CICERO’S IDEAL STATESMAN IN THEORY AND PRACTICE

By

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by

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MEAE CARISSIMAE REBECCAE
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CICERO’S IDEAL STATESMAN IN THEORY AND PRACTICE

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In this dissertation I argue that Cicero had no ideological problems with monarchy. During the composition of the De Republica, and especially after Pompeius’ sole consulship in 52, Cicero recognized that Rome had evolved beyond the Greek polis model, and that rule by the Senate was no longer practical. Monarchy was the solution to the problems of empire. Through a careful consideration of the terminology he uses to describe one-man rule, I will demonstrate that Cicero did not in fact consider monarchy to be an unacceptable form of government in the late Republic.

Most historians hold that the idea of monarchy in Rome was abhorrent to Cicero, and to Romans in general. I argue to the contrary, that Roman hatred of monarchy actually traces back no further than the mid-second century, and only emerges as a major theme in Roman political rhetoric with Caesar’s dictatorship. My aim here is to demonstrate that Cicero’s philosophical writings reveal a nuanced, and in part, sympathetic, view of the possibility that Rome will return to a monarchial form of government.
Cicero’s reluctance to support the primacy of either Pompeius or Caesar is not indicative of distaste for one-person rule. Rather, the problem with either Pompeius or Caesar ruling Rome as a monarchy was that Cicero did not think that either man was intellectually or morally capable of performing a just monarch’s duties. Thus the creation of the rector rei publicae. This is the name Cicero gave to his concept of the ideal Roman magistrate, and it is a blueprint for the type of monarch Cicero hoped that first Pompeius, and then Caesar, would become. Since Cicero realized that he could not lead the state on his own, he was content to be the Laelius, or moral and philosophical advisor, to someone else’s Scipio. Both Pompeius and Caesar, however, failed to live up to the ideals of the rector. This dissertation will examine exactly how both men failed to live up to Cicero’s ideal, and the reasons for Cicero’s seemingly ambiguous opinions towards them.
The major problem – one of the major problems, for there are several – one of the many major problems with governing people is that of whom you get to do it; or rather of who manages to get people to let them do it to them.

To summarize: it is a well-known fact that those people who must want to rule people are, ipso facto, those least suited to do it. To summarize the summary: anyone who is capable of getting themselves made President should on no account be allowed to do the job. To summarize the summary of the summary: people are a problem.

And so this is the situation we find: a succession of Galactic Presidents who so much enjoy the fun and palaver of being in power that they very rarely notice that they’re not.

And somewhere in the shadows behind them – who?

Who can possibly rule if no one who wants to do it can be allowed to?

- Douglas Adams
  *The Restaurant at the End of the Universe*

Drawing parallels between Julius Caesar and Zaphod Beeblebrox is admittedly a tricky venture, going far beyond the cosmetic difference in the number of heads and arms each possesses. But the sentiment expressed in the above paragraph, minus the comment about Galactic Presidents, strikes perilously close to the political crisis of the 50’s and 40’s BC. The last three decades of the Roman Republic were consumed with a continuing struggle for supremacy among demagogues and traditionalists, radical popular politicians and staunch supporters of rigid class distinction and privilege. Those who sought the ultimate authority, such as Caesar, Cicero, and to some extent Pompeius, eventually proved themselves incapable of ruling effectively; none even managed to escape their short times of preeminence with their lives.
Who can possibly rule if no one who wants to do it can be allowed to? This was a problem confronting Cicero in the last years of the 50’s BC. Though Rome had traditionally enjoyed a republican form of government, in the years since his consulship in 63, she had undergone an enormous change. The regal element in the Roman constitution had become the dominant one; Caesar especially had shown the impotence of the Senate in controlling a strong-willed consul intent on using the democratic element, the *populus Romanus*, as his power base. But Cicero wanted to rule, and he felt that he was more than qualified for it. His actions during his consulship had been decisive, constitutional (or so he thought, since he had a *senatus consultum ultimum* for support), and effective. He had earned the goodwill of the majority of the Senate and people, and through his friendship with Pompeius he had a tremendous military presence backing him up.

In the *De Republica*, written in the late 50’s, Cicero is very clear that of the simple forms of government, monarchy is the best, provided of course that the king is just, and does not allow his rule to devolve into tyranny (*Rep*. 1.64, 65, 69; 2.43; 3.47). Nor did Cicero’s attitudes towards monarchy change significantly on this point even after the autocracy of Caesar. Thus the *De Officiis*, begun in the fall of 44, does impugn the moral record of Pompeius (3.82) and Caesar (1.26, 1.43, 2.23, 2.27-29, 2.84, 3.82ff), but only with respect to their methods of attaining power; he does not however criticize their actions while in positions of sole authority. Thus, for example, Caesar especially is faulted for his *cupiditas*, but not for his trampling of the rights of the Senate and people. Caesar, like Pompeius, is *amens* owing to his simple desire for power (3.82-4). This passion for supremacy was their primary failing. This view is consistent with that
expressed at *Rep.* 1.65, where Scipio implies that the mere possession of ultimate authority is not a negative. It is a man who is *cupidus dominandi et imperii singularis* that should properly be called a *tyrannus*. For Cicero, I accordingly suggest, the concept of monarchy was not in itself objectionable. Rather, Cicero seems to have believed that, by strengthening the monarchial element in a mixed constitution, the Roman state could both restore its *concordia* and preserve its *imperium*.

This dissertation will consist of three chapters, plus an introduction and a conclusion. The second chapter will detail Cicero’s attitude towards the institution of monarchy. I will show how Cicero not only accepted monarchy as the best simple form of government, which is explicitly stated in the *De Republica*, but also how Cicero accepted the idea of instituting single-person rule during the late 50’s and 40’s. I will then move on to a definition of the *rector rei publicae*, as well as a discussion of the *rector’s* role as a response to Cicero’s acceptance of monarchy as the result of the inevitable conflict between Pompeius and Caesar. The chapter will end with a discussion of Pompeius’ and Caesar’s potential to assume the mantle of the *rector rei publicae* as an introduction to the next two chapters. The discussion in Chapter 2 will also generally cover the conditions as they stood for Cicero at the time of the writing of the philosophical works in question, particularly the *Rep.* and the *Leg.*

Chapter 3 will treat the career of Pompeius. Through a chronological biography, I will highlight Pompeius’ credentials for primacy, as well as the most important actions of his career and Cicero’s opinion of them. One of the most central points in this chapter will concern Pompeius’ decision to abandon not only Rome but all of Italy once armed conflict with Caesar had broken out. As will be shown, Pompeius’ world view and
ability to think beyond the confines of the Italian peninsula (an ability exhibited in his commands against the pirates and Mithridates), conflicted with Cicero’s concept of the res publica. For Cicero, the res publica was Rome herself; Pompeius’ decision to leave her, regardless of the possible outcome and the general soundness of his military strategy, was the last indication to Cicero that Pompeius would never achieve the ideal of the rector. Indeed, for Cicero, it would prove that he could not win the war.

Interestingly, military ability is not a key component of the rector. It may be true that a discussion of generalship was included in the all-but-lost fifth book of the Rep., or that it is to be assumed, since Scipio Aemilianus is held up as closest to the ideal of the rector; we must however rely on what has survived. I would tend to argue that Cicero, unlike his Greek predecessors, no longer viewed a distinguished military career as necessary. Marius’ reorganization of the Roman army had created a standing military, much more experienced and efficient than the old citizen armies of the Greek poleis and Rome herself. Since Cicero himself had reached the consulship without military glory, and as a novus homo at that, Pompeius’ military genius garnered no favor with Cicero, though in the end it might have been the one ability with which Pompeius could have reached and maintained primacy.

The fourth chapter will continue with a similar discussion of Caesar. Cicero hoped that the person who assumed the role of rector would rule in consultation with the Senate. This had been the case during his consulship, when by a senatus consultum ultimum the orator had been empowered to take extraordinary action during the Catilinarian conspiracy. The Senate had supported him and even passed a resolution barring his prosecution for acts which may in fact have been illegal. Caesar had repeatedly shown
his contempt for the Senate by ignoring its decrees and filling it with his own adherents in order to secure its acquiescence to his will. This would become blatantly obvious after the battle of Munda in 45. But during the civil war and prior to Thapsus, Caesar had given no firm indication that he would become an autocrat. His clemency, peace overtures, moderation towards the Senate and people of Rome, and especially his generosity in recalling exiles, gave Cicero a glimmer of hope that Caesar might yet become a just rector; indeed, Cicero even dared to entertain hopes that Caesar might even step down, and the Republic restored. The letters of this period indicate that Cicero was resigned to living in a monarchy, but there is no hint that he yet viewed Caesar as either a rex or a tyrannus.

After a string of personal misfortunes, however, including the last defeat of the Pompeians and the death of his beloved daughter in February 45, Cicero’s attitude towards Caesar and the new regime quickly soured. How much of this was due to the actions of Caesar himself or personal reflection on a career that had long been eclipsed is a question beyond the scope of this work. It is interesting to note, however, that Cicero does not refer to Caesar as a tyrannus from May 49 until after Caesar’s assassination in March 44. In addition, there is only a single reference to Caesar as a dominus during that period. Though cynical about Caesar’s ability to rule, and especially about the men to whom Caesar delegated authority, Cicero appears not to have passed judgment on the dictator as an unjust ruler. But following Caesar’s assassination in March 44, Cicero would no longer hold back any negative opinions of the dictator’s career. The De Officiis presents Caesar as a tyrant, nothing less. This final judgment presents a Caesar that stands in stark contrast to the rector rei publicae.
Throughout each of these chapters, I will continually refer back to the definitions and discussions of Chapter 2. This will, I believe, improve the flow of the narrative, as well as make explicit the application of Cicero’s political theory which is, after all, the focus of this dissertation. Separating the philosophical and political implications from the biographical discourse would result in unnecessary repetition of facts and ideas, and cause the discussion to be disjointed. Since the goal is not a detailed biography of Pompeius and of Caesar, it will be important to explain the events chosen in relation to the overall theme of this work: Cicero’s *rector rei publicae* in theory and practice.
CHAPTER 2
THE THEORY OF CICERO’S IDEAL STATESMAN

As this chapter unfolds, I hope to demonstrate how Cicero not only embraced monarchy as the best simple form of government, as explicitly stated in the Rep., but also how Cicero accepted the idea of instituting single-person rule during the late 50’s and 40’s. There will follow an examination of the political conditions as they stood for Cicero at the time of the writing of the philosophical works in question, particularly the Rep. and the Leg. I will then move on to a definition of the rector rei publicae, as well as a discussion of the rector’s role as a response to Cicero’s acceptance of monarchy as the result of the inevitable conflict between Pompeius and Caesar. The chapter will end with a discussion of Pompeius and Caesar’s potential to assume the mantle of the rector rei publicae. This will serve as an introduction to the next two chapters, which will treat in depth the various successes and failures of the two generals.

The common conception of Cicero’s politics and political theory is that he was a staunch optimate, an unwavering supporter of the Senate’s primacy. I do not dispute this view, and consider it substantially correct. However, I do believe that Cicero was much more practical a politician than he has often been given credit for. The final decade of Cicero’s life saw Rome’s government change irrevocably from a republic to a monarchy. As opposed to viewing Cicero as somehow lost and apolitical during both of his forced retirements, I would argue that Cicero was actually the one politician in Rome who saw what Rome was about to become. As early as 54, knowing that he would never again play an important political role, he sought to become the moral and philosophical authority in
Rome. Through his early philosophical works, the *De Oratore*, *De Republica*, and *De Legibus*, he sought to reconcile his personal beliefs with the political reality of the new Rome.

Rome was headed for a conflict between its two most potent personalities, both at the head of powerful armies and both seeking political primacy. Cicero recognized that monarchy was the only result. His only hope was that the new ruler of Rome would be just and a supporter of the law. Thus Cicero carefully crafted a conception of what he believed would be the proper manner for either Caesar or Pompeius to rule. The product of this theorizing was the concept of the *rector rei publicae*. This unnamed guide of the state is most often described as Cicero’s ideal statesman, but such a designation removes any sense of practicality which Cicero had intended. Cicero’s *rector* was created as a template for the new governor of Rome, not as an abstract philosophical vision.

Unlike his Greek predecessors who wrote political treatises, such as Plato, Aristotle, Polybius, and Philodemus, Cicero had the advantage of extensive participation in the government of his state. He played an active role in the political process, and both suffered and enjoyed the consequences of statecraft. In the twenty years between 63 and 43, Cicero attained the highest office in Rome, was exiled, recalled, sent out as a proconsul, put under virtual house arrest, shunted aside by Rome’s dictator, exalted by Caesar’s murderers, and proscribed. Perhaps no other Roman could claim such a bizarre mixture of disappointment and glory over such a long period. With his intimate knowledge of Greek philosophy as a foundation, Cicero was therefore especially well qualified to craft a political theory which he felt was practical. Cicero believed that he knew what worked, what did not, what should work, and most importantly, what *could*
work. The issue at hand is to explore the application of Cicero’s political theory to the actual situation in the late Republic. Combining the most applicable aspects of the Greek theorists with his own practical experience, Cicero constructed what he believed to be a viable political theory.

Cicero devoted almost one-third of his philosophical treatises to the subject of rector, which indicates that it is an integral part of his political theory. The three works in particular which contain the bulk of the discourse on the ideal statesman, the Rep., Leg., and Off., contain detailed discourse on the subject. Cicero allots significant portions of Books 2, 4, 5, and 6 of the Rep. to the character, training, and duties of a statesman, while focusing the rest of the work around a discussion of governmental styles and their various merits and demerits. This work was much discussed into late antiquity. Much

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of the text of the fragmentary books has been reconstructed from the writings of Lactantius and especially Augustine. The entirety of Book 5, unfortunately now quite fragmented, was devoted to a detailed discussion of rector, his character, and his duties. Cicero would further explain the moral and legal environment in which the rector must work in the companion to the Rep., the Leg.3 While not concerned directly with further explaining the identity of the rector, the Leg. examines the legal and moral structure of the state; it is this structure that the rector would be bound to uphold. Cicero composed the last of the three works in question, the Off. in mid to late 44, and except for the Philippics, represents Cicero’s final surviving composition.4 It was written in the

3 There are few critical editions of the entire Leg., probably due to its fragmentary condition. Mesnil’s 1879 Teubner volume on the Leg. is still valuable, particularly for the discussion of the exact composition of the work, but Ziegler’s 1950 edition is generally preferred. Rudd and Wiedemann have published a Bristol commentary on Book 1 in 1987, and Zetzel’s 1999 volume on Rep. includes the Leg. A.R. Dyck’s exhaustive commentary in English, without text, appeared in 2004. Chapters and articles of note are Powell’s chapter “Were Cicero’s Laws the Laws of Cicero’s Republic”, (in Powell and North [2001]); P.L. Schmidt, “The Original Version fo the De Re Publica and the De Legibus” (also in Powell and North, [2001]); and S. Bernardete, “Cicero’s De Legibus I: its plan and intention.” AJPh 108 (1987). Even some of the older works, such as A. Gudeman (1892), “Zur Chronologie von Ciceros De Legibus” still have merit.

4 There are of course numerous surviving letters from the last year of Cicero’s life. But since they were written extemporaneously, and may not have been written with an eye towards publication, they do not count as formal compositions. They will, however, prove invaluable for the discussion in the second and third chapters. Since over 900 letters exist to and from many of the most important politicians of the late Republic, including Pompeius, Caesar, Brutus, Cato, M. Antonius, Lentulus Spinther, and Dolabella, they present an important primary source for the inner workings of Rome’s government and Cicero’s personal opinions on many of the leading magistrates. At times witty, boastful, defiant, and pathetic, the letters provide a mirror in which we may see the actual Rome of the 1st century BC reflected onto the idealized version put forth in the philosophical works. We are able to see how Cicero viewed the important political figures and their potentials for achieving his ideals, without the pressure of advocacy clouding his true intentions. This is especially true in relation to Pompeius and Caesar. These two men were the most powerful magistrates in Rome while Cicero was writing his philosophical works. Cicero’s relationship to
aftermath of Caesar’s assassination, as an open letter to his son who was studying philosophy in Athens. In a reaction against the recent tyranny of Caesar and the ascension of Antonius, Cicero wrote a compendium of philosophical values which he believed would benefit a Roman statesman. Though it was written almost eight years after the *Rep.* and the *Leg.*, the precepts presented in the *Off.* do not differ fundamentally from the earlier works, and in fact often support them.

The attention paid by Cicero to the *rector* is indicative of his acceptance of monarchy, or rather single-person rule, in Rome. Pompeius had served as sole consul in 52, and in that capacity had brought a measure of stability to Rome that had been absent

the two was alternately friendly and hostile, and the surviving letters allow us to trace the progress of Cicero’s feelings towards the two. In this study, the letters will be used as the main source for the application of Cicero’s political theory, and for determining the successes and failures of both Pompeius and Caesar as compared with the ideal *rector* described in Cicero’s philosophical works. For all references to the *Epistulae*, the text of Shackleton Bailey will be followed. His massive seven-volume commentary on the letters to Atticus is a monumental work of Ciceronian scholarship, and has been the definitive interpretation of that text since its publication. He has also published critical editions of the *Epistulae Ad Familiares* (Cambridge, 1977) and the letters to Quintus and Brutus (Stuttgart 1988). The Tyrell-Purser commentaries on the correspondence, also in seven volumes (Dublin, 1900), though severely dated and not a little bit romantic in their analysis, remain second only to Shackleton Bailey’s editions.

Several excellent critical editions of the *Off.* exist, especially Atzert’s 1968 Teubner, and Winterbottom’s more recent Oxford edition (1994). Especially important is Dyck’s 1996 commentary; though without text, like his 2004 edition on the *Leg.*, it is nevertheless the most recent and most complete commentary in English. The Griffin and Atkins (1990) translation contains a very useful summary of philosophical doctrines of the main Hellenistic schools of thought. Lévy’s chapter “La cité, la loi et le devoir” (in *Cicero Academicus*, 1992) is also of interest on the subject of natural law in the *Off.* As with the other three works, MacKendrick (1989) and Wood (1988) must be consulted. The *Fin.*, written between 46 and 45, is a treatment of ethics, expounding and then refuting the three most popular schools of philosophy in Rome. It has not received as much scholarly interpretation as the *Rep.*, *Leg.*, and *Off.* It is important, however, for any discussion of Cicero’s philosophy, and especially the *Off.* A new Oxford edition, however, edited by L.D. Reynolds, appeared in 1998, and Annas’ (2001) translation contains a fine introduction. J.N. Madvig’s meticulous commentary (originally published 1839, reprinted most recently in 1965) remains a standard. Particularly informative on the varying schools, especially in the Hellenistic period, are the articles by various scholars in Furley (1999). As will be discussed presently, each of these schools had particular influence in late Republican Rome. Among the Epicureans could be found many important and influential politicians: T. Pomponius Atticus, Cicero’s close friend, C. Cassius Longinus, Caesar’s assassin, and several of Caesar’s own lieutenants, such as A. Hirtius and C. Vibius Pansa. The Stoic school counted as adherents Q. Caepio Brutus, the head of the conspiracy against Caesar, and of course M. Porcius Cato. The Old Academy did not have the political influence of the other two schools. Cicero, however, was a staunch opponent; he was himself a follower of the New Academy of Arcesilaus, a school of thought which interpreted true Platonism as scepticism.
for several years. Pompeius, armed with the backing of the Senate, which had appointed him sole consul, and granted him proconsular imperium and the associated armies, proved that a single individual invested with great power and working closely with the Senate was the most efficient manner of government for the Rome of the 50’s. Since the relations between Pompeius and Caesar were quickly deteriorating, Cicero may have had good reason for believing that Pompeius would again find himself sole ruler of Rome. The Rep. was therefore more concerned with Pompeius than with Caesar. Pompeius had started to establish closer ties with the Senate. There is present in the Rep. and Leg. a sense of optimism. Although the dominance of the Senate was almost over, there were still plenty of optimates left in Rome, including Cato, who might assume power if Pompeius should be removed from the scene.

Pompeius would of course never again attain sole power. His defeat at Pharsalus guaranteed the death of the Republic and marked the ascent of Caesar. Caesar had always been a popularis, and had demonstrated conclusively during his consulship in 59 that he had no desire either to obey or even work with the Senate. Although Caesar possessed the immense auctoritas which was, as will be demonstrated, vital for the rector’s ability to direct policy, he did not maintain any aristocratic illusions. His power base had always been the people, and with the people it would remain. Even though Cicero had accepted monarchy as inevitable, he was adamant that the rector work closely with the Senate. The despair present in the Off. and the letters during the civil war and after Munda do not imply that Cicero was disdainful of the new type of government installed by Caesar. Rather they only indicate dissatisfaction with Caesar, since Caesar had proven to be the complete opposite of Cicero’s rector.
Composition and Transmission of the Texts

The composition of the *Rep.* and the *Leg.* spanned four very turbulent years. The political situation in Rome in 54/53, when Cicero began working on the *Rep.* (*Q.fr.* 2.12; *Att.* 4.14.1), was close to anarchy. The marriage alliance between Caesar and Pompeius had disintegrated with Julia’s sudden death of complications from childbirth. L. Domitius Ahenobarbus, a staunch opponent of the triumvirate, had been elected to the consulate.\(^6\) Several anti-triumvirate optimates held other important offices: M. Porcius Cato, P. Servilius Isauricus, and P. Sestius held praetorships, and Q. Mucius Scaevola was one of the ten tribunes.\(^7\) The summer of 53 brought news of Crassus’ defeat and death at Carrhae. With his death, the mediating member of the triumvirate was eliminated, thereby greatly increasing the chances of a head-to-head conflict between Pompeius and Caesar. Rampant violence and bribery prevented the consular elections for 52 from being held (*Att.* 4.15.7, 4.17.2; *Q.fr.* 3.1.16). Clodius’ murder on 18 January 52 further prolonged the civil disorder; not only had Clodius been loved by the people, but he had been a consular candidate for 52. The result was that Pompeius was declared sole consul (*Pomp.* 54.4; Dio 40.45-50). Indications of the severity of the crisis can be seen in the bipartisan acceptance of Pompeius as sole consul. The measure was introduced in the Senate by M. Calpurnius Bibulus, a strong optimate and no friend of Pompeius. Cato

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\(^6\) Ahenobarbus played no favorites. He fought equally against Caesar (*Suet. Nero* 2.2; *Iul.* 24), Pompeius’ adherent Gabinius (*Q.fr.* 2.11.2; Dio 39.60.3-4), and even opposed burial honors for Julia (*Dio* 39.64).

\(^7\) Rowland (1970) 196-197 numbers all of these men among Cicero’s *necessarii*. The chief function of a *necessarius* was to provide judicial and electoral support to whom they were bound. Cicero can only have benefited by having such men in power. Most of the higher offices between 54 and 51, in fact, were held by other *necessarii Ciceronis*, not the least of whom was Pompeius.
then rose to speak in favor of the measure, claiming that he preferred any sort of
government to anarchy, and professing his confidence in Pompeius (Pomp. 54.4). 8

But by 51, the political situation seemed to have become more stable. Pompeius
had acted decisively once he had been given the imperium within the city. He reformed
the legislation concerning ambitus and vis, reorganized the courts, reined in overzealous
tribunes, and allowed the trial and conviction of Milo for Clodius’ murder. 9 Perhaps his
most important piece of legislation, one that will be discussed in more detail in the next
chapter, was the law requiring all candidates for office to make their announcements in
person in Rome (Dio 40.56; Iul. 28.3). He did an outstanding job as sole consul, and
Cicero later referred to his consulship as ille divinus tertius consulatus (Att. 7.1.4).

Caesar had been placated, since all ten tribunes had acquiesced to his request that he be
allowed to stand for his next consulship in absentia (Caes. BC 1.32.3; Fam. 6.6.5, 8.3.3,
16.12.3). He now turned his full attention to his military commands. Having weathered
the revolt of Vercingetorix, he had made fresh advances in his pacification of Gaul and
had also made an expedition in Britannia. A regular slate of elections had been held, and
though M. Claudius Marcellus, an avowed adversary of Caesar, had been elected consul,
the moderate and philosophical Ser. Sulpicius Rufus took office as his colleague.

The political situation favored the composition of such a work as the Rep. The
success of Pompeius as sole ruler had shown that the factious deliberations of the Senate
no longer served the interests of the state. Pompeius, with the Senate’s full compliance,

8 Most unfortunately, Pompeius’ sole consulship falls during the three-year gap, from November 54 to May
51, in Cicero’s correspondence with Atticus. If there was correspondence between the two men during this
period, it has not survived.

9 For the legislation concerning vis, see App. BC 2.23; Cic. Mil. 15, 70, 79; Ascon. 36 C; for the laws on
ambitus, Att. 10.4.8, 13.49.1; Plut. Cat. Min. 48.3; App. BC 2.23-24.
had introduced a new form of government, one that was able to deal effectively with the social and political issues of the late Republic. The sole consulship had placed Pompeius somewhere between consul and monarch. He was still legally subject to the laws of the state and decrees of the Senate, but he had been invested with extraconsular *auctoritas*. Pompeius had indeed stepped down at the end of the year, allowing the regularly elected magistrates to assume their offices. But the resumption of civil disorder and factional politics did not indicate that the conditions which had necessiated Pompeius’ sole consulship would return. Cicero, forced out of active politics but still influential, took the opportunity to make his statement about the direction Rome should take. As Pompeius moved closer to an alliance with the senatorial aristocracy, and with many of his allies holding office in Rome, Cicero enjoyed a freedom of expression rivaling that which he possessed during his consulship. Intrigued by the success of Pompeius as sole consul, and realizing that the traditional political structure was no longer adequate for Rome’s needs, Cicero wrote his treatise on the Republic.

The *Leg.* was begun shortly after the *Rep.* had been finished, perhaps as early as 52.10 His proconsulship in Cilicia and the civil war forced Cicero to put the composition

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10 Several passages seem to indicate events in that year. *Leg.* 2.42 is probably a reference to Clodius’ murder on 18 January. See also Gudeman (1892) col. 930-932, who supports this method of dating it. There is no firm consensus on the date of the *Leg.*, however most feel that Cicero wrote this work contemporaneously with the *Rep.* Zetzel (1999) believes that the bulk was written between 56-51, and that it remained unfinished after Cicero left for Cilicia. Schmidt (2001), Powell (2001), Morford (2002), and Dyck (2004) concur with Zetzel’s statement. Rudd and Wiedemann (1987) also agree, and cite as proof the fact that Cicero’s letters make no separate reference to his working on the *Leg.* The main flaw with this argument is that there is a huge gap in the correspondence with Atticus, as mentioned in n. 8 above, which covers most if not all of the period of composition of the two works. Schmidt (1969) 259ff has convincingly argued against scholars, such as van Zyl (1986), who have tried to date the composition of the *Leg.* to the period 45-43. The clever assertion that the *Rep.* and *Leg.* are actually part of the same work was also made by Schmidt (2001). He also claims that Cicero wanted to publish both works only in a completed form, but was forced to publish the already finished *Rep.* in 51 because of his impending proconsulship in Cilicia. The fact that the *Rep.* was originally intended for nine books, not six, may also lend credence to the idea that the *Leg.* was originally part of the *Rep.* On the original format of the *Rep.*, see Petersson (1920) 443ff.
on hold for several years. He did not find time to work on it, nor did he publish any drafts while he was away or after his return. He most likely returned to the work in 46 or shortly thereafter. There is evidence that he was still writing it in 44 (Div. 2.1). Since the *Leg.* forms a companion piece to the treatise on the ideal constitution, for the purpose of this study it will be placed chronologically after the *Rep.* and before *Off.*\(^{11}\)

The *Off.* was written during that most prolific period of Cicero’s literary activity, 46-44. At this point in his career, with his political influence almost completely gone under the dictatorship of Caesar, Cicero had certainly accumulated plenty of criticisms of the current political system. Cicero’s views on Stoic values, as well as Epicurean and Academic principles, were much different from those of Posidonius, Epicurus, and Antiochus. Although Cicero incorporates the work of these earlier authors into his own compositions, his philosophy forms a particularly Roman version of these concepts.\(^{12}\)

The *Off.* is in fact the last philosophical work Cicero wrote before his murder, and it forms a fitting conclusion to his works in that field.\(^{13}\) Though sometimes viewed

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\(^{11}\) What is paramount for this discussion, however, is that the work was intended as a complement to the *Rep.*, and that it had at least been begun before the civil conflict of the early 40’s. How much the civil war and his own personal tragedies affected Cicero’s thought is of course an open question. But no matter how much his personal convictions may have changed over the years, Cicero nonetheless had to conform the laws of his ideal Republic to the vision he had already written down and published. Powell (2001) 17-20, however, disagrees. He does not believe that the *Leg.* represents a legal code for the state presented in the *Rep.*; just as Plato’s *Nomoi* were not in fact the laws of his idealized Republic, Powell sees no ideal state in the *Rep.* for the *Leg.* to be the laws of.

\(^{12}\) The highly technical *Fin.* provides the only systematic surviving account of the rules of life for thoughtful men in the late Republic. Again, while drawing heavily on the Greek sources, Cicero is adamant that his work is not to be seen as just a translation of Greek originals. It is true, he says, that his subject has been treated already by the Greeks. Cicero asks why then do people read Diogenes or Antipater if one has read Chrysippus? It is because each writer adds his own criticisms and observations to the new work. (*Fin.* 1.6).

\(^{13}\) The idea that the eight philosophical works from the *Academica* to the *Off.* formed a coherent and thoroughly planned program was first suggested by Hunt (1954). Hammond (1966) believes that the *Rep.*, *Leg.*, and *Off.* form a consistent program of political theory. Long (1995) 231 views the *Off.* as the continuation of *Fin.*, “starting from the point where *Fin.* III ends.” Long also argues, based on Cicero’s application of Greek philosophy to Roman politics, that the *Off.*, not the *Rep.*, contains Cicero’s depiction
harshly, it is crucial for defining Cicero’s ideal statesman.\textsuperscript{14} Its connection to the \textit{Second Philippic} is well documented.\textsuperscript{15} Set against the final gasps of the Republic, it casts a more desperate tone. Gone is the optimism of the \textit{Rep.}, since the new political situation left Cicero no room for high spirits. In his last philosophical work, Cicero sets down “an account of the goals which a man may set for himself, his duties in the forum and in the courts, toward his enemies and his friends, and how he should behave under various circumstances.”\textsuperscript{16}

The political uncertainty enveloping Rome after Caesar’s murder did not leave Cicero much time to compose the work carefully. He had left Rome shortly after the Ides, and had then proceeded to spend time at his villas south of the capital. He had embarked for Athens in July, but had returned to Rome (where he delivered the first \textit{Philippic} against Antonius on 2 September) and then to Puteoli by mid-September. There he began work on the \textit{Off.} Cicero first mentions it in late October (\textit{Att. 15.13.6}), of the ideal republic. A dissenting opinion is voiced by Dyck (1996) 39, who contends that the \textit{Off.} was never part of any philosophical program, and that it reveals less of Cicero the philosopher than Cicero the father.

\textsuperscript{14} For example Miller’s critique (1913) xiv: “It has its strength and its weakness – its sane common sense and noble patriotism, its self-conceit and partisan politics; it has the master’s brilliant style, but it is full of repetitions and rhetorical flourishes, and it fails often in logical order and power; it rings true in its moral tone, but it shows in what haste and distraction it was composed; for it was not written as a contribution to close scientific thinking; it was written as a means of occupation and diversion.” MacKendrick (1989) 254ff receives it more warmly, as does Petersson (1920) 575ff. See also Lintott (1999) 231, concerning the \textit{Leg.}: “It is not difficult to criticize it as naïve and idealized because of its pious optimism that moderation and good sense will prevail, and this criticism is reinforced by the paucity of the provisions for criminal justice in the code.”


\textsuperscript{16} Such is the opinion of Petersson (1920) 578, who disregards the text as a political pamphlet, not a philosophical treatise. Cicero may very well have thought that he migh very well be dead by year’s end, especially in light of his incendiary exhortations at \textit{Phil.} 2.117-118.
and reports that he has finished two books by 5 November (\textit{Att.} 16.11.4). The last reference to it is on 13 November (\textit{Att.} 16.14.3-4).

The haste of composition is most likely responsible for the inconsistencies in the text, although as with any work popular in the Middle Ages interpolation must be considered. However, the textual tradition of the \textit{Off.} is well-attested.\footnote{Over 700 manuscripts, mostly dating from the fourteenth and fifteenth centuries, survive. The textual tradition is treated thoroughly in Winterbottom’s 1993 Oxford text. Dyck (1996) 52-56 contains a concise summary of the archetypes, and for the most part he agrees with Winterbottom’s organization of the manuscript families. See also Reynolds (1983) 130-131 for an abbreviated survey. It had remained intact and relevant as a school text through late antiquity and the Middle Ages, and was in fact the second classical Latin text printed after the invention of movable type (Mainze 1465, after the \textit{Paradoxa Stoicorum}). It was edited by numerous humanists during the Renaissance, including Erasmus of Rotterdam,\footnote{Ziegler (1964) 1-12 contains the fundamental information about \textit{P.} A complete facsimile was published by G. Mercati, \textit{M. Tulli Ciceronis De re publica libri e codice rescripto Vaticano Latino 5757 phototypice expressi} (Vatican, 1934); Cardinal Mai’s letter about his discovery of \textit{P.} is contained in this volume as well. On the possibility of copies of the \textit{Rep.} existing into the twelfth century, see Pöschl (1936) 136ff, and H. Fuchs, \textit{Augustin und der antike Friedensgedanke} (Berlin, 1927) 238-243. This copy dates from the seventh century, and was found under the text of Augustine’s commentary on the Psalms. The text was complete and well-known through late antiquity, but has survived only in this copy, abbreviated \textit{P.} The sixth book of the \textit{Rep.}, however, commonly called the \textit{Somnium Scipionis}, was preserved in numerous manuscripts, some dating from earlier than the 12\textsuperscript{th} century. Reynolds (1983) 224-232 provides a full treatment of the manuscript tradition of the \textit{Somnium} and Macrobius’ commentary; it also provides a select bibliography of recent secondary material. It had a separate tradition in the works of Macrobius, who had commented on it. It remains almost intact, though it is absent from \textit{P.} The first three of the six books of the \textit{Rep.} are fairly well preserved in the Vatican manuscript, though large lacunae do exist. The fourth book is even more incomplete, with large gaps of text missing. Unfortunately, the fifth book, in which Cicero appears to have given a detailed description of the \textit{rector}, is almost completely lost. Modern knowledge of it is relegated to summaries and quotations given in other authors, especially Augustine and Lactantius. Zetzel (1999) believes that \textit{P} contains only one-quarter of the original work, while Frede (1989) places the total at one-third. However, these outlines are numerous enough to allow confident identification of the themes of the lost books.} and was the subject of critical comments and translations by Garve, Melanchthon, and Muretus.

\textit{however,} the texts of the \textit{Rep.} and \textit{Leg.} have suffered badly. Their fragmentary condition admittedly makes any reconstruction of their arguments difficult. The text of the \textit{Rep.} has been reconstructed from a single palimpsest (Vaticanus Latinus 5757) discovered in 1820.\footnote{Ziegler (1964) 1-12 contains the fundamental information about \textit{P.} A complete facsimile was published by G. Mercati, \textit{M. Tulli Ciceronis De re publica libri e codice rescripto Vaticano Latino 5757 phototypice expressi} (Vatican, 1934); Cardinal Mai’s letter about his discovery of \textit{P.} is contained in this volume as well. On the possibility of copies of the \textit{Rep.} existing into the twelfth century, see Pöschl (1936) 136ff, and H. Fuchs, \textit{Augustin und der antike Friedensgedanke} (Berlin, 1927) 238-243. This copy dates from the seventh century, and was found under the text of Augustine’s commentary on the Psalms. The text was complete and well-known through late antiquity, but has survived only in this copy, abbreviated \textit{P.} The sixth book of the \textit{Rep.}, however, commonly called the \textit{Somnium Scipionis}, was preserved in numerous manuscripts, some dating from earlier than the 12\textsuperscript{th} century. Reynolds (1983) 224-232 provides a full treatment of the manuscript tradition of the \textit{Somnium} and Macrobius’ commentary; it also provides a select bibliography of recent secondary material. It had a separate tradition in the works of Macrobius, who had commented on it. It remains almost intact, though it is absent from \textit{P.} The first three of the six books of the \textit{Rep.} are fairly well preserved in the Vatican manuscript, though large lacunae do exist. The fourth book is even more incomplete, with large gaps of text missing. Unfortunately, the fifth book, in which Cicero appears to have given a detailed description of the \textit{rector}, is almost completely lost. Modern knowledge of it is relegated to summaries and quotations given in other authors, especially Augustine and Lactantius. Zetzel (1999) believes that \textit{P} contains only one-quarter of the original work, while Frede (1989) places the total at one-third. However, these outlines are numerous enough to allow confident identification of the themes of the lost books.}
Such is the condition of the *Leg.*, however, that scholars cannot come to a consensus even on the total number of books which Cicero intended. Based on Macrobius (*Sat.* 6.4.8) there must have been at least five books. The number may have been as high as eight, the number proposed by du Mesnil in his 1879 Teubner edition. It is possible that there were six books, to parallel the six books of the *Rep.* However, only three books have survived in the manuscript tradition, and firm evidence for the original number of books is lacking. There is, however, a scholarly consensus that the text which remains is incomplete.

**The Greek Influences on Cicero’s Political Theory**

The three fundamental works of Ciceronian political theory treat separately and in order the constitution of the ideal state, the laws which will be applied to such a state, and Cicero’s approach to Stoic ethics and their relation to the political problems of 45-44.  

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19 Whatever its original form, it also most likely lacked editing and refinement. The lack of polishing can be seen at 3.40, which reads more as list of separate reflections than a connected argument. Some scholars conclude that the work was left incomplete by Cicero himself. Zetzel (1999) xxiii believes that not only the turbulence of Cicero’s life is responsible, but also that the work was somehow unsatisfying for the author; however, he gives no evidence to support this hypothesis. The repetition of material in both of the two works is one of the main indications of their contemporaneous composition. Much of the surviving text of the *Leg.* restates material from the *Rep.*; for example, the first book of *Leg.*, treating the thesis that all law is derived from God, covers much the same ground as Book 3 of the *Rep.* The second and third books of *Leg.* match up respectively to the last two books of *Rep.*, thus providing valuable assistance in reconstructing that portion of the text of the *Rep.*

20 Since the bulk of Cicero’s political theory occurs in the *Rep.*, *Leg.*, and *Off.*, these three works will thus form the basis for analysis. Other works, especially the *Pro Sestio* and the *In Verrem*, do discuss political, moral, and constitutional issues. These compositions, however, must be viewed with a more critical eye. These are not philosophical works, but are orations delivered (or intended to be delivered, in the case of the second speech against Verres) in front of a jury. Thus, they reflect the immediate pressures of advocacy and must be used cautiously. These speeches also predate major events that would influence Cicero’s political theory. The three major works in question were indeed written with the intent of publication, and are expositions of Cicero’s opinions. But they do not suffer from the constraints of the Roman legal system and the potential negative repercussions of advocacy. Thus in this discussion they will not be counted among the primary sources for Cicero’s political thought. Plezia (1975) has made the interesting and persuasive argument that *Ad Quintum fratrem*. I should actually be considered the first of Cicero’s philosophical works, and that it mirrors many of the precepts of the *De Orat.* and *Rep.* in its discussion of proper methods of provincial government (“The first of Cicero’s philosophical essays”). To my knowledge, however, this essay has not received much scholarly attention.
Cicero explains that his later philosophical endeavors, such as the *Off.* and *Fin.*, were a means to educate a new generation of Roman politicians and do one more service for his beloved Republic. He published five lengthy treatises on various topics between January and August 45, and another six in 44. Even though Cicero spent most of his time *in otio*, since he was no longer active in the day to day politics of Rome, the incredible speed at which he composed and published these works has called into question their originality. Cicero himself calls them ἀπόγραφα (*Att.* 12.52.3). It will not be difficult, he says, to write translations of Greek works; after all, he does have *verba tantum*, and puts them to good use. However, Cicero’s comment *verba tantum adfero quibus abundo* (*Att.* 12.52.3) does not imply that these works are in fact mere translations. Rome did not have a strong tradition of philosophical treatises written in Latin, and thus Cicero was forced to create a new vocabulary to expound his theories. His comment may refer

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21 Div. 2.2.4: *quod enim munus rei publicae afferre maius meliusve possumus, quam si docemus atque erudimur, his praesertim moribus atque temporibus, quibus ita prolapso est, ut omnium opibus refrenanda atque coercenda sit.* Cicero may have viewed his philosophical contributions as *maius* and *melius* because he had no other services to provide at this time. Not only had Cicero been forced out of politics by Caesar, but he was also mourning the loss of his beloved daughter Tullia, who had died in February 45. This loss proved almost unbearable (*Att.* 12.14.3).

22 Cicero’s sincerity in this passage may be in doubt. Shackleton Bailey (1977) 341-342 notes that ἀπόγραφα does not seem to occur in any Greek writer, further adding to the idea that Cicero might be jesting with Atticus.

23 Atticus was concerned about Cicero’s translations of Greek philosophical terms, especially his choice of *officium* for the Greek καθήκον (*Att.* 16.11.4, 16.14.3). As for Cicero’s status as the first truly Roman philosopher, it is true that Lucretius was active at the same time, and had probably published his poetic exposition of Epicureanism, the *De Rerum Natura*, in 54; Morford (2002) 5, moreover, calls Lucretius the first truly Roman philosopher. But Lucretius was attempting a much different type of philosophy, better termed didactic epic, one based solely on the doctrine of Epicurus. Indeed, Rawson (1985) 285ff doubts that Lucretius’ poem can be shown to be authoritative as philosophy; she thinks rather that the acclaim given to the *De Rerum Natura* was strictly on its literary merits. Cicero’s writings, on the other hand, are an amalgamation of theories. Cicero was also apparently unsympathetic to Epicureanism; in *Rep.*, *Leg.*, and *Off.*, he refers to Epicurus only three times by name (*Rep.* 6.3, *Off.* 3.116, 117), and devotes the second book of the *Fin.* to a refutation of Epicurean doctrines. Epicurus’ name does appear over 150 times in the *Fin.* and *Nat. Deo*, but these works are devoted more to exposition of beliefs than discussion or support of these beliefs. These esoteric works were intended as comparisons among the three schools, each treated separately and in full. One would assume, based on the structure of the *Fin.*, that there would have been a
merely to his choice of suitable Latin equivalents for the tenets of the various Greek philosophical schools.

Cicero was well-qualified for the task of transforming the language of Greek philosophy into Latin. Upper-class Romans often sent their children abroad to complete their educations. This usually entailed time spent in Athens or the Greek East, where the students were exposed to the various schools of philosophy and rhetoric. Such was the literary draw of the East that it was not unusual for magistrates on their way to the eastern provinces to stop in Athens to take in lectures. Cicero and his brother were no different than other privileged youth of their time, and were sent by their father both to Rome and to Athens for their studies. While in Athens they took instruction in the various schools, as well as working on rhetoric and oratory.

The most popular doctrines in Cicero’s time were Stoicism, Epicureanism, and the New Academy. The New Academy was a radical interpretation of Platonism which insisted that since true knowledge is unattainable, all one can do is rely on probability. Cicero would gather extensive familiarity with all three major schools.²⁴ While in Rome he studied with Philon of Larissa, a skeptical Academic, and Diodotus, an adherent of the Stoa.²⁵ Later, through his studies and a long and close friendship with T. Pomponius Atticus, Cicero would become quite experienced with the precepts of the Epicureans.

²⁴ Cicero’s exposure to Greek philosophy has been the subject of a number of recent studies. Morford (2002); Auvray-Assays and Delatrre (2001); Powell (1995); and Griffin and Barnes (1989, 1997). Their second volume is devoted to the reception and influence of Plato and Aristotle in Rome, while the first is more concerned with Cicero and his work. Hunt (1954) is also a standard reference.

²⁵ He did not neglect the proper Roman disciplines of law and the study of history. Cicero was an apprentice of Q. Mucius Scaevola, the elderly jurisconsult and master of the bar. Aelius Stilo, one of the first Roman-born grammarians, who also happened to be a staunch optimate, was also one of Cicero’s early teachers.
Cicero was also familiar with Peripatetic doctrines. This school had been founded by Aristotle, and Cicero most likely encountered it by way of his friend Tyrannio, who had inherited several Peripatetic manuscripts after Sulla had brought them to Rome.\textsuperscript{26}

The canonical works of Plato certainly exerted great influence on Cicero. Cicero refers to Plato in only the most glowing terms. He is various described as \textit{noster Plato} (\textit{Rep.} 4.5; \textit{Leg.} 3.5), \textit{deus ille noster} (\textit{Att.} 4.16.3), and the \textit{princeps philosophorum} (\textit{Fin.} 5.7). No other Greek philosopher is cited as often and as thoroughly by Cicero.\textsuperscript{27} Cicero also seemed not to equate Socrates with Plato, considering the two to have distinct philosophical natures; Socrates is primarily the initiator of the Academic dialectical methodology. It is Socrates, not Plato, who is responsible for separating philosophy from rhetoric (\textit{De Or.} 3.59ff).

Other philosophers who can be counted among Cicero’s sources are Panaetius, Carneades, and Theophrastus. Panaetius and Carneades would be especially influential. Panaetius was a Stoic, and had moved to Rome in the 140’s. He became an associate of Scipio Aemilianus, and after Scipio’s death succeeded Antipater as head of the Stoa. His

\textsuperscript{26} The Peripatetic school had suffered enormous decline in prestige during the Hellenistic period. Many of the works we now know as those of Aristotle were not in wide circulation until the first century BC. After the sack of Athens in 86 by Sulla, many of these works had been collected and copied by Andronicus of Rhodes. During the intervening period, it appears that philosophers and scholars had to rely on summaries and compilations; Cicero was most likely familiar with these epitomes and not the works themselves. Graver (2002) xvii contends that Cicero had limited knowledge, if any, of the works now considered Aristotelian. Several other scholars have made similar, but more narrow, assertions concerning specific works of Aristotle. Fantham (1973) contends that despite the Peripatetic argumentation used in Book 1 of the \textit{Rep.}, that Cicero could not have used Aristotle’s discussions of proportional justice. Frede (1989) 81ff calls the fact that Cicero did not know Aristotle’s Poetics a \textit{communis opinio}, which, she admits, had not yet been sufficiently argued, while Zetzel (1995) 3 is of the opinion that Cicero certainly did not know the \textit{Politics} or the \textit{Nicomachean Ethics}. For the decline of the Peripatetic school in antiquity and its subsequent rebirth under the Empire, as well as an extensive bibliography, see Sharples (1999) 147ff.

\textsuperscript{27} The works of Plato had been widely disseminated in Rome after the conquest of Greece in 146\textit{Long (1995)} 44 lists the \textit{Parmenides}, \textit{Sophist}, and \textit{Politicus} as the only dialogues of which Cicero might have been unaware. Cicero’s most obvious tribute to Plato is of course the dialogue format.
writings would be very influential on the *Off.*, especially Books 1 and 2. Carneades of Cyrene was the founder of the New Academy, and had become the head of the Old Academy sometime around 155. He had a reputation for being loquacious and persuasive on any topic. This trait would have of course appealed to Cicero, and he refers to Carneades as *homo consuetus verbis* (*Rep*. 3.8). The debate style of the *Fin.*, with each side argued for and then against, is reminiscent of Carneades’ famous lectures on justice which he gave as part of the delegation of philosophers dispatched by Athens to Rome in 155. Cicero also made use of his criticism of the belief in the gods in the *Nat. Deo.* and the *Div.*

Although Cicero had many philosophical sources on which to draw, he would later demonstrate a preference for Stoicism and the Academic skepticism of the Hellenistic period. Especially noticeable is his adoption of the suspension of judgment, a precept he most likely learned from his old teacher Philon (*Inv*. 2.10). This scepticism resulted in Cicero’s philosophical eclecticism. He preferred to search for congenial ideas from among the different schools. In his philosophical treatises, Cicero would assimilate the doctrines of the various schools, and create his own peculiar brand of Roman philosophy.

He refers often to his Greek predecessors, but in most cases it is to point out some flaw (e.g. *Off*. 1.7). He claims that most of the precepts in the *Rep.* are neither *nova* nor *a nobis inventa* (*Rep*. 1.13). Yet early in Book 1 Philus hopes that what Scipio will tell them about statecraft will be *multo uberiora* than what the Greek authors have already written (*Rep*. 1.37). That is not to say that all of what is left of Cicero’s philosophy is unoriginal, and we need not focus on this question; rather we should be concerned with
what Cicero himself determined to be particularly applicable to Rome. Unlike most other political theorists of antiquity, Cicero had previous experience in matters of statecraft. Because he was able to join practice with theory, one might expect that his work would be more applicable to his times and perhaps more feasible in terms of implementation. His predecessors either were only theorists, or lacked the skill of exposition. It is also important to note that Cicero’s two dialogues, the Rep. and Leg., represent, in Wood’s phrase, the locus classicus for Roman philosophy; they are the earliest surviving Latin political treatises.

The Rep. is the work which deals most openly with the optimal form of government and its magistrates. The dialogue form and its style are reminiscent of Plato’s Timaeus, a

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28 Millar’s excellent introduction (2002) should dispel any doubt that Cicero has simply translated Greek sources; in this respect he follows How (1930) 24, who admits that “the assumption that all Cicero’s theoretical treatises are mere transcripts from Greek originals is more apparent than real.” Powell (1990) 128 is more forceful, stating that “nobody now believes (at least, one hopes not) that Cicero’s philosophical works are all transcribed from some lost Greek sources,” and that to continue to search for a definitive source for the Somnium Scipionis is “absurd”. Also in agreement is Annas (1989) 155. Davies (1971) 107 suggests that, “the history of adaptation from a Greek to a Latin literary form demanded a far higher degree of inventive flexibility than a narrow view of literary originality might suggest. Vergil’s development of the Homeric epic or the Theocritean idyll involved much more than a merely mechanic adaptation.” Wood (1988) 11, however, is a little more critical, commenting that Cicero was a “mediocre philosopher, unoriginal and eclectic.” He does admit, though, “that is not to suggest an absence of anything new and valuable in his thought.” Dyck (1991), though he acknowledges that source-criticism is no longer in vogue (which he attributes to a reaction against the work of M. Pohlenz), nevertheless utilizes a source-critical approach in his commentary on the Off. Morford (2002) 5 claims that while Cicero’s originality as a philosopher is in doubt, his innovation is to be found chiefly in his works on politics and law (which are the subjects of this dissertation). Frede (1989) is especially valuable concerning Peripatetic influence, based on a strict source-criticism reading of the Rep; she does agree, however, that since Cicero took three years to write the Rep., he must not be expected to have confined himself to the role of a mere translator.

29 Rep. 1.13: quibus de rebus, quoniam nobis contigit ut idem et in gerenda Republica aliquid essemus memoria dignum consecuti, et in explicandis rationibus rerum civilium quandam facultatem, non modo usu sed etiam studio discendi et docendi essemus.... auctores, cum superiores alii fuissent in disputationibus perpoliti, quorum res gestae nullae invenirentur, alii in gerendo probabiles, in disserendo rudes.

The one person whom Cicero mentions who was equal or greater than himself in combining philosophy with statecraft was Demetrius of Phalerum (Leg. 3.14). Morford (2002) 70 has called the Rep. “the reality of which Plato’s is but the ideal”.

30 Wood (1988) 63. There were, of course, philosophical writings other than Cicero and Lucretius. Rawson (1985) 282ff provides a excellent discussion of non-Ciceronian philosophy, including lost works by Varro and Brutus, and Vitruvius’ use of philosophy as it relates to architects.
work Cicero is known to have translated into Latin. There is also a parallel with the *Phaedo*, since both dialogues take place mere days before their main interlocutors, Scipio and Socrates, would meet their ends. The main influence, however, must surely have been Plato’s *Republic*. There are many similarities between the two in form. Other sources, based on *Rep.* 1.34, were Panaetius and Polybius. The *Rep.* is the least esoteric of the four works which form the base of this chapter. Excluding the *Somnium Scipionis*, the other five books of the *Rep.* do not depend on an intimate knowledge of the Hellenistic schools of philosophy. Since the majority of the work is dedicated to a discussion *de optimo statu civitatis et de optimo cive* (*Q.fr.* 3.5.1.), Cicero relies more on Plato and Roman history to craft his ideal constitution.

An important source for Cicero, therefore, would have been Polybius. Polybius was counted among the inner circle of the Scipio, who is the main interlocutor in the *Rep.* In Book 6 of his *Histories*, Polybius had set down a detailed investigation of the Roman government as it functioned in the mid-2nd century. He also included a discussion of the various types of government and the inevitable cycle that caused each type to develop from each other in a predictable pattern. Polybius talks at length about monarchy, tyranny, and democracy, as well as a type of mixed constitution that he saw in practice in Rome. Polybius, however, wrote during a period of unrivalled prosperity in Rome. The razing of Carthage and Corinth in 146 had left Rome mistress of the Mediterranean. In addition, the Senate wielded the power in the Roman government; the disruptions of the Gracchi were still several years away. Polybius was also influenced by the fact that he was a foreigner, a Greek sent to Rome as a hostage. Thus his political theory follows the line of other Greek theorists; that is, it is based on the πόλις.
Millar (2002) has exposed a weakness not sufficiently recognized, that Greek political theory “always focused on the nuclear πόλις, or city-state, to the relative neglect of the larger political formations, which were becoming ever more important in the fourth century, namely, leagues of cities on the one hand and monarchies on the other.” At the time of Aristotle’s πολιτεία, Rome fit the definition of a traditional Greek city-state, although it is not named in Aristotle’s list of important πόλεις in the Politics. She had expanded her borders, but not so far that all her citizens were prevented from exercising their rights in the capital. Aristotle’s models of government might still apply, since Rome’s citizen population was most likely similar to Athens. But by the time of Cicero, Rome had grown immensely, and had outgrown the πόλις-based political theory of the Greeks. The failure to take into account the sheer size of the Roman citizen body is the greatest limitation on Polybius’ account of Rome’s political system.

This is an important point, and should be explained a bit further. The democracy in Athens, from the workings of which Plato, Aristotle, Thucydides and Demosthenes built their political theories, was based on the participation of large numbers of its citizens. Assuming a citizen body of 30,000 for Athens in the 4th century, roughly one-fifth was considered appropriate for implementing legislation. Conversely, however, any citizen could propose political action. In Rome, however, while the popular assemblies retained the sole power of approving laws, they were unable to propose them. That was the

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31 Heraclides Ponticus (= fr. 102 Werhli, quoted by Plutarch, Cam. 22.2) not only calls Rome a city-state, but a Greek city-state.

32 At this time, Roman territory extended roughly from Pisa in the north to Naples in the south. In this regard, Rome would have provided an equal model to 5th century Athens or 4th century Sparta. Both controlled large areas, but each city’s citizens were able to return to the capital with relative ease, usually with a minimum of distance to traverse. That is not to say that it was not inconvenient for rural people to travel to the city, but it was possible for them to make the journey in a reasonable time.
prerogative of the elected magistrates. There were two consuls, ten tribunes and six praetors; the Senate numbered roughly 300 members. Thus, in the Rome familiar to Polybius, the city was governed by no more than one percent of her population; by the time of Cicero, with Rome’s population approaching 300,000 citizens, the percentage is tinier still. Thus the prerogative for creating legislation lay with a minute segment of the population. In addition, the voting tribes were set up in such a manner that only the first 98 tribes to vote, if unanimous in their decision, were needed to approve in order for a law to pass. This class-conscious hierarchy of popular government set Rome apart from the other Greek πόλεις with which Aristotle would have been familiar. Whether or not Cicero understood the spatial limitations on the theories of Plato and Aristotle, he knew that his Rep. represented a new departure from traditional political theory (Rep. 1.12-13).

Again with the Leg., Cicero most likely drew on Plato for his inspiration. Cicero himself announces his intention to follow Plato at Leg. 2.16: the coming discussion will be called the De Legibus (sic enim haec appellat Plato). But it will not be a translation of Plato’s laws. In the very next section Quintus points out to his brother that he is quite pleased that Cicero had chosen different subjects and different ideas, and that the only visible imitation of Plato is in the style of his language (Leg. 2.17).

The Off. is slightly different from the other two works in that it comes closest to a translation. Cicero took as his source for Books 1 and 2 the Περὶ τοῦ καθήκοντος of Panaetius. But Panaetius had left his work unfinished, and Cicero attempts in Book 3 to

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33 Annas (2001) xxii is adamant that Cicero used Plato’s Republic and Laws as literary, and not philosophical, models.

34 Long (1995) suggests that Cicero wrote the Off. as the completion of Fin. 3. In this he is perhaps following Hunt (1954), who believes that the eight philosophical works written from early 45 until the late summer of 44 form a coherent series written according to a planned program. To the best of my
complete the work in Paneatian fashion (Off. 3.33). Cicero probably found some supporting arguments in the work of Hecato of Rhodes, who is mentioned at 3.63 and 3.89. These are but a few examples listed by Cicero within the text of the work. Since Cicero at the time of composition was constantly moving between his villas, it is unlikely that he included so many books among his possessions. Thus the Off. may be more original than imitation.\footnote{MacKendrick (1989) 254f suggests that because Cicero could not have had every one of his named sources at his fingertips, he instead drew on “the rich resources of his wide reading, stored in his well-stocked mind”. Dyck (1996), however, passes almost completely over any other potential sources for the Off., preferring instead to delve deeply into the work of Panaetius at the expense of the others.}

Though it is quite easy to see Greek influence, or even imitation, in the three treatises just described, the focus in discussing Cicero’s political theory must be on the application, not origin. Since several of the works, especially the Rep. and the Leg., are fragmentary, scholars are often tempted to reconstruct Cicero’s ideals from his more complete Greek models. While a valid enterprise, it is more important to concentrate on the actual remaining texts of Cicero, and the editorial choices Cicero made in compressing and coordinating his vast philosophical knowledge into something of value for first century Rome. Too often scholars overlook this, as well as those truly Roman characteristics that Cicero adds to the mix. Because Cicero had practical experience, it would make no sense for him to propose a political scheme that had no chance of success.

This is especially so if Cicero’s expressed purpose of education is indeed his motivation for composition. Effective statecraft will depend on practical models. Again, Cicero could in his description of the model government distinguish himself from his knowledge, however, Hunt’s theory has never gained wide acceptance. MacKendrick (1989) 253, however, does admit that there is a “plausible” case for the Off. to be part of a conscious overall plan.
Greek predecessors. A number of Greek authors had written of political utopias. Aristophanes’ *Ecclesiazousai* depicted a socialist community run by women, in which gender equality and broad inclusiveness were the rule. Plato and Aristotle, of course, had written about their visions of the ideal state in the *Republic* and the *Politics*, respectively. But these men were not practicing politicians. The politically active authors, such as Thucydides and Demosthenes, were not idealists. They concerned themselves with practical matters, such as the flaws of imperial power or the defense of the *polis*, respectively. They had experience in the workings of temporal, as opposed to theoretical, politics, and had seen first-hand the repercussions of the failures of the various city-states.

The *De Republica* of Cicero was founded on the ancestral Roman Republic. Cicero was pragmatic enough to realize that Polybius had been mostly correct in his assumption that governments follow a predictable pattern. Rome had replaced its monarchy with an aristocracy. The aristocracy, as Cicero well knew, had been replaced by a sort of democracy with the advent of radical and revolutionary tribunes. It was natural that Rome would return to monarchy, and Cicero knew this. Thus, the reduction of the triumvirate to a duumvirate made it clear to Cicero that there would soon be one man in charge of Rome. But much as Plato had insisted on a race of philosopher-kings to rule his *Republic*, and Demosthenes recognized the efficiency of Macedon as a result of Philip’s decisive decision-making, Cicero too knew that monarchy, or autocracy, would not necessarily result in tyranny. His attitude towards monarchy, and its application to late Republican Rome, was not as hostile as is generally believed.
Cicero’s Attitude Towards Monarchy

Contrary to the general conviction of modern scholarship, Cicero had no political or philosophical problems with the institution of monarch, in and of itself. He is very clear that of the simple forms of government, monarchy is the best. There is of course the caveat that the king must be just, or else the monarchy quickly devolves into a tyranny. But Cicero does not hold monarchy in the same disdain that he holds radical democracy.\(^{36}\) It was after all the discord between the Senate and the Roman people caused by the revolutionary tribune Ti. Gracchus that gave rise to the occasion for the discussion of the *Rep*. Though an optimate through and through, and a supporter of class distinction and disproportionate privilege, he was able to recognize that Rome had evolved beyond the city-state model, and therefore rule by a small, geographically isolated oligarchy was no longer practical. I argue that after Pompeius’ sole consulship in 52 Cicero recognized that monarchial rule was the future of government in Rome.

There is a long standing belief that the idea of monarchy was abhorrent to the Romans.\(^{37}\) So strong was this hatred that even the word *rex* was considered anathema (*Rep*. 2.52); to be labeled a *rex* or aspiring to monarchy was perhaps the greatest insult in

\(^{36}\) Laelius (*Rep*. 3.45) claims that all types of despotism, whether it be the type exercised by Dionysius in Syracuse, the Thirty at Athens, of the decemvirs in Rome, or even a despotism of the multitude, are bad, and they all destroy the name and idea of the *res publica*. Even more pointed is Scipio’s comment at *Rep*. 1.68 that tyrant inevitably arises from a mob which has been granted excess liberty. Cicero details the failures of democracy, primarily by using Athens as an example, at *Rep*. 1.43 and 1.53.

\(^{37}\) Such is the opinion of Cornell in *CAH* 7.2 (1989), Cary and Scullard (1975) 56f, Wirszburgi (1950) 87-88, Lintott (1999) 195, and Brunt (1971) 44-45. Erskine (1991) however argues against all of these scholars, stating that the hatred of monarchy is not as long-standing nor absolute as commonly believed. He argues that the this *odium*, especially the view of Tarquinius, is no older than the mid-second century (110ff, citing Cassius Hemina fr. 15), and that it was Caesar’s dictatorship that cemented the odium towards monarchial rule in Rome (114).
Roman political invective. Tarquinius Superbus was considered the epitome of all that could go wrong with a monarchy, and it was because of his tyrannical reign that L. Junius Brutus and his colleagues abolished the monarchy. Upon closer examination, however, this conception appears to be inaccurate and overstated.

In comparison with Tarquinius, the first six kings of Rome are presented in a favorable and even idealized light. Numa is the most prominent example of the good Roman king, and Cicero calls him *laundandus iste rex* (*Rep.* 2.33). They are credited

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[38] Cicero cast this slur upon numerous people, excluding Caesar. They include Verres (*Verr.* 2.3.71, 2.3.76-77, 4.122), the men to be commissioned by Rullus’ land bill in 63 (*Leg. Ag.* 2.32-5), and P. Cornelius Lentulus Sura (*Cat.* 3.9, 4.12). Cicero too was the victim of such derogatory language. Clodius and L. Malius Toquatus called the orator a *rex* for his actions in suppressing the Catilinarian conspiracy (*Sul.* 21-5; *Att.* 1.16.10).

[39] The present discussion concerning Cicero’s attitude towards monarchy will again be limited to the *Rep.*, *Leg.*, *Off.*, and the corpus of the letters. Following Hammond (1966) 136, I believe that the three works do expound a consistent political theory. The political speeches will not be discussed in the course of this work, since political invective is by its nature inflammatory and designed to achieve a certain immediate result. The majority of occurrences of *rex* and *regnum* occur in these speeches, and it is primarily in these speeches that the negative uses of these words occurs. For a discussion of *rex, regnum, regnare,* and *regius* in the political speeches, see Erskine (1991) 113ff.

[40] Even some eastern kings are presented as good and just rulers. For example, there is nothing bad to say about Cyrus, the founder of the Persian Empire (*Q.fr.* 1.2.7); in his praise for Cyrus Cicero followed Aeschylus (*Pers.* 768ff), Xenophon (*Cyr.* 1.21), Panaetius (related at *Off.* 2.16) and Plato (*Leg.* 694a). The Stoics in particular honored Cyrus as the archetype of the wise and just monarch. Dio Chrysostom’s second oration *περὶ βασιλείας* which provides a detailed examination of the Stoic thoughts towards monarchy, calls Cyrus *ἐνδρεῖος, φιλανθρωπος, εύνους,* and τιμῶν τὴν ἀρετήν.

[41] There is ample evidence that *rex* had numerous meanings in Republican Rome, most of which were neutral or even favorable. Especially telling are the uses of *rex* in Plautus. It has the force of ‘rich man’ or ‘great man’ (*Stich.* 287; *Cur.* 284-287), or refers to the patron of a parasite (*Capt.* 825). There is also a potential connection with the Greek term *βασιλεὺς*. Erskine (1991) 112f sees in Plautus’ image of the king the Roman perceptions of the Hellenistic monarchs of the East. This more positive term contrasts to *τύραννος* in the Greek, though Latin had no direct corresponding term for a tyrant except the obvious transliteration. The non-hostile connotations of *rex* in Plautus implies that the *odium* felt for the title was formed later, sometime after Plautus. Especially useful for the discussion of *rex* in Plautus are Fraenkel (1922) 189-197, and Harsh (1936), who faults Fraenkel for what he perceives as the omission of obvious parallels in Greek literature. Martin (1994) has formulated the interesting argument that the title *imperator* loaded itself with a charisma that relegated the royal title to an inferior rank, in order to conform to the perceived hatred of *rex* in Republican ideology. It was indeed *imperator* that Caesar and Augustus took as their permanent praenomina, thereby helping to qualify their unique position in the state. *Imperator* was also the term of respect most often employed by Cicero in his correspondence with his colleagues. Even after Caesar had become master of Italy, when Cicero first begins to call him a *tyrannus* (*Att.* 10.1.3, 10.4.3, 10.12a.2), he still addresses him as *imperator* (*Att.* 9.11a).
with strengthening the Roman state, both by adding territory and establishing cults and traditions that benefited Rome. Even Tarquinius was respected to a point, since he conquered the whole of Latium, and used the money from the sack of Suessa Pometia to rebuild the Capitol (Rep. 2.44).

The Romans, according to Scipio, traditionally gave the name of rex to anyone who assumed sole power over a nation for life (Rep. 2.49). This says nothing of the type of ruler this person will be, merely that a rex holds perpetua potestas in populos. The problem with monarchy, as with any of the simple forms, is that it tends to devolve along a predictable pattern, as Polybius had said. It is when a king becomes iniustus that monarchy ends and tyranny begins (Rep. 1.65). The tyrant is described as an animal, unbelievably cruel and hateful to gods and men. Where there is a tyrant, there is no res publica at all.

It was Tarquinius who changed the Roman monarchy, which Scipio calls a bonum genus rei publicae, into the deterrum genus of tyranny (Rep. 2.47). In fact, Scipio goes so far as to say that had Tarquinius not proved to be a tyrant, the respect and love for the rex would have continued indefinitely (Rep. 1.64). The proof of this is given later in Book 2, when Scipio relates the life and death of Romulus. When Romulus died, the Senate attempted to rule the state by itself. The people, however, out of their affection for Romulus, would not tolerate rule by the Senate, and insisted that a new king be chosen (Rep. 2.22-24).

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42 Rep. 2.48: quo [the tyrant] neque taetrius neque foedius nec dis hominibusque invisius animal ullam cogitari potest; qui quamquam figura est hominis, morum tamen inmanitate vastissimas vincit belus.
But a *rex* was not always a tyrant, nor the other way around. This is especially true in Cicero’s political theory. There are in fact distinct differences between the two. At *Rep.* 1.65, Scipio implies that the mere possession of ultimate authority is not a negative. It is a man who is *cupidus dominandi et imperii singularis* that should properly be called a *tyrannus*. After all, Jupiter, who is known by both the *docti* and the *indocti* to be the *rex omnium deorum* (*Rep.* 1.56), does in fact possess *imperium singulare* among both gods and men.

To the Greeks, anyone who held the people in a state of servitude, or who ruled as an *iniustus rex*, was properly a *tyrannus* (*Rep.* 2.47, 2.49). This is one of the main differences between a *rex* and a *tyrannus*. While both possess ultimate authority in the state, the king exercises a benevolent control over his subjects (*Rep.* 2.47), while the tyrant holds the power of life and death over the people (*Rep.* 3.23). The relation of a tyrant to his subject peoples is that of a master to his slaves. Indeed, it seems that *dominus* can be used as a substitute for *tyrannus*, since Tarquinius is also described as a *dominus* (*Rep.* 2.47).

Monarchy is the best of the simple forms of government (*Rep.* 1.64, 65, 69; 3.47); in fact it is not at all blameworthy as long as it retains its true character (*Rep.* 2.43). Scipio admits to his preference for monarchy (*Rep.* 1.54), and tells Laelius that kings are

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44 It appears that *dominus* and *tyrannus* were interchangeable for Cicero, at least in reference to Caesar. At *Att.* 11.20.1, the relation of Caesar to the people of Rome is described as that between a *dominus* and his *servi*. In a later letter to Cassius, (*Fam.* 12.3.2), Cicero again refers to Caesar as a *dominus*, and comments that everyone else, including Antonius, were his slaves. The most common title for Caesar after the Ides was *tyrannus*, and the two terms are presented as equivalents at *Att.* 14.14.4: *quid mihi attulerit ista domini mutatio praeter laetitiam quam oculis cepi iusto interitu tyranni?* There seems to be a difference between *dominus* and *rex*, however. One of the few instances of *rex* in the *Off.* refers to Caesar’s desire to be both *rex populi Romani* and *dominus omnium gentium*; Holden (1889) *loc. cit.* makes the analogy here between *dominus* and the Greek δεσπότης or τύραννος.
still attractive as rulers because at their most basic form they are supposed to provide for their subjects like a father does for his children (Rep. 1.55). Even though the glowing praise of monarchy at Rep. 1.69 is tempered by Scipio’s admission that the mixed constitution is the best of all (as he also does at Rep. 1.45), he makes a point to support the necessity for a monarchical element to balance the authority given to the aristocracy and the people. This *aequabiltas* would be the foundation of successful implementation of the mixed constitution.45

When Cicero wrote the Rep., however, the mixed constitution of the Republic had begun to fall apart. When one or the other aspects became too powerful, the result was the emergence of one of the simple forms. The most common problem in the late Republic occurred when the people gained too much power and influence. This was especially evident during Caesar’s consulship, and the tribunate of Clodius. The abuses of power rampant in the late 60’s and 50’s led to the demise of the mixed constitution. This is in fact how a tyrant overthrows a monarchy, not by assuming new and illegal powers, but by abusing those that he already possesses (Rep. 2.51). Such was the case especially with Caesar as consul in 59. The Senate’s lack of decisiveness only furthered the crisis. Cicero has Scipio warn his assembled guests that this would be the case when extraordinary circumstances requiring resolute action arose. Scipio comments that if the management of the state is entrusted to more than one person, there will be no authority at all to take command (Rep. 1.60).

45 On the necessity of *aequabilitas* as a necessity for the continued survival of the mixed constitution, see Lintott (1997) 81ff, and especially Fantham (1973). Her definition of *aequabilitas* as a magistrate’s consistency and impartiality spread over many acts of jurisdiction is intriguing.
Nor did Cicero’s attitudes towards monarchy change after the autocracy of Caesar. The *Off.* does impugn the moral and political records of Pompeius (3.82), Crassus (1.25, 3.73-75) and especially Caesar (1.26, 1.43, 2.23, 2.27-29, 2.84, 3.82ff), but in each instance it is to cite their methods of attaining power, not their actions while in positions of political power. This is especially true of Cicero’s criticism of Caesar’s aims at *Off.* 3.82ff. Caesar is faulted for his *cupiditas*, not his trampling of the rights of the Senate and people, the fault which Pompeius is also guilty of in the same passage. This apparently vitriolic outburst does not concern Caesar’s or Pompeius’ actual assumption power; they are *amens* because they were desirous of power. It is the desire for power which was their primary failing as potential monarchs. Cicero recognized the emergence of the monarchial aspect of the mixed constitution as dominant over the other two. As a reaction to the advent of the new system of government, Cicero created a paradigm for the leader of such a government. Cicero called his idealized leader the *rector rei publicae*, and it is to a definition of this *rector* that the discussion now turns.

**Cicero’s Definition of the Rector**

Cicero is quite clear about the character of the *rector rei publicae*. The *rector* does not have to be an elected official, though previous office and experience in politics will be of great value. Cicero never claims a constitutional position for the *rector*. Indeed, he is clear that magistrates are merely the representatives of the state (*Off.* 1.124). It is

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46 Annas (2001) xvff. in particular finds no reason to assume that Cicero’s later philosophy, such as the *Off.*, was written from an overtly academic point of view, while the earlier *Rep.* and *Leg.* were not.

47 In fact, Book 3 of the *Off.* is concerned primarily with warning against the desire for tyrannical powers. Cicero advocates a four-pronged approach to Rome’s political problems: to fill the ideals of *honestum*, *honestas*, and *honestus* (the theme of Book 1); to rein in the search for glory so that it is strictly subordinate to justice (1.62, 2.33-34, 38); to reaffirm the values of Roman civil society, including oratory (Book 2); and to instill the identity of an individual’s interest with the common interest (Book 3).
therefore possible that even a *privatus* could, by his personal qualities and his actions, become the *rector*. Exemplary personal qualities are a necessary component of the *rector*. He will follow the concepts of *moderatio*, *aequabilitas*, and *utilitas*. The rector is described as *bonus*, *sapiens*, and *peritus utilitatis* (Rep. 2.51). His most important characteristic, however, will be *prudentia* (Rep. 6.1). Armed with this *prudentia*, which Cicero here derives from *provideo*, the *rector* will be able to foresee the deleterious influences seeking to destroy the state, especially *seditio* and *dissensio civilis*, and thus be *semper armatus* against them.

He will not be a lawmaker, like Lycurgus or Solon, but rather an upholder of the existing law (Rep. 2.2, 58; Leg. 1.57). His primary goal is to ensure the continuation of the state; he must observe the maxim that the safety of the people is to be the highest law (Leg. 3.8). In the political arena he will have no peer, and will be coequal with the *doctus orator* of the *De Or*.48 Most importantly, it is imperative that the *rector* possess a senior and greater *auctoritas*.49 By this, and by this alone, will he compel men to follow his lead in upholding *libertas* and the *mos maiorum*, and by extension the *res publica* itself (Leg. 3.7, 28). This may be the most important duty of the *rector*, since Cicero bemoans the loss of the *antiqui mores* on which Ennius had claimed the Roman state had been founded (Rep. 5.1-2).

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48 Davies (1971) 111, where the argument is made that Cicero makes no ideological difference between his philosophical, rhetorical, and political studies and speeches.

49 Hellegouarc’h (1972) 351-2, “Le princeps cicéronien n’est donc pas l’homme d’État qui s’appuie sur une clientèle essentiellement militaire comme l’ont fait Sylla, Pompée puis César, mais, dans la ligne de ce qui fut la tradition politique romaine la plus constante, le plus éminent des sénateurs, celui à qui sa carrière politique et ses qualités personnelles ont donné la *summa auctoritas*.” Cf. *Orat*. 3.63. Krarup (1956) 198-199 defines the *auctoritas* of the *rector* as that of a Roman *paterfamilias*, with the managerial responsibilities of a *vilicus* or *dispensator*. 
Cicero mentions the *rector* only ten times in all of his extant works. Not surprisingly, all ten of these occurrences appear in the philosophical treatises. The pattern of use of the term *rector* implies that Cicero, for all his suggestions that his philosophy benefited from his political experience, truly viewed his *rector* as an ideal, not a reality. Indeed, Cicero was never quite satisfied with any of the political leaders of the late Republic; not even Scipio, who in the *Rep.* is presented as one of Rome’s greatest statesman, rates the term *rector rei publicae*. Indeed, Cicero does not name any Roman who attains this rank, but a few come close.

The majority of mentions of the *rector rei publicae* in the *Rep.* come from the fragments of Book 5, where Cicero apparently treated the *rector* in depth. In these fragments, Cicero lists several important areas in which the *rector* must have experience. First and foremost, he must take pains to understand justice and the laws of the state (*Rep.* 5.5). Since Rome lacked a single lawgiver in the mold of a Lycurgus or a Solon, her laws had evolved over the centuries from trial and error (*Rep.* 2.2). So too did her sense of justice, the understanding of which forms the basis of the discussion in Book 3.

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50 *Orat.* 1.211; *Rep.* 2.51, 5.5, 5.6, 5.8, 6.1, 6.13; *Fin.* 4.11; *Nat. Deo.* 2.90; *Div.* 1.24.


52 In *Orat.* 1.211, and *Rep.* 3.5, Cicero mentions several Romans who approach the characteristics of the *rector*: P. Lentulus, Ti. Gracchus, father of the murdered tribune, Q. Metellus, P. Africanus, and C. Laelius. Livy 4.14 refers to the aged Quinctius as *rector rei publicae* during the Maelius incident. He does identify one person who is the complete antithesis of the *rector*: while the proper statesman is good, wise, and skillful in expediency and authority, Tarquinius, the last king of Rome, was none of these (*Rep.* 2.44-46).

53 Surprisingly, *rector* does not appear anywhere in the *Leg.* This may be because Cicero intended it as a complement to the last three books of *Rep.* The discussion of the *rector* in the *Rep.* is more general, whereas in the *Leg.* Cicero sets down specific precepts and laws that concern the rector. Cicero may have assumed that his audience would know that *Leg.* was concerned with the *rector* without having to mention him. Cicero makes repeated mention of the *Rep.* in the *Leg.*, but never by its conventional title. He refers to it instead as either *illis sex libris* (*Leg.* 1.20), or a work known to Quintus and Atticus, such as *Leg.* 1.27, *in iis libris quo legisit.* See also *Leg.* 3.4.
of the *Off*. The statesman must also keep the welfare of the people foremost in his mind, and have the ability to think ahead and understand consequences (*Rep*. 5.8, 6.1).

The infrequent use of *rector* in the philosophical works belies its importance, however. For Cicero, outside of the *Rep.*, it is used only of the immortal *deus* that created the world.\(^{54}\) The *deus* from whom all true reason and supreme law originate is called the *summus rector* (*Fin.* 4.11), and also the *rector tanti operis tantique muneris* (*Nat. Deo.* 2.90). There is something unique about Cicero’s *rector* in the *Rep*. Africanus tells his grandson that *rectores civitatum* come from heaven, and return there after they die (*Rep*. 6.13). Those who serve the state admirably enjoy an eternally happy afterlife (*Rep*. 6.15, 22-25). This is the ultimate reward, since a man’s fame will never reach the entire earth and will be forgotten by future generations.

By publishing his first two philosophical works, *De Or.* and *Rep.*, Cicero hoped to influence those in power to work towards governing in a manner consistent with the parameters set down for the *rector*. Pompeius, of course, is the primary intended recipient. Cicero still thinks highly enough of Pompeius that if he were to write a history of his own time, he would glorify his deeds.\(^{55}\) Cicero here describes Pompeius as an *amicissimus*, a word used elsewhere in the philosophical works only in reference to Scipio’s family or friends (*Rep*. 1.70, *Sen*. 77), and Brutus (*Orat*. 1.40).

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\(^{54}\) There is a single reference in *Div*. 1.24 that does not mention divinity. However, Cicero here couples *rector* with *navium*, effectively equating the word with *gubernator*. Other instances of *rector* applied to one or more of the gods are Catull. 64.204, *Verg. Aen.* 8.572, and *Ov. Met.* 1.331, 668.

\(^{55}\) *Leg*. 1.8. Of course, this would also allow Cicero to glorify himself, as Atticus says, which might seem to be Cicero’s primary concern. While the *Leg.* may not have been published before Cicero’s death, it was certainly started shortly after the *Rep*. MacKendrick (1989) 66, 77 follows the chronology that it was begun in 51, laid aside until 46, and then unfinished. While the order of the composition of the books cannot of course be known for sure, it seems logical that Cicero did write the early sections first.
By 46, however, the old Republic had been permanently replaced by the new version of monarchy, at least in Cicero’s eyes (Off. 2.2; 2.29). Cato would soon commit suicide, and the Republican resistance would be crushed at Munda in the following year. Pompeius was not only dead, but Cicero no longer maintained a high opinion of his political and military abilities (Att. 8.11.1). Pompeius’ promise as the best candidate for the rector rei publicae had not panned out. He had failed miserably to live up to the goals Cicero had held for him.56 In Off. 1.61, Cicero fails to mention Pompeius by name in the list of those who excellit magnitudine animi, a list which includes Cocles, Gnaeus and Publius Scipio, and Marcus Marcellus (cf. Off. 3.82).

When the Div. was published in 44, Cicero’s rector still not been realized. The only mention of a rector in the Div. is in a nautical and metaphorical context (Div. 1.24). Perhaps fittingly, the Off. is Cicero’s last surviving philosophical comment on Roman society. In this work, addressed to his son Marcus and in the form of a manual for life, Cicero aims at reforming the political culture at Rome, which he saw veering dangerously from the ideals of the traditional patriotism toward the kind of egotistical quest for glory and self-aggrandizement that had brought ruin upon the Greek city-state and could lead to the permanent establishment of tyranny. Indeed, none of the other words which Cicero most often substitutes for rector (conservator, moderator, or gubernator), appears in Off.

The conception of the gubernator most accurately defines the rector rei publicae. The rector, for Cicero, is very much like a helmsman. As a gubernator controls the rudder of the ship, the rector guides the ship of state with an even hand. He chooses the course, but does not power the ship. He must rely on the rowers, i.e. the common people,

56 Since this is the subject of the next chapter, it will suffice to say here that Cicero was left with a great sense of disappointment over Pompeius’ failed statesmanship.
to keep the ship moving forward. To this end, the *rector* must use public opinion to his advantage. Since he does not rule by force, this is the only avenue available for him to enforce his chosen path. His *auctoritas* will be his most important means of leading the people.\textsuperscript{57}

The *rector*, like the *gubernator*, learns his art not from books but from practical experience. Those who rule cities by wise counsel and authority are deemed superior in wisdom by far to those who take no part in government (*Rep.* 1.3). When Cicero embarked on his political career, he already had a broad knowledge of many different schools of Greek philosophy. Cicero also had a deeply detailed theoretical and practical knowledge of statecraft before he began writing his philosophy. The practical knowledge of which Cicero is so proud thus makes his philosophy applicable to the Republic (*Rep.* 1.13). Like a statesman, the *gubernator* learns his craft by experience. A crucial trait for a *gubernator* is the ability to remain calm in a storm. The only way to acquire this ability is to experience the dangers of a storm at sea. The practical knowledge that the *gubernator* gains from his past experiences allows him to remain calm and steer the ship safely through the danger. Often, however, a good helmsman can avoid the storm completely. By recognizing the signs of an approaching storm, the *gubernator* can gauge the level of danger for himself and his ship, and make the appropriate decisions to ensure safety (*Rep.* 1.11). He can put in to port, choose a different course, or even weather the storm by charging straight through it.

\textsuperscript{57} It would seem to be a self-fulfilling chain of thought. For the *rector* to attain *auctoritas*, he must originate and instigate public policy. According to Earl (1967) 33, it was the only way to attain *auctoritas*. Yet the *rector* could be an *auctor publici consilii* only by having *auctoritas*. Election to public office, however, would give a potential *rector* enough *auctoritas* to embark on the beginnings of his regency.
The *rector* has the same duty to avoid danger. His greatest asset is his *prudentia*. Cicero derives *prudentia* from *provideo*, and defines it as forethought (*Rep. 6.1*). This forethought will, like the seafaring experience of the *gubernator*, allow the *rector* to steer the state through political upheavals (*Off. 1.72*). Indeed, Panaetius (fr. 116 = Gel. 13.28) compares the statesman to a pancratiast, always ready to face a new challenge. The conflict between expediency and morality is applicable to this representation of the *rector*.58 The tribulations of the state in the late Republic were quite often unlike anything Rome had had to deal with before. Several times this led to solutions that, while expedient, may not have qualified as ethical. The passage of the *lex Gabinia* in 67 is a case in point. The extraordinary *imperium* granted to Pompeius allowed him to sweep the Mediterranean clear of all pirate activity in six months. However, the precedent set by the granting of such *imperium* would open the door for the later demands of Caesar, which ultimately led to the death of the Republic. With no *rector rei publicae* to guide the decision of the Senate, expediency carried the day over morality.

The *rector/gubernator* must be also a *moderator*. For Cicero, the statesman was to have almost no other duties than continual self-improvement, urging others to imitate his own good example, and make himself a paradigm for the citizens by his supreme excellence of life and character (*Rep. 2.69; Att. 8.11.1*). The function of the *rector* as *moderator* would be most necessary in 49, when civil war had broken out in Italy, and especially so after Caesar’s murder in 44, when Antonius was consolidating his power in Rome (*Att. 8.11.1. Cf. Fin. 2.113*). Antonius is anything but *moderatus*, as Cicero so

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savagely points out in the *Philippics*. But no *moderator* would be needed in 51, since Rome had not yet been taken over by the less that savory characters in Caesar’s retinue. In 51 Cicero could point to his numerous friends in the major magistracies, and the efficient administraton of Pompeius’ recent consulship.

The final point to be made about the recto is that Cicero envisaged him as working within the framework of the existing constitution. While this might seem counterintuitive to the acceptance of monarchy, it is in reality merely a reference to the days of the just kings of Rome. Romulus originally created the Senate as an advisory body made of the prominent citizens. Conversely, though the Senate was subordinate to the *rex*, it was the Senate which had the power to appoint the kings (who were invested with their imperium by a *lex curiata*), and indeed allowed its members to function as the *interreges*. The idea of a *rex* or an autocrat is not at all inconsistent with the idea of a representative republic. Since Rome had a rotating system of magistracies, only someone with a longer term of office would be able accrue enough *auctoritas* and experience to lead in the most just manner.

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59 See *Rep.* 1.9, where Cicero claims there is no nobler motive for entering public life than to prevent the rule of wicked men (*improbi*) and the destruction of the Republic by them. On Antonius’ lack of moderation, *Phil.* 2.63-70, 106-107. Cf. *Off.* 1.24, 1.106, 2.77. On the Greek East as the cause of a man’s lack of morals, see Poly. 6.57.5, 31.25.3ff, and Diodorus 31.26.

60 I disagree with Krarup’s interpretation of *Rep.* 2.56. He claims, on p. 199, that this passage refers to the ultimate expression of the mixed constitution. This ideal *mixtum genus* has a free but voiceless *populus* and consuls with *imperium*, while the Senate holds most of the *auctoritas*. I do not disagree that the Senate would still play a prominent role in a mixed constitution, but *Rep.* 2.56 does not make a statement regarding the permanence of the Senate’s primacy. The temporal ablatives *his ipsis temporibus* and *temporibus illis* firmly base 2.56 in the first years of the Republic, which are under discussion here. But this was before the mixed constitution had grown to maturity. After all, at this time in Roman history, the office of dictator was only just coming into existence, and the tribunes had not yet been created. Cicero obviously felt that the tribunes were an integral part of the mixed constitution, since he does not abolish them in his reorganization of the legal and constitutional precepts of the state, and explicitly states there role as protectors of the plebs against the excesses or persecution by the Senate (*Leg.* 3.9). In addition, Krarup seems to weaken his own argument and that of scholars advocating Cicero’s hatred of monarchy by stating on p. 194 that in Book 3 of the *Rep.* “the form of the state is not important…Men and their actions are,” and that the *rex iustissimus* of *Rep.* 58ff “strongly resembles” Cicero’s *rector rei publicae*. 
The Identity of the Rector

Much has been made of the intended recipient of the advice given in the Rep. and Leg. since Meyer’s assertion that Pompeius was the one Cicero had in mind as his rector. The Rep. may very well have been intended for Pompeius, since at the time of publication Pompeius was the most powerful man in Rome. Since the current governmental structure had not yet experienced the auctocracy of Caesar, there was still an opportunity for a rector to arise.  

It is more likely, however, that Cicero created the rector out of his own extensive political experience, which he combined with his vast knowledge of Greek philosophy.

The laws passed by Pompeius in 52, while necessary to combat the social and political decay that had advanced rapidly, would ultimately prove to be the final cause of war with Caesar. It is true that Cicero does not encourage the creation of new laws in his rector-controlled state, but he does recognize that fact that the rector may at times be called upon to legislate (Rep. 5.3). The third book of the Leg. proposes numerous procedures for blocking the creation of new laws, but for the reason expressed in 3.42, that it is better for a good law to fail than a bad law to pass, impediri enim bonam rem melius quam concedi male. Cicero needs a gubernator, not a Lycurgus, who will guide the ship of state through the next generation of storms. One who is a conservator will also be beneficial. This will certainly not be an easy job, and Cicero has no delusions. It will take a divinus paene vir to retain his grip on the reins of government when revolution is brewing (Rep. 1.45). In the political instability after Caesar’s assassination, whoever will take up the mantle of leadership after the Ides of March, be it Brutus, Cassius,

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61 Rep. 1.70 and 1.12: there is no office in which men most closely approach the gods than in the founding of new states and the preservation of existing ones.
Dolabella, Quintus, or Cicero himself, will need to restore the morality of the state and fight for the moral good which had been in abeyance since Caesar became *dictator perpetuus*. The security of the people must be the supreme law. Only after restoring the Republic and reinstating the *mos maiorum* can the moderator become a complete *rector rei publicae*.

The cyclical nature of the assets of the *rector rei publicae* should come as no surprise. Government by its very nature is cyclical, as Scipio expounds at some length in the first two books of the *Rep*. As the type of government changes, so does the essential quality of the *rector*. Tyranny requires a *conservator*, aristocracy a *moderator*, and democracy a *gubernator*. The importance of the *rector* is never more apparent than when, in the words of Ferrary, “he is forced, if the law has been flouted, to act in the sole light of reason and takes upon himself alone, even without exercising any magistracy or without any commission having been conferred upon him, the task of restoring the *res publica* or of ensuring the eternity of the city.”

62 In light of this evolution, Cicero’s differing views towards Pompeius, Caesar, and others are understandable. Cicero changes his opinion of these men and their political abilities based on the changing needs of the Republic. Cicero may have been guilty of excessive optimism, especially in

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62 Ferrary (1995) 72. Cf. *Rep.* 2.46 (on Brutus’ action against Tarquiniius); 6.8 (on Nasica acting against Ti. Gracchus); and *Phil* 11.28 (on Cassius against Dolabella).

63 I disagree strongly with Earl’s comment (1967) 39, that “the practice of politics and statecraft was not affected by the theories of philosophy.” The passages that he cites in support, however, do not actually reinforce his statement. The passages, including *Rep.* 1.34 and 36, *Top.* 7.8, and *Nat. Deo* 3.5 and 43, all refer merely to the fact that Roman statesman were well acquainted with Greek philosophy. In addition, the comment of Scipio in *Rep.* 1.36 that he is not satisfied with Greek political theory is immediately followed by a statement that he is not bold enough to claim his own opinions to be superior (*neque ea, quae mihi videntur, anteferre illis audeo*). Lest it be forgotten, Scipio had in his frequent company Panaetius and Polybius, described in *Rep.* 1.34 are *duo Graeci peritissimi rerum civilium*. 
reference to Pompeius, but his later morosity would be grounded firmly in the lack of the emergence of a *rector*.

The same is true for his own waffling during times of trouble. Cicero assumes the guise of whatever form of *rector* he feels Rome requires at that time. It is not weakness, or some personal failing, but the act of a skillful politician who truly believes he knows what is best for the Republic (*Off*. 1.83). His political theory and his ideal of the *rector rei publicae* were based on a flexibility that caused it to conform to the current situation. Just as Scipio judges the mixed constitution to the best, so too does Cicero judge the mixed assets of the *rector* to be best in his time. While he may not have been the “man of the hour” in 44-43, the right person to embody the *rector* and right the Roman state, he might have been in 52. Cicero hoped to play the Laelius to Pompeius’ Scipio, and that together the two could create a new brand of Republic that would be more resistant to the peccadilloes and ambitions of increasingly morally lax magistrates.

Cicero was not, however, with his *rector*, describing the sort of *princeps* that evolved under Augustus, but he most certainly saw the need for a single statesman with overriding *auctoritas*. Cicero often uses *princeps* or *principes cives* to denote the aristocratic element within the mixed constitution (*Rep*. 1.42, 43, 44, 52, 55, 68). He also uses this word to denote a statesman of consummate ability (*Rep*. 1.25, 34; 2.34). In another context, Cicero also employs *princeps* to translate the Greek πολιτικός (*Fin.*).

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65 The idea that Cicero’s *rector* was an anticipation of the Augustan principate was first proffered by Reitzenstein (1939), who posits that the lacuna after *Rep*. 2.51 contained the introduction of the idea of a *princeps* (pg. 413f). Meister (1939) summarizes the the different viewpoints on the Augustan question without committing definitively to any one idea. Heinze (1924) disputes the idea that Cicero certainly did not mean for there to be only one rector in the state, and points to Cicero’s avoidance of the term *princeps* in relation to the *rector rei publicae*. For the most part, Krarup (1956) follows Heinze in all things.
5.11). The word, however, with over 700 occurrences in Cicero’s works, seems far too
general a term to help identify the qualities and characteristics of the rector. Indeed, of
all Augustus’ powers and duties, his most powerful autobiographical statement is that he
excelled all other Romans in auctoritas (Mon. Anc. 34). Augustus was able to combine
the aspects of the rector as gubernator, moderator, and conservator, and effectively use
them to stabilize Rome and end her civil conflicts. It is clear in the Rep. that Cicero
views the rector as functioning within the mixed constitution of the Republic, and in this
respect Augustus was able to achieve a semblance of the rector.

But Cicero never recognized the military abilities and political savvy of the young
Octavian, and he did not live long enough to see him institute the principate. For Cicero,
the only two Romans with the potential to be the rector rei publicae were Pompeius and
Caesar. Each, however, after flirting with the ideal of the rex justissimus, would prove to
be huge disappointments for Cicero. An examination of the careers of both men reveal
numerous missed opportunities for each to assume a primacy consistent with that
demonstrated by Cicero’s rector.
CHAPTER 3
POMPEIUS’ FAILURE AS A CICERONIAN RECTOR

Of all the magistrates, generals, and politicians active in Rome during the last years of the Republic, Gnaeus Pompeius Magnus was the most likely candidate to conform to the requirements of the *rector rei publicae* laid down by Cicero in the *Rep.* By the time of the *Rep.*’s publication in 51, Pompeius had enjoyed almost unparalleled success on the battlefield for over twenty years. He had attained the consulship in Rome in 70 virtually by popular acclaim, though too young to hold the position by law. The opinion of the people was for the most part unceasingly positive. He was perhaps the most beloved Roman of his day, as Plutarch (*Pomp*. 1.2) takes pains to point out. He was the foremost political force in Rome for almost thirty years, both by reason of his numerous civilian offices and his extraordinary military commands.\(^1\) Even when he was overshadowed by

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\(^1\) M. Gelzer’s *Pompeius* (2nd ed., Munich 1959) remains the standard biography of Pompeius. E. Meyer’s *Caesars Monarchie und das Principat des Pompejus* (Stuttgart 1922) is now dated, but is still a standard reference; particularly interesting is Meyer’s idea that Pompeius was the model for the *rector rei publicae*, a belief with which I do not agree. Several English-language biographies of Pompeius appeared close together in 1978-1981, each of which has its particular strengths and weaknesses. R. Seager’s *Pompey the Great* (2nd ed., Oxford 2002) presents a copiously cited biography more intent on discussing the political aspects of Pompeius’ career. Unfortunately, it avoids detailed discussion of Pompeius’ provincial successes, but remains perhaps the most complete biography in English. Greenhalgh’s two-volume biography, *Pompey, the Roman Alexander* (London 1980), and *Pompey, the Republican Prince* (London 1981), though hampered by a disturbing lack of footnotes, a relatively unscholarly style, and ignorance of Pompeius’ political activities, does present a strong and thorough discussion of Pompeius’ military commands and his genius as a general. J.D. Leach ‘s *Pompey the Great* (London 1978) also plays on the strengths of Greehalgh’s work; that is, detailed discussion of the military campaigns and provincial administration. However, the almost total reliance on primary sources and scant non-English secondary research does the book some harm. J. van Ooteghem has also written a biography of Pompeius (*Pompée le Grand, Bâtisseur d’Empire*, Brussels 1954). This work, despite the title, is more of a general history of the period from Sulla to Caesar, though it has value for its copious discussions of the work of Mommsen, Meyer, Carcopino, and L.R. Taylor.
Caesar as a member of the triumvirate, he possessed long-standing and well-earned *auctoritas* in the Senate and the assemblies.

Throughout his public career, Pompeius also displayed a consistent deference to constitutional norms. His unconventional commands were obtained legally, through laws passed through both Senate and popular assembly. Above all, he showed no desire to overthrow the *status quo*. He took quasi-dictatorial powers on two occasions, in 67 and 52, each time without the use of force and with the full backing of the Senate. Even when forced to wage war within Italy itself, he did so only with a commission from the Senate. He preferred to be prominent without setting precedent. Indeed, he often acted contrary to expectation when he felt it was in the best interests of the Republic. In fact, his love of the people and desire to use them as the base of his power made Pompeius the most democratic of the late Republican leaders, if not in practice than in spirit.

Pompeius also displayed consistent respect for ancient Romans *mores*. One of the chief duties of the *rector*, and one of the main themes of the legal code proposed in the *Leg.*, is the guardianship of the archaic practices that had allowed Rome to grow and prosper. Pompeius, unlike many of his contemporaries, and in stark contrast to Caesar, was nearly blameless in his private life (Vell. 2.29.3-5; *Pomp.* 2.5-6). Even his divorce of Mucia was well received by the people of Rome as a demonstration of his morality (*Att.* 1.12.3). His personal rectitude and his devotion to the Roman constitution made him the ideal candidate to assume the role of *rector rei publicae*. In short, Pompeius possessed the credentials necessary for assuming the role of Cicero’s *rector*.

Cicero indeed placed great hope in Pompeius. He believed that the general could be another Scipio Aemilianus, and hoped the Pompeius would allow him to be his
Laelius. But Pompeius, in the end, would prove a disappointment to Cicero. The great general would prove an unwilling political leader, more content to spend time at his suburban villa. In an ironic turn, Pompeius’ reliance on his reputation for services rendered to the Republic would prove galling to Cicero. He displayed a tremendous ability for organization and administration, and his greatest successes in this area came when he was the undisputed master of the situation, such as in Asia in 65-63.

Complicating matters was the fact that Pompeius endured a public enmity that rivaled his success. The Senate was distrustful of his desire for approval by the populus Romanus as well as his military dominance, while the people were frightened of his close ties with Sulla and his later alliance with Caesar. His political abilities were often maligned, no more expressly than in Cicero’s correspondence with Atticus. It had long been known that Pompeius was not a natural-born politician. Even though he was from the equestrian class, and his father had served as consul, the young Pompeius was appallingly ignorant of governmental practices. For this reason, upon his election to the consulship in 70, M. Terentius Varro, who would prove a faithful ally of Pompeius until his death, wrote a handbook of senatorial procedure for him in preparation for his duties as consul (Gell. 14.7).

As the following discussion will attempt to prove, however, Pompeius actually did come very close to attaining Cicero’s ideal. He entered into closer and closer ties with the Senate following his second and third consulships, thereby creating an atmosphere of

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2 Some influential modern scholars adopted wholesale the unsympathetic portrayal of Pompeius found in the letters, and have given pitiless reviews of Pompeius’ character and career. These would include Drumann and Groebe (1899), Mommsen (1903), and Carcopino (1943). These scholars, Mommsen and his followers, could not but compare Pompeius to their image of the dashing, single-minded Caesar.
cooperation between consul and Senate that was crucial for the success of the *rector*.

After the publication of the *Rep.*, however, Cicero’s opinion of Pompeius fell
dramatically, culminating in his scathing judgments about Pompeius’ decision to abandon
Italy and fight Caesar overseas (esp. *Att.* 7.11.3, 7.13.1, 7.16.3).

Pompeius’ world view and ability to think beyond the confines of the Italian
peninsula (an ability exhibited with great success in his commands against the pirates and
Mithridates), conflicted with Cicero’s concept of the *res publica*. For Cicero, the *res
publica* was Rome herself; Pompeius’ decision to leave her, regardless of the possible
outcome and the general soundness of his military strategy, was the final indication to
Cicero that Pompeius would never achieve the ideal of the *rector*. Indeed, for Cicero, it
would prove that he would not, indeed could not, win the war against Caesar.

Interestingly, as previously stated, military ability was not an expressed component
of the *rector*. Since Cicero himself had reached the consulship without military glory,
and as a *novus homo* at that, he would not have been convinced of the necessity of martial
service as a useful tool for political success. Pompeius’ military genius certainly
garnered no favor with Cicero, who was quite willing, especially after his nominal
successes against the unorganized tribes of Cilicia, to second-guess Rome’s most
distinguished commander. In the end, however, his military prowess might have been the
one ability through which Pompeius could have reached and maintained primacy. While
hindsight is by its nature perfect, it is probable that had the Senate given Pompeius
supreme command over all the Republican forces, he would have defeated Caesar and
stood alone as the first citizen of Rome.
His considerable military abilities aside, Pompeius also failed as rector because of his inability to adapt to political necessity. Pompeius was a staunch Republican, and his respect for the ancestral constitution prevented him at times from asserting his authority and the power of his armies for the good of the Republic. His overriding goal was to be loved by the people, to rule over a people willing to submit to his authority by his influence rather than his army (Dio 41.54). To this end, he often refused to consider or accept compromises which, though perhaps contrary to his ideals, would have better served the Republic.

For his part, Cicero recognized both Pompeius’ inflexible nature and its shortcomings. Cicero himself proved to be a protean politician, dissolving and creating alliances as the need arose. Pompeius’ unwavering devotion to tradition and the populus Romanus proved his downfall. In the crisis of the 50’s, Rome needed a strong leader, if not a rector than certainly a consul of with the constitution of a dictator. Pompeius, at least to Cicero, was the first and best choice for either rector or dictator. Indeed, Cicero supported the move to make Pompeius dictator in 52. As revealed especially by the letters to Atticus, Pompeius did not often enjoy Cicero’s full political support. What he did, however, was often consistent with what was expected of the rector in the Rep.

Far from being a weak-willed academic, Cicero was rather an astute politician, perhaps the only one in Rome who realized that the Republic would soon be replaced by a new form of government. Cicero knew that Rome was headed for war between Caesar and Pompeius, and that the victor would stand alone at the top of Rome’s political and military machine. In hopes of influencing the victor, and of immortalizing his own reputation, Cicero composed his treatise on the Republic and its steward. This chapter
will first detail Pompeius’ qualifications for the duties of the rector in order to establish the necessary background for a discussion of the relationship between Cicero and the general. As will be demonstrated, Pompeius’ failure as a rector is due as much to the hostility of the Senate and Cicero’s own perplexing lack of support as to his own personal disposition. Next will follow an analysis of what to Cicero was Pompeius’ ultimate failure: his strategy and conduct during the war with Caesar. Finally, I will examine Cicero’s posthumous judgment of Pompeius. Important for this discussion is the political commentary found in the Off., especially since Pompeius almost entirely disappears from Cicero’s correspondence after the defeat at Pharsalus. As Cicero became more and more disillusioned with Caesar and his entourage, he began to rehabilitate the reputation of Pompeius as, along with Cato, the preferred choice for Rome’s ruler.

**Pompeius’ Qualifications as Rector**

Cn. Pompeius Magnus had the most distinguished career of any Late Republican Roman magistrate. His extraordinary military ability had endeared him to the plebs Romana, and he would enjoy their almost uninterrupted favor for the last thirty years of his life. While the Senate distrusted any individual who enjoyed the sort of popular support that Pompeius did, they nevertheless recognized his genius on the battlefield and as an administrator. Prior to 51, when the Rep. was published, the only blemish on Pompeius’ career was his unfortunate alliance with Crassus and Caesar in the so-called First Triumvirate, which will be discussed in more detail in the next section of this chapter. He had admirably executed unusual and difficult military commands, and then laid aside his imperium in accordance with tradition. His morality was unimpeachable, and though his oratorical abilities were perhaps less than stellar (Att. 1.14.1), his opinion nevertheless carried weight with both the people and the Senate. As sole consul in 52, he
had brought order to the political chaos that had crippled Roman politics for close to a
decade. Based on Pompeius’ previous service to the Republic, Cicero would have had
good reason to think that he could execute the duties of the *rector*.

Like most of the senatorial class, Pompeius spent long stretches of his career as a
*privatus*. His military career, however, had begun at a young age. He served as a legate
under his father, Cn. Pompeius Strabo at the age of 17 during the Social War.3 After his
father’s death, Pompeius retired to Picenum. Since Pompeius Strabo had given
citizenship to the Transpadanes during the Social War, the younger Pompeius was able to
capitalize on the goodwill felt there for his father in order to raise several legions in
support of Sulla in the fight against Marius in 83. He was dispatched to Sicily and then
to Africa by Sulla, where he quickly subdued the Marian forces. During these campaigns
Pompeius earned a reputation for cruelty; Valerius Maximus (6.2.8) records that
Pompeius gained the derisive title of *adulescentulus carnifex*, “the teenage butcher,” for
his ruthless prosecution of the Marians. Following his spectacular and swift successes in
Africa, he was awarded a triumph, though only 25 years old and over the objections of

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3 Strabo had been the first of his branch of the Pompeii to achieve senatorial rank, though a Q. Pompeius
had been consul in 141, partially on the strength of his oratory (*Cic.* *Brut.* 96). Strabo began the steps of
the *cursus honorum*, serving as quaestor in 106 and tribune in 104. During the Social War he was both
legate (90), and in 89 he served as consul. He also held important commands against the Marsi and in
support of Sulla against the Marians. He had successful besieged Asculum in 89, defeating a large Italian
army and ending the revolt in the north of Italy. Though his victories in the Social War had proved
instrumental in the successful conclusion of the war, Strabo incurred immense hostility for his attempt to
force a second consulship in 87 (*Vell.* Pat. 2.21.1-3). He was also rumored to be in league with Cinna, and
following his death in 87 his funeral was interrupted and his body was desecrated (*Pomp.* 1.2). In the early
stages of his career, the hatred of the people and the *nobiles* towards his father would be an obstacle.
Badian (1984) 267 contends that Strabo had left his son with a *damnosa hereditas*, and that it was only
because of powerful support by Strabo’s surviving allies that the young Pompeius did not come to serious
harm once Marius and Cinna had retaken Rome. To the best of my knowledge, no full-treatment of the life
of Strabo exists, though admittedly the primary sources are relatively meager. For a concise and well-
Pompeius’ next assignment was to engage the rebel general Sertorius, who had established himself in Hispania. Pompeius’ command lasted almost five years, and he was ultimately unsuccessful in defeating Sertorius; the rebel Marian was murdered by his own followers. His “success” in Hispania, however, had brought enormous public approval. Perhaps fearing both popular uprising and the legions which Pompeius had not yet disbanded, the Senate allowed him to stand for the consulship at the age of 35. Even though not yet of legal age for the consulship and without having held any other office in the Sullan cursus honorum (Liv. Per. 97; Cic. Man. 22-23; Val. Max. 8.15.8), he was elected in 70 to the highest civilian magistracy in Rome. With his election to the consulship, Pompeius gained a measure of political power to complement his public approval (Pomp. 14.6). He had already wielded a measure of political authority since his triumph in 81. Both the Senate and people viewed him as an ally, and invoked his name in debate when it suited their cause (Sall. Hist. 3.48.23).

Following Sulla’s death, Pompeius had become more of a popularis than an optimate. He most likely had some influence in the election of the anti-Sullan M.

\[4\] The lex Villia Annalis of 180, which Livy (40.44.1-2) implies was an extension of the lex Baebia of 181, had decreed minimum ages for the elected offices. By this law aediles must have been at least 36 years old, praetors 39, and consuls 42. It also forced a period of two years between each magistracy, with a ten-year interval between consulships. Marius of course had ignored this law by holding five successive consulships between 104 and 100; Astin (1958) has treated the subject in depth. Sulla restored the traditional laws concerning public office, revoking prohibition on holding the same office in successive years, and making the minimum age for quaestor 30. Sulla also made the quaestorship and praetorship mandatory for any candidate for the consulship. To add to the irregularity of his candidacy, Pompeius was not yet even a senator. This was to prove a point of contention throughout Pompeius’ early career. Syme (1939) 30 notes that “the nobiles were much too stubborn to admit a master, even on their own terms…nor was Pompeius in any way to their liking. His family was recent enough to excite dispraise or contempt, even among the plebeian aristocracy.”

\[5\] For the purpose of this dissertation, the term popularis will be used for those who fought against the primacy of the senatorial oligarchy, while optimate will describe those who supported it. Cicero seems to give a working definition of populares at Sest. 96ff: those who wish that everything they do and say be agreeable to the crowd (Lat. multitudo) are the populares. On Cicero’s distinction between populares and the boni, see Seager (1972) 328-338, esp. pp. 329-331. Aedoock (1959) 19 describes the optimates in this fashion: “members of gentes which had come to claim privilege of birth and aristocratic tradition reflected
Lepidus to the consulship in 79 (Pomp. 15.1-2). His restoration of the tribunate’s powers, eliminated by Sulla’s legislation, was fundamental to his political agenda: id quod maxime exspectari videbat (Cic. Verr. 1.15.45). With the attainment of the consulship in 70, he had the legitimate political power to bring about such legislation.

After his consulship, Pompeius retired into the life of a privatus. He would spend the next two years basking in the glow of his military and civilian accomplishments. He remained as active in politics as the law allowed. He campaigned for his own candidates for the various magistracies and exerted influence through his auctoritas instead of his armies. He had so far, aside from his preternatural triumph and consulship, consistently adhered to both law and precedent, and enjoyed several quiet years of private life. But

in institutions…which the plebeians did not share.” It should be noted that there was never a party of populares or optimates in the manner that we now think of political parties. Cf. Shackleton Bailey (1960) 265-266, where he claims that unity extended no farther than the family unit. Lacey (1970) 3-6, (referring to Sest. 97) “the optimates includes everyone who is honest and sane…populares were not a party at all, at any time; they were merely a group of nobles whose influence in the Senate was too small for them to be able to secure their objectives…and so turned to the popular assembly to gain their ends.” This corresponds to Taylor’s (1949) 21 assessment, which identifies the Gracchi, Marius, Cinna, and Caesar as leaders of the “popular” party against the clique of nobles that controlled decisions in the Senate. Gruen (1975) 42-43 makes it a point to mention that simple opposition to the Sullan constitution did not automatically make one a popularis. Hence he strongly disagrees with any association of Pompeius with the term popularis. He states, “The notion of Pompey as a popularis is a fabrication of modern scholarship” (75). Considering that neither Caesar nor Sallust uses the term populares to describe Caesar’s party, it is admitted that these terms are fairly arbitrary. They are used for the convenience of the reader and the continuity of the narrative. Gelzer (1968) 63 again makes the assertion that when discussing optimates and populares that modern parliamentary groups should be imagined, since it was a point of honor for the principes of the Senate to exercise an independent judgment, especially when they felt that their predominance was under attack.

6 Exemptions to the lex Villia were not uncommon. They had in fact become so commonplace that the tribune C. Cornelius in 67 had attempted to pass a law restricting the bestowal of exemptions to the sole discretion of the people’s assembly. The bill was so unpopular that Cornelius was later prosecuted for maiestas. The most concise treatment is Astin (1958). Mommsen (1888) 3.505ff also discusses the law in some detail. The main disagreement between Astin and Mommsen here is whether or not the law passed in 180 specified minimum intervals, the biennium, between the offices of the cursus honorum. There is no need to elucidate the specifics of each one’s argument here, since it is not central to this discussion, but I for the most part find Astin’s arguments more convincing. For the workings of the lex Annalis in the last years of the Republic, see Sumner (1971) 246-271.
he would soon be called back into the forefront of Roman politics, and again would be
given a chance to exhibit his considerable military prowess.

The Mediterranean in 67 was no longer safe for trade because of rampant piracy.
Rome had been involved in long and costly wars at home and abroad for over three
decades. The control of piracy had therefore become a secondary concern. Measures had
been taken to combat the problem, culminating in a far-reaching command given to M.
Antonius in 74.7 Antonius had proved relatively ineffective, and the audacity and reach
of the pirates culminated in an attack on Rome’s own harbor in 69 (Cic. Man. 31-33;
Vell. 2.31.2; Pomp. 24.1-25.1; Dio 36.20.1). The Senate was therefore prepared to again
create a military commission whose sole purpose was to rid the Mediterranean of the
pirate menace. As Rome’s most successful and most popular general, Pompeius was an
obvious choice for the command. However, there was powerful opposition in the Senate
to the bill granting him this extraordinary command, the lex Gabinia (Dio 36.24.1). For
the second time in his career, Pompeius was feared as a potential Sulla; the Senate was
uneasy about placing a command that, if successful, would assure unlimited goodwill
among the people, both in Italy and the provinces. Q. Lutatius Catulus, for example, did
not object to the bill proper, but to the granting of its powers to Pompeius (Vell. 2.31.4).
The people, however, showed great enthusiasm for Pompeius, and he was elected by the
assembly with great applause.8 Indeed, Pompeius enjoyed such popularity that on the

7 The Antonii had long been involved with the pirate problem. Marcus’ father, also named M. Antonius,
had celebrated a triumph over the Cilician pirates in 100, and became consul in 99. The M. Antonius given
the extraordinary command in 74, the father of the future triumvir of the same name, suffered a disastrous
defeat at the hands of the Cretans (D.S. 40.1), and earned the sarcastic sobriquet “Creticus.” His command
had ended with his defeat and death in 71 (Liv., Per. 97.3).

8 As an example of his popularity, Plutarch (Pomp. 25.6) relates the charming anecdote that Catulus’
proposal for a colleague for Pompeius in the pirate command was met with such vociferous shouting that
the sound killed a crow which happened to be flying overhead.
day the *lex Gabinia* was passed the price of bread in Rome dropped dramatically (*Pomp.* 26.2).

There was, however, a question as to what sort of *imperium* he was to be given. According to the ancient sources, Pompeius was ultimately assigned 24 legates, unlimited funds, 500 ships with 120,000 soldiers and sailors, and, most importantly, *imperium* throughout the empire within 50 miles of the sea (Vell. 2.31.2-3; *Pomp.* 26.1-3, Dio 36.36). Although the entire campaign lasted only six months at most, it was not known how much time Pompeius would need. His *imperium*, therefore, was granted for a period of three years (Dio 36.37.1)⁹.

Pompeius quickly showed his aptitude for far-reaching administration and coordination of forces over a large area. He quickly devised a strategy that allowed him

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⁹ The exact nature of Pompeius’ *imperium* has been a difficult problem. The ancient sources are not in agreement. Velleius Paterculus (2.31.2-4) claims that Pompeius was given an *imperium aequum consulibus*. Tacitus (*Ann.* 15.25) writes that Cn. Domitius Corbulo’s *imperium maius* under Nero was the same as Pompeius’ against the pirates, while Dio (36.17a) claims that it was Pompeius that interfered with the operations, Q. Caecilius Metellus, who had been commissioned with a proconsulship in 68 (Livy *Per.* 98) to defeat the pirate forces in Crete (Cic. *Flacc.* 30, 63, 100), which implies that Metellus had the greater authority on the island. No help is found in the opposition of C. Calpurnius Piso to Pompeius’ command. Piso had been a vocal opponent of the *lex Gabinia*, and he interfered with Pompeius’ recruitment in Italy and Gallia Cisalpina (*Pomp.* 27, Dio 36.37.2; also Gelzer [1959] 74). Since Piso was consul in 67, his activities, as Seager (2002) 207 n. 82 rightly points out, do not provide any clarification of the status of Pompeius’ *imperium*. Modern scholars are no closer to agreement than the ancient historians. Broughton *MRR* 2.146 claims that Pompeius was given “unlimited *imperium* for at least three years over the Mediterranean sea and its coasts for 50 miles inland, equal to that of the Proconsuls in the several provinces.” Last (1947) 161 suggests that Pompeius enjoyed *imperium maius* within the fifty-mile coastal limit, but *imperium aequum* in all other instances; he thereby refutes the assertion by Mommsen (1888) 2.655 n.1 that the *cum proconsulis* of Vellelius meant that it did not interfere with propraetorian authority. Ehrenberg (1953) 118 claims that “in no earlier command had greater power been granted to one man (dictatorial power excepted) than to Pompey by the *lex Gabinia* of 67 B.C.” and he supports the argument for *imperium maius*. Ehrenberg, however, makes no discussion of Cicero’s remark at *Verr.* 2.2.8, which admittedly might be slightly hyperbolic, where the orator calls M. Antonius’ authority in 74 *imperium infinitium*. Jameson (1970) 557 notes that Pompeius would have had to receive some form of *imperium maius*, since legally he could serve *pro consule*. After his consulship in 70, Pompeius had refused a province, and had been of *privatus* status ever since, and the evidence collected by Mommsen (1888) 2.652 suggests that with the increase in the number of praetorships in the third century *privati* had ceased to serve *pro consule* – Marius and Pompeius would be the only examples in almost 200 years. It appears most likely, since consensus may be impossible and in light of his personal and military relations with Metellus, that Pompeius was invested with proconsular *imperium maius* at sea and an *imperium aequum* over his coastal jurisdiction, though Seager (2002) 46 favors nothing more than *imperium aequum* in all cases.
maximum flexibility with the capability to strike against his opponents over the entire Mediterranean. More important to this discussion than his tactics is the nature of Pompeius’ *imperium* and his novel ability to create and control a comprehensive strategy embracing most of the Mediterranean basin. Most of Rome’s politicians tended to focus on Rome to the neglect of the broader concerns of the empire. Indeed, their attitude had a long tradition. The decision to stay and defend the city during the Gallic invasion in 390 was powerful evidence of the sanctity of Rome to the Romans. But at that time the city controlled far less territory, and was still under threat from other Italian tribes. Rome’s position was by no means secure, and the Gauls represented a threat to Rome’s very existence. By Pompeius’ time, however, Rome was dependent on her provinces for the basic necessities of life. Italy was exempt from taxation, and could not provide enough grain to feed the already enormous and still growing population.

Unlike Lucullus, Antonius, and others who had been entrusted with forces to combat the pirates, Pompeius did not attempt pitched battles with the pirate fleets. His strategy provides a prime example of his ability to organize operations over a vast area. He first divided the Mediterranean into a number of small districts, with each of his legates responsible for only one section of the sea (*Pomp. 26.3*). Starting in the western half of the Mediterranean, Pompeius’ forces began chasing the pirates east. The legates would provide support when pirate fleets entered their sections, but would not chase them beyond their allotted boundaries. The strategy worked brilliantly. Within forty days Pompeius had swept the western half of the sea clear of pirates (*Pomp. 26.4*). By first sweeping the pirates away from Italy and the trade routes from North Africa he freed Italy from the danger of starvation while he continued east to the dangerous enclaves in
Cilicia and Cyprus. Within three months, Pompeius had effectively ended the pirate threat (*Pomp. 28.2*).

After defeating the pirates, however, there was speculation concerning Pompeius' plans once his commission had ended; would the general return to Rome peacefully, or would he use his forces to install himself as a dictator in the Sullan fashion? The question was answered, and indeed nullified, by the need for Pompeius to go east against Mithradates VI, who had been a consistent thorn in the side of Rome since the days of the Social War. Two wars had already been fought against him when he decided to invade Bithynia in 75. The threat was so great that the consul for 74, L. Licinius Lucullus, had been sent against him, and indeed had been engaged in almost ceaseless conflict since.  

With ultimate victory still out of reach, there was a movement to entrust the defeat of Mithradates to the victorious Pompeius. A measure was passed, the *lex Manilia*, which conferred on Pompeius all lands and forces under the control of Lucullus, then serving as proconsul of Cilicia (*Pomp. 30.1*). For the moment, at least, the Senate would not be consumed by fear of Pompeius returning at the head of his army to install himself as dictator in Rome. Pompeius, however, professed disgust at being named to another foreign command (*Pomp. 30.6*), a measure of humility not often apparent in the ruthless, career-oriented world of Roman politics. He had already returned to private life once after serving the state, after his triumph in 80, and he may very well have longed to return after serving the state, after his triumph in 80, and he may very well have longed to return

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10 Lucullus had been consul in 74, and from at least 73 the proconsul of a succession of eastern provinces, including Bithynia and Cilicia. His success varied, with great victories often followed by damaging defeats. He failed to capture Mithradates after the battles of Artaxata in 68 and Zela in 67. Though a capable commander, he lost the confidence of his troops, whose refusal to follow his orders hampered his efforts. Nevertheless, he was accused of drawing out the war unnecessarily for personal gain; he was indeed awarded a triumph in 63. Plutarch’s biography, as well as Cicero’s speech *Pro Lege Manilia* and Appian’s *Mithridatta* are invaluable for Lucullus’ conduct of the war; Plutarch’s life of Pompeius complements the other sources. A. Keaveney’s apologetic biography (*Lucullus*, London 1992) also provides a comprehensive treatment of the various campaigns.
to Rome a *privatus*. Pompeius in 66 nevertheless took up his eastern command, and quickly accomplished in three years what Lucullus could not do in ten.

Mithridates was ultimately defeated in 63, and Pompeius undertook a massive reorganization of the East. This vast and unprecedented reworking of the map of the Roman world exhibited for the world all of Pompeius’ organizational and administrative skills.\(^\text{11}\) The general first restructured the borders of the provinces. Bithynia was extended to include Pontus, Cilicia was enlarged, and Syria annexed to the empire. He also set up military outposts on Crete and Cyprus. Galatia, Paphlagonia, Cappadocia, Armenia, Commagene, and several other regions were left in the hands of their native rulers, so long as they sought Rome’s advice in all matters of foreign policy and did not take up arms against her. Having secured the borders, Pompeius then restored numerous cities with had been founded on Hellenisitic principles, both as administrative centers and to further entrench the region with Graeco-Roman culture. Admittedly, the southern and extreme eastern borders were not as carefully managed as the northern territories, and Syria would prove to be especially vulnerable to incursions from the Parthians. But Pompeius had achieved a great victory over Mithridates, and his conquests had enriched Rome, and Pompeius himself, far beyond all expectations. His prestige at home and abroad was at an all-time high, and for the first time Pompeius stood unrivalled as the first citizen of Rome.

\[^{11}\text{Remarkably, Plutarch (Pomp. 42.4) passes over the eastern settlement with a single phrase, διοικήσας δὲ τὰ ἔκει καὶ κατασπάμενος….ἐχρῆτο. In the BC (2.1.1), Appian passes completely over both the pirate campaign and the one againt Mithridates, but treats the war in the east more thoroughly at Mith. 116.568. By his reorganization Pompeius also created an enormous pool of clients for himself, one which would later prove to be quite valuable during the civil war. On Pompeius’ *clientela*, see Dio.Sic. 40.4.1; Caes. BC 3.3f describes in detail the eastern forces Pompeius commanded in 48.}\]
Yet Pompeius’ aura would soon dissipate. As he made his way back to Italy in 62, Rome again held its breath. The Senate did not know what Pompeius would do, and old fears arose that the ambitious *carnifex*, not Magnus the patriotic general, would return to Italy. In both 80 and 71, with highly trained and successful armies behind him, Pompeius had been quite capable of invading Italy and installing himself as dictator, had his ambition been as naked as Caesar’s. Each time, however, he disbanded his army in accordance with tradition. But in 62, the political situation in Rome fueled the Senate’s fears that Pompeius might install martial law under his control (*Pomp.* 43.1-2). L. Sergius Catilina was still at the head of a small but dangerous army, and reaction against Cicero’s swift and merciless execution of several of the conspirators was becoming more and more hostile. Crassus himself stole quickly out of Rome with his money and his family in anticipation of Pompeius’ return, fearing a Sullan purge of the rich (*Pomp.* 43.1). The rumors that had reached the Senate would prove to be unsubstantiated. Pompeius once more disbanded his army in the traditional manner, sending his soldiers home with only the request that they be ready to reassemble in short time for his coming triumph (*Pomp.* 43.2).

His peaceful return only increased his popularity with the common people, and provided proof to the Senate of his adherence to Republican traditions. Pompeius did nothing in his handling of his military commands to further weaken Republican government.12 He was quite proud of his adherence to constitutional law; in 50, suffering

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12 Greenhalgh (1980) 167: “Pompey entertained no revolutionary thoughts whatsoever. He had never sought an aristocracy, and if his early career had been irregular and he had once used an army to blackmail the Senate into awarding him the command against Sertorius, even then his ambitions had never compromised his Republicanism.” See also Seager (2002) 139: “Pompeius had no wish to see the constitution overthrown; it must rather be stretched by common consent almost, but not quite, to the breaking point to accommodate his own unique pre-eminence. In 50 he came close to his ideal, but his supremacy depended on holding a balance between Caesar and the optimates.” Mitchell (1991) 240,
from a long illness (App. BC 2.4.28), the general would write a letter to the Senate claiming that he had received every office earlier than he had expected, but that he had laid them all down more quickly than others had expected (Pomp. 54.1). Pompeius would celebrate his third triumph on 28 and 29 September 60. It was the most lavish triumph ever seen in Rome, with good cause. The sources record that Pompeius claimed victory over twelve million people, fifteen hundred towns and fortresses, eight hundred and fifty pirate vessels, and all lands from Lake Maeotis to the Red Sea (Plin. NH 7.97; Pomp. 45, App. Mith. 117.576). He is also credited with doubling Rome’s provincial tax income, as well as depositing in the treasury twenty thousand talents. His even and good-hearted nature was never more apparent than at the end of this triumph, when contrary to tradition he sent all the prisoners exhibited in the parade home (except for the foreign kings) at the state’s expense. He then set about securing land for his veterans, an act which was by no means without precedent, since both Sulla and Marius had done the same years earlier.

But Pompeius would find immense hostility in the Senate to his land bills, as well as to the ratification of his eastern settlement. Thus alienated from the Senate, he was susceptible to the promises of the newly-arrived Caesar, who in exchange for Pompeius’ support guaranteed passage of his legislation (Vell. 2.44.2; App. BC 2.9.33; Iul. 19.2). Crassus would join Caesar and Pompeius as the third member of the arrangement, and he would provide the monetary backing. This agreement, in all respects legal and based

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reference to Pompeius’ break with Caesar in 52, writes that “he had emerged from the consulship in 52 in a greatly strengthened position that left him little incentive to remain as Caesar’s ally...he had been given a position of high trust by action of the oligarchy itself and had achieved a primacy as an instrument of the Senate and as a restorer of the organs of republican government that was more akin to his true ambitions than the dynastic position afforded by the alliance.”
formally on the idea of *amicitia*, would lead to the most disappointing and unpopular years of Pompeius’ career. Ironically, it was the Senate, which had given Pompeius his remarkable military commands, that now refused to honor the results of those commands, thereby forcing Pompeius in to an agreement with Caesar. Caesar would bear the brunt of the hostility against the triumvirs, though Pompeius was often the focus of much of Cicero’s wrath, as will be discussed in the next section. Pompeius would rehabilitate himself once Caesar left for Gallia. He would have the help of Cicero, for whom he would secure a recall from exile. Once the people’s faith in him had been recovered, Pompeius was again in the position he had enjoyed during the 60’s. He would receive one more chance to demonstrate his abilities on behalf of Rome, a chance which would heavily influence the composition of Cicero’s *De Republica*.

Pompeius’ final extraordinary office before the publication of the *Rep.* was as sole consul in 52. Once again, Pompeius would prove to be a very capable administrator. Following his second consulship in 55, he declined to go to his province of Hispania, in order to lend his support and authority to the maintaining some semblance of civil harmony. Yet he did not abandon his province to incapable governors. He picked as his legates L. Afranius, M. Petreius, and M. Terentius Varro. All three were experienced generals and close friends of Pompeius.13 By choosing such experienced military men it

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13 Afranius had fought with Pompeius in the wars against Sertorius and Mithridates. With Pompeius’ support he had been elected consul in 60 and had celebrated a triumph for his victories in Gallia Cisalpina. Though an inept politician, he was more than capable as a general, and Seager (2002) 33 calls him “the archetype of the Pompeian.” Petreius had defeated the forces of Catilina (while serving under C. Antonius Hybrida, consul in 63), but other information on him is scarce. Though it is unknown how he became so close to Pompeius, his appointment as legate in Hispania and Pompeius’ trust in him during the civil war proves that Pompeius knew him and his abilities well. Varro, in addition to being a great literary talent and scholar, also served Pompeius against Sertorius, the pirates, and Mithridates. Though a close friend of Pompeius, he despised the triumvirate, coining the term *Tricaranus*, “Three-Headed Monster” to describe it (App. *BC* 2.2.9).
is possible that even in 54 he was contemplating a wider strategy should civil war break out anew.\textsuperscript{14} In any event, Pompeius remained in Rome, where he kept a close watch on the situation developing around the election of the civic magistrates.

The elections for 53 had been postponed, as had those in 54, and the disorder in the streets was such that Cn. Domitius Calvinus and M. Valerius Messalla did not assume their consulships until a full seven months into the year. The political situation in Rome was reaching a critical point. The mob violence and abuse of constitutional authority continued unabated into the new year. Mass rioting had accompanied the consular candidacies for 52, and Clodius, no friend to Pompeius or Caesar, was standing for the praetorship. When Clodius was murdered on January 18\textsuperscript{th} of that year by Milo, an event which Cicero had foreseen with remarkable clarity in November 57 (\textit{Att.} 4.3.5), the public displays of grief and anger resulted in the burning of the Curia and numerous other buildings in the Forum area (\textit{App. BC} 2.3.21).

The tribunes, conscious of the state of Roman politics, finally took the constructive step of calling for Pompeius to be named dictator (\textit{Dio} 40.50.3; \textit{App. BC} 2.23.84; \textit{Ascon.} 35). Even though he had generally been absent from the capital, the people still held him in high regard. \textit{Appian} (\textit{BC} 2.3.20) relates that Pompeius possessed what the people wanted in a dictator at that time: he was a friend of the people and a leader in the Senate; he had a loyal army at his disposal. His temperance, self-control, and the perception of

\textsuperscript{14} Seager (2002) 123 posits that the very desire for the Spanish provinces proves that Pompeius had already considered the possibility of war between Caesar and himself, or at least Caesar and the Senate. Plutarch (\textit{Pomp.} 53.1), however, claims that the reason for his refusal to go to Hispania, and the resultant delegation of his proconsular duties to his adherents, was that Pompeius preferred to spend time with Julia at various vacation spots in Italy to active participation in political affairs; this brought a measure of displeasure from the people. Nevertheless, Pompeius was certainly planning his military policy at least by October of 50 (\textit{Att.} 6.8.3). When, however, he did leave Rome in January 49, it came as a tremendous shock, at least to Cicero (\textit{Att.}7.11.3).
ease of access won favor. The dictatorship, of course, was never a popularly elected office, but it was indeed bestowed on someone who had been nominated by a consul on the Senate’s proposal, and the appointment was ratified by a *lex curiata.* But the Senate, however, perhaps sensing a chance to restore itself to its former status, would not stand for Pompeius to be named dictator; it had already successfully defeated a motion for his appointment to the dictatorship in 53. Indeed, the last dictator Rome had seen had been the ruthless Sulla in 79. Bibulus, in an obvious attempt to hinder the career of his arch-rival Caesar, proposed that Pompeius be named sole consul for 52. Ironically, in an almost complete reversal of the debate concerning the *lex Gabinia* in 67, the measure was finally passed when Cato rose to say that he could think of no better person than Pompeius for this highly unusual office (*Pomp.* 54.4). He would have the responsibility of restoring public order, both through legislation and through his appointment of a consular colleague of his own choice. For all intents and purposes Pompeius in 52 exercised the office and duties of a dictator without the traditional six month limit to his powers.

15 Mommsen (1887) 2.141ff still provides the most detailed discussion of the process of nominating and confirming a dictator.

16 *Pomp.* 54, *Caes.* 28, *Cato* 47; Dio 40.50.4; Vell. Pat. 2.47.3; Ascon. 36; Val. Max. 8.15.8; *Jul.* 26.1; Livy *Per.* 107.

17 Indeed, Taylor (1949) 149 calls the sole consulship “completely unconstitutional,” not only because Pompeius was ineligible under the law to hold the consulship again until 45, but also because he already held proconsular *imperium,* which could not be combined legally with holding the consulship. Some scholars hold that Pompeius concurrently held both his Spanish procuratorship and the consulship at the same time with no problems; these include Meyer (1922) 177, Gelzer (1959) 184, and van Ooteghem (1954) 460. Ridley (1983), however, argues that once Pompeius assumed the consulship in 52, he no longer held proconsular *imperium,* since as consul he would still have the ability to command the troops there. Once Pompeius had served his consulship, the Spanish proconsulship was returned to him (146-147). While not disputing that technically, though the breakdown of tradition in the 50’s made it somewhat of a moot point, Pompeius could not serve again as consul until 45, none of these scholars follow Taylor’s agreement that the consulship was illegal because Pompeius already held a proconsulship.
Pompeius, with his traditional alacrity and skill, set about restoring order. He quickly passed legislation against bribery (Att. 13.49.1, 10.4.8; Plut. Cat. Mi. 48.3) and violence (Mil. 15, 70, 79; App. BC 2.3.23), with special attention to Milo and other persons connected with Clodius’ murder and the following riots. He named his father-in-law, Q. Caecilius Metellus Pius Scipio, as his colleague, and secured for another five years his Spanish proconsulship (Pomp. 55.6-7). Further legislation proposed by the Senate and passed into law created a five-year break between a magistracy and a provincial command (Dio 40.56.1). He also supported the law of the Ten Tribunes, a unanimous vote to allow Caesar to stand for the consulship in absentia (Att. 7.1.4; Phil. 2.24; Pomp. 56.2). Pompeius, however, soon passed a law forcing candidates for any of the elected magistracies to make their announcements in person in Rome. These legislative acts served to strengthen Pompeius’ position in Rome, mainly by strengthening the position of the Senate and his relationship to it. Following the relatively peaceful elections of a full slate of magistrates for 51, Pompeius and Metellus Scipio peacefully left office; Pompeius to remain in the vicinity of Rome, Metellus to lead the senatorial opposition to Caesar.¹⁸

Since Pompeius did not follow the traditional, and Sullan, hierarchy of public offices, he did not have the opportunity to create the wide client base that was crucial for political success. He did have far-reaching clientela, but his most important allies lay far from Rome, in some cases at the furthest reaches of the empire. His power lay with his

¹⁸ Metellus would later be awarded Syria as his province, from which he brought two legions in support of Pompeius in 48. Caesar (BC 4.3) had tried to buy his loyalty, but had been rebuffed. Metellus would then have command of the center of Pompeius’ battle line at Pharsalus, though he escaped death and capture to take overall command of the Republican forces in Africa. He was killed at the battle of Thapsus in 46. Cicero would later praise his personal and military qualities (Brut. 212f), although his lack of knowledge about his adopted family’s traditions irked the orator (Att. 6.1.17).
soldiers and the masses. Unlike Cicero, Caesar, Hortensius and others, he did not have a career in legal advocacy to build personal and political friendships. But he did possess *auctoritas* as Rome’s greatest general and most effective administrator. Many politicians attached themselves to Pompeius, and through them he exercised his authority. Since he never held the praetorship or the tribunate, Pompeius desperately needed men more experienced in Roman politics than he in his camp.

When Cicero was composing the *Rep.*, Pompeius had three times successfully executed extraordinary offices. His command against the pirates had shown that he would not abuse the authority invested in him by the Senate and people of Rome. Both the pirate command and the campaign against Mithridates had shown his ability to think beyond the city walls of Rome, and to effectively organize and administer the provinces. His sole consulship resulted in a restoration of what normalcy could be expected in the turbulent decade of the 50’s. The alliance formed with the Senate against the ambition of Caesar showed that he was comfortable working in some manner within the framework of the republican constitution. His popularity, except for a brief time during Caesar’s consulship, had remained strong. While it is unlikely that Cicero used Pompeius as a model for the *rector*, it is probable that Cicero incorporated aspects of Pompeius’ career and personality into the *rector*.

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19 Anderson (1963) I claims that Pompeius failed every time he tried to develop his political relationships. Perhaps the most notable instance is Pompeius’ desire for a marriage alliance with Cato in 61. Cato rebuffed the general, over the protestations of his daughter (*Pomp*. 44.2). Thus Pompeius, desperately searching for an alliance to bolster his political standing on the domestic front, found a willing partner in Caesar, who promptly offered his daughter Julia. This was to prove disastrous for the Republic, for as Syme (1939) 33 points out, with no lack of hostility towards Pompeius, in 60 “everything went wrong.”
Cicero’s Lack of Support for Pompeius

For all of his good works and deeds on behalf of the Republic, however, Cicero never fully backed Pompeius, although he often joined himself to him in political matters to capitalize on Pompeius’ immense fame. Pompeius more than any other Roman magistrate, would be in a position to become the *rector rei publicae*: his military exploits and his general morality stood out from his contemporaries. Yet Cicero would never join the ranks of Petreius, Afranius, and Varro as unwavering allies of the general. His own ego, his bitterness at being shunted aside by both the Senate and the people, and finally perhaps the failure to mold his personal ideals to the political necessities of the 50’s all contributed to his ambivalence towards Pompeius.

Cicero’s correspondence is invaluable for describing the variances in the orator’s opinion of Pompeius, since they provide an almost continuous record of events from 60 to 48. The record suggests that Cicero remained skeptical until the end about Pompeius’ suitability for sole power in Rome. However, this does not automatically preclude the assumption that Cicero thought Pompeius’ was incapable of assuming the duties of the *rector*. Rather, Cicero’s fears about Pompeius, and Caesar for that matter, demonstrate the great concern he felt for the future of Rome. While he may have been short-sighted about Pompeius’ abilities, he was not short-sighted about the future of Rome’s government. Cicero hoped that the best man would assume power, and Pompeius had the qualifications. Except for several periods of political and personal alliance, Cicero would never fully ally himself with the general.

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20 Unfortunately, the letters to Atticus have a large break between November 54 (4.19) and May 51 (5.1). From Cicero’s comments both from Cilicia and upon his return in 50, however, it can be deduced that Cicero was elated that Pompeius had come round to the cause of the Senate.
Cicero had a long personal and professional relationship with Pompeius. While literary evidence before 67 is almost non-existent, Cicero does mention an established bond between himself and Pompeius (Att. 1.1.2; Fam. 5.7.3), and in one case he claims it extends all the way back ab adulescentia (Fam. 1.9.11). Some scholars have claimed that Cicero and Pompeius met for the first time in 89, when both were 17. Others have argued that Cicero first came into contact with Pompeius in 71. Since both men were born in the same year, and were from similar social backgrounds, it is likely that they would have come into contact at an early age. It is known that Cicero was on Pompeius Strabo’s staff in 89, and that he also served under Sulla (Cic. 3.1). It is also fairly certain that the Tullii and the Pompeii lived in close proximity in the area of the Carinae in Rome, where both Cicero and Pompeius had studied in their youth (Cic. 8.3; Q.fr. 2.3.7; Suet. Gram. 15). Cicero and Pompeius were also long-time acquaintances with the gens Terentia, and maintained lasting friendships with M. Terentius Varro (Brut. 205-206; 21 The relationship between Pompeius and Cicero has received much scholarly attention. Interestingly, perhaps due to the influence of the early German prejudice against Pompeius (see note 3 below), G. Boissier does not include Pompeius among Cicero’s friends (Cicero and his Friends: a study of Roman society in the time of Caesar, trans. London 1905), though a significant portion of the book is devoted to what Boissier views as a close and true friendship between Cicero and Caesar. W.S. Anderson, however, has filled this gap admirably with his concise investigation of Pompeius’ friends (Pompey, His Friends, and the Literature of the First Century B.C., Berkely 1989); he makes the judgment that Cicero was one of Pompeius’ confidants only for the first forty-three years of their lives (until Cicero’s consulship). Holliday (1969) is based almost exclusively on primary sources, which gives this work a high value. One can also not ignore Rawson (1978). Of particular interest as well are Mitchell (1973) 1-26, and Rowland (1977) 329-341. Ward (1970) 119-129, and (1970a) 58-71, while not able to rely on evidence in Cicero’s correspondance (the earliest surviving letter dates from 68), nevertheless present a strong case for a relationship at a much earlier date than traditionally thought. 22 For example, Petersson (1920) 61, Sihler (1933) 20, and Badian (1958) 283; Anderson (1963) 48-52 also discusses the early relationship between the two as beginning in 89, though he gives no evidence of contact from that point until 71. 23 The most vigorous defender of this view is Johannemann (1935) 27. He claims that Cicero would have mentioned any close relationship with Pompeius since he went out of his way to bring up the early friendship between himself and Caesar (Prov. Con. 50; Fam. 1.9.12). Gelzer (1939) 843.46-49 concurs, since in this first mention of contact between the two he refers to Johannemann’s thesis. Ward (1970) 119-122, however, convincingly refutes Johannemann at almost every turn.
Fam. 9.1-8; Att. 3.8.3). Cicero and Pompeius would remain close, though often politically estranged, for the rest of their lives. Cicero therefore had a unique perspective on Pompeius’ aptitude as a sole ruler.

More often than not, Cicero maintained a favorable opinion of the general, especially in the early years. His oratory is replete with positive depictions of the general and his politics, which served to create a public perception that Cicero was one of Pompeius’ closest friends. Pompeius’ valor (Arch. 10.24), his role as Cicero’s savior in securing the return from exile (Red. Pop. 7.16; Sest. 50.107; Mil. 15.39), even his ability as a statesman (Red. Sen. 3.5; Planc. 39.93) are praised in the highest terms. Famous too is Cicero’s claim for Pompeius’ success on the field of battle, cuius res gestae atque virtutes iisdem quibus solis cursus regionibus continetur (Cat. 4.10.21). The defenses of M. Fonteius in 69 against a charge of extortion and Oppius for mutiny may have been political favors to Pompeius. The prosecution of Verres in 70 might also have been at least in some small part a gesture of political, if not personal, friendship. Cicero reserved some of his most potent public praise for Pompeius in the debates supporting the lex Manilia; not only was this the first public show of support for Pompeius by Cicero, it was Cicero’s first chance to speak in front of the assembly. According to Plutarch, Cicero did Pompeius more political favors than anyone else (Pomp. 46.5), and the general was a regular visitor at the orator’s home (Cic. 8.7). Cicero had been the one to reconcile

24 Ward (1970) 123-124 provides a useful summary of the evidence for Cicero’s associations with the Terentii, including the potential marriage connection through his wife Terentia; again, he uses Johannemann as his foil for the discussion. Kumaniecki (1977) 224-225 and Rowland (1977) 330ff also discuss this link between Pompeius and Cicero.

25 See esp. Ward (1968) 802-806. Badian (1958) 282-283 argues that Pompeius was the real force behind Verres’ prosecution because Verres had injured some of the general’s clients. The Metelli, to whom Verres was a friend, were opposed to Cicero’s rise as a novus homo, and thus Cicero and Pompeius would have formed a natural alliance against the corrupt governor of Sicily.
Pompeius with the Senate when he returned from exile in 57 (Pomp. 49.4; Dio 38.30). Cicero mentions the opinions of the populus Romanus, for whom he shows no lack of disdain, in a letter to Atticus in July 61. He writes accedit illud, quod illa contionalis hirudo aerari, misera ac ieiuna plebecula, me ab hoc Magno unice diligi putat, “and what is more, that miserable and starving mob which comes to meetings and drains the treasury dry thinks that I am loved above all by the famous Magnus” (Att. 1.16.11).26

The early letters also contain numerous intimations concerning a strong bond between the two. In February 67 (Att. 1.8.1), and again in January 61 (Att. 1.12.3), Cicero describes Pompeius as a vir optimus et mihi amicissimus. Cicero claims that the public viewed their friendship as so close that the Roman youths were calling the general Gnaeus Cicero (Att. 1.16.11). Cicero evidently felt that their political bond was quite strong, and he described it to Atticus as a tanta familiaritas (Att. 1.19.7). There still appears a genial relationship between the two men (Att. 2.20.1, 2.21.4, 4.9.1).

But Cicero, while trusting in the overall benevolence of Pompeius towards him, was never hesitant to question both the general’s motives and political and military acumen. The letters to Atticus often blast the general for ineptitude, stupidity, cluelessness, and poor generalship.27 More often than not the professed friendship

26 Carcopino (1951) 324, “As far as the masses knew, Cicero throughout his life had never ceased to appear the friend, the admirer of Pompey. His oratorical career had been notable for the eulogistic tributes which he had paid to this great man in the Senate, in the Assembly, in the Courts.”

27 Cicero complains bitterly that Pompeius has nihil amplum, nihil excelsum, nihil non submissum atque populare, “he has no largeness and loftiness of view, entirely given over to a mean pursuit of popularity,” (Att. 1.20.2, S-B translation), obviously in contrast to Cicero himself. Pompeius is even the author of his own downfall, since by joining the triumvirate ipse se adflicit (Att. 2.19.2). A dejected Cicero would report in a lengthy passage to Atticus the pitiful sight that Pompeius presented in 59 (Att. 2.21.3-4). Here Pompeius is insolens infamiae, deformatus corpore, and fractus animo, fallen from the stars (deciderat ex astris), and finally that since he is a vehemens vir tamque acer, he might give in to dolor et iracundia; these are not the acts of a responsible magistrate such as Cicero himself. These are not the only examples of Cicero’s harsh judgements of Pompeius before 51, but they do provide enough to understand that Cicero,
between the two men was simply the result of political expediency. This is especially true during the years 63-61. Cicero needed an alliance with Pompeius to keep his position of preeminence which had enjoyed after his consulship (Att. 1.17.10). But perhaps closer to Cicero’s heart at this early stage was the *concordia ordinum* (Cat. 2.19). Pompeius was the best hope for Cicero to create and maintain this ideal. As mentioned previously, Cicero wished to be a Laelius for Pompeius’ Scipio (Fam. 5.7.3). The Senate had never enjoyed as much power and goodwill as it had after Cicero’s swift and decisive suppression of Catilina’s conspiracy. Pompeius, on his way homeward from his conquest and reorganization of the East, still possessed tremendous appeal with the masses.  

But the dream of the *concordia ordinum* would soon come crashing down. Cicero hoped to defend it to the best of his ability (Att. 1.17.10: *sic ego conservans rationem institutionemque nostram tueor*), but only two short years after leaving the consulship, Cicero was bemoaning to Atticus the imminent death of his beloved harmony (Att. 1.16.6):

> quaeris deinceps, qui nunc sit status rerum et qui meus. rei publicae statum illum, quem tu meo consilio, ego divino confirmatum putabam, qui bonorum omnium coniunctione et auctoritate consulatus mei fixus et fundatus videbatur, nisi quis nos deus respexerit, elapsum scito esse de manibus uno hoc iudici

By January 60 it appeared that it was dead (Att. 1.18.3: *sic ille annus duo firmamenta rei publicae per me unum constituta evertit; nam et senatus auctoritate abiecit et ordinum concordiam diiunxit*). It is not a coincidence that his first insults of Pompeius appear at especially during Caesar’s consulship, seriously doubted Pompeius’ constitution. The accusations of abysmal military policy became quite pointed from 50 on, and will be discussed in the next section.

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28 When he decided to quietly disband his army at Brundisium in 62, such a crowd followed him to Rome that, according to Plutarch (*Pomp.* 43.3), had he wanted to overthrow the government he would not have needed his army. The triple triumph which Pompeius would celebrate in 60 would be the most spectacular ever seen in Rome. The prestige and power of Rome’s armies were never higher during either Pompeius’ or Cicero’s lives.
the same time. The failure of Pompeius to recognize Cicero’s achievements sufficiently may have been the beginning of Cicero’s disillusionment with Pompeius. In January 61 Cicero makes what has been called “the most severe criticism he ever made” against Pompeius.\textsuperscript{29} In a letter to Atticus, Cicero claims that Pompeius lacks almost every attribute a civilized Roman noble should possess, \textit{nihil come, nihil simplex, nihil honestum, nihil illustre, nihil forte, nihil liberum} (\textit{Att.} 1.13.4).

A theme that would recur through Cicero’s correspondence concerning Pompeius appears for the first time in this letter. Cicero tells Atticus that he will discuss the situation further, once he has sufficient information on Pompeius’ plans (\textit{Att.} 1.13.4). For all of Cicero’s inquiries of Atticus about political gossip and his own snooping into the affairs of the \textit{nobiles}, he remained in the dark about Pompeius’ plans to the end.\textsuperscript{30} For example, In May 59, during the debate about Caesar’s land bill, Cicero confesses that he has no idea what Pompeius is up to, \textit{Gnaeus quidem noster iam plane quid cogitet nescio} (\textit{Att.} 2.16.2; cf. \textit{Att.} 2.17.3). Another glaring example concerns the conference at Luca in 56, when the coalition between Pompeius, Caesar, and Crassus was on the verge of collapse. Crassus had already ventured to Ravenna to meet personally with Caesar; Pompeius joined the two other dynasts later at Luca. They were not alone in their meeting, nor could it really be called clandestine. Over 200 senators, with all the trappings of their offices, were present, though it is probable that they did not attend the meetings of the triumvirs (\textit{Pomp.} 51.2). But Cicero did not believe that the triumvirate would be renewed, and was apparently unconcerned once it had been. With so many

\textsuperscript{29} Holliday (1969) 20.

\textsuperscript{30} Invaluable for Cicero’s general duplicity in his letters is Carcopino’s scathing section “Malice and Deceit” (pp. 262-275 in Lormier’s 1951 translation).
senators and the three most powerful men in Rome meeting together it is hard to believe
that Cicero did not hear of the meeting, or recognize its importance. The political
solutions devised at the conference would set in motion the final downfall of the
Republic.

Although he still professed his hope that Pompeius would be the guardian of the
Republic, after Luca Cicero no longer trusted anything the general said. To Cicero,
Pompeius’ *perfidia* had already been established when he allowed Clodius to pass the bill
condemning Cicero to exile. Cicero had earlier been promised that he should not worry
about Clodius, for Pompeius had given his personal assurance that he would be safe (*Att.*
2.20.2, 2.21.6, 2.24.5). Even though Pompeius had been the augur who had facilitated
Clodius’ adoption into a plebeian family (*Att.* 2.12.1), thus making him eligible for the
tribunate, Cicero still held to his belief in Pompeius’ loyalty. When Pompeius refused to
intervene to prevent Cicero’s exile, it proved quite a shock to Cicero. Pompeius had even
refused to remain in Rome during the crisis, using his status as a *privatus* to avoid direct

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31 The conference is mentioned by various ancient sources, which for the most part report the same
does not understate the danger to Cicero’s political career which resulted from this conference, nor does
Rawson (1975) 128ff; see also Shackleton Bailey (1971) 80-83. Some scholars have downplayed the
importance accorded the conference. Indeed, Gruen (1969) 107 calls the coalition renewed at Luca a
*factio*, neither a new form of government, nor a tyranny, nor a regime, thereby lessening the importance of
the meeting. He cites as proof the difficulty that the triumvirs had in controlling the tribunes and the courts
during the consulship of Pompeius and Crassus in 55. Lazenby (1959) 71-76 suggests that the ancient
sources, especially Dio, greatly exaggerated the importance of the conference, giving rise to what Luibheid
(1970) 88 calls the “Luca Legend.” Seager (2002) 122ff expresses doubts that the conference involved all
three triumvirs, claiming rather that it was a hastily arranged meeting where Caesar represented the absent
Crassus’ interests; after all, Caesar and Crassus had earlier met at Ravenna. Syme (1939) 44 states that
Luca was the best of all possibilities for Pompeius at this time, since he emerged in a much stronger
position via his impending consulship and provincial armies. Had Pompeius abandoned Caesar, Syme
argues, the optimates in the Senate would have cast him aside in favor of the much more attractive Crassus.
On the details of the settlement regarding provincial administration reached at Luca, see Gelzer (1968) 122-
123 and Holmes (1928) 2.74.
intervention with a very dangerous tribune.\(^{32}\) When Cicero finally caught up with the general at his villa, Pompeius made the weak excuse that he could do nothing against the wishes of Caesar (\textit{Att. 10.4.3}).\(^{33}\) Cicero, abandoned by his ally, could do nothing but slip away quietly before his trial. Pompeius’ perfidy would not be soon forgotten.

For the remaining years of his life, Cicero would alternate placing his hope for the Republic in Pompeius and doubting the veracity of his every utterance. In June 58, Cicero was quick to tell his brother Quintus that Pompeius was a hypocrite, a \textit{simulator} (\textit{Q. fr. 1.3.9}). Even after his recall from exile, when Pompeius had publicly declared that he would regard Cicero as a second self in all things (\textit{Att. 4.1.7}), Cicero believed that the caveat \textit{ut loquebatur} should be attached to all of Pompeius’ sayings (\textit{Att. 4.9.1}).\(^{34}\) In 57 and even early 56, Cicero may have still believed that Pompeius would live up to his potential. But Pompeius at this time seemed more than content to leave all political business to his friends. He spent the majority of his time with his wife Julia, Caesar’s daughter, at their villa outside Rome. This marriage, unlike his other, politically-arranged marriages, seems to have brought Pompeius genuine joy. It has even been

\(^{32}\) Pompeius had become a \textit{privatus} again after disbanding his army in Brundisium after his return from the East. This was the second time that Pompeius had laid down his \textit{imperium} and retired from public life, the first following his first consulship in 70. Clodius thought so much of himself, and indeed his position was so strong with his armed bands of thugs roaming the streets, that after he had destroyed Cicero’s home on the Palatine he compared himself to Pompeius, who was then the most powerful man in Rome (App. \textit{BC} 2.3.15).

\(^{33}\) Cicero did not seem to mind Pompeius’ reliance on Caesar, or the fact that Caesar might be hostile to his return, in September 58 when he wrote optimistically to Atticus that Pompeius was sure to secure an agent for Cicero’s return once he has spoken with Caesar (\textit{Att. 3.18.1}).

\(^{34}\) Pompeius had appeared to show substantial goodwill towards Cicero following his retreat from Clodius. Not only was Pompeius the driving force behind Cicero’s recall, but he also named Cicero first among his legates when he had been granted the grain commission by the \textit{lex Gabinia}. This, however, should not be viewed strictly as an instance of genuine beneficence by the general, but perhaps more as a political reward for Cicero’s keen support of the law. This is especially true since there appears to have been some negotiating on Cicero’s part. He accepted the post, or rather allowed himself to be chosen, with the full understanding that he should have no responsibilities (\textit{Att. 4.2.6 ego me a Pompeio legari ita sum passus ut nulla re impedirer}).
suggested that Pompeius, who had not chosen to pursue advanced studies in either rhetoric of philosophy, now enjoyed the company of a literary and artistic circle. What was certain is that Pompeius avoided Rome. Cicero described his tarditas and taciturnitas to Lentulus in February 56 (Fam. 1.5b.2). His absence was particularly galling since Crassus had gone to his province of Syria in 54 and Caesar was away in Gaul. There would not be a better time for Pompeius to consolidate his immense popularity and political power into the position of princeps civitatis that Cicero so desperately wanted for him. The conference at Luca, however, would put an end once and for all to Cicero’s hopes of driving the triumvirs apart.

The correspondence from 54-49 can be divided into two distinct phases; from 54-51 when Cicero was maintaining an equilibrium in his support of Pompey and Caesar, and 51-49 when Cicero declared that in the event of war he would align himself with what he thought was the “right” side in the war, that of Pompeius and the Senate (Att. 7.3.5). With the triumviral alliance secured, Cicero could find no great hope that his beloved Senate would ever reclaim its place of prominence. For Cicero, the consul was a tool of the Senate, not the other way around. But Caesar and Pompeius had seen to the subversion of the Senate. It was hard to argue with men who possessed the richest

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35 Plutarch makes much of the relationship between Pompeius and Julia. He twice describes their intimacy as true ἐρωτικόν (Pomp. 48.5 and 53.4). Such was the public esteem for Julia that instead of allowing Pompeius to bury her at his Alban villa the people seized the body and carried it down to the Campus Martius for burial (Pomp. 53.4; Caes. 23.7). The best treatment of Pompeius’ literary associations is Anderson (1963), especially pp. 77-80.

36 Cicero knew that he had lost what political power he had remaining from his consulship. After all, he had been exiled for the very act which had won him such great praise in 63. Cicero confessed to his friend his political impotence and his bleak political future in a letter from Thessalonica in August 58 (Att. 3.15.8). He implores Atticus to hope that he will be able to again be a somebody in Roman politics, since qui fui et qui esse potui iam esse non possum, “I can no longer be what I was or what I might have been,” (S-B translation).
provinces and very powerful armies. The only apparent recourse for Cicero was to support any course that would avoid bloodshed in the capital or outright civil war. To this end, with Caesar assuming a more prominent role in the triumvirate, Cicero turned his support more towards him rather than Pompeius. Cicero always maintained a preference for Pompeius. But it appeared at this time, around 54, that it was Caesar who might be the more powerful and perhaps the triumvir to be courted.

Pompeius would indeed receive one chance to fulfill all of his promise and Cicero’s hopes for him as *rector rei publicae*. The disintegration of relations between Pompeius and Caesar progressed quickly following Pompeius’ third consulship. Forced to choose between continuing his relationship with Caesar and becoming the champion of the Senate, Pompeius finally came down on the side of the Senate in October 51. During the discussion of Caesar’s Gallic command, Pompeius declared that debate should be postponed until March 1\textsuperscript{st}, 50, and if no resolution was decided by then he would not hesitate to act decisively on the matter (*Fam.* 8.8.9). In desperation, Caesar turned to the tribune C. Scribonius Curio to try and force a favorable settlement.\textsuperscript{37} But Pompeius firmly held Rome, not only with his military reputation but his immense popularity with the people.\textsuperscript{38} Nevertheless Curio, surely on the orders of Caesar, had made a last desperate plea. He moved that both Pompeius and Caesar should give up their commands and return to private life (*App. BC* 2.4.27).

\textsuperscript{37} Curio had been a strong opponent of Caesar, but had apparently run into great debt, which Caesar was more than happy to pay in exchange for his cooperation (Dio 40.60.2; *Pomp.* 58.1, *Caes.* 29.3). See also Smith (1966) 203-204, and Broughton (1952) 249.

\textsuperscript{38} Pompeius had fallen very ill at Naples in the summer of 50. He offered to lay down all his commands and offices, but the Senate refused (*App. BC* 2.4.28). When he recovered, the people of Italy showered him with praise and love; his journey back to Rome was marked by flower-covered roads and immense crowds of cheering Italians.
While the people seemed overjoyed that Curio would risk alienating both Pompeius and Caesar, the Senate would have none of it. Certainly there was no legal reason for Pompeius to lay down a command that had been legally awarded and was not due to expire for several more years. Nor was there any legal basis for Caesar to insist on keeping his army until he could assume the consulship. The Senate moved quickly to Pompeius’ side. One of the consuls of 50, C. Claudius Marcellus, dissatisfied with the Senate’s indecision, used his consular power to entrust Pompeius with the defense of Italy (App. BC 2.4.31). Pompeius accepted, thus ensuring civil conflict and at the same time creating the opportunity for his greatest success yet. But for Pompeius, and more so for Cicero, the civil war would prove the ultimate test and the ultimate failure of both Pompeius and Cicero’s concept of the *rector*.

**Pompeius’ Ultimate Failure**

When the civil war broke out in 49, both Cicero and the Senate could not have hoped for a better commander to lead their forces than Pompeius. His military career was unblemished, and his anti-Caesar position had seemingly erased many years of ill will between himself and the Senate. Pompeius’ now close relationship with the Senate could not have pleased Cicero more. Cicero saw an opportunity for the restoration of some semblance of the Republican constitution. Especially appealing to Cicero would be the apparent willingness of Pompeius to work with and at times under the Senate. One of the key components of Cicero’s conception of the *rector* is that he must exercise his authority within the bounds of the constitution. Pompeius had always served at the pleasure of the Senate and the needs of Rome. His consistent refusal to use his armies for personal gain made him quite attractive to the Senate, which saw the civil war as a chance to end Caesar’s threat; once Caesar had been dealt with, Pompeius could be restrained. Unlike
Caesar, who would consistently show total disregard for the Senate and its policies, Pompeius seemed willing to accept a role similar to that of the rector.

Cicero would not be able to help Pompeius personally in Rome, for he had been chosen for the proconsulship of Cilicia.\textsuperscript{39} Upon his return, however, he found that Pompeius was still firmly on the side of the Senate (Fam. 8.4.4). He would also see that the Senate had not changed its mind towards the general, and had placed its full faith in him (Fam. 8.11.3, 8.14.3).\textsuperscript{40} Concrete expressions of Cicero’s faith in Pompeius, even at the expense of the orator’s friendship with Caesar, would follow as the year 50 wound to a conclusion (Att. 7.1.3). Cicero would even claim that Pompeius was speaking in the manner of a statesman, πολιτικῶς, the first time Cicero referred to Pompeius in such terms (Att. 7.8.4). All appearances suggest that not only was Pompeius in a most favorable, and even rector-like position as the year 50 came to a close, but that Cicero himself was perhaps ready to believe that Pompeius would indeed become the rector and lead Rome successfully out of the current crisis.

\textsuperscript{39} The provision requiring a five-year interval between consulship and province, part of the legislative reforms initiated during Pompeius’ sole consulship, had forced several of the older consulars into provincial commands. Cicero was none too happy about his assignment. The letters to Atticus are full of disparaging remarks about the province itself (5.16.2, \textit{perditam et plane eversam in perpetuum}) and the possibility of the Senate prolonging his command (5.21.3). Cicero would not, however, complain about his proconsulship when his military campaigns resulted in his salutation as \textit{imperator} by the troops (5.20.3) and he saw the possibility for a triumph (6.3.3). Cicero was away from Rome during the important events of late 50. He remained outside of the city following his return to Italy in the fall of 50. Had he entered the city, he would have forfeited his \textit{imperium}, and thus the chance for the triumph that he thought he deserved. But he had not been uninterested in the doings in the Senate, if only because he feared that the political situation might preclude the Senate from appointing new governors for the eastern provinces in a timely manner (Att. 5.21.3).

\textsuperscript{40} Prior to leaving for Cilicia Cicero had spent three days with Pompeius in Tarentum. After these meetings Cicero believed that Pompeius was loyal to the Republic and ready to assume command in her defense (Att. 5.5.2, 5.6.1, 5.7; Fam. 2.8.2). It seems that Cicero had forgotten his earlier difficulty in knowing Pompeius’ true aims. He wrote to Caelius that although Pompeius was accustomed to say one thing and mean another, he was never quite able to disguise his true aims (Fam. 8.1.3).
But he would not fully understand the situation until he left his province,\(^4\) since Atticus himself had been absent from Rome for a considerable part of 50 (Att. 6.5.1). The information he did receive in Cilicia, however, caused his regard for Pompeius to continue to grow (Att. 6.2.10, Pompeius mirifice a me contendit). The rumors of Caesar’s intransigence and military movements alarmed him greatly. He writes that he has received *meros terrores* from the news brought to him by his friend Batonius (Att. 6.8.2), nor does he know what will happen in the coming war (Att. 6.9.5), a war he describes as *tantam dimicationem...sed tantam quanta numquam fuit* (Att. 7.1.2). But Cicero, like the rest of the Senate and even without full knowledge of events in Rome and Gaul, had firmly placed his hopes for the Republic in Pompeius. He claims that he conceives of no danger as long as Pompeius remains in Rome (Att. 6.3.4). In October Cicero was again pledging his full support of Pompeius (Att. 7.1.3), as well as professing that defeat with Pompeius would be much preferred to victory with Caesar (Att. 7.1.4). Cicero’s good will towards the general, however, would not last much into the new year.

Caesar’s invasion of Italy was expected, but the resulting actions of Pompeius were not. Pompeius, according to his plan, called for Senate and magistrates to join him as allies and left the capital.\(^4\) The abandonment of Rome left Cicero apoplectic. He immediately began to rant to Atticus at how senseless it was to leave to capital; in fact,

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\(^4\) For example, in a letter to Atticus written from Laodicea in February 50, Cicero discusses the perceived Parthian menace. He is confident, however, that Bibulus and Deiotarus will have sufficient forces to hold off the barbarian threat until Pompeius should come (Att. 6.1.14). Pompeius, as has been shown, had no intention of leaving Rome at this time or in the future, regardless of what he might have told Cicero in the letter he refers to in this same passage.

\(^4\) Pompeius must have been considering the evacuation from the capital before news of Caesar’s advance had reached him. Cicero heard from Batonius that Pompeius was thinking of abandoning Rome (Att. 6.8.3). This letter was written to Atticus on 1 October. Yet Caesar was not rumored to have moved troops to Placentia until 15 October (Att. 6.9.5). If Cicero had heard other rumors of invasion they do not appear in the existing letters.
there was nothing more ridiculous (Att. 7.11.3, *tam nihil absurdius*). Cicero preferred any sort of settlement with Caesar to the abandonment of Rome (Att. 7.13.2), and in February 49 Cicero was ready to blame the general for all the failings of the Roman state.44

Regardless of the fact that Pompeius had not only been undefeated in battle and had won swift and spectacular victories in every corner of the world, including Italy, Cicero believed that he had fairly lost his mind (Att. 7.13.1). Cicero had heard of the possibility of abandoning Rome, and the utter lunacy of the idea disturbed him to no end (Att. 7.10 *sum perturbatus temeritate nostri amentissimi consili*). He believed that the Republicans were *flagitiose imparati*, “woefully unprepared” (Att. 7.16.3). Pompeius had earlier made the promise to the Senate that he need only stamp his foot and legions of loyal soldiers would appear (Pomp. 57.5).

The abandonment of Rome was a powerful symbol of defeat for Cicero and the majority of the senatorial class. There was a emotive identification with the capital as the heart and symbol of the *imperium Romanum*. In the Leg. 2.4, Cicero makes the statement

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43 Indeed, Schimd (1966) 266 has shown that the word *civitas* is applied only to Rome, thereby negating any possible conflict of interest between loyalty to one’s birthplace and loyalty to Rome. Admittedly, the text of Leg. 2.4-5 is uncertain, and it has curried various restorations and deletions (see Dyck [2004] *loc. cit.* and Keyes [1977] 374-375 for the various emendations), but the message is made clear by Cicero’s next statement that *pro qua mori et cui nos totos dedere et in qua nostra omnia ponere et quasi consecrare debemus*, “for her [i.e. Rome] it is our very duty to die and to give ourselves wholly to her and to her we ought, as if in a sacrifice, to place all we possess on her altar.” Horace of course echoed this statement in *Carm. 3.2.13* (*dulce et decorum est pro patria mori*), indicating that even after decades of civil conflict Cicero’s attitude was still current. Vasaly (1994) 33 notes that Rome held the *sacra publica* of the Roman people, and she writes that “the description in the De Legibus of Cicero’s emotional attachment to the places that spoke of his own history and identity thus reflects the deeper connection to the Romans to places in Rome of communal symbolic significance – places that spoke to them of their history as a people and of the meaning of the Republic.” Livy 5.51-54, where Camillus discourses on the meaning of Rome’s location, echoes the sentiments of Leg. 2.3-5.

44 *Att. 8.3.3-5*. Included among Pompeius’ faults were his marriage to Caesar’s daughter, his help in Clodius’ plebeian adoption, his support of the Law of the Ten Tribunes, and the addition of Transalpine Gaul to Caesar’s commands.
for the sacredness of places and the emotional attachment Romans felt for their homeland. As Atticus tells his comrades:

> movemur enim nescio quo pacto locis ipsis, in quibus eorum, quos diligimus aut admiramur, adsunt vestigia; me quidem ipsae illae nostrae Athenae non tam operibus magnificis exquisitisque antiquorum artibus delectant quam recordatione summorum virorum, ubi quisque habitare, ubi sedere, ubi disputare sit solitus, studioseque eorum etiam sepulchra contemplor.

For we are moved in some manner, I don’t know how, by these very places, in which the memories of those whom we esteem and whom we love remain; for even in our beloved Athens, they charm me not so much by the magnificent buildings and the excellent works of art of ancient masters than by the remembrance of its greatest citizens, where each used to live, where he sat, where he was accustomed to carry on discussion, and I even enjoy contemplating their very tombs.

Cicero adds to the conversation by telling Atticus and Quintus that though a man has two fatherlands, his birthplace and Rome, it is to Rome that a man owes his ultimate allegiance since Rome signifies the very essence of the Republic (*Leg. 2.5: sed necesse est caritate eam praestare, qua rei publicae nomen universae civitatis est*). While Cicero calls Arpinum his *patria* (*ego hanc mean esse patriam prorsus numquam negabo*), Rome nevertheless takes precedence (*illa sit maior*).

Even though Pompeius had not yet abandoned Italy, a powerful sense of defeatism would overtake the orator. It had not taken Caesar’s invasion, however, to dampen Cicero’s spirits. He had made up his mind earlier that Caesar was in the stronger position, confessing to Atticus in December 50 that it was too late to resist Caesar, an enemy that the Senate had been building up for ten years (*Att. 7.5.4*). Even Cato had apparently professed a desire to live under a dictator rather than see civil war break out (*Att. 7.15.2*). By February 49, Cicero had lost all hope. His letter to Atticus of 10 February reveals his thought that the Republicans were *victi, oppressi, capti plane* (*Att. 7.23.1*). His letter of 22 February, after relating the predicaments of Paelignus, Q.
Lucretius, and Domitius Ahenobarbus, ends with no personal tidings to Atticus, merely the three words *confecta res est*, “It’s all over” (*Att. 8.4.3*). This was followed on 27 February by yet another letter to Atticus expressing the sentiment that “nothing more miserable, hopeless, or terrible could happen” than the current situation (*Att. 8.11.4: nihil fieri potest miserius, nihil perditius, nihil foedius*).45

Cicero’s lack of faith in Pompeius was such that he twice refused to accept Pompeius’ requests that he use his *imperium* in other theaters of Italy. In December 50 Pompeius had urged Cicero to go to Sicily and manage the defense of the island. Cicero had been a natural choice for the command, since not only did he still possess his proconsular *imperium*, but he remained quite popular there for his prosecution of Verres in 70.46 Cicero, perhaps thinking that Pompeius would easily defeat Caesar in northern Italy and therefore a defense of Sicily was unnecessary, had refused to go. He cited two reasons: he had no mandate from the Senate, and he could not see why Pompeius would not simply send a *privatus* (*Att. 7.7.4*). Sicily was of course vitally important for Italy’s

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45 Cicero’s defeatism also clouded his judgment concerning his course of action. Although he had on numerous occasions professed his adherence to any course of action that Pompeius might choose, he nevertheless hedged his bets and refused to take any definitive action for the first six months of 49. At least seven times in the first three months Cicero complained to Atticus that his course was not clear. The shock over the abandonment of Rome caused him indecision in January (*Att. 7.10*). In February he seemed to be in better spirits, saying that he would accept the necessities of the situation and join Pompeius (*Att. 7.18.2*). Pompeius would soon send word to Cicero that he would be much better off with him than trying to make peace with Caesar (*Att. 8.1.1*). Cicero replied obliquely that he might indeed join Pompeius, but only because of deep personal affection, since the Republic was already dead (*Att. 8.11d.6*). Three times that month he would reverse himself: he was unsure of his course on 5 February (*Att. 7.20.2*), then fully behind Pompeius on the 12th (*Att. 7.26.2*), and finally again in utter confusion on the 21st (*vero quem fugiam habeo, quem sequar non habeo, Att. 8.7.2*). Things were no better in March. Even Atticus appears to have upbraided Cicero for his indecision, to which Cicero replied that he considered Atticus another self, and thus his correspondence would often take on a stream-of-consciousness appearance (*Att. 8.14.2*). He was still unsure of himself on the 3rd of March, but he had begun to consider the role of public opinion in his choice (*Att. 8.15.2; cf. 9.2a.2*).

46 Cicero had yet to lay down his proconsular *imperium*. Even though he often complained about the entourage that attended a proconsul with *imperium* (e.g., *Att. 7.10.1, 7.20.2*), Cicero had put up with it in order that he might still achieve the triumph which he believed was still within reach (*Att. 7.7.4*).
grain supply. If Pompeius were to hold on to the island, he would certainly have been able to starve Rome and also Caesar’s troops. Cicero’s intransigence caused a fatal delay in the defense of the island. It is fair to say that Cicero was not the only optimate who turned down the command. Cato had also refused to go, professing that he would be of more use against Caesar in the Senate than in a province. Caesar’s forces would eventually take the island almost without a fight. Pompeius had previously asked Cicero to secure the defenses in the region of Capua. But he soon offered his resignation to the Senate, citing the lack of troops and money necessary for the defense (Att. 8.3.4). The Senate apparently accepted his resignation, but Pompeius asked him to look after the Campanian coast. Again, Cicero did nothing to help the general’s war effort. He spent most of his time making abortive attempts to join Pompeius in Brundisium. Such was the mental anguish of Cicero up until he actually sailed for Greece in June 49.

Cicero proved to be a useless, even unwelcome, addition to Pompeius’ camp. Not only was Cato openly hostile to him for his lack of conviction in the cause, but Pompeius had no use for him. This is not surprising, since, as Plutarch (Cic. 38.2) relates, Cicero was sorry that he had joined Pompeius’ forces, made light of the general’s plans and preparations, and spent most of his time making jokes about Pompeius’ comrades. He was not even present at the battle of Pharsalus, claiming illness. Even though he had not

47 As mentioned previously, Pompeius was the undisputed master of the seas. His enormous fleet would have been able to block the grain routes from Africa and Egypt. As would happen later in Greece, Caesar’s army would have been hard pressed to find all that it needed by forage alone.

48 In what must have been a bitter defeat for Cato, Sicily was taken by the former tribune Curio in the summer of 49; Curio had been elected as an anti-Caesarean tribune in 50 but had been bought by bribery to further Caesar’s cause. Cato, perhaps infected by the same defeatism that was consuming Cicero, had abandoned the island rather than risk senseless bloodshed, in fact blaming Pompeius for starting an unnecessary war. See Scullard (1982) 135-136.

49 Plutarch (Cic. 38.1) has the timing wrong, placing Cicero’s flight at the same time as Caesar’s departure for Hispania. Caesar had departed for the western province in April.
proved a military asset since the war began, after Pharsalus Cato offered him the overall command of the considerable Pompeian forces at Dyrrachium, in deference to his imperium and status as an elder consular (Cic. 39.1). Cicero refused, at which point Sextus Pompeius, the general’s youngest son, came close to killing him (Cic. 39.2). It was only the intervention of Cato that saved Cicero’s life. At this point, beaten emotionally and personally, Cicero embarked for Brundisium, there to await his new master, Caesar. The death of Pompeius after his flight to Egypt would not end the Republican cause, however. Cato and Pompeius’ sons would continue to fight from Africa and Hispania, still fiercely loyal to the memory of Pompeius. But Cicero would not join them. He would in fact play no real part in politics until well after Caesar’s assassination in 44.

**Cicero’s Final Judgment of Pompeius**

Pompeius’ death seemed to change Cicero’s mind about the general. The references to Pompeius in the works written after Pharsalus indicate the rehabilitation of Pompeius’ name in Cicero’s mind. *Off.* 2.60 is rather pedestrian praise: *theatra, porticus, nova templa verecundius reprehendo propter Pompeium, sed doctissimi non probant, ut et hic ipse Panaetius*, “out of respect for Pompeius I am rather ashamed to criticize theaters, porticos, or new temples, even though philosophers do not approve of them, especially Panaetius.” Cicero had apparently dealt in some measure with this topic in the

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50 It need be mentioned here that there are unfortunately no letters to Atticus from 19 May 49 until mid-January 48, and then only four between January and November 48. Cicero’s constant movement most likely contributed to the breakdown on communication. In addition, with Caesar’s men firmly entrenched in Rome, Cicero may have felt it too dangerous to send much in the way of private communications to his trusted friend.

51 Gnaeus and Sextus, Pompeius’ sons, would organize continued resistance in Hispania. Gnaeus was defeated at Munda in 45, captured, and executed. Sextus would continue to fight against the Caesarians until his final defeat by Octavian’s forces at Naulochus in September 36.
Rep., *(sed de hoc genere toto in iis libris quos de re publica scripsi diligenter est disputatum)*, though what he wrote there is no longer extant; presumably it was in Book 5, the discussion of the *rector*, and concerned largesse and civic duty.\(^{52}\) In Deiot. 4.12-5.13, Cicero seems to play on Pompeius’ cognomen, for in a lengthy passage he effusively praises the general for his *nomen, tantae opes, quanta in omni genere bellorum gloria, quanti honores populi Romani, quanti senatus, quanti tui*. Interestingly, Cicero here refers to Pompeius’ glory in “every kind of warfare.” While most likely referring to Pompeius’ success in both land and naval engagements, it is interesting that Cicero does not qualify his remark in any way to preclude the assumption that he may be commenting on the civil war as well.

Certainly by 45 Cicero’s disillusionment with Caesar had begun to manifest itself. By the time of the *Philippics*, it appears that in Cicero’s mind the reputation of Pompeius had been completely rehabilitated. The auction of Pompeius’ property by Caesar upon his return from Alexandria caused Cicero great grief, which he uses his best oratorical techniques to amplify. Not only does the act itself cause pain (*Phil. 2.64*, *miserum me! consumptis enim lacrimis tamen infixus haeret animo dolor*), but Cicero uses Pompeius’ full name, which was not his usual habit, for emotional effect; the apposition of *Magni* with *voci acerbissimae subiecta praeconis* is striking for both aurally and for the meaning of the passage. Antonius, by taking advantage of the *vox praeconis* and purchasing Pompeius’ house and all its contents, had, according to Cicero, become an object of

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\(^{52}\) Cicero had earlier referred to the spectacles put on by Pompeius during his second consulship as *vero magnificentissima* (*Off. 2.57*), but with the remonstration about the uselessness of great displays of wealth taken from a no-longer extant treatise of Aristotle: *haec pueros et mulierculis et servi et servorum similimis liberis esse grata, gravi vero homini et ea, quae fiunt, iudicio certo ponderantes probare posse nullo modo*, “these sorts of things are pleasing only to children, silly women, slaves and freedmen whose lot is like that of the slaves; but a serious man who judges such things with a sound judgment is in no way able to approve of them.”
hatred for the Roman people, and indeed all gods and men (*Phil. 2.65, cum Pompei sector, non te exsecratum populo Romano, non detestabilem, non omnis tibi deos, non omnes homines et esse inimicos et futuros scias*). Later in the same speech, he would refer to Pompeius’ morality as the complete antithesis of Antonius’ (*Phil. 2.68-69*); Pompeius, the *singularis vir* is the rightful owner of the house that Antonius, *vinulentus et furens*, now inhabits.

While the *Philippics* were political speeches, designed to accomplish a specific goal by playing on the feelings of the orator’s audience, it is nevertheless telling that Cicero would choose to use Pompeius as the opposite of Antonius and not Cato, who had continued the fight against Caesar after Pharsalus. After the battle of Thapsus in 46, Cato committed suicide rather than submit to Caesar’s authority (*Plut. Cat. Min. 58-70*). This earned him the status of martyr, not only for the remaining Republican but for later critics of the principate; Lucan clearly places Cato’s cause in opposition to Caesar’s (1.126-128 *quiscius iustius induit arma/ scire nefas: magno se iudice quisque tuetur,/ uictrix causa deis placuit sed uicta Catoni.*). Perhaps, too, Cicero has in mind the fact that Cato had taken his own life, which according to the doctrine set down in Book 6 of the *Rep.*, would automatically preclude anyone from being considered a *rector civitatis*; to kill oneself would indicate that the person had shunned the duty given to him by God, and heaven would remain closed to that person (*Rep. 6.15*).

The final mention of Pompeius in Cicero’s correspondence, from November 48, refers to the general as a *hominem enim integrum et castum et gravem* (*Att. 11.6.5*).\(^{53}\) It

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\(^{53}\) Laurand (1926) 14 claims that in terms of moral values, Pompeius was superior to Caesar, and thus Cicero always cherished his memory. Cf. Holliday (1969) 76-77. Cicero also viewed Pompeius as having abandoned morality when he chose to have Caesar as a father-in-law (*Off. 3.82*). Cicero stops short here of calling Pompeius guilty of *ambitio or cupiditas*, the sins which Caesar is guilty of in the same passage,
is perhaps of great importance that the three adjectives used here do not appear with any
great frequency in the philosophical works, especially those written before Pharsalus.
However, their paucity belies their importance. The customs of maritime cities are no
longer *integrum* because of the influx of goods and foreigners (*Rep*. 2.7), while
Tarquinius Superbus, the opposite of all the *rector* embodies, is described as having a *non
integra mens* (*Rep*. 2.45). In the *Leg.*, the only occurrence of *integer* refers to the fact
that all magistrates must remain liable to the law (*Leg*. 3.47). *Castus* refers especially to
piety in front of the gods (*Leg*. 2.8.19, 2.10.24, 2.18.45). The term *gravis* is used in
reference to the personality of C. Sulpicius Gallus (*Rep*. 1.24) and Plato (*Leg*. 2.5.14); the
power of the tribunate (*Rep*. 2.59); and the seriousness of the Catilinarian threat (*Leg*.
3.25).

Pompeius failed as a *rector* partially because he failed to heed the advice Cicero
had given him, both in personal communications and in the embodiement of the *rector
rei publicae*. Cicero made this clear at *Off*. 1.76-78. In this passage, containing the
famous exortation *cedant arma togae, concedat laurea laudi*, Cicero counsels his son that
victories on the battlefield are worth nothing without wise counsels at home; Marius,
Pompeius, and even Scipio were not superior in their deeds on behalf of the Republic
than others who were only *privati*. Had Pompeius allowed Cicero to be his moral and
philosophical advisor, the general surely would have been more successful in the
Ciceronian model. Cicero implies as much at *Off*. 2.20; while *honores, imperia*, and
perhaps because he did not fully understand the nature of the triumvirate until 56. The evidence supporting
this view is most adequately expressed in Sanders (1932) 55-68, esp. 59ff, and Reubel (1975) 622-624.

54 *Off*. 1.76: *mihi quidem neque pueris nobis M. Scaurus C. Mario neque, cum versaremur in re publica, Q.
Catulus Cn. Pompeio cedere videbatur; parvi enim sunt foris arma, nisi est consilium domi; nec plus
Africanus, singularis et vir et imperator, in excscindenda Numantia rei publicae profuit quam eodem
tempore P. Nasica privatus, cum Ti. Gracchum interemt.
victoriae due owe a good bit to chance, they are not able to be brought about without the influence and cooperation of others. The parallel of this statement to the Laelius-Scipio/Cicero-Pompeius relationship hoped for by Cicero is unmistakable.

Had Pompeius died at Naples in 50, it seems that he would have come as close as possible to fulfilling Cicero’s hopes for him as the rector rei publicae. Cicero, at Tusc. 1.86, claims that had Pompeius died at Naples during his illness, he would have escaped a wretched situation, and since he would not have gone to war with Caesar, left his home and fled from Italy, he would have fallen at the height of his prosperity. Pompeius, as evidenced by his appearance in Cicero’s later works and the praise heaped on him by the later historians, enjoyed in death the long-lasting fame that is the ultimate reward of the rectores civitatum in the Rep. Indeed, Pompeius is called the singularis vir at Phil. 2.69, the same epithet given to Scipio Africanus at Off. 1.76; surely Africanus, at least in the Ciceronian conception of the universe, fulfilled his earthly duty and took his place next to his glorious ancestors in heaven.

In summary, Pompeius came tantalizingly close to achieving the ideals of the rector. His service on behalf of the Republic and his willingness to work with the Senate gave him credibility with the optimates, especially Cicero, that Caesar would never have. During his “divine” third consulship, Pompeius had worked both as gubernator and moderator. Not only did he restore order to a fractured political system, but he attempted through legislation to restore some semblance of the ancient customs and morality that had long since disappeared from Roman politics. He more than any other magistrate of the late Republic, actively worked as a conservator rei publicae; certainly he could claim to have waged wars against strictly foreign opponents, and he had indeed celebrated a
triumph over every corner of the known world. Pompeius’ most serious drawback was
that he simply lived too long. Had he never participated in the civil war with Caesar,
Cicero might have viewed him as the embodiment of the *rector rei publicae*. But his
strategy during the civil war, especially the decision to abandon Rome, combined with
Cicero’s own despair and indecision, would damage Pompeius’ reputation immeasurably.
But once Cicero had a new monarch to deal with in Rome, he would find himself longing
for the days of his old friend’s primacy. In a striking irony, Pompeius’ defeat and murder
would finally bring him the moral and social primacy that he had worked so hard to attain
in life. For Cicero, he would find the manifestation of his *rector* only after that
candidate’s death.
CHAPTER 4

REX CAESAR AND THE RECTOR CICERONIS

While Cicero may have intended the Rep. for Pompeius, the Off. was written with Caesar and his adherents in mind. Written after the end of the civil conflict in Africa and Hispania, indeed after Caesar’s assassination, the Off. reflects the new autocratic government installed by Caesar, albeit with the consent of the cowering Senate.¹ The

excessive and unprecedented honors voted to him in the last two years of his life assured that the Republic, as Cicero understood it, would have no chance of revival and renewal. Caesar’s death accomplished nothing; the assassination merely served to place a new despot in place of the old, and it opened the door to renewed civil conflict. Whereas the Rep. can be seen as reflecting the principate of Pompeius, and Cicero’s hopes for it, this final philosophical treatise manifests the despair and fatalism Cicero felt about the primacy of Caesar.

Yet for all of the ill-will felt towards Caesar by Cicero and the optimates, he had a much greater chance to rule in the manner of the Ciceronian rector. The victor of Pharsalus, Thapsus, and Munda acquired unparalleled imperium and auctoritas, with which he could rule in any manner he saw fit. But unlike Pompeius Caesar showed increasingly less inclination to cloak his dictatorial and despotic actions in traditional processes. As the one-day consulship of Caninius in 45 would demonstrate, Caesar cared little for upholding the customs of the Republic. He was more interested in reform, and establishing tranquility in Italy, peace for the provinces, and security for the empire (Caes. Civ. 3.57). In this respect, Caesar embodied the sprit of the rector, whose primary mantra Cicero revealed in Leg. 3.8: salus populi suprema lex esto.

Whether or not Caesar was bent on personal domination from the beginning of his political career, he certainly worked diligently and quickly in his rise to prominence.²

² The modern opinion of Caesar and his career has varied widely. Mommsen’s (1903, 305-315) glowing appraisal of Caesar was of course influential for many years. But it met almost immediate criticism, as C.D. af Wirsén lucidly illustrated in his presentation speech for Mommsen’s 1903 Nobel Prize. Opinions on the dictator have then varied widely in the past century, and Meyer’s (1918) vision of the Caesar who intended to rule as both god and king, is the characterization most often reacted against in modern research. The scholarship concerning Caesarism is enormous, at times overwhelming. But Yavetz (1983) 11-57, has summarized the arguments of most of the German scholars of the late 19th and early 20th centuries. Yavetz (1971) also tackles the history of the concept of Caesar.
Suetonius is explicit in his assumption that Caesar was determined from youth to attain supreme power (Iul. 30.5). This may have been his ultimate downfall in Cicero’s eyes. It was one thing to be entrusted with supreme power; this was what happened with the election of the kings in the regal period of Rome. But it was quite another thing to want to control the entire imperium Romanum. Paradoxically, ambition was a necessary component of any successful political career, yet naked ambition was something for which prosecution was possible. In Cicero’s conception of the rector, greed for power represents the antithesis of the good ruler. This is made explicit at Rep. 1.65, where a tyrannus is defined as someone who is cupidus dominandi et imperii singularis. Caesar would consistently demonstrate a willingness to support his enemies, even join forces with them, and bear incredible unpopularity with both senators and the people in order to achieve personal prominence. He was implicated in two revolutionary plots, in 65 and 63, and even suspended from his duties as praetor in 61 for trampling on the traditional rights of a tribune. In 49, in his most blatant display of disregard for constitutional customs, he directly disobeyed a senatus consultum, preferring war to the possibility of prosecution as a privatus.

Yet although Caesar eventually crushed the opposition of the Senate, and forever changed its role, he was in a better position than Pompeius to right the ship of state and forever reinforce the traditional constitution. After Munda Caesar maintained a grip on the state tighter than even Sulla could have imagined. Through personal allegiance and

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3 Caesar’s alleged compliance in the conspiracy with Catilina appears only in Suetonius (Iul. 9); Salmon (1935) argues for acceptance of Suetonius’ contention, and cites for support such scholars as Mommsen, Meyer, and Tyrrell, who also believe that Caesar was somehow complacent in these affairs. Syme (1964) 86ff and Seager (1964) 338ff, however, refuted the idea, which is now the current accepted position on this unique passage. Sumner (1966) 574, calls this version of events “a complete phantasmagoria.” Based on Caesar’s later hostility towards the established ruling class and his ambition, however, Suetonius should not be dismissed out of hand.
skillful dispensations of clemency, Caesar controlled the army and the Senate. He had not instituted proscriptions, therefore sparing himself some of the animosity which had been directed at Marius and Sulla. He had his friends installed in the civilian magistracies, often choosing the candidates for several years in advance. Most importantly, Caesar showed no indication that he would resign the dictatorship once his reforms had become law. Not only had he been named dictator perpetuus in February 44 (App. BC 2.16.106, Caes. 57.1, Dio 43.14.5-7), but he had also disparaged Sulla’s decision to abdicate as a mistake (Iul. 77). He would retain his power, and thus could provide the ultimate guiding auctoritas to a revived Senate. To make the situation even more promising, Caesar had elevated many of his partisans to senatorial rank, thus restoring a Senate depleted through years of war and civil discord. In fact, he increased its number to somewhere between 800 and 900 members. Thus, Caesar was in a much better position after the civil war to assume the full duties of the rector. He had overwhelming auctoritas, friendly magistrates, and the support of the people. He had no need to rule as a despot.

However, throughout his career Caesar remained a popularis, unlike the tradition-minded Pompeius and the staunch optimate Cicero, Since Cicero viewed the Senate as the primary instrument of government, any magistrate with popularis tendencies would, in the main, represent the antithesis of the foundation of Cicero’s political philosophy. After all, the rector was envisioned as existing side by side with the Senate, and acting within the structure of the constitution. Yet Cicero never quite gave up hope until it was much too late that Caesar would become a rector. Admittedly Cicero did fear Caesar while Pompeius was still alive. He believed that Caesar would ultimately turn out to be
as merciless as Cinna and as rapacious as Sulla (Att. 7.7.7). But once the Pompeian forces had met defeat at Pharsalus, he seemed willing to give Caesar a second chance. The letters of this period indicate that Cicero was resigned to living in a monarchy, but there is no hint that he yet viewed Caesar as either a *rex* or a *tyrannus*.

After a string of personal misfortunes, however, including the final defeat of the Pompeians and the death of his beloved daughter in February 45, Cicero’s attitude towards Caesar and the new regime quickly soured. How much of this was due to the actions of Caesar himself or personal reflection on a career that had long been eclipsed is a question beyond the scope of this work. It is interesting to note, however, that Cicero does not refer to Caesar as a *tyrannus* from May 49 until after Caesar’s assassination in March 44. In addition, there is only a single reference to Caesar as a *dominus* during that period. Though cynical about Caesar’s ability to rule, and especially about the men to

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4 Cicero, ever susceptible to praise from a rival, was sufficiently convinced of Caesar’s friendship and respect that he began an epic poem for him about the general’s deeds in Britain. While Cicero may have genuinely desired to sing Caesar’s praises for their own sake, it is more likely that he was merely attempting to bolster his standing with the triumvir. Mitchell (1991) 189f, however, indicates that Cicero may have used his writings to and in praise of Caesar as a means of securing his family’s safety, about which he still had some concerns. Cf. Byrne (1998) 133ff, who believes that the epic for Caesar was merely an exercise in composition, since Caesar had complimented Cicero’s now-lost De Temporibus Suis.

5 As early as March 49, Atticus was urging Cicero to accept Caesar’s victory, counseling the confused Cicero that living under Caesar was preferable to defeat at Pompeius’ side (Att. 9.10.7), though in the same passage he calls Rome under Caesar a *colluvies*. Once back in Brundisium, though shocked at Pompeius’ total defeat (Att. 11.5.1), he nevertheless expressed his satisfaction with his decision to return immediately to Italy and Caesar’s mercy (Att. 11.6.2).

6 In August 45 Brutus had written to the orator that Caesar was joining the side of the optimates (Att. 13.40.1). Cicero, however, with his customary biting wit, responded that Caesar was going to have to hang himself in order to join the *boni*. The orator may have recognized Caesar’s intransigence as early as 55, however. In his speech De Provinciis Consularibus 38-39, Cicero maintains that the day may indeed come when Caesar will no longer obey the commands of the Senate, not because of any hostility of Caesar, but by the hostility of the Senate against the proconsul. Cf. Steel (2001) 156ff; and Riggsby (2002) 171ff, who claim that Cicero did not in fact endorse Caesar in his *post reditum* speeches. Cicero at that time was attempting reconciliation with the triumvirs, and may have known that his speech was encomiastic; he mentions a *παλινοδιά* at Att. 4.5.1, which may refer to this speech. Identification of the *παλινοδιά* is far from certain, however (see Mitchell [1991] 185, and especially Shackleton Bailey [1977] 2.233ff).
whom Caesar delegated authority, Cicero appears not to have passed judgment on the
dictator as an unjust ruler.

But Cicero would become more and more hostile to Caesar’s cause, finally calling
the liberators heroes and claiming that the Ides of March would be a consolation for all
the optimates, regardless of what evils might befall the state now that Caesar had been
removed (Att. 14.4.2). After Caesar’s death, however, Cicero infrequently uses Caesar’s
name, preferring to call him simply tyrannus or rex. Perhaps the most damaging of
Cicero’s thoughts on Caesar is found in at Off. 1.26. In a discussion of injustice and the
dangers of ambition, Cicero writes:

Nam quicquid eius modi est, in quo non possint plures excellere, in eo fit
plerumque tanta contentio, ut difficillimum sit servare ‘sanctam societatem.’
declaravit id modo temeritas C. Caesaris, qui omnia iura divina et humana pervertit
propter eum, quem sibi ipse opinionis errore finxerat, principatum.

Whenever there is a situation such that there is not possibility for rule by more than
one person, competition for it becomes so great that it is extremely difficult to
preserve a ‘sacred fellowship’. The foolhardiness of Gaius Caesar, who, on
account of the sovereign power which he had contrived for himself by his depraved
imagination, trampled underfoot all laws of gods and men, declares as much.

Perhaps Caesar’s greatest fault, at least to Cicero, was his ambition. The desire to
rule made the dictator oblivious to legal scruples, which in turn immediately precluded
any possibility that Caesar would consent to primacy based on auctoritas, the mos

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7 Cicero uses the Greek Ἰρώνες to describe the conspirators. Cicero may be consciously comparing Brutus
and Cassius as the Roman Harmodius and Aristogeiton, which would be a quite damning judgment on the
slain dictator. Harmodius and Aristogeiton had killed Hiparchos, the son of Peisistratus of Athens, and
were later honored as martyrs of freedom by the Athenians.

Fam. 12.22.2; Brut. 5.1.10, 11.3.3. Cicero also calls Caesar dominus in the months after his assassination,
a particularly harsh epithet since in the surviving correspondence Cicero uses it of a specific person only in
reference to Caesar (Att. 8.16.2, 11.20.1, 14.14.4, 15.4.3; Fam. 12.3.2), and of Antonius (Oct. 8, 10).
maiorum, or even constitutional imperium. The stress which Cicero placed on the role of the Senate in the *Leg.* indicates that its sovereignty was to remain intact. Caesar, as his career would consistently demonstrate, had no desire to leave any power in the Senate’s hands.

**Caesar’s Career Prior to 59 BCE**

Caesar came from a very old clan, but the Julii were relative newcomers to the political stage. There had been a consul by the name of Sex. Julius Caesar in 157, but this branch of the Julii Caesares was not in the direct line of Caesar’s father, C. Julius Caesar.9 Caesar’s father did not attain the consulship, rising only to a praetorship in 92. He did serve as governor of Asia in 90, but he died of natural causes in 85, leaving Caesar in the care of his mother’s family. His mother Aurelia was member of the Aurelii Cottaes, an influential family which counted three consuls between 200 and 119, and Caesar would more closely associate himself with the plebeian side of his family.10 Caesar grew up in the Subura (*Iul.* 46), a region known for its bustle, noise, dirt, and prostitution, as well as being a center of manufacturing (*CIL* 6.9284, 9399, 9491, 33862). The *popularis* association continued on his father’s side, with his aunt Julia having married C. Marius, the seven-time consul and champion of the people. Caesar himself

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9 For Caesar’s genealogy, see esp. Gelzer (1968) 19ff, Taylor (1941) and (1957), and Gruen (1974) 74-78; also *MRR* for the years specified. This branch of the Julii did have a number of men reach various magistracies. The elder Gaius had had an uncle serve as consul in 90. This uncle, L. Julius Caesar, would go on to sire the consul of the same name in 64. The Julii Caesares also maintained close familial connections with the senatorial aristocracy. The elder Lucius was the half-brother of Q. Lutatius Catulus, consul of 102 and father of the like-named consul of 78 who would put down the revolt of M. Aemilius Lepidus in 77. In addition, both L. Julius Caesar, the consul in 90, and C. Julius Caesar Strabo, aedile in 90, had supported Sulla during his march on Rome.

10 C. Aurelius Cotta in 200, L. Aurelius Cotta in 144, and his son, L. Aurelius Cotta, in 119. The family would go on to hold three more consuls in the first half of the 1st century, by the trio of brothers Gaius (75), Marcus “Ponticus” (74), and Lucius (65); these men were most likely cousins of Aurelia. It would be this Lucius who was later rumored to be willing to propose that Caesar be called king outside of Italy.
would be personally connected to the Marian faction through his marriage to Cornelia, the daughter of L. Cornelius Cinna, Marius’ chief henchmen and himself the holder of multiple consulships.11

While he was sentencing many of the older generation of *populares* to death, Sulla attempted to bring over the leading younger members of the nobility to his cause, both through marriage and political alliance. The loyalty of the young Caesar, whose aunt was the widow of Marius, and who himself had married Cinna’s daughter, would be a great coup for the Sullan regime. Ordered to divorce Cornelia, Caesar bravely refused to follow Sulla’s orders at a time when mere disobedience to the dictator was punishable by execution in the Forum (App. *BC* 1.101). It is probable that Caesar himself was placed on the proscription lists. But Caesar had powerful relations who begged Sulla to spare the boy; Mamercus Aemilius (cos. 77), C. Aurelius Cotta (cos. 75), and the Vestal Virgins intervened on his behalf. Sulla, who was apparently now quite hostile to the young man, did indeed spare him, remarking that it was a mistake not to kill him since there were many Mariuses in Caesar (*Iul. 1.2-3; Caes. 5.1-7*).

It is perhaps ironic, considering his later disregard for traditional Roman religion, that Caesar’s early prominence was the result of his assumption of various priestly offices. He was nominated for the position of *flamen dialis* in 87, but was never consecrated.12 In 73 he was elected to the college of pontiffs, the significance of which

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11 Gelzer (1968) 20 is inclined to believe that the connection to Cinna through his daughter “significantly strengthened” the impulses which would later make Caesar such a strong *popularis*. Cf. Collins (1955) 461ff, who claims that the overriding influence on Caesar’s popular stance was his later rejection by the optimates.

12 The Marian faction, with Cinna at its head, had nominated Caesar to the office of *flamen Dialis*, to replace L. Cornelius Merula, who had been forced into suicide by Cinna in 87 (Vell. Pat. 2.22). The restrictions placed on the flaminate prevented active participation in either governmental or military capacities. These would include not being able to mount a horse, view an army arrayed for battle, take an
should not be overlooked. To become a member of the pontificate, a candidate had to be
elected by the current members of the college. In 73 it was packed with Sullan partisans,
among them Q. Metellus Pius, P. Servilius Isauricus, Q. Lutatius Catulus, and M.
Lucullus. As Taylor has noted, Caesar’s election proved that he was accepted by at least
some of the Sullan nobility.\(^{13}\) Although he had close associations with the Marians, and
was himself a member of an old plebeian family, the nobility apparently did not yet
recognize Caesar’s potential threat to senatorial supremacy.

In 63, Caesar presented himself as a candidate for \textit{pontifex maximus}. He faced
considerable opposition from Isauricus and Catulus, both ex-consuls; the office of

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\(^{13}\) Taylor (1942) 8. Gelzer (1968) 118 follows Taylor’s assessment of Caesar’s co-option, and Meier
(1995) 110-112 calls the election a great honor, though he admits that Caesar might have landed his
position by default, since it was customary to replace a deceased pontiff with a relative; Caesar replaced C. 
Aurelius Cotta, a cousin to Caesar’s mother, who had died in the previous year. Balsdon (1967) 31,
however, places absolutely no importance on his election, dismissing it as a cursory detail of Caesar’s
career in a single line of text. Indeed, only one ancient source mentions his election (Vell. Pat. 2.43.1, \textit{idem
mox ad sacerdotium ineundum, quippe absens pontifex factus erat in Cottae consularis locum, cum paene
puer a Mario Cinnaque flamen dialis creatus victoria Sullae, qui omnia ab ipsis actaucerat irrita, amisisset
id sacerdotium, festinans in Italian}. I believe Taylor is correct, that the acceptance of Caesar by the Sullan
majority in the college of pontiffs is important, and that it is indicative of Caesar’s charisma and
willingness to compromise with any faction so long as it supported his personal advancement.
pontifex had traditionally gone to a respected man of consular rank. By campaigning for pontifex though only of quaestorian rank, he exhibited the audacity that he had shown against Sulla in his refusal to divorce Cornelia and would indeed continue to display through the rest of his career. Despite the odds, Caesar won an overwhelming victory. Suetonius mentions that he received more votes in the tribes of Catulus and Isauricus than those two men received from all the tribes combined (Jul. 14.2). His election over Catulus was significant. Catulus was a symbol of senatorial prestige, and his defeat made Caesar a major player on the political stage.

The priesthoods did much to raise Caesar’s profile in Rome, as had his notable service as a soldier in the East. But he had already started on a traditional political career before his election to the pontificate through his prosecution of Cn. Cornelius Dolabella, the former of consul of 81, in 77. Caesar was well-suited for a career at the bar, having received a traditional upper-class rhetorical education under M. Antonius Gnipho. Caesar had continued his education in the East; in 75 he studied rhetoric with Molon of Rhodes, who had been Cicero’s teacher (Caes. 3.1). Caesar could have made his career in the courts, as Cicero had done, and become famous for the elegance and power of his speeches and his writings. Cicero himself (Jul. 55.1) considered Caesar to be an elegant, noble, and grand orator, a trait which would prove to be a great boon.

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14 Caesar had joined the army of M. Minucius Thermus in Asia Minor in 81. He served admirably and in 80, for actions during the siege of Mytilene, Caesar was awarded the corona civica. This was the highest military honor a soldier could receive. While the corona obsidionalis was perhaps more prestigious, it was given only to a general who relieved a besieged Roman army (Plin. N.H. 22.4-7; Livy 2.37; Gell. 5.6). The corona civica was presented to any soldier who saved the life of a Roman citizen in battle (Plin. NH 16.5; Gell. 5.6; Sen. Clem. 1.26). L. Gellius Publicola had proposed it be given to Cicero for his part in suppressing the Catilinarian conspiracy (Gell. 5.6), and among the many honors voted for Augustus was that the corona civica be put up over the door to his house on the Palatine (Aug. Mon. Anc. 6.34; Dio 53.16; Val. Max. 2.8.7.; Ov. Fast. 1.614, 4.953).

15 Gnipho appears only once in Latin literature (Suet. Gramm. 7), where his exceptional abilities are stressed (fuisse dicitur ingenii magni, memoriae singularis, nec minus Graece quam Latine doctus).
during his consulship. But he renounced his oratorical career because he wanted to be
first and foremost a statesman, and win glory on the battlefield (Caes. 3.3).

He parlayed his success at home and abroad into a military tribunate in 72 (Caes. 5.1-3; Iul. 5; Vell. Pat. 2.43.4), a provincial quaestorship in Hispania Ulterior in 69, and the curule aedileship in 65. This was followed by his successful candidacy for praetor in 63. Next was a propraetorship and command of troops in Hispania Ulterior in 62. But until his praetorship in 63, Caesar had apparently been considered a minor politician.

When Cicero wrote to Atticus in December 61 that Caesar, Bibulus, and Lucceius were standing for the consulship the following summer, Atticus responded that he thought all three were to be scoffed at (Att. 1.17.11). Yet Caesar had been exempted from the lex Villia Annalis of 180, which set the minimum ages for the holding of public office. Caesar may have been exempted from this law due to his service as quaestor in Hispania; Velleius Paterculus (2.43) described his service as mirabili virtute atque industria obita.

It was here that Caesar may have been seized by the desire to make himself the first man

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16 Gelzer (1968) 32 credits the quaestorship as the beginning of Caesar’s ambition for quicker political advancement, though it must be admitted, as Balsdon (1967) 35 has noted, that almost nothing is known of Caesar’s tenure in Hispania (a thought echoed by Broughton, MRR 132), and most scholars pass over this quaestorship as merely a prerequisite for higher office.

17 His exemption in itself would not be noteworthy, as there was precedent. Scipio Aemilianus (App. Pun. 112) and of course Pompeius had been exempted; the more extreme of the two cases being that of Pompeius, who had triumphed and held a consulship though he had not yet reached the proper age for the praetorship. Caesar’s exemption, though, did not give him the extraordinary power that Pompeius had held. It appears that Caesar was merely allowed to stand for each successive office two years before the traditional age. For the operation of the lex Villia under Caesar, see Sumner’s thorough discussion in Phoenix 25 (1971). There is of course the problem of Caesar’s birthday when considering whether or not he was exempt from the lex Villia. The authority of Suetonius (Jul. 88) and Appian (BC 2.149) make Caesar 56 when he was assassinated in 44, thus putting his birthday in July 100; this is the commonly accepted date. Mommsen (1894) 4.278 and Carcopino (1943) 592 n. 2, however, place Caesar’s birth at 102 and 101, respectively. The articles by Deutsch (1914) and Holmes (1917), though now around ninety years old, are still quite valuable for the controversy over Caesar’s birth year; based primarily on the ancient sources, both support the idea that Caesar was born in 100 and received a dispensation to stand for the offices two years early, though neither offers a reason for Caesar’s dispensation. I follow the traditional dating, and for the purposes of this work it will be assumed that Caesar was born in 100.
in Rome. There is a story, though probably apocryphal, about Caesar from this quaestorship that illustrates well his budding ambition. It is said that while visiting Gades, upon seeing in the temple of Hercules a statue of Alexander the Great, he let out a deep sigh, depressed that he had done nothing exceptional when at the same age Alexander had conquered the known world (*Jul*. 7). Cicero would later point to the quaestorship as the beginning of Caesar’s designs on despotism (*Iul*. 9.2; *Cic. frag. epist*. 10).

In 63 when Caesar began to come into open conflict with the optimate party. He had, however, been implicated in 65, while serving as curule aedile, as being in league with M. Crassus, P. Sulla, and L. Antonius in an attempt at armed revolution. The plan, according to Suetonius (*Iul*. 9.1-2), involved the slaughter of the new consuls, the usurpation of the dictatorship by Crassus, and the naming of Caesar as master of the horse. Crassus’ timidity undid the plot, since he failed to appear at the proper time and place for the signals to be given. This would not be the last time that Caesar would be connected to a plot against the Republic.

Also in 65, Caesar had restored the monuments of Marius on the Capitoline (*Vell*. Pat. 2.43.4; *Caes*. 6.1-7; *Jul*. 11.1). The restoration of the monuments was another attempt by Caesar to rehabilitate the name and image of Marius. Caesar created a stir at the funeral of his aunt Julia, widow of the great *popularis* general, by proudly displaying the effigies of Marius which had not been seen in the city since the days of Sulla (*Caes*. 5.2-5, *Iul*. 6.1). This brought him enormous popularity with the people, as did his *laudatio* for his wife Cornelia at her funeral later that year. Caesar had, in his Marian connections, an advantage for popular favor that neither the former Sullan general
Pompeius nor the Sullan profiteer Crassus could possibly claim. Marius was still a great hero to the majority of the *plebs*, and as son-in-law of Cinna and nephew of Marius by marriage Caesar could court not only the favor of Marius’ veterans but the urban poor whose cause Marius had espoused.

Up until 63, Caesar had proved himself to be a proponent of the *populares*. The funeral orations for his aunt and wife and the restitution of Marius’ trophies were very public acts designed to court popular favor. He secured the curatorship of the Via Appia in 65, a post which carried enormous personal expense but tremendous popular approval. As aedile he was also very attentive to the opinion of the *populus Romanus*. One of the primary duties of the curule aedile was overseeing public games. The state limited the funds available to the aediles, but they were free to pay any further expenses out of their own pocket. Caesar took it upon himself to put on the *Ludi Romani* and the *Ludi Megalenses* as a way to court public favor. The pageantry was unprecedented, and Dio (37.8.1) would later call the scale ridiculous. Caesar also chose to put on lavish funeral games for his father, who had died twenty years earlier (Plin. *NH* 33.53). Over three hundred pairs of gladiators performed in these games, the greatest number yet to be assembled for any contest.

His liberality knew no bounds, and it was this lavish generosity and the general splendor of his way of life that helped him win political influence (*Caes*. 4.5). Although he was not yet an overly wealthy man, he put himself deep into debt in order to stage elaborate and costly games. To cover his debts he needed the backing of a wealthy and powerful man. He would find that man in M. Licinius Crassus.\(^{18}\) The two would first

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\(^{18}\) Crassus’ family was the richest in Rome; the traditional sobriquet of the Licinii Crassi was ‘Dives’. Crassus had been Pompeius’ colleague in the consulship in 70, and had cooperated in the restoration of the
work together to secure the passing of Rullus’ land bill in 65, but their aims would be frustrated by the brilliant oratory of Cicero.¹⁹

The Catilinarian conspiracy would also prove to be a major source of tension between Caesar and the Senate. During the debate about the fate of the conspirators whom Cicero had arrested in Rome, Caesar argued, in opposition to Cicero and his supporters, that life imprisonment, not death, was appropriate. His argument was so convincing, and his oratory so moving, that even senators who had already voted for death changed their minds (Dio 37.36.1-2; Caes. 7.9; App. BC 2.1.5). It would take an impassioned speech by Cato to carry Cicero’s proposal. The enmity felt towards Caesar by the senators was so great that Curio had to wrap his cloak around Caesar and hustle him out of the Curia to prevent Cato’s bodyguards from killing him on the spot (Caes. 8.2; Iul. 14.2). This hostility would keep Caesar away from meetings of the Senate until the end of the year.²⁰

⁰ Had they been successful, Gelzer (1968) 44 believed that the two might have been able to secure a power base which bypassed the Senate and counteract the enormous popularity of Pompeius. Cf. Richardson (1998) 302, “It is now generally believed that the author of Rullus’ land bill in 63…was not Rullus but Julius Caesar, and it was designed not only to win him favor with the plebs…but to limit the power of Pompey.” The silence of the ancient sources outside of Cicero’s speeches De lege agraria is notable. Plutarch does discuss the bill, but follows closely Cicero’s arguments. Sallust, Velleius Paterculus, Suetonius, and Appian do not mention it at all, and Dio (37.25.4) sums the entire affair up in one phrase, ἡλάς καληροχιάς καὶ ἐν τῇ Ἰταλίᾳ καὶ ἐν τῇ ὑπηκόω γενέσθαι ἐσπευστο. The lack of ancient emphasis indicates that too much has perhaps been made of Rullus’ legislation by modern scholars. Sumner (1966), while acknowledging Cicero’s oratory as the primary reason for the bill’s failure, argues that the land bill was created with Pompeius’ interests in mind, not Caesar’s.

⁰ Caesar would later be implicated as complicit in the conspiracy. After the conspirators had been defeated at Pistoria in February 62, Lucius Vettius, an equestrian who had served under both Cn. Pompeius Strabo and Sulla, came forward claiming to have proof of full scale of the Catilinarian conspiracy. Caesar’s was one of the many names revealed (Iul. 17). Vettius promised to produce a letter to Catilina in Caesar’s
Caesar had now broken all ties with the optimates. Cato, who would become the paragon of Republican virtue following his suicide in 46 and was often the leader of the senatorial opposition to Caesar, and Cicero were now firmly at the head of the optimate party. Caesar had proven himself a *popularis*, and his immense popularity with the people had been secured by largesse. His personal debt was enormous; when he left for Hispania in 62, Caesar was rumored to be 25,000,000 *denarii* away from breaking even (App. BC 2.2.8). But he still did not have enough popularity and political clout to guarantee his position or further his political aims. Crassus, whose position in Rome was much stronger that Caesar’s, was no longer in Rome, having left on a personal journey (Pomp. 43.2; Cic. Flacc. 32). Caesar thus began to contemplate an alliance with Pompeius. He had shown his support for the general in the past, having been a vigorous supporter of both the *lex Gabinia* and the *lex Manilia*. The distrust of Pompeius by the Senate at this time only served to help Caesar’s cause; Pompeius too needed friends in Rome to secure his political and legislative goals.21

handwriting, thus linking him undoubtedly with the conspiracy. Caesar, however, appealed to Cicero as a witness that he had voluntarily passed information on the conspiracy to the then-consul. The Senate then apparently grew suspicious of Vettius, and ordered that the names mentioned orally by Vettius be published, which served to calm the fears gripping the capital (Dio 37.41.2). Invoking his powers of *coercitio*, Caesar ordered that Vettius’ property be destroyed. Vettius himself was beaten in the Forum and imprisoned.21

One other incident serves both to further estrange Caesar from the optimates, and to show his favor towards Pompeius. As praetor in 62 Caesar had proposed that the commission for rebuilding the temple of Jupiter on the Capitoline be stripped from Catulus and entrusted to another. According to all expectations it would be Pompeius to whom the commission would be entrusted (*Jul. 15*); to have his name on such a prominent building would certainly not hurt Pompeius’ popularity. While this may have merely been the result of a personal grudge against the aged optimate, Caesar would soon attach himself to popular legislation that would estrange him from the entire nobility. There had been a proposal by Q. Caecilius Metellus Nepos, one of Pompeius’ old legates and tribune in 62, to recall Pompeius and his army to Italy to destroy the Catilinarian forces and restore public order. Nepos may also have been preparing legislation to allow Pompeius to stand for the consulship of 61 in absentia (*Schol. Bob. 82*). Caesar vehemently supported both proposals. When it came time to vote on the proposals, a gang of thugs under Nepos’ orders assaulted Cato and Q. Minucius Thermus, Cato’s colleague in the tribunate, thus preventing them from exercising their veto. The unruly crowd, however, prevented the bills from being read (*Plut. Cat. Min. 26.2-28.5*). In response to this scandal, the Senate suspended Nepos and Caesar from their official
The final event that would seal Caesar’s fate with the old nobility was the Bona Dea affair. The rites of this goddess were an annual festival for the welfare of the Roman people, and were linked closely with feminine ideals. Men were rigorously excluded, and the Vestal Virgins played an important role. The wife of the pontifex maximus was one of the celebrants, and traditionally the ceremony was held in her home; in 62 the rites would therefore have been held at Caesar’s residence in the Forum. During the celebration, P. Clodius Pulcher, a wealthy and impetuous young patrician, was caught intruding on the rites (Att. 1.12.3, 1.13.3, 1.16). This sacrilege not only resulted in the rites having to be redone, but it provoked a firestorm of controversy in Roman political circles. Clodius was promptly accused of sacrilege by the college of pontiffs and the Vestal Virgins, and was prosecuted under a special bill of the Senate and the tribunes (Caes. 10.3-4). He may very well have been convicted of incestum had not Crassus and duties, and declared as public enemies anyone who called for the punishment of those who had executed the Catilinarian conspirators (Dio 37.42.3). Instead of opposing the senatorial decree, Caesar resigned his symbols of office and quietly went home. His popularity with the people, however, saved him from any further disciplinary action. The public outcry over his suspension was such that the Senate had no choice but to lift the interdict against him (Caes. 16.1-2; Dio 37.44.2).


23 The prevailing theory is that Clodius was seeking an amorous rendezvous with Caesar’s wife (Balsdon [1967] 48f). Syme (1939) 33, however, calls the entire affair a “mild scandal”; he is obviously understating not only the religious but also the political ramifications of Clodius’ subterfuge. Beard, North, and Price (1998) 129, while diminishing the importance of the sacrilege itself, do make a case for the public interest and importance of handling the sacrilege properly. Gruen (1975) 98, meanwhile, suggest that the whole opprobrium was due merely to Clodius’ impetuous style; Clodius was simply reckless by nature, and had no ulterior motive for entering Caesar’s house on that night. However, the seriousness of the offense should be evident from the reaction of the Senate. Clodius’ acquittal was another blow to senatorial prestige (see Wiseman [1982a] 361-363), and Rome was so caught up with the scandal that all other business ground to a halt, including the allotting of provinces for the outgoing magistrates (see esp. Gelzer [1968] 59-61).
Licinius Calvus lent their formidable financial resources to Clodius (*Att.* 1.16.5). Caesar, however, managed to avoid serious damage to his reputation. Instead of joining the prosecution of Clodius, he sent his wife a notice of divorce (*Att.* 1.12.3; *Caes.* 10.5).²⁴ It was an astute political move; not only did Caesar avoid the scandal of being married to a cheating wife, thereby appearing to have a regard for ancient Roman morality, but he also left open the door for later collaboration with Clodius, who would certainly have been grateful for Caesar’s non-participation.

After the furor over the Bona Dea scandal had subsided, Caesar was awarded the familiar province of Hispania Ulterior for his propraetorian command.²⁵ During his propraetorship Caesar was finally able to command his own troops. He proved an able general. He raised new cohorts to supplement the existing force (*Caes.* 12.1), and defeated the bandits infesting the Lusitanian region of the province. The amphibious assault on an island outpost of the bandits would undoubtedly prove a trial run for the later assault on Britain, albeit on a much smaller scale. He subjugated the city of Brigantium, and was hailed for the first time as *imperator* by his troops (Dio 37.52.3-53.4; *Jul.* 54.1). The booty which he collected not only allowed him some relief from his personal debt, but he also sent substantial amounts back to the treasury in Rome (App. *BC* 2.27). He also reorganized the administration of the province, and brought many

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²⁴ In 67, following Cornelia’s death, Caesar had married Pompeia. The young woman was no relation to Pompeius Magnus, but rather the daughter of Q. Pompeius Rufus, who had been consul with Sulla in 88 and murdered on orders of Cn. Pompeius Strabo. She also happened to be Sulla’s granddaughter.

²⁵ Caesar was so deeply in debt that Crassus had to stand as surety for a sum of five million *denarii* for Caesar’s creditors (*Caes.* 18.1; *Iul.* 11.1-3; Plut. *Crass.* 7.6). Skillfully, he had left the *pomerium*, thereby assuming his *imperium* and immunity from prosecution. The determination to achieve primacy was apparent again on his way to his province. While traveling through a particularly rustic part of Gallia Narbonensis, a companion of Caesar’s wondered aloud why someone would want to be ruler of such desolate lands. Caesar is said to have replied that he would rather be first in a barbarian land than second in Rome (*Caes.* 11.4).
Eager to translate his success in Hispania into political power in Rome, Caesar left his province before his successor had arrived. The Senate had been sufficiently impressed with his activities there to award him a triumph. But a law passed in 63, perhaps the *lex Tullia Antonia de ambitu*, declared that anyone wishing to stand for the consulship must appear in Rome in person to announce his candidacy. The dilemma facing Caesar was this: to celebrate his triumph he had to forego the consulship for 59, and to stand for the consulship meant abandoning the triumph. The choice was apparently easy for Caesar. He promptly crossed the *pomerium* into Rome. He announced his candidacy in June 60, and stood for the consulship with M. Calpurnius Bibulus, his former colleague as both aedile and praetor.

**Caesar as Consul**

With his candidacy for the consulship begins Caesar’s appearance in Cicero’s correspondence as a serious political factor. Cicero began to take a personal interest in Caesar’s career in June 60. At that time, the *concordia ordinum* was no longer a reality (*Att.* 1.18.3), and Cicero viewed the state of Roman politics as weak and unstable (*Att.* 1.17.8). Cicero was so despondent over the way matters had played out since his consulship that he mourned the lack of even a shadow of a statesman in the city (*Att.* 1.18.6). But he never lost his desire to be a mentor to those that held the power. His aspiration to be a new Laelius to Pompeius’ Africanus is well-documented (*Fam.* 5.7.3). But Cicero also saw himself as a potential counselor for Caesar. Although he saw Q. Caecilius Metellus Celer as an excellent consul and true friend (*Att.* 1.18.5, 1.19.4,
he had hopes for Caesar. Though Cicero seems at this time to have viewed Caesar as hostile to the Senate, he nevertheless thought that he might be able to make the extremely popular imperator a better citizen (Att. 2.1.6-7). To add to Cicero’s confidence, he was assured in December by Balbus that Caesar would follow both Cicero’s and Pompeius’ advice in all things (Att. 2.3.3).

The year started well for Cicero, but unfortunately, Caesar had no intention of following Cicero’s advice. Caesar publicly reconciled with his bitter enemy M. Calpurnius Bibulus, his consular colleague, and observed, at least in the beginning of his consulship, all traditions involving the consular insignia. But Bibulus had been elected consul for the first time and had reason to suspect that Caesar would upstage him in all ways. As aedile with Caesar in 65, he was publicly shunted aside as Caesar took all the credit for the lavish games and improvements to the city. He would claim that he was the Pollux to Caesar’s Castor, a reference to the temple of the Dioscuri in the Forum which was usually called by the name of only the one brother (Jul. 10.2). Bibulus had been elected through rampant bribery on the part of the Senate. In order to offset the massive enticements offered to the people by Caesar and his allies, even the moralistic Cato was willing to overlook a gross breach of constitutional practice in an attempt to blunt Caesar’s attempt control matters in Rome. But just as with his aedileship, Bibulus would prove ineffective, and the wags in the crowd would say that in 59 things had started well for Cicero, but unfortunately, Caesar had no intention of following Cicero’s advice. Caesar publicly reconciled with his bitter enemy M. Calpurnius Bibulus, his consular colleague, and observed, at least in the beginning of his consulship, all traditions involving the consular insignia. But Bibulus had been elected consul for the first time and had reason to suspect that Caesar would upstage him in all ways. As aedile with Caesar in 65, he was publicly shunted aside as Caesar took all the credit for the lavish games and improvements to the city. He would claim that he was the Pollux to Caesar’s Castor, a reference to the temple of the Dioscuri in the Forum which was usually called by the name of only the one brother (Jul. 10.2). Bibulus had been elected through rampant bribery on the part of the Senate. In order to offset the massive enticements offered to the people by Caesar and his allies, even the moralistic Cato was willing to overlook a gross breach of constitutional practice in an attempt to blunt Caesar’s attempt control matters in Rome. But just as with his aedileship, Bibulus would prove ineffective, and the wags in the crowd would say that in 59 things had started well for Cicero, but unfortunately, Caesar had no intention of following Cicero’s advice. Caesar publicly reconciled with his bitter enemy M. Calpurnius Bibulus, his consular colleague, and observed, at least in the beginning of his consulship, all traditions involving the consular insignia. But Bibulus had been elected consul for the first time and had reason to suspect that Caesar would upstage him in all ways. As aedile with Caesar in 65, he was publicly shunted aside as Caesar took all the credit for the lavish games and improvements to the city. He would claim that he was the Pollux to Caesar’s Castor, a reference to the temple of the Dioscuri in the Forum which was usually called by the name of only the one brother (Jul. 10.2). Bibulus had been elected through rampant bribery on the part of the Senate. In order to offset the massive enticements offered to the people by Caesar and his allies, even the moralistic Cato was willing to overlook a gross breach of constitutional practice in an attempt to blunt Caesar’s attempt control matters in Rome. But just as with his aedileship, Bibulus would prove ineffective, and the wags in the crowd would say that in 59 things had
by the efforts of the faction controlling the Senate, and he would act in accordance to their wishes; their wishes were that Caesar be restrained and his influence minimized.

Nor did Caesar desire a secondary role to Pompeius. To assure that his consulship could be exploited for his own use, he had approached Pompeius about forming a political alliance. This alliance, commonly called the First Triumvirate, would also include Caesar’s old patron Crassus. The three men agreed that they would oppose any legislation that was hostile to any of them, and would work to pass each other’s legislation.

This coalition, which would prove so odious to Cicero, was in no way illegal. It was formed on the basis of amicitia, a long-standing and cherished political weapon.30 Within a year the partnership would be cemented by a marriage alliance. Pompeius married Caesar’s only daughter Julia and Caesar himself married the daughter of L. Calpurnius Piso Caesoninus, who would parlay his Caesarian leanings into a consulship in 58. Cicero himself was invited to join the triumvirate, and he saw the opportunities that the alliance provided: intimate relations with Pompeius and Caesar, peace with the populus, and especially senectutis otium (Att. 2.3.4). But he chose the path of resistance, recalling Hector’s decision to fight always for the state (Il. 12.243, εἰς οἴκων ἀδριστος

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30 Cicero may have the triumvirs in mind when he wrote that true amicitia can exist only between good men (Amic. 5.18). For a detailed discussion of amicitia and its various forms, see Hellegouarc’h (1972) 41-90.
But a coalition of Caesar, Pompeius, and Crassus would be much too strong for the ex-consul Cicero to oppose. With sufficient political, military, and financial support, Caesar quickly began work on his legislative agenda.

Caesar’s first act as consul was to create the *acta diurna*, a daily record of the Senate’s activities (*Jul.* 20.1). The publication of the proceedings of the Senate would help secure the position of the consul against any attempt by the aristocracy, which was highly suspicious of him, to check his power. Caesar was still immensely popular with the people, and public opinion could quickly turn against any senator or faction which attacked him in the Curia. Caesar then proposed a new agrarian bill. This bill would provide the long-promised land for Pompeius’ veterans. Caesar expected that the bill would pass with senatorial support (*Att.* 2.3.3-4). He immediately recused himself from serving on the commission, thus assuaging fears that he would consolidate even more power and popular prestige in his own hands. Anticipating some senatorial resistance, he even offered to strike from the law any clause with which, for whatever reason, any senator opposed. When Cato rose to speak he suggested that no changes be made to the bill. But he then proceeded to filibuster until the sun set, thereby postponing the vote. Caesar was so incensed that he ordered Cato hauled off to prison. When most of the Senate followed the jailed senator, Caesar released the recalcitrant senator, with the

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31 The bill proposed that a commission of twenty be set up to price and buy land from private landowners. Prices were to be set at market value, not below, and the money would be paid from the state treasury, now overflowing with booty and tribute from the east (*Dio* 38.1.5). The commission would also have the responsibility of dividing up public land secured through Pompeius’ eastern victories and what land was available in Italy itself. The *ager Campanus* would however remain untouched (*Dio* 38.1.3). The *ager Campanus* had been created during the Second Punic War. Capua had defected to Hannibal in 216. When it was recaptured in 211, it was deprived of its land, which became the *ager Campanus*. It was a very fertile area, and not used for permanent settlement. Rather it was rented out by the censors for incredible profits. Land in Italy was at a premium in the mid-first century, and the Senate jealously guarded the *status quo* regarding the *ager Campanus*.
warning that the Senate had given him no choice but to turn to the people for passage of his law (Dio 38.2.1-3; Gell. 4.10.8).

The following day, Caesar invited Bibulus to criticize the bill in public. Bibulus refused, commenting only that he would allow no innovations during his consulate (Dio 38.4.1-3). Pompeius and Crassus, however, spoke strongly in favor of the bill, and Pompeius vowed that he would support the bill with military force if the need arose (Caes. 14.2-6, Pomp. 47.5-8). Since the vote had been secured in advance by an influx of Pompeius’ veterans, Bibulus resorted to religious objections to prevent the bill from being passed. He began searching the sky daily for adverse omens, and also declared all remaining days of public business to be holidays (Dio 38.6.1). Caesar ignored his colleague’s tactics, and so Bibulus, supported by a senatorial retinue with Cato at the head, crashed the voting assembly. When he began to speak against Caesar, he was manhandled and forced to retreat, his fasces having been smashed in the attack (App. BC 2.38-41; Caes. 20.1; Pomp. 48.2-3; Plut. Cat. Min. 32.3-4). The bill was then passed without incident. Bibulus appealed to the Senate for a declaration of martial law, but no senator was willing to stand up to Caesar (App. BC 2.2.11).32

32 Caesar would later propose a further emendation to his previous agrarian bill, one that would bring much hostility from the optimates. This bill would divide up the ager Campanus which had been untouched by the previous settlement. This caused much consternation in the Senate (Att. 2.16.1). Cato was the only senator with the courage to speak publicly against this new bill, and Caesar had him removed from the Forum. The law was passed, with the result that 20,000 citizens were awarded land in the ager Campanus and Capua itself was restored to independence (Caes. 20.3; Vell. 2.44.2; Dio 38.7.3). Pompeius was entrusted with the refoundation of Capua. The Campanian land act made the position of the triumvirs almost unassailable. All the new settlers would owe their political allegiance to Caesar and Pompeius, and so would the city of Capua. Cicero realized what they were up to, accurately seeing all their legislation as related for a common purpose. However, he mistakenly cast Pompeius as the triumvir aiming for monarchy (Att. 2.17.1). Such bills had previously been the domain of radical politicians seeking to diminish the power of the senatorial nobility; Caesar’s actions were described as more suitable for a radical tribune than for a consul (Caes. 14.2).
The first open battle between Caesar and the Senate had been won handily by the consul. This episode not only revealed to the Senate Caesar’s willingness to resort to violence but also his complete lack of any legal and religious scruples. For the rest of his consulship, Caesar would bring no laws before the Senate for approval. Rather he went directly to the people. While technically not illegal, for the Senate was not a legislative body and could not pass laws on its own authority, bypassing the Senate had traditionally been the mark of radical *populares*. The Gracchi had used the same technique in their struggle against the oligarchy for land reform, and their habit of resorting to popular approval had resulted in assassination by agents of the Senate. Caesar made it very clear that he wanted nothing from the Senate, but would employ the people exclusively (App. BC 2.2.13). Indeed, for the rest of his consulship, the majority of the senators refrained from attending Senate meetings (*Caes*. 14.13). Caesar realized that the people were a powerful force; properly mobilized, they could provide effective opposition to the Senate, and thus Caesar made a special effort to court their favor (Dio 36.43.3).

In another quite popular measure, Caesar proposed to reduce the debt of the tax-farmers in Asia Minor. But this bill too had been denied by the Senate under Cato’s leadership. Caesar promptly brought the bill before the people, as he had done with the agrarian legislation (*Att*. 1.17.9, 2.1.8). He ordered a reduction by one-third of all the debt, and admonished the collectors, who were members of the equestrian class, not to bid so high in the future (*Att*. 2.16.2; *Jul*. 20.3; Dio 38.7.4). Not only did this please Crassus immensely, for he was the patron of many of the tax-farmers, but Caesar thereby gained great popularity with the knights.
Two other events occurred during Caesar’s consulship which would be of great importance in Caesar’s later relationship with the optimates in general and Cicero in particular. He finally secured the passage of Pompeius’ eastern settlement. Pompeius had sought to have his acts ratified since his return in 61. The Senate had opposed Pompeius’ wish to have his acts ratified \textit{en bloc}, preferring to discuss each of his settlements in turn. Pompeius had never been one to circumvent the law; he did not use violence, nor did he ask his friends then serving as magistrates to take the measure to the people. Instead he preferred to work within the existing Roman legal system. Caesar, however, would have no problem bypassing the Senate. The only dissenting voice in the Senate caved when Caesar threatened him with prosecution (\textit{Iul.} 20.4). Pompeius’ veterans received their land, and P. Vatinius was entrusted with the final arrangements. Many of the areas conquered by Pompeius would remain free of tribute, which was another circumstance unpopular with the Senate (Cic. \textit{Vat.} 29; \textit{Att.} 2.9.1).

In March C. Antonius Hybrida, Cicero’s consular colleague in 63, was brought up on charges misconduct during his time as proconsul of Macedonia (Cic. \textit{Flacc.} 95). Cicero took up his defense, and gave a speech full of complaints against the current state of affairs in Rome. The speech does not survive, but it must have been fairly harsh towards the triumvirs. Within three hours of the conclusion of the speech Clodius had been transferred to the plebeians.\footnote{Clodius had attempted a transfer to the plebs in 60, when his brother-in-law Metellus Celer was consul. Celer had refused to validate Clodius’ repudiation of his patrician status (Dio 37.51.1-2).} The legal proceedings usually associated with such a transfer were conveniently done away with by Caesar, the consul and pontifex maximus. Pompeius was called upon to act in his capacity as augur to give religious sanction to the
illegal event (Dio 38.12). Clodius was adopted by the twenty-year old P. Fonteius, who promptly emancipated him.

The transfer was meant to scare Cicero, and Cicero was well aware that Clodius’ transfer was his reward for his defense of Hybrida (Dom. 41; Sest. 16; Prov. 41-42). Cicero also knew that Clodius would be seeking revenge on the ex-consul as soon as he had been elected to the tribunate. The thought did not give him much cause for hope (Att. 2.14.1). Cicero was not the only person to abhor this disturbing disregard for constitutional norms. The ancient sources are in agreement that Caesar’s illegal transference of Clodius to the plebs was his most offensive public measure. At this time too the popular support that Caesar had previously counted on began to wane, based in a large part on his own behavior and that of the other triumvirs.

From the middle of 59 on, Caesar, Crassus, and Pompeius were strongly detested by the people. In July Caesar had failed to receive any applause at all in the theater, being greeted instead with complete silence (Att. 2.19.3). Later that month he was unable to arouse the crowd with his oratory, at which point Cicero maintains that the triumvirs

34 Although Cicero had not been responsible for the prosecution of Clodius for the Bona Dea affair, he had given testimony against Clodius’ alibi. Since Cicero testified voluntarily, this caused an irreconcilable rift between the young aristocrat and the ex-consul. While the reason for Cicero’s appearance as a prosecution witness is unknown, Petersson (1920) 298-299 gives several interesting, though unlikely, motives, such as jealousy on the part of Terentia and the desire of Clodia, Clodius’ notorious sister, to marry Cicero, who had remained unresponsive to her advances.

35 Caes. 14.16-17; Jul. 20.4; App. BC 2.2.14; Dio 38.12.1. Clodius would not disappoint Cicero. As tribune he attacked Cicero with vehemence and energy. In defiance of senatorial decree, he immediately reopened prosecutions of those responsible for executing the Catilinarian conspirators. Of course everyone knew that this bill was aimed at Cicero. There would soon be a second explicitly interdicting the ex-consul from fire and water for a distance of 400 miles from Rome (Att. 3.4). In the meantime, Pompeius had been doing his best to assure Cicero that he was firmly supporting him. He repeatedly told Cicero that Clodius was not to be feared (Att. 2.20, 2.24.5), and Cicero, certainly at this point, viewed Pompeius as a close friend (Att. 2.20.1, 2.21.4). Cicero could expect that Caesar would be on his side, since Curio had told the orator that Clodius had declared himself an enemy of Caesar and all of Caesar’s legislation (Att. 2.12.2). Indeed, Caesar would later offer Cicero a position on his provincial staff to avoid prosecution in Rome (Att. 2.19.4).
must have been made aware of the universal hatred towards them (Att. 2.21.5). Again in August and September Cicero points out the hostility of the people and Senate towards the three men (Att. 2.22.6, 2.25.2). The mistreatment of Bibulus and Cato had already assured the antagonism of the Senate, but the opposition of the people must have been an unwelcome surprise.

Caesar must have sensed that influential senators were preparing to prosecute him when his consulship ended. The Senate was already complaining about the illegality of Caesar’s legislation (Cic. Prov. 45). To invalidate the acts of Caesar’s consulship would also severely wound Pompeius and Crassus, and they had substantial interest in preventing Caesar’s prosecution (Att. 2.16.2). To protect Caesar, the tribune Vatinius proposed to the people in May 59 that Caesar be given a five-year provincial command in Illyricum and Gallia Cisalpina, with three legions and all the funds necessary for their upkeep. Also attached to this bill was the proviso that no other arrangements concerning the province were to be discussed until 1 March 54 (Caes. 32; Dio 38.8.5; Cic. Vat. 35-36). As expected, the bill passed through the assemblies. The Senate, of course, was excluded completely from the affair. Caesar’s opponents protested that the law was invalid because Bibulus was still watching the skies; Caesar, with his province secured,

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36 L. Vettius, the informer whom Caesar had imprisoned in 62, reappeared in 59 attempting to persuade C. Scribonius Curio to make an attempt on Pompeius’ life. Curio instead informed his father, the consul of 76, who in turn informed Pompeius. Vettius was haled before the Senate, where he claimed that the author of the conspiracy was Bibulus. Since Bibulus had already informed Pompeius about rumors of assassination attempts, the Senate threw Vettius into prison. Caesar, however, again in opposition to the Senate, brought Vettius before the people. There Vettius changed his story dramatically, omitting names of Caesar’s allies and adding others that he had failed to mention to the Senate. Some of those accused were L. Lucullus, L. Domitius Ahenobarbus, and C. Piso, the fiancé of Cicero’s daughter Tullia (Att. 2.24.5). Brutus was however not mentioned in front of the people, perhaps because Caesar was a known paramour of Brutus’ mother Servilia. The move apparently backfired, and Vettius was found dead in prison the following day. As the year came to a close, Caesar found his entire program under attack in the Senate (Caes. 23.1; Cic. Sest. 40). Rather than wait for the verdict, Caesar wisely chose to leave Rome and assume his proconsular imperium. Thus immune from prosecution, he could watch safely from the outskirts of Rome.
now openly attacked his antagonists (*Caes.* 22.2), and he did not confine his attack to mere words.

Caesar’s out of hand dismissal of Bibulus’ religious objections, as well as his abuse of the augurate during Clodius’ transference to the plebeians, reveals another of Caesar’s traits that he would continue to exhibit until his death. Even after his election as *pontifex maximus* the Senate had qualms about his adherence to the old religion. They feared that he would lead the people into all sorts of reckless behavior (*Caes.* 7.4). But Caesar was also known for a predilection to believe omens. The ancient sources are rife with references to omens and their meanings, especially from the civil war onward.37

For all his belief in omens, it seems that Caesar perhaps viewed himself as somehow greater than fortune. At one point he claims that fortune can be helped along by diligence and energy (*BC* 3.73). He even disparaged the superstitious nature of the people. During a sacrifice in late 45, the victim was discovered to be without a heart.

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37 At the Rubicon Caesar is said to have been deep in thought, debating with himself if the rewards were really worth invading Italy. His mind was made up when a wondrous being appeared, grabbed a war trumpet from a soldier, and strode across the river (*Iul.* 32). The omens in Rome were all the more threatening: it rained blood, the statues of the gods began to sweat, and a mule gave birth (*App.* *BC* 2.5.36). Even during the war Caesar seemed to rely on some sort of divine providence rather than sound military tactics. He trusted fortune rather than prudence when he sailed by himself back to Italy to summon Antonius’ reinforcements (*App.* *BC* 2.9.58). Pompeius’ forces under Bibulus and L. Scribonius Libo had been running a very successful blockade in the Adriatic and Ionian Seas (*Caes.* *BC* 3.8.3-4; *Dio* 41.44.4). Caesar himself had to resort to a dangerous winter voyage in order to catch the blockading fleet by surprise (*App.* *BC* 2.8.54). Later Antonius would run the gauntlet successfully to Greece only with the help of some very fortuitous winds (*Caes.* *BC* 3.26). Libo even attacked the harbor at Brundisium, but was repelled only by brilliant strategy on the part of Antonius (*Caes.* *BC* 3.23-24). Reports of sedition in Italy, combined with Antonius’ lack of action, caused Caesar to sail back to Italy under cover of darkness and in disguise. When the winds and currents were about to force the boat in which Caesar was sailing back to shore, he is reported to have thrown off his cloak and declared, “Take heart, for you carry Caesar and Caesar’s fortune!” (*Caes.* 38.5; *App.* *BC* 2.236; *Dio* 41.46.4). There were also several instances of omens that supposedly foreshadowed his ascension to primacy in Rome. It was prophesied that anyone who could mount Caesar’s horse would rule the world (*Iul.* 61; *Dio* 37.54.2), and several portents appeared over Caesar’s camp the night before Pharsalus (*Dio* 41.61.2). After the battle, a palm tree miraculously sprung up beside Caesar’s statue in the temple of Victory at Tralles in Asia Minor. After the final defeat of Cato’s forces at Thapsus in 46, Caesar began to be celebrated as a man of invincible fortune. His enemies began to attribute all their defeats to the τύχη Καίσαρος, “the fortune of Caesar” (*App.* *BC* 2.14.97).
When the *haruspex* announced that this was a very unfavorable omen, Caesar replied that the omens would be better when he wished them to be (*Jul.* 77). Even on the day of his assassination he would not trust the omens, though they were exceedingly threatening. The doors to his bedroom flew open spontaneously; the weapons of Mars made a great crashing sound, and the augury suggested that he not leave the house. He and his wife also had dreams that indicated his death was imminent (*Dio* 44.17.1-3). He had even been warned by the soothsayer Spurinna to beware the Ides of March. Several sources claim that he was seriously considering not going to the Senate that day (*Dio* 44.18.1; *Caes.* 63.12). But Suetonius and Appian present another picture of the dictator. They both claim that when Caesar could not get favorable omens to open the Senate meeting, he laughed and went in, calling Spurinna a false prophet (*App. BC* 2.16.116; *Jul.* 81.4).\(^{38}\)

Caesar’s contempt for Rome’s religious traditions and superstitions are a major failure in terms of the Ciceronian *rector*, since the maintenance and adherence to proper religious observances is one of the key components in Cicero’s political theory. In the *Rep.*, the references to the role of *religio* in the reformed Roman state recall the role of legislators in creating the state religion. Cicero claims that the principles of religion come from those who have made up the laws for the state (*Rep.* 1.9). Religious customs were not handed down by the gods, but created by the ancients who were in much closer contact to the gods than men are in the current age; Cicero makes the same assertion later at *Leg.* 2.27. In particular, Numa is cited for his authorship of Rome’s religious code

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\(^{38}\) A final note on Caesar and fate would be added by Plutarch. He writes that the assassination of Caesar was proof of some divine plan (*παντάπασιν ἀπέφαυν δαίμονος τινος ὑφηγουμένου καὶ καλοῦντος ἐκεῖ τὴν πράξιν ἔργον γεγονέναι*); that evidently a heavenly hand was guiding events since Caesar was murdered in Pompeius’ theater, and fell at the feet of Pompeius’ statue (*Caes.* 66.1).
In particular, Cicero mentions that Numa established the two elements which most conspicuously contribute to the stability of the State: *religio* and *clementia*. Not only that, but the peace enjoyed under Numa was the “mother of law and religion for Rome,” *(Rep. 5.3, illa autem diuturna pax Numae mater huic urbi iuris et religionis fuit).*

The *Leg.* is where Cicero covers in depth how religion will fit into his conception of the *optuma civitas*. He continues the line of reasoning from the *Rep.*., that Numa’s system was basically sound. In Book 1, Cicero strikes a more philosophical note, in that he argues for the interconnectedness of virtues within a state. For example, at 1.43, the foundation of justice is linked with the inclination to love one’s fellow-citizens. Without this, says Cicero, religion is done away with, for it has no place in such a society. Conversely, the worship of the gods is what Cicero calls the *pura religio* (1.60), i.e., that which does not involve the worship of new or foreign gods (2.25).

Cicero begins the second book of the *Leg.* with a discussion of Divine Law. At *Leg. 2.15*, in what he refers to as the *prooemium legis* (*Leg. 2.16*), Cicero states the following:

> sit igitur hoc iam a principio persuasum civibus, dominos esse omnium rerum ac moderatores deos, caque quae gerantur eorum geri iudicio ac numine, eosdemque optime de genere hominum mereri, et qualis quisque sit, quid agat, quid in se admittat, qua mente, qua pietate colat religiones, intueri, piorumque et impiorum habere rationem. his enim rebus inbutae mentes haud sane abhorrebunt ab utili aut a vera sententia.

Cicero then goes on to create a body of religious laws which he feels would be most beneficial for Rome. Indeed, the entirety of Book 2 of the *Leg.* is concerned with religious matters. Religious laws are the most important foundation for a state; the temporal laws are laid down later in Book 3.
One point that is made at the beginning of this discussion is that Cicero’s religious system does not differ fundamentally from that of Numa (2.23). The implication is that there is no major problem with the traditional system, but rather that the state religion has become perverted by the vicious practices of its rulers (3.31). The most malicious of these practices was contempt for the wrath of the gods. Cicero is quite clear that the threat of divine retribution for wicked acts and impiety is crucial for maintaining a successful state; *deus ipse vindex* should be the watchword of such a state (2.25). It should be believed that sacrilege in any form will bring a *poena* from the gods. This applies not only to theft of things that are sacred, but even dedications to the gods themselves (2.41). Caesar would violate this rule in a spectacular manner during the civil war, when he removed the treasury from the temple of Saturn.39 As a concrete example of the state of religious affairs in Rome, he says that *omnia tum perditorum civium scelere discessu meo religionum iura polluta sunt*, “in the matter of my exile all the laws of religion were violated by the crimes of degenerate citizens” (2.42).

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39 Since the Senate had abandoned Rome in a great hurry, there was insufficient time to remove the gold and silver from the treasury in the temple of Saturn. Caesar, who was constantly raising new levies and bribing men to join him, desperately needed large amounts of cash. With a large armed escort Caesar marched down to the temple, only to find the tribune L. Caecilius Metellus blocking the door. After repeated protestations by the brave tribune, Caesar angrily responded that he would kill him if he did not yield, claiming that it would be harder for him to threaten the tribune with death than to actually kill him (*Pomp.* 62; *Caes.* 35.3-4; *App. BC* 2.41; *Dio* 41.17.2). This was a very dangerous move on Caesar’s part (*Att.* 10.8.6). Cicero warns Atticus that if Caesar had indeed killed Metellus, there would have been a great massacre (*Att.* 10.4.8). Caesar did take the money, however, not only physically removing the sacrosanct treasury in the process but disregarding an ancient curse on whoever might remove the funds from the treasury. There was present in the treasury money which was said to have been put there at the time of the Gallic invasion of Italy around 390. It was not to be removed except for use in war against the Gauls. Caesar found the convenient excuse that since he had conquered and pacified the Gauls he had released the state from the curse (*App. BC* 2.41). As Caesar demonstrated time and again in his career, he was not bothered by ordinary political or religious customs. At this time, however, he must have only been concerned with the two substantial Pompeian armies facing him; with one in Hispania and one in Greece, Caesar found his position in Italy bracketed by hostile forces. With sufficient funds in hand, he turned towards the forces in Hispania.
A clear example of the trampling of religious law by Caesar occurred during the transference of Clodius from the patrician class to the plebs. A key component to a class change was the sanction of an augur. In 59, Pompeius was a member of the augurate (Dio 38.12; Att 2.12.1). Under Caesar’s influence, Pompeius dispensed with the customs surrounding such a move, and the transmission took place in less than three hours. Granted, Cicero had been elected to the augurate in 52, but he makes plain that his position did not influence him (Leg. 2.31). Rather, Cicero says, it is because the facts support this assumption (quia sic existimare nos est necesse). The rights enumerated here include the ability to force the resignation of a consul, the postponement of public business, abrogating illegal laws, and finally that no act of any magistrate at home or abroad has any force unless sanctioned by an augur. The power of the augurs rested partly on the art of divination, an art that Caesar was quite willing to deride. Cicero believes that divination, here termed μαντική, is proof that not only do the gods exist, but that they rule the universe and take an interest in human affairs (Leg. 2.32-33). The lack of respect for the augurate is due, Cicero writes, to neglegentia; the augurate once had the power of divination, but no longer.  

At the end of his consulship, then, Caesar had demonstrated two traits which made him the antithesis of Cicero’s rector. He had removed the Senate from the roles of decisionmaking and legislative approval, thereby increasing the power of the assemblies and by extension the tribunes, who could rely on the inflamed passions of the crowd against the senatorial aristocracy. He had also completely invalidated the role of

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40 Cicero then describes the two ancient uses for divination: political crises and, more often, deciding a course of action. This is the Stoic doctrine, which Cicero, writing later as a sceptic of the New Academy, refutes in the De Divinatione.
divination in the conduct of official business. Bibulus had chosen to resort to a type of
divine intervention in order to stop Caesar, but Caesar had flippantly dismissed him and
his attempts.

But Caesar was soon to leave Rome for his provincial command in Gaul, and he
would be absent from Rome for the next ten years. His absence, while not removing him
completely from affairs, would diminish his influence. Following Crassus’ death, and the
death of Julia, Pompeius would begin to assert himself more and more, and eventually he
would become Caesar’s greatest opponent. The civil war would remove Cicero’s
potential rector from the scene, and leave only Caesar in control of Rome. Cicero,
perhaps out of political necessity, would give Caesar a second chance to reform and rule
as the benevolent rector described in his philosophical works.

Cicero under Caesar and the Background of the De Officiis

Following Pompeius’ defeat at Pharsalus, Cicero quickly returned to Brundisium,
where he would remain for the next eleven months. Unfortunately, there is a gap in his
correspondence with Atticus from 15 July until 4 November 48. The first letter to Atticus

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41 Cicero nowhere mentions military ability as part of his conception of the rector, thus whatever
accomplishments Caesar may have had in battle brough him no closer to Cicero’s concept of the ideal
magistrate. Though Caesar was indeed politically active in the affairs in Rome through his lieutenants, he
himself was not there. This would seem to be an indication of the scope of Caesar’s auctoritas, one of the
key components to successful primacy by the rector, but Caesar’s campaigns and successes in the Gallic
campaigns and the war with Pompeius remain outside the scope of this work. On Caesar’s military
activities, see not only Appian, Dio, and Plutarch, but Caesar’s own accounts of the Bellum Gallicum and
Bellum Civile. Excellent modern treatments of both wars are provided by Gelzer (1968) and Balsdon
(1967), Seager (1968), Gelzer (1959), and Greehalgh (1980) depict them in detail from Pompeius’ side.

42 Petersson (1920) 495 implies that the years between Cicero’s arrival in Brundisium in December 48 until
Caesar’s assassination are not significant in Cicero’s life, except for the philosophical works written during
this period and the personal tragedies which befell him. Yet what else is there? Cicero was not active in
either the Senate or the bar. I would argue that the writing of the philosophical works and the personal
tragedies are intertwined, and very important for the period after Caesar’s assassination. It is only after the
death of Tullia in February 45 that Cicero begins to become more and more open in his hostility to Caesar,
and the introspection afforded by his immersion in philosophy may have emboldened Cicero to make his
scathing attacks upon Antonius in the Philippiics, since he knew that it could very well cost him his life.
upon Cicero’s return to Brundisium finds the orator claiming that his grief was inconsolable, although he had been received amicably by Vatinius, the Caesarian commander of Brundisium \((\textit{Att. 11.5.4})\). Cicero also appears at this time to turn his back on the Republican cause and acquiesce in Caesar’s primacy. Cicero claims that he never doubted Pompeius’ ultimate failure \((\textit{Att. 11.6.5})\), and that he could never join Cato in Africa because of the involvement of Juba \((\textit{Att. 11.7.3})\).

Cicero also worried constantly about his reception by Caesar. Balbus and Oppius, two of Caesar’s most loyal henchmen, repeatedly assured Cicero that Caesar would do nothing to diminish the orator’s \textit{dignitas}, and that Caesar was even interested in increasing it \((\textit{Att. 11.6.3})\). This was Cicero’s overriding concern during his stay in Brundisium. Since Caesar had been held up in Egypt and Asia for several months, he had been out of touch with his authorities in Italy. Thus, despite the apparent good will of the Caesarians, Cicero could not be assured that his position in Italy was secure. He finally received a letter from Caesar in July which apparently stated in no uncertain terms the dictator’s friendliness towards Cicero, and which recognized Cicero’s status as both proconsul and \textit{imperator} \((\textit{Fam. 14.23}; \textit{Deiot. 38})\).

Caesar finally returned to Italy via Tarentum in September 47. Cicero went to meet the victorious general, and his fears about Caesar’s attitude were quickly dispelled. When Caesar saw the orator, he dismounted his horse, and engaged Cicero in private conversation for some time on foot \((\textit{Cic. 39.5})\). It is probable that at this time Caesar not only affirmed Antonius’ decree which had allowed Cicero to remain permanently in Italy \((\textit{Att. 11.7.2})\), but gave his consent for Cicero to return to Rome. This Cicero presumably
did (*Fam. 7.3.3-4*), though there is a considerable gap in the correspondence with Atticus, and details are scarce.

Once back in Rome, however, Cicero found that much had changed since he had last been there. Many of his former friends and colleagues were dead: Pompeius, Bibulus, Appius Claudius, Domitius Ahenobarbus, Caelius and Milo had all lost their lives since the civil war had begun. Cato, too, would soon depart by his own hand. He had good reason to fear both the Caesarians and the Pompeians; the former since he had joined Pompeius, and the latter, since he had abandoned their cause and returned to Rome. Around the time of his return to the city he had divorced his wife Terentia amid rumors of fraud and poor treatment of Tullia.

The letters from April 46 to March 45 are much more jovial. Cicero concerns himself again, as he had done after the Luca conference in 56, with his personal affairs and his studies. He apparently found solace in his work, and the general tenor of his correspondence becomes more optimistic. He wrote letters of recommendation for friends, concerned himself again with his personal finances (which Terentia had left in shambles), and mused over Roman historiography; even his social life seems to have been more active than it had been in years. Tellingly, there is almost no mention of contemporary politics, although he never gave up his readiness to return to the Senate should some semblance of the old Republic be restored. It is probable, indeed likely, that Cicero did not yet view Caesar as a tyrant.43

43 There is of course the controversy over the *Pro Marcello*, which can be viewed as either a speech of adulation for Caesar, or a bit of oratorical sleight of hand, praise given with tongue firmly planted in cheek. The most outspoken critic of the speech as adulation is F.A. Wolf (1802), who felt that the shameless flattery in the *Marc.* argued against it being a genuine Ciceronian speech. Dyer (1990) 20 subscribes to the idea that this speech was delivered to an audience of “educated traditional senators” who were presumably hostile to Caesar. Winterbottom (2002), however, calls this speech not one of an advocate for his client but an “expression of thanks to Caesar”, and claims that it is indicative of Cicero’s position in the summer of
By April 46 Cicero had turned his attention towards the production of a comprehensive body of Latin philosophical writings (*Fam.* 5.21.2). Since he could not take an active role in the politics of Rome, Cicero assumed the role of teacher and philosopher. As he would claim a little later in the introduction of the *De Finibus*, he believed that it was his patriotic duty to relate the *divina ingenia* of the Greek philosophers to the Roman people (*Fin.* 1.3.7).

The year following his return to Rome would yield several impressive works, including the *Brutus* and the *Orator*. The *Paradoxa Stoicorum*, a shorter and more rhetorical work, was also produced in this period. He may also have returned to the as-yet unfinished *Leg.* The introduction to the *Brutus*, dedicated to Cicero’s friend on the occasion of Hortensius’ death, illustrates his desire to focus solely on philosophy and rhetoric to alleviate his anguish over the fate of the Republic (*Brut.* 10-19). Works on oratory are especially needed in Rome, since eloquence has been suppressed under Caesar’s regime (*Brut.* 1-9). The *Orator* seeks to define the ideal orator; to this end philosophical learning will be instrumental in the orator’s training (*Orat.* 11-13).

Combined with the *Paradoxa Stoicorum*, these three works are prime examples of Cicero’s desire to instruct a new generation of Roman politicians and perhaps increase his influence in Rome herself. They are concerned with functional and tangible parts of the Roman political education, and a return to oratorical eloquence, so important under

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46; i.e. that Cicero was determined to find a *modus vivendi* with Caesar. One dissenting voice is Gelzer (1968) 280, who takes the view that the speech is criticism of Caesar’s rule, and that the speech “gives expression to Cicero’s own political programme.” Gotoff (2002) 235, however, disagrees with Gelzer and the rest, and takes the speech as an expression by Cicero of his willingness and ability to advise Caesar as an “orator-politician-statesman of experience and perspicacity.” If this is so, it would be consistent with Cicero’s relationship with Pompeius once Pompeius had assumed primacy in Rome in 52. Cicero would then be proposing the Laelius-Scipio relationship he earlier wanted in his affiliation with Pompeius. If Cicero had viewed Caesar as some sort of *tyrannus*, he would not have offered his services to such an unjust ruler.
the Republic, would benefit the state. Though philosophical, these works are not yet exercises in philosophical argument, and do not concern themselves with theoretical abstractions. Cicero had not yet completely given up on the situation in Rome; he felt there was still hope for a restored Republic, and that his advice might yet be heeded.

In February 45, however, Cicero would lose his only daughter to complications from childbirth. The genuine despair and grief that he felt is evident from this letters to Atticus (e.g. 12.14.3; 12.15; 12.18.1). He even divorced his new bride Publilia, whom he suspected of being pleased with Tullia’s death (Cic. 41.8). He first spent some time with Atticus, reading everything in his friend’s library concerning grief (Att. 12.14.3), but then retired to his remote estate in Astura to avoid all company. He even asked that he be excused from all official duties in the city, including those of the augurate to which he had been appointed in 53 (Att. 12.13.2; 12.14.1; 12.15). While there he became intent on creating a shrine for his daughter and his passion quickly became an obsession. Finding an appropriate location for Tullia’s tomb is the main topic of his correspondence with Atticus for many months.

With his beloved Tullia gone, Cicero’s writings became ever more academic and esoteric. Between Tullia’s death and August 45 Cicero wrote and published six major works: the Consolatio, Hortensius, Academica, De Finibus, Disputationes Tusculanarum, and the De Natura Deorum. These works reflect Cicero’s grief; he moves more and more from the physical world, represented by oratory, into the speculative world of philosophy. For the Hortensius, it was this movement from rhetoric to the greater philosophical discussion that so impressed St. Augustine (Conf. 3.4.7). The works deal with the phases of the Academic school, the pros and cons of Epicurean ethics, and a combination of
Stoic, Academic, and Epicurean teachings. The *Tusc.* combines rhetoric with philosophy; Cicero here uses his considerable talent to expound and refute complicated Stoic ideas concerning death, pain, anxiety, and virtue.

At this time he also became more and more pessimistic about his life and the political situation in Rome. Although he was willing to give Caesar some time to reorganize the state in concord with law (*Fam.* 4.4.2-5; 4.9.2; 7.28.3; 9.6.2-3), and was careful not to give offense to Caesar or his cronies, he had resolved to follow the examples of the Greek philosophers who had lived with dignity under tyrants (*Fam.* 4.3.1; 4.9.2-4; 4.14.2; 7.3.2-4). But the grace period afforded to the new master of Rome would quickly end. The Battle of Munda on 17 March 45 would signal the final defeat of the Republicans, and Caesar’s appointment as sole consul for 45 would turn him into an object of hatred for the orator. Combined with his beloved daughter’s death, these events forced Cicero to realize that his time had passed. All thoughts of returning to an active political life seem to have left him, and he spoke critically to Atticus about the changed situation, the *mutatio omnium rerum* that Caesar’s primacy had brought about (ex. *Att.* 12.51.2; 12.52.2; 13.26.2). Although his discontent had reached new levels, he did not publish any new works until after Caesar’s assassination in March 44. He would maintain his policy of silent detachment from Roman politics.

**Caesar’s Tyranny**

The events of 45-44 confirmed Caesar’s unique position in the Roman state. At this time, however, Caesar held no more extraordinary titles than *imperator*, consul, and *dictator*. Beyond that, there was no suggestion of anything along the lines of monarchy. Cicero in fact gives no clear indication that Caesar was actually thinking of taking the title of *rex*. This is significant, since in the last year of Caesar’s life Cicero had no reason
to defend the actions of the dictator. He does, however, indicate that there were serious rumors about Caesar’s intentions, and that it was these rumors of impending kingship that spurred on Brutus and the other conspirators.\textsuperscript{44}

Whether or not Caesar actually aspired to kingship, in the months following Thapsus he allowed the Senate to bestow on him many tokens of both monarchy and divinity in the mode of the Hellenistic rulers.\textsuperscript{45} The triumphal garb and curule chair that

\textsuperscript{44} This is the opinion of Rawson (1975b) concerning Off. 3.83 and Phil. 2.85. Dyck (1996) is silent on this point, merely referring to Off. 3.83 as a repetition of the anti-tyrannical rhetoric of Off. 2.24. Off. 3.83 makes specific reference to the parricidium patriae, a powerful term of abuse in Cicero’s rhetoric (see Sull. 6, Vat. 35, Planc. 70). It was applied not only to Caesar but also to Antonius (Phil. 4.5) and even Dolabella (Phil. 11.14, 29). Interestingly, Cicero proceeds in Off. 3.84 to claim that he cannot conceive of any greater advantage, according to public opinion, than to be a king. Ruling as a monarch (regnandi esse possit) is only a disadvantage for one who has attained this position by injustice (qui id iniuste consecutus sit). If Cicero considered all monarchy to be the antithesis of the proper Roman government, it seems that he would not need to qualify his statement here. In Phil. 2.85, Antonius is called the auctor regni for his role in presenting Caesar with a diadem during the Lupercal in 44. I disagree with Rawson that Caesar is faulted in this passage. To be sure Cicero does not neglect to set the scene by describing Caesar as sedens in rostris amictus toga purpurea in sella aurea coronatus, that is, dressed and seated in the manner of the original kings of Rome. Coronatus is particularly striking here, since Cicero uses it only of celebrations (Leg. 2.63; Tusc. 1.86; Att. 14.14.1); the younger Quintus is described as wearing a crown honoris Caesaris causa at Att. 14.19.3. This implies that there was nothing unusual about the diadem that Caesar was wearing when Antonius offered him the gold one. After all, by virtue of the corona civica he had won in 80 and a decree of the Senate in 45, Caesar was entitled to wear either the corona or the triumphal diadem in public at any time. In the passage in question, Phil. 2.85, Cicero is more disgusted that Antonius would attempt to elevate his consular colleague to the position of dominus populi Romani, and his willingness to acquiesce to life under a tyrant; this provokes Cicero to remind Antonius that he too was a consul, and his actions far below consular dignity. Indeed, Caesar is only referred to in this passage as Antonius’ collega, while Antonius is slurred as a traitor (sceleratus).

\textsuperscript{45} Since Caesar’s own writings do not extend to the months immediately preceeding his death, scholars must rely on other evidence to try and ascertain the dictator’s plans. The Greek historians, Dio and Appian, and also Plutarch, as well as the later Roman writers such as Velleius Paterculus, Tacitus, and Suetonius, all present their own difficulties in determining Caesar’s aims. All were faced with a political reality that was far different from that which existed in the mid-40s. For Dio, Suetonius and Appian, there were no longer any persons living who remembered first-hand the days of Cicero, Pompeius, Caesar, and the confusion following the dictator’s death. All of them were citizens of Rome under a strong, centralized principate in which the terms rex and dictator were anathema. Even Velleius, the earliest of the Roman historians mentioned, wrote his history and achieved important military and civilian commands under the Augustus and his heir Tiberius. The honors voted to and laws passed by Caesar related in these primary sources can in good faith be taken as fact, since they do not fundamentally differ in their accounts. In addition, several authors, especially Suetonius, had close contact with the imperial family and access to the state archives.

The most important source this period remains Cicero’s letters and philosophical works. Granted, Cicero was no great supporter of Caesar and his program, but he was a contemporary. A large number of letters exist from the years 47-44, when Cicero, though absent for the most part from Rome, maintained close relations with several of the ranking Caesarians, as well as the few Republicans who had remained in Italy.
he was allowed to utilize on any public occasion (App. BC 2.106; Dio 45.6.1), as well as he gold diadem and the high red boots which he wore on various occasions (Dio 43.43.2), were symbols of the ancient Etruscan and Alban kings. In addition, he had been named 
dictator perpetuus, censor perpetuus, and was given tribunician sacrosanctity. Caesar also became the first Roman to put the face of a living man - his own - on coinage. All of these honors added up to a unique and unprecedented position in the Roman state. But it must be remembered that these honors were bestowed in a constitutional manner by the Senate. There is no indication that Caesar forced the Senate to vote him his many extraordinary distinctions. It may be said that the influx of Caesarian clients into the Senate placed the entire body in a patron-client relationship to the dictator. Since many of the anti-Caesarian senators, including Cicero and Brutus, were absent from Rome either by choice or because of provincial commands, this assessment of the Senate’s relationship to Caesar may not be inaccurate. Yet the composition of the Senate matters little compared to the auctoritas of the body as a whole. Thus, though Caesar’s legal position in 45-44 was quite beyond the traditional powers of either a dictator or a consul, he had not abrogated the constitution in order to achieve his primacy. It had been given to him by the reconstituted Senate, now packed with his clients.

This new, enlarged, and pro-Caesarian Senate would bestow upon Caesar, apparently without any prompting from the dictator himself, a bevy of honors never before given to any Roman. Caesar was granted the title of imperator as a hereditary name, was permitted to wear the dress of a triumphant general at all official occasions and was allowed to wear the laurel crown at all times. Caesar certainly paid careful attention to his manner of dress, and his overly careful attention to his appearance was
ever a source of ridicule for the people (Dio 43.43.1). He was granted a ten-year consulship to complement the ten-year dictatorship he had been awarded in 46 (Dio 43.42.2-3; Jul. 45.2). It was further decreed in May that his statue was to be carried among those of the gods in processions, and a statue dedicated to Caesar the unconquerable god was dedicated in the temple of Quirinus; another was set up among those of the early kings and L. Junius Brutus. To this Cicero had responded that he preferred Caesar to share a temple with Quirinus than with Salus (Att. 12.45.2). Cicero was perhaps mindful of the fact that Quirinus represented the divine Romulus, who had been torn to pieces by the senators because of his tyrannical ways (Dio 43.45.2-4). The hostility of the optimates was becoming more and more open.

The first serious rumors of assassination would be heard during the return from Hispania. Antonius had been reconciled with Caesar after Munda, and he accompanied the dictator back to Rome in October 45. But Antonius knew that one of Caesar’s chief lieutenants, C. Trebonius, was contemplating removing Caesar (Cic. Phil. 2.34; Plut. Ant. 11.2, 13.2). When the result of the war in Hispania was still in doubt, the Senate was faced with an unappealing choice: it could endure the unconstitutional rule of the fairly benign Caesar, or it could take its chances with the fanatically republican Cn. Pompeius. C. Cassius Longinus, the future tyrannicide, would write to Cicero in January 45 that Pompeius frightened him, since the young man confused cruelty with bravery, and was quite likely to take the sword to his enemies in Rome (Fam. 15.9.4). Caesar’s despotism

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46 There had been rumors of such an event in 47, and again Antonius was mentioned in connection with it (Cic. Marc. 21, Phil. 2.74). Trebonius had been tribune in 55, and was the author of the law which gave the five-year commands to Pompeius and Caesar. He served as Caesar’s legate in Gaul, and was in charge of the siege of Massalia in 49. He had served ineffectively in Hispania in 47, and was later be named consul suffectus in 45. He would later be the senator who detained Antonius outside the Curia on 15 March 44.
was a completely new form of dictatorship. There were, however, persistent rumors that Caesar was about to join the ranks of the optimates, and there was still hope that he would restore the Republic.

Cicero especially had reason to be optimistic. Caesar had been extremely cordial to the orator. He had taken the time to write a moving letter of condolence upon learning of the death of Cicero’s beloved daughter (Att. 13.20.1), and he wrote admirably of the style of the Cato (Att. 13.46.2). Cicero may have been buoyed by these expressions of goodwill. In May 45 he began drafting a political letter to Caesar as a sort of handbook of advice on how Caesar should adapt his extraordinary position to the republican constitution. Cicero, however, was not sure how the letter would be received, and he asked Atticus to have his friends look over it (Att. 13.1.3), claiming that it would be disaster to send it without proofreading (Att. 13.27.1). Cicero’s trepidation reveals the ever present fear of Caesar that the optimates maintained despite the dictator’s attempts at reconciliation. Cicero had serious concerns about style and content (Att. 12.40.2), and felt that there was no harm in writing it but little reason to actually send it (Att. 13.26.2). Finally he thought that it was better for Caesar to desire a letter of this sort than to disapprove of one actually sent to him (Att. 13.28.3).

In private discourse Cicero was becoming less and less tolerant of the dictator. He began to use the term rex in reference to Caesar (Att. 13.50.1; Fam 6.19.2; 11.27.8). Later that year Cicero would write despairingly about a visit that Caesar had made to Cicero’s villa (Att. 13.52.2). Cicero may have merely been reflecting the attitude of Rome towards her master. Caesar no longer enjoyed the applause at the games that he had in the past, and Cicero was bold enough to discuss the current fears of tyranny in
front of the dictator (Deiot. 33). In addition, Caesar had celebrated another triumph in October 45, again for victories in Hispania. There was much resentment, since it was obvious that the vanquished were not the forces of an enemy king but Roman citizens. Open hostility was displayed when the tribune Pontius Aquila refused to rise from his bench when Caesar’s triumphal chariot went past (Jul. 78).

Caesar again, at the close of 45, had the magistracies settled for the coming year. Fabius Maximus and C. Trebonius were elected consuls for the last three months of 45 (Dio 43.46.2), with Antonius and Caesar himself to serve in 44. Caesar had by this time announced his intention to embark on a campaign against Parthia, at which time the barely thirty-year old Dolabella was to replace him as consul (Cic. Phil. 2.79; Vell. 2.58.2; Dio 43.51.8). After L. Antonius, the brother of Caesar’s lieutenant, became tribune on 10 December, he introduced a bill granting Caesar the right to appoint officials for the next three years (Dio 43.51.1-2). This Caesar did. He also rewarded some of his followers with consular or praetorian rank and the corresponding insignia of such rank. He also continued to enroll many more men in the Senate.

At the end of 45 an event occurred which no doubt further encouraged the conspiracies now forming against the dictator. On the last day of the year it was announced that Fabius the consul had suddenly died. Caesar quickly called for the people to organize by tribe, and by early afternoon C. Caninius Rebilus, a former Caesarian legate in Gaul, had been elected consul suffectus for the remaining hours of the year (Dio 43.46.2-4; Caes. 58.2-3; Jul. 76.2). Cicero was indignant at this blatant disregard for all constitutional practice and tradition.47 He snidely remarked that

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47 Yavetz (1983) 195-196 claims that in nominating Rebilus for a one-day consulship Caesar was indeed acting according to, but against the intention of, the law. To the majority of scholars, however, it was yet
Caninius was an astonishing consul, since he had never once fallen asleep during his consulship (Fam. 7.30.1). His true feelings were revealed in the same letter to M’. Curius in early 44. Cicero, ever the stalwart optimate, wrote that the personal dishonor he felt at living in the present Rome was unimaginable, and that one would weep openly if he had seen the farce that had been Caninius’ consulship (Fam. 7.30.2).

The honors, however, kept rolling in. He was granted the title of *pater patriae* in 45, and a column dedicated to this designation of Caesar was erected in the Forum. Caesar was allowed to dedicate *spolia opima*, the month of his birth was renamed in his honor, his statues were to be set up in every temple in Rome and on the Rostra, and a temple of Concordia was dedicated in his honor on the site of the Curia, which was to be replaced by a new Curia Julia. Several honors, however, seemed to herald at the same time both the death of the Republic and Caesar’s monarchial intentions. He was allowed to wear the all-purple toga of the ancient kings, and he was invested with censorship for life (Iul. 76). There were many other privileges, including several marks of divinity, such as burial within the *pomerium* (Dio 44.6.3-7), a *pulvinar* for his statue, and a temple to Divus Julius with Antonius as his *flamen*.

As more and more honors were given the dictator, his behavior towards the Senate became increasingly disrespectful. Caesar refused to stand when receiving the senators, thus proclaiming in front of the urban crowd that he was now the sole power in Rome.\(^{48}\) Although he forbade his associates to bring a motion in the Senate to have him named *rex*

\(^{48}\) Caesar was roundly criticized by both the Senate and the people for his failure to recognize the *auctoritas* of that ancient legislative body. He therefore found it advisable to spread the rumor that he had been suddenly stricken by one of his bouts of infirmity (Dio 44.8.1-4; Liv. Per. 116; Jul. 78.1; Caes. 60.4-8).
(Dio 44.9.2), his actions during his return from the Alban Hills in January 44 seemed to make it clear that he was comfortable with the title. After performing religious services in those sacred hills, a crowd of spectators along the return route began to hail Caesar as rex (Caes. 60.2; Iul. 79.2). The tribunes C. Epidius Marullus and L. Caesetius Flavus had the ringleader immediately arrested (Dio 44.10.1; Iul. 79.2). Caesar, who had previously tolerated the two magistrates, now summoned a meeting of the Senate in which he called for the tribunes’ removal (Cic. Phil. 13.31; Dio 44.10.3). Marullus and Flavus were duly deposed and their names erased from the rolls of the Senate. Thus Caesar, who had often relied on the tribunate in his quest for power, had, for the second time, trampled underfoot the rights of the tribunate.

His final insult to the old nobility occurred on 9 February 44 when he was declared dictator perpetuus; this new title made Caesar rex in all but name. Any hopes of the Senate or its adherents that Caesar would retire in the manner of Sulla when his legislative program was complete were dashed. On 15 February he appeared for the first time dressed in the manner of the Roman kings to celebrate the Lupercalia. Antonius, the flamen of Caesar and the chief priest of the Luperci, ascended the Rostra and attempted to place a diadem on the dictator’s head. Caesar refused, ordering that the crown be dedicated to Jupiter Optimus Maximus and an entry recording his refusal be

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49 Caesar again appealed to the preservation of his dignitas as the motivation for his high-handed action (Vell. 2.68.3). Asinius Pollio (Iul. 56) criticized Caesar’s works for their forgetfulness or purposeful omission, carelessness, and inaccuracy. Balsdon (1957) 19-24 relates the constant repetition of dignitas as a cause of the war to Caesar’s need to convince the public of the legitimacy of his conflict with the Senate, and does not find the lack of political introductions in Caesar’s works to be suspicious.

50 Plutarch, however, claims that Caesar was given this title since the Senate viewed even monarchy as better than further civil conflict (Caes. 57.1). Cf. Adcock (1959) 67. Opposing this view is Yavetz (1983) 209. He writes that the conspiracy against Caesar can be explained by the fact that the lifetime dictatorship erased the republican and emergency aspects of that office; in the eyes of the conspirators, as soon as he took up the office of dictator perpetuus, he was rex Caesar.
entered in the *fasti* (*Phil. 2.87*). Caesar’s opponents quickly called the display a political ploy, designed to end the speculation that he did indeed desire the kingship. It is possible that Antonius did conceive of the presentation of the diadem on his own. However, the outrage of the optimate class was immense, and it forced their hand. Even the people were reported to be quite angry with the dictator at this time (*Jul. 80*).

The conspiracies against the dictator now solidified around Cassius, the *praetor peregrinus* in 44, and Brutus, who was both Cato’s half-brother and son-in-law. Caesar seemed aware of the conspiracy being formed against him. He even suspected Brutus and Cassius of complicity (*Caes. 62.9-10*). But Caesar nevertheless dismissed his bodyguards and was heard to comment that the best type of death was one that came suddenly (*Vell. 2.57.1; *Iul. 86.2; Caes. 63.7; App. BC 2.115*). Nevertheless he continued with his plans for the Parthian campaign. There had been a Sibylline oracle that the Parthians could not be conquered except by a *rex* (*Caes. 60.1*), and L. Aurelius Cotta was rumored to be ready to propose a new measure concerning this title. Caesar had decided that he would leave for the assembled troops on 18 March, and thus the conspirators had

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51 Cicero claims that the hostility generated by Antonius’ actions was so instrumental in motivating the plots to assassinate Caesar that Antonius was his actual murderer (*Phil. 13.41*). Garson (1957) 47-53 posits that the allegations of monarchial intention on Caesar’s part arose from the later moral and political excuses used by the conspirators as justification for Caesar’s assassination. Balsdon (1967) 170 subscribes to the idea that it was in fact the conspirators, especially Cassius and P. Servilius Casca Longus, who planned this demonstration in an attempt to drive Caesar into a public indiscretion.

52 Servilia, Cato’s mother, bore Brutus to M. Junius Brutus, a legate of M. Aemilius Lepidus in 77. In 45 the younger Brutus married Porcia, Cato’s daughter and widow of M. Calpurnius Bibulus, Caesar’s former consular colleague. Porcia inherited her father’s strong nature and unimpeachable morality, and forced her husband to tell her of the plot; Brutus was reassured by her steadfastness and emboldened by her character (*Plut. Brut. 13.4-11*). The conspirators included some of Caesar’s most important associates. D. Junius Brutus Albinus had been one of Caesar’s best admirals against Pompeius, and had governed Caesar’s old province of Gallia Transalpina. C. Trebonius had served in Hispania with Caesar and had been consul in 45. Roughly sixty senators from all ranks of the Senate joined the conspiracy. Although they had all sworn an oath of allegiance to the dictator, the ancient tradition of opposition to kings and tyrants would prove stronger.
to act quickly. They would end Caesar’s tyranny with twenty-six stab wounds on 15 March 44.

**Caesar’s Legacy in the *De Officiis***

The assassination of Caesar did nothing to alleviate the political problems which had caused so much anxiety for the conspirators and Cicero himself. Antonius quickly seized on Caesar’s popularity and his own position as consul to continue Caesar’s political agenda. A recurrent theme in Cicero’s writings in the last year and a half of his life was his realization that the conspirators had achieved nothing (*Att* 14.9.2, *vivit tyrannis, tyrannus occidit*; 14.14.2, *sublato enim tyranno tyrannida manere video*; also *Fam*. 12.1.1, *non regno sed rege liberati videmur*). While Cicero had not been a firm supporter of Caesar since the death of Tullia, after the assassination the orator would turn his pen against the slain dictator with full force. Although he was absent from Rome for six months, his decision to return to the Senate on 1 September marked the defining moment for Cicero. He had decided to place his lot with the opponents of Antonius and the Caesarians.

The first two *Philippics* and the *De Officiis* are intertwined, not only by the temporal proximity of their composition but by the criticism of Caesar and his entire career. In the *Philippics*, the focus is of course on Caesar’s entourage, with Antonius the target of Cicero’s most violent attacks. The *Off.*, however, seeks to invalidate the entirety of Caesar’s career while leaving Antonius and the other Caesarians, for the most part, out of the discussion. In the *Off.*, any goodwill felt by Cicero towards Caesar is replaced by invective, and Caesar is portrayed as a tyrant and the destroyer of everything that the Roman *res publica* stood for.
Cicero had speculated on Caesar’s monarchial intentions in 49. At that time he was sure that Caesar would not restore the traditional constitution; the question was whether or not Caesar, should he win, would be a Phalaris or a Peisistratus. After the Ides of March, regardless of the tolerance shown by Cicero during 46-45, the depiction of Caesar by Cicero firmly associates him as a Phalaris. The letters to his associates are particularly full of venom: Caesar is not only a rex (Fam. 11.8.1, 11.27.8, 12.1.1), and a dominus (12.3.2), but also a homo impurus who had held the state under a long servitude (12.1.1-2). To Atticus, too, Cicero took pains to paint Caesar in a most unfavorable light (Att. 14.12.1, 14.14.2, 15.20.2).

Caesar’s depiction in the Philippics, while not the focus of this discussion, does illuminate Cicero’s thoughts towards the slain dictator which he treated fully in the Off. Phil. 2.114 is especially damning. Caesar is linked with Sp. Cassius, Sp. Maelius, and M. Manlius, all populares who had been murdered due to accusations of regnum; not only was Caesar seeking regnum, but he was in fact regnans. The invective continues in a following section, where Cicero claims that Caesar had been aiming for kingship for many years (2.116, multos annos regnare meditatus). Finally, Cicero links Caesar with both Cinna and Sulla (2.108); all three are said to have had more power than the whole of the res publica.

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53 Att. 7.12.2, 7.20.2, 8.16.2. For Cicero and his political theory, Phalaris was the very essence of the cruel tyrant; at Rep. 1.44 he is referred to as crudelissimus ille Phalaris. Aristotle also had a low opinion of this tyrant (N.E. 1148b24 and 1149a14).

54 Sp. Cassius Vecellinus was consul in 502, 493, and 486, and had concluded a peace treaty with the Latins in 493 (a copy of which still survived in Cicero’s time, as evidenced by Balb. 53). He proposed agrarian legislation in 486, for which he was accused of aiming for regnum and was put to death by his own father (D.H. 8.79.1). Sp. Maelius was a wealthy plebeian who had worked for alleviation of a corn shortage; the aristocracy predictably objected on the grounds that it would make its proponent too popular (Cincius fr. 6 Peter; Ennius Ann. fr. 150 Skutsch). He was murdered by C. Servilius Ahala in 439. M. Manlius Capitolinus (d. 384) was also convicted for his work towards debt-relief, even though he was credited with the repulse of the Gauls from the Capitoline after being awakened by the sacred geese of Juno in 390.
In the *Off.*, the criticism is just as strong as in the *Philippics*. But because the *Off.* is primarily a philosophical work, Cicero’s portrayal of Caesar reveals another angle. Not only is Cicero intent on destroying the memory of Caesar and his career, but he now gives reasons for his hostility. The depiction of Caesar as tyrant will place him in clear contrast to the depiction of the *rector* from the *Rep.* and the *Leg.*, thus bringing full circle Cicero’s concept of Rome’s ideal statesman.

The first mention of Caesar in the *Off.* has already been discussed in brief detail above. The passage at *Off.* 1.26 examines Caesar’s *temeritas*, an uncomplimentary noun earlier used in the *Rep.* in reference to the abuse of power by the popular assemblies (1.52). Scipio expands on the definition of *temeritas*. He comments in no uncertain terms that in a mind ruled by reason, there is no place for *temeritas* (1.60, *consilio autem dominante nullum esse libidinibus, nullum irae, nullum tementitati locum*); a sentiment echoed at *Off.* 1.101 (*omnis autem actio vacare debet tementitate*). Later in the *Off.*, Cicero will again qualify his conception of *temeritas*. At 1.49, he calls *temeritas* an unhealthy extension of *benevolentia*, and it is also the furthest extreme from *sapientia* (2.8, *quia a sapientia dissidet plurimum*). Indiscriminate giving can also be termed *temeritas* (2.63); certainly Caesar, as evidenced by his enormous personal debts and his largesse while serving as aedile, was guilty of this. Since the *Off.* is primarily a Stoic work, unbridled emotion and desire in any form would be despised and incompatible with Cicero’s concept of the *societas humana* (1.53ff).

The same passage, *Off.* 1.26, also mentions that through his *temeritas* Caesar had trampled underfoot all the laws of gods and men. With this phrase, *omnia iura divina et humana*, Cicero transforms Caesar from an overly ambitious politician and general into
the figure of a tyrant. This depiction is carried further in Book 2 of the *Off*. Caesar is guilty of *libido* (2.84), a word Cicero had earlier linked with regal *potestas* (*Rab. Post.* 1). It is the term employed to describe the conduct of Tarquinius Superbus’ family (*Rep.* 2.45), and Superbus’ inability to control his son led of course to the dissolution of the monarchy.55 The decemvirs were also guilty of *libido* (*Rep. 2.63*), as was Clodius (*Leg. 2.36*). In sum, *libido* was a characteristic of tyrants, not conscientious citizens and magistrates.

Philosophically, *libido* is subordinate to *ratio*, and is listed among the other *vitiosa partes animi* such as anger (*Rep. 3.37*). Cicero also contrasts *libido* with *salus* at *Rep. 1.63*; *salus* is the virtue that overrules *libido* and holds it in check. It seems then that if *salus* is the opposite of *libido*, then anyone displaying undue *libido* would be incapable of providing for the *salus* of the *populus Romanus*, which was the prime mandate of the *rector* (*Leg. 3.8, salus populi suprema lex esto*). *Libido* is not even considered a human attribute (*Leg. 1.51, quid inmanius libidine?*). Conspicuous by its absence is any mention of Caesar’s numerous amorous intrigues to which Suetonius devoted much discussion (*Iul. 50-52*), although Caesar’s *peccandi libido* is mentioned prominently at *Off. 2.84*. The philosophical rather than accusatory purpose of the *Off.* may explain the absence of what surely was yet another negative personal characteristic of the slain dictator.56

55 Interestingly, Cicero also uses *libido*, without qualification, in reference to L. Papirius Cursor’s legislation abolishing debt-bondage in 326 (*Rep. 2.59*). *Libido* here cannot have any negative connotations, since not only was debt-bondage a serious problem which had greatly harmed the Roman state, but Cursor himself had an exemplary personal reputation: Livy (9.16.11-19) praises not only his speed as a runner and capacity for food and drink, but also his physical prowess and his strict devotion to discipline (in 325 he had tried to execute his *magister equitum* for going into battle without orders, even though the *magister*, Q. Fabius Maximus Rullianus, won the day).

56 Such is the opinion of Duxbury (1988) 257, who claims an “elevated nature” for the *Off.* compared to the *Philippics*. He also contrasts the restraint of Cicero in the *Off.* with the “unbridled passions” of Lucan in the *Pharsalia* (1.145ff, 1.205ff, 2.493).
Cicero’s uncompromising description of Caesar as a tyrant is of course partly a result of his disgust at recent political events. Cicero does not hide his revulsion at the primacy of Antonius and his followers, who are called *hominis tam commutandarum quam evertendarum rerum cupidi* (*Off.* 2.3). Twice he mentions that the Republic is gone (2.3, 2.29), and that he has chosen to leave Rome rather than deal with the *sceletati* (3.3) who now run rampant through the city. Of course, this is yet another veiled slur against Caesar. It was Caesar who not only put Antonius and the rest in such important positions in the Roman state, but by his pernicious autocracy he mortally wounded the Republic, thus assuring both his assassination and the ascension of yet another despotic demagogue in his place.

Caesar also failed in his ability as a statesman, and here is the crux of Cicero’s characterization of the dictator in the *Off*. The *Philippics* are not so unforgiving to Caesar, but again Cicero is trying to paint Antonius in the most unfavorable light possible in these works; Antonius must be the worst scoundrel the world has ever seen if he can make even Caesar appear to have had at least some admirable qualities, among them *ingenium, diligentia*, and *litterae* (*Phil.* 2.116). Later Cicero would point to Caesar’s inability to coexist with the *boni* and the Senate as the single factor that wasted his *ingenium* (*Phil.* 5.49). But even more revealing than Cicero’s list of Caesar’s beneficial traits is that the list reflects only individual brilliance rather than an aptitude for statesmanship. Cicero had laid down in the *Rep.* several necessary attributes of the *rector*, none of which are listed at *Phil.* 2.116. These qualities include *utilitas* (2.51), *prudentia* (6.1), *moderatio* and *aequabilitas* (2.69). Notably absent from both discussions is the concept of *clementia*, which Cicero claims is the most commendable
trait of a famous man (*Off*. 1.88, *nihil enim laudabilius, nihil magno et praeclaro viro dignius...clementia*). Cicero, however, takes pains in the *Philippics* to deny that Caesar ever had it (*Phil*. 2.116, 5.39). In the *Off.*, Cicero impugns Caesar’s famous clemency by associating him closely with Sulla (1.43, 2.27), a motif also found in the *Philippics* (2.108, 5.17). Cicero points to Cato’s preference for suicide over a pardon from Caesar as proof not only of Cato’s Stoic virtue, but also his lack of faith in Caesar’s benevolence (*Off*. 1.112).

Cicero attempts to establish for his son, in this last philosophical work, a comprehensive system of moral duties, one that reflects not only Marcus’ age and level of study in Athens, but also Cicero’s own political position (*Off*. 1.4). His own *auctoritas*, as he terms it, had slowly diminished over the course of the previous fifteen years, and there was one notable event that signaled the end of Cicero’s political primacy: Caesar’s first consulship in 59. Since Caesar had come to the forefront of Roman politics, Cicero had seen the mixed constitution devolve into a lopsided coalition of powerful consuls, the fickle urban mob, and an increasingly indecisive Senate. The dictator had exploited both his ties with leading politicians and the weakness of the Senate in order to achieve his goals.

When diplomacy failed, he resorted to force, a decision Cicero condemns in no uncertain terms (*Off*. 1.64). Caesar’s rule, although not necessarily anticipated by Cicero with trepidation, would provide one disappointment after another for the orator. Caesar, unlike Pompeius, did not reform his political ways: he refused to work with the Senate, refused to show deference to the elder statesmen in Rome, and took on all the trappings of the ancient Roman kings, and a good number of signs of Hellenistic monarchy as well.
Even to Cicero, whose opinion of monarchy was not as negative as is generally thought, could not stomach such blatant disregard for the *mores maiorum* and the ancient Republican constitution.

Cicero’s final judgment of Caesar shows him to be a complete failure as the *rector rei publicae*. Caesar exhibited none of the proper attributes of a *rector*, and his political aspirations, as well as his indifference towards Roman religious and political custom. His success in the civil war only served to hasten the death of an already weakened Republic. But more than that, Caesar’s career served to validate Cicero’s belief that Rome was headed for a return to monarchial government. The type of monarch envisaged by Cicero took form as the *rector rei publicae*, a magistrate of superior rank working within the existing political climate. This benevolent type of monarchy would not come into existence. Caesar proved, in spectacular fashion, that the *rector Ciceronis* was no match for a *rex*, especially a *rex Caesar*. Rome did indeed return to monarchy, and a new type of monarchy at that. But it was not Cicero’s version. Caesar was right when he claimed *non rex sed Caesar sum*; Caesar had created something new, far from both the ancestral Roman kingship and the Ciceronian *rector rei publicae*. 
CHAPTER 5
CONCLUSION

The attitude towards monarchy as portrayed in Cicero’s philosophical works is not as simple as it is usually considered. Instead of the staunch anti-monarchial position accepted by most scholars, a close examination of the *De Republica*, *De Legibus*, and *De Officiis* reveals that Cicero did not dismiss a return to monarchy in Rome as an unacceptable idea. Cicero perhaps envisioned for himself some sort of quasi-monarchial position stemming from his enormously popular course of action during the Catilinarian conspiracy in 63. But shortly after leaving office, Cicero quickly lost his position of primacy. Once Caesar assumed the consulship in 59, Cicero had been eclipsed as leader of the optimates by the young Cato, and as one of Rome’s most influential politicians by men such as Clodius and Caesar himself. His position would only deteriorate further, culminating in his exile at the hands of Clodius and a forced retirement from politics initiated by Caesar.

Cicero had studied Greek philosophy during his two trips to Greece and the islands as a young man. He was exposed to many different schools of thought, including the most popular styles of the 1st century: Stoicism, Epicureanism, and the New Academy.

From his new position of observer and intimate of Pompeius, Cicero was able to create a new, Rome-centered political philosophy that he felt would control the abuse of powers rampant in the 50’s and even reverse some of the damage done to the Republican constitution by the demagogues of first century. The catalyst of the reorganization of the Roman government was what Cicero termed the *rector rei publicae*. This unelected
position of authority in the Roman state would serve as both the guardian of the existing state and the guide of the transition from the ancestral constitution to the reformed state portrayed in the *De Republica*. The *rector* would rule by the power of his *auctoritas*, more in the manner of M. Brutus, Cato the Censor, or Scipio Africanus than Sulla, Marius, or Caesar. Should a potential *rector* lack the necessary political skills or moral authority, Cicero would provide it. In this respect Scipio Africanus Minor most closely approximates the concept of the *rector*. Scipio enjoyed the close company of Laelius, a rather non-political philosopher who provided moral advice to the great general.

Cicero believed that he could become another Laelius, but he would need to find another Scipio on whom to impart his knowledge and philosophical influence. His close and long-standing relationship with Pompeius made him the prime candidate for becoming Cicero’s *rector*. Pompeius also had great popularity with the Roman people, and a streak of unbroken military victories spanning almost thirty years. He had also shown support for Cicero during the orator’s exile, and had repeated meetings with him on various political topics during the years leading up to the civil war with Caesar. During his third consulship, which Cicero termed “divine”, Pompeius showed the value of a strong, solo leader in the political climate of Rome. He had shown such strong leadership that the Senate, despite uneasy relations with Pompeius throughout most of his career, entrusted him to defend Italy and the Roman state against the invasion of Caesar in 49.

Cicero, however, would never fully endorse Pompeius, nor would he lend him his unwavering support. Especially during the civil war, Cicero would turn against the general, criticizing his every move and his every motivation. The abandonment of Rome
was a final indication that Pompeius was not interested in the overall well-being of the empire. To Cicero, Pompeius had refused to heed the advice of the Senate which had impressed on him the command in defense of the Republic. Pompeius’ refusal to defer to the Senate in matters of strategy was the final indication that he had no intention of listening to the more experienced politicians in Rome. The great Scipionic general did not allow anyone to assume a Laelian position of influence. Pompeius had not experienced the philosophical education that was common to young men of his social class, and thus, to Cicero, he did not have the necessary moral training to become a *rector*. Military ability was not part of Cicero’s concept, and thus Pompeius needed Cicero’s assistance.

It is much easier to see how Caesar defied the model of the *rector rei publicae*. However, the common assumption is that Caesar was offensive to Cicero because of his monarchial aspirations and indeed his assumption of a monarchial position following the battle of Munda in 45. Cicero’s concept of monarchy was more nuanced, and more sympathetic, and provided that the monarch ruled according to moral and philosophical guidelines, the resulting governmental system would be fair, just, and a benefit to the state. A just monarch would be more inclined to exercise authority only when necessary; the Senate would retain most of its power, and the tribunes would also be allowed their traditional authority.

The two pillars of Cicero’s reformed constitution, outside of the *rector*, were the Senate and the ancestral religious customs. Caesar trampled the rights of both. He filled the ranks of the depleted Senate with his adherents and clients, reducing the influence of the old oligarchy, which was hostile to Caesar throughout his entire career. Though
pontifex maximus from 63 onwards, Caesar showed no respect for religious *mores*. He scoffed at superstition, and his actions during the Bona Dea affair clearly showed that he would subordinate proper respect for religious rites to political expediency. Though on the battlefield he was inclined to believe in omens, the omens predicting his success were quite possibly later inventions; Suetonius in particular relates numerous instances of Caesar’s negative opinion of prophecies and omens relating to his later career and assassination.

The final indictment of Caesar found in the *De Officiis* damn the slain dictator’s entire career. Perhaps in disgust over past friendship with the man who had destroyed the authority of the Republican constitution, Cicero sought to impugn Caesar’s acts on both moral and political grounds. In language reminiscent of the precepts laid down in the *De Republica* and the *De Legibus*, Cicero decries Caesar’s *libido*, *clementia*, and even his *ingenium*. The aspects of Hellenistic monarchy which Caesar abrogated for himself showed that he had no intention of ruling within the existing framework of the Republican constitution. Though Cicero admitted that a *divinus paene vir* was necessary for the position of *rector*, Caesar’s intimations of monarchy immediately precluded him from the role of the *rector*.

Pompeius and Caesar were the only two men with enough personal power and influence to perform the duties of the *rector*. But on a philosophical level, both men proved to be deficient: Pompeius because of his lack of experience in both academic training and political office, and Caesar because he exceeded the traditional bounds of constitutional office, specifically the consulship and a proconsular command. While Pompeius showed a willingness to work with the Senate for the benefit of the State, the
traditional hostility towards any one man accruing too much popularity and clout prevented his success. Outside of his sole consulship in 52, he would not show the necessary resolve and ambition to continue his extraordinary authority beyond the legal term of office.

Caesar, however, would not be constrained by tradition. By perverting some legal practices, and completely ignoring others, he managed to achieve a primacy which closely resembled both the ancient Roman monarchy and the Hellenistic style well-known in Rome through their contact with the East. To Cicero, the Greek-educated philosopher, Caesar’s monarchy did not conform to the style of the just monarch. Intimations of benevolent rule in 47-46 had given Cicero reason to hope that Caesar would govern according to the principles of the *rector*. But instead of becoming another Numa, Caesar became a *tyrannus* and a *dominus*. The *De Officiis* details Caesar’s personal and political failures, and links his primacy to that envisioned in the *De Republica* and the *De Legibus*.
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All abbreviations of ancient works found in the text follow the lists found in the *Oxford Latin Dictionary* (8th edition ed. by P.G.W. Glare; Oxford 1982) and *A Greek English Lexicon* (9th edition, ed. by H.G. Liddell, R. Scott, and H.S. Jones; Oxford 1990). All translations, unless otherwise specified, are my own. Journal references follow the standards of the L’Annee Philologique; the full title of all other journals is given in the references. All dates mentioned in this work are BC unless otherwise specified.


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BIOGRAPHICAL SKETCH

Jonathan P. Zarecki was born on 29 March 1977 in Ellsworth, ME, to Steven and Marcia Zarecki. He lived in various parts of Maine as a youth, but his family finally settled in the small mountain town of Wilton, where he graduated from Mt. Blue High School in nearby Farmington in 1995. Never seriously considering leaving Maine for college, he enrolled at Colby College in Waterville, Maine, in the fall of 1995. Jonathan graduated from Colby *cum laude* in May 1999 after four years of athletic and academic success with a double Bachelor of Arts in classics and classical civilization.

He enrolled in the graduate program in classics at the University of Florida in Gainesville in August 1999, earning the degree of Master of Arts in classics on 5 May 2001. Following graduation, Jonathan spent the summer of 2001 at the American Academy in Rome, after which he enrolled in the Ph.D. program in classical studies at the University of Florida at the invitation of the Department of Classics. He will receive the first Ph.D. in classical studies ever awarded at the University of Florida when his degree is conferred on 6 August 2005. In a notable coincidence, Jonathan will become the first University of Florida Ph.D. in classical studies in the same year in which the founder of Florida’s Department of Classics, Prof. Gareth Schmeling, retires.

His first job after receipt of the Ph.D. will be with the Department of Foreign Languages at Illinois State University in Normal, IL.