In this dissertation, I examine Cicero and Caesar's attitudes towards the legality of executing Roman citizens in the name of the state, with a particular focus on the *senatus consultum ultimum* (*s.c.u.*). I argue that their stance on this issue directly corresponded to their political ideology and conception of the Republican government. Moreover, I show that their positions were consistent over the course of their political careers—with Cicero supporting and Caesar condemning such acts of violence—but that they adapted their rhetoric to the changing political situation.

The structure of my dissertation highlights this diachronic perspective. In Chapter 1, I explore Cicero's justification of the *s.c.u.* in his political speeches of 63 BCE, the height of his career. I argue that his attitude fits his vision of the *res publica* as a mixed constitution. In Chapter 2, I illustrate that Cicero maintained the same defense of the *s.c.u.* in speeches from 52 and at the end of his career in 44-43, but his justifications and rhetoric shifted. In Chapter 3, I show that Caesar's rhetorical strategy of suppressing violence in his account of the Gallic wars (58-52) was consistent with his general condemnation of decrees like the *s.c.u.* and the image he creates of himself as the ideal leader of Rome. I argue that his attitude aligned with his view of the *res publica* as the Roman people, whose rights must be protected above all. In Chapter 4, I examine his account of the civil war with Pompey (49-48), and show that his strategy of placing blame for Roman deaths on the Pompeians was integral to his political ideology and constructed image as a champion of the people. Chapter 5 concludes the Roman period and looks forward at the reception of these ideas in Machiavelli, Locke, and the Federalists.

Introduction

The last century of the Roman Republic can be characterized as a series of extreme or extraordinary circumstances, a time when there were an unusual number of powerful individuals at Rome, unprecedented powers granted to those men, and a marked increase in civil violence. The inability of the Republican government to adequately control any of these elements hastened its decline and eventual transformation into an Empire under Augustus. One particular phenomenon of the Late Republic that encapsulated each of these elements was the so-called *senatus consultum ultimum* (*s.c.u.*), a decree of the senate which almost always preceded the killing of prominent Romans.¹ This “final” or “last” decree of the senate was purportedly created to protect the state from domestic threats. Its use was hotly debated, however, for subsequent actions done in the name of this decree frequently violated the right to a trial guaranteed to all Roman citizens. Precariously perched at the intersection of violence and politics, the *s.c.u.* illustrates a major division in Roman politics. In this dissertation, I examine how the killing of Romans was both condoned and condemned by two Romans who were at the center of this debate: Marcus Tullius Cicero and Gaius Julius Caesar. I argue that their stance towards this controversial measure directly corresponded to their political ideology and conception of the Republican government. Moreover, I show that their positions were consistent over the course of their political careers—with Cicero supporting and Caesar condemning such acts of violence—but that they adapted their rhetoric to the changing political situation. In highlighting this

¹ Although it was Caesar who dubbed it the *senatus consultum ultimum* in reference to the decree passed against him in 49 (*BC* 1.5.3), the title has nevertheless stuck because it represents the last resort measure for the senate, and one that heralded the end of the Republic.

connection between violence and politics, I hope to illustrate how this pattern is not only intrinsic to our understanding of the end of the Republic, but is also an enduring and inevitable facet of non-authoritarian governments.

Violence and the Late Republic

Certain legal measures existed for emergency situations in the Republic: *tumultus*, an emergency levy raised to meet immediate attacks on the city, and *iustitium*, the suspension of all business not pertaining to war.² In both cases, these declarations had been historically used for external enemies (*hostes*) whose armies were directly threatening Rome. The dictatorship, which in its original form lasted from 501 to 202 BCE,³ was the final measure in protecting the welfare of the state and its job was quite specific: once appointed, the dictator would pick a *magister equitum*, lead the army out to meet the enemy, and upon successful completion of the war, abdicate his powers. In other cases, dictators would be called to fulfill the duties of a consul, such as holding elections, choosing senators, and occasionally dealing with internal strife.⁴ Despite the extraordinary powers conferred onto this individual, which separated them from the usual Roman magistrates, the dictatorship in the early and mid-Republic was a highly regularized and unproblematic institution.⁵

The murders of first Tiberius Gracchus in 133 and then Gaius Gracchus in 121 set into

² G. Golden, *Crisis Management During the Roman Republic* (Cambridge 2013), discusses both of these emergency measures in great detail. See also A. Lintott, *Violence in Republican Rome* (Oxford 1999 [1968]). N. Lazar, *States of emergency in liberal democracies* (Cambridge 2009) explores more generally how certain regimes characterize and react to emergency situations. She uses the Roman Republic as an example of the tension between “emergency rule” and the “rule of law” (113-35).

³ All dates henceforth are BCE unless otherwise specified.

⁴ See A. Lintott, *The Constitution of the Roman Republic* (Oxford 1999): 109-13 for the history of the dictatorship, as well as the regular and irregular duties of dictators in the Republic; cf. Golden, *Crisis Management*, for discussion in the context of emergency situations.

⁵ On the utility of the dictatorship: “The dictatorship complemented and overcame the deliberate and ponderous nature of Rome’s normal institutions. But it, like Rome’s other institutions, existed within a web of formal and informal constraint and enablement” (Lazar, *States of Emergency*, 23-4).

motion a gradual but irreversible escalation of violence in the Roman Republic.⁶ Political murders had been recast in more palatable terms before this, most notably in the Bacchanalian Crisis of 186, when the senate, under the authority of the *senatus consultum de Bacchanalibus*, executed over six thousand Roman citizens.⁷ Although the ostensible reason for the suppression was to stop the menace and corruption of Romans by a foreign cult, the senate clearly perceived a threat to its authority and acted accordingly.⁸ Nevertheless, Tiberius' death differed in a few key ways. First, he still had tribunicial sacrosanctity.⁹ There was no legal bearing for putting him

⁶ Gaughan's summary in *Murder was not a Crime* (Austin 2010): 109-21 is particularly clear and helpful. D. Stockton's *The Gracchi* (Oxford 1979) still remains the seminal source analysis for the lives and deeds of the Gracchi brothers.

⁷ The facts about this event as well as its timeline have been notoriously hard to establish, since the evidence we have is a copy of the *senatus consultum de Bacchanalibus* found in southern Italy (*CIL* I² 581) and Livy's dramatic account (39.8-19). While the debate over how much of Livy's account we can actually trust has not been settled, it has been shown that the historian was more concerned with developing the literary aspects of his narrative, at the expense of the political unpinnings; see especially P.G. Walsh, "Making a Drama out of a Crisis: Livy on the Bacchanlia" *Greece & Rome* 43 (1996): 188-203, and D.L. Nousek, "Echoes of Cicero in Livy's Bacchanalian Narrative (39.8-19)" *CQ* 60 (2010): 156-66. J.-M. Pailler provides a comprehensive bibliography on the matter in *Bacchanalia: la repression de 186 av. J-C à Rome et en Italie; vestiges, images, tradition* (Rome 1988), with an updated account in "Les Bacchanales, dix ans après" *Pallas* 48 (1998): 67-86; see also J. Briscoe, *A Commentary on Livy Books 38-40* (Oxford 2008): 230-1. Studies of the political and religious aspects of the event have been done by T. Frank, "The Bacchanalian cult of 186 b.c.," *CQ* 21 (1927): 128-32; A.M. McDonald, "Rome and the Italian confederation," *JRS* 34 (1944): 11-33; W.V. Harris, "Was Roman Law Imposed on the Italian Allies?" *Historia* 21 (1972): 639-45; P.V. Cova, "Livio e la repressione dei Bacchanali" *Athenaeum* 52 (1974): 82-109; R.A. Bauman, "The suppression of the Bacchanals: five questions," *Historia* 39 (1990): 334-8; E. S. Gruen, "The Bacchanalian affair" in *Studies in Greek and Roman History* (Berkeley 1990): 34-78; S.A. Takács, "Politics and religion in the Bacchanalian affair of 186 b.c.e.," *HSPH* 100 (2000): 301-10; H.I. Flower, "Rereading the *senatus consultum de Bacchanalibus* of 186 b.c." in V.B. Gorman and E.W. Robinson (edd.), *Oikistes: Studies in Constitutions, Colonies and Military Power in the Ancient World* (Leiden 2003): 79-98.

⁸ Hence, the senate's banning of (among other things) meetings of more than five worshippers, exchanging of oaths and pledges, a common fund, and the ability to create a *magister* or *pro magister*. Livy (16.3, 18.4) lists the crimes that arose from the nighttime orgiastic meetings. Although he notes that only those who had committed a crime were executed (oath-takers were merely sent to prison), Takács rightly concludes her analysis: "The high number of executions leaves me with the feeling, though, that in 186 B.C.E., as it happens too often in human history, religion served as a smoke-screen. That those who were singled out for undermining the ruling authority, Rome, were executed not for their participation in a cult but so that a political order could prevail" ("Politics and Religion in the Bacchanalian affair": 310).

⁹ Gaughan notes in passing that there are interesting implications for Nasica as the religious head of state (*pontifex maximus*) committing an act of (religious?) violence against one who is sacrosanct (*Murder was not a Crime*: 111 n9). Whatever we may make of Nasica covering his head in Plutarch's account (19.4), the biographer also noted his strong personal and political motivations against Tiberius (13.3). In the end, Nasica's status as a *privatus* and without state authority is more important to Scaevola than and to Romans (even Cicero) hereafter.

on trial, let alone killing him.¹⁰ Although the act was carried out by a private citizen in the name of the state, the senate's failure to punish Scipio Nasica for killing a Roman citizen without a trial tacitly condoned his action.¹¹ Finally, unlike the previous cases where groups of Romans were suppressed by force, violent action was explicitly directed against one man, deemed a threat to the state. That many Roman citizens subsequently lost their lives in the riot as well as the special *quaestiones* that followed hinted at the danger of this kind of language and action.¹²

That danger was codified just twelve years later in the *s.c.u.* as a way to deal with Gaius Gracchus. From Plutarch we know that he had lost his bid for a third consecutive tribunate, and so was therefore no longer sacrosanct.¹³ Some scholars argue that L. Opimius, who was elected consul for 121 for the express purpose of undoing Gaius' legislative program, intended to provoke his opponent into using violence.¹⁴ This time, however, the senate issued this decree, and therefore for the first time gave a blanket justification to deal with a supposed threat to the state. The outcome was the same: not only did Gaius Gracchus die without a trial and at the hands of other Romans, but thousands of other Romans were killed as well.¹⁵ More troubling, however, was such violent actions now had the guise of legitimacy and approval of the senate.¹⁶ The *s.c.u.* appeared to confer the ultimate authority for action and powers of arbitration upon the

¹⁰ According to Plutarch, when Nasica demanded that the consul P. Mucius Scaevola "rescue the state and put down the tyrant" (ὁ δὲ Νασικᾶς ἤξιον τὸν ὕπατον τῇ πόλει βοηθεῖν καὶ καταλύειν τὸν τύραννον), Scaevola refused, stating that he would not use violence or put a Roman citizen to death without a trial (ἀποκρινάμενον δὲ πρῶως ἐκείνου βίας μὲν οὐδεμιᾶς ὑπάρξειν οὐδὲ ἀναιρήσειν οὐδένα τῶν πολιτῶν ἄκριτον, 19.3).

¹¹ Nasica was sent to Pergamum a year later, due to increased unpopularity (21.2-4). Cf. Appian *BC* 1.2.17 on ambivalence of people. A similar ambivalence clearly existed in the senate as well; see J. Ungern-Sternberg, *Untersuchungen zum spätrepublikanischen Notstandsrecht. Senatusconsultum ultimum und hostis-Erklärung* (Munich 1970): 7-25, esp. 7-8, 16-19.

¹² Plutarch puts the number of deaths during the commotion at three hundred (19.5).

¹³ Plut. *C. Gr.* 8-12.

¹⁴ See Stockton 1979: 115-61 for Gaius' legislative program; 195 on his interpretation of Plut. *C. Gr.* 13.1; cf. Golden, *Crisis Management*: 110.

¹⁵ Plut. 17.5.

¹⁶ A stark contrast to the results of due process: "Under normal circumstances, the government put no one to death...No evidence exists for an execution of a citizen after a condemnation in an assembly since the legendary period of the early fourth century" (Gaughan, *Murder was not a Crime*: 105).

one invoking it. The traditional wording was simple and open-ended: *Videant consules nequid respublica detrimenti capiat* (“The consuls should see to it lest the Republic take any harm”).¹⁷

Usually it was the consul who called for an *s.c.u.* and was enabled to act as he saw fit, though this was not always the case.¹⁸ Every usage thereafter was fraught with citizen deaths, well beyond the individuals named, and controversy. Its legality was questioned repeatedly.

The problematic nature of the *s.c.u.*, from its inception to every use thereafter, has been well-discussed over the years.¹⁹ Although superficially it resembles the dictatorship, in that it is used to counter a specific crisis and bestows the highest power onto an individual for a short time limit, the differences are what make the dictatorship a generally successful institution, and the *s.c.u.*’s effectiveness more dubious. The office of the dictatorship was a highly regulated, constitutional office; the *s.c.u.* remained a decree of the senate and never gained the consent of the Roman people. Because the powers and limitations of the *s.c.u.* were never defined, the open-ended wording of the decree made it unclear whether the decree had the force of bypassing constitutional law.²⁰ Moreover, the first, precedent-setting use of the *s.c.u.* by L. Opimius adds to

¹⁷ There have been a few minor variations in wording (see Cic. *Rab. perd.* 20, *Cat.* 1.4, *Phil.* 8.15; Auct. *de vir. ill.* 73.10), but the sense is consistent.

¹⁸ Instances of the *s.c.u.*: 121 (Gaius Gracchus), 100 (Saturninus), 83 (Sulla, though problematic), 77 (Lepidus), 63 (Catiline), 52 (Clodian rioters), 49 (Caesar), 47 (Dolabella and Trebellius), 43 (Antony), and 43 (Octavian). Two spurious accounts of the *s.c.u.* have been found in Livy prior to its date of creation: in 464 during the Second Aequan War when the consul Sp. Furius Fusus was trapped by the enemy (3.4.9); and in 384 during the sedition of M. Manlius Capitolinus (6.19.3). In both cases, commentators have suggested variously that these cases were invented to add credibility to the *s.c.u.* in its current form (see R. M. Ogilvie, *A Commentary on Livy Books 1-5*, Oxford 1965: 399) or to make the situation more plausible to the late Republican reader, who would be used to such a measure being passed (see S. P. Oakley, *A Commentary on Livy Books VI-X*, Cambridge 1998: 1.553-4). I omit the possible use of the *s.c.u.* in 62 against Nepos, since Dio (37.43.3) is our only record of the incident.

¹⁹ Ungern-Sternberg, *Untersuchungen zum spätrepublikanischen Notstandsrecht*, provides the foundational analyses of the origin of the *s.c.u.* and its uneasy place within the Roman government; see also B. Rödl, *Das Senatus consultum ultimum und der Tod der Gracchen* (Bonn 1969); W. Nippel, *Public Order in Ancient Rome* (Cambridge 1995): 60-9; Gaughan, *Murder was not a Crime*: 109-125; Golden, *Crisis Management*: 104-49. Lazar, *States of Emergency*: 147-162, as part of a larger phenomenon in liberal states up until today of the normalizing of crisis in government and its dangers.

²⁰ This has often been the problem of emergency measures: does an emergency constitute an exception to the law, where the law only pertains to “normal” circumstances? See Lazar, *States of Emergency*, for a more comprehensive discussion.

the ambiguity: although he was tried for the extralegal violence he committed,²¹ he was acquitted, a tacit approval which later adherents like Cicero highlight.²² Instead of uniting the state behind an individual like the dictator, who resolved a crisis on behalf of everyone, the *s.c.u.* was in reality a divisive measure that aimed to eliminate what was more often a political rather than a military threat.

Indeed, while the connection between the *s.c.u.* and civil strife is not particularly obscure, it has also not received enough attention. With each passage of this decree, the factionalization of the Roman people increased, and Romans killed Romans.²³ In every case, more Romans died than the one named in the decree as the threat to the state. The *s.c.u.* even sparked three civil wars: when Sulla marched on Rome (88), when Caesar marched on Rome (49), and when Antony faced off against D. Brutus, Octavian, and the consuls (43).²⁴ On a more general level, the rationale and rhetoric for justifying the use of the *s.c.u.* is in many ways similar to justifying civil war. It entails prioritizing the state as a whole over individual citizen lives.

Cicero and Caesar

While the modern, outside perspective has laid out the complexities and issues of the *s.c.u.* and general violence against Roman citizens, it is the internal perspective that poses the greater interest. Cicero and Caesar were both significantly involved in debates over the use of the *s.c.u.* specifically as well as violence against Romans generally.²⁵ In 63, they faced off in two

²¹ Liv. *Per.* 61. The main thrust of his defense seems to be that although he did break the laws, he was justified for acting on behalf of the state and the *s.c.u.*

²² Cf. Cic. *De. Or.* 2.106. Yet there was no guaranteed immunity for those consuls who took action through the *s.c.u.*, as Cicero himself found out. See Chapters 1 and 2.

²³ Its effectiveness even seemed to decrease with each use, as the political situation deteriorated more and more.

²⁴ The skirmish against Catiline and his followers in 63 was certainly a scaled-down civil war as well.

²⁵ The lives of Cicero and Caesar have been well-documented, and their works well-analyzed. The *Brill's Companion to Cicero* (Leiden 2002), ed. J.M. May is a good place to start, including May's succinct chapter "Cicero: his life and career" (1-21). Of the many lengthier biographies written about him, see especially M. Gelzer,

cases about its legitimacy, first in a treason trial against Rabirius for his involvement in the murder of Saturninus in 100, and then in the senatorial debate over the Catilinarian conspiracy. In the fifties, while Caesar documented his campaign in Gaul, justifying the war and his absence, Cicero defended Milo for the murder of Clodius Pulcher. When civil war rocked the state in the forties, Caesar took to the pen as well as the sword, justifying his own role in the civil war while condemning the *s.c.u.* against him; a few years later, Cicero would advocate for an *s.c.u.* against Antony and over the course of the *Philippics* justified committing Rome to yet another civil war. While we have few direct points of contact between Cicero and Caesar, their careers constantly intersected, even as their views differed widely.

Moreover, thanks to their prolific writing and rhetorical skill, we have a somewhat unique opportunity to examine their publicly expressed views on violence against Roman citizens over the course of a decade or more. Previous studies have tended to focus on only one author or on one set of works. While valuable in themselves, Cicero and Caesar's views on this sort of violence consequently have been limited to a specific instance of the *s.c.u.* or civil war, whether looking to untangle the event itself or its immediate impact on their careers, rather than considered as part of a larger, political outlook. In this dissertation, then, I seek to illustrate how Cicero and Caesar's attitudes towards political violence reflect their overall conception of the *res publica*. Rather than focusing on one point in time or one conflict, I take a diachronic approach to the careers of Cicero and Caesar, focusing on the evolution of their views as expressed in their

Cicero: ein Biographische Versuch (Wiesbaden 1969); D. R. Shackleton-Bailey, *Cicero*. (New York 1971); E. Rawson, *Cicero: A Portrait* (Ithaca 1983); and C. Habicht, *Cicero the Politician* (Baltimore 1990). While Mommsen (1904) and Gelzer's (1968 [1921]) biographies of Caesar were immensely influential in the twentieth century, many newer and more up to date works devoted to Caesar's life abound. C. Meier's biography, *Caesar* (translated in 1995 by D. McLintock, New York) was the first of the new set, though footnotes and bibliography are missing. A. K. Goldsworthy's 2006 biography, *Caesar, Life of a Colossus* (New Haven) is overall quite excellent. See also S. Elbern, *Caesar: Staatsmann, Feldherr, Schriftsteller* (Mainz 2008) and M. Griffin's *Companion to Julius Caesar* (Cambridge 2009).

political writings as well as the rhetoric that they use to persuade their audience. By contrasting Cicero and Caesar's views, rather than looking at only one author, I show how Cicero's support of the *s.c.u.* and limited acts of violence against Roman citizens fits with his goal of protecting the *res publica* in its form as a mixed constitution, whereas Caesar's condemnation of such acts of violence aligns with his view of the *res publica* as the Roman people, whose rights must be protected by the government. But along with each author and their writings come specific challenges and considerations, which I will summarize briefly.

Cicero

Because he was both a politician and an advocate, Cicero's sincerity, views, and agenda were and still are constantly questioned.²⁶ Regardless of any differences between the delivered and transmitted speeches, the substance of Cicero's written speeches, abounding in rhetoric and often presenting conflicting or ironic stances, has posed a problem for those trying to ascertain either what Cicero actually thought or historical truth. Various approaches have been used by scholars to tackle this issue.²⁷ First and foremost was concern over the viability of using Cicero's speeches—especially his consular speeches—as historical sources. Mommsen's famous disdain for Cicero as a “short-sighted egoist,” “a journalist in the worst sense of the term,” and a “mouthpiece for politicians...useful on account of his lawyer's talent of finding a reason, or at

²⁶ Ancient criticism arose among his contemporaries and later writers. Brutus remarked that Cicero would put up with servitude so long as he was flattered and praised (*nimum timemus mortem et exsilium et paupertatem. Haec nimirum videntur Ciceroni ultima esse in malis, et dum habeat a quibus impetret quae velit, et a quibus colatur ac laudetur, servitutum, honorificam modo, non aspernatur*; *Ad M. Brutum* 1.17.4). Certain speeches have garnered greater suspicion of sincerity, such as *Pro Fonteio* and the *Pro Cluentio*—the speech which gave rise to the oft-cited statement preserved in Quintilian, that Cicero “boasted that he threw dust in the eyes of the jury” (*cum se tenebras offudisse iudicibus in causa Cluenti gloriatus est, Quint.* 2.17.21); see A. Vasaly, “Cicero's Early Speeches” in J. May, ed. *Brill's Companion to Cicero* (Leiden 2002): 104-106. Cf. *de Or.* 2.30; *Off.* 2.51.

²⁷ The history of Ciceronian scholarship and all of the notable contributions are too vast to be detailed here. What follows is a brief summary of certain trends, which have shaped the course of its development. See C. Craig, “A Survey of Selected Recent Work in Cicero's Rhetorica and Speeches” in May, *Companion to Cicero*: 515-31.

any rate words, for everything” further discredited him.²⁸ Syme’s repeated quips about Cicero’s deluded political judgments seem to reinforce this point.²⁹ An early champion of Cicero’s consistency, however, could be found in Smethurst, who argued that Cicero strove for his political ideals with “a remarkable consistency and tenacity of purpose, considering the chaotic political situation of his age.”³⁰ Nevertheless, the value of Cicero’s works at this time seemed to be largely in relation to his rhetorical style and philosophical pursuits. Neumeister’s groundbreaking work *Grundsätze der forensischen Rhetorik gezeigt an Gerichtsreden Ciceros* (Munich, 1964) introduced a new critical approach termed “persuasion process” for evaluating Cicero’s speeches. Setting aside previous debates about how closely or not Cicero’s oratory aligned with rhetorical handbooks, Neumeister argued that the sole job of the orator was to persuade the audience, and that each part of the speech served this purpose. Thus the psychology of the audience was now an important consideration, as well as the political or legal context, since that would impact the method of persuasion used in the speech.³¹ This approach, while stimulating Ciceronian scholarship in a fruitful direction, nevertheless had a negative impact on the image of Cicero himself. For some time after, the trend was, as Craig put it, a “celebration of the orator’s lack of veracity.”³² Narducci examined the tensions underlying Cicero’s sincerity in his speeches, while others such as Gotoff and Zetzel assert that Cicero merely dupes both jury and reader and that the juries judge the accused based only on the performance of the defense.³³

²⁸ T. Mommsen, *Römische Geschichte* (Leipzig 1856).

²⁹ R. Syme, *The Roman Revolution* (Oxford 1939): 137, 142, 143.

³⁰ S.E. Smethurst, “Cicero and the Roman Senate,” *CJ* 54 (1958): 73.

³¹ R. G. Nisbet, “The Orator and the Reader: Manipulation and response in Cicero’s Fifth Verrine,” in *Author and Audience in Latin Literature*, A. J. Woodman and J. G. F. Powell, eds., (Cambridge 1992): 1-17, looks at this issue from the other side, using reader response to explore how the audience might have responded to Cicero’s various techniques.

³² Craig, in *May Companion to Cicero*: 518.

³³ See E. Narducci, “‘Mysteria Rhetorium’: Cicerone e le passion dell’oratore.” *Electronic Antiquity* 2 (1994-95): non-paginated; H.C. Gotoff, “Oratory: the Art of Illusion.” *Harvard Studies in Classical Philology* 95 (1993): 288-313; J. E. G. Zetzel, *Review of Craig 1993. Bryn Mawr Classical Review* 94.01.05.

Riggsby refutes this notion in *Crime and Community in Ciceronian Rome* (Austin 1999), demonstrating that while the Roman courts were political by nature, juries took trials and their verdicts seriously; certainly Cicero did as well.³⁴

These developments, while important, nevertheless did not take context into account for evaluating Cicero's duties and, therefore, what we can take from his speeches. Two notable scholars during this period of renewed interest in Cicero, however, helped pave the way for a more nuanced approach to Cicero as well as politicians and advocates in general. Focusing on the permanent courts (*quaestiones perpetuae*), Gruen's work in *Roman Politics and the Criminal Courts, 149-78 BC* (Cambridge 1968) demonstrates that these courts were intrinsically linked to politics from their very inception. It did not matter whether the offense itself was political—prosecutors often would exploit any opportunity for political gain. This point is essential for understanding how Cicero could use the arena of the court (as well as any venue for that matter) for the dual-purpose of participating in a trial and furthering his political agenda. In addition, Frier's seminal work, *Rise of the Roman Jurist* (Princeton 1985), uses Cicero's defense of Caecina in 69 to show how judicial proceedings in the late Republic were dominated by rhetorical advocacy in a "strong adversary" climate. That is, trials at this time were conducted around two competing orators using rhetorical techniques to advance their client's case at all costs—not only was this the norm, but other methods like legal science were spurned by judge and jury until their gradual emergence at the end of the Republic.³⁵ As subsequent studies have

³⁴ See also Riggsby, "Did Romans Believe their Verdicts?" *Rhetorica* 15 (1997): 235-1.

³⁵ Frier, *Roman Jurist*: 130-8. Unsurprisingly, for a man with high ideals and a long, fluctuating career, Cicero at times would take a cynical view of the job of the orator, which, as Frier notes, is not unlike the modern "principle of partisanship," according to which: "[a lawyer will] work aggressively to advance his client's ends. The lawyer will employ means on behalf of his client which he would not consider proper in a non-professional context even to advance his own ends. These means may involve deception, obfuscation, or delay" (133, quoting W. H. Simon, "The Ideology of Advocacy: Procedural Justice and Professional Ethics," *Wisconsin Law Review* 29 [1978]: 36).

shown, Cicero's speeches, when fully contextualized with the highly political and rhetorical courts (private and criminal), are valuable for their political insights as well.

In recent years, scholars have been moving towards more multi-faceted approaches and seeking to refine our assumptions about Cicero and the value of his speeches.³⁶ Studying Cicero continues to be a fruitful endeavor, so long as we are aware of the limitations of his work and adjust our questions accordingly.³⁷ In this case, studying Cicero's rhetoric will reveal in broad terms the general debate around topics like the *s.c.u.* and what persuasive arguments are most effective for his audience.

Cicero's political career and ideology is another issue that has been hotly debated. Having a grasp of Cicero's political (and philosophical) mindset is crucial for understanding his speeches. Such a task, however, is complicated by a number of factors. The length of his political career is considerable and his writing prolific, yet the distribution of his extant works across his career is far from balanced. This is further compounded by his decision to turn away from the political life for some years near the end of that career and instead focus on philosophical and rhetorical treatises. These two elements have resulted in a great deal of scholarly interest and production, yet they often are not taken into account together. Because the Ciceronian corpus is so vast, historians and Classicists by necessity tend to focus on specific time periods, such as his consular year, or on narrow thematic topics, such as his rhetorical style. While such restrictions on scope are reasonable, they can create blind spots and divisions in scholarship, which often go unacknowledged. In the case of Cicero's political ideology, for instance, scholarship has fallen

³⁶ Such studies include K. Barber, *Rhetoric in Cicero's Pro Balbo* (New York 1994), J. Connolly, *The State of Speech in Ancient Rome* (Princeton 2007), A. Lintott, *Cicero as Evidence* (Oxford 2008), and the recent Brill and Cambridge Companions to Cicero, cited above.

³⁷ On the issue of evaluating literary texts and determining the sorts of questions we should be asking, see D. Potter, *Literary Texts and the Roman Historian* (London 1999).

into two major camps: rhetorical and historical studies argue that Cicero is inconsistent when it comes to politics, easily moving from a hard-optimat line to championing the rights of the people, thus reaffirming the notion that he will say whatever he thinks will persuade his audience;³⁸ on the other hand, political theorists and philosophers, relying heavily (and sometimes solely) on Cicero's later works, see an unwavering optimat in Cicero, paying little attention to his intellectual evolution and how it culminated in later works as *de Republica* and *de Legibus*.³⁹ The problem with such divided studies is that Cicero's political and ideological stance is simultaneously conflated and contradicted by both parties; the tendency for other scholars to use such scholarship for their own arguments further exacerbates the matter.⁴⁰

Using Cicero's rhetorical and philosophical dialogues as the basis for his political stance,

³⁸ Once again, Mommsen provides the most cutting depiction: "Marcus Cicero, a notorious political trimmer accustomed to flirt at times with the democrats, at time with Pompey, at times (from a somewhat greater distance) with the aristocracy, and to lend his services as an advocate to every influential man under impeachment without distinction of person or party..." Syme also casts aspersions on Cicero's political career, pointing out that the majority of his actions were simply for self-aggrandizement. It was only at the end of his career that Cicero stopped wavering between parties, when he took a firm stand against Antonius (*Roman Revolution*: 144ff.).

³⁹ For instance, N. Wood, *Cicero's Social and Political Thought* (Berkeley 1988), C. Rowe and M. Schofield, *The Cambridge History of Greek and Roman Political Thought* (Cambridge 2005), or even sections devoted to his "politics" or "political philosophy" such as J. E. G. Zetzel, "Political philosophy" in *Cambridge Companion to Cicero*, C. Steel, ed. (Cambridge 2013): 181-95. P. Brunt, *The Fall of the Roman Republic* (Oxford 1988) gives another view that Cicero swung from insincerely courting the popularis line to frankly declaring his optimat principles, setting aside the mask as it were (334, 377, 478); cf. T. N. Mitchell, *Cicero: the Ascending Years* (New Haven 1979): 107-76, and R. Morstein-Marx's general attitude towards Cicero, *Mass oratory and political power in the late Roman Republic* (Cambridge 2004).

⁴⁰ N. Wood's *Cicero's Social and Political Thought* has been an authoritative voice about Cicero's politics for decades and is widely referenced by historians and Classicists. His efforts to illustrate how Cicero's political ideology influenced the later political thinkers like Machiavelli, Hobbes, and others, however, conversely influence the way he analyzes Cicero's stated views, the majority of which are pulled from his later works. Thus, he tends to use the philosophical works as a blanket statement position for Cicero's ideology as a whole. This leads to such as the following, which appears at the beginning of the chapter "The Art of Politics," when he warns his audience about the difference between the Cicero they have become accustomed to and the Cicero he is about to present to them: "The Cicero characterized in this chapter, therefore, will sometimes seem strange to those who rely solely on the *Republic*, *Laws*, and *On Duties* for an understanding of his ideas" (177). Despite recognizing that there is a difference between the actively political Cicero in his early and mid-career and the Cicero who seeks refuge in philosophy and writing, Wood paints Cicero's political outlook with overly broad strokes, characterizing it as set from the beginning, rather than developing over time. As has been noted by J. Powell and J. Paterson, a related pattern of generalizing is also common among Ciceronian scholars, in which his forensic speeches are subsumed into a general, homogenous unit of "Ciceronian oratory," rather than separating his activities as an advocate from those as a politician (*Cicero the Advocate*, Oxford 2004: 5). Even if there is a fair amount of crossover between the two, treating them as indistinguishable genres should not be the default. Certainly Cicero does not (*rem publicam nulla ex parte attingimus, in causis atque in illa opera nostra forensi summa industria versamur, Att. 2.22.3*).

while understandable—since Cicero did not actively write about his philosophical and political ideals while ascending the *cursus honorum*—nevertheless leads to problematic assumptions. First, it is risky to claim anything about Cicero the author based on a speaker in one of his dialogues: it has been well-established that the philosophical genre, with its dialogue format, was meant to be open-ended, to encompass all sides of an argument rather than openly preferring one.⁴¹ Furthermore, by using Cicero’s philosophical works from the forties, or even fifties, as evidence for his political position and ideals throughout his whole career, you are assuming not only that his viewpoint from the end of his career remained unchanged from his entrance into political life in the eighties but also that the rapidly changing political arena and dissolution of the Republic did not affect him in a significant way. The latter assumption is disproven by Cicero himself, both formally in his later works and in his letters. The former point is one that I intend to challenge in the dissertation. Although certain aspects of Cicero’s ideals remain relatively constant throughout his adult life—and as I argue below, his insistence on the mixed constitution as the ideal form of government is one of them—the manner in which he expresses this view through his speeches varies and evolves,⁴² as do his goals as the political climate shifts away from the *auctoritas* of the senate towards powerful individuals and *popularis* tactics.

I argue for a more nuanced understanding of Cicero’s political stance, one that takes into

⁴¹ This is especially true when the dialogues are set in the past. Not that this has stopped scholars from seeing particular speakers or arguments being subtly championed by Cicero. I do not intend to confirm or refute their judgments, but simply using Cicero’s dialogues to claim that he believes in X without contextualizing such statements or recognizing generic norms is bad practice.

⁴² For instance, the phrase *cum dignitate otium*, which has been the subject of much speculation over the years, only appears three times, during the years 56-54. See J. P. V. D. Balsdon “Auctoritas, Dignitas, Otium.” *CQ* 10 (1960): 43-50 for a discussion of three political catchwords particularly important to Cicero (with further discussion below); C. Wirszubski’s “Cicero’s Cum Dignitate Otium: A Reconsideration.” *JRS* 44 (1954): 1-13 provides a useful summary of the various interpretations the phrase has inspired and its importance. While it may be significant to Cicero’s political ideals, it’s important not to divorce the phrase from its immediate context of the mid-50s. This phrase and the *Pro Sestio* I treat in greater detail in Chapter 2. M. Schofield also illustrates how Cicero expresses essentially the same ideas but in different ways in his comparison of the *Tusculan Disputations* and the *De Republica*, in “Republican Virtues,” in *A Companion to Greek and Roman Political Thought*. R. Balot, ed. (Blackwell 2009): 199-213.

account both the context of the political arena in which he operated and also his varied opinions found within individual speeches. While I readily accept the essence of the persuasion-process theory, that Cicero's goal as an orator was first and foremost to persuade his audience by any means necessary, this does not preclude us from finding the core arguments within his works, diverse as they are, and seeing how even contradictory statements can actually fit Cicero's theory of how Roman politics and the Republic ought to work. It also sees the value in analyzing Cicero's rhetoric, both from Cicero's point of view of crafting his message in a way that would be appealing and persuasive to his audience, and from the other side, as his written statements actually reflect the general climate and sentiments of the Late Republican Roman. My approach aims to avoid going to either extreme: either discounting Cicero's expressed political statements as simply geared towards persuading his audience or seeing his political outlook as static, unchanging over the many decades of his career and overlooking context.⁴³ Although certain chapters, such as Chapter 1, focus on only one time period, I argue that they are part of a broader framework that is necessary for establishing Cicero's political ideology, whose core remains the same even as its appearance changes over time.

Caesar

Studying Caesar, on the other hand, poses rather different challenges. Although we lack an explicit record of his political platform, Caesar has not suffered the same sort of backlash in modern scholarship about having "inconsistent views," unlike Cicero. Caesar's career leading up to his campaign in Gaul demonstrates his civic concerns, and his record firmly places him into

⁴³ A similar phenomenon has been recently brought to light by H. Flower in *Roman Republics* (Princeton 2010). By looking at the Republic as one continuous mass, it is all too easy to conflate events and not see specific and important changes in how Rome functioned at that time.

the *popularis* camp.⁴⁴ While the genre of Caesar's works poses its own challenge too, the other major consideration is whether we can determine a political ideology for Caesar at all before 48, what role does violence place in this ideology, and how does it inform Caesar's subsequent actions after the civil war with Pompey.

As stated above, Caesar played a significant role in Cicero's own political life and speeches. In the case of the treason trial for Rabirius, while the extent of his involvement is still a matter of debate, Caesar was certainly one of its main instigators. As Gruen put it, "The proceedings ended without issue, more as farce than as serious judgment. The purpose was demonstration, not justice. Only the principle mattered: a warning about abuse of power by the senate and an indirect challenge to the *s.c.u.* itself."⁴⁵ Later that same year, when Cicero had his hands on several of the Catilinarian conspirators and argued for their immediate execution, Caesar spoke against the death penalty and instead advocated for lifetime imprisonment.⁴⁶ Although his own words are lost, Sallust provides a dramatic yet still plausible speech, and later sources say that it was powerful, even if it did not prevail in the senate.⁴⁷ In Sallust's version, Caesar warns of the dangers of the senate violating constitutional measures and setting precedents that would be detrimental the future of the Republic.

⁴⁴ Plutarch records that Caesar displayed the *imagines* of the Marii when he gave the funeral oration for his aunt Julia in 69 (*Caes.* 5). Following Sulla's death, Caesar actively participated in reversing Sulla's reforms. We know of a speech he gave in 70 advocating for the recall of those exiled during Sulla's reign, while in the 60s he prosecuted many men who either executed other Romans because of the proscriptions or had profited from them. This concern over civil liberties and atoning for the damage wrought by Sulla extended beyond the borders of Rome. For example, he encouraged Latin colonies to seek full Roman citizenship (*Suet. Iul.* 8); while prosecuting Piso in 63, Caesar criticizes him for executing a Transpadane Gaul (*Sall. Cat.* 49.2). See Gruen "Caesar as a Politician" in Griffin, *Companion to Caesar*: 23-36, for more on Caesar's earlier career. Some, such as Gruen, find the distinction between *optimates* and *populares* to be over-stated (*Last Generation of the Roman Republic*, Berkeley 1974). While I agree that such a hard dividing line is unnecessary, and at times obscures individual motivations (such as seeing Cicero as simply an optimate), the categories are nevertheless valid.

⁴⁵ 2009: 26-7.

⁴⁶ *Cic. Cat.* 4.7-8.

⁴⁷ *Sall. Cat.* 51; *Suet. Iul.* 14; *Plut. Caes.* 7-8, *Cic.* 21.2-4, *Cato* 22.4-5; *Dio* 37.36.1-2; *App. BC.* 2.6.

Upon his election to the consulship in 59, Caesar wasted no time aggravating the senate. He had *acta senatus* published and made available to the public to promote greater transparency.⁴⁸ His land law was naturally opposed by senate, despite his thoroughness in crafting it to meet any senatorial objection.⁴⁹ When they refused on conservative grounds alone, he went to the Roman people to get it passed. His *lex repetundarum*, however, a far more comprehensive law to protect provincials from abuse by their proconsular governors, was well-praised.⁵⁰ With such a track record for upholding citizen rights, it should be no surprise that Caesar would continue to express such values in his *commentarii*. While this has been noted to a certain extent, largely in the context of general *popularis* sentiments, his attitude toward violence and its connection to politics has not been sufficiently studied.

The main texts we have, the accounts of his campaign in Gauls (*commentarii de bello Gallico*) and in Rome against Pompey (*commentarii de bello Civili*), present their own considerations.⁵¹ Not only are they the most prominent of our few extant *commentarii*, but it is not at all clear how representative they are of the genre as a whole.⁵² Indeed, Riggsby, who surveys how ancient authors used the term *commentarius*, found that it could refer to a wide variety of topics, but a unifying feature was its unfinished or incomplete nature: “The word is

⁴⁸ Suet. *Iul.* 20.1.

⁴⁹ Dio 38.1.2-3, 38.5.2; cf. Cic. *Att.* 2.3.4; Plut. *Pomp.* 47.3, *Caes.* 14.1, *Cato* 31.4; App. *BC* 2.10.

⁵⁰ Cic. *Rab. Post.* 8, *Sest.* 135, *Pis.* 37.

⁵¹ Henceforth, *BG* and *BC*, respectively. On Caesar’s prose style, see K. Deichgräber’s “*Elegantia Caesaris: Zu Cäsars Reden und Commentarii*,” *Gymnasium* 57 (1950): 112-23; P. T. Eden. “Caesar’s Style: Inheritance versus Intelligence.” *Glotta* 40 (1962): 74-117; H. C. Gotoff, “Towards a practical criticism of Caesar’s prose style.” *Illinois Classical Studies* 9 (1984): 1-18; M. Williams, “Caesar’s Bibracte narrative and the aims of Caesarian style,” *Illinois Classical Studies* 10 (1985): 215-26; Hall, in Welch and Powell *Caesar as Artful Reporter*.

⁵² The only *commentarius* contemporary with the *de bello Gallico* is the *Commentariolum petitionis* (“the little *commentarius* on canvassing”), which was written by Cicero’s brother Quintus in 64. The works of his continuators that survive make up the other examples, but Caesar’s influence is apparent. For a comprehensive but not exhaustive overview, see Riggsby 2006: 134-55, who argues that Caesar’s *commentarii* are typical, but that the form of the *commentarius* is itself quite broad; see also C. Kraus “*Bellum Gallicum*” in Griffin, *Companion to Caesar*: 159-65, complemented by K. Raaflaub in the same volume: 179-80. Grillo focuses on the comparison with Sulla’s *commentarii* (*Art of Caesar*: 154-5).

paired or even equated with “chapters,” “annals,” and *saturnalia* in its general Latin sense of “medley.” This suggests a simple, paratactic structure for the *commentarius*, with items arranged like beads on a string.⁵³ Caesar’s *commentarii*, by contrast, were praised even then for their polish and elegance.⁵⁴ Cicero’s famously described them as “clear, straightforward, and charming,” and scoffed at anyone who dared to embellish on what Caesar had produced.⁵⁵ Caesar also appears to be unique in using the third person for his own narrative.⁵⁶ Not only were these *commentarii* true works of literature,⁵⁷ but they were also clearly designed to portray him and the Roman army favorably.

It is no surprise, then, that during the mid-twentieth century, Caesar’s self-presentation as well as his depiction of events in his writing was an area of intense interest. First De Witt, in response to Mommsen and his following, claimed that Caesar’s commentaries were not inherently political.⁵⁸ Two separate but equally impassioned studies, Stevens’ “The *Bellum Gallicum* as a work of propaganda,” and Rambaud’s *L’art de la déformation historique dans les commentaries de César*, argued for a Caesar who was not only a wholly political animal (both by that point in his career and in his writing), but who also manipulated the details presented in the *BG* as both a defense of the author and a vehicle for self-glorification.⁵⁹ Strong reactions to that

⁵³ Riggsby, *Caesar in Gaul and Rome*: 138.

⁵⁴ On Caesar’s intellectual ability, education, training, skills, E. Rawson, *Intellectual Life in the Late Republic* (Baltimore 1985): 109-14; Fantham in Griffin, *Companion to Caesar*: 141-56.

⁵⁵ *Valde quidem, inquam, probandos; nudi enim sunt, recti et venusti, omni ornatu orationis tamquam veste detracta. sed dum voluit alios habere parata, unde sumerent qui vellent scribere historiam, ineptis gratum fortasse fecit, qui volent illa calamistris inurere: sanos quidem homines a scribendo deterruit; nihil est enim in historia pura et inlustri brevitae dulcius. sed ad eos, si placet, qui vita excesserunt, revertamur* (Cic. *Brut.* 262).

⁵⁶ Not even other Roman historians who themselves were a part of their own history (Fabius Pictor, Cato, Piso Frugi, and Sallust) did this. See J. Marincola, *Authority and Tradition in Ancient Historiography* (Cambridge 1997): 193-7.

⁵⁷ For their influence on Livy, for instance, see P. Walsh, *Livy: His Historical Aims and Methods* (Cambridge 1961): 203; Oakley, *Commentary on Livy*: 1.138-9; J. Keegan, *The Face of Battle* (London 1991 [1976]): 62-78.

⁵⁸ “The non-political nature of Caesar’s Commentaries.” *TAPA* 73 (1942): 341-52.

⁵⁹ C.E. Stevens, “The *Bellum Gallicum* as a work of propaganda,” *Latomus* 11 (1952): 3-18, 165-79; M. Rambaud, *L’art de la déformation historique dans les commentaries de César* (Paris, first published 1953).

claim were subsequently brought forth by Adcock in *Caesar as Man of Letters* (Cambridge 1956) and Mutschler in *Erzählstil und Propaganda in Caesars Kommentarien* (Heidelberg 1975), as well as two important articles by Lazenby and Collins.⁶⁰ Among other things, they sought to differentiate the aims of the *BG* and *BC*, or to establish that Caesar's reporting did not suffer from extreme distortion, and bring out the connection between events in Gaul and the political maneuverings at home.

In recent years, interest in the rhetorical aspect of Caesar's writing and its relation to Caesar's personal and political life ("propaganda" or not) has continued to generate more scholarship, though by this point there is little question that Caesar could and did impart more than just the facts in his writing. Important volumes such as, Welch and Powell's *Julius Caesar as Artful Reporter* (London 1998), and Cairns and Fantham's *Caesar against liberty? Perspectives on his autocracy* (Cambridge 2003), look holistically at Caesar, both *commentarii*, and its connection to his political life, while other books such Riggsby's *Caesar in Gaul and Rome* (Austin 2006) and Batstone and Damon's *Caesar's Civil War* (Oxford 2006) have become seminal works on his individual texts.⁶¹

Methodology and Structure

Although there are significant differences in the type of texts produced by Caesar and Cicero, this study aims to highlight the many commonalities. One important parallel that underlies my argument is that Cicero and Caesar's political writings during the course of their careers represent their political ideology in practice. Not only can we trace their idea of how the

⁶⁰ F. E. Lazenby, "The conference of Luca and the Gallic War: a study in Roman politics 57-55 B.C." *Latomus* 18 (1959): 67-76; J. H. Collins, "Caesar as a Political Propagandist." *ANRW* 1.1 (1972): 922-66.

⁶¹ See Chapters 3 and 4 for more specific scholarship.

Roman government should function throughout their careers, but seeing their ideological trajectories better explains Cicero and Caesar's more codified views at the end.⁶² While the first evidence for Cicero's views on the Roman constitution is the *de Re Publica*, a dialogue-format treatise in which his interlocutors ultimately determine that the mixed constitution is the best both in theory and for Rome, my argument assumes that he held similar views as early as 63.⁶³ Although we have no written document of Caesar's political ideology, his actions in 48 until his death reflect his own views on how Rome should be governed; similarly, I argue that such ideological leanings can be seen during his earlier works.⁶⁴

My approach also relies heavily on word choice, and rhetorical analysis generally. As two of the greatest Roman orators, both Cicero and Caesar knew the power of word choice and framing their arguments. In each chapter, I examine key words that each author uses in reference to acts of violence, for it allows them to not only impose particular categories onto such instances, either to condone or condemn it, but also reinforces the political identities and divisions within the Roman state that each author may wish to highlight. Word choice and rhetoric can also speak to the attitudes of the *populus Romanus* itself, since both Cicero and

⁶² A similar methodology is employed by H. van der Blom's *Cicero's Role Models* (Oxford 2010).

⁶³ J. E. G. Zetzel's *Cicero: On the Commonwealth and On the Laws* (Cambridge 2007, repr.) provides an excellent historical overview, text, and commentary. Early treatments of Cicero's stance on the ideal government include C. W. Keyes, "Original Elements in Cicero's Ideal Constitution," *AJP* 42 (1921): 309-23, and W. W. How, "Cicero's Ideal in his *De re publica*," *JRS* 20 (1930): 24-42. More recent treatments include J. G. F. Powell, "The *rector rei publicae* of Cicero's *De Republica*," *Scripta Classica Israelica* 13 (1994): 19-29, and J.-L. Ferrary, "The Statesman and the Law in the Political Philosophy of Cicero," in *Justice and Generosity* (ed. A. Laks and M. Schofield; Cambridge 1995) For the mixed constitution generally, see K. von Fritz's *The Theory of the Mixed Constitution* (New York 1954), who examines the various constitutional theories set out by Polybius, as well as D. Hahm, "Polybius' Applied Political Theory," in *Justice and Generosity* and A. Lintott, "The Theory of the Mixed Constitution at Rome," in *Philosophia Togata II* (ed. J. Barnes and M. Griffin; Oxford 1997). See also *Cicero the Philosopher* for a more general treatment of his philosophical models.

⁶⁴ This is by no means a perfect parallel. Cicero's treatises on the ideal government were theoretical and thought out in a leisurely fashion (both by Cicero and by his interlocutors), whereas Caesar as head of the state after 48—and especially later—was the literal application, complicated by a dysfunctional system and a hostile senate. In addition, I am not trying to say that Caesar was aiming to be a monarch-figure in the 50s, but rather his views were consistent over a long period of time. See Chapters 3 and 4 for a more in-depth discussion.

Caesar's works are intended to persuade the larger community. Indeed, the fact that each author uses different rhetorical strategies and buzzwords to achieve their otherwise consistent goals suggests that the Roman people's attitudes towards such violence changed over time.

The four body chapters are divided into two parallel sections, with two chapters tracing the evolution of Cicero's rhetoric in favor of state-sanctioned violence (Chapters 1 and 2) and two tracing the evolution of Caesar's rhetoric against it (Chapters 3 and 4). In Chapter 1, I establish Cicero's political views at the height of his career in 63, focusing on the *On Behalf of Rabirius* (*Pro Rabirio perduellionis reo*) and the Catilinarian speeches (*In Catilinam I-IV*). Through his unwavering support of the *s.c.u.*, Cicero defines his ideological stance, which prioritizes protecting the Republican government over the rights of individual citizens. In Chapter 2, I look first at his justification of Milo's act of violence in the *Pro Milone* and then his fiery speeches against Antony (*Philippicae*) at the end of his career in 43; while the political atmosphere has drastically changed and he no longer enjoys the same political power, Cicero maintains his defense of the traditional Republican government and his support of using violence to achieve that end. Despite his attempts to shift rhetorical tactics, nevertheless his speeches are far less successful than before, suggesting that the Roman people no longer support the idea that protecting the state justifies violating a citizen's rights.

In Chapters 3 and 4, I examine Caesar's account of the campaign in Gaul (*libri de Bello Gallico*) and the civil war with Pompey (*libri de Bello Civili*), respectively. An important feature that stands out in both works is how little violence is actually present. Caesar's reluctance to show the grim realities of warfare is strategic, for his political ideology rests on his ability to be a champion of Roman lives as well as their constitutional rights. Although his time in Gaul constituted a foreign war, in Chapter 3, I argue that Caesar deliberately deploys violent language

emphasize his capability as leader against Gallic enemies who seem to behave like Caesar's *inimici* at home. In Chapter 4, Caesar's leadership and ideology are put into sharp contrast with the Pompeians'. I show that the use of violent language is even more carefully employed in order to demonstrate that Caesar alone prioritizes the lives and rights of the Roman people. Here, he persuasively argues that his commitment to the Roman people (who are the *res publica*) is the most important quality for Roman leadership, more important than the form of government itself.

My conclusion looks at both the short-term and long-term trends of this conflict of ideologies, both on the Romans and in the Early Modern period. Both Cicero and Caesar, each unwilling to concede either their position or their power, were killed for their ultimately extreme beliefs by other Romans. Within the next two decades following their deaths, the Roman Republic all but collapsed amid civil war, proscriptions, and general political upheaval. It took the political finesse of the first Roman emperor, Augustus, to end the civil bloodshed by finding a balance between openly championing citizen rights and claiming to restore the Republic to its original glory (despite the fact that it had become a monarchy), a sop to those still wanting the old, traditional ways. The ideal form of government, as well as the legitimacy of certain types of violence, has continued to be a topic of intense debate to this day. In the latter half of the chapter, I explore the arguments made by early modern political thinkers, who used the Roman Republic as a model for improving upon their ideal governments. The larger question that underlies my study—whether it is more important for a liberal state to protect its own well-being or to uphold the constitutional rights of citizens—still dominates the writings of Machiavelli, Locke, and even the *Federalist* writers. Their proposed governments represent both their answer to this question as well a solution to violence against their own citizens.

In short, the relationship between political violence and particular systems of government has not been adequately examined in the ancient world. Rome's tumultuous history as a Republic and an Empire offers a great deal of material to be explored. Because of its lasting legacy and influence on Western civilization, contemporary discussions of violence and politics would be enriched by engagement with the ancient examples and debates. This dissertation will hopefully be one of many studies to come in this direction.

CHAPTER I.

Cicero in 63

In this chapter, I explore how Cicero theorized violence on behalf of the state in a time of political as well as personal turmoil, the year 63. During this year, the *senatus consultum ultimum* made two prominent appearances: first, as part of the treason trial of Gaius Rabirius, who participated in the *s.c.u.* of 100 against Saturninus and Glaucia, and second, as Cicero's driving force for the revealing, trying, and punishing of those involved in the so-called Catilinarian Conspiracy. In both cases, strong opposition was raised against the decree, and Cicero responded first in his defense of Rabirius, the *Pro Rabirio perduellionis reo* (henceforth, *Pro Rabirio*), and then in four speeches against Catiline, the *Orationes in Catilinam* (the *Catilinarians*). As both consul and as a political thinker, he sought to clarify and to justify to his audience the legality of the *s.c.u.*, how the state viewed its citizens, and how such a decree fit within the state's legal and institutional framework.

Throughout, Cicero defends the *s.c.u.* and all actions done in its name as a legitimate and appropriate mechanism for protecting the state from an internal threat. I argue that his stance reflects the principles of the mixed constitution, in which each part of the government has a specific role to play in maintaining balance and harmony within the state, what he calls the *concordia ordinum*: the senate has the ultimate authority in the Republic, the magistrates such as himself act as the executor of its will, and the citizens, while subordinate to the other two, hold their power in the laws, in their ability to elect officials, and in active compliance with the will of

those elected.⁶⁵ Furthermore, his interpretation of the legitimacy of using the *s.c.u.* against Roman citizens coincides with his view that this form of government is not only the ideal for Rome, but the only option for ensuring the liberty of the Roman people. His attention to the role and reaction of citizens attempts to gloss over infringements on their citizen rights and reflects his awareness that he faces a city divided. Within each work I focus on specific themes that illuminate Cicero's political theorizing as well as the techniques that enable him to persuade his audience of the validity of the *s.c.u.*

The relationship between the speeches as delivered orally before an audience and the surviving published version has generated much discussion among scholars.⁶⁶ The issue is twofold: how much time elapsed between delivery and publication, and what did Cicero change? Thanks to the groundwork done by McDermott and Phillips on the publication of his speeches and the oft-cited letter to Atticus about his consular speeches (2.1.3),⁶⁷ the majority opinion has moved towards the idea that although Cicero likely did tighten up the rhetoric between delivery and publication,⁶⁸ the core arguments and main points remain unchanged. Riggsby sums up the

⁶⁵ For the phrase, see H. Strasburger, *Concordia Ordinum* (Leipzig 1931).

⁶⁶ The most important forerunners to the current prevailing opinion are J. Humbert, *Les plaidoyers écrits et les plaidoyers réelles de Cicéron* (Paris 1925); Stroth, *Taxis und Taktik: die advokatische Dispositionskunst in Ciceros Gerichtsreden* (Stuttgart 1975); J. T. Kirby, *The Rhetoric of Cicero's Pro Cluentio* (Amsterdam 1990). For a more extensive bibliography, see J. May "Ciceronian Oratory in Context" in May, *Companion to Cicero*: 49-70.

⁶⁷ W. C. McDermott, "Cicero's Publication of His Consular Orations." *Philologus* 116 (1972): 277-84, focuses on the publication date of Cicero's consular speeches, but also argues for the immediate publication of the majority of his speeches. The main piece of evidence that has been heavily debated is *Ad. Att.* 2.1.3 from 60, in which Cicero responds that he will send Atticus the speeches that he requested and many more, referring to the group of 12 as his consular speeches (*oratiunculas autem et quas postulas et pluris etiam mittam...orationes quae consulares nominarentur*). Rather than seeing this as proof that Cicero published his speeches in 60, with ample time to tweak the material, McDermott surmises that Atticus may have wanted to review the speeches in light of Clodius' political ascension and the trouble he could make for Cicero. McDermott concludes that a better rule of thumb is to expect Cicero to publish his works sooner rather than later, since his speeches in general are a point of pride, with his consular speeches a particular high point in his career. Revisions in 60, he argues, are an illusion (60). J. Phillips confirms much of assessment in "Atticus and the Publication of Cicero's Works," *CW* 79 (1986): 227-37.

⁶⁸ Cf. *Att.* 1.13.5: *τοποθεσίαν quam postulas Miseni et Puteolorum includam orationi meae. "A. d. iii Non. Decembr." mendose fuisse animadverteram. quae laudas ex orationibus, mihi crede, valde mihi placebant sed non audebam antea dicere; nunc vero quod a te probata sunt, multo mi Attikότερα videntur. in illam orationem Metellinam addidi quaedam.* Cicero demonstrates that he does change things for the sake of accuracy or adding more detail, but not simply for political reasons.

issue nicely:

“The direct evidence for relationship between the delivered and published versions of Cicero’s speeches is weak. What there is suggests that most of the changes consist of small-scale stylistic polishing and occasional brief additions. There is little or no evidence for changes in the substance of any of Cicero’s arguments. Stylistic details of the published speeches are characteristic of oral discourse; the simplest explanation for this is that they derive directly from the original. A study of Cicero’s implicit and explicit motivations for promulgating his speeches (advertising, information, and education) shows that it would have been to his advantage to reproduce fairly closely the texts of the speeches as he delivered them in court.”⁶⁹

Although Cicero’s rhetoric will come under consideration throughout this chapter and the next, any changes that Cicero may have made would have likely been to strengthen the original arguments; studying the written texts does not invalidate the objective of the speeches on the Roman people. Any difference between the preserved speeches we have and the ones as delivered thus does not greatly affect my study.⁷⁰

Before turning to the *Pro Rabirio*, it is worth taking a look at the notable chronology of 63 using the speeches Cicero gave as consul. While he would have spoken often before the Senate and at *contiones*, Cicero had just fourteen of his speeches published, twelve of which he sent to Atticus in 60, in accordance with his friend’s request for materials for his upcoming history (*isdem ex libris perspicias et quae gesserim et quae dixerim; aut ne poposcisses, Ad Att.*

⁶⁹ Riggsby, *Crime and Community*: 84. See also R. Cape, “Cicero’s Consular Speeches,” in *May Companion to Cicero*: 115-20. For a general assessment of this issue with a focus on Cicero’s forensic speeches, see Powell and Patterson, *Cicero the Advocate*: 52-57, who also agree with Riggsby. Contra A. Dyck, *Cicero: Catilinarians* (Cambridge 2008): 10-12.

⁷⁰ Similarly, since I am primarily concerned with Cicero’s political speeches, certain issues that arise when dealing with private letters or philosophical dialogues are not relevant to this study. For instance, the debate about to what extent the letters undermine the persona of the orator, and whether Cicero the writer and thinker advocates a particular side of a dialogue. Generic considerations will still apply to the speeches, since each type of speech—deliberative, forensic, and epideictic—has its own set of norms and expectations; while I will discuss some of each type in the course of this dissertation, they are united by the purpose of furthering Cicero’s political goals.

2.1.3).⁷¹ His letter to Atticus helpfully indicates the order in which these speeches, and their associated events, occurred. The following includes those speeches listed by Cicero, with known dates included, as well as other notable events:

1. *On the proposed agrarian law*, delivered to the senate (1 January)
2. *On the proposed agrarian law*, delivered to the people⁷²
3. *On Otho*, to the people
4. *In defense of Rabirius*, to the people
5. *On the children of proscribed persons*
6. *On resigning his province*

[Cicero awarded *s.c.u.* against Catiline, (21 October)]⁷³

7. *First Catilinarian*, to the senate (7 November)
8. *Second Catilinarian*, to the people (8 November)

[*In defense of Murena*, to the people]

9. *Third Catilinarian*, to the people (3 December)
10. *Fourth Catilinarian*, to the senate (5 December)

An important forerunner to the events of the *Pro Rabirio* was the debate about the *rogatio Servilia*, an extensive and far-reaching proposal for land redistribution sponsored by the then-tribune Servilius Rullus. Our knowledge of the proposed law is derived from Cicero's three orations against it, though certain aspects, such as Rullus' intentions, have been hopelessly obscured by Cicero's rhetoric.⁷⁴ For our purposes, the law itself is less important than how Cicero characterizes both it and Rullus. Seizing upon the uncommon (but not unprecedented) procedures for choosing the ten commissioners to implement the reforms (*decemviri*), and the

⁷¹ See McDermott, "Cicero's Publication," for details on the publication of his consular speeches and Cape "Cicero's Consular Speeches" in *May Companion to Cicero* for a discussion of the speeches as part of Cicero's consular program.

⁷² Cicero also promised Atticus he would include excerpts from the other two speeches he delivered on the agrarian law (*ad Att.* 2.1.3).

⁷³ The events of the Catilinarian conspiracy will be treated in greater detail below.

⁷⁴ For a detailed discussion of the proposal and the context for its failure, see Gruen, *Last Generation*: 389-96. Regarding Cicero's speeches, the second has generated the most scholarship; see especially Vasaly, *Representations: images of the world in Ciceronian oratory* (Berkeley 1993): 217-43, Cape "Cicero's Consular Speeches" in *May Companion to Cicero*: 121-29, and Morstein-Marx, *Mass Oratory*: 190-203. C. J. Classen, in *Recht, Rhetorik, Politik: Untersuchungen zu Ciceros rhetorischer Strategie*, compares the first two and lists all of the similarities (Darmstadt 1985): 304-67. Of the third, only part of the *argumentum* is extant.

extensive powers granted to them, Cicero argued first to the senate and then to the people that this proposal did not look out for their interests. His argument was so successful that Rullus' bill was summarily shut down.

Cicero's speeches *De lege agraria* use several rhetorical strategies that also appear later in both the *Pro Rabirio* and the *Catilinarians*, suggesting not only that his arguments appeal to a large swath of the Roman voting public but also indicate a coherent and consistent consular program.⁷⁵ These themes, which will be explored in greater detail below, include the following: contrasting a false *popularis* with a true one (himself), defending both the authority (*auctoritas*) of the senate and the liberty (*libertas*) of the people, protecting the well-being (*salus*) of the state from internal threats, and the need for a consul who knows when to use words and when to use force. When taken together, these points illustrate Cicero's focus on maintaining the distribution of power consistent with the mixed constitution while reaffirming to all parties involved that it is in their best interests.

Interestingly, Cicero repeatedly alleges that Rullus was merely a front man for some greater politician, who would capitalize on the proposal's success.⁷⁶ While there is still debate about whether Caesar, Crassus, or someone else was behind the measure,⁷⁷ that Cicero insinuated such things in the first place is important; as I discuss below, Cicero also makes allusions to Caesar in both the *Pro Rabirio* and the *Catilinarians*. The careful and courteous opposition of these two men that underlies the debate on the *s.c.u.* and related violence against citizens reflects their vastly different opinions about the form and function of the state, as will be demonstrated

⁷⁵ Cf. Cape "Cicero's Consular Speeches": 124: "The topics covered are strikingly programmatic for his actions throughout the consular year."

⁷⁶ Cic. *De Leg. Agr.* 1.11, 1.16, 1.22; 2.20, 2.23, 2.46, 2.63, 2.98.

⁷⁷ Gruen, *Last Generation*, insists that it is unnecessary for any big name to be behind the proposal. Cf. Mitchell, *Cicero*: 184-96; Rawson, *Cicero: A Portrait*: 64; G. B. Conte, *Latin Literature: A History* (Baltimore 1987): 181.

through the dissertation.⁷⁸ For now, however, Cicero treads lightly and rarely refers to Caesar outright.

Pro Rabirio Perduellionis Reo

Because of the unusual circumstances of the trial and incomplete nature of the speech, it is only recently that the *Pro Rabirio* has garnered more attention.⁷⁹ Although many of the details of the trial are still unresolved, the general events are clear. In early 63, thirty-seven years after Marius executed Saturninus and his followers under the sanction of the *s.c.u.*, Titus Labienus with the help of Caesar charged the Roman senator Gaius Rabirius with treason for participating in the murder.⁸⁰ Instead of using the regular channels for dealing with homicide, the two prosecutors revived an archaic procedure for treason (*perduellio*), which consisted of appointing a board of two men (*duumviri*) who would convict (and convict only) the defendant.⁸¹ Rabirius

⁷⁸ Rawson argues that Cicero's consular year was in reality a showdown between Cicero and Caesar, with Pompey as an added element of concern: "This year 63 is, to put it rather over-personally, a duel between Caesar, who now comes to the fore as far and away the most brilliant of the new *populares*, and Cicero, himself with support from the People and representing himself as in some sense a *popularis* too, but acting in the interest of the Senate: a duel for the prizes of the People's support and Pompey's alliance – preferably on fairly equal terms" (*Cicero*: 61).

⁷⁹ The only two modern commentaries are W. B. Tyrrell's *A Legal and Historical Commentary to Cicero's Oratio pro C. Rabirio Perduellionis Reo* (Amsterdam 1978), and A. Primmer's *Die Überredungsstrategie in Ciceros Rede pro C. Rabirio* (Wien 1985). W. E. Heitland's commentary (Cambridge 1882) mainly functions as a translation aid, but does provide ample ancient comparanda and useful appendices. Few rhetorical studies focus on the speech alone, but analyses can be found in Cape "Cicero's Consular Speeches", as well as V. Arena, *Libertas and the Practice of Politics in the Late Roman Republic* (Cambridge 2013).

⁸⁰ For details about Labienus and his argument, see Tyrrell *Commentary to Pro Rabirio*: 122-23, 129-30, Primmer, *Die Überredungsstrategie*: 10-11. Our main source for him and Rabirius, however, is this speech. Although Cicero never once mentions Caesar's name, his role in the proceedings was by no means minimal. See Gruen, *Last Generation*: 277-9; Tyrrell, *Commentary to Pro Rabirio*; Primmer, *Die Überredungsstrategie*: 29-34; Goldsworthy *Cicero a Colossus*: 121-4; Gruen in Griffin, *Companion to Cicero*: 26-7.

⁸¹ Ancient sources on the *perduellio* and the *duumviri* are unfortunately scarce. Only two other instances of this institution are preserved in extant literature: first, during the reign of Tullus Hostilius, used against Horatius after he murders his sister (Liv. 1.26); secondly, in 384, in one of the variations of the trial against Manlius Capitolinus (Liv. 6.20.12). While a considerable span of time separates each instance, with one appearing in the regal period, one in the early Republic, and this case in Late Republic, Livy is likely to have used what he knew about first century *perduellio* trials in the earlier periods. Moreover, there are a couple of important similarities. All instances involve an act of homicide, and the *duumviri* appear to be *ad hoc* magistrates appointed for this specific purpose. The *duumviri* always condemn the accused, and the condemned then appeal to the people. Gaughan suggests that the board was designed to let the presiding magistrate off the hook, as it were, from condemning Roman citizens to

invoked the right of appeal, *provocatio*, to ensure that he would be able to stand trial and be judged by his fellow citizens, in accordance with both the *leges Porciae* and the *lex Sempronia de capite civium*.⁸² Whether one or two trials were involved in convicting Rabirius is unclear,⁸³ but we know that multiple advocates spoke on his behalf. As Cicero reports at §18, the famous advocate Hortensius presented the actual evidence that exonerated Rabirius from the murder of Saturninus himself.⁸⁴ Cicero, because of his particular excellence in the peroration, spoke last; thus the *Pro Rabirio* has very little to do with the actual case. Even the outcome of the trial is obscured: before a verdict was reached, Metellus Celer reportedly ran up to the Janiculum to pull down the flag that ran during meetings of the Assembly, thereby ending the proceedings on a technicality.⁸⁵

It is clear that the entire proceedings, from the instigation of the trial to its conclusion,

death (*Murder was not a Crime*: 106). She also notes that despite the various capital courts and institutions that allow for the state to execute a Roman citizen, until the dictatorship of Sulla, it was rare. Voluntary exile was the usual self-appointed punishment of a condemned citizen. One reason, she observes, may have been that there was no abstract government that would absorb the repercussions—instead, the Roman magistrates would have likely suffered personal repercussions after their term of office had expired (105). This hypothesis is confirmed by the backlash that every holder of the *s.c.u.* endured except for Marius. Since personal or private justice was standard in Roman history, it is unsurprising that the Romans were uneasy about granting the right to kill a citizen to the government; see also Nippel, *Public Order*. For further discussion of *perduellio*, see Lintott, *Constitution*: 152-54. Tyrrell argues that the *duumviri* had a religious component to their actions, and that their duty was to execute the accused as a *homo sacer* (*Commentary to Pro Rabirio*: 12).

⁸² The Porcian laws are generally considered *leges de provocatione*. According to Cicero (*De Rep.* 2.54), they added a heavy penalty to the *lex Valeria* of 300, which guaranteed protection from a magistrate's executive authority, and extended it to the *imperium militae*. Tyrrell adds, "In view of the evidence it is questionable whether they concerned *provocatio* in the sense of a citizen's right to a comitial trial in capital cases. See Ogilvie, 373-4" (*Commentary to Pro Rabirio*: 69). The *lex Porcia* was an important slogan in *popularis* propaganda (Cic. *Verr.* 2.5.163; Ascon. 78). See also Lintott, *Constitution*: 97-99. On the *lex Sempronia de capite civium* of 123 was designed to protect citizens from being executed without a trial, clearly created for the purpose of preventing a repetition of the special tribunal of Popillius Laenas in 132, who condemned to death former supporters of Tiberius Gracchus; see Gruen, *Roman Politics*: 81. Cf. Lintott, *Constitution*: 92.

⁸³ Dio states that two debates occurred before the trial—one over the appointment of the *duumviri* (περὶ τοῦ δικαστηρίου), the other περὶ τοῦ κρίσεως (37.27.1). The nature of the latter debate, as Tyrrell notes, is more difficult to determine, since κρίσις can mean "judgment" or "trial" (*Commentary to Pro Rabirio*: 37).

⁸⁴ A slave was the apparent murderer. Hortensius presumably gave a speech at an earlier contio before the trial, though which one and at what time it occurred is uncertain. Although Hortensius seems to have become jealous of Cicero's popularity and success following his rival's landmark prosecution of Verres in 70, he later often collaborated with Cicero on defense cases, ceding the peroration to his colleague, since Cicero was especially adept at it (Cic. *Bru.* 190; *Orat.* 130).

⁸⁵ Tyrrell, *Commentary to Pro Rabirio*: 44.

were part of larger political maneuvering.⁸⁶ The point of resurrecting such an obsolete institution was rather to challenge the authority of the senate and its use of the *s.c.u.* to justify killing a tribune and other Roman citizens without a trial. While the issue of the *s.c.u.*'s legitimacy was not always divided along party lines,⁸⁷ in this case, Cicero presents the matter as a ploy by false *populares* to undermine the balance of the state by attacking the senate's authority. He turns the debate into which side better protects the interests of the people, ensuring that he comes out favorable.

While this speech can be read as Cicero simply pandering to the people, it actually illustrates the cohesiveness of Cicero's political ideology, despite the apparent contradiction.⁸⁸ His defense of Rabirius' rights on the one hand and his staunch support of the *s.c.u.* and its sanction of actions that violate citizen rights on the other is reconcilable in Cicero's theory of Roman governance. His emphasis on the hierarchy of senate, magistrates, and citizens reflects his conviction that the mixed constitution is essential for the preservation of both the Republic and individual liberty. Because Labienus and Caesar used the archaic procedure to challenge the senate for its use of illegal actions under the *s.c.u.*, they in fact enabled Cicero to have no conflict of interest. Since the authority and power of the senate and magistrates to invoke decrees like the *s.c.u.* were not actively being threatened, Cicero could sincerely and persuasively champion the rights of citizens, even taking a *popularis* stance to do so.

The *Pro Rabirio* naturally divides into four parts, with all but the last represented by a

⁸⁶ The use of criminal trials for political gain is nothing unusual. The courts themselves, which were originally created to protect the authority of the senate, became yet another battleground for seizing or protecting political power. See Gruen, *Roman Politics*; Frier, *Rise of the Jurists*.

⁸⁷ Publius Mucius Scaevola, the consul who opposed the execution of Tiberius Gracchus, was an optimate.

⁸⁸ This, I believe, is the reason Cicero included the *Pro Rabirio* as part of his consular corpus to Atticus, even though it is the only judicial oration. Its consistency with the other political speeches of this year has not been fully acknowledged. See Cape for the general discussion of why Cicero chose *Pro Rabirio* over the *Pro Murena* ("Cicero's Consular Speeches": 18-19).

key word that Cicero stresses as the basis of his argument. In what follows, I show that in each section Cicero seeks to highlight the connection—rather than the conflict—between protecting the state and protecting citizen rights. His argument as a whole reflects the positive link between violence on behalf of the state (such as the *s.c.u.*) and his firm belief in the mixed constitution.

Salus

In the *exordium*, Cicero first elevates the magnitude of the trial by connecting the welfare (*salus*) of Rabirius to that of the Republic itself. He claims that this trial arose not for any reasonable merit, such as the accused's guilt or even because of longstanding personal enmities (*non enim C. Rabirium culpa delicti, non invidia vitae, Quirites, non denique veteres iustae gravesque inimicitiae civium in discrimen capitis vocaverunt*, §2). Rabirius was not actually put on trial for his own crime, Cicero asserts. Instead, the attack is really aimed at the state, for the fate of Rabirius in this trial is also the fate of the Republic. Thus it becomes a matter of duty for Cicero to undertake his defense (*tamen in hac defensione capitis, famae fortunarumque omnium C. Rabiri proponenda ratio videtur esse officii mei*, §1).⁸⁹ He stresses the importance of his duty again, when he claims that the safety of the Republic, consular duty, and the consulship in its own right led him here (*tum vero, ut id studiosissime facerem, salus rei publicae, consulare officium, consulatus denique ipse mihi una a vobis cum salute rei publicae commendatus coegit*, §2). Here we see *salus*, which encompasses a range of meanings that have to do with health,

⁸⁹ The phrase *officium meum* only appears a handful of times in Cicero: the most comparable examples appear in the beginning of his defense of Murena (*Pro Mur.* §2, 3), which occurred just later that same year amid the outbreak of the Catilinarian conspiracy. While there is no doubt his position as consul influenced the way he construed his position as defender, in both speeches Cicero is also responding to threats against the values he holds dear and people whom he sees as symbols of those values: in the case of Murena, Cicero believed that the consul-designate would continue his policy of *concordia ordinum* and resisting threats of revolution. Cato, who supported the prosecutor Servius Sulpicius Rufus, had also posed threats to Cicero's hope of maintaining equilibrium between classes with his obstinate rigidity; this defense, like the *Pro Rabirio*, aimed to deal with two issues at once (Conte *Latin Literature*: 181-2). Other instances of the phrase: *In Verr.* II.3.6, 4.82; *Pro P. Sul.* 2; *Ad Att.* 4.2.1; *Ad Fam.* 3.7.6.

safety, protection, wellbeing,⁹⁰ intertwined with duty. Through the repetition and manipulation of *salus*, Cicero begins to lay the groundwork for his conception of *concordia ordinum* through the principles of the mixed constitution: he has established his role as consul in these proceedings, and made the trial about more than just Rabirius. He also adds the fact that it was the citizens who entrusted the duties of the consulship to him, and that the safety of the state is an integral part of it (*consulatus denique ipse mihi una a vobis cum salute rei publicae commendatus coegit*). The participation of the citizen body in their own fate, whether for good or for ill, is a crucial and recurrent argument of this speech. Here, Cicero emphasizes that by giving him this duty and authority, the Roman people have already endorsed his actions.

Cicero expands this division of roles further, creating the image of a harmonious hierarchy of power within the state that is tied to maintaining its well-being (*salus rei publicae*). He first claims that the foundations of the state are in danger (*sed ut illud summum auxilium maiestatis atque imperi quod nobis a maioribus est traditum de re publica tolleretur*). The result of this attack, as he claims, will be that the authority of the senate, power of the consuls, and the concerted action of good citizens will be rendered powerless against all threats to the state (*ut nihil posthac auctoritas senatus, nihil consulare imperium, nihil consensio bonorum contra pestem ac perniciem civitatis valeret*, §2). The order of the tricolon is significant, for it both lists the three divisions of power that make up the Roman government—the senate, consul, and people—and also establishes the means of their power (*auctoritas, imperium, consensio*). The final element, the *consensio bonorum*, not only signifies the role of the citizen body and their powers in the domain of the assembly, but the use of *boni* effectively divides the Roman people

⁹⁰ There was a goddess *Salus* or *Salus publica* at Rome (G. Wissowa, *Religion und Kultur der Römer* [Munich 1912]: 131-3); but here and in the *Catilinarians*, Cicero is more concerned with the health of the state as a political ideal (Dyck, *Catilinarians*: 89).

into two categories.⁹¹ Instead of conveying the traditional referent of *optimates*, *boni* includes anyone who agrees with Cicero and accepts all that is implied by his words. Those who are not among the *boni*, who disagree with Cicero in regards to either Rabirius or his political position, are perforce against the orator's partisans, and a plague on the state (*contra pestem ac perniciem civitatis*).⁹²

This balance of power among the governing bodies becomes even more apparent when Cicero expounds on the duties of both consuls and citizens during times of internal crises:

quam ob rem si est boni consulis, cum cuncta auxilia rei publicae labefactari convellique videat, ferre opem patriae, succurrere saluti fortunisque communibus, implorare civium fidem, suam salutem posteriorem salute communi ducere, est etiam bonorum et fortium civium, quales vos omnibus rei publicae temporibus exstitistis, intercludere omnis seditionum vias, munire praesidia rei publicae, summum in consulibus imperium, summum in senatu consilium putare; ea qui secutus sit, laude potius et honore quam poena et supplicio dignum iudicare. quam ob rem labor in hoc defendendo praecipue meus est, studium vero conservandi hominis commune mihi vobiscum esse debet (§3-4).

“For which reason if it is the mark of a good consul to bring aid to the country, to rush to support the common wellbeing and fortunes, to appeal to the good faith of the citizens, to consider his own safety after the common safety, when it seems that all of the resources of the state are being undermined and uprooted, then it is also the mark of good and brave citizens, like you who are at hand at all times of the Republic, to block all paths to sedition, to fortify the garrisons of the Republic, to consider that the highest power is in the consuls, the greatest counsel is in the Senate; thus, to judge whoever follows these things to be worthy of praise and honor rather than punishment and suffering, Therefore, while my effort is chiefly in defending this man, there ought to be a common drive to preserve this man for both me and you.”

The duties of the consul, according to Cicero, are first to the state, then to the civic community;

⁹¹ For the phrase *consensio bonorum*, see Strasburger, *Concordia Ordinum*; cf. C. Wirszubski, *Libertas as a Political Idea at Rome During the Late Republic and Early Principate* (Cambridge 1950); Arena, *Libertas*.

⁹² Many have identified this expansion of the term *boni* with the *Pro Sestio*, see Wood, *Cicero's Social and Political Thought*; Kaster, *Cicero, Speech on Behalf of Publius Sestius* (Oxford 2006), makes it a general characteristic of the *post-reditum* speeches (31-34). Rather than a desperate measure to regain the will of the people in the fifties, as has been suggested, this is clearly a favorite rhetorical technique of Cicero, allowing him to create an environment of implicit compliance. For a more extensive discussion on the various dichotomies of the Late Republic, see Morstein-Marx, *Mass Oratory*: 204-40.

however, in his ranking, he separates helping the citizens (*succurrere saluti fortunisque communibus*) and appealing to their good will (*implorare civium fidem*)—the two, he implies, are not always the same, nor are they of the same importance. As he will state repeatedly in the *Catilinarians*, the welfare of the community always comes before his own.⁹³ The attributes of the *boni* have a few interesting implications, for in addition to using phrases that invite the individual to actively and patriotically participate in protecting the state (*intercludere omnis seditionum vias, munire praesidia rei publicae*), the final and most important mark of a good citizen is to recognize that the greatest authority lies in the senate and consuls. In other words, the duty of the consuls is to protect the state and its people; the duty of the people is to consent to whatever the senate and consuls decide is that protection. Yet this dictum is cast as a form of citizen participation, rather than simply passive acceptance. Cicero elaborates on the importance of the Roman people, stating that the citizen body holds the life of Rabirius and the welfare of the state in its hands and votes (*quoniam uno tempore vita C. Rabiri, hominis miserrimi atque innocentissimi, salus rei publicae vestris manibus suffragiisque permittitur*, §5). These remarks, emphasizing both the authority of the senate as well as the power of the people, are not only consistent with the ideology of the mixed constitution, here manifesting as Cicero’s policy of *concordia ordinum*, but they are also crucial to Cicero’s later justification of the *s.c.u.*

Libertas

Once Cicero has dispensed with his opening and made some cutting remarks about his allotted time,⁹⁴ he attacks Labienus and the very nature of this trial through the repetition of the

⁹³ *Cat.* 1.22, 1.23, 1.28, 1.29; 2.3, 2.15; 3.1, 3.15, 3.28; 4.1-3, 4.9, 4.20-24.

⁹⁴ *Nunc quoniam, T. Labiene, diligentiae meae temporis angustiis obstitisti meque ex comparato et constituto spatio defensionis in semihorae articulum coegisti...* (§6).

term *libertas*.⁹⁵ Representing the freedom of the Republic won by the Romans ever since the overthrow of the tyrants, *libertas* held a great deal of significance to the Roman people, and was used by both optimates and *populares* alike.⁹⁶ Although such a strategy may first appear hypocritical, given that the *s.c.u.* typically resulted in the loss of citizen rights in the name of the state, to Cicero's mind, there is no contradiction. This is because he cleverly aims his attack on Labienus in a way that only concerns itself with citizen rights, without contradicting the authority of the senate and consul, established in the first section. Labienus' actions, then, represent to Cicero a threat to the liberty of the citizens and the citizens alone.

The opening to this section continues to illustrate the harmony between senate and citizen rights. After deriding Labienus for not charging Rabirius with other more legitimate offenses, Cicero announces that his opponent is clearly more concerned with curtailing the time allotted to Cicero to discuss Saturninus' execution than with making his own valid argument (*Illam alteram partem de nece Saturnini nimis exiguam atque angustam esse voluisti*, 9). That is because, he states, the circumstances require not talent of an orator but the aid of a consul (*quae non oratoris ingenium sed consulis auxilium implorat et flagitat*, §9). Here Cicero signals the audience that he is changing roles, from the advocate, who relies on his talent (*ingenium*) and sophisticated rhetoric to make this case, to the consul, whose aid (*auxilium*) is now necessary.⁹⁷ The phrase

⁹⁵ *Libertas* is very prominent in this section, occurring eleven times from §10-16 (sixteen in the speech total).

⁹⁶ The most recent and thorough study of *libertas* in Roman politics and ideology is Arena, *Libertas*. Her aim is "to understand and fully explore the nature and dynamics of the relation between the ideal of *libertas* and associated rhetorical claims in political debates" (5). She argues that there is a shared understanding of importance of *libertas*, which both political parties could sincerely lay claim to, both in words and actions. This is how Cicero aimed to unite the audience against his opponent. P. J. J. Vanderbroeck, *Popular Leadership and Collective Behavior in the Late Roman Republic* (Amsterdam 1987), makes an important point that *libertas* as a political slogan declines in value at the end of the fifties "probably as a result of the increasing violence and corruption in politics, but also of a shift towards *commoda*" (106). He further notes that after the death of Caesar, *libertas* was ineffective in mobilizing the plebeians; liberty had become less important than finding a leader that would promote the interests of the citizens (107). In 63, however, Cicero could use it with gusto. For more discussion on *libertas*, see Wirszubski, *Libertas as Political Idea*.

⁹⁷ Compare the marked contrast in roles in the context of a private court case: *non honorariam operam amici, sed severitatem iudicis ac vim, Caec. 7*). In both cases, Cicero's 'necessary' role indicates the far-reaching implications

consulis auxilium is especially pointed, for it indicates that Cicero is appropriating the powers of the tribunes to protect the liberty of a citizen, here Rabirius.⁹⁸ The roles are now reversed, as the consul is protecting the citizen from the manipulations of the tribune. This not only serves to discredit Labienus, but it also casts Cicero and the office of the consulship as preservers of liberty and the rights of citizens.

Cicero continues in this vein by attacking the form of the trial and punishment itself as blasphemous and obsolete. Throughout this section, he purposefully aligns himself and the senate with legality and liberty, while casting his opponent as one who endangers the rights of citizens and proposes cruel and unusual punishments.⁹⁹ He had already mocked the use of the *perduellio* trial as outdated by mentioning the other sorts of laws he could have charged Rabirius with, had he the evidence (§8).¹⁰⁰ That Cicero brings up the *lex Porcia*, which protects citizens from being physically harmed by magistrates without a trial, indicates that the consul sees no contradiction in Rabirius' role in the *s.c.u.* against Saturninus.¹⁰¹ As for the punishment, Cicero harps on the cruel use of crucifixion and the presence of a *carnifex*, claiming that that he wishes he were the first to abolish it from the Forum (§10).¹⁰² He connects these archaic relics to the time of the kings, whom the ancestors of the Roman people rightly abolished. After praising first

of the trial itself. For the impact of the Caecina trial and analysis of Cicero's speech, see Frier, *Rise of the Roman Jurists*.

⁹⁸ *Auxilium*, or *ius auxilii*, is one of the powers of the tribune, specifically his ability to protect citizens from abuse by a magistrate. Arena notes that Sulla even retained *ius auxilii* when curtailing the powers of the tribunate (*Libertas*: 48-52); see also Lintott, *Constitution*: 125-128.

⁹⁹ Cicero at the end of this portion of the speech will call Labienus a tyrant outright: *Quam ob rem fateor atque etiam, Labiene, profiteor et prae me fero te ex illa crudeli, importuna, non tribunicia actione sed regia, meo consilio, virtute, auctoritate esse depulsum* (§17). While invective is a standard technique of Cicero and other orators, here, however, the use of the regal period and tyrants does double duty as both anti-liberty as well as reinforcing that this archaic trial has no relevance in this situation.

¹⁰⁰ Cicero neatly implies that Labienus and Caesar had no grounds for a *real* trial: *An de servis alienis contra legem Fabiam retentis, aut de civibus Romanis contra legem Porciam verberatis aut necatis plura dicenda sunt* (8).

¹⁰¹ A point which I take up below.

¹⁰² *Quid enim optari potest quod ego mallet quam me in consulatu meo carnificem de foro, crucem de campo sustulisse?*

these providers of liberty, he also adds: “And secondly, the many brave men who wanted your liberty not to be violated by the severity of punishments but secured by mild laws” (*deinde multorum virorum fortium qui vestram libertatem non acerbitate suppliciorum infestam sed lenitate legum munitam esse voluerunt*, §10). Here, Cicero clearly delineates the good and the bad for the state. On the bad side, epitomized by the negative adjective *infestam*, are the *perduellio* trial and brutal punishments. Cicero aligns himself on the other hand with the *virii fortes* who strengthen the state (*munitam*) with mild laws, laws which would have been passed by the power of the citizens. Thus the *perduellio* trial is no longer legal, mild, or beneficial to the state, but represents a violation not only of individual citizen rights but even collective citizen power.

At the climax of this section, Cicero explicitly accuses Labienus of being a false *popularis*, and instead presents himself as the true protector of liberty. While by no means a new tactic, Cicero’s use of it is particularly effective here.¹⁰³ His evidence is that Labienus, in putting Rabirius on trial in this fashion, is himself violating the Porcian and Gracchan laws:

Popularis vero tribunus pl. custos defensorque iuris et libertatis! Porcia lex virgas ab omnium civium Romanorum corpore amovit, hic misericors flagella rettulit; Porcia lex libertatem civium lictori eripuit, Labienus, homo popularis, carnifici tradidit. C. Gracchus legem tulit ne de capite civium Romanorum iniussu vestro iudicaretur, hic popularis a iiviris iniussu vestro non iudicari de cive Romano sed indicta causa civem Romanum capitis condemnari coegit. Tu mihi etiam legis Porciae, tu C. Gracchi, tu horum libertatis, tu cuiusquam denique hominis popularis mentionem facis, qui non modo suppliciiis invisitatis sed etiam verborum crudelitate inaudita violare libertatem huius populi, temptare mansuetudinem, commutare disciplinam conatus es? (§12-13)

“Truly a friend of people is our tribune of the plebs, and a guardian and defender of right and liberty! The Porcian law banished the rods from touching the body of all Roman citizens; this merciful man has brought back the scourge. The Porcian law rescued the liberty of the citizens from the lictor; Labienus, the man of the people, has handed it over to the executioner. Gaius Gracchus carried a law forbidding sentence to be passed on the life of a Roman citizen without your consent; this friend of the people has illegally secured without your consent, not even that a Roman citizen be tried by the duumvirs, but

¹⁰³ See Morstein-Marx, *Mass Oratory*: 204-40 for more on the true versus false *popularis* dichotomy.

that actually he be condemned to death without his case being heard. Do you really bring up with me the law of Porcius or of Gaius Gracchus or of any other friend of the people, you who attempted, not only by the use of unwarranted punishments but even by the unparalleled cruelty of your language, to violate the liberty of this people, to try their clemency, to alter their education and understanding?”

The brilliance of this passage is that Cicero can have it both ways, taking both a valid *popularis* stance while also reaffirming the power of the senate and magistrates. The former is achieved in his critique of Labienus, whose actions he claims threaten and outright remove liberty from the people. Labienus has already bypassed the laws that could have been used to level a charge against Rabirius, as Cicero remarked in §8, but more importantly the punishment for the *perduellio* trial violates the Porcian and Gracchan laws, which are designed to protect the physical body of the Roman citizen from harm—even from magistrates—without a trial ordered by the people. Through the repetition of *popularis* with the negative actions subjected to *libertas* (*libertatem...eripuit, tradidit, mentionem facis...violare*), Cicero contrasts the duties of Labienus in his role as tribune with the violations of liberty that his actions have caused. The emphasis on *iniussu vestro* signals both the illegality of the actions and the deprivation of citizen rights.

If the tribune is no real champion of the people, like Porcius or Gaius,¹⁰⁴ it then follows

¹⁰⁴ So how does Cicero feel about the Gracchi, if he calls Gaius a true *popularis*? Cicero’s statements about the Gracchi are many and varied. He mentions them 137 times in his extant works, with sentiments ranging from wholly negative (*Pro Sest.*47.101) to positive (*Brut.* 33.125), with many in-between. R. J. Murray, in “Cicero and the Gracchi” *TAPA* 97 (1966): 291-98, tackles the issue by grouping together quotes about the Gracchi based on their shared/thematic topic. While this can be useful for quickly finding citations for remarks on a given issue, Murray gives no indication of the context for these statements, and frequently pairs together quotes from Cicero’s early to mid-career with statements from works at the end of his career. As for the many inconsistencies to be found about the Gracchi, particularly Cicero’s opinion about Gaius, Murray ascribes to the persuasion-process approach, that Cicero was willing to “bend his words.” R. Seager, in “Cicero and the word *Popularis*,” *CQ* 22 (1972a): 328-38, takes a rather cynical view, stating that “This clearly posed a major problem for Cicero when he had to deal even with a Labienus or a Rullus, and much more so with a Vatinius or a Clodius. The energy he expends on proving in various ways that these opponents were not really *populares* at all is sufficient proof that the general public took it for granted that they were” (333). J. P. V. D. Balsdon, “Auctoritas, Dignitas, Otium.” *CQ* 10: 43-50, recognizes that Cicero differentiates between the Gracchi and “false *populares*” at times, but aside from noting that Cicero is also unwilling to call them *optimates*, offers no further explanation (48).

that Cicero, representing the senate and auctoritas of the other magistrates, is the true one.¹⁰⁵

Cicero's continuous emphasis on the importance of laws and the rights of citizens, as demonstrated in the first section as well as here, seems to confirm this. While such arguments may seem purely rhetorical or even off-putting, as one who seems so clearly pro-senate, Cicero is nevertheless in fact consistent in his stated views about the mixed constitution. The liberty of the people and their role in legislation is imperative to maintaining the balance upon which the Republic rests.

He ends this section with a final attack against Labienus. In characteristically dramatic fashion, Cicero states: "And although through this action you have disregarded all precedent, all laws, the whole authority of the Senate, all religious sanctity, all constitutional observance of the auspices, still you will not hear about any of these things in this short stretch of time."¹⁰⁶ The mention of precedence (*exempla*) is particularly important and once again serves to contrast Labienus and Cicero.¹⁰⁷ Labienus' actions are unprecedented, while Cicero (and senate) abides by the *mos maiorum*, implying that all of his actions are valid. This is especially important as Cicero will rely heavily on precedent for his justification of the *s.c.u.* in the next section.

Omnes

At this point in the speech, Cicero has established how important the safety of the state is, as well as his role as consul in protecting the liberty of its citizens, as demonstrated by this defense of Rabirius. While each section I have discussed has its own general theme within the

¹⁰⁵ This is certainly not the first time Cicero has called himself a *popularis*, implicitly or explicitly. Earlier that year he called himself the *consul popularis* to the people (*Leg. Agr.* 1.14-15), and emphasized the right of the citizens to elect magistrates who look out for their interests (1.17).

¹⁰⁶ *Qua tu in actione quamquam omnia exempla maiorum, omnis leges, omnem auctoritatem senatus, omnis religiones atque auspicioꝝ publica iura neglexisti, tamen a me haec in hoc tam exiguo meo tempore non audies* (§17).

¹⁰⁷ For the importance of *mos maiorum* to the Romans, see Lintott, *Constitution*: 4-7, 66, 90.

case, they also work towards Cicero's larger goal of legitimizing violence on behalf of the state (the *s.c.u.*) and demonstrating the stability of the mixed constitution. This goal becomes more apparent in the climax of the speech, in which Cicero at last addresses the issue of Saturninus and the *s.c.u.* of 100 (*Nunc de Saturnini crimine ac de clarissimi patris tui morte dicemus*, §18). A sizeable lacuna occurring at the end of Cicero's discussion of Saturninus complicates any interpretation; however, his linguistic patterns and argumentation in this section nevertheless suggests a cohesive strategy for persuading his audience.¹⁰⁸

Cicero's argument in defense of the execution of Saturninus under the *s.c.u.* first starts narrowly from the individual (Rabirius) and gradually moves outward to the Roman people as a whole. Cicero begins with the critical information: Rabirius, who has in fact already been defended most assiduously (*copiosissime*) by Hortensius, did not himself kill Saturninus (§18).¹⁰⁹ But as we have already seen in this speech, whether or not Saturninus died at Rabirius' hands is hardly the real issue for the consul and orator. Cicero then changes the question to: "Should Saturninus have been killed?" The answer is, of course, yes: "If only the case would allow me the liberty to be able to declare this, that Lucius Saturninus, enemy of the Roman people, was killed by the hand of Gaius Rabirius!"¹¹⁰ Although Saturninus had not officially been declared a *hostis* at the time, such a declaration would have been familiar to his audience, and was designed

¹⁰⁸ A lacuna occurs at 19.26, and is probably an account of Saturninus' activities at the consular elections on 9 December 100 and the next day, before the *s.c.u.* is passed against him. Tyrrell states: "The sources agree that the events which ended in Saturninus' death were precipitated by the murder of C. Memmius (Liv. *Per.* 69; App. *BC* 1.142-5; Flor. 2.4.3-4; Oros. 5.17.5-9; *Vir. Ill.* 73.9-11). The riot in which Memmius was killed probably was connected with the candidacy of C. Servilius Glaucia for the consulship. His petition was patently illegal, since he had been praetor in 100 B.C. (Cic. *Brut.* 224; Vell. 2.12.6)" (*Commentary to Pro Rabirio*: 107ff). For further discussion of the events and players of 100, see also Golden, *Crisis Management*: 116-119; Gaughan, *Murder was not a Crime*: 121-124.

¹⁰⁹ *At id C. Rabirius multorum testimoniis, Q. Hortensio copiosissime defendente, antea falsum esse docuit* (§18).

¹¹⁰ *Vtinam hanc mihi facultatem causa concederet ut possem hoc praedicare, C. Rabiri manu L. Saturninum, hostem populi Romani, interfectum!* (§18).

to add legitimacy to his radical statement.¹¹¹ Cicero notes some protests among the audience, and uses the opportunity to remind his audience that it was through the power the people that he was elected to the highest office, while also reinforcing his earlier point that it is also the role of the citizen to obey their magistrates.¹¹²

Since Cicero cannot claim that Rabirius killed Saturninus, even if he had wanted to,¹¹³ he redefines the issue to one of civic participation. Arguing by analogy, Cicero makes the case that intention is equivalent to action: by taking up arms against Saturninus, it was as good as killing him.¹¹⁴ The validity of such an argument aside, the way Cicero frames it is important—he starts with Rabirius (*Confiteor interficiendi Saturnini causa C. Rabirium arma cepisse*) and then generalizes with indefinite relative clauses to refer to any Roman who does such an action (*nisi vero interesse aliquid putas inter eum qui hominem occidit, et eum qui cum telo occidendi hominis causa fuit*, §19). What was first a matter of civic compliance to the actions of the magistrates has now become active citizen participation.¹¹⁵

¹¹¹ The hostis-declaration was first used by Sulla in 88/87 against Marius *et al* (Cic. *Brut.* 168; App. *BC* 1.271). See R. Bauman, “The Hostis declarations of 88 and 87 B.C.” *Athenaeum* 51 (1973): 270-93, for a fuller discussion on the topic; cf. Ungern-Sternberg, *Untersuchungen*; Lintott, *Violence*. Such a declaration must be made by the senate, however; see the *Catilinarian* section below.

¹¹² *Nihil me clamor iste commovet sed consolatur, cum indicat esse quosdam civis imperitos sed non multos. Numquam, mihi credite, populus Romanus hic qui silet consulem me fecisset, si vestro clamore perturbatum iri arbitraretur* (§18).

¹¹³ *Libenter, inquam, confiterer, si vere possem aut etiam si mihi esset integrum, C. Rabiri manu L. Saturninum esse occisum, et id facinus pulcherrimum esse arbitrarer; sed, quoniam id facere non possum, confitebor id quod ad laudem minus valebit, ad crimen non minus* (§19).

¹¹⁴ *Confiteor interficiendi Saturnini causa C. Rabirium arma cepisse. Quid est, Labiene? quam a me graviolem confessionem aut quod in hunc maius crimen expectas? nisi vero interesse aliquid putas inter eum qui hominem occidit, et eum qui cum telo occidendi hominis causa fuit. Si interfici Saturninum nefas fuit, arma sumpta esse contra Saturninum sine scelere non possunt; si arma iure sumpta concedis, interfectum iure concedas necesse est* (§19). Quintilian cites this argument as an example of a compound defense (*coniuncta defensio*): *si occidisset, recte fecisset; sed non occidit* (7.1.16). Primmer discusses the trilemma, this passage’s relationship to Demosthenes, and the overall rhetoric (*Die Überredungsstrategie*: 19).

¹¹⁵ Frier describes a similar phenomenon that occurs in judicial procedure—by participating in the given roles, the individuals involved subsume their convictions and potential criticism in favor of what is expected of them in the context: “But through their participation, no matter how grudging, individuals lose or see diminished their capacity for independent criticism. By means of this ceremonial interplay, judicial procedure achieves much of its capacity to instruct; individuals must, for a time, alter or reinterpret their conduct in the light of judicial norms and proceedings.

This strategy of implicating the Roman citizens in protecting the state through violence is made all the more clear when he introduces the *s.c.u.*:

Fit senatus consultum ut C. Marius L. Valerius consules adhiberent tribunos pl. et praetores, quos eis videretur, operamque darent ut imperium populi Romani maiestasque conservaretur. Adhibent omnis tribunos pl. praeter Saturninum, <praetores> praeter Glauciam; qui rem publicam salvam esse vellent, arma capere et se sequi iubent. Parent omnes; ex aede Sancus armamentariisque publicis arma populo Romano C. Mario consule distribuyente dantur (§20).

“The senate passed a decree that the consuls Gaius Marius and Lucius Valerius should summon those tribunes of the plebs and the praetors as they saw fit, and that they should ensure that the power and majesty of the Roman people be preserved. They summoned all of the tribunes of the plebs except Saturninus, all of the praetors except Glaucia; and all of those who wished for a safe Republic, they ordered to take up arms and follow them. Everyone obeyed; and under the direction of the consul, Gaius Marius, arms were given to the Roman people from the temple of Sancus and the public armory.”

In this description of the *s.c.u.*, we see the orator knit together the many themes of his speech.

First, as there was no standard formula for the *s.c.u.*, Cicero’s the wording of the decree is significant. Here, rather than the more usual negative purpose clause, specifying that nothing detrimental befall the state,¹¹⁶ Cicero uses a positive purpose clause that emphasizes preserving the state that they already have. It also cleverly echoes the beginning of the *Pro Rabirio*. The phrase *imperium et maiestas*, which appeared at §2,¹¹⁷ reinforces that the entire empire and the sovereignty of the Roman people is at stake.¹¹⁸ The use of the Roman people (*populi Romani*) stresses not only a united citizen body against a common threat, but also that the whole is more

Because of the principle of publicity, even outsiders are drawn into and bound by the ritual of justice being visibly administered” (*Rise of the Roman Jurists*: 241).

¹¹⁶ *Cat. 1.4: Decrevit quondam senatus, ut L. Opimius consul videret, ne quid res publica detrimenti caperet. Other examples.*

¹¹⁷ *Sed ut illud summum auxilium maiestatis atque imperi quod nobis a maioribus est traditum de re publica tolleretur* (§2). See Gaughan, *Murder was not a Crime*: 121-22 on *maiestas* and Saturninus’ earlier proposal, and J. Ferrary “Les origines de la loi de majesté à Rome” in *Comptes rendus des séances de l’Académie des Inscriptions et Belles-Lettres* 127 (1983): 556-72, on *maiestas* generally.

¹¹⁸ *Imperium* had a variety of meanings in the late Republic. Here, it refers to the geographical empire of Rome, as opposed to the term for the power bestowed onto the highest magistrates, which was likely derived from the kingly powers (cf. *summum in consulibus imperium*, §3).

important than the individual *Romanus*. The verb *conservaretur* can also be found in the beginning,¹¹⁹ at the time referring to preserving the life of Rabirius. Just as in the first part of the speech, Cicero connected the welfare of Rabirius to the welfare of the state, so now the state must be preserved.

The overarching theme of this section, however, and the crux of Cicero's justification for Rabirius' actions, is the importance of the collective body (*omnes*). Although most of the other *s.c.u.s* appear to specify only the consul to take action, here there is an emphasis on the many and the community. Within the wording of the decree, the tribunes as a body as well as the praetors are to be involved. Cicero then adds the important relative clause *qui rem publicam salvam esse vellent* that divides the Roman citizens into two camps: those who wish to preserve the state, and those who do not.¹²⁰ His analogy earlier about those who kill versus those who intend to kill (*nisi vero interesse aliquid putas inter eum qui hominem occidit, et eum qui cum telo occidendi hominis causa fuit*, §19) now has a more concrete (not indefinite) and positive example for his audience to follow.

Throughout this section, Cicero repeats the word *omnes* to involve the entire citizen body in legitimizing the *s.c.u.* He asks Labienus, whom he has already tried to show is separate from the people in his values and goals, "When every man (*omnes*) of every rank (*omnium ordinum*) who thought that his own well-being lay in that of the state took up arms—what at last was Gaius Rabirius to do?"¹²¹ Cicero again sets up polarizing dichotomies to describe the situation of 100:

¹¹⁹ *Quam ob rem labor in hoc defendendo praecipue meus est, studium vero conservandi hominis commune mihi vobiscum esse debet* (§4); *pacem ac veniam peto precorque ab eis ut hodiernum diem et ad huius salutem conservandam et ad rem publicam constituendam inluxisse patiantur* (§5).

¹²⁰ This is an example of *evocatio*, which was used in earlier times to summon citizens to arms when the enemy was at hand and there was no time for a proper levy (Nippel, *Public Order*: 61). Scipio Nasica allegedly used this phrase when rallying supporters to action against Tiberius Gracchus (Val. Max. 3.2.17).

¹²¹ *cum omnes omnium ordinum homines qui in salute rei publicae salutem suam repositam esse arbitrabantur arma cepissent: quid tandem C. Rabirio faciendum fuit?* (§20).

Rabirius could either choose the cowardly route and hide, or be a traitor and join Saturninus, or join all of the best men with the consuls (*omnes clarissimi viri cum consulibus essent*) and all of the best citizens (*cum bonis denique omnibus*), who were working for the common safety (*salutis*).¹²² Cicero lists over a dozen individuals and families, stressing both the individual nature of collective participation as well as how the *s.c.u.* actually unites all classes in its protection of the state.¹²³ It is important to note that the focus on Rabirius, which up to this point has been about his rights as a citizen, now switches to his duty to the state, to be one of those notable individuals. Cicero cannot justify his defense against the violation of Rabirius' rights when discussing the *s.c.u.* and its violation of the rights of Saturninus and the conspirators. Thus, Cicero skillfully makes Rabirius into the 'everyman' and *bonus* who functions as an example for all Romans.

Although the end of the *Pro Rabirio* breaks off as Cicero chastises Labienus for condemning everyone by condemning Rabirius (§31), we can see him continue to focus on the individual's part in protecting the state, which neatly supercedes any potential danger to his own rights. Cicero uses the memory of Marius—champion of the people and wielder of the *s.c.u.*—both to unite the Romans and to legitimize his actions further. Cicero widens the scope of the debate even more, for the end of the speech includes a dramatic digression about Cicero's concern over the internal harmony of the state. In this lengthy fragment, Cicero once again draws together all of the themes of the speech. Since there are no more threats to the state from without—no kings or nations to be feared—it is up to the people to be on guard and to protect

¹²² *cum denique omnes clarissimi viri cum consulibus essent: quid tandem C. Rabirium facere convenit? utrum inclusum atque abditum latere in occulto atque ignaviam suam tenebrarum ac parietum custodiis tegere, an in Capitolium pergere atque ibi se cum tuo patruo et ceteris ad mortem propter vitae turpitudinem confugientibus congregare, an cum Mario, Scauro, Catulo, Metello, Scaevola, cum bonis denique omnibus coire non modo salutis verum etiam periculi societatem?* (§21).

¹²³ Tyrrell provides a thorough discussion of each of the named men, including their family and political position in 100 (*Commentary on Pro Rabirio*: 112-22).

the state from enemies within (§33).¹²⁴ As we saw in the beginning, Cicero emphasizes the power of the citizens to take action on the state's behalf, even against fellow citizens. He repeats the *evocatio* (*qui rem publicam salvam esse vellent*), calling this voice of the consul a great protection (*magnum praesidium... vocem illam consulis*) left by their ancestors, and one that ensures the familiar terms of liberty and safety of the Republic (*neque eripueritis rei publicae spem libertatis, spem salutis, spem dignitatis*, §34).¹²⁵

Cicero ends by reflecting about his own choices, were he in a similar situation: "I would have done what Gaius Marius did, I would have brought the matter to the senate, I would have exhorted you to defend the state, and I myself in arms would have gone up against [the one who was armed] with you."¹²⁶ Such a prescient declaration does not necessarily mean that Cicero inserted this passage after the fact or that he published it later following the Catilinarian conspiracy. Given that the events happened within months of each other, as well as Cicero and Catiline's prior history, it should not be unusual that Cicero had considered such a possibility. As it happened, the consul would put his words to the test, and hope that the same message that he brought forth here as an advocate and consul would hold for him when both his own and the Republic's *salus* was again at stake.

The Catilinarians

The Catilinarian Conspiracy has been well-documented by many, but it is worth briefly

¹²⁴ *Si immorta<lem> hanc civitate<m esse> voltis, si aeter<num hoc> imperium, si g<loriam> sempiternam <manere>, nobis a nostris <cupi>ditatibus, a tu<rbulen>tis hominibus <atque no>varum rerum <cupidis, ab intestinis malis>, a domesticis co<nsiliis> est cavendum (§33).*

¹²⁵ *Hisce autem m<alis mag>num praesid<ium vo>bis maiores ve<stri re>liquerunt, vo<cem> illam consulis: 'qui <rem publicam> salvam esse <vellent>. Huic voci fave<te, Quirites, neque v>estro iudicio <abstu>leritis mihi . . . neque eripuere<ti rei publicae> spem liberta<ti, sp>em salutis, spem <digni>tatis (§34).*

¹²⁶ *Facerem <idem qu>od C. Marius fe<cit, a>d senatum re<ferr>em, vos ad rem publicam <defe>ndendam co<hort>arer, armatus <ipse> vobiscum ar<mato> obsisterem (§35).*

summarizing the events.¹²⁷ Lucius Sergius Catilina was born to an old, patrician family, and made a (dubious) name for himself as an adherent of Sulla. After failing to secure the consulship for 63, Catiline plotted to overthrow the consulship of Cicero and Gaius Antonius Hybrida. His followers were a combination of senators, *equites*, and disaffected veterans of Sulla, who were motivated variously by ambition, Catiline's platform of debt-relief, and general discontent with the status quo. He also enlisted Gaius Manlius, a former centurion in Sulla's army, to organize forces in Etruria. On 20 October, Cicero received letters from Crassus and other nobles that anonymously warned of a massacre of optimates. The senate charged Cicero with an *s.c.u.* on 21 October to ensure that no harm befell the state. According to a letter read out in the senate, Manlius apparently did rise up on 27 October, but nothing came of it. It was not until the night of 6 November that Catiline and his allies made concrete plans for a coup at the house of M. Porcius Laeca. Gaius Cornelius and Lucius Vargunteius were tasked with assassinating Cicero on the morning of 7 November, while other conspirators were stationed throughout Rome for either arson or the murder of senators. Cicero, however, informed ahead of time by Fulvia, the mistress of his informant Quintus Curius, had his house surrounded by guards; on the next day (8 November), he called the senate to the temple of Jupiter Stator and gave his *First Catilinarian* before the senate and Catiline himself, denouncing Catiline for his treasonous plans.¹²⁸ By the next morning (9 November), Catiline had left the city, ostensibly taking himself into exile in Massilia, but in reality joining Manlius and his forces. Cicero gave a triumphant *Second Catilinarian* before the Roman people. Meanwhile, the conspirators sought the help of a delegation of the Allobroges, and revealed the conspiracy to them. Instead of joining, the Allobrogians informed Cicero, and eventually handed over letters written from five of the

¹²⁷ See particularly Dyck, *Catilinarians*: 1-10; Rawson, *Cicero: A Portrait*: 60-88.

¹²⁸ For the dating of the *First Catilinarian* and subsequent events, see Dyck, *Catilinarians*: 243-44.

conspirators. Proof in hand, Cicero again addressed the people on 3 December (*Third Catilinarian*) and had the five men arrested. On 5 December, Cicero called a senate meeting and initiated a debate about how to punish the conspirators, advocating for their immediate execution (*Fourth Catilinarian*). While Caesar notably proposed lifelong imprisonment and confiscation of property as an alternative, the senate backed Cicero and had the five men executed in the Tullianum.¹²⁹ The Roman people are said to have borne Cicero home, calling him savior and “father of the fatherland” (*pater patriae*).¹³⁰

The *Catilinarians* themselves have attracted a lot of scholarly interest and analysis over the decades, due to the highly politicized nature of the conspiracy and the questions that still remain about Cicero’s objective from the onset of the crisis.¹³¹ While I agree with Batstone that Cicero uses the *First Catilinarian* to establish his consular ethos,¹³² I argue that Cicero also lays out his political ideology in each speech in order to convince his audience that any decision Cicero made as consul, including using the *s.c.u.* against Roman citizens, was in their interests. I highlight three strategies of Cicero’s that particularly help him to legitimize both violence on behalf of the state and the notion that the Republic is the best possible form of government. While these rhetorical techniques differ somewhat from those highlighted in the *Pro Rabirio*, Cicero here still emphasizes role of the citizen in protecting the state in an attempt to thereby

¹²⁹ Caesar’s solution of lifelong imprisonment along with the confiscation of their property was actually unprecedented (Ungern, *Untersuchungen*: 92-111).

¹³⁰ Plut. *Cic.* 22.5-7. For the title, cf. *Att.* 9.10.3; *Pis.* 6.

¹³¹ For extensive analyses of the speeches, see Dyck *Catilinarians*: 12-13 *et passim*; W. W. Batstone, “Cicero’s Construction of Consular Ethos in the First Catilinarian,” *TAPA* 124 (1994): 211-66.; R. W. Cape “The Rhetoric of Politics in Cicero’s Fourth Catilinarian,” *AJP* 116 (1995): 255-77; C. Craig, *Form as Argument in Cicero’s Speeches: a study of dilemma* (Atlanta 1993); D. Konstan, “Rhetoric and the Crisis of Legitimacy in Cicero’s Catilinarian Orations,” in T. Poulakos (ed.), *Rethinking the History of Rhetoric: Multidisciplinary Essays on the Rhetorical Tradition* (Boulder 1993): 11-30.

¹³² “It is about interpreting Cicero, about who he is and what it means to have and to have had him as consul; it is about what he has done, what he plans, what he knows, and what he has said” (Batstone “Cicero’s Consular Ethos”: 216).

validate both state and *s.c.u.*, as well as his vision of how the *concordia ordinum* functions during a crisis.

Vis contra vim

From the beginning of the *First Catilinarian* to the end of the *Fourth*, Cicero strives to show how Catiline and this conspiracy are more dangerous than any internal threat that Rome has ever faced before. Employing a number of strategies towards this end, his goal was to unite the senate behind him and legitimize his actions, both as consul and as the holder of an *s.c.u.*, particularly the argument that force must be used to counteract force. His first tactic is to downplay all of the previous examples of revolutionary figures who were killed on behalf of the state.¹³³ Indeed, Tiberius Gracchus was killed for “slightly undermining the stability of the state” (*Ti. Gracchum mediocriter labefactantem statum rei publicae, Cat. 1.3*), while Spurius Maelius was simply “eager for revolution” (*Sp. Maelium novis rebus studentem 1.3*); in neither case is there a hint of violence on the victim’s part, whereas Catiline desires to lay waste to the world with slaughter and fires (*Catilinam orbem terrae caede atque incendiis vastare cupientem, 1.3*).¹³⁴ Turning to the victims of previous *s.c.u.s*, Cicero states that Gaius Gracchus was killed because of certain suspicions of sedition (*interfectus est propter quasdam seditionum suspiciones C. Gracchus, 1.4*), and only mentions the names of Marcus Fulvius, Saturninus, and Glaucia, whose crimes clearly do not compare to those of Catiline. And yet, Cicero reiterates, he alone has held onto this decree and withheld the punishment that is not only usual but is also just (*proprium*), when it is clear that there is a precedent for using violence against such a threat, and

¹³³ The figures that follow have by this point become stock examples not just for Cicero but for Romans generally of men who go too far and are severely punished for it. Cicero brings them up again at 4.4; cf. *Mil.* 8, 83. See H. Schoenberger, *Beispiele aus der Geschichte, ein rhetorisches Kunstmittel in Ciceros Reden* (Augsburg 1911): 23-5.

¹³⁴ Further mentions of murder, arson, and other high crimes: 1.6, 1.7, 1.9, 1.12, 1.24, 1.29; 3.2; 4.4, 4.18.

that in this situation, executing Catiline meant using focused, limited violence to combat mass, unchecked violence.¹³⁵ In the next two speeches, Cicero takes credit for having dealt with this internal threat without violence, without civil strife or emergency (*Atque haec omnia sic agentur, Quirites, ut maximae res minimo motu, pericula summa nullo tumultu, bellum intestinum ac domesticum post hominum memoriam crudelissimum et maximum me uno togato duce et imperatore sedetur*, 2.28).¹³⁶ He compares this favorable outcome to all of the civil wars led by military leaders that were still fresh in the memory of his audience (*Atque illae tamen omnes dissensiones erant eius modi [Quirites], quae non ad delendam, sed ad commutandam rem publicam pertinerent*, 3.25). While he celebrates this bloodless victory, his characterization of Catiline as being even more dangerous and violent than any other Roman before him serves as a reminder for how the state typically dealt with such threats. Thus, when he at last does advocate for execution in the fourth speech, he can characterize it as the only way to prevent further, widespread violence (4.11-12).

Cicero also demonstrates the severity and danger of this situation in the way he isolates Catiline from the other Romans and strives to turn this domestic conflict into a foreign war. From the start, Cicero describes the alarm that has swept the city, and the readying of the people for war (1.1). It comes as no surprise, then that Cicero labels Catiline and the other conspirators as *hostes*:

Castra sunt in Italia contra populum Romanum in Etruriae faucibus conlocata, crescit in

¹³⁵ *Quare, quoniam id, quod est primum, et quod huius imperii disciplinaeque maiorum proprium est, facere nondum audeo, faciam id, quod est ad severitatem lenius et ad communem salutem utilius* (1.12). Cicero often recasts his delay in acting on the *s.c.u.* as leniency (1.5-6, 2.3-4).

¹³⁶ This is the first instance of the pointed phrase *togatus dux*. As the toga is traditionally civilian dress, it represents peace; Cicero, by combining the two words, casts himself as a new kind of general, both to gloss over his limited military experience and to distance himself from the power-hungry imperatores who wrecked such havoc in the decades prior. See C. Nicolet, in “Consul Togatus,” *Revue des études latines* 38 (1960): 236-63; see also Dyck *Catilinarians*: 2.28n. As I show too, this sort of language also counters Catiline as *imperator* and *hostis*. Cf. 3.23: *Erepti enim estis ex crudelissimo ac miserrimo interitu [erepti] sine caede, sine sanguine, sine exercitu, sine dimicatione togati me uno togato duce et imperatore vicistis*.

dies singulos hostium numerus; eorum autem castrorum imperatorem ducemque hostium intra moenia atque adeo in senatu videtis intestinam aliquam cotidie perniciem rei publicae molientem (1.5).

“There are camps in Italy, assembled in the throat of Etruria, set against the Roman people; the number of the enemy grows daily. The commander of these camps and leader of the enemy, however, you see within the walls and even in the senate, each day plotting some internal bane on the Republic.”¹³⁷

Cicero takes great pains to show how much Catiline and his band of men look like actual foreign enemies camped outside Rome’s walls.¹³⁸ Within this same speech he orders, in his most official tone, Catiline to leave the city (*Exire ex urbe iubet consul hostem*, 1.13), and calls him an *imperator* and *dux* again, this time through the voice of the *patria* (1.27).¹³⁹ In the *Second* and *Third Catilinarian*, Cicero emphasizes how there are no longer any foreign enemies left for the state, except—paradoxically—those within it:

Nulla est enim natio, quam pertimescamus, nullus rex, qui bellum populo Romano facere possit. Omnia sunt externa unius virtute terra marique pacata; domesticum bellum manet, intus insidiae sunt, intus inclusum periculum est, intus est hostis (2.11).¹⁴⁰

“There is no nation, which we should fear, no king, who could make war on the Roman people. All external affairs on land and sea have been pacified by the virtue of one state; domestic war remains, treachery lies within, a hidden danger lies within, and the enemy lies within.”

By casting Catiline as a *hostis*, a foreign enemy, Cicero can make the (almost) plausible argument that Catiline has thus forfeited his citizen status. Already he has ignored the laws (*tu*

¹³⁷ For the body language used in this passage, see below.

¹³⁸ This image in particular may be meant to evoke the horrors of the Social War just decades earlier. See Dyck 2008: 75; for the general events, see E. Gabba, *CAH IX* (Cambridge 1994): 104-28; C. Steel, *The End of the Roman Republic, 146 to 44 BC* (Edinburgh 2013): 80-120. Batstone observes that Cicero does not address the senate for the first 26 sections (“Cicero’s Consular Ethos”: 218n), but addresses Catiline (*patres conscripti* apostrophized at 4 and 9). This may be another tactic to isolate Catiline—Cicero has little need to address the senate, for they are already firmly on his side against this enemy.

¹³⁹ *Tune eum, quem esse hostem comperisti, quem ducem belli futurum vides, quem expectari imperatorem in castris hostium sentis, auctorem sceleris, principem coniurationis, evocatore servorum et civium perditorum, exire patiere, ut abs te non emissus ex urbe, sed immissus in urbem esse videatur?* (1.27). I discuss this passage in more detail below.

¹⁴⁰ Cf. 2.1, 2.15, 3.8, 4.15; *Pro Rabirio* §33-35.

non solum ad neglegendas leges et quaestiones, verum etiam ad evertendas perfringendasque valuisti, 1.18) and cares nothing for the welfare of the state or its citizens. This is clearly not behavior befitting a Roman citizen; therefore, he must no longer be.¹⁴¹ Using the mouth of the *patria*, Cicero argues, “But never in this city have those who have revolted against the state kept their rights as citizens” (*At numquam in hac urbe, qui a re publica defecerunt, civium iura tenuerunt*, 1.28). The senate also claims the ability to deprive Publius Lentulus of his citizenship for his part in conspiracy, a point which Cicero emphasises.¹⁴² This tactic, as many have noted, is designed to get around the illegality of executing a Roman citizen without a trial. Even if Cicero claims that unpopularity for his actions in this crisis is not a factor in deciding Catiline’s fate, his repetition of the senate’s treatment of Lentulus gives the illusion of support and precedence for similarly robbing Catiline of his citizen status.

Furthermore, although he takes pride in driving Catiline out without violence or a state of emergency in the first two speeches, throughout the *Catilinarians* Cicero infuses the language and traditional justifications for going to war with a foreign enemy.¹⁴³ At this time, the fetial rite—the religious rite which historically had been used in the early and mid-Republic for declaring a just war (*bellum iustum*) on foreign foes—had fallen into disuse; in the late Republic, the Romans still insisted on divine favor before going to war, but it was often secured by other

¹⁴¹ Much later in his career, Cicero will assert that the only reason to go to war is to ensure that one can live peacefully and unharmed (*Quare suscipienda quidem bella sunt ob eam causam, ut sine iniuria in pace vivatur*), that the victors should spare those who have not acted barbarously, and cites *nostri maiores* for treating all but Carthage and Numantia reasonably (*parta autem victoria conservandi i, qui non crudeles in bello, non inmanes fuerunt, ut maiores nostri Tusculanos, Aequos, Volscos, Sabinos, Hernicos in civitatem etiam acceperunt, at Karthaginem et Numantiam funditus sustulerunt; Off.* 1.35). In that work, Cicero distinguishes between vying against a rival (*competitor*), the object is for office and social standing, and a personal enemy (*inimicus*), who is after life and honor (*cum altero certamen honoris et dignitatis est, cum altero capitis et famae*, 1.38). In calling Catiline a *hostis*, and making him both a personal enemy and an enemy of the state, Cicero purposefully conflates any and all distinctions, allowing him more leeway in justifying the appropriate action.

¹⁴² *Nam P. Lentulus, quamquam patefactis indiciis, confessionibus suis, iudicio senatus non modo praetoris ius, verum etiam civis amiserat* (3.15). Cf. 4.5.

¹⁴³ In this section, I draw primarily upon Riggsby’s account of what a “just war” looked like in the late Republic (*Caesar in Gaul and Rome*: 157-175 in particular).

means.¹⁴⁴ Here, we see Cicero invoking the gods as divine protectors of Rome in a general sense while Catiline is in the city (1.1, 1.33), and then as the guiding force for his policies and actions, once conflict seems imminent (2.19, 2.29; 3.18-22).¹⁴⁵ He even declares a *bellum iustum*, as soon as Catiline is out of the city (*Palam iam cum hoste nullo inpediente bellum iustum geremus*, 2.1). Riggsby has identified other common justifications for legitimizing going to war, which include establishing the dangerous nature of the opponent, their proximity to Rome, claiming the need to avenge a previous wrong (*iniuria*), or preventing future violence;¹⁴⁶ each of these arguments appear in the *Catilinarians*.¹⁴⁷

Finally, Cicero elevates the magnitude of this internal threat to the state by focusing on Catiline's followers. Although in previous uses of the *s.c.u.*, each target was accompanied by supporters (many of whom were invariably killed), Cicero repeatedly highlights how actively dangerous these men of Catiline are: they are "accomplices of madness and wickedness" (*amentiae scelerisque socios*, 1.8), "the fiercest leaders of this nefarious war" (*huiusce nefarii*

¹⁴⁴ Riggsby *Caesar in Gaul and Rome*: 167-8. See also N. Rosenstein, *Imperatores Victi: Military Defeat and Aristocratic Competition in the Middle and Late Republic* (Berkeley 1990), for examples of using divine disfavor to explain away military defeats. For further discussion of *bellum iustum*, see E. Ramage, "The *Bellum Iustum* in Caesar's *De Bello Gallico*" *Athenaeum* 89 (2001): 145-170; H. Drexler, "*Bellum Iustum*" *RM* 102 (1959) 97-140.

¹⁴⁵ Dyck notes that Cicero places greater emphasis on the gods in these sections than anywhere else in Ciceronian oratory (*Catilinarians*: 192). In the context of seeking divine favor for an almost certain war, however, it makes perfect sense. It is also no surprise that the two lengthy justifications occur in the two speeches before the people, since they traditionally had some constitutional say over declarations of war and peace. For the see Lintott *Constitution*: 200-201.

¹⁴⁶ Riggsby uses Cicero's campaign in Cilicia in 51-50 and Caesar's justification for the Gallic Wars as main sources for the late Republic, and illustrates the similarity of their reasoning to Cato's argument concerning the war with Rhodes at the end of the Third Macedonian War (*Caesar in Gaul and Rome*: 171-68). The consistency of these arguments across centuries suggests that they were acceptable justifications for war.

¹⁴⁷ We have already seen how Cicero has turned Catiline from a citizen to a *hostis*; he is also transformed into a dangerous monster and a disease (discussed below). The proximity argument has also been made, both because the enemy here is internal, and also because of the presence of Manlius' army just outside the city. As for the last two, Cicero repeatedly brings up the previous attempt on his life by Catiline, while at the same time insisting that the actions that must be taken against the conspirators are to prevent future wide-spread violence. All of these factors essentially justify pre-emptive strikes and are an integral part of Rome's so-called defensive imperialism; see W. Harris, *The Imperialism of Mid-Republican Rome* (Rome 1982), particularly J. Linderski, "*Si vis pacem, para bellum*: Concepts of Defensive Imperialism," in Harris *Imperialism*: 133-64. For Cicero particularly, see P. Rose, "Cicero and the Rhetoric of Imperialism: Putting the Politics Back into Political Rhetoric," *Rhetorica* 13 (1995): 359-99.

belli acerrimos duces, 3.3), and “think of nothing but slaughter, arson, and robbery” (*nihil cogitant nisi caedem, nisi incendia, nisi rapinas*, 2.10). At the end of the *First Catilinarian*, in fact, Cicero makes the argument that Catiline himself is *not* the most terrifying menace—it is actually the followers he may leave behind if he does not take them with him.¹⁴⁸ He prays that Jupiter punish all of these men, “the enemies of good Romans, public enemy of the state, brigands of Italy, joined together among themselves by a pact of wickedness and an evil association” (*homines bonorum inimicos, hostis patriae, latrones Italiae scelerum foedere inter se ac nefaria societate coniunctos*, 1.33). Here again Cicero uses *boni* as a way to unite his audience behind him, setting up polarizing factions to inspire instinctive acceptance of the consul as the voice of the Republic.

In the *Second* and *Third Catilinarians*, which Cicero gives before the Roman people, Catiline’s followers become the focal point. Catiline has already left the city, thanks to Cicero’s heroic efforts,¹⁴⁹ and is very clearly marked as an enemy; the real danger is among the men who remain in the city.¹⁵⁰ He describes their dangerous and disgusting habits, summing it up with the caustic remark, “Worn out by their debauchery, they spew out in their conversations the slaughter of good men and the burning of the city” (*debilitati stupris eructant sermonibus suis caedem bonorum atque urbis incendia*, 2.10),¹⁵¹ and lists the six different types of followers to be wary of;¹⁵² as before, Cicero carefully makes sure that his audience knows that they—the Quirites—are the *boni*, and not a part of Catiline’s ilk (*instruite nunc, Quirites, contra has tam*

¹⁴⁸ Cf. 1.10, 12, 23, 26, 30, 32.

¹⁴⁹ 2.1-2, 3.1-4, *et passim*.

¹⁵⁰ *Sed cur tam diu de uno hoste loquimur, et de eo hoste, qui iam fatetur se esse hostem, et quem, quia, quod semper volui, murus interest, non timeo; de his, qui dissimulant, qui Romae remanent, qui nobiscum sunt, nihil dicimus? Quos quidem ego, si ullo modo fieri possit, non tam ulcisci studeo quam sanare sibi ipsos, placare rei publicae, neque, id quare fieri non possit, si me audire volent, intellego* (2.17).

¹⁵¹ Cf. the milder but still disreputable group attributed to Rullus, *De Leg. Ag.* 1-2.

¹⁵² Cicero divides them into the following categories: wealthy, landed debtors, power-hungry debtors, Sullan veterans, troublemakers, criminals (2.17-23).

praeclaras Catilinae copias vestra praesidia vestrosque exercitus, 2.24).¹⁵³ Yet he recognizes that while those men are the enemy (*hostes*), and opposed to the welfare of the city and its people (*contra urbis salutem omniumque vestrum*), they were born Roman citizens, and thus are capable of reform.¹⁵⁴ By the *Fourth Catilinarian*, however, the goal of Catiline’s men is the death of all, “that no one should remain, not even for the sake of mourning the name of the Roman people or for lamenting the loss of so great an empire,” and Cicero’s self-proclaimed leniency has reached its limit.¹⁵⁵ He dramatically describes how far this evil (*malum*) has spread, not only established in Italy but even creeping (*serpens*) throughout the provinces.¹⁵⁶ He calls for swift punishment, as delay is far worse (4.6). Having laid the groundwork throughout his speeches about the dangers of these men and the necessity of using violence to prevent widespread, unchecked violence, Cicero now must hope that his audience heeds his warnings.

Civic Compliance

In the *Pro Rabirio*, I highlighted how Cicero purposefully tries to involve the civic body not only in the trial for the life of Rabirius *qua* Roman state, but also by implicating his fellow citizens in siding with the “good” Romans who followed Marius in the *s.c.u.* against Saturninus. This method of legitimizing an action through the tacit participation of others is a major strategy of the *Catilinarians* as well. What was a hypothetical of the *Pro Rabirio*—who stands on the side of the consul and thus the state or on the side of the threat—has now become a reality for Cicero and the Roman citizens. With his own *s.c.u.* in hand, Cicero takes great pains to involve his

¹⁵³ See also 1.32; 2.19, 2.25.

¹⁵⁴ *Nunc illos, qui in urbe remanserunt, atque adeo qui contra urbis salutem omniumque vestrum in urbe a Catilina relictis sunt, quamquam sunt hostes, tamen, quia [nati] sunt cives, monitos etiam atque etiam volo* (2.27).

¹⁵⁵ *id est in initum consilium, ut interfectis omnibus nemo ne ad deplorandum quidem populi Romani nomen atque ad lamentandam tanti imperii calamitatem relinquatur* (4.4).

¹⁵⁶ *Huic si paucos putatis adfines esse, vehementer erratis. Latius opinione disseminatum est hoc malum; manavit non solum per Italiam, verum etiam transcendit Alpes et obscure serpens multas iam provincias occupavit* (4.6).

audience in turning away from Catiline and towards not only himself, but also in support of protecting the Republic through violence.

One technique that Cicero uses to inspire his audience to participate, and therefore legitimize, any violence that the consul must execute is precedence. In the opening of the *First Catilinarian*, Cicero draws on historical exempla to show how the *mos maiorum* acted in such circumstances: “There used to be, there used to be a certain virtue in this state that brave men would force a dangerous citizen into line with harsher punishments than the bitterest enemy” (*fuit, fuit ista quondam in hac re publica virtus ut viri fortes acrioribus suppliciis civem perniciosum quam acerbissimum hostem coercerent*, 1.3). Not only is there precedent for the sort of action that Cicero could (and, eventually, will) advocate, but, as history suggests, present Romans should already be actively involved in condemning and punishing internal threats to the state.¹⁵⁷ At times Cicero attributes such patriotic violence to his audience and the Roman people outside the Senate: “For a long time I have barely kept their hands and weapons away from you, and I shall easily persuade them to follow you all the way up to the gates, leaving behind all those things which for so long you have eagerly wanted to destroy (*quae vastare iam pridem studes*)” (1.21). Whether or not such statements are true, they allow Cicero to isolate Catiline from the others, and they serve as a rallying cry to his current audience, implying that active participation is not only acceptable but also the duty of Roman citizens. Indeed, over the course of the four speeches, Cicero uses an increasing number of imperatives, encouraging his listeners both to protect themselves (*vestra tecta vigiliis custodiisque defendite*, 2.26) and protect the state

¹⁵⁷ This sentiment is repeated, in the guise of the *patria*: *Quid tandem te impedit? mosne maiorum? At persaepe etiam privati in hac re publica perniciosos cives morte multarunt* (1.28). See also 2.3: *Ac si quis est talis, quales esse omnes oportebat, qui in hoc ipso, in quo exultat et triumphat oratio mea, me vehementer accuset, quod tam capitalem hostem non comprehenderit potius quam emiserim*.

(*incumbite ad salutem rei publicae*, 4.4).¹⁵⁸

Cicero also creates the illusion of civic compliance through silent cues. In the early speeches especially, he involves his audience directly through the use of their nonverbal senses. Like Cicero, the people are active watchers and listeners to Catiline's plot: "The eyes and ears of many will watch you unaware, just as they have done up to this point, and they will guard you" (*Multorum te etiam oculi et aures non sentientem, sicut adhuc fecerunt, speculabuntur atque custodient*, 1.6).¹⁵⁹ The emphasis on the eyes and ears of the Romans allows Cicero to assert the audience's agreement with him, even as he actively persuades them of the conspiracy and Catiline's wickedness.¹⁶⁰ In a similar move, he attributes to the audience fear and hatred of Catiline. Cicero claims that—outside of the conspiracy—there is no one who does not fear and hate Catiline (*in qua nemo est extra istam coniurationem perditorum hominum, qui te non metuat, nemo, qui non oderit*, 1.13). As we have seen in the *Pro Rabirio*, the indefinite relative clauses have the effect of generalizing the entire civic body. This strategy accomplishes two goals: not only does Cicero actively draw in his audience and make them a part of his denunciation of Catiline, but by invoking these emotions, he can then set himself up as the logical and rightful protector of the citizen body.

Cicero even attempts to use the very silence of his audience against his opponent. In the *First Catilinarian*, calling attention to Catiline's unexpected appearance at this senate meeting,

¹⁵⁸ There is one imperative in the *First Catilinarian*, five in the *Second*, two in the *Third*, and nine in the *Fourth* (cf. *Quare, patres conscripti, consulite vobis, prospicite patriae, conservate vos, coniuges, liberos fortunasque vestras, populi Romani nomen salutemque defendite; mihi parcere ac de me cogitare desinite*, 4.3). The decrease in the number of imperatives in the third speech may be due to Cicero's assumption at the time that no further action on the citizens' part was necessary to deal with the conspirators.

¹⁵⁹ It is unclear whether the *multi* refer to actual spies of Cicero, or his general desire to convey that the whole citizenry is aware of Catiline's actions. The ambiguity, however, is to Cicero's advantage.

¹⁶⁰ For instance: *et, si me meis civibus iniuria suspectum tam graviter atque offensum viderem, carere me aspectu civium quam infestis omnium oculis conspici malletm* (1.17); *ut tum demum animis saluti vestrae provideretis, cum oculis maleficium ipsum videretis* (3.4).

and the fact that no one greeted him or sat with him, Cicero incredulously asks, “If no one else has been treated this way within human memory, are you waiting for condemnation to be spoken aloud, when you have already been crushed by the most serious conviction of silence?”¹⁶¹ At several points throughout the first speech, Cicero uses the silence of the senators to demonstrate that his fellow citizens actively condemn Catiline and therefore validate Cicero actions. He states, “What are you waiting for? Why, do you not notice their silence? They agree with me, they are silent. Why do you wait for the authority of spoken word, when you see their will through silence?”¹⁶²

By the *Fourth Catilinarian*, however, Cicero is technically in a position where he can no longer make an argument from silence or even claim to speak for the people. Yet he takes one more opportunity to recount the events leading up to this debate, reminding his audience that they have not only condemned the conspirators already but also validated the consul as one who acts according to popular will. They have thanked Cicero “in unprecedented terms” (*singularibus verbis*),¹⁶³ acknowledged that a conspiracy has been revealed by his virtue and diligence, and given him a thanksgiving, the first civilian ever to receive one (*qui honos togato habitus ante me est nemini*, 4.5).¹⁶⁴ In short, as Cicero puts it, “all of these things show that those who were put

¹⁶¹ *Quis te ex hac tanta frequentia totque tuis amicis ac necessariis salutavit? Si hoc post hominum memoriam contigit nemini, vocis expectas contumeliam, cum sis gravissimo iudicio taciturnitatis oppressus? Quid, quod adventu tuo ista subsellia vacuefacta sunt, quod omnes consulares, qui tibi persaepe ad caedem constituti fuerunt, simul atque adsedisti, partem istam subselliorum nudam atque inanem reliquerunt, quo tandem animo [hoc] tibi ferendum putas?* (1.16). Reprised at 2.12.

¹⁶² *Quid est, Catilina? ecquid attendis, ecquid animadvertis horum silentium? Patiuntur, tacent. Quid exspectas auctoritatem loquentium, quorum voluntatem tacitorum perspicis?* (1.20). Cicero soon after boldly states the senate’s approval: “But about you, Catiline, when they are quiet, they approve, when acquiesce, they make their decision, when they are silent, they cheer” (*De te autem, Catilina, cum quiescunt, probant, cum patiuntur, discernunt, cum tacent, clamant*, 1.20-1). In the speeches to the Roman people, Cicero switches to implying comments about them. See also 4.14: *Iaciuntur enim voces quae perveniunt ad aures meas eorum qui vereri videntur, ut habeam satis praesidii ad ea, quae vos statueritis hodierno die, transigunda.*

¹⁶³ Cf. 3.14 *Primum mihi gratiae verbis amplissimis aguntur.*

¹⁶⁴ Cf. 3.15 *Atque etiam supplicatio dis immortalibus pro singulari eorum merito meo nomine decreta est quod mihi primum post hanc urbem conditam togato contigit, et his decreta verbis est, 'quod urbem incendiis, caede civis, Italiam bello liberassetem.'*

into custody by name are judged to be without a doubt condemned by you” (*quae sunt omnia eius modi, ut ii, qui in custodiam nominatim dati sunt, sine ulla dubitatione a vobis damnati esse videantur*, 4.5). This foregrounding of events and the senate’s opinions act as a reminder of how the state and its people have viewed their consul.

Faced with differing opinions about how to punish the captured conspirators, who are themselves Roman citizens, Cicero reworks his strategy of legitimizing his actions through audience compliance by speaking through the consul-designate, Decimus Silanus. Cicero describes Silanus’ proposal, which calls for the execution of the conspirators, in much of the same terms as he has to this point, including that the people ought to remember that this type of punishment has been used in this state before against the disloyal citizens (*hoc genus poenae saepe in inprobos civis in hac re publica esse usurpatum recordatur*, 4.7). He speaks of Caesar’s counter-proposal—lifetime imprisonment and confiscation of property—in genial terms, noting that if the senate were to adopt that proposal, Caesar would have to deal with the reaction of the people and less trouble would fall on Cicero’s own head (4.9).¹⁶⁵ Here Cicero cleverly equates the two proposals as equally likely to upset the people, when only Silanus’ (and his) constitutes a violation of citizen rights. Moreover, he has now figuratively created a group of himself, Silanus, and Caesar, who are in charge of punishing the conspirators, with the rest of the senators presumably supporting them, rather than appearing as the sole instigator.

The *Fourth Catilinarian* as a whole reaffirms Cicero’s belief in the *concordia ordinum* of the Republic and its strength as a mixed constitution, particularly in times of crisis. Turning from the debate over the conspirators to the people in charge of making that decision, Cicero stresses

¹⁶⁵ *Si eritis secuti sententiam C. Caesaris, quoniam hanc is in re publica viam, quae popularis habetur, secutus est, fortasse minus erunt hoc auctore et cognitore huiusce sententiae mihi populares impetus pertimescendi; sin illam alteram, nescio an amplius mihi negotii contrahatur.*

the harmony of the classes that has resulted from this crisis (and his efforts). He goes through each of the orders, explaining how they all are supporting the Roman citizens and the Republic against the conspiracy (4.14-17), and sums up by saying “All classes are in accord about protecting the state with their mind, will, eagerness, virtue, and voice” (*Omnes ordines ad conservandam rem publicam mente, voluntate, studio, virtute, voce consentiunt*, 4.18).¹⁶⁶ The use of *omnis* in these sections is striking, occurring 21 times between §14-24.¹⁶⁷ He continues, listing all of the advantages the Roman people has against the conspiracy: “You have every order, every man, the entire Roman people feeling one and the same [thing], a thing which we see on this day for the very first time in a domestic issue” (*habetis omnis ordines, omnis homines, universum populum Romanum, id quod in civili causa hodierno die primum videmus, unum atque idem sentientem*, 4.19). Cicero ends his last and most important speech on the conspiracy with optimistic statements about the harmony that this political and state crisis has inspired; his final comments express the wish that the people recognize all that he has achieved as consul on behalf the Roman people and the Republic itself. By focusing on his efforts to protect the citizens and the state, Cicero glosses over the issue of how he wishes to use the *s.c.u.* to violate citizen rights, even if that citizen is a threat.

Patria Personified

In the previous two sections, I have explored persuasive techniques that Cicero uses in the *Catiliarians* to convince his audience that there are times when it is not only necessary, but also right, to use violence to protect the state, even when it is against Roman citizens. In making

¹⁶⁶ More examples: *Causa est enim post urbem conditam haec inventa sola, in qua omnes sentirent unum atque idem praeter eos, qui cum sibi viderent esse pereundum, cum omnibus potius quam soli perire voluerunt* (4.14). *Quam si coniunctionem in consulatu confirmatam meo perpetuam in re publica tenuerimus, confirmo vobis nullum posthac malum civile ac domesticum ad ullam rei publicae partem esse venturum* (4.15).

¹⁶⁷ There are forty instances in the entire speech.

such an argument, Cicero also implies that the Republic, in its current form, is more than worth saving, even at the expense of the lives of its citizens. On the face of it, it may seem like a surprising claim, since the problems which had beset Rome from the time of the Gracchi were primarily internal, with no signs of ceasing. Cicero himself constantly comments on the corruption from within and the danger that the state was in. Yet he also maintains with great sincerity that the Republic is the best and only form of government for the Roman state. While it would be easy to write off Cicero as acting solely to protect the *auctoritas* of the senate and the status quo, such opinions ignore his firm belief in the mixed constitution, and all that entails, including the power and liberty granted to the people. Instead, the key to Cicero's seemingly incompatible views is that he forcibly divorces the state (which is pure and healthy) from the corrupt men who call themselves Romans. In the *Catilinarians* we can see two variations on this theme, both which personify the *patria*, in voice and in body.

While Cicero quite often claims to speak for the state and its citizens, in the *First Catilinarian*, he takes on the figurative voice of the *patria* herself through the technique of *prosopopoeia*. Generally seen only as a rhetorical device, to develop pathos and to help Cicero deflect possible criticism for his actions against Catiline, evoking the voice of the Roman state also reinforces the idea that the *patria* is physically separate from the evil that lurks within her. He leads into this idea by first simply speaking for the state: "Now the *patria*, who is the common parent to you all, loathes and fears you, and for a long time now has determined that you think about nothing but the murder of your own parent; will you not respect her authority, bow to her judgment, or fear her might?"¹⁶⁸ Cicero attributes to the *patria* the same negative

¹⁶⁸ *Nunc te patria, quae communis est parens omnium nostrum, odit ac metuit et iam diu nihil te iudicat nisi de parricidio suo cogitare; huius tu neque auctoritatem verebere nec iudicium sequere nec vim pertimesces?* (1.17).

emotions of fear and loathing that Catiline inspires in the citizens.¹⁶⁹ The key words *auctoritatem*, *iudicium*, and *vim* all naturally correspond with points that Cicero has been making in this speech.

In the first instance of *prosopopoeia*, Cicero as the state repudiates Catiline for his actions:

Nullum iam aliquot annis facinus exstitit nisi per te, nullum flagitium sine te; tibi uni multorum civium neces, tibi vexatio direptioque sociorum inpunita fuit ac libera; tu non solum ad negligendas leges et quaestiones, verum etiam ad evertendas perfringendasque valuisti. Superiora illa, quamquam ferenda non fuerunt, tamen, ut potui, tuli; nunc vero me totam esse in metu propter unum te, quicquid increpauerit, Catilinam timeri, nullum videri contra me consilium iniri posse, quod a tuo scelere abhorreat, non est ferendum (1.18).

For so many years, no crime has ever happened except by your hand, no scandal without you; to you alone are the deaths of many citizens, to you the upheaval and plundering of allies goes unpunished and free; you have prevailed not only in ignoring the laws and courts, but even in overturning and breaking them. Although these earlier crimes should not have to be endured, nevertheless, I withstood them as best as I could; but now, the fact that my entire being has succumbed to fear because of you, that—whatever the sound—Catiline is to be feared, that no plot made against me can form which is not under your clutches, that I can no longer endure.”

Through the *patria*, Cicero alleges that every instance of corruption, not just this conspiracy, is due to the efforts of Catiline. The state itself is merely enduring this storm of wickedness; it disavows any agency in producing it. Such a declaration is an attempt to counter any argument that opponents may put forth, that the government itself is corrupt or unable to effectively govern the state. Catiline’s flagrant disregard for the laws and the courts, institutions created to uphold the Republic and the rights of citizens, also points to his rejection of citizenship.

Cicero also uses the voice of the state to justify any action he might take under the *s.c.u.* for her protection. Demanding herself that Cicero act, the *patria* also calls Catiline a foreign enemy, *hostis*, and a perversion of Roman power. He is the commander of enemy camps

¹⁶⁹ Cf. 1.3, 1.17, and 1.31.

(*imperatorem in castris hostium*), the authority of wickedness (*auctoritatem sceleris*), the leader of the conspiracy (*principem coniurationis*) and the evoker of slaves and traitors (*evocatorem servorum et civium perditorum*, 1.27). As discussed above, the state is the one to make the argument that Catiline, in rebelling against the state, is no longer a Roman citizen, so the laws protecting citizens from harm without a trial no longer apply (*An leges, quae de civium Romanorum supplicio rogatae sunt? At numquam in hac urbe, qui a re publica defecerunt, civium iura tenuerunt*, 1.28); Cicero therefore ought to follow the *mos maiorum* in taking severe action against this threat.¹⁷⁰

In the later speeches, Cicero drops this stratagem in light of his successes. Catiline does leave, and the orator and consul uses the momentum from that development as well as the physical evidence from the Allobroges as the basis for his two speeches to the Roman people. In the *Fourth Catilinarian*, however, Cicero once again faces the senate with a controversial recommendation.¹⁷¹ While he does not adopt the voice of the *patria* here, Cicero still speaks for her:

Obsessa facibus et telis impiae coniurationis vobis supplex manus tendit patria communis, vobis se, vobis vitam omnium civium, vobis arcem et Capitolium, vobis aras Penatium, vobis illum ignem Vestae sempiternum, vobis omnium deorum templa atque delubra, vobis muros atque urbis tecta commendat (4.18).

“Our shared *patria*, beset by the torches and weapons of this unholy conspiracy extends out her hands as a suppliant to you: to you she entrusts the lives of all of the citizens, to you the citadel and Capitoline, to you the altars of the Penates, to you that eternal fire of Vesta, to you the temples and shrines of all the gods, to you the walls and roofs of the city.”

The familiar imagery of conflagration and weaponry appears in this dramatic appeal, illustrating

¹⁷⁰ We also see the idea of using violence to prevent more violence resurface, when the state rebukes Cicero for not acting to protect the safety of the other citizens because he fears unpopularity for his actions (*si propter invidiam aut alicuius periculi metum salutem civium tuorum negligis*, 1.28).

¹⁷¹ It may be that Cicero only personifies the *patria* when speaking before the senate, in order to remind them of their duty to the state (or at least to support him in his actions). Further study is needed, however.

that nothing is untouched by this threat. The anastrophe of *vobis* stresses how this decision, and the power of the state in general, rests in the hands of his listeners. By switching to the voice of the state, Cicero changes the nature of the debate from the questionable execution of Roman citizens to achieving freedom from destruction through audience compliance and focused violence.

Another important way that Cicero separates the state and its government from the problems represented by Catiline is through disease imagery, specifically, the sick state.¹⁷² Although Cicero's use of disease imagery is well-known, its effect is more far-reaching than has been previously argued. As a complement to the personified *patria*, Cicero used this technique in the *First* and *Second Catilinarians* especially to establish that the state would be perfect and ideal, were it not for the virulent forces marshalling without and from within.¹⁷³ Since I have discussed this in more detail elsewhere, here, I will mention a few, pertinent examples.

Cicero gradually builds up the metaphor of the infected *patria* in the *First Catilinarian* through linguistic terms that refer to the body and sickness.¹⁷⁴ He describes Manlius' forces as phlegm collecting in the throat (*faucibus*) of Etruria (1.5),¹⁷⁵ and accuses Catiline of contriving terrible plagues within the city (*intestinam...perniciem*, 1.5; *tam taetram, tam horribilem tamque*

¹⁷² Much of the analysis that follows was presented at the 2012 CAMWS in Baton Rouge in a paper entitled, "Plagues, Pestilence, and Gruesome Deaths: Disease Imagery in Cicero and Lactantius."

¹⁷³ This imagery largely stops after the second speech, likely due to the hard evidence Cicero recovers from the Allobroges and the progression of events.

¹⁷⁴ Cicero was well-aware of Catiline's support in the Senate: *convenisse eodem complures eiusdem amentiae scelerisque socios...video enim esse hic in senatu quosdam qui tecum una ferunt* (8). While the double audience has led to speculation about which audience is primary, Dyck is the most persuasive: "Rather, his aims are subtler: to isolate Catiline from the other senators morally as he has been isolated physically...and to put beyond dispute the link between the city conspirators and Manlius' rebels in Etruria so that coniuratio, a key motif in this speech (cf. 1.5-9n.), would apply to the movement with its full force" (*Catilinarians*: 60-61).

¹⁷⁵ Dyck, recognizing that *fauces* is being used metaphorically, interprets it as "the maw of a voracious animal," citing 2.2 (*Catilinarians*: 75). While Catiline is considered a monster after he is expelled, *faucibus* meaning throat to indicate boundary of Rome makes more sense with the image of the sick state that appears throughout. The specific site was Faesulae, where Sulla had established a colony 20 years prior; it was in fact a productive breeding ground for conspirators.

infestam rei publicae pestem, 1.11).¹⁷⁶ He also calls Catiline's followers the "great and dangerous dregs of the state" (*magna et pernicioosa sentina rei publicae*), calling to mind cleansing and decontamination as he recommends that they be drained from the city (*exhaurietur*, 1.12). By the end of the speech, Cicero identifies Catiline directly as the source of the corruption: "But if he expels himself (*se eiecerit*) and leads his men out with him...not only will this so fully-developed plague of the state be extinguished and destroyed, but even the stock and seed of all evil" (*extinguetur atque delebitur non modo haec tam adulta rei publicae pestis, verum etiam stirps ac semen malorum omnium*, 1.30). Cicero follows up this accusation with a vivid metaphor about the danger of not only Catiline but also his followers:

'Ut saepe homines aegri morbo gravi, cum aestu febrique iactantur, si aquam gelidam biberunt, primo relevari videntur, deinde multo gravius vehementiusque afflictantur, sic hic morbus qui est in re publica relevatus istius poena vehementius reliquis vivis ingravescet.'

As often men, sick with a serious disease, when they toss about in a feverish heat, if they drink cold water, seem at first to be relieved, then by so much more gravely and severely are they afflicted, and so this disease which is in the state, having been lifted away by the punishment of that man will worsen all the more violently for those left living (1.31).

Catiline is ultimately a disease (*hic morbus*), both the symbolic and literal plague on the state, and his followers present a greater danger if they too remain. In addition to dehumanizing and

¹⁷⁶ Although the adjective *intestinus* most commonly refers to existing within a country or state, the word can still refer to the internal organs of a body (*OLD* s.v. I, II). Besides the use of *pestis*, *taeter* means "(Physically) offensive, foul, noisome, etc." and has been used before in conjunction with: *cruor* – Verg. *A.* 10.727; *odor ex multitudine cadaverum* – Caes. *BC* 3.49; *cadavera* – Lucr. 2.415; *ulcera* – id. 5.995 (*OLD* s.v. I). Craig, *Form as Argument*, noted how this speech, in comparison with other Ciceronian political speeches that are considered invectives, uses remarkably few of the standard invective themes, explaining, "In the *First Catilinarian*, the stakes are not the relative prestige of two politicians but the safety of Rome itself. In these circumstances, the orator must forgo an invective that is more typical of the genre in order to attain a more important goal" (338). I argue that he thus directs his invective towards disease imagery and shows that the corruption in the state is not associated with the state itself.

alienating this group of men from the rest of the Roman citizens, Cicero also graphically shows that they are wholly separate from the state.¹⁷⁷

In the *Second Catilinarian*, Cicero further cements the cancerous effect of Catiline's followers and his own authority to protect the state through disease language. The consul, addressing the people rather than the Senate, triumphantly claims responsibility for ousting such a threat:¹⁷⁸

Tandem aliquando, Quirites, L. Catilinam, furem audacia, scelus anhelantem, pestem patriae nefarie molientem, vobis atque huic urbi ferro flammaque minitantem ex urbe vel eiecimus vel emisimus vel ipsum egredientem verbis prosecuti sumus. Abiit, excessit, evasit, erupit (2.1).

Finally, at long last, Quirites, we have either thrown him out of the city, or sent him out, or pursued him already setting out with words, one Lucius Catiline, raging with audacity, breathing wickedness, nefariously contriving a plague for the state, threatening you and this city with fire and iron. He has left, departed, escaped, and burst out.

Catiline the plague has now become Catiline the monster who produces plagues, an unnatural creature that no longer preys on the state. The first verb that Cicero uses to describe Catiline's departure is *eiicio*, which can mean "expel" in the sense of driving out or banishing, but whose more prominent meaning is "vomits."¹⁷⁹ Yet the state still must contend with the plague that Catiline has produced, namely, his followers.¹⁸⁰ Before describing each of the six types of Catiline followers (2.18-23), Cicero declares: "Then, if I can, I shall apply the medicine of my

¹⁷⁷ See Habinek *Politics of Latin Literature*: 69-87 on how Cicero uses bandit imagery to likewise ostracize Catiline: "The orator aims to deny his opponent standing within the community and to exclude him from the place of reasoned debate by aligning him with the very forces that the community cannot incorporate" (70-71).

¹⁷⁸ Technically, the consul did not have the power to demand a citizen's exile, nor could he impose penalties. See Dyck *Catilinarians*: 60. Such a declaration, however, is in keeping with Cicero's strategy during this emergency.

¹⁷⁹ OLD s.v. II. The first definition of *eiicio* is "to emit or discharge, usu. with violence; to pour forth (beyond its normal limit)." The second definition is "to emit from the body (by vomiting, excretion, or sim.)" and only under the fifth definition does it mean "to expel (persons), drive away, turn out." It is not coincidence that Cicero chose this verb, for he favors it over the other common verbs of banishing which follow in 2.1, using *eiicio* twelve times in the speech.

¹⁸⁰ Cicero also calls them "waste" (*sentina*, 2.7; cf. 1.12) and a "nursery of Catilines" (*seminarium Catilinarum*, 2.23).

counsel and my speech to each group” (*deinde singulis medicinam consilii atque orationis meae, si quam potero, adferam, 2.17*). Like a doctor to the state and its ills, he suggests that only he can fix the problem once and for all, in his authority and foresight as consul. This metaphor not only reminds the audience that the affliction of the state is temporary, and therefore not a sign that the Republic is the problem, but it also reiterates that the citizens need to trust Cicero, as consul and as “doctor,” to do whatever is necessary, even if it means cutting out the cancerous parts.

In 63, Cicero used his platform as consul and respected orator to justify the validity of actions taken under two different instances of the *s.c.u.* and to establish the idea of *concordia ordinum*, or the balance of powers among Senate, magistrates, and citizens. This particular stress on the mixed constitution and the hierarchy built into it, which he casts as protecting not only the Republic but also the people, directly connects to the way he legitimizes the *s.c.u.*, for he argues that protecting the state in this form is the only way to ensure the safety and liberty of all. As I have shown, many of his inconsistent or contradictory political statements are not just pandering, but can be rationalized (at least to himself) through his political ideology, which encompasses his views on violence against Roman citizens. These speeches capture Cicero at the pinnacle of his career: Rabirius is successfully defended (even if on a technicality) and Catiline and the conspirators are killed, either in battle or executed by the state, both under the jurisdiction of the *s.c.u.* Yet in the aftermath of the conspiracy, it did not take long for Cicero’s popularity to turn. Indeed, shortly after stepping down from office, Cicero would be attacked by his opposition, most notably Publius Clodius Pulcher, for executing the Roman citizens without a trial. We must ask then, whether Cicero’s speeches really reflect the attitudes of the Roman people, or whether he only temporarily convinced them. This issue comes into sharper focus in Chapter 2, when we

see Cicero again trying to persuade the Roman people to legitimize and participate in violence against their own, in both small-scale and large-scale conflicts. These times, however, he is far less successful.

CHAPTER II.

Cicero and Civil Strife

In this chapter, I examine Cicero's stance on violence against citizens during the latter part of his political career. Focusing first on the *Pro Milone* in 52, and then the *Philippics* during the outbreak of civil war with Antony in 44-43, I trace the evolution of Cicero's political ideology over the two decades after his consulship. In Chapter 1, I argued that Cicero's active support for the *s.c.u.* directly reflects his belief that the Republic, as a mixed constitution, is the best possible government for the Roman people; this stance entailed prioritizing the state over the lives of individual citizens. While Cicero lauds the division of power among the classes of Rome, as well as the rights and protections enjoyed by all Romans, in the event of a (perceived) domestic threat, any use of violence to protect the state is justifiable. The relative success of his speeches in achieving their objective, despite a certain amount of backlash following, indicates his rhetoric was largely persuasive to the Roman citizen body, at least at the time. In this chapter, I argue that his political ideology, including his attitude towards these acts of violence, holds true throughout the rest of his career. As the *Pro Milone* and *Philippics* demonstrate, however, Cicero is forced to change the ways he legitimizes his beliefs to his audience; here, unlike in the speeches of 63, we can see how Cicero's ideology increasingly does not align with that of the Roman people as a whole. Instead, as the Republican government degenerates into more and more civil strife, there seems to be a shift towards valuing individual citizen lives and rights over protecting the state in its current form.

Before beginning my analysis of the *Pro Milone*, it would be helpful to briefly summarize the major events that occur after 63. Cicero's political standing changed drastically from the moment when he demanded the execution of the five Catilinarian conspirators. Over the next few years, Cicero had to constantly justify his previous actions in the face of charges of illegality and cruelty. His exile in 58 at the hands of the newly-plebeian tribune Publius Clodius Pulcher was a low that even a theatrically triumphant return one year later could not erase.¹⁸¹

Yet the political climate to which Cicero had returned had also changed. The alliance of Caesar, Pompey, and Crassus had begun to alter the balance of power in the state. The normal Republican government was not functioning as it had in the past.¹⁸² The combination of their individual unprecedented actions and honors, as well as the questionable tactics these men used to achieve their own ends, was dangerous for someone like Cicero. As a man who strove to maintain the status quo of the mixed constitution—where any deviation from laws was only acceptable for preserving that balance—he consequently enjoyed less power and influence. As some of the speeches from this time show, Cicero was even obliged to use his rhetorical skills on their behalf.¹⁸³ Consequently, Cicero decided to retire from politics and focus on treatises and philosophical works. By the end of the fifties, however, the uneasy agreement that existed both between the senate and the so-called first triumvirate, as well as the members of the triumvirate themselves, had dissolved. After the death of Crassus at Carrhae in 53, Caesar and Pompey fully and openly factionalized, with Pompey becoming the figurehead of senatorial authority and

¹⁸¹ Though Cicero would certainly try. For Cicero on denying both that the exile was truly an exile and the legitimacy of Clodius exiling him in the first place, see Riggsby, "The Post-Reditum Speeches," in *May Companion to Cicero*: 168-70.

¹⁸² In addition to the rise of Caesar and Pompey, the fifties saw many delays in the regular appointment of magistrates; see Wiseman, "Caesar, Pompey, and Rome" in *CAH IX* (2008): 378-413.

¹⁸³ For instance, he defend his enemy Gabinius as well as Caesar in the *de consularibus provinciis* in 56, and in his 'palinode' in which he publicly declared his loyalty to the triumvirs. Cf. *ad Att.* 4.5.1.

Caesar championing the rights of the Roman people as a whole.¹⁸⁴ Cicero, who had withdrawn from politics by this point, reluctantly sided with Pompey and the senate, once again choosing the side he thought would preserve the mixed constitution.

Political turmoil was further compounded by the rise of mob violence, as politicians began increasingly using the people—either through the popular assemblies or less savory approach of outright gangs—to accomplish their own aims.¹⁸⁵ The rivalry between Titus Annius Milo and Publius Clodius Pulcher was a prominent example of this. What had once been an unprecedented move by Tiberius, when he passed his agrarian bill through the people without senatorial approval, had by this point become customary. The year 53 saw further destabilization of the state, when political factions and violence was so high that no new magistrates were elected.

During this chaotic period, the *s.c.u.* was used several times: against the mobs of Clodius and Milo in 52, Caesar in 49, and Antony and Octavian in 43.¹⁸⁶ Strikingly, it appears to be less effective each time, in large part due to the lack of a stable or even identifiable central governmental body.¹⁸⁷ Nevertheless, this reality does not deter Cicero from advocating for either its use or violence against the offending citizens in general. So caught up in trying to preserve the static version of Republic that he believed in, but that is now functionally obsolete, Cicero seems to be unwilling to see how the government and Romans as a whole have changed around him.

¹⁸⁴ See Chapters 3 and 4 for how Caesar constructs his political ideology through his writing.

¹⁸⁵ Even Cicero benefited from this, when the tribunes P. Sestius and Milo helped ensure Cicero's recall from exile in 57, using their band of men to counter Clodius'.

¹⁸⁶ Golden also lists an *s.c.u.* leveled against Cornelius Nepos in 62, after he prevented Cicero from giving his end of term speech as consul, with the caveat that only Dio cites it at 37.43.3 (*Crisis Management*: 106 n11). There is some debate about whether an *s.c.u.* was officially decreed against Antony, which I review in the *Philippics* section. I discuss the *s.c.u.* against Caesar in Chapter 4, and the *s.c.u.* against Octavian in Chapter 5.

¹⁸⁷ See Golden *Crisis Management*: 138, who identifies this issue when contrasting the *s.c.u.s* of 77 and 52.

PRO MILONE

The events leading up to the trial of Milo are well-documented and yet at times difficult to piece together, due to chaotic nature of the first few months of 52.¹⁸⁸ Following a year of near anarchy, in which there were no regularly elected magistrates, the first order of business in January of 52 was to create some semblance of central leadership. An *interrex* had not even been appointed yet, as was customary. Up to this point, there had been frequent skirmishes between long-time rivals Clodius and Milo, and their respective bands of supporters;¹⁸⁹ as Clodius was currently seeking the praetorship and Milo the consulship, their enmity soon came to a head. On 18 January, Clodius and Milo chanced (it is said) to meet on the *Via Appia* near Bovillae, both attended by slaves; in the brawl that followed, Clodius was badly wounded by one of Milo's slaves, and carried into a nearby tavern. There he was killed. The next day, Clodius' followers carried his body into the Curia and set the building on fire; they also attacked the houses of Milo and Manius Aemilius Lepidus (the recently appointed *interrex*).

Subsequent events become more difficult to place, but a few definitive measures happened after. An *s.c.u.* was passed at some point during the tumultuous weeks following Clodius' death, granted to the *interrex*, Pompey as proconsul, and possibly the praetors.¹⁹⁰ Pompey was then elected sole consul during the intercalary month,¹⁹¹ and passed two new laws targeting recent corruption: one on political violence and disturbance (*de vi*) and one on bribery

¹⁸⁸ Asconius's commentary of the *Pro Milone* is the primary account for these events (30-56C). Other accounts include Plutarch (*Cic.* 35), Appian (*BC* 2.20-24) and Dio (40.48-54), and we know Livy had written about it (*Per.* 107). See Craig in Powell and Patterson 2004: 203; Golden 2013: 137-139. For the thorny issue of chronology, see J. Ruebel "The Trial of Milo in 52 B.C.: A Chronological Study," *TAPA* 109 (1979): 231-49. Lintott, "Cicero and Milo," *JRS* 64 (1974): 62-75; B.A. Marshall, *A Historical Commentary on Asconius* (Columbia 1985).

¹⁸⁹ Cf. Dio 39.8.1. On the composition of Clodius's gang, see Lintott *Violence in Republican Rome*: 77-83; Nippel *Public Order*: 75-78. The lack of any real standing police force allowed such gangs to flourish, as did the current lack of political leadership at Rome.

¹⁹⁰ Asc. 34C. The best estimate is February 3-10. See Ruebel "The Trial of Milo": 237 for discussion of date.

¹⁹¹ Interkalarius 24 (Asc. 36C; Ruebel "The Trial of Milo": 239).

(*de ambitu*). Through his *lex de vi*, which mentioned Clodius' murder and subsequent violent acts outright, Pompey created an ad hoc tribunal (*quaestio extraordinaria*) to more swiftly and harshly deal with violators. He also established a new court through the *lex de ambitu*, but a permanent one, and laid down new rules for regulating and punishing electoral bribery.¹⁹² While legislation already existed on both of these issues, Pompey's laws were designed specifically to exert control over the current chaotic situation and prevent such riots from happening in the future. After being charged under both laws, Milo stood trial first for *vis*, during the first week of April of 52. Cicero, who had been defending Milo publicly since March, gave a defense of Milo's actions on the final day of the trial, amid the jeers of the Clodiani (Asc. 41C).¹⁹³ Milo was condemned by a vote of 38-13 and subsequently went into exile at Massilia. The immediate crisis had been quelled, though whether the *s.c.u.* or Pompey alone was to be credited was dubious.

The extant speech of Cicero's defense of Milo, our *pro Milone*, is not what he actually delivered during the trial.¹⁹⁴ The issue of the relation between the delivered and published

¹⁹² See Gruen *Last Generation*: 234-239 for further details about Pompey's laws. As I discuss below, Cicero exploits the fact that there was not unanimous support in the senate for these unusual measures.

¹⁹³ The most likely date is 7 April (Ruebel 1979: 245-247). For Cicero's relationship with Milo, see Lintott, "Cicero and Milo," *JRS* 64 (1974): 62-78.

¹⁹⁴ Thus prompting the famous line attributed to Milo that, had Cicero given that speech in court, he would not be eating the delicious fish of Massilia (Dio 40.53.3). The most recent and extensive commentary is L. S. Fotheringham's *Persuasive Language in Cicero's Pro Milone* (Exeter 2013). This unusual book does not purport to address the historical context, aside from the introduction, nor how aspects of this speech, linguistic and rhetorical, relate to the rest of Cicero or other authors; instead, Fotheringham aims to demonstrate how "different linguistic aspects of the text work together to produce a unified but multifaceted piece of persuasive discourse" (xii). While there are no other recent commentaries for this speech, scholars have been interested in various features of the *Pro Milone*. E. Vereecke demonstrates that Cicero uses two- and three-sentence groupings for stylistic and rhetorical effect in, "Le rythme binaire et ternaire dans l'argumentation: Cicéron, Pro Milone 1-31," *LEC* 59 (1991): 171-178. P. Fedeli, in "La « Pro Milone »" *Giornate filologiche* 4 (2005): 37-52, provides a general look at the historical context and rhetorical techniques in the speech; A. Casamento has produced multiple articles about various aspects of Cicero's rhetoric *Pro Milone*, including an article about Cicero's use of historical exempla as a rhetorical strategy ("Strategie retoriche, emozioni e sentimenti nelle orazioni ciceroniane: le citazioni storiche nella « pro Milone »." *Hormos* 3 [2011]: 140-151); most recently, he looks at Cicero's strategy of personalization in "Apparizioni, fantasmi e altre « ombre » in morte e resurrezione dello Stato: « Fictio », allegoria e strategie oratorie nella « pro Milone » di Cicerone" in G. Moretti and A. Bonandini, eds., *Persona ficta: la personificazione allegorica nella cultura antica fra letteratura, retorica e iconografia* (Trento 2012): 139-169.

speeches has been hotly debated among scholars, with little resolution even up to the present day.¹⁹⁵ While I discuss this in more detail below in connection to the so-called *extra causam* section, as was the case in the previous chapter, ultimately the relationship between the extant speech and the one delivered at the trial is of less importance to this study. Indeed, the speech that has come down to us can and should be read as a representation what Cicero was proud of—both politically and rhetorically—and what appeals to the Roman people.

Cicero's speech in defense of Milo focuses more on the long history of Milo and Clodius than the actual decisive conflict. While the orator uses an impressive variety of techniques and arguments to obfuscate the details of the fight, I am primarily concerned about his claims on violence and the state. The political situation in 52 was drastically different from that of 63, as was Cicero's own reputation and standing. The arguments he made as consul, that Catiline had forfeited his rights as a citizen by amassing an army (with foreigners) to destroy the state and massacre Roman citizens, could not work here. Unlike Catiline, whom Cicero could easily and (eventually) truthfully dub a *hostis* as well as a *pestis*, Cicero cannot get around the fact that Clodius—even dead—was a Roman citizen who had inalienable rights.¹⁹⁶ The *s.c.u.* that was in effect at the time of the trial was nonspecific, meant to curtail the general violence and mayhem in the city caused by both the Clodiani and Milo after the murder. Cicero thus must both justify the use of violence against citizens to protect the state, while skirting around the issue of an *s.c.u.* in part lodged against his client. While eventually the lack of clear leadership was resolved by electing Pompey as sole consul, this was not the traditional way of the Republic. Furthermore,

¹⁹⁵ Those who see the extant speech as being essentially what Cicero delivered in the defense trial: C. Loutsch "Remarques sur le « Pro Milone » de Cicéron" *Hommage à O. Scholer* (1996): 3-16; Powell and Paterson *Cicero the Advocate*: 52-57; Fotheringham *Persuasive Language*. Those who argue the *extra causam* section was added later: A. M. Stone, "Pro Milone: Cicero's Second Thoughts," *Antichthon* 14 (1980): 88-111; D. H. Berry, "Pompey's Legal Knowledge. Or Lack of It: Cic. "Mil." 70 and the Date of "Pro Milone"" *Historia* 42 (1993): 502-504.

¹⁹⁶ Not to say that Cicero does not *try* to paint Clodius as an eternal enemy and a plague: *hostis* (78); *pestis* (40, 68, 88). Far more frequent, however, are references to Clodius' *furor* and to him being a brigand or monster, etc.

Pompey's troops, stationed throughout the city, were a reminder of the government's lack of control and an ominous sign of change to the orator.¹⁹⁷

All of these factors forced Cicero to change the way he spoke about violence against citizens and protecting the Republic as he saw it. While he makes many of the same types of arguments as we saw in Chapter 1, he phrases them in different terms or uses a new angle to make the same point.¹⁹⁸ In this section I trace two overarching arguments that Cicero puts forth in the *Pro Milone*: first, Cicero defends the use of force by appealing to the traditional Roman principle of self-help, in an attempt to align Milo with the values of the Roman people, and expands it to include the larger community; secondly, Cicero calls attention to the swiftly changing Republic, in order to highlight his unease with Pompey's increasing leadership and new methods of control over the state. Both claims represent Cicero's dual goal of not only justifying acts of violence against Roman citizens but also of protecting the ideal of the Republican government that Cicero has supported throughout his career.

Defining *vis*

Cicero's main argument on behalf of Milo, that the murder of Clodius is an act of self-defense and therefore justified, invites his audience to see Milo as the embodiment of Roman values while obscuring constitutional conflicts. As we saw with both the *Pro Rabirio* and the *Catilinarians*, Cicero contrasted the proper use of violence against Roman citizens with the

¹⁹⁷ Armed soldiers were not technically allowed within the *pomerium*, which included the city of Rome. On the general practice of how armies and boundaries are maintained, see F. K. Drogula, *Commanders and Command in the Roman Republic and Early Empire* (Chapel Hill 2015).

¹⁹⁸ For instance, there are many similarities between Cicero's speech in defense of Rabirius in 63 (*Pro Rabirio*) and his defense of Milo in 52 (*Pro Milone*). In both cases, Cicero defends a man that he feels was in the right for committing violent action against another Roman citizen. He casts these men as using violence to protect the Republic itself, and emphasizes how their fate and well-being (*salus*) equals that of the state. There is the usual contrast between the *boni* and *improbi*. Unfortunately for Cicero, the major differences, highlighted below, demonstrate the tenuousness of case.

either needlessly cruel or dangerous, unchecked violence that he associates with his opponent. Indeed, this tactic of creating polar opposites in his favor is by no means new to Cicero, particularly when it comes to the threat of widespread violence. In this case, however, Cicero cannot readily associate Milo's act with an *s.c.u.* or even a credible threat to the state.¹⁹⁹ In labeling Milo's actions acceptable and Clodius' actions unacceptable, Cicero has to work harder to distinguish the two. While his rhetoric is first and foremost designed to defend Milo, which can make it difficult to extricate his personal ideals, Cicero maintains the same position towards violence and political ideology. All of his usual arguments and evidence are tweaked, however, both to accommodate the case as well as the new political climate, with varying levels of success. He references this challenge obliquely when, in a statement of *praeteritio*, he explains how he will not take advantage of Milo's credentials or good deeds in presenting his defense, even if Clodius' death was in fact beneficial to the state (*ut si mors P. Clodi salus vestra fuerit*, §6). He signals the change in tactic by continuing:

Sed si illius insidiae clariores hac luce fuerint, tum denique obsecrabo obtestaborque vos, iudices, si cetera amisimus, hoc saltem nobis ut relinquatur, ab inimicorum audacia telisque vitam ut impune liceat defendere (§6).

“But if Clodius' plotting should be clear as day, then at last I pray and call upon you, judges, that—even if we have lost all else—at least we are left with this: that one may defend his own life from the ruthless weapons of his enemies without punishment.”

This statement signals Cicero's main objective in this defense: to convince the jury of Clodius' intent to harm. Killing another citizen out of self-defense was not an actionable offense in Roman society, for it was considered to be a private matter, thus not under the purview of the Roman government.²⁰⁰ But certain types of violence in the Republican period were considered

¹⁹⁹ His attempt later on in the *extra causam* section is discussed below.

²⁰⁰ There were already certain circumstances in which physical violence, even murder, was explicitly condoned by law. The earliest example can be found in the Twelve Tables, in which it was lawful to kill a thief if an emergency council of neighbors approved, and if the thief had come by night or used weapons (*Tab. viii. 12*; cf. §9). The *leges sacrae* are also referred to in a suit against Cicero's client (*Tull. 47-50*), in which it is lawful to kill a man who has

contra rem publicam and were subject to public trial, including Pompey's new *lex de vi*.²⁰¹ What is of interest here is the way Cicero constructs this argument and the evidence he uses, for on the one hand he attempts to make the public offense private, so it falls under the banner of self-defense, and at the same time he challenges the *de vi* charge, asserting that even public and political violence can in fact be lawful.

Cicero contests the general claim that it is wrong to kill another citizen by manipulating historical examples and the interpretation of law. Cicero first refutes the charge with a list of past precedents:

nempe in ea quae primum iudicium de capite vidit M. Horati, fortissimi viri, qui nondum libera civitate, tamen populi Romani comitiis liberatus est, cum sua manu sororem esse interfectam fateretur. An est quisquam qui hoc ignoret, cum de homine occiso quaeratur, aut negari solere omnino esse factum aut recte et iure factum esse defendi? Nisi vero existimatis dementem P. Africanum fuisse, qui cum a C. Carbone in contione interrogaretur quid de Ti. Gracchi morte sentiret, responderit iure caesum videri. Neque enim posset aut Ahala ille Servilius, aut P. Nasica, aut L. Opimius, aut C. Marius, aut me consul senatus, non nefarius haberi, si sceleratos civis interfici nefas esset (§7-8).

“Surely in this city, which witnessed as its first capital case, the trial of Marcus Horatius, a might man, who was nevertheless freed by the assembly of the Roman people, even before the state itself was free, although he confessed that his sister was killed by his own hand. Or is there anyone who is unaware that when an inquiry is held about a murder, the act is typically either universally denied, or that it is defended as both right and justified? Unless truly you believe that Publius Africanus was out of his mind, when he was asked by Gaius Carbo what he thought about the death of Tiberius Gracchus in a public meeting, and he replied that he thought the man had been rightly slain. Certainly, neither the great Servilius Ahala nor Publius Nasica nor Lucius Opimius nor Gaius Marius nor the Senate, in my consulship, could be considered other than abominable, were the murder of criminal citizens in itself an abominable act.”

This is a familiar list for Cicero and his audience, yet Cicero's treatment of them differs significantly from previous speeches. The first example, Horatius, receives the most detail,

violated the sacrosanctity of a tribune. There, however, Cicero takes a more neutral stance, likely due to his opinion about certain *s.c.u.s.* See further G. I. Luzzatto “Von der Selbsthilfe zum römischen Prozess,” *ZSS* 73 (1956): 29-67; Lintott *Violence in Republican Rome*: 23-34; and more recently, Gaughan *Murder was not a Crime*: 67-89.

²⁰¹ Gaughan, on acts of violence that were *contra rem publicam* in the period of 449-81 BCE: “In particular, the *res publica* was threatened by the death of large numbers of victims, by acts of public violence (though not yet defined as such), and, in particular, by threats to the elite, who guided the *res publica*” (*Murder was not a Crime*: 68).

because this is another case where the Roman people put a man on trial for murder and also exonerated him. Next, instead of mentioning Scipio Nasica by name, Cicero states that Publius Africanus, a venerable figure, approved the murder of Tiberius Gracchus, and thus the murderer by proxy. Cicero then lists in rapid succession the usual names: two, who were *privati* and had no legal justification, like Milo; two, who had employed the *s.c.u.*; and lastly, the Senate, who also used an *s.c.u.*²⁰² In this catalogue, Cicero focuses specifically on naming the murders rather than the victims, since they were all impressive Roman figures who were not punished for their deeds.²⁰³ He notably does not dwell on the fact that all of these figures justified murder for the sake of protecting the state like he has in the past, but instead presents these cases as positive evidence that it can be lawful to kill.

To further illustrate the contrast between improper and proper violence, Cicero contends that there are two scenarios in which it is right to harm another citizen: self-defense and state-defense. In his justification for both of these cases, Cicero appeals to the power of the individual and the Roman people as a whole in protecting their own. In making the self-defense case, Cicero asserts that homicide is not only justified but is even inevitable, when the presence of violence can only be stopped by more violence (*Atqui si tempus est ullum iure hominis necandi, quae multa sunt, certe illud est non modo iustum, verum etiam necessarium, cum vi vis inlata defenditur*, §9). Taking the argument further, Cicero introduces the “law of nature” (*nata lex*) which stands above even *ius civile*.²⁰⁴ He connects this idea to the principle of “self-help” as a

²⁰² Later, when attempting to refute the charge that violence against Roman citizens is a detriment to the state (*contra rem publicam*), Cicero does declare that the deaths of the Gracchi and Saturninus, despite not being out of self-defense, nevertheless “did not wound the state” (*rem publicam non volnerarunt*, §14).

²⁰³ Notably, while he mentions the *s.c.u.* of 63, he gives credit (or at least responsibility) to the senate rather than himself (*me consule senatus*, §8). Since Cicero was exiled for violating of citizen rights, he focuses on the senate approving the deed. See Fotheringham *Persuasive Language*: 144.

²⁰⁴ Cf. §10-11. Cicero strays into unintentionally dangerous territory, however, when he claims “When arms speak, laws are silent” (*silent enim leges inter arma*, §10). Cicero’s interpretation of the law of nature and civil law has provoked much interest among scholars. S. Querzoli, in “La correttezza giuridica della legittima difesa dalla

way to justify taking forceful action without being concerned about possible violations of the law: “But against an assassin or a bandit, what homicide could possibly be unjust?” (*Insidiatori vero et latroni quae potest inferri iniusta nex?* §9).²⁰⁵ This argument also neatly pairs with Cicero’s usual strategy of drawing a line between the “good” Romans (*boni*) from the wicked, where the latter deserve such punishment.

After establishing that murder is not only legal in certain circumstances, but even an integral part of Roman history and tradition, Cicero spends the majority of his speech arguing that Clodius plotted against Milo, and thus Milo’s act of violence was out of self-defense. It is in the so-called *extra causam* section that Cicero finally dwells on the *pro re publica* argument. This part of the speech (§72-91), along with the conclusion (§92-105), has raised questions about whether it was part of the original defense at Milo’s trial or added prior to publication. Compelling arguments have been put forth by both sides, but the issue is ultimately inconclusive.²⁰⁶ The self-defense argument would likely have been more effective for Cicero’s audience—the *iudices*—during the trial; the addition of the *pro re publica* argument serves a

teorizzazione ciceroniana alla riflessione giurisprudenziale,” uses the *Pro Milone* to examine Cicero’s thoughts about the relationship between nature and law and, more particularly, the polarity between *uis* and *ius* in self-defense, and the legacy of this theory in Roman jurisprudence (*Ostraka* 13 [2004]: 277-284). J. Harries, in her book *Cicero and the Jurists: from citizen law to the lawful state* (London 2006), discusses Cicero’s understanding of the *ius civile* and how it interacts with other aspects of the state. Other studies include M. Scogonamiglio’s “Tra retorica e diritto : alcuni esempi di interpretazione delle « leges iudiciorum publicorum » nelle orazioni di Cicerone,” which looks at the increasing overlap between rhetoric and legal interpretation at the end of the Republic in three Ciceronian speeches, including the *Pro Milone* (in B. Santalucia, ed. *La repressione criminale nella Roma repubblicana fra norma e persuasione* [Pavia 2009]: 265-283). Cicero will make the argument for the law of nature as a way to justify superseding *ius civile* in the *Philippics* (Manuwald *Cicero Philippics*: 99, 303).

²⁰⁵ That Cicero believes Clodius to be both of these things goes without saying. Cf. §11. Cf. Habinek 1998: 69-87.

²⁰⁶ The most recent and loudest advocate is Fotheringham (*Persuasive Language*), who makes an admirable attempt to demonstrate that everything in the *Pro Milone* fits together into one grand (and fluid) masterpiece, including the latter sections. Her argument relies on an exhaustive close-reading of the entire speech, with the goal of demonstrating that he had the skill and forethought to integrate both arguments. While her thoroughness is impressive, her claim is as unpersuasive as she makes out the other side to be, and for the same reason. Both arguments are based on subjective readings of the text, neither of which are conclusive. Fotheringham makes valid points against the arguments of Berry (“Pompey’s Legal Knowledge”) and A. M. Stone (“Pro Milone”) in her article, “Cicero’s Fear: Multiple Readings of Pro Milone 1-4,” *Materiali e discussioni per l’analisi dei testi classici* 57 (2006): 63-83. Yet within that article alone she delineates multiple readings of just the first four sections of the *Pro Milone*, all plausible depending upon the reader or listener, rather than Cicero.

different purpose for Cicero but one that is no less important. It is significant that this argument appears at all in explicit form, and is clearly secondary to the self-defense argument. While its position may suggest that it was meant as a climax to the speech, and thus would be the most persuasive, its size in relation to the self-defense argument makes it more likely that Cicero intended it *not* to be the main substance of his defense, but a fitting reminder of the sort of statesman he is and the people he supports.

To his audience, this was familiar territory for the orator. Cicero laid the groundwork for this argument with *praeteritio*, like at §6, while he focused on the self-defense case.²⁰⁷ After dispelling the concerns about Milo being a threat, either to Pompey or to anyone else (§67-71), Cicero sets up an elaborate contrast between Milo and Clodius, one that hinges on the scenario where Milo would still be exonerated by the jury, should he “revel in the lie” and say he intentionally killed Clodius for being a threat to the state.²⁰⁸ This intentionally outrageous claim is quite similar to Cicero’s assertion that he wished Rabirius had killed Saturninus, because it would have been justified.²⁰⁹ Yet the hypothetical situation Cicero envisions here is further removed from reality than Rabirius’, since the latter had at least participated in an *s.c.u.* Nevertheless, this does not stop Cicero from expanding on the idea that Clodius would have become a similar menace to society. Alternating between speaking for Milo, and recounting all of Clodius’ ills, the orator returns to the well-worn litany of past users of *s.c.u.s*, declaring (in the voice of Milo) that he did not slay a Spurius Maelius, nor a Tiberius Gracchus, but a man whose crimes were even worse and more widespread (§72-5).²¹⁰ Cicero’s Milo, in comparison, appears

²⁰⁷ This often meant the two lines of defense overlapped as at §30: *Insidiator superatus est, vi victa vis, vel potius oppressa virtute audacia est. Nihil dico quid res publica consecuta sit, nihil quid vos, nihil quid omnes boni.*

²⁰⁸ *De qua, si iam nollem ita diluere crimen, ut dilui, tamen impune Miloni palam clamare ac mentiri gloriose liceret* (§72). Cf. §80.

²⁰⁹ *Pro Rabirio* §20-21.

²¹⁰ Cf. §78-80 for the wickedness of Clodius, §83 for a repetition of past *s.c.u.* users.

as a paragon of *virtus* at §77, as he declares that, bloody sword in hand, that, “Through me, justice, equity, laws, liberty, honor, and decency remain in the state.”²¹¹ Cicero concludes this dramatic if not bizarre scenario by turning it back to the Roman people as a whole:

Quae mulier sceleratum ac perniciosum civem interficere non auderet, si periculum non timeret? Proposita invidia, morte, poena, qui nihilo segnius rem publicam defendit, is vir vere putandus est. Populi grati est praemiis adficere bene meritos de re publica civis; viri fortis ne suppliciiis quidem moveri ut fortiter fecisse paeniteat (§82).

“What woman would not dare to kill a wicked and destructive citizen, if she did not fear the danger? He, who defends the Republic by no means reluctantly, with shame, death, and punishment hanging before him, is truly to be thought a hero. It is for a grateful people to bestow rewards on citizens well-deserving of the Republic; it is for the brave man to be moved not even by capital punishment, such that he regrets having done it mightily.”

Cicero once again tries to implicate the Roman people in these acts of violence as a manner of justification, acknowledging the inherent risk in taking such bold, violent action.²¹² This is a variation of the tactic in the *Pro Rabirio*, where he used indefinite relative clauses to ask the audience which side they would choose (obviously, they would side with Marius and Rabirius). Here Cicero generalizes about individual Romans, contrasting those who would act, were punishment not an issue, and the heroes who brave the punishment anyway because it is the right decision. A complement to the self-defense argument, in which every Roman has the right to protect himself and his property, the hero stands out by protecting not only himself through force against another Roman, but the community as well.

²¹¹ ‘...per me ut unum ius, aequitas, leges, libertas, pudor, pudicitia in civitate maneret!’

²¹² Cicero also mentions the mix of praise and blame that accompanies his consulship: *Nam quae mihi ipsi tribuenda laus esset, cum tantum in consulatu meo pro vobis ac liberis vestris ausus essem, si id, quod conabar sine maximis dimicationibus meis me esse ausurum arbitrarer?* (§82).

Fear and the Changing Republic

The second major argument that Cicero advances in the *Pro Milone* is less obvious, but just as important as the distinction between justified and unjustified violence. Using a variety of linguistic patterns and rhetorical strategies, Cicero strives to illustrate how the Republic is changing for the worse, and that a return to the traditional customs is necessary for the salvation of the state. While this naturally pits Milo against Clodius, it also at times puts Cicero at odds with Pompey. Indeed, the orator is forced to balance praising Pompey for restoring order with insinuations that the popular general is in reality undermining the state and division of power with his new reforms.

Cicero's use of certain politically charged words as a persuasive tool has already been seen in the previous chapter. In the *Pro Rabirio*, the arguments he makes are underscored by the repetition of the terms *salus*, *libertas*, and *omnes*, respectively. In the *Catilinarians*, Cicero makes Catiline into not only a foreign enemy, through the use of the word *hostis*, but even a virulent disease, through careful and consistent use of disease imagery. In the *Pro Milone*, the recurring vocabulary revolves around the themes of fear, *novitas*, and the military. Rather than operating in a complementary yet independent fashion, however, in this speech these concepts are closely tied together, and will be discussed as such.

In the opening of the speech, where Cicero comments on the nature and circumstances of this trial, we can see the first major clustering of words:

*Etsi vereor, iudices, ne turpe sit pro fortissimo viro dicere incipientem timere, minimeque deceat, cum T. Annius ipse magis de rei publicae salute quam de sua perturbetur, me ad eius causam parem animi magnitudinem adferre non posse, tamen haec **novi iudici nova forma** terret oculos, qui, quocumque inciderunt, **consuetudinem** fori et pristinum morem iudiciorum requirunt. Non enim corona consessus vester cinctus est, **ut solebat; non usitata** frequentia stipati sumus: non **illa praesidia**, quae pro templis omnibus cernitis, etsi contra vim conlocata sunt, non adferunt tamen oratori **terroris** aliquid, ut in foro et in iudicio, quamquam praesidiis salutaribus et necessariis saepti sumus, tamen ne non*

timere quidem sine aliquo timore possimus. Quae si opposita Miloni putarem, cederem tempori, iudices, nec inter tantam vim armorum existimarem esse oratori locum (§1-2).

“Although, judges, I fear that it is shameful that I, about to start speaking on behalf of the bravest man, am afraid, and not at all fitting, since Titus Annius himself is more anxious about the well-being of the Republic than about his own, I fear that I am unable to bring an equal greatness of mind to this trial. Nevertheless, the unprecedented form of this unprecedented trial terrifies my eyes, which, wherever they fall, seek out the usual domain of the courts and the long-held tradition of trials. For your gathering is not ringed by the *corona*, as it is accustomed; we are not hemmed in by the usual crowd: those garrisons, which you see in front of every temple, though they were placed to counter violence, nevertheless cannot but inflict a certain terror on your orator, just as in the Forum and in the court, although we are surrounded by necessary and welcome garrisons, still I am unable to be fearless, without some bit of fear. And if I thought these troops were set against Milo, I would yield to that situation, judges, nor would I have thought it the place for an orator among so great a force of arms.”

The opening of the speech is punctuated by Cicero’s overwhelming fear.²¹³ In the first sentence, the audience is confronted with Cicero’s generalized fear, Milo’s fear for the Republic, and Cicero’s fear of these new kinds of proceedings. While the first two instances are fairly formulaic, since Cicero often downplays his expertise and clearly intends for Milo to be the new Cicero-savior of the Republic, they build to the last instance, which is the most striking. His concern is over the changes that have occurred to the traditional court system, which no longer resembles what he is accustomed to (*consuetudinem fori et pristinum morem iudiciorum*, §1). Although we saw a similar complaint in the *Pro Rabirio*, when Cicero harps on the prosecution for reviving the obsolete *perduellio* trial, here these proceedings appear (to Cicero, and thus to his audience) to have much greater ramifications. Instead of unprecedented action against a single Roman citizen, this special trial appears to have a more widespread effect. The repeated use of the adjective *novus* reflects this point (*haec novi iudici nova forma terret oculos*, §1). This veiled allusion to the special *quaestio* that was set up for the purpose of trying Milo is not quite

²¹³ Within the first two sections, words denoting fear and anxiety appear seven times, in six different terms. Terms of fear appear thirty-five times in the text; *timere* alone appearing seventeen times.

an attack, since Cicero does not want to alienate Pompey, its instigator, but is meant to simply point out to the jury that this trial is a deviation from how things operate in the traditional Republican way. Cicero's unease also signals that he—unlike some—abides by tradition.

Yet Cicero is not only concerned by the new trial, and the changes that have made his customary defense unrecognizable. His alarm then turns to the garrisons stationed throughout the Forum (*illa praesidia*, §2). These troops of Pompey were brought into the city around the start of Milo's trial, in order to keep the Clodiani from causing trouble (Asc. 40C). Despite Pompey's benevolent intentions, the mere presence of soldiers within the city and *pomerium* would have been something of a shock to the Roman people.²¹⁴ The last time soldiers were in the Forum would have been under less pleasant circumstances.²¹⁵ Cicero plays up their unusual presence and these unusual circumstances to further demonstrate that he and his side represent the traditional Republic, and thus all that is good. Indeed, instead of the customary throngs of people who eagerly surround the courts to get word of the proceedings, Cicero emphasizes the alarming sight of armed soldiers who stand before every temple.²¹⁶ Not only is there a repetition of verbs of fearing (underlined above), as Cicero confesses to be afraid of the very thing that should remove his fear, but he also creates a sense of being hemmed in through more repetition (*cinctus*, *stipati sumus*, *saepi sumus*). The disquieting, martial picture Cicero creates, with soldiers replacing the common citizen and a new type of trial, is meant to alert the audience that they (and he) no longer embody the power of the Republic—they are being supplanted.²¹⁷ Although Cicero claims to recognize that they represent protection rather than peril, and are set *against*

²¹⁴ See Drogula *Commanders and Command*: 50-55 on the *pomerium* and the distinction between *domi* and *militiae*.

²¹⁵ Most recently, the war between Marius and Sulla. Moreover the association with *novi* or *res novae* might have also evoked general fears of armed uprising.

²¹⁶ See Fotheringham *Persuasive Language: ad loc* on the 'visibility' of the soldiers in the structure of this passage.

²¹⁷ Cf. *nec inter tantam vim armorum existimarem esse oratori locum*, §2.

violence (*etsi contra vim conlocata sunt*), the presence of armed troops in the city is an uncomfortable reminder of past civil war and represents the ever-present threat of soldiers being used against Roman citizens. Once again Cicero establishes himself as a ‘traditionalist,’ one who supports and is now actively trying to protect the status quo—a way of life and government that was beneficial to him and one (that he suggests) was best for the people.

Cicero’s careful treatment of Pompey demonstrates his attempt to regain control over a powerful influence on Rome’s government and people. This goal manifests in two competing, if not contradictory, ways: Pompey is both a restorer of order and a threat to the status quo. Right after expressing his fear about the garrisons stationed around, Cicero adds:

Sed me recreat et reficit Cn. Pompei, sapientissimi et iustissimi viri, consilium, qui profecto nec iustitiae suae putaret esse, quem reum sententiis iudicum tradidisset, eundem telis militum dedere, nec sapientiae, temeritatem concitatae multitudinis auctoritate publica armare (§2).

“But I am revived and reassured by the counsel of Gnaeus Pompey—wisest and most just man—who, I am sure, would neither think it in accordance with his virtue to surrender the same accused man, whom he had handed over to the will of the jury, to the weapons of soldiers; nor with his wisdom to arm the recklessness of an excited mob with state authority.”

On the one hand, Cicero tries to tie the general not only to the state, but also to the senate and its traditional authority. Thus Cicero puts Pompey in the guise of the savior, who “restores and reassures” Cicero that the soldiers mean no harm. Pompey’s actions—the passing of the laws against violence and bribery, the establishment of this trial, the use of soldiers to prevent mayhem—can all be interpreted as restoring order to the city and supporting the senate and people in the absence of the traditional two-consul system. Cicero indicates that Pompey is choosing law over military power, and choosing to hand the verdict to the traditional authority of the state rather than placating the people, who have become a mob. In this way, Cicero presents Pompey as the bastion of the senate and status quo, whose interest lies in protecting the state

On the other hand, Pompey's unprecedented powers—and his long history of extraordinary honors, commands, and support from the people directly—are also a cause for concern for Cicero. Although he was elected sole consul, rather than dictator, and named as one of the recipients of the *s.c.u.*, Pompey's influence and actions can be read as dangerous to the Republic that Cicero wishes to maintain. After being granted the *s.c.u.*, instead of rallying the citizens and other magistrates to protect their city, the general brought soldiers within the *pomerium*, a violation of law and a dangerous precedent. Indeed, when discussing the charges brought against Milo, Cicero protests the need for instituting a special court (*nova quaestio*) when in fact there are laws and regular courts set up to deal with murder and violence (*erant enim leges, erant quaestiones vel de caede vel de vi*, §13).²¹⁸ Citing important personages such as Drusus and Publius Africanus, whose murders warranted no special court (§18), as well as Pompey, whose assassination attempt supposedly by Clodius' slave raised no alarms (§19), Cicero argues that not only is undue attention being paid to Clodius' murder, but that institutional customs of the people and the senate are being needlessly flouted. In short, Pompey as consul is doing the exact opposite of Cicero as consul in 63. Rather than executing specific individuals deemed to be the root of the threat, Pompey has instead passed laws, set up special courts, and tried individuals without any violence at all.²¹⁹ This new policy, coupled with an army of soldiers loyal to him rather than the state, has the potential to alter or undo the Republican government in fundamental ways. Thus Cicero tries to co-opt Pompey and harness his power and influence, and at the same time raise concerns over the dangers of having one man with nearly unchecked power.

²¹⁸ Cf. Cicero's indignation in *Pro Rabirio* §8-9 on the use of a *perduellio* trial.

²¹⁹ Not that Cicero would have been happy if Milo had been executed due to the *s.c.u.*, but he can still express reservations about the general change in usage. Incidentally, Antony also calls out Pompey for actions taken under the *s.c.u.* in 50 (*Att.* 7.8.5).

In the *extra causam* section, while the focus is largely on Clodius, Cicero reiterates the dangers of Roman military might used against the city. While his primary objective is to vilify Clodius, making him out to be another Catiline, Cicero also raises concern about one man having too much power, particularly martial power: “If he had obtained *imperium*—I say nothing of the allies, foreign nations, kings, tetrachs: for you would have prayed for him to set himself against them rather than against your property, your dwellings, your money” (§76).²²⁰ While they no doubt would fear the very thing he is describing, it is a short step for his audience to take to think about those who currently have *imperium* and the threat of it being used against them. The civil wars of the past century would have been hard to forget, particularly the abuses of military power against Roman citizens. With Crassus dead, the fear of the two main *imperium*-holders, Pompey and Caesar, becoming another Sulla and Marius was not unfounded. Even though both generals had used their powers on behalf of the state before, Pompey himself most recently and publicly with his reforms, the threat of them using their power solely for their own gain or against each other was more than valid. Indeed, with their friendship quickly cooling, all of their maneuverings would be watched with concern, particularly by Cicero.

As we have seen, Cicero has had to change his usual tactics in order to accommodate the current situation. In Chapter 1, Cicero treated the state as though it were a concrete entity, even at times speaking in the voice of the *patria*. The Republican government to Cicero was the ideal form of the *patria*, and a thing which could be attacked, sickened, and needed protecting. Much of his advocacy for the *s.c.u.* rested on the grounds that the Republic was the best form of government for the Romans, and his confidence in persuading his audience of this fact was high.

²²⁰ *Imperium ille si nactus esset,—omitto socios, exteras nationes, reges, tetrarchas; vota enim faceretis, ut in eos se potius immitteret quam in vestras possessiones, vestra tecta, vestras pecunias.*

Here, however, the bulk of his defense of Milo hinges on the argument that he acted in self-defense, where killing another Roman citizen is sometimes acceptable. He tried to implicate the audience by making Milo into a relatable, everyman figure, who embodies traditional Roman principles like self-help. While this allowed him to connect to the Roman civic body, the actual argument he uses is a highly individual one, rather than trying to stir up his audience with collective patriotism. In addition, he signaled his discomfort with the changes occurring in the Republic, not only with a repetition of the adjective *novus*, highlighting the unprecedented character of the proceedings as well as hinting at their revolutionary potential, but he also emphasizes fear in connection with the shift in balance of power in Rome, one that seems to undermine the traditional mixed constitution and favor extraordinary individuals with extraordinary powers, such as Pompey. While Cicero in his consular speeches openly expressed general concern for the future (and not just his own), the warning underlying this speech is both more pointed and more cautiously expressed. No longer was Cicero in a real position to effect change.

THE PHILIPPICS

For the remainder of this chapter, which concludes my discussion of Cicero, it is fitting that we look at his final political work, the *Philippics*. The fourteen speeches,²²¹ which were

²²¹ There has been some dispute about the exact number of speeches that belong to this corpus. The general assumption has been that all fourteen speeches that currently comprise the *Orationes Philippicae* were intentionally grouped together by Cicero: see H. Frisch, *Cicero's Fight for the Republic: the historical background of Cicero's Philippics* (København 1946); M. Furhmann, *Marcus Tullius Cicero. Die politischen Reden* (München 1993): 609-13; J. T. Ramsey, *Cicero: Philippics I–II*. (Cambridge 2003); J. Hall, "The *Philippics*," in May 2002: 274. Some scholars, however, have argued for the exclusion of the first two *Philippics* from Cicero's intended corpus. W. Stroh, in "Cicero's demosthenische Redezyklen," *MH* 40 (1983): 35-50, argues that speeches *Three* through *Fourteen* are a tighter cohesive unit and a twelve-speech corpus would better parallel Demosthenes' *Philippics*; moreover, the *Third Philippic* boasts many Demosthenic elements (36-7, 48-50). C. Monteleone, in *Prassi assembleare e retorica libertaria. La Quarta Filippica di Cicerone* (Bari 2005), confirms that the *Third Philippic*

delivered between 2 September 44 and 21 April 43, span the conflict with Antony from its inception to his defeat at Mutina, and represent Cicero's return to political and public life as well as his last attempt to preserve the Republic as he knew it.²²² As has not been the case for the previous texts and political history, we are remarkably well-informed of the events described in the *Philippics*.²²³

The political situation that Cicero was in at the end of the fifties deteriorated rapidly over the next decade. Despite the shifts in apparent (or covert) leadership, civil war, and the changes in Rome wrought by Caesar's victory and eventual fall, Cicero as we will see tenaciously hangs onto the traditional ideal of the Republican government that he has held throughout his career. Moreover, a particular value of the *Philippics* is that here unlike the other speeches, we can see Cicero encountering resistance from his fellow senators and Romans about the nature of the conflict and how best to respond. This means that although by 1 January 43 Cicero lobbied for an *s.c.u.* to be passed against Antony (*Phil.* 5.34), the senate only declared a *tumultus*, and made

“la prima Filippica in senso demostenico” and traces several motifs throughout the set (121-33). G. Manuwald, who gives a lengthy review of the debate in her multi-volume commentary, *Cicero, Philippics 3-9* (Berlin 2007), supports this theory, noting that while the first two *Philippics* are addressed to an Antony still in Rome acting as consul, the remaining speeches represent indirect invective against Antony while he is away from the city (79; see generally 65-90). Though the composition of Cicero's *Philippics* is not of especial concern here, I find Manuwald's theory quite suggestive. Arusianus Messius, a fourth century CE grammarian, quotes a sentence from both a ‘Sixteenth’ and ‘Seventeenth Philippic’ (*Gramm. Lat.* VII, p. 467.15-18; cf. P. Fedeli, *In M. Antonium orationes Philippicae XIV* (Leipzig 1986): 184. Certainly, Cicero gave other speeches during this period that were not published. Nevertheless, even if the first two speeches were not originally part of the *Philippics* corpus, they would have been added to it not long after, since later ancient authors refer to fourteen texts. For the purpose of this analysis, I use the general term “*Philippics*” to encompass the fourteen speeches that we have, as they collectively emphasize Cicero's opposition to Antony and his dedication to preserving the state. For further discussion of the corpus and publishing the *Philippics*, see D. Kelly, “Publishing the *Philippics*, 44-43 BC” in Stevenson and Wilson, *Cicero's Philippics: history, rhetoric, ideology* (Auckland 2008).

²²² For a summary of the events surrounding these speeches, as well as the primary players, see Ramsey *Philippics I & II*: 1-14; Manuwald *Philippics 3-9*: 9-46; Frisch *Cicero's Fight*. Standard comprehensive treatments of this time period can be found in E. Rawson, “The Aftermath of the Ides,” in *CAH IX*: 468-90; see also C. Steel, *The end of the Roman Republic 146 to 44 BC* (Edinburgh 2013): 226-253.

²²³ Not only were the majority of Cicero's 900+ letters written during the 40s, but some 200 of them happen between April 44 and July 43. While we unfortunately do not have the histories of Livy and Asinius Pollio to compare, the Periochae have been useful for establishing chronology, while Appian and Plutarch appear to have used Pollio's account as a source. Suetonius and Cassius Dio's accounts also survives.

several attempts to resolve the matter diplomatically with the former consul. Only after the two battles near Mutina, and after Cicero's *Fourteenth Philippic*, did the senate brand Antony and anyone who followed him a *hostis*.²²⁴ As the conflict with Antony progresses, Cicero attempts to adapt his rhetoric and persuasion to his skeptical audience while maintaining his firm stance against Antony.²²⁵

Because the *Philippics* are numerous and contain a wealth of information, both historical and rhetorical, in this section I focus on two prominent and interconnected rhetorical strategies that Cicero uses throughout to convince his audience of the validity of both violence against another Roman (Antony) and his vision of the Republic, which needs to be preserved.²²⁶ First, I show how Cicero de-Romanizes Antony, in order to separate him from his citizen status and justify not only the necessity of executing him, a singular act of violence, but also the necessity of (civil) war. Secondly, Cicero casts the unprecedented actions of powerful generals as patriotic acts of loyal Roman citizens who take whatever action is needed to protect the state. As with the *Pro Milone*, these strategies are familiar ones in Cicero's arsenal, yet adapted to suit the context and the values of his audience. When taken all together, Cicero's rhetoric and arguments illustrate his belief that protecting the Republic was of the utmost importance because it

²²⁴ It is not entirely clear whether an *s.c.u.* was officially decreed then or after. Octavian, in his *Res Gestae* (1.3) lists it in connection with the other decrees made in early January, as does Dio (46.31.2). Manuwald suggests that there was no decree, since the tasks conveyed to Octavian and the consuls were described in similar enough terms to the *s.c.u.* that it would have been superfluous (*Philippics* 3-9: 908-9). Contra Lintott *Violence in Republican Rome*: 154; *Golden Crisis Management*: 106.

²²⁵ E. Cowan, in "Libertas in the *Philippics*," sums it up nicely: "In this way, the *Philippics* demonstrate the continual interaction between Cicero's political theorizing about the *optimus status* and his endeavors to marry his vision with the reality of late Republican politics" (in Stevenson *Cicero's Philippics*: 149).

²²⁶ In my analysis of each technique or argument, I discuss the evidence from only a few speeches; further examples are included in the footnotes. Stroh paved the way with several treatments on the rhetorical influences on the *Philippics*, particularly Demosthenes ("Die Nachahmung des Demosthenes"; "Ciceros demonesthenische Redezyklen"; "Ciceros Philippische Reden"). Wilson and Stevenson's volume (*Cicero's Philippics*) covers a wide array of thematic topics. For other studies on rhetoric see C. W. Wooten, *Cicero's Philippics and Their Demosthenic Model* (Chapel Hill 1983): 283-8; M. L. Clarke, *Rhetoric at Rome*, 3rd ed. (London 1996): 62-72; Hall in May *Companion to Cicero*: 283-302, Manuwald *Philippics* 3-9: 119-129.

guaranteed the safety and well-being of all citizens; yet, as a corollary, sacrificing the life or lives of individual citizens—whether because they were a threat or as a patriotic move—was an intrinsic part of ensuring the liberty of all.

Bellum et Hostis

One of the more obvious strategies that Cicero uses throughout the *Philippics* is to elevate the threat Antony poses to the state, making the conflict Rome versus Antony, rather than Cicero versus Antony. To achieve this end, Cicero must not only cast Antony as a foreign enemy, a *hostis* rather than a *civis*, but also play up the potential damage that Antony could do to the Republic. Cicero of course has had a lot of practice at this, having employed this technique against all of his major adversaries. The difference, however, between his past enemies and his present one is a matter of scale. Unlike Catiline and Clodius, for instance, Antony has a legitimate army. Furthermore, during this conflict Antony is first consul then *consularis*, depriving Cicero of access to traditional forms of power as well as a certain measure of legitimacy. This situation makes the risks greater for Cicero and the odds of swaying all of the senate and people against Antony worse.

Just as he did with Catiline and the *Catilinarians* in Chapter 1, Cicero gradually establishes the connection between Antony as enemy of the state, with an eye towards establishing his own credibility as defender of the state at the expense of his enemy's. From the *First Philippic* to the *Third*, in fact, there is a clear progression in Cicero's depiction of Antony in relation to the state: first, he demonstrates that Antony is not a proper citizen, for he does not follow tradition nor does he have the state's or citizens' welfare in mind, then later that Antony is an active threat to the Republic on a level of the worst foreign foes. In the *First Philippic*, in

which the hostilities between orator and consul are only starting to manifest,²²⁷ Cicero contrasts Antony's behavior with his own. While Cicero acts as an adviser and watcher of the state (1.1), Antony is holding meetings in his own house (1.2)²²⁸ and changing the constitution (1.3). Indeed, Cicero speaks carefully and even positively about the abolishment of the office of dictator: "He completely abolished from the state the dictatorship, which had taken over the force of royal power" (*dictaturam, quae iam vim regiae potestatis obsederat, funditus ex re publica sustulit; de qua re ne sententias quidem diximus*, 1.3).²²⁹ On the one hand, the abuse of this office by Sulla and Caesar had transformed the dictatorship well beyond its original, constitutional function, making its removal welcome among many; on the other hand, one of Antony's first acts is to change an institution created by law and by the people.²³⁰

The ambivalent comments soon give way to more straightforward criticism, as Cicero reiterates Antony's departure from the traditional Republican way of governing. Cicero narrates

²²⁷ As mentioned above, the placement of this speech as the first in Cicero's collection is in doubt, due to the difference in circumstance, tone, and thematic elements compared to speeches *Three* through *Fourteen*. Nevertheless, as its authenticity is not in doubt, whether or not Cicero intended this to be the opening speech is irrelevant in this case. It was published and served to remind his audience and readers of the two sides in this burgeoning conflict over the Republic.

²²⁸ *Ad deliberationes eas, quas habebat domi de re publica, principes civitatis adhibebat* (1.2). This intriguing statement goes unremarked in the commentaries. While Cicero is likely not suggesting conspiracy—no mention of secrecy or less than savory company—that Antony is regularly holding meetings about the state at home (*domi*) should raise some eyebrows. J. D. Denniston does note that it is "an ironic juxtaposition of *domi de re publica*" (*Cicero Philippics I & II*. [London 1926]).

²²⁹ This was among Antony's first acts following Caesar's murder; a few months later it became law. Such a measure was advantageous for two reasons: it would not only pacify those worried about excess power in one man, but also remove any potential rivals for Antony. Syme, calling it "a specious measure," adds: "Thoughtful men reflected that its powers could easily be restored one day under another appellation" (1939: 107). And so it would be. Cf. Manuwald *Philippics 3-9*: 11; Ramsey *Philippics I & II ad loc.*

²³⁰ Cicero makes an interesting statement about this soon after: "It seemed as though a certain light had been offered, after not only tyranny (which we had endured) but even the threat of tyranny was removed, and it seemed that a great pledge was granted to the Republic by Antony: that he wanted the state to be free, when he obliterated the name 'dictator'—although it had often been legitimate—from the state completely, on account of the recent memory of the everlasting dictatorship" (*Lux quaedam videbatur oblata non modo regno, quod pertuleramus, sed etiam regni timore sublato, magnumque pignus ab eo rei publicae datum, se liberam civitatem esse velle, cum dictatoris nomen, quod saepe iustum fuisset, propter perpetuae dictaturae recentem memoriam funditus ex re publica sustulisset*, 1.4). The insertion of that *quod*-clause, noting that the *dictatoris nomen* had been a legitimate, enduring office for some time, makes the otherwise complimentary remark less sincere. Even if Cicero agrees in reality that there should be no more dictator, he certainly can highlight the non-traditional actions of Antony.

how, by 1 June 44, Antony's actions as consul becomes more self-serving: "Everything was changed: no action went through the senate, but many important things were passed through the people, even though they were neither present nor willing. The consuls-elect said that they dared not come to senate meetings" (*mutata omnia: nihil per senatum, multa et magna per populum et absente populo et invite. Consules designati negabant se audere in senatum venire*, 1.6).²³¹ At this point Cicero has only said that Antony pushed legislation through the people rather than the senate,²³² yet he makes such an action appear downright dangerous, both constitutionally and physically for those who would disagree. Despite the mild-mannered tone of the *First Philippic*, Cicero is attempting to sever Antony from the state and its people by focusing on the aspects that speak to traditional Republican values.²³³ As we have seen before, Cicero imparts a great deal of importance to the mixed constitution, giving due weight to the senate's authority and the laws as the expression of the people's power;²³⁴ this stability, he argues, is directly countered by

²³¹ Ramsey (*Philippics I & II, ad loc*) notes that the so-called dangers that caused the consuls-elect (A. Hirtius and C. Vibius Pansa) to stay away from the senate was more due to the fear of veterans hanging around, who had no love of Hirtius (cf. *Att.* 15.5.3, 15.8.1).

²³² Namely, new regulations for consular provinces: one increasing the prorogation from two to five years, another allowing for the exchange of one assigned province for another. Cicero, however, regarded it as illegal, since it was a violation of the *acta Caesaris*. Even as early as 27 April 44, Cicero was concerned that they were merely changing one master for another, with Antony's newest proposals: *licebitne decerni libere? Si licuerit, libertatem esse recuperatam laetabor; si non licuerit, quid mihi attulerit ista domini mutation praeter laetitiam, quam oculis cepi iusto interitu tyranny* (*Att.* 14.14.4). As Harries notes, "The point was not simply that what Antonius did was unlawful; it was that statutes, passed by the People, and wills (which also kept jurists and advocates in business) were intrinsic to the rights of all citizens under the *ius civile*. A man who ignored legal rights denied the principles which held the community together and therefore could not expect to be part of it" (*Cicero and the Jurists*: 217). See also Ramsey *Philippics I & II* and Manuwald *Philippics 3-9 ad loc.*

²³³ Values which he assumed the audience had as well.

²³⁴ Cf. 1.16-22, where Cicero defends the legislation of both Caesar and Sulla, and considers any abolition of law to be abhorrent.

Antony's deviant behavior.²³⁵ Once again Cicero neatly aligns himself on the side of laws and tradition, while Antony has changed everything.²³⁶

After establishing Antony's questionable actions in the *First Philippic* and his un-Roman character in the *Second*,²³⁷ by the *Third Philippic*, Cicero moves rapidly to the conclusion that Antony is a *hostis*.²³⁸ To counter the logical claim that Antony is not only a Roman citizen but also a consul, Cicero compares him unfavorably to the tyrant-figure Tarquin: "Not even when Tarquin was expelled by our ancestors was liberty so desired, which must be preserved by us, now that Antony has been driven out" (*Neque enim Tarquinio expulso maioribus nostris tam fuit optata libertas, quam est depulso iam Antonio retinenda nobis*, 3.8).²³⁹ Expanding on this comparison for several sections, in which Cicero contrasts Antony's many truant behaviors with the actions of kings, he concludes by reminding his audience of Antony's violence against the

²³⁵ R. Evans, in "Phantoms in the *Philippics*: Catiline, Clodius, and Antonian Parallels," in Stevenson and Wilson *Cicero's Philippics*: 62-81, illustrates how Cicero connects Antony's behavior with past opponents and all-around notorious Romans. He rightly argues that this tactic serves the dual purpose of discrediting Antony on the one hand, while on the other hand reminding the audience of Cicero's past service to the state and leadership. Cf. Harries *Cicero and the Jurists*: 218.

²³⁶ Cf. 1.25-7. Starting with the *Second Philippic*, Cicero will repeatedly emphasize the virtues of his consulship in 63 and unofficial title of *pater patriae*, meant to be a stark comparison to Antony's current tenure as consul. See T. Stevenson, "Tyrants, Kings and Fathers in the *Philippics*," in Stevenson and Wilson *Cicero's Philippics*: 95-113, for an analysis of Cicero's "deliberate and programmatic" use of his consulship, and the thorny issues involved in combating his own detractors as well as his stance towards fellow *pater patriae*, Caesar.

²³⁷ The unusual nature of the *Second Philippic*, a published pamphlet written as a speech Cicero would have given to Antony on 19 September 43, is often compared to Demosthenes' *On the Crown*. For general discussion of the *Second Philippic* and its focus on Antony's character, see W. K. Lacey, *Cicero: Second Philippic* (Warminster 1986), R. Cristofoli, *Cicerone e la II Filippica. Circonstanze, stile e ideologia di un'orazione mai pronunciata* (Rome 2004), Harries *Cicero and the Jurists*: 216-229, and Ramsey *Philippics I & II* for discussion and bibliography.

²³⁸ This speech, delivered 20 Dec 44 at a senate meeting about the inauguration of the new consuls, was in part prompted by D. Junius Brutus' dispatch (cf. *Att.* 16.11.6; *Fam.* 11.6a). In the note, Brutus announced he would not hand over his province of Gallia Citerior to Antony, since it had been granted by Caesar. The end of the speech (3.37-39) is a proposal to the senate to give honors to (and thus approve) Brutus, Octavian, and the legions who defected; this motion, which passed, gave Cicero stronger footing for declaring a legitimate war against Antony in the later *Philippics*. See Manuwald *Philippics 3-9*: 295-314 for background on the *Third Philippic*; C. Novielli, *La retorica del consenso: comment alla tridicesima Filippica di M. Tullio Cicerone* (Bari 2001); C. Monteleone, *La Terza Filippica di Cicerone. Retorica e regolamento del Senato, legalità e rapporti di forza* (Fasano 2003).

²³⁹ Cf. Monteleone *La Terza Filippica*: 57, 59. Manuwald 2007 *ad loc* notes that Tarquinius is presented more positively here compared to other Roman accounts of him and even other mentions of him in Cicero (cf. *Rep.* 1.62; 2.45-6; *Pro Rabirio* 13). Such a tactic, designed to make his current opponent seem worse than traditional villains, is also seen in the *Catilinarians* with the Gracchi.

Romans, his violation of sacred oaths, and his current attempts to invade a Roman province.²⁴⁰ Each element represents Antony's rejection of fundamental aspects of Roman public life and the foundations of the Republic.

When Cicero finally labels Antony a public enemy, he does it through the mouths of other Romans.²⁴¹ The word *hostis* is first used when describing the defection of the Martian Legion: "And when [the Martian legion] had judged Antony to be an enemy of the Roman people, they did not want to be a participant in his madness" (*Quae cum hostem populi Romani Antonium iudicasset, comes esse eius amentiae noluit*, 3.6).²⁴² This judgment comes both from Antony's actions as well as the actions of those who set themselves against him (not in the least Cicero himself). Cicero lists several parties that resist Antony, and so (naturally) support this claim: Decimus Brutus (3.1, 8, 12), Octavian (3.3, 5, 8), the Martian Legion (3.6), the Fourth Legion (3.7), and even the province of Gaul (3.13). While I discuss the exemplary efforts of these generals and citizens below, the seemingly wide array of supporters fosters the illusion that the people have decided that Antony is not a citizen, and Cicero is simply acting on their behalf as senior statesman and concerned citizen.²⁴³ Cicero restates the situation further on in the speech, based on the evidence of sheer numbers:²⁴⁴

²⁴⁰ *Antonius contra populum Romanum exercitum adducebat tum, cum a legionibus relictus nomen Caesaris exercitumque pertimuit neglectisque sacrificiis sollemnibus ante lucem vota ea, quae numquam solveret, nuncupavit, et hoc tempore in provinciam populi Romani conatur invadere* (3.11). For Antony's specific violations, see Monteleone *La Terza Filippica* and Manuwald *Philippics 3-9, ad loc.*

²⁴¹ Cf. Monteleone *La Quarta Filippica*: 115-6 and Manuwald *Philippics 3-9*: 300. We know through letters, however, that Cicero had in fact been urging Decimus Brutus to defend the *res publica* (i.e. against Antony), even without the Senate's official sanction (cf. *Fam.* 11.5; 11.7).

²⁴² Nowhere in this speech does Cicero himself call Antony a *hostis*. Cicero phrases it in such a way that it is always other Romans—whether specific groups like the Martian legion, the general community, or Antony himself—who use that label.

²⁴³ Cf. Manuwald *Philippics 3-9*: 341.

²⁴⁴ Also echoed at 3.21: *Quid est aliud de eo referre non audere, qui contra se consulem exercitum duceret, nisi se ipsum hostem iudicare? Necessse erat enim alterutrum esse hostem, nec poterat aliter de adversariis iudicari ducibus. Si igitur Caesar hostis, cur consul nihil refert ad senatum? Sin ille a senatu notandus non fuit, quid potest dicere, quin, cum de illo tacuerit, se hostem confessus sit?*

Quam ob rem omnia mea sententia complectar vobis, ut intellego, non invitis, ut et praestantissimis ducibus a nobis detur auctoritas et fortissimis militibus spes ostendatur praemiorum et iudicetur non verbo, sed re non modo non consul, sed etiam hostis Antonius. Nam, si ille consul, fustuarium meruerunt legiones, quae consulem reliquerunt, sceleratus Caesar, Brutus nefarius, qui contra consulem privato consilio exercitus comparaverunt. Si autem militibus exquirendi sunt honores novi propter eorum divinum atque immortale meritum, ducibus autem ne referri quidem potest gratia, quis est, qui eum hostem non existimet, quem qui armis persequantur, conservatores rei publicae iudicentur? (3.14).

“Therefore, I shall embrace it in my proposal to you, who are (as I understand it) not unwilling, that authority be given to the most illustrious leaders by us and hope for reward to the bravest soldiers, and that it be judged not only in word, but also in deed that Antony is not a consul but an enemy. For if he is a [proper] consul, the legions deserve death by beating for abandoning their consul, and Caesar would be considered wicked, Brutus nefarious, they who readied their armies against the consul by their own deliberation. If, however, unprecedented honors must be sought for these soldiers on account of their divine and undying service, should thanks not even be given to their commanders, who is there who does not think that the man whom they pursue with arms is the enemy, and that they are to be considered protectors of the state?”

The phrase *conservatores rei publicae* broadcasts Cicero’s message: anyone who acts against Antony is protecting the state, and protecting the state is sacred above all else.²⁴⁵ This righteous goal justifies any decision, including the granting of unprecedented honors (*honores novi*). Cicero’s attitude and willingness to take any action necessary is consistent with his earlier political actions. He also lays the groundwork for further actions such as the *s.c.u.* and the necessity of civil war in general.²⁴⁶

²⁴⁵ Cf. 4.2, 5.4, 5.37, 7.9-15. This is an example of what Wooten calls the “disjunctive mode”: Cicero presents a situation as though there were only two possible options. In this case, he declares that either Antony is a (proper) consul and thus his opponents should be punished, or all of these people opposing Antony must be right and Antony must be an enemy of the state. No third or compromising option seems to exist. See also Manuwald *Philippics 3-9*: 112, with citations.

²⁴⁶ It is important to note that Cicero behaved far differently during the civil war between Caesar and Pompey. Golden sums up Cicero’s position in the fall of 50, when civil war seems imminent: “Cicero, of course, is not the senate, but he is a fairly good example of a middle-of-the-road senator, who would have preferred that matters not be decided on the battlefield” (*Crisis Management*: 140). Several letters to Atticus show that Cicero was actively concerned about war breaking out rather than coming to an agreement (for instance, Cic. *Att* 6.8.2, 7.3.5, 7.4.3; 7.5.4; 7.6.2). He was not an aggressive war-monger, but a worried neutral. Indeed, after he hears about Caesar’s crossing of the Rubicon and Pompey ordering an evacuation of the city, he writes to Tiro, “I could have found a cure for this civil discord, I think, had the passions of certain individuals not hindered me (for on both sides there are those who desire to fight)” (*Fam.* 16.11.2). When he eventually joined Pompey’s side, it was with great reluctance and apprehension.

Throughout the rest of the *Philippics*, Cicero refers to Antony as a *hostis*, making it clear that the state (and, therefore, the senate) should treat him as a threat rather than a citizen.²⁴⁷ In addition to comparing Antony to the tyrant Tarquin, as well as Catiline (2.1, 2.118; 4.15; 8.15.13.22; 14.14.4), Cicero frequently juxtaposes Antony with Hannibal (5.25, 27; 6.4, 6; 13.25; 14.9). Not only does this strategy seem to strip Antony of Roman citizen and values, but it also allows Cicero to frame this conflict in terms of a full-blown war, with Antony as aggressor and Rome as defender. In doing so, he can play into the Roman mentality of always acting defensively in conflict, rather than initiating. We can see this technique clearly at 5.3, when Cicero is countering the proposal for an embassy to Antony: “Marcus Antonius wants peace? Let him lay down arms, let him ask for it, let him beg pardon. You will find no one fairer than me, to whom, while he entrusts himself to wicked citizens, would prefer to be an enemy rather than friend.”²⁴⁸ Cicero makes it appear as though Antony is the instigator, leaving Cicero and the Romans the “only” option of going to war (*necessarium bellum*) to achieve true peace (*honesta pax*).²⁴⁹

While such a strategy should be more effective against an opponent like Antony, equipped with an army, compared to Catiline or Clodius, Cicero’s rhetoric in the *Philippics* often falls flat with his audience.²⁵⁰ Even though Cicero’s speeches typically give us only a one-sided

²⁴⁷ *Hostis* also appears in the following places: 3.21; 4.1, 4.2, 4.5, 4.6, 4.8, 4.11, 4.14, 5.5, 5.21, 5.25, 5.27, 5.29, 5.37; 7.5, 7.9, 7.10, 7.11, 7.13, 7.15; 8.6, 8.32; 10.21; 11.3; 12.8, 12.19; 13.23, 13.32, 13.35; 14.6, 14.7, 14.9, 14.10, 14.22, 14.27, 14.38.

²⁴⁸ *Pacem vult M. Antonius? arma deponat, roget, deprecetur. Neminem aequiorem reperiet quam me, cui, dum se civibus impiis commendat, inimicus quam amicus esse maluit.*

²⁴⁹ As he states right before, “Moreover, on that day, senators, you decided this, that nothing is determined except either a true peace or a necessary war” (*Atque illo die, patres conscripti, ea constituistis, ut vobis iam nihil sit integrum nisi aut honesta pax aut bellum necessarium, 5.2*).

²⁵⁰ By efficacy, I mean whether or not Cicero is successful in persuading his audience of his point of view, particularly when proposals are at stake. Harries considers the *Catilinarians* the *least* successful of his speeches at trying to make his opponent an “outlaw,” and concludes that his rhetoric ultimately failed as it lacked credibility, in evidence initially, and then later in Cicero’s hypocritical defense and flouting of law (*Cicero and the Jurists*: 190). While I do not deny the truth of her claims, in terms of immediate success, the *Catilinarians* were far more effective at swaying public opinion than the *Philippics*, since repercussions came after executive decisions.

viewpoint, here he is repeatedly forced to address resistance to his proposals and his assessment of the situation in the majority of the speeches. Furthermore, many of the proposals that he puts forth in the speeches fail in the senate.²⁵¹ This includes the most basic premise of his argument, that Antony is a *hostis*. Although he introduces the term as early as the *Third Philippic*, Cicero's proposals at the end of this speech are directed only at legitimizing the actions of the legions and generals. Manuwald suggests that Cicero knew well that he could only get away with indirectly calling Antony a *hostis* at this point, since such a motion would never pass.²⁵² Yet even after Antony is no longer consul, Cicero fails to convince the senate in the *Fifth Philippic* to halt the embassy attempts and officially declare war.²⁵³ Cicero's polite frustration becomes apparent in the beginning of the *Eighth Philippic* (3 Feb 43), when he declares that his previous proposal was defeated because he called the conflict a *bellum*, which was too harsh a term for the rest of the senate.²⁵⁴ The new version of his proposal, given at the end of that speech, stipulates that all those who side with Antony either leave by 15 March 43 with impunity or be deemed *hostes* themselves (8.32-33).²⁵⁵ While it does pass, Cicero ultimately remains unsuccessful in turning the conflict into an outright war. Instead, the senate continues to make peace efforts with Antony, refusing to officially deem him an enemy of the state until 26 April 43, days after his defeat at Mutina and the *Fourteenth Philippic*.²⁵⁶ This demonstrates that Cicero's political views and

²⁵¹ See Evans in Stevenson *Cicero's Philippics*: 79 for a complete list and a discussion of Cicero's inferior political position.

²⁵² *Philippics* 3-9: 307-308.

²⁵³ Manuwald *Philippics* 3-9: 536-551 for the circumstances surrounding the *Fifth Philippic* and an assessment of the senate's divided feelings about Antony.

²⁵⁴ *Nam cum senatus ea virtus fuisset, quae solet, et cum re viderent omnes esse bellum quidamque id verbum removendum arbitrarentur, tua voluntas in discessione fuit ad lenitatem propensior* (8.1). Cf. 8.3-4; Cicero grudgingly accepts calling the conflict a *tumultus*, since that was the only way to get the senate's approval.

²⁵⁵ Cf. *Ad Caes. Iun.* Fr. 1, App. *BC* 3.63.258; Dio 46.31.2.

²⁵⁶ Cf. *Ad Brut.* 1.3a; 1.5.1; 1.15.8-9; Liv. *Epit.* 119; Dio 46.39.3; 46.41.4. See also Manuwald *Philippics* 3-9: 30.

perception of senatorial responsibility do not align with the attitude held by the majority of senate.

Yet despite the resistance he grapples with along the way, Cicero remains unwaveringly steadfast in advocating for violence in the name of the state throughout the *Philippics*. In many ways, turning the conflict into a war was the only option he had. His political position was far weaker than it had been his whole career, and his opponent was both popular and powerful. Cicero, unlike Antony, did not have access to the regular constitutional methods to power and prestige. All he could rely on was his patriotism and firm political ideology, one that maintained that changing the system was a direct threat to the state itself, embodied by the image of both Antony the *hostis* and Antony the next dictator. His strategy of turning the conflict into a full-blown *bellum* was designed not only to garner support from the people and the more influential senators, but also to prevent another situation like the execution of the Catilinarian conspirators. He had made a tactical error then in sanctioning violence against Roman citizens without a trial, when only Catiline had been declared a *hostis*. Here, even if only Antony is named an enemy of the state, he personally would not likely be called to task for having other Romans killed in open war, especially since they would be outside the *pomerium* and such killings would really be at the hands of generals such as Octavian and Decimus Brutus.²⁵⁷ This large-scale strategy of using active participation to signal compliance is his second strategy, to which we will now turn.

Exemplary citizens and soldiers

One of the important factors that Cicero had to account for was the presence of ever-powerful military generals. His concern over their growing power and growing armies can be

²⁵⁷ Soldiers would have already waived their rights as citizens, when under a commander who had *imperium*. See Drogula *Commanders and Command*: 47-56. Moreover, both Octavian and Decimus Brutus had the popularity to endure Roman deaths on their hands.

traced far back, and he has already established in the *Philippics* that Antony's status as a threat to the state is in large part due to the massive army that he can (at any point) turn against Rome. Yet throughout these speeches we see him laud the actions of individual commanders such as Decimus Brutus and Octavian and legions such as the Martian legion who act without the authorization of the senate or people. In order to persuade his audience (and, perhaps just as importantly, reconcile his own concerns), Cicero reinterprets the actions of these "good" generals as acting to preserve the Republic. By casting the actions of the generals and armies as acts of loyal citizens, he accomplishes two crucial goals: first, he can foster an image of active participation and complicity among leading Romans in choosing to protect the state over individuals citizens (namely, Antony and those who side with him); secondly, he can tie the powerful generals more closely to the state, in the attempt to prevent *them* from straying from senate and state authority. Altogether he strives to create a picture of a unified Rome with a government that is not only perfectly functional but is also worth protecting above all else, even if it means the deaths of Roman citizens. Yet once again there are places in the *Philippics* where Cicero seems to struggle to persuade his audience. In this case, he reveals a certain unease towards Decimus Brutus and Octavian in his repeated attempts to officially sanction the actions of these commanders, and labors to convince the senate of their patriotic duty.

As with the previous tactics examined in this chapter, this tactic is not new to Cicero. Catherine Steel, in her book *Cicero, Rhetoric, and Empire*, demonstrates how Cicero tried to sanitize the characters of Caesar and Pompey in order to justify giving them extraordinary commands and at the same time dispel concern over their increased power.²⁵⁸ Interestingly, he took a different approach for each general. In the *de imperio Gn. Pompei* or *Pro Lege Manilia* of

²⁵⁸ "Controlling the uncontrollable: Cicero and the generals," in *Cicero, Empire, and Rhetoric* (Oxford 2001): 113-161.

66 Pompey was always presented in isolation; by praising him as peerless, Cicero could make it seem like no one else but Pompey could do the job.²⁵⁹ In the *de provinciis consularibus* of 56, however, Cicero portrayed Caesar as the consummate Roman citizen—the man who stood for all Romans rather than the man who stood alone on Rome’s behalf. The success of his current campaign in Gaul demonstrated Caesar’s competence and also service to the state; gaining an extended command, according to Cicero, could not further benefit Caesar personally, but instead bespoke his duty to Rome.²⁶⁰ In the *Philippics*, Cicero’s strategy is to essentially combine the two approaches, making Octavian and Decimus Brutus into patriotic men who are the only ones who can do the job. One of the major differences here, however, is that Cicero can more clearly juxtapose these exemplary generals with Antony. This gives Cicero more leeway to justify the unprecedented and ultimately uncontrollable actions of the generals and their armies.

For instance, in the *Third Philippic*, Cicero introduces the three points of military opposition to Antony: Octavian, Decimus Brutus, and the legions who defected. Each of these individuals or groups takes private initiative to balk the lame duck consul, without senate approval. Octavian raised an army at his own expense and positions it to block Antony, preventing an (hypothetical) incursion at Brundisium.²⁶¹ Decimus Brutus, who had been in Cisalpine Gaul since April 44 by appointment of Caesar, had sent word to the Senate that he would not yield his province to Antony, declaring that it would remain instead in the hands of the senate and people. Two legions, the Martian legion and the Fourth legion, defect from Antony

²⁵⁹ Steel also notes how Cicero whitewashes Pompey’s past, emphasizing instead his laudable Roman qualities of *virtus*, *auctoritas*, and *felicitas* (*Cicero, Rhetoric, and Empire*: 130-135).

²⁶⁰ For Caesar, Cicero’s catchphrase is *utilitas rei publicae*; *Cicero, Rhetoric, and Empire*: 156-160. While the amount of influence that these speeches had over the final decision cannot be determined, nevertheless, it is likely that Cicero’s rhetoric contributed to the success of the proposals granting Pompey and Caesar the extraordinary commands, despite their questionable constitutionality.

²⁶¹ Monteleone *La Terza Filippica*: 16/7 n. 18 [p. 53] notes that Cicero emphasizes how Octavian could have squandered his personal fortune, but instead has invested it in the state.

and join Octavian.²⁶² Cicero takes this opportunity to propose an official sanction of their actions and thereby approve armed conflict with Antony. In the beginning of the speech, he catalogues the resistance to Antony in quick succession; I have listed the pertinent quotes below and underlined the shared thematic elements:

Qua peste privato consilio rem publicam (neque enim fieri potuit aliter) Caesar liberavit... Cui quidem hodierno die, patres conscripti (nunc enim primum ita convenimus, ut illius beneficio possemus ea, quae sentiremus, libere dicere) tribuenda est auctoritas, ut rem publicam non modo a se susceptam, sed etiam a nobis commendatam possit defendere (3.5).

“And from this plague by his own initiative Octavian²⁶³ liberated the Republic (and he could not have done otherwise). . . . To whom certainly on this day, senators—for now we have so agreed that because of his benefaction we can speak freely about what we feel—authority must be allotted, so that he can defend the Republic not only by his own volition, but also sanctioned by us.”

Quae cum hostem populi Romani Antonium iudicasset, comes esse eius amentiae noluit; reliquit consulem; quod profecto non fecisset, si eum consulem iudicasset, quem nihil aliud agere, nihil moliri nisi caedem civium atque interitum civitatis videret (3.6)

“And when they [the Martian Legion] had judged Antony to be an enemy of the Roman people, they did not want to be a companion to his madness; they abandoned the consul; certainly they would not have done this, if they had judged Antony to be a true consul, whom they instead saw do and strive for nothing less than the slaughter of citizens and the death of the state.”

Hoc vero recens edictum D. Bruti, quod paulo ante propositum est, certe silentio non potest praeteriri. Pollicetur enim se provinciam Galliam retenturum in senatus populique Romani potestate. O civem natum rei publicae, memorem sui nominis imitatoremq̄ maiorum! (3.8)

“But this recent edict of Decimus Brutus, which was proposed a bit before, certainly can no longer be passed over in silence. For he promises to keep the province of Gaul in the hands of the Senate and Roman people. Oh true-born citizen of the Republic, mindful of his own name and emulator of our ancestors!”

Hunc igitur qui Gallia prohibet, privato praesertim consilio, iudicat verissimeque iudicat non esse consulem. Faciendum est igitur nobis, patres conscripti, ut D. Bruti privatum consilium auctoritate publica comprobemus. (3.12)

²⁶² The Martian Legion and Fourth Legion, both from Macedonia, defected from Antony to Octavian in November 43.

²⁶³ For the sake of clarity, I will translate Caesar—when referring to the adopted son of Julius Caesar—as Octavian. For the implications of Cicero acknowledging Octavian’s inheritance and political program, see Manuwald *Philippics 3-9, ad loc.*

“Therefore, the man who bars Antony from Gaul, by his own initiative in fact, judges most truly and judges him to be no consul. And therefore we must see to it, senators, that we approve the private plan of Decimus Brutus with public authority.”

In these opening descriptions of Octavian, the Martian Legion, and Decimus Brutus, Cicero emphasizes the selfless use of power and authority, as well as the supposedly inherent Roman ability to “judge” what is best for the state. Octavian acts on his own (*privato consilio*) in order to “free the state”; Cicero directly attributes his ability to speak freely to the young general’s action (*illius beneficio*). The soldiers comprising the Martian legion independently decide to leave their commander, because they determine amongst themselves (*iudicasset*) that he is no longer a true consul, and refuse to take part in the destruction of citizen and state. Decimus Brutus’ actions are described in similar terms, with an emphasis on his private initiative (*privato praesertim consilio*), and evaluation of Antony (*iudicat*). Each radical act of sedition is cast as Roman citizens who have decided for the good of the state to forsake their titular leader because he is a threat to the state. As with the *Pro Milone*, Cicero is trying to appeal to the Roman tradition of self-help, where Roman citizens take action to protect their own—in this case the state itself. These generals and soldiers now come to represent the *populus Romanus* as a whole, and function as the support Cicero can draw on to legitimize his viewpoint. While he leaves the comparison unstated, perhaps because of their ambiguous place in Roman memory, the repetition of *privatum consilium* would certainly bring to mind the famous *privati* Gaius Servilius Ahala and Publius Scipio Nasica and the actions they took. While their actions against the Gracchi caused controversy because of their unconstitutional violence, here the violence is generalized to the arena of war, and intentionally obscured by emphasizing the protection of the state. Cicero has redefined troubling signs of sedition and the government’s inability to control its army and

generals as intentional acts of patriotism that must be immediately sanctioned by the senate to reaffirm their legitimacy.

In the next three *Philippics*, Cicero continues in much the same vein. In the *Fourth* and *Sixth Philippics*, the only two speeches in the corpus that were delivered to the people, he projects an image of unity among all Romans, epitomized by their approval for (and thus acceptance of) Decimus Brutus, Octavian, and the legions.²⁶⁴ In this way, Cicero can stir up support among the people for the proposals and honors he keeps pushing as well as reinforce the ‘us against Antony’ mentality that has been meeting resistance.²⁶⁵ In the *Fifth Philippic*, much like the *Third*, Cicero uses these figures to both give a sense of community support for his political views and to also secure further honors for the leaders and their armies. While this dual purpose often appears mutually beneficial and natural, in the *Fifth Philippic* we can see the strain put on Cicero from having to wrangle multiple agendas and powerful men. First, he takes more pains to show that they are in fact under Rome’s control, rather than operating out of their own agenda. When praising Octavian, the orator states, “Through the benevolence of the immortal gods...of his own volition and principled virtue though not without the approval of my authority” (*deorum immortalium beneficio...sua sponte eximiaque virtute, tamen adprobatione auctoritatis meae*, 5.25). Cicero is quick to imbue Octavian’s actions as divinely inspired and also well-advised by Cicero himself. In this way, the orator can claim that Rome and the Republic has divine approval, can take credit for Octavian’s spectacular deeds, and also demonstrate that he has the powerful general under his (the state’s) control. When proposing yet

²⁶⁴ Cf. 4.3, 4.5-8, 4.10, 4.12, 4.15; 6.3-4, 6.6-9, 6.18-9. See Manuwald’s discussion of the *Fourth* and *Sixth Philippics*, which includes both their relation to the corresponding senate speeches (*Third* and *Fifth Philippics*) as well as their relation to each other as the only two *contiones* (*Philippics* 3-9: 463-486; 736-44).

²⁶⁵ See Steel “Finessing Failure: The *Sixth Philippic*” in Stevenson *Cicero’s Philippics* on Cicero’s aim in the *Sixth Philippic* and how it fails.

more honors at the end of this speech, Cicero uses Octavian's relationship to the state and to himself as justification:

Ita enim ad rem publicam accessit, ut eam confirmaret, non ut everteret. Omnis habeo cognitos sensus adolescentis. Nihil est illi re publica carius, nihil vestra auctoritate gravius, nihil bonorum virorum iudicio optatius, nihil vera gloria dulcius (5.50).

“He has come to the Republic such that he strengthens it, not overthrows it. I know everything in the mind of the young man. Nothing is dearer to him than the Republic, nothing more important than your authority, nothing more longed for than the opinion of decent men, nothing sweeter more than true glory.”

The embodiment of Roman values, Octavian is decidedly *not* his adoptive father, though astute Roman audience members might remember when Cicero lauded Caesar's virtues, which were characterized in a similar way.²⁶⁶ Cicero here again emphasizes his part in Octavian's success and good intentions, and even promises on his word that Octavian will be the savior the Republic needs.²⁶⁷

Yet despite this rosy picture, there are indications that this relationship and power dynamic is not exactly as Cicero portrays it. For instance, following the glowing review of Octavian, Decimus Brutus, and the legions, Cicero proposes generous terms: military exemption for Octavian's army and their children, as well as several other legions, and land and money allotments for veterans, as promised by Octavian (5.53). While such dispensations seem reasonable enough, from the language of the proposal it is clear that many of these boons were promised by Octavian already.²⁶⁸ Like many of his actions, this would have been done before officially getting consent from the governing body, and he will receive the credit and loyalty of

²⁶⁶ Cf. *de provinciis consularibus*.

²⁶⁷ *Audebo etiam obligare fidem meam, patres conscripti, vobis populoque Romano rei publicae; quod profecto, cum me nulla vis cogeret, facere non auderem pertimesceremque in maxima re periculosam opinionem temeritatis. Promitto, recipio, spondeo, patres conscripti, C. Caesarem talem semper fore civem, qualis hodie sit, qualemque eum maxime velle esse et optare debemus (5.52).*

²⁶⁸ *quantamque pecunia militibus earum legionum in singulos C. Caesar pontifex, pro praetore, pollicitus sit, tantam dari placere.*

his army. Cicero seems less like a guiding force to Octavian and more like his mouthpiece in the Senate, to legitimize whatever he wants.

Similarly, Cicero's frustration with the senate begins to manifest over time, as he attempts to use these examples of Roman virtue to both criticize and galvanize his audience to action. Over the course of the rest of the *Philippics*, Cicero reminds the senate about the valorous deeds of these exemplary citizens, and reiterates all of the support they once showed.²⁶⁹ Even when the conflict with Antony expands to the East, moving to the standoff in Macedonia between Gaius Antonius and Marcus Brutus, the brothers of Marcus Antonius and Decimus Brutus, respectively, Cicero manages to insert their names and praise their actions.²⁷⁰ Furthermore, he frequently reminds the Senate that the proposals and honors they passed in January represent continued support and approval of such men. In the *Seventh Philippic*, for instance, Cicero berates the senate for their fickle behavior towards Antony and those who oppose him:

Quid est inconstantia, levitate, mobilitate cum singulis hominibus, tum vero universo senatui turpius? quid porro inconstantius quam, quem modo hostem non verbo, sed re multis decretis iudicavit, cum hoc subito pacem velle coniungi? (7.9)

“What is more disgraceful—not only to individuals but especially for the whole senate—than inconsistent, carelessness, and fickleness? What indeed is more inconsistent than wanting to make peace with this man, whom you recently determined in many decrees to be an enemy of the state, not in word, but in substance?”

Once again making the conflict appear to be black and white, Cicero contrasts the actions of the senate and ineffectual embassy with their support of their citizens before. He peppers this section (7.9-14) with second person plural verbs, to hammer in the fact that they are turning their backs

²⁶⁹ Cicero also used this strategy in the *Fourth Catilinarian*, when he reminded the Senate of the honors they bestowed upon him for dealing with Catiline and their previous condemnation of Lentulus (*Cat.* 4.5); their verdict in how to punish the conspirators has by implication been given. Cf. Harries *Cicero and the Jurists*: 191.

²⁷⁰ 7.9-14, 7.24-5; 8.5, 8.17, 11.3-4, 11.21-2, 11.36-37, 12.8-9.

on not only their own actions but on their own citizens.²⁷¹ Cicero, on the other hand, has been consistent in his viewpoint the whole time: protect the state and thus protect the citizens by eliminating those who prove to be a threat to their well-being. While such logic is not indisputable, Cicero's political ideology has remained intact over the course of his political career.

The culmination of this notion of exemplary citizens or soldiers is putting the state's well-being over one's own, no matter the cost. Cicero has demonstrated this throughout his career and speeches, speaking often about how little his reputation and even life mattered, so long as the state was safe and justice brought. In the *Philippics*, Cicero goes even further, for not only does the orator declare his desire to protect the state at all personal costs, he also exhorts the rest of the senate and audience to do the same. This sentiment appears prominently at the end of the *Third Philippic*, before Cicero introduces his proposal to declare a state of emergency against Antony and authorize actions of Decimus Brutus and Octavian. After declaring (yet again) his decision to do whatever he could to thwart Antony, Cicero urges the senate to take the proffered opportunity to show the people that they will not fail the state (3.34). Emphasizing Antony's tyrannical character and the inevitable slavery that will result from his rule, Cicero declares:

Quodsi iam, quod di omen avertant! fatum extremum rei publicae venit, quod gladiatores nobiles faciunt, ut honeste decumbant, faciamus nos principes orbis terrarum gentiumque omnium, ut cum dignitate potius cadamus quam cum ignominia serviamus. Nihil est detestabilius dedecore, nihil foedius servitute. Ad decus et ad libertatem nati sumus; aut haec teneamus aut cum dignitate moriamur (3.35-6).

“But if soon—may the gods avert this omen!—the worst fate for the Republic looms, let us leaders of the world and all its people do what the noble gladiators do: let us fall with dignity rather than be slaves in disgrace. There is nothing more abominable than dishonor, nothing more loathsome than slavery. We were born for a life of honor and freedom; either let us hold on to these things or let us die with dignity.”

²⁷¹ *Soletis, audiatis, iudicaris, 7.9; decrevistis, iudicavistis, iudicatis, spopondistis, 7.10; adfecistis, iudicatis, decrevistis, 7.11; iussistis, sustulistis, videtis, 7.13; censetis, intellegitis, auditis, essetis adsensi, estis devoluti, 7.14.*

The soldiers and generals have already proved themselves, but it is also up to the Roman people to do their part. Cicero seems to harangue his audience, perhaps reprising his *dux togatus* role. Instead of armed troops, he has the multitude of loyal citizens (*multitudinem bene sentientium*), good fortune from the gods, and consuls who “for many months have been meditating on the freedom of the Roman people” (*multos menses de populi Romani libertate commentati atque meditati*, 3.36). All that is needed is the senate’s commitment. These are the tools for securing the protection and freedom of the state, and a reprisal of the *concordia ordinum* Cicero so believed in.²⁷²

In the *Seventh Philippic*, following Cicero’s long rebuke of the senate for their weak stance either in favor of the exemplary generals or against Antony, as mentioned above, he reminds them of their responsibility during these times of state crisis:

Liberati regio dominatu videbamus, multo postea gravius urguebamus armis domesticis. Ea ipsa depulimus nos quidem; extorquenda sunt. Quod si non possumus facere, (dicam, quod dignum est et senatore et Romano homine) moriamur (7.14).

“It seemed as though we had been freed from royal domination, but later we have been beset all the more seriously by arms from within. Certainly we must shove those weapons away; they must be wrenched away. But if we cannot do this—I speak what is worthy of both a senator and Roman—let us die.”

Cicero contrasts Caesar’s dictatorship *regius dominatus* with Antony’s *arma domestica*.

Although he has throughout strived to turn Antony into a *hostis* and make the conflict a full-blown war, here he scales it back, to show that the senate is still able to act in this situation, since Antony does not have the full control over the state that Caesar did.²⁷³ Otherwise, as Cicero presents it, death is now the only other possibility for good Roman citizens if they fail to overcome Antony’s oppression. The orator’s political ideology is displayed boldly here, for he

²⁷² *His auctoribus et ducibus, dis iuvantibus, nobis vigilantibus et multum in posterum providentibus, populo Romano consentiente erimus profecto liberi brevi tempore. Iucundiorem autem faciet libertatem servitutis recordatio* (3.36).

²⁷³ Manuwald *Philippics* 3-9, *ad loc.*

calls on everyone to prioritize the state over their own lives. Unfortunately, the sentiment falls flat, for the proposals Cicero suggests at the end of the *Seventh Philippic* are denied. In the *Eighth*, although Cicero spends much time criticizing the consulars for not taking stronger action against Antony (8.20-32), his same proposals only pass after he softens their language.²⁷⁴ The senate and magistrates continue largely according to their own plan, Cicero's exemplary citizens and generals similarly act as they see fit, and Cicero himself spends the remaining speeches expending enthusiastic, but ineffective, words.

Almost a decade after the *Pro Milone*, Cicero's warnings about powerful commanders have both come true and suffered a revision. In the *Philippics*, Cicero shows how much he needs these generals with their armies so he can use them to gain senatorial approval, since the fame and charisma of such men could sway the rest of the senate into siding with them against Antony, whom he considered the epitome of the Republic's foes. Yet Cicero is clearly compelled to accede to the wishes of Octavian and Decimus Brutus, on whom he depends for that support. At the same time, Cicero denounces Antony as no true consul, recklessly calls for granting unprecedented honors that subvert the normal constitutional system, all while claiming to champion and protect the foundations of the Republic. Cicero is able for the most part to channel a rational fear of overly powerful generals in his opposition to Antony, and show (if overly heavy-handed) support for "true" consuls like Pansa. Meanwhile, the growing power of his current allies certainly has not escaped his notice. These speeches give a sense that Cicero is simply forestalling the inevitable rise of new problematic figures, so long as they are helpful with the current situation. For now, he thinks he can control their power and behavior in word, even if

²⁷⁴ See Manuwald *Philippics* 3-9: 909-12.

he cannot in deed. Unfortunately, just months after Mutina, his hand-picked champion Octavian will prove without a doubt that the *s.c.u.* is no longer effective. Cicero is no longer effective.

Cicero has come a long way since 63. Although over time his arguments appear to become less successful, and more strained, it is because he refused to change how he viewed the state and his vision for how to best protect it. At the expense of his political career he stood by his political ideology and supported the Republic as a mixed constitution. Cicero's inability to adapt to the changing attitude of the Roman people meant that, in the end, he died for believing in this form of the *patria*, like the true hero he spoke about.

But the political situation at Rome was not simply a choice between Cicero's viewpoint and complete tyranny (or anarchy). In the next two chapters, I turn to Caesar's perspective and arguments. His political ideology, which directly opposes Cicero's, appears to conform better to the Roman people and their protection. But he faces similar challenges in a divided Rome.

CHAPTER III.

Caesar in Gaul.

The first two chapters of this dissertation focused on the evolution of Cicero in his political writings, specifically how he justified acts of violence on behalf of the state to his audience. I argued that while his rhetoric changes over time, in an attempt to adapt to the changing political atmosphere and the majority views of the Roman public, Cicero's stance on violence remains essentially the same, as it reflects his enduring support of the Republic as a mixed constitution. This ideology prioritizes the safety and well-being of the state over that of individual citizens, and advocates for otherwise unconstitutional acts of violence in the name of the state. In this chapter, I turn to the political life and writings of Gaius Julius Caesar. As with Cicero and Chapter 1, here I will look at Caesar's first major set of political writings, his account of the Gallic Wars (*Libri octo de bello Gallico*).²⁷⁵ Much like Cicero, Caesar had been politically active prior to this, concluding a controversial consulship in 59 before setting out for Gaul, and we know of a few political speeches delivered by him. Yet just as Cicero's consular speeches in

²⁷⁵ Henceforth the *BG*. For the purpose of this chapter, I am only examining the first seven books of *BG*, since Hirtius penned the eighth. At some later date, I hope to look at the continuators of Caesar and contrast their use of violence in relation to political ideology to the findings of this dissertation; for now I will only focus on known writings of Caesar. The only commentary encompassing the entire *BG* (including Book 8) is the 1962 *Commentarii de Bello Gallico*, edited by F. Kraner, W. Dittenberger, and H. Meusel (Berlin). F. E. Adcock's *Caesar as Man of Letters* (Cambridge 1956) is a more general look at the commentaries and scholarly debates at the time. M. Rambaud has covered Books 2-3 (Paris 1965) and Book 4 (Paris 1967). Book 7 boasts two commentaries, one edited by J. Hondius (Groningen 1958) and the other G. Cipriani (Padua 1994). Finally, G. Walser's *Bellum helveticum: Studien zum Beginn der caesarischen Eroberung von Gallien* (Stuttgart: 1998) looks at the first half of Book 1 (1.1-29). C. Hammond's *Julius Caesar: Seven Commentaries on the Gallic War* (Oxford 1996). See Cicero, *Brut.* 262, and Hirtius' *praefatio* to the eighth book.

63 put forth his political goals and ideology, both to convince his audience and to justify his actions, Caesar's *BG*, which documented his actions in Gaul as proconsul and commander, functions similarly.

In what follows, I show that Caesar's expressed views towards violence take an almost opposite approach to those of Cicero.²⁷⁶ Instead of celebrating the violence that would naturally occur in a war narrative as Rome inexorably conquered Gaul, Caesar suppresses the majority of it, and carefully employs the little violent language that is present. I argue that Caesar's calculated approach to violence is designed to present himself as not only emblematic of the Roman state (and therefore its values), but also as the only possible leader who can protect the Roman people from harm. Furthermore, all violence associated with Caesar is carefully justified through a variety of tactics. This directly contrasts with the foreign enemy, who sees violence as an easy means to their self-interested ends. The Gauls, who often claim to be acting in the name of liberty, share a number of characteristics with Caesar's own *inimici* at home, with the result that the *BG* becomes as an ideological battle between best practices of leadership. Caesar's victories over the various Gallic nations, then, become his way of defending his name and proclaiming his political values to the Roman people in his absence.

VIOLENCE SUPPRESSED

One of the most impressive aspects of Caesar's *commentarii* is his ability to embed subtle and persuasive ideas into clear and simple prose.²⁷⁷ The dearth of violent language in the *BG* is a

²⁷⁶ By Chapter 4, it will be a fully opposite attitude.

²⁷⁷ See Introduction for general scholarship on Caesar's rhetoric. For for the *BG* specifically, see R. Seager, "Caesar and Gaul: Some Perspectives on the *Bellum Gallicum*," in Cairns and Fantham *Caesar Against Liberty?*: 19-33, and Kraus "Bellum Gallicum" in Griffin *Companion to Caesar*. Numerous articles have been written about particular aspects and episodes within the *BG*, many of which are cited below.

clear demonstration of this phenomenon. Indeed, over the course of the seven books, well over 40,000 words, less than 200 of these can be considered to be violent or graphic.²⁷⁸ This striking statistic, in a narrative dedicated to recounting battles, deaths, and conquest, indicates a concerted effort on Caesar's part to suppress the normal occurrence of violence.²⁷⁹

To illustrate this strategy of Caesar's, I have included a brief chart (Table 1) that catalogues the major uses of violent or graphic language in each of the books of the *BG*.²⁸⁰ By 'violent language,' I refer to any word that denotes intentional harm towards a human being.²⁸¹ Violence that is directed towards inanimate objects is not included, such as the devastation of land, spears hitting shields, as well as passive or abstract mentions of death.²⁸² By 'graphic language,' I mean any descriptive words that denote bodily harm, such as corpses, blood, and wounds.²⁸³ Below are the terms found in the entire work, in order of frequency:

²⁷⁸ The exact number is dependent on the parameters for what is considered "violent" or "graphic" language. See below for statistics and discussion.

²⁷⁹ Cf. V. D. Hanson, in *The Western Way of War* (Berkeley 2000): 203, who describes what ancient battlefields may have actually looked like after the fighting ended.

²⁸⁰ All quotations from the *BG* come from the 1987 Teubner (Leipzig), ed. W. Hering. All translations are my own. A similar study was done by Martin Helzle in, "*Indocilis Privata Loqui: The Characterization of Lucan's Caesar*" *Symbolae Osloenses* 69 (1994): 121-36. In that article, Helzle charts word frequency and distribution in the *Pharsalia*, showing that militaristic and violent vocabulary is far more often to come out of Caesar's mouth than Pompey's or Cato's. Since Lucan's Caesar is a purposeful distortion of the character-Caesar in these commentaries, this is both unsurprising and fitting.

²⁸¹ Violence against horses in the context of a battle is also included. Vague words denoting violence, such as *pugna* and *vis*, are not included on the chart but are discussed below.

²⁸² Drawing examples from Book 1 alone: the destruction of land (*eorumque agros populabantur*, 1.11.1); weapons clashing (*quod pluribus eorum scutis uno ictu pilorum transfixis et conligatis*, 1.25.3); abstract death (*Post eius mortem nihilo minus Helvetii...1.5.1*). As I discuss in greater detail below, violence conveyed indirectly or in less vivid terms is exceedingly common in Caesar as a way to avoid reminding the reader of the true destruction of war.

²⁸³ While *cadaver* is an obviously vivid term for corpse, *corpus* is of course more widely used and can refer to both living and dead bodies. Thus I have only included instances where Caesar uses *corpus* to refer to dead bodies and bodies who are in the process of being harmed.

Table 1. Violent and Graphic Language in the <i>De Bello Gallico</i> ²⁸⁴									
Term	Meaning	Book 1	Book 2	Book 3	Book 4	Book 5	Book 6	Book 7	Total
<i>interficere</i>	kill	4	5	6	7	25	7	28	82
<i>vulner-</i>	wound	6	4	3	4	9	1	6	33
<i>occidere</i>	kill	4	4	1	3	6	1	1	20
<i>cruc-</i>	torture	3	1	0	1	2	3	5	15
<i>caed-</i>	slaughter	0	0	0	0	1	1	10	12
<i>necare</i>	execute	1	0	1	0	3	0	1	6
<i>icere*</i>	throw	0	0	0	0	0	0	3	3
<i>corpus</i>	body	0	2	0	0	0	0	1	3
<i>fodire*</i>	impale	0	0	0	1	0	0	2	3
<i>concidere</i>	cut down	1	1	0	0	0	0	0	2
<i>sanguis</i>	blood	0	0	0	0	0	0	2	2
<i>cadaver</i>	corpse	0	1	0	0	0	0	1	2
<i>figere*</i>	pierce	0	0	0	0	0	0	1	1
TOTAL		19	18	11	16	46	13	61	184

Words most frequently found in Caesar: *interficere*, *occidere*,²⁸⁵ *vuln-*

Words seldom found in Caesar (< 10): *necare*, *transfodire*, *transfigere*, *(trans)icere*, *rescindere*, *cruc-*, *sanguis*

Words not found in Caesar (but found in Livy, Cicero, etc.): *trucidare*, *obtruncare*, *verberare*, *lacerare*, *percutere*, *ferire*, *penetrare*, *clades*, *strages*, *cruor*, *cruentus*, *nex*, *violentia*, *carnifex*, etc.

²⁸⁴ For reference, Book 1 has 54 chapters, Book 2 has 35, Book 3 has 29, Book 4 has 38, Book 5 has 58, Book 6 has 44, and Book 7 has 90. Where both noun and verb forms exist (that is, have both the same root and same primary meaning), I have included them under one heading. For instance, *caed-* means all forms of *caedere*, to slaughter and *caedes*, slaughter, which apply to humans. *vuln-* refers to both the active verb *vulnerare*, to wound, and the noun *vulnus*, wound. The ‘torture’ words appear in four forms: the verbs *cruciare* and *excruciare*, and the nouns *crux* and *cruciatus*. The form *concidere* is ambiguous, stemming from two different verbs—*concidere* from **con-cadere* is intransitive ‘to fall (in battle or combat)’ while *concidere* from **con-caedere* is transitive ‘to cut down.’ Uses of the latter term are listed above; only instances where they are directed against men are included (this verb is commonly used for cutting down trees). The use of the asterisk in the table refers to words found in Caesar that are neutral or non-violent in their uncompounded form, but become graphic when compounded. *fodire* in its uncompounded form is almost always applied to the inanimate, and in Caesar generally refers to trenches (*milia passuum XVIII murum in altitudinem pedum sedecim fossamque perducit*, 1.8.1). When compounded, however, it is appallingly graphic. The forms that appear in Caesar are *suffodire* (*suffossis equis*, 4.12.2), *effodire* (*singulis effossis oculis*, 7.4.1), and *transfodire* (*in scrobes delati transfodiebantur*, 7.82.1). *figere* often applies to inanimate objects and even *transfigere* in Caesar almost always refers to weapons being pierced, rather than men. The exception is in Book 7 (*cum primi ordines hostium transfixi telis concidissent*, 7.62.4). Similarly, forms of *icere* have a multitude of meanings and compounds; the hostile ones that are relevant here are *ictus* and *traiectus* (when referring to a man being struck). Only graphic examples are included in the chart.

²⁸⁵ Contra I. Opelt “‘Töten’ und ‘Sterben’ in Caesars Sprache,” *Glotta* 58 (1980): 110, who lists 17 times.

This chart highlights several striking details. First, not only is the grand total impressively low, given the length of the *BG*, but the number of different violent words found in Caesar is also quite small. The verb *interficere* accounts for almost half of the terms; the combination of *interficere* and *occidere*, both very common and unmarked verbs, just over half.²⁸⁶ Words for wounding are the second most frequent term (if 33 instances total can truly be called “frequent”), yet as I argue below, this is even more suggestive of how interested Caesar is in suppressing active violence. This leaves only 50 or so terms for other words of violence. Certain violent terms, while frequent in other prose authors in the Late Republic, either rarely or never appear in Caesar. Blood-related terms are a significant category: *cruor* never appears in Caesar, and *sanguis* and its derivatives only appear twice in Book 7.²⁸⁷ This omission or reluctance to use words denoting blood fits with my argument, since they are far more evocative of violence and gore than other generic terms.

One explanation for the lack of variety is Caesar’s unusually restricted vocabulary throughout the *BG* generally. Lindsay Hall has calculated that Caesar uses fewer than 1300 words, apart from technical terms.²⁸⁸ He argues that Caesar’s decision to limit his vocabulary is a reaction to the linguistic developments happening among the Roman elite during this time, with potential political underpinnings.²⁸⁹ Hall’s persuasive argument nonetheless does not preclude Caesar from having another purpose in stringently limiting his violence vocabulary. Indeed, there is a great difference between choosing to use *vereri* but not *metuere* to mean “to fear,” as

²⁸⁶ For comparison, Caesar uses the term *virtus* 72 times in the *BG*.

²⁸⁷ Also noted in Melchior “Compositions in Blood”: 33.

²⁸⁸ In “*Ratio and Romanitas in the BG*,” in Welch and Powell *Caesar as Artful Reporter*: 17.

²⁸⁹ While we today have a tendency to see this time period and these authors as “fixed” or “Classical,” the reality was that these authors and orators were still experimenting with Latin, both in terms of vocabulary and language formation. Hall in Welch and Powell *Caesar as Artful Reporter*: 13. See also P. T. Eden, “Caesar’s Style: Inheritance versus Intelligence.” *Glotta* 40 (1962): 74-117 for a long discussion of Caesar’s inheritance (from previous authors and historians) as well as detailed analysis of word use and avoidance.

opposed to favoring *interficere* and *occidere* (“to kill”) over *trucidare* and *obtruncare* (“to cut to pieces, to slay”). Such linguistic choices, coupled with the lack of words denoting blood, further suggest that Caesar purposefully steered clear of depicting the grisly nature of war.

Very few studies have been done on violence in Caesar. Ilona Opelt’s article, “‘Töten’ und ‘Sterben’ in Caesars Sprache,” catalogues the vocabulary of killing and dying in both of his works; while her interest is more in providing a general survey of the terms, she observes: “This tame representation of killing and dying is a trend of Caesar, since killing and dying are the price of victory. Caesar pragmatically does not revel in the depiction of brutality; killing and dying are the keys to success.”²⁹⁰ Another related study comes from Aislinn Melchior, in her 2004 dissertation, “Compositions with Blood: Violence in Late Republican Prose,” which examines Caesar’s use of wounds and the “body count” feature of his narrative. She argues that Caesar uses these references to violence to create a three-part narrative arc for each significant act of violence, which sets up a natural revenge-style justification for any subsequent violence he inflicts.²⁹¹ The idea that Caesar has in fact drastically reduced the amount of violence in his *commentarii* (intentionally or not) has so far gone unmentioned.

A brief comparison with Livy’s account of the Second Punic War demonstrates this point more clearly. Because his narrative of the war spans Books 21-30, I have analyzed the first seven books (Table 2). Not only are the two sets of books nearly the same length,²⁹² but they also start from the same place: introducing, justifying, and then recounting a war.

²⁹⁰ “Diese schonende Darstellung des Tötens und Sterbens ist Caesars Tendenz. Denn Töten und Sterben sind der Preis des Sieges. Als Pragmatiker schwelgt Caesar nicht in der Schilderung von Brutalitäten; Töten und Sterben sind der Einsatz für den Erfolg” (“Toten und Sterben”: 118).

²⁹¹ See “The Imperatives of Vengeance,” 17-60. Melchior is clearly correct in seeing Caesar using revenge as a way to justify various acts of violence during the campaign, yet in her desire to highlight this narrative construction, the amount of violence at times appears to be overrepresented.

²⁹² Book 21 has 63 chapters, Book 22 has 61, Book 23 has 49, Book 24 has 49, Book 25 has 41, Book 26 has 51, and Book 27 has 51. Thus 365 chapters of Livy compared to 348 in Caesar.

Term	Meaning	Book 21	Book 22	Book 23	Book 24	Book 25	Book 26	Book 27	Total
<i>caed-</i>	slaughter	19	26	19	35	36	18	28	181
<i>clades</i>	massacre	7	34	17	11	20	12	13	114
<i>occidere</i>	kill	3	9	10	5	7	4	15	53
<i>interficere</i>	kill	4	0	7	15	9	6	10	51
<i>vuln-</i>	wound	13	8	2	9	4	5	10	51
<i>corpus</i>	body	3	7	7	2	6	4	5	34
<i>sanguis</i>	blood	1	4	4	5	6	3	4	27
<i>strages</i>	massacre	4	5	6	1	0	4	1	21
<i>trucidare</i>	slay	2	4	1	4	1	3	1	16
<i>cruent-</i>	bloody	2	3	1	3	2	0	4	15
<i>cruc-</i>	torture	1	2	0	1	1	4	0	9
<i>necare</i>	execute	0	1	1	3	1	1	1	8
<i>(trans)figere*</i>	impale	1	1	1	0	2	2	1	8
<i>truncare</i>	slay	1	1	1	0	3	0	1	7
<i>cruor</i>	gore	1	2	1	1	1	0	0	6
<i>lacerare</i>	lacerate	1	1	0	1	0	2	0	5
<i>fodire*</i>	impale	0	0	0	1	0	0	0	1
<i>penetrare*</i>	penetrate	1	0	0	0	0	0	0	1
TOTAL		63	108	78	97	99	68	94	607

In Livy's narrative of the Second Punic War, we can see that he not only uses a wider array of terms to denote violence, but the frequency of violence is three times higher. As is unsurprising for a historian, Livy uses graphic imagery to enliven his narrative of the battles and campaign as well as highlight exemplary individuals and feats.²⁹⁴ He regularly uses several verbs for killing (*caedere*, *interficere*, *occidere*, *obtruncare*, *trucidare*, *necare*), not to mention the plethora of other words that specifically denote mass destruction and bodily harm.²⁹⁵ He also does not shy

²⁹³ See Table 1 for marking conventions.

²⁹⁴ The seminal work on Livy's use of *exempla* is still J. Chaplin's *Livy's Exemplary History* (Oxford 2000). See too D. Levene, *Livy on the Hannibalic War* (Oxford 2010).

²⁹⁵ While it is unsurprising that words for massacre, such as *clades*, *strages*, and forms of *caed-*, come up frequently in the narration of disasters such as Trasimene and Cannae, their frequency is quite high, accounting for over half of the violence terms. Caesar, by comparison, only uses *caedes* when referring to massacre, and even then just 12

away from mentioning blood and gore, whether describing in general the high cost of war or zeroing in on an individual.²⁹⁶ Caesar, by contrast, omits almost all of the violence and gore that one would expect from descriptions of battles and ambushes.

Even without using a lot of violent language, Livy easily conveys the gritty details of war. For instance, when narrating the start to the disastrous battle at Lake Trasimene, Livy describes how the fog prevented Flaminius and the Romans from realizing that they had been surrounded: “Indeed the fog was so thick that ears were of more use than eyes, and the groans of the wounded, the sound of blows on body or armor and the mingled shouts and screams of assailants and assailed made them turn and gaze, now this way and now that.” (*Et erat in tanta caligine maior usus aurium quam oculorum. Ad gemitus uolnerum ictusque corporum aut armorum et mixtos strepentium pauentiumque clamores circumferebant ora oculosque*, 2.5.4). This vivid depiction of war is nowhere to be found in Caesar.

Caesar uses a variety of strategies to avoid violent language. First, he simply focuses on other aspects of a campaign, both on the large and small scale. Instead of descriptions of bodily harm, he relates in great detail the geography of the area, the ethnography of the people, and the political and diplomatic maneuvering of the different players.²⁹⁷ During a battle proper, Caesar

times, with almost all of them occurring in Book 7. He refrains from using such words even during the disaster in Book 5 (discussed below).

²⁹⁶ For instance, Hannibal’s victory at Petelia came at a high cost: *Multo sanguine ac uolneribus ea Poenis uictoria stetit nec ulla magis uis obsessos quam fames expugnauit* (3.30.2). My personal favorite, an almost incidental mention of a gore-bespattered consul, as Livy leads to the more important dialogue: *Cn. Lentulus tribunus militum cum praeteruehens equo sedentem in saxo cruore opletum consulem uidisset, "L. Aemili" inquit...* (2.49.6). There are also five mentions of adjective *incruentus* ‘without bloodshed.’ All are negated by *haud* or *nec* (and for this reason they are included in the chart under ‘*cruent-*’).

²⁹⁷ For example, in Caesar’s first engagement with the Helvetii and of the entire campaign, he first describes the local topography (*Flumen est Arar, quod per fines Aeduorum et Sequanorum in Rhodanum influit, incredibili lenitate...* 1.12.1) and the internal division of the Helvetian state (*Is pagus appellabatur Tigurinus: nam omnis civitas Helvetia in quattuor pagos diuisa est*, 1.12.4). The previous five chapters were spent in diplomatic negotiations with the Helvetii and the subsequent interactions with Gallic tribes (1.7-11). All relevant details to be sure, but they take up more space and prominence than the battle itself. Only two sentences convey the actual fight (1.12.6-7), yet they too are focused on larger issues, namely the previous conflict with the Helvetians.

often describes the set-up, including the various military technology that both the Romans and barbarians employ, the emotional state of the armies, the maneuvers within the battle, and the aftermath, which usually includes a rout and flight of the losing side. Caesar's narrative thus encompasses a wide range of subjects, which serve to not only illustrate his capability and versatility as a leader, but also allow him to take the focus away from the gruesome side of warfare, that is, the blood and the bodies.

Since it would be impossible (and counterproductive) for Caesar to omit violence entirely from his account, he instead often downplays it through bland language and euphemism. For instance, forms of *pugnare* and *pugna* ('fight') appear frequently throughout the *BG*, 157 times in total.²⁹⁸ These words allow Caesar to acknowledge that fighting took place, but the violence represented by the very general verb is second to the results that the battle produced. We can see particularly in the phrase *pugnatum est*, which is found 11 times in the *BG*. Caesar often attaches it to slightly more descriptive adverbs such as *acriter* or *diu*, again conveying to the reader that intense fighting took place without drawing attention to individual acts of violence or grisly pictures of death.²⁹⁹ A relatively common word for violence in other contexts, the noun *vis* is only seldom directed at men in Caesar, and is always vague.³⁰⁰ The most common verb of killing in Caesar, *interficere*, is another example of understating the violence of war. It is most often

²⁹⁸ Passive forms of *pugnare* are particularly prevalent, which further create distance for the reader from the fighting.

²⁹⁹ *acriter pugnatum est* – 1.26.1, 1.50, 2.10, 2.33, 3.21, 4.26. Even compounded forms, such as *oppugnare*, convey an intensity to the fighting without going into any sort of sensory detail (*magno impetus belgae oppugnare coeperunt and cum finem oppugnandi nox fecisset* 2.6.1). Interestingly, Caesar appears to abandon the phrase *pugnatum est* in the later books. In Book 7, Caesar uses the phrase (*magna caedes fit* (7.67.6, 7.70.5, 7.88.3). This noun 'slaughter' is much more evocative compared to *pugna* or *pugnatum est*. In contrast to the latter terms, Caesar actually underscores the level of violence with this simple phrase, rather than downplaying it.

³⁰⁰ The translation "force" tends to be more appropriate for *vis* in Caesar than anything else. For instance, the Helvetii thought that they would either be able to persuade the Allobrogi to let them pass or compel them by force (*vi coacturos*, 1.6). It is also typically found in phrases like *vim facere* ("to use force") or *vim hostium prohibere* ("to stop the force of the enemy"). *vis* is more regularly used to denote the "force" of the elements, such as against ships (*naves totae factae ex robore ad quamvis vim et contumeliam perferendam*, 3.13.3).

found as part of ablative absolute phrases such as *magno eorum numero interfecto* and *multis interfectis*,³⁰¹ where Caesar simply mentions the fact that men were killed after a battle, but that fact is less important than the actual main sentence.³⁰² Once again he shifts attention towards all other aspects of warfare, instead of dwelling on who and how men were killed in the fight.

Caesar also frequently uses euphemistic language: men “fall” (*cadunt, concidunt*);³⁰³ the Romans were “beaten back” (*pulsi*);³⁰⁴ weapons “were not sent in vain” (*frustra mittere*).³⁰⁵ None of these descriptions are particularly unusual in Latin. It is the fact that Caesar’s account is largely comprised of bland language and euphemism despite the frequency of battles and high death count that is striking.

A final strategy that Caesar employs to divert attention away from the act of killing is by judicious use of wounds. This is another way for him to refer to violent acts inherent in warfare, but in this case he focuses on the aftermath while glossing over the more vivid descriptions of men both killing each other and dying in real time. Most of the time, wounds are presented as bare ablative absolutes or refer to men who are not even dead.³⁰⁶ For instance, after the battle at Bibracte, Caesar says, “At length, worn out by wounds, they began to retreat, retiring towards a height about a mile away” (*Tandem vulneribus defessi et pedem referre et, quod mons suberat circiter mille passuum, 1.25.5*).³⁰⁷ While the presence of wounds indicates that violence has in

³⁰¹ *Magno numero interfecto*: 3.21.2, 4.15.2, 5.17.4, 6.8.7; *multis/compluribus/paucis interfectis*: 3.28.1, 4.32.1, 5.15.2, 5.22.1, 5.44.13, 7.42.6, 7.55.5, 7.65.2, 7.68.2, 7.70.7.

³⁰² Latin in general and Caesar in particular favored hypotactic structures, so it is by no means uncommon that we find such examples. The point is that Caesar very often subordinates mentions of violence to the main sentence, which by nature is more important. These ablative absolutes minimally acknowledge that violence took place, usually signifying a Roman victory, and allow Caesar to move on rapidly to the next campaign or action.

³⁰³ 1.15.1, 5.34.2, 6.40.7, 7.25.2, 7.50.6, 7.62.4. See also Opelt 1980: 115.

³⁰⁴ 1.40.1, 2.17.3, 2.19.7, 2.24.1, 2.24.5, 3.20.1, 3.20.4. It is surely no coincidence that—aside from the disaster in Book 5—the Romans appeared to lose ground only in the beginning of the campaign.

³⁰⁵ *nostri primo integris viribus fortiter repugnare neque ullum frustra telum ex loco superior mittere* (3.4.2). There are plenty of other variations in Caesar as well.

³⁰⁶ Ablative absolutes: 1.50.2, 2.25, 4.12.6, 4.15.3, 4.37.3, 5.9.7, 5.28.3, 5.35.5, 6.38.4, 7.82.2.

³⁰⁷ Other times that men are worn out because of their wounds: 2.27.1, 3.5.2, 3.21.1, 5.45.1.

fact taken place, Caesar is remarkably unspecific about what sort of wounds.³⁰⁸ Just like the formulaic *multis interfectis* and *acriter pugnatum est*, such mentions of wounding almost blend into the background, and are not particularly worthy of note. The men are also very much alive; if anything, the wounding speaks to their valor (*virtus*). The few exceptions, where mention of wounds actually highlights the intense violence of war, are during intentionally climactic scenes. It is no surprise then that Book 5 has the great occurrence of wounding (nine total), though some of these too are designed to add favor to the Roman side.³⁰⁹ For instance, at 5.35, in the midst of the disastrous conflict with Ambiorix, Caesar narrates:

Tamen tot incommodis conflictati, multis vulneribus acceptis resistebant et magna parte diei consumpta, cum a prima luce ad horam octavam pugnaretur, nihil quod ipsis esset indignum committebant. Tum Tito Balventio, qui superiore anno primum pilum duxerat, viro forti et magnae auctoritatis, utrumque femur tragula traicitur; Quintus Lucanius, eiusdem ordinis, fortissime pugnans, dum circumvento filio subvenit, interficitur; Lucius Cotta legatus omnes cohortes ordinesque adhortans in adversum os funda vulneratur (5.35.6-7).

“Yet, handicapped by all these disadvantages, and with many men wounded, they stood firm; and though a great part of the day was so spent, for it was fought from dawn till the eighth hour, they did nothing unworthy of themselves. At this point, Titus Balventius, a gallant man of great influence, who in the previous year had commanded the first century, had both thighs pierced by a dart; Quintus Lucanius, of the same rank, was killed fighting most bravely to succor a son who had been surrounded; Lucius Cotta, the lieutenant-general, as he cheered on all the cohorts and centuries, was wounded in the face by a sling-bullet.”

This is an unusually violent passage for Caesar, not only signaled by the multiple words for violence (*vulneribus, traicitur, interficitur, vulneratur*), but also the singling out of individuals. Here it serves a specific purpose, for he highlights the bravery of both the collective Roman army and the individual through the mentions of violence, particularly wounds. It also enables him to highlight the tragedy of the situation, since, despite the indomitable nature of these men,

³⁰⁸ Melchior sees the mention of wounds in this section as a way for Caesar to highlight the Roman triumph through military technology (“Compositions in Blood”: 32-33).

³⁰⁹ See below.

they nevertheless suffered casualties because of the enemy's treachery. Aside from unusual passages such as the above, however, Caesar usually refrains from reminding the Roman audience that men were hurt and killed throughout, although that is what one might expect from a battle narrative. Thus, rather than emphasize the violence, as he could have done, Caesar downplays it.

APPARENT VIOLENCE

While Caesar suppresses violence in a variety of ways in the *BG*, as I have shown, he is just as purposeful in his use of it. First, violent language tends to cluster around those books (and particular battles within books) that are the most dramatic or climactic. Indeed, we can see this in particularly with Books 5 and 7, which account for more than half of the violent terms (107 out of 184). Although it is true that these are also the longest of the two books in the *BG*, they contain the greatest Roman defeat and greatest Roman victory, respectively. Book 5 has the highest density of violence, with 46 instances in 58 chapters, while Book 7, with comparatively less violence per chapter (61 instances in 90 chapters), has the greatest variety, employing every violent or graphic word found in Caesar except for *concidere*. Although the distribution of violent language within these books largely clusters around particular battles, they also indicate other important or dramatic aspects of the campaign. For instance, in Book 5, a number of violent terms occur at 5.35-38 (Ambiorix's ambush of Sabinus and Cotta), 5.43-45 (two centurions against Nervii, torture of messengers), and 5.54-58 (attempted murder of Cavarinus, battle with Indutiomarus). In Book 7, clusters occur at 7.3-4 (slaughter at Cenabum, introduction of Vercingetorix), 7.38 (Litaviccus' speech, accusations about Romans),³¹⁰ 7.40-2 (Gergovia),

³¹⁰ These particular sections have a high number of violent terms that are hypothetical or are false accusations.

7.50 (Gergovia, highlighting two centurions), 7.62 (Labienus' victory), and 7.88 (Caesar joins battle at Alesia, individual deaths mentioned). While some of these are major battle scenes, there are also sections where the emphasis is on the violent nature of the enemy or even false accusations of violence against the Romans. Rather than detracting from the importance of the actual battles, these other clusters maintain the intensity of the drama, for they reinforce the stereotypes Caesar creates, to which I will turn now.

Caesar also uses violent language to further distinguish between the behavior and actions of the Roman army and that of the barbarians. We can see this in two ways. First, Caesar makes the Romans the agent of killing verbs most often, giving them the physical edge over the barbarians. As was noted in the first part of this chapter, Caesar tends to use bland or euphemistic language to describe fighting. While phrases like *pugnatum est acriter* encompass the whole of the battle without focusing on violence, he is far more likely to call attention to Romans killing barbarians than vice versa. In the generic phrase *magno (eorum) numero interfecto*, so prevalent throughout the *BG*, the *numero* always refers to the enemy of Rome.³¹¹ Whereas *interficere* tends to occur in the passive (usually as part of an ablative absolute), forms of *occidere* are often active, with the Romans as its subject.³¹² When referring to Roman defeats, Caesar instead employs either bland language or plays up the tragedy, as discussed above.³¹³ Here again we can see Caesar use wounds to minimize the appearance of damage and defeat. This discrepancy highlights the successes of the Romans against the Gauls and Germans, while

³¹¹ The few times these ablative absolutes refer to Romans, Caesar is always more precise. Cf. *signiferoque interfecto* (2.25.1). Perhaps more importantly, he often uses phrases like *magnum (hostium) numerum* and *magnum (eorum) partem* when describing how many men the Romans killed. It is both vague enough to gloss over the actual realities of killing great numbers of people while at the same time reassuring the reader that the Romans almost always win.

³¹²Cf. 2.10.2, 3.19.4, 4.35.3, 4.37.3, 5.51.4, 5.58.4, 5.58.6. In all but one of these examples, the Romans are killing either *magnum numerum* or *complures*, vel sim. The outlier, 5.58.4, refers to killing Indutiomarus specifically. The enemy is never the subject of *occidere* unless it is passive.

³¹³ See above, with note.

glossing over Roman deaths. Besides being patriotic, such a strategy in presentation can only help Caesar's image as commander and leader.

Secondly, and as an interesting contrast to the above, Caesar attributes all of the unusually cruel and graphic words to the barbarians, thereby giving Romans the moral edge as well. We can see this most clearly with words denoting torture. Forms of *cruciare* appear 12 times in the *BG*, and the agent of the verb always refer to the Gauls or Germans.³¹⁴ Although there are a couple of key moments when Roman soldiers are cruelly abused, such as the terrible image of captured messengers being tortured to death in front of the Roman army (*in conspectus nostrorum militum cum cruciatu necabatur*, 5.45.1), very often it is the Gauls who suffer at the hands of their own people.³¹⁵ In fact, words of torture most often appear when a Gallic tribe beseeches Caesar for aid and protection, since they fear the cruelty or maltreatment of another barbarian nation.³¹⁶ Thus torture becomes a way for Caesar to reinforce both the beneficial nature of Roman control and the need to subdue those nations that cannot abide by moral practices.

As a final point, Caesar seldom mentions the physical bodies of the dead; more usually he relates how many died.³¹⁷ Yet the few times he does refer to corpses reinforce the contrast between the Romans and the barbarians: while all of these dead bodies are of the enemy, presumably killed in battle by the Romans, they highlight some sort of desecration by their own people. Books 2 and 7 contain the five instances of either *cadaver* or *corpus* (meaning

³¹⁴ The nouns *crux* and *cruciatu* appear three times, and the subject is likewise always the enemy.

³¹⁵ Romans being tortured: 5.45.1, 7.38.9 Gauls being tortured: 1.31.2, 1.31.12, 1.32.5, 2.31.5, 4.15.5, 5.56.2, 6.17.5, 6.19.3, 7.4.10 (*igni atque omnibus tormentis*), 7.20.9, 7.71.3 (figurative or hypothetical torture, Vercingetorix's speech—*ne se optime de communi libertate meritum in cruciatu hostibus dedant*).

³¹⁶ For instance, Diviciacus' plea to Caesar for protection from Ariovistus: *si enuntiatum esset, summum in cruciatum se venturos viderent*, 1.31.2; cf. 1.31.12, 1.32.5.

³¹⁷ Both in the formulaic *multis interfectis* and actual numbers such as *occisis ad hominum milibus quattuor* (2.33.5); naturally this number refers to the enemy dead.

specifically a dead body). In Book 2, Caesar depicts the Belgae repeatedly climbing over the bodies of their fallen comrades. We see this in his first encounter with the Bellovaci, who were noted for their virtue, authority, and number of men (*Plurimum inter eos Bellovacos et virtute et auctoritate et hominum numero valere*, 2.4.5).³¹⁸ The battle, which took place over the Axona river (Aisne), created difficulties for the enemy, as they were trying to send their forces across to the Roman camp (2.9.4).³¹⁹ Caesar reports that the fighting was fierce, and the Romans inflicted heavy losses on the Belgae, but still those remaining continue trying “most boldly” to cross over the bodies to get to them, only to be driven back anew by Roman missiles (*per eorum corpora reliquos audacissime transire conantes multitudine telorum reppulerunt*, 2.10.3). Such a graphic image can suggest both that the enemy is stubbornly courageous in the face of dire circumstances, and that they have little compassion for their dead comrades. The qualities that Caesar mentioned before which made the Bellovaci renowned literally and figuratively fall flat before the Romans: their individual *virtus* compels them to continue fighting on and their sheer numbers mean they become their own obstacle.³²⁰

This image is repeated during the climactic battle at the Sabis (Sambre) against the Nervii, another fierce Belgic tribe.³²¹ During this brutal fight, following an especially violence-

³¹⁸ Their *virtus* would seem to be the more traditional sort.

³¹⁹ For battle and topological specifics, see Pelling “Caesar’s Battle-Descriptions.”

³²⁰ Riggsby asserts that while Caesar readily mentions the *virtus* of the German tribes, under his narrowing of the definition, the Romans still excel above all others because they not only have the experience to be effective soldiers on their own, but they also have the discipline to operate as a cohesive group. The Germans, he shows, have only learned the former (*Caesar in Gaul and Rome*: 73-106).

³²¹ Discussed by R. Brown in contrast with Caesar’s depiction of Pharsalus (*BC* 3.88-94) in, “Two Caesarian Battle-Descriptions: A Study in Contrast.” *CJ* 94 (1999): 329-357. His aim is to draw out the differences in narrative foreign versus civil war. Although Brown draws a sharp contrast between the uncomplicated representation of foreign war, where one army’s *virtus* is pitted against another, and the need above all to demonstrate moral justification in civil war, the two *commentarii* are not so clear-cut. Indeed, Caesar proffers a great deal of justification for engaging in conflict in the *BG*, both as a way to justify Roman expansion generally and—I argue—to represent himself as a fitting leader for Rome itself.

filled chapter, in which Caesar helps to turn the tide (2.25),³²² the Nervii find themselves facing a reinvigorated enemy—even the wounded sought to renew the fight (*nostri etiam qui vulneribus confecti procubuissent*, 2.27.1). Caesar then describes the reaction of the Nervii:

At hostes etiam in extrema spe salutis tantam virtutem praestiterunt, ut, cum primi eorum cecidissent, proximi iacentibus insisterent atque ex eorum corporibus pugnarent, his deiectis et coacervatis cadaveribus qui superessent ut ex tumulo tela in nostros conicerent et pila intercepta remitterent (2.27.3-4).

“The enemy, however, even when their hope of safety was at an end, displayed a prodigious courage. When their front ranks had fallen, the next stood on the prostrate forms and fought from them; when these were cast down, and the corpses were piled up in heaps, the survivors, standing as it were upon a mound, hurled darts on our troops, or caught and returned our pikes.”

Caesar, as we saw above, mixes compliments with implied criticism towards his enemies. He prefaces the grisly scene as demonstrating the impressive courage of the Belgae when faced with defeat, and certainly that is true.³²³ Yet as one of the few moments where he fully narrates the horrors of war, it is a pretty disturbing picture of the Belgae. The enemy has dehumanized themselves, as they show no regard for their fallen comrades. While certainly their only concern was survival, Caesar has now given two examples within a short time of this happening (while the Romans never run into this problem), as though illustrating a gruesome tendency on the enemy’s part. However much Caesar purports to admire them, they are truly barbarians.

The final two uses of the term ‘corpse’ occur during Critognatus’ speech in Book 7, when the Gauls in Alesia have run out of grain and reinforcements are nowhere in sight.³²⁴ In this

³²² This chapter alone has five of the 17 instances of violence in Book 2. Chapter 2.10, which was just discussed has three, 2.27 (which is my current focus) also has three; the remaining six terms are scattered. These two engagements are clearly the most important.

³²³ See Koutroubas *Die Darstellung der Gegner*: 139-43 for Caesar’s tribute to the courage of the Nervii, as well as the Belgae generally. Nervii are the exception to the rule that barbarians are characterized by *inconstantia* (148).

³²⁴ This lengthy and unsavory speech has been discussed thoroughly by R. Schieffer, “Die Rede des Critognatus (B.G. VII 77) und Caesars Urteil über den Gallischen Krieg,” *Gymnasium* 79 (1972): 477-94; E. de Lorenzo, “Il discorso di Critognato (B.G., 7, 77): Struttura narrativa e ideologia,” in D. Poli (ed.), *La cultura in Cesare: atti del convegno internazionale di studi Macerata-Matelica* 2 (1990): 553-75; and R. Tullio, “Sul discorso di Critognato all’assedio di Alesia,” *Atti e memore dell’Accademia Patavina di scienze, lettere, ed Arte* 112 (1999): 107-113. It receives an honorable mention in J. Barlow, in Welch and Powell *Caesar as Artful Reporter*: 154-5; Riggsby’s

rather appalling speech, which Caesar includes “on account of its remarkable and abominable cruelty” (*propter eius singularem et nefariam crudelitatem*, 7.77.2), the Arvernian nobleman urges his fellow Gauls to reject slavery and embrace liberty by not surrendering to the Romans.³²⁵ He first chides them for giving themselves over to death before their fellow Gauls arrive: “How high do you think the spirits will be of our friends and kindred, when eighty thousand men have been slain in one spot, if they are forced to fight almost on top of their very bodies?” (*si paene in ipsis cadaveribus proelio decertare cogentur*, 7.77.8). As Caesar and his audience know, there has already been plenty of this. While no doubt Critognatus would be correct about the low morale of the reinforcements, his own plan presents an equally horrifying alternative:

Quid ergo mei consilii est? Facere, quod nostri maiores nequaquam pari bello Cimbrorum Teutonumque fecerunt; qui in oppida compulsi ac simili inopia subacti eorum corporibus qui aetate ad bellum inutiles videbantur vitam toleraverunt neque se hostibus tradiderunt (7.77.12).

“What, then is my counsel? To do what our forefathers did in the war, in no wise equal to this, with the Cimbri and Teutones. They shut themselves into the towns, and under stress of a like scarcity sustained life on the bodies of those whose age showed them useless for war, and delivered not themselves to the enemy.”

In a perversion of Caesar’s narrative technique through the *BG*, here Critognatus uses euphemistic language to propose cannibalism to the besieged Gauls.³²⁶ In his analysis of the speech, Riggsby notes that Critognatus’ emphasis on the corpses of the besieged in both options, as though it were inevitable that they would be violated.³²⁷ It is important to note, however, that

chapter “Alien Nation” analyzes the rhetorical components of the speech (it being the longest surviving piece of oratory of Caesar’s) and compares it to Cicero; *Caesar in Gaul and Rome*: 107-126; J. Gerrish “civitatem recipit: Responding to Revolt in Thucydides 3 and Caesar’s *Bellum Gallicum* 7” *New England Classical Journal* 40 (2013): 68-85, compares him to Thucydides’ Cleon.

³²⁵ The significance of Gauls uttering familiar Republican rhetoric is discussed in greater detail below.

³²⁶ Cf. Riggsby *Caesar in Gaul and Rome*: 115 with note, who draws attention too to the long gap between *corporibus ... vitam*.

³²⁷ “Critognatus had made the argument that the morale of the main force would be harmed if they arrived at Alesia after an attempted breakout and had to fight “on top of the very corpses” (8). Although it is clearly not the main

Caesar never gives the impression that the violation is ever at the hands of the Romans. In the first case, the Romans would be responsible for killing the first set of bodies; the violation would be from the reinforcements having to fight on top of their own kin. In the second case, the violation is unambiguously Gallic.

All of this is a strong contrast to the Roman practice, which we see in one brief, but telling example. Back in Book 1, following the battle at Bibracte, Caesar mentions that his army spent three days ritually burying the dead (*propter sepulturam occisorum*, 1.26.5). This is the only time the physical bodies of the dead are treated with respect. He even avoids using a term for ‘corpse,’ instead choosing to focus on the burial practice itself (*sepulturam*) rather than the violence that caused it. Thus, while Caesar for the most part refrains from relating the less savory parts of war or dwelling on the realities of lost lives, when he does use such imagery in his narrative, it reinforces the overall message of the *BG*. It is to this point that I will now turn.

VIOLENCE AND POLITICS

Even beyond using violence to make Romans look more successful, or the barbarians seem more cruel, Caesar also wields this language to draw attention to the competing political ideologies of himself and the Gauls as well as to justify his (and therefore Rome’s) actions.³²⁸ As I argued above, Caesar largely suppresses violent language, since repeated references to bloody battle and gruesome death would counteract not only the image of Caesar pacifying Gaul through the moral righteousness of Roman power, but also his own presentation as a leader who cares

point of the phrase, this may nonetheless carry the suggestion that Gallic corpses are going to be violated one way or the other” (Riggsby *Caesar in Gaul and Rome*: 115).

³²⁸ A lot of the specific episodes in this section, as well as the general themes, are mentioned in A. N. Sherwin-White “Caesar as Imperialist”. His argument, that Caesar “devotes a fair amount of space to the Gallic point of view” and “is making his indictment of the past mistakes of Rome, indicating the way in which he did *not* intend to organize his new conquests” (43), is essentially correct, though I intend to push this point further.

primarily about preserving the lives of Roman citizens. Yet even Caesar's depiction of the violence for which he himself is responsible further substantiates his overall message. In this section I will examine first how his use of violence in the narrative supports his idea of the ideal leader, and how this enables him to justify the large-scale responsibility of committing a people to war; finally, I will analyze two case studies of executions carried out by Caesar's own hand.

It has been well-established that Caesar was highly concerned with self-presentation, and that this comes through in the *BG*.³²⁹ Caesar's strategy of suppressing violence supports this objective in several ways. In the first place, it enables Caesar to position himself as a leader who is concerned with preserving Roman lives. Within the unassuming framework of the campaign-narrative, he demonstrates his competency through a variety of highly valued traits that go beyond what was expected of a proconsul or typical general. As Andrew Riggsby has shown, Caesar redefines *virtus* to mean not simply brute force (or "manly prowess" as some would phrase it), but experience and discipline.³³⁰ Towards his men, whether Roman or foreign, he highlights his attentiveness and concern for both their individual and collective well-being.³³¹ Not only does this make Caesar seem like a sympathetic and likeable commander, but such

³²⁹ In addition to the general scholarship I noted above, Ramage's important study, "Aspects of Propaganda in the *De Bello Gallico*: Caesar's Virtues and Attributes," *Athenaeum* 90 (2003): 331-372, provides a comprehensive survey of the attributes and virtues (with relevant scholarship) that Caesar uses in the narrative to develop his image. W. Batstone, in "Etsi: A Tendentious Hypotaxis in Caesar's Plain Style" *AJP* 111 (1990): 348-360, examines Caesar's use of *etsi* and *tametsi* in context of Caesar (the character) and sub-commanders. He argues that these particular concessive conjunctions, as opposed to the plain *tamen*, imply that Caesar is a man of complex thought and given to deliberation. For more on Caesar's virtues, see Rambaud 1966: 250-64, 283-93; J. R. Fears, "The Cult of Virtues and Roman Imperial Ideology" *ANRW* 2.17.2 (1981): 827-948; see specifically 884-85; Riggsby *Caesar in Gaul and Rome*. For Caesar dramatizing his personal intervention, see A. K. Goldsworthy, *The Roman Army at War, 100 BC-AD 200* (Oxford 1996): 154-6, 163-5, 169-70.

³³⁰ In Riggsby's words, "The mental toughness to do what is required of one" (88). He also sees a political component to this redefinition, which I discuss below. See his chapter, "Technology, Virtue, Victory" (*Caesar in Gaul and Rome*: 73-105). Caesar does of course display typical manly *virtus* (for instance 2.25; 5.51.4).

³³¹ Cf. 1.47, 2.25, 3.14, 5.52, 6.41. 5.52 is a particularly good example of his well-roundedness, since just before, Caesar bested the enemy in a cavalry attack, and personally slew many of them (*magnumque ex eis numerum occidit atque omnes armis exiit*, 5.51.4). See also Lendon "The Rhetoric of Combat."

behavior indicates that no matter how many people he is responsible for, Caesar will always be concerned with individual citizens.

Moreover, his diplomacy with allies and enemies alike further shows his capability of leading the state, and his broader understanding of what the *res publica* could encompass. His willingness to champion not only his own people but various Gallic tribes as well throughout the course of the *BG* has the dual benefit of demonstrating the benevolence of Roman *imperium* under Caesar as well as neatly justifying the continuation of the war.³³² While Caesar's trademark *clementia* may be more explicit in the *Bellum Civile*, we can see hints of it in the *BG* through his emphasis on the importance of *fides*.³³³ Even if the end result is further fighting, Caesar can nevertheless present himself as being more concerned with peace and security for Rome and her allies than war. Indeed, Caesar has another compelling reason for downplaying the violence taking place during the course of his campaign. Not only does he look better for being a well-rounded, benevolent leader, but he also conveys (both in his actual campaigns and in his *commentarii*) that Roman empire under his leadership is beneficial to all.³³⁴ Since it has been convincingly argued that Caesar took a wider view of who or what constituted a "Roman," and had an aim to eventually assimilate the various Gallic tribes under the banner of Roman

³³² Honoring his *amici*: 1.10, 1.31, 4.16, 5.3, 5.20.

³³³ *fides* and its cognates appear 46 times in the *BG*, with 30 in reference to Caesar. Ramage notes, "Moreover, the nature of *fides* under Caesar is introduced; it is marked by clemency, kindness, and security" ("Aspects of Propaganda": 344). This often is a pointed contrast to Gallic *fides*, both among different nations and towards Caesar (cf. Caesar urging the Boii to remain loyal, *ut in fide maneant*, 7.10.3). On *fides* generally, R. Combès, *Imperator (Recherches sur l'emploi et la signification du titre d'imperator dans la Rome républicaine)* (Paris 1966): 364-68; Fears 1981: 843 n. 67; J. Hellegouarc'h, *Le vocabulaire latin des relations et des partis politiques sous la république* (Paris 1963): 17, 23-35, 275-76, 285-90. Examples of his leniency or mercifulness are plentiful, even if *clementia* is not usually mentioned: 1.20, 2.14, 2.28, 4.15, 5.41, 6.4, 6.34, 7.40-1; *clementia* is mentioned directly at 2.14.4, when Diviciacus appeals to Caesar on behalf of the Bellovaci and Aedui (*ut sua clementia ac mansuetudine in eos utatur*).

³³⁴ Cf. 1.30.

imperium, focusing on the bloody battles and piles of dead bodies would be counterproductive for uniting Gaul under Rome.³³⁵

There is a further point worth exploring here. Caesar not only presents himself as a leader of Rome, but even as its symbolic figurehead.³³⁶ The primary function of the proconsul was to govern a province under Rome's control: in this way he represented Rome and her values. While historically proconsuls tended to abuse their powers and extort the province for their own self-interest, Caesar consciously portrays himself in the text as the embodiment of Roman values.³³⁷ We can see this particularly in Book 1, with the frequent mentions of the phrase *populus Romanus*. T. P. Wiseman was one of the first to remark upon this phenomenon, arguing that Caesar does this to stress his *popularis* stance, by reminding his audience that he aligns himself with the Roman people and their values while abroad, just as he does at home.³³⁸ A critical part of this repetition, however, and thus its interpretation, is that Caesar often links himself with this phrase. It is not just *populus Romanus*, but *Caesar* and the *populus Romanus*. Unsurprisingly, the majority of these phrases in Book 1 occur during Caesar's conflict with Ariovistus.³³⁹ When

³³⁵ A. N. Sherwin-White, in "Caesar as an Imperialist," *Greece and Rome* 4 (1957): 36-45, notes, "Caesar was deliberately avoiding the Roman methods of exploitation that had caused such extreme discontent in southern Gaul, and had led to a series of bitter revolts and bitter repressions during the last twenty years" (43). See also Riggsby *Caesar in Gaul and Rome*: 126-32; Kraus "Bellum Gallicum": 166-7 (in Griffin *Companion to Caesar*). Notably, the Gauls and Germans are forcibly distinguished in this case. The Gauls are generally portrayed as similar, if lesser and more corrupt Romans, compared to the alien and truly barbaric Germans. For Caesar's portrayal of the enemy, see D. E. Koutroubas' 1972 dissertation, *Die Darstellung der Gegner in Caesars 'Bellum Gallicum'* (Heidelberg); J. Harmand, "Une Composante scientifique du Corpus Caesarianum: le portrait de la Gaule dans le De Bello Gallico I—VII," *ANRW* (1973): 523-95; Riggsby *Caesar in Gaul and Rome*: especially 47-71.

³³⁶ Collins "Caesar as Political Propagandist": "He stands forth also as the very embodiment of the Roman imperium, ready to beat down Rome's enemies and spread the terror of her name to the Rhine, the ocean, and beyond" (941). Perhaps overly dramatic, but essentially correct.

³³⁷ Of course, Caesar is also acting out of self-interest, but he casts it as a patriotic, selfless move.

³³⁸ "The publication of *De Bello Gallico*" in Welch and Powell *Caesar as Artful Reporter*: 1-10.

³³⁹ The conflict with Ariovistus has attracted interest both for the skilled diplomatic speeches of Caesar and Ariovistus and the battle itself. On Ariovistus as a Caesar-esque enemy, particularly in his oratorical abilities, see K. Christ, "Caesar und Ariovist," *Chiron* 4 (1974): 251-92; F. Fischer, "Caesar und Ariovist: Studien zum Verständnis des Feldzugsberichts," *Bonner Jahrbücher* 199 (1999): 31-68; G. Lieberg's "Stile e sintassi in Cesare, « Bellum Gallicum » I 48-53, la battaglia contro Ariovisto," *Paideia* 57 (2002): 176-91; and Kraus "Bellum Gallicum" (in Griffin *Companion to Caesar*: 170-71). Powell cites this conflict as an example of how Caesar's presentation of conflict prepares the audience for a subsequent massacre (in Welch and Powell *Caesar as Artful Reporter*, esp. 125,

Diviciacus first informs Caesar about Ariovistus' oppression of several of the Gallic tribes, he begs, "Unless some means of assistance is to be found in Caesar and in the Roman people (*in Caesare populoque Romano*), all the Gauls must needs do just what the Helvetii have done..." (1.31.14). After hearing further about the atrocities perpetrated by Ariovistus against the Gauls, particularly the the Sequani, we get to see Caesar's thought process leading up to the decision to act swiftly. He reflects on the subjugation of the Aedui, allies of the Roman people, and states, "This, considering the greatness of the Roman empire, he deemed to be an utter disgrace to himself and to the state" (*quod in tanto imperio populi Romani turpissimum sibi et rei publicae esse arbitrabatur*, 1.33.2).³⁴⁰ This could link Caesar with not only the *populus Romanus* but also the *res publica* reinforces the image of Caesar standing in for all of Rome; it further implies that any and all actions on Caesar's part are both in accord with Roman values and in Rome's interest. After Book 1, mentions of the *populus Romanus* and even the *res publica* drop off considerably, presumably because Caesar has firmly established his presence in Gaul and his connection to the state. By this point, Caesar has simply become the state.³⁴¹

It is under this mantle that Caesar carefully justifies committing Roman citizens to war and contrasts with the Gauls. Here the use and abuse of violence that I illustrated above takes on greater significance. In overly broad terms, the Gauls initiate violence out of their own self-interest, while Caesar and the Romans either respond (rather than initiate), or seek retribution for themselves and their allies. This dichotomy created by Caesar has been well-recognized by scholars, both in terms of Caesar's own self-fashioning and the Roman mentality towards

127-30). Even the space between their parley and the battle itself is of interest; see Lieberg, "Zu Caesars Auseinandersetzung mit Ariovist und speziell zu Bellum Gallicum I, 46-47," *GB* 24 (2005): 111-19. For an analysis of Caesar's topographical narrative and the battle proper, see C. Pelling, "Caesar's Battle-Descriptions and the Defeat of Ariovistus." *Latomus* 40 (1981): 741-766.

³⁴⁰ See also 1.31.17, 1.31.15, 1.34.4, 1.35.1-2, 1.35.4, 1.40.3, 1.45.1; 4.17.1, 5.7.2.

³⁴¹ The significance of this strategy should not be overlooked. Indeed, Caesar would not have been the logical choice as the embodiment of Rome for the rest of the Roman elite, which I discuss in greater detail below.

expansion.³⁴² Yet important, political aspects of this categorization have gone unnoticed, whose ramifications extend beyond the immediate stereotype. Many instances of Gallic violence are politically motivated, both at the individual and group level, and have striking Republican-esque elements. In particular, they frequently justify initiating violence against Caesar on behalf of their liberty (*libertas*).³⁴³ Since he has already established the natural aggressiveness and fickleness of the Gauls and Germans, Caesar could have left it at that. This makes their use of *libertas* to initiate violence particularly interesting. Indeed, we find that the further along in the *BG*, the more often the Gauls raise the familiar dichotomy of *libertas* versus *servitium*.³⁴⁴ Caesar, on the other hand, only uses violence (and only goes to war) when it is to protect or avenge his people, whether Roman or allied; he takes great pains in the *BG* to show that he never initiates violence against individuals or groups. Such principles make his actions seem both more honorable and legitimate. Moreover, when set against the pseudo-Republican Gauls, Caesar demonstrates that his method, which prioritizes the preservation of the people under his efficient and effective command, is ultimately better for Roman citizens.³⁴⁵

The most famous example of this is in Book 1, when Caesar explains why he did not want the Helvetii to enter the Roman province: “Caesar, because he kept in mind the fact that the consul, Lucius Cassius, was killed and his army was beaten by the Helvetii and sent under the yoke, decided that [their request] should not be granted” (*Caesar, quod memoria tenebat L.*

³⁴² See above. More generally, Goldsworthy *Roman Army at War*.

³⁴³ For the use of *libertas* at this time, see Arena *Libertas as Political Idea* and Wirszubski *Libertas*.

³⁴⁴ Some are uncertain (Aedui), others are pretty clear. 3.8.4 (Veneti), 5.29.4 (Gaul), 5.38.2 (Ambiorix to Nervii), 6.7.7 (Gauls in cavalry who favor cause), 7.1.5 (leading men before joining with Vercingetorix), 7.76.2-77.15 (Critognatus).

³⁴⁵ Seager argues that Caesar allows space for both the Roman perspective and Gallic perspective in order to illustrate the two competing attitudes: Caesar is not particularly criticizing Roman action, but rather that it simply does not matter if the Gauls had a noble reason for fighting back. Rome is greater and will prevail (a view taken for granted by Roman audience) (in Cairns and Fantham *Caesar against Liberty: 22-26*). Such an attitude may certainly be present, but I argue that Caesar is accomplishing far more with his narrative than simply righteous patriotism.

*Cassium consulem occisum exercitumque eius ab Helvetiis pulsum et sub iugum missum, concedendum non putabat; 1.7).*³⁴⁶ As many have noted, Caesar uses an instance of past aggression to justify any initiative the Romans may take against the Helvetii, transforming the war into one of retribution for past Roman injury.³⁴⁷ And indeed, soon after, the Romans and Helvetii have their first hostile encounter, which Caesar justifies two more times. First, the Aedui and Allobroges seek Caesar's help and protection against the Helvetii, who have been ravaging their lands (1.11.2-4). At last, when the actual fighting occurs, Caesar states that he can now satisfy both public and private injustices against the Helvetii (*Qua in re Caesar non solum publicas, sed etiam privatas iniurias ultus est, quod eius soceri L. Pisonis avum, L. Pisonem legatum, Tigurini eodem proelio quo Cassium interfecerant, 1.12.7*). Caesar has taken great pains to show why he was committing the Romans to warfare.³⁴⁸ His reasons, avenging Romans deaths and injuries as well as protecting Roman allies, send a powerful message that Caesar's

³⁴⁶ Riggsby, in his discussion about all of the references to past military encounters with Gauls and Germans in Book 1, suggests that Caesar puts them up front to give the sense of ongoing hostility, as a justification for him to continue that (*Caesar in Gaul and Rome: 178*). Contra Collins "Caesar as Political Propagandist", who sharply differentiated between Caesar's "careless and incidental self-justification" in the *BG* and the *BC*, where "we find every device of propaganda" (933). Collins also lists all of the 'atrocities' that Caesar does not bother to justify (934-5), though I will disagree with this. For a general discussion of Caesar's justification for the campaign against Helvetians, see Ramage "Bellum Iustum": 149-154.

³⁴⁷ This point goes all the way back to Cicero, who laid out the principles of a *bellum iustum* in the *de Officiis* (1.34-36) and *de Re Publica* (3.34-5). To be considered "just," reparations had to have been sought and war officially declared (*nisi quod aut rebus repetitis geratur aut denuntiatur ante sit et indictum, de Off. 1.36*). Embedded within that point is the idea that the Romans had suffered some sort of *iniuria* at the hand of another first, and thus were justified essentially in seeking retribution. Cf. Stevens "Bellum Gallicum as Propaganda", who argues that Caesar distorted the chronology in Book 3 to make it appear that his naval force is responding to the Veneti revolt, rather than the other way around (more on this below). E. Ramage explores in great detail the various justifications Caesar uses to go to war with each of the major barbarian foes, including the theme of retaliation, in "The Bellum Iustum in Caesar's De Bello Gallico" *Athenaeum* 89 (2001): 145-170. R. Seager also looks at revenge as one of the main forms of justification in the *BG*, though he argues that overall there is little true justification aside from Book 1, but rather the sense of entitlement inherent in Roman culture; see "Caesar and Gaul: some perspectives on the *Bellum Gallicum*" in Cairns and Fantham *Caesar Against Liberty*: 19-34. Riggsby's chapter "Empire and the 'Just War'" (*Caesar in Gaul and Rome: 157-89*), summarizes the ancient and modern takes on Rome's traditional justifications for war and closely compares Cicero and Caesar's methods in practice. See also Kraus "Bellum Gallicum" in Griffin *Companion to Caesar*. For general just war theory and the debate whether Roman imperialism was "defensive," see Harris "Was Roman Law Imposed".

³⁴⁸ Contra Collins "Caesar as Political Propagandist": 927.

priorities are Rome and Roman-allied peoples.³⁴⁹ Typical Roman values such as glory and virtue and spoils are certainly a part of the narrative, but not a part of why Caesar uses violence.

The general dichotomy of violent Gauls on the one hand and Caesar as protector and restorer on the other even extends to individual acts of political violence. While this is a subtler motif, there are a few notable instances of Gauls killing off their own kings, in contrast to Caesar, who worked to restore traditional, monarchical rule to prominent Gauls. In Book 5, Caesar singles out Tasgetius of the Carnutes as an upstanding man, whose ancestors had held the throne previously (5.25.1). Because of Tasgetius' virtue, kindness, and help during the campaigns, Caesar restored him to his ancestral power (5.25.2). A few years later, however, Tasgetius is killed by his *inimici* (*Tertium iam hunc annum regnantem inimici...eum interfecerunt*, 5.25.3), and Caesar quickly seizes those responsible before they can start a revolt. Later in the book, Caesar reports that the Senones tried to kill Cavarinus, whom Caesar had appointed as king (*Cavarinum...interficere publico consilio conati*, 5.54.2). Cavarinus, like Tasgetius, had family connections to the throne: his brother Moritasgus had held the kingship when Caesar first arrived in Gaul, and his ancestors had ruled before him. This attempted murder, which was done with public approval, is a clear indication that the Senones—whom Caesar described as a nation of prominent power—refused to submit to Roman sovereignty. Yet the earlier emphasis on Cavarinus' ancestry also shows that Caesar was not simply appointing one of his own men to control the Senones on behalf of Rome; the real concern motivating this people was that Cavarinus likely recognized the benefit of a Roman alliance and the Roman empire. Finally, in Book 7, when describing how Vercingetorix rose to power, Caesar explains

³⁴⁹ Caesar's exchange with Ariovistus (1.43-45) further highlights the care with which Caesar portrays his justification of war. Caesar responds only to those arguments that reinforce his own self-presentation: reiterating his friendship with Aedui (self-interested or not), and that Rome had prior claim to Gaul (but was a non-aggressor). See further Riggsby *Caesar in Gaul and Rome*: 184-7.

that his father was put to death by the state because he sought kingship (*cuius pater principatum Galliae totius obtinuerat et ob eam causam, quod regnum appetebat, ab civitate erat interfectus*, 7.4.1). Here, the issue was not that Vercingetorix's father had significant power, but that he specifically sought to turn the chieftancy into a kingship (*quod regnum appetebat*). In all of these cases, Caesar uses key Republican terms like *inimici* and *regnum* to show us how the Gauls are resistant to kings, and appear to have traditional Republican ideas about how to deal with them.³⁵⁰ By contrast, Caesar appears to merely restore to power those who deserve the office.³⁵¹ Since Caesar as the Roman is the clear protagonist of the account, demonstrably advocating for worthy Gauls in addition to his own people, this juxtaposition with the tyrannicidal Gauls could create an interesting dissonance for the reader.

It was imperative for Caesar to defend himself to the Roman people while he was away. From the 60s on, if not earlier, Caesar had been blasted by staunch optimates such as Cato for his *popularis* ways.³⁵² His consistent championing of the Roman people throughout his political career was viewed in a negative light by other prominent politicians, and his consulship and agrarian law in 59 only seemed to confirm to his *inimici* that he was the next Tiberius Gracchus. This conflict continued throughout the 50s while Caesar was abroad, with Cato trying to demonize Caesar and the other dynasts, interfere with the alliance, and turn the senate and public against him. Kurt Raaflaub sums up the charge against Caesar:

³⁵⁰ Interestingly, the Germans do not appear to share the same attitude. At the start of Book 2, Caesar relates several reasons why the Belgae were riled up against Roman army, including the fact that Roman rule would prevent powerful men from becoming kings (*qui minus facile eam rem imperio nostro consequi poterant*). He himself notes that the Belgae are Germanic in origin (2.4.1), so they differ from the other neighboring tribes; the Suessiones had a king (Diviciacus, now Galba, 2.4.7).

³⁵¹ Caesar also champions Diviciacus of the Aedui and Cingetorix of the Treveri and secures a *principatum* for them, justifying this action because of their exemplary qualities (1.18.8, 5.4.3).

³⁵² See Introduction.

“During the war, all sources agree, Caesar’s opponents represented their fight as a “great patriotic war” for the preservation of liberty and the republic, against a rebel and traitor who was aiming at tyranny and the destruction of the state.”³⁵³

As we will see, Caesar never places himself in the guise of the revolutionary *popularis* figure, nor does he use overtly anti-Republican language: instead, as I argued earlier, he makes himself the figurehead of Roman authority. He adopts the positive language used to describe successful, well-liked leaders that was already in use during this time as a way to subtly convince his audience that all of his actions are in the interests of the state and people.³⁵⁴

I suggest, then, that Caesar might connect the otherwise stereotypical characteristics of overly violent *hostes* abroad to the debate about liberty in order to allude to his *inimici* at home. Even if this assimilation of his foreign and domestic enemies is not necessarily noticed by his audience, this strategy of distilling the campaign down to competing ideologies allows Caesar to demonstrate that he seeks to prevent violence where possible and protect the rights of Roman citizens; in the cases where those rights are threatened, only then does Caesar take swift and effective action.

For the remainder of the chapter, I will explore two case studies that illustrate the ideological opposition between Caesar and the Gauls in their perception of the legitimacy of violence in politics. Caesar demonstrates that while he tends to seek out nonviolent means to resolve conflict, he will not hesitate to employ swift and definitive force to protect Roman lives.

Dumnorix

³⁵³ K. Raaflaub, “Caesar the Liberator? Factional politics, civil war, and ideology” (in Cairns and Fantham *Caesar Against Liberty*: 49). In this chapter, he discusses Caesar’s relationship with the ideological buzzword *libertas* before, during, and after the civil war.

³⁵⁴ Cicero’s positive portrayal of Pompey in the *De imperio Cn. Pompei* provides a useful model for the construction of individual leaders in the Late Republic, which I explore in another paper.

Caesar's interactions with Dumnorix illustrate not only their competing ideologies but also Caesar's full range of exemplary leadership qualities. We first hear about Dumnorix in Book 1, when Orgetorix attempted to unite Gaul under the combined dictatorships of himself, Casticus of the Sequani, and Dumnorix the Aeduan (1.3.3-4). While the Aedui have traditionally been friends of the Roman People and Caesar,³⁵⁵ Caesar mentions that Dumnorix held the chieftaincy and was very popular with the people (*maxime plebe acceptus erat*, 1.3.5). With that one phrase, Caesar taps into the traditional fears of the Roman elite about the *popularis* figure. Since we know he has joined up with Orgetorix, it confirms that he is also bent on revolution and self-interest. He is also, however, the brother of Diviciacus, an important ally to Caesar. When Caesar refuses to let the Helvetii cross through the province, they send Dumnorix to the Sequani to gain permission to use that route. Caesar explains that Dumnorix is also known for his popularity among the Sequani, because of his munificence (*gratia et largitione apud Sequanos plurimum poterat*), but again his aims are absolute power (*et cupiditate regni adductus novis rebus studebat et quam plurimas civitates suo beneficio habere obstrictas volebat*, 1.9.3). In this line we have not only mention of *regnum* but also *novae res*, two of the most hated and feared concepts in the Republic. There is no doubt at this point that Caesar's audience is supposed to be against Dumnorix and on Caesar's side. Caesar also reinforces the dichotomy between his rightful authority and Dumnorix's shady if not illegitimate attempts at power.

After the Romans suffer a few setbacks—a minor cavalry defeat by the Helvetii (1.15.1) and grain shortage (1.16)—Caesar soon discovers that certain members of the Aedui (and Dumnorix) were to blame. After talking to some of the magistrates, he learns that the people have been persuaded by the seditious words of certain powerful men (*Hos seditiosa atque*

³⁵⁵ Cf. 1.11.2-3, 5.54.4.

improba oratione multitudinem deterrere, 1.17.2). They declare that if the Romans defeat the Helvetii, they will soon take liberty from the Aeduans and the rest of Gaul (*neque dubitare quin, si Helvetios superaverint Romani, una cum reliqua Gallia Haeduis libertatem sint erepturi*, 1.17.4).³⁵⁶ One of Caesar's informants, Liscus, also mentions that these men, private citizens, were more powerful than the actual elected magistrates (*esse non nullos, quorum auctoritas apud plebem plurimum valeat, qui privatim plus possint quam ipsi magistratus*, 1.17.1); in fact, he was under great risk in telling Caesar these things (1.17.6). The danger of private citizens with too much authority or public influence taps into common fears of another Catiline or even Caesar's own dynastic alliance with Pompey and Crassus; here, however, Caesar is firmly on the side of legitimate Roman authority. The Gallic conspirators use the idea of *libertas* as a way to manipulate the other Gauls into risking conflict with the Romans. Liscus and the other magistrates eventually admit that Dumnorix was not only a prominent figure in this rebellion, but also had started the retreat during the cavalry skirmish before which caused a panic (1.18.10). While Dumnorix has for the most part acted against Caesar and the Romans indirectly, all of the minor acts of unprovoked aggression result in one significant threat to Rome and its allies, forcing Caesar to address it and secure the well-being of his men.³⁵⁷ It seems apparent that Caesar is justified in stopping the Aeduan by whatever means necessary.

³⁵⁶ Here, freedom means not being commanded by the Romans, for they recognize that they may take orders from other Gauls (*si iam principatum Galliae obtinere non possint, Gallorum quam Romanorum imperia perferre*, 1.17.3). This is another important dynamic that Caesar draws attention to throughout the *BG*. The other Gauls are never truly free unless they happen to be the ones oppressing their neighbors. Riggsby observes, "Although fear of being reduced to Rome's slaves remains perhaps an understandable motivation for the Gauls at a historical level, its value as philosophical justification is reduced. Conversely, Caesar suggests that enslavement was not a primary goal of the wars, even if it were arguably the primary instrument" (*Caesar in Gaul and Rome*: 184).

³⁵⁷ Incidentally Dumnorix is the reason why the Aedui seek aid from Caesar in the first place (at 1.11)—he convinced the Helvetii to cross through the Sequani and Aedui regions, whereupon the Helvetii began laying waste to the Aedui lands.

Yet unlike Orgetorix, whose similar desire for power soon turned his own people against him and cost him his life,³⁵⁸ Dumnorix escapes punishment for his seditious behavior because of the importance Caesar places on *fides*. Caesar's thought process on how best to handle a threat like Dumnorix underscores his priorities as leader over Romans and allies:

quod ea omnia non modo iniussu suo et civitatis sed etiam inscientibus ipsis fecisset, quod a magistratu Aeduorum accusaretur, satis esse causae arbitratur quare in eum aut ipse animadverteret aut civitatem animadvertere iuberet. His omnibus rebus unum repugnabat, quod Diviciaci fratris summum in populum Romanum studium, summum in se voluntatem, egregiam fidem, iustitiam, temperantiam cognoverat; nam ne eius supplicio Diviciaci animum offenderet verebatur (19.1-2).

“He had done all this not only without orders from his state or from Caesar, but even without the knowledge of either; he was now accused by the magistrate of the Aedui. Caesar deemed all this to be cause enough for him either to punish Dumnorix himself or to command the state to do so. To all such procedure there was one objection, the knowledge that Diviciacus, the brother of Dumnorix, showed the utmost zeal for the Roman people, the utmost goodwill towards himself, in loyalty, in justice, in prudence alike remarkable; for Caesar apprehended that the punishment of Dumnorix might offend the feelings of Diviciacus.”

By all accounts, Caesar would be completely justified in taking severe action against Dumnorix. He spells out the justifications in plain language for his Roman audience: Caesar could have taken action based on the clear evidence of rebellion and his position of authority, and is doubly supported by Liscus' accusation. Had this been in Rome, there is little doubt that an *s.c.u.* would have already been in effect and Dumnorix put down in the usual dramatic fashion. Yet Caesar does not turn to violence. Instead, he cites the importance of Diviciacus as a friend to him and

³⁵⁸ Cf. 1.2.1 *regni cupiditate inductus*. The importance of Orgetorix's trial and subsequent suicide may not be readily apparent, coming as early as it does in the work. But here the Helvetii provide a model for dealing with a usurper: they put him on trial according to their custom (*Moribus suis Orgetoricem ex vinculis causam dicere coegerunt* 1.4.1), and although he played the system and appeared to escape justice, the state then attempts to pursue its right with force (*Cum civitas ob eam rem incitata armis ius suum exsequi conaretur multitudinemque hominum ex agris magistratus cogere, Orgetorix mortuus est; neque abest suspicio, ut Helvetii arbitrantur, quin ipse sibi mortem consciverit*, 1.4.3-4). By contrast, the other nations often fail live up to this example, instead either attempting to pardon the perpetrators or lacking the ability to act at all. Caesar will end up having to serve as the state for dealing with Dumnorix, in lieu of the Aedui.

the Roman people.³⁵⁹ Caesar nevertheless addresses the problem in his efficient, reasoned manner: he pardons Dumnorix's seditious actions, warns Dumnorix to avoid suspicion for the future, and moves on with his campaign (1.20.5). Caesar thus shows himself to be a leader who is concerned with establishing and preserving *fides*, and can deal with a potential threat without violence.

Caesar's leniency, which soon would become a familiar trait, was enough for a few years. But unfortunately his misgivings about Dumnorix are realized at the beginning of Book 5.³⁶⁰ After a brief introducing the divisive figures of Indutiomarus and Cingetorix, who would play a significant role in the rest of the book and repeat the Diviciacus-Dumnorix pattern, Caesar sets off for Britain with several thousand Gallic cavalry and chiefs from every state, including Dumnorix. Caesar states that he wanted to keep Dumnorix close by since he was well aware of the man's desire for revolution and power, as well as his influence over the other Gauls (*quod eum cupidum rerum novarum, cupidum imperi, magni animi, magnae inter Gallos auctoritatis cognoverat*, 5.6.1).³⁶¹ And in fact Dumnorix immediately begins to sow discontent among the other leaders, hinting that Caesar was taking them away from Gaul so he could execute them without fear (*id esse consilium Caesaris, ut quos in conspectu Galliae interficere vereretur, hos omnes in Britanniam traductos necaret*, 5.6.5).³⁶² Dumnorix then compels the other hostages to make a pact to act in the common interest of Gaul.

Caesar soon learns of this plan from a number of individuals (*Haec a compluribus ad Caesarem deferebantur*, 5.6.6). Considering Dumnorix's anti-Roman attitude, it is likely that we

³⁵⁹ Reiterated at 1.20.5: *tanti eius apud se gratiam esse ostendit uti et rei publicae iniuriam et suum dolorem eius voluntati ac precibus condonet*. For the rhetorical drama of their interaction, see Ramage "Bellum Iustum": 154.

³⁶⁰ He did post guards over Dumnorix to report his actions (1.20.6), so he was likely not taken completely unawares.

³⁶¹ Cf. 1.9.3.

³⁶² Opelt posits that this use of *necare* highlights Caesar's cruelty ("Toten und Sterben": 107); while this particular verb of killing is indeed stronger than *interficere*, in Caesar it means "to execute (by the state)," and thus appears in limited contexts.

are supposed to assume that several Gauls informed against their kinsman, a point in Caesar's favor. As before, Caesar deliberates about how to deal with Dumnorix, this time with a different conclusion:

Qua re cognita Caesar, quod tantum civitati Aeduae dignitatis tribuebat, coercendum atque deterrendum quibuscumque rebus posset Dumnorigem statuebat; quod longius eius amentiam progredi videbat, prospiciendum, ne quid sibi ac rei publicae nocere posset (5.7.1-2).

“After learning of the affair, Caesar, because he attached so much importance to the Aeduan state, thought that Dumnorix should be suppressed and dissuaded by whatever means possible; but he also thought, because Dumnorix's madness seemed to be getting worse, that he must ensure that nothing harm himself and the state in any way.”

As before, there are two major considerations: Caesar's relationship with the Aeduan state, and the potential for Dumnorix to be a threat to himself and the Roman people. Unlike in Book 1, however, where Caesar had to balance out acting against Dumnorix with possibly insulting his allies, at this point, subduing Dumnorix would actually be to the benefit of the Aedui, as signified by the *quod* clause. He has harassed his own people long enough. Furthermore, Dumnorix has now become a real threat to Caesar and the Roman *imperium*; Caesar captures the magnitude of the threat by using language that is strongly reminiscent of an *s.c.u.*³⁶³ This is a clever move on a number of counts. The familiar wording signals to his readers that this was an emergency situation, and that Dumnorix is *officially* a threat to the state. He strikingly includes himself in the negative purpose clause, making himself (*sibi*) parallel to the Roman state (*rei publicae*). Caesar, who would have written this narrative after the fact, uses this language despite deviating from the traditional approach of eliminating the threat without warning or due process. Since he was one of the most vehement protesters of the *s.c.u.* in 63 to execute the Catilinarian conspirators without a trial, he has shown that he can use this Roman decree but use it better.

³⁶³ Cf. Cic. *Cat.* 1.3; *Phil.* 5.34; *Rab. Perd.* 20; Sall. *Hist.* 1.77.22; Asc. 34C.

Finally, once again by using this very Roman language against a Gaul who conforms to the stereotypical Roman rabble-rouser, he puts himself on the side of not just Rome but also tradition and law.

The climax of this episode plays out in typical Caesarian fashion. Caesar narrates:

Qua re nuntiata Caesar intermissa profectioe atque omnibus rebus postpositis magnam partem equitatus ad eum insequendum mittit retrahique imperat; si vim faciat neque pareat, interfici iubet, nihil hunc se absente pro sano facturum arbitratus, qui praesentis imperium neglexisset. Ille enim revocatus resistere ac se manu defendere suorumque fidem implorare coepit, saepe clamitans liberum se liberaeque esse civitatis. Illi, ut erat imperatum, circumstant hominem atque interficiunt: at equites Aedui ad Caesarem omnes revertuntur (5.7.6-9).

“After the report had been made, Caesar delayed the departure, postponed everything else, and sent a large detachment of cavalry to follow Dumnorix, and ordered that they bring him back: if he should resort to force or refuse to obey, Caesar ordered that he be put to death, thinking that one who had ignored his authority while present would be up to no good while he was absent. Indeed Dumnorix, upon being summoned back, began to resist and defend himself with force and seek aid among his followers, repeatedly shouting that he was a free man and born in a free state. The men, as they had been ordered, surround the man and kill him; yet the whole Aeduan cavalry return to Caesar.”

Caesar acts rapidly to prevent Dumnorix from doing any further harm. As we have come to expect, he specifically seeks the non-violent route first, only specifying that Dumnorix be put to death if he resists or uses violence against his pursuers. Dumnorix takes one last opportunity to try to turn those sent to apprehend him away from Caesar, begging for help (*fidem implorare coepit*) and shouting that he is a free man in a free state (*saepe clamitans liberum se liberaeque esse civitatis*). Dumnorix is yet again mimicking the role of the Roman Republican troublemaker, for he appears to be invoking the ancient Roman tradition of *provocatio*, which arose from appeals for help (often *fidem implorare*).³⁶⁴ While the origins and use of *provocatio* are themselves respectable, in Dumnorix’s case it is insincere at best, given his consistent, self-

³⁶⁴ For a comprehensive overview, see Lintott “Provocatio. From the Struggle of the Orders to the Principate” *ANRW* 2 (1972): 226-67; see also R. Develin, “‘Provocatio’ and Plebiscites. Early Roman Legislation and the Historical Tradition” *Mnemosyne* 31 (1978): 45-60; R. A. Bauman, “The Lex Valeria de provocation of 300 B.C.,” *Historia* 22 (1973): 34-47.

serving behavior. His use of *libertas* has been revealed to be merely empty words to justify violent and self-interested action.

Nevertheless, Caesar's narrative confirms quite clearly that Dumnorix was the first to use force (even before pleading), and that the cavalry merely follow the orders given (*ut erat imperatum*);³⁶⁵ this act of violence on Caesar's part is impersonal and circumscribed.³⁶⁶ While adding that aside may seem unnecessary, it is a significant action for the Aedui. Up until this point, Dumnorix has had undue influence over his countrymen and tried repeatedly to turn them against Caesar. Their single act of violence is also an act of loyalty to their rightful leader, and devoid of emotion towards one of their own, who had betrayed everyone for his own gains. Furthermore, despite the rather grim task, it is significant that the Aedui returned to Caesar. Whether they feared a similar fate if they defected (though Caesar has repeatedly shown himself to be tolerant) or fully supported Caesar is unknown, but the end result is the same: Caesar, acting as the Roman state, ended a threat to the state and a threat to even Gallic interests. They know who the real power is and that their well-being depends on him.

Caesar has taken an important step in acting on behalf of the Roman state and its interests to eliminate a threat. He may not have done so with an *s.c.u.* specifically, but the circumstances and intentional wording make the parallel clear. Unlike the previous uses of the *s.c.u.*, however, Caesar did not resort to violence when Dumnorix proved to be a threat in Book 1, instead choosing to uphold his friendship with Diviciacus and the Aeduan allies. When Dumnorix could

³⁶⁵ Ramage "Aspects of Propaganda": 359 with note.

³⁶⁶ Kraner *Commentarii* (Vol 2): 16: "Caesar does not hesitate to mention Dumnorix's appeal for his independence, by which its case against him is shown in true light...The explicit repetition of *ut erat imperatum* shows even more how little he cares to gloss over the fact or reject it" (C. trägt kein Bedenken, die Berufung des Dumn. auf seine Unabhängigkeit zu erwähnen, durch welche sein Verfahren gegen ihn im wahren Lichte gezeigt wird...Die ausdrückliche Wiederholung: *ut erat imperatum* zeigt noch mehr, wie wenig es ihm darum zu tun ist, die Tat zu beschönigen oder von sich abzulehnen). Caesar had given Dumnorix enough chances that such appeals were clearly specious.

no longer be contained, Caesar had his men carry out the order dispassionately and without danger or casualty to anyone else. Caesar himself may have been characterized as a Dumnorix-style character by his *inimici*, but here he turns that assumption on its head and conveys clearly plainly that he is the legitimate authority and benevolent leader, not the threat.

Veneti

Caesar's engagement with the Veneti in Book 3 similarly illustrates the triumph of one ideological position over another, as well as the proper application of violence. This particular narrative has come under fire by scholars, both for the apparent distortion of events and Caesar's execution of the Veneti senate.³⁶⁷ Although many have commented on Caesar's unusually harsh punishment of the Veneti and the seeming hypocrisy over detaining representatives in Book 4, if one considers the entire episode, Caesar's actions are in fact consistent with his general policy and the circumstances.³⁶⁸

The Veneti are introduced right after Caesar states that all of Gaul was once again at peace (3.7.1). Publius Crassus of the Seventh Legion sent envoys to several of the tribes to seek out grain, including two to the Veneti, a prominent nation with extensive naval power.³⁶⁹ The Veneti decide to detain the two Roman representatives, Silius and Velanius, in the hopes of getting back their own hostages from Crassus (*Ab his fit initium retinendi Silii atque Velanii*,

³⁶⁷ Levick states, "The chronology of all this [the Veneti response], and the chronology and logistic details of the campaigns of Caesar himself on land and of D. Brutus whom he had put in charge of the fleet are remarkably unclear" (64). The Veneti episode was one of three which Stevens highlighted as being severely distorted ("Bellum Gallicum as Propaganda": 8). He argued that the Veneti revolted because a naval force had been ordered, not that a naval force had been ordered because the Veneti revolted; that is, Caesar did intend to invade Britain in 56 (10). See Levick's review of Stevens in, "The Veneti Revisited: C.E. Stevens and the tradition on Caesar the propagandist" in Welch and Powell *Caesar as Artful Reporter*: 61-83.

³⁶⁸ His actions in Book 4 are discussed below.

³⁶⁹ For the intentionally novel characterization of the Veneti, who appear "almost amphibious," see H. Schadee "Caesar's Construction of Northern Europe: Inquiry, Contact and Corruption in "De Bello Gallico." CQ 58 (2008): 165-67.

quod per eos suos se obsides, quos Crasso dedissent, recuperaturos existimabant, 3.8.2). Caesar emphasizes that the Veneti are initiating the hostilities (*Ab his fit initium*), implying that they are thus responsible for any consequences of their action. The situation escalates, as the Veneti encourage other neighboring tribes to likewise hold onto their Roman envoys, and form a mutual pact to act for the common interest: “Moreover, they urged the remaining states to choose rather to abide in the liberty received from their ancestors than to endure Roman slavery” (*reliquasque civitates sollicitant, ut in ea libertate quam a maioribus acceperint permanere quam Romanorum servitutum perferre malint*, 3.8.4). The Veneti justify their antagonistic behavior with the argument that they must preserve their liberty and prevent slavery by the Romans.³⁷⁰ Given Caesar’s earlier comment about the dominance of the Veneti before this (3.8.1), it is clear that the Veneti are motivated just as much by self-interest, since the other states already submit to their authority; indeed, the other Gallic states were compelled to follow their treachery because of that authority (*horum auctoritate finitimi adducti*, 3.8.3). Their stated motive of liberty, then, is tempered by their own obvious desire to continue exercising control over other Gauls.³⁷¹

Caesar, who was far off at the time, responds by hastening to meet the army gathering against this new threat (*His rebus celeriter administratis ipse, cum primum per anni tempus potuit, ad exercitum contendit*, 3.9.2). Here his characteristic swiftness (*celeriter*) not only demonstrates efficiency in organizing and commanding his army, but also suggests the seriousness of the situation, that it was important to him personally to recover them (*ipse...ad exercitum contendit*).³⁷² Caesar’s particular concern is confirmed soon after, when the Veneti

³⁷⁰ This in itself is not unusual: Roman authors often put anti-Roman sentiments into the mouths of their enemies: Sall. *Hist.* 4.69; Livy 9.1; Tac. *Agr.* 30-31. See Collins “Caesar as Political Propagandist”: 937; L. Canali, *Giulio Cesare* (Rome 1985): 51-53; and more recently, E. Adler’s *Valorizing the Barbarian* (Austin 2011).

³⁷¹ As mentioned above, the fate of most of the Gallic tribes appears to be submission to other Gauls or Germans.

³⁷² For more on Caesar’s swiftness, see Ramage “Aspects of Propaganda”, 339-41.

realize the trouble they have caused: “The Veneti and likewise the rest of the states were informed of Caesar’s coming, and at the same time they perceived the magnitude of their offense” (*Veneti reliquaeque item civitates cognito Caesaris adventu, simul quod quantum in se facinus admisissent intellegebant*, 3.9.3). Already, there is a moral component to this conflict: while acting to preserve liberty may be a noble cause in itself, Caesar’s narrative makes it clear that their action is a greater crime (*facinus*) that overshadows it. The action of detaining the legates may not be actual violence but, to Caesar, it is an unacceptable threat.

After detailing the advantages the Veneti and the other Gauls had in the impending sea battle, Caesar explains why it was nevertheless necessary to engage the enemy over this issue:

Erant hae difficultates belli gerendi quas supra ostendimus, sed tamen multa Caesarem ad id bellum incitabant: iniuria retentorum equitum Romanorum, rebellio facta post deditionem, defectio datis obsidibus, tot civitatum coniuratio, in primis ne hac parte neglecta reliquae nationes sibi idem licere arbitrarentur. Itaque cum intellegeret omnes fere Gallos novis rebus studere et ad bellum mobiliter celeriterque excitari, omnes autem homines natura libertati studere et condicionem servitutis odisse, prius quam plures civitates conspirarent, partiendum sibi ac latius distribuendum exercitum putavit (3.10.1-3).

“The difficulties of the campaign were such as we have shown above; but, nevertheless, many considerations moved Caesar to undertake it. Such were the outrageous detention of Roman knights, the renewal of war after surrender, the revolt after hostages given, the conspiracy of so many states—and, above all, the fear that if this district were not dealt with the other nations might suppose they had the same license. He knew well enough that almost all the Gauls were bent on revolution, and could be recklessly and rapidly aroused to war; he knew also that all men are naturally bent on liberty, and hate the state of slavery. And therefore he deemed it proper to divide his army and disperse it at wider intervals before more states could join the conspiracy.”

Of the possible reasons to engage the Veneti and allies, Caesar includes only those that make Gaul the aggressor and seem to absolve him of any responsibility other than to his men. Even his phrasing “Many factors compelled Caesar to war” demonstrates that the Gauls initiated the subsequent violence; Caesar purposefully takes on the role of defender and protector of

individuals and their rights.³⁷³ While he lists the grievances in order of occurrence in the narrative, he still gives especial prominence to the detaining of the Roman envoys (*iniuria retentorum equitum Romanorum*).³⁷⁴ The *rebellio* after all marks the actual intention of armed conflict—as Caesar stated above, the Veneti decision to hold the Romans hostage was designed to get their own hostages back, so violence theoretically was not necessary. By instead marking the beginning with the holding of the Romans rather than the revolt, Caesar indicates that he cares more about protecting the lives of Roman citizens than infidelity to himself.

Even more striking is Caesar’s acknowledgement of his opponent’s motivation for war. He first mentions the cultural stereotype that all Gauls seek revolution and can be easily aroused to war. That in itself would likely count as a negative attribute for a Roman reader, since *res novae* is nearly always seen as a dangerous threat, and those who seek revolution are against the values of the Republic. Caesar adds, however, that all men by nature desire freedom and hate being enslaved (*omnes autem homines natura libertati studere et condicionem servitutis odisse*). It would seem that Caesar is acknowledging the legitimacy of their motivation. Indeed, this sentiment about human nature would likely resonate with a Roman audience. Yet in juxtaposing not only these two qualities (one negative, one positive), but also the resulting Gallic aggression

³⁷³ On highlighting the extra injustice by calling the tribunes by their rank of equestrian: “die Tribunen hatten Ritterrang; ebenso die praefecti, den Caesar hervorhebt, um die Schwere des Vergehens recht ins Licht zu setzen” (Kraner *Commentarii* vol I: 255).

³⁷⁴ On the protection due to a *legatus*: 1.47.6; 3.9.3; 4.12.1, 4.13.1, 4.27.2-3; 5.37.2. Riggsby: “Although there was no universally recognized international law in antiquity, Greeks and Romans seem to have felt that heralds, envoys, and the like were normally sacrosanct. Hence the taking of the knights can be portrayed as a violation of a general obligation. It was also a violation of specific obligations imposed by the previous settlement between the Romans and the various tribes. Like the other historical references we have seen, these portray Roman military aggression as part of a larger, ongoing military action, not as the initiation of a new struggle. The resonances of the theme of *fides*, however, have a new significance. We saw above that *On Duties* (1.35) recommended that surrender be accepted as far as possible, but if there was danger of surprise attacks (*insidiae*), any measures, including total destruction of the opponent, were acceptable. Here Caesar lays the groundwork not only for aggressive prosecution of the war, but also for the extreme measures (verging on the genocidal) that he will take in the course of the book” (*Caesar in Gaul and Rome*: 178).

and Roman injury, Caesar implies that the ends—even one as noble-seeming as liberty—do not justify the means.

Some may argue that Caesar, like all Romans, simply believes that Romans are held to a different standard than non-Romans. If that is the case, it would not matter if the Gauls value liberty, for the Romans still have every right to subjugate them by virtue of their foreign status.³⁷⁵ While this cognitive dissonance can certainly be found among many Romans,³⁷⁶ I would argue that Caesar at least holds this view to a lesser degree than other elite Romans at this time. Caesar was an early proponent for the enfranchisement of Transalpine Gaul (see above), and throughout his career supported expanding Roman citizenship.³⁷⁷ It is more likely that Caesar held the attitude that he knew better than the Gauls that being under Roman *imperium* was going to be more beneficial in the long run for them, than that he believed the Romans could rightfully oppress any non-Romans. Furthermore, by once again setting himself against those who use aggressive and violent means in the name of liberty in the *BG*, Caesar has neatly conflated his foreign and domestic enemies at their expense. Nonetheless, he also shows that he prioritizes protecting the individual rights of Roman citizens over actions taken in the name of liberty.

Despite Caesar's stated concerns about undertaking a naval conflict with a known sea power, the battle concludes in Rome's favor, because of the apparent ability to turn a disadvantage (having less capable ships than the Veneti) into an advantage (they rendered the

³⁷⁵ See J. Williams, *Beyond the Rubicon: Romans and Gauls in Republican Italy* (Oxford 2001). Cato: "They feared that, if we feared no one, ...they would be under our rule only and in our service (servitute). I think it was for the sake of their own freedom (libertatis) that they held their views" (fr. 2). Riggsby, who cites examples from Cato's defense of the Rhodians, notes that it is not that barbarians are held to different standards, but that self-interest is a perfectly valid objective (as long as there is a justification for war) (*Caesar in Gaul and Rome*: 170).

³⁷⁶ This would likely account for the tendency among provincial governors to exploit the land and people, which *repetundae* laws attempted to correct.

³⁷⁷ Again, this support was not wholly selfless, since it would benefit him politically, but nonetheless it does not preclude him from being sincere.

Veneti ships useless and turned a sea battle into a land battle).³⁷⁸ The Veneti, who no longer had the ships or the men to even defend themselves, surrender to Caesar (3.16.3). Caesar then narrates his thought process about their punishment:

In quos eo gravius Caesar vindicandum statuit quo diligentius in reliquum tempus a barbaris ius legatorum conservaretur. Itaque omni senatu necato reliquos sub corona vendidit (3.16.4).

“Caesar decided that they had to be punished more severely so that the rights of envoys might be more carefully preserved by the natives for the future. Therefore, after the entire senate had been executed, he sold the rest of the men as slaves.”

Up until this point, and indeed for the majority of the *BG*, Caesar has shown that he is more inclined to forgive transgressions than punish. Dumnorix had multiple chances before Caesar finally took direct action in Book 5, and even then Dumnorix sealed his own death sentence by making the first hostile move. The Aedui, despite their wavering loyalty later on, are pardoned multiple times. Here, however, Caesar purposefully punishes the Veneti for their earlier offence against the legates. He has consistently made the issue about the violation of their rights, not the conspiracy or actual rebellion. Also, while he emphasizes that this is a matter of personal interest, given his high level of involvement, he focuses less on the fact that they reneged against their pledge to him, than on the fact that they had wronged Roman citizens. The legalistic language seems to affirm that Caesar is acting dispassionately as the representative authority of Rome: he officially executes (*necare*) their governing body because they violated the right of the legates (*ius legatorum*).³⁷⁹ By adopting this tone, Caesar further demonstrates that under his

³⁷⁸ Caesar boils the end of the battle down to a matter of character: the Romans were superior to the Gauls in courage, particularly because Caesar and the rest of the army saw everything (*Reliquum erat certamen positum in virtute, qua nostri milites facile superabant, atque eo magis quod in conspectu Caesaris atque omnis exercitus res gerebatur, ut nullum paulo fortius factum latere posset*, 3.14.8). Caesar’s positive effect on his men has been well-documented by Riggsby *Caesar in Gaul and Rome*. I suggest that is a further aspect of Caesar’s awareness of and care for the individual. The manner in which the Caesarians beat the Veneti is reminiscent of the First Punic War.

³⁷⁹ His focus on this is consistent with his defense of the *libertas* of the people and magistrates (see later, defense of tribunes in civil war; Raaflaub in Cairns and Fantham *Caesar Against Liberty*: 52).

leadership the rights of Roman citizens are the top priority, and that a judicious (not reckless) use of violence can ensure their preservation.

Many scholars have pointed out an apparent hypocrisy in Caesar's behavior in Book 4, when he himself detains a large number of German envoys and destroys the enemy camp while ostensibly under truce. While I do not necessarily disagree with their views on the face of it, by *Caesar's* logic, as he signals in the narrative, the Romans were owed retribution from the Germans and Gauls for their treachery just before. According to his account, German envoys had met with him, secured a truce for the day, and then left, but their cavalry attacked the Romans (*impetu facto celeriter nostros perturbaverunt*, 3.12.1). Because of this, Caesar decided that he should no longer accept envoys or hear peace conditions from the Germans, since they were bent on treachery and warfare (*Hoc facto proelio Caesar neque iam sibi legatos audiendos neque condiciones accipiendas arbitrabatur ab iis qui per dolum atque insidias petita pace ultro bellum intulissent*, 4.13.1). Thus Caesar, who has repeatedly demonstrated great leniency and mildness to the enemy in his narrative, presents his subsequent actions as rightful retribution for previous deceit and violence. For, the next day, which he calls a most "fortuitous event" (*opportunissima res*), German envoys approach Caesar "with their natural treachery and dishonesty" (*eadem et perfidia et simulatione usi*) in order to clear themselves for the transgression before and to retain whatever they could of the truce "by deceit" (*fallendo*, 4.13.4-5). Caesar, whose authorial persona is for the most part deliberately impersonal, strongly stresses how much the Germans are in the wrong throughout all of their recent interactions with the Romans. Thus, Caesar rejoices that he can detain these envoys (*Quos sibi Caesar oblatos gavisus illos retineri iussit*, 4.13.6), since he can pay them back for the loss of Roman lives. Once again, he does not initiate violence, particularly treacherous violence; however, once the enemy has

transgressed, Caesar demonstrates that he will get retribution. Even if he seems disingenuous or hypocritical, Caesar remains consistent to his values.

Furthermore, Caesar draws an even more important contrast after the execution of the Veneti in Book 3, one which his Roman audience would likely catch. In the chapter immediately following, Caesar the narrator shifts focus to his legate Sabinus, who has reached the borders of the Venelli. We learn that their chief Viridovix is the supreme commander over all of the rebel states. Caesar then tells us that several nations—the Aulerci, Euburovices, and the Lexovii—joined with Viridovix after putting their senate to death, because they refused to approve the war (*atque his paucis diebus Aulerci Eburovices Lexoviique, senatu suo interfecto quod auctores belli esse volebant, portas clausurunt seque cum Viridovice coniunxerunt*, 3.17.3). Here we have more Gallic senators put to death, but the rationale behind the action is entirely different. In Caesar's case, the senate merited punishment for having violated the *ius legatorum*, among other things; for the rebel Gauls, they simply killed whatever authority stood in the way of their interests. The choice of verb is even significant: Caesar's act of violence is described as *omni senatu necato*, using the verb for officially sanctioned executions.³⁸⁰ In the following chapter, several Gallic nations kill off their respective senate bodies with *senatu suo interfecto*—in this case, the use of the most basic verb of killing contrasts negatively with the more clearly legitimate violence by Caesar.³⁸¹ Even if the Gallic tribes here are fighting for their liberty, they are the ones also committing violence not only against the Romans, but against their own men. Thus, Caesar's political ideology continues to have the moral advantage.

³⁸⁰ Again this is slightly (but importantly) different from Opelt's definition "cruel, unopposed killing" ("die grausame Tötung ohne Gegenwehr," "Toten und Sterben": 111). In the times we see Caesar use it, the executor is always the head of the state in some capacity (so this covers both Caesar's killing here, acting as the head of the Roman state, as well as the actual cruel Gallic uses 1.53.7, 5.45.1, 7.4.10), since the executors are also the chieftains. The single use of it in the *BC* similarly supports my definition; see Chapter 4.

³⁸¹ The *suo* also reinforces might reinforce the negative aspect of killing one's own senate. Contra Opelt "Toten und Sterben": 106-7, who lists this example as a use of *interficere* referring to general policy.

Indeed, in this example, we see a group of rebels who kill off the regular authority in order to get their way and commence warfare. While it several years later that Caesar will try in vain to negotiate with the senate and Pompey to lay down arms and create peace in 49, the predominance of one overly-violent group controlling the actions of the senate and overwhelming the legitimate authority is certainly suggestive of the *factio paucorum* to which Caesar will often refer in the *Bellum Civile*.³⁸² Certainly, as I have shown above, the warmongering Gauls very often seem to reflect Caesar's own *inimici* at home.

Caesar accomplishes a great deal in his Gallic campaigns, both militarily, by subduing numerous peoples and territories in the name of Rome, and rhetorically, by carefully crafting the narrative of his exploits abroad. His use of violent language in the *BG* played a particularly important role in this process: through his manipulation of this language, he minimized the grim realities of warfare, and the many Roman deaths; he reinforced the dichotomy of the violent Gauls (yet without dehumanizing them in traditional terms) and the peace- and order-bringing Romans; and he demonstrated his benevolent and legitimate use of power. In order to counter the negative portrayal of himself that no doubt his enemies were trying to propagate at home, Caesar used this narrative to portray himself as a new kind of Roman leader, one that rejected violence when it was not lawful and that prioritized preserving the lives as well as rights of Roman citizens. I do not argue that this was a political platform in a concrete sense, nor that Caesar had autocratic intentions at this time; rather, that Caesar sought to illustrate his responsible handling of power and to continue to maintain his beneficial relationship with the Roman people. Nevertheless, Caesar's consistency in his positions throughout makes it unsurprising that he

³⁸² Raaflaub in Cairns and Fantham *Caesar Against Liberty*: 53.

more explicitly brings them out in the *BC*, when his reputation is threatened even more. And that will be discussed further in the next chapter.

CHAPTER IV.

Caesar and Civil War

In the last chapter, I analyzed the use of violent and graphic language in Caesar's *de Bello Gallico* (*BG*) and illustrated how his use of violence and particularly his suppression of it support his overall representation of himself as the proper leader for Rome. I further argued that by downplaying the violence of warfare and instead emphasizing his peaceful, traditional, diplomatic qualities, Caesar not only counters the negative image of himself that his *inimici* were propagating at Rome, but also draws damning parallels between his domestic and foreign foes. In this chapter, I continue to explore how Caesar's attitudes towards violence reflect his political ideology through his account of the civil war between himself and Pompey in 49-48 BCE. In the three Books of the *de Bello Civili* (henceforth, the *BC*),³⁸³ Caesar has the more difficult task of narrating a war between Romans, rather Romans and foreigners. Here I argue that the overall message he employed in the *BG* takes a more prominent position in this text; like Cicero, however, he adapts to the changed circumstances by employing linguistic and rhetorical strategies that are suited to his current audience.

Although the time difference between Caesar's two *commentarii* is much shorter than the speeches of Cicero covered in Chapters 1 and 2, this brief period saw a drastic shift in Caesar's

³⁸³ All Latin is from the 2015 OCT (ed. Damon). Carter's two commentaries (Warminster: 1991 [Books 1 & 2]; 1993 [Book 3]) and are the most recent; see also F. Kraner, F. Hofmann, and H. Meusel's complete set of commentaries (Berlin: 1963), Rambaud on *BC I* (Paris: 1962), and A. Klotz on *BC II*, *C. Iuli Caesaris Commentarii: vol II, Commentarii belli civilis* (2nd ed. 1992, reprint of 1950; Leipzig).

political standing and in the political climate as a whole.³⁸⁴ As the friendship between Caesar and Pompey gradually cooled, weakened first by the death of Julia in 54 and then the death of Crassus at Carrhae in 53, Caesar's continued campaigns abroad became a distinct disadvantage, as Pompey gradually gathered more control at Rome.³⁸⁵ Not only was Pompey already celebrated at Rome, having reestablishing control in 52 after the murder of Clodius,³⁸⁶ but Caesar's enemies now had more opportunity to disparage and slander him.³⁸⁷ The controversy over the end date for Caesar's command in Gaul, with the subsequent passing of the special law that would allow him to stand for consul *in absentia*, revealed those who either did not want Caesar to gain any more power or who feared the cascade of unprecedented changes that had been slowly but surely altering the Roman government since the time of Sulla.

Indeed, there must have been an enormous increase in the pressure that Caesar would have felt during the fifties to cast himself as the traditional leader and protector of Rome and Roman values while he was abroad. Caesar's *inimici*, spearheaded by Cato openly and Pompey surreptitiously, had the advantage of Pompey's arms and Caesar's absence. With the tribunes put to flight and his wish to stand for consul spurned, Caesar's main recourse was through his continuous appeals for negotiation and conveying his intentions and interpretation of events through the *BC*.³⁸⁸ Batstone and Damon highlight another important consideration:

“The *Civil War* is different from the *Gallic War* in important ways, perhaps none so significant as the fact that its events were not news to Caesar's first readers: they had

³⁸⁴ Our primary sources on this time period are relatively abundant: the *BC*, Cicero's letters, Cicero's Caesarian speeches, Lucan's *Pharsalia* (with a large grain of salt), and later narratives by Appian, Cassius Dio, and biographies from Suetonius and Plutarch. Raaflaub “Bellum Civile” in Griffin *Companion to Caesar*: 175-6 summarizes.

³⁸⁵ On Pompey's estrangement and preparations for war, see R. T. Ridley, “Attacking the World with Five Cohorts: Caesar in January 49,” *Ancient Society* 34 (2004): 127-35; Wiseman, *CAH IX* 1994: 417f.; Carter *Civil War I*: 1-12.

³⁸⁶ See both chapter 2, and Caesar *BG* 7.1.1.

³⁸⁷ Recent discussions of this can be found in Goldsworthy *Caesar A Colossus*: 367-77, Seager's *Pompey the Great: A Political Biography* (Oxford 2002): 191-3, Mitchell 1991: 237-9.

³⁸⁸ The historical details of Caesar's actions around the start of the war are discussed by F. A. Sirianni, “Caesar's Peace Overtures to Pompey,” *AC* 62 (1993): 219-37.

lived through and in many cases participated in those events. Thus the primary justification of the Gallic commentaries was missing for the Civil War” (2006: 33).

Even after Caesar became consul in 48 (*BC* 3.1.1), he had to establish his legitimacy securely, given the circumstances, and justify committing Romans to war against their own countrymen.³⁸⁹

The message, then, that I highlighted in Chapter 3 from the *BG* becomes a vital part of the *BC*.

Unlike the *BG*, however, which has only in the last couple of decades garnered interest for its literary qualities, the propagandistic aspects of the *BC* have long been noted.³⁹⁰ As I mentioned in Chapter 3, the tenor of the discussions surrounding Caesar’s construction of his narrative have varied widely; recently, there has been a move—which I support—towards taking Caesar’s *commentarii* as true works of literature, with high levels of rhetoric and style.³⁹¹ The *BC*, in which Caesar must argue for his cause more strongly, has thus been particularly useful in illustrating his literary abilities, resulting in many studies on various aspects of Caesar’s rhetoric. Many scholars, for instance, have demonstrated that Caesar does not simply describe his opponents, but instead lays out their behavior, motives, and actions in his impersonal authorial voice, showing the reader through implicit characterization.³⁹² Caesar’s self-representation has

³⁸⁹ The publication date, like every other work I have examined in this dissertation, has caused much debate. The main points are discussed in R. T. MacFarlane, “Ab inimicis incitatus: On Dating the Composition of the Caesar’s *Bellum Civile*,” *Syllecta Classica* 7 (1996): 107-32. See also M. T. Boatwright, “Caesar’s Second Consulship and the Completion and Date of the *Bellum Civile*,” *CJ* 84 (1988): 31-40; G. V. Sumner, “The *Lex Annalis* under Caesar” *Phoenix* 25: 265; Collins, “On the Date and Interpretation of the *Bellum Civile*,” *AJPh* 60 (1959): 117; C. Meier, *Caesar* (Berlin 1982): 437-52.

³⁹⁰ Rambaud and Collins were fundamental in this initial attention spent on propaganda. See Chapter 3 for more details. Cairns and Fantham’s volume takes a more balanced approach to connecting Caesar’s writings with his political aims (*Caesar Against Liberty*).

³⁹¹ L. Raditsa, “Julius Caesar and his Writings,” *ANRW* 1.3 (1973): 417-56, was an early proponent of seeing Caesar’s writing as literature. More recently, major contributions have been made by W. Batstone (both his 1990 article on *etsi* and hypotaxis in Caesar and his 1991 article on the “narrative gestalt” in the *BC*, cited below), C. Damon, “Caesar’s Practical Prose,” *CJ* 89 (1994) 183-95, J. Henderson, “XPDNC/Writing Caesar (*Bellum Civile*),” *CA* 15 (1996): 261-88; Batstone and Damon together in their seminal *Caesar’s Civil War* (Oxford 2006); Riggsby *Caesar in Gaul and Rome*. In this decade, L. Grillo has upped the ante with a 2011 article “Scribam ipse de me: The Personality of the Narrator in Caesar’s *Bellum Civile*,” *AJP* 132, pp. 243-271, and a 2012 book *The Art of Caesar’s Bellum Civile* (Cambridge).

³⁹² See Damon “Caesar’s Practical Prose”, Batstone and Damon *Caesar’s Civil War*; Grillo “Scribam ipse de me” and *Art of Bellum Civile* has recently and comprehensively surveyed this technique in the *BC*, particularly Chapter 1.

also been well-discussed, including how he portrays himself as the figurehead for Rome and Roman values.³⁹³ Several in fact have noted how loath Caesar is to include violence, or be the first to instigate it.³⁹⁴ Other literary techniques, such as focalization and the use of intra- and inter-textual references, have also been studied in connection with Caesar's political aims.³⁹⁵ Despite the incomplete parts of the work, even its structure has been shown to be purposefully constructed to create harmony and a sense of resolution out of the chaos of war.³⁹⁶

In this chapter, I will continue to focus on the purposeful presence and absence of violent terms and imagery in the *BC*, as I did in Chapter 3. While Caesar's nonviolent tendencies and their connection to his overall ideology have been observed, much of my analysis will be concerned with *how* Caesar plays down the inherent yet unforgivable violence of civil war. I will also delve further into Caesar's justifications for violence, his objectives for the *BC*, and what exactly his political ideology entails. The question I intend to answer here is not whether Caesar portrays himself as the only possible and right leader for Rome and the Republic (the answer is clearly 'yes'), but what specific qualities Caesar suggests make a good leader of the state. While many have identified programmatic moments where Caesar appears to tell us exactly that, I

³⁹³ His positioning is well-put by Batstone and Damon: "In what follows we argue that the *Civil War*, especially Book 1, is an extension of the ideological and formal concerns of the *Gallic War*. We will see that once again Caesar presents himself as the repository of Roman virtue and the representative of the *res publica*...In saying that Caesar presents himself as the representative of the *res publica*, then, we are implying that Caesar presents himself as the contestant in the civil war who represents the interests of the Roman People and Roman government; the corollary to this is that his opponents are motivated by private concerns, not by the public good, that they treat the republic (*res publica*) as if it were their private possession (*res privata*)" (*Caesar's Civil War*: 41).

³⁹⁴ Melchior "Compositions in Blood" emphasizes his use of violence as reactionary or in retaliation; Grillo *Art of Bellum Civile*: esp. 117-120, 131-151.

³⁹⁵ C. Pelling, "Seeing through Caesar's Eyes: Focalization and Interpretation," *Narratology and interpretation: the content of narrative form in ancient literature*, ed. J. Grethlein and A. Rengakos (New York 2009): 507-26. Damon "Caesar's Practical Prose", Batstone and Damon *Caesar's Civil War*, and Grillo *Art of Bellum Civile* all highlight his use of intra- and inter-textuality.

³⁹⁶ That is, structure at both the book and episodic-level. The overall structure of the *BC*, including the chronological distortions needed to create good "endings" for each book, has been well-discussed by Grillo *Art of Bellum Civile*: 158-74 and Batstone and Damon *Caesar's Civil War*: 33-88. For structural patterns within episodes, see Melchior "Compositions in Blood": 61-104, W. Batstone, "A Narrative Gestalt and the Force of Caesar's Style" *Mnemosyne* 44 (1991): 126-36, G. O. Rowe in "Dramatic structures in Caesar's *Bellum Civile*." *TAPA* 98 (1967): 399-41,

focus on the subtler, more nuanced aspects of this message. For beyond the simple dichotomy of the warmongering, cruel Pompeians and the peace-seeking, merciful Caesarians, Caesar also demonstrates that to him the *res publica* is first and foremost the Roman people, whose lives and rights must be prioritized above everything else.³⁹⁷ This ideology underlies all of Caesar's actions in the *BC* and ultimately sets him apart from not only his immediate opposition, Pompey, but also from another sincere and legitimate political ideology discussed in the first half of this dissertation, that of Cicero. And like Cicero, whose own understanding of how the Republic should be run can be seen in practice in his earlier speeches even before he explicitly lays it out in writing, here too can we see Caesar's political policy in practice, as a deliberate foreshadowing of the sort of leader he would be for Rome after the conclusion of the war.

CAESAR AND VIOLENCE

Violence Suppressed

As I have shown in Chapter 3, Caesar purposefully suppressed much of the violence that one would expect in a war narrative. The violence that he did include either served to establish the overly violent natures of his opponents, or reinforced Caesar's commitment to preserving Roman lives. In the *BC*, Caesar broadcasts his nonviolent message both explicitly, through his own character's mouth, as well as implicitly, through linguistic and narrative choices we have come to expect. As many have observed, he delays any mention of violence and the progression of the war until halfway through the first Book, instead spending time on the lead-up to the conflict, establishing the positions of the two sides, and negotiation attempts: everything but the actual civil war.³⁹⁸ Yet even when Caesar finally recounts the activities of the two armies,

³⁹⁷ Need to mention in intro to whole thing that by comparing Cicero and Caesar, we can see two fundamentally different ideas of what the *res publica* is and how best to preserve it.

³⁹⁸ On his delaying tactics, cf. Batstone and Damon *Caesar's Civil War*: 70.

including actual clashes, there is remarkably little violence. Table 3 lists all instances of violent or graphic language in the *BC*.³⁹⁹

Terms	Meaning	Book 1	Book 2	Book 3	TOTAL
<i>interficere</i>	kill	11	13	30	54
<i>vuln-</i>	wound	5	7	14	26
<i>caed-</i>	slaughter	0	1	2	3
<i>icere*</i>	strike	0	3	2	5
<i>saucius</i>	wounded	0	0	2	2
<i>occidere</i>	kill	0	0	1	1
<i>necare</i>	execute	0	0	1	1
<i>concidere</i>	cut down	0	1	0	1
<i>corpus*</i>	body	0	0	1	1
<i>cadaver</i>	corpse	0	0	1	1
<i>sanguis</i>	blood	0	0	1	1
TOTAL		16	23	55	96

Words frequently found in the *BC*: *interficere*, *vuln-*

Words seldom found in the *BC* (≤ 3): *caed-*, *occidere*, *necare*, *concidere*, *cadaver*, *sanguis*, *saucius*

Words found in the *BG* but not in the *BC*: *cruc-*, *figere**, *fodire**

Several key features stand out here. First, while many of the same terms of the *BG* are found in this work, overall the distribution is much more uneven. *Interficere* and *vuln-* again dominate, but this time they account for 83% of the total number of terms.⁴⁰¹ This is to be expected, since they are unmarked and bland terms for denoting violence.⁴⁰² The other words that can be found in the *BC* appear seldomly, most only one time.⁴⁰³ The three terms which appear in the *BG* but

³⁹⁹ Book 1 has 87 chapters, Book 2 is incomplete at 44, and Book 3 has 112 chapters.

⁴⁰⁰ I used the same list of terms from Table 1 for comparison. There were no terms found in the *BC* that were not also in the *BG*.

⁴⁰¹ In the *BG* they accounted for 115 out of 184 terms, or 63%.

⁴⁰² This statistic is even misleading, for only sixteen uses of this word refer to actual wounds. Seven of the instances are part of the phrase *sine vulnere* “without a wound,” and three involve hypothetical or figurative wounding.

⁴⁰³ Opelt suggests that the restricted use of *occidere* is at least in part due to the obvious root *caedere* (“wohl wegen des etymologisch durchsichtigen Bezugs zum Stamm *caedere* hat Caesar, wie wir meinen, im B. c. von seiner

not the *BC* reflect the difference in Caesar's enemy. These words for torture, piercing and impaling were used by the barbarians against either each other or against Romans. Since Caesar is fighting his own people, he carefully avoids using such graphic language; instead, he emphasizes the cruelty of the Pompeians through their violation of Roman oaths and honor in war.

Furthermore, the distribution of violent terms between books is unsurprising, but no less significant. Book 1 has the few instances of violence, and only includes the two most common words. While Book 3 has the greatest variety like Book 7 in the *BG*, with at least one instance of every word except *concidere*, Book 2 actually has a slightly greater concentration of terms.⁴⁰⁴ This distribution makes sense for a couple of reasons. First, Caesar often uses violence to highlight the tragedy of Roman disasters: he emphasizes the consequences of Curio's overconfidence with King Juba and the Numidians, just as he did for Sabinus and Cotta, when their forces were ambushed by Ambiorix in Book 5 of the *BG*. Secondly, in Book 2, Caesar largely describes battles with foreign enemies that take place away from Rome.⁴⁰⁵ As I discuss below, Caesar also capitalizes on the opportunity to conflate the Pompeians with the barbarians.

When comparing total numbers, at first glance it may seem as though both works have an equal concentration of violent language, since Books 1 and 2 of the *BC* have roughly the same

Verwendung Abstand genommen", "Toten und Sterben": 110). She further notes that while *occidere* does not have the same range of meanings as *interficere*, he does use the two interchangeable at times; this is meant to downplay the "basic brutal meaning of *occidere*" ("daß die brutale Grundbedeutung nicht hervorgehoben werden soll").

⁴⁰⁴ Both Book 2 and Book 3 have roughly 1 term for every two chapters, but Book 2 has a slightly higher concentration (.52 compared to .49). Since Book 2 breaks off with Curio's death and is probably missing the defeat at Curicta, however, it is not clear whether the frequency of violent language was actually higher or lower, and whether there was a greater diversity in vocabulary. Nevertheless, not knowing does not greatly affect my overall argument. For Curicta and its probable placement before Bagra, see H. Avery, "A Lost Episode in Caesar's Civil War," *Hermes* 121 (1993): 452-69. For discussion on all of the missing or broken off sections in the *BG*, see Grillo *Art of Bellum Civile*: 158-74, Batstone and Damon *Caesar's Civil War*: 29-32; Carter *Civil War I & II*: 153-4.

⁴⁰⁵ Melchior notes that Caesar tends to report more violence when the enemies appear to be decidedly foreign, such as the Massilians and Numidians ("Compositions in Blood": 66-7).

total number of violent terms as Books 1-4 and 6 of the *BG* (~20 terms), whereas *BC* 3 seems comparable to *BG* 5 and 7 (~55 terms). Yet there are on the whole a greater number of chapters per book in the *BC*, which makes the frequency of terms per chapter a more useful metric. In the *BG*, there are 196 terms over 348 chapters (a ratio of .56, slightly more than one term every two chapters). In the *BC*, however, there are 94 terms over 243 chapters (.39, or approximately 2 terms every five chapters). Thus, Caesar includes even less violence in his account of the civil war; while this is expected, it is no less significant.

Caesar's strategy for avoiding violence is largely the same as it is in the *BG*: bland language and narrative redirection. For the former, Caesar frequently uses *proelium* 'battle' as well as the familiar *pugna/pugnare* 'fight' to convey fighting without mentioning bloodshed.⁴⁰⁶ Constructions such as the ubiquitous ablative absolute (*proelio commisso*, for instance, 1.13.4, 1.16.3, 1.40.7; 2.6.1; 3.75.5) and the familiar *pugnatum est* (1.46.1, 1.47.4, 1.57.3; 3.52.1, 3.67.5, 3.111.2, 3.112.7) help to draw attention away from the inherent violence in the act and instead seem like perfunctory markers of movements within the larger ideological war between himself and Pompey. As before, Caesar also often describes the maneuvers in the battles themselves with various euphemisms: "[L. Plancus] sustains the great charges (*magnos impetus*) of the legions and cavalry;" "The ships of Brutus' fleet quickly sank (*deprimunt*) them both;" "And so our men were hard pressed (*premerentur*) in every way."⁴⁰⁷ Redirection is another staple of Caesar's narrative. In addition to his character's explicit insistence on avoiding battle if possible, he avoids it in his writing as well by recounting round after round of negotiations, traveling and

⁴⁰⁶ *Pugna* occurs 89 times total, while *proelium* occurs 85 times.

⁴⁰⁷ 1.40.6: *magnos impetus legionum equitatusque sustinet*; 2.6.6: *quae proximae ei loco ex Bruti classe naves erant, in eas impeditas impetum faciunt celeriterque ambas deprimunt*; 3.63.8: *Itaque cum omnibus rebus nostri premerentur atque aegre resisterent animadversum est vitium munitionis.*

topographical descriptions, siegeworks and fortifications, and descriptions of the setup and aftermath of battles.

Even when Caesar gives the reader all of the components of a battle narrative, he still manages to suppress the vividness of the battle itself by changing the proportion of the narrative distribution. A clear example of this is his description of the first encounter with Petreius and Afranius' forces near Ilerda (1.43-44).⁴⁰⁸ The organization of this narrative is as follows:

Description of place: 27 words

Caesar's strategy: 21 words

Caesar moves his men out: 21 words

Afranius realizes and sends men out to meet them: 19 words

A battle takes place, presumably with casualties: 2 words (*contenditur proelio*)

Aftermath of first exchange (retreat): 21 words

Caesar's reflection on the enemy fighting style: 55 words

Focalization of Caesar's men: 56 words

As illustrated above, Caesar spends the majority of the narrative setting up the battle, and justifying why his legions decided to retreat.⁴⁰⁹ The description of what took place during the battle itself is boiled down to *contenditur proelio*. The violence and presumable deaths of Romans are completely suppressed. Even when Caesar's men reflect on their confusion during the battle, the action is described as maneuvers such as "for as the enemy kept charging singly they thought that they were being surrounded on their exposed flank" (*circumiri enim sese ab aperto latere procurrentibus singulis arbitrabantur*, 44.3). The only indication that Caesar's men are in trouble and suffering casualties is the fact that they have to retreat (*in proximum collem*

⁴⁰⁸ This detail is all the more notable, considering Cassius Dio only allots four chapters to the entire Ilerda campaign (41.20-24). E. Potz compares the two accounts in "Ficta, non facta dicere – und trotzdem die Wahrheit berichten Caesar, *Bellum civile* 1, 43-87 und Appian, *Emphyllia* 2, 42f." *Grazer Beiträge* 21 (1995): 85-94.

⁴⁰⁹ By focusing on their 'foreign' style of fighting (which confuses the *nostri*), which they had picked it up from spending so much time in the provinces or whatever, Caesar de-Romanizes his enemy. See Melchior 2004: 65; Grillo *Art of Bellum Civile*: 106-130.

sese recepit, 44.4) and that his whole battleline is panicking (*paene omni acie perterrita*, 45.1).⁴¹⁰

Following the initial onslaught, with its notable omission of violent language, Caesar saves the day and leads the Ninth Legion into the fray. He now describes the immediate action of the battle, but again with bland language. He “checks the enemy who are insolently and rashly pursuing our men” and “forces them to retreat” (*hostem insolenter atque acriter nostros insequentem supprimit rursusque terga vertere seque ad oppidum Ilerdam recipere et sub muro consistere cogit*, 45.1). When Caesar’s men become a little too zealous in pursuing the enemy (who we must remind ourselves are Roman), and are caught on unfavorable ground, the enemy “presses them hard from above” (*rursus illi ex loco superiore nostros premebant*, 45.3). When Caesar finally addresses the actual violence of the encounter, he does so to glorify his soldiers:

hoc pugnabatur loco, et propter angustias iniquo et quod sub ipsis radicibus montis constiterant, ut nullum frustra telum in eos mitteretur. Tamen virtute et patientia nitebantur atque omnia vulnera sustinebant (45.6).

“It was fought on this spot, which was unfavorable both from its confined limits and because they had halted just under the very spurs of the mountain, so that no missile failed to reach them. Nevertheless they strove with valor and endurance and sustained every description of wound.”

While the *telum* hints at potential violence, which Caesar’s men readily thwart, only the *vulnera* testify to the actual violence they endured. And it is violence that had already happened and is now past, none of which Caesar has described. Those wounds are indications of valor and *virtus*, and showcase those men who did *not* die. At the end, Caesar does indeed give the body count of 70 deaths on his side, with more than 600 wounded (*circiter LXX ceciderunt...vulnerantur amplius DC*, 46.4). Yet he intentionally has spared the reader of any impression of how the men

⁴¹⁰ Caesar adds that it was highly unusual for his men to be panicking (*quod praeter opinionem consuetudinemque acciderat*); while this comment is meant to reassure the reader of his army’s usual bravery, it also implies that the fighting (and thus violence and deaths) was severe.

died, because of the careful way he narrated the fight. These passages are in fact the most violent of all of Book 1, though they contain altogether just three violent terms.⁴¹¹

Caesar's own conduct contributes to the reduction of violence and the picture of the nonviolent leader. In the *BG*, Caesar strove to portray himself as a leader who would not needlessly endanger the lives of his Roman soldiers and would only kill the Gauls as necessary, preferring their surrender and incorporation into the Roman empire instead. Here, Caesar must not only again display his ability to preserve Roman lives, but he must do it on both sides. While I discuss the political implications below, two narrative trends reinforce this stance. First, in addition to the general absence of violence throughout the work, Caesar almost never commits violence by his own hand. Notably, he does not kill a single Roman. This is one of the more striking differences with the *BG*, where Caesar generally refrains from violence, but confidently carried out executions of those persons who were either a threat to the state or violated the rights of Roman citizens. He also had a tendency to use his name as metonymy for the Roman army, thereby assuming responsibility for more military victories. Here, since Caesar famously pardons all of the Pompeian commanders who come into his power, such executions (even if warranted) would be out of place. Only twice in the entire work does Caesar commit violence by his own hand: once when he leads a charge against the Pompeians, killing one of the Allobrogians who betrayed him (3.84.5),⁴¹² and once at the end when he kills the Egyptian Pothinus (3.112.12).⁴¹³ No Roman citizen dies at his hand in the narrative, but instead are pardoned by him.

⁴¹¹ Cf. 1.72 has three as well, *vulnere*, *vulnerari*, and *interficiendos*. Context, however, is important. Here we get Caesar's inner monologue about how he wants to prevent his soldiers from being wounded and would prefer his fellow citizens be spared if possible. They depict hypothetical, not actual, violence.

⁴¹² Batstone and Damon *Caesar's Civil War*: 138: "In reporting the death of one of the brothers (unnamed) in the battle he takes, uniquely, direct credit for it." This instance is akin to his execution of Dumnorix in *BG* 5.

⁴¹³ Discussed in detail below.

The other pattern is his use of the adjective *incolumis* ‘unharméd’, a recurrent indicator of Caesar’s priority for preserving Roman lives. Of the nineteen instances of this word in the *BC*, eleven refer to either Caesar sparing Pompeians or Caesarians returning from conflict unharméd.⁴¹⁴ The six examples from Book 2 feature Curio, who up until the disaster is also shown to preserve Roman lives, just not as well as Caesar.⁴¹⁵ In one instance, during the battle at Dyrrachium, Caesar’s men prioritize preserving the standard for their general despite their imminent defeat (3.64.4). Two outlying instances of *incolumis* refer to the Pompeians (2.32.6, 3.47.3), but the circumstances indicate that the situation either has already or will soon negate their safety. Pompey, notably, is never responsible for preserving his men. One cruel contrast is the noun form in Book 3, when Otacilius, upon capturing two of Caesar’s ships, promises the men’s safety (*simul de deditone eorum agebat et incolumitatem deditis pollicebatur*, 3.28.2), only to betray his oath and execute them.⁴¹⁶ It is this contrast that the next section will explore.

Violence Apparent

In the last chapter, I examined violence within the text through Caesar’s distribution of both linguistic terms for violence and graphic imagery as well as specific episodes in which significant acts of violence took place. Caesar demonstrated in the *BG* that his barbarian enemy was responsible for all acts of cruelty, though the Romans themselves appeared to be the most victorious linguistically when it came to straight-forward killing in war. Since Caesar must tread more carefully in his depiction of the realities of this war (or, conversely, making too great a deal

⁴¹⁴ Caesar sparing lives: 1.18.4, 1.23.3, 1.72.3; 3.11.4. The Caesarians unharméd: 1.55.2, 1.64.6, 3.6.3, 3.28.6, 3.52.2, 3.73.4, 3.75.5.

⁴¹⁵ The first four are positive: 2.26; 2.32.6 (about the Pompeians), 2.32.12; 2.35.5; 2.42.5 and 2.44.1 refer to the few survivors of the disaster at Bagrada.

⁴¹⁶ *qui omnes ad eum producti contra religionem iurisiurandi in eius conspectu crudelissime interficiuntur* (3.28.4). This is the only time the noun is used.

of victories), the violence that he does narrate takes on significance primarily from the circumstances that surround it. Indeed, Caesar places the ideological aspect of the worst acts of violence in the *BC* at the forefront.

The dichotomy that Caesar creates, that his side is peaceful and well-intentioned, while the Pompeians are cruel, barbaric warmongers, is hardly subtle. Several important studies have shown the various ways that Caesar assimilates the Pompeians to their foreign allies, and how their behavior in war transgresses Roman values.⁴¹⁷ As has been well-noted, this portrayal of the Pompeians is advantageous not only because Caesar can cast himself as the “true” Roman leader, but it also makes the civil war seem less civil, and more like a war against a foreign enemy.⁴¹⁸ Here I will briefly summarize the most violent episodes as well as the general trend in violence.

The most violent scenes in the *BC* fittingly appear at the end of each book, as a climax or even anti-climax meant to undo Caesar’s good deeds. In the first two books, the actual violence does not come from a pitched battle, but is instead the slaughter of Roman citizens by Pompeians.⁴¹⁹ In Book 1, when the two armies at Ilerda begin to fraternize and unite in their shared Roman identity and objectives,⁴²⁰ Petreius breaks into the peaceful scene: “He interrupts the soldiers’ conversations, drives our men from the camp, and slays all he catches” (*colloquia militum interrumpit, nostros repellit a castris, quos deprendit interficit*, 1.75.2). To make matters worse, Petreius calls for all Caesarian soldiers to be brought forth, and executes them publicly in

⁴¹⁷ Grillo’s chapter, “The barbarization of the enemy” (*Art of Bellum Civile*: 106-130) presents the most recent and comprehensive analysis of this. See also A. Tronson, “Pompey the barbarian: Caesar’s presentation of the other in *Bellum civile* 3,” in *In altum*, ed. M. Joyal. St. John’s (2001): 73-104; A. Rossi, “The Camp of Pompey: Strategy of Representation in Caesar’s *Bellum Civile*,” *CJ* 95 (2000): 239-56.

⁴¹⁸ In contrast to Lucan’s “a war more than civil” (*bella...plus quam civilia*, *Phars.* 1.1).

⁴¹⁹ Opelt “Toten und Sterben”: 109, who claims that the wrong actions (“Unrechtshandlungen”) of the Pompeians are marked with *interficere*. Considering *interficere* is the most common verb of killing in Caesar, and the broadest in its usage, it is more likely that he simply chose to use the unmarked verb to describe their acts.

⁴²⁰ Objectives that naturally align with Caesar’s. He also implicitly takes credit for the temporary unification, cf. 1.72 and 1.74.2. I have drastically compressed an otherwise weighty and meaningful narrative, in large part because there are excellent analyses by Batstone and Damon *Caesar’s Civil War*: 75-84; Grillo *Art of Bellum Civile*: 80-85.

front of the headquarters (*productos palam in praetorio interficiunt*, 76.4). The key elements in this episode are that the Pompeian soldiers, as Roman citizens, are in favor of peace and Caesar's command,⁴²¹ while Petreius has stuck to his true Pompeian character ("Petreius did not fail himself", *Petreius vero non deserit sese*). Peaceful communications were ended by unprovoked violence and the result is a prolonged civil war.

In Book 2, a similar scenario of nonviolent settlement turned into slaughter occurs when the sad remains of Curio's army surrenders to Varus in Africa. Without fanfare, Caesar reports that, "Juba, seeing the men of these cohorts next day in front of the town, declaring that they were his booty, ordered a great part of them slain (*magnam partem eorum interfici iussit*) and sent back a few picked men to his kingdom, Varus meanwhile complaining that his own honor was being injured by Juba, but not venturing to resist" (2.44).⁴²² While the Roman Pompeian Varus is not directly responsible for the dishonorable killing, he is also unable to control his Numidian ally, and his promise to the basic terms of surrender is proven empty. Whereas in Spain the Pompeian leaders prefer violence to communication, this example proves that Roman citizens simply are not safe under Pompeian control.

In Book 3, instead of one significant act of violence, Caesar narrates an increasing number of disreputable acts on the part of the Pompeian commanders.⁴²³ In this way, he reverses the usual reversals: whereas the first two books showed nonviolent solutions resulting in unwarranted killing by the Pompeians, now Caesar's victory at Pharsalus and subsequent good

⁴²¹ Caesar emphasizes that the Pompeian soldiers did not participate in the slaughter: *Sed plerosque ei, qui receperant, celant noctuque per vallum emittunt* (76.4).

⁴²² *Iuba conspicatus suam esse praedicans praedam magnam partem eorum interfici iussit, paucos electos in regnum remisit, cum Varus suam fidem ab eo laedi quereretur neque resistere auderet.*

⁴²³ 3.8.3 (Bibulus burns a bunch of ships); 3.14.2-3 (Bibulus takes down a ship and kills everyone despite holding civilians); 3.19.8 (Labienus interrupts negotiations to call for Caesar's head); 3.23.2 (Libo burns some merchantmen); 3.28.2-4 (Otacilius intercepts two Caesarian ships and betrays their trust, killing them); 3.71.4 (Labienus executes Caesarian captives, which he takes from Pompey).

treatment of the Pompeian soldiers follow a string of unchecked Pompeian violence.⁴²⁴ Thus, while the vocabulary of killing remains unmarked, the Pompeians are consistently responsible for all acts of dishonorable and cruel violence to their own people. Additionally, Caesar reports more civil unrest at Rome, initiated by the tribune M. Caelius Rufus. His brief narrative of these events seeks to distance his manner of working with the people and Caelius' efforts. For Caelius, seeking influence by championing the cause of debtors, was making himself a nuisance to the other magistrates. In particular, he came into conflict with the praetor G. Trebonius, a man whom Caesar praises for having fair decrees, humanity, and concern for administering law moderately and with clemency (3.20.2).⁴²⁵ Although Caelius fits the stereotypical *popularis* type, Caesar indicates that he is on the side of Trebonius and the law. Indeed, Caelius' next move is to cancel more debt, causing a mob against Trebonius in which several are wounded (*nonnullis vulneratis*, 21.2). The situation escalates when the senate passes a motion against Caelius to remove him from office, and he is prevented from giving a public speech (21.3).⁴²⁶ Caesar's wording about the nature of this decree is vague, but some have assumed that it was an *s.c.u.*⁴²⁷ He clarifies his position in this crisis, however, when he states that although Caelius publicly pretended that he was going to join Caesar, in reality he contacted Milo to raise forces (21.4).⁴²⁸ Caesar's subtext is clear: he is no Caelius, despite the unfortunate similarities in their positions. Indeed, Caelius

⁴²⁴ Pharsalus is discussed in detail below.

⁴²⁵ *Sed fiebat aequitate decreti et humanitate Treboni, qui his temporibus clementer et moderate ius dicendum existimabat, ut reperiri non possent, a quibus initium appellandi nasceretur.*

⁴²⁶ *De quibus rebus Servilius consul ad senatum rettulit, senatusque Caelium ab re publica removendum censuit. Hoc decreto eum consul senatu prohibuit et contionari conantem de rostris deduxit.*

⁴²⁷ Dio 42.23.2 uses the traditional wording to describe it. Carter *Civil War III ad loc* is certain that this was an *s.c.u.* and that Caesar glosses over this situation intentionally. Golden *Crisis Management* does not include it. There is at least a *hostis* declaration against him, as noted at 21.5, when Caelius is shut out of Capua because the Romans there took up arms against him and considered him an enemy (*quod conventus arma ceperat atque eum hostis loco habendum existimabat*).

⁴²⁸ *Ille ignominia et dolore permotus palam se proficisci ad Caesarem simulavit; clam nuntiis ad Milonem missis, qui Clodio interfecto eo nomine erat damnatus, atque eo in Italiam evocato, quod magnis muneribus datis gladiatoriae familiae reliquias habebat, sibi coniunxit atque eum in Thurinum ad sollicitandos pastores praemisit.*

seems more like a Catiline, as he joins Milo outside of Rome, their forces are made up of gladiators, slaves, and people seeking debt-relief. Caesar reports that Milo, after trying to attack Compsa, was killed by a stone thrown off a wall (*lapide ictus ex muro perit*, 22.2), while Caelius was killed in Thurii by Caesar's own cavalry after trying to bribe them (*Caesaris Gallis atque Hispanis, qui eo praesidii causa missi erant, pecuniam polliceretur, ab his est interfectus*, 22.3). Both in the case of the overtly cruel Pompeians and the agitators Caelius and Milo, Caesar illustrates that he does not side with those who would endanger citizen lives for their own gain.

VIOLENCE AND POLITICS

Unlike the first three chapters, in which I primarily examined violent language and the justifications for acts of violence, Caesar's *BC* has very little expressed violence, even less than the *BG*. This absence is purposeful, for Caesar's political ideology rests on the premise that the *populus Romanus* is the *res publica*: therefore, the preservation of their lives and rights is more important than the form of government that has previously defined the state. Caesar's nonviolent stance is a consistent and fundamental part of his political position, underlying all of his actions and intentions. For the rest of the chapter, then, I look at how Caesar illustrates his political ideology, particularly the idea that he is better at preserving Roman lives and rights than his opposition. This section is comprised of three parts, focusing on Caesar at the onset of the civil war, Caesar during the civil war, and Caesar's time in Egypt after the civil war. Within each part, I discuss specific nuances of his political ideology as it is displayed in the narrative, aspects that connect back to the *BG* and also look ahead.

Battle for Legitimacy

One of Caesar's major hurdles, indeed a hurdle that he struggled with his whole career, was to make himself and his actions seem legitimate to both the senate and the people. The actions of the senate in early January 49 BCE greatly complicated this goal. Not only did his fellow senators refuse to let him stand for consul *in absentia* or to facilitate negotiations about the disbanding of armies, but they passed an *s.c.u.* against him on 7 January (1.5.4). Caesar was now socially and politically alienated from the Roman people as well as physically distant from the city, purposefully deemed a foreign enemy of the state by his personal enemies.

Caesar combats this decree and his opposition on multiple fronts. When narrating events that took place in Rome, Caesar makes a case for redefining what legitimate authority looks like, arguing for both his own legitimacy and the illegitimacy of his opposition. Through techniques both subtle and blatant, he demonstrates how only one side of the conflict actually takes responsibility for the welfare of the Roman people, and it is not the senate, the supposed legal body. He seeks not only to invalidate the incriminating decree but also to highlight the unhealthy dynamic of the Pompeians, as a warning to the Roman people about a future under their tyranny.

The opening of the *BC* features one of the most damning portrayals of the Pompeians and the senate in the work, highlighting both their illegitimate authority and their dysfunctionality.⁴²⁹ The consul Lentulus promises not to fail the Republic and in the same breath threatens to look out for his own interests (1.1.2-3). The senate is prevented from voicing true opinions out of fear of abuse by the Pompeians in the room and by Pompey's army standing outside Rome.⁴³⁰ It is

⁴²⁹ Carter: "In spite of the superficially dispassionate tone, the presentation here is more consistently subjective and biased against his opponents than anywhere else in the work" (*Civil War I & II*: 153). See Collins "Caesar as Political Propagandist": 945-7; Batstone and Damon *Caesar's Civil War*: 41-52 give an in-depth analysis of these chapters and all of the ways that Caesar cleverly undermines his opposition for the reader. See also Grillo *Art of Bellum Civile*: 140-41.

⁴³⁰ *Sic vocibus consulis, terrore praesentis exercitus, minis amicorum Pompei plerique compulsi inviti et coacti Scipionis sententiam sequuntur: uti ante certam diem Caesar exercitum dimittat; si non faciat, eum adversus rem publicam facturum videri* (1.2.6). In the summer of 50, Caesar and Pompey had agreed to send a legion apiece to Syria, to meet the Parthian threat that had killed Crassus at Carrhae in 53. Pompey's surrendered legion had in fact

under this coercion, Caesar states, that the senate reluctantly passes legislation against him, calling for Caesar to disband his army or be considered *adversus rem publicam* (1.2.6). Caesar delineates the disquieting behavior of the leading Romans who oppose him: Pompey holds a second “senate” meeting, where he continues to scare and pressure the other senators (1.3),⁴³¹ and Pompeian leaders Lentulus, Scipio, Cato, and Pompey himself are using their positions to further their own ends (1.4).⁴³² Caesar concludes with the first of many significant linguistic parallels, highlighting the different ideologies of the two commanders and two sides: Pompey was eager to bring the matter to conflict (*rem ad arma deduci studebat*, 4.5), when Caesar, we will soon find, was eager to settle things peacefully (*res ad otium deduci posset*, 5.5).⁴³³ Now, when Caesar states that the senate is threatening to deem Caesar as acting against the state, his narrative makes it apparent that the proposal should not be considered legal when the senate was clearly under duress and his *inimici* spoiling for civil war.

After establishing the unsavory nature of his opposition, and their abuse of legitimate authority, Caesar turns to the charges laid against him and the use of the *s.c.u.*. First, however, he

been one that Caesar had previously lent him. Both legions, however, were stationed at Rome on Pompey’s order, when the potential for conflict with Caesar arose. Cf. 2.3, 3.3, 4.2, 6.8, 9.5 for the implication that Pompey’s army is actually occupying Rome. See also Carter 1991: 155-6.

⁴³¹ Even aside from the dramatic picture Caesar creates at 1.3 with this secret meeting, K. von Fritz, in “Pompey’s Policy in the Civil War of 49 B.C.” *TAPA* 73 (1942): 145-80, identifies Pompey’s role in creating chaos and dysfunction in the Roman government during this time. He shows how Pompey had minimized Caesar’s rise in power and popularity, so that when crises arose, the senate would automatically bestow emergency power on Pompey to take care of things. Yet this constant state of crisis and forced inability to handle it resulted in an increasingly ineffectual senate, whose worries about too-powerful figures clashed with its instinctive response to give Pompey more power.

⁴³² Caesar’s description of the self-serving, unscrupulous men is strongly reminiscent of Cicero’s portrayal of the six types of followers of Catiline: it is invective without (the appearance of) emotion. Cf. *Cat.* 2.17-23. Batstone and Damon note that it is unusual that Caesar only names a select few of the Pompeians; they suggest that Caesar purposefully left the field open for other Pompeians to have a change of heart (*Caesar’s Civil War*: 94-5). I also argue that Caesar, who claims to be the champion of the Roman people, strives to show that his enemies are few in number (*factio paucorum*).

⁴³³ Cf. Batstone and Damon *Caesar’s Civil War*: 52 and Grillo *Art of Bellum Civile*: 137.

prefaces his remarks by recounting the flight of the tribunes, adding yet another apparent injustice to the tally:

nec tribunis plebis sui periculi deprecandi neque etiam extremi iuris intercessione retinendi, quod L. Sulla reliquerat, facultas tribuitur, sed de sua salute septimo die cogitare coguntur, quod illi turbulentissimi superioribus temporibus tribuni plebis <post> VIII denique menses variarum actionum respicere ac timere consuerant (1.5.1-2).

“And the tribunes were not given the opportunity to protest their own danger nor even to keep their last rights through veto, which Sulla had left, but they were compelled to think about their own safety after seven days, a thing which in earlier times even the most turbulent of tribunes had been accustomed to consider and fear after eight full months of various actions.”

Caesar’s indignation for the tribunes also allows him to draw attention to a few important characterizations. First, he compares the Pompeians to Sulla, only in this case they have surpassed him.⁴³⁴ This is problematic, for while Sulla was by no means beloved for his actions, he at least had retained the most basic right of the tribunes; therefore, those who would deprive them of this constitutional right could hardly be considered proper Romans, optimate or not. The allusion to the unfortunate fates of those “most turbulent” tribunes is particularly poignant, since Antony and Cassius, who were simply doing their duty, nevertheless were ousted far sooner than those tribunes were deemed threats to the state under the *s.c.u.*. Caesar here continues to build up a picture of a senate that is both misusing its power and exercising bad judgment overall. Since he made it clear in the *BG* that he aims to protect the rights of all Romans,⁴³⁵ a reader of Caesar would hardly be surprised that this violation of the tribunes’ rights—not only of their veto but also the threat to their sacrosanctity—would spur Caesar to action.

On the heels of this troubling picture, Caesar at last addresses the *s.c.u.*:

Decurritur ad illud extremum atque ultimum senatus consultum, quo nisi paene in ipso urbis incendio atque in desperatione omnium salutis sceleratorum audacia numquam

⁴³⁴ Cf. 1.3.2.

⁴³⁵ For instance, his execution of the Veneti senate for violating the *ius legatorum* (*BG* 3.7-16).

ante descensum est: dent operam consules, praetores, tribuni plebis, quique pro consulibus sint ad urbem, ne quid res publica detrimenti capiat (1.5.3).⁴³⁶

“Recourse is had to that extreme and ultimate decree of the senate which had never previously been used except when the city was almost in flames and all despaired of safety through the wickedness of criminals: “The consuls, the praetors, the tribunes, and all the proconsuls who are near the city should see to it that the state suffers no harm.””

Caesar’s depiction of the *s.c.u.* highlights the unprecedented nature of the situation. First, he qualifies the otherwise unmarked decree with the phrase *illud extremum atque ultimum*, giving it the name that we use today.⁴³⁷ He further notes that the *s.c.u.* was used only during dire circumstances, when the safety of the people (*omnium salutis*) was threatened by the audacity of criminals (*sceleratorum audacia*). Given the portrait of the Pompeians above, Caesar subtly implies that the roles have been reversed. After all, as he has told the reader of the *BG* over and over again, he has always led for the sake of the well-being of the people and seeks to subdue those who would threaten it. Caesar tellingly does not specify any details about what action caused the senate to enact this decree.⁴³⁸ Nor will he directly mention crossing the Rubicon (see below). Instead, he restates the unprecedented circumstances—the swiftness of the senate in taking action, the “severest and harshest” decrees affecting both him and the tribunes (*gravissime acerbissimeque*, 5.4) —and equates his plight with that of the tribunes. Caesar’s presentation of events thus undermines the *s.c.u.* leveled against him: first, the body of government which passed this decree can only barely be called the senate, given the high level of coercion that Caesar has illustrated. Top magistrates, who are responsible for acting on behalf of the people,

⁴³⁶ Cf. *Fam.* 16.11.2: *posteaquam senatus consulibus, praetoribus, tribunis pl. et nobis, qui pro coss. sumus, negotium dederat, ut curaremus, ne quid res publica detrimenti caperet.*

⁴³⁷ “On the other hand, in this plain context of narrative efficiency, some adjectives are particularly striking and effective. It is for this reason that the relatively simple characterization of the senate’s decree against Caesar on 7 January has such power: “Recourse was had to that last and final decree of the senate.” The adjectives do not name the decree but stigmatize it and its use” (Batstone and Damon *Caesar’s Civil War*: 154, emphasis theirs).

⁴³⁸ He also does not comment on the legality of the decree, which he has protested in the past, given his own rather precarious position.

not only fail to do so, but are the ones actively repressing Roman freedom. Their actions against the tribunes constitute a violation of the tribunes' rights; in grouping the charge against him with them, Caesar calls attention to the violation of his own rights. In short, without ever stating it explicitly, Caesar makes it clear that this decree is invalid, and the enactors of it invalid as well.

Caesar then widens his scope of his narrative, highlighting other instances where the constitutional rights of Roman citizens are violated by the actions of the senate, to reinforce his stance of championing the Roman people. He tells us that the senate met outside the city with Pompey on the next day, and, among other measures, assigned provinces to private citizens “by private agreement (*provinciae privatis decernuntur...private consilio*, 6.5), bypassing two legitimate governors.⁴³⁹ The new proconsuls Scipio and Domitius leave for their provinces without going before the people, which was yet another unprecedented occurrence (*neque expectant, quod superioribus annis acciderat, ut de eorum imperio ad populum fertur, paludatique votis nuncupatis exeunt*, 6.6). In rapid succession, the Pompeians have twice more spurned the rights of the Roman people by ignoring the laws. At the end of the section, Caesar mentions yet more troubling actions—the consuls leaving the city, private citizens having their own lictors, the signs of active recruitment for war—and states that “all divine and human rights are thrown into confusion” (*omnia divina humanaque iura permiscentur*, 6.8). This declaration, forcing the dichotomy between constitutional and traditional versus unprecedented and dangerous, obliquely justifies any subsequent action against the Pompeians.⁴⁴⁰

⁴³⁹ Batstone and Damon: “Under Pompeian control the “public thing” is becoming a “private thing”” (*Caesar's Civil War*: 54). See Carter *Civil War I & II ad loc* for more about the *lex Pompeia de provinciis* of 52 and the distortion of this characterization.

⁴⁴⁰ The same sort of argument that Cicero uses to *justify* the *s.c.u.* and violence against threats to the state. Cf. Arena *Libertas as Political Idea* on the shared use of *libertas* among the populares and optimates (see below for Caesar's use of *libertas*).

Against this complex backdrop, Caesar finally offers his own “voice” at 1.7, addressing these issues explicitly. Caesar the character echoes Caesar the narrator, emphasizing the lack of precedence for the actions taken against the tribunes and against himself. He repeats the wording of the *s.c.u.*, calling attention to the difference in circumstance between this situation and previous instances where the *s.c.u.* was enacted.⁴⁴¹ After this, Caesar never mentions the *s.c.u.* against himself or his status as a *hostis* again.⁴⁴² Neither he, nor the reader, ought it give the decree credence, or so the message goes. Given Caesar’s consistent opposition to the *s.c.u.* previously, based on its questionable legality, and the current circumstances, Caesar makes a bigger statement by simply ignoring it after this. He instead reminds the reader to keep the real issues in mind, as he exhorts his men to help defend his reputation and honor (*existimationem dignitatemque*), and they eagerly declare “that they are prepared to defend the injuries done to their commander and the tribunes” (*sese paratos esse imperatoris sui tribunorumque plebis iniurias defendere*, 7.8).⁴⁴³ By having his soldiers equate the violation of Caesar’s honor with the violation of the tribunes’ rights, Caesar further legitimizes his subsequent actions as being for the good of the Roman people and state.⁴⁴⁴

⁴⁴¹ *Quotienscumque sit decretum, darent operam magistratus, ne quid res publica detrimenti caperet (qua voce et quo senatus consulto populus Romanus ad arma sit vocatus), factum in perniciosis legibus, in vi tribunicia, in secessione populi templis locisque editioribus occupatis*, 7.5).

⁴⁴² See below for the possible *s.c.u.* against Caelius.

⁴⁴³ Batstone and Damon: “Thus, Caesar presents his attack on Rome and defiance of the senate as a defense of traditional and constitutional rights and a defense against personal and public injustices. He mentions the republic three times. The last word of his reported speech is “defend” and the last word the soldiers shout in support is also “defend”” (*Caesar’s Civil War*: 57). See also Grillo *Art of Bellum Civile*: 137, 153.

⁴⁴⁴ Two particularly important studies on Caesar and his *dignitas* are K. Raaflaub, *Dignitatis Contentio Studien zur Motivation und politischen Taktik im Bürgerkrieg zwischen Caesar und Pompeius* (Munich 1974), especially 107-225 and J. S. Ruebel, “Caesar’s *Dignitas* and the Outbreak of Civil War,” *Syllecta Classica* 7 (1996): 133-42. In his more recent chapter on Caesar and *dignitas*, Raaflaub argues that Caesar uses more the personal argument for *dignitas* to appeal to those who have not factionalized (see “Caesar the Liberator? Factional politics, civil war, and ideology” in Cairns and Fantham *Caesar Against Libertas*: 35-67). I would also add that Caesar can focus on the injustice of violating personal rights and liberties. *Dignitas* is mentioned 7 times in Book 1, all during the narrative at Rome (4.4. [Pompey’s], 7.1 [Pompey’s], 7.7, 8.3, 9.2, 22.5, 32.4). Cf. Cic. *Ad Att.* 7.11.1, with discussion by Ruebel “Caesar’s *Dignitas*”: 136-7. On Pompey’s *dignitas*, see Raaflaub *Dignitatis Contentio*: 335.

Soon after, when negotiations fail and Caesar quietly crosses the Rubicon,⁴⁴⁵ he reluctantly begins to proceed through Italy.⁴⁴⁶ Following his success there, he returns to Rome to address the senate directly, with Pompey having fled the country. Taking the opportunity to once again restate his position, particularly the violations of his own rights as a Roman citizen, the injustice done to the tribunes, and the unwillingness of the senate to meet with him, Caesar then proposes more direct action:

Pro quibus rebus hortatur ac postulat, ut rem publicam suscipiant atque una secum administrent. Sin timore defugiant, illis se oneri non futurum et per se rem publicam administraturum (1.32.7).

“On these considerations he urges and exhorts them to take up the burden of state and administer it together with him; but if they should shrink out of fear he will not burden them, and will administer the state on his own.”

In many ways, this is Caesar’s counter to the *s.c.u.* Instead of the Pompeian-led senate encouraging Lentulus to take any action necessary to protect the state from harm, which resulted in the extralegal deaths of Roman citizens, Caesar now encourages the senate themselves to properly govern the state. Instead of advocating for violence, Caesar seeks to work together with the senate. Echoing Lentulus’ syntax (*sin Caesarem respiciant*, 1.2), Caesar gives the alternative should the senate shirk its duty and not heed his advice (*sin timore defugiant*). But whereas Lentulus threatens to abandon the state and seek Caesar’s protection and friendship, Caesar states that he would administer the state instead (*per se rem publicam administraturum*). The overall

⁴⁴⁵ Cf. Cassius Dio 41.4.1; Suet. *Jul.* 31-3; Plut. *Caes.* 32.3-9; App. *BC* 2.5.35-6. The literary advantage of not mentioning the extralegal crossing is discussed by Batstone and Damon *Caesar’s Civil War: 57* and Grillo *Art of Bellum Civile*: 10. On the historical details of the crossing, see P. Bicknell and D. Nielsen, “Five Cohorts against the World” in C. Deroux (ed.) *Studies in Latin Literature and Roman History IX* (Brussels 1998): 138-66, and A.F. Wensler, “Lucan und Livius zum Januar 49 v. Chr.: Quellenkundliche Beobachtungen.” *Historia* 38 (1989): 250-4. For a close reading of 1.8.1, see G. Pascucci, “Interpretazione linguistica e stilistica del Cesare autentico.” *ANRW* 1.3: 517-19. On the reception of this event, see A. Rondholz, who illustrates the patterns common to all of the extant accounts of Caesar crossing the Rubicon (Velleius Paterculus, Lucan, Plutarch, Suetonius, Appian, Orosius) and suggests Asinius Pollio as a common source; see “Crossing the Rubicon. A Historiographical Study” *Mnemosyne* 62 (2009): 432-50.

⁴⁴⁶ See below for a discussion of this section.

message is that ensuring the well-being of the state is of utmost importance; whoever takes charge of it is less important (though clearly Caesar intends to be involved).⁴⁴⁷ Unfortunately, despite the senate approving the proposal, no one was willing to take the matter to Pompey, forgoing action for the sake of the state (*rei publicae causa*) out of personal fear (*timoris causa*, 33.1). For, Caesar explains, Pompey again stifled the senate and all communication with his ultimatum that anyone who remained in Rome was considered to be in Caesar's army (*Pompeius enim discedens ab urbe in senatu dixerat eodem se habiturum loco, qui Romae remansissent et qui in castris Caesaris fuissent*, 33.2). And so the war continued.

Throughout his narrative about Rome, Caesar illustrates the dysfunctional nature of both the senate and the Pompeian party, as well as their illegitimate claims to the power of the Roman state. Pompey's method of control relies heavily on an oppressive hierarchy and barely maintaining control of his men through their own selfish motives. In addition to simply making the Pompeians look bad, Caesar's focus on the relationship (or lack there of) between Pompey and his constituency is key to identifying his own form of leadership. Just as the Pompeians disregard the rights and interests of Roman citizens in governing, so do they disregard their very lives on the field. In this next section, I will show how Caesar demonstrates through his narrative the kind of leader and statesman he intends to be after the war.

Battle for Leadership

⁴⁴⁷ "There is no announcement here of a coming Reichsstaat, or of any general constitutional reform; there is, as Gelzer 21 has pointed out, a threat to act independently, and thus an attempt to force cooperation by the reluctant senate, but again there is nothing that a Cicero or a Cato could not have approved in principle. The idea of a temporary dictatorship to deal with a public emergency, whether formally tendered by a vote of the senate or taken in hand de facto by a strong consul, was one of the oldest traditions of the Roman constitution. In Caesar's words there is no break with the *res publica*, but rather the use of the *res publica* as a slogan" (Collins "Date of BC": 120).

Caesar has established that the senate no longer represents the legitimate authority of the state, and that all acts of formal condemnation from that body are thus invalid. Furthermore, his depiction of Pompey and his supporters reveals a dysfunctional mob, alternating between absolute control and defiance, as a foreshadowing of the fate of Rome under Pompey. The message Caesar conveyed while narrating the events at Rome was that he was a strong supporter of the rights of Roman citizens, and that they must be upheld by those who govern the Roman people. To him, the *res publica* was the Roman people. Now, Caesar moves to the domain of war and to new aspects of his political ideology. In narrating a civil war between Romans, Caesar illustrates what it means to be a good Roman leader, whether of an army or a state.⁴⁴⁸ This basic objective has been identified by Batstone and Damon, Grillo, and others, who in particular focus on Caesar's self-portrait as the "traditional and constitutional" figure. Building on their analyses, I will explore the various motifs and trends that Caesar uses to convince his readers that he prioritizes Roman lives and acts on behalf of the citizenry. In this section, I examine three key episodes, Italy, Dyrrachium, and Pharsalus,⁴⁴⁹ highlighting four complementary themes that Caesar uses to characterize himself, often in direct contrast to the Pompeians. Each theme represent one aspect of the way Caesar interacts with other Romans and allies, and helps answer the question of what makes a good leader for the Republic:

1. **Non-violence.** A good leader seeks to preserve the lives of his people, employing violence only as a last resort.
2. **Communication.** A good leader takes advantage of the skills and information from his people at every level of class or rank.
3. **Trust.** A good leader must be able to rely on his people both in times of battle and generally, and vice versa.

⁴⁴⁸ And, conversely, what a functional state looks like (leaders and people), even in a time of war.

⁴⁴⁹ While the entire work is a testament to Caesar's political ideology, other significant episodes which showcase these qualities include Caesar's interactions with Massilia (1.34-6, 56-58; 2.1-16, 22), the end of Ilerda (1.71-1.87), Further Spain (2.17-21), and Curio's handling of the near-mutiny (2.31-2).

4. **Liberty.** A good leader enables his people to have their personal freedom and public rights.

As I show below, by highlighting how he exemplifies these positive qualities throughout the narrative, Caesar sends a powerful message to his readers. Not only is his continued success in this civil war directly related to how he interacts with the Roman citizens, but these qualities also indicate the sort of leader Caesar would be after the war, at home. As we will see, the people similarly flourish from his successes. His purposeful construction of the narrative, then, serves to illustrate this general policy of conduct.

Italy (1.12-29)

The first sequence of events when the war finally gets under way is Caesar's rapid progression through Italy. Coming after yet another spurned attempt at negotiations, Caesar "despairing of peace" (*pacis desperationem afferebat*, 1.11.3), reluctantly but determinedly marches through Italy, securing the support of towns in an idealized fashion.⁴⁵⁰ As many have noted, this "bloodless march" through Iguvium (1.12), Auximum (1.13), Picenum (1.15), and Asculum (1.15.3), culminating in the victory at Corfinium (1.15-23), is meant to illustrate the overwhelming support of the Roman people for Caesar's side, while also showing the misguided self-confidence of the Pompeians.⁴⁵¹ The Caesarians are cast as liberators while the Pompeians are cowards who run at the first sign of trouble. This analysis is all generally true; however, at the risk of going over well-trodden territory, I nevertheless want to tease out some of the implications of these characterizations, and in particular, what they imply for Caesar's political ideology and his future program.

⁴⁵⁰ And distorting the chronology to create this effect. See Batstone and Damon *Caesar's Civil War*: 61 for the correct order.

⁴⁵¹ See for instance Batstone "Narrative Gestalt": 126-36; Batstone and Damon *Caesar's Civil War*: 61-63, Grillo *Art of Bellum Civile*: 131-35.

One notable thing about Caesar's actual time in Italy is in fact the lack of violence, a hallmark of his general policy. His narrative naturally reflects this, for there are no terms for violence anywhere in his description of this campaign, nor does Caesar ever have to engage with the civilians or the Pompeians. The reason is that he relies on his ability to communicate effectively with all of the men around him. He consistently trusts the Roman people, whether civilian or soldier, and believes they can maintain a mutually beneficial relationship. His description of the first towns to open their gates, Iguvium and Auximum, serves as an example of this dynamic. Caesar tells us that Thermus, a Pompeian holding Iguvium, after learning of Curio's arrival and "distrusting the good will of the town" (*cuius adventu cognito diffisus municipii voluntati*, 12.2), fled with his cohorts from the city. Caesar, by contrast, explains that after he had learned of these events, he set out to Auximum, trusting in the good will of the townsmen (*quibus rebus cognitis confisus municipiorum voluntatibus*, 12.3).⁴⁵² As we have seen before, Caesar often uses parallel diction to contrast the two sides. Here he juxtaposes their interactions with the civilians.⁴⁵³ The Pompeians hold the townspeople against their will, and, because they do not trust them, end up fleeing and losing strategic positions.⁴⁵⁴ The Caesarians, by contrast, have no intention of oppressing the towns, and also trust that their objectives are in accord with the townspeople's, and this results in a military success.⁴⁵⁵ Very often the civilians themselves voice their support, in contrast to the Pompeian tendency to suppress the voices of

⁴⁵² Batstone notes the ring-structure of these phrases, and sees the shift in number from the *municipii voluntas* to the *municipiorum voluntates* as Caesar assuming (as should the reader) that he is favored by everyone ("Narrative Gestalt": 129-30).

⁴⁵³ Even the main verbs closely correspond: *reducit / deducit* and *profugit / proficiscitur*.

⁴⁵⁴ Thermus also lost some of his own men: *milites in itinere ab eo discedunt ac domum revertuntur* (12.2). Cf. Varus losing his own troops at 13.4.

⁴⁵⁵ Curio's warm welcome by Iguvium affirms this: *Curio summa omnium voluntate Iguvium recipit* (12.3). Cf. 13.5, 15.1, 18.2.

others.⁴⁵⁶ This motif of “distrusting” appears later at key moments in the *BC*, and always denotes the inability of the Pompeians to rely on others, including each other, with disastrous results.

The theme of liberty can easily be seen in this whole episode, as the Caesarians assume the role of liberator and free the towns from oppressive Pompeian control. In addition to this general atmosphere, two small but significant moments further affirm his sincere commitment to enabling Roman freedom and sharply contrast with the Pompeians. In two places, we see the actual word for freedom, *libertas*. As I noted in Chapter 3, Caesar uses the word sparingly as part of his political propaganda, since *libertas* was the main word of choice wielded by his enemies.⁴⁵⁷ Thus, *libertas* is primarily used by the Gauls in the *BG* as a way to justify violence; in this way Caesar links both his foreign enemies (*hostes*) with his personal enemies (*inimici*) at home. In the *BC*, *libertas* appears only five times, but each is significant.⁴⁵⁸ The first instance is when Rome is in a panic because of a false report that Caesar and his army were imminent (14.1); the assumption, as false as the report, is that Caesar would be taking liberty away from the Roman people. The consul Lentulus, the blustering Pompeian whom we met before, takes Caesar’s gladiators (who had been in training) and after he persuades them with the hope of liberty (*spe libertatis confirmat*), orders them to follow him (14.4). Yet immediately after, because his followers scorned having gladiators among them, he distributes them to friends and family (14.5).⁴⁵⁹ Lentulus’ promise for freedom was proven to be merely empty words motivated out of self-interest. Caesar, by contrast, has been deeply concerned with freeing the Roman

⁴⁵⁶ Cf. 13.1-2, the council of Auximum explaining Caesar’s virtues to Varus, who “moved by their speech” (*quorum oratione permotus*) immediately flees. See also 18.1-2.

⁴⁵⁷ According to Raaflaub, Caesar only briefly adopted the buzzword at the onset of the war; see Cairns and Fantham *Caesar Against Liberty*: 35-67, and page 36 for a discussion of the coinage he circulated associating him with *Libertas*.

⁴⁵⁸ 1.14.4, 1.22.5, 1.57.4; 2.21.1; 3.91.2. Each instance except for 1.57.4 will be discussed in the body of this chapter. 1.57.4 is mentioned at n

⁴⁵⁹ See Collins “Caesar as Political Propagandist”: 953 and Damon “Caesar’s Practical Prose”: 191.

people from oppression from the start, as shown by his encounters with Italian cities just before.⁴⁶⁰

Caesar's primary method, of showing his good will and the sort of leader he is rather than simply stating it, is nevertheless bolstered at key moments by his own words. The siege of Corfinium (1.17-22) represents the culmination of the Italian campaign, and one of the clearest examples of Pompey's inability to lead contrasted with Caesar's positive ability. When Domitius, the Pompeian holding the town, finds out that Caesar is camped outside of the city walls, he sends a letter to Pompey, begging for his help (17.1). He specifically mentions that if Pompey does not come to his aid, "He himself and more than thirty cohorts and a great number of senators and Roman knights will be imperiled" (17.2).⁴⁶¹ Domitius himself, out of the other Pompeians, appears to effectively use his soldiers, for even before he hears from Pompey, he is described as encouraging his men (*Interim suos cohortatus*), placing them around the city (*certasque cuique partes ad custodiam urbis attribuit*), and promising lands from his own estate (*agros ex suis possessionibus pollicetur*, 17.3-4).⁴⁶² Thus it is even more striking that Pompey's response is to disavow any responsibility:

Pompeius enim rescripserat: sese rem in summum periculum deducturum non esse, neque suo consilio aut voluntate Domitium se in oppidum Corfinium contulisse; proinde, si qua fuisset facultas, ad se cum omnibus copiis veniret (19.4).

"For Pompey had sent back word that he would not utterly imperil the whole situation, and that it was not by his advice or consent that Domitius had betaken himself into the town of Corfinium, and bade him therefore come to him with all his forces if there should be any opportunity of doing so."

⁴⁶⁰ This chapter's placement and purpose has been, according to Batstone, "poorly misunderstood" ("Narrative Gestalt": 131). He sees it as a "muted" version of the narrative gestalt on display in the surrounding chapters. See 132ff.

⁴⁶¹ *Quod nisi fecerit, se cohortesque amplius XXX magnumque numerum senatorum atque equitum Romanorum in periculum esse venturum.*

⁴⁶² *Interim suos cohortatus tormenta in muris disponit certasque cuique partes ad custodiam urbis attribuit; militibus in contione agros ex suis possessionibus pollicetur, quaterna in singulos iugera, et pro rata parte centurionibus evocatisque.*

In this statement, we can see the disconnect between Pompey and his subordinates. The fact that Pompey claims that it was not his desire for Domitius to take Corfinium shows a lack of control over his men, belying the picture of him at Rome. Moreover, if in fact Domitius' actions are contrary to Pompey's will, it also shows that the commander does not trust Pompey's judgment.

This unhelpful response triggers a series of events that lead to a Pompeian defeat.

Domitius tries to rally his men (*hortaturque eos ne animo deficiant*), pretending (*dissimulans*) that Pompey was coming to their aid.⁴⁶³ Secretly, however, Domitius makes his own plans to escape, demonstrating his true Pompeian lack of faith and self-serving aims (*ipse arcano cum paucis familiaribus suis colloquitur consiliumque fugae capere constituit*, 19.2). His body language and behavior nevertheless soon betrayed him to his men (19.3), who then decide to take their own council. In explaining the situation to each other, Caesar has them reiterate “that their leader Domitius, in whose confidence and trust they had remained, has abandoned them all and is meditating flight, and that they ought to consider their own safety” (*ducem suum Domitium, cuius spe atque fiducia permanserint, proiectis omnibus fugae consilium capere: debere se suae salutis rationem habere*, 20.2). The crisis and quarreling among Domitius's forces nearly devolve into actual violence at one point (*tantaque inter eos dissension existit ut manum conserere atque armis dimicare conentur*, 20.3), until everyone has been apprised of the facts. Pompey's lack of trust has now effectively dismantled the entire military structure. Thus the next move on the Pompeian soldiers' part comes as no surprise: they decide, “altogether with one

⁴⁶³ *Litteris perlectis Domitius dissimulans in consilio pronuntiat Pompeium celeriter subsidio venturum hortaturque eos, ne animo deficiant quaeque usui ad defendendum oppidum sint parent. Ipse arcano cum paucis familiaribus suis colloquitur consiliumque fugae capere constituit* (19.1).

mind” (*omnes uno consilio*), to open the gates to Caesar and surrender Domitius (20.5). Faced with abandonment and betrayal from their own superiors, the soldiers choose Caesar.⁴⁶⁴

The defection of the Pompeian soldiers is followed by that of another prominent Pompeian, Lentulus Spinther. As Lentulus begs Caesar for his life and reminds him of their previous friendship and favors, Caesar interrupts and restates his intentions in this civil war: to defend himself from the insults of his foes (*uti se a contumeliis inimicorum causa*), to restore the tribunes of the people (*ut tribunos plebis in ea re ex civitate expulsos in suam dignitatem restitueret*), and “to assert the freedom of himself and the Roman people who had been oppressed by a small faction” (*ut se et populum Romanum factione paucorum oppressum in libertatem vindicaret*, 22.5). Here, Caesar explicitly voices his priorities, which all come down to preserving both the lives and individual rights of Roman citizens, himself included. The mention of the *factio paucorum* reaffirms that Caesar recognizes that the Pompeian soldiers are also Roman citizens, and blames only the Pompeian leaders for the war and violence. We also have the second mention of liberty (*in libertatem vindicaret*). Lentulus Spinther is encouraged by Caesar’s speech (*Cuius oratione confirmatus Lentulus*) and the mention of freedom, reminiscent of the gladiators at 14.4 (*spe libertatis confirmat*); he adds that by gaining his own safety, he could be a hope to others (*quod de sua salute impetraverit, fore etiam reliquis ad suam spem solatio*, 22.6). Unlike the consul L. Lentulus’ about-face, however, Caesar’s is not an empty promise, for he allows Spinther to depart unharmed (*facta potestate discedit*).

While the conclusion of the Italian campaign does not result in an end to warfare, nevertheless Caesar’s narrative creates a nice ending to this first phase of the war. Pompey, after learning what had happened at Corfinium, flees to Brundisium and occupies it. While each side

⁴⁶⁴ Caesar makes it clear throughout the *BC* that only the Pompeian *commanders* are to blame for the civil strife and violence, not the soldiers themselves.

attempts to outmaneuver the other, with Caesar setting up a blockade to prevent Pompey from leaving, and Pompey attempting to get away unnoticed, the matter is eventually settled by the Brundisians themselves. Resentful of the ill-treatment of Pompey and his army (*Pompeianorum militum iniuriis atque ipsius Popmei contumeliis permoti*, 28.1), they alert Caesar from the rooftops, thwarting Pompey's attempt to sneak out of the city that night unnoticed (*vulgo ex tectis significabant*, 28.2). Unlike his opposition, Caesar listens to and acts on intelligence from his people (*per quos re cognita Caesar*), in this case civilians, and orders ladders to be prepared and the soldiers to arm. The Brundisians further help Caesar by warning his men (*moniti a Brundisinis*) about the ditches and stakes left behind by the Pompeians to impede pursuit (28.4). Although Caesar was unable to stop Pompey's departure, neither civilians nor Caesarians were harmed, because of Caesar's positive and effective interactions with the town.

Before narrating his return to Rome, Caesar reports the activities of the other officers on both sides. Although he only devotes a few brief lines to Cato, they are telling. We learn that his zealous opponent is building new ships and refitting old ones in Sicily, while his lieutenants raise levies for Pompey in Lucania. His diligence and industrious are particularly noted (*Haec magno studio agebat*, 30.4). Yet, despite this enthusiasm and productivity, Cato has significant problems with his own leader. For when he hears of Curio's arrival, he shows his true colors:

Quibus rebus paene perfectis adventu Curionis cognito queritur in contione sese proiectum ac proditum a Cn. Pompeio, qui omnibus rebus imparatissimis non necessarium bellum suscepisset et ab se reliquisque in senatu interrogatus omnia sibi esse ad bellum apta ac parata confirmavisset. Haec in contione questus ex provincia fugit (30.5).

“When these measures were almost completed, and after hearing of Curio's approach, he complains in a meeting that he had been cast aside and betrayed by Gnaeus Pompey, who, while utterly unprepared in everything, had undertaken an unnecessary war, and when questioned by himself and the rest in the senate had assured them that he had everything fit and ready for war. After making these complaints in the meeting he fled from the province.”

His automatic assumption that Pompey had abandoned and betrayed him not only indicates his general lack of trust in Pompey, but also recalls Pompey's actual abandonment of Domitius. Cato's decision to slander his leader immediately demonstrates a lack of loyalty as well. Cato's complaints, that Pompey lied to the senate about the necessity of this war and his ability to win it,⁴⁶⁵ reinforce Caesar's position as reluctant defender. Cato, despite his productive qualities, ends up fleeing like Domitius, showing that he is no better than any of the other Pompeians.

As many have noted, there is a clear contrast between the leadership of Caesar and that of the Pompeians. While the Pompeians can be characterized as cowardly and self-serving, a more important distinction that explains their behavior is their inability to interact with and lead their men effectively. Throughout this section we have seen Pompeian commanders cut and run as soon as they hear of Caesar, often losing soldiers in the process.⁴⁶⁶ Domitius, by contrast, appears to be the only effective commander,⁴⁶⁷ and yet Pompey fails both to receive important information and to respond to protect his own people. He himself cuts and runs for his own self-preservation.⁴⁶⁸ This behavior results in both a military defeat and a psychological one. Pompey also loses the energetic efforts of Cato, whom he alienated by not being there in a time of conflict and by lying about the war. Caesar, however, communicates effectively with soldiers, Pompeians, and civilians to prevent violence; even if the victories he gains start off small, they soon seem both inevitable and just.

⁴⁶⁵ Pompey's poor judgment is not just a motif brought out by Caesar, but does at least in part appear to be fact. Ridley's survey of the events around the outbreak of the war includes a plethora of Cicero's letters attesting to Pompey's vacillating opinions about the situation (2004: 127-52).

⁴⁶⁶ Cf. 12.2, 13.2-4, 15.3, 18.3.

⁴⁶⁷ Caesar notes earlier that Domitius had raised twenty cohorts by himself (*per se*) in the neighboring regions (15.7).

⁴⁶⁸ And this indeed is demonstrated in a very literal sense after Pharsalus.

Dyrrachium (3.41-72)

Defeats in Caesar's narrative are rare, and thus they have particular importance. Scholars have noted that Caesar typically plays up the tragedy of the event while making it clear that responsibility for such losses falls on everyone but him. In the *BG*, Caesar's lieutenants, Sabinus and Cotta, allow their forces to be slaughtered by the duplicitous Ambiorix, who deceived them with false promises and betrayal.⁴⁶⁹ In the *BC*, the losses in Books 1 and 2 are similarly due to a combination of Roman trust (and, in the case of Curio, overconfidence) and Pompeian betrayal.⁴⁷⁰ In Book 3, there are more frequent moments of small, but not insignificant betrayals,⁴⁷¹ leading up to the worst defeat in the campaign for Caesar, the battle of Dyrrachium. Although Caesar nearly lost the war to Pompey during this battle, nevertheless his narrative of the event continues to demonstrate how, even when on campaign, Caesar thinks as both a general and statesman, with Roman citizens always at the forefront of his decisions.⁴⁷²

The narrative of Dyrrachium has two main parts: the siege (3.41-55) and the pitched battle (3.58-72), separated by a brief interlude (3.56-57). The near-equal lengths of these two halves allow Caesar to emphasize his relative successes as much as he can before the inevitable defeat. Moreover, his success is measured by preventing warfare and the deaths of Roman citizens, whereas Pompey's success will be *because* he killed his own countrymen.

In the siege narrative, Caesar justifies the validity of his military actions and at the same time shows that he takes better care of his men. He spends several chapters detailing both the thought process of each general and the fortifications erected in each camp, to prevent the other

⁴⁶⁹ *BG* 5.26-35. See Chapter 3.

⁴⁷⁰ See the section "Violence Apparent" for more on this.

⁴⁷¹ Cf. 3.8, 14, 19, 23, 28, 71 for unprovoked Pompeian cruelty and violence.

⁴⁷² "Even allowing for the loss (between 50 and 51) of the narrative of Caesar's attempt to take Dyrrachium, we find an unusually high proportion of reflection and generalization about the nature of this confrontation. Caesar thus creates a unifying context for the specific but virtually independent and ultimately inconclusive episodes embedded in it" (Carter *Civil War III*: 176).

army from breaking through.⁴⁷³ Already, Caesar's forces are at a disadvantage, since not only did they have more ground to cover, as they were encircling Pompey's camps, but they were also outnumbered by the enemy themselves (44.5). Other difficulties emerge, since during these preparations, Caesar's soldiers are harassed by the Pompeians, who would shoot at the men as they constructed the earthenworks (44.6-7). Yet Caesar merely records these facts without comment or concern, letting his men handle the situation, in this case by constructing coverings made of felt, quilts or hides.⁴⁷⁴ When Pompey sends out not only archers and slingers but also a group of light-armed infantry (45.3), causing more casualties, Caesar springs into action. In his description of the retreat to safety, Caesar repeatedly mentions his fear for his men, which in turn influences the actions he takes. First, "fearing for the retreat of his men" (*Caesar receptui suorum timens*, 46.1), Caesar gives orders to create obstructions for the Pompeians on whatever side they might approach. As they withdraw further back, with the Pompeians eagerly pursuing, Caesar feared (*veritus*) that his soldiers would think that they were being driven away, rather than retreating in an orderly fashion, so he sends a message of encouragement (*cohortatus*) to his men through Antonius and orders the Ninth legion to charge. This has the salutary effect of not only promptly uniting the men (*subito conspirati*) but also forcing the Pompeians to turn tail (46.5).⁴⁷⁵ The Caesarians successfully continue with their fortifications, after killing many Pompeians and losing only five of their own number. Thus Caesar's ability to manage his men and communicate with them effectively results in a success despite the initial disadvantage.

⁴⁷³ For discussion of the fortifications and maneuvers that took place at Dyrrachium see G. Davies, "Roman Warfare and Fortification." In *The Oxford Handbook of Engineering and Technology in the Classical World*, ed. J. P. Oleson (Oxford 2008): 691-711; Lendon "Rhetoric of Combat": 300-304.

⁴⁷⁴ *atque omnes fere milites aut ex coactis aut ex centonibus aut ex coriis tunicas aut tegimenta fecerant, quibus tela vitarent* (44.7).

⁴⁷⁵ *Quod cum animadvertisset Caesar, veritus, ne non reducti, sed reiecti viderentur, maiusque detrimentum caperetur, a medio fere spatio suos per Antonium, qui ei legioni praeerat, cohortatus tuba signum dari atque in hostes impetum fieri iussit. Milites legionis VIII subito conspirati pila coniecerunt et ex inferiore loco adversus clivum incitati cursu praecipites Pompeianos egerunt et terga vertere coegerunt.*

The siege itself is a mini-climax in the Dyrrachium narrative. Caesar uses a series of linguistic parallels throughout to heighten the contrast between his military decisions and Pompey's, showcasing his superior leadership and the reversal he creates. Caesar signals the importance of the ensuing narrative by stating, "This type of warfare was new and unprecedented" (*Erat nova et inusitata belli ratio*, 47.1). He next details the adverse conditions he and his soldiers found themselves in:

At tum integras atque incolumes copias⁴⁷⁶ Caesar inferiore militum numero continebat, cum illi omnium rerum copia abundarent; cotidie enim magnus undique navium numerus conveniebat, quae commeatum supportarent, neque ullus flare ventus poterat, quin aliqua ex parte secundum cursum haberent. Ipse autem consumptis omnibus longe lateque frumentis summis erat in angustiis. Sed tamen haec singulari patientia milites ferebant. Recordabantur enim eadem se superiore anno in Hispania perpressos labore et patientia maximum bellum confecisse, meminerant ad Alesiam magnam se inopiam perpressos, multo etiam maiorem ad Avaricum, maximarum gentium victores discessisse. Non illi hordeum cum daretur, non legumina recusabant; pecus vero cuius rei summa erat ex Epiro copia, magno in honore habebant (47.3-5).

"But on this occasion Caesar with an inferior number of men was hemming in fresh and uninjured forces, the enemy having an abundant supply of all necessaries. For every day a large number of ships was gathering from every quarter to bring up stores, nor could any wind blow without their having a favorable course from some direction. But Caesar himself was in extreme straits, all the grain far and wide having been used up. Nevertheless the men bore these hardships with exemplary patience. For they kept in mind that they had endured these same hardships the year before in Spain and by their toil and patience had concluded a very serious war. They remembered that at Alesia they had endured great privation, still greater at Avaricum, and had come off victors over very important nations."

Caesar has changed the rules: usually, the besiegers try to prevent their opponents from obtaining food, and do so when the besieged are already demoralized or beaten (47.2). Although he puts his men at even greater risk than before, this focalization of Caesar's soldiers illustrates the trust they have in him. He also highlights their extraordinary patience, showing that it was only with their support that he could make this siege work. They recall not only the campaign in Ilerda

⁴⁷⁶ The underlined phrases will be discussed in more detail below.

from 49 (and Book 1), a Caesarian victory, but also the successful sieges at Alesia and Avaricum during the Gallic campaign. Caesar reminds his readers both of his past accomplishments, and that his positive relationship with his soldiers ensures their mutual success.

As the reader has come to expect, the tide turns a short time later and Caesar's strategy pays off. As new crops begin to ripen, to give the Caesarians their badly needed grain (49.1), conditions worsen for the Pompeians:

*Libenter etiam ex perfugis cognoscebant equos eorum tolerari, reliqua vero iumenta interisse; uti autem ipsos valetudine non bona, cum angustiis loci et odore taetro ex multitudine cadaverum et cotidianis laboribus insuetos operum, tum aquae summa inopia affectos.*⁴⁷⁷ ... *At Caesaris exercitus <cum>*⁴⁷⁸ *optima valetudine summaque aquae copia utebatur, tum commeatus omni genere praeter frumentum abundabat; quibus cotidie melius succedere tempus maioremque spem maturitate frumentorum proponi videbant* (49.2, 5).

“Moreover, they were glad to learn from deserters that though the cavalry horses of the enemy were being kept alive, the rest of their animals had perished, and that the men themselves were experiencing bad health, both by reason of the cramped space and the foul stench from the multitude of corpses and their daily toils, as they were unaccustomed to work, and were also troubled by an extreme scarcity of water. ... But Caesar's army enjoyed excellent health and an abundant supply of water, and abounded with every kind of provision except grain, and for this they saw a better season daily approaching and a greater hope set before them through the ripening of the grain.”

Caesar highlights the reversal through parallel phrases. Initially, Caesar was besieging whole and healthy forces with an inferior number of soldiers (*at tum integras atque incolumes copias Caesar inferiore militum numero continebat*), and his opponents were overflowing with an abundance of all things, supplemented daily (*cum illi omnium rerum copia abundarent; cotidie...* 47.3). Caesar's army, on the other hand, was in dire straits (*summis erat in angustiis*) because of a lack of grain (*inopiam*, 48.1, 49.1; cf. 47.5). But now, Caesar's army not only enjoyed the best

⁴⁷⁷ This scarcity was due directly to Caesar's efforts to block or divert the streams (49.3-4).

⁴⁷⁸ Damon's 2015 OCT edition does not retain the <cum>, which was added by Dinter. I need to address this but I am not yet sure whether I can justify adding it based on the parallel structure with 3.47 or if I need to acknowledge that it is not an exact match.

health and greatest abundance of water (*at Caesaris exercitus <cum> optima valetudine summaque aquae copia utebatur*), but also was overflowing in every sort of supplies except grain (*tum commeatus omni genere praeter frumentum abundabat; quibus cotidie... 49*). The repetition of abundance and overflowing on either side is underscored by the *cum.....tum* in each phrase. Furthermore, Pompey's army is unable to handle adversity nearly as well as Caesar's men. Their extreme shortage of water (*tum aquae summa inopia*) and the tightness of space (*angustiis loci*) resulted in bad health (*valetudine non bona*), and a multitude of actual deaths. The mention of corpses (*cadaverum*) is significant: Caesar uses this graphic term nowhere else in the *BC*; it would almost certainly call to mind the siege at Alesia (already mentioned by Caesar's men) when the Gaul Critognatus suggested eating the corpses to prevent Caesar from winning.⁴⁷⁹

In short, Pompey has failed to preserve the well-being and even lives of his men. Even if he had the initial advantage, such that he and his men boasted repeatedly about their assured success,⁴⁸⁰ Caesar took sensible risks that paid off, knowing and trusting the abilities of his men. Pompey now has a morale problem too, judging by the deserters that Caesar mentions (*ex perfugis*). While technically, the siege ends in stalemate, with the Pompeians unhealthy and short on water and the Caesarians short on food, Caesar's use of the paired phrases to emphasize the positive qualities of his army and leadership turns it into a moral and military victory through his preservation of Roman citizens.

The first half of the Dyrrachium narrative thus ends on a high note for Caesar. Although Pompey still refused a pitched battle, there were a number of smaller skirmishes in which Caesar tells us he came out ahead. He even ends this section with a body count, something that typically

⁴⁷⁹ *BG* 7.77.8 (*cadaveribus*); cf. 77.12 (*corporibus*). See Chapter 3, 22-25 for a discussion of Gallic graphicness and the other uses of 'corpse' terms.

⁴⁸⁰ 45.6, 48.2.

only happens at the end of battle narratives.⁴⁸¹ The numbers, naturally exaggerated, clearly indicate that Caesar has “won”: 2000 Pompeians had fallen, compared to only 20 Caesarians (though many were wounded in the fort).⁴⁸² After this, we reach another stalemate, where Pompey refuses to engage Caesar’s army at all.

Caesar’s introduction to the second half, which will lead to the battle proper, seeks to redirect responsibility for the eventual loss of Roman citizens while at the same time highlighting his preference for communication over violence. Right around the time that Pompey has at last decided to break out (58.5), we learn that two Allobrogians in Caesar’s army, Roucillus and Egus, have been cheating their cavalry of pay (59.3). All of the horsemen come to Caesar personally about the offense and openly complain to him about the injustice (*universi Caesarem adierunt*, 59.4), showing their trust in him as well as his accessibility. Here we can see Caesar mediating not only a military dispute but one that would also be relevant to a Roman magistrate. Caesar decides not to punish them yet, but instead reprimands them in private and reminds them of the benefits of his friendship, both past and to come (60.1). The two offenders end up defecting to Pompey, taking with them as much money and information as they can. This episode allows Caesar to justify at least in part the loss at Dyrrachium since the deserters told Pompey everything about Caesar’s army and fortifications (61.3).⁴⁸³ His presentation of the deserters, moreover, is purposefully reminiscent of the *BG*. Not only were these men part of the Gallics campaign, albeit on Caesar’s side (59.1), but they evince stereotypical Gallic

⁴⁸¹ Melchior “Compositions in Blood”.

⁴⁸² *Ita uno die VI proeliis factis, tribus ad Dyrrachium, tribus ad munitiones, cum horum omnium ratio haberetur, ad duo milia numero ex Pompeianis cecidisse reperiebamus, evocatos centurionesque complures (in eo fuit numero Valerius Flaccus L. filius eius, qui praetor Asiam obtinuerat); signaque sunt militaria sex relata. Nostris non amplius XX omnibus sunt proeliis desiderati. Sed in castro nemo fuit omnino militum, quin vulneraretur, quattuorque ex una cohorte centuriones oculos amiserunt* (53.1-3).

⁴⁸³ Pompey uses this information immediately after, see 63.5ff.

characteristics: greed, arrogance, and disloyalty.⁴⁸⁴ Nonetheless, Caesar trusted the pair, as he trusts all of his men, until they revealed themselves to be true Pompeians.

Caesar does not hide the fact that the ensuing battles against Pompey at Dyrrachium were devastating for his side, with losses of 960 soldiers and many important officers.⁴⁸⁵ He even loses control of his own army because of panic: “And every place was full of disorder, panic, and flight, so much so that when Caesar grasped the standards of the fugitives and bade them halt, some without slackening speed fled at full gallop, others in their fear even let go their colors, nor did a single one of them halt” (69.4).⁴⁸⁶ Nevertheless, Caesar reestablishes his leadership and control of his men in the aftermath of the battle.⁴⁸⁷ First, he notes how Pompey could have won the entire war, had he understood the situation and managed his troops better (70.1). The Pompeians themselves now become overconfident, rather than understanding why they had won (72);⁴⁸⁸ not only does Pompey himself not seem to be aware of this, but he will consistently fail to temper the overconfidence of his troops until their own disaster at Pharsalus.

Caesar, on the other hand, communicates effectively with his men, managing both their emotional well-being and military actions. He first addresses his men in a long speech, reassuring them that one defeat should not stand against their many victories (73.3). He reminds

⁴⁸⁴ Cf. their “foolish and barbaric arrogance” (*stulta ac babara arrogantia*, 59.3). See above (and Chapter 3) for scholarship on Caesar’s treatment of Pompeians and barbarian Gauls.

⁴⁸⁵ It is nevertheless notable how little violence appears in the narrative of this battle. In this second half of the Dyrrachium narrative (58-72), there are only 8 terms of violence, including one hypothetical use (when the Allobroges worry that they will be killed for their actions).

⁴⁸⁶ *omniaque erant tumultus, timoris, fugae plena, adeo ut, cum Caesar signa fugientium manu prenderet et consistere iuberet, alii admissis equis eodem cursu confugerent, alii metu etiam signa dimitterent, neque quisquam omnino consisteret.*

⁴⁸⁷ Overall, Caesar attributes the major defeat to fortune (69.1, 70.2, 72.4), the panic of the soldiers (69.4), and the disadvantages of number and terrain for the Caesarians (72.2-3). See Batstone and Damon *Caesar’s Civil War*: 124-7, 129-30, 155; Grillo *Art of Bellum Civile*: 52; Gelzer *Caesar*: 235-6.

⁴⁸⁸ Eden notes, “This is really an *apologia* for a near-disaster, the reasons for his defeat being cunningly represented as what the victors did *not* take into account among the causes of their success. Caesar’s anger at this blow to his prestige vents itself in an impassioned cry of *non* repeated six times, like a dischord punctuating a recitative” (1962: 108).

them of their previous successes together in Italy and Spain. While Caesar the narrator indicates that his soldiers' panic was in part to blame for the defeat, Caesar the general reassures them that the blame was not theirs (73.4-5).⁴⁸⁹ Finally, Caesar encourages them to turn a loss into victory, just as they did at Gergovia (73.6). Both the speech and his formal reprimand of some of the standard bearers hearten the men:

Exercitui quidem omni tantus incessit ex incommodo dolor tantumque studium infamiae sarcindae, ut nemo aut tribuni aut centurionis imperium desideraret, et sibi quisque etiam poenae loco graviores imponeret labores, simulque omnes arderent cupiditate pugnandi, cum superioris etiam ordinis nonnulli ratione permoti manendum eo loco et rem proelio committendam existimarent (74.2).

“The army, as a whole, was seized with such remorse as a result of the disaster, and such eagerness to repair the discredit, that no one waited for the commands of tribune or centurion, and each man imposed even heavier tasks on himself by way of penalty, and all were alike inflamed by an eager desire for fighting, while some even of higher rank, moved by reflection, thought that they ought to remain on the spot and entrust the issue to a pitched battle.”

Yet Caesar further illustrates that he knows what is best for his army by deciding that the *last* thing his men need is to fight right away. Indeed, because he did not have confidence that they were ready, having been so recently panic-stricken, Caesar decides to give them some time to restore their spirits (3.74.3).⁴⁹⁰ His awareness of what the soldiers need clearly contrasts with Pompey in this regard, for Pompey himself did not correct the overconfidence of his soldiers, but instead got swept up in it himself. Following Caesar's decision to give his men time to recover mentally, he has his men swiftly move onward without delay (*nulla interposita mora*, 75.1). His characteristic swiftness takes Pompey by surprise, and not only does Pompey fail to overtake Caesar's rearguard (*neque consequi potuit*), but he also loses a number of cavalry when they

⁴⁸⁹ The discontinuity over who was to blame for the defeat is actually good, for it shows that Caesar the general knew what to say to his men to energize them and make them recover faster.

⁴⁹⁰ *Contra ea Caesar neque satis militibus perterritis confidebat spatiumque interponendum ad recreandos animos putabat, et relictis munitionibus magnopere rei frumentariae timebat.* Cf. *Batstone and Damon Caesar's Civil War*: 155-6.

finally do engage (*pellerent omnes compluresque interficerent*), while Caesar's own men resume their march without a loss (*ipsique incolumes se ad agmen reciperent*, 75.5). Once again, the small victories continue to add up and point to the better leader.

Thus, while the battle of Dyrrachium itself was an undeniable loss for Caesar, his multi-part narrative highlighted the many ways he was a better and more successful commander than Pompey. As usual, Caesar avoids merely telling the reader this, but instead shows it through his relationship and interactions with his soldiers. Under Caesar's leadership, his men withstood adversity in many forms and yet always—at least, according to the narrative—managed to remain focused on their goal, if not come out ahead. As the narrative and Caesar rapidly move towards Pharsalus, Caesar's success seems inevitable; and all of the qualities that Caesar has demonstrated are necessary to be a leader of Roman citizens will reach their culmination.

Pharsalus (3.82-96)

In this final case study, we see Caesar's political ideology prevail over the flawed ideology of Pompey in his literal victory at Pharsalus.⁴⁹¹ The narrative is neatly divided into the set-up (3.82-87), battle (3.88-95), and aftermath (3.96-99). In the set-up to the battle, Caesar returns to the general behaviors of the two armies, which had established at Dyrrachium, and reinforces their polarizing positive and negative qualities.⁴⁹²

First, Pompey addresses his army (82.1), but his speech backfires in telling ways. Although it roused his men for the imminent battle, it was not effective at controlling them or

⁴⁹¹ The site is introduced obliquely at 81.3. For the battle location, see Pelling, "Pharsalus," *Historia* 22 (1973): 249-59 and J. D. Morgan, "Palaepharsalus – the battle and the town" in *American Journal of Archaeology* 87 (1983): 23-54. Carter *Civil War III ad loc* lists both ancient and modern sources. See also Brown "Two Caesarian Battle-Descriptions": 348-357, Grillo *Art of Bellum Civile*.

⁴⁹² "By the end of this section, the reader has been conditioned to accept Caesar as the only worthy winner of the contest about to take place, and the final sentence of ch. 87 registers as rich in irony" (Carter *Civil War III*: 204).

ensuring their future success. Instead, the Pompeians become over-confident and impatient for battle. Their poorly controlled emotions in turn reflect badly on Pompey, for they become contemptuous of their commander, whenever he was slow or cautious, and believe he simply likes acting tyrannically (82.2).⁴⁹³ The disunity and lack of loyalty increase as the men begin to compete for future offices and rewards (82.3), including Domitius, Scipio, and Lentulus Spinther, who compete over Caesar's priesthood. Domitius even proposes to either fine or execute every Roman who did not show active support of Pompey during this time (83.3).⁴⁹⁴ Indeed, Caesar comments on their behavior directly: "And so all were agitating about honors for themselves, or prizes of money, or about the prosecution of their private quarrels, nor were their reflections concerned with the means by which they could gain the upper hand, but with the way in which they ought to use their victory" (83.4).⁴⁹⁵ Here, Caesar has highlighted not only the Pompeians' incorrect and disastrous peace-time policy and governance of Rome, but also foreshadows its negative impact on the military matters at hand. As we have seen already, however, Caesar's method and policies are a harmonious and effective way of marshalling the Roman people and leading them to victory.

In Caesar's camp, by contrast, there is order and communication. He tests Pompey's willingness to fight, when he judged his soldiers to have sufficiently recovered from Dyrrachium and he could assess their morale (*quo satis perspectum habere militum animum videretur*,

⁴⁹³ *si quando quid Pompeius tardius aut consideratius faceret, unius esse negotium diei, sed illum delectari imperio et consulares praetoriosque servorum habere numero dicerent.*

⁴⁹⁴ *Et L. Domitius in consilio dixit placere sibi bello confecto ternas tabellas dari ad iudicandum eis, qui ordinis essent senatorii belloque una cum ipsis interfuissent, sententiasque de singulis ferrent, qui Romae remansissent quique intra praesidia Pompei fuissent neque operam in re militari praestitissent: unam fore tabellam, qui liberandos omni periculo censerent; alteram, qui capitis damnarent; tertiam, qui pecunia multarent.*

⁴⁹⁵ Also, the fact that Pompey is not privy to these discussions about the fate of the Rome people after the war further undermines his authority.

84.1).⁴⁹⁶ He leads his army closer to the Pompeian camp, and reports that, “This action made his army more confident day by day” (*Quae res in dies confirmatiorem eius exercitum efficiebat*).

Already there is a strong contrast between Pompey’s first action at 82.1, a speech, which helped further to divide up his army into dissension and greed, and Caesar’s first action, which he made while considering his troops’ needs and resulted in unity and confidence. The mental and emotional effects of the actions taken by the two commanders are shown to have a direct military impact as well: because Caesar had taken the time to train his cavalry to ensure they would not fear the greater numbers of the Pompeians (84.4), he carries out a successful skirmish against the Pompeians (84.5).⁴⁹⁷ By the time Pompey finally offers battle, Caesar’s army is well-prepared.⁴⁹⁸

Yet Caesar does not give us the battle. Instead, he delays the inevitable, victorious clash, and continues to dwell instead on the many mistakes made by Pompey along the way. For he next explains the reasoning behind Pompey’s decision to commit to a pitched battle, which reveals Pompey’s lack of good judgment and control over his men. Caesar notes that Pompey’s men had been encouraging him to fight (*suorum omnium hortatu statuerat proelio decertare*, 86.1). While out of context this might be no bad thing, Caesar’s readers know that the Pompeian side has often acted out of misplaced confidence, to its detriment. Furthermore, this scenario, of the men urging their commander to fight, is reminiscent of Caesar’s soldiers expressing their eagerness to fight after Dyrrachium.⁴⁹⁹ Whereas Caesar understands that the timing is not right, and his men obey him, this is not the case with Pompey. Indeed, Caesar gives us Pompey’s

⁴⁹⁶ *Re frumentaria praeparata confirmatisque militibus et satis longo spatio temporis a Dyrrachinis proeliis intermisso, quo satis perspectum habere militum animum videretur, temptandum Caesar existimavit, quidnam Pompeius propositi aut voluntatis ad dimicandum haberet.*

⁴⁹⁷ Caesar mentions in particular that he killed one of the two Allobrogians who had deserted him earlier (3.59-61); not only is this one of only two times that Caesar bloodies his own weapon, but it also demonstrates his *virtus*, the more traditionally valued qualities of being a good Roman commander.

⁴⁹⁸ And, as Caesar shows, can adapt to unexpected circumstances (85.3-4).

⁴⁹⁹ Cf. 74.2: *simulque omnes arderent cupiditate pugnandi, cum superioris etiam ordinis nonnulli ratione permoti manendum eo loco et rem proelio committendam existimarent.*

boastful harangue in direct speech, where he assures his men that not only will Caesar's army "be repulsed before the lines meet" (*priusquam concurrerent acies, fore uti exercitus Caesaris pelleretur*, 86.1), but his cavalry alone will overcome them, "So we shall finish the war without imperilling the legions and almost without a wound" (*Ita sine periculo legionum et paene sine vulnere bellum conficiemus*, 86.4).⁵⁰⁰ This is notably the only time that Pompey expresses any concern about the fate of his army and the violence inflicted on them at his command. His very words contribute to the fact that they will lose and that many of them will die. Caesar makes this explicit after Labienus' blustering speech, when he notes that the men all eagerly take an oath to not return except as conquerors: "And already in their thoughts they were anticipating the victory, because it did not seem likely that they should receive groundless encouragement on so important a matter and from so experienced a commander" (87.7). Pompey's inability to control the emotions and opinions of his men (and, indeed, his tendency to be swayed by them), his poor judgment of the abilities of his own forces, and ultimate neglect for their well-being in the face of greed and glory will directly result in their military loss, and the loss of Roman lives.

Once again, Caesar the narrator juxtaposes Pompey's incompetence as leader with the actions of Caesar the commander. After describing Pompey's formation (3.88), as well as his own (3.89), Caesar gives his own harangue:

Imprimis commemoravit: testibus se militibus uti posse, quanto studio pacem petisset; quae per Vatinius in colloquiis, quae per Aulum Clodium eum Scipione egisset, quibus modis ad Oricum cum Libone de mittendis legatis contendisset. Neque se umquam abuti militum sanguine neque rem publicam alterutro exercitu privare voluisse (3.90.1-2).

"He particularly reminded them that he could call his troops to witness with what zeal he had sought peace, what negotiations he had conducted through Vatinius in conferences and through Aulus Clodius with Scipio, how at Oricum he had urged Libo about the sending of envoys. He had never, he said, wished to squander the blood of his soldiers or to deprive the republic of either of its armies."

⁵⁰⁰ Cf. Caesar's more modest speech at 3.85.4. See also J. G. Nordling, "Caesar's Pre-Battle Speech at Pharsalus (B.C. 3.85.4): *Ridiculum Acri Fortius ... Secat Res*," *CJ* 101 (2006): 183-89.

As many have noted, this speech creates a ring-composition with the beginning of Book 1, when Caesar explicitly states his objectives of peace, harmony, and good governance (1.7.1-7, 1.9.2-5, 1.22.5, 1.32.2-7).⁵⁰¹ His consistent stance on preventing violence and the loss of Roman lives resonates even more against the hollow boasts of Pompey.

Caesar's short speech is bolstered by another Roman voice, one of the standard-bearers named Gaius Crastinus. This man of unparalleled valor (*vir singulari virtute*) orders all to follow him (in direct speech), and declares: "This one battle alone remains; when it is over he will recover his dignity and we our liberty" (*Unum hoc proelium superest; quo confecto et ille suam dignitatem et nos nostram libertatem recuperabimus*, 91.2). Crastinus then states that he will give Caesar a reason to thank him, alive or dead and rushes into the fray (91.3). In addition to illustrating the obviously high caliber of Caesar's followers and their loyalty to him, this little speech of Crastinus' includes the last use of *libertas* in the work. Unlike the two uses associated with the Pompeians,⁵⁰² each use of *libertas* on the Caesarian side is genuine and validated; in this final use, Crastinus, representing the Roman people, claims it because he has supported Caesar.⁵⁰³ Again too we see the coupling of Caesar and his men, in this case also equating Caesar's *dignitas* with their *libertas* as central rights of Roman obscured citizens.

Caesar's description of the battle proper is largely devoid of violent language, as we have come to expect.⁵⁰⁴ The two uses of graphic language are used to describe Pompey's archers and

⁵⁰¹ Cf. 1.85 which also creates a ring composition for Book 1 as a whole.

⁵⁰² Cf. 1.14.4, 1.57.4.

⁵⁰³ Batstone and Damon on Crastinus, *Caesar's Civil War*: 136.

⁵⁰⁴ Caesar mentions weapons more often than normal, probably for dramatic effect. Yet the violence itself is still only implied. For instance, Caesar reports that his men "discharged their javelins and quickly drew their swords" (*pila miserunt celeriterque...gladios strinxerunt*, 93.1), and that the Pompeians in turn, "parried the shower of missiles and withstood the attack of the legions without breaking ranks, and after discharging their javelins had recourse to their swords" (*pilisque missis ad gladios redierunt*, 93.2). Outside of this battle, where *pilum* is found four times, it only appears three other times (1.57; 2.15; 3.46). Forms of *gladius* are also relatively uncommon,

slingers being slain, after the cavalry was repulsed (*interfecti sunt*, 93.7; *caedes*, 94.4).⁵⁰⁵

Considering that Pompey had boasted that his cavalry were so good that they would end the war before anyone else was hurt, Caesar drives home the point that Pompey's poor assessment and leadership resulted in Roman deaths. Of more importance than even the mechanics of the battle, however, is Pompey's reaction to the impending defeat. Caesar gives Pompey's actions particular prominence in the narrative, for they encapsulate all of the problems with his leadership, both within the military and as statesman. The first indicator is Pompey's lack of faith in his men and subsequent deception:

Sed Pompeius, ut equitatum suum pulsum vidit atque eam partem, cui maxime confidebat, perterritam animadvertit, aliis quoque diffisus acie excessit protinusque se in castra equo contulit et eis centurionibus, quos in statione ad praetoriam portam posuerat, clare, ut milites exaudirent, "tuemini," inquit, "castra et defendite diligenter, si quid durius acciderit. Ego reliquas portas circumeo et castrorum praesidia confirmo." Haec cum dixisset, se in praetorium contulit summae rei diffidens et tamen eventum expectans.

"But Pompeius, when he saw his cavalry beaten back and that part of his force in which he had most confidence panic-stricken, mistrusting the rest also, left the field and straightaway rode off to the camp. To the centurions whom he had placed on duty at the praetorian gate he exclaimed in a loud voice that the troops might hear: "Protect the camp and defend it carefully if anything goes amiss. I am going round the other gates and encouraging the guards of the camp." Having said this, he took himself off to the headquarters, mistrusting his fortunes and nevertheless awaiting the result" (94.5-6).

Here Pompey exhibits poor behavior for a leader. When he sees his cavalymen in trouble, instead of coming to their aid or soothing their panic (as Caesar does at Dyrrachium, 3.69.4), Pompey loses trust in them. Caesar underscores this problematic reaction with *diffidere*, a verb exclusively associated with the Pompeians and their subsequent abandonment of responsibility. Indeed, Pompey lies to his centurions and soldiers, pretending that he will be the good

appearing three times in this battle, but otherwise only five other times (1.46, 1.47, 1.72, 1.75; 2.35). When mentioning weapons, Caesar most often prefers the bland, unmarked *telum*.

⁵⁰⁵ *Quibus submotis omnes sagittarii funditoresque destituti inermes sine praesidio interfecti sunt* (93.7); *Ab his enim primum mequitatus est pulsus, ab isdem factae caedes sagittariorum ac funditorum* (94.4).

commander, but instead leaves the battle. These uses of *diffidere* show that Pompey has not only lost control of the situation, but has no intention of rectifying it himself. Indeed, not long after this, Pompey's quiet withdrawal from his army becomes a shameful flight (96.3). He even blames his cavalry for deceiving him and failing to gain the victory.⁵⁰⁶ As we have come to expect, with the commander having fled, the rest of the Pompeians soon capitulate.⁵⁰⁷

While Pompey abandoned his men, literally and figuratively, Caesar continues to demonstrate his commitment to the Roman citizens as a whole. He reiterates his policy of leniency to these former Pompeians to lessen their fear—not to mention to remind the reader—and entrusts their lives and well-being to his own men (98.2). It is only when Caesar gives the body count for Pharsalus that violence enters the picture. Here, he highlights the glorious death of Crastinus, and the equally inglorious death of Domitius, who, in typical Pompeian fashion, had fled and was killed by the cavalry (99.5). Crastinus' sincerity in his promise to make Caesar proud and also recover the people's liberty is borne out in the battle: "Crastinus, whom we have mentioned above, was killed by a sword-stroke in the face while fighting with the utmost bravery" (*Interfectus est etiam fortissime pugnans Crastinus, cuius mentionem supra fecimus, gladio in os adversum coniecto*, 99.2). This description is one of the only times that Caesar describes exactly how a man was killed, and he does it here as a tribute to Crastinus' *virtus*.⁵⁰⁸

⁵⁰⁶ *querens tantum se opinionem fefellisse, ut, a quo genere hominum victoriam sperasset, ab eo initio fugae facto paene proditus videretur* (96.4). Cf. 3.86.5, when Pompey is explaining his fool-proof plan, *quoniam fieret dimicandi potestas, ut saepe rogativissent, ne suam neu reliquorum opinionem fallerent*. Additionally, Caesar reinforces his opponent's error when he recognizes and counters Pompey's strategy with a nice linguistic echo (*Neque vero Caesarem fefellit...94.3*). See Grillo *Art of Bellum Civile*: 72-73.

⁵⁰⁷ The final use of *diffidere* in the *BC* signals the end to the Pompeian army, for their strategy fails and Caesar soon cuts them off from the river (*Pompeiani, quod is mons erat sine aqua, diffisi ei loco relicto monte universi iugis eius Larisam versus se recipere coeperunt*, 97.2).

⁵⁰⁸ This seems to be a pointed contrast to the optimates, such as Cicero, who like to say everyone should die for the sake of liberty and the state (see Chapters 1 and 2, for instance), but few are actually willing to do it (Cato excepted).

Throughout the narrative of this final, climactic episode of the civil war (though not of the *BC*, as we will find), Caesar has demonstrated specific tenets of his leadership and shown how they result in not only the preservation of Roman lives and well-being but also military success. First, Caesar only engages in violent acts when compelled, and stops violence as soon as the other side does. Secondly, Caesar communicates effectively with his men, using their strengths and abilities and also showing that the voices of his men are important to him. Third, Caesar not only trusts but actively relies on his men to achieve his military victories, and his men in turn trust him in difficult situations. Finally, Caesar shows how he is focused on gaining *libertas* for all Romans, Pompeians included. Pompey, on the other hand, fails spectacularly on all counts. In the wake of Pharsalus, however, Caesar does not return triumphantly to Rome, to celebrate a victory that one can never celebrate, but instead takes us back to *BG* territory and a more familiar and satisfying foe.

The Past and Future

While I examined above how Caesar contrasted his actions in the immediate aftermath of the civil war with Pompey's shameful flight from the scene of the battle, here I look at some of Caesar's interactions with Egypt, his first actions as highest magistrate and power in Rome. For in this rather unusual conclusion to a *commentarius*, in which Caesar cuts off Book 3 at the onset of another war, he returns to themes and characterizations that are familiar to the reader of the *BG*.⁵⁰⁹ Indeed, while he stayed his hand throughout the *BC*, Caesar gives us one final and satisfactory act of violence on behalf of the state.

After Pompey flees Pharsalus, things continue to go poorly for his side. Pompey learns that arms were raised against him by common consent of the people at Antioch, including the

⁵⁰⁹ For general discussion, see Grillo *Art of Bellum Civile*: 167-74.

Roman citizens there (*consensu omnium Antiochensium civiumque Romanorum*),” (102.6).⁵¹⁰

This brief statement is loaded with cultural significance. The *consensu omnium* reflects a particularly Republican catchphrase, one that Cicero especially liked to invoke.⁵¹¹ The mention too of the *cives Romani*, even if here it refers only to those Romans at Antioch, also reinforces Pompey’s moral as well as military defeat by Caesar, while taking up arms against Pompey implies that he has been declared a *hostis*, a threat to the well-being of that community.⁵¹²

Pompey, while always clearly in the wrong in Caesar’s eyes, has at last become the enemy in the eyes of everyone else. Similar acts of rejection occur at Rhodes to L. Lentulus, consul the previous year, and P. Lentulus, a consular (102.7). By this point, Caesar’s name does not need to be mentioned: such declarations of support and unity go to Caesar and Caesar alone.⁵¹³

Caesar’s terse narration of Pompey’s ignominious death at the hands of Achilles, the king’s prefect, and military tribune L. Septimius have been well-noted (*ab Achilla et Septimio interficitur*, 104.3).⁵¹⁴ In addition to the various observations that scholars have made about Caesar’s silence, I would add a couple more. First, Caesar here has given us yet another example of the barbarian stereotype, found first throughout the *BG* and in a distorted picture of the Pompeians here in the *BC*. While he refrains from making blanket assertions about all foreigners, the elements of civil war, secret plotting, and betrayal fit the general picture of disunity and poor

⁵¹⁰ *Ibi cognoscit consensu omnium Antiochensium civiumque Romanorum, qui illic negotiarentur, arma capta esse excludendi sui causa.*

⁵¹¹ See Chapters 1 and 2.

⁵¹² Cf. *BG* 1.4.3: Orgetorix bribed his way through the treason trial, so the Helvetii state takes up arms against him (*Cum civitas ob eam rem incitata armis ius suum exequi conaretur multitudinemque hominum ex agris magistratus cogerent, Orgetorix mortuus est*).

⁵¹³ Indeed, it is only after the citizens throw out the two Lentuli that they hear of Caesar’s approach (102.8). This statement gives the impression that these cities were acting entirely of their own volition in support of Caesar

⁵¹⁴ In comparison to Appian and Plutarch, whose accounts are more elaborate and dramatic. Henderson: “The only place on earth which would take Pompey in, perverse Egypt, duly did take him in, and treacherously executed him, too, at the hands of the Egyptian minion and of Pompey’s former aide “against the pirates,” now turned pirate, not on the high seas but in a “toy dinghy”—the state that Pompey’s ship had shrunk to (*bello praedonum; nauiculam paruulam*, 104.3)” (1996: 282). See also Carter *Civil War III ad loc*, and Batstone and Damon *Caesar’s Civil War*: 27-8.

leadership illustrated by the Germans, Gauls, and Pompeians. The deception that led to Pompey's death is reminiscent of the Roman disasters at the hands of Ambiorix (*BG* 5.35) and Juba (*BC* 2.37-44).⁵¹⁵ A key difference that sets apart the disaster within his own army in Gaul from the other two, however, is the absence of a turncoat. Nobody betrayed Caesar's army to Ambiorix; the fault lay with Sabinus' poor judgment. Responsibility for Curio's disaster in Book 2 was primarily due to a false report, whereas here Pompey's own military tribune took part in both the plotting and execution of Pompey.⁵¹⁶ L. Lentulus meets a similar fate right after, having been arrested and executed by the king.⁵¹⁷

Caesar's time in Egypt is spent rather differently, highlighting the major differences in his ability and leadership compared to Pompey's. At this point, the narrative of events becomes quite murky, as Caesar again distorts the chronology of events and omits certain details in his retelling.⁵¹⁸ What Caesar does see fit to mention is the presence of what could only be Roman soldiers hurrying to meet him, and recognizing the *fascēs* of his office being carried before him (*quod fascēs anteferrentur*, 106.4).⁵¹⁹ After this reminder of his position as the legitimate authority of Rome, Caesar then tells us that the whole multitude claimed the king's authority was being infringed (*In hoc omnis multitudo maiestatem regiam minui praedicabat*, 106.4).

⁵¹⁵ Overconfidence on the part of the Roman envoys and commanders is also a hallmark of each scene (*BG* 5.30.2-3; *BC* 2.37.1-2, 38.2-3).

⁵¹⁶ Caesar notes that Septimius served under Pompey in the pirate war, a fact which no doubt influenced Pompey to trust the boat (*Ab his liberaliter ipse appellatus et quadam notitia Septimii productus, quod bello praedonum apud eum ordinem duxerat, naviculam parvulam conscendit cum paucis suis: ibi ab Achilla et Septimio interficitur*). Plutarch also lists a third assassin, the centurion Salvius (*Pomp.* 78.1, 79.3). See Carter *Civil War III ad loc.*

⁵¹⁷ This is the only time *necare* is used in the *BC* (*item L. Lentulus comprehenditur ab rege et in custodia necatur*), probably both because it was the king's official ruling and was a contrast to Pompey's fate.

⁵¹⁸ Carter *Civil War III: 224* goes through the omissions and distortions, and comments: "Whether this loss of clarity arises from an attempt to misrepresent the situation in his own favor, or from a lack of revision, or from impending loss of interest in going on with the story, we cannot tell, but it is certain that Lucan, Plutarch, and Dio had a superior account of these events available to them."

⁵¹⁹ *ibi primum e nave egrediens clamorem militum audit, quos rex in oppido praesidii causa reliquerat, et concursum ad se fieri videt, quod fascēs anteferrentur*. On the assumption that these are Roman soldiers formerly of Pompey, and the fact that Caesar does not actually tell us whether they were friendly or hostile in their greeting, see Carter *Civil War III ad loc.*

Following this vague assertion, we find out that frequent disturbances (*crebrae...concitationes*) occur, resulting in the loss of Roman soldiers (*compluresque milites huius omnibus partibus interficiebantur*, 106.5).⁵²⁰ As a good reader of Caesar would expect, all of these factors—being recognized as a legitimate leader, a king’s authority in trouble, soldiers dying—compel Caesar to military action.⁵²¹ We have now returned to familiar *BG* territory.

Once again, before Caesar takes direct action, he uses his inner thought process to explain why war is necessary:

Interim controversias regum ad populum Romanum et ad se, quod esset consul, pertinere existimans atque eo magis officio suo convenire, quod superiore consulatu cum patre Ptolomaeo et lege et senatus consulto societas erat facta, ostendit sibi placere regem Ptolomaeum atque eius sororem Cleopatram exercitus, quos haberent, dimittere et de controversiis iure apud se potius quam inter se armis disceptare (107.2).

“Meanwhile, thinking that the controversies of the princes affected the Roman people and himself as consul, and concerned his office all the more because in his previous consulship an alliance had been formed with the elder Ptolemy both by legislative enactment and by decree of the senate, he declares that it is his pleasure that King Ptolemy and his sister Cleopatra should disband the armies that they controlled, and should settle their disputes by process of law before himself rather than by armed force between themselves.”

This justification for violence (if not war) is reminiscent of Caesar’s explanation for the conflict against the Veneti (*BG* 3.10), as well as the civil war he just concluded.⁵²² First, it follows an initial provocation made by the (foreign) enemy. Already some sort of defense or retaliation would seem appropriate, given that Roman lives have been lost, but Caesar adds additional reasons to legitimize any subsequent actions he takes. He first states the civil war for the kingship would affect the Roman people as well as himself.⁵²³ Even now in a new war, Caesar

⁵²⁰ Disturbances which were likely caused by Caesar himself for demanding money for the upkeep of his army (10 million denarii according to Plutarch, *Caes.* 48.4; cf. Dio 42.34.1). See Carter *Civil War III ad loc.*

⁵²¹ Cf. the *BG* and Chapter 3, and the many instances where Caesar helps foreign kings.

⁵²² See Chapter 3 for context and analysis.

⁵²³ Cf. *BG* 3.10.1 the first reason is the detaining of Roman knights (*iniuria retentorum equitum Romanorum*).

consistently mentions Roman citizens as the top consideration, with himself coming second. Once again he reminds us that he is consul (*quod esset consul*), and adds that this matter is even more relevant because of the work he had done in his first consulship with the elder Ptolemy.⁵²⁴ Caesar continues to reinforce his history of acting constitutionally by stating that his actions had been accompanied both by law and by senatorial decree (*et lege et senatus consulto*).⁵²⁵

Furthermore, Caesar's initial decision about the matter continues his policy of non-violence and adherence to the law. He declares that both claimants disband their armies and settle their disputes by law before him rather than by force (*iure apud se potius quam inter se armis disceptare*, 107.2). Once again Caesar calls for armies to be disbanded, though in this case not his own.⁵²⁶ He has become the legitimate authority to enforce his will, or so he presents it. Ironically, this action is similar to Pompey's reestablishment of control Rome in 52 following the murder of Clodius and subsequent rioting.⁵²⁷ In the *Pro Milone*, Cicero praises Pompey (if somewhat dubiously) for securing control over the turbulent city and for using the *s.c.u.* to instigate trials of the perpetrators rather than simply executing them.⁵²⁸ The key difference, however, is that Caesar's actions here do not negatively affect Roman life or traditions.

Events soon after confirm that Caesar's foe is yet another variety of the enemy he has always fought. In his customary fashion, Caesar attempts to negotiate first by sending envoys to Achilles. The two men, Dioscorides and Serapion, who were former envoys to Rome and had

⁵²⁴ That is, in 59 BCE the Roman state confirmed Ptolemy Auletes' claim to the throne (Carter *Civil War III ad loc*).

⁵²⁵ See Carter *Civil War III ad loc*.

⁵²⁶ He had in fact called for reinforcements of what had been Pompeian troops to be brought down from Asia to help settle the matter (107.1).

⁵²⁷ See Chapter 2.

⁵²⁸ *Sed me recreat et reficit Cn. Pompei, sapientissimi et iustissimi viri, consilium, qui profecto nec iustitiae suae putaret esse, quem reum sententiis iudicum tradidisset, eundem telis militum dedere, nec sapientiae, temeritatem concitatae multitudinis auctoritate publica armare* (*Pro Mil.* 2). As I noted in Chapter 2, this effusive statement comes off somewhat disingenuously, since Cicero just before expresses uneasiness over the unprecedented presence of armed forces in the city, and right after about the use of the *s.c.u.* to establish special *quaestiones*. Cf. *BG* 7.1.1 where Caesar praises Pompey for the same event.

been valued by the previous king Ptolemy (*qui ambo legati Romae fuerant magnamque apud patrem Ptolomaeum auctoritatem habuerant*), approach Achilles; but, as Caesar writes, he unceremoniously orders them to be killed without hearing them or knowing why they have come (109.5).⁵²⁹ This shocking act is in reality a distortion of the actual events.⁵³⁰ While this level of narrative manipulation is not precisely normal for Caesar, it finds its parallel in the *BG*, particularly his conflict with the Veneti.⁵³¹ Both episodes feature the apparent mistreatment of envoys, and compel Caesar to action. Indeed, Caesar reacts in his typical fashion:

Quo facto regem ut in sua potestate haberet, Caesar efficit, magnam regium nomen apud suos auctoritatem habere existimans et ut potius privato paucorum et latronum quam regio consilio susceptum bellum videretur (109.6).

“After this deed Caesar managed to bring the king under his own control, because he thinks that the king’s title had great weight with his subjects, and in order to make it apparent that the war had been undertaken on the private initiative of a small clique and a set of brigands rather than that of the king.”

As he has done many times previously, Caesar firmly aligns himself with the traditional authority of the state. Furthermore, Caesar uses the same language to characterize these Egyptian enemies as he did the Pompeians, calling them the *pauci*, men who represented neither the majority nor the authority of the state (*private paucorum...quam regio consilio*).⁵³² Caesar thus

⁵²⁹ *A quo missi Dioscorides et Serapion, qui ambo legati Romae fuerant magnamque apud patrem Ptolomaeum auctoritatem habuerant, ad Achillam pervenerunt. Quos ille, cum in conspectum eius venissent, priusquam audiret aut, cuius rei causa missi essent, cognosceret, corripit atque interfici iussit; quorum alter accepto vulnere occupatus per suos pro occiso sublatus, alter interfectus est.*

⁵³⁰ “This makes no sense and is a palpable fabrication. Dio’s version (42.37.1-2) is much to be preferred. According to this, Serapion and Dioscorides did indeed deliver their message, that Achilles should keep the peace; but he, realizing that the command actually emanated from Caesar and judging it to be a sign of weakness, roused the anger of his troops against Caesar and Cleopatra to such an extent that they committed sacrilege of attacking the ambassadors” (Carter *Civil War III ad loc*). The scholarly debate over the truth of Caesar’s narrative has perhaps at last settled into an acknowledgement that while he often used his narrative to portray himself in the best light, and occasionally—as he does now—manipulated the order of events, he rarely lied outright.

⁵³¹ See also Levick on Stevens in, “The Veneti Revisited: C.E. Stevens and the tradition on Caesar the propagandist” in Welch and Powell *Caesar as Artful Reporter*: 61-83.

⁵³² Cf. *BC* 1.22.5.

signals that he consistently and continuously fights against the same sort of foe: one who acts for his own self interests and against the common good.

The *BC* soon after ends abruptly, but forcefully. Caesar briefly narrates the double battle, occurring in the streets of Alexandria and at the harbor to gain control of the warships. Naturally, Caesar is successful and the fighting is put off as he sails to Pharos. While modern editors have retained as the last sentence, “This was the beginning of the Alexandrian war” (*haec initia belli Alexandrini fuerunt*), this was a later addition, probably by Hirtius.⁵³³ Instead, Caesar concludes his account of the civil war with his execution of the plotter Pothinus, who was killed while trying to send messages back to Achillas. The final words are *a Caesare est interfectus* (“[Pothinus] was killed by Caesar”). Up to this point, with one exception, Caesar has avoided all references to engaging in combat and committing violence himself; only once in the *BC* does he mention that he killed some men in a cavalry skirmish, since among them was one of the Allobrogians who had betrayed him.⁵³⁴ In the *BG*, I showed how Caesar’s policy of non-violence remained in effect until the conflict became great enough to be a threat to the state and Roman people. This stance was the opposite of that of his enemies, who used violence as a way to achieve their self-interested aims. Here, Caesar has demonstrated how Pothinus and Achillas, leaders of the opposition, have needlessly killed their own fellow citizens and serve not the interests of their king but their own. Caesar’s attempt at negotiation was roundly spurned, so his subsequent use of violence is more than justified. In addition, in comparison with the opposition, who kill without provocation and indiscriminately, Caesar uses force directly and only as much is strictly necessary—the messengers, for instance, were arrested, not killed (*indicates*

⁵³³ See Batstone and Damon *Caesar’s Civil War*: 29.

⁵³⁴ *Namque etiam per eos dies proelium secundum equestre fecit atque unum Allobrogem ex duobus, quos perfugisse ad Pornpeiium supra docuimus, cum quibusdam interfecit* (3.84.5). This comment is nevertheless much vaguer than the statement above.

deprehensisque internuntiis, 112.12). Caesar's morally and militarily superior approach is epitomized by this final statement, for he ends on a decisive and victorious note in the middle of the action. Whether or not Caesar decided that the narrative of his ideology was no longer worth continuing, the final sentence is far more purposeful ending than has often been assumed.

At the beginning of Book 3, Caesar briefly returns to Rome, in a reprisal of 1.32 and a taste of what is to come. As he had promised the senate at the outset of the war, Caesar would either work together with it to administer the state, or would do it himself, should they shirk their duty. Here we see this declaration come to fruition, as Caesar as dictator presides over the consular elections, and becomes consul with P. Servilius (3.1.1). Caesar emphasizes the constitutionality of these actions by reminding the reader that this was the year in which he was legally permitted to become consul (*quo per leges ei consulem fieri liceret*, 3.1.1). After taking care of a financial crisis at Rome, and restoring the property of those who had been condemned by Pompey (1.2-5), Caesar abdicates his dictatorship, with eleven days having passed (2.1). In this brief lull in the action of the civil war, Caesar demonstrates how he intends to use the power he gains through his eventual victory over Pompey: within the constitutional boundaries and on behalf of the common good.⁵³⁵ Throughout his account of the civil war, Caesar has shown how his political ideology prioritizes the Roman people. He fights for their rights (as well as his own)

⁵³⁵ Caesar continues to stress the importance of the laws and people: "With the tribunes and praetors bringing legislation before the people, he restored..." (*Itemque praetoribus tribunisque plebis rogationes ad populum ferentibus...restituit*, 3.1.4) and "For he had determined that they ought to be restored by a decision of the popular assembly rather than be supposed to be reinstated by his own act of kindness, his object being that he might not appear either ungrateful in the matter of returning a benefit, or too presumptuous in robbing the popular assembly of its right to confer a favor" (*Statuerat enim prius hos iudicio populi debere restitui, quam suo beneficio videri receptos, ne aut ingratus in referenda gratia aut arrogans in praeripiendo populi beneficio videretur.*).

and minimizes violence through his capable leadership, acts of clemency, and strategic narrative that has minimal words denoting harm to Roman bodies.

Now that Caesar has prevailed, and the few Pompeians causing the most trouble out of power or dead, it seems as though the Roman people have their own leader in charge. Now Caesar had a chance to practice what he preached in Rome and the empire beyond. Yet within four years, Caesar has lost enough support that his enemies were able to successfully murder him and brand him a king and a tyrant. The reality of his political ideology, while perhaps more attractive than the status quo at the time, ultimately did not align with the Roman people as a whole. In the end, neither Cicero nor Caesar's ideas about how to preserve the *res publica* succeeded. In the final chapter, I consider why.

CHAPTER V.

Rationalizing Violence and Politics

THE END OF THE REPUBLIC

What is the *res publica*?

In this dissertation, I have shown how Cicero and Caesar's attitudes towards the legitimacy of violence against Roman citizens corresponded to their political ideology and conception of what the *res publica* was. For Cicero, the *res publica* meant the ideal government, in the form of the mixed constitution, which must be protected at all costs. When it was threatened, Cicero believed that the state is more than justified in using force against Roman citizens, even if it violated their right to a trial. Even during times of civil war, Cicero reminded the senate that every Roman should be ready to die for liberty and the *patria*. For Caesar, on the other hand, the *res publica* was the Roman people. He consistently opposed the use of extralegal force against Roman citizens, because this was a violation of their rights. As he claimed in his writing, he would go to war to protect the Roman people and expand their interest, and will fight to protect their rights and well-being. During his own civil war with Pompey, Caesar strove to show that he was far better at preserving Roman lives than his opponent, and, in his account of the war, seemed to spend more time pardoning Romans than killing them.

Cicero and Caesar may not be "good" men by certain standards, and are certainly responsible for questionable actions, but nevertheless they worked consistently if not sincerely for their vision of Republic.⁵³⁶ Despite their polar opposite political views, they even highly

⁵³⁶ Of course, such efforts nicely benefitted them, but rarely do individuals act completely selflessly (especially politicians).

respected one another.⁵³⁷ Over the course of their careers, both approached the various political crises facing Rome with their brand of leadership, and proposed solutions that they maintained would be the best for the Republic. They presented themselves in their works as the everyman or spokesman for the Roman people. Yet they both died at the hands of Roman citizens for their leadership and for their cause: Caesar in 44, murdered by the so-called ‘Liberators’ from the senate; Cicero in 43, murdered by the triumvirate, which the senate had sanctioned and he had helped to foster. In the first part of this conclusion, I briefly examine why they failed and why it was Augustus who successfully held power and maintained the state. In the next section, I look at the evolution of this debate about the state and its citizens in the early modern period, through the writings of Niccolò Machiavelli, John Locke, and the *Federalist* writers. Finally, I conclude by discussing the larger phenomenon at work in this situation, and suggest other avenues for further research.

Failed Republic

Among the many letters preserved between Cicero and his friends are two between Cicero and one Gaius Matius, following the death of Caesar. Matius had occupied the (likely uncomfortable) position of being close friends with both Cicero and Caesar, even when their own relationship was strained. As we learn from this pair of letters, Matius was being maligned by other elite Romans for openly mourning the death of Caesar, and protesting its cause. In the first letter (*Fam.* 11.27), Cicero reassures his friend that he has always held him in high esteem, and that he has and will continue to defend Matius, even over his friendship with Caesar.

⁵³⁷ As shown in their letters to each other (Cic. *Ad Fam.* 7.5; *Att.* 10.8b) or about each other (Cic. *Q. Fr.* 2.10, 2.13, 2.15; *Fam.* 1.9, 13.16; *Att.* 3.20.1, 3.52, 4.18.5). See A. F. Pauli. “Letters of Caesar and Cicero to Each Other,” *The Classical World*, 51 (1958): 128-132.

Bolstered by such claims, however, Cicero brings up two different interpretations that can be made about Matius' behavior:

Sed te, hominem doctissimum, non fugit, si Caesar rex fuerit—quod mihi quidem videtur—, in utramque partem de tuo officio disputari posse, vel in eam, qua ego soleo uti, laudandam esse fidem et humanitatem tuam, qui amicum etiam mortuum diligas, vel in eam, qua nonnulli utuntur, libertatem patriae vitae amici anteponendam.

“But it does not escape you, as one so learned, that, if Caesar was a tyrant—as indeed I think he was—the matter concerning your obligation to him can be explained in two different ways. One way, which I am inclined to assume, is that your loyalty and kindness are to be commended for showing affection to a friend, even after his death. The opposite theory, which some assume, is that the liberty of our country is to be placed before the life of a friend.”

This latter theory, which Cicero carefully differentiates from his own apparent views here, nevertheless represents the general worldview that we have seen throughout his political speeches, in which the liberty of the state (*libertas patriae*) is of the utmost importance. The deaths of individual citizens, whether tyrant or friend, are acceptable casualties of preserving the state. To Cicero, and to the Liberators, Caesar's actions and powers had disrupted the Republican government to such an extent—and therefore the liberty of the people—that he became a threat that required emergency and extralegal measures.

In his response to Cicero (*Fam.* 11.28), Gaius Matius justifies his open grief over the death of Caesar and addresses the many allegations made against him. His frustration over the political situation and endless violence comes through strongly:

vitio mihi dant, quod mortem hominis necessarii graviter fero atque eum, quem dilexi, perisse indignor; aiunt enim patriam amicitiae praeponendam esse, proinde ac si iam vicerint obitum eius rei publicae fuisse utilem. Sed non agam astute: fateor me ad istum gradum sapientiae non pervenisse; neque enim Caesarem in dissensione civili sum secutus, sed amicum, quamquam re offendebam, tamen non deserui, neque bellum umquam civile aut etiam causam dissensionis probavi, quam etiam nascentem exstingui summe studui.

“People blame me for showing grief at the death of a dear friend, and expressing my indignation that the man whom I loved had been killed. For they say that country should be preferred to friendship, as though they had actually proved that his death has been beneficial to the Republic. Well, I will speak frankly. I confess that I have not attained to that height of philosophy. For in the political controversy it was not Caesar that I followed, but it was a friend whom—though disapproving of what was being done—I yet refused to desert. Nor did I ever approve of a civil war, nor of the motive of the quarrel, which in fact I strove my utmost to nip in the bud.”

Here Matius strikes out against the claim that country comes before friendship, and openly doubts that protecting the state is a legitimate justification for Caesar’s murder. On the other hand, he states that he followed Caesar as a friend (*sed amicum*) and disapproved of the affair, implying that he did not necessarily ascribe to Caesar’s ideology either. Matius was more concerned with maintaining a positive relationship and preserving peace. He also comments on his feelings at the conclusion of the civil war, when Caesar was the undisputed leader. After stating explicitly that it was not greed for material rewards that seized him,⁵³⁸ but anxiety for the rest of the citizenry, he writes:

Civibus victis ut parceretur, aequae ac pro mea salute laboravi. Possum igitur, qui omnes voluerim incolumes, eum, a quo id impetratum est, perisse non indignari? cum praesertim iidem homines illi et invidiae et exitio fuerint.

I strove to ensure that conquered citizens should be spared as I did for my own safety. Wishing therefore the preservation of all, could I fail to be indignant that the man by whose means that preservation had been secured had perished? Especially when the very same men had caused both the feeling against him and the death which befell him.

Matius acknowledges that it was Caesar who had in fact preserved them all, by not needlessly killing Romans either during or after the civil war. Even though Matius did not always agree

⁵³⁸ In fact his own personal property was curtailed due to one of Caesar’s financial laws: *Atque etiam res familiaris mea lege Caesaris deminuta est, cuius beneficio plerique, qui Caesaris morte laetantur, remanserunt in civitate*. It is uncertain which law Matius means: one in 49 provided for the payment of loans through land and other property, restricting the amount of cash holdings a creditor could have (App. *BC* 3.48; Caes. *BC* 3.1; Dio. 41.38); one in 47 canceled certain proportions of house and land rent in Rome and Italy (Dio. 42.51; Suet. *Iul.* 38). He also wryly comments that Caesar’s murderers owe their positions to their victim as well as to the cutbacks Matius himself experienced.

with Caesar's decisions, as he implies earlier in the letter, his anger at the men who had slandered Caesar and then incited his murder is greater. Caesar's ideology failed to the extent that he lost too much support from the *populus Romanus* that supposedly he championed. Yet even after the death of the supposed tyrant, Rome clearly remained divided. Liberty was ostensibly preserved, but there was no peace, only more conflict.

While not every Roman or even many could boast of friendship with two of the most prominent and polarizing politicians of the late Republic, in this letter Matius gives voice to the moderate Roman. When faced with two extreme political positions, each dictating how the Roman Republic should be governed, Matius nevertheless continued to seek reconciliation between the two men, both before the war and after.⁵³⁹ After Caesar's murder, Matius mourned for the situation that led up to it, as well as the man who should not have died at the hands of his fellow citizens.⁵⁴⁰ In this respect, Matius—not Cicero or Caesar—is the true “everyman.”⁵⁴¹ Although we cannot know for certain what the prevailing opinion of the *populus Romanus* was about the ideal form of government, or the legality of decrees like the *s.c.u.*, it is safe to say that they probably occupied a middle ground that sought to end civil discord and bloodshed.

Unfortunately, peace would not be achieved until well after Cicero's own death. His failure to adapt his political outlook and staunch support of an idealized Roman government to the prevailing opinion put him on the wrong side of the new triumvirate, who in turn executed him for his efforts. And yet one member of the triumvirate, Octavian, was able to do what neither

⁵³⁹ “After Caesar's return, was there any object dearer to you than that I should be on the terms of closest friendship with him? And this you had accomplished” (*Post Caesaris reditum quid tibi maiori curae fuit, quam ut essem ego illi quam familiarissimus? quod effeceras*).

⁵⁴⁰ Ironically, this unconstitutional use of violence (i.e. killing Caesar without a trial) was something that Caesar vehemently opposed for his whole career.

⁵⁴¹ Even more so as he states that he is “no philosopher” (*fateor me ad istum gradum sapientiae non pervenisse*). Demographically he is a more reasonable candidate than the other two.

Caesar nor Cicero could not: unite the *populus Romanus* under his power and his vision of the state.⁵⁴²

Augustus: the solution?

The Roman people had endured generations of civil war. Octavian, Caesar's adopted heir, who had not only been in the public eye for years, but had also been systematically winning over the armies and Roman people with his money, used this to his advantage by turning himself into the peacemaker.⁵⁴³ Unlike Cicero and Caesar, Octavian, who would soon be known as Augustus, was willing to make his political ideology whatever would accrue him power. With skillful use of propaganda, he turned his feud with Antony into their own pseudo-ideological battle, where he upheld traditional Roman values against the dangerous, luxurious Eastern influence that had taken over Antony. His military prowess was no match for Caesar's, nor was he as good an orator as Cicero, but his rhetoric fit the concerns and desires of the Roman people far better. Moreover, as victor and new most-powerful Roman, the Princeps distanced himself from Caesar. Instead of accepting many of the honors and powers that the senate heaped upon him, as Caesar did (however reluctantly), Augustus took pains to differentiate his subsequent actions from his adoptive father's, refusing most of them. Indeed, Tacitus cuttingly describes how Augustus became the first monarch:

posito triumviri nomine consulem se ferens et ad tuendam plebem tribunicio iure contentum, ubi militem donis, populum annona, cunctos dulcedine otii pellexit, insurgere paulatim, munia senatus magistratuum legum in se trahere, nullo adversante, cum ferocissimi per acies aut proscriptione cecidissent, ceteri nobilium, quanto quis servitio

⁵⁴² It is perhaps fitting that the last instance of the *s.c.u.* recorded was directed against him, when he turned his army on Rome in mid-43, and even more fitting that it failed entirely to stop the "threat to the *res publica*." Octavian used his military might to secure the consulship for himself, and that was that.

⁵⁴³ See, for instance, C. Pelling, "The Triumviral Period" and J. A. Crook, "Augustus: power, authority, achievement," in Bowman, A.K., Champlin, E., and Lintott, A. (eds.) *The Cambridge Ancient History* (Cambridge 1996): 1-69; 113-146.

promptior, opibus et honoribus extollerentur ac novis ex rebus aucti tuta et praesentia quam vetera et periculosa mallent (Ann. 1.2.1).

“...he laid aside the title of triumvir and paraded himself as consul and as content with the tribunician authority for looking after the commons. The soldiery he enticed with gifts, the people with corn, and all alike with the charms of peace and quiet; and thus he edged forward bit by bit, taking into his hands the functions of Senate, magistrates, laws, with no one opposing him; after his fiercest opponents died either in battle or the proscriptions, the rest of the nobility, the readier they were to be slaves, were raised higher with wealth and honors, so that, aggrandized by revolution, they preferred the safety of the present to the dangerous past.”

This unvarnished description of how Augustus won over the Roman people and acquired essentially absolute power for himself also illustrates his more successful political campaign. Instead of occupying an extreme position, Augustus managed to appeal to both concerns. Those who supported the institutions of the Republic, Augustus appeased by claiming to “restore the Republic”: he retained all normal magistracies and only accepted additional powers that corresponded to certain offices.⁵⁴⁴ Those who wanted the rights of Roman citizens protected, Augustus satisfied by ending the bloodshed and passing laws through the *comitia*. Tacitus, in the same passage, also adds other factors that enabled Augustus’ rise to power. In particular, the current generation had never seen the Republic functional.⁵⁴⁵ However disdainful he may be of how Augustus managed to achieve it, Tacitus ultimately supports the Principate as a way to prevent civil war.⁵⁴⁶ Caesar was on the path to achieving this, but was too aggressive in changing the nature of the Republic to solidify his peace. Instead, Augustus’ broad platform and clever rhetoric, coupled with a worn-out *populus Romanus*, helped to pave the way for a new kind of government.

⁵⁴⁴ As exemplified by the Settlement of 27 BCE.

⁵⁴⁵ *domi res tranquillae, eadem magistratum vocabula; iuniores post Actiacam victoriam, etiam senes plerique inter bella civium nati: quotus quisque reliquus qui rem publicam vidisset?* (Ann. 1.3).

⁵⁴⁶ For instance, Ann. 4.33.

The republican form of government would lose popularity until the Middle Ages, because many recognized its tendency towards “stasis” or civil war, as exemplified by Rome’s Republic.⁵⁴⁷ Nevertheless, the debate over the ideal form of government, and what the purpose of government was, has continued to occupy the minds of political thinkers over the centuries and across countries. The Roman Republic would become an *exemplum*, whether positive or negative, for many.⁵⁴⁸ In this next section, I look at how the political ideologies and concerns of Cicero and Caesar manifested during the Early Modern period.

EARLY MODERN

During the Early Modern period, political thinkers were concerned over the merits and challenges of three main forms of non-monarchical government: democracy, republicanism, and liberalism.⁵⁴⁹ While proponents of democracy valued shared equality and envisioned self-rule or “sovereignty of the people,” reflecting the direct democracy of Athens, advocates of republicanism had clearly studied the Roman Republic and Cicero, supporting a mixed constitution as a way to champion liberty and stability. Liberalism, on the other hand, a comparatively newer political philosophy, was created in England in the 17th century to directly counter ideas of hereditary privilege and the divine right of kings.⁵⁵⁰ Strikingly, however, it

⁵⁴⁷ Lintott *Constitution*: 234-6. A. Saxonhouse, in the paper, “Democratic, Republican and Liberal Regimes – The One or the Many” (delivered in St. Petersburg 2003), notes that even during the Middle Ages, the term *res publica*/Republic had been partially separated from its original meaning and simply denoted “the political community in contrast to the Church; it was the body of which the Prince was the head, the wife to whom the Prince was joined in matrimony” (17).

⁵⁴⁸ The importance of Rome on later political thought generally has been well-discussed by many. For a Classicist’s perspective, see for instance, Lintott *Constitution*: 233-55, and F. Millar’s *The Roman Republic in Political Thought* (Hanover 2002).

⁵⁴⁹ Unlike the discussion around the three “pure” forms of government (monarchy, oligarchy, and democracy), which is found in Aristotle, Polybius, and Cicero, among others, these three regimes have distinct conceptual foundations, language and history. See Saxonhouse “Regimes” for an overview of their history.

⁵⁵⁰ For background see J. Tully, “Locke”, in Burns, J.H. (ed.) *The Cambridge History of Political Thought 1450–1700* (Cambridge 1991): 616–652.

nevertheless shares some key similarities with the political ideology that comes out of Caesar's works: in particular, proponents of liberalism focused on the "natural rights" that each man possesses, and claim that the role of government is to protect those rights.

In what follows, I briefly survey the writings of Niccolò Machiavelli and John Locke, as examples of republicanism and liberalism, respectively. I focus on their views and recommendations about conflict and violence, and how their primary objectives and justifications correspond to or differ from the lines of argument laid out by Cicero and Caesar. I then look at the *Federalist* writers, who combined the aspects of the two philosophies into the representative democracy that we have today, and how they tried to balance protecting the state with protecting citizen rights.

Machiavelli and Republicanism

Machiavelli's interest in the Roman Republic is well-known. Having witnessed and participated in the various political upheavals in Florence in the beginning of the sixteenth-century caused by the Borgias and Medici families, among others, an exiled Machiavelli wrote his most famous works, *The Prince* and the *Discourses on the First Ten Books of Livy* (both begun in 1513 and circulated posthumously in 1531).⁵⁵¹ Machiavelli was heavily influenced by Aristotle's *Politics*, Polybius' discussion of the types of government in Book 6 of his *Histories*, Livy, and of course Cicero's *On the Republic*. While he is most famous for his advice on how to rule as a tyrant in *The Prince*, which has subsequently been criticized as amoral and focused

⁵⁵¹ The similarities between Cicero and Machiavelli are striking: both were heavily involved in politics, exiled, and were desperate to get back. See R. Ridolfi, *The Life of Machiavelli* (London 1963) for Machiavelli's political life and timeline. E. F. Guarini's chapter in G. Bock, Q. Skinner, and M. Viroli (eds.), *Machiavelli and Republicanism* (Cambridge 1990), "Machiavelli and the crisis of the Italian Republics," is a useful introduction. For the time period, see N. Rubinstein, "Italian political thought, 1450–1530," in Burns, J.H. (ed.) *The Cambridge History of Political Thought 1450–1700* (Cambridge 1991): 30–65.

solely on expediency, and has given rise to the term Machiavellianism, he is also known for being an important proponent of Republicanism.⁵⁵²

His admiration for the mixed constitution and advice for creating a stable republic in *The Discourses* is of particular interest here. In many of his prescripts, he appeared to follow Cicero, favoring a strong but balanced government as a way to ensure the liberty of the people.⁵⁵³ He often cited the Roman Republic as a positive example, though he was more critical of the time of Tiberius Gracchus and after. Yet there are important additions to Cicero's stated philosophy that Machiavelli codified in his *Discourses*. First, he made conflict an integral part of a mixed constitution, and a valuable part at that. While this sentiment seems entirely Ciceronian, for, as we saw in Chapters 1 and 2, Cicero certainly advocated for forceful action in the name of liberty, he never explicitly stated it in the *DRP*. In fact, the only time Cicero's interlocutors mentioned conflict was to deplore it.⁵⁵⁴ Machiavelli, on the other hand, drew examples from Livy's early history of the Republic to illustrate the importance of conflict. For instance, he praised the tumultuous events that led to the creation of the tribunes:

⁵⁵² Of the many volumes published on Machiavelli and his political thought, J. G. A. Pocock, *The Machiavellian Moment: Florentine Political Thought and the Atlantic Republican Tradition* (Princeton 1975) and G. Bock, Q. Skinner, and M. Viroli (eds.), *Machiavelli and Republicanism* (Cambridge 1990) are particularly important. Although the *Prince* seemingly depicts a very different Machiavelli, he was writing the *Discourses* during the same time period, and many have noted that the two works apply to fundamentally different contexts. Guarini notes that the *Prince* is concerned with *stati* (states), while the *Discourses* is primarily about *città* (republics): "Both terms are used in both works. But the importance which *stato* assumes in the first and *città* in the second allows us to consider them, at least for the time being, as two key-words, which indicate two different points of view" (1990: 31; see 26-32). Machiavelli himself devotes two sections in the *Discourses* to explicitly detail when a sole authority is needed: 'That it is necessary to be the Sole Authority if one would constitute a Republic afresh or would reform it thoroughly regardless of its Ancient Institutions' (1.9), and 'Those who set up a Tyranny are no less Blameworthy than are the Founders of a Republic or a Kingdom Praiseworthy' (1.10).

⁵⁵³ For instance 1.2, where he discusses the issues with the three (or six) pure but unstable forms of government, for which a mixed constitution is the solution: "And so favored was it by fortune that, though the transition from Monarchy to Aristocracy and thence to Democracy, took place by the very stages and for the very reasons laid down earlier in this discourse, none the less the granting of authority to the aristocracy did not abolish altogether the royal estate, nor was the authority of the aristocracy wholly removed when the populace was granted a share in it." See also *Prince* 1.5, on the formidable nature of republics.

⁵⁵⁴ *DRP* 1.31, 44-45; Cf. *De Leg.* 3.19.

“To me those who condemn the quarrels between the nobles and the plebs, seem to be caviling at the very things that were the primary cause of Rome’s retaining her freedom, and that they pay more attention to the noise and clamor resulting from such commotions than to what resulted from them, i.e. to the good effects which they produced” (1.4).

Machiavelli saw conflict as a way to preserve the liberty of the plebs, by preventing their oppression by the nobility. Indeed, the “good effects” from this class conflict were the tribune of the plebs, who in turn helped bring about new laws. This connection between freedom and laws is a theme that Cicero reiterated in his own works. Rather than simply adhering to the optimate platform of favoring an overly powerful senate, Cicero consistently was more concerned with maintaining the balance of powers, including the liberty of the people and their ability to create laws. Machiavelli’s support of conflict in this case seems to be a logical extension of this ideology. But the important question that Cicero never addressed in his own work is how much “tumult” is reasonable? How much violence is acceptable in the name of liberty?

Machiavelli only partially answered these questions. He took the long view when looking at the stability of the Republic and justifying conflict:

“It is easy to see that this was the consequence in Rome; for from the days of the Tarquins to those of the Gracchi, which was more than three hundred years, tumults in Rome seldom led to banishment, and very seldom to executions. One cannot, therefore, regard such tumults as harmful, nor such a republic as divided, seeing that during so long a period it did not on account of its discords send into exile more than eight or ten citizens, put very few to death, and did not on many impose fines” (1.4).

First Machiavelli distinguished between the Early-Middle Republic and the Late Republic. From his presentation, the figures seem unrealistically positive.⁵⁵⁵ In this sense he was similar to Cicero, who did not include conflict within *DRP*, but instead preferred to stress the harmony of good men (*consensus bonorum*) united under this constitution. Yet we know that Cicero certainly accepted that maintaining liberty and a mixed constitution often meant conflict and loss of lives;

⁵⁵⁵ Presumably because he relied so heavily on Livy’s account.

in that case, no casualty was too high in the name of the state. Here, Machiavelli has explicitly allotted a place for it in his political philosophy. Like Cicero, he focused on the common good rather than individual rights.

When describing the time of the kings, however, before the establishment of a Republic, Machiavelli more explicitly justified the use of violence on behalf of the state. In his discussion of Romulus, he condones his killing of Remus and Titus Tatius, stating:

“It is a sound maxim that reprehensible actions may be justified by their effects, and that when the effect is good, as it was in the case of Romulus, it always justifies the action. For it is the man who uses violence to spoil things, not the man who uses it to mend them, that is blameworthy” (1.9).

This endorsement of directed use of violence is very similar to Cicero’s justification of the *s.c.u.* in his political speeches.⁵⁵⁶ Both men differentiated between violence used in a limited fashion for ‘good effect’ and mass, indiscriminate violence, which was deplorable. What is unstated, of course, is that the good effect or intention is usually in reality politically motivated, rather than truly altruistic. It is also important to note, however, that Cicero, when giving a brief history of Romulus and the kings in Book 2 of *De Republica*, omitted these acts of violence entirely.⁵⁵⁷ It is only in his political speeches that he overtly condoned limited acts of violence such as the *s.c.u.* on behalf of the state. Machiavelli also did not explicitly justify violence in this manner when talking about the Republican period.⁵⁵⁸

In his treatment of the Late Republic, however, Machiavelli diverged from Cicero in a couple of interesting ways. First, he was wholly against the use of private authority in public

⁵⁵⁶ He uses Sparta as example, citing the ephors who killed Agis, believing him to be a tyrant. Cleomenes, in turn, when he found out the good intentions of Agis, realized that he could only accomplish it if he had sole authority, so had the ephors killed and any other opponents (1.9).

⁵⁵⁷ *DRP* 2.4-13 covers the founding of Rome and Romulus’ joint rule with Tatius without mentioning the fates of Remus or Tatius.

⁵⁵⁸ This again confirms that Machiavelli saw the two types of regimes as being equally suitable, but for vastly different situations.

matters. In the case of the murder of Tiberius Gracchus, he did not blame Gracchus' actions (unlike Cicero), except to single out the agrarian law for "destroying liberty." Instead he identified the chain of events that led to unwarranted civil strife: the agrarian law, which led to increased friction among an already too-powerful nobility, which in turn led to armed conflict and bloodshed "in which neither moderation nor respect for civic customs was shown."⁵⁵⁹ Machiavelli summed up the problem by saying that because the public magistrates did not have any immediate remedy and the factions that had broken out no longer trusted them, that "Recourse was had to private remedies, and each party began to look out for some chief to head and defend it" (1.37). This description of the conflict and violence that surrounded the ousting and murder of Tiberius Gracchus is a far cry from Cicero's praise for his murderer, Publius Scipio Nasica.⁵⁶⁰ While Cicero repeatedly celebrated the fact that a private citizen (*privatus*) acted on behalf of the state, Machiavelli condemned the excessive violence that arose from the lack of public or constitutional authority.

One of the most important differences we can see in Machiavelli's precepts for a mixed constitution compared to Cicero is his emphasis on the dangers of unprecedented actions.⁵⁶¹ In a section entitled "How necessary Public Indictments are for the Maintenance of Liberty in a Republic," Machiavelli discusses the importance of establishing a constitutional process for

⁵⁵⁹ "This being so, the Agrarian law lay dormant until the time of the Gracchi, and, when they raised it again, it spelt the complete destruction of Rome's liberty. For by that time the power of its adversaries was twice as great, and, as a result, the mutual hatred existent between the plebs and the senate was so intense that it led to armed conflict and bloodshed, in which neither moderation nor respect for civic customs was shown. So that, the public magistrates being unable to find a remedy and none of the factions having any longer any confidence in them, recourse was had to private remedies, and each party began to look out for some chief to head and defend it" (1.37). Machiavelli's negative comment about the agrarian law clearly hearkens back to Livy (*tum primum lex agraria promulgata est, numquam deinde usque ad hanc memoriam sine maximis motibus rerum agitatae*, 2.41.3).

⁵⁶⁰ "Did not that most illustrious man, Publius Scipio, the Pontifex Maximus, in his capacity of a private citizen, put to death Tiberius Gracchus, though but slightly undermining the constitution?" (*Cat.* 1.3).

⁵⁶¹ While Cicero did draw attention to *nova* in the *Pro Milone*, he seemed more concerned about raising concern over Pompey's new power and actions (even when such actions were more constitutional than the *s.c.u.*), than consistent opposition to unprecedented decrees. See Chapter 3 for the argument.

indicting citizens. Not only will this deter them from acting against the state, he wrote, but it will also provide an appropriate and *public* outlet for when such occasions arise where one citizen is reviled by many for their actions (1.7). The danger of not having such an institution, according to Machiavelli, was that, “Recourse is had to abnormal methods likely to bring disaster on the republic as a whole.” Citing the story of Coriolanus as an example, Machiavelli stated:

“In his regard, however, all should reflect on the evils that might have ensued in the Roman republic had he been tumultuously put to death, for this would have given rise to private feuding, which would have aroused fear; and fear would have led to defensive action; this to the procuring of partisans; partisans would have meant the formation of factions in the city; and factions would have brought about its downfall. As, however, the matter was settled by persons vested with the requisite authority, no opening was provided for the evils that might have resulted had the matter been settled by private authority” (1.7).⁵⁶²

As we saw above, Machiavelli again criticized outright the use of private authority, and its disastrous effect on the state. Here he more explicitly connects it to unconstitutional violence and thence to the destruction of the city and constitution. He praised the state for having instituted the appropriate emergency measures for dealing with an internal threat (appropriate judicial processes; the dictatorship), so that the people remain united.⁵⁶³ The key concern is that with private authority, unconstitutional actions can become precedent and will constantly be at odds with the constitution, which provides a means of acting against the interests and good of the

⁵⁶² Also: “One notes in this incident what has been said above, namely, how useful and necessary it is for republics to provide a legal outlet for the anger which the general public has conceived against a particular citizen, because when no such normal means are available, recourse is had to abnormal means, which unquestionably have a worse effect than does the normal method. The reason is that, though wrong may be done when a citizen is punished in the normal way, scarce any disorder, or none at all, is brought about in the republic, for in carrying out the sentence no appeal is made either to private or to foreign forces, and it is these that entail the downfall of civic liberties. On the contrary, such force as is employed, is employed by public authority which functions within specified limits, and does not, overstepping them, go on to do things which ruin the republic”

⁵⁶³ Machiavelli emphasized the importance of having an office like the dictatorship, where one person is temporarily authorized to act on behalf of the state, since the regular magistracies would not be swift enough to respond to an emergency. His exuberant praise of the dictatorship, which appears throughout Book 1, was specifically for the constitutional office that lasted until 202 BC.

state. Machiavelli declared this more explicitly at 1.34, when discussing the necessity of having a constitutionally sanctioned dictatorship to deal with emergency situations.⁵⁶⁴

“But that events should happen in a republic which have to dealt with by extraordinary measures, is not desirable; for though the extraordinary measures may do good at the time, the precedent thus established is bad, since it sanctions the usage of dispensing with the constitutional methods for a good purpose, and thereby makes it possible, on some plausible pretext, to dispense with them for a bad purpose. No republic is ever perfect unless by its laws it has provided for all contingencies, and for every eventuality has provided a remedy and determined a method of applying it” (1.34).

This sort of behavior dominated the Late Republic and fueled its deterioration. Based on this firm condemnation of preventing unprecedented actions from undermining or altering the constitution, one would think that Machiavelli would look harshly upon measures such as the *s.c.u.*. Yet this is not the case. While Machiavelli was critical of certain aspects of the Late Republic, such as the rise of Caesar,⁵⁶⁵ his interpretation of the *s.c.u.* was blandly orthodox:

“Besides, during the last period, instead of appointing a dictator, the Romans used to invest the consul with dictatorial authority, with the words: ‘Let the consul see to it that the republic takes no harm’” (1.34).

Although Machiavelli condemned the violence that led to Tiberius Gracchus’ murder by Nasica, he did not recognize that the creation of the *s.c.u.* stemmed from this act of private and violent authority. Because this precedent was never denounced by the senate, despite violating Tiberius’ right to a trial, Gaius Gracchus was killed ten years later under the *s.c.u.*, which sanctioned such violent acts and attempted to override individual rights. The checks and balances that restricted the authority of the dictator were absent in this decree. Machiavelli was probably

⁵⁶⁴ The title of 1.7: “Dictatorial authority did good, not harm, to the republic of Rome: it is the authority which citizens arrogate to themselves, not that granted by free suffrage, that is harmful to civic life.”

⁵⁶⁵ As with Tiberius Gracchus, Machiavelli largely did not place blame on Caesar for his rise to power as much as the factional crisis and the senate’s poor handling of him, since these are the conditions that led to his temporary autocracy (1.33). He also blamed the unusual length of the dictatorship that Caesar was granted (1.34). He did, however, use him as a foil for Romulus, when justifying whether violence is acceptable or not: “And, should a good prince seek worldly renown, he should most certainly covet possession of a city that has become corrupt, not, with Caesar, to complete its spoliation, but, with Romulus, to reform it” (1.10).

unaware of the origin of the decree, instead accepting it as fact from his texts of Cicero and Livy, nor did he discuss it or the end of the Republic in the rest of his work.

Machiavelli clearly accepted the supremacy of the mixed constitution, for its balance of power, protection of liberty, and relative stability. He followed Cicero's and Livy's depiction of the Roman Republic fairly closely, and thus automatically accepted the constitutionality of the *s.c.u.*. Yet in his additions to his idea of the ideal state, Machiavelli advised having a fully-fledged constitution, one that accounted for all possible scenarios and provides 'outlets' for the citizens, and warned of the dangers of private and unprecedented action. Factions and unnecessary violence stemmed from these evils. Even though Machiavelli consistently matched Cicero in justifying certain acts of violence, if they benefit the state, he nevertheless explicitly recognized the dangers of when constitutionality is violated (even to protect the state). But it is liberalism which overtly championed individual rights, and we will turn to that now.

Locke and Liberalism

Much like sixteenth-century Florence, seventeenth-century Europe was wrecked by civil and religious wars. John Locke observed these destructive conflicts play out in England, having lived through civil wars, political murders, and swift changes in government. For him, the central issue that caused such violence and unrest was who rightfully possessed political power. His most famous political work, *Two Treatises of Government* (published 1689), written during various insurrections against the established government of which he was part, present his solution to this question.⁵⁶⁶ Rather than envisioning a government that existed above and beyond

⁵⁶⁶ Much has been written about the *Two Treatises of Government* (hereafter, *TT*). E. J. Harpham's edited volume, *John Locke's Two treatises of government: new interpretations* (Lawrence 1992) is a great place to start. Other classic works of scholarship include J. Dunn, *The Political Thought of John Locke* (Cambridge 1969); R. Grant, *John Locke's Liberalism* (Chicago 1987); and R. Ashcraft, *Locke's Two Treatises of Government* (London 1987).

both rulers and ruled, Locke instead claimed that political power lay in each and every individual.⁵⁶⁷ Government therefore existed because of the people and served only to protect the people's natural rights and interests. Along with Hobbes, Locke's focus on individual rights ushered in a seemingly new kind of political philosophy that would be known as liberalism.⁵⁶⁸ While it is true that their explicit rejection of active political participation by the people was a new concept, and directly countered Republican-esque ideas of virtue, Locke's ideas share important features with those of Caesar. Although Locke would not have read Caesar for political thought in the way that Machiavelli had read Cicero, and they approached their political philosophies from different angles, nevertheless they both represented a similar reaction to the established government. Here, then, I will briefly lay out how Locke's attitudes represent a further development in the larger argument for prioritizing citizen rights over the protection of the state.

Locke's own participation in politics and impetus for writing the treatises highlights his dissatisfaction with the established political systems, and signals his perspective as an outsider. The precise dating of the *Two Treatises* is uncertain, but scholars now believe he probably wrote it from 1679-81, revising it over the next few years as part of the insurrection aimed at getting rid of King James II, whose religious tolerance and disruptions to the succession had caused fear of a Roman Catholic dynasty.⁵⁶⁹ Locke witnessed and was sympathetic to the various political maneuverings that led up to the Glorious Revolution in 1688, and used his works to galvanize popular support and resistance. Indeed, in 1689, he published the *Two Treatises* with the claim,

⁵⁶⁷ *TT*, II.ii.4-7. All quotations of the text are from I. Shapiro's *Two Treatises of Government and A Letter Concerning Toleration* (New Haven 2003).

⁵⁶⁸ For the term and its relation to the other early modern and modern conceptions of government, see Saxonhouse 2003: 21-25.

⁵⁶⁹ For further background on the political climate of 17th century England, see J. Tully, "Locke" in Burns, J.H. (ed.) *The Cambridge History of Political Thought 1450-1700* (Cambridge 1991): 616-652; R. Grant, *John Locke's Liberalism* (Chicago 1987). For the issue of dating, see Shapiro *Two Treatises*: x-xi.

“These which remain I hope are sufficient to establish the throne of our great restorer, our present King William; to make good his title in the consent of the people...” (*TT*, Preface).

Locke was reacting to the theory (and seeming application) of natural subjection, most notoriously put forth by Sir Robert Filmer in his *Patriarcha*, in which the ruler (in the form of the absolute monarch) had divine right to the throne and to unconditional obedience by the people.⁵⁷⁰ Instead, Locke proposed a system of political power that was tripartite in nature: *legislative power*, or the right to make laws; *executive power*, the right to execute the laws using the force of the community; and *federative power*, the right to wage wars to protect the community. The end goal of this political power was for the public good.⁵⁷¹

Although Locke sought primarily to refute the proponents of absolute monarchy and to establish his system of government, the principal concerns that his political philosophy addressed were preventing violence and maintaining individual rights. In order to show the necessity of his form of government, he first explained that mankind in its natural state, without the constraints of society, existed either in the “state of nature” or “state of war”:

“Men living together according to reason, without a common superior on earth, with authority to judge between them, is properly the state of nature. But force, or a declared design of force, upon the person of another, where there is no common superior on earth to appeal to for relief, is the state of war: and it is the want of such an appeal gives a man the right of war even against an aggressor, though he be in society, and a fellow-subject” (*TT* II.iii.19).

Any sort of oppression of one man by another would trigger a state of war, whether by force or harassment concerning property. It was in the state of war, however, that Locke claimed there

⁵⁷⁰ Written between 1628 and 1652, this text was republished in 1680 to advocate for unconditional obedience to the Stuart monarchy, as they tried to prevent James II from succeeding. Locke addresses Filmer’s arguments and objections throughout the *TT*. See J. Daly, *Sir Robert Filmer and English Political Thought* (Toronto 1979); see Dunn *Political Thought of Locke*: 58-76 on Locke and Filmer.

⁵⁷¹ Cf. *TT* II.i.3, ix.131, x.135, xv.171. Tully (1991: 619) notes that Locke’s conception of the government was “closely tied to the actual claims and practices of the early modern mercantile states, with which Locke, as a member of the Board of Trade, was professionally familiar.”

was a natural right to defend oneself with force, as one would against an attacker or thief.⁵⁷²

Because the state of nature was not stable, and often led to these conflicts, Locke therefore saw society and government as a way to prevent violence and disharmony:

“To avoid this state of war...is one great reason of men’s putting themselves into society, and quitting the state of nature: for where there is an authority, a power on earth, from which relief can be had by appeal, there the continuance of the state of war is excluded, and the controversy is decided by that power” (iii.21).

His *Two Treatises* explained both these natural states as well as how his system of government would preserve harmony between the governing and the governed. Because men voluntarily gave up the state of nature and agreed to form a commonwealth, Locke asserted that each individual had political power that could be harnessed for the good of all. Unlike Athenian democracy, however, where individual political power translated to a system of government that required and valued constant participation, Locke argued that the best state was one in which the people unanimously consented to give their power to an individual or representatives.⁵⁷³

This system, although it may look like a monarchy or oligarchy, was far different from the absolutist views purported by Filmer and others, since at its core it was about preserving the rights that mankind had naturally, but which were too often threatened in the state of nature.⁵⁷⁴ Throughout the *TT*, Locke reiterated the goal of government was to preserve the lives, liberties and property of its people (II.ix.123), and also designed to free the individual to pursue his own interests. In doing so, the society would grow economically and have contented citizens. Yet the

⁵⁷² II.iii.19, xvi.176, xix.228.

⁵⁷³ See especially *TT* II.vii (Of Political or Civil Society).

⁵⁷⁴ “Men being, as has been said, by nature all free, equal, and independent, no one can be put out of this estate, and subjected to the political power of another, without his own consent” (viii.95).

political power of consent, according to Locke, always remained with the people, and could be withdrawn when the supreme or legislative power did not act in the interest of the public good.⁵⁷⁵

Unlike other political philosophies, which advocate for a specific form of leadership,⁵⁷⁶ Locke's conception of what he calls "the legislative or supreme power" is purposefully vague.⁵⁷⁷ Since the people are the ones who determine the nature of the commonwealth, to which they will willingly give up their power, its actual form—whether a monarchy under one ruler or oligarchy under several—is of less importance. He stated that legislative power, in whatever form the commonwealth chose to invest its consent and power, is responsible for the following:

“And so whoever has the legislative or supreme power of any commonwealth, is bound to govern by established standing laws, promulgated and known to the people, and not by extemporary decrees...and to employ the force of the community at home, only in the execution of such laws; or abroad to prevent or redress foreign injuries, and secure the community from inroads and invasion. And all this to be directed to no other end but the peace, safety, and public good of the people” (II.ix.131).

In this passage, Locke stipulates all three of the facets of political power that are imbued in the ruler or rulers, and how they are to use such powers. As part of the *legislative* and *executive* powers, the ruler must not only carry out the laws of the people but is also subject to them himself.⁵⁷⁸ This was a direct contrast of the absolutist model, in which the monarch-figure is considered above the laws and can act as he pleases. Here Locke also draws a clear distinction

⁵⁷⁵ This, however, does not mean that the people can willfully act outside of the government they establish: “And thus the community may be said in this respect to be always the supreme power, but not considered under any form of government, because this power of the people can never take place till the government be dissolved” (xii.149). This claim was part of Locke's refutation of the idea (put forth by Filmer and others), that putting political power in the hands of the people would create more civil strife.

⁵⁷⁶ For instance, absolutism as espoused by Filmer championed monarchy, while of course Machiavelli had determined that the form of government (whether monarchy or republic) depended on the nation and particular circumstances.

⁵⁷⁷ The term first introduced II.iv.22. See also *TT*. II.ix (Of Legislative Power) and II.x (Of the Subordination of the Powers under the Commonwealth).

⁵⁷⁸ Furthermore, laws can only be changed with the consent of the majority through their representatives (ix.135, vi.94, xi.140).

between laws and decrees, for the latter are often *ad hoc* and can signal an abuse of power.⁵⁷⁹

Locke also delineates the authority of the ruler to involve the commonwealth in conflict. In his ability to execute the laws, he may use the force of the community. Abroad, the *federative* power of the ruler comes into play, in which he has the right to commit the commonwealth and its citizens to war. Locke is clear here that the only appropriate time for the ruler to endanger the lives of the citizens is to prevent general harm and to protect the common good. This restrictive assertion of power was clearly meant to prevent the frequent civil and foreign wars that Locke saw occur throughout Europe, many of which resulted in the loss of citizen lives for little gain or reason.

Yet, while the ruler's federative power was meant to be constrained by public good and safety, Locke claimed that the general public itself can rightfully decide to use force against the supreme power. By establishing early on that political power resides within the people, as well as man's natural right to defend against anyone who puts him into state of war, Locke was able to lay the foundation for the validity of taking up arms against a monarch as an extension of this "natural law."⁵⁸⁰ He argued:

"What if the executive power, being possessed of the force of the commonwealth, shall make use of that force to hinder the meeting and acting of the legislative, when the original constitution or the public exigencies require it? I say, using force upon the people without authority, and contrary to the trust put in him that does so, is a state of war with the people, who have a right to reinstate their legislative in the exercise of their power: for having erected a legislative, with an intent they shall exercise the power of making laws, either at certain set times, or when there is need of it; when they are hindered by

⁵⁷⁹ Although he acknowledges the necessity of prerogative—the ability for rulers to act quickly in situations where the law and due process is too slow—Locke also expresses concern over unprecedented actions taken by rulers, even if good, since they have a tendency of being abused by future rulers (II.xiv.166). See more generally *TT* II.xiv (Of Prerogative). Cf. Machiavelli, who takes a similar standpoint in the *Discourses* (1.7; 1.34; see above).

⁵⁸⁰ "Since tyranny and usurpation can now be defined in terms of any violation of natural law, as the use of power beyond right and of power without right respectively (*TT*, II.xviii.199, II.xvii.17), he broadens the base for justified revolt and redefines it as a juridico-political activity of war, as Jean LeClerc pointed out in his review in *Bibliothèque Universelle* (XIX, p. 951)" (Tully "Locke": 626).

any force from what is so necessary to the society, and wherein the safety and preservation of the people consists, the people have a right to remove it by force. In all states and conditions, the true remedy of force without authority is to oppose force to it” (II.xiii.151).

Going beyond even Machiavelli’s support for conflict, as a way to make the constitution stronger, Locke’s asserted that revolt and subsequent use of force is a valid expression of power in these circumstances. While this argument helped him to justify the actions he thought necessary to counteract the irresponsible government in place in England, it also underscored how little the form of government matters. Since government existed solely to protect and preserve the interests of the public, in cases where it fails to do this job, the people were empowered to withdraw their consent, and thereby dissolve the government. Although the people agreed to essentially give their collective power to the one(s) they choose, they nevertheless retained the right and responsibility to exercise it under certain conditions, in order to reform the government to its original purpose.⁵⁸¹

Although Locke would not have read Caesar for his political views, the parallels between their political ideologies are instructive. Despite the distance in time and space, both Locke and Caesar represented a new kind of government that was a reaction to the established regime. They sought to bring change to a system they saw as corrupt and acting directly against the interests of the people and one that used violence indiscriminately.⁵⁸² What they proposed—Locke explicitly and Caesar implicitly—was a government that prioritized the people and recognized their rights,

⁵⁸¹ “In the case of legitimate resistance to tyranny, the people, either individually or corporately acting through their natural representative body, exercise their natural rights to defend themselves or their community from attack” (Tully “Locke” 622).

⁵⁸² See Chapters 3 and 4. Caesar cast himself as the representative of the Roman people and together with them (since so many end up on his side and share his values) fought for their collective rights. Thus he came out strongly against decrees such as the *s.c.u.*, which was both *ad hoc* and advocated for killing Romans, was reluctant to use violence in the war, and pointedly spared as many as he could. His careful justifications for going to war, both with the Gauls and with Pompey, are similar to Locke’s description of how the ruler exercises his federative power: it must be for preventative or retributive measures and done in the name of the common good.

not only in their power to make laws, but also as the focal point for government's existence. There are even striking similarities in each author's characterization of the supreme or legislative power: Locke's description of a ruler who was essentially the image of the people and existed to execute the laws of the people and act solely for the public good was precisely the image Caesar constructed for himself in his *commentarii*. Moreover, Locke's passionate justification for acting against the government has much in common with Caesar's description of the Senate in Book 1 of the *BC*.⁵⁸³ Both men sought to leverage and legitimize the people's discontent over the established government acting against their interests by proposing an alternative that appeared to remedy these very problems.

Thus the debate over whether the government should prioritize preserving its form or ensuring the rights of citizens was alive and still unresolved in the late 17th century. The very next century would see further developments in the politics of Europe as well as ideas about government and violence, particular when the American colonists decide to declare their independence from Great Britain and set up their own government.

The Federalists and the United States Constitution

After the recently won independence in America, and the temporary governments of the Continental Congress (1774-81) and the subsequent central government under the Articles of Confederation (1781-89), there was heated debate over the permanent form of the American

⁵⁸³ Indeed, Caesar's conduct in the war, as he portrays in the *BC*, fits with Locke's description of the ruler using his federative power: "Secondly, I say then the conqueror gets no power but only over those who have actually assisted, concurred, or consented to that unjust force that is used against him: for the people having given to their governors no power to do an unjust thing, such as is to make an unjust war (for they never had such a power in themselves) they ought not to be charged as guilty of the violence and injustice that is committed in an unjust war, any farther than they actually abet it" (xvi.179). We can see this in the way Caesar identified only a few men, the *factio paucorum*, his enemy in the civil war: the *populus Romanus*, even the soldiers on Pompey's side, were never to blame for the war. Caesar's policy of pardoning nearly everyone and trying to win other neutrals and Pompeians also fits this model. See Chapter 4 for a more detailed discussion of this tactic.

Constitution. Two factions emerged between those preferring an energetic, involved government to unite the States, the Federalists, and those in favor of greater state autonomy and a smaller central government, the anti-Federalists. To garner support for ratifying the Constitution, founding fathers Alexander Hamilton, John Madison, and John Jay wrote a series of eighty-five essays known as the *Federalist* or *Federalist Papers*, published in 1788.⁵⁸⁴ Within these essays, each aspect of the Constitution was analyzed and justified: as a whole, argued the *Federalist* writers, this government was large enough to deter national and state-conflict, while its system of checks and balances ensured the liberty of the people, giving them a (filtered) voice and at the same time freeing them from political obligation. A year later, the Constitution was ratified.

Although not a perfect melding, the Constitution embodied aspects of both the Republican and Liberal systems of government. Like the Republican mixed constitution, power was distributed among different branches of government, which were designed to prevent tyranny. Unlike the Roman Republic, for instance, which divided power among the consuls (monarchic), Senate (oligarchic), and people (democratic), thereby combining aspects of the three pure forms of government, the U.S. Constitution created the executive, legislative, and judicial branches.⁵⁸⁵ As Hamilton asserted, “They are the means, and powerful means, by which the excellencies of republican government may be retained and its imperfections lessened or avoided” (9). Like the Liberal systems, on the other hand, the Federalists placed high value on

⁵⁸⁴ Published under the pseudonym Publius. All quotations come from *The Federalist Papers* (New York 1982). W. B. Allen’s commentary *The Federalist Papers: A Commentary* (New York 2000) provides a great introduction to the material, as well as thoughtful analyses of the essays, particular 35 and 51. For general scholarship, see A. Furtwangler, *The Authority of Publius: A Reading of the Federalist Papers* (Ithaca 1984); B. Perkins, “The Constitution,” in *The Cambridge History of American Foreign Relations* (Cambridge 1993): 54–80; J. Rakove, “Confederation and Constitution,” in Grossberg, M. and Tomlins, C. (eds.) *The Cambridge History of Law in America* (Cambridge 2008): 482–517.

⁵⁸⁵ Locke’s tripartite division of executive, legislative, and federative is of course much closer to the American system, but not exact. He also considered these to be three aspects of a ruler’s (or rulers’) power, not that they had to be three distinct branches.

economic self-interest as a way to appropriately channel man's natural passion for success and ambition.⁵⁸⁶ The role of the Constitution, therefore, was to protect man's liberty, rights, and property, and to give voice to the people without requiring their mass participation.⁵⁸⁷ It was also the Founders' solution to quelling the violence and factionalism that characterized Republics, monarchies, and anarchies alike.

Like Locke, the *Federalist* writers described their pessimistic view of mankind when left to its own devices, as a preamble for their proposed solution of the appropriate government. Because of man's tendency for ambition, rapacity, and revenge, and indeed a nation's tendency for dominance or jealousy towards its neighbors, they wrote, violence and conflict was often the result in past forms of government, as well as the fate of a disunited States.⁵⁸⁸ Partial unity, however, was not enough, for it would simply increase the amount of competition and militarization, while at the same time stifling economic growth and prosperity.

Thus, the *Federalist* writers saw government as a way to keep in check the personal as well as nationalistic ambitions of people, and their type of government as the ideal solution to violence. Yet the form of government, as well as its motivations, was key to them, for the wrong type would enable destructive behaviors rather than prevent them. In the same letter, Hamilton criticizes the violence that seemed to accompany ancient Republics:

“Sparta, Athens, Rome, and Carthage were all republics; two of them, Athens and Carthage, of the commercial kind. Yet were they as often engaged in wars, offensive and

⁵⁸⁶ Although Hamilton noted that England similarly focused on commercial interests and yet still endured a number of civil wars, he viewed the increased central government as a suitable deterrent.

⁵⁸⁷ Both ideologies sought at least in part to acknowledge the power of the people to varying degrees through representation. Madison wrote, “The genius of republican liberty, seems to demand on one side, not only that all power should be derived from the people; but, that those entrusted with it should be kept in dependence on the people, by a short duration of their appointments; and, that, even during this short period, the trust should be placed not in a few, but a number of hands. Stability, on the contrary, requires that the hands, in which power is lodged, should continue for a length of time, the same” (*Fed.* 37).

⁵⁸⁸ “So strong is this propensity of mankind to fall into mutual animosities, that where no substantial occasion presents itself, the most frivolous and fanciful distinctions have been sufficient to kindle their unfriendly passions, and excite their most violent conflicts” (Madison, *Fed.* 10). Cf. *Fed.* 6 (Hamilton).

defensive, as the neighboring monarchies of the same times. Sparta was little better than a well-regulated camp; and Rome was never sated of carnage and conquest” (*Fed.* 6).

Republics failed because they focused too much on war and conquest.⁵⁸⁹ Yet popular assemblies also posed a problem, for they frequently fell prey to the impulses of “rage, resentment, jealousy, avarice, and of other irregular violent propensities” (*Fed.* 6).⁵⁹⁰ Monarchies were also out of the question, for individual rulers are far too easily swayed by personal gain and other influential people, which can have a devastating effect on the nation.⁵⁹¹ The Federalists’ solution was for a large government of united states, in which the elements of the popular regimes are combined. Although the anti-Federalists claimed that a large government would result in the oppression of the people, Hamilton argued that, on the contrary, the consequences of not unifying would not only endanger the lives of the citizens, but also their liberty:

“Safety from external danger is the most powerful director of national conduct. Even the ardent love of liberty will, after a time, give way to its dictates. The violent destruction of life and property incident to war, the continual effort and alarm attendant on a state of continual danger, will compel nations the most attached to liberty to resort for repose and security to institutions which have a tendency to destroy their civil and political rights. To be more safe, they at length become willing to run the risk of being less free” (*Fed.* 8).

The greater size of united states would dissuade neighboring nations from conquest, while the unified states would prevent civil strife and rivalry.⁵⁹² Furthermore, the diversity of the Constitution as enacted, with its three branches of government and system of checks and balances, was designed to prevent tyranny and the deleterious effects of personal ambition.

⁵⁸⁹ This also includes later republics, such as Venice, the Provinces of Holland, and Britain’s commonwealth.

⁵⁹⁰ Cf. Hamilton on popular wars: “The cries of the nation and the importunities of their representatives have, upon various occasions, dragged their monarchs into war, or continued them in it, contrary to their inclinations, and sometimes contrary to the real interests of the State” (*Fed.* 6).

⁵⁹¹ Hamilton’s examples vary in validity, from accusing Pericles of embroiling Athens in the Peloponnesian war with Sparta because of a prostitute, to identifying Cardinal Thomas Wolsey as the power behind King Henry VIII, and England’s subsequent war with France.

⁵⁹² Hamilton discusses the dangers of a “disunited” States in *Fed.* 7-8.

The *Federalist* writers also roundly condemned factionalism as the source of most political violence in unstable or ineffective governments, and positioned their Constitution as a solution to it. The ninth and tenth letters, written by Hamilton and Madison, respectively, deal particularly with this problem in other government systems and detail how factions can be managed. Madison opened *Fed.* 10 with, “Among the numerous advantages promised by a well-constructed Union, none deserves to be more accurately developed than its tendency to break and control the violence of faction.”⁵⁹³ He defined the term as:

“By a faction, I understand a number of citizens, whether amounting to a majority or a minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community.”

This “mortal disease,” which has so often brought about the destruction of popular governments, represents a fundamental lack of stability in government, not to mention its propensity for civil violence. But both Hamilton and Madison refused to wholly condemn the popular systems and factions entirely, however, since they are inextricably tied to liberty and diversity of thought. These are the very things that the *Federalist* writers believed the government ought to protect.⁵⁹⁴ Instead, they sought to control the effects of factionalism, and Madison spends the rest of *Fed.* 10 detailing how a large central government can accomplish this, whether the faction arises out of a minority or majority.

The *Federalist* writers, in defending the U.S. Constitution, demonstrated a commitment to preserving both the form of the government as well as the lives and livelihood of the citizens.

⁵⁹³ Similarly, Hamilton in *Fed.* 9: “A Firm Union will be of the utmost moment to the peace and liberty of the States as a barrier against domestic faction and insurrection.” He again criticizes “the petty Republics of Greece and Italy” for their constant in-fighting, rapid revolutions, and vacillation between tyranny and anarchy.

⁵⁹⁴ “As long as the reason of man continues fallible, and he is at liberty to exercise it, different opinions will be formed... The diversity in the faculties of men from which the rights of property originate, is not less an insuperable obstacle to a uniformity of interests. The protection of these faculties is the first object of Government” (*Fed.* 10).

This dual concern reflects the ways they have attempted to meld aspects of Republicanism and Liberalism. They acknowledged the challenges that faced them in creating a more perfect union, and all of the violence that led up to it. While the Amendments reflect an evolving Constitution, it has nevertheless remained largely unchanged and stable. The presence of violent acts against American citizens, however, has not gone away, and begs the question, “Where do we go from here?”

LOOKING FORWARD

Although in this dissertation I have primarily set out to explore how Cicero and Caesar’s attitudes towards violence against other Romans (particularly in contentious decrees like the *s.c.u.*) relate to their political ideologies, a much larger phenomenon has come more clearly into focus. It may seem obvious to say that violence and politics are inextricably tied, but the nature of that link is important. Although this study has only focused on ancient Rome, sixteenth-century Florence and seventeenth-century England, a pattern has already emerged: in non-authoritarian nations, there exists a fundamental tension between governments that prioritize preserving their form and institutions, and those that prioritize the rights of citizens. For those politicians and governors who focus on the former, protecting the institutions and essential nature of government is a cause worth dying for and killing for. Civilian casualties that result from protecting the state—whether were the threat or the savior—are acceptable if not expected. On the other side of the spectrum are those who advocate for government that is solely concerned with preserving the lives and livelihood of its citizens. Violence against citizens is wholly condemned, because it is a violation of their right; governments have a tendency to be rewritten when this happens on a large enough scale. Such a stance can be either sincere or not;

in either case, it also represents an opportunistic politician seeing a way to effect change. Just as Aristotle, Polybius, and later writers hypothesized a cycle of degeneration and transformation amongst monarchy, oligarchy, and democracy, there also seems to be an oscillation between the perceived priorities of a government. The stability of the United States Constitution here is the exception, and it is not without its problems.⁵⁹⁵ By analyzing the presence of violence against citizens, such problems and priorities are illuminated. Just as the *Federalist* writers hoped that the effects of factionalism could be controlled, even if the causes of it must be protected, I hope too that by studying how and why such violence arises, we might learn better how to control and even prevent it.

⁵⁹⁵ A related phenomenon is the way the presidency oscillates between the Democratic and Republican parties. With two exceptions (Martin Van Buren in 1836 and Franklin D. Roosevelt in 1940), no party has held the White House for more than two consecutive terms.

Works Cited

- Achard, G. 1981. *Pratique, rhétorique et idéologie politique dans les discours "optimates" de Cicéron*. Leiden.
- Adcock, F. E. 1956. *Caesar as Man of Letters*. Cambridge.
- Adler, E. 2011. *Valorizing the Barbarians*. Austin.
- Allen, W. B. 2000. *The Federalist Papers: A Commentary*. New York.
- Arena, V. 2013. *Libertas and the practice of politics in the late Roman Republic*. Cambridge.
- Ashcraft, R. 1987. *Locke's Two Treatises of Government*. London.
- Avery, H. 1993. "A Lost Episode in Caesar's Civil War." *Hermes* 121: 452-69.
- Balsdon, J. P. V. D. 1960. "Auctoritas, Dignitas, Otium." *CQ* 10: 43-50.
- Barber, K. 1994. *Rhetoric in Cicero's Pro Balbo*. New York.
- Batstone, W. and C. Damon. 2006. *Caesar's Civil War*.
- Batstone, W. 1990. "Etsi: A Tendentious Hypotaxis in Caesar's Plain Style." *AJP* 111: 348-360.
- 1991. "A Narrative Gestalt and the Force of Caesar's Style." *Mnemosyne* 44: 126-36.
 - 1994. "Cicero's Construction of Consular Ethos in the First Catilinarian." *TAPA* 124: 211-66.
- Bauman, R. 1973a. "The Hostis declarations of 88 and 87 B.C." *Athenaeum* 51: 270-93.
- 1973b. "The Lex Valeria de provocatione of 300 B.C." *Historia* 22: 34-47.
 - 1990. "The suppression of the Bacchanals: five questions," *Historia* 39: 334-8.
- Bellen, H. 1985. "Cicero und der Aufstieg Oktavians." *Gymnasium* 92: 161-189.
- Berry, D. H. 1993. "Pompey's Legal Knowledge. Or Lack of It: Cic. "Mil." 70 and the Date of "Pro Milone"." *Historia* 42: 502-504.
- Bertrand, A. C. 1997. "Stumbling through Gaul: maps, intelligence, and Caesar's *Bellum Gallicum*." *Ancient History Bulletin* 11: 107-22.
- Bicknell, P. and Nielsen, D. 1998. "Five Cohorts against the World" in C. Deroux (ed.) *Studies in Latin Literature and Roman History IX* (Brussels): 138-66.
- Boatwright, M. T. 1988. "Caesar's Second Consulship and the Completion and Date of the *Bellum Civile*," *CJ* 84: 31-40.
- Bock, G., Q. Skinner, and M. Viroli, eds. 1990. *Machiavelli and Republicanism*. Cambridge.

- Briscoe, J. 2008. *A Commentary on Livy Books 38-40*. Oxford.
- Brown, R. 1999. "Two Caesarian Battle-Descriptions: A Study in Contrast." *CJ* 94: 329-357.
- Brunt, P. 1986. "Cicero's *Officium* in the Civil War." *JRS* 76: 12-32.
- 1988. *The Fall of the Roman Republic*. Oxford.
- Cairns, F. and E. Fantham, eds. 2003. *Caesar against liberty? Perspectives on his autocracy*. Cambridge.
- Canali, L. 1985. *Giulio Cesare*. Rome.
- Canfora, L. 2007. as *Julius Caesar: The Life and Times of the People's Dictator*. Trans. H. Hill and K. Windle. Berkeley.
- Cape, R. W. Jr. 1995. "The Rhetoric of Politics in Cicero's Fourth Catilinarian." *AJP* 116: 255-77.
- Carter, J. M. 1991. *Julius Caesar: The Civil War, Books I-II*. Warminster.
- 1993. *Julius Caesar: The Civil War, Book III*. Warminster.
- Casamento, A. 2010. "La « pro Milone » dopo la « pro Milone »." *Papers on Rhetoric* 10: 39-58.
- 2011. "Strategie retoriche, emozioni e sentimenti nelle orazioni ciceroniane : le citazioni storiche nella « pro Milone »." *Hormos* 3: 140-151.
 - 2012. "Apparizioni, fantasmi e altre « ombre » in morte e resurrezione dello Stato : « Fictio », allegoria e strategie oratorie nella « pro Milone » di Cicerone" in G. Moretti and A. Bonandini, eds., *Persona ficta : la personificazione allegorica nella cultura antica fra letteratura, retorica e iconografia* (Trento): 139-169.
- Chaplin, J. 2000. *Livy's Exemplary History*. Oxford.
- Christ, K. 1974. "Caesar und Ariovist," *Chiron* 4: 251-92.
- Clark, M. L. 1996. *Rhetoric at Rome*. 3rd ed. London.
- Classen, C. J. 1985. *Recht, Rhetorik, Politik: Untersuchungen zu Ciceros rhetorischer Strategie*. Darmstadt.
- Cloud, D. 1994. "The Constitution and Public Criminal Law." In J. Crook, A. Lintott, and E. Rawson, eds. *The Cambridge Ancient History IX* (Cambridge): 491-530.
- Collins, J. 1959. "On the Date and Interpretation of the *Bellum Civile*." *AJPh* 60: 113-32.
- 1972. "Caesar as Political Propagandist." *ANRW* 1: 922-66.
- Combès, R. 1966. *Imperator (Recherches sur l'emploi et la signification du titre d'imperator dans la Rome républicaine)*. Paris.
- Connolly, J. 2007. *The State of Speech: Rhetoric and Political Thought in Ancient Rome*. Princeton.
- Conte, G. B. 1987. *Latin Literature: A History*. Baltimore.

- Cova, P. V. 1974. "Livio e la repressione dei Baccanali." *Athenaeum* 52: 82-109.
- Craig, C. 1993. *Form as Argument in Cicero's Speeches: a study of dilemma*. Atlanta.
- Cristofoli, R. 2004. *Cicerone e la II Filippica. Circonstanze, stile e ideologia di un'orazione mai pronunciata*. Rome.
- Crook, J.A. 1996. "Augustus: power, authority, achievement," in A. K. Bowman, E. Champlin, and A. Lintott (eds.) *CAH X*. (Cambridge): 113-146.
- Daly, J. 1979. *Sir Robert Filmer and English Political Thought*. Toronto.
- Damon, C. 1994. "Caesar's Practical Prose," *CJ* 89:183-95.
- Davies, G. 2008. "Roman Warfare and Fortification." In *The Oxford Handbook of Engineering and Technology in the Classical World*, ed. J. P. Oleson, 691-711.
- Deichgräber, K. 1950. "Elegantia Caesaris: Zu Cäsars Reden und *Commentarii*." *Gymnasium* 57: 112-23.
- De Lorenzo, E. 1990. "Il discorso di Critognato (*B.G.*, 7, 77): Struttura narrativa e ideologia." In D. Poli (ed.), *La cultura in Cesare: atti del convegno internazionale di studi Macerata-Matelica 2*: 553-75.
- Denniston, J. D. 1926. *Cicero Philippics I & II*. London.
- Develin, R. 1978. "'Provocatio' and Plebiscites. Early Roman Legislation and the Historical Tradition." *Mnemosyne* 31: 45-60.
- De Witt, N. J. 1942. "The non-political nature of Caesar's *Commentaries*." *TAPA* 73: 341-52.
- Dittenberger, W., Kraner, F., and H. Meusel, eds. 1962. *Commentarii de Bello Gallico*. Berlin.
- Drexler, H. 1959. "*Bellum Iustum*" *RM* 102: 97-140.
- Drogula, F. K. 2015. *Commanders and Command in the Roman Republic and Early Empire*. Chapel Hill.
- Dunn, J. 1969. *The Political Thought of John Locke*. Cambridge.
- Dyck, A. R. 1998. "Narrative Obfuscation, Philosophical Topoi, and Tragic Patterning in Cicero's Pro Milone." *Harvard Studies in Classical Philology* 98: 219-241.
- 2008. *Cicero: Catilinarians*. Cambridge.
- Eden. P. T. 1962. "Caesar's Style: Inheritance versus Intelligence." *Glotta* 40: 74-117.
- Elbern, S. 2008. *Caesar: Staatsmann, Feldherr, Schriftsteller*. Mainz.
- Fears, J. R. 1981. "The Cult of Virtues and Roman Imperial Ideology." *ANRW* 2.17.2: 827-948.
- Fedeli, P. 1986. In *M. Antonium Orationes Philippicae XIV*. Leipzig.
- 2005. "La « Pro Milone »." *Giornate filologiche* 4: 37-52.
- Fischer, F. 1999. "Caesar und Ariovist: Studien zum Verständnis des Feldzugsberichts." *Bonner Jahrbücher* 199: 31-68.

- Flower, H. I. 2003. "Rereading the senatus consultum de Bacchanlibus of 186 b.c." in V.B. Gorman and E.W. Robinson (eds.), *Oikistes: Studies in Constitutions, Colonies and Military Power in the Ancient World* (Leiden): 79-98.
- 2010. *Roman Republics*. Princeton.
- Fotheringham, L. 2006. "Cicero's Fear: Multiple Readings of Pro Milone 1-4." *Materiali e discussioni per l'analisi dei testi classici* 57: 63-83.
- 2013. *Persuasive Language in Cicero's Pro Milone*. Exeter.
- Frank, T. 1927. "The Bacchanalian cult of 186 b.c." *CQ* 21: 128-32.
- Frier, B. 1985. *Rise of the Roman Jurists*. Princeton.
- Frisch, H. 1946. *Cicero's Fight for the Republic: the historical background of Cicero's Philippics*. København.
- Fuhrmann, M. 1993. *Marcus Tullius Cicero. Die politischen Reden*. München.
- Furtwangler, A. 1984. *The Authority of Publius: A Reading of the Federalist Papers*. Ithaca.
- Gabba, E. 1976. *Republican Roman, The Army and the Allies*. Blackwell.
- Gaughan, J. 2010. *Murder was not a crime*. Austin.
- Gelzer, M. 1968. *Caesar: Politician and Statesman*. trans. P. Needham. Cambridge.
- 1969. *Cicero: ein Biographische Versuch*. Wiesbaden.
- Gerrish, J. 2013. "civitatem recipit: Responding to Revolt in Thucydides 3 and Caesar's *Bellum Gallicum* 7." *New England Classical Journal* 40: 68-85.
- Golden, G. 2013. *Crisis Management During the Roman Republic*. Cambridge.
- Goldsworthy, A. K. 1996. *The Roman Army at War, 100 BC-AD 200*. Oxford.
- 2006. *Caesar, Life of a Colossus*. New Haven.
- Görler, W. 1980. "Caesar als Erzähler (am Beispiel von BG II.15-27)." *Der Altsprachliche Unterricht* 23: 18-31.
- Gotoff, H. C. 1993. "Oratory: the Art of Illusion." *Harvard Studies in Classical Philology* 95: 288-313.
- 1984. "Towards a practical criticism of Caesar's prose style." *Illinois Classical Studies* 9: 1-18.
- Gowing, A. 1992. *The Triumviral Narratives of Appian and Cassius Dio*. Ann Arbor.
- Grant, R. 1987. *John Locke's Liberalism*. Chicago.
- Griffin, M., ed. 2009. *Companion to Julius Caesar*. Cambridge.
- Grillo, L. 2012. *The Art of Caesar's Bellum Civile*. Cambridge.
- Gruen, E. 1968. *Roman Politics and the Criminal Courts: 149-78 B.C.* Harvard.
- 1974. *Last Generation of the Roman Republic*. Berkeley.

- 1990. *Studies in Greek and Roman History*. Berkeley.
- Habicht, C. 1990. *Cicero the Politician*. Baltimore.
- Habinek, T. 1998. *The Politics of Latin Literature*. Princeton.
- Hammond, C. 1996. *Julius Caesar: Seven Commentaries on the Gallic War*. Oxford.
- Hanson, V. D. 2000. *The Western Way of War*. Berkeley.
- Harmand, J. 1973. "Une Composante scientifique du Corpus Caesarianum: le portrait de la Gaule dans le De Bello Gallico I—VII." *ANRW*: 523-95.
- Harpham, E. J. 1992. *John Locke's Two treatises of government: new interpretations*. Lawrence.
- Harries, J. 2006. *Cicero and the Jurists: from citizen law to the lawful state*. London.
- Harris, W. V. 1972. "Was Roman Law Imposed on the Italian Allies?" *Historia* 21: 639-45.
- 1982. *The Imperialism of Mid-Republican Rome*. Rome
- Heitland, W. E., ed. 1882. *M. Tulli Ciceronis Pro C. Rabirio (Perduellionis Reo) Oratio ad Quirites*. Cambridge.
- Hellegouarc'h, J. 1963. *Le vocabulaire latin des relations et des partis politiques sous la république*. Paris.
- Helzle, M. 1994. "Indocilis Privata Loqui: The Characterization of Lucan's Caesar." *Symbolae Osloenses* 69: 121-36.
- Henderson, John, "XPDNC/Writing Caesar (*Bellum Ciuile*)," *ClAnt* 15 (1996) 261-88.
- Hillman, T. P. 1988. "Strategic Reality and the Movements of Caesar, January 49 B.C." *Historia* 37: 248-52.
- How, W. W. 1930. "Cicero's Ideal in his *De re publica*," *JRS* 20: 24-42.
- Humbert, J. 1925. *Les plaidoyers écrits et les plaidoires réelles de Cicéron*. Paris.
- Kaster, R. A. 2006. *Cicero: Speech on behalf of Publius Sestius*. Oxford.
- Keegan, J. 1991. *The Face of Battle*. London.
- Keyes, C. W. 1921. "Original Elements in Cicero's Ideal Constitution," *AJP* 42: 309-23
- Kirby, J. T. 1990. *The Rhetoric of Cicero's Pro Cluentio*. Amsterdam.
- Klotz, A. 1992. *C. Iulii Caesaris Commentarii: vol II, Commentarii belli civilis*. 2nd ed. Leipzig.
- Konstan, D. 1993. "Rhetoric and the Crisis of Legitimacy in Cicero's Catilinarian Orations," in T. Poulakos (ed.) *Rethinking the History of Rhetoric: Multidisciplinary Essays on the Rhetorical Tradition* (Boulder): 11-30.
- Koutroubas, D. E. 1972. *Die Darstellung der Gegner in Caesars 'Bellum Gallicum.'* Dissertation. Heidelberg.
- Kraner, F., F. Hofmann, and H. Meusel, eds. 1959. *C. Iulii Caesaris Commentarii de bello civili*. Hildesheim.

- Kraus, C. S. 2005. "Hair, Hegemony and Historiography: Caesar's Style and Its Earliest Critics." *PBA* 29, pp. 97-115.
- 2007. "Caesar's account of the battle of Massilia (BC 1.34-2.22): Some historiographical and narratological approaches," in *Companion to Greek and Roman Historiography*, ed. J. Marincola. Malden.
- Krebs, C. B. 2006. "'Imaginary Geography' in Caesar's 'Bellum Gallicum.'" *The American Journal of Philology* 127: 111-36.
- Lacey, W. K. 1986. *Cicero: Second Philippic*. Warminster.
- Laks, A. and M. Schofield, eds. 1995. *Justice and Generosity*. Cambridge.
- Lazar, N. 2009. *States of Emergency in Liberal Democracies*. Cambridge.
- Lazenby, J. F. 1959. "The conference of Luca and the Gallic War: a study in Roman politics 57-55 B.C." *Latomus* 18: 67-76.
- Lendon, J. E. 1999. "The Rhetoric of Combat: Greek Military Theory and Roman Culture in Julius Caesar's Battle Descriptions." *Classical Antiquity* 18: 273-329.
- Lévy, Carlos. 1998. "Rhétorique et philosophie: la monstruosité politique chez Cicéron," *Revue des Études Latines* 76: 139-57.
- Lieberg, G. 2002. "Stile e sintassi in Cesare, « Bellum Gallicum » I 48-53, la battaglia contro Ariovisto," *Paideia* 57: 176-91.
- 2005. "Zu Caesars Auseinandersetzung mit Ariovist und speziell zu Bellum Gallicum I, 46-47." *GB* 24: 111-19.
- Lintott, A. 1968. *Violence in Republican Rome*. Second ed. (1999). Oxford.
- 1972. "Provocatio. From the Struggle of the Orders to the Principate" *ANRW* 2: 226-67.
 - 1974. "Cicero and Milo." *JRS* 64: 62-78
 - 1997. "The Theory of the Mixed Constitution at Rome," in J. Barnes and M. Griffin (eds.) *Philosophia Togata II* (Oxford): 70-85.
 - 1999. *The Constitution of the Roman Republic*. Oxford.
 - 2008. *Cicero as Evidence*. Oxford.
- Löfstedt, E. 1933. *Syntactica; studien und beiträge zur historischen syntax des lateins*. Lund.
- Loutsch, Claude. 1996. "Remarques sur le « Pro Milone » de Cicéron." *Hommage à O. Scholer* (Luxembourg): 3-16.
- Luzzatto, G. I. 1956. "Von der Selbsthilfe zum römischen Prozess." *ZSS* 73: 29-67.
- MacFarlane, R. T. 1996. "Ab inimicis incitatus: On Dating the Composition of the Caesar's *Bellum Civile*," *Syllecta Classica* 7: 107-32.
- Marincola, J. 1997. *Authority and Tradition in Ancient Historiography*. Cambridge.
- Martin, J. 1970. "Die Provokation in der Klassischen und Späten Republik." *Hermes* 98: 72-96.

- Manuwald, G. 2007. *Cicero, Philippics 3-9*. 2 vols. Berlin.
- May, J. M. 1996. "Cicero and the Beasts." *Syllecta Classica* 7: 143-55.
- 2002. *Brill's Companion to Cicero*. Leiden.
- Marchese, R. R. 2014. "Speech and Silence in Cicero's Final Days." *CJ* 110: 77-98.
- McDermott, W. C. 1972. "Cicero's Publication of His Consular Orations." *Philologus* 116: 277-84.
- McDonald, A. M. 1944. "Rome and the Italian confederation," *JRS* 34: 11-33.
- Meier, C. 1995. *Caesar*. Trans. D. McLintock. New York.
- Melchior, A. 2004. *Compositions in Blood: Violence in Late Republican Prose*. Dissertation. University of Pennsylvania.
- Mitchell, T. N. 1979. *Cicero: the Ascending Years*. New Haven.
- Mommsen, T. 1904. *Römische Geschichte*, 9th ed. Berlin.
- Monteleone, C. 2003. *La Terza Filippica di Cicerone. Retorica e regolamento del Senato, legalità e rapport di forza*. Fasano.
- 2005. *Prassi assembleare e retorica libertarian. La Quarta Filippica di Cicerone*. Bari.
- Morgan, J. D. 1983. "Palaepharsalus – the battle and the town." *American Journal of Archaeology* 87: 23-54.
- Morstein-Marx, R. 2004. *Mass oratory and political power in the late Roman Republic*. Cambridge.
- Murray, R. J. 1966. "Cicero and the Gracchi." *TAPA* 97: 291-98.
- Mutschler, F-H. 1975. *Erzählstil und Propaganda in Caesars Kommentarien*. Heidelberg.
- Narducci, E. 1994-95. "'Mysteria Rhetorium': Cicerone e le passion dell'oratore." *Electronic Antiquity* 2: non paginated.
- Neumeister, Chr. 1964. *Grundsätze der forensischen Rhetorik gezeigt an Gerichtsreden Ciceros*. Munich.
- Nicolet, C. 1960. "Consul Togatus." *Revue des études latines* 38: 236-63.
- Nippel, W. 1995. *Public Order in Ancient Rome*. Cambridge.
- Nisbet, R. G. 1992. "The Orator and the Reader: Manipulation and response in Cicero's Fifth Verrine," in A. J. Woodman and J. G. F. Powell (eds.), *Author and Audience in Latin Literature* (Cambridge): 1-17.
- Nordling, John G. 2006. "Caesar's Pre-Battle Speech at Pharsalus (B.C. 3.85.4): *Ridiculum Acri Fortius ... Secat Res*," *CJ* 101 (2005-2006) 183-89.
- Nousek, D. L. 2010. "Echoes of Cicero in Livy's Bacchanalian Narrative (39.8-19)" *CQ* 60: 156-66.

- Novielli, C. 2001. *La retorica del consenso: comment alla tridicesima Filippica di M. Tullio Cicerone*. Bari.
- Ogilvie, R. M., ed. 1965. *A Commentary on Livy Books 1-5*. Oxford.
- Opelt, I. 1980. "'Töten' und 'Sterben' in Caesars Sprache." *Glotta* 58: 103-19.
- Ortmann, U. 1988. *Cicero, Brutus und Octavian: Republikaner und Caesarianer : ihr gegenseitiges Verhältnis im Krisenjahr 44-43 v. Chr.*
- Pailler, J.-M. 1988. *Bacchanalia: la repression de 186 av. J-C à Rome et en Italie; vestiges, images, tradition*. Rome.
- 1998. "Les Bacchanales, dix ans après" *Pallas* 48: 67-86.
- Pascucci, G. 1973. "Interpretazione linguistica e stilistica del Cesare autentico." *ANRW* 1.3: 488-522.
- Pauli, A. F. 1958. "Letters of Caesar and Cicero to Each Other." *The Classical World* 51: 128-132.
- Pauly, A., G. Wissowa, and W. Kroll, eds. 1893-1980. *Real-Encyclopädie der classischen Altertumswissenschaft*. Stuttgart.
- Pelling, C. B. R. 1973. "Pharsalus." *Historia* 22: 249-59.
- 1981. "Caesar's Battle-Descriptions and the Defeat of Ariovistus." *Latomus* 40: 741-766.
- Perkins, B. 1993. "The Constitution," in *The Cambridge History of American Foreign Relations* (Cambridge): 54-80.
- Phillips, J. J. 1986. "Atticus and the Publication of Cicero's Works." *CW* 79: 227-37.
- Pocock, J. G. A. 1975. *The Machiavellian Moment: Florentine Political Thought and the Atlantic Republican Tradition*. Princeton.
- Potter, D. 1999. *Literary Texts and the Roman Historian*. London.
- Potz, E. 1995. "*Ficta, non facta dicere* – und trotzdem die Wahrheit berichten Caesar, *Bellum civile* 1, 43-87 und Appian, *Emphyllia* 2, 42f." *Grazer Beiträge* 21: 85-94.
- Powell, J. and J. Paterson, eds. 2004. *Cicero the Advocate*. Oxford.
- Powell, J. 1994. "The *rector rei publicae* of Cicero's *De Republica*," *Scripta Classica Israelica* 13: 19-29.
- Primmer, A. 1985. *Die Überredungsstrategie in Ciceros Rede pro C. Rabirio*. Wien.
- Querzoli, S. 2004. "La correttezza giuridica della legittima difesa dalla teorizzazione ciceroniana alla riflessione giurisprudenziale." *Ostraka* 13: 277-284.
- Raaflaub, K. 1974. *Dignitatis Contentio: Studien zur Motivation und politischen Taktik im Bürgerkrieg zwischen Caesar und Pompeius*. Munich.
- Raditsa, L. 1973. "Julius Caesar and his Writings." *ANRW* 1.3: 417-56

- Rakove, J. 2008. "Confederation and Constitution," in M. Grossberg and C. Tomlins (eds.), *The Cambridge History of Law in America* (Cambridge): 482–517.
- Ramage, E. 2001. The *Bellum Iustum* in Caesar's *De Bello Gallico*." *Athenaeum* 89: 145-170.
- 2003. "Aspects of Propaganda in the *De Bello Gallico*: Caesar's Virtues and Attributes." *Athenaeum* 90: 331-372.
- Rambaud, M. 1962. *De Bello Civili I*. Paris.
- 1966. *L'art de la déformation historique dans les commentaries de César* 2nd ed. Paris.
- Ramsey, J. T. 1994. "The Senate, Mark Antony, and Caesar's Legislative Legacy." *The Classical Quarterly* 44: 130-145.
- 2003. *Cicero: Philippics I–II*. Cambridge.
- Rawson, E. 1975. *Cicero: A Portrait*. London.
- 1985. *Intellectual Life in the Late Republic*. Baltimore.
- Ridley, R. T. 2004. "Attacking the World with Five Cohorts: Caesar in January 49." *Ancient Society* 34: 127-52.
- Ridolfi, R. 1963. *The Life of Machiavelli*. London.
- Riggsby, A. 1999. *Crime and Community in Ciceronian Rome*. Austin.
- 2006. *Caesar in Gaul and Rome*. Austin.
- Robinson, A. 1994a. "Avoiding Responsibility: Cicero and the Suppression of Catiline's Conspiracy." *Syllecta Classica* 5: 43-51.
- 1994b. "Cicero's Use of the Gracchi in Two Speeches Before the People." *Atene e Roma* 39: 71-76.
- Rödl, B. 1969. *Das Senatus consultum ultimum und der Tod der Gracchen*. Bonn.
- Rondholz, A. 2009. "Crossing the Rubicon: a historiographical study." *Mnemosyne* 62: 432-50.
- Rose, P. 1995. "Cicero and the Rhetoric of Imperialism: Putting the Politics Back into Political Rhetoric." *Rhetorica* 13: 359-99.
- Rosenstein, N. 1990. *Imperatores Victi: Military Defeat and Aristocratic Competition in the Middle and Late Republic*. Berkeley.
- Rossi, A. 2000. "The Camp of Pompey: Strategy of Representation in Caesar's *Bellum Ciuile*." *CJ* 95: 239-56.
- Rowe, G. O. 1967. "Dramatic structures in Caesar's *Bellum Civile*." *TAPA* 98: 399-41.
- Rowe, C. and M. Schofield, eds. 2005. *The Cambridge History of Greek and Roman Political Thought*. Cambridge.
- Rubinstein, N. 1991. "Italian political thought, 1450–1530," in J. H. Burns (ed.), *The Cambridge History of Political Thought 1450–1700* (Cambridge): 30–65.

- Ruebel, J. S. 1979. "The Trial of Milo in 52 B.C.: A Chronological Study." *TAPA* 109: 231-49.
- 1996. "Caesar's *Dignitas* and the Outbreak of Civil War," *Syllecta Classica* 7: 133-42.
- Schadee, H. 2008. "Caesar's Construction of Northern Europe: Inquiry, Contact and Corruption in "De Bello Gallico."" *CQ* 58: 158-180.
- Schieffer, R. 1972. "Die Rede des Critognatus (*B.G.* VII 77) und Caesars Urteil über den Gallischen Krieg." *Gymnasium* 79: 477-94.
- Schmitthenner, W. 1960. "Politik und Armee in der späten Römischen Republik." *Historische Zeitschrift* 190: 1-17.
- Schofield, M. 2009. "Republican Virtues" in R. Balot (ed.), *A Companion to Greek and Roman Political Thought* (Blackwell): 199-213.
- Schoenberger, H. 1911. *Beispiele aus der Geschichte, ein rhetorisches Kunstmittel in Ciceros Reden*. Augsburg.
- Scognamiglio, M. 2009. "Tra retorica e diritto: alcuni esempi di interpretazione delle «leges iudiciorum publicorum» nelle orazioni di Cicerone." In B. Santalucia (ed.), *La repressione criminale nella Roma repubblicana fra norma e persuasione* (Pavia): 265-283.
- Seager, R. 1972a. "Cicero and the word *Popularis*." *CQ* 22: 328-38.
- 1972b. "Factio: Some Observations." *JRS* 62: 53-58.
 - 2002. *Pompey the Great: A Political Biography*. Oxford.
 - 2007. "Ciceronian invective: themes and variations." In J. Booth (ed.), *Cicero on the Attack. Invective and subversion in the orations and beyond* (Swansea): 25-46.
- Shackleton-Bailey, D. R. 1968. *Cicero's Letters to Atticus. Vol. IV: Books VII.10-X*. Cambridge.
- 1971. *Cicero*. New York.
- Shapiro, I. ed. 2003. *John Locke: Two Treatises of Government and A Letter Concerning Toleration*. New Haven.
- Sirianni, F. A. 1993. "Caesar's Peace Overtures to Pompey." *AC* 62: 219-37.
- Smethurst, S. E. 1958. "Cicero and the Senate." *The Classical Journal* 54: 73-78.
- Steel, C. 2001. *Cicero, Rhetoric, and Empire*. Oxford.
- 2013a. *The Cambridge Companion to Cicero*. Cambridge.
 - 2013b. *The end of the Roman Republic, 146 to 44 BC*. Edinburgh.
- Stevens, C. E. 1952. "The *Bellum Gallicum* as a work of propaganda." *Latomus* 11: 3-18, 165-79.
- Stevenson, M. and T. Wilson. 2008. *Cicero's Philippics: history, rhetoric, ideology*. Auckland.
- Stone, A.M. 1980. "Pro Milone: Cicero's Second Thoughts." *Antichthon* 14: 88-111.

- Strasburger, H. 1931. *Concordia Ordinum*. Leipzig.
- Stroh, W. 1975. *Taxis und Taktik: die advokatische Dispositionskunst in Ciceros Gerichtsreden*. Stuttgart.
- 1982. "Die Nachahmung des Demosthenes in Ciceros Philippiken," in W. Ludwig (ed.) *Éloquence et Rhétorique chez Cicéron* (PUB): 1-40.
 - 1983. "Ciceros demosthenische Redezyklen." *MH* 40: 35-50.
 - 2000. "Ciceros Philippische Reden. Politischer Kampf und literarische Imitation" in M. Hose (ed.), *Meisterwerke der antiken Literatur. Von Homer bis Boethius* (München): 76-102.
- Sumner, G. V. 1971. "The *Lex Annalis* under Caesar." *Phoenix* 25: 246-71.
- Syme, R. 1939. *The Roman Revolution*. Oxford.
- Takács, S. A. 2000. "Politics and religion in the Bacchanalian affair of 186 b.c.e.," *HSPH* 100: 301-10.
- Tuck, R. 2016. *The Sleeping Sovereign: the invention of modern democracy*. Cambridge.
- Tullio, R. 1999. "Sul discorso di Critognato all'assedio di Alesia," *Atti e memore dell'Accademia Patavina di scienze, lettere, ed Arte* 112: 107-113.
- Tully, J. 1991. "Locke," in J. H. Burns (ed.), *The Cambridge History of Political Thought 1450–1700* (Cambridge): 616–652.
- Tyrrell, W. B. 1972. "Labienus' Departure from Caesar in January 49." *Historia* 21: 424-40.
- 1978. *A Legal and Historical Commentary to Cicero's Oratio pro C. Rabirio Perduellionis Reo*. Amsterdam.
- Ungern-Sternberg, J. 1970. *Untersuchungen zum spätrepublikanischen Notstandsrecht. Senatusconsultum ultimum und hostis-Erklärung*. Munich.
- Van der Blom, H. 2010. *Cicero's Rome Models*. Oxford.
- 2003. "Officium and Res Publica: Cicero's Political Role after the Ides of March." *C&M* 54: 287-319.
- Vanderbroeck, P. J.J. 1987. *Popular Leadership and Collective Behavior in the Late Roman Republic (ca. 80–50 B.C.)*. Amsterdam.
- Vasaly, A. 1993. *Representations: Images of the world in Ciceronian oratory*. Berkeley.
- Vereecke E. 1991. "Le rythme binaire et ternaire dans l'argumentation: Cicéron, Pro Milone 1-31." *LEC* 59: 171-178.
- Von Fritz, K. 1942. "Pompey's Policy in the Civil War of 49 B.C." *TAPA* 73: 145-80.
- 1954. *The Theory of the Mixed Constitution*. New York.
- Walser, G. 1956. *Caesar und die Germanen. Studien zur politischen Tendenz römischer Feldzugsberichte*. Wiesbaden.

- 1998. *Bellum helveticum: Studien zum Beginn der caesarischen Eroberung von Gallien*. Stuttgart.
- Walsh, P. G. 1961. *Livy: His Historical Aims and Methods*. Cambridge.
- 1996. "Making a Drama out of a Crisis: Livy on the Bacchanlia" *Greece & Rome* 43: 188-203.
- Welch, K. and A. Powell, eds. 1998. *Julius Caesar as Artful Reporter*. London.
- Williams, G. 1978. *Change and decline: Roman literature in the early empire*. Berkeley.
- Williams, J. H. C. 2001. *Beyond the Rubicon: Romans and Gauls in Republican Italy*. Oxford.
- Williams, M. F. 1985. "Caesar's Bibracte narrative and the aims of Caesarian style." *Illiinois Classical Studies* 10: 215-26.
- Wirszubski, C. 1950. *Libertas as a Political Idea at Rome During the Late Republic and Early Principate*. Cambridge.
- 1954. "Cicero's Cum Dignitate Otium: A Reconsideration." *JRS* 44: 1-13.
- Wissowa, G. 1912. *Religion und Kultur der Römer*. Munich.
- Wood, N. 1988. *Cicero's Social and Political Thought*. Berkeley.
- Wooten, C. W. 1983. *Cicero's Philippics and Their Demosthenic Model*. Chapel Hill.
- Zetzel, J. E. G. 1994. Review of Craig 1993. *Bryn Mawr Classical Review* 94.01.05.
- 2007 (reprint). *Cicero: On the Commonwealth and On the Laws*. Cambridge.