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CICERO'S ATTITUDE TO THE TRIUMVIRATE

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## CICERO'S ATTITUDE TO THE TRIUMVIRATE

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## CICERO'S ATTITUDE TO THE TRIUMVIRATE

### Introduction

"He was a great orator, my child, a great orator, and a man who loved his country well."<sup>(1)</sup> Possibly there is no single sentence in literature which sums up more admirably and more fairly the life of Marcus Tullius Cicero. Much has been written about him in ancient and modern times. No Roman, perhaps no historical character, has been more wildly praised or more unjustly condemned, and if the eulogies and censures have accomplished nothing more, they at least give abundant testimony to the undying influence he has had, not only on his own day and generation, but on down through the ages. There have been numerous statesmen of the first rank, innumerable men of letters, and many orators, but rarely ever is it given to one man to hold a supreme position in oratory, letters, and politics. From the moment he entered public life, when he rose to defend Sextus Roscius of Ameria, to his final denunciation of Antony, Cicero wielded a tremendous sway over the minds of

(1) Plut. Cic. 49. Translated by Strachan-Davidson, "Cicero," p.249

his fellow countrymen. There were times when his influence was for the moment lessened, but never entirely extinguished.

The years of his youth and early manhood were spent in an atmosphere of party strife and civil warfare, an atmosphere which, more than anything else, was to determine the political views from which he never wavered. Before his eyes were unfolded the Social War, and the death grapple between the popular party of Marius and Cinna and the aristocratic party of Sulla. This period, roughly about ten years, when Cicero was between fifteen and twenty-five, is of profound significance in Cicero's life. He saw the merciless slaughter of thousands of his fellow citizens; the tyrannies of the generals, Marius, Sulla, and Cinna; the proscriptions following their victories; and the ruthless and ferocious murder of many of the most eminent men of Rome. Marcus Antonius, Sulpicius Rufus, Catulus, Gaius Julius, and Q. Mucius Scaevola all perished along with thousands more. One of Cicero's own kinsmen, Marius Gratidianus, was cruelly put to death at the hands of L. Sergius Catilina, because of Sulla's hatred for all who were connected with Marius. Such scenes as these could not but leave a lasting impression upon the mind of the young man. In these years was formed a hatred of war and a love of peace which were to be controlling forces in his life ever after. When this is borne in mind we can understand far better his future policy, which has been called wavering and inconsistent.



Yet through the whole "one increasing purpose runs," the purpose of preserving peace and upholding the constitution of Rome. He had seen the danger of the precedent that had been set, the danger of the victorious general backed by a strong and well-trained army, and he made it his duty to win to the state any men who might be considered a threat to that peace. Pompey, Caesar, Antony, and Octavius, he tried to win to the side of the constitution, and to accomplish this he was willing to make whatever sacrifices were necessary, no matter what personal humiliation and defeat they involved. In writing to Atticus about the approaching Civil War between Pompey and Caesar, he says, "As for me, I cease not to advocate peace. It may be on unjust terms, but even so it is more expedient than the justest of civil wars;"<sup>(1)</sup> and six years later in his second Philippic, "I consider that peace at any price with our fellow citizens is preferable to civil war."<sup>(2)</sup>

Under Marius, Cicero had beheld a democratic government, and under Sulla, an aristocratic government, and he was convinced of the failure of both and the need of a change if the state were to be safe from tyranny. He looked back to the glorious days of Rome, when all had worked together for the good of the Republic, and he resolved to

(1) Ad Att. &, 14. All translations, unless otherwise stated, are those of E. O. Winstedt, "Letters to Atticus." (The Loeb Classical Library)

(2) Phil. II, 15. Taylor, P. 563

devote his life to the rebuilding of the old Republic and the strengthening of it by uniting the better elements of all ranks into one strong governing body. This "concordia ordinum" was no sudden inspiration, no over-night dream, but one of slow growth which gradually evolved in these years of stress.

With this ideal in mind he set out upon his career. His first public case was the defense of Sextus Roscius of Ameria in 80 B.C. This case is one of the most significant in his life, for here for the first time he clearly indicates the trend of his future political life. Those who accuse Cicero of cowardice must of necessity overlook this episode in his life. At a time when all the great advocates of Rome were cowed by the fear of Sulla, Cicero alone dared to raise his voice against the cruel proscriptions, the confiscation of property, and to make an open attack on the Dictator's favourite, Chrysogonus, and consequently Sulla himself. "This government has of late lost not only the quality of pardoning but the habits of justice"<sup>(1)</sup>--and this, it must be remembered, was proclaimed in the presence of Sulla. Surely not the utterance of a coward! "But now that I have been engaged in the cause, by heaven! should I be encompassed with every shape of death and danger, yet will I do my duty in supporting and succouring my client. I am

(1) Pro Sextio Roscio Amerino, 1. William Guthrie, "Orations of Cicero," p.2

resolved, I am determined, not only to speak whatever I think can serve him, but to speak it with zeal, with boldness, and with freedom; for no motive can be so powerful as to make my fears get the better of my honour."<sup>(1)</sup> This hatred of tyranny and fearlessness he held all his life, even in the face of death. There is a wonderful parallel between this early trial and his last great effort, the denunciation of the tyranny of Antony, a denunciation which he persisted in even when he knew it meant death. "In my youth I defended my country; in my old age I will not abandon her. The sword of Catiline I despised; and never will I quail before yours."<sup>(2)</sup>

Cicero's defense of Roscius was a work of genius. With great skill, great tact, he was able to attack the proscriptions and Sulla's agents, and to exonerate Sulla from all knowledge of the abuses of the proscription, in such a way that Sulla could not question the truth of Cicero's statements without confirming the suspicion of his own guilt.

The young orator was firmly established; his ability had been put to the test and not found wanting. He had shown his hand and revealed the direction of his political leanings. The first step had been taken, and he was now on the threshold of his career.

(1) Pro Sextio Roscio Amerino, I. William Guthrie, p.11

(2) II Phil. 46. "Orations of Cicero." F. W. Norris, translated by William Guthrie, p.302

## CICERO'S ATTITUDE TO THE TRIUMVIRATE

### Chapter I

CICERO, POMPEY, CRASSUS, AND CAESAR TO 63 B.C.

In 71 B.C. Gnaeus Pompeius Magnus returned to Italy, a man who was destined, more than any living being, save possibly Caesar, to influence the course of Cicero's life. Already Pompey had reached a position of eminence in the minds of the Roman people. He had extinguished the Marian party in Sicily and Africa, had been hailed by Sulla as "Pompey the Great," and accorded a triumph, and now after suppressing Sertorius' insurrection in Spain and defeating the remnants of Spartacus' force, he returned to Italy, to demand a triumph and the right to overstep all the minor magistracies and be a candidate for the consulship for 70 B.C. In its jealousy the Senate refused and lost its opportunity of binding Pompey to itself. The other forces in the state took advantage of the Senate's obstinacy and invited Pompey to put himself at their head. He and Marcus Licinius Crassus, though jealous and distrustful of each other, yet realizing that neither could hope to make any headway against the Senate without the aid of the other, drew together for their

common interests and marched their armies to the gates of Rome and forced the Senate to agree to their demands. By promising to restore the control of the jury courts to the Knights, and the office of the Tribune in its former prestige to the Democrats, Pompey and Crassus secured the support of both orders for their consulship. These events were closely watched by a young man, Gaius Julius Caesar, who was rapidly coming to the fore as a leader of the Democratic party.

As soon as they entered office in 70 B.C., they began their assault on the Sullan constitution. Cicero naturally followed the Equestrian order and accepted Pompey as his political leader. In this year a bond was forged between the two which endured throughout their lives. Cicero heartily supported Pompey and the Equestrian order in their demands for a reorganization of the jury courts, which, under the control of the Senate, had become merely a farce. A governor would go out to a province with the assurance that he could commit the most atrocious acts of plunder, and by bribery free himself from any charges that might be made against him. Pompey had also promised in his first speech as consul-elect that he would do his best to remedy the conditions of provincial government, and to protect the provinces from a Dolabella or a Verres.

Cicero himself greatly aided the movement by his impeachment of Verres and the publication of his orations.

A rather curious parallel is found between this trial and the impeachment of Warren Hastings by Edmund Burke, a man who, himself was, in many respects, comparable to Cicero. By this trial Cicero became the foremost advocate in Rome and the most courted. He had reached another turning-point in his life. Then, as in our own day, success at the bar opened the way to further honour. Plutarch tells us that "there were not fewer daily appearing at his door, to do court to him than there were that came to Crassus for his riches, or to Pompey for his power amongst the soldiers, these being, at that time, the two men of the greatest repute and influence in Rome. Nay, even Pompey himself used to pay court to Cicero, and Cicero's public actions did much to establish Pompey's authority and reputation in the state." (1)

Whether or not Caesar was active in the destruction of the Sullan constitution, he at least approved of it.

Meanwhile events were shaping which were to draw Pompey and Cicero still more closely together. The pirates who infested the sea-coast of the Mediterranean had grown so strong that the seas were no longer safe, commerce was impeded, the corn-supply was cut off, the lives of Roman magistrates were in danger, and even the port of Ostia had been attacked and Roman ships burnt. The prospect of a famine soon brought matters to a crisis. In 67 B.C. a tribune, Aulus Gabinius, in the Assembly of the plebs,

(1) Plut. Cic. 8. A. H. Clough, "Plutarch's Lives", p.231

proposed that one man of consular rank should be invested with supreme command over the whole Mediterranean and the sea-coast for fifty miles inland. The resources of the treasury and army and navy were to be placed at his command and his power was to last for three years. The name of Pompey was not mentioned in the proposal, and yet everyone knew that he was meant, even though Pompey, beginning his policy of dissimulation, resolutely affected indifference to the commission and begged to be allowed to retire to private life. The grant of such an exorbitant power to one man was vigorously opposed by the Senate, both Catulus and Hortensius speaking against it. They feared a return of the dictatorial power of Marius and Sulla. However, the Equites, who had suffered great financial losses as a result of the checks imposed by the pirates on business, and the populace, fearing a famine, supported and carried the bill.

Cicero also was for it. To him it seemed a disgrace that the pirates could successfully perturb and annoy the might of Rome, could check its commerce, and affront its citizens. Caesar, seeing that the electorate was behind it, decided to support it. "Caesar spoke in favour of it, though indeed he cared very little for Pompeius, but from the beginning it was his plan to insinuate himself into the popular favour and to gain over the people."<sup>(1)</sup>

(1) Plut. Pompey, 25. "Plutarch's Lives," A. Stewart and G. Long, Vol. III, p.224

By another Lex Gabinia, Lucullus, the commander in the East against Mithridates, was replaced. It is reasonable to infer that this was the first step in a design to transfer the command in the East to Pompey, for no sooner had Manilius, one of the new tribunes, entered office for 66 B.C., than he proposed that Pompey, who had so effectively conquered the pirates, should be charged with the conquest of Mithridates, who for twenty years had baffled the greatest generals of Rome. He was to be given powers as supreme as any of the emperors ever enjoyed, and he would now have in his own hands sufficient power to overthrow the state if he so desired. The nobles, never gauging Pompey's character, were alarmed and opposed the bill. The interests of the tax-farmers, the Equites, were greatly affected by the constant warfare in the East, and, seeing in Pompey the hope of relief, they begged Cicero to support the proposal of Manilius. Cicero, now praetor, mounted the rostra and delivered his first oration to the Roman people. His plea was all the more effective because he spoke from his own earnest convictions. He saw the glory of the Roman people at stake, the safety of Rome's friends, and allies threatened, and the revenues greatly lessened. On the other hand he saw a great general by whom "Civil War, Transalpine War, Spanish War, promiscuous war of the most warlike cities and nations, servile war, naval war, every variety and diversity of wars and enemies, had not only been encountered, but encountered



victoriously."<sup>(1)</sup> Pompey's character was unquestionable; he had never at any time shown himself to be grasping after power or greedy for wealth; and in his conduct towards the conquered he had been most lenient. He had all the qualities of a great general. Then, too, Pompey, at the moment, was in the neighbourhood of Mithridates' territories with a victorious army. Every argument, every word Cicero uttered was irrefutable. At this stage Pompey had shown no weaknesses. He was the greatest general of the time, and Cicero felt that he was necessary, and that he alone was capable of bringing the war to a successful conclusion. All recognized the greatness of Pompey's achievements; and no rival had yet appeared to overshadow him.

To those who accused Cicero of seeking to curry favour with the foremost man of Rome, he replied: "And I call all the gods to witness, and especially those who preside over this place and temple, who see into the minds of all those who apply themselves to affairs of state, that I am not doing this at the request of anyone, nor because I think to conciliate the favour of Gnaeus Pompeius by taking this side, nor in order, through the greatness of anyone else, to seek for myself protection against dangers, or aids in the acquirement of honours; because, as for dangers, I shall easily repel them, as a man ought to do, protected by my

(1) Pro Lege Manilia, 10. "The World's Great Classics,"  
O. D. Yonge, p.134

own innocence; and as for honours, I shall not gain them by the favour of any men, nor by anything that happens in this place, but by the same laborious course of life which I have hitherto adopted, if your favorable inclination assists me. Wherefore, whatever I have undertaken in this cause, O Romans, I assure you that I have undertaken wholly for the sake of the Republic; and I am so far from thinking that I have gained by it the favour of any influential man, that I know, on the other hand, that I have brought on myself many enmities, some secret, some undisguised, which I need never have incurred; and which yet will not be injurious to you. But I have resolved that I, invested with my present honours, and loaded with so many kindnesses from you, should prefer your inclination, and the dignity of the Republic, and the safety of our provinces and allies to the considerations of my own private interest."<sup>(1)</sup>

Caesar also supported the law, but from entirely different motives. He had no great love for Pompey, but he saw that, while pleasing the people by upholding Pompey's interests, he was adding to the ill-will already felt by many for Pompey. Then, too, he must have felt that it could do himself no harm to make the precedent familiar; it might serve him valuably in the future. For however necessary supreme command was, yet the very recognition of it could

(1) Pro Lege Manilia, 24. "The World's Great Classics," C. D. Yonge, P.150

serve as a dangerous example to ambitious generals. Each time such a concession is made, it becomes easier to grant it a second and a third time, until "blunted with community,"<sup>(1)</sup> it becomes the natural thing. Sulla and Marius had introduced the new statesman, the military chief at the head of a strong and devoted army, and now Pompey, only a few years later, was adding to the familiarity of the procedure.

With Pompey's departure, affairs at Rome were left in the hands of others for the next five years; and yet the shadow of Pompey hovered over everyone; his presence was never quite forgotten, and all moves that were made were made with the realization that with Pompey lay the final say, regardless of the will of others. The reports of his numerous conquests served to hold aloft his prestige, and the prospect of his return at the head of a victorious army kept men in a state of anxiety and eagerness to do nothing to offend one who could be a second Sulla if he willed.

With Pompey out of the way, Caesar began to assume a more prominent position. He was rapidly coming to the fore as a leader of the Democratic party. In his ambitions he found a ready ally in Crassus, Pompey's former colleague. There was no one in Rome more envious of Pompey than Crassus, and nothing would please him more than to humble his powerful opponent. By 66 B.C. there is evidence that the two had drawn closely together, for it is clear that Crassus

(1) Henry IV, Pt. I; Act III, Scene II, line 77

must have financed Caesar's candidacy for the aedileship. Realizing Pompey's tremendous power, Caesar and Crassus and the Democratic party began to strengthen themselves and to build up an effective opposition with which to confront Pompey on his return.

The consuls, P. Autronius Paetus and P. Cornelius Sulla, were no sooner elected in the summer of 66 B.C. than they were accused of bribery, and L. Manlius Torquatus and L. Aurelius Cotta replaced them. Catiline, just returned from Africa, had intended to stand for the consulship, but had been accused of extortion and not permitted to run. The deposed consuls were in desperate straits and entered into a conspiracy to murder the new consuls and recover the consulships, but the plot became known and failed. There is much confusion over the details of the conspiracy, its supporters, and aims. Dio Cassius and Suetonius asserted that Autronius and Sulla were to have been reestablished as consuls, but Sallust maintained that Autronius and Catiline were to have been the new consuls. On one point, however, all agree; Caesar and Crassus were at the back of it. As the next move, Gn. Calpurnius Piso was sent to Spain to gather the remnants of the Marian party there, and to establish a stronghold for democratic control. This likewise miscarried and Piso was killed, either by the Spaniards or by Pompey's adherents. In both attempts to build up a power sufficient to withstand Pompey, Caesar and Crassus had been

checked.

And yet they were not completely unsuccessful. That the anti-Pompeian party was strengthened during Pompey's absence is shown by the election of Catulus and Crassus to the censorship. Both were opposed to Pompey's power, Catulus as a Republican, and Crassus as a rival. Moreover, Catulus was representative of the general opinion of the Senate in his opposition to Pompey's elevation to such absolute power.

In this year (65 B.C.) Caesar and Crassus proposed to enroll Egypt as a Roman province on the ground that the last king, on his death in 81 B.C., had left it to the Roman people. It matters little whether, as Plutarch says, Crassus proposed the bill, or whether it was Caesar, as Suetonius asserts. The important point is that it was another attempt on the part of Caesar and Crassus to secure a measure of power for themselves. By this time Egypt was almost the only strong territory as yet not occupied by Pompey's forces, and it would prove an excellent base of operations for his opponents. There is no doubt that it was Caesar who was to have been sent out to annex the new province. But once again Caesar and Crassus were checked, this time by Catulus and by Cicero, who naturally opposed all measures directed against Pompey. It is highly probable that the now fragmentary speech, "De Rege Alexandrino," was delivered at this time.

Having secured the praetorship in 66 B.C., Cicero was now eligible for the consulship for 63 B.C. He was the only

one of the seven candidates who was by birth an Equestrian, and though he would naturally have the support of the order, yet, he recognized from the outset that his election would be a difficult and hard-fought battle. As an orator he had many friends, and no doubt those of the municipalities who were able would come to support him. But he had to fight against tradition, the tradition that the consulship belonged to the nobility. "A 'novus homo' might, by his talents, rise as high as the praetorship, but the next step was extremely difficult. The commons could bestow the other magistracies, but the nobles passed the consulship from hand to hand within their own order. No 'novus homo' was so famous or so illustrious for his deeds, that he was not considered unworthy of that honour, and the office, so to speak, sullied by such an incumbency. To break into this charmed circle required either some special emergency or unusual good fortune."<sup>(1)</sup> And Cicero had the "good fortune" to be a candidate when someone for a "special emergency" was needed.

Some months before the election it was clear that four of the competitors were negligible. The election clearly had narrowed down to three candidates, G. Antonius, Catiline, and Cicero. About this time we find the statement

(1) Sallust, "Jugurtha," 63. "Cicero and His Influence," J. C. Rolfe, p.24

in a letter<sup>(1)</sup> of Cicero's to Atticus that he was thinking of defending Catiline, with a view, says W. W. How, "to paving the way to a coalition with him for the election."<sup>(2)</sup> Cicero's detractors pounce on this sentence to prove the utter shamelessness of Cicero's character. Many of Cicero's defenders retort that he is merely acting as a lawyer of today, and taking the bad cases with the good; others, that at this time Cicero did not know Catiline's real character. This latter view has no justification whatever. Cicero had good reason to remember Catiline's conduct in the Sullan proscriptions fifteen years before, and his brutal treatment of Cicero's own kinsman. His career since then had been on the same level, and all Rome knew him for what he was.

However, it is just possible that Cicero had no intention of defending Catiline at this, or any other, time. We know from Cicero's own statement, as well as from others, that he never did defend him, and also that from Cicero's own contemporaries no suggestion has come that he did. It was only after the publication of this letter that we find any reference in the ancient writers to the question of Cicero's defense of Catiline. What purpose, then, did the letter to Atticus serve? For there is no doubt but that Cicero meant something when he wrote this. He was not

(1) Ad Att. I, 2

(2) "Cicero--Select Letters," Notes W. W. How, p.34

writing merely for amusement. No doubt Atticus, on receiving such a letter, would be thoroughly alarmed and return at once to Cicero. This is just what Cicero wanted. Not only that, but Cicero makes it clear in the letter that it is his arrival he wants. "Tuo adventu nobis opus est maturo." An additional proof to this theory is to be found in the fact that Cicero used this artifice to bring Atticus home a second time. Six years later when Clodius was standing for the tribuneship and openly threatening Cicero, and when it was to Cicero's interests that he should be defeated, he writes to Atticus: "Let him (Clodius) by all means become tribune; of for no other reason, to make you return all the sooner from Epirus."<sup>(1)</sup>

In an effort to defeat Cicero, Antonius and Catiline united their forces. There is no doubt that Caesar and Crassus were behind them. Having failed in all their efforts to fortify themselves against Pompey, and fearing his return in the near future, they arranged the joint candidature, determined to have a strong and unscrupulous executive under their control for 63. There are many proofs of this. Only a few months before the election, to ingratiate himself with the people and to affront the Senate, Caesar had caused to be arraigned before him and had condemned all those, who during Sulla's proscriptions had killed a proscribed citizen. Yet Catiline, one of the cruellest and most guilty

(1) Ad Att. II, 15,2



was not mentioned by Caesar. In order to check Caesar, a similar charge was brought against Catiline by the tribune L. Luceius. The trial, however, did not take place until a month after the election. It has been conjectured that Caesar, on some pretext, had succeeded in delaying the election, so as not to prevent Catiline's candidacy. In the end, through Caesar's influence, he was acquitted. This incident proves beyond a doubt Caesar's interest in Catiline; and since the trial took place after the election, it seems highly probable that Catiline would have Caesar's support in the next election.

It is certain that Antonius and Catiline, both bankrupt aristocrats, were financed by Crassus and supported by Caesar. Bribery was carried on so openly and shamelessly that the Senate thought it necessary to introduce a more rigorous law than the Calpurnian. The proposed reform, however, was soon checked by a tribune, probably a creature of Caesar's and Crassus'. Provoked to find himself surrounded by so desperate a confederacy, Cicero rose and delivered his speech, "In Toga Candida", preserved in part by Asconius. He assailed Antonius and Catiline without fear and without reserve. The entire records of the two candidates were torn to pieces. Much more significant were the passages in which he pointed out that Catiline and Antonius were not the real heads of the movement. The controlling forces were to be found elsewhere, and Cicero made this quite clear without even men-

tioning Caesar and Crassus by name. The joint candidature of Catiline and Antonius was merely a further move of the same type as the plot of 66-65 and Piso's mission to Spain. There was no need to mention names. The House knew well who had been responsible for these earlier efforts. Only the night before, a conference of Catiline and Antonius and their agents had been held at the home of a man notorious for electoral corruption. Asconius is certain that it was either Caesar or Crassus.

The speech was delivered only a few days before the election. All classes were now thoroughly alarmed. With the support of the nobles and the Equites and common people, Cicero carried the election in all thirty-five tribes. "He was preferred to the consulship no less by the nobles than the common people, for the good of the city."<sup>(1)</sup>

(1) Plut. Cic. 10. "Plutarch's Lives," A. H. Clough, p.233

## Chapter II

### CICERO'S CONSULSHIP, 63 B.C.

Cicero had now attained the highest office in the Roman state. Neither aristocratic birth nor electoral corruption had aided him. His own merit and character alone had elevated him to the summit of every Roman's ambition. "He was a man who owed his elevation wholly to himself, who had ennobled his lowly birth, who was as distinguished in his life as he was great in genius, and who saved us from being vanquished in intellectual accomplishments by those whom we had vanquished in arms."<sup>(1)</sup>

Cicero entered on his consulship at a time when Rome was torn with internal strife and anxiety. Never before in her history had she stood in greater need of a strong and able consul. The new tribunes were bringing forward radical agrarian measures to stir up the people and to lessen Pompey's influence; they were attempting to revise the laws for bribery, hoping thus to avert the ruin of Sulla and Autronius; they wished to restore the sons of the proscribed,

(1) Velleius Paterculus, "History of Rome," Bk. II, XXXIV. F. W. Shipley, p.125

and to cancel all debts; so that, as Cicero declared in his first speech as consul, "the Republic was delivered into his hands full of terrors and alarms; distracted by pestilent laws and seditious harangues; endangered, not by foreign wars, but intestine evils, and the traitorous designs of profligate citizens; and that there was no mischief incident to a state which the honest had not cause to apprehend, the wicked to expect."<sup>(1)</sup>

Cicero's first effort after his election was to secure the support of his colleague Antonius, by giving up to him the wealthy province of Macedonia. Caesar and Crassus had been more fortunate in the tribunician elections, for the majority of the successful candidates were either under their direction, or at least amenable to their wishes. The new tribunes began their year of office on December 10, 64 B.C., and one of them, P. Servilius Rullus, at once proposed an agrarian bill. The professed object of the bill was to provide for the founding of colonies in Italy, by which the pauper population was to be drained away from the crowded Capital and settled on small farms. But where was the land to be found? Certainly not in Italy. The only way to secure land for distribution was by purchase and this necessitated a large sum of money. On the surface the plan might sound well. It is only when we come to the methods of raising the money that we come upon the real purpose of the bill. It

(1) De lege Agrar. contra Rull., I, 8,9: 2,3.  
Middleton, p.130

provided for the sale or taxation of all state property acquired since 88. This, of course, included all the recent conquests of Pompey in the East, among them the wealthy provinces of Bithynia, Pontus, Cilicia, and Syria. Though no mention was made of Egypt, yet the clauses were so worded that it could be dealt with as the proposers of the bill wished. The entire collection and administration of the law was to be entrusted to a commission of ten, who were to have the imperium of pro-praetors and to hold office for five years. The clause requiring candidates to appear in person assured the exclusion of Pompey. Had the bill carried, Caesar and Crassus, who would, of course, have been among the ten, would have had under their control an immense fortune, and this time they could have made themselves masters of Egypt, which they had failed to do in 65.

Cicero at once recognized it for what it was, an attack on Pompey and an effort on the part of Caesar and Crassus to secure control of Egypt. On January 1, 63, the first day of his consulship, he rose and delivered a fierce attack on the bill, and a glowing eulogy of Pompey's achievements in the East. "Then there is Alexandria and the whole of Egypt; how secretly it is smuggled in, how all mention of it is avoided, how cunningly it is handed over to the decemvirs, the ten kings."<sup>(1)</sup> "And can you doubt that certain persons are seeking for domination and supremacy over the whole

(1) Contra Rullum, II, 15, 38 et seq. Strachan-Davidson, p. 101

State, when you see that they keep out that man who, as they very plainly perceive, will be the defender of your liberties." (1)

Cicero had no sooner brought to the attention of the people the full import of the bill than they were ready to resist it and the proposal was withdrawn. Once again Caesar's plans were frustrated. Another tribune proposed to restore full political rights to the children of the proscribed. Cicero opposed the bill, not because he thought it was not just, but because he felt that it was ill-timed and dangerous to raise the question just now.

Soon afterwards Labienus, a tribune and an agent of Caesar's, brought a charge of murder against an old man, Gaius Rabirius, for an act committed thirty-seven years ago. Strangely enough, Caesar and his kinsman Lucius Caesar were the judges. By their verdict Rabirius was judged guilty and sentenced to death. Cicero spoke on Rabirius' behalf on the occasion of his appeal to the Assembly of the people, but before the trial could be concluded, the Assembly was dissolved by the ancient device of striking the red flag on the Janiculum. Rabirius himself was too obscure to warrant an attack on his life. The real motive was to attack the Senate's right to arm the city in time of tumult by passing the "Senatus Consultum Ultimum." This decree gave the Senate's sanction to any action, however, violent, taken by

(1) Contra Rullum, II, 10, 25. Strachan-Davidson, p. 103

by the magistrates; and the Democratic party had always questioned the Senate's legal right to condemn and put to death those whom it considered traitors.

The fortunes of Caesar, at this moment, were at a low ebb. He had been thwarted at every turn. Cicero, backed by the Senate and Knights, had proved strong enough to carry the day, and would continue to do so for the rest of the year. Pompey was on the point of returning in triumph from the East. In his efforts to ingratiate himself with the people Caesar had lavished everything he could borrow, and now his debts were enormous.

The death of old Q. Metellus Pius left the office of Pontifex Maximus vacant. The position was an important and highly honoured one, and Caesar at once determined to secure it for himself. With the aid of his tribune Labienus he repealed Sulla's law, which had placed the election in the hands of the college, and restored the control of the election to the people, where his strength lay. He was triumphantly returned over even the venerable Catulus. Caesar had staked everything on the election. In his canvass he had added to his already overwhelming debts, and as he left his house on the morning of the election he said, "My mother, today you will see me either High Priest or an exile."<sup>(1)</sup>

Meanwhile the time for the elections for the year 62 was drawing nigh. There were four candidates, D. Junius

(1) Plut. Caes. 7. "Plutarch's Lives," A. H. Clough, p.279

Silanus, L. Licinius Murena, Servius Sulpicius, and lastly Catiline. Catiline had determined to run again, and was now preparing for the consulship with such open bribery that Cicero was forced to propose a new and even more severe law against it. Catiline knew that the law was directed against himself, and this rebuff added to his hatred for Cicero. Seeing so many of the forces of the state determined to prevent his election, he became alarmed and began to act rashly. When Cato threatened him in the Senate and declared that he should be brought to justice, he answered, "that if any flame should be excited in his fortunes, he would extinguish it, not with water, but with ruin."<sup>(1)</sup> Both Dio and Plutarch assert that he intended to over-awe the Assembly by force, and formed a design to kill Cicero on the election day.<sup>(2)</sup> In some way Cicero got an inkling of his intention, and suspecting trouble from one in Catiline's abandoned and desperate condition had the election postponed for a few days. When Cicero called upon him in the Senate to account for his conduct, he was told, "that the state had two bodies, one sickly, with a weak head, the other sound, but without any head at all; and that the latter, while he was alive, should not be without a head since he was so much obliged to that body."<sup>(3)</sup> The Senate was alarmed, if not entirely convinced

(1) Pro Murena, 25. F. W. Norris, "Orations of Cicero,"  
Translated by William Guthrie, p.155

(2) Dio I, 37,43; Plut. Cic. 14

(3) Pro Murena, 25. Guthrie, p.154



of the danger of Catiline's designs; and in the election Catiline was defeated and Silanus and Murena elected.

This second defeat ended Catiline's hopes of attaining power by constitutional methods. He had made many rash promises to his supporters, guaranteeing to cancel all debts, to make a general attack on property and wealth, and to overthrow the present order of things; and now, with the ruined men of all classes in Rome gathered around him, he had no alternative but to carry out his promises by other means. In desperation he made his plans and the real Catilinarian Conspiracy was set on foot.

His plans at this time did not seem so futile. He had a large backing behind him; old soldiers of Sulla who had fallen heavily into debt and were eager for another dictatorship and proscription; the pauper population, and in fact all those who were in debt and would welcome any revolution; and the large class of criminal and disgraced men, including several Senators. Catiline's dissolute and corrupt rakes could be counted on; the only formidable army was in the East with Pompey; and his friend Antonius was one of the consuls. The die cast, he sent his officer Manlius to Etruria to recruit and equip an army, and he himself set out to increase his strength in Rome.

The details of the conspiracy need not concern us here. What is of importance is the position of Caesar and Crassus in the conspiracy, and Cicero's attitude towards them. There

is every reason to believe that Caesar and Crassus supported Catiline in his candidature, perhaps not as actively as before, when there was a far greater menace in the person of Cicero, but at least Catiline had their good-will. The fact that they did not oppose Cicero's law for bribery as vigorously as they had the law of the previous year is an indication that they were a little less active on his behalf. And yet it may be counted on that Caesar and Crassus would not allow Catiline to be drawn too far from them. They were not the men to be hostile to someone who had a fair prospect of election. In the event of Catiline's election he would be very useful to them, and they trusted that they would be able to control him and to persuade him to give up any of his rash promises of which the wealthy Crassus, at least, would be certain to disapprove. With a wealthy province in prospect Catiline would be much more amenable to suggestion.

But after Catiline's defeat, when his policy changed to one of open rebellion, civil war, and arson, did Caesar and Crassus support him? Mommsen and Tyrrell believe they did. Strachan-Davidson, Heitland, and Rice Holmes, on the other hand, argue that they were not implicated in the conspiracy. Each offers a lengthy argument and quotes his authorities and proves to his own satisfaction that he is right. However, it is possible to take a view that is midway between both opinions. The clearest and briefest expression of this view is found in Warde Fowler's "Life of Caesar."

In one short paragraph he disposes of the whole question of Caesar's and Crassus' share in the Catilinian Conspiracy. "The latter part of this memorable year was occupied with a last and desperate attempt of the democratic party to possess themselves of the state power while there was yet time to forestall Pompeius. This is the famous conspiracy of Catilina; it was an attack of the left wing on the senatorial position, and the real leaders of the democracy took no open or active part in it. It always has been, and always will be a debatable question how far Caesar and Crassus were concerned in it; we incline here to the conclusion that they had some knowledge of it, as of the earlier plot, but inwardly reserved the right to betray it, if it should seem good to them. They might use it, if it were successful, for their own ends; when it promised to be a failure, they probably gave information about it to the government."<sup>(1)</sup>

Had Catiline succeeded in seizing power Caesar undoubtedly would have taken advantage of the situation and attained the position he did in 49, fourteen years later. But the entire first half of 63, the Rullan agrarian bill, the question of the proscribed, and that of Rabirius, had shown Caesar the strength of Cicero, and as the weeks went on he saw the alarm of the Senate and the Knights, and how solidly they stood behind their consul in time of danger. He had been able to bring in a bribery law against Catiline, and to

(1) W. Warde Fowler, "Life of Caesar," p.79

defeat him in the election. Pompey was on the verge of returning to Rome at the head of a victorious army, and no matter how strong Catiline was, Pompey would prove even stronger. Besides, Cicero had declared in his "Second Catilinarian" on November 9 that Catiline's army was not a matter for alarm, that once out of Rome, the greatest danger from him vanished. "Therefore, with our Gallic legions, and with the levies which Quintus Metellus has raised in the Picenian and Gallic territory, and with these troops which every day are being got ready by us, I hold in utter contempt that army composed of desperate old men, of clownish profligates, and uneducated spendthrifts; of those who have preferred to desert their bail rather than that army, which will fall to pieces if I show them not the battle array of our army, but an edict of the praetor."<sup>(1)</sup> There is no reason to suppose that Caesar would not be even better acquainted with the strength of Catiline's forces than Cicero. The more convinced Caesar became of the impossibility of Catiline's success, the farther away he drew from him.

There was, however, another motive to be taken into consideration. In the summer of 63 Metellus Nepos, an agent of Pompey's, had come home to stand for the tribunate and had been elected. Had he come home to prepare the way for Pompey's imminent return, or for some other purpose? Cato, at least, suspected that he came for no good and gave up

(1) In Catil. II, 3. "The World's Great Classics,"  
C. D. Yonge, p.22

his journey and returned to stand against him for the tribunate. Caesar at once saw an opportunity to turn a threatened danger to his own interests. If Pompey joined Cicero and consequently the Senatorial and Equestrian parties, Caesar's fortunes and those of the democratic party would receive a blow that would render them powerless for years. But after all, there were many who were bitterly jealous of Pompey; they could never forget the absolute power he had received, the honours that had been heaped on him, his popularity with the people, and they lived in fear of another dictatorship. If Caesar could further alienate Pompey from the Senate and unite him to himself, the path before him would stretch straight ahead.

Caesar at once embarked on this policy and set out to win Metellus over. His policy in the next few months offers abundant evidence that he was directing all his energy to paving the way for a union with Pompey. His proposals that the honour of completing the Capitoline Temple be transferred from Catulus to Pompey, and that Pompey be recalled to restore order, are all moves to ingratiate himself with Pompey and alienate him from the Senate. That Caesar and Metellus must have had an understanding in the latter part of 63 is evidenced by their partnership in these two motions.

But to return to Caesar's position in 63. With his election to the office of Pontifex Maximus and the praetorship, and a pro-governorship in the offing, and with the

financial backing of Crassus, and the prospect of an understanding with Pompey, Caesar's expectations began to rise. He could now afford to abandon Catiline, especially since his conspiracy was being so effectively baffled by Cicero.

There is no doubt that many of their contemporaries suspected Caesar and Crassus of being in some way implicated in the conspiracy. It is not surprising, considering their former connection with Catiline and their marked reserve and caution during the whole affair. Caesar's whole life laid him open to such a suspicion, since there had hardly been a plot in which he had not had some share. Dio expresses the opinion that when Crassus, who had never been very friendly to Cicero, revealed what he knew of the conspiracy to Cicero he did it in order to escape suspicion.<sup>(1)</sup> There seems to have been a belief prevalent that the letters concerning the conspiracy left at Crassus' house were placed there in an effort to trap him. If he kept silent, his guilt would be presumed. It is difficult to say whether he, and of course Caesar, too, would have revealed this information if they had not been forced to. The informer Tarquinius on December 4 declared that he had a message from Crassus to Catiline written the day before. Though Cicero and the Senate felt it to be ill-timed and declared the information to be false, many believed it. Others felt it was a move to check Crassus. The general suspicion of Caesar was revealed in Cato's

(1) Hardy, "The Catilinarian Conspiracy," p.63

speech on December 5, and the charges of Curius, and the offers of Vettius to produce a letter of Caesar's to Catiline, and also in the actions of Catulus and Piso.

When Caesar spoke against the death warrant he was in a difficult position. He could not vote for the death penalty and admit that the Senate had the right to put a man to death, since he himself might some day be in a position to regret it. And yet, if he defended the conspirators or asked for leniency, he would be all but acknowledging his own guilt. But he was equal to the occasion and with the most skilful Delian ambiguity accomplished his purpose.

Many of Caesar's defenders have used the fact that Cicero never accused him and publicly acquitted him of Vettius' charges as a proof of his innocence. Yet it must be remembered that the prosecution of Catiline was an entirely different matter from the prosecution of Caesar and Crassus. They had committed no open action, had not shown themselves active in the conspiracy, but rather had kept in the background. They were powerful men with a large following. Cicero and others felt it was far better to overlook what they could not prove, than, by stirring up a hopeless situation, lose what they had already gained. To accuse them would merely throw them into Catiline's arms, whereas if matters were allowed to stand, Caesar and Crassus might yet be brought around to the constitutional party. What Cicero had said of Catiline's accomplices could be applied to Caesar

and Crassus. "Their punishment I do not so much aim at, as, if it were possible to be effected, their cure and reconciliation to their country."<sup>(1)</sup> Cicero held this same view three years later, when he wrote about Caesar, "A remedy which cures the diseased parts of the state should be preferable to one which amputates them."<sup>(2)</sup>

Unfortunately there are no letters to Atticus in this period to settle the question of Caesar's and Crassus' participation in the plot. But after the outbreak of the Civil War, when Cicero is debating about the policies of Caesar and Pompey, one might expect to find some mention of Caesar and the conspiracy. Tyrrell believes that the reason we do not is because Caesar had committed "so many illegal acts, that the question of what he was fourteen years ago was irrelevant."<sup>(3)</sup> He believes, however, that a reference to Caesar's guilt is to be found in a letter to Atticus in 49 B.C.<sup>(4)</sup> Plutarch in his "Life of Crassus" declared that after their death Cicero did charge Caesar and Crassus with complicity in the conspiracy. "However, Cicero, in one of his orations, evidently imputed to Crassus and Caesar participation in the plot; but this oration was not published till after the death of both of them."<sup>(5)</sup>

(1) In Catil. II, 8. "Orations of Cicero," F. W. Norris, Translated by William Guthrie, p.98

(2) Ad Att. II, 1,7

(3) "Correspondence of Cicero," Tyrrell, Vol. I, p.19

(4) Ad Att. IX, 2a,2

(5) Plut. Crassus, 13. "Plutarch's Lives," A. Stewart and G. Long, p.55, Vol. III. In his note Mr. Long adds, "The orations of Cicero which Plutarch refers to are not extant."



During Cicero's consulship there occurred an incident which is typical of the difference in policy between Cato and Cicero, and which throws further light on Cicero's attitude to Caesar and Crassus. In the midst of the turmoil of the conspiracy Cato felt obliged to come forward and bring a charge of bribery against L. Licinius Murena, one of the consuls-elect for 62. Cicero took the case and ironically enough had to defend him against his own law for electoral corruption. Cicero felt that in view of the fierce struggle waging on all sides it was neither safe nor wise to deprive the city of a consul, who was well qualified for the position. "The point, my lords, which I have laboured and effected, against great opposition, is of the highest consequence; I mean that there should be two consuls in the government on the first of January. It is incumbent upon you (Cato) to preserve your assistant, your defender, and your associate in the government. Not an ambitious consul, but such a consul as this juncture requires; one whom his fortune has formed for promoting tranquillity, his knowledge for managing wars; and whose spirit and experience is equal to every purpose you can desire."<sup>(1)</sup> It was a case where compromise was necessary, and compromise is just what Cato never could and never would accept. He preferred to throw the city into the confusion and danger of another election

(1) Pro Murena, 38. "Select Orations," Translated by William Guthrie, p.169

and leave the city without a consul rather than condone what he believed to be wrong. "With the best of intentions and, unimpeachable honesty at times Cato does harm to the country."<sup>(1)</sup> Cicero knew that Murena was guilty, yet for the sake of the State he was willing to overlook his guilt. Why may he not have had the same attitude toward Caesar and Crassus?

And yet, though Cato and Cicero might disagree, no ill-will ever passed between them. On the Nones of December, he more than made up for this opposition by his vigorous support of Cicero in the Senate against Caesar, and later when he hailed him father of his country. After the debate in the Senate, Cicero was escorted in triumph to his home, as the saviour and deliverer of his country. "This was the fifth of December, those celebrated Nones, of which Cicero used to boast so much ever after, as the most glorious day of his life: and, it is certain, that Rome was indebted to him on this day for one of the greatest deliverances, which it had ever received since its foundation, and which nothing, perhaps, but his vigilance and sagacity, could so happily have effected: for, from the first alarm of the plot, he never rested, night or day, till he had got full information of the cabals and councils of the conspirators: by which he easily baffled all their projects, and played with them as he pleased; and, without any risk to the public, could

(1) Ad Att. II, 1,8

draw them on just far enough to make their guilt manifest,  
and their ruin inevitable."(1)

(1) "Life of Cicero," Middleton, Vol. I, p. 190

### Chapter III

#### CICERO'S "CONCORDIA ORDINUM," 63-60 B.C.

In the midst of all the acclamations and rejoicing of the people an ominous note had been sounded. One of the tribunes, Metellus Nepos, the agent of Pompey, had refused to allow Cicero to address the people on laying down his office, declaring that he who had put citizens to death unheard, should not be permitted to speak for himself. Though Cicero was able to turn Metellus' attack into a triumph for himself, yet it was an inauspicious beginning of the new year, which was to usher in a series of troubles for him and to result finally in the Civil War and the dissolution of the Republic. Horace spoke truly when he declared that "it was in the consulship of Metellus that the Civil War began."<sup>(1)</sup>

With the extinction of the Catilinarian conspiracy, Pompey once more occupied the centre of the stage. He could not delay much longer. What he would do on his return became the concern of everyone. If he chose to come as a

(1) Horace, "Odes," II, 1, line 1

conqueror, he could not be resisted. The only course left was to negotiate with him and to win his favour if possible. With the keen insight that characterized all his movements Caesar saw the way and set out, by flattery to secure what opposition would fail to. On the first day of his praetorship Caesar proposed to transfer the dedication of the temple on the Capitoline hill from Catulus to Pompey. The Senate opposed him so strenuously that he was obliged to drop the proposal; but Caesar had achieved his purpose; he had humiliated Catulus and the Senate he represented, by showing how Catulus had dallied with the restoration for years and had wasted the public money; and he had pleased Pompey and at the same time weakened his position with the Senate by arousing their mutual jealousies. Caesar next allied himself with Metellus in a proposal to recall Pompey to restore order. Cato as tribune, vetoed the measure on every occasion, and a fresh outbreak of rioting occurred. Caesar and Metellus were suspended from office. Metellus fled to Pompey, but Caesar, after refusing to allow the mob to restore him by force, was reinstated by the Senate on its own initiative. Caesar had shown that he was whole-heartedly prepared to support Pompey, and had been able to widen the breach between Pompey and the Senate. Now he could sit back and await Pompey's arrival.

While Caesar had submerged himself and done everything to honour Pompey, Cicero had been busy writing to him of his

own achievements. That he had served Pompey's interests faithfully availed him little. By those very achievements he had cheated Pompey of the additional glory of suppressing the Catilinarian conspiracy and had aroused his jealousy. Another act that annoyed him was Cicero's defense of his former teacher Archias, who had accompanied Lucullus to the East. The attack was really not upon Archias, but on Lucullus, Pompey's enemy, and the accusers were men who were acting in Pompey's interests. Very likely Caesar had some share in the affair.

Meanwhile all Cicero's thoughts had been directed to one purpose, the strengthening of the Republic. In his consulship he had been able, backed by all the forces of the state, without the aid of a general or his army, to establish the Republic on a surer footing than it had known for decades. It is rather a curious coincidence that the birth of Augustus, who was to extinguish the last spark of the Republic, should have occurred in the very year in which it reached the highest peak. After the domination of Sulla, the Equestrian order had joined the Democratic party in an attack upon his constitution. But with the restoration of the Knights to the courts in 70 B.C., and the law of Otho in 67, assigning them separate seats in the theatre, had come a breach. Gradually the Knights veered around from the more riotous Democratic party to the Senatorial party. They were among the wealthiest men in Rome and many of them

came from distinguished old families, and so it was only natural that they should find more in common with the Senatorial party than with the Democrats. The election of Cicero to the consulship had done much to break down the barrier of aristocratic birth. The fear felt by both orders for the revolutionary designs of the Democratic party had further thrown them together. The consulship of Cicero, and the union of the Senate and the Knights in the suppression of the conspiracy had forged the final link in the chain. This "concordia ordinum" now became the great dream of Cicero's life. He believed that the united strength of these two orders would always overbalance any power that might seek to secure control of the state, and would serve as an everlasting check upon ambition. This ideal commonwealth of Cicero's would comprise the best men of both classes, united for the good of their country. He fully realized that to make the "concordia ordinum" doubly strong the military power in the state must be on their side. To this end Cicero wished to secure the leadership of Pompey, the one man who could be popular with all orders. Caesar had clearly revealed his desire for Pompey's support, and Cicero saw the necessity of preventing his alliance with those who were his "former enemies but now his friends."<sup>(1)</sup> He was himself willing to take second place, to play the role of Laelius to Pompey's Scipio--surely not the role of a self-seeker!

(1) Ad Fam. V, 7,1

In December 62 Pompey had landed at Brundisium, and there disbanded his army. The new year found him in Rome, eager once more to play a prominent role. He had shown that he had neither the intention nor the desire to seize power. Pompey wished to be the first man in the state, but he wished the position thrust upon him, not seized by himself. The initiative was in the hands of others. Had the Senate promptly welcomed him, granted him his triumph, and approved his acts in the East, Pompey would have been drawn to them; for he had little in common with Caesar and the popular party. But the Senate refused the opportunity. The nobles were jealous of the powers he had already received, and feared to add more. Cato, in righteous indignation, rejected his proposal of a marriage alliance with his family. Plutarch wisely adds: "However, if we are to judge by this event, Cato made a fatal error in rejecting the alliance, and leaving Pompey to turn to Caesar and contract a marriage which, by uniting the forces of the two, nearly ruined Rome and actually destroyed the constitution. None of these things would have happened, if Cato had not taken fright at the small faults of Pompey, and so allowed him to commit the greatest of all in building up the power of another."<sup>(1)</sup>

But poor Pompey did not make a very great impression; his first address to the people satisfied no party. He was unwilling to commit himself upon any of the political issues

(1) Plutarch, Cato Minor, 30,5. Strachan-Davidson, p.175



of the moment. The question of Clodius' sacrilege, and prosecution, the method of selecting the jury for his trial, and Cicero's achievements, he evaded. The acquittal of Clodius, thanks to Crassus' bribery and Caesar's unwillingness to implicate him, dealt a great blow to the constitutional party. "We thought," writes Cicero, "that the condition of the Republic had been set on a firm footing, you by my prudence, I by divine influence; and that its preservation was secured and established by the union of all loyal citizens and by the influence of my consulship. But now, unless Heaven takes pity on us, it has been dashed from our grasp by this one trial."<sup>(1)</sup> The trial acquired for Caesar and Crassus, Clodius' support, and for Cicero, his lasting enmity. After the trial and after Crassus had given another indication of his partnership with Caesar, by paying his enormous debts, Caesar left for Spain.

In disgust over the trial and the way in which Caesar and Crassus had conducted it, Pompey began to draw closer to Cicero and the constitutional party. "I brought Pompey, the man who had held his peace too long about my achievements, into a frame of mind for attributing to me the salvation of the empire and the world, not only once, but time after time, and with emphasis in the Senate," says Cicero.<sup>(2)</sup> The more difficult task of reconciling the Senate to Pompey remained.

(1) Ad Att. I, 16,6

(2) Ad Att. I, 19,7

From the newly elected consuls, L. Afranius, the rather ineffective tool of Pompey, and Q. Metellus Celer, the enemy of both Cicero and Pompey, Cicero could expect little help. It was a task which he must accomplish alone.

Meanwhile other matters were arising to threaten the "concordia ordinum." In a letter of December 61, to Atticus, we first hear of the breach between the two orders. "I expect you have heard that our friends the Knights are all but alienated from the Senate."<sup>(1)</sup> Moved by the scandal of the acquittal of Clodius and the gross corruption of the law courts, the Senate, headed by Cato, brought forward a bill to deal with bribery in the courts. The purpose of this bill was to deprive the Equites and the Tribuni Aerarii of their immunity from prosecution for corruption. The Equites were indignant. Though Cicero realized the justice of the Senate's grievance, yet, fearing the break up of the harmony of the orders, he preferred to humour the Equites, and so tried to persuade the Senate to give up the project. Cato's opposition, however, proved too strong. At the same time Cicero had still another quarrel between the Senate and the Equites to compose. Egged on by Crassus, the Equites had demanded a revision of the contract for the collection of taxes in Asia, but the Senate refused. Once more Cicero felt obliged to support the Equites, and once more Cato opposed him. "There was considerable danger," he writes, "that if they

(1) Ad Att. I, 17,8

met with a refusal, they might have severed their connection with the Senate entirely. In this case too I was the main person who came to the rescue, and obtained for them a hearing in a very full and friendly House, and discussed on the dignity and harmony of the two orders both on the first of December and the following day. The matter is not yet settled: but the Senate's inclination is clear. For only one person has opposed it, Metellus the consul elect. Our hero Cato was to have spoken, but the day was too short for it to come his turn."<sup>(1)</sup> The questions dragged on and remained to be settled in the next year. But the resentment between the two orders had been aroused and only the slightest balance of the scales was needed to effect an open breach.

The year 60 opened with these questions still unsettled and with Pompey's position insecure. So far his efforts to secure the ratification of his settlement in Asia and the grants of land promised to his veterans had been unavailing. He decided to make another attempt. The tribune L. Flavius, one of Pompey's tools, proposed an agrarian bill providing for the distribution of land allotments to the soldiers. Cicero revised the bill, cutting out the clauses which were likely to be opposed, and then gave his support to the bill. However, "the Senate was opposed to the whole agrarian scheme, suspecting that Pompey was aiming at getting some new powers."<sup>(2)</sup> A violent conflict ensued between the tribune

(1) Ad Att. I, 17,9

(2) Ad Att. I, 19,4

and the consul Metellus Celer, backed by the Senate. At last Pompey realized that he could not carry his proposal and so called off his tribune and let the matter drop. But the final humiliation had been heaped on Pompey. The Senate had rejected its last chance to win him over, and had allowed a petty jealousy to triumph over his fair and reasonable demands.

Not content with the damage already accomplished, the Senate, on Cato's advice, insisted on pushing on the questions relating to judicial corruption and the tax-farmers, and refused to make any concessions to the Equites. The breach between the two orders was completed. The Senate had succeeded in thoroughly isolating itself, and driving the Equites towards the popular party and Pompey towards Caesar. The next move was Caesar's. Cicero alone in all Rome had the foresight to foresee the consequences; but the Senate had turned a deaf ear to all his pleas, had done everything in opposition to him, and now Caesar was at hand, ready to take advantage of the Senate's folly and bind Pompey and the Equites to himself.

One hope remained to Cicero for saving the State and preserving the constitution; the hope that Caesar might be brought around to the "optimates." In June, two days before Caesar's arrival, Cicero writes to Atticus: "You chide me gently for my intimacy with Pompey. Please don't imagine that I have allied myself to him solely to save myself: the

position of affairs is such that, if we had had any disagreement, there would of necessity have been great discord in the state. Against that I have taken precautions and made provision without wavering from my own excellent policy, while making him more loyal and less the people's weathercock. He speaks, I may tell you, far more glowingly about my achievements than about his own, though many have tried to set him against me, saying that he did his duty to the country, but I saved it. What good his statements will do me, I fail to see: But they will certainly do the country good. Well! If I can make Caesar, who is now sailing gaily before the breeze, a better patriot too, shall I be doing so poor a service to the country? And, even if none were to envy me and all supported me, as they ought, still a remedy which cures the diseased parts of the state should be preferable to one which amputates them. But as it is, when the Knights, whom I once stationed on the Capitoline hill with you as their standard bearer and leader, have deserted the Senate, and our great men think themselves in the seventh heaven, if they have bearded mullet in their fish-ponds that will feed from their hand, and don't care about anything else, surely you must allow that I have done my best, if I manage to take the will to do harm from those who have the power to do it."<sup>(1)</sup>

(1) Ad Att. I, 6

#### Chapter IV

##### CAESAR'S RETURN AND THE FIRST TRIUMVIRATE, 60-59 B.C.

In June 60 Caesar returned from Spain eager for the double honour of a triumph and the consulship. When the Senate refused and forced him to choose between the two alternatives, he unhesitatingly chose the latter and entered Rome. In his candidature he joined forces with L. Lucceius, who was to supply the expenses of their canvass, while he provided the influence. Alarmed at the prospect of Caesar's election, the Senate, by the most unblushing bribery, determined to secure the election of M. Calpurnius Bibulus, a determined aristocrat. When the Senate was assigning provinces for the consuls of 59, it purposely chose unimportant and insignificant ones, thinking that it could thus thwart Caesar. This was the very thing that Caesar was determined not to permit. His greatest need, at the present time, was for a large and wealthy province and the control of a strong and well-disciplined army. His election he might possibly secure unaided, but to obtain a province he needed the united efforts of all the forces he could bring to bear. He needed

the military prestige that was Pompey's and the wealth that was Crassus'. Humiliated and embittered, Pompey was ready to support him. Probably Caesar had prepared the way by letters before his return. Caesar could count on his old ally Crassus, and now Crassus' friends the Equites, and especially the tax-farmers or "publicani," angered at the opposition of the Senate, exerted their influence on his behalf. The support of these assured his election.

But Caesar was not content with merely the support of Pompey and Crassus; he wanted the two united in a coalition with himself. If the three could agree on a common policy they could overrule all opposition, and prove strong enough for each to gain his own ends. Pompey had failed to obtain the Senate's consent to his proposals, and now, in a union, with Caesar, he saw a possibility of procuring the ratification of his arrangements in the East and of rewarding his veterans. Crassus also was willing to join Caesar, but the real task lay in reconciling Pompey and the jealous Crassus. By holding out to Cicero the prospect of a second consulship and a military command that might enable him to surpass even Pompey in military achievements, Caesar succeeded in persuading him to enter into a triple alliance with himself and Pompey. Each was to aid in furthering the interests of the other. The union was thoroughly self-seeking, and could endure only as long as their interests were the same.

One other, Caesar wished to have as an ally, Cicero.

The inclusion of Cicero in their coalition would give it a dignity and weight with the people that could not be obtained in any other way. He was all powerful in the law-courts, his friends in the city and in Italy were numerous and influential, and he was the nominal head of the Equestrian order. "Caesar saw, as he saw everything, that Cicero was a great power. His speeches not only swayed the assembly, but they discharged the highest work now done by our best newspapers, magazines, and reviews. To gain Cicero was what it would be to secure the advocacy of the "Times," and were the leaders of the "Times" written by Burke and Sheridan..... They put the public in possession of the circumstances in each case, and taught them to look on these circumstances with the eyes of the speaker and his party; they converted resistance into acceptance, and warmed acceptance into enthusiasm; they provided faith with reasons, doubt with arguments, and triumph with words."<sup>(1)</sup> Four years later Cicero revealed that "Caesar had wished him to be one of these consulars most intimately allied with himself."<sup>(2)</sup> Caesar's overtures to Cicero are described in his letter to Atticus: "Caesar expects my support. For Cornelius paid me a visit--I mean Balbus, Caesar's great friend. He assured me that Caesar will take my own and Pompey's opinion on everything, and that he will make an effort to reconcile Pompey and Crassus. The

(1) "The Correspondence of Cicero," Tyrrell, Vol. I, p.14

(2) De Prov. Cons. 17,41. "Cicero," Strachan-Davidson, p.203



advantages of this are, an intimate connection with Pompey and, if I like, with Caesar too, reconciliation with my enemies, peace with the populace, and ease in my old age."<sup>(1)</sup>

Cicero, however, would have nothing to do with the coalition. He saw with alarm the union of these "three unbridled men,"<sup>(2)</sup> and he felt certain that it augured no good for the constitution. Caesar, to him stood for all that was rash and illegal; Crassus he despised; Pompey's weaknesses and the power that Caesar was bound to exert over him, he fully realized. He felt that if he supported the measures of such a trio, he would be false to the "good cause." And so he turned from Caesar and the proposed "Quattuorvirate" became a "Triumvirate." Surely Cicero could not have given a surer proof of his patriotism and his utter lack of self-seeking personal ambition.

Caesar came into office as consul on the first of January, 59 B.C., and immediately set out to carry through the programme of the Triumvirate. At the outset he wished to appear as moderate and constitutional as possible, thus lessening the hostility of the Senate and securing to some degree its silence; or, if he failed in that, he would force the Senate to make the first hostile move, thus putting himself on the defensive and making the Senate the aggressor. So he submitted to it an agrarian bill designed to provide for Pompey's veterans and certain needy citizens. The admini-

(1) Ad Att. II, 3,3      (2) Ad Att. II, 9,2

stration of the bill was to be entrusted to twenty commissioners. He declared himself ready to listen to suggestions and amendments. The fierce opposition of his colleague Bibulus and the Senate, under Cato, gave Caesar an excuse for submitting his bills in future to the people instead. The consulship of "Julius and Caesar"<sup>(1)</sup> had in truth begun. Caesar shrewdly led Pompey to declare that if others took arms against the bill, he would support it with arms.<sup>(2)</sup> Caesar gained his end, the passing of the bill, but the odium attached to the whole affair fell on Pompey. He passed a second bill confirming Pompey's acts in Asia, and another reducing by a third the payment to be made by the publicani for the taxes of Asia. So by the end of February he had fulfilled his promises to both Pompey and Crassus. This latter measure served the additional purpose of binding the wealthy capitalist class of Rome still closer to the Triumvirate. At the cost of securing the recognition of Ptolemy Auletes as king of Egypt, Caesar provided himself and his confederates with ample funds. He no longer looked to Egypt as a base of operations but rather to Gaul, so he could afford to toss Egypt back to Ptolemy. One law that Caesar passed won praise even from Cicero--the "Lex Julia de Repe-tundis," the law against extortion in the provinces.

Both Pompey and Crassus had been satisfied, and now he turned to his own interests. The "Lex Vatinia", proposed and

(1) Suet. 20-2; Dio 38,82

(2) Plut. Pompey, 47; Plut. Caesar, 14

carried in the Assembly, by P. Vatinius, assigned to Caesar the combined provinces of Cisalpine Gaul and Illyricum, and the command of three legions for five years, dating from March 59. This had been carried in opposition to the Senate's will, and now, when Transalpine Gaul became vacant on the death of Metellus Celer, to avoid giving the initiative into the hands of the Assembly, the Senate, at Pompey's suggestion, added to Caesar's provinces Transalpine Gaul and a fourth legion.

So far Cicero had kept his peace. He had sat back and had given Caesar every opportunity, hoping against hope that with Pompey at his side he would be held in check. Caesar realized that now that he had shown his hand he might expect active opposition from Cicero. Some control must be found over him, and in Clodius he found the check he was looking for. Clodius had hated Cicero ever since he had given evidence against him. He vowed vengeance and was now taking steps to be made a plebeian so as to be eligible for the tribunate. On the other hand he was under obligation to both Caesar and Crassus for their support of him in his trial. A check on Cicero was in Caesar's hands. If Cicero opposed him, he, as Pontifex Maximus, could secure Clodius' adoption into a plebeian family and allow Clodius to avenge himself on Cicero. The next move, as far as Caesar was concerned, was up to Cicero.

The trial of Gaius Antonius set in motion the events

which were eventually to lead to Cicero's exile. Cicero undertook the defense of his former colleague, and in the course of the trial uttered some complaints of the times, and the "oppression of the Republic. The account of the whole affair was carried at once to Caesar, and three hours later Caesar had called an Assembly of the people and Clodius had been transferred to the plebeians. Pompey as augur assisted. In his weak<sup>way</sup>/he tried to protect Cicero, by exacting from Clodius a promise not to attack Cicero. Whatever value Pompey placed in Clodius' promises, no one else, at any rate, considered them other than as they were--worthless. Cicero writes to Atticus, "He declares Clodius will not say a word against me, but there he is deceiving himself not me."<sup>(1)</sup>

Caesar's warning was plain. The tribunate was open to Clodius, and tribune Caesar resolved he would be, if Cicero continued his opposition. Now he felt free to proceed with his other affairs. In April he brought forward a second land bill, or rather an extension of the first, which aroused even greater resistance. It provided for the distribution of the public estates in Campania. This would necessitate the eviction of the tenants already occupying the land, as well as causing a decrease in the state revenues.<sup>(2)</sup> This was a measure dreaded by Cicero and other conservative statesmen. The commission of twenty was to carry out the provisions of the law, and although Caesar expressly excluded himself, yet

(1) Ad Att. II, 19,4

(2) Ad Att. II, 16,1

both Pompey and Crassus were to be members of the inner committee of five. The law was carried against all opposition, and, to prevent repeal, a clause was added, requiring all candidates for office to swear that they would not in any way revise or repeal the law. In discussing this point Cicero adds, "But in the midst of this tyranny.....disgust is beginning to conquer fear, though it still leaves the blankest despair everywhere."<sup>(1)</sup>

To strengthen his alliance with Pompey, Caesar gave him his daughter Julia in marriage, and himself married Calpurnia, the daughter of L. Calpurnius Piso Caesoninus, whom, together with A. Gabinius, the Triumvirs had decided to make consuls for 58. Both the new union of Pompey with Caesar, and the Land Law thoroughly alarmed Cicero. Writing to Atticus from Formiae, where he spent part of April and May, Cicero says: "I agree entirely with what you say in your letter. The Pasha (i.e. Pompey) is running amuck. We may anticipate anything: he is quite clearly setting up a tyranny. What else is the meaning of this sudden marriage-contract, of the proposals about the Campanian land, of this reckless expenditure of money? If that were the end of it, it would be disastrous enough: but the nature of the case makes it impossible that this should be the end. These things in themselves cannot possibly give them any pleasure: and they would never have taken this step except as the first to other pernicious acts!"<sup>(2)</sup>

(1) Ad Att. II, 18,2

(2) Ad Att. II, 17,1

The utter helplessness of everyone against the power of the Triumvirate now became apparent to all. Everyone who had opposed them had been crushed. The hatred felt for the Triumvirs was becoming so universal that they were openly hissed in the theatre. "The tyranny is universally detested;"<sup>(1)</sup> yet nothing, Cicero realized, could be done about it without civil war. "We are hemmed in on every side; yet we do not rebel at servitude, fearing death and exile as though they are greater evils. Yes, that is the position, and though every one groans about it, not a voice is raised to relieve it."<sup>(2)</sup> "Resistance seems impossible without bloodshed: nor can we see any other end to concession except destruction."<sup>(3)</sup>

The unpopularity of the Triumvirs worried Caesar very little. After all, it would fall most heavily on Pompey, and in the end this would be to Caesar's advantage. An unpopular Pompey left behind was a far less dangerous rival. As for Caesar himself, he had his army already collected outside the gates of Rome and his command in Gaul for five years assured.

But with Pompey it was otherwise. His uneasiness was growing. In the coalition he had gained what he had been seeking, but he had not bargained for the loss of his popularity. Cicero watched him closely, hoping that he might even yet have a change of heart and return to him. In a letter to Atticus he writes: "And so our friend, being unused to unpopularity,

(1) Ad Att. II, 21,1

(2) Ad Att. II, 18,1

(3) Ad Att. II, 20,3

and having always lived in an atmosphere of flattery and glory, disfigured in person and broken in spirit, does not know what to do with himself; he sees that to advance is dangerous, to retreat a confession of weakness: the respectable parties are his enemies, the very riff-raff not his friends. Yet see how sort-hearted I am. I could not restrain my tears, when I saw him on the twenty-fifth of July delivering a speech on the subject of the edicts of Bibulus. He used to carry himself with such a lofty bearing, enjoying unbounded popularity and universal respect: and now, how humble he was, how cast down, and what discontent he aroused in himself as well as in his hearers.....I myself could not but feel poignant grief at seeing the idol on whose adornment<sup>(1)</sup> I had lavished all the colours of my art suddenly disfigured!"

Some time in August a curious plot was brought to light. L. Vettius, who had tried to implicate Caesar in the Catilinarian conspiracy, now endeavoured to persuade the younger Curio to enter a plot to kill Pompey. When Curio and his father reported the matter to the Senate, Vettius offered to turn informer, saying that the plot to kill Pompey had been formed by several young nobles. His accusations were found to be absurd. He proved equally clumsy on the next day, when Caesar brought him forward and he proceeded to accuse many of the most prominent members of the Senatorial party. He was soon put out of the way. The plot served to alarm Pompey and

(1) Ad Att. II, 21,3

to draw him farther from the nobles and closer to Caesar; and since the benefit of the whole affair fell on Caesar, we may infer that he was responsible for it. Cicero, himself accused by Vettius, undoubtedly believed this: "The view most generally held is that it was a put up job;"<sup>(1)</sup> "That fellow Vettius, my famous informer, promised Caesar, so far as we can see, that he would get some criminal suspicion thrown on young Curio."<sup>(2)</sup>

And yet, however closely Caesar was able to draw Pompey to himself, he was well aware that Cicero would seize the first opportunity after his departure to reestablish the "harmony of the orders," and draw Pompey into an alliance with them. It became imperative, from Caesar's point of view, that Cicero should leave Rome. Caesar had already offered him a place on the land-commission, and an honorary commission, a "libera legatio," to travel where he wished, and a post on his own staff as "legatus" in Gaul. No doubt the latter offer was made by Caesar as much from a desire to have Cicero's companionship as from any practical motive. Cicero could not accept any of these favours without selling his silence to Caesar, and so he refused them all.

The trial of L. Valerius Flaccus decided Caesar's next step. Cicero had clearly shown that he would make no compromises but would attack revolutionary measures as vigorously as he had attacked Catiline. The die was cast.

(1) Ad Att. II, 24,2



Caesar felt himself bound to let Clodius loose. Everything else had failed. In the next months he bent all his energies to secure the elections on October 18 of Piso and Gabinius, the creatures of himself and Pompey, and a majority of the tribunes. Clodius was one of these.

## Chapter V

### CICERO'S EXILE AND RESTORATION, 58-57 B.C.

Clodius entered on his tribuneship on the tenth of December, and lost no time in beginning his attack on Cicero. After making several proposals to win popular favour, he brought in a bill that "anyone who had put Roman citizens to death without trial should be forbidden fire and water."<sup>(1)</sup> Cicero was not named in the bill, but everyone knew that it was levelled at him. He at once put on mourning and commended himself to the people. The Senators, Knights, and other friends of Cicero's signified their sympathy by likewise going in mourning, but the new consuls, Gabinius and Piso, by edict ordered them to resume their ordinary dress. Clodius with his gangs controlled the streets and went about declaring that he had the approval of the Triumvirs. He called a meeting outside the gates, so that Caesar, who had not yet left for Gaul, might be present. On being called upon for his opinion, Caesar declared that in his judgment Cicero had acted illegally in executing Lentulus and the

(1) "Select Letters," Notes, W. W. How, p.48

other conspirators, but that he did not approve of punishing anyone for events so long past. His reply served its purpose. He did not order Clodius, as he could have done, to cease his persecutions of Cicero, and yet he left the way open for any move he himself might later wish to make with respect to Cicero. After Cicero had been sufficiently humbled, Caesar could recall him and so force him, out of gratitude to his side. Throughout Caesar's life all his moves with regard to Cicero were motivated by the desire for an alliance with him; and it is more than likely that on this occasion such was his intention. When Cicero appealed to Pompey, Pompey declared that since he was a private citizen he could act only at the consuls' request. The consuls showed their unwillingness to help by retorting that every man must look after himself.

Many of Cicero's friends were for resorting to force. They knew he would have the Senate, and the Knights, and the whole of the country population in Italy on his side. But even if they could have been collected in time to withstand Caesar's army, Cicero would not have allowed it. He still carried with him his early horror of civil war and he preferred to go into exile rather than sacrifice the lives of his fellow-countrymen. Hortensius and finally Cato advised him to retire from the city, thinking that it would be a matter of only a few days before he would return in triumph. Cato himself was obliged to leave soon for Cyprus on a

commission of Clodius', which he felt in honour bound to accept. He would therefore not be in Rome to stand by Cicero.

Once more Cicero appealed to Pompey and begged him to aid him as he had promised repeatedly, but Pompey coldly rejected him. Writing later of this incident, Cicero says to Atticus, "He would not even give me a helping hand, when I threw myself at his feet, declaring he could do nothing against Caesar's will."<sup>(1)</sup> The Senators and Knights tried in vain to induce the consuls to put a stop to Clodius' agitations. It was clear that only civil war might avail against the gangs of Clodius.

After the blow dealt by Pompey, Cicero felt that nothing was worth fighting for, and at the end of March left Italy. On the very day he left Clodius carried his bill and brought forward another declaring that Cicero was now outlawed and forbidden to live within four or five hundred miles of Italy. Shortly afterwards Caesar left for Gaul, secure in the knowledge that both Cicero and Cato were silenced.

The question of Cicero's conduct in exile need not concern us here. Very few find it in their hearts to pardon him. Too many recount his expressions of grief and despair, his self-reproaches, and proceed to show how unable he was to bear adversity, how unmanly he showed himself in his grief, and how cowardly in wishing to take his own life; yet

(1) Ad Att. X, 4,3

the same writers are willing to extol Cato to the skies and to admit that to the ancients suicide was regarded in a very different light from today. These critics insist on judging Cicero according to the standards of an Englishman, or a stoic such as Cato, or a man like Caesar, rather than according to the standards of modern Italians. In his unrestrained outbursts of joy and grief Cicero had much of the temperament of the peoples of present-day Southern Europe. This same grief he displayed at every parting with his brother and with Atticus. All his life centred on Rome, and separation from Rome was as unendurable to him as separation from London was to Dr. Johnson. To the average Roman absence from Rome was a deprivation, and to Cicero, with his intense love of the city, it was a calamity. The very extent of his love for his family, friends, and country, made the loss of them all the more bitter. "I am not one of those to whom all things are indifferent; but love myself and my friends, as our common humanity requires; and he who, for the public good, parts with what he holds the dearest, gives the highest proof of love to his country."<sup>(1)</sup>

Cicero had no sooner left Italy and his friends at home had thoroughly awakened to the seriousness of his plight than they began to bestir themselves in effecting his restoration. The menace of Caesar's army had been removed and people now felt freer to express their disapproval. About this time an incident occurred which in its issue was most

(1) Pro Dom. 37. "Life of Cicero," Middleton, Vol.I, p.312

fortunate for Cicero. Clodius, grown bolder with success, took matters into his own hands and freed Tigranes, a captive of Pompey. This affront at Clodius' hands was more than Pompey could bear, and when fight after fight followed in the streets of Rome, and his life was in serious danger, he shut himself up in his house for the rest of the year. The result of it all was that Pompey began to favour Cicero's recall. He saw an opportunity of revenging himself on Clodius and also of ingratiating himself with the Senate and people of Rome who were solidly behind Cicero. Perhaps he was influenced also by some tenderer feelings towards Cicero and shame for his treatment of him. But before he could do anything he must first secure Caesar's consent. How strong was the hold Caesar had on Pompey, when Pompey, who never for a moment thought of himself as other than the first of the Triumvirs, felt he could not proceed without Caesar's sanction, and would admit as much to Varro!<sup>(1)</sup>

The first effort in June on the part of Nunnius the tribune to recall him was frustrated by Clodius. Of the new consuls-elect, P. Cornelius Lentulus was Cicero's warm friend, and Q. Metellus Nepos, though not a friend, yet was under the influence of Pompey. Two bills in July and October, Clodius again obstructed by force. Sestius, a tribune, made two journeys to Caesar on behalf of Cicero. The first, probably in August, was unsuccessful, but on his second, late in

(1) Ad Att. III, 18,1

November, he met with greater success, though Caesar's consent seems to have been conditioned. No doubt, Clodius' attacks on the legality of Caesar's acts had influenced Caesar not a little.

In January 57 Lentulus entered office and at once began to urge Cicero's recall. Pompey openly declared himself in favour of it. When some suggested that there was no need for a law, Pompey replied that to prevent all trouble a decree should be passed--a view quite in accordance with Cicero's own. It was not carried, however, for Clodius' gangs, which controlled the streets of Rome, were strong enough to prevent the passage of the bill. But the universal hatred for Clodius' and his blocking of all efforts to restore Cicero only increased the resolution of the Senate and people. The Senate decided to call upon all the people of Italy to come to Cicero's assistance. Pompey at this time was at Capua and presided over the passing of a decree there in Cicero's honour. He also visited all the neighbouring colonies and towns, making arrangements for the general assemblage at Rome. On the twenty-fifth of May, in the Senate, Pompey renewed the motion for recalling Cicero, and in the course of his speech attributed to him the honour of having saved his country. On the next day he went even further in his praise, and begged the Senate, on his account, to recall Cicero.

Caesar was all the while as eager as Pompey, but he

felt that he could not press for Cicero's restoration without some guarantee that his opposition to himself should cease. Probably about this time Quintus Cicero intervened, pledging his word for a change of policy on the part of his brother Marcus. Caesar could now urge on his recall. Even without any move from Quintus, Caesar would without doubt have joined with Pompey. To hold out against all Italy would gain him nothing; whereas to take a leading part in recalling Cicero could not help but secure a measure of gratitude from Cicero. The enormous demonstrations on Cicero's behalf would make Caesar doubly determined to win over a man who had behind him all the finer element of Rome's population. Events followed swiftly after Caesar's decision, and on August 4, at one of the largest gatherings ever assembled in Rome, Cicero was recalled by the unanimous vote of all the centuries. It is rather fitting that one of the last free acts of the people of Italy was on behalf of the last great Republican.

In all literature and history no greater testimony can be found to Cicero's significance and the esteem in which he was held by his contemporaries, in spite of everything that his later detractors have said. Few men, if any, have ever received greater. To have so inflamed an entire country, to have brought the people flocking from all parts of Italy, to have held up all the affairs of Rome while kings awaited the issue, is surely a triumph unsurpassed in the history



of man, and one which should have been an eternal bulwark against the petty minds of carping critics.

## Chapter VI

### CICERO FROM HIS RESTORATION TO THE CONFERENCE OF LUCA, 57-56 B.C.

Cicero's return to Rome was a triumphal progress. Everywhere he went the people turned out in throngs to greet him. It was truly, as Cicero afterwards declared, "not a return from exile, but an ascent into heaven."<sup>(1)</sup> In expressing his thanks to the Senate for his restoration, he singled out Pompey as one of those to whom he was most deeply indebted. As a further proof of his gratitude he laid the formal motion before the House that Pompey be appointed to deal with the corn shortage. Pompey was to have the control of the corn supply over the whole world for five years, as well as pro-consular imperium and fifteen legates. Cicero's proposal was dictated not alone by gratitude, but by a continuation of the policy he had begun ten years before, when he supported the Manilian law giving Pompey similar powers. Cicero returned from exile fully determined to bend all his efforts to restore the Republic, by uniting Pompey with the Optimates.

(1) Pro Dom. 28

The proposal was carried but not without much grumbling on the part of the nobility. Many of them were resolutely opposed to the granting of exceptional power to anyone and most of all to Pompey. They could not realize that with him lay their only safeguard against Caesar. Pompey himself was not satisfied, for to him Cicero's proposal must have seemed mild in comparison with Messius', giving him an army and fleet and supreme imperium over all provincial governors. And so the real aim of Cicero's proposal, the reconciliation of Pompey with the Republican party, was not achieved, but seemed farther off than ever. As a token of his gratitude to Caesar, Cicero supported a vote of fifteen days' thanksgiving in honour of Caesar's really splendid achievements in Gaul.

For Cicero himself, affairs were not progressing so favourably. Even in September, a few weeks after his return, he writes to Atticus: "Already those who took my part in my exile are beginning to feel annoyance at my presence, though they disguise it, and to envy me without even taking the trouble to disguise that."<sup>(1)</sup> The jealousy of the aristocrats prevented them from making full restitution to Cicero for his losses. To Atticus he says: "The fact is, my dear Pomponius, that those very same men who cut my wings do not wish them to grow again."<sup>(2)</sup> Cicero's efforts to reestablish a party were to no avail. Many of the Senators

(1) Ad Att. IV, 1,8

(2) Ad Att. IV, 2,5

were enemies of Cicero; the Equites, though personally with Cicero, yet politically were with the Triumvirs and against the Senate; and Pompey was thoroughly unpopular. All the forces of the state were divided and practically isolated from one another, so interested was each in its own ends.

"The loyal party seems to have vanished out of existence."<sup>(1)</sup>

Early in 56 B.C. an incident occurred which threatened to bring matters to a head. Ptolemy Auletes sought the Senate's aid in restoring him to his kingdom. Pompey at once saw an opportunity to strengthen himself in Egypt, as Caesar and Crassus had tried to in 65 and 63. Lentulus Spinther, who had done so much for Cicero, also wished the commission, and Cicero felt bound to support him. The Senate, either from fear or jealousy of Pompey, determined that Pompey must not be allowed an army. In the Sibylline books forbidding the employment of a "multitude," they found a ready pretext. The Senate was driving Pompey farther and farther from itself; the more extreme Optimates went even so far as to court Clodius, and to encourage him in his abusive attacks on Pompey. When Pompey rose to speak on February 6, he was greeted with outcries from Clodius' gangs that Crassus, not Pompey should restore the king. Pompey told Cicero that Clodius and Crassus were plotting against his life.<sup>(2)</sup> The old hatred between Pompey and Crassus had broken out again.

(1) Ad Att. IV, 3,2

(2) Ad Quintem Fratrem, II, 3,4

In spite of the fact that "the people were all but wholly alienated, the nobility hostile, the Senate ill-affected, and the younger men corrupt,"<sup>(1)</sup> Cicero began to see a faint ray of hope. Caesar was away, and Pompey and Crassus were bitter enemies. In the trial of Sestius, Caesar's tool Publius Vatinius gave evidence against him, while Pompey supported Sestius with a glowing testimonial to his character. Pompey and Caesar clearly were not united in their interests. Not only were there signs that the Triumvirate was breaking up but also that their power was diminishing. The elections had not gone in their favour, and L. Domitius Ahenobarbus, who would be a candidate in the following year, was openly declaring his intention of recalling Caesar. The tribune Lupus on December 10, 57 had raised the question of Caesar's Campanian land bill, and had made several thrusts at Caesar, at the same time appealing to Pompey and praising Cicero. Cato was on his way home, ready to carry on his opposition to the Triumvirate. Cicero resolved to make one last attempt to rouse the sluggish minds of the Senators and awaken them to the need of uniting all their forces against Caesar.

On April 5 he proposed that on the fifteenth of May the question of the Campanian land should be brought forward. This was a direct attack on Caesar's legislation. Cicero had taken the lead; it was the duty of the Republican party

(1) Ad Quintem Fratrem, II, 3,4

to follow him. The proposal was greeted with shouts of applause. Even Pompey was not displeased. Many sincerely rejoiced for the Republic's sake, but others of the opposing faction rejoiced only because they saw that "Pompey would be dissatisfied with Cicero, and that Caesar would be hostile to him."<sup>(1)</sup> To plague Cicero still further they openly courted Clodius and made much of him. Even the better element, as though infected by the general corruptness and baseness of its leaders, did not resolutely stand behind him but lapsed into indolence. Cicero writes to Atticus: "You would hardly believe the treachery of our leaders, as they want to be and would be, if they had any honour. I knew full well how they had taken me in, abandoned me and cast me off. Still I resolved to stick to them in politics. But they have proved the same as ever."<sup>(2)</sup> Up in Gaul, Caesar was becoming

Up in Gaul, Caesar was becoming really alarmed over the reports that were coming to him. If Cicero could secure Pompey's alliance, and his attack on the Campanian land law was successful, he would be sure to follow it up with an attack on the Vatinian law, and this would lay the way open for Domitius Ahenobarbus to propose Caesar's recall. Two more years would finish his term and he had not yet begun to accomplish his objectives. He had no wish yet to break with Pompey, if for no other reason, than for his daughter Julia's sake, who was devotedly attached to both. Caesar had already

(1) Ad Fam. I, 9,10      (2) Ad Att. IV, 5,1

summoned Crassus to Ravenna, and they then invited Pompey to meet them at Luca. In April, 56, the meeting of the three took place, and once more Caesar was able to reconcile the two by giving them what the Republican party refused them. It was decided that Pompey and Crassus were to be consuls again in 55, and afterwards each was to have a five year provincial governorship, Pompey in the two Spains, and Crassus in Syria. Caesar's own command was to be prolonged another five years.

Cicero, the only formidable opposition, must again be dealt with and Pompey, for the second time, betrayed him to Caesar. He met Quintus Cicero a few days later and instructed him to silence his brother, or else Pompey and Caesar would be obliged to exact the pledges Quintus had given on Marcus' behalf. Pompey also reminded him of all the Triumvirate had done for both. Wishing to make doubly sure of success, Pompey sent a messenger to Cicero instructing him to await his return before committing himself. Quintus wrote his brother and informed him of all Pompey had said, no doubt playing on his feelings and reproaching Marcus for hindering his advancement by failing to fall in with the Triumvirate. Very likely Terentia spoke her mind as well; and since all hope of material prosperity lay with Pompey and Caesar and little with the Republicans, there is not much doubt which side Terentia and Quintus would favour.

In a letter two years later to Lentulus Spinther, Cicero

gives his reasons for submitting to Caesar: "If I had seen the Republic in the hands of bad or profligate citizens, as we know happened during the supremacy of Cinna, and on some other occasions, I should not under the pressure, I don't say of rewards, which are the last things to influence me, but even of danger, by which, after all, the bravest men are moved, have attached myself to their party, not even if their services to me had been of the very highest kind. As it is, seeing that the leading statesman in the Republic was Pompey, a man who had gained this power and renown by the most eminent services to the state and the most glorious achievements, and one of whose position I had been a supporter from my youth up, and in my praetorship and consulship an active promoter also, and seeing that this same statesman had assisted me, in his own person by the weight of his influence and the expression of his opinion, and, in conjunction with you, by his counsels and zeal, and that he regarded my enemy as his own supreme enemy in the state--I did not think that I need fear the reproach of inconsistency, if in some of my senatorial votes I somewhat changed my standpoint, and contributed my zeal to the promotion of the dignity of a most distinguished man, and one to whom I am under the highest obligations. In this sentiment I had necessarily to include Caesar, as you see, for their policy and position were inseparably united. Here I was greatly influenced by two things--the old friendship which you know that I and my brother Quintus have had



with Caesar, and his own kindness and liberality, of which we have recently had clear and unmistakable evidence both by his letters and his personal attentions. I was also strongly affected by the Republic itself, which appeared to me to demand, especially considering Caesar's brilliant successes, that there should be no quarrel maintained between these men, and indeed to forbid it in the strongest manner possible. Moreover, while entertaining these feelings, I was above all shaken by the pledge which Pompey had given for me to Caesar, and my brother to Pompey."<sup>(1)</sup>

"I would wish you to make sure of this--that I should have entertained the same sentiments, if I had been still perfectly uncommitted and free to choose. For I should not have thought it right to fight against such overwhelming power, nor to destroy the supremacy of the most distinguished citizens, even if it had been possible; nor, again, should I have thought myself bound to abide by the same view, when circumstances were changed and the feelings of the loyalists altered, but rather to bow to circumstances. For the persistence in the same view has never been regarded as a merit in men eminent for their guidance of the helm of state; but as in steering a ship one secret of the art is to run before the storm, even if you cannot make the harbour, yet when you can do so by tacking about, it is folly to keep to the course you have begun rather than by changing it to arrive all the same

(1) Ad Fam. I, 9,11 and 12. "Cicero and Pliny," William Melmoth, p.127

at the destination you desire: so while we all ought in the administration of the state to keep always in view the object I have very frequently mentioned, peace combined with dignity, we are not bound always to use the same language, but to fix our eyes on the same object. Wherefore, as I laid down a little while ago, if I had had as free a hand as possible in everything, I should yet have been no other than I now am in politics."<sup>(1)</sup>

Cicero's detractors accuse him of having deserted, of having sold his party. They heap scorn on him much as Browning in his "Lost Leader" reproached Wordsworth for having deserted the Revolutionary cause for the Conservative, because their minds, as was true of Browning's, in this instance, do not move with the times, but remain stationary with one viewpoint, fixed and unchanging. For Cicero did not desert his party, His party deserted him; even Pompey threw him over for Caesar. Had Cicero been able to rally the whole force of the Republicans behind him, he would never for a moment have considered associating himself with Caesar. Cicero's one purpose in life was the welfare of the state; the course he took was determined by circumstances, sometimes the "short route," sometimes the "long route," but always the "long route" if necessary, for to him the important consideration was the goal, the destination. His detractors, for the most part, have had too narrow a vision to understand or sympathize with his

(1) Ad Fam. I, 9,21. "Cicero and Pliny," William Melmoth, p.133

larger view. He was not, as many have asserted, a Democrat, then a Republican, and then a Caesarian, but always a Roman. With Cicero, country came before party. He saw that for the time being he could do nothing with the Republican party, and by opposing the Triumvirs single-handed he would merely incense them and perhaps goad them farther than they would ever go unless driven. He was left alone; and yet an inactive role was utterly foreign to his nature. There was only one hope--to join Caesar and Pompey, and try by wise guidance to check their reckless course. Caesar at the time was away in Gaul, protecting Rome by driving back the hordes of foreign invaders, and advancing her glory and prestige. Pompey, too, was absent on his corn commission. Both assuredly were working for the good of the state, and they might yet prove themselves champions of the Republican cause. If Cicero could effect this, any sacrifice he felt would be worth while.

On November, 14, 1884, Lord Tennyson wrote to the Prime Minister, Gladstone, advising him to reconsider his Franchise Bill, and not to be rash in rushing things, but to look to the distant goal, the future, rather than the immediate present--advice which Gladstone eventually took. In the letter Tennyson included a poem which is so similar in thought to Cicero's letter to Lentulus, that it is well worth quoting:

"Steersman, be not precipitate in thine act  
Of steering, for the river here, my friend,  
Parts in two channels, moving to one end--  
This goes straight forward to the cataract:  
That streams about the bend;  
But tho' the cataract seem the nearer way,  
Whate'er the crowd on either bank may say,  
Take thou the "bend," 'twill save thee many a day."

Chapter VII

LUCA TO CICERO'S PROVINCIAL GOVERNORSHIP, 56-51 B.C.

The next few years were not happy ones for Cicero. He had determined on a course which he believed to be right, and yet which was in many respects distasteful to him. Much that he was obliged to do was both humiliating and repugnant to him. Shortly after Luca, he wrote to Atticus: "For what could be more shameful than the life we are all leading, especially myself? You, in spite of a political bent, have avoided wearing any special yoke; yet you share the universal bondage. But think of the sufferings I undergo, when I am taken for a lunatic, if I say what I ought about the state, for a slave, if I say what expediency dictates, and for a cowed and helpless bondsman, if I hold my tongue. I suffer as you may suppose, with the added bitterness that I cannot show my grief without seeming ungrateful. Well! why shouldn't I take a rest and flee to the haven of retirement? I haven't the chance. Then be it war and camp. And so I must be a subaltern, after refusing to be a captain. So be it."<sup>(1)</sup> Though Cicero suffered much and hated many of the tasks he

(1) Ad Att. IV, 6,1

was called upon to perform, yet he believed he had chosen the right path and was determined to pursue it. He was

"One who never turned his back but marched breast forward,  
Never doubted clouds would break  
Never dreamed, though right were worsted, wrong would triumph."

The first step which Cicero felt bound to take in the path he had marked out for himself was to support a measure providing for the payment of Caesar's four new legions, and for the appointment of ten legates. Soon afterwards, in the debate over the provinces to be assigned to the consuls of 55, someone proposed that Caesar be recalled to make way for next year's consuls. Cicero rose and delivered his oration "De Provinciis Consularibus," in which he declared that for the good of Rome Caesar must not be recalled; he was doing in Gaul what no one before had dared attempt, subduing the inveterate enemy of Rome, the Gauls, and adding to Rome's dominions; a year or two more would complete his conquest of Gaul, and secure the permanent safety of Rome from invasion from the north. Cicero knew as well as anyone the justice of his pleas, and yet it must have been a little galling to him to be obliged to undertake the defense of a man whom, only a few weeks before, he had prepared to attack. One consolation he had however, was in attacking Piso and Gabinius, the servitors of Pompey and Caesar, and suggesting that they be the provincial governors recalled. The next few months witnessed the trial of L. Cornelius Balbus, the first of a long series

defended by Cicero at Pompey's and Caesar's wishes. The attack on Balbus was really an attack on the Triumvirs, and during the course of his defense, Cicero had occasion to speak very highly of Pompey, and to strengthen the bond between himself and the Triumvirs.

The next year, 55 B.C., opened with no consuls. However, Pompey and Crassus, in accordance with the arrangements of Luca, were soon elected. By the grossest bribery they secured the election as praetor of their agent Vatinius over Cato the Incorruptible. After bitter discussion and show of violence, Trebonius, one of the Triumvirate's tribunes, succeeded in passing a law assigning the Spains to Pompey, and Syria to Crassus for five years, and prolonging Caesar's government for another five years. Cicero spoke truly when he wrote to Lentulus, "The State is without doubt in the power of our friends to such an extent that this generation will see no change." (1)

Caesar's father-in-law, Piso, returned to Rome, recalled at Cicero's suggestion. When he attacked Cicero, relying no doubt on Caesar's protection, Cicero replied with a stinging invective. At Pompey's request he next undertook the defense of L. Caninius Gallus--another case of "defending men who did not deserve well of him, at the request of those who had." (1) The news that Gabinius, his old enemy, had restored Ptolemy

(1) Ad Fam. I, 8,1

(2) Ad Fam. VII, 1,4, Sihler, p.245

Auletes, more than likely with Caesar's and Pompey's backing, did not add to Cicero's happiness. In sickness of heart over the condition of affairs, he left for the country to find solace in literature and composition.

He returned to Rome in November, just before Crassus set out for Syria, and was in time to gratify Crassus' wish for a reconciliation. Shortly before, in the debate over Gabinius, when Crassus had made many slighting remarks about Cicero, Cicero had retaliated in a violent attack. The Senate was delighted, seeing in this a hope of a quarrel between Cicero and the Triumvirs; but Pompey and Caesar, by their earnest appeals to Cicero, succeeded in reconciling Cicero and Crassus, though Cicero's opinion of him was still unchanged, "What a poor thing he is!"<sup>(1)</sup>

After much violence and bloodshed, Appius Claudius Pulcher and L. Domitius Ahenobarbus, a determined optimate, were finally elected, and entered office in January 54. Cato, too, at last managed to be elected praetor. Caesar began the year with a determined effort to win Cicero over. By many kindnesses and favours to him and to his brother and friends, he made himself so agreeable that Cicero, who was always inclined to believe the best of anyone, was so charmed that he began to think more kindly of Caesar. Caesar's agreeableness took much of the bitterness out of Cicero's submission and made his tasks less galling. Early in the

(1) Ad Att. IV, 13

year Cicero gave public proof of his reconciliation with Crassus, by defending him in the Senate. He next defended, at Pompey's and Caesar's request, G. Messius, Caesar's legate and Vatinius. But the hardest defense he was obliged to undertake was that of Gabinius, and it was only after persistent appeals from Pompey and Caesar that he finally gave way.

Life was very difficult for Cicero. Added to his personal humiliation was his sorrow over the last Republic. He writes to Atticus: "The State, my dear Pomponius, has lost not only its sap and blood, but even all its old colour and outward semblance. There is in fact no Republic to give one a feeling of joy and peace."<sup>(1)</sup> "Fly hither, and visit the remains of what was once our genuine Republic."<sup>(2)</sup> Violence prevented all elections, to such an extent that a dictatorship seemed inevitable. Pompey, however, was unwilling to commit himself, and the affair dragged on. During these months Cicero's only consolation was in his growing friendship with Caesar. At the end of the year he prepared to set out for Spain as Pompey's legate, but Caesar was so alarmed and so desirous to keep him in Rome, to serve his own interests, that he wrote Cicero and persuaded him to give up his projected journey.

The really momentous event of the year 54 was the death of Julia, an event which was to have far reaching consequences. As long as she had lived Pompey and Caesar had been

(1) Ad Att. IV, 18,2

(2) Ad Att. IV, 19



united by a bond strong enough to assure the safety of Rome from internal dissension, but now, with her death, began the gradual disintegration of the coalition, which for five years had controlled the destiny of Rome.

The year 53 is one of great significance in the history of Rome, and yet, save for the one important event, it is singularly uneventful. We know little about Cicero's state of mind or attitude in the next year or two. The collection of letters to Atticus and Quintus ceases for a time at the end of 54. The year 53 opened with no consuls in office, and the tribunes succeeded by violence and obstruction in preventing all elections, so that the year dragged on with a series of interregna until July. Another proposal to make Pompey dictator was resolutely resisted by Cato, and Pompey, unwilling to use force, concurred. Even at a time like this, when everything seemed hopeless, Cicero still had hopes of the Republic being restored. He writes to Curio: "I am afraid that you will find nothing worth caring for at your return; all things are so ruined and oppressed: but I question whether it be prudent to say so much. It is your part, however, to adorn yourself with all those accomplishments, which can qualify a citizen, in wretched times and profligate morals, to restore the Republic to its ancient dignity."<sup>(1)</sup>

The event which overshadowed all others was the death of Crassus on June 9, 53. The defeat was disastrous enough,

(1) Ad Fam. II, 5. Middleton, Vol. I, p.460

but more far reaching were the consequences at Rome. Crassus' death destroyed the balance of power between Pompey and Caesar, and let loose the forces which were eventually to lead to Civil War. It was a great blow to Caesar. As long as Crassus had lived Caesar had the assurance that in the event of discord Crassus would side with him rather than with his old enemy Pompey.

The personal breach between the two had begun after Julia's death, when Pompey refused to renew his alliance with Caesar by marrying his grand-niece Octavia, but instead selected Cornelia, the daughter of Metellus Scipio, one of the leading aristocratic Republicans. Pompey also refused his own daughter's hand to Caesar. Crassus' death, leaving two men, each eager for absolute power, further strengthened the breach. Caesar's achievements in Gaul merely added to Pompey's jealousy and determination to break with him as soon as he was strong enough. But at present neither was ready for the break, and each continued his support of the other. Caesar's work was not yet completed in Gaul, and Pompey had not been able to secure the dictatorship he desired, in order to begin to undermine Caesar's position. Nevertheless, the personal breach had begun, and sooner or later a public breach was bound to follow.

Some of the more thoughtful members of the Senatorial party, having their eyes opened at last to the true state of affairs, and realizing that Pompey, who on several occasions had had the opportunity of seizing absolute power and yet

refused it, was not the man to fear but rather Caesar, began to draw nearer to Pompey and away from Caesar. Pompey, on the other hand, in his jealousy of Caesar's growing power, saw clearly the advantage of having the Senate at his back, and drew more and more towards the Senate--a union which Cicero had been striving for years to effect, and which in its shortsightedness the Senate had steadily rejected until it was now almost too late.

Cicero was little moved by the death of a man for whom he had always had a strong contempt; but the death of Crassus' son Publius was a real blow to him. Cicero was soon afterwards chosen augur in Publius' place.

The year was drawing to a close and still no elections had taken place. Milo, supported by Cicero and the Republican nobles, was pursuing his canvass with the greatest extravagance, in spite of Cicero's warnings. Metellus Scipio, Pompey's father-in-law, was also a candidate. One event, which occurred towards the end of the year, and which was to be of great significance in the following year was the proposal that an interval of five years should elapse between a magistracy and a provincial governorship. The motion was vetoed and for the present remained only a resolution.

The year 52 opened without consuls or praetors and without even an interrex, thanks to Pompey's tribune, Munatius Plancus. Probably Pompey's intention in preventing the appointment of an interrex was to force the Senate to elect him sole consul. During the winter anarchy and disorder

reigned in the streets of Rome, as Milo and Clodius continued their brawls. On January 17 matters were brought to a head when Clodius was killed by Milo. The hostility of the supporters of these two burst forth in huge demonstrations during which the Curia Hostilia, the meeting-place of the Senate, was destroyed by fire. People were crying out that Pompey be made dictator. So far there were no consuls, and as matters stood, little likelihood of there being any. The Senate saw no hope save in Pompey, so it declared martial law and directed Pompey to restore order, and authorized him to raise troops throughout Italy. The supporters of Clodius were clamouring for the trial of Milo. The Senate realized that affairs could not go on without some magistrate, and so passed a decree, proposed by Bibulus and backed by Cato, that Pompey should be elected sole consul. In the intercalary month between February and March Pompey was invested with powers that made him a virtual dictator. This appointment served still firther to bind him to the Senate and alienate him from Caesar.

Pompey at once proposed several laws; one against riot, levelled at Milo; and one against electoral corruption. Caesar's friends opposed the bills, and even Cicero and Cato spoke against them in their anxiety to secure Milo's acquittal. Pompey's tribune, Munatius Plancus Bursa, was doing everything in his power to prove Milo's guilt, while Cicero was preparing his defense. This was one case which neither Pompey's wishes nor Cicero's own personal danger could deter

him from undertaking. In the end Pompey's influence prevailed and Milo was convicted. One other case which is of interest is that of Bursa, whom Cicero prosecuted. All Pompey's efforts to have his tribune acquitted failed in the face of Cicero's vigorous prosecution.

For the last five months of the year, Pompey took as his colleague his father-in-law Scipio, and immediately embarked on his policy of undermining Caesar's position. He passed the proposal that an interval of five years should elapse between a magistracy and a provincial governorship, and also reenacted the old rule that candidates must appear in person to canvass. Both these laws were attempts to prevent Caesar's election as consul. Under the old practice Caesar would have held office until the end of December 49, but now the Senate could recall him any time after March 49. There would then be an interval of several months when he would be neither pro-consul nor consul, and during which he would be called upon to face a barrage of prosecutions if he appeared in Rome. If he did not appear, he could not secure his election; if he did come, he would be prosecuted for his illegal actions in his consulship. In either case his election was rendered hopeless. Pompey was preparing the ground for Civil War. But to appease Caesar for the present, he granted several amendments, exempting him from the laws. Caesar, however, was not deceived as to Pompey's real intentions. To add to his inconsistencies, Pompey extended his own term in Spain for another five years.

Caesar now began on an even more extensive scale his plays for popular support. His public building projects in Rome were designed to secure the favour of the populace. By his promises to secure the full franchise for the Transpadanes, by his generous treatment of many of the tribes in Gaul and the peoples of North Italy, and by his liberality to his soldiers, he secured their loyal support. Many of Rome's leading Senators he had put under obligation to himself by huge loans.

The two consuls chosen for the next year were S. Sulpicius Rufus and M. Claudius Marcellus, both good Republicans and friends of Cicero. The election of these two men, certainly with Pompey's consent, is another proof of his union with the Senate and a further step in his break with Caesar.

Chapter VIII

CICERO'S GOVERNORSHIP AND THE THREAT  
OF CIVIL WAR, 51-50 B.C.

One of the results of Pompey's law, enforcing a five year interval between a magistracy and a provincial governorship was Cicero's appointment as governor of Cilicia in the spring of 51. Nothing could have been more against his will at any time, but especially at the present juncture of affairs in Rome. He felt that his talents did not lie in the direction of provincial government. As he expressed it to Atticus, "A saddle has been placed on an ox,"<sup>(1)</sup> and again, "The business is little suited to my tastes. It is a true saying, 'Cobbler, stick to your last.'"<sup>(2)</sup> Cilicia and its petty affairs seemed of little moment to him, when at home there was every indication that a contest was impending which might have very serious consequences for Rome. Cicero's whole interest, his entire life's training had been directed towards the management of affairs at Rome; and who is to deny that had Cicero remained in Rome for the next two years the course of events might have taken a very different trend,

(1) Ad Att. V, 15,3

(2) Ad Att. V, 10,3

that he might have influenced the weak and rather ineffectual Pompey, and prevented the Civil War? There is no doubt that the course Cicero suggested in December 50 was the only one which would have prevented the Civil War. "I think it better to agree to Caesar's demands than to enter upon war. It is too late to resist him, when for ten years we have been strengthening him against ourselves." (1)

However, the important consideration to us as well as to Cicero is not his governorship, fine as it was, but the events at Rome. During his absence Cicero was plentifully supplied with news from home by his young friend Marcus Caelius Rufus, and yet the more significant undercurrents seem to have been kept back. There is no question that Caelius, silenced no doubt by his own connection with Caesar, did not give Cicero all the news, but allowed him to remain deceived as to the real nature of the danger. In all his letters to Atticus there is nothing to give us any reason to believe that Cicero at any time had complete information about the political situation at Rome. It is only in September or October 50, on his journey homeward, that the tremendous seriousness of the situation fully reached him.

The chief topic of interest, before which all others paled into insignificance was the question of the succession of the Gallic provinces, or more accurately, the question whether Caesar was going to be allowed to sue for the

(1) Ad Att. VIII, 5,5.



consulship without resigning his province and his army. The years 51 and 50 are taken up with a series of intrigues and proposals for concession of the part of Pompey and Caesar and their supporters. Both sides seemed to realize that there could be no compromise; Caesar was set on the consulship or an extension of his command; Pompey, secure in his own position and backed by the Senate, was equally determined that Caesar's power must be broken.

With the support of the consul Marcellus, Pompey continued his efforts to undermine Caesar's power. Several times the question of the succession of the Gallic provinces was brought up, but each time Caesar's tribunes prevented any decisive action. Finally, on the twenty-ninth of September, 51, the Senate succeeded in passing the proposal that the question should be definitely discussed on March 1, 50. The two rather underhand proposals, giving Caesar's veterans an opportunity to apply for their discharge, and decreasing the number of consular provinces, were direct moves at Caesar. The first was tantamount to an invitation to Caesar's soldiers to desert, and the second, confining the consular provinces to Syria and the two Gauls (the Spains being held by Pompey), had as its object the diminution of Caesar's chances of retaining his provinces. Naturally these two proposals were vetoed by Caesar's tribunes. The breach between the two could no longer be concealed; it was evident to all.

In the election held in the summer of 51, G. Claudius

Marcellus, a staunch optimate, and L. Aemilius Paullus, no doubt by now a servitor of Caesar's, had been elected consuls. The tribunician elections were more fortunate for Caesar. In December 51 Cicero wrote <sup>to</sup> Curio congratulating him on his election to the tribunate and warning him to act with the interest of the state at heart and not to allow "the plans of others to carry him away."<sup>(1)</sup>

Cicero more than likely was thinking of Antony and therefore of necessity Caesar. This small incident, together with his letter in 53 to Curio, reveals Cicero's keen insight into the man's character. He saw, as did Caesar, that Curio would be an asset to any party and he was eager to attach him to the Constitutional party. Probably at the very time Caesar was busy buying up Curio's allegiance, for in February, 50, Curio found a pretext for openly deserting to Caesar. With Paullus' aid the debate on March 1 over the provinces was adjourned. In May the majority of the Senate favoured Marcellus' proposal that Caesar resign on July 1, 49; while Pompey was willing to allow Caesar to sue for the consulship without making a personal canvass and then resign on November 13. Curio saw through Pompey's ruse, and, realizing that the six weeks elapsing between November 13 and December 29, when Caesar would be a private citizen, were quite sufficient to ruin Caesar, vetoed the proposal. He then suggested that both Caesar and Pompey resign simultaneously but his attempt to take a vote was blocked. Pompey's offer to resign at the

(1) Ad Fam: II, 7,1

request of the Senate was held up to ridicule by Curio.

In another attack on Caesar the Optimates were more successful. At the moment there was serious danger of a Parthian invasion, and Pompey of course would be put in command. Cicero himself, who was in Cilicia, hoped for and expected his arrival. The Optimates, to strengthen their forces, demanded one legion each from Caesar and Pompey. Pompey merely ordered Caesar to return the legion he had loaned him, and thus Caesar, rather unfairly, lost not one, but two legions. The intrigue continued.

Meanwhile Cicero was setting out for home. At Ephesus he received news that "Caesar would refuse to disband his army."<sup>(1)</sup> Thoroughly alarmed he embarked for Athens, and there on the fourteenth of October received word from Caelius that Civil War was inevitable, that Caesar's and Pompey's "old love for one another and their detested alliance had not drifted into secret bickering, but had broken out into open war."<sup>(2)</sup> Caelius further informed him that Pompey would have the support of the Senate and all earnest men, Caesar that of the baser element; and then proceeded to warn Cicero that though in peace one should follow the honourable course, yet in war, the stronger side deserves one's allegiance. Caelius evidently believed with Napoleon that "God is on the side of the heavy battalions."

(1) Ad Att. VI, 8,2

(2) Ad Fam. VIII, 14,2. How, Vol. II, p.300

Cicero at once wrote to Atticus: "Solve my problem for me. There threatens a dire struggle between Pompey and Caesar. Each of them counts me his friend--unless, perhaps, Caesar is dissembling; for Pompey has no doubt, rightly supposing that his present political views have my strongest approval. But both have sent me letters in terms that would appear to make more of me than of anyone at all. But what am I to do? I don't mean in the long run. If the matter is to be fought in the field, I see it would be better to be conquered with Pompey than to conquer with Caesar. But what about the points in debate on my arrival--refusing the claims of a candidate who is away from Rome and ordering the disbanding of his army."<sup>(1)</sup> Cicero was in great doubt what course he should follow. He wished, for the present, to be free from expressing any opinion, so that he might act as mediator between the two.

He left Athens intent on hurrying home to advise Pompey. There was only one course open to the Republicans, he felt. Caesar had been allowed to grow to such strength that resistance was impossible. Caesar was himself, "a man of the greatest daring and readiness, who had on his side all the criminal and social outcasts, and all who deserved to be counted criminals and outcasts; nearly all the younger generation; all the lowest city rabble; the powerful tribunes including G. Cassius; and all the insolvent who were many in

(1) Ad Att. VII, 1,3

number."<sup>(1)</sup> Against this opposition Pompey and the Optimates could hope to make little headway, especially since "the Optimates were not in agreement."<sup>(2)</sup> Civil War was to be aver-  
ted at all costs "for victory would bring many evils, and without doubt a tyrant."<sup>(3)</sup> They must treat for peace and so the only thing to do was to accede to Caesar's demands.

Cicero felt that "when even his enemies renewed his term of office and fortune bestowed on him supreme power, then Caesar would not be so mad as to jeopardize such advantages."<sup>(4)</sup>

On his return to Italy Cicero had two interviews with Pompey on December 10, and December 25. He reported the result to Atticus; "For your query as to the chance of a peaceful settlement, so far as I could tell from Pompey's full and detailed discourse, he does not even want peace..... Pompey has an utter contempt for Caesar, and firm confidence in his own and the state's resources.....In a word he appeared not only not to seek peace, but even to fear it."<sup>(5)</sup> Cicero's efforts to influence Pompey for peace were fruitless; his mind was set on war.

Caesar all the while was eager to acquire Cicero's allegiance. He had exulted over Cato's treatment of Cicero's request for a "supplicatio," hoping that it would cause a breach between the two, and now he strove by every means in his power to win Cicero over.

(1) Ad Att. VII, 3,5

(2) Ad Att. VII, 5,4

(3) Ad Att. VII, 5,4

(4) Ad Att. VII, 4,3

(5) Ad Att. VII, 8,4

In discussing with Atticus on the twenty-sixth of December the possible courses that Caesar might adopt, Cicero suggests that "Caesar may resort to arms solely on account of his rejection as a candidate, or for a further reason, if a tribune through using obstructionist tactics or an appeal to popular feeling incur a censure or a limitation of power or suspension or expulsion from office, or if some tribune fly to him with a tale of expulsion."<sup>(1)</sup> Events followed swiftly. The new consul, L. Cornelius Lentulus Crus, on January 1, 49, proposed that Caesar should resign on a fixed date or be declared a public enemy. The proposal was at once vetoed by Antony and Cassius, and when all efforts to persuade them to withdraw their veto had failed, on the seventh of January they were declared public enemies. The two tribunes along with Caelius and Curio fled to Caesar, and on January 11 Caesar crossed the Rubicon. Cicero's prophecy had been fulfilled.

There is no doubt that Caesar had been treated unfairly in many respects, considering the concessions made to Pompey; but the question is--was he justified in taking up arms against his country? Was the treatment received at the hands of Pompey and the Optimates the sole motive prodding him on? It is doubtful whether resentment and anger alone would have driven him to such a step, had not ambition been present to goad him on. Much more likely is it that Caesar had long

(1) Ad Att. VII, 9,2

determined on absolute power, by peaceful means if possible, if not by war. Pompey was the obstacle in his path; Caesar had tried intrigue and concession and Pompey had remained unshaken; the only course left him was war. Antony's and Cassius' flight merely served as a useful pretext to achieve his purpose. So Plutarch believed: "For Gaius Caesar was not such a light person, or so easy to be moved from his sound judgment by passion, if he had not long ago determined to do this, as to have made war on his country all of a sudden, because he saw Antonius in a mean dress and Cassius making their escape to him in a hired chariot; but this gave a ground and specious reason for the war to a man who had long been wanting a pretext. He was led to war against the whole world, as Alexander before him, and Cyrus of old had been, by an insatiable love of power and a frantic passion to be first and greatest: and this he could not obtain unless Pompeius were put down."<sup>(1)</sup>

<sup>(1)</sup> Plut. Ant. 6. "Plutarch's Lives", G. Long, Vol. IV, p. 269.

## Chapter IX

### THE CIVIL WAR, 49-48 B.C.

Caesar had crossed the Rubicon. By the sixteenth of January the news reached Rome and plunged the city into turmoil. On the seventeenth Pompey declared in a meeting of the Senate that he could not hold the city and immediately departed to take command of his legions. On the eighteenth the consuls and magistrates fled in such confusion and terror that they forgot even to secure the treasury.

After the passing of the "Senatus Consultum Ultimum" on the seventh of January, Italy had been divided into districts for recruiting purposes. Capua and its surrounding district had been given to Cicero to supervise. He accepted the charge most unwillingly and made several attempts to rid himself of it. His whole desire was to bring about peace and he felt that were he at the present to make a move in favour of either Caesar or Pompey, he would at once destroy all chances for mediation. He needed a free hand for the moment. As the days went by and he saw Caesar and Pompey rejecting each other's terms, he became more and more despondent. Pompey's



abandonment of Rome was a great blow to him; Pompey's actions of the next few weeks seemed even more indefensible. To Atticus he confided his fears: "As to your request for information on Pompey's policy, I don't think he knows himself; certainly none of us knows. Everywhere there is panic and confusion." (1)

As soon as it became certain that Caesar had rejected all terms and was pressing southward, Cicero began to abandon all hope of peace and could see nothing in store but chaos and a repetition of the Sullan-Marian regimes. Caesar, he realized, was bent on being a tyrant. While reports were coming to Cicero of Pompey's incapability and utter want of policy, other reports were coming to him of Caesar's spectacular progress. Everywhere resistance was being turned into indifference and indifference into enthusiastic support; the country towns and monied interests were flocking to him; his clemency at Corfinium was winning all Italy to his side. At the same time Pompey's desertion of Domitius at Corfinium added the crowning touch to Cicero's misery. Pompey's refusal to go to Domitius' aid was equivalent in Cicero's eyes to an abandonment of the cause. Pompey had betrayed them.

Cicero thought that at last his eyes were opened: "Absolute power is what Pompey and Caesar have sought.....A sort of Sullan reign has long been Pompey's object, and is the desire of many of his companions. Or do you think that no

(1) Ad Att. VII, 12,1

agreement, no compromise between him and Caesar was possible? Why, it is possible today: but neither of them looks to our happiness. Both want to be kings."<sup>(1)</sup>

And still the debate in Cicero's heart went on, whether to join Pompey and follow him to Greece, or to remain neutral and stay in Rome, hoping to effect a peaceful settlement. For never for a moment did he consider joining Caesar. Caesar's whole conduct he regarded as "impudent" and "criminal." Many considerations urged him to remain in Rome. Caesar's clemency which made people "fear the man they once trusted, and adore the man they once dreaded,"<sup>(2)</sup> impelled Cicero to hope that by remaining neutral he might still make peace, no matter what the terms: "As for me, I cease not to advocate peace. It may be on unjust terms, but even so it is more expedient than the justest of civil wars;"<sup>(3)</sup> and to secure peace "I would gladly cast myself at his feet."<sup>(4)</sup> Pompey's incapacity and the discord in the Optimate party practically assured Caesar's success. Cicero's own family and Atticus urged him to remain, and Atticus' advice, he recognized, was always prudent: "I wouldn't advise you to flee, if Pompey leaves Italy. You will run a very great risk, and you will not help the country, which you may be able to help hereafter, if you remain."<sup>(5)</sup> Caesar, even in the heat of his activity took pains to urge him to neutrality and had his agents do

(1) Ad Att. VIII, 11,2

(2) Ad Att. VIII, 13

(3) Ad Att. VII, 14,3

(4) Ad Att. VIII, 9,1

(5) Ad Att. IX, 10,5

likewise. Another important consideration which must not be forgotten is the fact that Cicero never knew at what moment Caesar and Pompey might come to an agreement as they had at Luca, and again Pompey would throw over Cicero and his party. Cicero realized, as did Caesar himself, that if Caesar could once have a personal interview with him, Pompey would weakly step back and throw up the whole cause, leaving his supporters with neither leader nor cause to fight for.

On the other hand all his old feeling of gratitude and loyalty to Pompey returned in full force whenever he thought of Pompey, futilely and ineffectively trying to resist a man of Caesar's caliber. All, and more than all, his old love and pity returned: "For he has done nothing of a kind to induce me to share his flight. But now my old love breaks forth: now I miss him intolerably."<sup>(1)</sup> Pompey, in spite of all his faults, to Cicero still represented the Republican cause, his cause. The caustic remarks of many of the Optimates, rebuking his inactivity, roused him to hurry his decision, while Pompey's appeals added their weight to the balance.

Cicero has been accused of weakness, of irresolution. His critics do not stop to consider the momentous decision he had to make; and small wonder that he hesitated, and long debated it. On his decision rested far more than anyone save Caesar realized.

(1) Ad Att. IX, 10,2

All the while Caesar and Balbus were writing to Cicero, urging him to remain in Rome and try to effect a peace. Long after Balbus knew that peace was impossible, he tried to keep alive in Cicero the illusion that it might still be brought about. But by early March Cicero had quite decided to accept the inevitable and follow Pompey, when a letter from Atticus persuaded him to await an interview with Caesar.

On the twentieth of March news reached him that Pompey had been blockaded. In an agony of remorse and grief Cicero bewailed his inactivity and longed to share Pompey's defeat. Now he would wait only for the interview with Caesar; that, he determined, would decide his course of action.

The interview between Cicero and Caesar took place on the twenty-eighth of March. Cicero described the meeting to Atticus: "I spoke so as to gain Caesar's respect rather than his gratitude; and I persisted in my resolve not to go to Rome. We were mistaken in thinking he would be easy to manage. I have never seen anyone less easy. He kept on saying that my decision was a slur on him, and that others would be less likely to come, if I did not come. I pointed out that my case was very unlike theirs. After much talk he said, 'Well, come and discuss peace.' 'On my own terms?' I asked. 'Need I dictate to you?' said he. 'Well,' said I, 'I shall contend that the Senate cannot sanction your invasion of Spain or your going with an army into Greece! and, 'I added, 'I shall lament Pompey's fate.'" He replied, 'That is not what I want.'

'So I fancied,' said I: 'but I do not want to be in Rome, because either I must say that and much else, on which I cannot keep silent, if I am present, or else I cannot come.'

The upshot was that I was to think that matter over, as Caesar suggested, with a view to closing the interview. I could not refuse. So we parted. I am confident that he has no liking for me. But I like myself, as I have not for a long time."<sup>(1)</sup>

Where was the irresolution? Where the cowardice? All Caesar asked for the moment was Cicero's presence in Rome. Cicero could easily have acceded to the request. Caesar's clemency would have been ample excuse; many of the Optimates, even, had transferred their allegiance to Caesar. His success seemed assured, and in the flush of victory Cicero would have been the first to have had the honours heaped on him. Cicero was sorely tempted and tried, yet he did not yield but chose rather to follow what he believed to be right regardless of the sacrifice that it must entail. This interview serves not only as a lasting monument to Cicero's courage but also as an irrefutable testimony to the esteem in which he was held, when Caesar and Pompey too, in the anxiety and stress of civil war could pause to urge and beg Cicero's allegiance. It was not Cicero's ability as a general, not even his advice, which Caesar was seeking, but the moral weight which his name would add to any cause.

This day, which takes its place with the other great landmarks in his life, marked the termination of all Cicero's

(1) Ad Att. IX, 18,1

hopes for peace. Neutrality was no longer possible, and he determined to join Pompey, knowing full well that Caesar's prospects of success were far greater than those of Pompey, and that the course he chose might lead even to the grave. Pompey, he knew, was as bent on tyranny as Caesar. The only difference between them was that whereas Caesar was strong and determined, Pompey was weak and easily moved; Pompey could be guided, Caesar never could; under Caesar the Republic was lost for ever, under Pompey there was at least hope.

Caesar made one last effort to win Cicero over. As he was setting out for Spain he wrote begging Cicero's forgiveness and excusing him for not having gone to Rome. But Caesar could no longer divert him from what he considered his duty.

Cicero bent all his energies to escape those who had been set to watch him and leave Italy. Tullia's and Atticus' prayers that he await the issue in Spain no longer moved him. He could not now honourably delay. "If Caesar is driven from Spain, you can imagine how pleasing and honourable my arrival will seem to Pompey, when I suppose even Curio will go over to him."<sup>(1)</sup>

Antony, becoming suspicious, watched him more closely, while Caesar wrote begging Cicero not to join Pompey, saying that such a decision would injure him greatly. The weather and Antony's vigilance prevented his departure until the seventh of June, when he finally eluded his guards and

(1) Ad Att. X, 8,2

embarked near Formiae to follow Pompey.

"As Amphiaraus in the plays," Cicero set out, "with his eyes wide open and with clear knowledge, to destruction lying before his feet."<sup>(1)</sup> When he arrived at Pompey's camp in Dyrrachium, he met with nothing but confusion and turmoil. The magistrates and Senators of Rome and the princes of the East were swarming around Pompey, giving advice and threatening death and destruction. "Cruelty was so rampant there, and there was so close an alliance with barbarian nations, that a plan was sketched out for a proscription not of persons but of whole classes; and each had made up his mind that the property of all was to be the prize of victory."<sup>(2)</sup> All Cicero's efforts to impress the seriousness of their danger upon them met with reproaches of cowardice and ridicule. The confusion of everything there and his disgust over the actions of the leaders, on top of the strain of the preceding year, so weakened Cicero that he was forced to spend the greater part of the time in camp.

An initial success elated Pompey to such an extent that he lost all caution, and yielding to the advice of his companions opposed Caesar at Pharsalia. There is no doubt that Pompey did have a hard role to play. In all his early campaigns he had been the sole power, but now, surrounded by the kings and princes of the East, and the magistrates and Senators of Rome, almost all of equal rank with Pompey, men

(1) Ad Fam. VI, 6.6 Sihler, p.320 (2) Ad Att. XI, 6,2

who had held commands, and who naturally expected an equal share in all decisions, it is little wonder that nothing but disaster resulted. The feeling among the old Conservatives that Pompey did not really desire victory and might yet play them false further added to their anxiety and eagerness to hurry him into the field against Caesar.

On August 9, 48 B.C. the armies of the two opposing generals met. After a few hours Pompey's forces were put to rout and Pompey himself fled to Egypt.

Ill health had prevented Cicero from being present at the battle. He had remained in camp along with Cato and Varro and others. When news of Pompey's defeat reached them, Cato requested Cicero to take over the command but Cicero refused. He felt that Pharsalia had decided the issue of the conflict, that Caesar's victory had been conclusive. Further resistance was useless, and even criminal, for seeing that they had been no match for Caesar when their forces had been united, they could have little hope to defeat him when they were scattered.<sup>(1)</sup>

He returned to Brundisium in October, there to spend eleven of the unhappiest months of his life, awaiting Caesar's return. News of Pompey's death soon reached him. On the twenty-seventh of November he wrote to Atticus: "About Pompey's end I never had any doubt. For despair of his success had so completely taken possession of the minds of all the

(1) Ad Fam. VII, 3



kings and peoples, that I thought this would happen to him, wherever he might go. I cannot help grieving for his fate, for I knew him to be a man of honour and high moral principle."<sup>(1)</sup> Cicero's allegiance to him had never wavered. His life had been one of unceasing devotion to Pompey and the Republican cause, and now he could look back without regrets, knowing that he had often exaggerated, he had never belittled Pompey's claims upon him.

Had Pompey died in 62, when he was returning in triumph to Italy, he would have been acclaimed one of the greatest heroes and generals of antiquity. The tragedy of his life was that he lived beyond his time. Unfortunately for him neither circumstances nor his own character would permit him to fulfil the role Cicero had marked out for him. He had been raised by his ability as a general to occupy a position as statesman for which he was fitted neither by temperament nor training. And now even a soldier's grave was denied him.

With Pharsalia and Pompey's death ended the Triumvirate. All power was in the hands of the sole survivor. The Triumvirate was no more. The rule of three had become the rule of one.

(1) Ad Att. XI, 6,5

### Conclusion

Cicero waited anxiously at Brundisium for word from Caesar. Finally it came. In July Caesar sent a message telling him to keep the laurelled fasces with which he had returned in 50 B.C., thus showing that he was willing to pass over the intervening years and to forgive Cicero everything. Whatever can be said against Caesar, whatever one can disapprove of in his conduct, there is much to be said in his favour. There was in him nothing that was shallow, nothing that was petty; and nowhere is he shown to greater advantage than in his treatment of Cicero, nowhere more magnanimous.

On September 25, 47 Caesar returned to Italy. "When Caesar saw Cicero coming to meet him, far before all the rest, he got down from his carriage and embraced him, and walked several stadia in private conversation with him."<sup>(1)</sup>

Cicero's only hope now for the Republic lay in Caesar. No one save Caesar could bring order out of chaos. How would he act? Would he be a tyrant or would he, now that there was no one to resist him, prove the benefactor of Rome. His clemency and moderation in victory led Cicero to hope for a

(1) Plut. Cic. 39. Tyrrell, Vol. IV, p.48

restoration of the Republic, a restoration in which Caesar would fill the role of the ideal statesman, the role of an "architect" and <sup>he</sup> the role of a "mason."<sup>(1)</sup>

" Cicero clung to this hope as long as humanly possible. He was ever ready to see in Caesar's acts a sign of a return to the days of the Republic. "The all-powerful ruler," he writes in January, 45 B.C., "seems to me to be daily inclining more and more to justice and a reasonable view of things... Every day something is done with more lenity and liberality than we were expecting."<sup>(2)</sup> Cicero was always at Caesar's back, ready <sup>whenever possible to instill in him a love</sup> for the Republic, and to urge him to a course of mercy in dealing with the exiled Pompeians. In his defense of Marcellus, Cicero declared before Caesar: "There is one more act to be performed by you, O Caesar, one more thing to accomplish, the restoration of the Republic."<sup>(3)</sup>

However, even the eager Cicero could not for ever persevere in this illusion. Too soon it became evident to all that Caesar had no intention of restoring a free state, but of establishing a monarchy, with all the trappings of the East. The death of Tullia added to Cicero's dejection and gloom over the political situation and when on the Ides of March, 44, Caesar fell at the hands of the conspirators, Cicero rejoiced.

But he soon found that they had exchanged a high-minded

(1) Ad Fam. IX, 2,5

(2) Ad Fam..VI, 10,5 Strachan-Davidson, p.355

(3) Pro Marcello, 8

if ambitious autocrat for an utter rascal, so contemptible that Cicero was almost tempted to wish for Caesar again.<sup>(1)</sup>

"But are you, Marcus Antonius, in any respect to be compared with Caesar? He had capacity, sense, memory, learning, foresight reflection, and spirit. His warlike achievements, though ruinous to his country, were glorious to himself. Through inexpressible toil, through numberless dangers, he laid a scheme for a long possession of power. What he projected, he perfected. With presents, with shows, with largesses, with entertainments, he soothed the thoughtless vulgar; by his liberality he obliged his friends; and by a semblance of clemency, his enemies. In short, partly by fear, and partly by patience, he made the habit of slavery tolerable to a free state. The lust of power, I own, was indeed common to you both; though in no other respect can you admit of a comparison with him. But from all the misfortunes inflicted by him upon his country, this advantage accrued, that the people of Rome have learned how far any man is to be believed; they have learned whom to trust and of whom to beware. But this gives you no concern; nor do you conceive what it is for brave men to have now learned how amiable in itself, how agreeable in the consequences, and how glorious it is in report, to kill a tyrant. If they could not bear with a Caesar, will they endure Antonius? Believe me, the world will henceforward eagerly rush upon such an enterprise; nor will

(1) Ad Att. XIV, 13

they ever wait long for an opportunity, Cast a considering eye, Marcus Antonius, at last upon your country. Reflect not on those with whom you live, but on those from whom you are descended. However you may stand with me, yet reconcile yourself to your country."<sup>(1)</sup>

This passage not only marks Cicero's final estimate of Caesar, but also is a further instance of his life-long policy of winning over to the side of the Republic all who had risen to power, all who threatened to be a menace to the state. Seventeen years it was since Cicero had written to Atticus, asking him if it was not a service to the state to win over to the constitution the man who was becoming all-powerful; and for seventeen years he had never hesitated, never wavered in his devotion to this principle. When all efforts to win Antony failed, he turned his attention to Octavius and tried, by separating him from Antony, to win his allegiance, Once more Cicero took the chief place in the state, a place he had not held since the coalition, seventeen years before; and this last year of his life is the most glorious, not surpassed even by 63.

He threw himself heart and soul into the task of checking and restraining Antony, heeding neither danger nor death; "One thing I will here openly declare. In my youth I defended my country; in my old age I will not abandon her. The sword of Catiline I despised, and never shall I dread yours.

(1) Phil. II, 45. "Orations," J. W. Norris, translated by William Guthrie, p.301

With pleasure should I expose my person, if by my blood the liberties of Rome could be immediately recovered, and the people of Rome delivered from that painful burden they have been so long in labour of. For if almost twenty years ago, in this very temple, I declared that no death could be untimely to me, when consular; much more truly can I declare the same now, when I am an aged man. To me, conscript fathers, death is even desirable, now that I have performed all the duties which my station and character required. Two things only I have now to wish for: the first (than which the gods themselves can bestow nothing on me more grateful) is, that I may leave Rome the enjoyment of her liberty; the other, that the reward of every man be proportioned to what he has desired of his country."(1)

But fate decreed otherwise, and when on December 9, 43 B.C., Cicero met his death, calmly and bravely as he had lived, the Republic ended. It is fitting that with the death of the last great Republican should terminate the Republic for which he had given his life, and for which, for nearly forty years, he "had fought in the vanguard of all the political fighting, a great figure, thundering denunciations in the forum, pleading with passion against injustice, firing a feeble Senate to stand by the state, a devoted Republican, a Patriot of the antique Roman stamp."(2)

(1) Phil. II,46. "Orations," F. W. Norris, translated by William Guthrie, p.302

(2) "The Roman Way," Edith Hamilton, p.82

Much has been written in praise of Cicero, but it is all too little for the monumental achievement of his own life. As Livy said, "To sound his praises would require a Cicero for his eulogist." It is perhaps best that we go to one of his own countrymen, Velleius Paterculus, for one of the finest tributes ever paid: "You accomplished nothing, Mark Antony-- for the indignation that surges in my breast compels me to exceed the bounds I have set for my narrative--you accomplished nothing, I say, by offering a reward for the sealing of those divine lips and the severing of that illustrious head, and by encompassing with a death-fee the murder of so great a consul and of the man who once had saved the state. You took from Marcus Cicero a few anxious days, a few senile years, a life which would have been more wretched under your domination than was his death in your triumvirate; but you did not rob him of his fame, the glory of his deeds and words, nay you but enhanced them. He lives and will continue to live in the memory of the ages, and so long as this universe shall endure--this universe which, whether created by chance, or by divine providence, or by whatever cause, he, almost alone of all the Romans, saw with the eye of his mind, grasped with his intellect, illumined with his eloquence--so long shall it be accompanied throughout the ages by the fame of Cicero. All posterity will admire the speeches that he wrote against you, while your deed to him will call forth their execrations, and the race of man shall sooner pass from the world than

the name of Cicero be forgotten." (1)

(1) Velleius Paterculus (C. 19 B.C.-31 A.D.) "History of Rome," Bk.II, 66, J. W. Shipley, p.193



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