

Cicero de re militari:
A civilian perspective on military matters
in the late Republic

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The candidate hereby confirms that this thesis was composed by her and represents her own work, except where credit has been given to the work of others.

She furthermore confirms that no part of this thesis has been submitted for any other degree or qualification except as specified on the title page.

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I dedicate this thesis to the memory of my grandmother.

Abstract

Cicero's value as a military commentator has traditionally been obscured by his reputation as an unmilitary figure. This focus ignores the considerable quantity – and quality – of references to military matters in his writings, as well as the engagement demanded by his public profile as a senior senator and advocate during the war-torn final decades of the Republic. As a participant-witness writing as events unfolded, he provides unrivalled insight into developing contemporary issues from an equally unrivalled civilian/domestic perspective. Far from precluding meaningful discussion, this perspective draws attention to the wider consequences of the activities of the army, from their symbolic representation of Rome's might to their impact on domestic stability and role in imperial expansion.

This thesis explores Cicero's contribution to the militarized culture of the late Republic, bringing together his military-themed comments in the first major study of its kind. Chapter 1 sets the scene with an examination of his military service, demonstrating that it met the standards of the day and identifying characteristics of his outlook that can be linked directly to his experience. Chapter 2 investigates his engagement with Rome's military heritage by way of his use of military *exempla*, specifically the priorities indicated by his choice and description of these figures. Chapter 3 presents a similar assessment of his relationships with contemporary military figures, noting the effect of their political influence on the interest he took in their military responsibilities. Chapters 4 and 5 assess his theory concerning military matters in the domestic and foreign spheres, respectively. Both highlight the focus on ethics which sets Cicero's theory apart from that of his contemporaries. Finally,

Chapter 6 addresses the tension between civic and military values in the previous chapters, contextualizing his pro-civic bias as a reaction to military despotism rather than anti-militarism for its own sake.

The analysis of these themes confirms Cicero's awareness of military matters as well as his contemporary authority as a commentator. It moreover highlights the historical value of his remarks as the rhetorical product of a civilian context and an alternative discourse about the relationship between the army and the state.

Although his views are broadly comparable to those of contemporary authors, his coverage of associated domestic concerns is not. The end result is an account of military matters which complements conventional military histories and manuals of military science, and deserves to be taken seriously as military commentary.

Abbreviations

The titles of periodicals which are cited repeatedly are abbreviated according to the system of *L'Année Philologique*. Other abbreviations are as follows:

<i>ANRW</i>	H. Temporini and W. Haase, eds. 1972—. <i>Aufstieg und Niedergang der römischen Welt</i> . Festschrift J. Vogt. Berlin and New York.
<i>CAH²</i>	J. Crook, A.W. Lintott, and E. Rawson, eds. 1994. <i>The Cambridge ancient history</i> . Vol. 9. 2nd ed. Cambridge.
<i>ILS</i>	H. Dessau, ed. 1962. <i>Inscriptiones Latinae selectae</i> . Vol. 3.2. 3rd ed. Berlin.
<i>MRR</i>	T.R.S. Broughton. 1951-86. <i>Magistrates of the Roman Republic</i> . 3 vols and supplement. New York.
<i>OLD</i>	P.G. W. Glare, ed. 1968-92. <i>Oxford Latin dictionary</i> . Oxford.
<i>ORF</i>	H. Malcovati, ed. 1976-9. <i>Oratorum Romanorum fragmenta</i> . 2 vols. 4th ed. Turin.
<i>TLL</i>	1900—. <i>Thesaurus linguae Latinae</i> . Leipzig.

Editions

Quotations of Cicero are taken from the editions specified in the *Oxford Latin dictionary* except for the following texts: *Catilinarians* (Dyck 2008); *Philippics* (Ramsey & Manuwald 2010); *De re publica*, *De legibus*, *De senectute*, *De amicitia* (Powell 2006); *De finibus* (Reynolds 1998); *De officiis* (Winterbottom 1994); and the letters (Shackleton Bailey 1999-2002).

Quotations of other ancient authors are taken from the *Oxford classical texts* where available, and the *Teubner* editions in all other cases except the following: *Commentariolum petitionis* (Shackleton Bailey 2002); Plutarch *Cicero* (Zeigler 1964); Quintilian (Russell 2001); Tibullus (Maltby 2002).

Full bibliographical details for all editions are provided in the bibliography.

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Introduction

Cicero as a military commentator

At first glance, Cicero seems an unlikely source for information about *res militaris*. He is remembered as an orator and a man of peace, one who joined an army on only three occasions in his life, and whose public career was almost entirely spent in the domestic sphere.¹ In an age of soldiers-turned-statesmen and military despotism, he stands out as a conspicuously civilian figure. Plutarch has Antony ridicule his οἰκουρία and call him ἀστράτευτος (*Cic.* 41.6), and Livy's epitomator describes him as a *vir nihil minus quam ad bella natus* (*Per.* 3). A 15th-century scribe, confronted with a military treatise bearing Cicero's name, had no qualms about rejecting the attribution: *non est Ciceronis sed tamen bonus est.*²

This remark sums up well the assumptions that have shaped modern attitudes towards Cicero's relevance where military matters are concerned: a well-written treatise about political or rhetorical theory might have received the benefit of the doubt, but a treatise *De re militari* raised suspicions of mistaken identity or forgery. Although the Ciceronian *corpus* has long been recognized as a useful source for information about legal, social, and political matters (among others) in the late Republic, it is rarely used to illuminate the military history of an exceptionally violent period. This is in spite of the insight Cicero provides as a participant-witness and the chronological range and sheer quantity of his extant works.

¹ Cf. *Planc.* 64-6 where he describes his decision to pursue his career under the *oculos... acris atque acutos* of the electorate at Rome.

² Quoted by Reeve 2003, 426. The treatise is now regarded as the work of "Modestus", drawing on Vegetius' *De re militari*. See Reeve 2003, esp. 417.

His lifetime (106-43 BC)³ coincides with the most tumultuous years of the late Republic, a period characterized by domestic and foreign warfare which led to the destruction of the Republican form of government. He came of age during (and served in) the Social War (91-88) and was a student during the civil wars of the 80s, entering the Senate as a quaestor as the Third Mithridatic War began (c.74-63). His suppression of the Catilinarian conspiracy as consul in 63 was contemporary with Pompey's conquest of the east, and his exile in 58 came on the eve of Caesar's departure for Gaul. He joined Pompey's camp during the Civil War (49-45), advocated war against Antony after Caesar's assassination (44-43), and was proscribed amid renewed stirrings of civil war in December 43.

The earliest surviving example of his writing dates from the 80s (the *De inventione*, c. 87-81) and the latest from May/June 43 (*Fam.* 11.17 to M. Brutus), yielding a nominal span of some forty years. The majority of his output is from the late 70s onwards, however, and reflects his involvement in public affairs as a senator: so in effect he provides nearly thirty years of commentary. The nearest contemporary author to rival this range is Livy, but we have only the epitomes of his books for the first century. By comparison, the commentaries of Caesar (and his continuators) cover a thirteen-year period from 58-45, and Sallust's *Historiae* an eleven-year one from 78-67 (his two monographs concern single episodes in 112-105 and 63-62, respectively). In terms of bulk as well, Cicero surpasses his contemporaries – and all other Latin authors in antiquity. The *corpus* as it survives numbers fifty-eight speeches, nineteen treatises, and nearly 1000 letters (written both by him and to him). The late Republic cannot be studied without engaging with

³ All dates are BC unless otherwise stated.

Cicero; it should follow that he is of use for the study of military matters in the late Republic as well.

His public career gave him a front-row seat during a critical period in the development of Roman warfare and attitudes towards war. He knew the leading commanders of the day personally, and saw the effects of military misconduct in the provinces while preparing for his prosecution of C. Verres (propr. Sicily 73-71) and as governor of Cilicia (51-50). Instead of being the activity of a unified citizen body, war in the late Republic was increasingly dominated by influential, ambitious commanders and their partisans.⁴ This freed the less militarily inclined (such as Cicero) from needing to participate, but also introduced an element of self-interest to foreign policy. Competition for commands was fierce, driven by both the political currency of military *gloria* and expectations of material gains. Even provincial governors treated their forces like private armies, leading to some truly shocking instances of exploitation and self-enrichment at the expense of allies.⁵ War became a means of self-aggrandizement as ambitious commanders sought to rival the prestige Pompey won for his conquest and settlement of the east (66-61). Chief among the challengers was Caesar, whose conquest of Gaul (58-49, including forays against the Germans and Britons in 55 and 54) also bears witness to Rome's growing imperial

⁴ See esp. Harris 1979, 5, 252.

⁵ The governor enjoyed an exceptional degree of autonomy in his province. See esp. Brunt 1978, 175; Lintott 1999, 94-6; Cicero's perception of this is discussed in Chapter 5. On contemporary concern about the conduct of governors, see Badian 1968, 8-10. The scope for abuse is well illustrated in Cicero's *Verrines*. In addition to numerous misdeeds, Verres is alleged to have boasted that he would make three fortunes during his three-year term: one for his own enjoyment, one to reward his advocates and friends (for supporting him in the inevitable extortion trial), and one to bribe his jurors (*Ver.* 1.40).

self-awareness in this period.⁶ The union of ambition and armed force wreaked havoc on domestic politics as well, since the Senate was virtually powerless to resist a commander with an army at his back. Sulla's march on Rome to challenge Marius' command of the First Mithridatic War (88) set a new precedent for the use of force at home. The result was civil war. Caesar's crossing of the Rubicon to defend his *dignitas* (49) and Octavian's march on Rome to demand the consulship (43) are consistent with this model.

All of these developments are recorded in Cicero's writings, which not only chronicle but comment on them. As an advocate he manipulated the sympathies of his audience by appealing to – or assailing – the military records of his subjects. As a senator he participated in and even initiated debates about commands, war, and empire. Military *exempla* illustrate his arguments in his speeches and treatises, and some of his treatises have military men as interlocutors. Last but not least, his letters offer a live narrative of military issues, including private reactions to the campaigns of the triumvirs and the perils of civil war.

This material has not been explored adequately by scholars, despite its importance for our understanding and appreciation of Cicero's place in the late Republic. Many aspects of his engagement with military matters have not been examined at all, and few studies analyze his remarks in a military context, preferring to focus on political, philosophical, or rhetorical themes. Most research is also limited by issues of scope and scale. To give two recent examples, Steel's study of Cicero's imperial rhetoric does not include his treatises or letters, whereas

⁶ On Roman imperialism in this period, see most recently Erskine 2010, esp. 29-32; and discussion below, pp. 216-29. Crassus' ill-fated campaign against the Parthians (53) was similarly motivated by a desire to rival Pompey and Caesar.

Richardson's investigation concentrates exclusively on Cicero's use of the terms *imperium* and *provincia*.⁷ Military historians are a significant exception to both of these trends, but the range of their studies rarely permits detailed analysis of political or rhetorical context.

The aim of this thesis is to bridge these gaps, bringing together Cicero's military-themed statements and assessing them (and the ideas they represent) collectively as military commentary for the first time. Although it will challenge established views about the range of his thought and activity, its purpose is not to be revisionist but to complement existing scholarship in the interest of a more nuanced understanding of Cicero's contribution to military culture in the late Republic. It will demonstrate that he is a viable and valuable commentator in his own right, explore his engagement with military matters throughout his life, and investigate the effect of his civilian perspective on his attitude towards the army.

The analysis will be both thematic and contextual. Because of the novelty of this study, a considerable portion of the discussion will be devoted to surveying military material in the *corpus*, highlighting the range, types, and functions of Cicero's comments. However, this will be presented within an argumentative framework, thus allowing meaningful conclusions to be drawn about each aspect of his engagement with military matters. The respective arguments will focus on the relationship between context and rhetoric, which is the only real means of evaluating Cicero's commitment to the ideas he espouses. It must be remembered that his words are an imperfect reflection of his actual knowledge and attitude: we can only know as much about this as he tells us (or is able to tell us) at any given time.

⁷ See Steel 2001 and Richardson 2008, 63-116.

Therefore his silence should not automatically be interpreted as ignorance, nor his idealism as naïveté: such readings perpetuate the image of him as an inexperienced civilian and do not take generic and political constraints into account. Conversely, recurring themes and expressions that are not obviously dictated by rhetorical exigency may indicate ideas that were important to him personally. This possibility will be investigated by comparison with parallel references in the works of contemporary authors, which will be used generally as a gauge of current views. The most relevant of these authors are Caesar, Sallust, and Livy; yet it will be noted that none of them provides a precise generic match for Cicero's speeches, treatises, and letters.⁸ This disparity sheds light on the practical effects of the civilian setting of most of his writings, which are often more responsible for the form of his commentary than his perspective as an individual civilian.

Each of the six chapters examines a specific aspect of his engagement with military matters. Chapter 1 addresses his authority as a commentator by evaluating his military experience in its historical context. It shows that his service in the Social War (c. 89), his campaigns as governor of Cilicia (51-50), and his activity during the Civil War (49-48) conformed to the normal pattern of military service for the time – especially for someone who was not a career soldier. Special attention is paid to his success in Cilicia (he won the title of *Imperator* and famously sought a triumph) as evidence of competency in generalship; this interpretation provides valuable context for his short-lived command in the Civil War. The chapter concludes with a

⁸ Excluding a handful of letters written to Cicero by Caesar, which are preserved in the *Ad familiares* collection. See White 2003 for analysis.

consideration of what his service reveals about his military outlook, and how it may have affected his attitude towards the army.

Building on this foundation, Chapter 2 explores his rhetorical treatment of Rome's military heritage. This is manifested in his writings in his use of military *exempla*. Although the majority of these are used in accordance with rhetorical theory (as illustrations of traditional virtues), a significant number deviate from this model. These can be divided into three groups based on function and chronology: foreign *exempla*, which provide an "other" in contrast to Roman virtues and supremacy; a second group comprised of the two Scipiones Africani, Cato the Elder, and Laelius, who are his only military interlocutors and represent an idealized union of learning and public life; and a third group including Marius, Cinna, and Sulla, who are invoked to illustrate the threat which unbounded military power posed to domestic security. It is maintained that his manipulation of *exempla* to serve often unmilitary arguments demonstrates his sensitivity to the evocative power of a military name – as well as discomfort with what the army had come to represent.

Chapter 3 makes a similar inquiry into his relationship with military men in his own time. At issue is his acknowledgement of the military identities of these men, as separate from their political identities. Of course, total separation was impossible in the context of the late Republic; but Cicero's treatment of these men reveals tension between civic and military spheres and raises questions about how he ranked the respective areas of activity. Five distinct types of relationship can be discerned, all of which have political overtones: soldiers/veterans; military protégés (i.e. political inferiors); military sponsors (i.e. political superiors); military *inimici*; and his brother Quintus. His apparent preoccupation with political influence is

investigated as a product of his civilian perspective and also as evidence that he viewed military achievements as secondary to civic ones.

The focus shifts from personalities to principles in Chapters 4 and 5, which investigate his theoretical engagement with military matters at home and abroad, respectively. This theory provides valuable context to the findings of the previous chapters, clarifying his conception of the place of the army in the state. Both chapters survey major themes in his remarks and assess them as evidence of his awareness and priorities, integrating existing scholarship where applicable. The major themes in Chapter 4 are justice in warfare, the ideal commander, military *gloria*, and civil war. These emphasize the importance of the Senate and people as the ultimate authority over the army, as well as Rome's vulnerability if commanders used their influence for ill. In Chapter 5 the major themes are the governor as a commander, the *socii* as military allies, and empire. These show an interest in how the army promoted national interests abroad, and illuminate Cicero's sense of Rome's place in the world as a major, military power. The attention to ethics which characterizes his theory – and is unrivalled in contemporary literature – is evaluated as an indication of overriding civic priorities, and thus as a product of his civilian perspective.

Chapter 6 concludes the study with an investigation of Cicero's "anti-militarism", as indicated by his characteristic preference for civic values over military ones in his discussion of military matters. This warrants separate examination not only because of its implications for his authority as a military commentator, but also because it is specifically addressed in two bodies of texts. The insight these provide is particularly valuable because it gives the best indication

of his personal ideals in a context that best displays the effect of his civilian perspective. The first body of texts is a series of explicitly pro- and anti-military statements which, when evaluated in context, are seen to express a consistently anti-military bias oriented around a preoccupation with domestic security. This is examined in light of anti-militarism in contemporary and near-contemporary literature, including the *militia amoris* theme in Augustan poetry. It is argued that Cicero represents one end of a continuum of anti-militarism inspired by fear (and eventually weariness) of civil war. The second body of texts pertains to his self-constructed identity as a domestic military leader against Catiline (63) and Antony (44-43). His manipulation of his audience's sympathies is assessed as a test case for the priority he gives to civic leadership traits over strictly military ones elsewhere, and as further evidence of the role he accorded to the army in the state.

The broad outlines of Cicero's military commentary confirm his appreciation of the army in its traditional role as a defensive force representing the whole of the Republic. Beyond this, however, a diverse range of short and long term considerations make it impossible to sum up his outlook in a single sentence. The value of his commentary lies in how it allows us to observe him engaging with the defining issues of the period and attempting to negotiate solutions. His commentary also sheds light on what it meant to be a civilian in a militaristic age. His narrative is not the battle narrative of Caesar, and his theory is not the military science of Frontinus or Vegetius. Rather, he provides a complementary commentary about military matters as they were experienced at home and by a civilian – a perspective which rarely appears in traditional military commentary.

There are also historical reasons to be interested in Cicero as a military commentator. As Gilliver notes in her study of Roman warfare, very few military treatises in Latin have survived.⁹ Vegetius' *Epitoma rei militaris* is the only general manual to have survived intact, but because it is a summary of earlier works is not a reliable source for period-specific information about the Roman army. The only known Republican treatise is Cato the Elder's *De re militari* (or *De disciplina militari*), which survives as a handful of fragments quoted by later authors (including Vegetius). Although Cicero's commentary is generically very different from these technical manuals, it is nevertheless important as a secure source of evidence for Republican practices.

Before commencing the analysis, some important terminology must be clarified. The term "army" is used throughout the thesis to refer to the armed forces of the Republic, both specific units (e.g. Caesar's army) and in general terms (e.g. the Roman army). It encompasses all of the soldiers, officers, and commanders as a cohesive unit engaged for the purpose of waging war. This definition corresponds to Cicero's use of the words *exercitus* and *legio*, which is his usual way of referring to the forces. For this reason, "army" is preferred to more technical vocabulary which is not present in his writings.

The same rationale informs the range of ranks that are represented in the analysis. These are limited to soldiers (*milites*), veterans (*veterani*), and commanders (*duces, imperatores*) in accordance with the functions that are discussed in the most detail by Cicero. Although he often mentions formal offices when describing an

⁹ Gilliver 2001, 10. Gilliver provides a list of attested Roman military treatises on pp. 173-7.

individual's career, these references do not illuminate his attitude towards the army and are therefore of little use here.¹⁰

The term “military” is used as an adjective, consistent with the Latin adjective *militaris*. To borrow part of the definition from the *OLD*, it denotes things which are “of or connected with the army, its customs or activities.” Thus it forms the base of a number of important phrases in this study, such as military experience, military men, military *gloria*, military theory, and military commentary. Most of these are self explanatory, but one – military matters – warrants further explanation. It is derived from the common Latin phrase *res militaris*, and used in the same way to describe issues pertaining to the army. It should be noted that the singular is the normal form, although the English translation is plural.¹¹ Perhaps more to the point, the singular form is also the one used by Cicero.¹²

Finally, “civilian” denotes an unmilitary person or pursuit in contrast with military ones. This meaning is roughly equivalent to the adjective *togatus*, which additionally evokes the peacetime associations of the toga.¹³ However, the term is primarily intended to provide an opposite member for “military” which conveys the polarization of the two spheres. Thus, for example, Cicero is a civilian figure whereas Caesar is a military one, and Cicero's writings yield a civilian perspective to complement the military ones of Caesar and Sallust. “Civic” and “domestic” are

¹⁰ *Legatus* is deliberately avoided because its military relevance is not always clear.

¹¹ See *OLD* s.v. *militaris*.

¹² As far as I am aware, the plural *militares* only occurs in his writings when it modifies nouns which are naturally plural. See e.g. *Font.* 42 (*studiis militaribus*); *Cat.* 2.13 (*signa militaria*); *Prov.* 31 (*urbes... et viae militares*); cf. references to *tribuni militares* (e.g. *Inv.* 1.87; *Clu.* 99; *Phil.* 6.14).

¹³ For an example of the subtlety of *togatus*, see esp. Cicero's self-representation as a *togatus dux et imperator* at *Cat.* 2.28; 3.23. On the significance of the toga, see below, n. 522.

used interchangeably (with the exception of Chapters 4 and 5) to refer to the political/public space in which civilian activity takes place.

It may be noted in closing that Cicero was believed to have written a military treatise until well into the Middle Ages – contrary to the ancient assessments of him as an unmilitary figure which were quoted above.¹⁴ Reeve has suggested that this belief originated from a passage in the *Rhetorica ad Herennium*, a treatise which was attributed to Cicero until the end of the 15th century: *Dolus consumitur in pecunia... et ceteris rebus de quibus magis idoneo tempore loquemur, si quando de re militari aut de administratione re publica scribere velimus.*¹⁵

The identification of the treatise on political administration with Cicero's *De re publica* (which was well known throughout the Middle Ages) led some people to assume that "Cicero" had written a *De re militari* as well. Although ultimately flawed, the longevity of the belief presents a very different view of Cicero from the one that prevails today. It also shows how receptive scholars were to a Ciceronian military treatise, which suggests that on some level he was regarded as a credible commentator. The fact that the authorship of the *Rhetorica ad Herennium* is now better understood does not mean that this view should be rejected.

¹⁴ See esp. Petrarch *Fam.* 24.4.13 (a letter addressed to Cicero): *Tuorum sane [sc. librorum]... quorum insignior iactura est hec sunt nomina: rei publice, rei familiaris, rei militaris, de laude philosophie, de consolatione, de gloria....*

¹⁵ *Rhet. Her.* 3.3. See Reeve 2003, 426. Reeve prints *de administranda re publica*, an excellent solution to the ungrammatical combination of ablatives in Marx's text. Cf. Cic. *Arch.* 14; *Fam.* 1.9.21; *Nep. Ep.* 5.2.

Chapter 1

Cicero on the battlefield

A natural starting point for the study of Cicero's perception of military matters is his own military experience. Contrary to his enduring reputation as a civilian figure, his career was not entirely confined to the domestic realm. He served with an army on three occasions: during the Social War (c. 89), as governor of Cilicia (51-50), and at the beginning of the Civil War (48). Although this experience was limited in comparison to that of most public figures in the late Republic, it is important nonetheless as evidence of his engagement with military matters on a basic level. Furthermore, because the factors which led him to pursue an unmilitary career will have also shaped his perception of the army, an understanding of his experience is necessary in order to appreciate his perspective fully. Accordingly, this chapter will trace his military record, evaluating it against "typical" service in first-century Rome. It will also introduce historical and political issues which seem to have had a formative influence on his outlook, and which will be recurring themes in subsequent chapters.

It is significant, if not surprising that Cicero's military career tends not to be treated as such by scholars. There is no attempt to link the three episodes of his service, apart from conjectures that the long interval between the Social War and his governorship of Cilicia indicates an aversion to soldiering.¹⁶ This is partly due to

¹⁶ E.g. Steel 2005, 36: "it is fair to conclude that whatever happened to Cicero in the army during the Social [W]ar convinced him either that he did not want to be a soldier, or that he did not have the skills to make a serious mark in the field." Cf. Smith 1966, 20; Shackleton Bailey 1971, 9; Fuhrmann 1992, 15. Wood 1988 briefly traces Cicero's service in the Social War (p. 46), in Cilicia (pp. 52-3),

prevailing attitudes towards Cicero as an unmilitary figure, and partly to the scarcity of the evidence. Cicero is on the whole very quiet about his service. Allusions to it in his writings are often anecdotal, and only tangentially connected to the episodes which they describe. Significantly, apart from the letters from Cilicia, the majority of references to his military service are found in his philosophical treatises and late speeches. These recollections are subordinated to the agenda of the work in question, and the military content is secondary. For example, the Cilicians are mentioned in *De divinatione* as people who practise divination (1.2), and in the *Second Philippic* Cicero frames his justification of his conduct in Pompey's camp with assertions that Rome might have avoided civil war had his advice been heeded (§§37-9). No letters survive from earlier than 68, and political expediency stayed Cicero's hand for much of 49 and 48.

Among the other ancient authors, only Plutarch's biographies of Cicero and his contemporaries address Cicero's military experience.¹⁷ This dearth of source material confirms the traditional view of Cicero as an unmilitary figure. The difficulty of reconstructing his experience sheds light on one important aspect of his perspective, however: beyond providing epistolary material, the military experience seems to have interested Cicero primarily as a source for illustrative parallels in his speeches and treatises – and not necessarily in terms of battles and bloodshed.

and during the Civil War (p. 53), yet states that “of the seven premier statesmen of the century he was the only one without military expertise or experience” (p. 54).

¹⁷ In contrast, Cicero's quasi-military suppression of the Catilinarian conspiracy (63) and opposition to M. Antonius' civil war (44-43) are copiously documented by the biographers and historians of the late Republic, and figure more prominently in Cicero's own writings. See below, pp. 261-85.

Cicero's military career

We begin with a survey of Cicero's military career. His introduction to soldiering in the Social War is the least documented of his three episodes of military experience. In essence, we know that he served under Cn. Pompeius Strabo in 89, the year of the general's consulship; that he was subsequently transferred to the army of L. Cornelius Sulla in Campania; and that he was a *contubernalis* with a L. Tubero. When the texts are read closely, however, a more nuanced picture of his activity as a recruit emerges.

A passage in the *Philippics* provides critical background, and must be examined in full:

Memini colloquia et cum acerrimis hostibus et cum gravissime dissidentibus civibus. Cn. Pompeius Sex. f. consul me praesente, cum essem tiro in eius exercitu, cum P. Vettio Scatone, duce Marsorum, inter bina castra collocutus est: quo quidem memini Sex. Pompeium, fratrem consulis, ad colloquium ipsum Roma venire, doctum virum atque sapientem. Quem cum Scato salutasset, "quem te appellem?" inquit. At ille: "voluntate hospitem, necessitate hostem." (*Phil.* 12.27)

The word *tiro* shows that Cicero's service with Strabo was part of his *tirocinium*, a traditional period of military apprenticeship which prepared youths of the upper classes for public life. It was supplemented by a civic counterpart, the so-called *tirocinium fori*, which gave the young men a taste of oratory.¹⁸ Both training periods lasted for one year and were normally undertaken at age sixteen or seventeen, when

¹⁸ See Bonner 1977, 84. The label *tirocinium fori* is a modern invention used to differentiate between the two forms of apprenticeship. Although *tirocinium* and *tiro* are defined in the *TLL* as distinctly military words, some ancient examples are less clear-cut. See e.g. Liv. 45.37.3; Suet. *Aug.* 26.2; *Tib.* 54.1; *Cal.* 10.1; cf. *militiae tirocinium* at Val. Max. 5.4.2, the only ancient example of the combined term. Many modern authors use *tirocinium* or even *contubernaliū* to describe both training periods, however.

the young man assumed the *toga virilis* and his basic schooling was considered to be complete.¹⁹ He would then formally be attached to a mentor, as prominent a figure as possible, to learn by observation the arts of the battlefield and the forum. It is unclear whether both types of *tirocinium* were undertaken by all young men, or in which order: at *Cael.* 11 Cicero suggests that *exercitatio ludusque* were practised by both groups on the Campus Martius, but at *Font.* 42 he says that *studia militaria* are going out of style among the youth of the day.²⁰ His passing reference to being a *contubernalis* with Tubero reveals that the two were also educated together prior to their military service: *haec ego noui propter omnis necessitudines, quae mihi sunt cum L. Tuberone: domi una eruditi, militiae contubernales* (*Lig.* 21).

We should therefore see Cicero's involvement in the Social War as typical behaviour for a young, upper-class Roman with political aspirations. That he was not a simple soldier on the front lines is evident from the passage above, and is also consistent with the *tirocinium militiae*. These young men were training to become officers. Excellence was rewarded with the rank of military tribune (either by election or by the general's appointment), an office which frequently led to the quaestorship.²¹ Thus the *tirocinium militiae* was an important introduction to

¹⁹ See Marquardt and Mommsen 1879, 132; Ginestet 1991, 55. Cicero was 17 in 89. On the type of basic education that was traditionally gained at home, see Bonner 1977, 10-11, citing the example of Cato the Elder. Plut. *Cic.* 3.2 stresses the brevity of Cicero's service: ἅμα δέ τοῖς περὶ Μούκιον ἀνδράσι πολιτικοῖς καὶ πρωτεύουσι τῆς βουλῆς συνών, εἰς ἐμπειρίαν τῶν νόμων ὠφελῆιτο, καὶ τινα χρόνον καὶ στρατείας μετέσχεν ὑπὸ Σύλλα περὶ τὸν Μαρσικὸν πόλεμον.

²⁰ Cicero's own example suggests that the *tirocinium militiae* followed the *tirocinium fori*. Marrou 1948, 319 also places the *tirocinium fori* first, whereas Taylor 1949, 29 and Ginestet 1991, 69 neatly sidestep the issue of order. Marquardt and Mommsen 1879, 132-3 and Bonner 1977, 84 state without sources that the *tirocinium militiae* was only undertaken if the young man aspired to a military career. This seems unlikely given that Cicero completed a *tirocinium militiae* despite a clear inclination towards a career in the forum.

²¹ On the responsibilities associated with the military tribunate, see Harris 1979, 13; Lintott 1999, 139-40. On the electoral implications of the position, see Smith 1958, 60. Cf. Cic. *Planc.* 61. There is no evidence that Cicero was a military tribune at this time.

political networking. Whereas the mentor-figure of the *tirocinium fori* was usually a distinguished family friend, political importance was the consideration for the *tirocinium militiae*. This may explain why Cicero was attached to Strabo as consul and afterward Sulla as consul-elect, rather than his fellow Arpinate C. Marius. The connection with Strabo may in turn – if a relevant inscription can be read this way – have brought Cicero into contact with two men who would alter the course of his career and life: Strabo’s son Pompey, and L. Sergius Catilina.²²

Cicero’s service with Sulla also included access to events away from the battlefield. The two surviving references concern a portent which prompted Sulla’s successful march on a Samnite camp near his headquarters at Nola, also in 89.²³

Only one version need be examined:

Nam de angue illo qui Sullae apparuit immolanti utrumque memini et Sullam, cum in expeditionem educturus esset, immolavisse et anguem ab ara exstitisse eoque die rem praeclare esse gestam non haruspicis consilio sed imperatoris. (*Div.* 2.65; cf. 1.72)

It need not seem strange that a teenage recruit should be allowed to witness a sacrifice, or diplomatic negotiations, as above. Quaestors had a filial relationship with their generals (*Red. sen.* 35; *Planc.* 28; cf. *Div. Caec.* 61), and the political implications of the *tirocinium* meant that the young man was very much a part of the general’s entourage. Although this particular passage reflects the aim of Cicero’s treatise on divination, it is possible that *memini* actually refers to a first-hand

²² *ILS* 8888 mentions both “Cn. Pompei. Cn. f. Clu.” and “L. Sergi. L. f. Tro.” as being with Strabo, but it is unclear whether they can be identified as Pompey and Catiline. Cicero is not mentioned in the inscription, but this does not rule out overlap between his time with Strabo and that of the Cn. Pompeius and L. Sergius mentioned. See also Dessau’s n. *ad loc.*

²³ On the dating of Sulla’s victory, and thus of Cicero’s service under him see Gabba 1992, 124.

observation, as it may be used in the passage from the *Twelfth Philippic*. In any case, Cicero's recollections of his experience in the Social War reveal a lasting concern with the broader duties of generalship, rather than with skirmishes on the front lines.

It would be nearly forty years before Cicero found himself in the field again – this time as a general. Such a long period of inactivity was unusual in the late Republic: as late as the mid-second century, ten years of military service was required in order to be eligible for public office.²⁴ Although this was no longer rigorously enforced by the first century, some military experience continued to be demanded of aspiring magistrates – Cicero is one of only two documented cases of a man being elected to office without ten years of service.²⁵ In the absence of a formal military college, the amount of experience any general had in advance of his command was very much up to him. He was expected to learn on the job or to bring capable legates to assist him.²⁶

Cicero received Cilicia by virtue of Pompey's *lex de provinciis* (52), which stipulated that there should be a five-year interval between the holding of a magistracy and a provincial command. A decade previously, he had made a great show of declining a province after his consulship (Plut. *Cic.* 12; Sal. *Cat.* 26.4; Dio 37.33); in the new dearth of eligible magistrates, his consular status seems to have put him at the top of the allocation list. Cilicia was designated a consular province in

²⁴ Polyb. 6.19.2. Walbank 1957, n. *ad loc.* notes that the text is corrupt and cites other known terms of service which support the figure of ten years in the second century. Harris 1979, 11-12, discusses the precise meaning of the requirement, concluding that ten *campaigns* was more likely the obligatory term.

²⁵ Harris 1979, 12 and 257, responding to Wiseman 1971, 143; cf. Taylor 1949, 30 on contemporary expectations.

²⁶ Gilliver 2001, 9; cf. Goldsworthy 1996, 122 on Rome's "amateur" generals and Rosenstein 2007a, 139-40 on the political and social advantages of this system.

any case – indicating that it was considered to be at risk for warfare.²⁷ The largest province in the east, Cilicia had been the centre of Rome’s eastern defence since the time of Sulla.²⁸ Although it was allocated two legions to mobilize against local rebellions and invasion from outwith the province, the forces were actually at considerably less than this strength when Cicero arrived.²⁹ Three cohorts were missing, and another five had withdrawn from the main body of the army to an independent position on the northern frontier (*Fam.* 3.6.5; 15.4.2). Those that were present were embittered by their treatment at the hands of Cicero’s predecessor, Ap. Claudius Pulcher (cos. 54), who had only just settled arrears in pay when confronted with mutiny in July (*Att.* 5.14.1). A previous request for a levy had been blocked by senatorial opposition (*Fam.* 3.3), and Cicero was adamant that locals could not be used: *neque multi sunt et diffugiunt, qui sunt, metu oblato* (*Fam.* 15.1.5). His ability to defend his province ultimately owed much to effective fighting by C. Cassius Longinus, *legatus* of M. Calpurnius Bibulus (cos. 59), governor of Syria, as well as by Bibulus himself. Crucial auxiliaries were also provided by Deiotarus, King of Galatia – such that they doubled Cicero’s meagre numbers when they arrived.³⁰ Cicero remained with his army for the campaigning season, roughly from August

²⁷ See Taylor 1949, 31. Both of Cicero’s immediate predecessors in the province were hailed as *imperatores* by their armies: the former, P. Cornelius Lentulus Spinther (procos. 56-53), celebrated a triumph in 51, but the latter, Ap. Claudius Pulcher (procos. 52-51), abandoned his pursuit of one when he was prosecuted *de repetundis* (sources at *MRR*).

²⁸ Smith 1958, 23; Syme 1979, esp. 124-5; Sherwin-White 1992, 265. Stockton 1971, 230 estimates the size of the province at 40,000 square miles; see also maps and discussion in Mitchell 1993 (esp. Vol. 1 pp. 27-34; Vol. 2 App. 1). On the ethnic and territorial make-up of the province, see Syme 1979, 122-3.

²⁹ *Att.* 5.15.1: *duarum legionum exilium*; cf. *Fam.* 2.10.2; 15.4.14. Plutarch’s estimates at *Cic.* 36 are clearly based on their theoretical strength.

³⁰ *Att.* 5.18.2; cf. *Att.* 6.1.14; *Fam.* 15.4.5, 7; *Phil.* 11.34. Lintott 2008, 262 notes that Cicero, as governor, was ultimately responsible for the size of his army and could have levied new recruits from the local population.

until the end of December 51.³¹ They were mobile for much of this time, moving to meet threats and rumoured threats along Cilicia's borders.

Cicero's military activity in Cilicia can be divided into three main campaigns: against the Parthians, at Mt Amanus, and at Pindenissum. His chief concern was the Parthians, who seemed to threaten a major war in 51. He was eager to avoid a confrontation, writing en route to his province, *Parthus velim quiescat et fortuna nos iuuet: nostra praestabimus* (*Att.* 5.9.1). At first he seemed to get his wish, but in mid-September the Parthian crown prince crossed the Euphrates into neighbouring Syria *cum permagno equitatu* (*Fam.* 15.1.2; cf. *Fam.* 15.3.1; *Att.* 5.18.1). The defensive strategy which he adopted was sensible and realistic, and took into account both the forces at his disposal and the possibility of siege:

Tuto consedimus, copioso a frumento, Ciliciam prope conspiciente, expedito ad mutandum loco, parvo exercitu sed, ut spero, ad benevolentiam erga nos consentiente.... Dilectus habetur civium Romanorum; frumentum ex agris in loca tuta comportatur. Si fuerit occasio, manu, si minus, locis nos defendemus. (*Att.* 5.18.2)

The wording of his dispatch to the Senate was equally pragmatic – using the threat that *amittendae sint omnes eae provinciae quibus vectigalia populi Romani continentur* to underscore the gravity of the situation, as well as drive home his urgent need for reinforcements, *quantum ad maximum bellum mittere soletis* (*Fam.* 15.1.5). There was talk of sending Caesar or Pompey to take over, but developing

³¹ For the dates, see e.g. *Att.* 5.14 (27 July), where Cicero announces his plans to go straight to his army, and *Att.* 5.20.5 (19 Dec.), where he writes that he is turning the army over to Quintus to take to winter quarters. The chronology of the letters as arranged by Shackleton Bailey is followed throughout this thesis. Rawson 1975, 167 notes that these dates correspond to a summer campaigning season, since the Julian calendar reforms were still some years away.

tensions between the two dynasts refocused Senatorial concerns on Rome itself.³²

Cicero was largely left to fend for himself, and his praetorian cohort and cavalry successfully repulsed a Parthian and Arab joint foray into the province (*Fam.* 15.4.6; cf. *Fam.* 3.8.10; 2.10.2). An earlier raid in August had cost him some cavalry (*Att.* 5.16.4), and this victory is an indication of improved organization on his part.

It was not against the Parthians, however, that he would distinguish himself as a commander – although his pursuit of them led to the two battles which defined his proconsulship. Despite *maxima itinera* to the Syrian border to intercept the enemy who was reported to be at Antioch, he arrived to hear that the Parthians had been driven back by Bibulus and Cassius.

...tum id quod iam ante statueram vehementer interesse utriusque provinciae, pacare Amanum et perpetuum hostem ex eo monte tollere, agere perrexi. Cumque me discedere ab eo monte simulassem et alias partes Ciliciae petere... distributisque cohortibus et auxiliis, cum aliis Q. frater legatus mecum simul, aliis C. Pomptinus legatus, reliquis M. Anneius et L. Tullius legati praessent, plerosque necopinantes oppressimus.³³

In other words, having made the journey, he took the opportunity to suppress some local rebels in what Goldsworthy calls a “punitive action” campaign.³⁴ For five days he assailed the natives, who were taken completely by surprise and routed: *multi occisi capti, reliqui dissipati* (*Fam.* 2.10.3). He also razed the settlement to the ground. In return, his army proclaimed him *Imperator* at Issus. The symbolism was

³² See esp. *Fam.* 8.20.2. Interestingly, *Att.* 6.1.14 sounds as though the matter had been decided: *erit sustentandum quoad Pompeius veniat*.

³³ *Fam.* 15.4.8; cf. 2.10.2-3. On the problems with accepting at face value the slightly altered version in *Att.* 5.20, see Wistrand 1979, 7-9.

³⁴ Goldsworthy 1996, 95-97, concluding that “[i]n the relations between these peoples and Rome, the impression of power was more important than its reality.” Cf. Lintott 1993, 53 on Cicero’s need to keep his hastily-raised force busy.

not lost on Cicero, who proudly noted the connection of the place with Alexander the Great.³⁵ Emboldened by his success, he moved on to the town of Pindenissum, which he invested for 57 days until it fell on the Saturnalia (*Att.* 5.20). The “enemy” here were the so-called Free Cilicians (*Eleutherocilicium*), whom Cicero describes as *feri homines et acres et omnibus rebus ad defendendum parati* (*Att.* 5.20.5). Their threat to Roman rule cannot otherwise be ascertained, and it is telling that to this day the town cannot accurately be placed on a map;³⁶ but the prospect of a triumph beckoned and Cicero could not resist the military *gloria* that it would bring him.³⁷ To a certain extent the idea had been planted in his mind by his M. Caelius Rufus, who wrote to him wishing for a war just large enough to win a triumph, but not so large that it posed any real danger (*Fam.* 8.5; cf. 2.10.2). With the campaigning season over, Cicero turned the army over to his brother to take to winter camp, and returned to Cilicia proper to attend to the civic responsibilities of his post.

In sum, Cicero met the military challenges of his governorship appropriately and effectively. Although his qualifications were questionable, the fact that he was clearly expected to manage is significant. He never acknowledges any assistance from his *legati*, but it should be noted that three of the men were seasoned and able commanders: his brother, Quintus, who had served with distinction under Caesar in Gaul, and governed Asia for three years; C. Pomptinus, who had helped with the

³⁵ *Att.* 5.20.3. Cf. *Fam.* 2.10.3; Plut. *Cic.* 36. Cicero does not mention the title in his letter to Cato (*Fam.* 15.4), probably to conceal the fact that he had not sent an official report to the Senate until after Pindenissum, cf. *Fam.* 2.10.3. For alternative interpretations of the omission, see Wistrand 1979, 12.

³⁶ It is not depicted in Talbert 2000. Curiously, it is on the map of Asia Minor included in Shackleton Bailey 2001 (Vol. 3), where it is located approximately 100 miles north west of Tarsus; it is unclear how this location was determined.

³⁷ Pompey seemed to be amenable to it, according to *Att.* 7.2.5. Cicero’s case is evaluated by Wistrand 1979, 26-34, who essentially concludes that it was not merited; cf. Beard 2007, 196-9 on the risks of generalizing about criteria for awarding triumphs on the basis of Cicero’s example. Cicero’s theoretical engagement with triumphs and military *gloria* is discussed below, pp. 159-68.

arrest of Catilinarian conspirators in 63 and celebrated a triumph in 54 for his achievements as governor of Transalpine Gaul; and M. Anneius, an experienced soldier whom Cicero admired.³⁸

That his resources and not his ability were the source of concern at the time is made clear in a letter from Caelius, as news reached Rome about Parthian activity in the east.

Ego quidem praecipuum metum, quod ad te attinebat, habui, qui scirem quam paratus ab exercitu esses, ne quod hic tumultus dignitati tuae periculum adferret. Nam de vita, si paratior ab exercitu esses, timuissem; nunc haec exiguitas copiarum recessum, non dimicationem mihi tuam praesagiebat. (*Fam.* 8.10.1)

We need only consider Bibulus' fate to see how able – or lucky – Cicero was as a general. When Bibulus engaged the Parthians on the Syrian side of Mt Amanus, he lost his entire first cohort, including centurions and a military tribune.³⁹

This brings us to Cicero's third and final experience of military life: in Italy and in Pompey's camp at the outset of the Civil War. The episode is not nearly so well documented as his activity in Cilicia, and the surviving sources give much scope for speculation.⁴⁰ Four letters written from Pompey's camp (*Att.* 11.3; 11.4; 11.4a; *Fam.* 14.6) contain little military material, no doubt owing to the exigencies of the political situation. Plutarch's biography supplies some otherwise unknown details,

³⁸ Little is known about the fourth *legatus*, a L. Tullius who was recommended to Cicero. Sources at Mitchell 1991, 226. In *Fam.* 9.25.1, Cicero claims to be following the precepts set out in Xenophon's *Cyropaedia*. On his attitude towards Quintus as a military man, see below, pp. 124-8.

³⁹ *Att.* 5.20.4; cf. 6.5.3. Cicero refers disparagingly to Bibulus' involvement as an attempt *in eodem Amano... loreolam in mustaceo quaerere*. Bibulus was awarded a triumph, much to Cicero's chagrin in light of his own success as well as the fact that Cassius had led the critical fighting in Syria.

⁴⁰ Stockton 1971, 260. On general questions raised by the gaps in the sources, see Wistrand 1979, 163-7.

which when combined with more plentiful references from Cicero's earlier letters and later writings, allow a reasonable reconstruction of his time spent under arms.

Cicero returned from Cilicia to a Rome that was unquestionably on the brink of war. Already from Athens in mid-October 50, he foresaw *tantam dimicationem... tantam quanta numquam fuit* (*Att.* 7.1.2; cf. *Fam.* 16.11.1). He fully intended to take a military role in the incipient conflict: *video me castris et certis legionibus praefuturum* (*Fam.* 16.12.5). His determination owed a great deal to the fact that he still possessed his proconsular *imperium*. It is just possible that this was an intentional byproduct of his aspirations for a triumph – certainly Atticus had noted the opportunity by December (*Att.* 7.3.3; cf. 7.7.4) – but on 7 January 49 the Senate passed the *senatus consultum ultimum*, specifically charging consuls, praetors, tribunes, and proconsuls to preserve the state (*Fam.* 16.11.1; *Caes. BC* 1.5). Cicero was assigned to the “vital” Pompeian base of Capua,⁴¹ a prominent post, but one in which he seems to have managed to be as unobtrusive and non-partisan as possible: *nullum maius negotium suscipere volui, quo plus apud illum [sc. Caesarem] meae litterae cohortationesque ad pacem valerent* (*Fam.* 16.12.5). He accepted the command at the beginning of January,⁴² and towards the end of the month his sphere of influence was expanded to include the entire Campanian coast, where he was in charge of the levying of recruits for a Pompeian army (*Att.* 7.11.5). The results of this were disappointing, and Pompey quickly summoned him to Capua to assist with

⁴¹ According to Mitchell 1991, 252 n. 66, with sources. The nature, and indeed actuality, of Cicero's Capuan command are explored in depth by Shackleton Bailey 1968, App. 2 and Wistrand 1979, App. 2. Shackleton Bailey rejects the Capuan command largely on semantic grounds. Wistrand accepts the Latin as it survives in the MSS, and essentially argues from a “why not?” perspective. I am inclined to agree with Wistrand because his argument fits more easily with the Ciceronian account as a whole.

⁴² *Fam.* 16.11.3 (12 Jan.): *Italiae regiones discriptae sunt... Nos Capuam sumpsimus*. Shackleton Bailey 1977a n. *ad loc.* takes *sumpsimus* as an epistolary tense, which indicates that Cicero *intended* to accept the command but was not committed to it.

another levy there.⁴³ However, when it became apparent that fighting was imminent, Cicero resigned the post.

He later claimed that the command was detrimental to his work for peace (e.g. *Att.* 7.26.2), but a contemporary letter to Pompey reveals his more pressing concern about the *infamia* he would suffer if he were unable to hold the coast, owing to inadequate resources:

Quod feci non vitandi oneris causa sed quod videbam teneri illam urbem sine exercitu non posse, accidere autem mihi nolebam quod doleo viris fortissimis accidisse. (*Att.* 8.11D.5; cf. *Att.* 8.3.4-5; 8.12.2).

Chief among these *virii fortissimi* was certainly L. Domitius Ahenobarbus (cos. 54), who had recently been forced to surrender to Caesar at Corfinium when reinforcements did not materialize: a tactful description of *quae Corfini acta essent* precedes Cicero's explanation of his decision to resign the command (*Att.* 8.11D.3). We do not know whether another commander was appointed, but by February Pompey was fleeing from Caesar's advance, and the following month he quit Italy to encamp at Dyrrachium in Greece. Much of the Senate joined him there (*Phil.* 13.26, 28), and after some soul-searching Cicero did as well. Defying Caesar's order that no-one was to leave Italy, he sailed from the Campanian coast in June.⁴⁴ By virtue of an earlier meeting with Caesar – at which he could not promise not to advocate for Pompey in future – Cicero could no longer pretend neutrality (*Att.* 9.18.1).

⁴³ *Att.* 7.14.2, 25 January.

⁴⁴ See *Fam.* 14.7 (7 June), written to Terentia while on board ship. Caesar's order, and Cicero's testing of the waters via Antony are the subject of *Att.* 10.10. Wistrand 1979, 163 n. 1 suggests that Cicero's destination was Thessalonica, where Pompey had summoned the Senate.

We are left to infer from the sources that his presence in Pompey's camp was largely superfluous – and involved very little in the way of military service. The picture that emerges is one of Cicero biding his time advocating peace – and making inopportune jokes.⁴⁵ Cato evidently asked him why he had come at all, when he might have remained neutral and therefore a valuable mediator in Italy (Plut. *Cic.* 38). The reality of this observation is borne out by Cicero's only contemporaneous comment on his time in camp: *ipse fugi adhuc omne munus, eo magis quod ita nihil poterat agi ut mihi et meis rebus aptum esset* (*Att.* 11.4). He later recounted his impressions of the camp in highly disparaging terms:

... primum neque magnas copias neque bellicosas; deinde, extra duces paucosque praeterea (de principibus loquor), reliquos primum in ipso bello rapacis, deinde in oratione ita crudelis ut ipsam victoriam horrerem. (*Fam.* 7.3.2)

He goes on to say that he could not convince Pompey to seek peace, or at least delay battle, and that as soon as overconfidence from his victory at Dyrrachium in July got the better of him, *vir ille summus nullus imperator fuit* (*Fam.* 7.3.2). Cicero was in camp when C. Coponius arrived to relay the prophecy he had heard from a rower in his squadron, foretelling the imminent bloody defeat and scattering of the Pompeian forces (*Div.* 1.68-9; 2.114). The battle was Pharsalus, and Plutarch says that Cicero was too ill to participate (*Cic.* 39); but it is hard to imagine Cicero engaging in combat against fellow Romans. As he had written to Atticus while rationalizing his lack of involvement in March, *me, quem non nulli conservatorem istius urbis parentemque esse dixerunt, Getarum et Armenorum et Colchorum copias eam*

⁴⁵ *Phil.* 2.37-9. Plut. *Cic.* 38 gives a sampling of the jokes.

adducere? (Att. 9.10.3). He accordingly also refused to accept Cato's army and fleet, even though tradition dictated that he, as the most senior magistrate present, should assume command (Plut. *Cic.* 39.1). Plutarch records the colourful altercation which followed, when Pompey's son attempted to kill Cicero for his apparent disloyalty. It remained for Cicero to return to Italy and wait in philosophical retirement at Brundisium for Caesar's pardon, which he eventually obtained in the following year.

Thus ended Cicero's military career. Although he had far less experience than many of his peers in the Senate, it is clear that he satisfied the standards implicitly in operation in the late Republic. He completed a *tirocinium militiae* at the normal age, commanded the army in a militarily-significant province, and won the title of *Imperator* for his achievements in the field. His experience in the Civil War is more difficult to reconcile with conventional models; but the conflict was, after all, anomalous in its own right.

Quantifying Cicero's military experience

The analysis of Cicero's military career illustrates the perils of judging his place in Rome's militarized culture on the basis of comparison with his more experienced contemporaries. He was not a military man, but neither was he completely inexperienced in military matters. In order to better understand his place in contemporary society and culture, it is instructive to evaluate his example against that of men whose circumstances were the same as his. The two most relevant groups for comparison are *novi homines* and orators. Using ancient documentation and modern prosopographical studies, this section will attempt to determine whether

Cicero's experience was more or less typical in light of his background and career choice.

We begin with the *novi homines*. Although not a technical or legal term, *novus homo* is regularly used in ancient literature to describe men from plebeian backgrounds who were the first in their families to hold the consulship.⁴⁶ Cicero refers to himself as a *novus homo* (e.g. *Leg. agr.* 2.3; cf. *Mur.* 17) and is advised at *Comm. pet.* 1 to be mindful that *novus sum, consulatum peto, Roma est*. Although *novi homines* were not formally excluded from politics, the prejudices of the *nobiles*, who made up the majority of the ruling class, made it extremely difficult for someone from an "obscure" background to gain the necessary support to seek office.⁴⁷ Military service was a major – if not the main – means of advancement that was available to them.⁴⁸ This makes Cicero's deliberate avoidance of it seem conspicuous and even imprudent,⁴⁹ especially since, as was seen above, the training he undertook in his youth is consistent with preparation for a political career.

Unfortunately, the surviving sources do not permit a survey of *novi homines* in the Republican period; but a reasonably complete record of consuls can be

⁴⁶ See e.g. Caes. *BAfr.* 57.4; Liv. 4.3.17; 4.54.6; 22.34.8; 37.57.12; 39.41.2; Vell. 2.128.1; and esp. *Comm. pet.* 4, 11, 14; Cic. *Font.* 23; *Clu.* 182; *Sest.* 136; *Planc.* 67; *Rep.* 1.1; *Off.* 1.138; *Fam.* 5.18.1. It should be noted that *novus homo* occurs most frequently in Cicero's writings. On the definition of the term, see Wiseman 1971, 1 (citing Hellegouarc'h 1963, 472-83), and most recently Van der Blom 2010, 35-41. Burckhardt 1990, 98-9 traces modern debate about the meaning of the terms *novus* and *nobilis*.

⁴⁷ See esp. Wiseman 1971, 3-5, 100-6; cf. Dugan 2005, 7, asserting that the obstacles were very real. Hopkins 1983, esp. 36-41, 55-69 argues that succession rates within individual families (i.e. consuls whose sons also attained the office) left plenty of vacancies to be filled by newcomers, whether men from senatorial families or *novi homines*. Nevertheless, a survey of *MRR* quickly reveals the stranglehold which blue-blooded families such as the Metelli, Corneli, Licinii, and Claudii had on the higher magistracies.

⁴⁸ McDonnell 2006, 329 states that it was "characteristic of the *novus homo*... that they entered politics on the basis of a military reputation." Wiseman 1971 also prioritizes military service. See esp. pp. 144-7, detailing two military "routes to the Senate"; cf. pp. 173-81 and Harris 1979, 31 on Marius' example.

⁴⁹ So Smith 1966, 20; Fuhrmann 1992, 15; Steel 2005, 37.

constructed. This offers a convenient and status-appropriate means of gauging prevailing practices and thus Cicero's conformity with this model.

It is a measure of the impediment posed by *novitas* that Cicero is one of only fifteen *novi homines* known to have held the consulship between 366 (the year the *leges Licinia-Sextiae* went into effect, requiring one consul to be of plebeian status) and 63. The others are: L. Sextius Lateranus (366), Sp. Carvilius (293, 272), M. Acilius Glabrio (191), Cn. Octavius (165), L. Mummius (146), Q. Pompeius (140), P. Rupilius (132), M. Perperna (130), C. Marius (107, 104-100, 86), Cn. Mallius Maximus (105), C. Flavius Fimbria (104), T. Didius (98), C. Coelius Caldus (94), and C. Norbanus (83). Of these fourteen men, only five are specifically attested in the sources as having military experience prior to their consulship, typically as praetors.⁵⁰ However, four others were dispatched to major wars during their consulships, with great success.⁵¹ Such results would be extremely fortuitous if these men had no prior experience, and so it seems safe to infer that their previous service is simply unrecorded. Of the remaining five men, one negotiated an unauthorized peace with his opponents; one suffered a major defeat during his consular campaign; and three are not documented in the sources.⁵²

⁵⁰ Perperna earned an ovation for quelling a slave revolt while praetor in Sicily (135); Marius was military tribune in Numantia (134), engaged in minor military operations as praetor (or propraetor?) in Lusitania (114), and served in the Jugurthine War (108); Didius earned a triumph for his activity as praetor in Hispania Citerior (100); Caldus served as proconsul of Hispania Citerior at a time when it was presumably still a hotspot (c. 98); and Norbanus defended Sicily as praetor during the Social War (88-87). Sources at *MRR* and Wiseman 1971, 1-3, 209-83. Many of these men appear in Cicero's writings as *exempla*. See Chapter 2, *passim*.

⁵¹ Carvilius triumphed over the Samnites in 293 and Tarentines, *et al.* in 272; Glabrio defeated Antiochus at the battle of Thermopylae in 191; Mummius commanded the Achaean war and sacked Corinth in 146; Rupilius was dispatched to a slave revolt in Sicily in 132, and kept on in the province as proconsul the following year.

⁵² Pompeius had been dispatched to the Numantine War but made peace with his opponents instead. Maximus was defeated and lost most of his army at the battle of Arausio. Nothing is known about the activities of Lateranus, Octavius, and Fimbria.

This breakdown strongly suggests that *novi homines* who sought the consulship were normally veterans of at least one major campaign, and had experience commanding an army. If we assume that the vast majority of *novi homines* who entered politics wished to attain the consulship, this trend can be generalized to describe the lesser magistracies as well. It is a symptom of the political disadvantages of *novitas* that many candidates were well over the minimum age stipulated by the *cursus honorum* when they were elected to the consulship.⁵³ In any case, it is clear that Cicero was very inexperienced compared to this model; but the three consuls whose activities are unknown raise the possibility that he did not set a precedent as an unusually unmilitary consul. A tantalizing hint of such a precedent appears at *Brut.* 129, where Fimbria, whose deeds are not recorded, is described as *nec rudis in iure civili*. This is significant because jurisprudence and oratory seem to have been the main alternative methods by which *novi homines* sought support in the late Republic.⁵⁴

A striking passage at the beginning of the *Commentariolum petitionis* not only acknowledges oratory as a valid means of advancement, but even champions it:

Nominis novitatem dicendi gloria maxime sublevabis. Semper ea res plurimum dignitatis habuit; non potest qui dignus habetur patronus consularium indignus consulatu putari. Quam ob rem quoniam ab hac laude proficisceris et quicquid es ex hoc es, ita paratus ad dicendum venito quasi in singulis causis iudicium de omni ingenio futurum sit. (§2)

⁵³ See Wiseman 1971, esp. 166-7 for examples including Mallius, Fimbria, and Calvus. Prior to Cicero, the last *novus homo* to be elected consul *suo anno* was Q. Pompeius.

⁵⁴ See Wiseman 1971, 178-9; cf. 178, 180-1 for other domestic means of advancement.

The exhortation is very specific to Cicero's situation, but this need not preclude inquiry into an underlying principle: if a *novus homo* could win the consulship on the strength of his oratorical talent alone, then perhaps his level of military experience was less important than history makes it seem.

Bearing this in mind, we may now compare Cicero's military record to those of other orators. Although the idea of orators as soldiers seems odd at first glance, it must be remembered that Rome was a military state and for much of its history enforced a rule whereby all candidates for public office must have had ten years of military service in order to be eligible.⁵⁵ The highest calling for an orator's persuasive talents was the Senate, and from there the battlefield.⁵⁶ Accordingly, an inquiry into the military experience of orators is not without value. As previously, the surviving sources are not conducive to wide-ranging statistical analysis; but a convenient alternative is provided by the *Brutus*, a treatise which claims to chart the decline of oratory at Rome.⁵⁷ Sumner's excellent monograph puts career details to names which are often mentioned by Cicero only in passing, and provides the framework for this analysis.⁵⁸

A survey of Sumner's prosopography immediately confirms the political relevance of oratory: very few of the men mentioned did not hold public office, and many of these are Italians referred to in connection with the Social War.⁵⁹ The earliest orator mentioned is L. Junius Brutus (cos. 509), and the latest one is C.

⁵⁵ See above, nn. 24-5.

⁵⁶ On the importance of military eloquence (viz. *adlocutio*), see esp. Harmand 1967, 303-13; Gilliver 2001, 102-3.

⁵⁷ On the political significance of the treatise, see below, n. 463. It was published in 48, at the beginning of Cicero's philosophical period following his brief involvement in the Civil War.

⁵⁸ See Sumner 1973, 11-27.

⁵⁹ See esp. *Brut.* 167-72 = Sumner 1973, R 112-22.

Licinius Macer Calvus (no office, died in 47). In the interest of selecting a sample which will most accurately reflect the standards in operation during Cicero's life, this discussion will focus on Roman orators who were active from c. 100 onward, a collection which yields a group of 118 orators.⁶⁰

Of these men, less than fifty held at least one military office during their careers, whether military tribune, officer, legate, or a command proper.⁶¹ This small number is striking in its own right, but even more so once it is noticed that nearly half of them served only in the Social War or one of the civil wars and other domestic conflicts (e.g. Spartacus' revolt and the war against Catiline and Manlius).⁶² We may surmise, then, that the violence of the times accounted for much of the service undertaken by orators – a hypothesis which gains some support from the number of orators whose careers included many distinctly unmilitary

⁶⁰ The sample corresponds to Sumner 1973, R 103-221.

⁶¹ In the order listed by Sumner 1973, with the relevant office(s) identified: M. Antonius Orator (procos. Cilicia 101-100); L. Licinius Crassus (cos. Gaul 95); C. Coelius Caldus (procos. Hispania Citerior c. 98); L. Marcius Philippus (leg. Sardinia 82); L. Gellius Poplicola (cos. 72 - Spartacus); L. Cornelius Scipio Asiaticus (promag. 85-84, cos. 83 – Social War); Cn. Pompeius Strabo (cos. 80 – Social War); Cn. Octavius (cos. 87 – civil war); Q. Lucretius Afella (prefect 82 – civil war); Q. Sertorius (promag. 82-73 – revolt); C. Aurelius Cotta (procos. Gallia Cisalpina 74); C. Scribonius Curio (procos. Macedonia 75-2); M. Livius Drusus (tr.mil. ?); Q. Caecilius Metellus Pius Scipio Nasica (procos. Syria 49-48; 48-46 – civil war); L. Licinius Lucullus (procos. 73-63 – Mithridatic War); M. Terentius Varro Lucullus (leg. 83 – civil war; procos. Macedonia 73-1; Q. Servilius Caepio (pr? 91 – Social War; procos. 90 – Social War); Cn. Papirius Carbo (procos. 83 – civil war); L. Quinctius (leg./praef.eq. 71); M. Licinius Crassus (leg./prefect 83, 82 – civil war; procos. 71 – Spartacus; procos. Syria 54-3); C. Flavius Fimbria (pref.eq. 87; leg. 85); M. Pupius Piso Frugi (procos. Spain 71/70-69); L. Manlius Torquatus (procos. 64-3 – Catilinarians); Cn. Pompeius Magnus (propr. 83-79 – civil war; procos. 77-71 – pirates; procos. 67-61 – Mithridatic War; procos. 49-48 – Civil War); M. Valerius Messalla Niger (tr.mil. *bis*); Q. Caecilius Metellus Celer (pr. 63 – Catilinarians; procos. Gallia Cisalpina 62); Q. Caecilius Metellus Nepos (leg. of Pompey 67-3; procos. Hispania Citerior 56-55); C. Julius Caesar (leg. (wins civic crown); tr.mil. 72?; procos. Spain 61-60; procos. Gaul 58-49; dict. during Civil War); C. Visellius Varro (tr.mil. 80-79); L. Manlius Torquatus (tr.mil. ?); C. Valerius Triarius (praef.class. 49-48 – Civil War); M. Calpurnius Bibulus (procos. Syria 51-50); Ap. Claudius Pulcher (procos. Cilicia 53-51; procos. 49-48 – Civil War); L. Domitius Ahenobarbus (procos. 49-48 – Civil War); P. Cornelius Lentulus Spinther (procos. Cilicia 56-54); L. Cornelius Lentulus Crus (procos. Asia 48 – Civil War); T. Postumius (promag./leg. 49 – civil war); M. Calpidius (leg. 48-47 – Civil war); C. Scribonius Curio (propr. Africa 49 – Civil War); C. Licinius Macer Calvus (died in Civil War); Sources at *MRR*.

⁶² See previous note.

offices, such as tribune of the plebs, pontifex, augur, and censor.⁶³ Of perhaps greater relevance to Cicero's case, however, is the fact that many of these orators only served in one or two campaigns in the course of their careers. This conforms precisely to his career, and indicates that the extent of his military service was entirely normal for an orator in this period.

This brief examination of the patterns of military service for *novi homines* and orators has shown that Cicero's experience can be described as both typical and atypical for his times. Although this may seem like a meaningless conclusion, it must be remembered that not all military men in the late Republic were like Caesar or Pompey, and that such comparisons – however automatic to us – are not always helpful. To know where Cicero stands in relation to *novi homines* and orators provides valuable context to the factual outline of his military experience given above. It highlights not only the similarity of his chiefly domestic career with that of other like-minded individuals, but also the significance of his political achievements as a civilian in a militarized age.

Conclusion: Cicero's civilian perspective

This chapter has examined Cicero's military experience as a means of establishing his authority as a commentator on *res militaris*. It has shown that his military career, though limited in comparison to that of many of his peers, nevertheless met the basic standards of the day and gave him valuable exposure to the practical aspects of military matters. Perhaps more to the point, it challenges the

⁶³ See esp. Sumner 1973, R 104, 105, 110, 111, 130, 138, 156, 169, 171, 185. Of course, many military men held these positions too, including most notably Caesar, Pompey, and Crassus; but it seems to be more prevalent among orators without extensive military experience.

common perception of him as an exclusively civilian figure who had little to do with the army. His service in the Social War corresponds to a traditional *tirocinium militiae*, his governorship of Cilicia demonstrates engagement and competence, and his participation in the Civil War shows that his peers acknowledged him as a commander. Although the extent of his experience differs considerably from the averages for other consular *novi homines*, it matches the average for contemporary orators exactly, thus confirming that his experience is representative on a fundamental level.

It is nevertheless clear that he chose to pursue an unmilitary career. As a preface to the following chapters, we may consider here the effects of this choice on his perception of military matters. The long hiatus between his service in the Social War and in Cilicia indicates that the former conflict had a profound influence on his perspective. One explanation for this that is surely relevant but rarely acknowledged by scholars is his Italian heritage.⁶⁴ It is not difficult to imagine him feeling conflicted about participating in the conflict – distress may account for his service with Sulla, since in 89-88 Marius was campaigning in the Volscian region, very near to his and Cicero’s hometown of Arpinum.⁶⁵

This hypothesis seems to be supported by the eventual course of his military and political careers. His apparent aversion to soldiering is consistent with his commitment to peace, as well as with a practical need to be in Rome, where his

⁶⁴ Fuhrmann 1992, 14 is an exception.

⁶⁵ See esp. Gabba 1992, 124. There are no indications in the Marian tradition that he was particularly attached to his hometown or region, whereas Cicero’s enduring fondness for Arpinum is well attested. See esp. *Leg.* 2.3. The town received full citizen rights in 188, but did not become a *municipium* until 90.

De Blois 2007, 169 notes that the inhabitants of Italy only became inured to warring against each other in Sullan times.

influence depended on his being in the public eye (esp. *Planc.* 64-6). It also anticipates a conservative attitude towards the place of the army in the state and the value of military activity. These issues will dominate the discussion in the remaining chapters, and are best understood in historical and political context, rather than as the product of a flawed outlook. Cicero lived in a very militarized age and society, but the factor which most affects his authority as a commentator is that he also participated in it.

Chapter 2

Rome's military heritage in Cicero's writings

Cicero's writings bear eloquent witness to both Rome's military heritage and his own pride in it. Historical generals and their campaigns are often mentioned by him, frequently in detail and accompanied by praise. This is not surprising against the backdrop of Rome's militarized culture – and the public nature of most of his works – but his handling of the relevant themes indicates a rhetorical agenda that was not necessarily devoted to inflaming national pride. Civic issues regularly intrude in a way that sometimes seems inappropriate, and appears to suggest an unwillingness to engage with the military matters at hand. This chapter will investigate this phenomenon by assessing the form and function of the relevant passages. In particular, it will attempt to identify a conventional mode of reference to Rome's military heritage and thereby highlight instances where Cicero may be said to be promoting his own view of this.

The Ciceronian past as defined here encompasses the period from Homeric Greece to Cicero's quaestorship in 75. Admission to the Senate signified the beginning of his personal involvement with Rome's military policy, and a certain sense of responsibility (or at least awareness of the potential) can be detected in his references to military events after this point.⁶⁶ Conversely, his treatment of military men and events in the past reflects his position as an interested but detached commentator on bygone events. Even the Social War and bloodshed of the 80s are never described with the same vividness (or personal interest) as conflicts after he

⁶⁶ Cicero's relationship with the figures of his own day is discussed in Chapter 3.

entered politics.⁶⁷ Perhaps more to the point, with the exception of Sulla, the notable military men who flourished before 75 had died by the time Cicero wrote about them. Chronological distance and the absence of a political relationship are therefore the characteristics which separate past from present in his treatment of military matters.

That said, Cicero was not a historian, and none of his surviving writings are purely historical. A survey of his references to historical military events reveals a distinct preference for engaging with individuals rather than their exploits *per se*. Literary context certainly played a role in this – unlike Caesar, Sallust, or Livy, he had little scope to indulge in extended military narrative in his writings – but another conditioning factor may be identified: the traditional use of *exempla* (παράδειγμα) to illustrate arguments. Rhetoricians encouraged comparison with historical figures as a source of proof, by means of inductive reasoning from the well known parallel.⁶⁸ Cicero defined the practice himself as *quod rem auctoritate aut casu alicuius hominis aut negoti confirmat aut infirmat* (*Inv.* 1.49; cf. *Top.* 44). The forensic applications of such appeals to precedent are obvious; in treatises, too, well chosen *exempla* impart *auctoritas* and *dignitas* to the discussion.⁶⁹ The comparison might be explicit or implicit, and could refer to any point on the continuum between historical fact and extrapolation from the established character of the *exemplum*. As Aristotle observed, παραδειγμάτων δὲ εἶδη δύο· ἓν μὲν γὰρ ἐστὶν παραδείγματος εἶδος

⁶⁷ Political expediency no doubt played a role in this, but it is nevertheless difficult not to detect in Cicero's references to the period (especially to the proscriptions) a willingness to consign these events to the past. See e.g. *Off.* 2.27-9.

⁶⁸ Arist. *Rhet.* 1.1356b1; *Rhet. Her.* 4.62; Quint. *Inst.* 5.11.6 calls it the *potentissimum* use of simile. Cf. Cic. *Inv.* 2.19 and 2.25, where Cicero discusses how to use *exempla* in prosecution and defence speeches, respectively. An interesting and humorous glimpse into late Republican usage is given at Cic. *Acad.* 2.13. See Kelly 2008, 258-9 for modern discussion of *exempla* as a rhetorical strategy.

⁶⁹ Rambaud 1953a, 37, 40; Hallward 1931, 236.

τὸ λέγειν πράγματα προγενομένα, ἔν δὲ τὸ αὐτὸν ποιεῖν (*Rhet.* 2.1393a28-31).

The sole criterion was that the similarity be appropriate (*Rhet. Her.* 4.61; Quint. *Inst.* 5.11.26).

This raises two important questions about Cicero's rhetorical practice: why did the use of military *exempla* appeal to him so much, and were they appropriate in the context of unmilitary arguments? As Kelly notes, "*exempla* can be manipulated, and with difficulty changed, but there is no guarantee the intended reception will prevail."⁷⁰ Cicero's military *exempla* serve a variety of immediate purposes, depending on the exigencies of the present circumstances. For instance, an allusion to L. Aemilius Paulus (cos. II 168)⁷¹ serves quite a different purpose in a defence speech for a military man (*Mur.* 31) than in a political one advocating war (*Cat.* 4.21) or a philosophical treatise praising bravery in the face of death (*Tusc.* 1.89).

Such rhetorical exigencies are responsible for what Rambaud laments as the "noble, mais ambiguë" position of history in Cicero's works: it is "noble, car elle est garante ou conseillère de l'action; ambiguë, car elle n'est pas traitée pour elle-même."⁷² Yet the orator's chief aim was to persuade, and it is not entirely fair to Cicero to be surprised by the almost opportunistic means of his (public) engagement with the past. What is interesting is the value judgement implicit in the comparisons with historical examples. *Exempla* served an important social function for the Romans, on account of their relationship with the *mos maiorum*. By providing concrete illustrations of virtue (or vice) the *exempla* functioned as historical arbiters

⁷⁰ Kelly 2008, 259.

⁷¹ Figures in this chapter will be identified by consular year. Sources may be found at *MRR* and Shackleton Bailey 1992, 1995, 1996. In the case of incomplete or ambiguous nomenclature, the identification given by Shackleton Bailey is followed.

⁷² Rambaud 1953a, 46. Rawson 1972, 33 argues that Cicero's historical interests are primarily antiquarian.

of morality, in addition to serving as a reference point for comprehending the Roman collective past.⁷³ David goes so far as to claim that “l’*exemplum* n’a d’autre fonction que de fixer pour les contemporains de Cicéron la conformité au comportement traditionnel.”⁷⁴ Such a polarized view is impossible to verify (especially given Cicero’s dominance over the surviving sources of the late Republic) but it provides an attractive explanation for the unmilitary capacity in which he deploys military *exempla*.

The fact that military figures represent the vast majority of *exempla* used by Cicero is a striking indication of Roman sensitivity to military glory.⁷⁵ It also reflects the degree of social regard for the *auctoritas* resulting from military distinction. In his words, *declaratur autem studium bellicae gloriae, quod statuas quoque videmus ornatu fere militari* (*Off.* 1.61; cf. *Leg. Man.* 6). Unfortunately, no formal register of *exempla* has survived and there is no way to evaluate novelty in his choice of comparisons.⁷⁶ The only surviving specifically military collection, from Valerius Maximus, is of little use as a model because it discusses only fourteen military men in connection with military discipline (2.7). The fact that Cicero mentions most of these examples in more positive military contexts indicates that

⁷³ Cf. Roller 2004, 8; cf. 4-6, where a four-stage creation process is outlined.

⁷⁴ David 1980, 84-5, referring to *exempla* in Cicero’s forensic speeches; cf. Hölkescamp 1996. Van der Blom 2010 provides an extensive study of Cicero’s use of *exempla* to demonstrate his conformity with traditional values and thus merit on the political stage. Unfortunately, it was published too late for me to incorporate it into this discussion.

⁷⁵ Rambaud 1953a, 27-35 lists the historical figures mentioned by Cicero, which fall neatly into groups according to the major conflicts of Roman history: the heroes of the early Republic, the Punic Wars, From the Conquest of Greece to Scipio Aemilianus, the Gracchi, and the Social War and Marius and Sulla. On his attitude towards military *gloria*, see below, pp. 159-68.

⁷⁶ Lind 1979, 12 suggests that Cicero used the collections of Valerius Antias (c. first century) for his foreign *exempla* and Coelius Antipater (second century) for the Roman ones. Neither collection survives except in fragments. Litchfield 1914, 62-3 identifies eleven key books or lists of *exempla* in his study of Roman usage from its beginnings until the early fifth century AD, of which five are lost. David 1980, 84, counts some 400 *exempla* in Cicero’s speeches, although many of these are near-contemporary figures and therefore not *exempla* by my definition.

allusions to *exempla* could refer to any aspect of the figure's character or record. It is not known which virtues or vices were normally attached to each *exemplum*, or whether these attributes were fixed.⁷⁷ That some *exempla* were considered inappropriate in certain contexts is suggested by Cicero's tendency to refer to remote and controversial men only in the treatises, unless they have special relevance to a particular speech. For instance, Horatius Cocles is mentioned only twice, both times in treatises (*Off.* 1.61; *Parad.* 12), and T. Manlius Imperiosus Torquatus (cos. III 340) appears in the speeches only at *Sul.* 32, to draw a parallel between his disciplinary zeal and the (allegedly) similar zeal of the Torquatus who was prosecuting Cicero's client.⁷⁸

The *exempla* are concentrated in the speeches and treatises, consistent with the rhetorical demands of these genres compared to letters. The passages range in length from mere mentions of names to extended prosopopoeia in the treatises. They also frequently take the form of lists, which read like an attempt to overwhelm the opposition by the sheer volume of precedents adduced (esp. *Pis.* 58). Two main types of allusion may be identified. The first comprises the most conventional use of *exempla*, as may be gauged by the conformity of these passages to the rhetorical theory outlined above, and also their brevity and formulaic structure, which indicate that Cicero was drawing on existing discourse and could rely on his audience to supply meaning to the comparison. The second type is distinguished by specialized

⁷⁷ Coudry 2001, 47 notes that M. Furius Camillus is cited for almost every Roman virtue by the ancient authors. Cf. Litchfield 1914, 28-35 and the many *exempla* for whom multiple virtues or vices are adduced.

⁷⁸ Cocles is credited in legend with defending the Sublician bridge against Porsenna's advance until it could be destroyed from the Roman side, and then swimming back across the Tiber. On his use as an *exemplum*, see Roller 2004. In 340 Torquatus executed his own son for disobeying orders in the field. Berry 1996, n. *ad loc.* notes that "later generations looked back uneasily on Torquatus as a model of antique severity and patriotism." Cf. Val. Max. 2.7.5.

exemplary functions which yield a more subjective citation. There are three groups of these: foreign *exempla*; P. Cornelius Scipio Aemilianus Africanus and the other military interlocutors in the treatises; and Marius, Cinna, and Sulla as *exempla* whose identities were established or refined by Cicero. The fact that these groups break down along chronological lines is noteworthy and reflects, as will be seen, the degree of his familiarity with and interest in military men as they approach his own time.

Conventional comparisons

It is indicative of flexibility of Ciceronian *exempla* that the most straightforward type is practically ubiquitous in his public writings and encompasses military men from all periods of Roman history. In the speeches, such allusions are naturally concentrated in orations concerning military matters (e.g. the *Pro lege Manilia* and the *Philippics*) and relating to military men.⁷⁹ Dramatic settings and subject matter disrupt this practice in the treatises to a certain extent, but military *exempla* are nevertheless abundant.⁸⁰ The amount of detail in the respective passages varies widely, but it should be remembered that these men were well known and lengthy recapitulations of their records were unnecessary as well as outwith the rhetorical scope of Cicero's works.

This is especially evident in his use of exemplary catalogues, as mentioned above. These catalogues represent his most concise form of comparison, and are tantamount to name-dropping. The most pointed examples occur in the speeches,

⁷⁹ Esp. the *Verrines*, *Pro Murena*, *Pro Archia*, *Pro Balbo*, *In Pisonem*, and *Pro Plancio*. The only speeches that do not contain military *exempla* are *Pro Q. Roscio*, *Pro Tullio*, and *Pro Marcello*.

⁸⁰ The rhetorical treatises tend not to contain many references to military men (*De optimo genere oratorum* and *Partitiones oratoriae* do not contain any), and *De re publica*, *De senectute* and *De amicitia* are set in the second century. However, the preface to *De re publica* contains a pointed reference to the conflicts of the first century.

whereas catalogues in the treatises generally concern fewer figures but provide more detail about each. Only two examples need be cited here, as others will be discussed in due course below. At *Parad.* 12 the military achievements of Horatius Cocles, two of the Decii Mures⁸¹ (cos. 340; cos. IV 295, respectively), and the brothers Cn. Cornelius Scipio Calvus (cos. 222) and P. Cornelius Scipio (cos. 218) are explicitly mentioned to support Cicero's argument that *quid honestum sit, id solum bonum esse*. Cocles' source of military *gloria* has already been noted;⁸² the *devotiones* of the Decii led to Roman victories at Vesuvius in the Latin War (340) and Sentinum in the Third Samnite War (295), and Cn. and P. Scipio used their bodies to forestall *Carthaginiensium adventum* during the Second Punic War. The detail provided in this passage makes the military context of the comparison clear, but this is not always the case. Compare the list of *exempla* at *Sest.* 143:

Qua re imitemur nostros Brutos, Camillos, Ahalas, Decios, Curios, Fabricios, Maximos, Scipiones, Lentulos, Aemilios, innumerabilis alios qui hanc rem publicam stabiliverunt; quos equidem in deorum immortalium coetu ac numero repono. Amemus patriam, pareamus senatui, consulamus bonis...

Although this comparison emphasizes Cicero's political agenda, it does not obscure or detract from the military achievements of the majority of the figures cited. M. Furius Camillus (dict. V 367) repulsed the Gauls from Rome in 390, and the Decii, C. Fabricius Luscinus (cos. II 278), M'. Curius Dentatus (cos. IV 274), Q. Fabius Maximus Verrucosus "Cunctator" (cos. V 209), and the Scipiones, were all directly

⁸¹ Litchfield 1914, 46 notes that Cicero is the only ancient author to cite the third Decius (cos. 279) as an *exemplum*, at *Fin.* 2.60. His *devotio* at Asculum during his consulship did not result in a Roman victory, but such heavy losses were inflicted on Pyrrhus that it gave rise to the term "Pyrrhic victory."

⁸² See above, n. 78.

or indirectly responsible for ending major wars.⁸³ The unifying factor *rem publicam stabiliverunt* allows Cicero to superimpose patriotic ideals over military accomplishment, thereby manipulating the *auctoritas* of the military *exempla* to support an argument which need not otherwise concern the army.

This strategy may also be observed in the more elaborate citations of military *exempla*. As Vigourt notes, references to military *exempla* tend to focus on the consequences of victory, or the *exemplum*'s attitude towards it, rather than on the victory itself.⁸⁴ For Cicero, this entails an emphasis on military accomplishment as a concrete manifestation of service to the state, whereby military men are seen as the defenders of the Republic. The effects of the resulting comparisons can be condensed into three main types: direct comparisons which praise or blame their contemporary subject, the use of battle exploits as illustrations of civic virtue, and context-driven historical anecdote. Although military details are given or implied in each type of comparison, they are never the focus of the passage. This further demonstrates the gravity of military *auctoritas*, which, combined with the artless quality of many of the remarks, indicates that these allusions derived their effect from commonly held, traditional perceptions of the respective men.

The praise-and-blame type of passages occur in a variety of forms, the most common of which is positive comparison leading to self-aggrandizement – whether for Cicero himself or for his client. Unsurprisingly, this use of *exempla* occurs

⁸³ Fabricius negotiated Pyrrhus' withdrawal from Italy after Asculum (279); Curius defeated Pyrrhus at Malventum (subsequently renamed Beneventum, 275); and Maximus' strategy of avoiding pitched battle with Hannibal's troops turned the Second Punic War into a war of attrition, eventually allowing Scipio Africanus to gain the upper hand. The Scipiones Africani are discussed below. The relevance of the remaining unmilitary figures is explained by Kaster 2006, n. *ad loc.*

⁸⁴ Vigourt 2001, 127.

almost exclusively in the speeches, where personal pleading is to be expected. The exception proves the rule:

Hinc enim illa et apud Graecos exempla, Miltiadem, victorem domitoremque Persarum... et Themistoclem, patria quam liberavisset pulsum atque proterritum.... vel exilium Camilli, vel offensio commemoratur Ahalae, vel invidia Nasicae, vel expulsio Laenatis, vel Opimi damnatio, vel fuga Metelli, vel acerbissima Gai Mari clades... Nec vero iam meo nomine abstinent. (*Rep.* 1.5-6)

Such personal rhetoric could only be appropriate in the preface of a treatise. Cicero identifies the circumstance which links him with these military men as *calamitates clarissimorum virorum iniuriasque iis ab ingratis impositas civibus* (*Rep.* 1.4) – that is, his exile in 58-57. It is a recurring theme which informs the majority of Cicero’s associations of himself with military figures. The cases of the Greek *exempla* and Marius will be discussed in more detail below but we may note here their distinctly military identities as over against the civilian identities of the remaining *exempla*, who, like Cicero in 63, took up arms against men who endangered the state and subsequently fell under suspicion themselves.⁸⁵ The appeal to the military figures may seem presumptuous, but the shared circumstance of exile, punishment, and restoration makes these exemplary comparisons effective. It also illuminates Cicero’s frame of reference for processing both the injury of exile and the triumph of recall. He claims that M. Atilius Regulus (cos. II 256) was not punished compared to him (*Pis.* 43) – despite a gruesome reference to Regulus’ punishment at the hands of

⁸⁵ C. Servius Ahala assassinated the would-be tyrant Sp. Maelius (439); P. Cornelius Scipio Nasica Serapio (cos. 138) led the riot in which Ti. Sempronius Gracchus (tr. pl. 133) was killed (133); P. Popilius Laenas (cos. 132) was forced into exile by Gracchus’ brother Gaius (II tr. pl. 122) for his punishment of the followers of Tiberius (123); and L. Opimius (cos. 121) received the first *senatus consultum ultimum*, to put down the violence of C. Gracchus.

the Carthaginians, after he returned to them as pledged, having failed to negotiate an exchange of prisoners with Rome.⁸⁶ Elsewhere he rejoices that he was called to devote himself like the Decii Mures *pro salute universae rei publicae* (*Dom.* 64), and compares himself especially to Camillus and Q. Metellus Metellus Numidicus (cos. 109) as fellow exiles.⁸⁷ In a more convoluted comparison Cicero considers himself to be better off than P. Valerius Poplicola (cos. IV 504) because his entire house was restored by the state and not merely the land (*Har.* 16).

Cicero's references to the *novitas* of Ti. Coruncanius (cos. 280), Curius, Fabricius, and Camillus may also be considered as a type of self-aggrandizement. These citations are concentrated in the speeches, and frequently take the form of catalogues.⁸⁸ Von Ungern-Sternberg has suggested that this emphasis on new men among the traditional heroic figures may be a uniquely Ciceronian phenomenon, since it is not developed by any other authors.⁸⁹ Cicero's natural sympathy toward fellow *novi homines* will be discussed in more detail below, with regard to his treatment of Cato and Marius. It should be noted here, however, that the military

⁸⁶ *Nec mihi ille M. Regulus... videtur adfectus.* The entire story is told at *Off.* 3.99-115 *passim*.

⁸⁷ *Esp. Dom.* 86 (Camillus); *Clu.* 95; *Red. sen.* 37; *Red. pop.* 6, 9, 11; *Dom.* 82, 87; *Sest.* 101; *Planc.* 89; *Leg.* 3.26 (Numidicus). Cf. Coudry 2001, 57 on the concentration of Cicero's references to Camillus in the years 57-56. Cicero also cites Q. Servilius Caepio (cos. 106) and P. Rutilius Rufus (cos. 105) as examples of exiles. See *Balb.* 28, *Tusc.* 5.14 (Caepio); *Font.* 38; *Balb.* 28; *Pis.* 95; *Scaur.* fr. d; *ND* 3.80, 86 (Rufus). Camillus went into voluntary exile after being accused of misappropriation of the booty from Veii, Numidicus was banished for refusing to swear to an agrarian law of L. Appuleius Saturninus (tr. pl. 100), Caepio was expelled for losing his army due to disobedience at Arausio (105), and Rufus went into exile following his conviction (almost certainly unjustly) on the charge of extortion.

⁸⁸ *Mur.* 17, *Sul.* 23, *Cael.* 39; *Planc.* 20; *Brut.* 55; *ND* 2.165; *Sen.* 15, 43; *Am.* 18, 39. See also Berrendonner 2001, 97-116. It should be noted that Curius, Fabricius, and Camillus are cited predominantly in a military context in the treatises, whereas Coruncanius is cited as *Pontifex Maximus*. L. Caecilius Metellus Caecus (cos. II 247) and P. Cornelius Scipio Nasica Corculum (cos. II 155) are other examples of *Pontifices Maximi* whose military background Cicero ignores in the treatises. He uses the office to define the active and happy old age of Metellus and Nasica in the *De senectute* (§§30 and 50, respectively), where he notes Coruncanius' justice in that role. In the *De domo sua* this is in contrast to allegedly corrupt pronouncements about Cicero's house (§139), and in the *De legibus* it is in connection with pontifical law (2.52; cf. *ND* 1.115, 3.5).

⁸⁹ Von Ungern-Sternberg 2001, 190. Cf. Berrendonner 2001, 98, 104; Rambaud 1953a, 47.

identities of these men are critical to the effect of the resulting comparisons – which seem to reflect upon Cicero by proxy. We may be certain that he includes himself in the ranks of *Camillos, Fabricios, Curios omnisque eos qui haec ex minimis tanta fecerunt* (*Cael.* 39) regardless of the outward context of the remark and its apparent lack of relevance to military achievement.

A similar technique is used when he alludes to military figures for the benefit of his clients. Significantly, these references are concentrated in defence speeches for military men whom he defended. In the course of his defence of L. Cornelius Balbus' assumption of citizen rights, Cicero presents a catalogue of *imperatores quorum vivit immortalis memoria et gloria*, whose conquests made it possible for people like Balbus to become Roman citizens.⁹⁰ In the *Pro Murena*, L. Cornelius Scipio Asiaticus' (cos. 190) decisive victory over Antiochus III of Syria furnishes a political counterpoint to the prosecution's disregard for victories over eastern enemies: L. Licinius Murena had also distinguished himself in the east, and Cicero's defence rested on the value of his military skill to a state threatened by Catiline and his army. A parallel between Deiotarus' loss of part of Galatia to Caesar and Asiaticus' annexation of Asia is slightly more forced (*Deiot.* 36), but indicative of the light touch required when pleading to Caesar himself. Cicero makes Deiotarus, like Antiochus III, relieved to have a smaller kingdom, while simultaneously equating Caesar's accomplishment to Asiaticus' victory at Magnesia. A clearer analogy is developed in the *Pro Plancio*, where Cicero challenges the judges at Cn.

⁹⁰ *Balb.* 40: *Scipiones, Brutos, Horatios, Cassios, Metellos, et hunc praesentem Cn. Pompeium.* Specific, recent cases are listed in §50, all concerning military men.

Plancius' trial *de ambitu* to consider whether Plancius would even be under suspicion if his origins were more illustrious.

... quid potuerit amplius adsequi Plancius, si Cn. Scipionis fuisset filius. ... Quis nostrum se dicit M'. Curio, quis C. Fabricio, quis C. Duellio parem, quis <A.> Atilio Calatino, quis Cn. et P. Scipionibus, quis Africano, Marcello, Maximo? Tamen eosdem sumus honorum gradus quos illi adsecuti. (*Planc.* 60-1)

A. Atilius Calatinus was the first dictator to lead an army outside Italy (to Sicily in 249) and M. Claudius Marcellus (cos. V 208) quelled the revolt at Syracuse (216-214) – both decisive military firsts. In the *Pro Murena*, also a trial *de ambitu*, Cicero cites the victories of Curius, T. Quinctius Flamininus (cos. 198), M. Fulvius Nobilior (cos. 189), L. Aemilius Paulus, Q. Caecilius Metellus Macedonicus (cos. 143), and L. Mummius (cos. 146) to bolster his argument that generals – such as Murena – are of more service to the state than orators.⁹¹ A similar list is cited in the *Pro lege Manilia*, where the *felicitas* of Maximus, Marcellus, one of the Scipiones Africani, and Marius is explicitly linked to Pompey's track record in order to identify him as a *summus imperator* and thus an ideal candidate for the command.⁹² Marius, T. Didius (cos. 98), Q. Lutatius Catulus (cos. 102), and P. Licinius Crassus Lusitanicus (cos. 97) are likewise praised as *non litteris homines ad rei militaris scientiam, sed rebus gestis ac victoriis eruditos* at *Font.* 43, where Cicero cites a lengthy list of military men lost since the Social War to bolster his argument that the next generation –

⁹¹ *Mur.* 30-31. Flamininus defeated Philip V of Macedonia at Cynoscephalae in 197; Fulvius defeated Aetolians and Cephallenians in 189; Paulus defeated Perseus at Pydna in 168; Macedonicus recaptured Macedonia in 146; and Mummius sacked Corinth in 146.

⁹² *Leg. Man.* 47; cf. 28. The ambiguity of the reference to *Scipioni* was likely deliberate and meant to invoke both Africanus and Aemilianus. Cf. Kaster 2006, n. to *Sest.* 143.

including his client M. Fonteius – must be preserved at all costs.⁹³ The entire *populus Romanus* is brought into Cicero's defence of the poet A. Licinius Archias when Cicero cites historical pairings of poets and military patrons in his client's defence. After mentioning the elder Scipio Africanus, Cato, Maximus, Marcellus, and Fulvius, Cicero concludes that *eis laudibus certe non solum ipse qui laudatur sed etiam populi Romani nomen ornatur* (Arch. 22).

Not all comparisons with historical military men were positive, however. David's theory about *exempla* serving to reinforce the *mos maiorum* applies especially to this type of passage, where the connotations of military discipline intensify the effect of the comparison. C. Verres (propr. Sicily 73-71) and L. Calpurnius Piso Caesoninus (procos. Macedonia 57-55) bear the brunt of Cicero's rhetoric in this connection. Both men are condemned as poor generals, corrupt and misguided, and it is clear that their transgressions – while magistrates – particularly offended Cicero.⁹⁴ Consider this explicit denunciation of Verres:

... ut sciatis, quoniam plura genera sunt imperatorum, ex quo genere iste sit, ne qui diutius in tanta penuria virorum fortium talem imperatorem ignorare possit. Non ad Q. Maximi sapientiam neque ad illius superioris Africani in re gerunda celeritatem, neque ad huius qui postea fuit singulare consilium, neque ad Pauli rationem ac disciplinam neque ad C. Mari vim atque virtutem; sed aliud genus imperatoris sane diligenter retinendum et conservandum, quaeso, cognoscite. (Ver. 5.25; cf. §14)

⁹³ Cn. Pompeius Strabo (cos. 89) and Sulla are also mentioned, among legates and *praetorios homines, belli gerendi peritissimos*, respectively. Strabo's service in the Social War, which earned him a triumph for ending the conflict in the north, is also mentioned at *Leg. Man.* 28; *Balb.* 50; *Phil.* 12.27. Significantly, Cicero never mentions Strabo's role in the early years of the civil war; cf. Bulst 1964, 311-12. Sulla is discussed below.

⁹⁴ *Ver.* 5.26-31, 80-92, 152. *Pis.* 37-40, 47. On Cicero's antagonism towards Verres and Piso as misbehaving governors, see below, pp. 187-204 *passim*.

Verres is also contrasted specifically with Marcellus and Aquilius, whose own service in Sicily made them excellent parallel cases. Unlike Verres, Marcellus spared public buildings, sent the spoils back to Rome, and was merciful to the inhabitants.⁹⁵ Allusions to Aquilius' suppression of the Second Servile War (104-101) underscore the peace which Verres had disrupted (*Ver.* 5.5, 7; cf. 3.125). Verres' misconduct is ultimately expressed as an inversion of Marcellus' military virtue: *conferte hanc pacem cum illo bello, huius praetoris adventum cum illius imperatoris victoria* (*Ver.* 4.115).

Piso is never so comprehensively attacked as an *imperator*, but his apparent lack of interest in seeking a triumph is disparaged with an exceptionally lengthy catalogue.

... ter iam homo stultus [sc. Pompeius] triumphavit. Crasse, pudet me tui. Quid est quod confecto per te formidolosissimo bello coronam illam lauream tibi tanto opere decerni volueris a senatu? P. Servili, Q. Metelle, C. Curio, L. Afrani, cur hunc non audistis tam doctum hominem, tam eruditum, prius quam in istum errorem induceremini? ... O stultos Camillos, Curios, Fabricios, Calatinos, Scipiones, Marcellos, Maximos! o amentem Paulum, rusticum Marium, nullius consili patres horum amborum consulum, qui triumpharint! (*Pis.* 58)

The contemporary *exempla* complement the historical ones and reinforce Cicero's conception of military values: if Piso deserved a triumph, he would have petitioned for one, as these men did.⁹⁶ Cicero also uses military figures to mock Piso's serious bearing: *gravis auctor, Calatinus credo aliquis aut Africanus aut Maximus* (*Pis.* 14; cf. §39).

⁹⁵ *Ver.* 4.120-3; cf. 1.55; 2.4; 4.130-1; 5.158-69.

⁹⁶ On Cicero's attitude towards triumphs and military *gloria* generally, see below, pp. 159-68.

Other negative *exempla* include Cn. Marcius Coriolanus, Ti. Veturius Calvinus and Sp. Postumius Albinus (coss. 334, 321), P. Claudius Pulcher and L. Junius Pullus (coss. 249), C. Flaminius (cos. II 217), and Q. Pompeius (cos. 141). Cicero never mentions these men in explicit comparison with his peers, but cites them as *exempla* in order to elucidate theoretical arguments. Coriolanus, Flaminius, and Pompeius were reasonably prominent commanders,⁹⁷ but obliterated their reputations by turning against Rome, the Senate, and the allies, respectively. Accordingly, Cicero asks whether Coriolanus' friends ought to have taken up arms with him against Rome (*Am.* 36) and compares his fate to that of Themistocles, who, like Coriolanus, was forced into exile by public animosity (*Brut.* 41-3; *Am.* 42). Flaminius' insubordination is not dwelled on so much as his death in battle at Trasimene in 217, said to be the result of his neglect of religious duty.⁹⁸ Pompeius is invoked to show that an unprincipled man cannot also be virtuous: for dishonouring a treaty with the Numantines, Cicero labels him *callidus improbus* (*Fin.* 2.54). Finally, the two consular pairings of Pulcher and Pullus, and Calvinus and Albinus, are cited as examples of military misconduct with disastrous results for Rome. Pulcher and Pullus both ignored the auspices and subsequently lost their fleets at Drepana in 249.⁹⁹ Calvinus and Albinus, on the other hand, negotiated an unauthorized peace with the Samnites when they found themselves surrounded at the Caudine Forks in 321. As punishment *dediti sunt iis [sc. Samnitibus]* (*Off.* 3.109; cf. *Sen.* 41). It is

⁹⁷ According to tradition, Coriolanus received his name from participation in the Roman conquest of Corioli (493); Flaminius was the first to march an army across the River Po (217); and Pompeius was Macedonicus' successor in the Numantine war.

⁹⁸ *ND* 2.8; *Div.* 1.77; 2.67, 71. Cf. *Brut.* 57; *Sen.* 11 concerning his attempt to give away land against the Senate's wishes.

⁹⁹ *Div.* 1.29; 2.20, 71; *ND* 2.7. Pulcher famously had the uncooperative sacred chickens thrown overboard *ut biberent, quoniam esse nollent* (*ND* 2.7).

important to note that although these men are criticized, they are never demonized. As Chassignet notes (with regard to Capitolinus and other, unmilitary, *exempla*), negative *exempla* are defined by their use of otherwise positive attributes.¹⁰⁰ Military misconduct had the potential to put the Republic at risk, and Cicero's references to these men underscore this threat. In the reported words of Fabricius, after helping a man who was dishonest but an outstanding general to win the consulship, *nihil est quod mihi gratias agas si malui compilari quam venire* (*De orat.* 2.268).

The next type of comparison concerns civic virtue displayed on the battlefield. Regulus, the Decii, and Torquatus Imperiosus are the best examples, and typify Cicero's perception of military men as defenders of the Republic. Their legendary fidelity, piety, and discipline respectively, were the product of warfare but had clear relevance to the *mos maiorum* in a civilian context. Cicero uses Regulus to illustrate the importance of keeping one's word, even to enemies (*Off.* 1.39; cf. *Phil.* 11.9; *Fin.* 2.65), and recounts the story in detail as a case study in the debate between *honestas* and *utilitas* in the *De officiis* (3.99-115 *passim*). He also describes the *devotiones* of the three Decii numerous times, praising the act as one performed *pro salute patriae*.¹⁰¹ Torquatus, however, is a more controversial *exemplum* because his reputation came at the expense of his own son's life. His military achievements form a triad in Cicero's references to him: he wrested the *torques* from the neck of a Gaul to gain the name Torquatus, routed the Latins during the Samnite Wars, and executed his son for disobeying orders in the field (*Fin.* 1.23; *Off.* 3.112). Yet to the extent

¹⁰⁰ Chassignet 2001, 89.

¹⁰¹ *Fin.* 5.64; cf. *Dom.* 64; *Fin.* 2.61; *Div.* 1.51; *ND* 3.15.

that he valued *ius maiestatis atque imperi* more than paternal affection¹⁰² he is justly cited as an *exemplum* of patriotism.

Patriotism is also the theme of the catalogues at *Sest.* 143 and *Rep.* 1.1,¹⁰³ where liberty and the victories of illustrious commanders are attributed to their love for their country. Regulus is also called *sapiens* (*Fin.* 5.82-3), as is Maximus (*Ver.* 5.25) who is appropriately further praised as *consideratus et lentus* (*Rep.* 5.10) and *callidus* (*Off.* 1.108). Curius and Fabricius are treated as paragons of integrity, for rejecting Pyrrhus' gold even though, according to Cicero, they were poor.¹⁰⁴ Fabricius is additionally commended as *iustus* because he sent back to Pyrrhus a defector who offered to poison the king (*Off.* 1.40; 3.16, 86). It will be noted that this type of allusion occurs almost exclusively in the treatises. Again, context is the determining factor, since without a specific impetus such theoretical parallels would be inappropriate in a forensic or deliberative speech.

Context absolutely controls the last type of the conventional comparisons. These take the form of anecdotal or apocryphal information and frequently do not involve an explicit comparison. One exception is at *Phil.* 5.48, where the Decii, M. Valerius Maximus Corvus (cos. VI 299), the elder Africanus, and Flamininus are cited as examples of underage consuls in Cicero's argument for senatorial sanction of the then 19-year-old Octavian.¹⁰⁵ Although not as specific, a reference to L. Calpurnius Piso Frugi (cos. 133) as the author of the first extortion law at *Ver.* 3.129

¹⁰² *Fin.* 1.23. Cf. *Fin.* 1.35; 2.60; *Tusc.* 4.49-50; *Sul.* 32 and Berry 1996, n. *ad loc.*; Val. Max. 2.7.6.

¹⁰³ The opening of *Rep.* 1.1 is fragmentary, but seems to be a praise of active service to the state. Zetzel 1995, n. *ad loc.* reconstructs the lost opening as "If they had not preferred virtue to the enticements of *voluptas* and *otium*..."

¹⁰⁴ *Rep.* 3.6, 40; *Parad.* 48; *Tusc.* 3.56. On the emergence of *paupertas* as a virtue, see Vigour 2001, 125-6.

¹⁰⁵ Shackleton Bailey 1995 notes that the reading *Corvini* is a slip by Cicero, and that Corvus is meant.

has special relevance in that context because of Piso's command during the Sicilian slave revolt (135-132).

More typically, however, the *exemplum* is cited to bolster a free-standing argument without reference to a contemporary situation. Cicero never mentions the military responsibilities that attended both of L. Quinctius Cincinnatus' dictatorships (458 and 439), only that he was called *ab aratro... ut dictator* (*Fin.* 2.12; cf. *Rep.* 2.63; *Sen.* 56). Poplicola is mentioned in the *De re publica* for his decree that the consular lictors should precede each consul in alternate months (2.55), but not for leading the resistance against Porsenna or for the triumphs he and his consular colleague T. Lucretius Tricipitinus celebrated in 504 for their defeat of the Sabines and Veians. In the *De senectute*, the unprecedented naval victory of C. Duilius (cos. 260) over the Carthaginians is explicitly mentioned, but as a preface to the Elder Cato's recollection of seeing him enjoy the pleasures of dinner parties in his old age.¹⁰⁶

As these examples show, this type of allusion is concentrated in the treatises. The *Brutus* and the *De divinatione* are particularly rich sources, although important examples occur elsewhere. The mention of numerous military men in the *Brutus*, a work devoted entirely to orators, underscores the relationship between military service, public life, and eloquence. Of special note are references to Fabricius' negotiations with Pyrrhus (§55) and Flaminius' careful use of Latin (§109), as well as the explicit connection between eloquence and the status of *princeps civis* for Paulus (§80) and Pompeius' political advancement *sine ulla commendatione*

¹⁰⁶ *Sen.* 44. Cf. *Sen.* 11 and the mistaken reference to the role of M. Livius Salinator (cos. II 207) in the (re)capturing of Tarentum.

maiorum (§96). The army provides many examples in the *De divinatione*, as has already been seen in the discussion of negative *exempla*. We are also told of prophecies concerning the *devotiones* of the Decii (1.51; 2.136), Sulla's success at Nola (1.72; 2.65), and the fall of Veii (1.100; 2.54, 59). Although the second book is highly critical of prophecy and foreknowledge – in 2.97 Cicero asks whether all the soldiers who died at Cannae had the same horoscope – the use of the army as a point of reference highlights the link between the security of the Republic and the propitious conduct of the commanders.

More general themes elucidated by means of military *exempla* include friendship and productivity in old age,¹⁰⁷ as well as death. At *Tusc.* 1.89 Cicero gives a catalogue of heroes who met their deaths undaunted and achieved much because of it:

Quae quidem si timeretur... non cum Latinis decertans pater Decius, cum Etruscis filius, cum Pyrrho nepos se hostium telis obiecissent; non uno bello pro patria cadentis Scipiones Hispania vidisset, Paulum et Geminum Cannae, Venusia Marcellum, Litana Albinum, Lucani Gracchum. (cf. *Tusc.* 1.110)

The same *exempla* also appear at *Sen.* 75 as men who faced death *alacri animo et erecto*. Yet the *De senectute* as a whole is an optimistic reflection on old age, whereas Book 1 of the *Tusculanae disputationes* is an exhortation to despise death. The deaths of military *exempla* are treated in yet another way at *ND* 3.80, where the tragic ends of Cn. and P. Scipio, Marcellus, Paulus, Regulus, Africanus, and Catulus

¹⁰⁷ On friendship: *Am.* 18, citing Coruncanius and Curius, and consular colleagues Fabricius and Q. Aemilius Papus (cos. II 278). On productivity in old age: *Sen.* 15, 50, citing Corvus, Nasica Corculum, Maximus, Fabricius, Curius, and Coruncanius.

are lamented as proof that – contrary to the assertions at *ND* 2.165 – *boni* are not specially provided for by the gods.¹⁰⁸ Like the earlier examples, the form of the argument is determined by the unmilitary theme of the treatise, even though it derives its force from the use of military *exempla*. An exceptional instance of this sort of adaptation occurs in the preface of the *Brutus*:

Atque ut post Cannensem illam calamitatem primum Marcelli ad
Nolam proelio populus se Romanus erexit posteaque prosperae res
deinceps multae consecutae sunt, sic post rerum nostrarum et
communium gravissimos casus nihil ante epistulam Bruti mihi
accidit, quod vellem aut quod aliqua ex parte sollicitudines adlevaret
meas. (*Brut.* 12)

The persuasive force of this expression of personal, political relief in military terms is present in all of Cicero's conventional references to military men. The army provided a ready set of values which was particularly conducive to making comparisons concerning patriotism and service to the state. As the common ground between military *exempla* and civic rhetoric, these themes elevate the unmilitary arguments to which they are applied – sometimes to an absurd extent, as above, but most often in a credible, dignified, manner. Just as M^r. Aquilius (cos. 101) bared his battle-scarred breast to his judges and secured his acquittal,¹⁰⁹ so Cicero invokes Rome's military heroes as *exempla* in order to secure his victory on the rhetorical battlefield.

¹⁰⁸ On the *boni*, see Berry 1996, n. to *Sul.* 1.10 *boni viri*.

¹⁰⁹ *Ver.* 5.3; *Flac.* 98; *De orat.* 2.124, 195. On the power of such appeals to one's military record, see *Ver.* 5.2 and below, esp. pp. 93-105.

Foreign exempla

Having outlined Cicero's typical application of military *exempla* and its conformity to rhetorical theory, we may now turn to the more innovative references to historical military men. The first of these concerns foreign generals. Although this may seem like an odd inclusion in a discussion about Rome's military heritage, it is an important one because Cicero uses these men as foils for Roman achievements and values. Foreign *exempla* are not nearly as common as Roman ones in his writings, largely because of what Rambaud calls "le chauvinisme romain" – that is, the habit of giving precedence to domestic examples rather than foreign ones.¹¹⁰ Accordingly, in addition to the Homeric heroes, Cicero refers only to the Greek generals Miltiades, Leonidas, Themistocles, Pericles, Alcibiades, and Epaminondas; Philip II of Macedon and Alexander the Great; and the Persian kings Darius III and Xerxes II.

The allusions occur in both the speeches and treatises, but are concentrated in the latter, where Cicero was less fearful to display his appreciation of things Greek, and where literary context was more conducive to these *exempla*. In terms of form, the passages with the most military content follow the types of their Roman counterparts. Thus we have Agamemnon invoked in connection with navigating the Caicus river region (*Flac.* 72) and Philip as an example of a foreign conquering king (*Rep.* 3.15). Miltiades is significantly the first name in the catalogue of military men wronged by their countrymen at *Rep.* 1.5-6; he is linked with his rival Themistocles in other passages, since both men were forced into exile when the gratitude of their

¹¹⁰ Rambaud 1953a, p. 41. *Off.* 2.26 suggests that this only applied when the subject matter was flattering to Rome: a transition between foreign and Roman examples of bad government is signaled by the statement *externa libentius in tali re quam domestica recordor*.

countrymen turned into envy.¹¹¹ The quarrels and battles of the Homeric heroes figure prominently in the discussion of irrational emotions in Book 4 of the *Tusculanae disputationes* (esp. §§49-52), and numerous prophecies concerning Alexander are recounted in the *De divinatione*.¹¹²

Where these allusions differ from those to Romans, however, is in their force. Foreign *exempla* occur at the beginning of catalogues (e.g. *Rep.* 1.5-6; *Tusc.* 1.110), or are followed with a statement about the superior numbers of Roman *exempla* (esp. *Fin.* 2.62; *Tusc.* 1.117). Otherness is also echoed in the application of foreign *exempla* to negative arguments, such as Xerxes' deployment of his army to obtain honey from Hymettus – that is, lusting after pleasure – in a refutation of Epicurean ethics (*Fin.* 2.112; *Tusc.* 5.20). In a similar vein, an exchange between Pericles and Sophocles about the attractiveness of a young boy is recounted to illustrate the importance of context for such remarks (*Off.* 1.144), and a “Philippizing” oracle bribed by Philip is mentioned to illustrate the fallibility of the Delphic oracle (*Div.* 1.118; cf. *Fin.* 2.116). Both are transgressions which would be embarrassing to associate with a Roman precedent, and foreign *exempla* allow Cicero to make his point at arm's length. More importantly, however, military misconduct by foreigners had no effect on Rome's security, and might possibly assist it, so these comparisons do not carry the political or moral weight that the Roman ones do. Combined with the anecdotal nature of many of the details in these passages, this suggests that his attention to foreign military men was predicated on assumptions of Roman superiority and designed to reinforce this.

¹¹¹ *Sest.* 141; *Tusc.* 4.44. Miltiades played a key role at Marathon (490) but was exiled following a failed campaign against Paros. Themistocles led the Athenians at Artemisium and Salamis (480) but fell under suspicion after the Persian War and was ostracized c. 470.

¹¹² *Div.* 1.47, 53, 121; 2.141.

Military interlocutors

Cicero's use of military *exempla* as interlocutors, on the other hand, is anything but ornamental. The group is a small one – consisting of only four men – and overlaps chronologically with the men just examined. Yet the fact that Scipio Aemilianus (cos. II 134),¹¹³ his adoptive grandfather P. Cornelius Scipio Africanus Maior (cos. II 194), C. Laelius “Sapiens” (cos. 140), and M. Porcius Cato “Censorinus” (cos. 195; cens. 184) have lengthy speaking roles in the treatises sets them apart from the other *exempla* and warrants separate consideration.¹¹⁴ By bringing these *exempla* to life in this way, Cicero is able actively to adapt their exemplarity by emphasizing the attributes which serve his rhetorical purpose. The degree of reference to their military identity in the final product sheds light on his appreciation of these men as military men as well as upon his perception of the relationship between public life and military service.

Outwith their speaking roles, these men function in largely the same way as the conventional military *exempla*. Many passages refer solely to civic attributes, however, and the military records of the respective men are treated with differing degrees of detail. Africanus and Aemilianus receive by far the most military attention, in passages distributed evenly throughout the speeches and treatises. Cicero uses the name “Scipio” as a byword for military valour, and the *Scipiones*

¹¹³ For the sake of clarity, Africanus Minor shall be referred to by his adopted name Aemilianus, and Africanus Maior as Africanus.

¹¹⁴ They are major characters in the dialogues in the *Somnium Scipionis* (*Rep.* 6.9-29), the *De re publica*, the *De amicitia*, and the *De senectute*, respectively. The speeches of P. Rutilius Rufus (cos. 105, minor character in the *De re publica*) and Paulus (*Rep.* 6.15-16) are too brief for consideration here.

figure prominently in the catalogues of military *exempla*.¹¹⁵ Their chief military exploits also receive explicit and laudatory mention¹¹⁶ – although consistently in aid of an unmilitary argument. For instance, Cicero calls Africanus *clarus* and praises his *consilio atque virtute* in forcing Hannibal *in Africam redire atque Italia decedere* (*Cat.* 4.21; cf. *Mur.* 32; *Rep.* 1.1) in order to elucidate his own achievement in suppressing the Catilinarian conspiracy, by juxtaposition with a recognized saviour of Rome. In a similar vein, Aemilianus is praised as *singularis et vir et imperator* in connection with his subjugation of Numantia, in order to elevate by association Nasica's assassination of Ti. Gracchus in the same year: *parvi enim sunt foris arma, nisi est consilium domi* (*Off.* 1.76). Aemilianus is further called *Africanus qui suo cognomine declarat tertiam partem orbis terrarum se subegisse* to underscore his integrity in not giving evidence in a case where his own interests are concerned (*S. Rosc.* 103; cf. *Clu.* 134).

Cicero also exploits the familial relationship between Africanus and Aemilianus. In addition to depicting Aemilianus as completing the work of his grandfather (*Sen.* 19; cf. *Off.* 1.121), the victories of both men are cited as examples of the true happiness that attends *honestas* (*Fin.* 5.70). T. Annius Milo's assassination of Clodius is compared to Aemilianus' conquest of Carthage (146), with the argument that both men were born for their tasks and that Milo's act was likewise necessary for the security of the state (*Har.* 6; cf. *Sen.* 19). Hypothetical prophecies about Aemilianus' success in both Carthage and Numantia also anchor

¹¹⁵ Africanus: *Ver.* 5.25; *Mur.* 31; *Arch.* 22; *Phil.* 11.17; *Rep.* 1.1; *Parad.* 12; *ND* 2.165. Aemilianus: *Ver.* 5.14; *Leg. Man.* 60; *Rab. Post.* 2; *Phil.* 11.18. Both, or unclear: *Leg. Man.* 47; *Cat.* 4.21; *Sest.* 143; *Balb.* 40; *Pis.* 58; *Planc.* 60; *Phil.* 13.9; *De orat.* 210; *Tusc.* 1.110.

¹¹⁶ Most notably, Africanus' defeat of Hannibal at Zama (202), ending the Second Punic War, and Aemilianus' dual conquest of Carthage to end the Third Punic War (146) and Numantia (133). For a full account of the careers of both men, see Scullard 1970 and Astin 1967, respectively.

discussions about the infallibility of prophecy in the *De fato* and the *Somnium Scipionis*.¹¹⁷

The military careers of Laelius and Cato, on the other hand, receive very little attention in Cicero's writings. Laelius is not mentioned as a military man in the speeches, and Cato only twice – both times in vague allusions predicated on the presence of his great-grandson, M. Porcius Cato Uticensis.¹¹⁸ At *Mur.* 32 Cato's *virtus egregia* in the war against Antiochus concludes the list of decisive conflicts with foreign enemies which Cicero recounts to demonstrate the value of soldiering to the state. At *Arch.* 22 Cato is linked with Africanus and *illi Maximi, Marcelli, Fulvii* as examples of men who received poetic praise for their service to the Republic. The former passage is a direct attack on the younger Cato's dismissive attitude toward military glory, while the latter, with its explicit mention of *huius proavus*, is similarly meant to trap Cato with a family precedent in Cicero's favour.

The allusions in the treatises provide more concrete detail, but also more rhetoric. Ironically, Cato's military career is most often referred to in the *De senectute*, and is therefore described by Cato "himself."¹¹⁹ Cicero says little explicitly about Laelius' service, only mentioning his victory over the Lusitanian

¹¹⁷ *Rep.* 6.11; *Fato* 13, 27. At *Cat.* 4.21 Numantia and Carthage are simply condemned as *duas urbes infestissimas*.

¹¹⁸ Laelius was Aemilianus' chief legate at Carthage, and won a victory in the Lusitanian War whilst governor of Hispania Citerior (c. 145). See Astin 1967, 70 n. 1, 75, 102. Cato had a much more substantial military career in the Second Punic War and as military tribune at Thermopylae against Antiochus III (191). His *De re militari* was the first military handbook written in Latin. His career is treated fully by Astin 1978 with evaluation at pp. 49-50; cf. Scullard 1970, 186-8. On the *De re militari*, see Astin 1978, 184-5.

¹¹⁹ *Sen.* 10-11 (early service and Tarentum), 18 (policy against Carthage), 32 (in Punic War, Spain, and Thermopylae), 39 (Tarentum). Powell 1988, App. 3 discusses the historical accuracy of the *De senectute*, concluding that Cicero is trustworthy in the main, but that the literary agenda of the work must be borne in mind.

leader Viriathus in Spain. The earliest of these passages is particularly significant, and perhaps accounts for Laelius' enduring unmilitary identity.

Nam ut ex bellica laude aspirare ad Africanum nemo potest, in qua ipsa egregium Viriathi bello reperimus fuisse Laelium: sic ingeni litterarum eloquentiae sapientiae denique etsi utrique primas, priores tamen libenter deferunt Laelio.¹²⁰

Although it is unlikely that the distinctions were meted out so neatly, the comment is nevertheless justified by its literary context: Cicero uses Laelius and Aemilianus to define their chronological period in the *Brutus* (esp. *Brut.* 82), and naturally considers which of the two was the better orator. Context also dictates the form of a reference to Cato's *auctoritas* directing the Third Punic War after his death at *Off.* 1.79 (cf. *Rep.* 2.1; *Sen.* 18). Although the passage concerns military matters, it appears in a distinctly civic context, in order to illustrate that domestic leadership is as valuable to the state as generalship on the frontiers.

The inclusion of Cato and Laelius in the catalogues of military *exempla* is more problematic, and reveals a key aspect of Cicero's perception of these men as military men. Both are cited – along with Africanus and Aemilianus – as *exempla* of divinely enabled excellence at *ND* 2.165, and of fame which transcends the passage of time at *Tusc.* 1.110. Cato also appears at the end of the mainly military examples demonstrating the correspondence between *honestas* and *bonus* at *Parad.* 12, and follows Maximus and Paulus at *Tusc.* 3.70 in a list illustrating the belief that men should not grieve or lament publicly (cf. *Am.* 9-10). The themes of these catalogues do not preclude civic *exempla*; but the fact that the rest of the *exempla* are military

¹²⁰ *Brut.* 84; cf. *Off.* 2.40. Astin 1967, 81 denies that Laelius rivalled Aemilianus' career.

men suggests a military reference point. The placement of Cato and Laelius at the end of these exemplary catalogues¹²¹ must therefore reflect Cicero's estimation of them compared to the more prominent military men.

Clearly Cicero admired Africanus and Aemilianus, and at least acknowledged Cato and Laelius, as military men. However, it is not in this capacity that they serve as interlocutors in the *De re publica*, *De senectute*, and *De amicitia*. Their suitability as exponents of the unmilitary arguments in these works derives from a second exemplary identity, which is developed in his descriptions of their unmilitary attributes and achievements. This does not mean that their military identity is irrelevant to their function in the dialogues, but rather that it was not enough to make them credible spokesmen by itself.

There is in fact a marked division between military and unmilitary references to these men, although the individual ratios vary. Africanus is proportionally the most military *exemplum* of the group, yet he is noted for creating the laws of Agrigentum (*Ver.* 2.123), reallocating seating at the Megalensian Games as consul in 194 (*Har.* 24), defending Asiaticus against a Catonian tribune (*Prov.* 18),¹²² being a good speaker (*Brut.* 77), and enjoying exceptional political influence in his old age (*Sen.* 61).

¹²¹ In the passages cited here, Cato and/or Laelius is the last named *exempla*, followed by the equivalent of "and so forth". It will be noted that Cicero's exemplary catalogues tend to be arranged in chronological order (esp. *Ver.* 3.209; *Pis.* 58; *Parad.* 12), with foreign *exempla* listed first (e.g. *Rep.* 1.5-6; *Tusc.* 1.110). This could explain the placement of Cato and Laelius even as unmilitary men, but the suggestion that they are one (or two) of many possible examples seems rather to indicate a single exemplary theme.

¹²² On Africanus' *inimicitia* with Cato, see Scullard 1970, esp. 187-9, 222-3. The dispute originated in the very different temperaments of the two men and culminated in the prosecution of Africanus on the charge of treason for his private negotiations with Antiochus (discussed by Scullard 1970, 205-6).

The unmilitary references to Aemilianus, Laelius, and Cato emphasize the culture which characterized the so-called Scipionic Circle.¹²³ For Aemilianus, these allusions are slightly outnumbered by military allusions, but for Cato and Laelius they all but overwhelm texts referring to them in a military capacity. This suggests that Cicero considered Cato and Laelius to be primarily civilian men, as is reflected in the nature of their speeches in the *De senectute* and *De amicitia*, respectively. Significantly, Aemilianus, Laelius, and Cato are often cited together, as an exemplary unit of sorts. They serve as a foil to Verres' greed in requisitioning corn for private use,¹²⁴ as examples of the sort of man whose *ingenium*, *studium*, and *doctrina* are to be emulated (*Top.* 78), and as models of orators whose skill adds to the glory of the state (*De orat.* 1.215; cf. *Inv.* 1.5). They are invoked to set the philosophical mood for the discussion of Book 5 of the *Tusculanae disputationes* (§2), as well as to demonstrate that learning imparts virtue (*Arch.* 16; cf. *Mur.* 66). The *auctoritas* derived from their learning and way of life is reinforced in references to them as individuals. Aemilianus' urbanity is expressed in references to his patronage of the Stoic philosopher Panaetius, as well as in quotations of his sayings.¹²⁵ Allusions to his morality range from his *liberalitas* in ceding his share of Paulus' bequest to his biological brother Q. Fabius Maximus Aemilianus (cos. 145), to *abstinentia* in the handling of spoils from Carthage (*Off.* 2.76; cf. *Ver.* 2.3). Cato's literary prowess –

¹²³ The existence of the Scipionic circle as an intellectual society was centred around Aemilianus continues to be debated. Wilson 1994 provides the definitive rebuttal to semantic arguments against *grex* (Cic. *Am.* 69) meaning anything other than "circle;" cf. Forsythe 1991. Zetzel 1972, 176 finds two "circles" in Cicero's references to the group, a literary one in *De re publica* and a political one in *De amicitia*. Cato was not a member of the circle, but Aemilianus is described as his *discipulum* at *Inv.* 1.5.

¹²⁴ *Ver.* 3.209. The plural *Africanos* makes it possible that Africanus is also included.

¹²⁵ On Panaetius see *Mur.* 66; *Fin.* 4.23; *Tusc.* 1.81; *Off.* 1.90; 2.76. On Aemilianus' sayings see esp. *Ver.* 2.28; *De orat.* 2.250, 258, 267, 268, 272.

including knowledge of Greek literature – is also stressed, by means of quoted witticisms as well.¹²⁶ Laelius is chiefly noted for his eloquence and wisdom, although he generally shares these passages with Aemilianus or Cato.¹²⁷ Laelius and Aemilianus are also cited together to mark the age when philosophy came to Rome (*Tusc.* 4.5), and named as examples of men *qui ad rem publicam moderandam usum et scientiam et studium suum contulisset* (*De orat.* 1.211). The quantity of these references confirms an additional, unmilitary exemplary role for Aemilianus, Laelius, and Cato in Cicero’s writings.

This brings us to the role of these men as interlocutors, and the significance of Cicero’s use of military men for this purpose. The key is in the blending of military and civic *auctoritas* against the backdrop of a political system which both required and rewarded military service. Astin’s observation that the Roman governing class of Cato’s day was “in no small measure a military aristocracy”¹²⁸ is no less applicable to the military dynasts of Cicero’s time, to say nothing of the propraetors and proconsuls who, like Cicero, found themselves defending the frontiers of the empire in the course of their governorships. We have seen that it was a small rhetorical leap for Cicero to turn a reference to a past victory into a shining example of patriotism or unflinching devotion to duty. Conversely, distinguished military service could serve as a synecdoche for distinguished public life as a whole. The themes of the *De re publica*, *De senectute*, and *De amicitia* required spokesmen

¹²⁶ *Planc.* 66; *Rep.* 1.27; *Tusc.* 1.5, 4.3; *Off.* 3.1. At *Acad.* 2.5 and *Sen.* 3 Cicero mentions that Cato studied Greek literature in his old age. For Cato’s witticisms, see esp. *Flac.* 72; *Off.* 1.104, 2.89.

¹²⁷ On eloquence: *Inv.* 1.5; *Brut.* 82, 295. On wisdom: *Leg. agr.* 2.64; *Mur.* 66; *Fin.* 2.24; *Off.* 3.16; cf. *Off.* 1.90 (*aequabilitas*), 108 (*hilaritas*).

¹²⁸ Astin 1978, 5.

who exemplified active statesmanship, and it is in this capacity that Cicero invokes Africanus, Aemilianus, Laelius, and Cato as military men.

However, the nature of the dialogues demanded interlocutors whose views as well as the manner in which they expounded them was believable. Generals were expected to be eloquent when addressing their soldiers (*adlocutio*),¹²⁹ but Cicero takes special care to emphasize the eloquence of Aemilianus, Laelius, Cato, and even Africanus. This made them suitable as interlocutors in a way that a less articulate military man or fluent private man could not be, however great their reputations in their respective fields. That this sort of accuracy was important to Cicero is made clear by letters to Atticus concerning the characters of the *Academica*. The original version was set in 63-60 and involved Q. Lutatius Catulus, the general L. Licinius Lucullus, Q. Hortensius, and Cicero himself.¹³⁰ However, Cicero soon realized (with Atticus' prompting) that

Sane in personas non cadebant; erant enim λογικώτερα quam ut illi de iis somniasse umquam viderentur. ... Aptius esse nihil potuit ad id philosophiae genus, quo ille [sc. Varro] maxime mihi delectari videtur... (*Att.* 13.19.5; cf. *Att.* 13.12.3)

The treatise was subsequently revised, with the antiquarian M. Terentius Varro taking the place of Lucullus and Catulus, and Atticus that of Hortensius. In a similar vein, political expediency precluded Cicero's own participation in the *De re publica*.

¹²⁹ See above, n. 56.

¹³⁰ Cicero's relationship with Lucullus is discussed below, pp. 105-17 *passim*.

As he explained to Quintus, he set the dialogue in the past *ne in nostra tempora incurrens offenderem quempiam*.¹³¹

Africanus' role in the so-called *Somnium Scipionis* (*Rep.* 6.9-29) is perhaps the most straightforward because of the comparative brevity of his speech. It is in fact related by Aemilianus, but the tone is distinctly more rhetorical than Aemilianus' "voice."¹³² The speech opens with a prophetic summary of Aemilianus' future greatness (*Rep.* 6.11-12) before turning to its main theme: the promise of eternity in heaven for men who serve the state well.

... sic habeto: omnibus qui patriam conservaverint adiuverint auxerint, certum esse in caelo definitum locum, ubi beati aevo sempiterno fruuntur. ...harum rectores et conservatores hinc profecti huc revertuntur. (*Rep.* 6.13; cf. 26-9)

The association of Africanus with the divine was traditional. Scullard notes that already in Polybius' time there was an aura of legend surrounding Africanus which linked him with the gods.¹³³ Here, his narration from heaven eloquently reinforces the value of his contribution to the state. Implied divine revelation also allows Cicero to put cosmological concepts in the mouth of "Africanus" which the real Africanus likely would not have understood. The implications of the emphasis on cosmic order (*Rep.* 6.17-19) and patriotism are clear enough, however, and constitute a Ciceronian rallying cry for patriots to bring the present-day state back into order.¹³⁴

¹³¹ *QFr.* 3.5.2. Zetzel 1995, 4-6 further notes that the dramatic date corresponded better with Cicero's Platonic model. The "two Republics" are discussed in detail on pp. 13-17.

¹³² Powell 1990, 127.

¹³³ Scullard 1970, 18-19; cf. 237 on epic parallels drawn from Greek literature. Cf. Maurach 1964.

¹³⁴ Powell 1990, 125-6 discusses the seemingly "uneasy mixture of Ciceronian patriotism with Platonic other-worldliness" and reconciles the two sides. The *De re publica* was completed in 51.

Aemilianus' role in the *De re publica* is more complex, owing to the nature of his "speech" as a frequently interrupted conversation, the fragmentary nature of the treatise, and Cicero's near-veneration of him. In Astin's words,

Cicero saw in Scipio Aemilianus in particular the great man of public affairs, the political giant, who combined with success in action that enjoyment of learning which Cicero valued so highly. Moreover, Scipio seemed to Cicero to contrast markedly with the successful generals of his own day: seeming content with a place of honour and leadership, he did not attempt a *dominatio*; in his courage, his *fides*, and his temperate personal life he could be seen as an exemplar of the traditional Roman virtues; and in the last years of his life he took the lead in the struggle against the "popular" Gracchans.¹³⁵

The element of contrast is an important aspect of Aemilianus' function in the dialogue, and also conforms with the use of *exempla* to critique misconduct. Yet the theme of the treatise – the ideal state – intensifies Aemilianus' exemplarity: his dominant position proclaims him to be the ideal statesman, thereby imparting greater weight to his actions and words. One instance of this needs closer examination, because of its relevance to Aemilianus' relationship with Laelius, and the attitude which may be extrapolated from it.

Fuit enim hoc in amicitia quasi quoddam ius inter illos, ut militiae, propter eximiam belli gloriam, Africanum ut deum coleret Laelius; domi vicissim Laelium, quod aetate antecedebat, observaret in parentis loco Scipio. (*Rep.* 1.18)

In fact, Aemilianus was only a few years younger than Laelius, and this explanation for their conduct toward each other must be rejected, since the closeness of their

¹³⁵ Astin 1967, 7. Cf. Zetzel 1995, 13 on the accuracy of Cicero's characterization of Aemilianus.

relationship is otherwise attested.¹³⁶ Rather, this vignette reveals the equivalent, though different, honours accorded to military and civic service, and by extension, their value to the state. This is the backdrop against which we must see Cicero's desire to play Laelius to Pompey's Scipio.¹³⁷

Of course, one of the best sources for the relationship between Aemilianus and Laelius is the *De amicitia*, in which Laelius relates his theory of friendship in order that *Scipionis et Laeli amicitiam notam posteritati fore* (*Am.* 15). This innocent theme disguises the political ramifications of *amicitia*,¹³⁸ whence Laelius' significance as an interlocutor derives. Laelius speaks not merely as one who has experienced friendship, but as a senior statesman with the *auctoritas* of a career's service to the state. Bearing this in mind, it is difficult not to see Cicero's concerns for the Republic following the Ides of March in Laelius' praise of reciprocal friendship as honourable, and condemnation of hangers-on and unquestioning adoration.¹³⁹ The fact that all of the examples cited are military *exempla* reinforces the political undercurrent of the discussion (esp. *Am.* 18, 39, 42), as does the emphasis at the end of the dialogue on the friendship which exists within a mentoring relationship (*Am.* 101). We may even read in this Cicero's desire to guide the next generation – specifically to play Laelius to the up-and-coming Octavian.

Finally, we have Cato's function in the *De senectute*, a treatise about the ways *quibus facillime... ingravescentem aetatem ferre possimus* (*Sen.* 6). As was

¹³⁶ Astin 1967, 81 with sources.

¹³⁷ *Fam.* 5.7.3, assessed below, p. 110. The expression may have been conventional, since Cicero uses it to describe the relationship of Catulus to Marius (*Tusc.* 5.56). Shackleton Bailey 1986 would have another reference at *Phil.* 6.10, concerning to the relationship of L. Antonius to his brother Antony. Although not unfeasible, this emendation seems unnecessary in light of the fact that Africanus' brother was also a Lucius (Asiaticus). Manuwald 2007 n. *ad loc* makes the case convincingly.

¹³⁸ Cf. Zetzel 1972, 177.

¹³⁹ On reciprocal friendship: *Am.* 30, 44, 56, 59, 70. On hangers-on and blind adoration: *Am.* 53, 83.

mentioned above, most of Cicero's references to Cato's military career are found in this treatise, where they form the backbone of an account of a long and active public career. This continued political involvement was a key factor in Cicero's choice of Cato as the leader of this dialogue, along with his *novitas*, and oratorical skill.¹⁴⁰ Cicero was 62 when he wrote the treatise, and in many ways it reads like an exhortation to live up to Cato's example. The political relevance of the dialogue is made clear once again by the exclusive use of military *exempla* to refute misconceptions about ageing, such as that it entails inactivity (*Sen.* 15-16) or the loss of political influence (*Sen.* 61). The concluding discussion about the benefits of death – *neque vero eos solos convenire aveo quos ipse cognovi* (*Sen.* 83) – is perhaps forced, but consistent with the optimistic tone which is present throughout. It also underscores, like the image of heaven in the *Somnium Scipionis*, the reward of good service to the state. Thus Cato, like Africanus, Aemilianus, and Laelius, is made to speak from a semi-idealized position of influence and ability. Simply put, these men represent the active, enlightened statesman that Cicero believed himself to be, but with the *auctoritas* which he dreamed of exerting.

Marius, Cinna, and Sulla

The last group of military *exempla* is comprised of Marius, L. Cornelius Cinna (cos. IV 84), and Sulla as the leaders of the civil war.¹⁴¹ Much has been written about Cicero's treatment of Marius and Sulla in particular, but none of it

¹⁴⁰ Powell 1988, 17. Cato's *novitas* is referred to at *Mur.* 17; *Sul.* 23; *Planc.* 20; *Rep.* 1.1.

¹⁴¹ Cn. Octavius, as consul in 87, also had a part in these wars, but he was not a military man and will not be considered here. Apart from references to the *bellum Octavianum* – that is, the war during his consulship – Cicero only notes that he was eloquent (*Brut.* 176) and was beheaded on Cinna's orders (*Tusc.* 5.55); cf. *Cat.* 3.24; *Sest.* 77; *Phil.* 13.1; 14.23; *Div.* 1.4; *ND* 2.14.

specifically with regard to Cicero's perception of these men as military men.¹⁴² The focus is instead political, and not unjustifiably so, given the context of Cicero's references to them and the matters which these typically concern. However, the civil war was still a military engagement, and the new era of warfare ushered in by Sulla's march on Rome presented a serious challenge to Cicero's identification of militarism with patriotism. This disconnection separates Cicero's references to these men from those to other historical military men, further illuminating his attitude towards warfare.

It should first of all be noted that due to chronological proximity, Cicero is the earliest surviving source to use these men as military *exempla*.¹⁴³ Carney further notes with regard to Marius that Cicero's allusions to seeing the general – as a downtrodden exile – make him the only truly contemporary first-hand source.¹⁴⁴ As for Sulla, Cicero served under him during the Social War,¹⁴⁵ and he was still alive when Cicero delivered his first speeches. Thus, although these men certainly had established reputations for Cicero to draw upon, there was scope for manipulation. In Roller's words, "to produce an *exemplum*... is to struggle constantly to establish or disestablish a particular interpretation of an action's value... and alternative readings threaten to (or do) proliferate at every instant."¹⁴⁶ Cicero's sympathetic picture of

¹⁴² See esp. Carney 1960 and Lavery 1971 on Marius; Ridley 1975 and Diehl 1988 on Sulla, all with detailed chronological analyses of Cicero's references to the respective figures. Diehl 1988, 220 specifically identifies Sulla's "militärischen Leistungen" as a positive attribute which Cicero neglects to mention; cf. Carney 1960, 108; *contra* Ridley 1975, 93.

¹⁴³ Carney 1960, 84, concerning *Ver.* 5.181.

¹⁴⁴ Carney 1960, 83, accepting *vidi/vidimus* at *Red. Pop.* 8, 19, 20 and *Parad.* 16 at face value.

¹⁴⁵ See above, pp. 15-18.

¹⁴⁶ Roller 2004, 7. A distinction should be made between "primary" citations, in which the figure is mentioned because he pertains directly to the case at hand, and "secondary" citations, in which he is invoked for rhetorical reasons, including as an *exemplum*. Litchfield 1914, 51 n. 4 calls these "genuine citations." Marius and Cinna are predominantly referred to as *exempla*, with the exceptions of *Rosc. Am.* 33; *Ver.* 2.110; *Rab. per.* 20 (Marius); and *Cat.* 3.9 (Cinna). Sulla is not consistently

Marius was ultimately superseded by a less friendly tradition; but his hostility toward Cinna and Sulla (especially after the dictator's death) found a place in posterity.¹⁴⁷

As military men, however, all three men are consistently praised by Cicero – so long as their armies were directed against acknowledged enemies. All three appear in the catalogue of Social War commanders at *Font.* 43, which is the only positive military reference to Cinna.¹⁴⁸ Marius, on the other hand, is additionally counted among *non litteris homines ad rei militaris scientiam, sed rebus gestis ac victoriis eruditos* (*Font.* 43). The theme of experience is a constant one in Cicero's references to Marius, who receives by far the most military praise of these men. His entire career is praised in detail at *Balb.* 47:

...se P. Africani discipulum ac militem, se stipendiis, se legationibus bellicis eruditum, se, si tanta bella attigisset quanta gessit <et> confecit, si tot consulibus meruisset quotiens ipse consul fuit, omnia iura belli perdiscere ac nosse potuisse; sibi non fuisse dubium quin nullo foedere a re publica bene gerenda impediretur.

Yet, as we have seen in previous references to military men in the *Pro Balbo*, Cicero's point here is to cite precedents of grants of citizenship to support his client's case. Marius' role in the Jugurthine War (112-105) and the war against the Cimbri and Teutons (106-101) are celebrated at *Leg. Man.* 60 (cf. *Prov.* 26) for similar reasons, as a precedent for the sole command Cicero advocated for Pompey: *maiores*

referred to in this way until the *De lege agraria* speeches. With the exception of *Font.* 43, the intervening passages concern his constitutional legacy and therefore do not constitute exemplary references.

¹⁴⁷ See esp. Lavery 1971, 133 on the "veritable rehabilitation" of Marius, which stresses Plutarch's reliance on Sulla's memoirs. Carney 1960, 83 also notes the importance of Catulus' memoirs in this tradition. On alternative contemporary attitudes toward Sulla, see Diehl 1988, 211-13.

¹⁴⁸ On Cinna's military background, see Badian 1962, 59. See Carney 1961 for Marius' military career, and Keaveney 1982 for Sulla's.

nostros semper in pace consuetudini, in bello utilitati paruisse. Marius likewise appears in the catalogue of triumphators at *Pis.* 58 (cf. *Planc.* 60; *Phil.* 13.9), and his military *vim atque virtutem* receives special mention in the catalogue of true generals cited at *Ver.* 5.25 to contrast with Verres. Perhaps the greatest indication of Cicero's respect occurs in the *De oratore*, where Marius is the expert (*quorum eae sint artes*) in military matters whom an orator might consult in order to acquaint himself with the topic. The orator then *ita pronuntiabit, ut ipsi C. Mario paene hic melius quam ipse illa scire videatur* (*De orat.* 1.66).

Sulla is praised for his leadership in the First Mithridatic War, a command which brought him into conflict with Marius and eventually led to civil war.¹⁴⁹ Cicero's approval of Sulla in this capacity underscores the critical distinction between military force used in defence of the Republic and that used against it. This is especially evident in the *Pro lege Manilia*, where Cicero emphasizes Sulla's military prowess against Mithridates while also explaining why Pompey was needed to finish the job.

Triumphavit L. Sulla, triumphavit L. Murena de Mithridate, duo fortissimi viri et summi imperatores... Verum tamen illis imperatoribus laus est tribuenda quod egerunt, venia danda quod reliquerunt, propterea quod ab eo bello Sullam in Italiam res publica, Murenam Sulla revocavit. (*Leg. Man.* 8; cf. *Mur.* 32).

The oblique reference to the civil war in the last line puts a diplomatic spin on events, to say the least, since Sulla's victories in the east gave him the power base

¹⁴⁹ See Katz 1976, esp. 328.

from which to seize power at Rome again in 84.¹⁵⁰ His victory over the Samnites at the Colline Gate in 82 is mentioned later on in the speech, couched in glorious terms as Cicero recalls Pompey's wide-ranging military career: *testis est Italia quam ille ipse victor L. Sulla huius virtute et subsidio confessus est liberatam* (*Leg. Man.* 30; cf. *Clu.* 87). Sulla's negotiations with the rival leader prior to this battle are recalled at *Phil.* 12.27 – not wholly positively, since Sulla behaved dishonestly, but the point is that the conference was free *a vi periculoque*, contrary to Antony's practice in 44 and 43.

The fact that most of these passages are found in the speeches reveals the effect of context. As Diehl notes with regard to Cicero's general treatment of Sulla, the allusions in the speeches vary in tone as required by the exigencies of the case, but those in the treatises are consistently negative.¹⁵¹ Apart from the remark at *Font.* 43, Cinna is always criticized by Cicero; but the references to Marius conform to the pattern of those to Sulla to the extent that the most explicit of the comparatively few negative comments are found in the treatises. Before discussing these, however, it is necessary to examine briefly the remaining positive references to Marius, because of the light they shed on Cicero's attitude towards him as a military man. Like the unmilitary references to the military interlocutors, these are made important by their quantity relative to the passages which refer to military matters alone.

Roughly half of Cicero's positive references to Marius concern a personal engagement with the general, often in the form of explicit self-identification with

¹⁵⁰ Bulst 1964, 322-4, notes that "only as Sulla's victories in the field proved the incompetence of the Cinnani, the senators gradually changed sides." Cf. Badian 1962, 57-60.

¹⁵¹ Diehl 1988, 219.

him.¹⁵² Cicero shared with Marius his *novitas*, his home town, his exile, and, less concretely, his status as a saviour of the state. He boasts about his origins *ex eo municipio unde iterum iam salus huic urbi imperioque missa est* (*Sul.* 23), and suggests that he and Marius are the most prominent Arpinates – while defending another *novus homo*.¹⁵³ He also draws a parallel between Marius' *aeterna gloria* for defeating the Cimbri and Teutons and his own achievement against Catiline: *erit profecto inter horum laudes aliquid loci nostrae gloriae*.¹⁵⁴ These themes were doubtless expressed in the *Marius* as well, although the surviving fragments give little indication of the content.¹⁵⁵

It is as an exile, however, that Marius receives the most attention from Cicero. Only one example need be cited:

Nam C. Mari, qui post illos veteres clarissimos consularis, hac vestra patrumque memoria, tertius ante me consularis subiit indignissimam fortunam praestantissima sua gloria, dissimilis fuit ratio.¹⁵⁶

Cicero goes on to note that whereas Marius' recall was attended by violence, his was effected by the peaceful entreaties of his brother, Quintus, and his son-in-law, C. Calpurnius Piso Frugi. Clearly Marius' precedent was a huge source of comfort for Cicero; but even more important was the superiority he could claim for returning

¹⁵² Lavery 1971 discusses Cicero's self-identification with Marius in terms of their shared *philarchia*, but his dual focus distorts his conclusions and does not take into account Cicero's use of Marius as an *exemplum*.

¹⁵³ *Planc.* 20; cf. *Mur.* 17. At *Ver.* 5.181 Cicero includes Marius in a list of *novi homines* as he exhorts to the judges to live up to the status of their order and convict Verres. Cf. Carney 1960, 122.

¹⁵⁴ *Cat.* 4.21. The chief victories of Africanus, Aemilianus, Paulus, and Pompey are also mentioned. The passage is discussed in more detail **below, pp. 236-7**.

¹⁵⁵ *Leg.* 1.1; *Div.* 1.106; *Att.* 12.49.2. See esp. Benario 1957, 177, who postulates a composition date of 59, and a political purpose of ingratiating himself with Caesar, who was Marius' nephew by marriage.

¹⁵⁶ *Red. pop.* 7; cf. *Red. sen.* 38-39; *Red. pop.* 19-20; *Sest.* 37; *Pis.* 20; *Planc.* 26; *Rep.* 1.6. Cicero is not mentioned in the references at *Sest.* 50; *Prov.* 19; *Pis.* 43; *De orat.* 3.8; *Fin.* 2.105.

without harm to the Republic. In Lavery's words, "the apparent inconsistency between this empathy and the critical remarks... is readily explained by realizing Cicero's need to highlight his own achievements even at Marius' expense."¹⁵⁷

From this attitude comes the civic ideology expressed by *cedant arma togae*, which likely accounts for the fact that after the *Pro Plancio* Marius is not mentioned in the speeches until the *Philippics*. A dream about Marius Cicero had while in exile is treated – by another interlocutor – as just another example of divinely inspired dreams at *Div.* 1.49. Cicero pours scorn on such an interpretation in the second book, stressing that it was simply his thoughts of Marius' *magnus animus* and *constantia* in exile that had brought the dream about (*Div.* 2.140; cf. 136-8; 141); gone is the warmth and intimacy of the earlier passages.

This brings us to the negative references to these men as military men. Like the positive passages concerned activity outwith the civil war, the negative ones concern activity within it. The key point of the criticism is the use of armies against the state. The tone is set at *Cat.* 3.24, which clearly delineates whose actions he approved of and when. The appeal to memory serves as a not-so-subtle means of having his own bias accepted alongside the recognized sequence of events.

Etenim recordamini, Quirites, omnes civiles dissensiones, non solum eas quas audistis sed eas quas vosmet ipsi meministis atque vidistis. L. Sulla P. Sulpicium oppressit; C. Marium, custodem huius urbis, multosque fortes viros partim eiecit ex civitate, partim interemit. Cn. Octavius consul armis expulit ex urbe collegam; omnis hic locus acervis corporum et civium sanguine redundavit. Superavit postea Cinna cum Mario; tum vero clarissimis viris interfectis lumina civitatis extincta sunt. Ultus est huius victoriae crudelitatem postea

¹⁵⁷ Lavery 1971, 139.

Sulla; ne dici quidem opus est quanta deminutione civium et quanta calamitate rei publicae. (Cf. *Har.* 54; *Phil.* 8.7).

Consistent with the patterns observed for negative *exempla* above, misconduct is defined in terms of the danger to the state: the citizen body becomes the arbiter of good and bad behaviour, according to who is removed from their number. Marius, Cinna, and Sulla are elsewhere condemned as *detestabilem civem rei publicae natum* because they embraced civil war (*Phil.* 13.1; cf. 11.1), and their regimes as the most cruel and sinister ever seen.¹⁵⁸ The violence of these respective regimes also receives much attention, and is frequently expressed in a military context.

The negative references to Marius are concentrated at the end of Cicero's career, in the aftermath of the civil war and during the struggle with Antony. As Lavery explains, "now [Cicero] appreciated more acutely the dangers posed by a *vir militaris*."¹⁵⁹ The execution of Q. Lutatius Catulus (cos. 102) on his order is twice lamented with much criticism from Cicero, and forms a polarized juxtaposition between the army and *humanitas*. Catulus had served with Marius against the Cimbri in 102, and they shared a victory and triumph for Vercellae in 101;¹⁶⁰ yet Cicero prefers to treat Catulus in an unmilitary capacity, specifically as an orator (esp. *Brut.* 132-4; *Off.* 1.133). To this extent he is fully the *paene altero Laelio* described at *Tusc.* 5.56, where Cicero asks whether Marius was happier when he and Catulus shared a victory over the Cimbri, or when he uttered the fateful command

¹⁵⁸ *Att.* 9.10.3: *sed quid eorum victoria crudelius, quid funestius?*

¹⁵⁹ Lavery 1971, 140.

¹⁶⁰ *Tusc.* 5.56; cf. *Cat.* 4.21; *Prov.* 32 where Marius alone is mentioned. Catulus is also included in the catalogue of *victoriis eruditos* generals at *Font.* 43, and his construction of a portico from the spoils of his campaign is mentioned at *Ver.* 4.126; *Cael.* 78; *Dom.* 102, 113, 116, 137. On the significance of his contribution to the war, and its role in the rift between him and Marius, see Lewis 1974.

moriatur. The allusion at *ND* 3.80-1 is even more malicious. After condemning Marius as *omnium perfidiosissimus* and praising Catulus as *praestantissima dignitate virum*, Cicero proceeds to ask *cur enim Marius tam feliciter septimum consul domi suae senex est mortuus*. Even the devious means by which Marius secured the command against Jugurtha – and thus his first consulship – receive mention in this period of Cicero’s writings.¹⁶¹

Cinna and Sulla are both condemned for the many manifestations of their *dominatio*, throughout Cicero’s writings. The cruelty of the *Cinnanum tempus* is a recurring theme – in spite of an intriguing early reference to the period as *triennium sine armis*.¹⁶² Cinna is denounced for slaughtering the *principes* (*Att.* 7.7.7), and especially for the deaths of M. Antonius the Orator (cos. 99) (*Phil.* 1.34) and his consular colleague Octavius (*Tusc.* 5.55); he is further denounced with Octavius as *consulem improbum* in connection with Cicero’s exile (*Red. sen.* 9). The argument in this last passage is that never, since Cinna and Octavius were consuls, had Rome suffered two *improbi* consuls until Piso and A. Gabinius (coss. 58) – and Cicero paid the price. The parallel may seem forced, but it is consistent with the ideals of defending the state – and its defenders – expressed in these criticisms.

Greed and arbitrariness are the themes of Cicero’s criticisms of Sulla. His dictatorship is typically called *dominatio*,¹⁶³ and he is additionally disparaged as one of those *qui quidvis perpetiantur, cuius deserviant, dum quod velint consequantur*

¹⁶¹ *Off.* 3.79. Marius accused the incumbent commander, Numidicus, of prolonging the war for his own benefit, and pledged to conclude the war without delay if he were elected consul. See Carney 1961.

¹⁶² *Brut.* 308. On Cinna’s cruelty, see esp. *Vat.* 23; *Phil.* 1.34; *ND* 3.81. On the *Cinnanum tempus* generally, see *Red. sen.* 9; *Dom.* 83; *Phil.* 1.34, 2.108; *Att.* 8.3.6; *Fam.* 1.9.11. The entire period is assessed by Bulst 1964, who dismisses the image of Cinna as a military despot, *contra* Bennett 1923; cf. Badian 1962, esp. 57-8.

¹⁶³ *Leg. agr.* 1.21; *Phil.* 2.108; *Off.* 2.51; cf. *Leg. agr.* 3.5, discussed by Ridley 1975, 95.

(*Off.* 1.109), and during whose regime *sine iure fuit et sine ulla dignitate res publica* (*Brut.* 227). Rambaud notes that Sulla's capricious behaviour as dictator represents "cette décadence à la fois morale et politique."¹⁶⁴ This is especially expressed in Cicero's remarks relating to the proscriptions, which dominate his criticisms of Sulla. Although Cicero affects reticence on the subject in his early works, he is outspoken in the later passages; Ridley may be right to attribute these to memories sparked by Cicero's temporary loss of property and citizen rights in his exile.¹⁶⁵ Amid a reference to the *miserrimum nomen* of proscriptions,¹⁶⁶ Cicero makes the grounds of his criticism clear: *opinor, poenam in civis Romanos nominatim sine iudicio constitutam*. Cicero also uses Sulla's model to express fears of Pompey in the civil war with Caesar, worrying that he will *sullaturit* (*Att.* 9.10.6) and that his victory will be *Sullano more exemploque* (*Att.* 10.7.1). The most damaging comment, however, occurs at *Off.* 2.27 and must be quoted in full.

Itaque illud patrocinium orbis terrae verius quam imperium poterat nominari. Sensim hanc consuetudinem et disciplinam iam antea minuebamus, post vero Sullae victoriam penitus amisimus; desitum est enim videri quicquam in socios iniquum, cum exstitisset in cives tanta crudelitas. Ergo in illo secuta est honestam causam non honesta victoria. Est enim ausus dicere hasta posita, cum bona in foro venderet et bonorum virorum et locupletium et certe civium, praedam se suam vendere.

¹⁶⁴ Rambaud 1953a, 126.

¹⁶⁵ Ridley 1975, 98. Cf. Diehl 1988, 222 where it is suggested that the association of the proscriptions with Sulla himself may be an expression of post-traumatic stress, rather than bias. In the early passages, Cicero often hedges around the topic by saying something like "I won't speak about this." See e.g. *Ver.* 1.43.

¹⁶⁶ *Dom.* 43; cf. *Att.* 9.11.3. The monetary aspect of the proscriptions is also criticized at *Att.* 7.7.7, *Off.* 1.43.

Sulla is seen as the catalyst for a radical and disastrous change in Rome's policy of warfare, and as a sinister precedent for the subjugation of Roman citizens. The proceeds of the proscriptions are also called *praeda* in a similar denunciation at *Ver.* 3.81.¹⁶⁷ In addition to reinforcing the military context of Sulla's actions, this terminology underscores the vulnerability of the Roman people – indeed the empire – when the generals who are supposed to defend the state instead turn against it.

Conclusion: history and strategy

Rome's military heritage – as represented by the examples of historical military men – provided Cicero with a powerful and versatile means of contributing to the militarized culture of his day. His references to these men display an acute awareness of the evocative power of a military name. The frequency with which he refers to them draws attention to their integral role in his rhetorical arsenal. As *exempla*, they provide a vehicle for praising and criticising contemporary behaviour, a personification of the *mos maiorum*, and a means of illustrating philosophical arguments with familiar heroic precedents. Although many of the allusions emphasize unmilitary attributes – and often appear in aid of unmilitary arguments – the military context of the exemplary *auctoritas* is always preserved, explicitly or implicitly.

This is especially evident when he strays from the strictly conventional application of *exempla*. Foreign generals provide an ornamental Other against which to contrast Roman military and moral superiority, whereas the civic exemplary identity of Africanus, Aemilianus, Laelius, and Cato epitomizes Cicero's idealized

¹⁶⁷ See also Ridley 1975, 91-2.

union of learning and public life. The references to Marius, Cinna, and Sulla, on the other hand, present a cautionary tale that confirms his primary perception of military men as defenders of the state.

The range of men and exploits to which he refers demonstrates his knowledge of this aspect of Rome's history; the public nature of his remarks shows his sensitivity to the political relevance (and efficacy) of such discussion. Given the interrelationship between the army and politics, it is unreasonable to demand a less political discourse from Cicero; but given the unmilitary context of his writings, it is equally unreasonable to expect a more militaristic one.

Chapter 3

Cicero's relationship with contemporary military men

From Cicero's attitude towards Rome's military heritage, we turn to his relationship with military men in his own time. These included his senatorial colleagues, some of whose commands were conferred thanks to his oratory;¹⁶⁸ his relationship with his militarily-inclined brother Quintus adds a family element to otherwise politically-based relationships. Cicero's descriptions of these men and their achievements provide valuable insight into his awareness of the military activities of his peers, as well as his perception of contemporary militarism at Rome. With these themes in view, the focus of this chapter will be two-fold, examining his attitude towards the military achievements of his most prominent associates, and gauging the importance of their military identities to his interactions with them, in order to determine his perception of them as military figures.

It should first of all be noted that the military identities of these men, perhaps even more than those of the previous chapter, are inextricably linked to their political identities in Cicero's writings. References to the men themselves are plentiful, but only a small proportion concern military matters owing to the domestic (if not civilian) focus of the majority of his works. No doubt for this reason, commentators have preferred to evaluate Cicero's relationships with these men exclusively in political terms.¹⁶⁹ Yet given the overlap between military and political spheres in

¹⁶⁸ Esp. *Leg. Man.* (Pompey), *Prov.* (Caesar), *Phil.* 5 (Octavian), *Phil.* 10 (M. Junius Brutus); cf. *Phil.* 11 (C. Cassius Longinus).

¹⁶⁹ Prominent examples are Rawson 1978 and Lossmann 1962 on Cicero's *amicitia* with Pompey and Caesar, respectively. The political emphasis makes them of very limited use for a military-based

Rome noted earlier, this one-sided view ignores a crucial aspect of his interaction with these men. His military references to them provide a glimpse into the military workings of the late Republic, written in response to the activities of the leading commanders and as events unfolded. This emphasis on action, rather than on the evocative power of a name, provides an access point for considering these citations apart from their immediate political or literary stimuli, and thus also for teasing out a distinctly military perspective within the overarching political one.

The measure of Cicero's engagement with the military identities of his contemporaries is his handling of military details in his discussion of their activity. Two factors will have affected this: knowledge and attention. We may assume that he was reasonably well informed of who was campaigning where, given that provincial commands were conferred by *senatus consulta* and special ones rarely granted to *privati*. Moreover, as is made abundantly clear by his critique of Piso at *Pis.* 38, governors normally kept the Senate informed of their campaigns by means of official dispatches.¹⁷⁰ Cicero's familiarity with these (or at least his ability to consult them) is reflected in his speeches in recitations of individuals' military careers (esp. *Leg. Man.* 28-35, discussed below). These are not without rhetorical embellishment, but factual errors would not have helped his argument and might have exposed him to ridicule if senators who knew otherwise were in the audience. Significantly, there is no equivalent to these recitations in his treatises or letters. The latter omission is noteworthy since the letters are arguably the best gauge of his day-to-day awareness

study. I am not aware of any studies or biographies which address Cicero's attitude toward his contemporaries in contexts other than political or literary.

¹⁷⁰ Piso had not sent a single dispatch during the course of his governorship of Macedonia. Cicero himself sent two while governor of Cilicia (*Fam.* 15.1 and 15.2); cf. *Fam.* 15.3 and 15.4 (to Cato), which reviews his activity in the province and was certainly intended as a public letter. On the importance of regular communication from the front, see Beard 2007, 201-3.

of contemporary events. As will be seen, when contemporary commanders and campaigns are mentioned in the letters, it is often with reference to the political implications of the current situation. Allen, examining Cicero's treatment of Caesar's Gallic campaign, claims that "the prominent Romans, including Cicero, had scant interest in [the campaigns] except as they influenced home politics or touched upon the activities of their own circle of friends."¹⁷¹ Although essentially accurate, this view puts a cynical spin on the political focus of Cicero's writings. In a period marked by civil war and armed rebellion, to say nothing of the political dominance exerted by Caesar and Pompey as successful generals, the domestic consequences of military action were neither trivial nor selfish concerns. Conversely – and as Cicero's references to Quintus' service with Caesar in Gaul demonstrate – the potential for political advancement which such postings could bring was not inconsiderable either.

The references to contemporary military men are concentrated in the speeches and letters, although useful topical citations are found in the treatises as well. The private nature of many of the letters allows for a revealing comparison between Cicero's public and private comments. Military references in the speeches and treatises teem with confidence in the commander in question, emphasizing the value of his contribution to the state. Citations in the letters, on the other hand, show a much less assured Cicero, intimidated by the political influence which attended military strength, and anxious about how it might be used. This division reflects the different aims and audiences of the respective genres, since it was politically

¹⁷¹ Allen 1955, 143 with sources. Significantly, Caelius' letters to Cicero in 51-50 and 49-48 follow this pattern, expressing interest in military matters solely as a source of glory for Cicero. See esp. *Fam.* 8.5; 8.10; 8.16; 8.17.

expedient to be seen to be supporting an influential figure in a public work and to confine one's doubts to private letters. Chronological proximity also yields more nuanced rhetoric, since Cicero was able to skim over details which were common knowledge to his audience. The references are simpler and much less didactic than those concerning historical military men – except, of course, when a specific point needed to be laboured. This occurs primarily in the speeches and treatises, where Cicero often recalls distant or obscure events in order to illustrate his argument. Conversely, the letters tend to reflect his own interests at the moment of composition, as well as his relationship with the addressee.¹⁷² Thus, although the speeches and treatises contain the most military detail, the letters contain the most revealing comments about his relationship with the military men of his time.

Despite these major differences from how Cicero treats historical military men, there are elements of continuity which should be noted here. Most importantly, the contemporary references perpetuate the view of the army as a defensive force for the protection of the state. Conspicuous service in foreign wars remains grounds for praise, and participation in civil war continues to elicit fiery denunciation. The idea of military service as a manifestation of patriotism is slightly modified to become an extension of good citizenship; but the difference is slight and simply reflects the fact that the contemporary men are not cited as *exempla*. Lastly, the form of the citations remains very much dependent on the exigencies of the argument at hand, from the

¹⁷² An important exception is Cicero's reflections on the Civil War and specifically on Pompey's leadership found in *Fam.* 9.6.2; 7.3.2; 4.7.2; 4.9.2; 6.6.4-6; 6.1.5 (discussed below). Cicero's epistolary interests were not, of course, immune to political expediency. Military matters are treated far differently in letters to Caesar, Pompey, or other leading figures than they are in the more intimate letters to Atticus or Quintus.

advocacy of an extraordinary command, to a philosophical discussion, or to something as simple as an appeal to Atticus for advice.

The military men who will be examined in this chapter are the ones mentioned with the most frequency and detail in Cicero's writings, and represent every aspect of the army in the late Republic, from the rank and file of the army to the military dynasts Pompey and Caesar. Perhaps unsurprisingly, the quantity and depth of the references increases in proportion to the political influence of the individual in question. This reflects the relationship between political office and military command (or vice versa), and highlights Cicero's sensitivity to the political power which military prowess could impart. That this was a major concern for him is indicated by patterns which emerge in the form and function of these citations, depending on his political relationship with a particular military man. The individuals may be divided into four groups on the basis of these patterns: soldiers, protégés, sponsors, and *inimici*. Each group is characterized by a distinctive approach to the military records of the respective figures, as well as a unique aim on Cicero's part in discussing it. Although he functions as a protégé, Quintus Cicero will be examined separately in order to take full account of his fraternal relationship with Cicero.

Soldiers

The soldiers are a rather nebulous group in Cicero's writings. All but anonymous, they are treated *en masse*, usually as an extension of their commander. Although Cicero's relationship with them is highly impersonal and explicit citations few and far between, the soldiers are nevertheless important because they represent

the most distinctly military group with which he interacts. This is not to say that Cicero thought that soldiers had no political importance – he acknowledges the influence of the veterans in particular – but simply that *he* did not have a political relationship with them. The fact that most of these references occur in speeches to the Senate or People suggests that Cicero’s interaction with the soldiers was predicated on political exigency, and that he gave little thought otherwise to the men who made up the armies of the Republic.¹⁷³

Cicero’s references to the soldiers are generally positive in tone – with two important exceptions which will be addressed shortly. The complimentary citations emphasize the soldiers’ obedience and, by extension, contribution to the security of the Republic. However, because obedience was to be expected from a good soldier, Cicero often minimizes the role of the soldiers in favour of praising their commander¹⁷⁴ – and gaining his goodwill, especially in public speeches in the Senate or to the People.

The commendation of C. Vibius Pansa Caetronianus, A. Hirtius (coss. 44), and Octavian in the *Fourteenth Philippic* is typical of this model:

Cum C. Pansa consul, imperator, initium cum hostibus conflagendi fecerit, quo proelio legio Martia admirabili incredibilique virtute libertatem populi Romani defenderit.... cumque A. Hirtius consul, imperator... fortissimo praestantissimoque animo exercitum castris

¹⁷³ Caesar’s relationship with his soldiers makes an interesting comparison. His legions have distinct identities in his writings, and he normally describes how each part of his army contributed to the outcome of battle. See e.g. *BG* 2.21-7 (the Sambre); 4.24-6 (British invasion); 7.47-53 (Gergovia); *BC* 3.88-96 (Pharsalus). Henderson 1998, 67 notes that Caesar refers to his soldiers as *nostri*, “in flagrant violation of his self-denying third-person autodiegetic narrative form.” On the soldiers of the late Republic, see esp. Nicolet 1976, 174-85; Keppie 1984; Erdkamp 2006, 291-5.

¹⁷⁴ See Rosenstein 1990, 95-8, with sources, on the expectation that soldiers were sufficiently disciplined to hold their positions at any cost. Caesar’s particular habit of crediting victory to *virtus militum* is also noted on p. 94. Cicero evokes the model of the soldier who prefers death to the disgrace of leaving his post at *Tusc.* 2.58-9 (concerning the endurance of pain).

eduxerit.... cumque C. Caesar <pro praetore>, imperator, consilio diligentiaque sua castra feliciter defenderit copiasque hostium quae ad castra accesserant profligarit, occiderit.
(§§36-7; cf. §§25-8)

With the exception of the Martian Legion – whose praise is subsequently qualified as *virtus... digna clarissimis imperatoribus* (§38) – the activity of the battle is summarized as though the generals performed it single-handedly. A similar strategy is evident when Cicero credits Caesar and Quintus with *confecta Britannia, obsidibus acceptis, nulla praeda, imperata tamen pecunia* (*Att.* 4.18.5). The army is mentioned at the end of the sentence, when it is marched back to the continent to signal the end of the foray. Although belonging to peacetime, Cicero’s account of the role of Lucullus’ veterans in securing Murena’s election in 63 also follows this pattern, since the credit accrues to their general for leading them.¹⁷⁵ This is also the case for the handful of references to Pompey’s army in *Pro lege Manilia* (e.g. §§39, 45, 50, 68), a contional speech designed to focus attention on Pompey as the *summus imperator* (§28, discussed below). Although rhetorically expedient – such public praise secured not only Pompey’s favour but also that of the audience, who loved to hear their favourite general glorified – this focus nevertheless reinforces the idea that soldiers are behind-the-scenes figures. An extreme version of this view is expressed at *Marc.* 6-7:

Nam bellicas laudes solent quidam extenuare verbis easque detrahere ducibus, communicare cum multis, ne propriae sint imperatorum. Et certe in armis militum virtus, locorum opportunitas, auxilia sociorum,

¹⁷⁵ Cf. Smith 1960, 5, who estimates the size of Lucullus’ forces at three cohorts, “a token force” for the purpose of celebrating his triumph.

classes, commeatus multum iuvant, maximam vero partem quasi suo iure Fortuna sibi vindicat et, quicquid est prospere gestum, id paene omne ducit suum. At vero huius gloriae, C. Caesar, quam es paulo ante adeptus socium habes neminem.... Nihil sibi ex ista laude centurio, nihil praefectus, nihil cohors, nihil turma decerpit; quin etiam illa ipsa rerum humanarum domina, Fortuna, in istius societatem gloriae non offert: tibi cedit, tuam esse totam et propriam fatetur.

The political significance of this speech (an expression of gratitude for the pardon Caesar had granted to the Pompeian M. Marcellus), combined with its fulsome tone, make it tempting to dismiss this passage as empty words;¹⁷⁶ yet it is just possible that the reference to the detractors at the beginning signals Cicero's private thoughts on the matter, and that this passage is a frantic effort to distance himself from any sort of association.

The political benefits of downplaying the role of soldiers are even more evident in references to specific soldierly virtues. The designation *invictus* belonged to the army, but Cicero consistently uses it to flatter the commander. Cicero refers to Pompey's army in the East as *invictus* at *Leg. agr.* 2.52, as well as Caesar's in the Civil War at *Lig.* 18 (cf. *Att.* 11.7.3). In the early *Philippics*, he makes much of the fact that Octavian's army was comprised of Caesar's *invicti* veterans (esp. *Phil.* 3.3; 4.3), and praises him for enticing these men out of retirement (*Phil.* 5.44) to follow *his* lead (*Phil.* 3.38). As Manuwald summarizes, "Cicero strives to give the impression that Octavian has raised an army of veterans with the sole purpose of preventing Antonius from his (purported) attack on Rome."¹⁷⁷ The emphasis on their undefeated record bolsters Cicero's argument for the Senate to embrace this

¹⁷⁶ Gotoff 1993, xxii notes that a careful reading of the speech reveals far more subtle motives than flattery. See below, p. 243 for one example (*Marc.* 28-9).

¹⁷⁷ Manuwald 2007, n. to *Phil.* 3.3 *cumque... timeretur*.

defensive force, while simultaneously distracting attention from its legality.¹⁷⁸ Many of these references also note the size and strength of Octavian's army to similar effect.

The circumstances of the war against Antony give rise to a variation on this type of reference, by which soldiers are praised in their own right in order to secure their loyalty for political purposes.¹⁷⁹ This concerns the soldiers who voluntarily joined the Senate's cause either by defecting from Antony or participating in the levy held by Pansa. The former consists chiefly of the Fourth and Martian Legions, whom Cicero consistently singles out when mentioning the senatorial armies.¹⁸⁰ Both legions are included in the proposal for a *militiae vacatio* for themselves and their children following the present campaign (*Phil.* 5.53), and an account of the losses suffered by the Martian Legion at the battle of Forum Gallorum prefaces the proposal for a monument to the war dead (*Phil.* 14.38). The newly recruited legions are also commended at *Phil.* 11.39 (cf. 11.23-4), where Cicero says that *diu legiones Caesaris vigerunt* and exhorts the Senate to deliver to the recruits *praemia promissa*. He later lamented – privately, in a letter – that there were no funds to give the promised rewards to the *meriti milites* (*Fam.* 12.30.3). Although this expression of regret sounds like genuine concern, it must be read in the context of the disintegration of the war effort following Antony's defeat at Mutina, when Cicero

¹⁷⁸ On the problems associated with the legal status of Octavian's army, see Linderski 1984. Subtle distinctions within Cicero's praise of the army suggest that he was aware of the differing legal statuses of the men, but not greatly concerned by them, compared to his immediate agenda binding the army to the Senate so that it could be used against Antony. See esp. Manuwald 2007, n. to *Phil.* 5.52. Octavian's role within Cicero's political plans is discussed in detail below.

¹⁷⁹ On the political role of soldiers in this period, see Botermann 1968; Du Blois 1987, 19-21.

¹⁸⁰ E.g. *Phil.* 3.39; 5.53; 14.38. The legions joined Octavian at the end of November 44, following Antony's brutal suppression of a mutiny at Brundisium, and in light of attractive payments given by Octavian to the soldiers who joined him. See Manuwald 2007, n. to *Phil.* 3.3 *cumque... timeretur* and *patrimonium... conlocavit* for sources.

was desperately working to maintain the united front against Antony he had thus far achieved.¹⁸¹ His surprised tone when discussing the good judgement of soldiers elsewhere reveals a less generous disposition which must have been commonplace because Cicero makes no effort to disguise his delight (e.g. *Phil.* 3.8; 5.23; cf. 13.35). The most illuminating example of this concerns the legions which defected to Brutus in Macedonia and Illyricum early in 43. The soldiers are described as men *a quibus tanta in iudicando prudentia non erat postulanda* (*Phil.* 10.12), a rather backhanded compliment that underscores Cicero's primary interest in their commander.¹⁸² The qualities that he praises in soldiers are not inherently theirs as individuals, but derive from their deeds in a way that suggests that for Cicero, soldiers were a means to an end.

This theme is reinforced in the negative references to the soldiers, which focus on lack of discipline as a danger to the state. The army becomes a scapegoat for military failure and disgruntled veterans a force to be feared. The former phenomenon is examined in detail by Rosenstein in his study of *imperatores victi*, where he attempts to show that blaming the army for defeat was a common practice for the Romans: "the lack of *virtus* on the part of the troops... comprised a way of understanding the causes of defeat that effectively insulated those in command against accusations of negligence or culpability."¹⁸³ Lucullus is the most prominent example of a commander exonerated in this way by Cicero, although he also excuses Pompey like this after the Civil War. He states that Lucullus' army was overcome by homesickness, and, two years after Pompey's death, reflects that he approved of

¹⁸¹ The letter was written in May 43. Antony had been defeated on 21 April but managed to escape amid dissension over whether he should be pursued to death.

¹⁸² Cf. *Phil.* 10.6, 9, 24, where Brutus is given credit for seizing the legions.

¹⁸³ Rosenstein 1990, 94. The role of the *pax deorum* is also noted in the ellipsis.

*nec copias Cn. Pompei nec genus exercitus.*¹⁸⁴ (Significantly, Cicero never blames Crassus' defeat on his army, for reasons which will be addressed below, in light of his relationship with the Triumvir.) In a variation on the theme, the willingness of Caesar's Civil War troops to wage war against their country is attributed to *audacia*, a distinctly political quality evoking subversion and revolutionary leanings.¹⁸⁵

The threat posed by the veterans as a group is also firmly rooted in the political implications of their influence. The Sullan veterans are invoked at *Cat.* 2.20 as part of the third group of Catiline's followers, and called *multi viri fortes et prope pars civitatis* at *Mur.* 42 (cf. §49) to emphasize their prominence and potential for harm.¹⁸⁶ As the decades passed, Caesar's veterans became the new bogeymen – another factor in favour of Octavian when he gained control of this inherently unstable element in 44. In the discussion of the endurance of pain in Book 2 of the *Tusculanae disputationes*, Cicero sets up an elaborate comparison of veterans and raw recruits, reminiscent of Caesar's forces against Pompey's in 48. The veterans, having the advantage in discipline, are not discouraged by wounds and fare better in battle (*Tusc.* 2.37-39; cf. *Att.* 11.7.3; 11.9.1). The references in the *Philippics* are more concrete and indicate a real problem with indirect interference in politics by the veterans. Cicero exhorts the Senate to stop allowing fear of the veterans to keep

¹⁸⁴ *Fam.* 4.7.2 (Sept. 46). On Lucullus, see *Leg. Man.* 23: *...tamen nimia longinquitate locorum ac desiderio suorum commovebatur*. Rosenstein, 1990, 101 wrongly gives greed as Cicero's excuse, apparently misled by the earlier mention of local rumour that Lucullus' army had been sent to loot a temple. On Pompey, see *Att.* 11.9.1; *Fam.* 4.7.2. Cicero tended to blame Pompey himself for the defeat, during the conflict as well as afterward. The references are discussed below. Cicero's complaints of "bad influences" leading Octavian away from him make an interesting contrast, although this is not strictly a military matter. See *Ad Brut.* 1.10.3; 1.18.3.

¹⁸⁵ *Div.* 2.114. See Wirszubski 1961, 12-19 on Cicero's use of *audax/audacia* as a criticism, and generally on the political connotations of the term in Republican literature.

¹⁸⁶ Cicero's account is contradicted by Sallust, who says that the majority of Manlius' followers were Etrurian locals who had been dispossessed by Sulla. See *Cat.* 28.4.

them from deciding the policy needed by the Republic numerous times. At *Phil.*

11.38 he asks outright:

Quamquam, patres conscripti, quousque sententias dicemus
veteranorum arbitrato? Quod eorum tantum fastidium est, quae tanta
adrogantia ut ad arbitrium illorum imperatores etiam deligamus?

Cicero never directly refers to the military experience of his audience in his public works, although exhortations such as this one suggest that the veterans had considerable coercive power, at least among the senators. At *Phil.* 13.13 it is reported that Sextus Pompeius was willing to join the senatorial armies at Mutina but did not want to upset the veterans, whereas at *Phil.* 10.15 Cicero claims that Brutus' detractors simply fear the veterans' reaction to having the tyrannicide Brutus as a commander; at *Phil.* 2.59 he admits himself (at least ironically) that he would not wish to incur the wrath of veterans in Antony's army by upsetting their commander. Consistent with the leadership role he cultivates in the *Philippics*, however, Cicero asserts that he is not afraid of the veterans (esp. *Phil.* 11.37, 39), and that the veterans themselves do not wish to be feared (*Phil.* 12.29). This statement of omniscience, contrasting as it does with the earlier portrayal of the Sullan and Caesarian veterans, illustrates the flexibility of his public attitude towards the veterans. Like all soldiers, generally, they represent to him the engine of Rome's defensive force. Their importance derives from their function as a unit, but they are never as important as the generals who command them – at least on the political stage, which was his primary sphere of activity after all.

Military protégés

Cicero's political agenda is even more evident in the references to what may be termed his military protégés. These men include minor military figures defended by him, as well as Octavian, Brutus, and Cassius. Cicero's relationship with these men was based on mutually beneficial aims which required a military counterpart to his own political influence. These aims also revolved around a present need to preserve or enhance Rome's defensive forces. In all cases, Cicero's cultivation of these men in a military capacity indicates a general regard for their achievements, but chiefly as a means to a political end.

The presence of this theme in Cicero's defence speeches is not always apparent, although it accounts for the seemingly tangential military appeals which Cicero makes in his clients' defence. Despite the different charges facing M. Fonteius (pr. 75), Murena, L. Valerius Flaccus (pr. 63), and L. Cornelius Balbus (cos. 40), Cicero's defence of each man is structured in the same way: the defendant's military record is reviewed at the beginning of the speech to establish a precedent of good citizenship, any specifically military elements of the charges are refuted with further reference to military virtue and patriotism, and the speech concludes with an exhortation linking the fate of the defendant with national security.¹⁸⁷ The overall effect is to create a type of *argumenta ex vita* where military prowess stands for moral goodness, making the allegations seem inconsistent with

¹⁸⁷ Cf. Macdonald 1977, 427, who sees the similarities between the *Pro Fonteio* and *Pro Flacco* as template of sorts for defending a guilty governor. With the exception of Balbus, these speeches are the chief source for the careers of these men. Some additional information is collated by Watts 1964, 306-7 (Fonteius); Macdonald 1977, 169-71 (Murena) and 413-5 (Flaccus); and Gardner 1987, 613-5 (Balbus).

the defendant's character on patriotic grounds.¹⁸⁸ The efficacy of such appeals is well illustrated at *Ver.* 5.2:

Quid agam, iudices? quo accusationis meae rationem conferam? quo me vertam? ad omnis enim meos impetus quasi murus quidam boni nomen imperatoris opponitur.... Belli pericula, tempora rei publicae, imperatorum penuriam commemorabit; tum deprecabitur a vobis... ne patiamini talem imperatorem populo Romano Siculorum testimoniis eripi, ne obterer laudem imperatoriam criminibus avaritiae velitis.

The twin appeals at the end of the passage suit innocence and guilt equally, and we may well wonder how any military men were ever convicted. Indeed, Rosenstein has shown that military failure did not affect (re)election to the consulship or appointments to further (or extended) commands.¹⁸⁹ For present purposes, however, the strategy is important because it provides an incentive for Cicero to engage with the military identities of his protégés.

Of all the defendants, Murena's case was the most closely connected to Cicero's political agenda, and his value to the state as a military man is especially emphasized as a result. Murena was prosecuted *de ambitu* at the height of the Catilinarian conspiracy, and it was very likely that he would, as consul the following year, be needed in the field to continue the war against Catiline and his followers. The review of his career provides proof of his ability and faithfulness, thereby demonstrating his qualification for the command against Catiline. Significantly, Cicero's speech shows that Murena's military experience had drawn criticism from the prosecution.

¹⁸⁸ For the theoretical background to *argumenta ex vita*, see Cic. *Inv.* 2.32-4 (prosecution), 35-7 (defence); *Rhet. Her.* 2.5; Quint. *Inst.* 7.2.28-35. The effect of such appeals to character is discussed by Riggsby 2004.

¹⁸⁹ Rosenstein 1990, esp. 27-31.

...si adolescens patre suo imperatore non meruisset, aut hostem aut patris imperium timuisse aut a parente repudiatus videretur. ...huic donis militaribus patris triumphum decorare fugiendum fuit, ut rebus communiter gestis paene simul cum patre triumpharet?¹⁹⁰

Murena is further praised as a *magnum adiumentum* to his father (*Mur.* 12), and for his leadership as Lucullus' legate in the Mithridatic war: *maximo in bello sic est versatus ut hic multas res et magnas sine imperatore gesserit, nullam sine hoc imperator* (*Mur.* 20). The implicit advocacy of military service is made explicit shortly after this review, when Cicero argues at length that it is better to be a soldier than an orator.¹⁹¹

Cicero's treatment of Fonteius' and Flaccus' careers is rather less dramatic. Both men were tried *de repetundis*¹⁹² and Cicero uses their military (and political) careers to date to depict blameless, upright citizens (*Font.* 3-6; *Flac.* 6). He then turns the tables on the prosecution, trapping them in inconsistency. In *Pro Fonteio*, he undermines the credibility of the prosecution's Gallic witnesses on the grounds that hostility is to be expected from the very men Fonteius warred against in the course of bringing his province *sub populi Romani imperium dicionemque* (§§12-14). In *Pro Flacco*, Cicero exploits the prosecutor's earlier statements to reveal a model military man:

¹⁹⁰ *Mur.* 11; cf. §15. See Macdonald 1977, 169 on the controversy concerning Murena's father's triumph. For further details of Murena's military record, see Macdonald 1977, 169-71. Cicero's treatment of it is reviewed by Steel 2001, 135-9.

¹⁹¹ *Mur.* 30-41. Wiseman 1971, 118 notes that Cicero's comparison of military and rhetorical fame is also meant to undermine the electoral support which Ser. Sulpicius Rufus, whom Murena defeated and who was now part of the prosecution, had won as a jurisconsult. This passage is discussed in more detail below, p. 244.

¹⁹² Fonteius was tried in 69 for his governorship of Gaul (75-73), and Flaccus in 59 for his governorship of Asia (62-60).

Vestri exercitus [sc. Flaccum] fortissimum militem, diligentissimum
ducem, temperatissimum legatum quaestoremque [sc. cognovit],
quem vos praesentes.. amantissimum rei publicae civem iudicastis.
(§8)

These qualities set up his defence of the main charge, that Flaccus retained funds raised by taxes which were levied on the pretence of building a defensive fleet.

Cicero argues that the fleet was a necessary defence for a sea-bound province which had experienced problems with pirates in the past – *gloria divina Pompei* notwithstanding (*Flac.* 28-30) – and attributes the absence of pirates to the deterrent force of the fleet.¹⁹³ Fonteius' alleged misconduct did not concern military matters (the embezzlement of taxes raised for road-building), but Cicero pointedly names Pompey as a witness of Fonteius' good conduct, since he wintered with his army in Gaul during Fonteius' term (*Font.* 16).

The connection with Pompey also appears in the defence of Balbus. Balbus had been granted citizenship by Pompey for his service in the Sertorian war, but in 56 this was challenged by opponents of the Triumvirate.¹⁹⁴ Cicero's review of Balbus' record is different from the other defendants because of its emphasis on the names of his commanders, which sets up the connection with Pompey.

... hunc [sc. Balbum] in Hispania durissimo bello cum Q. Metello, cum C. Memmio et in classe et in exercitu fuisse; ut Pompeius in Hispaniam venerit Memmiumque habere quaestorem coeperit, numquam a Memmio discessisse, Carthagine esse obsessum,

¹⁹³ *Flac.* 31. Cicero also mentions a voyage by Crassus to prove that the fleet was deployed (*Flac.* 32), and sums up Flaccus' thoroughness by pointing out that Quintus Cicero was the first governor of the province not to have to levy rowers because he inherited such a strong force from Flaccus (*Flac.* 33).

¹⁹⁴ See Gardner 1958, 618; Steel 2001, 81, 108-9.

acerrimis illis proeliis et maximis, Sucronensi et Turiensi, interfuisse, cum Pompeio ad extremum belli tempus fuisse. (*Balb.* 5)

Having addressed the facts of Balbus' service, Cicero shifts the focus of his arguments to the rectitude of Pompey's deed (esp. *Balb.* 6, 65), using Pompey's name as a guarantor for Balbus' merit. Marius, Pompeius Strabo, and Sulla are also invoked to give precedents for grants of citizenship in times of war (*Balb.* 46-50, 64), reinforcing a central argument which identifies outstanding military service as both the grounds for deserving citizenship and a demonstration of good citizenship.

These patriotic accounts of the records of the defendants culminate in the appeals to national security. Although these seem overblown at times, it is clear that they were carefully crafted to suit the circumstances of the trial. The appeal in the *Pro Fonteio* is especially evocative and must be quoted in full:

Fuit enim maior talium <tum> virorum in hac re publica copia; quae cum esset, tamen eorum non modo saluti sed etiam honori consulebatur. Quid nunc vobis faciendum est studiis militaribus apud iuventutem obsoletis, <fortissimis> autem hominibus ac summis ducibus partim aetate, partim civitatis discordiis ac rei publicae calamitate consumptis, cum tot bella aut a nobis necessario suscipiantur aut subito atque improvisa nascantur? nonne et hominem ipsum ad dubia rei publicae tempora reservandum et ceteros studio laudis ac virtutis inflammandos putatis? (§42; cf. §41, 49)

The Republic's forces are portrayed at such a low ebb that it really does seem prudent to give Fonteius the benefit of the doubt. The exhortations to the judges in Murena's and Flaccus' trials are even more insistent. If we accept Cicero's account of the threat posed by Catiline, Murena's acquittal really was a matter of national security, since any delay to appoint a replacement consul would give the

Catilinarians the upper hand.¹⁹⁵ Thus we have Murena portrayed as the salvation of the state: *mihi credite, iudices, in hac causa non solum de L. Murenae verum etiam de vestra salute sententiam feretis* (*Mur.* 84). Cicero's exhortation to the judges in Flaccus' trial takes a very similar form – with less reason – as he tells the judges they are not voting for Flaccus himself, but *de vobismet ipsis, dabitur de liberis vestris, de vita, de patria, de salute communi* (*Flac.* 99). Even Balbus' citizenship is turned into a matter of national defence as Cicero claims that depriving Rome's generals of the ability to grant citizenship will deprive Rome of *summa utilitas ac maximum saepe praesidium periculosis atque asperis temporibus* (*Balb.* 22).

This emphasis on value of military service certainly does not preclude less noble motives for undertaking the defence of Murena, Fonteius, and Flaccus, and these must be examined briefly to round out our picture of Cicero's relationship with these protégés. He was drawn to Murena as a fellow *novus homo* as well as for his commitment to the pursuit of the Catilinarians.¹⁹⁶ Flaccus also had a Catilinarian connection, since as praetor in 63 he had played a key role in apprehending the conspirators (*Cat.* 3.5-7, 14; cf. *Flac.* 6).¹⁹⁷ Cicero's interest in Balbus and possibly also Fonteius, on the other hand, stemmed from Pompey. The description of the *exercitus... Cn. Pompei maximus atque ornatissimus* at *Font.* 16 is consistent with later references to the general and provides an interesting glimpse of Cicero's opinion of Pompey before the politically-charged *Pro lege Manilia*. Cicero cites his

¹⁹⁵ *Mur.* 82: *Nam ne sufficiatur consul non timent.... sperant [sc. Catilina et suum consilium] sibi D. Silanum, clarum virum, sine conlega, te sine consule, rem publicam sine praesidio obici posse;* cf. *Flac.* 98.

¹⁹⁶ Cicero addresses Murena's *novitas* at *Mur.* 17.

¹⁹⁷ Cicero presents the case as an indirect attack on his consulship, as the trial of his colleague C. Antonius Hybrida had been. Macdonald 1977, 430 sees an attempt by the Triumvirs to remove an opponent who had quarrelled with Pompey, but Epstein 1987, 109-11 finds no Pompeian involvement or hostility. The military aspects of Cicero's leadership as consul are discussed in Chapter 6.

motives for undertaking Balbus' defence as a *iusta et debita gratia* for Pompey's role in effecting Cicero's recall (*Balb.* 59), but practical considerations of submission to the Triumvirate were certainly the greater impetus. By focussing on the military identities of these men, however, Cicero successfully objectifies his own interest while also delivering a veritable lecture on military virtue and good citizenship. Murena, Fonteius, and Flaccus were almost certainly guilty, and the right to grant citizenship was traditionally the preserve of the People itself;¹⁹⁸ but when the fate of any man was linked to the security of the Roman empire, only a disloyal citizen could condemn him.

This attitude towards the value of military service is especially evident in the *Philippics*, where Cicero advocates the sanction of technically illegal commands held by Octavian, Brutus, and Cassius. The appeal to national security takes on new importance against the backdrop of the war against Antony: the armies held by Octavian, Brutus, and Cassius provided timely defensive forces for the senatorial cause,¹⁹⁹ and their very existence bolstered Cicero's unpopular contention that Antony was an enemy. Their commands were therefore integral to his pro-war policy, and his position of leadership in the crisis allowed him to claim credibly that his own interests were really those of the state.²⁰⁰ The resulting personal rhetoric reveals a great deal generally about Cicero's attitude towards these men as military figures, as well as about the value he placed on their service relative to his political agenda.

¹⁹⁸ See Alexander 2002, esp. 126 (Murena), 75 (Fonteius), 97 (Flaccus). On the authority of popular assemblies for matters concerning citizenship, see Lintott 1999, 200 (with sources).

¹⁹⁹ As consul at the start of the conflict, Antony possessed the consular armies and controlled the consular prerogative of the levy. He was also responsible for the appointment of P. Cornelius Dolabella as suffect consul, thereby effectively neutralizing him.

²⁰⁰ Cicero's leadership role in 44-43 is discussed in detail below, pp. 261-85.

We may begin with Octavian, as the first and most prominent recipient of Cicero's advocacy in the war against Antony. The letters make it clear that the relationship which developed between Cicero and Caesar's heir was based on mutual advantage: Octavian saw in Cicero the *auctoritas* and oratorical prowess that could launch his political career, whereas Cicero saw in Octavian and his veteran army a last chance to save the Republic from despotism.²⁰¹ That Cicero saw Octavian chiefly as a military figure is reflected by the fact that he is always mentioned in the *Philippics* and letters after the beginning of the war in a military context. Cicero's first statement of advocacy sets the tone:

C. Caesar adulescens, paene potius puer, incredibili ac divina quadam mente atque virtute, cum maxime furor arderet Antoni... nec postulantibus nec cogitantibus, ne[c] optantibus quidem nobis, quia non posse fieri videbatur, firmissimum exercitum ex invicto genere veteranorum militum comparavit patrimoniumque suum effudit.
(*Phil.* 3.3)

Although Cicero uses Octavian's adopted name and highlights the organization of Caesar's veterans, he does not delve into Octavian's past service with Caesar to establish a record of military virtue.²⁰² Rather, he makes Octavian's record start with this civil war, so that his service appears as wholly positive and heralded by outstanding patriotism and skill. He is called the *praesidium* of Rome (*Phil.* 3.34) for his timely deflection of Antony, and praised for his initiative and speed in raising

²⁰¹ See esp. *Att.* 15.12.2; 16.8.1; 16.9.1; 16.11.6; 16.14.1; *Fam.* 12.23.2; 11.7.2. Later sources are explicit about a consulship plot between Octavian and Cicero. See Plut. *Cic.* 45.1; 46.1; App. *BC* 3.82; Dio 46.45.2. Octavian's motives notwithstanding, there is no evidence that the plot was ever acted upon.

²⁰² Octavian had served under Caesar in Spain and was with his legions at Apollonia when news of the assassination reached him (Suet. *Div. Aug.* 8). Given his age, this must have been his *tirocinium militiae*.

his veteran army – at *Phil.* 5.23 Cicero claims that Octavian *paucis diebus exercitum fecit*. Proximity of references also credits Octavian (at least indirectly) with prompting the Fourth and Martian Legions to desert Antony.²⁰³ This swiftly constructed record of service to the state culminates in the decree in the *Fifth Philippic*, which Cicero introduces as follows:

Demus igitur imperium Caesari, sine quo res militaris administrari, teneri exercitus, bellum geri non potest: sit pro praetore eo iure quo qui optimo. Qui honos quamquam est magnus illi aetati, tamen ad necessitatem rerum gerendarum, non solum ad dignitatem valet. (5.45; cf. 5.46)

Like the defendants, Octavian's case is supported by an argument of necessity predicated on national security. However, consistent with Cicero's interest in the continued pursuit of the war, and in recognition of the extraordinary nature of his proposal, it is followed by a personal guarantee that *C. Caesarem talem semper fore civem qualis hodie sit qualemque eum maxime velle esse et optare debemus*.²⁰⁴ Again, beneficial military service is identified with good citizenship to make Cicero's cause one of patriotic rectitude. The pledge adds the element of mentoring, in keeping with Cicero's claims in this period and afterward to be guiding the teenager.²⁰⁵ Octavian's age and political inexperience made him an ideal protégé for Cicero, who gained a malleable associate with proven military skill to

²⁰³ On the Fourth and Martian legions, see above. The deflection of Antony is also mentioned at *Phil.* 3.5; 4.4; 5.43; 13.20; cf. *Fam.* 12.25.4; *Ad Brut.* 1.3.1. On the organization of the veterans, see also *Phil.* 4.3-5; 5.23; 11.20; 12.9; 13.19-20; cf. *Fam.* 10.28.3; 11.7.2; and above.

²⁰⁴ *Phil.* 5.51. Cicero makes similar pledge for Murena at *Mur.* 90. The proposal was in fact an attempt to reconcile Octavian's irregular position with the constitution, since praetorian rank was the lowest rank at which one could legally hold *imperium*.

²⁰⁵ E.g. *Fam.* 11.8.2; *Ad Brut.* 1.10.3; 1.15.6; cf. 1.18.3-4 which details Octavian's increasing independence. It should be noted that Octavian had written to Cicero asking for his guidance before the conflict began. See esp. *Att.* 16.9.1; 16.11.6; 16.14.1.

counterbalance his own unmilitary identity – much like the alliance he sought with Pompey, which will be examined below. Here, however, it will suffice to note Cicero’s anxiety to maintain Octavian’s loyalty while also assuaging the Senate’s concerns about sanctioning such a young commander. Patriotism is later invoked in the *Fourteenth Philippic* when Cicero hails Octavian, alongside Hirtius and Pansa, as *Imperator* and credits all three generals equally with *res publica conservata* (*Phil.* 14.28; cf. 36-37). That he continued to advocate military rewards is clear from *Ad Brut.* 1.15.9 where he calls his proposal for an ovation for Octavian his wisest proposal of the war – but declines to explain why this is *ne magis videar providus fuisse quam gratus*. This anxiety, in light of the eventual outcome of the relationship, suggests Cicero’s engagement with Octavian as a military man was based on a real appreciation of the teenager’s military potential, both for the task at hand and for Cicero’s vision of a properly restored Republic.

Cicero’s treatment of Brutus and Cassius in the *Tenth* and *Eleventh Philippics*, respectively, follows a similar pattern to that of Octavian, although obviously over a shorter period. Despite long standing relationships with both men, Cicero does not truly acknowledge them as military men until the war with Antony, when that role serves his agenda.²⁰⁶ Brutus and Cassius had raised considerable armies in Macedonia and Syria, respectively – provinces which Antony had assigned to himself and P. Cornelius Dolabella (cos. 44) after seizing power. Cicero praises their strength, initiative, and loyalty in order to demonstrate their fitness for command.

²⁰⁶ Obviously, Cicero could not cite Brutus’ and Cassius’ service in the Civil War to support them here, and there were personal and political reasons for previously downplaying Cassius’ involvement at Carrhae as Crassus’ “quaestor” (on which see Linderski 1975), and later contribution to fending off the Parthians during Cicero’s proconsulship in Cilicia.

Brutus' activity is described in terms of saving all of Greece from falling into Antony's hands, thereby defending Italy as well.

...esset vel receptaculum pulso Antonio vel agger oppugnandae Italiae Graecia: quae quidem nunc M. Bruti imperio, auctoritate, copiis non instructa solum sed etiam ornata tendit dexteram Italiae suumque ei praesidium pollicetur.²⁰⁷

The specific accomplishments are subsequently enumerated as moving to capture Antony's brother Gaius, overseeing a levy, and receiving legions from defectors such as P. Vatinius (cos. 47) (*Phil.* 10.13; cf. 11.26-7). Brutus is also identified with the Republic, as Cicero proclaims that *tenet igitur res publica Macedoniam, tenet Illyricum, tuetur Graeciam... maximeque noster est Brutus semperque noster* (*Phil.* 10.14; cf. 12). This association is a direct response to senatorial opposition to another extraordinary command, and turns the debate into one of patriotism during a national crisis. Cicero promotes Brutus as not only a powerful ally, but also a *safe* ally (esp. *Phil.* 10.14, 17) on the grounds of his *insperatum et repentinum rei publicae praesidium* (*Phil.* 10.24).

Experience, rather than action, is the focus of the endorsement of Cassius. The command at stake was for a war within a war – the pursuit of Dolabella, who had by this time declared for Antony, and assassinated the governor of Asia when he blocked Dolabella's access to Syria (*Phil.* 11.1-16 *passim*). Unlike Brutus and Octavian, Cassius' record before the war with Antony is reviewed in order to demonstrate his control of the area in question:

²⁰⁷ *Phil.* 10.9; cf. 11, 14; 11.27. Shackleton Bailey 1986 n. *ad loc.* notes that the Antonius in question is Marcus and not Gaius.

...tanti Tyrii Cassium faciunt, tantum eius in Syria nomen atque Phoenice est. Paratum habet imperatorem C. Cassium, patres conscripti, res publica contra Dolabellam nec paratum solum sed peritum atque fortem. Magnas ille res gessit... cum Parthorum nobilissimos duces maximas copias fudit Syriamque inmani Parthorum impetu liberavit. (*Phil.* 11.35)

The victory over the Parthians is an interesting point of praise, since that campaign had also involved Cicero as the governor of neighbouring Cilicia; at the time Cicero was quite disparaging of Cassius' achievement because it detracted from his own military glory.²⁰⁸ Here, however, as for the defendants, the episode establishes a record of valour and patriotism in support of claims being made in the present. The size and strength of Cassius' forces are also cited to support his fitness for the command (*Phil.* 11.32) but his presence and availability are his greatest strength: *opus est et eo qui imperium legitimum habeat, qui praeterea auctoritatem, nomen, exercitum, perspectum animum in re publica liberanda.*²⁰⁹ These words barely conceal Cicero's underlying concern that the pursuit of Dolabella not interfere with the war against Antony. Only Cassius was unoccupied in this way, and this, rather than any exceptional military attribute, was the basis of Cicero's interest in him. The fact that Cassius' command was not confirmed whereas Octavian's and Brutus' were exposes a fundamental tension between military matters and political agendas during times of crisis. Cassius' military credentials were as strong as Octavian's and Brutus', and we have seen the disproportionate efficacy of appeals to military service

²⁰⁸ See above, p. 19 and *Att.* 5.21.2; 6.1.14.

²⁰⁹ *Phil.* 11.26. Cicero notes that the description applies to both Brutus and Cassius, but that Brutus' engagement with C. Antonius makes Cassius the better candidate, in addition to his presence in Syria. The *legitimum imperium* must refer to Brutus and Cassius' praetorian status, even though Antony had stripped them of their provinces.

in his defence speeches. Essentially, so long as a demonstrable link could be made between national security and a specific individual, arguments in that individual's favour were likely to be accepted. Cicero's use of this strategy in both the forum and Senate likely reflects his rhetorical training; but it also shows his willingness to exploit the cachet of military success in order to further his own political agenda. His military protégés are not so much military figures as men who possess military skill.

Military sponsors

Cicero's relationship with his military sponsors is outwardly very similar to that with his military protégés, but it is based on the opposite power dynamic. These men were illustrious generals as well as influential senators, and their support – or at least neutrality – was frequently the deciding factor enabling Cicero to achieve his political aims. Thus they were men whose favour he had to court from an early stage of his career, and he found praise of their military records a convenient and effective vehicle for achieving this. The best examples are Lucullus, Pompey, and Caesar, arguably the most frequently mentioned military men in Cicero's writings, and the ones whose military achievements he particularly extols. More to the point, however, these men were not always Cicero's sponsors throughout his entire career – Lucullus withdrew entirely from public life after the ratification of Pompey's eastern settlement in 59, and Cicero outlived both Pompey and Caesar – and his later references to them make a striking contrast to the earlier, politically-motivated ones. Comparison of these two phases provides valuable insight into the effect of political

necessity on his (stated) attitude towards these men, and his sense of their legacy as commanders.

The political motivation behind Cicero's acknowledgement of Lucullus, Pompey, and Caesar as military men is best reflected in the timing of his military references to them. Three distinct phases may be identified. The first concerns the ascendancy of Cicero's political career and involves Lucullus and Pompey. Both men are consistently depicted in a military guise from the earliest surviving sources, all of them speeches and therefore calculated public statements. Pompey's appearance at *Font. 16* with his large army has already been noted, and fits well with both Cicero's personal knowledge of Pompey as a military figure from their time in Pompey's father's camp, and his roughly contemporary support for the *lex Gabinia*, as suggested by Ward.²¹⁰ The most important early references are found in the *Pro lege Manilia*, however, which is also where Lucullus is first mentioned by Cicero. His approach is subtle in order to overcome the awkward political circumstances of the speech: his enthusiastic support of Pompey for the command of the Mithridatic War necessarily set him against the incumbent Lucullus, whom he could not afford to offend for fear of alienating himself entirely from the Optimates – all the more critical since Pompey's cause was a *popularis* one.²¹¹

Accordingly, Cicero is careful to say that Lucullus is retiring from the campaign (*discedere*, §5) and that his *imperii diuturnitas* has been limited (§26) rather than stripped. He calls Lucullus a *summus vir* (§10) and gives a highly

²¹⁰ See above, pp. 15-18 for Cicero's service under Pompeius' Strabo and probable meeting of Pompey at this time, and Ward 1970a and 1970b on the early relationship between the two.

²¹¹ Keaveney 1992, 122 cautions against underestimating the amount of sympathy for Lucullus, from senators who believed that he had been deprived of *gloria*. On Pompey's *popularis* leanings, see *Comm. pet.* 1.4-5.

complimentary review of the highlights of his command, from his relief of Cyzicus from siege by Mithridates' forces (§20), defeat of the Sertorian fleet and entry to the Pontus region (§21), and conquest of the capital of Mithridates' ally and son-in-law Tigranes (§23). The account sounds so conclusive that in §22 he has to explain why a successor is needed at all. Finally, as has already been noted, he blames Lucullus' downfall on the homesickness of his soldiers, deftly avoiding undermining the image of military competence which he has built.²¹²

Pompey's role in the midst of this praise of Lucullus is as the commander whom the People want (§5; cf. §12) and the right man for the job (§27). It is in supporting the latter contention that Cicero produces his definitive praise of Pompey as a general – in terms which are unrivalled elsewhere in the *corpus*. His career is reviewed comprehensively in §§28-35, framed by Cicero's theory of the *summus imperator*. Cicero names *scientia rei militaris* as the first attribute of this *imperator* and demonstrates Pompey's qualification conclusively.

Quis igitur hoc homine [sc. Pompeio] scientior umquam aut fuit aut esse debuit? Qui e ludo atque e pueritiae disciplinis bello maximo atque acerrimis hostibus ad patris exercitum atque in militiae disciplinam profectus est, qui extrema pueritia miles in exercitu summi fuit imperatoris, ineunte adulescentia maximi ipse exercitus imperator. ... Civile, Africanum, Transalpinum, Hispaniense... servile, navale bellum, varia et diversa genera et bellorum et hostium non solum gesta ab hoc uno sed etiam confecta. (§28)

Additional mention of his Sullan campaigns and victories over Sertorius, Spartacus, and the pirates in the following sections builds to the assertion that Pompey is the obvious candidate for the command: *dubitatis, Quirites, quin hoc tantum boni... in*

²¹² See above. Cicero's treatment of Lucullus in this speech is discussed by Steel 2001, 148-54.

*rem publicam conservandam atque amplificandam conferatis?*²¹³ Like Cicero's military protégés, Pompey's command is linked to national security; however, it must be noted that the command itself is not part of Cicero's policy, but simply a means of securing Pompey's favour. It is in this light that we should see Cicero's decision to credit Pompey with the victories over Sertorius and Spartacus, since his contribution there amounted to mopping up the remaining Spartacans after Crassus had quelled the revolt.²¹⁴

The fact that Cicero's references to Lucullus' and Pompey's military records become more laudatory in subsequent speeches confirms the high standard of political advocacy he had set for himself. Lucullus' generalship is again praised in the *Pro Murena* and *Pro Archia*, in response to the demands of political patronage. It will not have been mere coincidence that Lucullus was finally awarded a triumph for his victory at Tigranocerta – which had happened in 69 – during Cicero's consulship. Lucullus in turn helped Murena to be elected consul, and his defence by Cicero served both men's interests.²¹⁵ The defence of Archias should be seen as a continuation of this aid, since the circumstances of the case (an attack on Archias'

²¹³ *Leg. Man.* 49; cf. 50. Pompey's Sullan campaigns and his defeat of Sertorius and Spartacus are also mentioned in §§10 and 29 (cf. *Phil.* 11.18), and his victory over the pirates of discussed in §§30-35 (cf. *Flac.* 29).

²¹⁴ Crassus was responsible for the infamous crucified slaves on the Appian Way and had all but extinguished the revolt when Pompey, returning from Spain, encountered and defeated some bands of slaves which had fled north. The campaign is described in detail by Marshall 1976, 25-34; Ward 1977, 83-98; cf. Seager 1979, 36-7. Pompey's intervention sparked a long-standing grudge on Crassus' part since, as Marshall 1976, 31 notes, "Crassus was apparently interested in acquiring a military reputation in order to keep up with... Pompeius whom he could obviously see securing political advantage from his military successes." Ward 1977, 99 notes that this rivalry with Pompey persisted throughout the rest of Crassus' life.

²¹⁵ Murena was Lucullus' legate in the Third Mithridatic War, and had actually commanded the siege of Tigranocerta. Cf. Keaveney 1992, App. 1, who sees in *Leg. Man.* 8 (concerning the triumph celebrated by Murena's father for his victory in the First Mithridatic War) possible evidence that the Murenæ believed they might have won the Mithridatic Wars.

previously undisputed citizenship) suggest that the prosecution was politically motivated to harass Lucullus, Archias' patron and friend.²¹⁶

Freed from the constraints of praising Pompey at the same time, Cicero praises Lucullus' Mithridatic campaign as one conducted *maiore consilio et virtute* than any other Cicero can recall (*Mur.* 33), and a credit to his name:

Hoc dico: Si bellum hoc, si hic hostis, si ille rex contemnendus fuisset, neque tanta cura senatus et populus Romanus suscipiendum putasset neque tot annos gessisset neque tanta gloria L. <Lucullus> (*Mur.* 34)

Lucullus is also a *clarissimus imperator* (*Arch.* 11) who is made famous by Archias' poem about the Mithridatic War (*libri...inlustrant*, *Arch.* 21). There is less attention in these speeches to his specific achievements, but the episodes which are examined are done to the greatest advantage. At *Mur.* 33 Cicero depicts Lucullus' success as foiling the naïve plans of Mithridates, and at *Arch.* 21 he makes Lucullus the leader of the Roman People into uncharted lands.

The military references to Pompey in this period display a much more intimate association with his sponsor. Cicero commends Pompey's achievements in the east in the *Catilinarians*, but also appropriates their magnitude in order to show off his own achievements at home. At *Cat.* 2.11 an oblique reference to the ending of all external wars *unius virtute* sets up Cicero's frenzied insistence that *intus insidiae sunt, intus inclusum periculum est, intus est hostis*. Once the conspirators have been apprehended, Cicero addresses Pompey as an equal:

²¹⁶ See Keaveney 1992, 138; Berry 2004, 294.

... intellego... unoque tempore in hac re publica duos civis extitisse quorum alter finis vestri imperi non terrae sed caeli regionibus terminaret, alter eiusdem imperi domicilium sedesque servaret.²¹⁷

The association is taken one step further in *Fam.* 5.7.3, where Cicero recapitulates his contribution to the security of the state and announces his infamous wish to play Laelius to Pompey's Scipio Aemilianus. This has traditionally been read as an alliance between an orator and a general, but this interpretation does not take into account Cicero's assertions of equality in the *Catilinarians*, or his view of Laelius as a military figure and Aemilianus as an example of *humanitas*, as was seen in Chapter 2.²¹⁸ Rather, the alliance is one of defenders of the Republic – at home and abroad, by peace and by war – in an idealized union of political and military skill. Pompey's deficiencies in the former category are noted by Cicero throughout his writings,²¹⁹ and his later criticisms of Pompey's management of the Civil War (discussed below) indicate that he felt free to advise Pompey on military strategy despite his own limited experience.

A new phase in Cicero's relationship with Pompey as a commander was ushered in by the Triumvirate and especially the return from exile. In a further manifestation of Cicero's self-identification with the state, he links Pompey's role in securing his recall with defending the Republic:

²¹⁷ *Cat.* 3.26; cf. 4.21. At *Leg. agr.* 2.25 and 3.16 Cicero also praises Pompey for protecting the liberty of the People – a fitting focal point for speeches *ad populum* before the Catilinarian crisis brought Cicero's own leadership to the fore.

²¹⁸ E.g. Astin 1967, 81; Ward 1967, 6; Rawson 1978, 92; Steel 2005, 60-1; Stevenson 2005, 150; cf. Ward 1967, 182, describing the alliance as one between a military and a civilian hero. For Cicero's perception of Laelius and Aemilianus, see above, pp. 58-69 *passim*.

²¹⁹ Usually in moments of disillusionment. See esp. the criticism at the outset of the Civil War at *Att.* 8.16.1: *nec vero ille me ducit qui videtur; quem ego hominem ἀπολιτικώτατον omnium iam ante cognoram...*; cf. *Att.* 1.13.4; 1.16.12. Gell. 14.7.1-3 says that Pompey asked Varro to write him a political handbook; cf. *Att.* 8.3.3; 1.13.4; 1.14.1-4; *Fam.* 8.1.3; Suet. *Jul.* 28.3; Dio 40.56.

...qui omnibus bellis terra marique compressis imperium populi
Romani orbis terrarum terminis definisset, rem publicam everti
scelere paucorum, quam ipse non solum consiliis sed etiam sanguine
suo saepe servasset (*Sest.* 67; cf. *Dom.* 129; *Planc.* 93)

These speeches are also full of attestations of friendship between the two, and a list of Pompey's attributes at *Dom.* 16 bears a striking resemblance to the qualities of the *summus imperator* from the *Pro lege Manilia*.²²⁰

This is also the context in which Caesar first appears in Cicero's writings in a military guise, and the fact that he is consistently praised underscores the role of politics in Cicero's acknowledgement of him as a military man. The positive tone of the *De provinciis consularibus* is frequently remarked upon and rightly attributed to Cicero's need to please the Triumvirs;²²¹ but his use of military detail to do so has escaped notice. The strategy is the same as that used for the military protégés, but, like Pompey's Mithridatic command, Caesar's command is not itself part of Cicero's political agenda. Significantly, his account of Caesar's military record is restricted to his activity in Gaul in order to construct an argument based on precedent: *sit in eius tutela Gallia, cuius fidei, virtuti, felicitati commendata est*.²²² Indeed, Caesar's service before 59 is never mentioned in his writings, for reasons which are unclear but suggest that he did not engage with Caesar as a military figure until political circumstances forced him to – and then solely as a means of earning his goodwill.²²³

²²⁰ On Cicero's friendship with Pompey and his role in Cicero's recall, see *Red. pop.* 16; *Dom.* 27, 30-1; *Sest.* 39; *Pis.* 34-5, 76; *Rab. Post.* 33; *Mil.* 39. Cf. *Att.* 4.1.7 where Cicero claims that Pompey called him his *alter ego* when appointing him the first of his 15 legates for the grain commission. The attributes listed at *Dom.* 16 are *fides*, *consilium*, *virtus*, *auctoritas*, and *felicitas*, whereas those at *Leg. Man.* 28 are *scientia rei militaris*, *virtus*, *auctoritas*, and *felicitas*.

²²¹ See most recently Lintott 2008, 206-8.

²²² *Prov.* 35. Note the similarity of the attributes to *Leg. Man.* 28 and *Dom.* 16.

²²³ Caesar's early career is traced in detail by Taylor 1957.

The composite parts of the campaign are examined in a way that emphasizes Caesar's contribution to Rome's security.²²⁴

Itaque cum acerrimis nationibus et maximis Germanorum et Helvetiorum proeliis felicissime decertavit, ceteras conterruit, compulit, domuit, imperio populi Romani parere adsuefecit.... Nihil est enim ultra illam altitudinem montium usque ad Oceanum quod sit Italiae pertimescendum. (§§33-4; cf. *Pis.* 81-2)

He is further praised for conducting a campaign of offence instead of defence, and said to have achieved even more than Marius in this way (§32). Cicero concludes with a slightly tongue-in-cheek, but nevertheless characteristically patriotic assertion that *si inimicissimus essem C. Caesari, sentirem tamen rei publicae causa* (§40). In the *Pro Balbo*, the focus shifts to Caesar's empire-building (§64) in a careful counterbalance to all the praise of Pompey in the speech.²²⁵ Arguably the most encomiastic reference occurs in the *Pro Rabirio Postumo*, however, and focusses strictly on military skill:

Multas equidem C. Caesaris virtutes magnas incredibilisque cognovi... Castris locum capere, exercitum instruere, expugnare urbis, aciem hostium profligare, hanc vim frigorum hiemumque quam nos vix huius urbis tectis sustinemus excipere, eis ipsis diebus hostem persequi cum etiam ferae latibulis se tegant atque omnia bella iure gentium conquiescant – sunt ea quidem magna; quis negat? (§42)

²²⁴ Caesar also presents his activity as motivated by national interest. See e.g. *BG* 1.8.3; 1.33.2; 1.45.3; 4.17.1; 4.19.4; 7.17.4. Wiseman 1998, 1 notes that *populus Romanus* is mentioned 41 times in Book 1 of the *BG* alone.

²²⁵ See esp. *Balb.* 9, which traces Pompey's career in a manner reminiscent of *Leg. Man.* 28, and 16, on his young age when he celebrated his first triumph. Pompey's connection with Balbus is discussed above.

The tone is similar to the *summus imperator* rhetoric of the *Pro lege Manilia*, but not nearly as well developed. The list format may indicate that Cicero is following a rhetorical model rather than being spontaneous (cf. similar lists of virtues at *Marc.* 5, 9). A subsequent explanation that Caesar is motivated by *praemia ac memoria sempiterna* rather detracts from the picture of military perfection, and makes a stark contrast to the magnanimity implied by the references to Pompey's skill. Yet against this view we have Cicero's contemporaneous epic on Caesar's British expedition, and anxious letters to Quintus in Gaul asking about Caesar's goodwill towards him.²²⁶

This type of wavering characterizes the military references to both Caesar and Pompey in the Civil War and aftermath. The conflict represented a point of no return for both men as Cicero's sponsors because they had taken arms against the state without attempting to resolve the conflict peacefully. Cicero no longer wished to be associated with either man politically, but again necessity forced him to embrace Caesar. No doubt due to the political implications of this war, there are fewer explicitly military references than might otherwise be expected.²²⁷

Cicero's opinion of Pompey's leadership falters from the outset of the conflict. In addition to his reluctance to take on the Capuan command given to him by Pompey,²²⁸ he expresses distrust of Pompey's control of his army and apparent lack of strategy. In *Att.* 7.12.1 (22 Jan. 49) he says that if Pompey stays in Italy

²²⁶ See below, pp. 124-8.

²²⁷ The vast majority of Cicero's references to Pompey and Caesar at this time are in letters concerning their jockeying for political position. These are examined by Holliday 1969, chs. 4-5, focussing on Pompey. It should be remembered that Cicero still held proconsular *imperium* at the outset of the conflict (see above, p. 24). He seems to have felt that it gave him special credibility with Caesar and Pompey, and aimed to use that influence to mediate.

²²⁸ On Cicero's service in the Civil War, see above, pp. 24-7.

exercitum firmum habere non possit, and the following month laments Pompey's lack of *animus*, *consilium*, and *diligentia* (*Att.* 7.21.1; cf. *Att.* 8.2.2). These criticisms soon turn to outright condemnation as the conduct of the campaign leads Cicero to see Pompey as another Sulla (esp. *Att.* 8.11.1-2; 9.7.3; 9.10.6), and even to fear a Pompeian victory (*Att.* 8.7.2). His brief time in Pompey's camp did little to improve his opinion of the general, and his only contemporaneous comment is a vague lament of the state of affairs (e.g. *Att.* 11.4.1).

Cicero's references to Caesar are also frequently veiled, although Caesar is consistently portrayed as a force to be feared. The fact that the Senate had given him the materials with which he now assailed the Republic troubled Cicero especially (esp. *Att.* 7.11.1; *Fam.* 16.11.12), and the potential of power for cruelty is an undercurrent in the four letters between the two men which date from this period (*Att.* 9.6a; 9.11a; 9.16.2-3; 10.8b). More telling are Cicero's references to philosophical discussions of whether it is right to make war on one's country if it is ruled by a despot (*Att.* 9.4.2), and whether it is right to be in a despot's council if he is debating matters of public interest (*Att.* 10.1.3).

Nevertheless there is a complete reversal of opinion following the Civil War, and Caesar's pardon. The so-called Caesarian speeches (*Pro Marcello*, *Pro Ligario*, *Pro Rege Deiotaro*) are all encomia of Caesar, consistent with Cicero's subservience, but with very little explicitly military praise. Context supplies an attractive explanation: all three men had fought on the Pompeian side in the Civil War, and Cicero is at pains throughout these speeches to demonstrate their new loyalty to Caesar's cause. Any discussion of military service would run the risk of inconsistency, and so we find Cicero redefining military greatness. At *Marc.* 23 he

credits Caesar with rebuilding the state after the war, but by far the most common frame of reference recalls Caesar's legendary *clementia* in sparing Cicero as well as Marcellus, Ligarius, and Deiotarus (*Marc.* 31-3; *Lig.* 30; *Deiot.* 40, 43).

This brings us to the final phase of Cicero's references to his military sponsors: those made after their sponsorship had ended. The fact that these references differ markedly in tone and content from the earlier references further demonstrates the conditioning effect of political expediency, and also suggests that these later citations may in fact represent Cicero's true (or at least primary) attitude towards the figure in question. Interpreted in this way, the results are highly evocative. Lucullus remains nominally a military figure (*Sest.* 58; *Har.* 42), but by far the most attention is paid to his life of luxury.²²⁹ A lasting friendship seems to be behind Cicero's initial plans to make Lucullus a character in his *Academica*, but a different impression is given in a letter to Atticus where he is described as a *homo nobilis* but *nullo modo philo<lo>gus*.²³⁰

Cicero's attitude towards Pompey after his death is rather mixed. Although he was effectively barred from openly lamenting his friend while Caesar lived – at *Deiot.* 12 he says that Pompey's praise is finite, whereas Caesar's is infinite – he does make some revealing private comments. Following in the pattern of the Civil War citations examined above, Cicero expresses resignation about the outcome (esp.

²²⁹ See esp. *Leg.* 3.30-3; *Fin.* 2.107; *Off.* 1.140; 2.57. Keaveney 1992, 153 notes that this was the image of Lucullus handed down to posterity: "Lucullus the flabby, back from the wars, lolling by his ponds, indifferent to the fate of the Republic."

²³⁰ *Att.* 13.12.3; cf. 13.16.1; 13.15.5. Keaveney 1992, 11-12 sees disparaging comments in Cicero's letters as largely inaccurate and argues that Cicero deliberately minimized Lucullus' political importance in his later life in order to emphasize his own role in the state. Although this is certainly the case with Cicero's relations with other political figures, Lucullus had retired and Cicero no longer needed to court his favour; his emphasis on his own accomplishments at this time need not be seen as disparaging.

Fam. 9.6.3; 4.9.2) and laments his lack of influence with Pompey (esp. *Fam.* 6.6.4-6; cf. *Phil.* 2.23-4, 38). More surprising, however, is the outright condemnation of *Fam.* 7.3.2 where Cicero recalls the events at Dyrrachium and Pompey's refusal to follow his advice to delay the battle: *ex eo tempore vir ille summus nullus imperator fuit*. His flight from Pharsalus is alluded to at *Div.* 1.24 to rebuff arguments on the worth of divination,²³¹ and Cicero asks whether foreknowledge of his fate would have stopped him at *Div.* 2.24. The Ides of March reawakened Cicero's Republican ideals and lead to a partial rehabilitation of Pompey as a military man. He is called a *summus et singularis vir* (*Off.* 2.20) and a *singularis vir ac paene divinus* (*Phil.* 2.39), and his underage honours (*Phil.* 5.43-4) and command against Sertorius *pro consulibus* are celebrated (*Phil.* 11.18). On the whole, however, Cicero's primary mode of reference to Pompey at this time accentuates his former benefit to the Senate (esp. *Phil.* 2.54; 13.34) – a notable nostalgia since Cicero was at this time grooming Octavian for another Laelius-to-Scipio relationship.

As for Caesar, there can be no question that Cicero's later references to him represent a truer opinion of the general than his previous statements – even though due discretion is exercised. At *Phil.* 13.2 Caesar is discreetly condemned alongside Sulla, Marius, Octavius, and Cinna as men who desired civil war,²³² and at *Off.* 3.84 as a *rex* who enslaved the Roman People with the Roman army. A lengthy list of Caesar's attributes at *Phil.* 2.116 is outwardly complimentary, but carries a grave warning to Antony:

²³¹ The argument is that divination, like *imperatorum scientia*, is useful even though it sometimes fails. Significantly, the words used are *summus imperator*. Cicero returns to Pompey's example at *Div.* 1.27.

²³² *Phil.* 13.2: *Nam quid ego de proximo dicam cuius acta defendimus a[u]ctorem ipsum iure caesum fatemur? Nihil igitur hoc cive, nihil hoc homine taetrius, si aut civis aut homo habendus est, qui civile bellum concupiscit.*

Cum illo ego te dominandi cupiditate conferre possum, ceteris vero rebus nullo modo comparandus es. Sed ex plurimis malis quae ab illo rei publicae sunt inusta hoc tamen boni est quod didicit iam populus Romanus quantum cuique crederet, quibus se committeret, a quibus caveret. (*Phil.* 2.117)

In short, Caesar was not a general to Cicero but a powerful man made more powerful by the armies at his back. The fact that he liked Lucullus and Pompey did not detract from the potential for harm when generals dominated the Senate; but it did give him a more comfortable identity with which to interact. Cicero's use of military praise to secure the political sponsorship of these men highlights Roman sensitivity to military *gloria* and the scope for political advancement which that *gloria* could impart.

Military *inimici*

The final type of relationship to be examined is that between Cicero and the military men whom he counted as *inimici*. The most prominent of these are Crassus and Antony, whose stormy political relationships with Cicero are well attested in his writings, and the focus of many modern commentators.²³³ The effect of this antagonism on Cicero's perception of the two men as military figures has not been studied, however, despite an intriguing military element in both cases. Both men initiated controversial wars – Crassus' against the Parthians in 53, and Antony's against the state in 44-43 – thereby threatening national security. We have already observed Cicero's abhorrence of magistrates who abuse their authority and resources

²³³ On Cicero's relationship with Crassus, see esp. Shackleton Bailey 1971, 31, 40, 43-5, 86-7; Marshall 1976, 35, 113-14; Ward 1977, 68, 143-51. On his relationship with Antony, see esp. Shackleton Bailey 1971, 230-2, 245-7; Huzar 1978, 119-20.

in his use of *exempla* to critique poor behaviour.²³⁴ His references to Crassus and Antony echo this attitude, and their historical context indicates that military misconduct was in fact the basis of his *inimicitia* with both men.

Cicero's references to Crassus' and Antony's military careers are distributed throughout his writings, but become more frequent – and vindictive – following their controversial campaigns. Indeed, the early service of both men is consistently referred to in positive or at least neutral tones, whereas their later activity is always treated in a negative way. Crassus is praised for his role in ending the war against Spartacus at *Ver.* 5.5, and he appears in this connection in the lengthy list of commanders who celebrated triumphs (and related honours) at *Pis.* 58.²³⁵ His popularity as a general is also alluded to at *QFr.* 2.3.2 where Clodius has the crowd shout Crassus' name as their preferred commander for the Egyptian command. The only neutral reference to Antony's military service occurs at *Fam.* 16.11.1 and concerns his departure to join Caesar in 49.²³⁶ The near-superficiality and small number of these references indicate that although Cicero had a basic knowledge of both men's military records, he had little interest in them – apart from their controversial campaigns.

The references to these campaigns vastly outnumber the other citations, and are always detailed and critical. Their dominance reflects the significance Cicero placed on this military activity, and shows that it defined his view of both men as

²³⁴ See above, pp. 48-9 (Verres and Piso).

²³⁵ Crassus celebrated an ovation for the defeat of Sertorius, a dubious distinction since victories over slaves were not eligible for triumphs (*Gell.* 5.6.20-1). See *Plut. Crass.* 11.8; cf. Marshall 1976, 33-4; Ward 1977, 98. Marshall 1972 discusses the prestige accruing from Crassus' celebration. On the ovation as a consolation prize, see Beard 2007, 63.

²³⁶ Antony's career is treated in full by Bengtson 1977 and Huzar 1978. Huzar 1978, 27 notes that Antony began his military career quite late at age 25.

military men. He is disparaging of Crassus' Parthian expedition from the outset, reacting to his departure by sarcastically calling him another Paulus and dismissing him as a *homo nequam*.²³⁷ In the treatises he makes much of Crassus' maxim that *neminem esse divitem nisi qui exercitum alere posset suis fructibus* (*Parad.* 45; *Off.* 1.25; cf. *Parad.* 52) and the greed that prompted the campaign. At *Fin.* 3.75 Cicero attributes Crassus' decision to cross the Euphrates *nulla belli causa* to greed, and at *Off.* 1.109 he cites Sulla and Crassus as men who would do anything to achieve their aims. This bitterness is consistent with Cicero's concept of the army as a defensive force and underscores the somewhat extra-constitutional nature of Crassus' command.²³⁸

The most detail and scorn, however, is reserved for the events leading up to Crassus' defeat at Carrhae, specifically his deliberate disregard for the auspices. Cicero's criticisms are doubly damning because Crassus' son – who died with him – was an augur (his death created the vacancy which Cicero eventually filled). He emphasizes Crassus' own responsibility for his downfall, as well as his attempt to shift the blame to the tribune, C. Ateius Capito: *non igitur obnuntiatio Atei causam finxit calamitatis, sed signo obiecto monuit Crassum, quid eventurum esset, nisi cavisset. ...peccatum haereat non in eo, qui monuerit, sed in eo, qui non obtemperavit*.²³⁹ Other omens which preceded the defeat are described at *Div.* 2.84 and 2.99, whereas at *Div.* 2.22 and *Tusc.* 1.12 Cicero explores the juxtaposition of

²³⁷ *Att.* 4.13.1, Nov. 55. Paulus famously defeated Perseus and celebrated a lavish triumph in 167.

²³⁸ Crassus received the command by virtue of the *lex Trebonia* (55), a law orchestrated by Crassus and Pompey to secure favourable commands for themselves the following year. See Ward 1977, 274-5, with discussion of ancient sources. On Crassus' Parthian campaign as an unjust war, see Mattern-Parkes 2002-03.

²³⁹ *Div.* 1.30. The episode is analyzed by Rosenstein 1990, 71-2, who concludes that Crassus' actions were likely not significant at the time (Capito was later condemned by the censors for inventing the omens), and only became so after Carrhae.

Crassus' greedy aspirations for the campaign and the magnitude of his loss. The image of Crassus as a general is ultimately that expressed at *Fin. 2.57*: a *callidus* offender who is also very powerful (*praepotentem*), and usually (*solebat*) relied on his own resources.

Antony's military activity in his conflict with the state is treated in even more disparaging terms in the *Philippics*. Despite the fact that these speeches were delivered as events unfolded, Antony's action is consistently described in recapitulating narrative. His alleged plans for a massacre in Rome are reviewed numerous times, supposedly substantiated by his brutal suppression of a mutiny among his men at Brundisium.

Quis enim est tam ignarus rerum, tam nihil de re publica cogitans qui hoc non intellegat, si M. Antonius a Brundisio cum iis copiis quas se habiturum putabat, Romam, ut minabatur, venire potuisset, nullum genus eum crudelitatis praeteriturum fuisse? quippe qui in hospitis tectis Brundisi fortissimos viros optimosque civis iugulari iusserit; ...nisi unus adulescens [sc. Caesar] illius furentis impetus crudelissimosque conatus cohibuisset, rem publicam funditus interituram fuisse.²⁴⁰

Cicero's vilification of Antony will be discussed further in Chapter 6, but the constant reference to savagery and reckless disregard for the state should be noted here for the type of record it portrays. Antony's treachery so offended Cicero that he retroactively applied present characteristics to past activity, constructing a record of military misconduct that is fully the equal of the quickly-constructed record of valour

²⁴⁰ *Phil.* 3.4-5. In the ellipsis Cicero claims that Antony's wife Fulvia was splashed by the blood of the dying soldiers. Antony's action had been to arrest the leaders of the uprising and execute every tenth man. The episode is also related at *Phil.* 4.4; 5.22-23; 13.18; cf. *Fam.* 12.25.4; *Ad Brut.* 1.3.1.

he attributes to Octavian.²⁴¹ In the *Second Philippic*, Cicero blames Antony for starting the Civil War (§§51-3), as well as for the deaths of the fallen soldiers, claiming *tris exercitus populi Romani interfectos: interfecit Antonius* (§55). Finally, his administration of Italy in Caesar's absence is described as *conculcandam Italiam* (§57). Even though this speech was never delivered,²⁴² it is nevertheless an important indicator of Cicero's perception of Antony's military capacity. At *Phil.* 3.1 Cicero denounces the conflict as a *bellum nefarium... ab homine profligato ac perdito*, and at *Phil.* 5.23 mocks Antony's "flight" to Gallia Cisalpina while in his general's cloak (*paludatus*). The implication of this last citation is that a proper general would have marched to on to Rome to face battle there instead of relocating the theatre of war. It is perhaps no coincidence that military references to Antony in subsequent speeches minimize his active role, reducing him to a static presence that provides the context for the valour of Octavian, Hirtius, and Pansa (esp. *Phil.* 14.25-28). A late reference in the letters reveals Cicero's frustration with Antony as a general who puts his own security above the welfare of the state: *quid enim abesse censes mali in eo bello in quo... incolumis imperator honoribus amplissimis fortunisque maximis, coniuge, liberis, vobis adfinibus ornatus bellum rei publicae indixerit?* (*Ad Brut.* 1.18.2).

We have now seen how Cicero viewed Crassus and Antony as military men; it remains to explore the effect of *inimicitia* on this view. The first point to note is that although Cicero censures the morals and motives of both men, he never

²⁴¹ See above.

²⁴² The precise date of publication for the *Second Philippic* continues to be debated, but the current consensus favours late November 44, once Antony had commenced his march on Gallia Cisalpina. See esp. Shackleton Bailey 1986, 31; Frisch 1946, 143. Ramsey 2003, 158-9 makes a compelling argument for circulation in late November and publication on 20 December, concurrent with the *Third* and *Fourth Philippics*.

challenges their military credentials. The reference to Crassus as a second Paulus and taunting of Antony's alleged flight belittle the respective actions, but make no attempt to deny either man's status as a general. The attitude is the same as that expressed towards negative *exempla*, where the figure is not condemned as inherently evil, but for using his abilities to the detriment of the state.²⁴³

The timing and quantity of the negative military citations is also noteworthy. The positive and neutral military references explored above are in fact attended by equally flattering or objective unmilitary references. Those pertaining to Crassus are analyzed in detail by Havas, who finds no evidence of *inimicitia*.²⁴⁴ Whereas Marshall cites Crassus' involvement with Catiline, association with Clodius, and possible involvement in Cicero's exile as sources of enmity between the two,²⁴⁵ the references simply do not support the idea of long-standing hostility. In addition to the military praises already noted, Cicero bought Crassus' house (*Fam.* 5.6.2), and on the eve of his exile advised Quintus to seek help from Crassus if he needed it (*QFr.* 1.3.7; cf. *Fam.* 14.2.2); for his part, Crassus brought the Catilinarians' letters to Cicero, praised his consulship publicly (*Att.* 1.14.3-4), and served with him as defence counsel for Murena.²⁴⁶

Cicero's opinion of Antony before 44 must be inferred from a silence which speaks volumes. He is first mentioned at *Mil.* 40 where he is praised – in a passage

²⁴³ See above, Chapter 2. *Contra* Manuwald 2007, n. to *Phil.* 3.4 *cum eis copiis quas se habiturum putabat*, who claims that Cicero aims to portray Antony as a weak general.

²⁴⁴ Havas 1970, esp. 43: "C'est-à-dire Cicéron affirme d'avoir dénoncé les activités subversives de Crassus sans nourrir des préjugés à son égard." At *Phil.* 2.7 Cicero admits that he had many *contentiones* with Crassus, but calls these political rather than personal.

²⁴⁵ Marshall 1976, esp. 35-40, 113-14, 116. Shackleton Bailey 1971, 74 notes Crassus' antagonism toward Pompey, *contra* Marshall, 39.

²⁴⁶ *Mur.* 10, 48. Cicero and Crassus also worked together to defend Balbus, but this should be attributed to the influence of the Triumvirate rather than Cicero or Crassus' choice. *Sal. Cat.* 48.9 gives a very different account of Crassus' role in 63, alleging that Cicero planted a witness to implicate Crassus in the plot, thereby neutralizing his considerable influence.

heavy with sarcasm – for giving Milo an opportunity to assassinate Clodius. After this reference he enters Cicero’s writings only as an extension of Caesar²⁴⁷ and does not appear in his own right until after the Ides of March. It seems likely therefore that Cicero thought little of Antony until his new-found influence forced Cicero to acknowledge him on the political stage. That they were not overt political enemies at this time is borne out by studiously polite letters exchanged throughout 44 protesting *amicitia*.²⁴⁸ Cicero also wrote a letter like this to Crassus (*Fam.* 5.8), asserting his support for the proposal which made Crassus governor of Syria. These letters should not be accepted at face value, but they nevertheless show that Cicero maintained outwardly civil relations with Crassus and Antony until immediately before their controversial commands.

The commands, and the misconduct which attended them, were therefore the spark that brought on Cicero’s *inimicitia* with both men. Antony is denounced thoroughly and consistently from the moment that he marched the consular armies against Decimus. The comparative lateness of the bulk of Cicero’s denunciations of Crassus may be attributed to political context, as it would not have been prudent to criticize the Triumvir while Caesar’s and Pompey’s coalition lasted, or an overreaching general during the Civil War itself.²⁴⁹ Cicero’s *inimicitia* with Crassus and Antony was based on their abuse of their military privileges for personal gain,

²⁴⁷ This is exemplified by the letters concerning Cicero’s pardon from Caesar, where Antony fastidiously abides by Caesar’s instructions, much to Cicero’s chagrin. See *Att.* 10.10.2; 11.7.2. Huzar 1978, 55 sees Antony’s relations with Cicero during the Civil War as a type of proxy for Caesar in wooing Cicero, and rightly notes that Antony had no reason to be friendly toward Cicero, who had executed his stepfather, the Catilinarian conspirator P. Cornelius Lentulus Sura.

²⁴⁸ See esp. *Fam.* 16.23.2 (c. May 44); cf. *Fam.* 11.5.2 (Dec. 44); *Phil.* 2.1; 3.1, 3-8; 5.3 on the deterioration of their “friendship”. See also Lintott 2008, 295-7 on reading between the lines of the correspondence between Cicero and Antony.

²⁴⁹ Havas 1970, 42-3 misses this political context and Cicero’s hatred of military misconduct, and is consequently baffled by Cicero’s change of tone following Caesar’s assassination.

and on the threat to the security of the Republic which that abuse posed. From the moment they undertook this action, this was the only military capacity in which he saw them. The ferocity of his reaction often gives the impression of pettiness, but it must be read in the context of his perception of the army as a defensive force. What is significant is how this enmity transcends public life: whereas his interaction with soldiers, protégés, and sponsors was often motivated by political advantage, his antagonism towards Crassus and Antony was much more personal and based on an ethical judgement of their military activity.

Quintus Cicero

The last military man to be considered in this chapter is Quintus Cicero. As has already been noted, Cicero's relationship with his brother as a military man is special because of its unpolitical origins. It is also special because of the seemingly shameless way in which Cicero exploits Quintus' military service and contacts for his own political aims, as though their blood bond relieved him of the need to pretend otherwise. Cicero's discussion of Quintus' military service shows clearly that he acknowledged his brother as an experienced, able commander; but it does not reveal any particular admiration of this fact. If anything, Quintus' military abilities seem to have provoked a sort of inferiority complex in Cicero. Shackleton Bailey makes much of sibling rivalry between the two men, particularly in their later years.²⁵⁰ The scope for this was considerable. Both had been trained in oratory, both were interested in literature and philosophy, and both achieved high office despite

²⁵⁰ Shackleton Bailey 1980, 5, citing Shackleton Bailey 1971, 24.

being *novi homines*.²⁵¹ A certain amount of competition was inevitable, and is occasionally reflected in Cicero's writings. To give one particularly revealing example, at *De orat.* 2.10 Cicero claims to quote Quintus' own joke that he chose not to practice oratory because he believed *unum... satis esse non modo in una familia rhetorem, sed paene in tota civitate*. It is tempting to think of Quintus as being "forced" into a military career by his brother's civilian talents. His aptitude for soldiering – something Cicero could not rival – was no doubt a source of friction in fraternal relations, and offers an attractive explanation for Cicero's attitude towards him as a military figure.

Cicero refers to all of Quintus' campaigns, but primarily in the letters (often to Quintus himself) and rarely in more than passing detail. This underscores the private nature of their relationship – Cicero writes to his brother with a candour second only to his letters to Atticus – but also complicates the assessment of the citations since it is impossible to determine whether vague references are the result of lack of information or lack of interest.

The military duties of Quintus' proconsulship in Asia are only vaguely alluded to – in their absence – in a lengthy letter of brotherly advice. Cicero expresses relief that the extension of Quintus' command does not entail *bellum aliquod magnum et periculosum administranti* (*QFr.* 1.1.4), and lists enemy plots, skirmishes, defections of allies, and mutiny as military threats about which Quintus need not worry (*QFr.* 1.1.5). His legateship with Pompey for the grain commission is mentioned explicitly at *Scaur.* 39, but two contemporaneous letters simply urge

²⁵¹ See definition above, p. 28. Quintus was praetor in 62. He is an interlocutor in *De legibus*, *Brutus*, and *De divinatione*; *De oratore* and *De re publica* are dedicated to him.

Quintus to sail safely in December, and to mind his health in Sardinia (*QFr.* 2.1.3; 2.3.7). Balsdon, noting that Quintus is the only one of Pompey's 15 legates about whom we know anything, blames disinterest for the lack of further detail in the letters.²⁵² Slightly more information is provided about Quintus' campaign with Caesar in Gaul, but here the focus shifts rather to Caesar than Quintus. At *Att.* 4.18.5 the two are credited with *confecta Britannia*, and at *QFr.* 2.16.4 Cicero waxes lyrical about Quintus' literary material: *quos tu situs, quas naturas rerum et locorum, quos mores, quas gentis, quas pugnas, quem vero ipsum imperatorem habes!* The lack of concrete detail about the campaign supports Abbott's cynical assertion that Quintus' presence is the only reason the Gallic War is mentioned in the letters at all.²⁵³ This ambiguous treatment of Quintus' military record culminates in the references to his service as Cicero's legate in Cilicia. Despite what must have been a demanding role, given Cicero's lack of experience, Quintus is mentioned only three times in a military capacity. Two references concern his marching the army to its *hiberna* (*Att.* 5.20.5; 5.21.14) and the other his leadership with Cicero of a cohort in the Amanus campaign.²⁵⁴ Significantly, this last reference occurs in a public letter, sent to Cato but meant as a public letter to be related to the Senate. Yet, in Shackleton Bailey's words, "it may not be an accident that Cicero nowhere expresses any appreciation of his brother's services in Cilicia."²⁵⁵ As we have already seen, Cicero also downplayed Cassius' contribution in repulsing the Parthians from Syria, emphasizing his own role instead. As for the Civil War, Cicero never mentions Quintus'

²⁵² Balsdon 1957, 17 n. 22.

²⁵³ Abbott 1900, 355. Quintus appears in Caesar's commentaries at *BG* 5.38-52; 6.42.1. For a general review of his military service, see Mamoojee 1998, 21-2 (with discussion of modern assessments).

²⁵⁴ *Fam.* 15.4.8: *...distributisque cohortibus et auxiliis, cum aliis Quintus frater legatus mecum simul...* The passage is discussed above, n. 33.

²⁵⁵ Shackleton Bailey 1971, 130.

contribution to the Pompeian cause. The nearest citation concerns a report in 47 from Hirtius and Pansa that Quintus intended to join Caesar in Africa.²⁵⁶

When the narrative surrounding these terse citations is examined, Cicero's priorities – and perception of his brother as a military man – become clear. In a word, Quintus is an extension of Cicero himself, and Cicero is anxious to avoid any discredit stemming from his brother's conduct. The letter of guidance to Quintus in Asia concludes with a lengthy, if tactful, reproach of Quintus' bad temper, which Cicero writes is bringing ill repute to *his* accomplishments (esp. *QFr.* 1.1.44). In response to Quintus' wish to return home from Gaul, Cicero reminds him that *praesidium firmissimum petebamus ex optimi et potentissimi viri benevolentia ad omnem statum nostrae dignitatis*,²⁵⁷ and warns him not to write anything that he would not like published (*QFr.* 3.6.2). For a time both men had been engaged in writing epics on Caesar's British campaign – Cicero admits that Quintus is a better poet than him at *QFr.* 3.4.4 – but Quintus was diverted by his military duties, and the eventual disappointing outcome of Caesar's campaign rendered Cicero's poem unpublishable. Yet the most illuminating references linking Cicero's political standing to Quintus' military conduct concern his role in Cilicia. Compared to three references to Quintus in a strictly military capacity, there are five references to him as Cicero's potential successor in the province.²⁵⁸ Although Cicero admits that Quintus is the best candidate (*Att.* 6.4.1), the quaestor for 50, C. Coelius Caldus, was

²⁵⁶ *Att.* 11.14.3; cf. *Att.* 11.23.2; 11.20.1; 11.21.3 regarding Quintus junior's plans to go to Caesar to seek a pardon, and *Att.* 11.17a.1; 11.18.1; *Fam.* 14.15 concerning Cicero's plans to send Marcus to Caesar for safety.

²⁵⁷ *QFr.* 3.6.1; cf. 2.15.2-3. Ironically Shackleton Bailey 1971, 104-5 notes that Caesar did not like Quintus, but took him to Gaul as a favour to Cicero.

²⁵⁸ *Att.* 6.1.14; 6.3.1-2; 6.4.1; 6.6.4; 6.9.3. On the problems presented by the need for a successor, see Thompson 1965; cf. Mamoojee 1998 on the military, legal, and personal issues affecting Quintus' candidacy.

ultimately selected when the threat of Parthian invasion evaporated (*Att.* 6.6.4). We should not see in this decision any particular confidence in Quintus' military abilities so much as reluctance on Cicero's part to put his brother in a position that might reflect badly on both of them.²⁵⁹ It should perhaps be noted here that Quintus' political offices were won in the years of his brother's senior magistracies. Wiseman sees the preparations for a bid for the consulship in Cicero's exhortations to Quintus to stay with Caesar in Gaul for the sake of their dignity.²⁶⁰ Certainly it is an attractive explanation for Cicero's exploitation of his brother's military contacts. Yet even this interpretation suggests that Cicero may have misconstrued Quintus' political aspirations and consequently misjudged the "help" he imagined he was giving to his brother. The point to note is that Quintus was not Cicero's military proxy, but rather served a function very similar to that of the military protégés, whose ability and achievements bolstered Cicero's political aims in the Senate and forum. If not the most brotherly of reasons to engage with Quintus' military career, it is nevertheless consistent with his general pattern of his interaction with military men of the time.

Conclusion: perception and personalities

Cicero's relationships with contemporary military men were extremely varied, and underscore the complex interrelationship between the army and politics in the late Republic. However, the role of political factors in determining how he

²⁵⁹ See esp. *Att.* 6.6.3: *tamen, dum impendere Parthi videbantur, statueram fratrem relinquere, aut etiam rei publicae causa contra senatus consultum ipse remanere*. Cf. Mamoojee 1998, 25 arguing that Cicero was reluctant to leave his brother to face a war which he himself was anxious to avoid, knowing that the province's resources were insufficient.

²⁶⁰ Wiseman 1966, 108-9. Mamoojee 1998, 22-3 notes that Quintus disliked foreign postings generally, and always had to be persuaded by Cicero to persevere.

interacted with these men indicates that for him their military identities were secondary to their civic ones. The soldiers, lacking direct political influence, fade into the periphery of Cicero's military awareness in favour of their commanders. These he interacts with in three distinct ways: his protégés provide the military acumen which is specially needed for his political agenda; his sponsors afford him the political protection of their own militarily-derived influence; and his *inimici* serve as examples of the abuse of military authority and endangerment of the state. His relationship with his brother Quintus provides an intriguing case study of an unpolitical relationship which nevertheless emphasizes the political advantages to be gained from association with an accomplished military man.

This preoccupation with politics (that is, domestic concerns) highlights the limitations of Cicero's civilian perspective – not in terms of deficiencies in his understanding, but with regard to his opportunity to engage with these men in a strictly military capacity. With the exception of Quintus, who served with him in Cilicia, all of the relationships examined in this chapter belong to the forum, Senate, or private life. It may be noted in this connection that Cicero neither alludes to nor attempts to construct military personae for his contemporaries. On the contrary, there are numerous indications that he did not view these men as “military men” but simply as people who had experience and skill in military matters.

Chapter 4

Ciceronian military theory I: *domi*

The preceding chapters have examined the most direct forms of Cicero's engagement with military matters, demonstrating his participation in the militarized culture of his day. Building on this foundation, the remaining chapters will explore the attitude which shaped the activity observed above, in order to gain a more nuanced appreciation of his civilian perspective.

We begin with a survey of his military theory in two chapters. In the absence of large-scale theoretical discussions *de re militari* in the surviving *corpus*, the analysis will be as much a reconstruction as an assessment of ideas. It may be noted here that Ciceronian military theory is not about science but ethics – a fitting focus for a commentator who had little first-hand experience of combat. In light of the domestic focus of his career and writings, military matters *domi* are our starting point. In addition to being mentioned more frequently in his speeches, treatises, and letters than their foreign counterparts, they are the subject of his most detailed theoretical discussions about military matters (esp. his theory of *bellum iustum*). Most noteworthy, however, is the prominence of civilian concerns in what ought to be military discourse. This raises important questions about his conception of the place of the army in the state, and his priorities where civic and military interests coincide. This chapter will examine his view by way of major themes in his remarks, evaluating them in context (historical, political, and rhetorical) and comparing his

ideas to similar expressions in contemporary literature in order to gauge his conformity with prevailing views.

The definitions of “domestic” and “foreign” that are used in this chapter and in Chapter 5 derive from the Latin binary phrase *domi militiaeque*. For reasons that are unclear, the phrase is often translated as a purely civic/military dichotomy.²⁶¹ However, as Mommsen recognized, it denotes domestic and foreign spheres as distinct, complementary areas of activity.²⁶² The use of *militia* to express “foreign” evokes the ancient origins of the term, when Rome’s foreign policy consisted of annual campaigns and military alliances. Indeed, as Barton notes, the Romans had no concept of a peace/war dichotomy until the civil wars of the first century.²⁶³ Thus despite the overlap in personnel carrying out domestic and foreign administration in the late Republic – to say nothing of the dual civic and military responsibilities of the higher magistrates – domestic military matters can be discussed separately from foreign ones.

The legal constraints of the *pomerium*, the traditional boundary of the *urbs Romana*, are no impediment to this definition. It was forbidden to carry weapons within the capital, and a general forfeited his *imperium* upon crossing the

²⁶¹ Esp. Zalateo 1982, Rüpke 1990, and Welch 2006. Welch goes so far as to posit a peace/war dichotomy (see esp. p. 91).

²⁶² Mommsen 1887-8, 1.61-3; cf. Richardson 1991, 3; Woolf 1993, 173; Lintott 1999, 22.

²⁶³ Barton 2007, 246. Cf. e.g. Liv. 6.41.4, where war and peace are explicitly differentiated from *domi militiaeque*: *auspiciis bello ac pace domi militiaeque omnia geri*. Cicero, Sallust, and especially Livy use *domi militiaeque* most commonly to convey universality of place, such as when concluding a chronological narrative or emphasizing the breadth of an individual’s experience. For the former type, see e.g. Liv. 2.8.9; 35.7.5; 39.32.15. For the latter type, see e.g. Cic. *Leg. Man.* 48; *de orat.* 3.134; *Rep.* 2.1, 4.11; *Leg.* 2.31; *Tusc.* 5.55; *Div.* 1.3; *Sal. Jug.* 31; *Cat.* 6, 9, 29, 53; *Cot.* 1; *Ps-Sall. Ep. ad Caes.* 2, 3; Liv. 1.15.6; 3.41.9; 3.44.2; 3.56.9; 5.12.1. Cf. cognates *domi forisque*, the force of which is chiefly locative (e.g. Cic. *S. Rosc.* 136; *Phil.* 2.69; *Sal. Jug.* 85; Liv. 3.31.1; 3.65.3; 4.1.1; 7.27.1), and *domi bellique*, which is closer to the peace/war dichotomy (e.g. Cic. *Rep.* 1.38; *Off.* 2.16; *Sal. Jug.* 63; *Cot.* 6; Liv. 3.24.11, 4.9.11). The fact that *domi militiaeque* never occurs in Caesar’s commentaries is less striking when their foreign setting and subject matter are taken into account. Caesar uses *domus* only in its most concrete sense as a house or home region. See e.g. *BG* 1.5, 6, 12, 29, 31; 3.32; *BC* 1.13, 85; 2.18.

pomerium,²⁶⁴ but the city was nevertheless the veritable command centre for the Roman army: it declared war and peace,²⁶⁵ and was the source of the commanders and *imperium* that made foreign campaigns possible. Thus, although Rome was officially a *demilitarized zone*, it was not an *unmilitary zone*. Nor could Cicero, even under the aegis of a civilian career, totally escape dealing with military matters as a senator and an advocate – as was shown in Chapters 2 and 3.

His conceptual engagement with these matters is demonstrated by a body of texts which show that he was very sensitive to the scope for domestic influence on military policy. Instead of depicting a militarized home front, however, his comments construct a rather unmilitary ideal whereby military activity is evaluated according to civic criteria. In the interest of clarity, military matters which are intimately connected with the city of Rome (as the location of activity or otherwise) or involve the army in a domestic capacity will be considered as domestic matters in this chapter. Four such themes stand out in Cicero's writings and are the focus of this discussion: justice in warfare, the ideal commander, military *gloria*, and civil war.

His comments about these matters are concentrated in the speeches and treatises, specifically in speeches concerning military matters (esp. *Leg. Man.*, *Prov.*, *Phil.*) and the most political treatises (*Rep.*, *Leg.*, *Off.*). As was noted previously, generic constraints considerably limited his scope for discussing military matters in his writings. His theory is patchily developed and often presented as a tangent to

²⁶⁴ The triumph was an important exception to this rule, and is discussed in detail below.

²⁶⁵ See Lintott 1999, esp. 197, 200-1. Decisions of war and peace were traditionally referred to the People, who were also able to appoint commanders via legislation (e.g. the *lex Manilia* for Pompey's Mithridatic command). The Senate allocated regular provincial commands and some extraordinary ones (e.g. the commands of Octavian and Brutus, as advocated by Cicero in the *Philippics*).

other matters. Nevertheless, the quantity and level of detail of the remarks indicate the importance of these types of activity to Cicero and his audience, and there are indications that his views differed somewhat from prevailing attitudes or practice. For this reason it is particularly important to distinguish between rhetoric belonging to (and directly influenced by) a specific event, and rhetoric which is prompted by reflection after the fact. Caesar's commentaries are the closest surviving equivalent of the former type of rhetoric, and will be used together with the histories of Sallust and Livy to provide literary context for Cicero's theory as a whole.

Following the trend observed in the previous chapters, his attitude towards domestic military activity reflects his primary conception of the army as a defensive force. As will be seen, he was committed to the traditional procedures which directed military policy, but had serious reservations about the way in which they were applied in his day. His distrust of political influence secured by military force is manifested in scepticism about his colleagues' eagerness for commands. His unique position as a commentator in this period should be borne in mind in this connection: his is the only surviving eye-witness account by a participant who was aloof from the competition for commands. As we saw in Chapter 3, Cicero was involved in – and in some cases, initiated – senatorial debates concerning military matters. He also spoke at *contiones* in favour of laws concerning commands.²⁶⁶ Yet he declined a province after his consulship and was a reluctant governor in 51.²⁶⁷ This background gives his writings a civilian perspective that is unrivalled in the

²⁶⁶ Most famously with the *Pro lege Manilia*, in favour of Pompey receiving the command of the Third Mithridatic War. Ward 1970 makes a compelling argument that Cicero also publicly supported the *lex Gabinia*, for Pompey's command against the pirates. This cannot have been a formal contional oration, however, since at *Leg. Man.* 1 Cicero says that he had never addressed the people before.

²⁶⁷ On Cicero's distaste for his posting to Cilicia, see above, p. 18.

period, and offers an intriguing alternative discourse to the military – and largely foreign-focused – narratives of Caesar, Sallust, and Livy.

Justice in warfare

Justice in warfare receives the most attention of all the aspects of domestic military matters in Cicero's writings, and is the subject of his most technically detailed discussions. As a result, his articulation of this theory – especially the concept of *bellum iustum* – has been well documented by modern scholars, albeit in an abstract way focussing more on Cicero as a representative of an established tradition than someone with his own philosophical agenda. Whatever the reality of Roman bellicosity in the Republican period,²⁶⁸ the presence of such a complex – and evidently contested – theoretical framework confirms the importance of war in the Roman consciousness. Although war itself is a foreign matter, this aspect of Cicero's theory belongs to the domestic realm because it is concerned with abstract conditions leading to or arising from war rather than combat proper.

There are three elements to Cicero's concept of justice in warfare: the motives for war, the rules of engagement, and the theory of just war (*bellum iustum*). The first element reflects the fact that war and peace were formally decided *domi*. Although Cicero mentions a number of specific reasons for declaring war, these can be reduced to two basic categories of wars for defence and wars for prestige. Defensive wars include those undertaken in self-defence (*Rep.* 3.35) as well as in the

²⁶⁸ It is no longer believed that Rome's expansion was predicated on defensive necessity ("defensive imperialism"). The debate is summarized by Erskine 2010, 36-9. Cf. *Rep.* 2.25 (Numa credited with diverting Romans from *bellicis studiis* inspired by Romulus); *Off.* 2.45 (warfare was almost continuous in the time of the *maiores*). See also Luttwak 1976, esp. pp. 7-50 for how Republican practice shaped the "grand strategy" of the Empire.

defence of allies (esp. *Leg. Man.* 6, 14; *Off.* 2.26). Wars for prestige concern *gloria* and *imperium* (*Leg. Man.* 6; *Off.* 1.38; 2.26), the preservation of economic and territorial interests (*Leg. Man.* 6; *Off.* 2.85), and revenge (*Leg. Man.* 11; *Rep.* 3.35; *Off.* 1.36). That a war could be both defensive and prestige-based is shown by passages which link both motives. However, there are three passages which suggest that Cicero viewed defence as the only acceptable motive for war. The earliest of these is *Rep.* 3.34 (= August. *CD* 22.6), a fragment from Laelius' discussion of justice stating that *nullum bellum suscipi a civitate optima, nisi aut pro fide aut pro salute*. The terms *fides* and *salus* correspond to wars in defence of allies and wars of self-defence, respectively. The absolute – though idealistic – phrasing of the statement, combined with the either/or presentation of the motives, leaves no room for alternatives. Unfortunately, the narrative surrounding the statement has not been preserved, and we cannot know why Cicero advocated these two motives in particular.²⁶⁹ Some insight is provided by the other two passages. At *Off.* 1.35 and again at 1.80 he argues that war should only be waged for the sake of peace: *ut sine iniuria in pace vivatur* and *ut nihil aliud nisi pax quaesita videatur*, respectively.²⁷⁰ The rationale in the former instance is that only beasts (*beluarum*, §34) resolve conflicts by violence; in the latter it is that reason (*ratio discernendi*) is of greater value than the courage (*fortitudo*) which leads to war. The similarity of the arguments and their relatively close placement within the treatise suggest that this is

²⁶⁹ The remark is presented as a summary of the arguments in Book 3 of the *De re publica*, so we may reasonably assume that it is not a counter-argument taken out of context. The similarity of this statement with those which follow also suggests that Cicero agreed with the idea that he placed in Laelius' mouth.

²⁷⁰ For a full discussion of this interpretation of *Off.* 1.34-5, its likely derivation from Panaetius, and its relationship to the ideas expressed at 1.81 (which is a continuation of the argument at 1.80), see Dyck 1996, n. to 1.34 *nam cum sint duo genera decertandi*.

an urgent message Cicero wishes to broadcast. It is tempting to read *videatur* in the latter passage as evidence that he accepted a degree of deception in the justification of wars; but as will be seen below and in Chapter 5, the idea of satisfying external observers is consistent with his concept of military ethics. In a similar vein, the negative connotations of *pax* in a military context do not mean that Cicero condones wars of aggression.²⁷¹ A more useful measure is his own practice in this treatise, which is his most mature philosophical work and contains the longest and most detailed account of military theory in the Ciceronian *corpus* (1.34-40, 80-1). In a striking departure from his earlier habits, whenever defensive and prestige-based motives for war are mentioned together in the *De officiis*, the defensive motive precedes the prestige-based one (e.g. 1.35-8; 2.26; cf. *Leg. Man.* 6; *Rep.* 3.35). The passages advocating war for the sake of peace are the culmination of this theme and fit well with Cicero's conception of the military as a defensive force.

Significantly, this view does not appear elsewhere in surviving contemporary literature. Indeed, when compared to Caesar, Sallust, and Livy, Cicero's account of the reasons for waging war seems rather limited. All of the motives mentioned by him are mentioned in their writings – along with many others that are not. Kostial identifies seven objective and three subjective reasons for commencing warfare in her survey of Roman *Kriegsgründe*, most of which cannot be categorized as strictly defensive or prestige-based.²⁷² According to her system, not even half of the motives

²⁷¹ *Pax* did not have the modern positive connotations of “peace”, but was a condition imposed on defeated enemies that signalled the end of hostilities. See Woolf 1993; Barton 2007 and Rosenstein 2007b, esp. 226-8. All three studies are very general and lack the scope to account for Cicero's rhetoric specifically.

²⁷² Kostial 1995, 68-116 with sources. The objective motives are *Selbstverteidigung, Angriff auf römische Bundesgenossen, Vertragsbruch, Kooperation und Koalition mit dem Feind, Gewährung von Zuflucht für Feinde Roms, Vergehen gegen römische Bürger und römische Verbündete*, and

for war which were operative in the late Republic are mentioned by Cicero. Self-defence, the defence of allies, and glory are the only full matches; the Ciceronian theme of revenge blurs Kostial's objective/subjective division because of its relevance to the material profits from punitive campaigns as well as redress for mistreatment of citizens or allies.²⁷³

Of course, it would be wrong to label Cicero's theoretical outlook deficient on the grounds of comparison with a modern compilation. It will be noted that his references to motives for war come from three works only: his first political speech, the *Pro lege Manilia* (66); his first political treatise, the *De re publica* (54-51); and his last political treatise, the *De officiis* (44). The references in the *Pro lege Manilia* are a natural consequence of the subject matter of the speech, and are concentrated in the sections describing the nature of the war (§§6-19) where they bolster the core argument that a general as illustrious as Pompey is needed to bring it to an end. The references in the treatises are more abstract, although not without relevance to current events. Book 3 of the *De re publica* concerns justice, but its many lacunae make it difficult to piece together Cicero's overall argument. Against the backdrop of the military despotism of the triumvirate and Caesar's conquest of Gaul, however, it is possible to detect a critique of current practice: the discussion of military justice presents an ideal which highlights and condemns the injustice of present

Vergehen gegen Gesandte. The subjective motives are *Beute* (including *als Entschädigung und Belohnung*), *Ruhm und Ehre*, and *Reale und neurotische Angst*. Cf. Albert 1980, 17-20.

²⁷³ Kostial cites *Ver.* 5.55, 58 as examples of the theme of *Vergehen gegen römische Bürger und römische Verbündete*, perhaps mistakenly because the passages concern Verres' mistreatment of the Sicilians and do not depict it as a motive for war. Cf. *Leg. Man.* 11, which is also cited under this heading: *Maiores nostri saepe mercatoribus aut naviculariis nostris iniuriosius tractatis bella gesserunt*.

engagements – embodied most (in)famously by Crassus’ Parthian campaign.²⁷⁴ The passage concerning motives for war is part of an explicit definition of *bellum iustum*, a central concept of Cicero’s military theory which will be examined in detail below. The concept reappears in a similarly critical context in the *De officiis*, which was composed amid preparations for war with Antony.²⁷⁵ The placement of the discussion as the first major theme of the treatise indicates a preoccupation with military ethics – as well as an eagerness to transmit to the next generation (via his son Marcus, the dedicatee) his ideas about how and why war ought to be waged.

Against this backdrop, it is telling that the *De officiis* also contains Cicero’s only discussion of rules of engagement. His ideas are exceptionally well developed, and comprise the most detailed and, by virtue of the date of the treatise, most mature element of his military theory. He begins with the injunction that *maxime conservanda sunt iura belli* (1.34) and proceeds to expound eight specific ideals using reason and *exempla*. They are:

1. War must only be waged for peace (1.35)
2. Defeated opponents must be spared if they fought without cruelty (ibid.)
3. Peace should be made without treachery (*insidiae*) (ibid.)
4. People who have been conquered must be treated with consideration, and people who surrender must be protected (ibid.)
5. A just war (*bellum iustum*) must have clear demands and a formal declaration (1.36)
6. Only soldiers who have sworn oaths (i.e. are legally soldiers) may enter battle (1.37)
7. Wars for *gloria* or *imperium* must meet the conditions of just war and should be fought less fiercely than wars for survival (1.38)
8. Promises to enemies must be honoured (1.39; cf. 3.107, 108)

We may add these further ideals from later on in the treatise:

²⁷⁴ On Cicero’s reaction to Crassus’ Parthian campaign, see above, pp. 117-24 *passim*.

²⁷⁵ See *Att.* 15.13a.2 (c. 28 Oct. 44); 16.11.4 (5 Nov.).

9. War should not be avoided if it is beneficial (1.80)
10. War must be waged so that one is seen (*videatur*) to aim solely at peace (ibid.)

It should first of all be noted that this theory is not all original – nor does Cicero claim that it is. The outline of the treatise, as well as much of the theory expounded within it, is from Panaetius.²⁷⁶ At *Off.* 1.36 he notes that military law is prescribed by the fetial code: *ac belli quidem aequitas sanctissime fetiali populi Romani iure perscripta est*. It is an intriguing reference to an institution which had long since lapsed,²⁷⁷ but consistent with authority he accords the ancient war-priests in the *De legibus*. The fetials are the official interpreters of *suscipiendo et gerendo et deponendo* [sc. *bello*] *ius* in his ideal state (2.34), and responsible for declaring war and peace (2.21).

It seems likely, therefore, that Cicero was aware of the formalities of war and that his theory is consistent with it (e.g. rules 6 and 8).²⁷⁸ Yet the ethical theme of this discussion gives plenty of scope for interpretation and principle. We have already seen how the first and tenth rules are unmatched in late Republican literature. The third rule is phrased as an opinion – *mea quidem sententia paci quae nihil habitura sit insidiarum semper est consulendum* (*Off.* 1.35) – which is implicitly

²⁷⁶ See *Off.* 2.60; *Att.* 16.11.4. In the former passage, Cicero notes that he is not merely translating Panaetius' ideas in his treatise: *Panaetius quem multum his libris secutus sum non interpretatus*.

²⁷⁷ As Ogilvie 1965, n. to 1.32.5 notes, ritual had given way to pragmatism by the Second Punic War, as an adaptation to deal with distant wars against enemies who did not share Roman *ius fetiale*. *Legati* empowered by the Senate took over the fetials' function of demanding redress (*denuntiatio*), calling the gods to witness (*testatio*), and declaring war (*indictio*) – all without the need to consult the Senate between stages. On the ancient origins of the fetials, cf. *Rep.* 2.31, where Cicero says that Servius Tullius' new laws for the declaration of war incorporated existing fetial ceremonies. For other attributions of the founding of *ius fetiale*, see Barnes 1986, 44. On the fetial law itself and the procedure for declaring war, see esp. Rich 1976; Rüpke 1990, 97-117; Santangelo 2008 (with an excellent survey of relevant scholarship and debate on the matter in nn. 1 and 2).

²⁷⁸ According to Ilari 1985, 162-3, the concept of *ius belli* as a quasi-legal institution was unique to the Republican period and does not appear in literature from the Empire. See e.g., *Ver.* 4.116; *Phil.* 5.25; *Sal. Jug.* 91.7; 102.13; *Caes. BG* 1.44; cf. *Tac. Ann.* 12.17.4.

linked to Caesar's domination of the state.²⁷⁹ According to Dyck, the distinction in the seventh rule between wars for *gloria* and *imperium* and those for survival is incompatible with Panaetius' outlook and therefore may be Cicero's own.²⁸⁰ A more obvious innovation is found in the fourth rule, which seems to be a direct contradiction of Caesar's example. Whereas Caesar pledged to save the Aduatuci *si prius quam murum aries attigisset se dedidissent* (*BG* 2.32), Cicero says that surrender should be accepted *quamvis murum aries percusserit* (*Off.* 1.35) – a striking challenge to Caesar's legendary clemency.²⁸¹ Possible novelty in the articulation of the *bellum iustum* theory in the fifth rule will be addressed shortly; it will suffice to note here that although we cannot determine the degree of originality in these aspects of Cicero's theory, the fact that it is broadly comparable to that of his contemporaries demonstrates a high level of engagement and makes him an authoritative commentator.

We may now examine his articulation of the theory of *bellum iustum*, as the culmination of his theory concerning justice in warfare. Although the idea of just war was far older than Cicero (see e.g. Arist. *Pol.* 1333a35), he is arguably the most influential proponent of this aspect of it: his definition of just war was adopted by Isidore in his *Etymologiae* (18.1.2, 3 = Cic. *Rep.* 3.35) and subsequently enshrined in ecclesiastical law by the 12th-century *Decretum* of Gratian (2.23.1-3).²⁸² As was

²⁷⁹ *Off.* 1.35: *In quo si mihi esset obtemperatum, si non optimam, at aliquam rempublicam, quae nunc nulla est, haberemus.* Cf. Walsh 2000, n. *ad loc.*

²⁸⁰ Dyck 1996, n. to 1.38, alleging that Panaetius took a dim view of *gloriae cupiditas*. Cf., however, Plut. *Dem.* 13.5-6 citing Panaetius' approval of action undertaken for the sake of τὸ καλόν. At issue, then, is whether Panaetius viewed empire (and wars waged in support of it) as τὸ καλόν: Cicero is very positive about the *gloria* attending empire in his speeches especially. See discussion below, pp. 159-68.

²⁸¹ Cf. the rather vague imperative at Verg. *Aen.* 6.853: *parcere subiectis et debellare superbos.*

²⁸² Barnes 1986, 38. Cicero's definition also influenced Augustine greatly. See e.g. *CD* 22.6 and Mattox 2006, esp. 15-18.

mentioned above, this is the best-studied aspect of his military theory, yet it has largely escaped evaluation within its own historical and rhetorical context.²⁸³

Cicero refers to *bellum iustum* (or *iniustum*) in his writings throughout his mature career.²⁸⁴ Allowing for differences of genre, the appearance of the term in his writings is comparable to that of his contemporaries.²⁸⁵ However, only he and Livy give detailed accounts of the theory. Whereas Livy's much longer version describes the fetials' ritualized procedure for declaring war (1.32.5-14), Cicero's is presented in a quasi-legal form as commands. These occur in the *De re publica* and the *De officiis* in four passages. Intriguingly, no two passages are alike, although three are broadly similar. At *Rep.* 2.31 it is said that *omne bellum quod denuntiatum indictumque non esset, id iniustum esse atque impium iudicaretur*. Justice derives from the proper observation of the fetial procedure, whereby reparations are ritually demanded and war declared if these demands are not met.²⁸⁶ It is the most traditional version of the theory in Cicero's writings. At *Rep.* 3.35 (= *Isid. Etym.* 18.1.3) the conditions are given as *denuntiatio*, *indictio*, and *rerum repetitio*, a concept likely borrowed from Roman private law.²⁸⁷ *Res repetitae* are also mentioned in the final version of the theory at *Off.* 1.36: *potest nullum bellum esse iustum nisi quod aut rebus repetitis geratur aut denuntiatum ante sit et indictum*. The function of *aut* in

²⁸³ See esp. Michel 1969, Korfmacher 1972, and Barnes 1986 regarding Cicero specifically, and Albert 1980 and Ilari 1985 concerning the theory generally (including detailed discussions of its articulation in the writings of Cicero and his contemporaries). Riggsby 2006, 158-67 is a significant exception, but does not consider how Cicero's version of the theory may have been shaped by contemporary events. Brunt 1978, 175-8 is very brief and stresses Cicero's debt to Panaetius.

²⁸⁴ *Div. Caec.* 62; *Cat.* 2.1; *Prov.* 4; *Deiot.* 13; *Phil.* 13.35; *Att.* 7.14.3; cf. *Inv.* 2.70 (*iuste*); *Leg.* 3.9 (*duella iusta*).

²⁸⁵ See Ramage 2001, 146 with sources.

²⁸⁶ See above, n. 277. Cicero's omission of the *testatio* reflects the secularization of the procedure in the late Republic. Ogilvie 1965, n. to 1.32.5 states that interest in the ritual in this period was limited to scholarly writers and was "purely theoretical".

²⁸⁷ See Dyck 1996, n. to 1.36 *ac belli quidem aequitas*....

this statement has been debated by scholars, but was most likely the result of “carelessness” – to use Dyck’s word – in a treatise written very quickly.²⁸⁸

Nevertheless, the segregation of the fetial procedures and the *rerum repetitio* is not inappropriate in a discourse on military theory, and may even indicate two rival systems for declaring war in the late Republic.

This brings us to the contradictory version of the theory, which occurs at *Rep.*

3.35. Note that no reference is made to the fetial procedures, in favour of reasons for going to war.

Illa iniusta bella sunt quae sunt sine causa suscepta, nam extra
<quam> ulciscendi aut propulsandorum hostium causa bellum geri
iustum nullum potest. (*Rep.* 3.35 = *Isid. Etym.* 18.1.2-3)

The limitation of *bellum iustum* to wars for revenge and those for active self-defence is striking and must be read in the context of the events of the 50s. Because the passage survives only in Isidore’s testimonia, we cannot know how or whether Cicero qualified this statement in the surrounding discussion: it is also possible that *nam* signals Isidore’s gloss and is not part of the original Ciceronian text. It is tempting to see divine overtones in this reference to justice, in accordance with the original principle that just wars were those which the gods approved. This increases the force of the implicit critique of contemporary practice in a manner consistent with Cicero’s practice in his public speeches.²⁸⁹ Isidore tells us that this passage

²⁸⁸ It was probably written in a month, during October-November 44. See sources above, n. 275. Dyck 1996, n. to 1.36 *ac belli quidem aequitas*...reviews the debate about the function of *aut* and concludes that they must be read at face value as disjunctive.

²⁸⁹ E.g. *Cat.* 3.18-22. The fact that references to religion are more common in speeches to the People need not preclude religious content in the treatises, especially concerning something as (traditionally) fraught with ritual as warfare.

preceded the more traditional one cited above, which suggests that this unconventional definition of *bellum iustum* was Cicero's priority. The fetial procedure had already been mentioned in Book 2, so it needed only a brief mention in Book 3 to contextualize the proposed modifications.

The implications of this passage have puzzled scholars who have tried to create a composite account of Cicero's theory of *bellum iustum*. Michel and Ilari read it as evidence that Cicero's concept of military justice was broader than the dictates of the fetial code.²⁹⁰ Barnes makes it an overarching qualifier in his four-point summary of Cicero's theory:

“[Pour Cicéron] une guerre est juste seulement si (i) elle est notifiée à l'avance, et (ii) elle est formellement déclarée, et (iii) elle se rapporte à une demande de réparation, et (iv) son but se limite ou à l'expulsion des forces militaires ou au dédommagement des choses perdues.”²⁹¹

Both of these interpretations ignore the effect of time and experience on Cicero's outlook, however. Barnes goes so far as to argue that *Off.* 1.36 represents Cicero's unique theory – as expressed in the *De re publica* – masquerading as the fetial formula.²⁹² Apart from the fact that *Off.* 1.36 makes no reference to revenge and the repulsing of enemies, aggression is generally downplayed in this iteration of his theory in favour of a defence- and process-oriented attitude towards warfare (esp. *Off.* 1.35; cf. 1.38 on not fighting wars for *gloria* or *imperium* as fiercely as those for survival). Of greater significance is the placement of the definition of *bellum iustum* after the demand that war should only be fought for the sake of peace. In the same

²⁹⁰ Michel 1969, 174; Ilari 1985, 173.

²⁹¹ Barnes 1986, 48-9.

²⁹² Barnes 1986, 48. Conversely, Riggsby 2006, 160 argues that at both *Rep.* 3.35 and *Off.* 1.36 Cicero reproduces the fetial formula without alteration.

way that the promotion of a narrow view of justice makes sense against the historical backdrop of the triumvirate, so the identification of justice with peace and defence make sense in the aftermath of one bloody civil war and on the verge of another.

Because Cicero's version of the theory of *bellum iustum* is the only one surviving from his time, it is difficult to gauge his conformity with contemporary attitudes. Livy mentions *bellum iustum* but rarely qualifies it (e.g. 9.8.6; 42.47.8). Sallust does not use the term, but his references to Rome's obligation to defend its allies (e.g. *Cat.* 6.5; *Jug.* 14.7, 19; 24.2) indicate the existence of a proprietary code governing the conduct of war. Caesar, on the other hand, actively engages in self-justification of his foreign campaigns: Book 1 of the *De bello Gallico* makes much of his protection of his province and Roman allies (esp. 11.3; 14.1, 33.2). Bearing in mind that these are extremely situation-specific and indirect references to justice in warfare, it is safe to say that Cicero was as concerned with justice as his contemporaries and had a similar conception of it.

Cicero's concept of justice in warfare is characterized by respect for traditional procedures and a preoccupation with ethical considerations. Although the majority of his ideas are not unique, they are important as a real point of contact between him and his more military-minded contemporaries. His less conventional attitude towards the desirability of war reaffirms his primary view of the army as a defensive force and hints at the reservations about empire which will be explored in the next chapter.

The ideal commander

Once the decision to go to war had been made, it remained for the Senate (or People) to appoint a commander. The debates which attended this decision emphasized the personal and professional merits of the particular candidates, usually with an eye to the rewards a successful campaign could bring – most notably the honour of a triumph. Cicero's aloofness from the competition for commands makes his concept of the ideal commander particularly valuable; but the fact that his views are only articulated in speeches about specific commanders introduces a bias that complicates the analysis considerably. This section will attempt to isolate the private ideal within these very public speeches, identifying central themes and assessing the rhetoric in its historical and political context.

It is ironic that this extremely well documented aspect of Ciceronian military theory is also the least properly theoretical, due to the nature of the relevant passages. The absence of any abstract discussion about the ideal commander in the *corpus* raises important questions about Cicero's interest in the matter. It is tempting to suggest that his rhetoric simply reflects contemporary ideas about what made a good general, and that he had no independent concept of an ideal commander. Although his arguments were certainly calculated to appeal to his audience (and thus secure the appointment of his candidate), it would be wrong to think that he had no views on the subject. This not only contradicts the engagement with military matters that was observed in the previous chapters but also overlooks the significance of his support for a considerable number of extraordinary commands. Indeed, as will be seen, the impression that emerges from his advocacy of extraordinary commands is that the

ideal commander was the right man for the job – according to civic criteria as well as military ones.

We begin with his concept of the ideal commander as it is revealed in his advocacy of commands for Pompey, Caesar, Octavian, Brutus, and Cassius,²⁹³ as well as from a short passage denouncing Verres as a commander. This last reference is the only one not to concern an actual command, and therefore serves as a standard against which to assess the other references. At *Ver.* 5.25, Cicero uses a catalogue of exemplary commanders to draw attention to Verres' shortcomings in that field.²⁹⁴ The qualities of the ideal commander are given as *sapientia, celeritas in re gerunda, consilium, ratio, disciplina, vis, and virtus*. All are traditional virtues, and their use in the context of a catalogue of *exempla* seems to signal a conventional reckoning of the attributes of an ideal commander. The examples – Maximus, the Scipiones Africani, Paulus, and Marius – are among the most frequently mentioned military men in the Ciceronian *corpus*, and appear elsewhere with numerous other traits.²⁹⁵ Their association with these qualities, in a speech that was never delivered, should represent an objective ideal of the ideal commander, since the aim of the passage is simply to demonstrate that Verres is not one.

The remaining passages are best examined in chronological order to appreciate the development of Cicero's rhetorical strategy fully. The *Pro lege Manilia* contains the most elaborate account of the ideal commander, epitomized by the theory of the *summus imperator*. Three separate sets of criteria are used to describe this ideal and to demonstrate Pompey's suitability for the command of the

²⁹³ On Cicero's relationship with these men as military figures, see pp. 93-117, *passim*.

²⁹⁴ The passage is quoted above, p. 48 as an example of criticism achieved by negative comparison with *exempla*.

²⁹⁵ See Chapter 2, *passim*.

Mithridatic War. Because the criteria have clearly been selected to correspond to Pompey's attributes, the resulting argument is rather self-fulfilling to modern ears; but this need not mean that Cicero was simply parroting conventional views. It will be argued that his own priorities can be detected in the unexpected inclusion of civilian criteria.

The first set of criteria emphasizes military attributes: *ego enim sic existimo, in summo imperatore quattuor has res inesse oportere, scientiam rei militaris, virtutem, auctoritatem, felicitatem* (§28). Only *virtus* is repeated from the Verrine passage, although *auctoritas* is a conventional virtue. The inclusion of *felicitas* is significant because this is one of only four favourable references to military *felicitas* in Cicero's writings.²⁹⁶ Given that this is a contional speech and that Pompey's success had made him a popular hero, this nod to luck may be a concession to the people's reverence for Pompey as a divinely favoured figure.²⁹⁷ *Scientia rei militaris*, on the other hand, softens an unavoidable critique of Lucullus' aptitude for command, especially when read with the second set of criteria: *neque enim solae sunt virtutes imperatoriae quae volgo existimantur, labor in negotiis, fortitudo in periculis, industria in agendo, celeritas in conficiendo, consilium in providendo* (§29). These attributes are more conventional (the list format may indicate a rhetorical *topos*), yet they are presented as counterparts to military virtue, rather than as military virtues in their own right. This is even more the case for the third set of criteria, which concerns explicitly unmilitary qualities:

²⁹⁶ Wistrand 1987, 40 says this is the only positive reference to military *felicitas*, omitting *Font.* 42; *Prov.* 35 and *Phil.* 14.37.

²⁹⁷ See esp. Fears 1981, 797-804 on the relevance of this passage to the Roman "theology of victory."

Non enim bellandi virtus solum in summo ac perfecto imperatore quaerenda est sed multae sunt artes eximiae huius administratae comitesque virtutis. Ac primum quanta innocentia debent esse imperatores, quanta deinde in omnibus rebus temperantia, quanta fide, quanta facilitate, quanto ingenio, quanta humanitate! (*Leg. Man.* 36)

Torelli reads this passage as a criticism of contemporary commanders, but particularly of Lucullus, whom Pompey would supersede as a result of this speech.²⁹⁸ This does not, however, fit with the friendly relationship between Cicero and Lucullus that was observed in Chapter 3.²⁹⁹ Even so, the dominant theme of self-restraint is certainly a critique of prevailing attitudes towards provincial administration, whereas the emphasis on congeniality suggests a stereotype of boorish generals. If we take *ingenium* to mean intelligence as well as talent, we have an ideal commander that is not dissimilar to the composite portrait of Scipio Aemilianus in Cicero's writings: a man of exceptional military skill, personal probity, and learning, who is a credit to the Republic in all that he does.³⁰⁰

Cicero's rhetorical construction of the ideal commander changes drastically after the *Pro lege Manilia*. His recommendation of Caesar in the *De provinciis consularibus* and of Brutus and Cassius in the *Philippics* is based almost entirely on objective-sounding, situation-specific criteria. In the *De provinciis consularibus*, highly flattering accounts of Caesar's exploits in Gaul bolster primary arguments concerning the instability of the region and the need for a consistent policy (esp. §§19, 32-5; cf. 47). This is the context of Cicero's other favourable reference to

²⁹⁸ Torelli 1982, 29; cf. 27.

²⁹⁹ See above, pp. 105-17, *passim*. It would hardly have been prudent to insult a respected consular in public, especially with regard to his moral character.

³⁰⁰ On Cicero's admiration of Aemilianus, see above, esp. pp. 67-8.

military *felicitas*, which, although outwardly positive, is undermined by the fear-mongering of its preface:

Impolitae vero res et acerbae si erunt relictæ, quamquam sunt accisæ, tamen efferent se aliquando et ad renovandum bellum revirescent. Qua re sit in eius tutela Gallia cuius fidei virtuti felicitati commendata est. (*Prov.* 34-5)

Whereas Pompey's personal qualities recommended him for the Mithridatic War, Caesar is recommended by the situation in Gaul, and specifically by his past performance there. In fact, there is so little strictly personal material in Cicero's advocacy of Caesar that his arguments could be applied to any commander who had been successful in the area.³⁰¹

The criteria used to recommend Brutus and Cassius in the *Tenth* and *Eleventh Philippics*, respectively, make an instructive comparison. Despite the fact that an entire speech is devoted to each man's command, the most concrete attributes referred to are *imperium*, *auctoritas*, and *copiae* (*Phil.* 10.9; 11.26). The *imperium* is dubious, since it derived from their status as praetors and not a military command; *auctoritas* simply expresses their influence in Macedonia and Syria, respectively, where they had won over armies to the senatorial cause (cf. *nomen*, *Phil.* 11.26, 35); and *copiae* recalls the pragmatic criteria applied to Caesar's Gallic command. Although these qualities are substantiated by short attendant descriptions of both men's military success and devotion to the Republic, their records are less important as points of argument than the need to crush Antony's threat by all means available.

³⁰¹ Cicero's praise of Caesar in the *Pro Marcello* is very personal, but will not be considered here because it does not contribute to a description of an ideal commander: the flattery barely conceals a serious message about Caesar's obligation to use his militarily-won power and influence to restore domestic security. See esp. §§28-9, discussed below, p. 243.

Cassius is not even recommended specifically – his attributes are introduced by means of hypothetical musing: *expedito nobis homine et parato, patres conscripti, opus est.*³⁰² At the end of this passage, Cicero concedes that either Brutus or Cassius would be a good choice for the command against Dolabella – but stresses that because Brutus is already engaged, Cassius should be chosen. It should be noted that this prioritization actually contradicts the values at *Leg. Man.* 50, where being on hand and armed is said to be of secondary importance to *ceterae summae utilitates* – that is, the personal attributes of the *summus imperator*.

Finally, we have Cicero’s promotion of Octavian in the *Fifth Philippic*. Although the speech predates the *Tenth* and *Eleventh Philippics*, its rhetoric is less developed, and it serves as an end-point on the Ciceronian continuum of definitions of the ideal commander. Like Caesar, Octavian is depicted as a commander already in possession of a command which he should be permitted to keep (§45). Like Brutus and Cassius, he is recommended less on his own merit than according to the urgent threat to national security. His past conduct is discussed in more detail than Brutus’ or Cassius’ (§§42-4, 46), but this is chiefly to bolster Cicero’s claims that the young man *talem semper fore civem qualis hodie sit qualemque eum maxime velle esse et optare debemus* (§51). The most problematic criteria, however, are those applied directly to the command: *demus igitur imperium Caesari s<i>ne quo res militaris administrari, teneri exercitus, bellum geri non potest* (§45). This one-sided argumentation completely depersonalizes the debate, making the fact that he has an army Octavian’s greatest attribute (cf. *Phil.* 11.20). To be fair to Cicero, his

³⁰² *Phil.* 11.26. Cf. the emphasis on readiness at 11.35: *Paratum habet imperatorem C. Cassium... nec paratum solum sed peritum atque fortem.*

rhetorical strategy worked and Octavian's command was sanctioned; but from a theoretical standpoint, he was promoting the war rather than the general.

Clearly Cicero's method of identifying an ideal commander changed during the course of his career. His shift from personality-based arguments to situation-specific ones is striking, and difficult to evaluate in the absence of surviving speeches by other public figures. The historical context of his speeches goes some way towards explaining this shift, however. The speeches featuring impersonal arguments were delivered in the Senate and after his consulship. We saw in Chapter 3 that his attitude towards contemporary military figures was determined by his political relationship with them. His relationship with Caesar, Brutus, and Cassius was well known by the time he spoke for them; the strength of his advocacy for Octavian effectively bound him to the young man. Because of this sponsorship dynamic, Cicero needed to downplay his personal stake in his support for these men's commands, in order not to seem to be favouring them out of partisanship.³⁰³ In contrast, his support for Pompey's command was relatively safe, since he was not yet an established political figure. As Berry notes, "[the] law would doubtless have been passed whether or not Cicero advocated it, but by publicly associating himself with it, and with Pompey, Cicero helped to ensure that he would have the political support necessary to secure... the consulship."³⁰⁴ The importance of maintaining one's political standing is demonstrated by frequent attestations in the *De provinciis consularibus* of friendship with Caesar (esp. §§23-5, 40-3). Both Quintus and Trebatius were serving with Caesar in Gaul, and we may imagine Cicero being as

³⁰³ Cicero's motives in 44 were especially questioned. See esp. *Phil.* 10.3-6 (responding to Calenus), 11.36; *Ad Brut.* 1.15.7; 1.16.1. Cf. *Leg. Man.* 60-3, where Cicero attacks Catulus for inconsistency, reminding him of his previous support for extraordinary commands.

³⁰⁴ Berry 2006, 102.

anxious not to do anything to incur the general's wrath against them as he was not to have his brother do anything that would reflect badly on him.³⁰⁵

Despite variations in Cicero's description of the ideal commander, there are indications of his personal view. The criteria which remain constant echo the attitude towards military service as a form of patriotism as was seen in Chapters 2 and 3. The ideal commander is first and foremost a defender of the state; he is also a leader with proven ability, and is ideally intelligent and principled as well. The unmilitary qualities praised at *Leg. Man.* 36 seem to reflect an independent Ciceronian ideal that mirrors his concern with civic administration.³⁰⁶ With the rise of military despotism, however, it was no longer publicly tenable and had to be abandoned. A tantalizing clue to the irregularity of civic-based criteria appears at *Fam.* 15.4.14, where Cicero, appealing to Cato to support his triumphal ambitions following his victories in Cilicia, notes that Cato often gave priority to the personal merits of a commander rather than his achievements in the field when deciding such matters. This would not have needed mention if it were common practice; indeed, Cicero's entire appeal is predicated on the uniqueness of Cato's customs and interests (esp. §§12-16).

This brings us to Cicero's attitude towards extraordinary commands. His support for these controversial commands raises important questions about his perception of them, since they were regarded at the time as dangerous, and are cited by modern scholars as a key factor in the fall of the Republic.³⁰⁷ The central issue is

³⁰⁵ See above, pp. 124-8.

³⁰⁶ Cf. *Off.* 1.76: *parvi enim sunt foris arma, nisi est consilium domi*. Torelli 1982, 36 calls it "il nuovo tipo di capo militare."

³⁰⁷ Ridley 1981, 280 n.1 surveys the most prominent sources. His overall argument is for a narrower definition of "extraordinary" and against viewing the late Republic as an unbroken series of these

the exceptional empowerment of a single commander under unusual circumstances – whether with unspecified geographic range, like Pompey’s Mithridatic command and Cassius’ proposed command against Dolabella; for an extended period of time (*prorogatio*), like Caesar’s Gallic command; or to a *privatus* who had not yet started the *cursus*, like Octavian. To this list we may add the senatorial appointment of Brutus, because it circumvented the normal procedure of awarding extraordinary commands by tribunician *lex*.³⁰⁸ The Romans were always wary of giving too much power to a single person because of the scope for abuse on the model of the kings of old. Unfortunately, the prestige of an extraordinary command – in particular, its promise of triumph-worthy combat – made it extremely attractive politically. Nor was every commander content to disband his army when his command expired.³⁰⁹ The key to understanding Cicero’s support for these commands is his rebuttal of counter-arguments. As will be seen, this reveals a pragmatic flexibility that may have been unique.

The clearest statement of the argument against extraordinary commands occurs in the *Pro lege Manilia*, where the misgivings of Catulus and Hortensius are cited and overturned. Two lines of reasoning are employed: Hortensius argues that the command would concentrate too much power in one man (§52), whereas Catulus says that it would make the state too dependent on Pompey (§59). The similarity of

commands (esp. 295-7). Intriguingly, Cicero is the only late Republican author to use the term *extraordinarium imperium* with any regularity. See *Leg. Agr.* 2.8; *Dom.* 18; *Sest.* 60; *Prov.* 19; *Phil.* 3.23, 11.17; *Att.* 5.9.11; *Ad Brut.* 1.4a.3; 1.10.3; 1.17.6; cf. *Caes. BG* 1.32.2 (in self-defence). Other terms which are generally accepted as cognates (e.g. *maius imperium*) appear more frequently.

³⁰⁸ See Manuwald 2007, n. to *Phil.* 5.45 *demus igitur... optimo*, which applies equally to Brutus’ as well as Cassius’ situations.

³⁰⁹ Levick 1982, 58 describes the situation well: “... great generals on returning to Rome would not be happy to sink back as consulars into equality with stay-at-home lawyers and orators.” *Plut. Pomp.* 21 and *App. BC* 1.121 record fears that Pompey would not disband his army when he returned from the East. Sulla’s example was something of a bogeyman until Caesar superceded him in 49.

the arguments shows that the concentration of power was the real issue; Catulus' more gracious wording reflects his favour with the People, who loved Pompey.³¹⁰ The concentration of power is also the chief contention in the other relevant speeches, apart from the problematic harangue at *Phil.* 11.17, where extraordinary commands are condemned as *populare atque ventosum* and inconsistent with *nostra gravitas*. Yet it must be remembered that extraordinary commands were for the People to award, and that to turn the matter over to the *comitia* would be to delay the prosecution of the war and risk another candidate being awarded the command.³¹¹

In all cases, Cicero's strategy for promoting the extraordinary command is to emphasize the particular demands of the situation. He opposes Hortensius' arguments as out of date (§52), and forgetful of the safety Pompey which brought to the state as a result of his extraordinary command against the pirates (§§53-8). Extrapolating from this success, Cicero claims that another extraordinary command is appropriate. Against Catulus' caution, he advises his audience to take full advantage of such a qualified commander (§59), reminding them of Rome's traditional conservatism in peace and ingenuity in war (§§60-2). The division of the speech into discussions of the nature of the war (§§6-19), its magnitude (§§20-6), and the choice of commander (§§27-48) reflect secondary sources of opposition to

³¹⁰ Cicero also makes much of the fact that Hortensius opposed Pompey's command against the pirates (*Leg. Man.* 52-3).

³¹¹ Cf. *Phil.* 11.21-5. Cicero is guilty of some inconsistency with this passage, since Cassius' command as it is presented in the decree is extraordinary. See esp. §30: *... quaecumque in provinciam eius belli gerendi causa advenerit, ibi maius imperium C. Cassi pro consule sit...* However, he seems to be working from a definition of *extraordinarium* that applies only to *privati* in this speech. Octavian's command is called *extraordinarium* (§20), and the proposed command for P. Servilius – which Cicero opposes – is *extra ordinem* (§25). The terminology may be important: Cicero never calls Pompey's or Caesar's commands "extraordinary" in the speeches for them, although they are called *imperium*.

the command: why an extraordinary command is needed in the first place, and why it must go to Pompey.

The key situation-specific arguments for Caesar, Brutus, Cassius, and Octavian have already been examined above and need not be repeated here. Of greater interest is Cicero's handling of the fear attending the proposal for an extraordinary command. It is most prominent in the *De provinciis consularibus* – naturally, given concerns about Caesar's activity in Gaul and whether he would return to Rome peacefully. Although the matter at hand was not the granting of an extraordinary command per se – this had been done three years earlier by the *lex Vatinia*³¹² – the proposals being debated entailed such drastic changes to its terms that Cicero was effectively defending the original command. He explains Caesar's lack of urgency about returning to Rome as a desire to finish his work in Gaul.

Nam ipse Caesar quid est cur in provincia commorari velit, nisi ut ea quae per eum adfecta sunt perfecta rei publicae tradat? Amoenitas eum, credo, locorum, urbium pulchritudo, hominum nationumque illarum humanitas et lepos, victoriae cupiditas, finium imperii propagatio retinet. Quid illis terris asperius, quod incultius oppidis, quid nationibus immanius, quid porro tot victoriis praestabilius, quid Oceano longius inveniri potest? (§29; cf. §§30, 35)

By making the demand for Caesar's return seem ridiculous, Cicero neatly deflects the allegation of greed implicit in surrounding references to honours (including a triumph). Conversely, by depicting Caesar as especially devoted to the Republic, Cicero is able to depict anything less than *prorogatio* as unpatriotic. The

³¹² The *lex Vatinia* was a controversial law because it was passed while Bibulus, then consul, was watching for omens. The act did not preclude the passing of legislation, but Bibulus' failure to announce his observations properly invalidated his attempted obstruction. Although the Optimates rejected the law, Cicero's reconciliation with Caesar forced him to accept it. The law gave Caesar Cisalpine Gaul and Illyricum for five years from 1 March 59.

vulnerability of his position is revealed by his reliance on the themes of the sanctity of tribunician law, the *mos maiorum* and national security in his rebuttal of the proposals themselves (§§36-8). Reassigning the Gauls to the consuls, or limiting the duration of Caesar's command, were reasonable preventative measures against his power; but neither could be implemented without overturning the *lex Vatinia* (which forbade premature reassignment of Cisalpina and Illyricum), thus setting a dangerous precedent that was obviously motivated by fear.

Fear of Brutus and Cassius centred on their identity as tyrannicides. Both men had had to flee Rome in the aftermath of the Ides, forsaking their duties as praetors. In defiance of Antony's reallocation of provinces, they went to Macedonia and Syria, respectively, and recruited soldiers to the Republican cause. It was only natural for Cicero's opponents to present both men as potential war-mongers who could not be trusted.³¹³ Calenus' proposal to take Brutus' legions away from him (*Phil.* 10.6) is countered with a review of Brutus' character (*Phil.* 10.7-9) which leads to a striking identification of Brutus with the Republic: *tenet igitur res publica Macedoniam, tenet Illyricum, tuetur Graeciam.*³¹⁴ The recommendation of Cassius follows the same lines, but with disturbing results. In what must have been an effort to demonstrate that Cassius would serve the Republic without being asked, Cicero so emphasizes his initiative as to make him seem dangerously uncontrollable. Cassius has been his own Senate (*Phil.* 11.27), and makes his own laws:

³¹³ See esp. *Phil.* 10.14-17 and the dismissal of the veterans' complaints at *Phil.* 11.37-9. See also above, pp. 85-92 on Cicero's relationship with Rome's soldiers.

³¹⁴ *Phil.* 10.14. Cf. *Phil.* 10.12: *omnes legiones, omnes copiae quae ubique sunt rei publicae sunt.*

Huic igitur legi [sc. a numine deorum] paruit Cassius, cum est in Syriam profectus, alienam provinciam, si homines legibus scriptis uterentur, eis vero oppressis suam lege naturae. (*Phil.* 11.28)

A subsequent recapitulation of his military record (*Phil.* 11.35), ending with the Ides of March (*maximam eius et singularem laudem*) does little to soften the effect. As has already been mentioned,³¹⁵ Cassius is virtually ignored in Cicero's rebuttal of the proposals under debate, although his anxiety that Cassius be given the command can be detected. More than any other factor, Cicero's failure to allay the fears of his audience in this speech caused his proposal to fail.

Finally we have Octavian, who was feared because of his age. Despite the precedents of young commanders adduced by Cicero at *Phil.* 5.48, the fact remained that Octavian was a teenager, too young for elected office, and yet at the head of an illegal army. Cicero's strategy to overcome this was to emphasize the demands of the situation. Thus the justification for the proposal of *imperium* and honours of propraetorian status: *qui honos quamquam est magnus illi aetati, tamen ad necessitatem rerum gerendarum* (*Phil.* 5.45). In §§47-51 Cicero attempts to sidestep the legal issues by invoking the precedent of very ancient times, before the advent of the *leges annales*.³¹⁶ In a manner reminiscent of his promotion of Pompey, he extrapolates Octavian's current loyalty into a promise of future exemplary conduct (§50). To drive his point home, he pledges himself as Octavian's guarantor (§51) – evidently the “argument” which won the day.

³¹⁵ Cf. above, pp. 103-5.

³¹⁶ Esp. *Phil.* 5.47: *Itaque maiores nostri veteres illi admodum antiqui leges annalis non habebant.* Manuwald 2007, n. *ad loc.* notes that the combination of *vetus* and *antiquus* “emphasizes the notion of ancestors from a very early period.”

When evaluating Cicero's advocacy of extraordinary commands and his definition of an ideal commander, it must be remembered that his arguments were heard rather than read. Thus, even though many of them ring hollow to modern ears, they did appeal to contemporary sensibilities and were overwhelmingly successful. His manipulation of the facts to suit his agenda demonstrates an unexpectedly flexible attitude towards extraordinary commands especially – but opportunism is not always a vice. His support of Caesar was predicated on antagonism towards Piso and Gabinius (esp. *Prov.* 2, 8-9, 17), but it was also consistent with the political climate and with his desire to cultivate an alliance with the triumvirs (see esp. *Att.* 4.5.1-3). Brutus and Cassius' antagonism towards Antony was unquestionable, and Cicero could be certain of their trustworthiness because of his friendship with them. Octavian's army was the only standing force available on the Kalends of January 43. Finally, his high hopes in Pompey were entirely borne out by the general's defeat of Mithridates and settlement of what became the eastern provinces – and the political goodwill resulting from his support of the command duly led to his election as consul for 63. The fact that many of Cicero's arguments in favour of extraordinary commands incorporate the qualities attributed to the ideal commander in his mature speeches highlights the importance of military experience and aptitude in popular opinion. His willingness to put the demands of the situation before convention demonstrates a foresight which more rigid principles might have precluded.³¹⁷

³¹⁷ Berry 2006, 109 traces Pompey's subsequent career and concludes that "...even though the [R]epublic was in due course to collapse, Cicero's judgement in 66 that Pompey should be appointed to the Mithridatic command – however opportunistic that judgement may have been – was surely the correct one."

Military *gloria*

The *gloria* deriving from military success was extremely important in the late Republic, particularly because of the public status that attended it.³¹⁸ This is what drove the intense competition for commands, and ultimately catalyzed the military dynasts' consolidation of political and military power. Cicero's treatment of military *gloria* reflects these developments in a way which suggests a rather ambivalent attitude towards it: he acknowledges military *gloria* as a valuable political and social attribute, but also promotes a distinctly unmilitary concept of "true" *gloria* as if to challenge the prevailing military associations of *gloria*. This section will investigate his concept of military *gloria* and evaluate it in its historical context. It will also examine how military *gloria* fits into his broader understanding of *gloria*.

His attitude towards triumphs, the most concrete manifestation of military *gloria*, provides a convenient preliminary test-case for his theory. The triumph was a highly ritualized and symbolic victory celebration in which the commander re-entered the city at the head of a parade of soldiers, captives, and booty.³¹⁹ As a ritual event, it represented the return to peace, and the transmission of the *triumphator's dynamis* (to use Versnel's word) to the city for the community's welfare – hence, according to Versnel, the unusual privilege for the *triumphator* of retaining his military *imperium* after crossing the *pomerium*.³²⁰ The sheer scale of the procession,

³¹⁸ On *gloria* generally, see esp. Hellegouarc'h 1963, 369-73. On Cicero's conception of *gloria*, see esp. Sullivan 1941; Leeman 1949; Drexler 1962; and Mazzoli 2004.

³¹⁹ On the triumph generally, see Versnel 1971 and Beard 2007. The religious symbolism of the procession will not be discussed here.

³²⁰ Versnel 1970, 371-84, 390-1, also noting that the triumphator's military *imperium* surpassed that of the consuls. See also Rosenstein 2007b, 230 on the triumph as a representation of the return to peace.

which included dramatic re-enactments of the victory, also made it an important spectacle, focussing all attention on the *triumphator*.³²¹

Triumphs (and the lesser related honours of ovations and supplications) were almost an annual occurrence during Cicero's adult life, and were celebrated in increasingly lavish style.³²² Yet of the more than thirty triumphs, supplications, and ovations decreed between 88 and 43, only six are discussed by Cicero in any detail in his surviving works. These are the triumphs of Sulla over Mithridates (81); Pompey over King Hiarbas of Numidia (79); Lucullus over Mithridates and Tigranes (63); C. Pomptinus over the Allobroges (54); and Lepidus over Narbonese Gaul and Nearer Spain (43); and the *supplicatio* of Bibulus over Syria (50).³²³ Although the honours progressively receive more mention from Cicero, this does not reflect growing interest on his part. He was responsible, as consul, for awarding Lucullus' triumph – a good turn which put Lucullus in his debt and led to his soldiers voting Murena into the consulship while they were in Rome (*Mur.* 37-8, 69). His support for Lepidus' triumph (and gilt equestrian statue, *Phil.* 5.41) was similarly motivated, whereas his attention to Pomptinus stemmed from his regard for the man as one of the praetors involved in the ambush of the Catilinarian conspirators. Bibulus' *supplicatio*, on the other hand, is mocked because Cicero believed that it was undeserved and unduly overshadowed his own victories as governor of neighbouring Cilicia.³²⁴ Thus, his attention to these awards can be directly attributed to an immediate personal or political impetus for calling attention to the honour.

³²¹ Beard 2007, 32-3; cf. 46-9 on the audience's experience.

³²² Pompey's triumph over Mithridates, Tigranes, and the pirates in 61 set a new standard of extravagance, including a model of his head made of pearls. It is the best documented triumph (but is not mentioned directly by Cicero) and is examined in detail by Beard 2007, 7-41.

³²³ Sources at *MRR*.

³²⁴ *Att.* 7.2.6; *Fam.* 2.17.7. See also above, pp. 18-23.

Where this is not the case, his citations function simply as reference points, whether chronological (e.g. the triumph of Spinther at *Att.* 5.21.4) or exemplary (esp. the lists at *Pis.* 44, 58, 62). The latter type of references tend to focus on the prestige deriving from a triumph, rather than on the event itself. Thus we have the oblique reference to Pompey's three triumphs and *maximarum rerum gloria* (*Div.* 2.22; cf. *Balb.* 9, 16), and the description of Isauricus' triumph as *gratissimus* and *iucundissimus* to the Roman people (*Ver.* 5.66). The attendant emphasis on names rather than battle details anchors the discussion in the domestic, political realm. This is also how Sallust treats triumphs (e.g. *Cat.* 30.3-4; *Jug.* 114.3), whereas Livy, in his intact books, often focusses on the senatorial debates and circumstances which led to the awarding of triumphs.³²⁵ Because Cicero's references are entirely context-driven, however, they cannot be organized into themes and consequently reveal little about his attitude towards this manifestation of military *gloria*. His reticence is much more suggestive, indicating lack of interest in the triumph as a ritual or spectacle, and reluctance to engage with victories that gave rise to it.

That he nevertheless acknowledged the importance of the triumph is shown in his abstract references to the ceremony. At *Ver.* 5.66 he praises it as a show of Rome's superior strength: *...nihil est victoria dulcius, nullum est autem testimonium*

³²⁵ *Esp.* 2.17.6-7 (Sp. Cassius Vicellinus in 502); 3.70.14-15 (L. Quinctius Cincinnatus in 458); 36.39.4-40.10 (P. Cornelius Scipio Nasica in 191). See also Beard 2007, 58, 76-80 on factual problems with Livy's narrative, including his tendency to import the sensitivities of the first century into his descriptions of events in the middle Republic. By contrast, the *periochae* emphasize the battles which led to triumphs. Curiously, only two of Pompey's triumphs (§§89, 103) and all of Caesar's (§§115, 116) are mentioned. The campaigns of the other triumphators of the period are generally noted, although the words *triumphus/triumphare* are not used. Triumphs are not mentioned in Caesar's commentaries, as is appropriate for a work with an external focus. Cf. *BAfr.* 22.3 where Velleius' history makes an instructive parallel to Cicero's and Sallust's writings because he also emphasizes the domestic experience of the triumph. See e.g. 2.30.2, 40.4 (Pompey); 2.34.2 (Lucullus and Metellus Creticus); 2.56.1-2 (Caesar).

victoriae certius quam, quos saepe metueris, eos te vinctos ad supplicium duci videre. The surrounding narrative makes it clear that he is representing the “bread and circuses” definition of importance. By contrast, elite priorities are reflected in the surprisingly detailed discussion of social standards pertaining to the triumph at *Pis.* 56-62. Here, in the course of condemning Piso’s indifference to the honour, Cicero states that triumphal ambitions are the only acceptable pretence for desiring a provincial command (§56) and that the honour of a triumph must not be refused, even if the command itself had been unwelcome:

Nam ut levitatis est inanem aucupari rumorem et omnis umbras etiam falsae gloriae consecrari, sic est animi lucem splendoremque fugientis iustam gloriam, qui est fructus verae virtutis honestissimus, repudiare.³²⁶

The implications of *falsa gloria* and *iusta gloria* in a military context will be addressed shortly. Nisbet rightly notes that Cicero’s estimation of rectitude is based on the Aristotelian mean,³²⁷ but what is perhaps more interesting is how this self-centred ethical focus makes no mention of socio-political consequences. In 211 Cn. Fulvius Flaccus was exiled for refusing his triumph, a punishment which Versnel explains in terms of the *triumphator* withholding his *dynamis* from the community.³²⁸ Cicero’s emphasis on the individual’s moral character may reflect changing perceptions of place of the triumph in the community in the first century – a view further supported by his final precept. At *Pis.* 62 he suggests that triumphs

³²⁶ *Pis.* 57. Although the ferocity of Cicero’s attack owes much to the fact that Piso was assigned his province by Clodius (in §56 he says that the province was a *merces* to induce Piso to endanger the state and Cicero’s own safety), the attention to the honour and glory accruing from a triumph certainly reflects traditional values.

³²⁷ Nisbet 1961, n. *ad loc.*

³²⁸ Versnel 1970, 383; cf. Val. Max. 2.8.3.

are not the rewards of high-profile wars only, citing the example of M. Pupius Piso.³²⁹ The rhetorical advantages of contrasting the Piso who claimed not to want a triumph against the Piso who sought one against the odds are obvious; but they do not account for the inclusion of this theory fully. Established laws stipulated that triumphs could only be awarded if the commander had killed at least 5000 enemies in a single engagement.³³⁰ Assuming that Pupius Piso had met this requirement, his eligibility should not have been in question. Thus Cicero seems to advocate criteria based on merit rather than the traditional measures – a perspective which may explain his sense of entitlement for his victories as governor of Cilicia.

Cicero's concern about the worthiness of the *triumphator* is also reflected in a body of references to (allegedly) undeserved or unachieved honours. Piso's dubious distinction of being the only consular governor of Macedonia not to be awarded a triumph is mentioned three times in the *In Pisonem* (§§38, 55, 97; cf. §44). At *Prov.* 14 the Senate's refusal to grant Gabinius a *supplicatio* is construed as proof of Gabinius' moral deficiency and treachery.³³¹ In the following sections he is compared unfavourably to T. Albucius (propr. Sardinia c. 104), whose failure to attain a *supplicatio* after celebrating a mock-triumph in his province ended his career.³³² By contrast, Cicero's criticism of Bibulus turns on his alleged exaggeration of his achievements: *si [sc. a Bibulo] ea gesta essent quae scripsit,*

³²⁹ Piso celebrated a triumph over Spain in 69. Although his campaign was considered to be relatively unimportant, he successfully argued that the circumstances should not detract from his honour.

³³⁰ Val. Max. 2.8.1. Beard 2007, 209-10 challenges the historicity of Valerius Maximus' account, suggesting that he extrapolated from contradicting examples.

³³¹ *Hoc statuit senatus, cum frequens supplicationem Gabinio denegavit...* N.b. that the aorist *denegavit* makes the *cum*-clause express a logical relationship rather than a simple temporal one; this passage does *not* pretend to recount the Senate's actual decree.

³³² *Prov.* 15-16. Shackleton Bailey 2002, n. to *QFr.* 2.7.1 suggests that Albucius may have been the only precedent before Gabinius. Cf. *Phil.* 14.24, where Cicero claims that Gabinius is the only person to have a request for a *supplicatio* denied.

gauderem et honori faverem (Att. 7.2.6; cf. Fam. 2.17.7). Arrogance and complacency makes these men unworthy of honours which are in turn degraded by association with them and others like them. It is worth noting in this connection that Sallust also complains about triumphs having become the rewards for corruption (Jug. 41.7), and describes the nobility flaunting their triumphs *quasi ea honori, non praedae habeant*.³³³

This cynicism is critical background to his definition of military *gloria*, which is developed in references scattered throughout his writings. Drexler and Mazzoli both note several instances of *gloria belli* and *gloria victoriae* in his writings, but their primarily lexicographical focus makes Cicero's interest seem rather abstract.³³⁴ The vast majority of his references to military *gloria* are personal – that is, acknowledging the military *gloria* of an individual as an innate quality. Pompey, Crassus, Caesar, Plancus, Decimus, Brutus, Cassius, and a handful of exemplary figures are all recognized as possessing military *gloria*, normally in connection with victories although the *gloria* of the figures belonging to the civil war with Antony derives from their militant patriotism.³³⁵ He also praises the military *gloria* of the Roman people, often in connection with empire (esp. *Leg. Man.* 11, 12; *Mur.* 22). This dual focus on individual and national *gloria* is consistent with the

³³³ Jug. 31.10, in the speech of C. Memmius in favour of sending L. Cassius Longinus (cos. 107) to mediate with Jugurtha. The remarks belong to their late second-century settings, but Sallust's bitterness suggests that they also reflect concern about contemporary corruption.

³³⁴ See Drexler 1962, 12-14 and Mazzoli 2004, 68.

³³⁵ For Pompey's military *gloria* see *Ver.* 5.5; *Leg. Man.* 27, 67; *Flac.* 29, 30; *Balb.* 13, 16; *Deiot.* 12; *Att.* 2.21.3; *Fam.* 1.9.11; 9.9.2. For Crassus' see *Ver.* 5.5. For Caesar's see *Prov.* 29; *Marc.* 7, 25-6; and n.b. that Cicero wrote a poem about Caesar's British expedition. For the figures involved in the civil war of 44-43, see *Fam.* 10.3.3; 10.5.2, 3; 10.12.5; 10.13.2; 10.14; 10.19.2 (Plancus); *Fam.* 11.5.3 (Decimus); *Ad Brut.* 1.12.1 (Brutus); and *Fam.* 12.7.1 (Cassius). For the exemplary figures, see *Rep.* 2.13 (Tullus Hostilius); *Tusc.* 2.59; *Div.* 1.51 (the Decii); *Tusc.* 5.56 (Marius and Catulus); and *Vat.* 28; *Rep.* 1.18; *Tusc.* 1.110; *Brut.* 84 (the Scipiones Africani).

writings of Caesar, Sallust, and Livy and therefore demonstrates a comparable conception of its value and place in society.³³⁶

This is where the similarities end, however, since although Cicero praises individuals and the Roman People for possessing military *gloria*, he is not at all complimentary about it as an abstract concept. It is true that he recommends a military career as the *prima commendatio ad gloriam* at *Off.* 2.45; but in the first book of the treatise he cautions Marcus against *gloriae cupiditas* and specifically warns him not to seek military authority.³³⁷ This is the culmination of the idea expressed in the comparison of *iusta* and *falsa gloria* at *Pis.* 57 (quoted above), and has the same ethical implications: there are proper sources of *gloria* which benefit the state, and *gloria* must not be sought from improper sources as an end in itself. This principle is also at the heart of Cicero's theory of *vera gloria*, which can be seen as a direct attack on contemporary attitudes towards military *gloria*. The earliest reference to true glory is at *Sest.* 139, where it is closely identified with patriotism and altruism:

Qui autem bonam famam bonorum, quae sola vere gloria nominari potest, expetunt, aliis otium quaerere debent et voluptates, non sibi. Sudandum est iis pro communibus commodis, adeundae inimicitiae, subeundae saepe pro re publica tempestates: cum multis audacibus, improbis, non numquam etiam potentibus dimicandum.

³³⁶ On the military *gloria* of an individual, see e.g. Caes. *BG* 7.50; Sal. *Jug.* 7.1; Liv. 1.31.8; 2.43.11; 4.24.3; cf. Caes. *BG* 3.24.; 8.19 concerning military *gloria* shared by an army. On the military *gloria* of the Roman people see esp. Liv. *prae.* 7; cf. Caes. *BG* 7.1.8; 8.6.2; Sal. *Cat.* 53.3 concerning the military *gloria* of other nations.

³³⁷ *Off.* 1.68, using the word *imperium*. Cf. *Off.* 1.74: *Multi enim bella saepe quaesiverunt propter gloriae cupiditatem.*

The passage is part of a long exhortation to the next generation to pursue *gloria* for the right reasons (§§136-43; cf. 51, 102). That he is proposing something unusual is indicated by his careful wording, which is unequivocal but also inspiring. A similar exhortation in the *Somnium Scipionis* links the pursuit of true glory with rewards in the afterlife: speaking of *hominum gloria*, Africanus tells Aemilianus to let *ipsa virtus* lead him *ad verum decus* and depicts this glory as a higher calling than cultivating one's earthly reputation.³³⁸ The uniformity of his expression nearly ten years later confirms the importance of this concept of *gloria* to him. At *Off.* 2.31 he states that *summa et perfecta gloria* derives from the love, trust, and respectful admiration of the People. The following discussion about how to secure these three conditions for glory makes no reference to military exploits but focusses instead on personal qualities which are distinctly relevant to civic activity: willingness to confer *beneficia* (§32), justice and good sense (§§33-5), and virtue (§37-8). The discussion concludes with the instruction that *qui igitur adipisci veram [iustitiae] gloriam volet, iustitiae fungatur officiis* (§43). The link between duty and true glory is reminiscent of the earlier descriptions of *vera gloria*, as is the firmness of his language. Precisely what he meant by duty is clarified in the *Fifth Philippic*, where *vera gloria* is again described in terms of patriotic service:

Ea natura rerum est, patres conscripti, ut qui sensum verae gloriae ceperit quique se ab senatu, ab equitibus Romanis populoque Romano universo senserit civem c[il]arum haberi salutaremque rei publicae, nihil cum hac gloria comparandum putet. (§49; cf. 50)

³³⁸ *Rep.* 6.29. It should be noted that Cicero's use of *virtus* also contradicts the traditional Roman construction of *virtus* as courage or manliness (esp. in a military context). On the changing meaning of *virtus* in this period, see McDonnell 2006.

There is no denying that such an ethically-based, civic (re)definition of *gloria* suited Cicero's civilian career particularly well; but the fact that he invokes it to motivate others rather than draw attention to himself certainly indicates anxiety about the domestic consequences of unbridled military-focussed ambition.

In his survey of Cicero's use of *gloria*, Jal identifies civil war – in particular, growing acceptance of it as a necessary evil in the quest for power – as the impetus for the redefinition of *gloria*.³³⁹ According to him, Cicero's aim was to refute the idea that *gloria* could derive from exploits in civil war. Hence, we may imagine, his failure to mention any of Caesar's Civil War triumphs. However, the greater argument was that *gloria* resulted only from ethically-waged wars such as followed the theory of *bellum iustum*. This also accounts for the scorn he pours on Piso and Gabinius as corrupt commanders and, by extension, bad citizens. There are tantalizing hints in the letters from the war against Antony that Cicero's correspondents shared his civic-based conception of *gloria*. Plancus speaks of winning *gloria* in the context of doing his utmost *pro rei publicae salute* (*Fam.* 10.11.3) and laments Octavian's refusal to cooperate following the deaths of the consuls as abandoning *tanta gloria* (*Fam.* 10.24.6). Similarly, P. Cornelius Lentulus Spinther expresses hope that gaining *gloria* in the war will allow him *plus prodesse rei publicae* (*Fam.* 12.14.7). Sallust actually mentions *vera gloria*, but with the cynicism of another cycle of civil war's worth of historical hindsight: instead of being praised, it is cited as the root of the civil wars of the late Republic because it initiated conflict (*Jug.* 41.10).

³³⁹ Jal 1963a, esp. 45-6. Jal organizes Cicero's references to *gloria* into two groups based on tone: those which are positive are generally early (until the *Pro Archia*) whereas those which are negative (i.e., against *cupiditas gloriae*) are generally late.

To conclude this section it will be useful to return to the actual celebration of military *gloria*. It should be noted that although Cicero challenges the criteria for *gloria*, he never undermines its social or political importance. On the contrary, he supports its function as a reward for good service and praises *gloria* won according to traditional procedures. However, the triumph in the first century was no longer a solemn manifestation of Rome's prowess, but a celebration of the powerful general as a celebrity in his own right. We know that Cicero disliked the spectacle of games (esp. *Fam.* 7.1.2, 3), so we need not be surprised at his reticence about the tangible aspects of military *gloria*. For the intangible elements, like for so much of his attitude towards military matters, his perception is anchored in an idealized view of citizenship wherein military service is an extension of one's patriotic duty.

Civil war

This brings us to civil war as the last and most extreme type of domestic military matter discussed by Cicero. Although rarely an urban event, civil war belongs to the domestic sphere rather than the foreign one because of the internal nature of the conflict. It literally defined the late Republic, and is accordingly well represented in Cicero's writings. However, because the topic was so fraught with social and political controversy, his comments yield a particularly distorted view of his theory. Political exigency demanded a complementary tone when speaking before the victor and his partisans, but traditional ideology held that civil war was an abomination and worse than any peace (e.g. *Att.* 7.14.3; 7.15.2; 9.6.7). Overall, Cicero's treatment of civil war conforms to the prevailing understanding of "civil" as pertaining exclusively to Roman citizens; but his rhetoric during the conflicts with

Catiline and Antony reveals a more nuanced definition in which citizenship is not the sole criterion.

This theory must be read in light of the civil war/external war binary that operated in the ancient world. The earliest surviving definition is from Plato, who states that ἐπὶ μὲν οὖν τῇ τοῦ οἰκείου ἔχθρα στάσις κέκληται, ἐπὶ δὲ τῇ τοῦ ἄλλοτρίου πόλεμος (*Rep.* 5.470b). The equivalent Latin terms are *bellum civile* and *bellum*, respectively, which also express a distinction based on citizenship. There is no surviving definition from the Republican period, but Isidore's description invoking Sulla and Marius may preserve a contemporary account.³⁴⁰ According to him, *civile bellum est inter cives orta seditio et concitati tumultus, sicut inter Syllam et Marium, qui bellum civile invicem in una gente gesserunt* (*Etym.* 18.1.3). That the criteria for civil war were not widely understood at the time is demonstrated by considerable disagreement in the ancient sources about which Republican and early Imperial conflicts were civil wars.³⁴¹ This includes two Ciceronian lists at *Cat.* 3.24 and *Phil.* 8.7. Both passages enumerate four civil wars since the 80s – a period for which modern reckoning counts up to twice that number. At *Cat.* 3.24 the wars between Sulla and P. Sulpicius Rufus (88), Octavius and Cinna (87), Sulla and the Marians (83-82), and Lepidus and Catulus (78) are cited. At *Phil.* 8.7 the war between Caesar and Pompey takes the place of that between Lepidus and Catulus, and there is no mention of Catiline. As will be seen below, the exclusion of Catiline

³⁴⁰ As was seen above, Isidore quotes Cicero for his definition of *bellum iustum*. *Caes. BC* 2.29.3 mentions *civile bellum genus*, but the passage is corrupt and the meaning cannot be reconstructed.

³⁴¹ Jal 1963c, 43 surveys the sources, most of which focus on wars of the Empire. *Serv. Ad Buc.* 4.13 starts with Antony at Mutina whereas *ad Aen.* 6.832 includes the war between Caesar and Pompey. *Suet. Aug.* 9.2 also mentions *bellum Mutinense*. The fullest list is given by Ampel. *Lib. Mem.* 40.4 and includes Sulpicius versus Sulla, Lepidus versus Catulus, Caesar versus Pompey, Octavian versus Sex. Pompeius, Octavian versus Brutus and Cassius, and Octavian versus Antony and Cleopatra. Cf. Rosenberger 1992, 40-2 on civil wars and violence in the last century of the Republic.

is consistent with Cicero's strategy to depict that conflict as a full-blown external war. The omission of Lepidus, on the other hand, was certainly a concession to his son, who was still nominally supporting the Senate against Antony at this time. Most importantly, the consistent exclusion of the Social War and the uprisings of Sertorius (83-72) and Spartacus (73-71) suggests that Cicero understood civil war as a contest between Roman combatants of equal political status, regardless of where the fighting took place.

Cicero's acceptance of this criterion is reflected in his use of the term *bellum civile*, which is only applied to the conflicts enumerated in the above lists and for the war with Antony.³⁴² The fact that it is usually unmodified is a sign of tact – although Cicero condemns civil warfare in unequivocal terms, his criticism tends to accrue to the instigator of the war and not the war itself (esp. *Phil.* 13.1-2, quoted below). The most surprising use of *bellum civile* is in the so-called Caesarian speeches. Given that Cicero is pleading the case of Pompeians to Caesar himself, a euphemism might have been expected. Yet the conflict is repeatedly called *bellum civile* and even *bellum*.³⁴³ The latter usage amount to a statement of fact, albeit an emotive one. Cicero's letters from the Civil War also refer to the conflict as *bellum* in this way, as do those of his correspondents.³⁴⁴ Significantly, this included Caesar (*Att.* 9.16.2), who also acknowledged that the conflict is *bellum civile* in his commentary (*BC*

³⁴² See e.g. *Tusc.* 5.56; *Div.* 2.53 (Sulla versus Marius); below, n. 343 (Caesar versus Pompey); *Phil.* 8.8 (Antony). The conflict with Catiline is never called *bellum civile*. Although relevant, the terms *sedition* and *tumultus* are omitted from this study because they are not inherently military words and because Cicero does not use them in a consistent way.

³⁴³ *Bellum civile*: *Marc.* 18, 24; *Lig.* 28; cf. *Marc.* 12, 29. *Bellum*: *Marc.* 10, 13, 14, 15, 23, 24, 31; *Lig.* 2, 3, 4, 7, 35; *Deiot.* 13; cf. *Deiot.* 7, 27, 37 (regarding Deiotarus' service in Roman wars generally), 25 (*bellum Africanum*).

³⁴⁴ E.g. *Att.* 9.1.3; 9.6.7; 9.9.2; 9.10.2; 9.11a.2; *Fam.* 16.11.2; cf. *Att.* 9.2a.3. For letters to Cicero describing the conflict as *bellum* see e.g. 9.7a.1 (Balbus and Oppius); 9.7b.2 (Balbus); 9.10.4 (quoting Atticus).

1.67.3; 2.29.3; 3.1.3). We may therefore conclude that the term was not automatically offensive. It is the term of choice in Livy's *periochae* for the years 49-45 (*Per.* 109-16), and Sallust also uses it to describe the disorder attending the Catilinarian conspiracy (*Cat.* 16.4; 47.2).

Bellum civile was not the only means of describing a civil war, however. Cicero's more subtle allusions to internal conflicts further confirm his acceptance of the citizenship criterion by what they attempt to disguise. This chiefly concerns the words *bellum* and *hostis*, which properly belong to external wars but were evidently standard rhetoric (or invective) even in civil ones. With the conspicuous exception of references to Catiline and Antony in the *Catilinarians* and *Philippics*, respectively, Cicero suppresses these terms when discussing civil war in his public speeches.³⁴⁵ Thus the list of civil "wars" at *Cat.* 3.24 is actually a list of *civilis dissensiones*, and Sulla's first civil war is referred to as *rei publicae status desperatus* (*Font.* 6; cf. *Har.* 18). At *Flac.* 1, the conflict with Catiline is called *gravissimus atque acerbissimus rei publicae casus*. In a variation on this strategy, euphemisms are sometimes substituted for *bellum*. Caesar's *civilis victoria* is praised at *Deiot.* 33, and Sulla is called *victor* in reference to Italy at *Leg. Man.* 30. Discreet language did not preclude criticism of civil war or its consequences, however:

Dissensit cum Mario, clarissimo civi, consul nobilissimus et fortissimus, L. Sulla; horum uterque ita cecidit victus ut victor idem regnaverit. Cum Octavio conlega Cinna dissedit; utriusque horum secunda fortuna regnum est largita, adversa mortem. Idem iterum

³⁴⁵ Cf. *Div.* 1.4 where the war between Octavius and Cinna is called *Octaviano bello*. Because the reference serves as a chronological point of reference, the use of *bellum* does not contradict the patterns observed in the speeches. Conversely, because the perjorative use of *bellum* at *Phil.* 14.23 is clearly context-driven (Cicero is giving examples to show that *supplicationes* are not awarded in civil wars), it also poses no problem to this interpretation.

Sulla superavit; tum sine dubio habuit regalem potestatem, quamquam rem publicam reciperarat. (*Har.* 54)

In a similar vein, Livy's epitomator describes Sulla's return in 88 simply as *L. Sylla civitatis statum ordinavit* (*Per.* 77). According to Cicero, even Caesar claimed that the Civil War was not *bellum* but *secessio*, and that both he and Pompey were chiefly interested in the welfare of the state (*Lig.* 19). If we accept Hutchinson's suggestion that Lucretius' *De rerum natura* was written during or after 49, the *patriai tempus iniquum* referred to in the proem (1.41) is another such veiled allusion.³⁴⁶ These omissions and evasive manoeuvres reflect the stigma attached to involvement in civil war and demonstrate that it was not easily dispelled.

Cicero's avoidance of the term *hostis* required even more delicacy due to the word's significance in the context of civil war. Although it was a stock invective term, it was also the word used to condemn citizens as public enemies at the start of civil wars.³⁴⁷ Cicero's refusal to describe Catiline, Antony, and their associates as anything other than *hostes* during their respective conflicts will be addressed below as a significant anomaly. More usually, he simply side-stepped the issue, as in this description of Pompey's victories:

Testis est Italia quam ille ipse victor L. Sulla huius virtute et subsidio confessus est liberatam; testis est Sicilia quam multis undique cinctam periculis non terrore belli sed consili celeritate explicavit; testis est Africa quae magnis oppressa hostium copiis eorum ipsorum sanguine redundavit; testis est Gallia per quam legionibus nostris iter in Hispaniam Gallorum internicione patefactum est; testis Hispania quae saepissime plurimos hostis ab hoc superatos prostratosque conspexit; testis iterum et saepius Italia quae, cum servili bello taetro

³⁴⁶ See Hutchinson 2001.

³⁴⁷ On the political significance of the term in the late Republic, see esp. Jal 1963b.

periculosoque premeretur, ab hoc auxilium absente expetivit, quod bellum exspectatione eius attenuatum atque imminutum est, adventu sublatum ac sepultum. (*Leg. Man.* 30)

Only the African and Spanish campaigns were proper external wars, and so they alone are associated with *hostes*. In 81 Pompey defeated King Hiarbas of Numidia, and in 72 he crushed Sertorius' uprising. Although to modern eyes both conflicts had elements of civil warfare – Hiarbas was allied with a Marian, and Sertorius was Roman – the foreignness of the opposing armies was key. By contrast, Pompey's Sicilian campaign was against the consul Carbo, and his Gallic one against indigenous peoples who were nominally allies of Rome. We have already seen how *victor L. Sulla* is an allusion to civil war; the wording of the sentence concerning Sicily applies equally to Pompey's efficiency against the pirates, and was certainly meant to be ambiguous. The overall effect is similar to his strategy of emphasizing the foreignness of the allies in the Social War, which is a strategy also employed by Caesar in his commentaries.³⁴⁸

The uniformity of Cicero's references to the canonical civil wars of the first century highlights the disconnection with his treatment of the conflicts with Catiline and Antony. It should be noted at this stage that the Catilinarian conspiracy is often not considered a civil war by modern scholars.³⁴⁹ The conspiracy as it seems to have been planned originally was an urban event, focussed on assassinating senators and setting the city on fire in order to create panic (esp. *Cat.* 1.7; 4.4). However, when

³⁴⁸ The Social War is variously called the Marsic War (after the leading tribe, e.g. *Phil.* 8.31; *Div.* 1.99; 2.54), the Italian War (e.g. *Arch.* 8; *Har.* 18; *Pis.* 87; *Fam.* 5.2), and the Latin War (e.g. *Div.* 1.55). Caesar emphasizes the bellicosity of non-allied states with terms such as *bellum Helvetiorum* (*BG* 1.30.1) and *bellum Germanicum* (*BG* 4.16.1), and by using personal names, e.g. *bellum Ambiorigis* (*BG* 6.5.1; 6.29.4).

³⁴⁹ Rosenberger 1992, 42-3 discusses the conflict as *bellum civile* only by way of collating ancient references to it.

Catiline joined forces with the peasant army of C. Manlius, what might have been a *dissensio* turned into *bellum* requiring the dispatching of senatorial armies to defend the Republic's interests. By contrast, Antony's march north with the consular armies was a more obviously bellicose action, and the battles which followed were on a much larger scale than Catiline's last stand outside Pistoria. In addition to the rhetoric, these two episodes are separated from the other civil wars mentioned by Cicero because he was in a position of leadership during both, and therefore unusually able to influence how they were handled according to his own perception of the situation.³⁵⁰

His rhetoric indicates that this perception was predicated on a belief that extreme misconduct automatically resulted in the forfeit of one's citizenship. Thus even though Catiline, Antony, and a significant number of their partisans were Roman citizens, Cicero felt able to regard them as proper *hostes* waging *bellum* against the Republic. This attitude is best observed in his use of these key terms in the formative speeches of both conflicts – that is, the first two *Catilinarians* and first six *Philippics*, which were delivered (or circulated, in the case of the *Second Philippic*) before the Senate committed itself to war and record the initial impressions which inspired his controversial pro-war policy.³⁵¹

³⁵⁰ On military features in Cicero's leadership during these conflicts, see below, pp. 261-85. On his relationship with Antony as a military *inimicus*, and for a more detailed description of Antony's conduct during the civil war, see above, pp. 120-1.

³⁵¹ The *First Catilinarian* was delivered on 7 November and the *Second* on 8 November (Berry 2006, 302-3 against the conventional dating of 8 and 9 November, respectively; see most recently Dyck 2008, 243-4). The Senate committed itself to war when Catiline and Manlius were declared *hostes* in the middle of the month. The first six *Philippics* were delivered during 2 September-3 January 43, at which point the Senate committed itself to war by adopting Cicero's motions to sanction opposition to Antony and levy troops. The post-commitment speeches show signs of rhetorical restraint, as Cicero fought to maintain forward momentum amid growing unease about the implications of his total war policy. See below, pp. 261-85 *passim*.

The sheer frequency with which *hostis* is used is surprising in itself because it is clearly meant to anticipate the Senate's official decree. Catiline is condemned three times as the leader of an enemy camp (*Cat.* 1.5, 27; 2.15) – despite the fact that Manlius was its commander at the time and the *senatus consultum ultimum* of 21 October had been passed against him. Antony is similarly denounced as a *hostem populi Romani* (*Phil.* 3.14) and even compared unfavourably to Hannibal (*Phil.* 5.25). So-called “disjunctive” references, which exploit the *hostis/civis* dichotomy as well as a *hostis/consul* one, further emphasize his treachery. For example:

Nam si ille [sc. Antonius] consul, fustuarium meruerunt legiones quae consulem reliquerunt, sceleratus Caesar, Brutus nefarius qui contra consulem privato consilio exercitus comparaverunt. Si autem militibus exquirendi sunt honores novi propter eorum divinum atque immortale meritum, ducibus autem ne referri quidem potest gratia, quis est qui eum hostem non existimet... (*Phil.* 3.14; cf. 4.2, 5, 8)

Even references which do not explicitly reject Catiline and Antony's citizenship contribute to their marginalization as external enemies. A handful of instances which make no mention of citizenship seem to echo political invective, but the gravity imparted by the war context must be borne in mind.³⁵² The implications of *patria* must equally be taken into account for references to *hostis patriae* (e.g. *Cat.* 1.33; *Phil.* 2.1, 2; 4.5), which can only denote a citizen. Most striking are passages which explicitly acknowledge Catiline and Antony's citizenship in order heighten the contrast between their actions and the expected conduct of citizens. At *Cat.* 2.28 Cicero states that although the conspirators have made themselves *hostes*, he will

³⁵² Cf. Jal 1963b, 69; Novielli 1996, 209-10 (regarding the same strategy at *Phil.* 13.1-7); contra Nisbet 1961, 196, who argues that invective terms such as *hostis* were “too trite to have much meaning.”

allow them to leave Rome unmolested *quia nati sunt cives* (cf. §29). The effect of the contrast in this passage is even more damning:

Nos ad civem mittimus ne imperatorem populi Romani, ne exercitum, ne coloniam circumsedeat, ne oppugnet, ne agros depopuletur, ne sit hostis. (*Phil.* 5.27)

The force of *bellum* in these speeches is entirely consistent with that of *hostis*. As was mentioned above, both Catiline's and Antony's activity is always denounced as *bellum*. Significantly, it is never *bellum civile*, although the term is used to describe the Civil War of 49 (e.g. *Phil.* 2. 23, 47, 70, 72) and in hypothetical statements about the consequences if war is delayed (esp. *Phil.* 5.5). It occurs most frequently without any modifiers, making it seem to be mere invective.³⁵³ However, when these references are read together, a theme of external warfare emerges. In the same section where Cicero accuses Catiline of being a *dux belli futurus* (*Cat.* 1.27), he also posits this surprising distinction between *bellum* and *latrocinium*: *tantum profeci, cum te a consulatu reppuli... ut id quod esset a te scelerate susceptum latrocinium potius quam bellum nominaretur*. The contrast expresses a fundamental distinction between legitimate warfare waged by a consul and Catiline's illegal, private activity. Yet it will be noted that the distinction is one of title only, since Catiline's *privatus* status is cited as the sole criterion for *latrocinium*. Antony's *bellum* is compared with *dissensio* to similar effect:

³⁵³ E.g. *Cat.* 1.27; 2.13, 14, 24; *Phil.* 2.1; 3.2; 4.8; 5.1, 3, 24, 25, 26, 28, 30, 31, 33, 45, 53; 6.1, 2, 7, 15. Cf. *Fam.* 5.1 (Q. Metellus Celer to Cicero); *Sal. Cat.* 26.5 regarding Catiline's activity as *bellum* and *Att.* 15.4.1 (May 44) accusing Antony of planning *bellum* in Gaul.

Sentiet <s>ibi bellum cum re publica esse susceptum... nisi forte Caesaris partis a Pansa et Hirtio consulibus et a filio C. Caesaris oppugnari putamus. Hoc vero bellum non <est> ex dissensione partium... (*Phil.* 5.32)

A few sections later he is described as planning *non solum cum exercitu suo sed etiam cum omni immanitate barbariae bellum inferre nobis* (*Phil.* 5.37). The animal reference reinforces the marginalization implicit in the rejection of *dissensio*, associating the conflict with external, full-blown warfare by default. The polarity is imperfect, but strong under the circumstances.

That Cicero actively disregarded citizenship in his definition of these conflicts is further demonstrated by his use of adjectives with *bellum*. Although all of these can either be translated as “civil” or have strong domestic overtones, they are used in a way that emphasizes the internal *location* of the conflict rather than citizenship. This can be seen in the most complex example:

Atque haec omnia sic agentur, Quirites, ut maximae res minimo motu... bellum intestinum ac domesticum post hominum memoriam crudelissimum et maximum me uno togato duce et imperatore sedetur. (*Cat.* 2.28; cf. 1.23; 2.1, 11)

The two adjectives *intestinum ac domesticum* make this the strongest expression of civil war in these speeches, but one which must be read in light of Cicero’s self-representation as the *togatus dux et imperator*. In Steel’s words, “Rome was, of course, an entirely demilitarised area and could only be saved by a togate protector.”³⁵⁴ The superlatives *crudelissimum* and *maximum*, considered by Dyck to

³⁵⁴ Steel 2005, 61.

be “grossly exaggerated”,³⁵⁵ counterbalance the image of a calm crisis at the beginning of the passage, confirming the magnitude of this domestic threat. Jal notes that although *bellum domesticum/intestinum* and *bellum civile* are used interchangeably by some (mostly late) authors, there is evidence that *bellum civile* was considered to be a separate type of war.³⁵⁶ Conversely, adjectives such as *crudele*, *insidiosum*, *horribile*, and *nefarium* stress treachery as could only be committed by an insider. Thus Catiline’s activity is condemned as *hoc horribile bellum ac nefarium* (*Cat.* 2.15; cf. 1.25), and *tantum et tam insidiosum bellum* (*Cat.* 2.28) whereas Antony’s is denounced as *bellum nefarium contra aras et focos* (*Phil.* 3.1) and *tantum bellum, tam crudele, tam nefarium* (*Phil.* 3.3; cf. 6.2).

The most revealing indication of Cicero’s conception of these conflicts is given in two inconspicuous passages which require an understanding of his rhetorical strategy to be understood fully. At *Cat.* 2.1 Cicero claims that *palam iam cum hoste nullo impeditente bellum iustum geremus*. Dyck denies that this is a reference to the theory of *bellum iustum*, arguing instead that it denotes “proper” war as opposed to intrigue.³⁵⁷ However, in light of the rhetorical strategy outlined here, and given that civil wars were never just by definition, it is not impossible that this reference was meant to invoke the external frame of reference of just war. Similarly, when the conflict with Antony is presented as a choice between *honesta pax* and *bellum necessarium* at *Phil.* 5.2 we should recall *Off.* 1.35 (where *pax sine iniuria* is the only motive for war) and apply that external perspective.³⁵⁸ Cicero was well aware that

³⁵⁵ Dyck 2008, n. *ad loc.*

³⁵⁶ Jal 1963c, 32-4 with sources. Sal. *Cat.* 5.2 differentiates between *bella intestina* and *discordia civilis*.

³⁵⁷ Dyck 2008, n. *ad loc.*

³⁵⁸ Cf. Novielli 1996, 208.

his terminology, and the course of action it represented, was contentious. His description of the detrimental effect of his use of *hostis* and *bellum* in the *Philippics* must have applied equally in 63, making it unlikely that his use of such inflammatory language was purely for show.³⁵⁹

Of course, any assessment of Cicero's conception of civil warfare based on these speeches must take into account the relationship between rhetoric and belief. The effect of his use of military rhetoric during these conflicts is discussed in detail in Chapter 6. Here it will suffice to note that the attitude expressed by this rhetoric can be detected in his comments about the canonical civil wars. The fury of his denunciation of Sulla, Marius, Octavius, Cinna, Carbo, and Caesar at *Phil.* 13.1-2 is the best example:

Nam nec privatos focos nec publicas leges videtur nec libertatis iura cara habere quem discordiae, quem caedes civium, quem bellum civile delectat, eumque ex numero hominum eiciendum, ex finibus humanae naturae exterminandum puto. Itaque sive Sulla sive Marius sive uterque sive Octavius sive Cinna sive iterum Sulla sive alter Marius et Carbo sive qui alius civile bellum optavit, eum detestabilem civem rei publicae natum iudico. Nam quid ego de proximo dicam... Nihil igitur hoc cive, nihil hoc homine taetrius, si aut civis aut homo habendus est, qui civile bellum concupiscit.

Only in the *Eighth Philippic*, once the crisis was underway, does Cicero begin to term the conflict with Antony *bellum civile*, probably as a concession to conservatives who would not abide condemning a citizen as a *hostis*. This rhetorical compromise provides an instructive precedent for his milder treatment elsewhere of

³⁵⁹ *Phil.* 14.22: *Antea cum hostem ac bellum nominassem, semel et saepius sententiam meam de numero sententiarum sustulerunt....* Cf. esp. *Phil.* 7.7, 8 for explanations of his change of heart from being a life-long advocate of peace. There are no comparable remarks in the *Catilinarians*, due in part, no doubt, to their small number and short chronological span.

the wars mentioned in the passage, and suggests that his tone there was the result of political exigency and not necessarily a reflection of his views. That his definition of *hostis* was not completely revolutionary can be seen from the lack of controversy surrounding his equivalent denunciation of Dolabella for the murder of Trebonius in Asia (esp. *Phil.* 11.5-6; cf. 16, 29). Finally, it must be noted that the conflicts with Catiline and Antony did not follow the model of the canonical civil wars, as contests between pairs of high-ranking *inimici* and their partisans.³⁶⁰ Catiline and Antony lacked an opposing general, and were effectively fighting against the Republic itself, in much the same position as an external enemy. This is the context of Cicero's lament that these wars were uniquely about destroying the Republic (esp. *Cat.* 3.25; *Phil.* 5.5), and the background to his delight in the *concordia ordinum* inspired in defence of the state (e.g. *Cat.* 4.15, 19; *Phil.* 8.8). Of course, it is impossible to know with certainty what his conception of civil warfare was relative to his rhetoric. Nevertheless, the trends in his use of *bellum* and *hostis* combined with anecdotal evidence that the conflicts with Catiline and Antony merited treatment as external wars show that his rhetoric ought to be taken seriously as an unconventional approach to civil war.

Conclusion: the civilian on the home front

Cicero's theoretical engagement with domestic military matters reveals a complex value system in which civilian concerns – or at least those appropriate to peacetime – are given precedence over strictly military ones. His narrow definition

³⁶⁰ See Jal 1963c, 37-8. There is evidence that Catiline and Antony considered Cicero an *inimicus* (*Cat.* 1.23; *Phil.* 2.2), but Cicero never refers to them as such in these speeches. Cf. Sal. *Cat.* 31.9 (direct speech by Catiline); 34.2.

of acceptable warfare and unmilitary redefinitions of the ideal commander and *vera gloria* show his mistrust of the way in which Rome's military resources were being used. This is a direct challenge to prevailing practices whereby military success abroad all but ensured political dominance at home. By taking a broader view of the situation, Cicero formulated a best practice that addressed the state's need for good leadership in peacetime as well as wartime. The relationship between civic and military responsibilities of the higher magistrates also informs his attitude towards civil war. Moving beyond the conventional definition of it as simply a conflict involving citizens, he condemns Catiline and Antony as external *hostes* waging proper *bellum* against the state. Invective effect notwithstanding, the uniformity of his attack suggests a fundamental belief that misdeeds of a certain magnitude – such as bringing war against fellow citizens – automatically entailed the forfeit of one's citizenship.

Given that the domestic sphere was Cicero's primary frame of reference, his emphasis on domestic concerns is not surprising. The significance of this aspect of his theory is that it represents an alternative, civilian viewpoint, from a commentator who was not directly involved in the competition for commands. This is certainly not to say that Cicero is an objective witness, but rather that his domestic bias gives us insight into contemporary issues which are not recorded in the narratives of Caesar, Sallust, or Livy. This in turn raises important, but unanswerable questions about how representative Cicero's ideas were. Differences of terminology and usage compared to Caesar's commentaries especially, and Livy's history to a lesser extent, highlight the effect of Cicero's civilian point of view. Conversely, his attention to

ethics anticipates Sallust's moralizing and suggests a shared stimulus that both were vulnerable to as primarily civilian figures.

Any assessment of Cicero's military theory must take into account the effect of genre and political exigency on its expression. The fact that his theory can be reconstructed at all from texts not devoted to the subject testifies to Rome's importance as a command centre as well as the pervasiveness of military culture in the late Republic. His attitude is best described as pragmatic, adapting to life experience as well as to individual stimuli. With the partial exception of his approach to military *gloria*, his innovations are always forward-looking, aiming to spare the next generation the mistakes of his own. Nevertheless, the haphazard nature of his theoretical comments highlights the lack of a codified system for managing critical military activities in an age of increasing territorial expansion and domestic unrest fuelled by military power.

Chapter 5

Ciceronian military theory II: *militiae*

The domestic focus of Cicero's career and life do not particularly recommend his writings as a source for theory about *res militaris militiae*. However, a careful reading of the *corpus* yields considerable evidence of engagement with the activities of the army abroad. These passages illuminate an intriguing but elusive theoretical system that offers perhaps the most tangible evidence of the limitations of a civilian perspective; yet it also suggests that his background may have given him an unusual perception of Rome's place in the world as a major, military power. Because many of his remarks are not abstract, this chapter has two aims. Like the previous chapter, it will survey and assess major themes in his writings in order to demonstrate the range and depth of his engagement with foreign military matters. It will also emphasize correlations between focal points in his descriptions of actual events and similar ideas in his abstract statements as strong indications of his theoretical outlook.

As was explained in Chapter 4, the definition of "domestic" and "foreign" which is used in these two chapters derives from the Latin phrase *domi militiaeque*.³⁶¹ Whereas military matters *domi* are inward looking and largely administrative, military matters *militiae* are outward looking and concern Rome's interaction with the wider world. War naturally looms large in this connection, but it is by no means the only military matter pertaining to the foreign sphere, especially in the first century: issues of national security and defence, as well as militarized

³⁶¹ See above, n. 262.

aspects of foreign policy that were determined in the field also belong to this category. For the purposes of this chapter, any activity or pursuit involving the army and non-Roman peoples outwith Italy will be considered a foreign military matter.

Cicero's lack of association with the foreign sphere has traditionally been a major obstacle for the study of his views on these matters. Steel, in her study of Cicero's rhetoric of empire, speaks of "the conundrum of a speaker on imperial issues who had extraordinarily little exposure on a practical level to the empire, or to the military activity which was its essential underpinning."³⁶² His governorship of Cilicia was his only experience of foreign military service – and he was 55 years old at the time.³⁶³ This means that for most of his life (and career) his understanding of front-line combat was based on second-hand information. Nevertheless, as was seen in Chapters 3 and 4, a public career necessitated awareness of current campaigns and issues of national defence. It should not, therefore, be assumed that he was ignorant or naïve about such matters before he went to Cilicia. There is no evidence that he avoided engaging with foreign military themes before this time or that he was considered by his peers to be uninformed.³⁶⁴ On the contrary, his influence in the Senate and forum fits well with his statement at *Part. 95* that orators must be

³⁶² Steel 2001, 3. Other experience-based criticisms of Cicero's authority are cited below.

³⁶³ See above, pp. 13-27 for a full evaluation of Cicero's military experience. I do not count his service in the Social War as an example of foreign service because of the quasi-internal nature of the conflict.

³⁶⁴ The *Verrines* and *De provinciis consularibus* are prominent examples of public (and successful!) engagement with foreign military themes; he is also known to have defended P. Oppius on the charge of military misconduct (see Crawford 1994, 23-32). Immediately following his consulship he drew the first lot for an embassy to Gaul (Pompey drew the second lot), but *una voce senatus frequens retinendum me in urbe censuit* (*Att.* 1.19.3, 15 Mar. 60). The circumstances (esp. in the aftermath of his thanksgiving for *conservata res publica* (*Cat.* 3.15; 4.20)) suggest that the incident happened as reported. On *sortitio* for allocating provincial commands, see esp. Lintott 1999, 101-2.

knowledgeable about *facultates armorum, pecuniae, sociorum, earumve rerum quae ad quamque rem efficiendam pertinent.*³⁶⁵

It is therefore important to differentiate between the effects of his civilian perspective on the one hand, and of the domestic setting of his writings on the other. The impact of generic constraints that was outlined in the previous chapter applies especially to his discussion of foreign military matters, since most of his speeches, treatises, and letters were directed at a civilian audience and concerned issues of domestic significance. The rhetorical consequences of patriotism should also be mentioned in this vein, since they affected how far he was able (or willing) to criticize the activity of the army. For example, although he often censures the conduct of his peers, he never suggests that the army is too powerful or should avoid intervening abroad as a rule. He likely also enjoyed the affirmation of Roman supremacy which new victories and foreign conquests provided, regardless of the political points to be gained by praising the successful commander in public.

The combination of his limited discussion of foreign military matters and his even more limited experience of them have not encouraged scholarly inquiry into his views on the topic. His attitude towards the concept of empire is a significant exception, but no study has yet approached the matter from a strictly military standpoint.³⁶⁶ At the risk of artificiality this chapter will attempt to bridge this gap by concentrating on military matters to the exclusion (as far as possible) of associated social and political ones (e.g. taxation, citizenship, and judicial

³⁶⁵ A similar knowledge base is advised for senators at *Leg.* 3.41.

³⁶⁶ Habinek 1994 and Richardson 2008 examine Cicero's comments from a primarily literary point of view, whereas Rose 1995 and Steel 2001 employ a joint rhetorical-theoretical focus. Smethurst 1953; Brunt 1978; and Mitchell 1991, 205-11 survey references to empire and imperial matters from a largely political perspective.

administration). Like in Chapter 4, the discussion will focus on the best developed themes in his writings. These are: the provincial governor as a commander, the *socii* as military allies, and empire. It should be noted that all three themes are linked by the concept of *imperium*, both in terms of command/power and in the sense of “empire”. This association gives a sort of natural progression to the analysis in this chapter, and also yields a rare and useful point of contact between Cicero and the *imperium*-rich narratives of Caesar and Sallust.

The relevant passages are distributed unevenly throughout the *corpus*. In an inversion of patterns observed in previous chapters, the letters are extremely useful (particularly the ones concerning his governorship of Cilicia), whereas the speeches and treatises provide less material. Of the speeches, his invectives against “bad” governors (esp. *Ver. 5, Pis.*) give the most insight into his perception of the army’s activities abroad. The main treatises of note are the most political ones (*Rep., Leg., Off.*) – a coincidence which underscores the political (i.e. domestic) implications of foreign military matters in this period.

The theory which emerges shares many traits with his theory concerning domestic military matters, as well as with the outlook traced throughout this thesis. The army is still regarded primarily as a defensive force, and good service in the field as a manifestation of good citizenship. Orthodoxy continues to loom larger than orthopraxy, although critiques of unscrupulous governors naturally address how they ought to discharge their duties as much as why they should do so. Similarly, even though his ideas are quite conservative at their core, the flexibility of the way in which the army was used abroad gave him a real opportunity to modify current practice in light of current problems. Perhaps most importantly, he continues to

promote civic/domestic values such as good governance and good citizenship.

Although the suitability of such priorities in a foreign context is debatable, their association here sheds valuable light on his perception of the relationship between the Senate and the army.

The provincial governor as a commander

The military responsibilities of provincial governors are the most prominent foreign military theme in Cicero's writings – somewhat artificially, since his letters from Cilicia and a handful of speeches about former governors account for the majority of the relevant passages. Despite the personal nature of these texts, they reveal a great deal about his perception of governors as military leaders and the importance of their activity in that capacity. This aspect of his thinking is particularly well-developed, but not uncomplicated: most problematic is the fact that he seems not to regard governors as inherently military magistrates, even though they possessed *imperium* and the position was frequently viewed as a vehicle for obtaining military *gloria*.³⁶⁷ This section will trace this theme in his writings and attempt to explain it as a reaction to widespread misuse of military force in provincial administration at the time. In the interest of clarity, the most abstract passages will be examined first, followed by critiques of contemporary governors, and finally Cicero's own example.

Though few in number, the abstract passages offer a valuable conceptual measure of his attitude towards governors as commanders. Governors were

³⁶⁷ See e.g. Lintott 1993, 49: "The Roman magistrate with *imperium* was above all a military commander..." On Cicero's attitude towards military *gloria*, see above, pp. 159-68.

responsible for both judicial and military administration in their provinces, but whereas warfare was never guaranteed, matters of jurisdiction were certain to require attention.³⁶⁸ It is therefore worth considering where Cicero ranked military responsibilities within the rubric of a governor's tasks.

The clearest (and earliest) of three texts that are relevant to this question is *Leg. 3.9*, where "Cicero" outlines the duties of magistrates in his ideal state.

Imperia potestates legationes, cum senatus creverit populusve iusserit, ex urbe exeunto, duella iusta iuste gerunto, sociis parcunto, se et suos continente, populi <sui> gloriam augento, domum cum laude redeunto.

The prominent placement of *duella...gerunto* near the beginning of the list, combined with the military connotations of *gloria* and *laus* later on, obscures the fact that waging war is the only inherently military task in this list.³⁶⁹ More to the point, this task is far outnumbered by others which might equally be performed in a judicial capacity.³⁷⁰ The repetition of *iusta iuste* further restricts the scope for military activity, depicting it as something which should only occur under specific, ethical circumstances, and which is by no means the magistrate's sole (or primary) concern. The literary context of this passage – in a treatise setting out the laws for Cicero's ideal state – means that we can safely assume that these words represent Ciceronian

³⁶⁸ To give two extreme examples, Caesar's term in Gaul was dominated by campaigning, whereas Quintus Cicero's term in Asia seems to have been entirely peaceful (see esp. *QFr.* 1.4-5, 25, both discussed below). See esp. Lintott 1993, 43-69 on the nature of governorship in the late Republic generally.

³⁶⁹ Cf. Brunt 1978, 173-4, whose summary of the tasks of the provincial governor in the Republican period is comprised of three unmilitary tasks (taxation, jurisdiction, and supervision of local government) and one military one (internal order and defence). On *gloria* and *laus* in an unmilitary context, see Hellegouarc'h 1963, esp. 372-3 and 366-7, respectively.

³⁷⁰ Somewhat *contra* Dyck 2004, n. to 3.9.4, reading *sociis parcunto... continente* (but not *populi... augento*) as modifying *duella... gerunto*.

theory. Furthermore, in light of the abuse that was endemic in the 50s and 40s, when the treatise was written, they should certainly be read as a critique of current practice. What is significant in this regard is that Cicero's solution is to minimize military activity in favour of judicial activity.

Similar priorities may be detected at *Off.* 2.85, which concerns public leadership generally.

Ab hoc igitur genere largitionis... aberunt ii qui rempublicam tuebuntur, in primisque operam dabunt ut iuris et iudiciorum aequitate suum quisque teneat, et neque tenuiores propter humilitatem circumveniantur neque locupletibus ad sua vel tenenda vel recuperanda obsit invidia, praeterea, quibuscumque rebus vel belli vel domi poterunt, rem publicam augeant imperio agris vectigalibus.

Although governors are not specifically mentioned, the phrase *vel belli vel domi* and the allusion to *imperium*, *agri*, and *vectigalia* evoke the military and judicial responsibilities of provincial administration. The juxtaposition of front lines and home front, though conventional,³⁷¹ implies that the empire can be aided by domestic activity as well as military activity. The greater contribution of this passage, however, is the clear priority Cicero gives to justice (as indicated by the words *in primisque*). The effect is analogous to that in *Leg.* 3.9, although this argument appeals to *utilitas*, the theme of Book 2 of *De officiis*, rather than an ethical right. In any case, the idea expressed fits well with model of strong civic (i.e. unmilitary) leadership from military men that was observed throughout the previous chapters, and further indicates that Cicero may not have viewed governors as inherently military magistrates.

³⁷¹ See above, n. 263.

This is less the case in the third passage, which is also from Book 2 of the *De officiis*. It belongs to the celebrated description of Rome's empire as a *patrocinium* and depicts the *magistratus imperatoresque* of the past as striving after *maxima laus* by defending the provinces and allies *aequitate et fide* (*Off.* 2.26). Even though this is a distinctly military activity, one feels that the *laus* attaches to *aequitas* and *fides* and not to the warfare itself.³⁷² The reference to *aequitas* and *fides* recalls the priorities in *Leg.* 3.9 and *Off.* 2.85, whereas the emphasis on defence is certainly intended to contrast with the aggressive nature of contemporary wars, and thus promotes an image of the magistrate as a defender rather than a warrior.

To these theoretical passages we may add *QFr.* 1.1, Cicero's essay-like letter of advice on governorship. Despite its intimate connection with Quintus' administration of Asia (then entering its third year), the forward-looking, generic tone of Cicero's advice makes it possible to use this letter as a theoretical text. Of specific interest for present purposes is attention he pays to military matters – or, more correctly, his *lack* of attention. Consistent with the minimization of military duties in *Leg.* 3.9 and *Off.* 2.85, and the emphasis on faithful defence in *Off.* 2.26, there are only two explicit references to military duties in this lengthy and otherwise detailed letter. Remarkably, neither of them is prescriptive: in §§4-5 he rejoices that no wars threaten the success of Quintus' term, and in §25 he praises the general peacefulness of the province.

³⁷² See Hellegouarc'h 1963, 368 for the association of *fides* and *laus*.

In fairness to Cicero, Asia seems to have been a quiet province at this time.³⁷³

The point to note, then, is how the governor's military leadership ceases to be a priority for him when warfare is removed from the equation. He does not advise his brother to take thought for the army's morale or to monitor the activities of hostile tribes within and outside his territory, for instance, but concentrates on matters pertaining to judicial administration.

One theme within this discussion offers some context to this focus. It concerns guardianship, and it has the effect of imposing a moral framework on all of the governor's tasks. In §10 Quintus is called the *custodia* of his province, in §5 *pars rei publicae* is said to have been entrusted (*commissa est*) to him, and in §31 he is told to promote himself as *parens Asiae*. He is further advised to wield his power as follows: *sit lictor non suae sed tuae lenitatis apparitor, maioraque praeferant fasces illi ac seures dignitatis insignia quam potestatis* (§13). Because lictors and *fasces* were restricted to *imperium*-wielding magistrates, Cicero's use of the word *potestas* rather than *imperium* may indicate a deliberate diversion from the military connotations of the governor's power.³⁷⁴ The overall emphasis in these passages on defending the province by non-violent, unmilitary means substitutes an abstract ideal of "protection" for the concrete action of warfare, and significantly undermines the image of the governor as a commander first and foremost.

³⁷³ The region was effectively pacified when Mithridates was finally defeated in 63. Cf. *QFr.* 1.1.20: *ac mihi quidem videtur non sane magna varietas esse negotiorum in administranda Asia, sed ea tota iuris dictione maxime sustineri.*

³⁷⁴ *Imperium* is the strongest form of *potestas*, so using the latter word almost downgrades Quintus' authority as governor. Alternatively, Cicero's word choice may have been determined by prose rhythm or a preference for a less technical term than *imperium*, among other reasons. Cf. §§31, 35, 37, where *imperium* is used. On the nature of the *imperium* of the higher magistrates in this period, see esp. Lintott 1999, 96-7.

In the absence of relevant abstract material in contemporary literature, it is difficult to determine whether Cicero's perception was unique to him or more widely shared. Caesar's *De bello Gallico* gives the impression that he was rarely not on campaign, but his case is hardly typical. Sallust's surviving works, conversely, are not concerned with routine provincial administration but with urgent wars and the commanders dispatched to address them. Livy's narrative is similarly unhelpful, since his books about the first century have not survived intact, and the *periochae* yield little insight. A survey of triumphs, supplications, and ovations in this period suggests that only a handful of provinces were prone to warfare,³⁷⁵ so it stands to reason that although governors were equipped to wage war, many did not need to – and that Cicero's perception of the priorities of governorship may have been realistic, if perhaps unusual.

This brings us to his critiques of actual governors, whose success and especially failure as commanders routinely attracts comment in his speeches and letters. The result is a highly rhetorical but no less revealing account of governorship in the late Republic. Three main military functions may be identified from recurring themes of praise and blame: to wage war, to maintain the forces, and to represent Roman might. When read against the guardianship model in the abstract passages these focal points suggest that Cicero's conception of governors as commanders was based as much on their contribution to national security as their particular ability to undermine it.

Anxiety on this account is evident in his treatment of governors at war. His remarks are best assessed in light of his theory concerning justice in warfare, which

³⁷⁵ Sources at *MRR*. The most active provinces are Gaul, Spain, Macedonia, and Cilicia (!).

was outlined in Chapter 4.³⁷⁶ According to his ideal, war should only be waged for reasons of defence (esp. *Rep.* 3.34; *Off.* 1.35, 80). His advocacy for and prosecution of his peers in the forum and Senate are entirely consistent with this model, which moreover supports the guardianship ideal outlined above.

We may begin with the positive remarks, most of which have already been examined elsewhere in this thesis and need not be reviewed at length here. His praise of Fonteius, Flaccus, and Caesar (esp. in *Prov.*) as commanders was discussed in Chapter 3, where his strategy of associating military service with patriotism and moral trustworthiness was observed. His treatment of Decimus, Brutus, and Cassius during the war against Antony makes an interesting comparison, since these men engaged in civil war during their governorships (Brutus and Cassius' positions were irregular, however), but are praised for defending the Republic as though the conflict was an external one.³⁷⁷ Not enough of the *Pro Scauro* survives to reconstruct his handling of Scaurus' campaigns (nor indeed, the extent to which the allegations *de repetundis* concerned military matters), but if Macdonald is correct that the *Pro Fonteio* and *Pro Flacco* are indicative of Cicero's method, we may assume that he also would have been praised as a loyal and valuable defender of the state.³⁷⁸

Unsurprisingly, the negative remarks present the inverse of the positive ones. Instead of patriots we find criminal traitors who abuse their *imperium* and armies for personal gain, thereby endangering the Republic. It is worth mentioning at this stage

³⁷⁶ See above, pp. 134-44.

³⁷⁷ Whether this is a cause or an effect of Cicero's overall strategy of depicting the conflict as full-blown *bellum* (rather than *bellum civile*) against Antony as a *hostis* is unclear (cf. *Phil.* 3.14; 4.8). See above, pp. 168-80 for background and an evaluation of Cicero's perception. For praise of Decimus as a defender-figure, see esp. *Phil.* 3.37; 4.8-9; cf. *Phil.* 3.13 praising the peoples of Gaul for defending the Republic. For similar praise of Brutus and Cassius, see e.g. *Phil.* 10.4, 12 (Brutus); *Phil.* 11.27 (both) and above, pp. 102-5 on Cicero's relationship with them as military protégés.

³⁷⁸ Macdonald 1977, 427.

that Cicero never attacks a governor for not finding an opportunity to make war during his term. Consistent with the ethical focus of his thinking – and no doubt with an eye to the most damaging strategy available – he focuses on the motives of the governor in question. Verres, Piso, and Gabinius bear the brunt of his invective on this topic. Even though Cicero’s antagonism towards them was forensically and politically inspired rather than ideologically-based,³⁷⁹ his complaints nevertheless provide valuable insight into the scope for disaster if governors wage war badly or fail to respond to military threats.

Verres’ ability to defend his province is repeatedly called into question in the fifth speech of the second *actio*, which is devoted to military matters. He is mocked as a *bone custos defensorque provinciae* (§12) and censured for using naval ships in commercial ventures rather than for the defence of the province (§43; cf. §59, 80), but by far the most damning criticism concerns his surrendering of the command of the provincial fleet to a Syracusan named Cleomenes (§§82-110 *passim*). In addition to contravening procedure,³⁸⁰ Verres’ decision is condemned because it brings about a defensive crisis which ultimately sees the destruction of the fleet by pirates and the embarrassing spectacle of a governor who refuses to command – a *praetor inertissimus nequissimusque* (§100; see generally §§93-110).

The front-line transgressions of Piso and Gabinius are tame by comparison. Both men are reproached for using their armies to harass the local populations. Piso’s campaigns are denounced generally as *vexatio* (*Pis.* 40) and a specific raid on erstwhile allies is labelled a *nefarium bellum et crudele* (*Pis.* 84). For his part,

³⁷⁹ Cf. Steel 2001, 72.

³⁸⁰ See §83-4: the command ought to have gone to a Roman citizen first, then to a citizen of an allied state, but not to a Syracusan on account of their historical hostility towards Rome.

Gabinius condemned for making war on peaceful tribes and stealing money while wielding *imperium infinitum* (*Dom.* 23; cf. *Pis.* 41). Consistent with the legal basis of Cicero's concerns with Verres' surrendering of his command, much is also made of Gabinius' unauthorized war in neighbouring Egypt, in connection with which he allegedly sold his army to Ptolemy Auletes (*Pis.* 48-9). Lintott evaluates the case, and notes that since magistrates were legally allowed to leave their provinces *rei publicae causa*, Cicero's objections must be based on a subjective evaluation of the campaign as an unnecessary sortie.³⁸¹ This is certainly correct, but it is nevertheless significant that Cicero frames his argument by depicting Gabinius as a greedy, war-hungry commander: *cum finis provinciae tantos haberet quantos voluerat, quantos optarat, quantos pretio mei capitis periculoque emerat, eis se tenere non potuit* (*Pis.* 49). This focus on ethical motivation fits his practice elsewhere, and suggests that he was genuinely alarmed by governors who used their forces and military *imperium* to pursue policies which accorded more with their own interests than those of the state.

Issues of self-interest also loom large in his treatment of the governor's maintenance of his forces. Cicero's attention to this practical aspect of governorship must be understood in light of the role of provincial forces as Rome's first line of defence against external invasion. It is therefore telling, if not entirely surprising, that this function is only explicitly discussed in connection with governors who fail to perform what Cicero depicts as a moral obligation. In a slight deviation from above, Verres and Piso are his primary targets. Incompetence is a dominant theme

³⁸¹ Lintott 1993, 24; cf. 36. Gabinius' intervention led to the restoration of Ptolemy as king, a senatorial priority since 57. Cicero had personal reasons to oppose Gabinius' involvement, since he backed P. Cornelius Lentulus Spinther (cos. 57) as the candidate for the job. See esp. Steel 2001, 229-30; Lintott 2008, 191-4.

and bolsters an underlying argument that such negligence poses a threat not only to the immediate safety of the state but also to its future security.

The potential magnitude of this threat is conveyed in two passages where the provincial forces are depicted defenders of the entire Republic, and not merely the territory where they are stationed. At *Ver.* 5.50, Verres' exemption of Messana from its treaty obligation to provide a ship to the navy is denounced as the diminishing (*minuere*) of the *auxilia populi Romani* and *copias maiorum virtute ac sapientia comparatas*.³⁸² At *Pis.* 48, Piso is likewise condemned for disbanding the *praesidium rei publicae* and *custodia provinciae*. In a related vein, Cicero also complains that Piso's hostilities with the Densetiae, Rome's allies, have cost the Republic men who might have been *perpetuos defensores Macedoniae* (*Pis.* 84). Although this does not refer to actual casualties (he proceeds to say the Densetiae have been made into *vexatores ac praedatores* by Piso's abuse), it does highlight the fact that maintaining an army entailed the provision of material and manpower as much as the preservation of goodwill among the allied troops.

Both of these themes inform his objections to specific aspects of Verres' and Piso's management of their forces. Verres is condemned for undermining the strength of his forces by numerous means: in addition to exempting Messana from its obligations to supply men and material (*Ver.* 5.43, 49, 51), he is said to have accepted bribes in exchange for exempting local allies from service (*Ver.* 5.61-2, 131, 133), appropriated the funds intended for the maintenance of the fleet (*Ver.* 5.60-2), failed to install a full complement of men in the individual ships of the fleet

³⁸² *Ver.* 5.50; cf. 59. The logic is flawed, as Berry 2006, n. *ad loc.* rightly notes: Tauromenium had been made to provide a ship contrary to their treaty (see *Ver.* 5.49), and so there was no net change in the naval complement.

(*Ver.* 5.63, 131, 134), and depleted the existing forces by hunger (*Ver.* 5.131, 134).

An allusion to the weakness of the fleet prefaces the narrative of the disaster with the pirates that was mentioned above (see *Ver.* 5.86), creating a causal relationship between Verres' negligence (and corruption) and the subsequent vulnerability of the province.

Piso fares little better. He is attacked for wasting his army *ferro, fame, frigore, pestilentia* (*Pis.* 40; cf. 98; *Prov.* 5), and for draining the treasury at the expense of the army assigned to him by the Senate and Roman people (*Pis.* 37). Yet by far the most scorn is reserved for the fact that he actually lost his army. Cicero's mock-charity barely conceals his concern that Piso (allegedly) did not consider national interests when he disbanded the remnants:

Mitto de amissa maxima parte exercitus; sit hoc infelicitatis tuae; dimittendi vero exercitus quam potes adferre causam? quam potestatem habuisti, quam legem, quod senatus consultum, quod ius, quod exemplum? (*Pis.* 47; cf. 46, 53).

This insistence on precedent and legality contradicts the initiative and absolute authority of the governor as an *imperium*-holder, and implies that the governor should feel personally responsible for the defence of the province, including the condition of his forces. A governor's failure to maintain his army might well go unnoticed until the army was needed, by which time it would be too late. Cicero's criticisms of Verres and Piso on this theme exploit the anxiety that attends concealed threats but also indicate that he was privately worried about this potential for harm.

This brings us to the third military function of governors: representing Roman might. His comments on this theme offer the best evidence of an abstract conception

of governors as commanders, and show that he identified the *imperium* of governors as a source of instability and thus danger to the state. Consistent with the theoretical passages examined above, his remarks revolve around the idea of the governor as a guardian. This theme is not always developed in explicitly military terms, but its relevance is clear and supports the suggestion that he did not view governors as military magistrates first and foremost.

The governor's responsibility for both military and judicial administration has already been mentioned and need not be reiterated here. Of greater interest are the problems which arose from their practical autonomy. As Lintott observes, "the growth of Roman military power and empire... made the powers of a consul in Rome seem insignificant compared with those of a consul or proconsul abroad."³⁸³ For his part, Cicero describes the governor's power in his province as absolute (esp. *Ver.* 5.39; *Leg.* 3.6; *QFr.* 1.1.22) – a circumstance which afforded tremendous scope for abuse, especially when an army was involved. His treatment of Verres, Piso, and Gabinius offers convenient case studies of the consequences when armed force combined with (alleged) greed. Theirs will not have been isolated examples in an age which saw the rise of private armies,³⁸⁴ and there is no reason to assume that Cicero's hostility towards them cannot be generalized.

His conception of the governor as a representative of Roman might is best seen as a distancing from the trend towards personal administration in the first

³⁸³ Lintott 1999, 95. On the Senate's lack of control over magistrates in the field, see esp. Brunt 1978, 175; Lintott 1999, 94-6, 106; Steel 2001, 191. Rosenstein 2007a, 141-2 acknowledges the lack of practical restraint mechanisms but argues that a "moral consensus on the Republic's dignity" promoted good relations between generals and the Senate.

³⁸⁴ On which see esp. Gabba 1976, 26-8. De Blois 2007 argues convincingly against the idea of "slavish retinues of powerful magnates" (p. 176), showing by way of case studies of Sulla, Fimbria, and Caesar that commanders had to court the favour of the various segments of their armies, from their officers to new recruits.

century. He does not challenge the governor's *imperium* or initiative, but subordinates them to the interests of the state as a whole. The best articulation of this concept occurs at *Ver.* 5.35-9, where he describes all public offices as trusts which must be taken seriously. An eloquent description of his own anxiety that he be seen to deserve his position as aedile-elect (§37) prefaces a critique of Verres' apparent attitude towards his magistracies which must be quoted at length.

...hoc putares, aliquam rei publicae partem tibi creditam...? Cum tibi sorte obtigisset uti ius diceres, quantum negoti, quid oneris haberes, numquam cogitasti? ... Secuta provincia est; in qua numquam tibi venit in mentem non tibi idcirco fascis ac securis et tantam imperi vim tantamque ornamentorum omnium dignitatem datam ut earum rerum vi et auctoritate omnia repagula pudoris officique perfringeres, ut omnium bona praedam tuam duceres, ut nullius res tuta, nullius domus clausa, nullius vita saepta, nullius pudicitia munita contra tuam cupiditatem et audaciam posset esse. (*Ver.* 5.38-9)

This passage exposes a fundamental conflict between the magistrate's individualism and his responsibility as a representative of the state. The extreme nature of Verres' example aside, Cicero's clear prioritization of the state's interests over those of the individual turns the magistrate into a steward of sorts, who exercises power without possession.³⁸⁵ This idea accords with his description of Quintus' governorship of Asia as *pars tibi rei publicae commissa est* (*QFr.* 1.1.5), as well as with his appeal to the Senate to let Gaul remain in Caesar's charge, *in eius tutela Gallia... commendata est* (*Prov.* 35).

³⁸⁵ Cf. Richardson 1991, 5: "It was, of course, always true that in some sense the power of the magistrate was that of the *populus Romanus*, in that wherever the imperium holder was, there the power of the *populus Romanus* was to be found."

The idea of the governor as a steward challenges Steel's judgement that Cicero's focus on individuals is a weakness of his engagement with foreign administration.³⁸⁶ I would argue that the arguments at *Ver.* 5.38-9, when read against the backdrop of his attention to warfare and the maintenance of the forces, suggest that his ideal governor is essentially anonymous: the intrusion of personalities signals bad administration. This fits with his highly personalized depiction of Verres, Piso, and Gabinius, who are seen to treat their forces and military resources as things to be disposed of as they please, whether for financial gain or to intimidate the local populations. Conversely, good governors do not come to life in the speeches. They are depicted as dependable, but rather one-dimensional, defenders of the realm.

Crucially, hints of a similar perspective may be detected in the writings of Caesar and Sallust. Caesar customarily depicts his activity in Gaul as being motivated by national interest, usually in terms of the *dignitas, mos, imperium* or other abstract attribute of the *populus Romanus* (esp. *BG* 1.8.3; 1.45.3; 4.17.1; 7.17.4). Sallust, on the other hand, acknowledges and laments the corruption of the times with specific regard to public office. At *Cat.* 3.3 he refers to the *audacia largitio avaritia* that dominated public life (and corrupted him) in his youth, but he is much more explicit at *Jug.* 3.1:

Verum ex iis magistratus et imperia, postremo omnis cura rerum
publicarum minime mihi hac tempestate cupiunda videntur, quoniam
neque virtuti honos datur neque illi, quibus per fraudem iis fuit uti,
tuti aut eo magis honesti sunt.

³⁸⁶ Steel 2001, esp. 189: "the demands of his own persona forced him away from uncomfortable issues and towards the simpler demands of personalities."

Although this reflection seems to refer to the time of writing, it makes an instructive parallel to Cicero's focus on ethics which belongs to roughly the same time period. The point to note is that whereas Sallust simply complains about what is, Cicero presents a reforming alternative.

We may now examine his example in Cilicia as a practical test of his commitment to the ideas outlined thus far. An inquiry of this type is recommended by his own allusions to his writings as "guarantors" of his conduct, as well as by the detailed narrative of his activity contained in his letters.³⁸⁷ Remarkably, this narrative shows him to be entirely in compliance with the three functions traced above.

As was seen in Chapter 1, he arrived in Cilicia to the news of an impending Parthian invasion and therefore began his term in preparation for warfare.³⁸⁸ Consistent with this aim – and with the season (*Att.* 5.17.3; *Fam.* 15.2.1) – he gathered intelligence about the enemy position (e.g. *Att.* 5.16.4; *Fam.* 15.1.2; 15.4.7) and marched his army to a strategic location close to Armenia, in case its king revolted, and to Galatia, to have the best access to Deiotarus' help (*Att.* 5.20.2; *Fam.* 15.2.2; 15.4.4). He presents himself as being fully in control throughout the skirmishes with the Amanienses and especially the siege of Pindenissum, using first-person verbs and only occasionally acknowledging the contributions of Quintus and his other legates (esp. *Att.* 5.20.3, 5; *Fam.* 15.4.8, 10). The overall impression is of a consummate commander who is guided by reason and duty.

³⁸⁷ See esp. *Att.* 5.13.1; 6.1.8; 6.2.8 and discussion by Lintott 2008, 253-5.

³⁸⁸ His military activity as governor is summarized above, pp. 18-23.

His attention to the well-being of his army also makes him seem like an exemplary task-oriented commander. By virtue of his predecessor's less scrupulous administration, his first task as governor was to assemble his army, which was nowhere near its paper strength of two legions (esp. *Att.* 5.15.1; *Fam.* 3.6.5; 15.4.2). His distribution of the *praeda* to his men following the capitulation of Pindenissum demonstrates concern for their morale.³⁸⁹ So, too, may the very fact of his campaigns against the local rebel tribes, who offered a timely distraction from uneventful marches in search of the Parthians.³⁹⁰ On a more practical note, the letters also show him making arrangements for his army's winter quarters – billeted on problem communities under Quintus' command (*Att.* 5.20.5; *Fam.* 15.4.10).

His refusal to provide troops on two occasions may also be considered under the heading of maintenance. In the first instance, King Ariobarzanes of Cappadocia requested a bodyguard to protect him from an assassination plot, and in the second, no less than Brutus asked him to give cavalry to a prefect named Scaptius for the purpose of pressuring the locals to pay a higher rate of interest than was legal.³⁹¹ Regardless of the merits of either case, to relinquish any part of an army that was under strength to begin with was not in the interests of the province's defences. Ariobarzanes' request actually came on the heels of news that the Parthians were in

³⁸⁹ At *Att.* 5.20.5 Cicero says that he gave everything to the soldiers except the prisoners. A commander was not legally obliged to distribute any part of the *praeda*, although convention dictated that some of it would be distributed by way of reward. See Gruen 1984, esp. 289-91; cf. Lintott 2008, 261 on Cicero's motives.

³⁹⁰ Cf. Lintott 1993, 53, alluding to the adage that a busy army was a happy army.

³⁹¹ For Ariobarzanes' request see *Fam.* 15.2.7. The Senate had placed Ariobarzanes in Cicero's protection. See *Att.* 5.18.4; *Fam.* 15.2.4-8. This mandate explains Cicero's intervention in Cappadocia, which in any case had to be travelled through en route from Laodicea to Tarsus (unless Cicero travelled through Derbe, another allied principality). The case is discussed by Lintott 1993, 24-5. Cf. above for his condemnation of Gabinius for illegally marching his army outwith his province. On Brutus' request on behalf of Scaptius see esp. *Att.* 6.2.7-8. The affair is described in detail by Badian 1968, 84-6.

Syria, whereas the Scaptius affair intensified after the campaign season, but at a point in Cicero's administration when a hint of scandal would undermine his studious abstinence and risk losing the cooperation of the allies.

Finally, we have Cicero's self-presentation as a representative of Roman might. Like Caesar, he appeals to the interests of the *populus Romanus* when describing his actions (*Fam.* 15.1.3; 15.2.1). Richardson notes that although he frequently refers to his Cilicia as *nostra provincia*, there is no indication that he perceived it as a private possession.³⁹² The same might be said for his army, which is occasionally called *exercitus populi Romani* (e.g. *Fam.* 15.1.3; 15.2.7), and *meus exercitus* (e.g. *Att.* 6.5.3; *Fam.* 15.2.7), but appears most frequently simply as *exercitus*.

By far the most relevant feature of his narrative however, is his stress on his *aequitas*, *abstinentia*, and *integritas* as a governor.³⁹³ These virtues belong to the civilian realm and recall the emphasis on unmilitary activity in *Leg.* 3.9, *Off.* 2.26, and *Off.* 2.85. They also belong to a guardian or steward, and reflect an ideal of anonymous, neutral administration. It is a measure of the times that Cicero's abstinence made him stand out as a governor, rather than fade into the background of Roman foreign administration.

By way of conclusion, Cicero's example must be subjected to one last test. His appeals to Atticus and Caelius not to allow his term to be extended, and his deliberations over whether to leave Quintus in charge of the province at his departure inject a degree of self-interest into his administration that seems to contradict his

³⁹² Richardson 2008, 82-3, with sources.

³⁹³ See e.g. *Att.* 5.16.3; 5.17.2, 5; 5.18.2; 5.20.6; 5.21.5; 6.2.4; *Fam.* 15.1.3; 15.3.2; 15.4.1.

self-representation as a dutiful magistrate.³⁹⁴ In both cases his reputation was at stake: he did not want to be in charge of a major war against the Parthians, but was also reluctant to leave his brother in his stead lest Quintus do something to embarrass him politically (*Att.* 6.6.4; cf. *QFr.* 1.1.37-40 on Quintus' temper). If the restored text of *Att.* 6.6.3 is correct, he admits that his eventual choice of his quaestor Coelius as successor is contrary to the interests of the Republic (*id rei publicae non utile*). There is no easy way to reconcile this type of sentiment with an ideal of a selfless guardian-governor; but it does not follow that the positive aspects of his example are invalidated by a few private expressions of anxiety for his reputation.³⁹⁵ The fact that he publicly lived up to his model in the *De re publica* confirms that he had an abstract conception of the governor's military role and that it was practicable in the real world.

Cicero's treatment of governors as commanders provides perhaps the best insight into his perception of foreign military matters because of the range of activities and issues it incorporates. It shows that he acknowledged the military importance of the position but was also sensitive to the lack of practical measures to oppose unscrupulous magistrates who treat their armies and power as personal possessions. His response is an ethical discourse which transforms the governor from a warrior to a guardian, and promotes a style of administration which justifies Roman rule by showing that Rome deserves its supremacy.

³⁹⁴ On his anxiety that his term might be extended, see esp. *Att.* 5.17.5; cf. 5.15.1; *Fam.* 2.10.4. On his deliberations about Quintus as his successor, see esp. *Att.* 6.3.2; 6.4.1; 6.5.3; 6.6.3; *Fam.* 2.15.4. His relationship with his brother as a military man is discussed above, pp. 124-8.

³⁹⁵ Cf. *Att.* 6.6.3 where he expresses willingness to stay on if there was an imminent threat of war – a gesture of responsibility which contradicts allegations of apathy.

The *socii* as military allies

This brings us to our second theme: the *socii* as military allies. It is an intriguing and significant focal point in Cicero's treatment of foreign military matters because of the allies' awkward position in late Republican foreign policy as people to be protected and defended on the one hand, and a convenient source of manpower and material for Roman wars on the other. The fact that both views are expressed in his writings indicates the influence of rhetorical exigency; yet, as will be seen, when historical and political context is taken into account it becomes possible to detect a coherent theoretical system. This is the aim of this section, which will explore his perception of the military identity of the *socii* and their place in Rome's military programme.

The choice of the *socii* as the focus of this inquiry is based on Cicero's linguistic practice: *socii* is by far his preferred term for referring to foreign allies, even though other terms were in use at the time.³⁹⁶ With few exceptions, it functions as a sort of catch-all word for describing various foreign peoples who have a link with Rome; the absence of any sort of definition indicates that his usage was normal and easily understood by his audience.³⁹⁷ Nevertheless, one instance of the word merits closer attention. An apparent contradiction in *Att.* 5.18 – where Cicero

³⁹⁶ Chief among these is *auxilia*, a technical term which came to be the name of permanent “auxiliary” units in the Imperial army. During the Republic, the *auxilia* were temporary units raised from local allies; by contrast, legionary units were always composed of Roman citizens. See Gilliver 2001, 23-4; cf. *Var. L.* 5.90: *auxilium appellatum ab auctu, cum accesserant ei qui audimento essent alienigenae*. Both Caesar and Sallust regularly refer to foreign troops as *auxilia*. See e.g. *Caes. BG* 1.49; *BC* 1.60; 2.3; 3.10; *Sal. Jug.* 7.2; 43.4; 44.2; 84.2; cf. e.g. *Cic. Ver.* 5.50; *Deiot.* 9; *Parad.* 6.45. N.b. however, that in *Cat.* (which is domestically-themed) *auxilia* tends to mean “help” as it normally does in Cicero's writings. See e.g. *Sal. Cat.* 6.4; 52.29; *Cic. Ver.* 5.172; *Font.* 45; *Off.* 2.14.

³⁹⁷ See esp. *Pis.* 98, where the *socii* are mentioned separately from *foederati*, *stipendarii*, and *liberi populi*. Cf. *Flac.* 99; *Sest.* 128; *Mil.* 76 distinguishing them from *exterae nationes* (on which see Richardson 2008, 86-9). Sherwin-White 1973, 186 (citing Horn 1930) states that “*socii* applied to every category of non-citizen provincial from *stipendarii* upward.”

complains about a lack of loyal *socii* to bolster his army (§1) and then congratulates himself on earning the loyalty of the *socii* (§2) – indicates that *socii* could refer to both local (subject) provincials and non-subject allies.³⁹⁸ The word was inherently euphemistic, and although it probably does not signify that Rome’s allies were (or should be) treated as equals, Cicero seems to take its connotations of partnership and camaraderie literally in his discussion of the *socii* in a military capacity.³⁹⁹

The general tone of this discussion suggests that, for him, the *socii* were defined by their activity – that is, their contributions of men and material to the Roman army. The letters from Cilicia in particular show how pivotal allied contributions might be: Cicero begins his term lamenting the lack of reliable allies to bolster his legions, and subsequently finds himself indebted to Deiotarus for placing his entire army at his disposal.⁴⁰⁰ Sicily is praised for supplying grain and a safe harbour during the Punic Wars (*Ver.* 2.3); Gaul for providing grain, infantry, and cavalry during Fonteius’ administration (*Font.* 8); and Massilia, Gades, and Saguntum for expected future aid in the form of *propugnator* who will endure *labor*, *commeatus*, and *periculum* for Roman generals (*Balb.* 23). Passages praising specific *socii* as *fidelissimi*, *antiquissimi*, and other terms denoting strength and faithfulness serve to contextualize events in a particular part of the empire, whether war-related or with regard to injuries suffered by the locals. To give one example, at

³⁹⁸ See Shackleton Bailey 1968 n. to §2 *socius... usus est*, identifying the *socii* in §1 as non-subject allies (such as Deiotarus), and those in §2 as provincials.

³⁹⁹ Brunt 1978, 188 argues that the word *socii* “could hardly have been totally divested of the nuance imparted by its other senses.” Cf. Sherwin-White 1973, 186. Rich 1989, 124 credits politeness for the integration of terms like *amicus* and *socius* into the language of foreign relations.

⁴⁰⁰ On the lack of allies, see esp. *Att.* 5.18.1; *Fam.* 15.1.3, 5; cf. *Fam.* 15.4.3 concerning the results of his levy to augment his army. On his estimation of Deiotarus’ assistance, see *Att.* 5.18.2; *Fam.* 15.1.6; 15.2.2; 15.4.5; cf. *Fam.* 2.10.2 *exercitum... satis probe ornatum auxiliis*. His forces are enumerated at *Att.* 6.1.14.

Font. 13 Massilia is praised in connection with its support of Fonteius' efforts to bring the whole province under Roman control:

...est item urbs Massilia, de qua ante dixi, fortissimorum fidelissimorumque sociorum, qui Gallicorum bellorum pericula praecipuis <populi Romani> praemiis compensarunt.⁴⁰¹

The mention of compensation hints at an intriguing dynamic which will be examined in detail below. For now it will suffice to note how rhetorical exigency generally dictates where and how specific groups of *socii* are identified in Cicero's writings. The fact that these groups tend only to be mentioned in texts that are about them anyway (e.g. Cilician allies in Cicero's letters from Cilicia) indicates that his attention to them was largely a matter of convenience.

Although at first glance this seems like a major weakness in his engagement with foreign military matters, his writings actually offer more insight into the military identity of the *socii* than any others from the period. The term is not defined in the writings of Caesar, Sallust, or Livy, and the relevant entry in Varro's *De lingua Latina* has not survived. The focal points of Caesar's references to the *socii* are strikingly similar to those of Cicero's: the term quantifies a type of relationship between two parties – significantly, he applies it to both Roman allies and the allies of his opponents – and particularly evokes the military aid rendered or anticipated within that relationship.⁴⁰² The value of Sallust's and Livy's narratives is complicated by chronological scope. Because so much of their work deals with pre-

⁴⁰¹ Cf. *Font.* 35 (Massilia); *Mur.* 33 (Cyzicus); *Flac.* 71 (Apollonis); *Pis.* 84 (Macedonia); *Phil.* 11.5 (Smyrna).

⁴⁰² See e.g. *BG* 1.11; 1.43; 1.45; 8.6 (Roman allies); 1.14; 1.36; 3.9; 5.39; 6.10 (allies of opponents).

Social War history, *socii* most often appears in reference to Italian allies.⁴⁰³

Nevertheless, the transition to post-Social War times is seamless and confirms that Cicero's use of the term to describe foreign allies was normal.⁴⁰⁴ The only anomaly is Sallust's *Bellum Catilinae*, where *socius/socii* almost always refers to the conspirators (e.g. 16.4; 18.8; 43.3; 56.4); but this usage is entirely explained by context.

Having established (as far as possible) how Cicero conceived of the *socii* in military terms, we may now consider the place he accords them in Rome's military programme. Of specific interest is his perception of the proper dynamic between Rome and the *socii* – who was obliged to whom, and what this entailed in a military context. Roman interests naturally dominate the discourse, but his attention to the welfare of the *socii* appears to be unusual, especially in light of his complaints about their abuse at the hands of unscrupulous commanders. In the interest of clarity, the analysis will begin with a thematic survey of his remarks before proceeding to the evaluation proper.

As was mentioned above, the *socii* appear in Cicero's writings both as people to be defended by Rome and as a resource for the Roman army. His treatment of the idea of obligation allows his comments be to divided into three groups: those which focus on Rome's obligation to the *socii*; those which focus on the obligations of the *socii* to Rome; and those which condemn the use of military force to the detriment of the *socii*.

⁴⁰³ See e.g. Sal. *Jug.* 14.19; 84.2; 95.1; Liv. 8.5.3; 30.35.3; 45.43.7.

⁴⁰⁴ See e.g. Sal. *Jug.* 24.3; 44.1; 88.3; 95.1; Liv. 27.20.8; 35.12.7; 38.37.3; 45.39.4; cf. Sal. *Cat.* 12.5; 52.6, 12, 20. Livy also uses *socii* to refer to the allies of non-Romans: see e.g. 38.8.6; 44.29.2.

The passages which belong to the first group are characterized by an idealistic tone which depicts Roman motives as purely altruistic. The idea that the *socii* need and merit Rome's protection is part and parcel of Cicero's theory about justice in warfare. As was seen in Chapter 4, defending the allies ranks highly among his approved reasons for going to war and is consistent with his assertion that wars should only be waged for the purpose of defence.⁴⁰⁵

This type of concern for the safety of the *socii* is also a major theme outwith the treatises. The phrase *salus sociorum* occurs five times in the *Pro lege Manilia*, accounting for almost half of the instances of the phrase in the entire *corpus* and putting a humanitarian spin on Cicero's promotion of Pompey for the war.⁴⁰⁶ At *Sest.* 98, the *socii* are included in the lengthy catalogue of the institutions and entities which comprise the foundations of *otium cum dignitate* and must be defended at all costs.⁴⁰⁷ A romanticized description of the historical relationship between Rome and its foreign dependents at *Div. Caec.* 66 does not use the word *socii*, but implies their inclusion by the use of cognates:

Clarissimi viri nostrae civitatis temporibus optimis hoc sibi
amplissimum pulcherrimumque ducebant, ab hospitibus clientibusque
suis, ab exteris nationibus, quae in amicitiam populi Romani
dicionemque essent, iniurias propulsare eorumque fortunas defendere.

Cicero probably had forensic defence in mind, but the principle is certainly relevant to our present discussion – not least because it predates a very similar sounding

⁴⁰⁵ See *Rep.* 3.34 and discussion above, p. 135.

⁴⁰⁶ See *Leg. Man.* 6, 12, 14, 19, 71; cf. 21 (*salvis sociis*); 32 (*quem socium defendistis?*); 45 (*socios conservaturus sit*). The other instances occur at *Caec.* 27; *Ver.* 2.28; 3.21, 213; 5.139, 188; *QFr.* 1.1.2. N.b. that all of these passages concern provincial government.

⁴⁰⁷ On the nature and political significance of this Ciceronian ideal, see esp. Wirszubski 1954; cf. Wood 1988, 194-9.

version of traditional practice at *Off.* 2.26-7, which does use *socii* in a military context. Oddly, although concern for the welfare of the *socii* is a recurring theme in his letters from Cilicia, this is never expressed in military terms.⁴⁰⁸

This brings us to the second group of comments, which emphasize the obligations of the *socii* to Rome. These passages are characterized by a sense of entitlement which revolves around contractual obligations rather than ethical ones. Cicero's long harangue about the implications of Verres' decision to exempt Messina from its treaty (*Ver.* 5.43-59) yields a salient point about the purpose of such agreements:

qui [sc. Mamertini] ex foedere ipso navem vel usque ad Oceanum, si imperassemus, sumptu periculoque suo armatam atque ornatam mittere debuerunt, hi ne in freto ante sua tecta et domos navigarent, ne sua moenia portusque defenderent, pretio abs te ius foederis et imperi condicionem redemerunt. (*Ver.* 5.50; cf. 51, 59)

A similar concern is voiced more tactfully at *Balb.* 24-5, where Cicero says that it would be a serious matter (*grave*) if the Roman people were deprived of allied aid in battle – because the best and bravest *socii* should have the opportunity to earn Roman honours such as citizenship (cf. *Balb.* 44, 54). The treatment of Deiotarus and his son in the *Eleventh Philippic* provides an instructive parallel, since their assistance is taken for granted in the proposal for Cassius' command.⁴⁰⁹ Against this

⁴⁰⁸ His *abstinentia* chiefly concerns financial matters, such as taxes and requisitioning of supplies. See esp. *Att.* 5.16.2-3; 5.17.2; 5.20.6 and discussion by Brunt 1978, 189-90.

⁴⁰⁹ *Phil.* 11.31: *Regem Deiotarum patrem et regem Deiotarum filium, si, ut multis bellis saepe numero imperium populi Romani iuverint, item C. Cassium pro consule copiis suis opibusque iuissent, senatui populoque Romano gratum esse facturos.* Neither Deiotarus is mentioned in the contemporary correspondence with Cassius, although one is alluded to in *Ad Brut.* 1.6.3 (19 May 43), in connection with the war against Dolabella. Cicero's attitude here is in marked contrast to the appreciation expressed in the Cilician letters (see above, n. 400), but not inconsistent with the tone of *Deiot.*

backdrop, it is no surprise that at *Part. 95* the *socii* are spoken of in passing as something to be used (*utor*).

A handful of remarks depicting taxation as the privilege of the victorious round out this group of passages, and provide valuable insight into the practical considerations connected with administering an empire. At *QFr. 1.1.33-4* taxes are described as a fair burden in exchange for military protection: *id autem imperium cum retineri sine vectigalibus nullo modo possit, aequo animo parte aliqua suorum fructuum pacem sibi sempiternam redimat atque otium* (§34). The sense of entitlement is more overt at *Ver. 3.12*, where taxes are depicted as *victoriae praemium ac poena belli* (cf. *Ver. 2.7*). Indeed, a survey of references to *socii* in the *corpus* reveals that they are frequently mentioned alongside *vectigalia* as tangible benefits deriving from the provinces (esp. *Ver. 3.127*; *Leg. Man. 4, 19*; *De orat. 2.58*).

So far we have seen that Cicero acknowledged both Roman and allied obligations to each other. The third group of passages, which deal with the use of military force against the *socii*, provide crucial context to a discourse that reveals much about his awareness of the issues at stake but little about his sense of the proper dynamic between the *socii* and the army. His opposition to the abuse of the *socii* is not noteworthy in itself, but the fact that it seems to function as a vehicle for criticizing individual magistrates is.

It should first of all be noted that all but one of the passages in this group come from speeches, and consequently yield a highly rhetorical portrait of contemporary practice. As previously, Verres, Piso, and Gabinius are the targets of Cicero's complaints; but there is also one passage that involves Caesar. It is the only

passage in this group that comes from a treatise, and Caesar is not named, but the allusion to a triumph in which Massilians were paraded as conquered enemies makes the identification clear. The cause of Cicero's outrage is equally clear when he refers to the Massilians as people *ex ea urbe... sine qua numquam nostri imperatores ex Transalpinis bellis triumpharunt* (*Off.* 2.28).

Of the remaining men, Piso receives the most attention by far. He is accused of using his army to murder and plunder the *socii* (*Pis.* 38, 40), and of actually waging war against the Densetiae, a *natio semper oboediens huic imperio* (*Pis.* 84). The cities that have been injured by him are listed at *Pis.* 96 in a passage which concludes with the assessment that these peoples regard him as a *sociorumque depeculatorem, vexatorem, praedonem, hostem*. In a similar vein, he is denounced at *Pis.* 91 as *Poena et Furia sociorum*. Arguably the most damning rebuke occurs at *Prov.* 4, where Cicero alludes to money which the inhabitants of Macedonia had paid to a Roman commander in order to enjoy peace. He proceeds to say that that they now wage *bellum prope iustum* because that peace no longer exists. The allusion to the theory of *bellum iustum* is significant here, and is a considerable compliment because, theoretically speaking, only Rome could wage just war.⁴¹⁰

Piso is also condemned with Gabinius as *has duplicis pestis sociorum* and *provinciarum vastitates* in connection (implied) with their military activity (*Prov.* 13; cf. *Prov.* 14). For his part, Gabinius is accused of making contracts with *hostes* against the *socii* (and also with *socii* against *cives*, *Prov.* 12), and using his army to

⁴¹⁰ See above, pp. 140-4. Justice was guaranteed by the fetial procedures for declaring war, which were, of course, unique to Rome. Cf. Riggsby 2006, 174-5, who argues that *prope iustum* signals Cicero's inability to countenance a just war waged by foreigners.

plunder cities (*Pis.* 41). The latter allegation is accompanied by an unflattering description of him as *gurgēs atque hēlluo natus abdomini* (*Pis.* 41).

Last but not least, Verres is attacked for using the navy as a means of transporting goods stolen from the province (esp. *Ver.* 5.44-6, 59, 63); his acceptance of bribes in exchange for exemptions from duty may also be considered as abuse, to the extent that it was certainly motivated by greed rather than generosity (esp. *Ver.* 5.51, 61-2). He is called a *mercennarius praetor* and a *praedo improbissimus* (*Ver.* 5.54) in this connection, as well as a *praedo sociorum* for the similarity of his conduct to that of the pirates who threatened Sicily during his term (*Ver.* 5.122). The final blow, however, occurs in *Ver.* 5.124, in an imaginary address by the people of Tyndaris. The prosopopeia makes explicit reference to their *amicitia* and *fides* with Rome during the Punic and Sicilian Wars, and asserts that they always provided *belli adiumenta et pacis ornamenta* to the Roman people. The contrast between the treatment they might have expected and the treatment they received from Verres is summarized in the following line, when Cicero exclaims *multum vero haec iis iura profuerunt in istius imperio ac potestate!* (*Ver.* 5.124).

The analysis of these remarks and the ones concerning Roman and allied obligations to each other is complicated by generic factors and the comparatively small sample size. Comparison with the writings of Caesar and Sallust offers a tantalizing clue about how representative Cicero's narrative is, but one which raises more questions than it answers. Although both authors mention Rome's obligation to defend the *socii* (though to a lesser extent than Cicero), neither addresses the obligations of the *socii* to Rome, and only Caesar alludes to the abuse of the *socii* by

the army.⁴¹¹ It is almost impossible to draw meaningful conclusions from this pattern, but (at the risk of over-speculation) it is just possible that the convergence of attention on Rome's defensive obligation indicates that this was the primary way of talking (if not thinking) about the *socii* at the time.

It will be noted that this theme is the only one with any theoretical basis in the three groups of Cicero's comments examined above. It is also one with many attractive features. Quite apart from its humanitarian aspects and the practical benefits of good relations with the *socii*, it also served Roman patriotic and especially imperial interests. As Riggsby notes with regard to Caesar's handling of the theme, "the basis of this obligation to defend friends is in no way altruistic, but is a matter of defending one's own reputation and honor."⁴¹² Being able to depict its wars as defensive ones waged to protect others gave Rome a virtually unassailable moral high ground and allowed it to celebrate its supremacy as righteous and deserved.

This interpretation can be reconciled with the arguments implicit in Cicero's other comments. The most detailed remarks concerning the obligations of the *socii* to Rome all come from speeches and are very context-driven. The hint of irony in the complaint about Messana's exemption (*Ver.* 5.50), combined with the rhetoric in the surrounding sections (esp. §51), make it clear that the real issue is Verres' granting of the exemption in the first place and not Messana's contribution to national security. Similarly, the allusion to Rome's dependency on allied assistance at *Balb.* 24-5 furnishes a flattering transition to Cicero's main argument in support of

⁴¹¹ On Rome's obligation to defend the *socii*, see e.g. *BG* 1.35.4; *Sal. Cat.* 6.5; *Jug.* 14.7, 19; 24.2. Caesar also depicts himself as defending the *socii* at e.g. *BG* 1.11.2-5; 7.10.2-3; 7.33.1-2. On the abuse of the *socii*, see e.g. *Caes. BC* 3.31-3.

⁴¹² Riggsby 2006, 185; cf. Rosenstein 2009, 90.

the granting of citizenship as a reward for military service – such as Balbus had received. The strategy behind the reference to the Deiotari at *Phil.* 11.31 is less immediately obvious, although the expectation of cooperation fits with Cicero's optimism about such matters in the *Philippics* generally (esp. praise of Lepidus' loyalty at *Phil.* 13.7-8, 49).

The subtle subterfuge in the comments condemning the abuse of the *socii* is also consistent with the idea that the defence of the *socii* was Cicero's primary concern. As was mentioned above, his complaints function as a vehicle for criticizing the commanders in question. This is true even of the only passage of the group that did not come from a speech (*Off.* 2.28), where the mere mention of Massilians in a triumph made it clear that Caesar is the subject. The *socii* serve as a symbol in these passages, quantifying the magnitude of the commander's misconduct by manipulating the audience's emotions in favour of the helpless (even hapless) *socii*.⁴¹³

This is not to suggest, however, that Cicero regarded the *socii* as passive partners in Rome's military programme. His letters from Cilicia show that he was well aware of their military role and the dangers of using force to overawe them. At *Fam.* 15.3.2 he writes *quae copiis et opibus tenere vix possumus, ea mansuetudine et continentia nostra, sociorum fidelitate teneamus*. Lintott agrees that his decision not to burden the local allies with a levy was prudent, even though it meant that his army was not as strong numerically as it might have been.⁴¹⁴ His trust in Deiotarus in particular may be gauged by the fact that he sent his son and nephew to stay with the

⁴¹³ Cf. Dyck 1996, n. to *Off.* 2.28 *itaque vexatis ac perditis*, who also notes that the importance of Massilia is exaggerated for emotive effect.

⁴¹⁴ Lintott 2008, 262.

king during the campaign season (*Att.* 5.17.3; 5.18.4); diplomacy aside, his letters about the ensuing campaigns indicate that he was genuinely grateful for the assistance of Deiotarus' army (*Att.* 5.18.2; *Fam.* 15.1.6; 15.2.2; 15.4.5).

It seems fair to conclude, then, that Cicero acknowledged the value of the military assistance provided by the *socii*, but found it rhetorically and politically expedient to focus on Rome's dominant role in his speeches and treatises. Frézouls argues that this is a natural mode of discourse about the relationship between governed and governing in the late Republic, and that Cicero and his peers truly believed that Rome had the best interests of the *socii* at heart:

C'est donc avec bonne conscience que Salluste, Cicéron, ou César considèrent les rapports de Rome avec les provinciaux, persuadés qu'elle a apporté à ces peuples – on va leur apporter – le bienfait d'un cadre politique qui leur épargnera la *stasis* habituelle tout en les dispensant des efforts difficiles qu'impliquerait l'accès à une véritable culture politique.⁴¹⁵

Cicero's treatment of the *socii* in a military capacity suggests that his commitment to this idea was not changed by the reality of his times. He found fault with individuals, but continued to promote Rome as the defender of the *socii*. In light of his example in Cilicia, it is tempting to say that he believed in this ideal independent of its ideological advantages.⁴¹⁶ Neither his defence of governors *de repetundis* nor occasional indications of disdain for provincials need undermine this impression,

⁴¹⁵ Frézouls 1989, 112. At *Balb.* 29 Cicero argues that foreign states should share in the *beneficia et praemia* of the Roman state, in accordance with the closeness of their relationship with Rome. The ideal anticipates Livy's description of Rome's early foreign policy as a sharing of benefits. See e.g. Liv. 1.9.14 (rape of the Sabines); 1.52.3 (renewing the treaty with the Latins).

⁴¹⁶ Cf. Brunt 1978, 189 on magistrates (including Cicero) who had no personal desire to abuse the provincials.

since both can be accounted for in terms of forensic exigency.⁴¹⁷ What his comments reveal most of all is the complexity of the issues involved, and the lack of an established procedure to guide current activity. His contribution to this debate is his pragmatism and humanitarian concern for the welfare of people who have entrusted themselves to Rome's protection. The result is not an exclusively military discourse, but to the extent that it addresses the obligations that attend military power and prowess, it is not without value.

Empire

This brings us to empire as the final theme of Cicero's abstract engagement with foreign military matters. Rome's empire was won by the strength of its army, and so it is fitting to conclude a study of Ciceronian military theory with an examination of his perception of what would become the Republic's military legacy. As was mentioned in the introduction, military themes have been largely overlooked in what is otherwise a considerable body of scholarship about Cicero's attitude towards empire and imperialism.⁴¹⁸ Building on this foundation, this section aims to

⁴¹⁷ Much has been made about the apparent inconsistency of his defence of Flaccus, Fonteius, and Scaurus versus his prosecution of Verres. See esp. Smethurst 1953, 218; Rose 1994, 370; cf. Alexander 2002, 75, 97 on the probable guilt of Fonteius and Flaccus, respectively. Steel 2001, esp. 53 notes the difficulty of Cicero's position in defending Flaccus after setting such a precedent by his prosecution of Verres. However, it was in Cicero's interest to be as active in the courts as possible (and thus visible to the public), and his job as advocate was to secure the acquittal of his client, not make moral judgements about him. His derogatory statements about the provincials are also primarily a forensic phenomenon, and thus need not be taken as indications of his personal view. See e.g. *Font.* 27-36 (against Gauls); *Scaur.* 38-45 (against Sardinians); *Prov.* 10 (against Syrians and Jews). Brunt 1978, 186 rightly identifies a strategy of manipulating his audience's prejudices; cf. Steel 2001, 54-8 on ethnic stereotyping in *Flac.* as a means of undermining the Romans who opposed Flaccus. One exception to this pattern is a disparaging statement about the Greeks in Asia at *QFr.* 1.1.19; but to the extent that this is a public letter, the circumstances are comparable to those of the forensic speeches. The complaints at *QFr.* 1.2.4 can hardly be said to stereotype the Greeks on ethnic grounds.

⁴¹⁸ See above, n. 366.

contribute to a fuller and more nuanced understanding of his perspective on this aspect of his thought.

It should first of all be noted that Cicero's writings are in fact the best surviving source for late Republican imperialism. This is the combined result of the range of issues that is addressed in his speeches, treatises, and letters; the sheer size of the *corpus*; and, above all, his perspective as a participant-witness documenting a critical period of transition.⁴¹⁹ Nevertheless, his engagement with the concept of empire has attracted nearly as much criticism as attention from scholars. Chief among the complaints is the absence of a clear concept of empire and imperialism in his writings. Smethurst claims that Cicero did not understand international politics, Steel finds fault with his focus on personalities instead of structural issues, and Wood speaks of his lack of engagement as "a fatal blind spot in his social and political speculations."⁴²⁰ A kinder assessment is offered by Gruen and, most recently, Richardson, who both note that Cicero is not unique in his period for not addressing the theoretical basis of empire. Richardson's assessment in particular provides useful context to the debate:

What appears to be lacking in Cicero is any coherent notion of an "empire", at least in the sense that this might be expressed by the words *imperium Romanum* in the centuries that were to follow. ... The result [of expansion in the Republican period] was not a coherent empire, and there is no surprise in discovering that it did not have a name.⁴²¹

⁴¹⁹ See Richardson 2008, 64-6 on Cicero's general importance as a source for imperial matters; cf. Steel 2001, 3 on the importance of his speeches in particular.

⁴²⁰ See Smethurst 1953, 223-4; Steel 2001, esp. 4, 189-90; Wood 1988, 211, respectively.

⁴²¹ Richardson 2008, 91, 116. Cf. Gruen 1984, 277-8: "Cicero never attempted a methodical evaluation of Roman expansionism. Nor, so far as we can tell, did any of his contemporary countrymen."

It is unrealistic and unproductive to expect Cicero to exhibit an in-depth understanding of a phenomenon that did not mature until after his lifetime. Rather than retrace well-trodden paths of inquiry – and in the interest of proceeding with the analysis at hand – I broadly accept the findings of the aforementioned scholars and will not attempt to extract a definition of empire from the Ciceronian *corpus*. Instead, this investigation will focus on his conception of the relationship between empire, *imperium*, and the army. This will be explored by way of an examination of military and imperial themes in his abstract use of the term *imperium*, followed by an evaluation of his idealized vision of Rome’s empire as a *patrocinium* (*Off.* 2.26-9) – his most theoretical statement on the topic. Insight into the impact of his domestic frame of reference on his outlook will be sought by comparing his expression to that of contemporary authors.

Before examining Cicero’s comments, it is worth emphasizing that empire was a reality by the first century. In Gruen’s words, “by the age of Cicero, empire was a fact – acknowledged, lauded, celebrated.”⁴²² That the acquisition and possession of empire was viewed as being intimately connected with the army is also apparent in the sources, even though, as Lintott notes, “it is clear that the empire was not held down merely by military force.”⁴²³ Whether Cicero’s contemporaries deliberately pursued (or were conscious of following) an imperialistic foreign policy is another question entirely. It is no longer believed that Rome’s expansion was the product of “defensive imperialism”, whereby the state only went to war in response

⁴²² Gruen 1984, 274 (with sources); cf. 278. On the history of Roman expansion in the Republican period, see most recently Erskine 2010, esp. 12-32; see also Eckstein 2006 for a conceptual analysis of this expansion.

⁴²³ Lintott 1993, 15.

to threats to its security or the security of its allies.⁴²⁴ In light of Rome's militarized culture and chronic warfare (both external and civil), it seems likely that it – or at least its ruling class – was inherently bellicose. This puts Cicero in an awkward position as a civilian and a man of peace, and anticipates an unconventional perspective on the role of the army in extending Rome's influence abroad.

There are few hints of such a perspective in his use of the term *imperium*, however, which has been exhaustively examined by Richardson. His statistical tables show that the term occurs throughout Cicero's writings and at every stage in his career, and highlight two important trends in its frequency: as might be expected, it is common in speeches about commanders (esp. *Ver.*, *Leg. Man.*, *Prov.*, *Phil.*), but it is also prominent in works which are now recognized as core texts for his imperial outlook (e.g. *Leg. agr.*, *Sest.*, *Rep.*, *Off.*).⁴²⁵ Richardson further identifies two main uses of *imperium* which reflect this breakdown: references to the power of a magistrate/pro-magistrate or a command given by the same, and references to the power of the Roman people collectively.⁴²⁶ The first type corresponds to the basic meaning of the term, which denotes the specific power given to magistrates and pro-magistrates that authorized them to exercise authority in judicial and military matters (although it is primarily associated with military authority); by extension it also came to denote a command given by such magistrates and pro-magistrates.⁴²⁷ To the extent that this usage is essentially technical and does not illuminate a relationship

⁴²⁴ This idea was first challenged by Harris 1979, who argues that Rome's foreign policy was aggressive and motivated by the ambitions of the political elite (see esp. pp. 175-252, refuting defensive motives in Rome's major wars from 327 to the Jugurthine War). The debate is summarized by Sidebottom 2005, 315-17.

⁴²⁵ Richardson 2008, 196-203.

⁴²⁶ Richardson 2008, esp. 66-9, with further discussion on pp. 69-79.

⁴²⁷ See esp. Lintott 1999, 96, also noting that a *lex curiata* was required to ratify military *imperium*.

between military commands and empire, it need not concern us here beyond the fact that it is a normal part of Cicero's descriptions of commanders.⁴²⁸

Of far greater interest is the second meaning of *imperium*. Accounting for nearly one third of the instances of *imperium* in Cicero's writings,⁴²⁹ it expresses an abstract idea (in contrast with the actual *imperium* of magistrates and pro-magistrates) that is often translated into English as "empire". Without passing judgement on the propriety of such a translation, it must be stressed that there is no indication in any of these passages that Cicero had a territorial empire in mind. Rather, as Richardson argues, this abstract conception of *imperium* seems to be as the means by which Rome affected (i.e. ruled) the world and not the area thus affected.⁴³⁰

What is significant about these passages – and not noted by Richardson due to the scope of his study – is that the concept of *imperium* is typically presented as something which is acquired and maintained by military force. This is readily apparent in statements identifying *imperium* as a motive for warfare or something at stake in actual wars.⁴³¹ Other passages are more subtle, such as this elaborate one from *De haruspicum responso* that seems to be about religious piety:

⁴²⁸ See e.g. *Leg. Man.* 26 (Lucullus); *Dom.* 23 (Gabinus); *Prov.* 29 (Caesar); *Phil.* 5.44 (Sulla); 5.45 (Octavian); cf. abstract references to the power of magistrates at *Cat.* 4.23 and *Off.* 1.68. See also Richardson 2008, 66-8 for discussion of Cicero's use of *imperium* to refer to commanders and their orders.

⁴²⁹ See Richardson 2008, 68, counting 174 passages out of a total of 545 (=31.93%); a full generic breakdown is given on p. 203.

⁴³⁰ See Richardson 2008, esp. 77-9 discussing *Rep.* 6.16, a passage which "I believed until recently to be the only place in Cicero where a geographical entity seems to be described as *imperium*." For the purposes of this evaluation, I have combined Richardson's two categories of abstract passages referring to *imperium* as a free-standing entity and *imperium* as the extension of Roman power abroad.

⁴³¹ On *imperium* as a motive for warfare, see esp. *Off.* 1.38 and discussion above, pp. 134-44 *passim*; cf. *Off.* 2.26. On wars concerning *imperium* see e.g. *Leg. Man.* 9 (Third Mithridatic War); *Sest.* 142 (Second Punic War); *Am.* 28 (Second Punic War and Third Macedonian War); *Off.* 1.38 (wars against

Etenim quis est tam vaecors qui... non intellegat eorum [sc. deorum] numine hoc tantum imperium esse natum et auctum et retentum? ... nec numero Hispanos nec robore Gallos nec calliditate Poenos nec artibus Graecos nec denique hoc ipso huius gentis ac terrae domestico nativoque sensu Italos ipsos ac Latinos, sed pietate ac religione atque hac una sapientia, quod deorum numine omnia regi gubernarique perspeximus, omnis gentis nationesque superavimus. (§19)

The tone of the passage owes much to the topic of the speech, which concerned the *haruspices*' ruling about certain portents attending Cicero's reoccupation of his house (the site of which Clodius had had consecrated as a shrine to *libertas* during Cicero's exile). This all but conceals the reality behind Rome's supposed supremacy over the Spanish, Gauls, Carthaginians, Greeks, and finally Italians and Latins – all of whom were defeated in major wars and thus brought under Roman rule, or, if the reference to the Italians and Latins concerns the Social War, incorporated into the state as citizens (cf. *Leg. Man.* 54; *Phil.* 4.13). The word *fortuna* is not used in this passage, but it is a small rhetorical leap to read a causal relationship into the gods' favour that entitles Rome to its conquests and domination.⁴³²

More typical are references to generals personally extending the boundaries of the empire. At *Rep.* 3.24 Cicero says that the tribute *finis imperi propagavit* was the standard epitaph for great generals; he credits Pompey (*Cat.* 3.26) and Caesar (*Prov.* 29, 33; cf. *Balb.* 64) with this, and exhorts Lepidus to do the same (*Phil.*

the Latins, Sabines, and Samnites, the Punic Wars, and the Third Macedonian War), 3.86 (Third Macedonian War); cf. *Mur.* 58 (Numantine War and Third Punic War).

⁴³² Cf. *Cat.* 2.29; 3.18-22; *Dom.* 143; *Sest.* 53; *Vat.* 14; *Scaur.* 48; *Mil.* 83. Religion is a very minor theme in Cicero's comments about military matters, and is therefore not included in this study. On his attitude towards religion generally, see Goar 1972. On *fortuna* in Roman military culture in the late Republic, see Brunt 1978, 164-8.

13.14).⁴³³ In a related vein, the designation of *defensor* or *custos imperi* is only applied to generals.⁴³⁴ As might be expected, commanders who abuse their military power are condemned as threats to the empire (esp. *Sest.* 17; *Prov.* 13; *Pis.* 49 concerning Piso and Gabinius). References to empire also serve to quantify the magnitude of foreign threats, which are always presented as bellicose and therefore meriting a military response: for example, Carthage and Numidia are described as *duos terrores huius imperi* (*Mur.* 58), Carthage alone as a nation *praepotens terra marique* that *huic imperio immineret* (*Balb.* 34; cf. 39), and Mithridates as *acerrimum hostem huius imperi* at *Sest.* 58.

In addition to these fairly concrete references to practical military matters, there is a sizeable body of passages which suggest that *imperium* was regarded as a manifestation of Rome's military prowess. These passages provide the best insight into Cicero's attitude towards the value of empire and the reasons for deploying the army in its name. One striking theme in this collection is the desirability of world rule, as conveyed in statements which enthusiastically describe the *imperium populi Romani* as a universal phenomenon. These typically take the form of references to *orbis terrarum*.⁴³⁵ To give one particularly clear example, at *Balb.* 16 Pompey's three triumphs are cited as proof that Rome rules the world: *testes essent totum orbem terrarum nostro imperio teneri* (cf. *Cat.* 3.26; 4.21; *Sest.* 67). The implications of this passage from the *Eighth Philippic* are even more revealing of contemporary thought:

⁴³³ Cf. Richardson 2008, 75-6 on Cicero's use of *finis* and *termini* with *imperium*. As he notes, most of these passages do not specify what is (or is not) included within these boundaries.

⁴³⁴ See e.g. *Red. pop.* 9 (Marius); *Dom.* 129 (Pompey); *Sest.* 50, 116 (Marius); *Balb.* 49 (Marius); cf. *Balb.* 51, which does not name a specific commander but clearly belongs to a military context.

⁴³⁵ See Richardson 2008, 74, with a list of twenty one instances spanning the speeches, treatises, and letters at n. 31.

Nos nostris exercitibus quid pollicemur? Multo meliora atque maiora.
...nos libertatem nostris militibus, leges, iura, iudicia, imperium orbis
terrae, dignitatem, pacem, otium pollicemur. (§10)

This confidence in Rome's innate superiority and the superiority of its army dovetails with the other dominant theme in this group of passages. In place of the reference to geography, we have allusions to *gloria*, *laus*, and *dignitas* which depict *imperium* as a possession which confers prestige and is part of Roman national identity. A clustering of such remarks in the *Pro lege Manilia* suggests that this concept resonated with the people. Variations on the phrase *vestri imperi dignitas et gloria* occur six times in the speech (§§11, 12, 14, 53, 54, 64; cf. 41 *imperi vestri splendor*) and nowhere else in the *corpus*.⁴³⁶ By contrast, statements linking *imperium* and either *dignitas* or *gloria/laus* are relatively common.⁴³⁷

The military connotations of *gloria* must be borne in mind in order to appreciate fully the relevance of these passages to the army. That *dignitas* could also be used in such a way is indicated at *Mur.* 24: *summa dignitas est in eis qui militari laude antecellunt; omnia enim quae sunt in imperio et in statu civitatis ab his defendi et firmari putantur* (cf. *Div.* 1.27). In a similar vein, the province of Gaul is praised as *illud firmamentum imperi populi Romani, illud ornamentum dignitatis* at *Phil.* 3.13, in connection with its loyalty during the war against Antony.

Cicero's persistent linking of military themes with an *imperium* that is outwardly unconnected with military power or command is striking in its own right,

⁴³⁶ The nearest equivalents do not have a personal pronoun. See *Flac.* 28; *Har.* 51; *Sest.* 101; *De orat.* 1.105; cf. *Ver.* 4.88 *imperi nostri, gloriae, rerum gestarum monumenta*.

⁴³⁷ See e.g. *Ver.* 5.98; *Flac.* 16, 64; *Sest.* 98; *Rep.* 1.60; *Fin.* 1.60; *Part.* 112 (*gloria/laus*); *Ver.* 4.25, 68; 5.150; *Leg. agr.* 2.9; *Mur.* 6, 24; *Red. pop.* 21; *Sest.* 1, 139; *Phil.* 3.13; *De orat.* 2.168; *Div.* 1.27; *Fam.* 1.7.4 (*dignitas*).

but is even more significant when compared to contemporary usage. Richardson includes a comparative analysis of late Republican authors in his study of Cicero, and finds that Cicero's abstract use of *imperium* is unusual in contemporary literature.⁴³⁸ The only comparable passages occur in the works of Caesar and Sallust, where they account for a small portion of the total instances of *imperium*. Only five (out of 96) passages in Caesar's commentaries refer to the *imperium* of the Roman people, compared to eighteen (out of 90) passages in Sallust's works.⁴³⁹ Cicero is unique, however, for routinely associating this *imperium* with military activities and values. Caesar's references to empire, though intimately connected with the battlefield, often concern diplomacy rather than warfare, whereas Sallust's tend not to mention the army at all.

We may ask at this stage why empire had such a military resonance for Cicero. Rhetorical context is certainly part of the answer, since the majority of his abstract references to *imperium* occur in speeches about foreign military matters, where praising Rome's prowess was a natural and effective strategy. Yet this does not account for the similarity of passages in the treatises and letters, which, as we have seen in previous chapters, often reveal more of his personal views or at least highlight potential conflict between his public and private attitude. That historical context also played a role is indicated by three clusters of remarks that are identified by Richardson. These concern speeches from the years 63, 56, and 44-43 – years which correspond to pivotal moments in Pompey's eastern campaigns and Caesar's

⁴³⁸ See Richardson 2008, 92-103.

⁴³⁹ Caes. *BG* 1.33.2, 1.45.3; 4.16.3-4; *BC* 3.11.3-4, 3.57.4; *Sal. Cat.* 9.5; 10.1-3; 10.6; 12.5; 36.4; 51.42; 52.10; *Jug.* 14.2; 14.16; 24.10; 31.10-11; 31.25; 39.1; *Hist.* 1 fr. 11; 1 fr. 55; 3 fr. 2; 3 fr. 48; 4 fr. 69. Thirty-two other instances in Sallust's works are too generalized to classify. See Richardson 2008, 98-100 on Sallust's linguistic habits, and pp. 92-7 on Caesar's.

Gallic ones, and the war against Antony, respectively.⁴⁴⁰ That current events should affect Cicero's rhetoric is not surprising; but the diverse nature of these speeches makes the distribution pattern more striking, and suggests that he may have been trying to provoke discussion about the way in which Rome wielded its military might.

This hypothesis is supported by a handful of statements from the same time periods which express anxiety about the close connection between army and empire. It will be recalled from Chapter 4 that although he accepts *imperium* as a cause of war, he also stipulates that wars of this nature should be waged *minus acerbe* because survival was not at stake (*Off.* 1.38). In the *De lege agraria* and *De provinciis consularibus* he suggests that Rome's *imperium* is hated abroad because of the abusive way in which it is often administered.⁴⁴¹ At *Cat.* 4.21 he goes so far as to question whether conquering new provinces is a greater achievement than preserving the homeland – a sentiment which accords neatly with the dictum at *Off.* 1.76: *parvi enim sunt foris arma, nisi est consilium domi*. These remarks agree with the scepticism about contemporary military practice that was observed above, and indicate that he was sensitive to the disadvantages of an empire ruled by force. However, to condemn the *imperium populi Romani* outright would be too much, both politically and patriotically. Given the lack of a coherent concept of empire in his writings, it seems likely that the fluid nature of the empire in his time made it impossible for him formulate a theoretical solution until late in his life.

⁴⁴⁰ See Richardson 2008, 69-70. He does not attempt to identify specific historical stimuli.

⁴⁴¹ See *Leg. agr.* 1.2 (concerning the decemvirs); 2.45 (generally); *Prov.* 6 (concerning Piso); cf. *Ver.* 5.126-7 alluding to the abuse which attended empire.

This brings us to *Off.* 2.26-9 as the most detailed and only properly theoretical statement about empire in the Ciceronian *corpus*. Dyck describes it as “the most thoughtful reflections on imperialism that have come down to us from a Roman pen.”⁴⁴² In it, Cicero presents *patrocinium* as a historically-inspired alternative to *imperium*, and draws a direct line between the breakdown of traditional social structures initiated by Sulla’s proscriptions and the chronic domestic instability that plagues the present time. The description of *patrocinium* is vital and must be quoted in full:

Verum tamen quam diu imperium populi Romani beneficiis tenebatur, non iniuriis, bella aut pro sociis aut de imperio gerebantur, exitus erant bellorum aut mites aut necessarii, regum, populorum, nationum portus erat et refugium senatus, nostri autem magistratus imperatoresque ex hac una re maximam laudem capere studebant, si provincias, si socios aequitate et fide defendissent. Itaque illud patrocinium orbis terrae verius quam imperium poterat nominari. (*Off.* 2.26-7)

The fact that the contrast between *patrocinium* and *imperium* is unrivalled in preceding and contemporary literature immediately signals that Cicero is promoting an independent (and probably personal) ideal.⁴⁴³ His nostalgic argument appeals to patriotic pride but also constructs an ethical framework whereby the rectitude of Rome’s foreign policy is measured by the welfare of its subjects (cf. *QFr.* 1.1.24). Griffin and Atkins suggest that *patrocinium* is used metaphorically to contextualize the dynamic Cicero envisions between ruler and ruled, but Steel’s literal interpretation based on Roman patronage habits in the provinces is preferable

⁴⁴² Dyck 1996, n. to 2.26b-29.

⁴⁴³ The word *patrocinium* is almost a uniquely Ciceronian word in late Republican literature. It appears twice in Sallust’s *Bellum Catilinae* (41.4; 48.8) and once in Nepos’ *Life of Phocion* (3.1), always in a literal sense of support or advocacy. The concept of “protectorate” may be detected in Sal. *Jug.* 14.12, 16 in Adherbal’s address to the Senate.

because it better reflects the substitution of concrete ideas for abstract ones in this passage.⁴⁴⁴

Indeed, the military implications of this juxtaposition become much clearer if *patrocinium* and *imperium* are replaced by *patronus* and *imperator*. The *patronus* is an unmilitary figure next to the *imperator*, and by associating Rome's empire with unmilitary traits rather than military ones, Cicero not only challenges the military basis of the empire but also implicitly blames the army for contemporary problems. His anxiety about Rome's reliance on force is apparent in two remarks which introduce and conclude his discussion, respectively. The first is a thinly-veiled warning that any empire built on force is unsustainable: *nec vero ulla vis imperii tanta est, quae premente metu possit esse diuturna* (*Off.* 2.25). The second is a lament which rounds out his narrative of the corruption of the age: *atque in has clades incidimus (redeundum est enim ad propositum) dum metui quam cari esse et diligi malumus*.⁴⁴⁵

The repetition of *metus/metuo* in these two remarks sheds crucial light on Cicero's conception of the relationship between empire, *imperium*, and domestic strife: *imperium* properly used could bring about the empire Cicero envisaged (i.e. a *patrocinium*), but would beget domestic strife if improperly used. Because it was practically impossible to control a magistrate's conduct once he received *imperium*, the threat of domestic strife was inescapable – and recent history had demonstrated the corrupting power of great *imperium*. His review of the past forty years begins with Sulla's proscriptions, which he depicts as the defining moment when past

⁴⁴⁴ See Steel 2001, 194: "What Cicero is doing here... is to transfer to the state the relationship which really did exist between individuals and provincial communities." *Contra* Griffin and Atkins 1991, 72 n. 4.

⁴⁴⁵ *Off.* 2.29. Cf. similar complaints about Roman rule at *Sal. Cat.* 3.9; *Diod.* 32.4.4-5.

practices were completely abandoned (*penitus amisimus*, *Off.* 2.27). From Sulla's example he turns to Caesar's, identifying the dictator indirectly by references to *unum calamitatis ius* which encompassed *universae provinciae regionesque*, and his parading of Massilian allies in triumph (§§27-8). Continuing with the theme of civil war, he warns that *bellorum civilium semen et causa* will never be eliminated so long as *perditi homines* hope for new rewards.⁴⁴⁶ He then repeats the phrase he used to describe Rome's breach with the past to say that the Republic also has been abandoned: *rem vero publicam penitus amisimus* (§29).

Although this passage is very cynical, the fact that Cicero delivers his warning indicates a certain degree of hope for future change. To the extent that this change would be driven by dutiful, patriotic magistrates, a correlation can be made with the emphasis on obligation in his remarks concerning governors as commanders and the *socii* as military allies. The focus on defence in §§26-7 also recalls the priorities observed above, and creates an intriguing association between unmilitary activity and moral probity that echoes the attention to civic values in his theory concerning domestic military matters. It yields a rather simplistic dichotomy in this passage, but against the backdrop of military despotism and chronic civil war, a policy of healing domestic wounds before trying to conquer the world is surely justifiable.

Cicero's comments about empire show that he approved of the fact of Rome's military-based imperialism, if not the way in which it was practised in his own time. This distinction is important because it helps to quantify his awareness

⁴⁴⁶ *Off.* 2.29. Cicero uses the word used is *hasta* to evoke the auction grounds, which were traditionally marked by a spear lodged in the ground. Dyck 1996, n. to 2.29a argues that Cicero has either confused cause and effect in this sentence, or opted to emphasize a minor cause instead of the one which might have been expected, viz. the ambitions of the military dynasts.

and understanding of the relevant issues (a major point of contention for his critics), and suggests that he was personally interested in the practical problems of administering an empire. Although not as well developed as other aspects of his thought, his theory is remarkable because it seems to suggest that his ideal empire was a peaceful one.⁴⁴⁷ This concept is perhaps best explained as a combined effect of his domestic point of view and his humanitarian attitude towards the welfare of Rome's subjects: in a perfect empire, all of the inhabitants would enjoy the benefits of Roman rule as they were enjoyed at home.

Conclusion: Cicero's world view

Cicero's theory concerning foreign military matters is perhaps the most revealing yet least satisfying aspect of his outlook. Although his writings provide ample evidence of his engagement with the issues – a not insignificant point in light of the domestic focus of his career – the scope of his discussion is limited considerably by the domestic subject matter of the majority of his works. As a result, we are left with tantalizing hints of a perspective which gives every indication of being unusual but which nevertheless requires a degree of speculation to animate fully.

One feature which is clear is that Cicero's writings give more prominence to the ethical consequences of Rome's foreign military commitments than Caesar's and Sallust's do. His focus on the military responsibilities of governors, the place of the *socii* in Rome's military programme, and the nature of *imperium* reflects the major issues of the day (esp. imperial self-awareness) but also shows that he saw a causal

⁴⁴⁷ Cf. Michel 1969, 182.

relationship between ambition fuelled by armed force and worst traits of Roman rule. His remarks indicate particular concern that Rome should be seen to deserve its empire by combining moral victories with actual ones. The fact that his ethical system emphasizes concerns which are not inherently military – namely justice and personal integrity – does not mean that he viewed the army as unimportant; rather, it constructs an ideal aimed at correcting the abuses associated with military activity in the period. Thus we have governors depicted as guardians of their provinces rather than commanders first and foremost. The *socii* are recognized as a vital source of manpower and military resources for the Roman army, and Rome's empire is recast as a *patrocinium* which protects rather than rules over its subjects.

The obvious idealism of Cicero's comments should not overshadow the significance of his thinking. Many of the relevant passages are hortatory in nature and therefore describe best case scenarios. Impracticality here must not be confused with deficiency of thought: his successful handling of military matters as governor of Cilicia and patterns in his choice of forensic clients (and invective victims) confirm that he was aware of the practical demands of empire. Habinek goes so far as to credit his ideology with anticipating Augustus' *Pax Romana*.⁴⁴⁸ It is an attractive suggestion, but within the confines of the late Republic all that can be said with certainty is that Cicero's narrative shows that Rome's military might created as many obligations as it did opportunities.

⁴⁴⁸ Habinek 1994, 55; cf. 64-5 for a fuller explanation of the connection.

Chapter 6

Cicero's "anti-militarism"

So far we have examined the ways in which Cicero engaged with military men and activities, both as a participant and in theory. It remains, in this final chapter, to address an important recurring feature of this engagement: the tension between civic and military values that underlies his thought and activity. The fact that he routinely gives priority to civic concerns over strictly military ones clearly indicates a bias, and it is worth considering whether this prioritization is indicative of what might be termed "anti-militaristic" sentiment. This chapter will investigate the nature of his bias by way of the two most revealing collections of texts concerning the theme: a series of explicit pro- and anti-military value judgements and his self-constructed identity as a domestic military leader in 63 and 44-43. The analysis will emphasize political and rhetorical context in an effort to isolate expressions of opinion from those reflecting the needs of the moment. The presence (or absence) of equivalent sentiments in the writings of contemporary authors will provide a framework for determining the significance of Cicero's pro-civic bias.

The implications of the label "anti-militarism" are considerable, not least for their effect on the authority and value of his military comments. At first glance, his conspicuously civilian identity and civic-focussed values give the impression of antagonism towards the army; yet they also fit a man who disliked military life and was passionate about the well-being of his country. This overlap between inclination and principle complicates the analysis of Cicero's bias, and is the downfall of many

modern attempts to describe his position. Although the term anti-militarism is never used, it is implied by the tone of the discussion, which typically cites Cicero's failure to pursue a military career after the Social War as evidence of antagonism towards military activity.⁴⁴⁹ We may also be tempted to attribute his apparent pro-civic bias to insecurity about his lack of military credentials in a militaristic age. Because these interpretations are intimately connected with Cicero's authority as a military commentator but not supported by the findings of the previous chapters, it will be a secondary aim of this chapter to clarify the relationship between his civilian career and his pro-civic value system.

It should be noted here that Cicero never denies the value of military activity in absolute terms. Even his most explicit statements in favour of civic activity are formulated as comparisons with military activity (e.g. *Cat.* 4.21; *Off.* 1.74-7). Thus the issue at the heart of this chapter is the *relative* value he accords to civic versus military activity. The term "anti-militarism" will be used loosely to refer to this phenomenon in order to draw attention to the unconventional priorities indicated in his writings. Tension between the civic and military spheres has been a minor but constant theme in the previous chapters, from the evaluation of his military experience in Chapter 1 to the identification of civic priorities in his military theory in Chapters 4 and 5. The very presence of this tension is revealing because it indicates that he thought of the civic and military spheres as having competing interests on some level. This competitive view contrasts with what appears to have

⁴⁴⁹ See esp. Habicht 1990, 6: "He abhorred military service and war." Cf. Fuhrmann 1992, 14. Smith 1966, 20 addresses the significance of Cicero's pursuit of a civilian career, alluding to unspecified later criticisms of military activity (i.e., the value judgements) as proof of an early bias. Shackleton Bailey 1971, 9 and Steel 2005, 36 credit his experience in the Social War with turning him off military service for life.

been a prevailing co-operative view (judging by signs of strain in Cicero's rhetoric), although it is difficult to quantify contemporary attitudes. Caesar's commentaries present only the military side of the equation, whereas Livy's chronicles give an artificially balanced account of events *domi militiaeque*; Sallust, as will be seen, takes a competitive view that is highly reminiscent of Cicero's and equally self-conscious.

The relevant passages are distributed throughout Cicero's mature career. The earliest texts are from his consulship,⁴⁵⁰ but the majority are concentrated at the end of his life, specifically the years following his return from Pompey's camp in 48. This fits with the pattern observed in Chapters 4 and 5, where his best developed military theory was clustered in his most mature treatises and seemed to be inspired by the lessons of the Civil War. It suggests that his attitude towards the value of military activity, like his ideas of how it should be performed, was the product of experience and a desire to bequeath his insight to the next generation. The fact that the value judgements are almost equally divided between the speeches and treatises – and are absent from the letters – confirms that he intended them as public statements, whether or not they reflect his own views. Chronology and genre are less relevant for the texts concerning his self-representation as a domestic military leader, fixed as they are to historical events. However, the striking similarity of his strategy in both episodes recalls the similar use of war rhetoric explored in Chapter 4, indicating that this was also a product of principle. Of particular interest is the relationship between military credentials and political influence which these passages imply, as well as the

⁴⁵⁰ It is now accepted that the *Catilinarians* were revised and published in 60; cf. *Att.* 2.1.3 (June 60) regarding the publication of Cicero's consular speeches. However, Cicero's odd-sounding *togatus dux et imperator* (*Cat.* 2.28; 3.23) persona must have been part of the versions delivered in 63. On the publication of the *Catilinarians*, see most recently Dyck 2008, 10-12.

way in which Cicero attempts to surmount (or circumvent) it. In both 63 and 44-43 he was in a position of influence but evidently felt the need to augment this with a quasi-military persona – and led the Senate into war against Roman citizens in that guise.

Although the total quantity of these passages is such as to warrant study as a rhetorical phenomenon, they represent a small minority of his military comments. The polarized, competitive view is the exception rather than the rule, despite the civic/military tension observed above but in accordance with the controversial nature of their anti-military content. The fact that Cicero can be shown to be promoting an alternative value system makes these passages the most quantifiable evidence of novelty in his military outlook. How far this was the product of his civilian identity and whether he was alone in his views remain matters for speculation. The analysis of his preserved statements offer some tantalizing clues, however, placing Cicero on a continuum of anti-militaristic reactions to military despotism and civil war in the transition from Republic to Empire. Because anti-militarism is the primary concern of this chapter, his value judgements will be examined first and assessed against anti-militarism in contemporary authors. This will allow the analysis of his activity in 63 and 44-43 to serve as confirmation for these findings, and link these two episodes to the contemporary anti-militarism explored in the first part of the chapter.

Value judgements

Cicero's pro- and anti-military value judgements form a striking series of explicit, often unequivocal expressions of bias. Comprising four pro-military and six

anti-military statements,⁴⁵¹ they represent the fullest expression of the civic/military tension in his writings. In each statement, civic or military activity is described as superior to the other, as though they were in direct competition. Naturally – and often by necessity, as will be seen – Cicero was able to argue either way. Thus the existence of pro-military statements is not surprising, even though it contradicts his better-attested pro-civic prejudice.

Of greater significance are patterns of distribution and theme. Nearly all date from the years after the Civil War, and none date from before his consulship. This suggests that experience was crucial to his outlook, and that there was a degree of fluidity in his perception that allowed him to react to current events without sacrificing abstract ideals. This is supported by the fact that four of the anti-military statements concern his suppression of the Catilinarian conspiracy as a civilian/domestic event – a clustering which also raises questions about how far his “anti-militarism” was really self-aggrandizement.⁴⁵² Perhaps most importantly, the pro- and anti-military value judgements do not occur in self-contained groups. Instead, they alternate throughout the relevant speeches and treatises – the *De officiis* even contains one of each type (*Off.* 2.45; 1.77, respectively), casting doubt on Cicero’s commitment to either argument within the work, and in the value judgements generally.

The key to understanding these statements is context and subtext. Even though both civic and military interests seem to be represented, once conditioning factors and historical background are taken into account it becomes clear that *all* of

⁴⁵¹ *Mur.* 30; *Brut.* 256; *Fin.* 2.97; *Off.* 2.45 (pro-military); *Cat.* 4.21; *Pis.* 73-4; *Marc.* 28-9; *Phil.* 2.20; *De orat.* 1.7-8; *Off.* 1.77 (anti-military).

⁴⁵² See *Cat.* 4.21; *Pis.* 73-4; *Off.* 1.77; *Phil.* 2.20.

the value judgements express a pro-civic bias. It is remarkable that this can be detected even in outwardly pro-military statements, and indicates that Cicero's view was based on a principle that overrode even political and forensic exigency. The complex and convoluted lines of reasoning he employs in the anti-military statements confirm that his argument there was unconventional and perhaps less cogent than he might have wished. By contrast, his pro-military arguments are straight-forward, evoking "everyone thinks so" rationales which both affirm and exploit popular opinion.

In the interest of clarity, and in order to appreciate the consistent pro-civic bias of these statements fully, the pro- and anti-military value judgements will be examined separately. Cicero's "real" argument will be extracted from his rhetoric and weaknesses inherent to it or the overall presentation will be identified and assessed. This will be followed by a comparative study of anti-militaristic statements in contemporary authors which will emphasize their points of complaint as well as generic factors influencing their precise expression. Using these as a standard against which to measure Cicero, it will be demonstrated that he was neither alone in his scepticism of the army nor in fact anti-militaristic.

We begin with the anti-military value judgements, and with the four pertaining to the suppression of Catiline, which are linked by theme and the recurrence of specific ideas within them. The earliest of these statements is *Cat.* 4.21, where Cicero asserts that his achievement is on par with the victories of Rome's military heroes. The passage has attracted a great deal of attention for the offensive or at least outlandish nature of the statement, as possible evidence of

revision prior to publication.⁴⁵³ Africanus' defeat of Hannibal, Aemilianus' conquest of Carthage and Numantia, Paullus' defeat of Perses, Marius' victories over the Cimbri and Teutones, and Pompey's exploits are mentioned in the lead-up to the assertion (rather presumptuously introduced) that *erit profecto inter horum laudes aliquid loci nostrae gloriae, nisi forte maius est patefacere nobis provincias quo exire possimus quam curare ut etiam illi qui absunt habeant quo victores revertantur*. Yet Cicero is, in Dyck's words, "skating on thin ice" with this argument, because the commanders he mentions all celebrated triumphs, whereas he had only been voted a *supplicatio*.⁴⁵⁴ The heavy patriotic overtones of his rationale obscure the reality that the Senate – the very body to which he addressed this speech – had *not* recognized his achievement as the equivalent of a military victory and that his comparison with the military heroes was strictly speaking unjustified.

It is perhaps evidence of the poor reception of this argument that it does not reappear in Cicero's praises of civic activity until *Off.* 1.78, where it is a tangent to the main line of reasoning. Instead, his other value judgements concerning the events of 63 refer to the oft-quoted and much-maligned verse from his poem about this consulship: *cedant arma togae, concedat laurea laudi*. It is discussed in the most detail in the *In Pisonem*, where it supports Cicero's attack on Piso's intellect.

...scire cupio quid tandem in isto versu reprehendas, 'cedant arma togae.' 'Tuae dicis' inquit 'togae summum imperatorem esse

⁴⁵³ See Berry 2006, n. *ad loc.*; Dyck 2008, n. *ad loc.*; Nisbet 1961, n. to *Pis.* 73.11; Dyck 1996, n. to *Off.* 1.78. The passage is thought to have been added after 63 due to its similarity to a compliment from Pompey reported at *Off.* 1.78: *Cn. Pompeius, multis audientibus, hoc tribuit, ut diceret frustra se triumphum tertium deportaturum fuisse, nisi meo in rem publicam beneficio ubi triumpharet esset habiturus*. Pompey's return to Rome in 61 provides the *terminus post quem* for Cicero's revisions.
⁴⁵⁴ Dyck 2008, n. *ad loc.* Cf. Steel 2005, 61 on Cicero's subsequent undermining of "the inevitable superiority of arms" in his descriptions of his civilian triumph.

cessurum.’ ... Non dixi hanc togam qua sum amictus, nec arma scutum et gladium unius imperatoris, sed quia pacis est insigne et oti toga, contra autem arma tumultus atque belli, poetarum more tum locutus hoc intellegi volui, bellum ac tumultum paci atque otio concessurum. ... ‘At in altero illo’ inquit ‘haeres, “concedat laurea laudi”.’ ... Atque ista oratione hoc tamen intellegi, scelerate, vis, Pompeium inimicum mihi isto versu esse factum... (*Pis.* 73-4)

Cicero’s explanation highlights the conflict between the poetic and literal interpretation of it. He is at pains to justify himself, since Piso had claimed earlier that the verse applied to Pompey specifically, and was moreover the cause of Cicero’s exile: “*non illa tibi*” inquit “*invidia nocuit, sed versus tui*” (§72). There is nothing controversial about *cedant arma togae*, although Cicero is identified with peace and civilian status regardless of how one reads it. However, as Nisbet notes, the second half of the verse disproves Cicero’s assertions of neutrality, since *laurea* denotes a general’s victories.⁴⁵⁵ *Arma* in the first part of the line therefore cannot mean war or violence generally, but must refer to the weapons of a specific general – precisely the opposite of Cicero’s claim. That he is in an awkward position may further be seen in the forced-sounding references to his friendship with Pompey (§§75-6), his only real attempt to counter Piso’s allegations. He criticizes Piso for discarding his *laurea* at the Esquiline Gate on his return from Macedonia (§74; cf. 61), but does not relate this to why Piso’s reading of the poem is wrong. The circumstances make it impossible to determine his intended meaning of the verse, but they do set up an intriguing implicit contrast between civic and military figures: even if Piso’s interpretation of the verse reflects the prevailing understanding of it, he is an illiterate brute of an *Imperator* next to Cicero the civilian poet.

⁴⁵⁵ Nisbet 1961, n. to 73 *summum imperatorem*.

Greater insight into Cicero's value system is provided by the two other citations of the verse at *Phil.* 2.20 and *Off.* 1.77. The latter passage is the most detailed, and is identified by Nisbet as the correct interpretation of the verse.⁴⁵⁶

Illud autem optimum est, in quod invadi solere ab improbis et invidis audio: 'cedant arma togae concedat laurea laudi.' Ut enim alios omittam, nobis rem publicam gubernantibus nonne togae arma cesserunt? Neque enim periculum in re publica fuit gravius umquam nec maius otium. Ita consiliis diligentiaque nostra celeriter de manibus audacissimorum civium delapsa arma ipsa ceciderunt. Quae res igitur gesta umquam in bello tanta? qui triumphus conferendus? (*Off.* 1.77)

The verse is quoted as the best expression of a principle which is introduced with a manifesto in §74: *sed cum plerique arbitrentur res bellicas maiores esse quam urbanas, minuenda est haec opinio.* In §76, following some Greek and Roman exemplary illustrations, Cicero sums up his argument with the neat phrase *parvi enim sunt foris arma, nisi est consilium domi.* He then invokes P. Nasica as a foil to Scipio Africanus the Elder – asserting that Africanus' victories were *not* of more benefit to the Republic than Nasica's assassination of Ti. Gracchus (!). The tone of this assertion is highly apologetic, but Nasica's is a necessary precedent for Cicero's civilian triumph over the Catilinarians. According to Dyck, this is an "instance where the issues that are really on Cicero's mind obtrude themselves even at the expense of the clarity of the argument."⁴⁵⁷ The emphasis on individual examples underscores Nisbet's contention that the verse is not a generalization. There is no question that Cicero is proud of his conformity to his ideal, but his stronger

⁴⁵⁶ Nisbet 1961, n. to *Pis.* 73.

⁴⁵⁷ Dyck 1996, n. to 74-8.

commitment to the dissemination of the principle itself is made clear when he addresses his son Marcus: *licet enim mihi, M. fili, apud te gloriari, ad quem et hereditas huius gloriae et factorum imitatio pertinet* (§78). As Griffin and Atkins note, Marcus is encouraged to follow in his father's *civilian* footsteps.⁴⁵⁸ A recitation of a compliment from Pompey – strikingly similar to *Cat.* 4.21 – confirms the magnitude of Cicero's achievement, bringing him to the conclusion that civic accomplishments are not only not inferior to military ones, but require greater diligence and effort: *sunt igitur domesticae fortitudines non inferiores militaribus; in quibus plus etiam quam in his operae studiique ponendum est* (§78).

The treatment of the verse in the *Second Philippic* is more problematic.

'Cedant arma togae.' Quid? tum nonne cesserunt? At postea tuis armis cessit toga. Quaeramus igitur utrum melius fuerit libertati populi Romani sceleratorum arma an libertatem nostram armis tuis cedere. Nec vero tibi de versibus plura respondebo: tantum dicam breviter, te neque illos neque ullas omnino litteras nosse; me nec rei publicae nec amicis umquam defuisse, et tamen omni genere monumentorum meorum perfecisse operis subsicivis... (*Phil.* 2.20)

Nisbet argues that Cicero here promotes the wrong reading of the verse, as he did in the *In Pisonem*.⁴⁵⁹ The rhetorical context is actually strikingly similar to that of the *In Pisonem*, as Cicero is forced into a defensive position in the midst of an invective against a political opponent. Only the first part of the verse is quoted, but the controversy of the latter part is present in his rhetorical question to Antony. As in Piso's case, this leads to the disparagement of Antony's literary sophistication.

⁴⁵⁸ Griffin and Atkins 1991, p. 30, n. 1. Lintott 2008, 373 reads the composition of the treatise as hope for the restoration of the Republic.

⁴⁵⁹ Nisbet 1961, n. to 73.11.

Cicero is once again the civilian poet-patriot next to Antony the brutish and threatening general. This polarization based on personalities supports the principal argument that military achievements are not inherently superior to civic ones; but it also shows that much depends on how the general or civilian in question wields their influence.

That Cicero's attitude was not simply borne of pride in his own example is shown by the remaining two anti-military value judgements, which do not refer to the Catilinarian conspiracy. The earliest of these is *De orat.* 1.7-8, a convoluted passage which opens on a very pro-military note: *quis enim est qui si clarorum hominum scientiam rerum gestarum vel utilitate vel magnitudine metiri velit, non anteponat oratori imperatorem?* (§7). He proceeds to compare orators to both commanders and statesmen, and oratory to unidentified *alia studia*, concluding that orators and the study of oratory are more valuable because they are under-represented in contemporary society. The context of this passage makes it clear that this is Cicero's own view: in the proem he speaks in his own voice to Quintus, the dedicatee of the treatise, explaining why he chose to write such a work. We may imagine him identifying himself with the *viri omnium eloquentissimi clarissimique* whose thoughts he purports to set out. Fantham notes that his answer to the question in §7 is that great orators are rare because they must combine skill in oratory with statesmanship⁴⁶⁰ – a criterion he would certainly have believed he met. Overall, his need-based argument is essentially the same as the one he uses to defend his military

⁴⁶⁰ Fantham 2004, 20.

protégés in the forum: it is an opportunistic deflection of attention from the inherent worthiness of the subject in favour of the sympathetic value of what it represents.⁴⁶¹

This brings us to the last anti-military value judgement. At *Marc.* 28-9 Cicero champions the superiority of civic activity to no less a military man than Caesar.

Obstupescunt posteri certe imperia, provincias, Rhenum, Oceanum, Nilum, pugnas innumerabiles, incredibiles victorias, monimenta, munera, triumphos audientes et legentes tuos: sed nisi haec urbs stabilita tuis consiliis et institutis erit, vagabitur modo tuum nomen longe atque late, sedem stabilem et domicilium certum non habebit.

Gotoff calls this passage “a pretty conceit in which the stability of Rome is a condition for the stability of Caesar’s reputation.”⁴⁶² While true, the general principle would certainly apply to any military figure in Caesar’s position. Nevertheless, the idea that civic accomplishments are a guarantee of lasting fame is striking in the Roman context, and particularly in the context of this speech. The statement has its origins in §25, as a reply to Caesar’s claim that he has lived long enough. Cicero uses this to construct a binary of admiration and glory, playing on Caesar’s desire for immortality by arguing that his military achievements, although admirable, are not a source of glory. Thus the assertion here that although future generations will be astounded (*obstupescunt*) by Caesar’s conquests, he will not secure fame unless he stabilizes Rome itself – which is to say, undoes the damage of the Civil War. We should see in this “lest others think” caveat a thinly-veiled caution to Caesar lest he think that his military conquests are a sufficient legacy.

⁴⁶¹ On Cicero’s defence of his military protégés, see above, pp. 93-105.

⁴⁶² Gotoff 1993, n. to 29 *sed*.

That the path to immortality sketched by Cicero agrees with his own political agenda of restoring the Republic is no accident of course. Nevertheless, the manner of his advice to Caesar shows that civic service rather than the identity of the figure performing it is the priority.

Having seen how Cicero challenged the conventional weighting of civic and military achievements, we turn now to the value judgements which support the traditional order – or at least appear to. Whereas the anti-military statements are striking in their bold assertions of the value of civilian service, his pro-military ones are distinguished by a subtle conflict between context and subtext which mitigates the apparent inconsistency.

The earliest, and perhaps best-known of these occurs at *Mur.* 30, where Cicero seems to claim that it is better to be a soldier than an orator.

Duae sint artes quae possint locare homines in amplissimo gradu dignitatis, una imperatoris, altera oratoris boni. Ab hoc enim pacis ornamenta retinentur, ab illo belli pericula repelluntur. ... Omnia ista nobis studia de manibus excutiuntur, simul atque aliqui motus novus bellicum canere coepit. ... Quod si ita est, cedat, opinor, Sulpici, forum castris, otium militiae, stilus gladio, umbra soli; sit denique in civitate ea prima res propter quam ipsa est civitas omnium princeps. (cf. §22)

The rationale is compelling, but Cicero's own example belies his argument. Outside the forum, as the *togatus dux et imperator*, he was orchestrating war against Catiline; inside it, he was defending the military man Murena. The key, of course, is the refutation of Sulpicius' attack on Murena's claim to the consulship, which required an encomium of military service to counterbalance Sulpicius' civic career and *dignitas*. The fact that the resulting rhetoric upholds the status quo obscures the

significance of the circumstances of the trial. Murena, although a general and therefore “better” than an orator, still needs an orator to defend him. Conversely, his defence rests not on his own merits as a military man but on the fact that a general is needed to carry on the war with Catiline, continuing Cicero’s policy and presumably also pursuing an ostensibly peaceful resolution. Cicero’s enthusiastic praise of military service in this speech reflects the demands of the case rather than his own view. This is nothing unique, but the fact that Cicero avoids undermining his own credibility with these claims shows that the substance of his argument was more important than its packaging.

A similar strategy can be detected in the next pro-military statement, which is the earliest of the cluster from the years following his return from the civil war.

Verum quidem si audire volumus, omissis illis divinis consiliis, quibus saepe constituta est imperatorum sapientia salus civitatis aut belli aut domi, multo magnus orator praestat minutis imperatoribus. ‘At prodest plus imperator.’ Quis negat? Sed tamen – non metuo ne mihi acclametis; est autem quod sentias dicendi liber locus – malim mihi L. Crassi unam pro M’. Curio dictionem quam castellanos triumphos duo. (*Brut.* 256)

Here again the value of commanders to the community is emphasized over the less tangible contributions of civilian activities. However, the distinction between *sapientia* and benefit (*prodest*) hints at Cicero’s real thoughts on the matter. This passage forms a digression from the main argument of the treatise, and the manner of its introduction is revealing: the topic is brought up by Brutus, who mentions Caesar’s praise of Cicero’s eloquence and states that he reckons that *gloria* greater than a triumph. “Cicero” is thus given an opportunity to reflect on that theme, which

leads to our oddly-worded statement. Although “Cicero” claims to be unafraid of disapproval, he sets up the initial comparison as one between a *magnus orator* and *minuti imperatores*. At *Mur.* 30, the comparison is between an fully-fledged *imperator* and a *bonus orator*. “Cicero” also disparages outpost triumphs in favour of oratory and sculpture. The advice in §257 to judge a man’s importance not by utility but by real worth further implies that military service lacks real worth. As above, context is key to appreciating the “real” argument. The literary setting of the dialogue disguises a political manifesto. As Hendrickson has shown, the *Brutus* is a reply to the real Brutus’ treatise *De virtute*, which advocated complete withdrawal from political life and the cultivation of inner virtue during Caesar’s domination.⁴⁶³ Cicero believed that this entailed the death of oratory, and the *Brutus* purports to chart the decline by way of a historical survey of past and present orators. However, as the first publication of Cicero’s post-war philosophical period, the *Brutus* in fact heralds his return to public life. Thus there is a gentle rebuke in the dedication for Brutus to throw off his retirement. Although Cicero seems to adhere to the precepts of Brutus’ advice in this passage, the examples of real worth which he cites also happen to be important civilian figures: L. Crassus the orator, and, in the next section, Phidias the sculptor. Cicero was literally not at liberty to be more forthright, but the passage stands as an admirable first effort.

In addition to rallying his contemporaries, Cicero also rallies himself with his pro-civic value judgements. A reflection on death at *Fin.* 2.97 concludes that *praeclarae mortes sunt imperatoriae; philosophi autem in suis lectulis plerumque moriuntur*. The contrast of the public stage of the general’s death with the private

⁴⁶³ Hendrickson 1939.

setting of the philosopher's bed is consistent with the active and contemplative binary, and the reader is meant to aspire to the general's end. However, the discussion which surrounds this statement complicates matters considerably, beginning with the statement which follows this line: *refer tamen, quo modo* (2.97). Book 2 of the *De finibus* is a refutation of Epicurean ethics from the Stoic point of view, put in Cicero's mouth. The value judgement is part of his attack on Epicurus' alleged inconsistency.⁴⁶⁴ In §97 his death is compared with the deaths of two well known military *exempla*, Epaminondas at Mantinea and Leonidas at Thermopylae – but the sentence is framed with the words *non...antepono*, making Epicurus' courage fully the equal of these commanders, and expressing the idea that philosophers can be heroes, too. So, far from disparaging philosophers and other contemplatives, this passage actually elevates them to equality with commanders. Nor is it hard to imagine Cicero in 45, following the breakdown of two marriages, the death of Tullia, and enforced political retirement under Caesar, nurturing the idea that philosophers like himself can still die gloriously.

This brings us to the last pro-military statement, which occurs at *Off.* 2.45.

Prima est igitur adolescenti commendatio ad gloriam, si qua ex bellicis rebus comparari potest. In qua multi apud maiores nostros extiterunt; semper enim fere bella gerebantur. Tua autem aetas incidit in id bellum cuius altera pars sceleris nimium habuit, altera felicitatis parum. ... Atque ea quidem tua laus pariter cum re publica cecidit. Mihi autem haec oratio suscepta non de te est...

⁴⁶⁴ The attack focusses on Epicurus' expression of joy at his imminent death (quoted in §96), on the grounds that the recollection of life achievements cannot bring pleasure to counterbalance physical suffering (§98).

At first glance, this passage seems to be the antithesis of *Off.* 1.77. Far from promoting civic activity, a military career is described as *prima* for a young man – specifically Cicero’s son Marcus, to whom the treatise was dedicated. The approving summary of Marcus’ career highlights the young man’s conformity with the traditional practice of extensive military experience before starting the *cursus honorum*. Of course, Cicero had taken a different path, and so we have a situation similar to that in *Mur.* 30 where he seems to support the status quo but stops short of undermining his own position. Griffin and Atkins see the statement as an acknowledgement of the superior place of military *gloria* in Rome.⁴⁶⁵ This is true, but does not take into account what this passage may also reveal about Cicero’s relationship with his son. The ellipsis contains an impressive description of the military skills Marcus had demonstrated during his *tirocinium* in the Civil War – skills which would make any Roman father proud, but show Marcus to be more like his uncle Quintus than his father. It is therefore tempting to see a momentary flicker of frustration in this passage, perhaps comparable to the feelings of inferiority aroused by Quintus’ military skill.⁴⁶⁶ The statement is prefaced by a lengthy discussion on the importance of being as one wishes to be regarded, in light of the scrutiny that attends fame and distinction. Marcus had been spared needing to fight for his place in society, yet Cicero makes a point of saying that his military reputation *cum re publica cecidit*. The implications of this fresh start become clearer in §46, where Cicero states that mental pursuits are more rewarding than purely physical ones, and that *facillime autem et in optimam partem cognoscuntur*

⁴⁶⁵ Griffin and Atkins 1991, p. 80 n.1.

⁴⁶⁶ See above, pp. 124. On the *tirocinium militiae*, see above, pp. 15-17. According to the traditional reckoning of 65 for Marcus’ birth, he would have been 16 or 17 in 49; cf. *Att.* 9.6.1 (Mar. 49) recording that Marcus had received the *toga pura*, something which normally happened at age 16.

adulescentes, qui se ad claros et sapientes viros bene consulentes rei publicae contulerunt. We know from subsequent references to Marcus' service in the war against Antony that Cicero was proud of his son's military skill and success.⁴⁶⁷ By getting caught up in Marcus' personal situation in this passage, he is allowed to break character temporarily and espouse a view of military activity based on a specific example. Marcus had proved his ability and aptitude for military service – it was now time for him to begin his civic training so that he could follow in his father's footsteps.

The consistent pro-civic bias of these value judgements signifies that they are expressions of a principle rather than rhetorical expedients. Although it was certainly to Cicero's advantage to promote a value system in which his own pursuits of oratory and civic government were considered superior to commanding an army, to attribute his outlook wholly to motives of self-aggrandizement or justification is to overlook possible historical and political conditioning factors. The last decades of Cicero's life (and of the Republic, generally) were fraught with civil war and political instability caused by power-hungry commanders. That the violence of the age bred cynicism about Rome's military leadership is clear from contemporary sources.⁴⁶⁸ The cluster of Cicero's value judgments in the years 46-43 indicates that the experience of the Civil War was formative, triggering a more assertive type of "anti-militarism."

⁴⁶⁷ *Phil.* 10.13; *Ad Brut.* 2.4.6; 2.5.2. Cf. Brutus' report of Marcus' activity at *Ad Brut.* 2.3.6.

⁴⁶⁸ See esp. *Lucr.* 3.59-78; 5.1129-30. Hutchinson 2001 argues persuasively that these and references to present strife in the poem (1.29-43) describe the Civil War of 49, and that the poem was therefore written after the outbreak of war rather than in the 50s.

A continuum of anti-militarism?

Remarkably, a similar effect can be identified in the writings of contemporary authors and those of the next generation. Chief among these are the poets of the early Augustan period, all of whom except Ovid were born before or during the Civil War of 49-45. This shared experience of civil war (including those of the late 40s and 30s), combined with similarities in their expressions of anti-militarism thus unites these authors more than genre and “era” divide them. Their rhetorical reactions furnish a continuum on which to place Cicero’s reaction and provide compelling evidence that scepticism of contemporary military policy was more widespread than is usually acknowledged.

The authors may be divided into groups of prose and poetry. Sallust is artificially isolated as the only prose example by virtue of the pro-military narrative perspective of Caesar’s commentaries and the annalistic aloofness of Livy’s history, which does not construct a pro- or anti-military discourse. The poets of particular note are Catullus, Vergil, Horace, Tibullus, Propertius, and Ovid. Overall, the anti-militarism of both groups is strikingly similar to Cicero’s, being framed as competitions between civic and military activities. Although the specific type of civic activity varies, it is consistently – and almost always explicitly – depicted as superior to its military counterpart.

This can be seen in the proems of both of Sallust’s monographs, which were written during civil wars.⁴⁶⁹ Ever the moralist, he laments the decline of Roman society and especially her political class. But whereas Cicero championed the civilian side of public life, Sallust withdraws from it completely in frustration.

⁴⁶⁹ Ramsey 2007, 6 proposes a publication date of 42 for *Cat.*, and 41-40 for *Jug.*

Atque ego credo fore qui, quia decrevi procul a re publica aetatem agere, tanto tamque utili labori meo nomen inertiae imponant, certe quibus maxuma industria videtur salutare plebem et conviviis gratiam quaerere. Qui si reputaverint, et quibus ego temporibus magistratus adeptus sim et quales viri idem adsequi nequiverint et postea quae genera hominum in senatum pervenerint, profecto existumabunt me magis merito quam ignavia iudicium animi mei mutavisse maiusque commodum ex otio meo quam ex aliorum negotiis rei publicae venturum. (*Jug.* 4.3-4)

The version at *Cat.* 3.3-4.2 is less confident but has the same tone of defiant yet self-conscious apology. Even before the last line, where *otium* is upheld as a form of public service (cf. *Cat.* 3.2 on the value of writing history), it is clear that Sallust's value system is controversial. The detail of his criticism of contemporary practice suggests that he expected his audience to be sympathetic to his position and perhaps even like-minded. Like Cicero, he never questions the value of military activity directly; but statements praising intellectual accomplishments over those of brute force (*Cat.* 1.3) and wishing that men had the same appetite for honourable pursuits as for detrimental ones (*Jug.* 1.5) certainly allude to contemporary affairs. The connection he draws between political change and war is particularly noteworthy:

Nam vi quidem regere patriam aut parentis, quamquam et possis et delicta corrigas, tamen importunum est, quom praesertim omnes rerum mutationes caedem, fugam aliaque hostilia portendant. (*Jug.* 3.2)

This statement is prefaced by an explicit rejection of civic magistracies and military commands on the grounds that *neque virtuti honos datur* (*Jug.* 3.1). For Sallust, war was an inevitable, unavoidable consequence of contemporary politics – as indeed it

must have seemed by the late 40s. His sensitivity to the social effects of civil war fit with the reasons he gives for choosing to write about the Catilinarian conspiracy and the war with Jugurtha, and indicate an outlook that is very similar to Cicero's.⁴⁷⁰

The poets also advocate a substitution of "superior" civilian pastimes for "inferior" military ones. The most important form which this anti-militarism takes is the elegiac theme of *militia amoris*, whereby military vocabulary is used to describe love affairs. The descriptions range from metaphorical comparisons of the lover and the soldier, each labouring in their respective "camps", to more elaborate constructions that rate romantic "triumphs" above military ones. The theme is neither unique to this period nor unusual in love poetry, but its occurrence in the context of civil war and the aftermath of civil war merits further, more literal attention.⁴⁷¹

It is in this light that we should read Catullus 11 as a "precursor" of *militia amoris*.⁴⁷² Catullus died before the Civil War of 49 and his poems contain very little identifiable anti-militarism.⁴⁷³ The juxtaposition of military and romantic themes in poem 11 thus supplies a useful standard for anti-militarism before the civil wars. On the surface, the poem seems favourable to military service, which provides welcome distance during a painful break-up. An elaborate description of Catullus on

⁴⁷⁰ Sallust explains his interest in the war with Jugurtha as the first real episode of political resistance to the nobility (*Jug.* 5.1-2), and says that the Catilinarian conspiracy was important because of the nature of and threat posed by Catiline's *crimen* (*Cat.* 4.4).

⁴⁷¹ See Murgatroyd 1975 and Gale 1997, 78-85 on the Greek origins of *militia amoris* and the development of the theme in Roman elegy. Cloud 1993 argues that the Augustan poets cannot be used as evidence of an anti-military counterculture precisely because *militia amoris* is a conventional theme; but this ignores both the historical context of the poetry and the link with anti-militarism in late Republican literature.

⁴⁷² As identified by Hejduk 2008, 13. Cf. Steel 2001, 136 on Cic. *Mur.* 22 as a foreshadowing of "some of the elegiac extravagances of the *militia amoris*."

⁴⁷³ His treatment of Caesar and Pompey is highly unflattering, however, and occasionally alludes to their military identities. See esp. 29.12; 54.6-7, both using the phrase *unice imperator*. On Catullus' relationship with Caesar and Pompey, see esp. Scott 1971 (regarding poem 29).

campaign at the frontiers of the empire prefaces the rather summary repudiation that concludes the poem. There is a crucial statement in the transition between travelogue and rejection, however. In lines 13-14 Catullus refers to his companions, who will relay his message, as *omnia haec, quaecumque feret uoluntas caelitum, temptare simul parati*. The choice of infinitive, along with the universal relative, show that the journey is fictional.⁴⁷⁴ If Catullus is in Rome, the mention of distant lands is but a threat which quantifies his hatred: he is so out of love that he would prefer the hardships of campaign to being near his former mistress. That campaigning is meant is indicated by the word *comites* in line 1, which is the normal term for members of a military *cohors*.⁴⁷⁵ This inversion of the separated lovers variant of *militia amoris* (e.g. Verg. *Ecl.* 10; Ov. *Am.* 2.10.31-8) nevertheless attaches negative value to military activity – especially if the references to foreign nations and *Caesaris... monimenta magni* (line 10) are meant to evoke the cost of imperial conquest.⁴⁷⁶

The anti-militarism of the remaining poets – all of whom lived through some part of the cycles of civil war between 49 and 31 – is more straightforward. Many of these men deal with civil war specifically in their poetry, condemning it in accordance with the traditional Roman abhorrence of that type of conflict.⁴⁷⁷ Such a

⁴⁷⁴ This explains the choice of Furius and Aurelius as companions despite the abuse they are subjected to elsewhere. See poems 16 (both); 15, 21 (Aurelius); 23, 26 (Furius). Fordyce 1961, 124 gives two explanations of their function here: they represent Catullus' new hatred for Lesbia, or Lesbia sent them to Catullus with a message from her.

⁴⁷⁵ See Quinn 1970, n. *ad loc*, where Crassus' Parthian campaign and Caesar's second British campaign are identified as the most likely options.

⁴⁷⁶ This idea is perhaps most apparent in lines 11-12: *Gallicum Rhenum horribile aequor ultimosque Britannos*. Fordyce 1961, 124 reads the reference to Caesar as a genuine compliment.

⁴⁷⁷ See e.g. Hor. *Epod.* 7.3-10; 16; *Carm.* 1.35.32-40; 2.1.21-4; 3.6; Prop. 1.21; 1.22; cf. Verg. *G.* 1.489-514 and *Aen.* 6.828-33 on the civil wars of the 40s and 30s; Tib. 2.3.36-40 concerning the human cost of war and greed. On Roman attitudes towards civil war, see above, pp. 168-80.

sentiment is therefore to be expected; but the promotion of civic activity as the equal (or better) of military service is not.

Vergil is the earliest of these writers. He was born in 70 and was thus old enough to participate in the Civil War, unlike his successors who will be examined below.⁴⁷⁸ His attitude towards warfare is outwardly tempered by his public admiration of Augustus as the bringer of peace, yet misgivings about Rome's military policy may be detected even in this context. In the *First Georgic* an invocation to the gods *hunc saltem euerso iuuenem succurrere saeclo ne prohibete* (lines 500-1) is followed by the description of a world turned upside-down by warfare that is not all civil in nature:

quippe ubi fas uersum atque nefas: tot bella per orbem,
tam multae scelerum facies, non ullus aratro
dignus honos, squalent abductis arua colonis,
et curuae rigidum falces conflantur in ensem.
hinc mouet Euphrates, illinc Germania bellum;
uicinae ruptis inter se legibus urbes
arma ferunt; saeuit toto Mars impius orbe...⁴⁷⁹

The agricultural focus of the *Georgics* should not detract from the significance of Vergil's use of agriculture as a barometer of right and wrong in this passage.

Mynors notes that *saltem* (line 500) in Vergil's writings normally denotes a second-best option, which in this context likely implies that it would have been better for the wars not to have happened than for Rome to need the saviour-figure represented by

⁴⁷⁸ It is unclear, however, whether Vergil served in this or subsequent civil wars. On the difficulties of reconstructing his biography, see Horsfall 2001, 1-25. The *Eclogues* date from the late 40s, the *Georgics* from 37-29, and the *Aeneid* was unfinished at Vergil's death in 19.

⁴⁷⁹ G. 1.505-11. Spurr 1986, 180 also reads the passage as referring to world-wide destruction, but claims that this was caused by Caesar's assassination.

the future Augustus.⁴⁸⁰ The implicit conflict between agriculture and war makes war seem unnatural – even when it involves foreign peoples – whereas the complaint about neglected farmland suggests that Rome’s wars are fundamentally unsustainable. The association of agriculture with peacetime and plenty make it a preferable pastime by comparison.⁴⁸¹

In a related vein, *Ecl.* 9.11-13 advises that *carmina* cease to be relevant *tela inter Martia* – a sentiment with a striking similarity to Cicero’s declaration at *Mur.* 22 that the *artes* of the forum are put aside at the first sign of war. Intriguingly, war is even less to be desired in the *Aeneid*, where, as Lyne notes, there is no pride in the “ugly violence” by which Aeneas fulfils his destiny of founding the future Roman empire.⁴⁸² Aeneas does not rejoice at his impending victory over the Laurentines (8.537-40), is eager to end the fated bloodshed after he defeats the Latins (11.108-11), and reproaches his men for their *irae* when they rush to fight Turnus on his behalf (12.313-14). In a word, he is a hero who would rather be elsewhere, putting his piety to use in a peaceful, civic context.⁴⁸³

Next we have Horace, who, as a sixteen-year-old in 49, was old enough to understand the implications of the conflict. He served at Philippi (*Carm.* 2.7.9; 3.4.26-7) and may also have served against Sextus Pompey in 36 and against Antony at Actium.⁴⁸⁴ Although he is very positive about Octavian’s victories, he mainly

⁴⁸⁰ Mynors 1990, n. *ad loc.*

⁴⁸¹ Cf. examples from the animal kingdom at *G.* 3.209-41 and 4.67-87, where duelling bulls and bees, respectively, show how passion gets in the way of agricultural productivity. Both passages are discussed in this context by Nappa 2005, 136-7 and 168-70, respectively. On the implicit anti-war message of the *Georgics*, see Cowles 1934, 360-1.

⁴⁸² Lyne 1983, 203; cf. 191. Similar points are made by Cowles 1934, 361-73 in his discussion of anti-war themes in the *Aeneid*.

⁴⁸³ See e.g. Gransden 1991, n. *ad* 11.108-11: “A powerful statement of Aen.’s and the implied author’s hatred of war.”

⁴⁸⁴ See Nisbet and Hubbard 1970, xxvii.

refers to his foreign victories rather than the civil wars.⁴⁸⁵ It is against this backdrop that *Carm.* 3.2 should be read, his most anti-military poem that does not concern civil war specifically. The precise date is uncertain, but the sentiment fits war-weariness following Actium.⁴⁸⁶ The conventional claim that *dulce et decorum est pro patria mori* (line 13) is followed by the reasonable observation that death also comes to cowards – recalling Horace’s own disgraceful flight from Philippi without his shield.⁴⁸⁷ Combined with the exhortation to *virtus* which ends the poem, Horace seems to be defending the worth of civic or at least civilian exploits.⁴⁸⁸ This makes his anti-militarism very similar to that of Cicero and Sallust. Indeed his remedy for civil war in *Epod.* 16 – to flee to the Isles of the Blest – recalls Sallust’s total withdrawal from public life.⁴⁸⁹

This contrasts with the attitude expressed by Tibullus, Propertius, and Ovid. Tibullus was a young boy when civil war broke out in 49; Propertius was born in 48, and Ovid in 43. None of them was therefore old enough to comprehend these conflicts in a meaningful way or to participate in them.⁴⁹⁰ Yet anti-militarism is even more pronounced in their poetry than in Horace’s – a striking distinction, given the

⁴⁸⁵ *Epod.* 9; *Carm.* 1.2.; 2.9.17-24; 3.14.1-4; 4.14; 4.15.

⁴⁸⁶ Nisbet and Rudd 2004, xix-xx argue that Books 1-3 were published together in 23 (*contra* Hutchinson 2002), although the individual poems are not presented in chronological order.

⁴⁸⁷ *Carm.* 2.7.9-14 and West 1998, 52. Like a long line of Greek poets before him, Horace discarded his shield in flight; in the heroic tradition of Aeneas and Hector, he was also divinely removed from the field (*Il.* 5.344; 20.325, 443).

⁴⁸⁸ Cf. Nisbet and Rudd 2004, 23; *contra* Sydenham 2005, n. *ad loc.*

⁴⁸⁹ This controversial poem is interpreted by Mankin 1995, 245 as a test of Horace’s putative audience, similar to Agamemnon’s (nearly disastrous) test of his men’s commitment to the Trojan war at *Il.* 2.110-41. On the similarity of its apocalyptic tone to Verg. *Ecl.* 4, see Mankin 1995, esp. 244; Watson 2003, esp. 481.

⁴⁹⁰ Tibullus served overseas in the 20s with his patron M. Valerius Messalla Corvinus (cos. suf. 31). See elegies 1.3; 1.7 and Maltby 2002, 55. Neither Propertius nor Ovid had any military experience.

overlapping publication periods of Horace, Tibullus and Propertius⁴⁹¹ – taking a distinctive form where love and love elegy are the civic activities in competition with military ones. Given the historical context, it is attractive and justifiable to attribute this to the result of growing up during civil war, an experience which irreversibly shaped their attitudes towards military service even after Augustus had established the *Pax Romana*.

The best example of this view is Propertius 2.7. Written in response to the repeal of a marriage law⁴⁹² which would have forced Propertius to marry a respectable Roman woman and produce sons for Rome's army, it is a wholesale rejection of the traditional Roman values of military service and fatherhood. The world of love is set up as a parallel universe in which conventional virtues such as military triumphs count for nothing (lines 5-6). At the poem's climax, Propertius vows that *nullus de nostro sanguine miles erit* (line 14) – pledging allegiance instead to his mistress' camp (lines 15-16) and claiming that her love will mean more to him than *patris nomen* (line 21). Cairns questions whether this poem constitutes an actual criticism of Octavian's military-based power (rather than a poetic pose consistent with *militia amoris*);⁴⁹³ but it should be noted that the second book of Propertius' poems is contemporary with Octavian's campaigns in Gaul and Spain (27-24) and may therefore express real aversion to military service and its perceived

⁴⁹¹ Horace was active from c. 35 (*Satires*) to 13 (*Odes* Book 4, *Epistles* Book 2) whereas the elegies of Tibullus and Propertius date from c. 27-19 (or later) and 28-sometime after 16, respectively. See Maltby 2002, 40 for a more precise chronology.

⁴⁹² Hejduk 2008, n. to 2.7.3 suspects a law imposing financial penalties on bachelors, and dates the repeal to 28, though she acknowledges the lack of evidence for the nature and even existence of such a law. See esp. Gale 1997, 80-90.

⁴⁹³ See Cairns 2006, 325 rightly emphasizing the friendship between Octavian and Propertius' patron C. Maecenas. He does not comment on line 14 of the elegy.

benefits.⁴⁹⁴ If his rhetoric in this poem is perhaps too passionate, his rationale in elegy 2.15 is difficult to refute:

qualem si cuncti cuperent decurrere vitam
et pressi multo membra iacere mero,
non ferrum crudele neque esset bellica navis,
nec nostra Actiacum verteret ossa mare,
nec totiens propriis circum oppugnata triumphis
lassa foret crines solvere Roma suos. (lines 41-6)

Directly linked to the civil wars during the transition to Empire, this “call to love” champions the validity of civilian pursuits as ones which do not harm the state.

A similar, though more roundabout claim is made by Tibullus in elegy 1.10, his most anti-militaristic poem and one which is contemporary with Propertius Book 2. Here the simple rustic life is contrasted with the savageness and greed of war:

divitis hoc vitium est auri, nec bella fuerunt/ faginus adstabat cum scyphus ante

*dapes.*⁴⁹⁵ Like Horace, Tibullus also questions the wisdom of hastening death by war (lines 4, 33-4) as a preface to his own, alternative hero: the rural father who dies an old man in his cottage (lines 39-40). Maltby notes the “irony” of Tibullus’ use of military vocabulary in this connection.⁴⁹⁶ The effect is to heighten the contrast between war and peace as well as draw attention to the substitution of military for civilian priorities. (A related strategy is present in elegy 1.7 where praise of Messalla’s triumph gives way to praise of the road repairs he funded with his spoils – safe journeys being more of a concern for rustic folk than tales of distant

⁴⁹⁴ The first ten elegies of Book 2 are thought to have been published in 26.

⁴⁹⁵ 1.10.7-8; cf. 1.1.1-6. On the traditional link between war and wealth, see e.g. Plat. *Phaedo* 66c; Lucr. 5.1423-4; cf. Ov. *Am.* 3.15.5-6 asserting the ancient prestige of his family against men who gained wealth and power in the civil wars.

⁴⁹⁶ Maltby 2002, nn. to 1.10.39-40. The terms are *laudandus*, *occupat*, and *pigra*.

victories.⁴⁹⁷) Finally – and crucially – the poem champions peace as the time when *veneris bella* rage (line 53). These “wars” are seen as positive not because they are pleasing to the combatants, but because they are small-scale conflicts with no lasting consequences.

The universality of Propertius’ and Tibullus’ harm-based argument contrasts with the highly specific example in Ovid’s *Am.* 2.12. In this extreme version of *militia amoris*, the poet’s successful abduction of Corinna from her guardians is compared to a military victory worthy of a triumph (line 5); she is the equivalent of a town taken in battle (line 7-8); he has been the general, soldier, cavalry, infantry, and standard bearer in his war (lines 13-15); and is Cupid’s standard bearer in campaigns of love (lines 27-8).⁴⁹⁸ The effect is similar to passages in Propertius 2.14 and 3.4, where this same equivalence between romance and military triumph is made on a smaller scale. The most important feature of Ovid’s poem, however, is how he quantifies the superiority of his romantic activity.

haec est praecipuo victoria digna triumpho,
in qua, quaecumque est, sanguine praeda caret.
non humiles muri, non parvis oppida fossis
cincta, sed est ductu capta puella meo! (lines 5-8)

⁴⁹⁷ 1.7.57-62. These repairs were part of an Augustan program to improve the infrastructure of Rome, and amounted to the ancient equivalent of adopting a highway. See Maltby 2002, n. *ad loc.*

⁴⁹⁸ Prop. 2.7; 2.14; and 3.4 present a similarly personal point of view, but do not develop military metaphors to nearly the same extent as *Am.* 2.12. Cf. esp. *Am.* 1.2.19-50, where Cupid’s “triumph” over the poet is described as an exact parallel of the military honour and *Am.* 1.9, comparing the similar hardships endured by soldiers and lovers (the overall effect is strikingly similar to Cic. *Mur.* 22, comparing the lifestyles of soldiers and advocates). Ovid’s poetic attitude towards military matters is discussed by Davis 2006, esp. 74-7, who argues (p. 75) that “for the most part Ovid treats the military as contemptible and their achievements as negligible.”

The theme returns at the end of the poem, where Ovid again congratulates himself on his bloodless victory – using the same words, *sine caede* (line 27), as Cicero uses to describe his victory over Catiline.⁴⁹⁹ In addition to recalling his predecessor’s civilian achievement, Ovid’s phrase reinforces the elegists’ ideal of love as a constructive and life-preserving pursuit.

We may now construct our continuum of anti-militarism. It begins with Catullus, whose pre-civil war poems exhibit a type of proto-*militia amoris* that depicts military life as undesirable and may allude to contemporary criticism of Caesar’s imperial conquests. Next we have Cicero, whose value judgements are concentrated in the years 46-43 and uphold civic activity as more beneficial to the state than military activity. Sallust and Horace, active in the next cycle of civil war, both recommend withdrawal from public life and defend the worth of private civilian pursuits. Conversely Vergil, who did not take part in the fighting, subtly challenges the primacy of warfare by drawing attention to the good that comes of peace. The elegists refine this view into the ancient equivalent of a “make love not war” campaign – consistent with war weariness in the early years of the *Pax Romana*.

Although it is true that most of these authors promote their own strength as an alternative to military activity, the resulting value systems should not be attributed solely to self-interest (or self-justification). This analysis has shown that the experience of civil war was a far greater factor in determining both the strength and form of anti-militarism in their writings. It is particularly telling in this regard that the strongest anti-militaristic sentiments belong to the authors who lived through the

⁴⁹⁹ *Cat. 3.23: Erepti enim estis ex crudelissimo ac miserimo interitu, erepti sine caede, sine sanguine, sine exercitu, sine dimicatione; togati me uno togato duce et imperatore vicistis.* See also below.

violent transition from Republic to Empire, as though growing up in the shadow of civil war had a greater psychological effect than witnessing or participating in the conflict as an adult. The significance of this interpretation is that it makes it possible to view this anti-militarism as less of an attack on traditional Roman values and more of an expression of cynicism about Rome's vulnerability to the ambitions of ruthless commanders. For Cicero specifically, this means that his pro-civic bias must be separated from his civilian identity and career, and not cited as evidence of political myopia.⁵⁰⁰

Cicero's self-representation as a domestic military leader

Having established the nature of Cicero's pro-civic bias, we may now examine two curious episodes where he deliberately cultivated a military persona. In 63 and again in 44-43 he led the Republic into war as a domestic military leader – the *togatus dux et imperator* against Catiline in 63, and the *princeps sumendorum sagorum* against Antony in 44-43. The rhetoric he used to construct these personae shows a clear understanding of his audience's expectations of military leader-figures; but there is also evidence that he manipulated these expectations to serve his political agenda. Given the strength of the convictions explored above, it is striking that he thought it necessary or desirable to affect a militarized ethos at all. This tension between military credentials and political influence is the focus of this section, which will evaluate both the significance and validity of Cicero's quasi-military role.

It should be noted at this stage that although the Catilinarian conspiracy and civil war with Antony are among the best documented episodes in Roman history,

⁵⁰⁰ Cf. Smith 1966, 20, 26.

little attention has been paid to the quasi-military character of Cicero's leadership.⁵⁰¹ His enduring reputation as a civilian leader and the fact that more fighting took place in the Senate than in the field tend to overshadow military features of these conflicts which both inspired and justified a militaristic response. Although the Catilinarian conspiracy was initially concerned with urban violence (albeit on a large scale), it gained a warlike character when Catiline left the city and joined forces with Manlius and his peasant army. A senatorial army was dispatched against this joint force and routed it at Pistoria in January 62. The bellicosity of Antony's attempt to seize Gallia Cisalpina was also unclear at the outset of the conflict, but for legal rather than evidentiary reasons. As consul, he was entitled to lead the consular armies, and the province had been allocated to him for 43. His intentions – and threat – were revealed when the incumbent governor, Decimus Brutus, refused to give way. Antony blockaded him at Mutina until senatorial armies defeated his forces in April 43. His claim that he was avenging Caesar's assassination (Decimus had stood closest to Caesar on the Ides) reawakened hostilities left over from the Civil War and led to numerous armies being raised in anticipation of a major war.⁵⁰²

Among the ancient sources, only Sallust's *Bellum Catilinae* addresses military features of Cicero's leadership in 63; but his narrative closely resembles that of Cicero's speeches and almost requires the reader to have them at hand to fill in

⁵⁰¹ Studies of 63 tend to focus on legitimacy of Cicero's leadership from a political perspective (esp. Konstan 1993; Cape 1995; Drummond 1995), whereas those of 44-43 focus on the rhetoric of the *Philippics* (esp. Wooten 1983; Hall 2002). Nicolet 1960, May 1988, and McDonnell 2006 do address Cicero's military posturing, but nevertheless from literary (May and McDonnell) and political (Nicolet) perspectives. Monteleone 2004 is a significant exception, comparing the *Fourth Philippic* to a general's pre-battle speech to his soldiers. Cf. Lintott 2008, 142-8, 374-407 on the historical reality of the events recounted in the *Catilinarians* and *Philippics*, respectively.

⁵⁰² Most prominently, the armies of Brutus and Cassius, whose commands Cicero advocates in the *Tenth* and *Eleventh Philippics*, respectively. On Antony's motivation, cf. Dio 46.35, stating that Antony invaded Gallia Cisalpina simply to deprive Decimus of it.

gaps.⁵⁰³ Fortunately, Cicero's own account of his role is exceptionally rich. For the suppression of the Catilinarian conspiracy, we have the four *Catilinarians*, the *Pro Murena*, and a handful of letters immediately following Cicero's term of office, in addition to recollections throughout the *corpus* spanning the rest of Cicero's life.⁵⁰⁴ The civil war against Antony is even better documented with contemporary sources that include the fourteen *Philippics* and almost 100 letters dating from the start of the conflict in November 44 to the end of the correspondence in July 43. The result is a play-by-play account in which the situation and Cicero's leadership are depicted in conspicuously military terms. Two parallel pairings of senatorial and contional speeches on the same topics (*Second* and *Third Catilinarians*, and *Fourth* and *Sixth Philippics*, respectively) show how Cicero adapted his rhetoric to appeal to both popular and elite views of the conflict,⁵⁰⁵ and thus also to different attitudes toward military leadership. Significantly, Cicero never gives the impression that he believes that he is a general in any of these texts. At *Cat.* 2.11 he offers himself (*profiteor*) as a *dux* for a *domesticum bellum*, and at *Phil.* 4.11 he states that he will act *ut imperatores... solent*. His military self-representation is therefore a type of self-reference which is at once both daring and restrained in its claims, existing in

⁵⁰³ For example, Sallust provides full-length versions of Caesar's and Cato's speeches at the debate on the Nones of December (§§51 and 52, respectively), but says of Cicero's speech (the *Fourth Catilinarian*) only that he asked the Senate what should be done with the apprehended conspirators (§49). Sallust had access to Cicero's memoirs on his consulship (no longer extant) and seems to adopt this "official" version of events. The other ancient sources are particularly depreciatory of Cicero's leadership in 44-43, attributing it to vanity and a personal feud with Antony. See esp. Nic. Dam. *Vit. Caes.* 28; Plut. *Cic.* 45-6; Dio 45.14; App. *BC* 3.82.

⁵⁰⁴ It is generally accepted that the published *Catilinarians* were composed after 63, on the basis of anachronistic inclusions and the testimony of *Att.* 2.1.3 (June 60), in which Cicero says he is sending to Atticus his consular *σῶμα* for publication. See Dyck 2008, 10 for the most recent discussion, *contra* McDermott 1972. The date of the *Pro Murena* has not been challenged, although its absence from the list of speeches in *Att.* 2.1.3 provides a *terminus ante quem* for its publication.

⁵⁰⁵ See Morstein-Marx 2004, 28-9, 103.

sufficient bulk to establish distinct themes, yet not so much that these are undermined by repetitiveness.

In order to evaluate Cicero's self-representation as a military leader during these conflicts, it must be divided into three constituent elements: his actions, relative to his status and inherent authority; his rhetoric, and how it depicts both himself and the situation in a military way; and the effect of the combination of his actions and rhetoric, in political as well as personal terms. This division is effectively one of form and function, but because posturing necessarily raises issues of appearance versus reality, his actions must be examined separately from his rhetoric.

The most prominent aspect of Cicero's leadership activity in 63 and 44-43 is his domination of the Senate, through which he directed controversial pro-war policies against men whom he was the first to identify as public enemies. His ability to do this in 63 owed much to his status as consul, which made him (along with his colleague C. Antonius Hybrida) legally the head of state, with supreme executive as well as military authority.⁵⁰⁶ To these powers were added the injunction of the *senatus consultum ultimum* on 21 October, a decree which Cicero conveniently interpreted as empowering him in particular.⁵⁰⁷ Although it was issued in response to Manlius' rising in Etruria, Cicero applied it to Catiline as well (*Cat.* 1.3, 4), in what some scholars have decried as the impetus that drove the then-innocent

⁵⁰⁶ See Lintott 1999, 104-7; cf. 96-7 on *imperium*, noting that a *lex curiata* was required to authorize an *imperium* holder to command an army. Cicero describes the authority of the consuls in regal terms at *Leg.* 3.8: *regio imperio duo sunt, iique... consules appellamino; militiae summum ius habento, nemini parento; ollis salus populi suprema lex esto.* Cf. *Pis.* 25.

⁵⁰⁷ *Sal. Cat.* 29 outlines the authority conferred by the *senatus consultum ultimum* and seems to say that it applied to a single magistrate: *ea potestas...magistratui maxuma permittitur.* Cf. *Phil.* 5.34, where Cicero proposes that the Republic be entrusted to both consuls.

patrician to open treason in order to assuage his *dignitas*.⁵⁰⁸ This interpretation ignores somewhat the threats of violence Catiline had broadcast during the elections that led to his third defeat. These were severe enough that Cicero urged the Senate to postpone the elections, and, when this failed, presided over the voting wearing a *lorica* – rather conspicuously – and surrounded by a bodyguard of friends.⁵⁰⁹ It is impossible to know whether Cicero’s choice of armour was symbolic or purely practical, but the episode makes an interesting prelude to his self-portrayal as a *dux* during the conspiracy proper.

Immediately in the *First Catilinarian* (c. 7 November) we see Cicero taking military measures to forestall Catiline’s alleged plans: he has dispatched *praesidia*, *custodia*, *vigilia* to Praeneste to defend it from attack (§8), stationed additional *praesidia* at his home to thwart an assassination attempt (§10), and likely also arranged the *nocturnum praesidium Palati* and *munitissimus senatus locus* referred to in the opening lines of the speech. Given the degree of Cicero’s personal leadership and the extent to which he claims credit for the decisions of the Senate in the *Catilinarians*, we should probably see him behind the decree recorded by Sallust to dispatch Q. Marcius Rex, Q. Metellus Creticus, Q. Pompeius Rufus, and Q. Metellus Celer to protect vulnerable areas of Italy.⁵¹⁰ These initial operations were followed up with the nocturnal ambush of the Allobroges and their Catilinarian escorts at the

⁵⁰⁸ See esp. Waters 1970 and Seager 1973; *contra* Phillips 1976.

⁵⁰⁹ *Mur.* 49-52; cf. *Cat.* 1.11; *Sal. Cat.* 31; cf. *Plut. Cic.* 14.

⁵¹⁰ *Sal. Cat.* 30. It is worth noting that none of these were regular armies, since Pompey had taken these with him on his eastern campaigns. See Gruen 1974, 430. *Plut. Cic.* 10 paints a particularly bleak picture of Rome’s lack of defences as a result: Πομπηίου μὲν ἔτι τοῖς βασιλεῦσιν ἐν Πόντῳ καὶ Ἀρμενίᾳ διαπολεμοῦντος, ἐν δὲ τῇ Ρώμῃ μηδεμιᾶς ὑφεστῶσης πρὸς τοὺς νεωτερίζοντας ἀξιομάχου δυνάμεως. Rex and Creticus had both been waiting to celebrate triumphs – and were therefore still in possession of *imperium* – when the *senatus consultum ultimum* was issued, whereas Rufus and Celer were praetors specially authorized to levy new troops for the occasion.

Mulvian bridge in the night of 2/3 December. The strategy sounds almost Caesarian and conforms to the examples *de insidiis* listed in Frontinus' *Strategemata*: a location which restricts movement is garrisoned under cover of darkness, and the "enemy" is attacked from all sides.⁵¹¹ This ambush provided Cicero with the evidence he needed to prove the existence of the conspiracy, and ultimately led to the execution of the ringleaders in Rome. Although the execution cannot be considered as part of Cicero's military leadership,⁵¹² it is important as the catalyst for a distinctly military honour to the consul. He had already been awarded a thanksgiving – for saving the state rather than simply serving it well (*Cat.* 3.15; 4.20) – in connection with exposing the plot after the Mulvian bridge ambush; now he was hailed as *parens patriae* and awarded the civic crown (cf. *Pis.* 6), an honour normally given for saving the life of a citizen in battle.⁵¹³ As shall be seen, Cicero was exceedingly proud of winning these honours as a *togatus*. The fact that he received them at all may indicate that his contemporaries regarded his leadership as a type of generalship, or it

⁵¹¹ Cic. *Cat.* 3.5-6. Front. *Str.* 5.1, 20, 24, 32, 34 all have elements of strategic similarity, despite the fact that they are drawn from battles in the midst of large-scale wars. Sal. *Cat.* 45.1 emphasizes Cicero's initiative in executing this ambush.

⁵¹² The execution resulted from the *senatus consultum ultimum*, which was not a declaration of war. The only connection between the emergency decree and matters of war – specifically the definition of *hostis* – concerns the forfeiture of citizen rights. However, Drummond 1995, 97-100 notes that these two arguments were not linked in the senatorial debate on the Nones of December. On the legal aspects of the *senatus consultum ultimum*, see Drummond 1995 and Lintott 1999, 89-93: the fact that the decree challenged the citizen right of *provocatio* and permitted any use of force *ut res publica defendatur* made it prone to controversy. For the wording of the decree see sources at Lintott 1999, 89 n. 1.

⁵¹³ The conditions of award are described by Gel. 5.6.13-14 and Plin. *Nat.* 16.12-13; cf. analysis by Maxfield 1989, 70-4. The prestige attached to the honour is indicated by Liv. 33.23.6, where he says that the Senate, when addressing gaps in membership, gave priority to men who had been awarded the civic crown. The most prominent recipient in Cicero's day was Caesar, who gained his in 80 for his service at the storming of Mytilene (see Suet. *Jul.* 2).

may reveal the inability of the Romans to comprehend civilian leadership during wartime.⁵¹⁴

This ambiguity is less immediately obvious in Cicero's leadership in 44-43, but no less problematic. As a private citizen who had been virtually retired from politics before the Ides of March, he had no direct access to power – although the influence of a consular was a formidable force in senatorial debates. It should perhaps be noted in this connection that in 44 Cicero was one of very few consulars left in the Senate. At *Phil.* 2.12 he gives an impressive list of luminaries who had supported his suppression of the Catilinarian conspiracy, but since died. The implications of this statement are made more clear in a letter written to Q. Cornificius (pr. 45) in October 44: *saepe doleo, quod nullam partem per aetatem sanae et salvae rei publicae gustare potuisti.*⁵¹⁵ The combination of life experience – including the reputation won in 63 – and regret for not taking a more active role in the civil war seem to have spurred Cicero to meet Antony's threat head-on (e.g. *Att.* 16.11.6; *Phil.* 1.38; 7.6-8).

This entailed an uncompromisingly antagonistic stance toward the then-consul, promoted in the Senate and to the People. From the moment that Antony marched on Gallia Cisalpina and Decimus sent his manifesto to the Senate pledging not to cede the province to him, Cicero seized the opportunity to lead the opposition. In the *Third Philippic* (20 December 44) he embraced Octavian and his private army of Caesar's veterans, championing their cause alongside that of Decimus in the

⁵¹⁴ The wording of the reminiscence at *Phil.* 2.13 may indicate that Cicero's precedent opened the way for others to be awarded thanksgivings for civic-based leadership. Cf. *Phil.* 14.11: *Etenim cui viginti his annis supplicatio decreta est ut non imperator appellaretur aut minimis rebus gestis aut plerumque nullis?*

⁵¹⁵ *Fam.* 12.23.3. Manuwald 2007, 910 enumerates the remaining consulars. Cicero and Ser. Sulpicius Rufus (cos. 51) were the only remaining Pompeians.

Senate (esp. §§5-8, 37-38). This type of advocacy is perhaps the most concrete manifestation of Cicero's leadership. In the *Fifth Philippic* he called for and secured the sanction of Octavian's command, including the controversial grant of propraetorian status to the teenager (§§46, 53). He obtained the authorization of Brutus' command in Macedonia with the *Tenth Philippic*, and attempted to do the same for Cassius in Syria with the *Eleventh Philippic*, but was unsuccessful; in a lost *Philippic* he reiterated Cassius' case to the people, who supported it.⁵¹⁶ Octavian and Hirtius marched their armies to Gallia Cisalpina shortly after the *Fifth Philippic* (1 January 43) and in accordance with Cicero's pro-war policy. Pansa followed them in March after an abortive debate concerning the sending of a second embassy to negotiate with Antony – which was defeated on Cicero's motion in the *Twelfth Philippic*.

Cicero's leadership in the Senate was complemented by complex and potentially subversive activity in private and to the People. As the conflict with Antony intensified, he wrote to Decimus and L. Munatius Plancus (cos. 42), exhorting them to be their own Senate with regard to decisions in the field (*Fam.* 11.7.2; 10.16.2; cf. *Phil.* 11.27). From January onward, he wore a *sagum* conspicuously to express his opinion of the conflict – in defiance of the Senate, who declared a state of *tumultus* only on c. 4 February. The symbolism of this gesture was heightened by the fact that his age and status exempted him from the customary change of dress when war was declared.⁵¹⁷ Morstein-Marx draws attention to the oral and visual nature of politics in the late Republic; we should assess Cicero's

⁵¹⁶ Cf. *Fam.* 12.7.1 (7 Mar. 43), where Cicero tells Cassius of the people's support for his command. Cicero's relationship with Octavian, Brutus, and Cassius as military protégés is discussed above, pp. 99-105.

⁵¹⁷ *Phil.* 8.32; cf. 5.31. See also Manuwald 2007 nn. *ad loc.*

sagum against the backdrop of the interpretive role he assumes in the *Fourth* and *Sixth Philippics*, which were delivered to the people.⁵¹⁸ His private encouragement and public image together put him in a position tantamount to an alternative authority to the Senate. It was not inherently military authority, but, as in 63, the circumstances imbued it with military significance.

Rhetoric provided a powerful complement to Cicero's leadership activity. It may be divided into two distinct but related categories: militarized rhetoric, and rhetoric pertaining to Cicero's self-representation as a military leader. The militarized rhetoric defined both conflicts as military events, which in turn provided a literary context for Cicero to portray himself as a military leader, furnishing a type of self-fulfilling internal consistency. Although Cicero's self-representation as a military leader took different forms in 63 and 44-43, his use of militarized rhetoric is strikingly similar.

The key terms in both cases are *hostis* and *bellum*, which express Cicero's opinion of Catiline, Antony, and the threat which they and their associates pose to the state. As was noted in Chapter 4, these terms are applied consistently throughout both conflicts, despite the fact that neither man had officially been declared an enemy when Cicero began to agitate against them.⁵¹⁹ Nevertheless, the rhetoric is

⁵¹⁸ Morstein-Marx 2004, esp. 70-1. Concerning Cicero's role as popular interpreter of senatorial affairs, see esp. *Phil.* 6.1-5 where Cicero presents his opinion of the preceding senatorial debate in the guise of a summary. Morstein-Marx 2004, 248 n. 24 suggests that a proper summary had likely been given by Pansa at an official *contio*.

⁵¹⁹ See above, p. 176 with discussion of their use in *Cat.* 1-2 and *Phil.* 1-6. Catiline was declared a public enemy, along with Manlius, at the end of November, once word reached Rome that he had not gone quietly into exile but had joined the former centurion. Cf. *Cat.* 2.14-15; *Sal. Cat.* 36. Antony was not declared a public enemy until news of his defeat at Mutina reached Rome, on c. 26 April. Cicero also refers to both men as *inimici*, but only when reporting their own words or discussing their relationship with him personally. Cf. e.g. *Cat.* 1.23; 2.11; *Phil.* 1.27; 2.1, 2, 34, 65, 90; 5.3. One important exception is *Phil.* 12.19, where Cicero calls Antony *mihi uni crudelissimus hostis*; however,

unequivocal, particularly in the *Philippics*, where the cumulative effect of the fourteen speeches is an impressive campaign of vilification. Antony is not only a *hostis*, but a *hostis ac parricida* (*Phil.* 14.4; cf. 4.5), a *taeterrimus et crudelissimus hostis* (*Phil.* 5.21), and a *hostis* by reputation if not yet by official decree (*Phil.* 4.1; 7.9; 14.7). His dereliction of consular duty is cited as proof of his enemy status (esp. *Phil.* 3.14; 4.5), and he is likened to historical enemy figures – including Catiline.⁵²⁰ The picture of Catiline is not dissimilar, as he is portrayed as a *hostis* who admits that he is a *hostis* (*Cat.* 2.17), and one whose presence in Rome makes *pax, otium*, and *silentium* impossible (*Cat.* 3.17). It is as a *hostis* that Catiline is ordered by Cicero to leave Rome (*Cat.* 1.13; cf. 2.4; 4.17), whereas the conspirators who were implicated by the evidence seized at the Mulvian bridge are branded as being *in acerbissimorum hostium numero* (*Cat.* 4.15). Among Antony's associates, Dolabella is particularly singled out for vilification as a *hostis*, evidently because Cicero was exploiting a situation where the majority of the Senate agreed with him.⁵²¹ Nevertheless, the proposal in the *Eleventh Philippic* is unique for being the only proposal in the *Philippics* to condemn a person by name (§29). Throughout the *Catilinarians* and *Philippics*, then, Cicero's use of *hostis* disguises the civil nature of the conflict by creating an other, non-Roman opponent who must be pursued with war as a matter of course.

Cicero's depiction of both men's activity as *bellum* is equally insistent.

Immediately in the *First Catilinarian* and *Second Philippic*, he claims that both men

Cicero identifies himself so strongly with the state in this speech that the term is justified. Cf. Wooten 1983, 160, who argues the opposite point of view.

⁵²⁰ Esp. *Phil.* 5.25: *ergo Hannibal hostis, civis Antonius?* Cf. *Phil.* 4.14 (Catiline); 13.22 (Spartacus and Catiline); 14.9 (Carthaginians).

⁵²¹ Cf. *Phil.* 11.15, 16, 27. It was no doubt a welcome opportunity to vent his anger towards a man who had been a poor husband to his daughter Tullia and still had not repaid her dowry.

are waging or intend to wage war on the state (*Cat.* 1.23; *Phil.* 2.1). The Catilinarian conspiracy is described as comprising the greatest and most savage war within human memory (*Cat.* 3.25; cf. 3.16), whereas Antony's war is a *bellum inexpiabile* (*Phil.* 14.8), and the eighth civil war in Cicero's lifetime (*Phil.* 8.8). In the *Eighth Philippic* Cicero goes so far as to argue that the Senate's declaration of a state of *tumultus* is actually more serious than *bellum* (§§2-4), in a sort of reverse-psychological argument. A complaint at *Phil.* 14.22 reveals the controversy which statements such as these could incite: *antea cum hostem ac bellum nominassem, semel et saepius sententiam meam de numero sententiarum sustulerunt*. Nevertheless, Cicero's consistent application of the terms lends a compelling internal consistency to his rhetoric in both episodes (cf. *Phil.* 12.17), and establishes a militarized frame of reference whereby the only response to enemies waging war was war itself.

It was a small rhetorical leap from depicting both conflicts as war to depicting Cicero as their general. This was achieved by the creation of two personae, each tailored to the exigencies – and especially the obstacles – of the respective situations. In 63 Cicero portrayed himself as the *togatus dux et imperator*, an amalgam of leadership in peace and war, in a joint civic and military capacity.⁵²² In 44-43 he was the *princeps sumendorum sagorum*, a less formal role but one which expresses his leadership in initiating the preparations for war.⁵²³ The emphatic position of the civic elements in both constructions yields rather a questionable military persona, yet one which is consistent with Cicero's military leadership in a civilian capacity.

⁵²² The toga was the dress of peace (as in *cedant arma togae*) but also represented Romanness and citizenship. For the latter symbolism, see e.g. *Rep.* 1.36; *Verg. Aen.* 1.282 and Mommsen 1887.1, 408-9.

⁵²³ On the significance of the *sagum* as the dress of war, see below, n. 532.

Before examining the construction of the two personae, it will be instructive to explore briefly Cicero's references to his general leadership in both conflicts. His personal presence in the writings pertaining to both episodes is strong, even overbearing in the *Catilinarians* and relevant sections of the *Pro Murena*. First person verbs are frequently used to emphasize his role in events, especially when he is acting independently. Many of these verbs in the *Catilinarians* concern foreknowledge, diligence, and protection, whereas in the *Philippics* and letters of 44-43 they express reliability and determination.⁵²⁴ Only a few examples need be examined in detail here. Perhaps the most important instance in the *Catilinarians* occurs at *Cat.* 2.4, where Cicero explains his lack of action against Catiline:

Sed cum viderem, ne vobis quidem omnibus etiam tum re probata si illum, ut erat meritis, morte multassem, fore ut eius socios invidia oppressus persequi non possem, rem huc deduxi ut tum palam pugnare possetis cum hoste aperte videretis.

The strategy is described in almost identical terms at *Cat.* 3.4, despite an intervening description of the now-averted horrors in which the first person plural is used.⁵²⁵ In a similar vein in the *Pro Murena*, Cicero complains to the judges that his

⁵²⁴ For 63, see esp. *Cat.* 1.24, 27; 2.6, 13, 19, 26; 3.2-13; 4.1-3; *Mur.* 52, 78; cf. *Mur.* 4: *qua re si est boni consulis non solum videre quid agatur verum etiam providere quid futurum sit...* Forms of the verb *scio* are much more common than *comperio*, despite Cicero's alleged fondness for saying *comperi* during the conflict (cf. *Cat.* 1.10; 3.4 and see discussion in Berry 1996, n. to *Sul.* 12.14). For 44-43, see esp. *Phil.* 1.37-8; 3.2, 33; 4.1, 16; 5.30; 6.2, 18; 7.20; 8.21, 29; 14.20; *Fam.* 11.5.2; 11.6a.2; 10.28.1; 12.24.2. MacKendrick 1995, 62-6, 97-8 enumerates and identifies types of "ego clusters" in the *Catilinarians*; unfortunately his study does not include the *Philippics*.

⁵²⁵ *Cat.* 3.2-3: *Nam toti urbi, templis, delubris, tectis ac moenibus subiectos prope iam ignes circumdatosque restinximus, idemque gladios in rem publicam destrictos rettudimus mucronesque eorum a iugulis vestris deiecimus. Quae quoniam in senatu illustrata, patefacta, comperta sunt per me...*

hard work will be wasted if Murena is convicted.⁵²⁶ His self-reference in the *Philippics*, on the other hand, is manifested most frequently in allusions to his role in “laying the foundations of the Republic.”⁵²⁷ The lengthier references concern his established animosity towards Antony and self-preservation for the purpose of serving the Republic:

Hunc ego diem exspectans M. Antoni scelerata arma vitavi... Si enim tum illi caedis a me initium quaerenti respondere voluissem, nunc rei publicae consulere non possem. ... nullum tempus, patres conscripti, dimittam neque diurnum neque nocturnum quin de libertate populi Romani et dignitate vestra quod cogitandum sit cogitem, quod agendum atque faciendum, id non modo non recusem sed etiam appetam atque deposcam.⁵²⁸

It is against this backdrop of commitment that we must read his personal guarantee of Octavian’s loyalty (*Phil.* 5.51) and endorsements of Brutus and Cassius (esp. *Phil.* 10.25-6; 11.30-1), as well as his attestations of intimate knowledge of Antony’s character (e.g. *Phil.* 5.29; 6.9). This type of omniscience is a critical part of Cicero’s leadership against Catiline as well (esp. *Cat.* 1.5-10), and gives the impression of authority in both cases.

This authority is expressed by two unique and purpose-built personae which reinforce and further define Cicero’s leadership. The *togatus dux et imperator* first appears at the end of the *Second Catilinarian* (§28), following references to the military nature of Catiline’s threat (esp. §§13-15), the superiority of the forces at

⁵²⁶ *Mur.* 79: *Magni interest, iudices, id quod ego multis repugnantibus egi atque perfeci, esse Kalendis Ianuariis in re publica duo consules.*

⁵²⁷ *Ieci fundamenta rei publicae.* See *Phil.* 5.30; 6.2; *Fam.* 12.25.2; cf. *Phil.* 1.1; 4.1. Variations on the theme include being the leader of the defence of peace or freedom: *Phil.* 4.1; 5.34; 6.17; 7.7; 14.20; *Fam.* 10.28.1.

⁵²⁸ *Phil.* 3.33; cf. 2.118; 4.1; 5.20; 12.24.

Cicero's disposal (§§5, 24-25), and an intriguing offer of distinctly military leadership. After mentioning Pompey's pacification of the east and characterizing the conspiracy's plans as *domesticum bellum*, Cicero appeals to the people to accept him as the *dux* in this last remaining war.⁵²⁹ At the end of the speech, however, Cicero pledges to wage a "warless" war against Catiline and his associates as the *togatus dux et imperator*:

Atque haec omnia sic agentur, Quirites, ut maximae res minimo motu, pericula summa nullo tumultu, bellum intestinum ac domesticum post hominum memoriam crudelissimum et maximum me uno togato duce et imperatore sedetur (*Cat.* 2.28).

The other full reference to the *togatus dux et imperator* at *Cat.* 3.23 is phrased in identical terms. Cicero's anxiety to avoid a state of *tumultus* sits oddly with the argument at *Phil.* 8.2-4 noted above, and will be discussed in more detail below. For now it will suffice to note the way in which he exploits this incongruity in order to claim military credentials. This is best seen in the references to the thanksgiving he was awarded after the conspirators were apprehended. Cicero's pride as a *togatus* is unmistakable, as are the military implications of the honour:

...supplicatio dis immortalibus pro singulari eorum merito meo nomine decreta est, quod mihi primum post hanc urbem conditam togato contigit.... Quae supplicatio si cum ceteris supplicationibus conferatur, hoc interest quod ceterae bene gesta, haec una conservata re publica constituta est.⁵³⁰

⁵²⁹ *Cat.* 2.11: *huic ego me bello ducem profiteor, Quirites.* Cf. *Cat.* 4.19.

⁵³⁰ *Cat.* 3.15; cf. 4.5, 20. Cicero continued to emphasize his civilian status in subsequent references to the honour. See *Sul.* 85; *Phil.* 2.13; 14.24; *Fam.* 5.2.8; 15.4.11; cf. *Mur.* 84. For ancient secondary references, see Berry 1996, n. to *Sul.* 85.4.

The favourable contrast which Cicero constructs between his achievement and those of conventional military figures sets up claims of equality with – and ultimately superiority to – great generals such as Pompey. At *Cat.* 3.26 Cicero allies himself with Pompey as a co-defender of the Republic. However, there is a note of rivalry in his assertion that he has preserved the *domicilium sedesque* of the empire which Pompey has extended. This competitiveness reaches a climax in the *Fourth Catilinarian*, where Cicero recounts his gratification at being awarded a thanksgiving, and proceeds to contextualize the magnitude of his achievement with references to military heroes. The victories of both Scipiones Africani are mentioned, as are those of Paullus, Marius, and finally Pompey. Cicero then asserts that:

Erit profecto inter horum laudes aliquid loci nostrae gloriae, nisi forte maius est patefacere nobis provincias quo exire possimus quam curare ut etiam illi qui absunt habeant quo victores revertantur. (*Cat.* 4.21)

Although the passage seems at first glance to be unduly offensive to Pompey, it nevertheless expresses a sense of relative place that corresponds entirely to the sentiments expressed four months later in *Fam.* 5.7.3, where Cicero asks to be Laelius to Pompey's Africanus.⁵³¹ We saw in Chapter 3 that this alliance was one between saviours of the state, and this is precisely the company into which Cicero inserts himself with his self-representation as a military figure in 63.

⁵³¹ The sentiment of *Cat.* 4.21 is similar to that of a compliment from Pompey reported at *Att.* 2.1.6 (June 60) and *Off.* 1.78, and may indicate a subtle anachronism on Cicero's part. Cf. Berry 2006, n. to *Cat.* 4.21. Dyck 2008, n. *ad loc.* calls the similarity "such... that they can hardly be independent."

Cicero's self-portrayal as the *princeps sumendorum sagorum* in 44-43 is both more straightforward and more complex than the *togatus dux et imperator* persona. On the one hand it refers to a specific action which heralds a state of war; on the other, it has a tenuous relationship to conventional generalship at best.⁵³² It appears only once, at *Phil.* 12.17, and therefore rather late in the conflict. That said, it is implied elsewhere in the *Philippics* (cf. *Phil.* 5.31; 6.2; 8.32) and the *sagum* itself represents a sort of visual shorthand for Cicero's pro-war policy against Antony.

In many ways the *princeps sumendorum sagorum* seems to be the end result of a series of more transient quasi-military identities: it is the persona which served Cicero's purpose best. It is foreshadowed by references to his opposition to Catiline and his "twenty years' war" against enemies of the state (*Phil.* 2.1, 119; 6.16; 12.24), which contextualize his antagonism toward Antony. At *Phil.* 4.11 he compares the circumstances of his speech to the people to that of a general addressing his troops before battle: *faciam igitur ut imperatores instructa acie solent, quamquam paratissimos milites ad proeliandum vident, ut eos tamen adhortentur*. The speech opens with a proclamation that he is the *princeps vestrae libertatis defendendae* (§1), followed by a reference to Antony as a *hostis*. Monteleone compares Cicero's use of military themes and rhetoric in this speech to pre-battle speeches in the writings of Caesar, Sallust, and Livy, and concludes that Cicero not only presents himself like a general, but also casts his audience as soldiers.⁵³³ It is a fitting way to rally the "troops" for a domestic war, and the success of the speech (cf. *Phil.* 6.2) suggests

⁵³² Strictly speaking, the *sagum* is the dress of a soldier (i.e. not a general), even though it was evidently the official dress of wartime in the Senate. See Mommsen 1887.1, 431-2; cf. *Phil.* 5.24 where Antony is depicted wearing a *paludamentum*, the general's cloak.

⁵³³ Monteleone 2004, esp. 353-60.

that the strategy was not only considered appropriate but even appreciated by the people.

Significantly, the most explicit references to Cicero's leadership occur in the letters. In *Fam.* 12.24.2 (late January 43), he tells Cornificius that *me principem senatui populoque Romano professus sum* (cf. *Fam.* 10.28.1; 12.25.2). The most detailed description, however, occurs in *Ad Brut.* 2.1 (c. 1 April 43) and is framed by Cicero's sense of the duties of his position:

Omnia, Brute, praestiti rei publicae... Ego autem ei qui sententiam dicat in principibus de re publica puto etiam prudentiam esse praestandam, nec me, cum mihi tantum sumpserim ut gubernacula rei publicae prehenderem, minus putarim reprehendum si inutiliter aliquid senatui suaserim quam si infideliter. (§2)

Clearly Cicero thought of himself as leading the state into war against Antony, even if he did not express this in distinctly military terms. Just prior to this letter, in the *Thirteenth Philippic* (20 March 43), he happily accepted Antony's criticism of him as a "loser general": *eo libentius "ducem" audio quod certe ille dicit invitus*.⁵³⁴ In the absence of an official role in the conflict, however, he could not credibly cultivate the persona of a *dux*. Intriguingly, all but two instances of *sagum* in the Ciceronian corpus occur in the *Philippics*.⁵³⁵ As a persona, the *princeps sumendorum sagorum* expresses leadership by example, and derives authority from its consistency and the fact that Cicero's predictions about conflict were all borne out. As in 63, militarized

⁵³⁴ *Phil.* 13.30. Hellegouarc'h 1963, 324 notes the pejorative force of *dux* used in this way, drawing a parallel between this passage and *Har.* 58, where Clodius is reported to have called Pompey a *dux senatus*. However, the fact that Pompey also had a reputation as a military *dux* may illuminate Antony's perception of Cicero as the prime mover of the war against him.

⁵³⁵ See Merguet 1877; 1886; 1894. The other examples are *Ver.* 5.94 and *Fam.* 7.10.2.

rhetoric and observable leadership activity made his opinion of the conflict – and of his role within it – absolutely clear.

Less clear, however, is the significance of the military reference point of Cicero's assumed leadership. This brings us to the effect of his quasi-military activity, which is remarkably uniform despite the different circumstances of the threats posed by Catiline and Antony, and the nearly twenty years that separated them. The political basis of both conflicts dictates a political effect; but the effect on Cicero's ethos and self-perception must not be underestimated, either. The overall effect is therefore two-fold, and perhaps best appreciated in terms of time.

The most immediate effect of Cicero's quasi-military leadership was that it polarized the respective conflicts into almost epic struggles between "good" and "evil." In addition to representing his general pro-war policy in miniature, the *hostis/civis* binary galvanized undecided opinion in his audience by presenting a choice that was no choice.⁵³⁶ This was in turn complemented by Cicero's strong leadership, which sought to assure his audience of the feasibility and rectitude of his policy while casting him in the role of a saviour-*rector*. As he says in the *Seventh Philippic*: *Cur igitur pacem nolo? Quia turpis est, quia periculosa, quia esse non potest.*⁵³⁷ The unity achieved by these means in 63 inspired his dream of *concordia ordinum* – which he champions as the antidote for civil war:

Omnes adsunt omnium ordinum homines, omnium generum, omnium denique aetatum.... si coniunctionem in consulatu confirmatam meo perpetuam in re publica tenerimus, confirmo vobis nullum posthac

⁵³⁶ Cf. Wooten 1983, 58-9 on disjunctive reasoning in the *Philippics*.

⁵³⁷ *Phil.* 7.9. Cf. *Cat.* 1.5, 12 regarding precedent for executing Catiline; *Cat.* 4.18: *Habetis consulem ex plurimis periculis et insidiis atque ex media morte non ad vitam suam sed ad salutem vestram reservatum.*

malum civile ac domesticum ad ullam rei publicae partem esse venturum. (*Cat.* 4.14-15)

In 43 he berates the Senate for being the sole obstacle to another such *concordia*, implicitly affirming his own commitment to the Republic.⁵³⁸

This polarization did not simply define Catiline and Antony's threats by contrast: the militarized frame of reference created by Cicero's rhetoric qualified the nature of both conflicts at a time when there was scope for debate. There was nothing inherently warlike in either Catiline's or Antony's activity at the outset of either conflict. The proper sphere for opposing them was judicial, especially because both men were high-ranking citizens. It should be noted in this connection how much Cicero's insistence on the military nature of the conflicts resembles a forensic demand for a verdict: if Catiline and Antony are found "guilty," war will be waged against them.

Bearing this objective in mind, it is possible to read Cicero's quasi-military leadership as an inversion of his *modus operandi* for defending his military protégés, which was examined in Chapter 3. Such a blending of political and forensic aims need not surprise us, since, as Wooten observes, "experience must have made [Cicero] prone to look on every situation as an advocate views a case: to stake out a clear position and to defend it, with every means available, to the end."⁵³⁹ It is also fitting in light of the blending of civic and military roles that we have seen in his quasi-military personae. Here Cicero assumes the role of the defendant, and by

⁵³⁸ *Phil.* 7.20: *Eos consules habemus, eam populi Romani alacritatem, eum consensum Italiae, eos duces, eos exercitus, ut nullam calamitatem res publica accipere possit sine culpa senatus.* Cf. Manuwald 2007, n. *ad loc.* Unity is also mentioned at *Phil.* 4.14; 6.18; 8.8. On the ideal of *concordia ordinum*, see esp. Wood 1998, esp. 189-90. Syme 1939, 153 argues that the catchword will not have been unique to Cicero's phraseology.

⁵³⁹ Wooten 1983, 18.

acquitting himself condemns Catiline and Antony. His recapitulations of his devotion and service to the state take the place of *argumenta ex vita*, demonstrating a record of patriotism in contrast to his opponents. As in the case of the military protégés, subjectivity and weaknesses in Cicero's arguments are neatly concealed by constant reference to national security – specifically, the imminent danger to the Republic's very survival as posed by Catiline and Antony. The stock invective charges of *hostis* and *bellum*, while critical to Cicero's policy and therefore not empty abuse, are nevertheless an important element of his campaign to discredit both men.⁵⁴⁰ Conversely, because he is cast in the role of the loyal servant of the Republic, Cicero is able to capitalize on traditional sympathy for military heroes. Hence the emphasis in both conflicts on the danger he has personally faced from Catiline and Antony – threats which he is nevertheless happy to face on behalf of the state.⁵⁴¹ This is reinforced by the personae of the *togatus dux* and the *princeps sumendorum sagorum*, which explicitly identify Cicero as the military leader to lead Rome to safety.

The precise nature of this leadership – that is, its practical limitations – is also a product of the polarization of the conflict. The depiction of Catiline's and Antony's threats as military ones provided a vital framework for Cicero's leadership aspirations. His nearly unilateral direction against the Catilinarian conspirators exceeded the authority normally exercised by a consul, more closely resembling an

⁵⁴⁰ The conventional scurrility of Roman political invective has led many commentators to dismiss the most common terms of abuse as meaningless. See esp. Nisbet 1961, 196; Syme 1939, 152; *contra* Jal 1963b, 69. On stock charges see, Süß 1910, 247-55; Nisbet 1961, 194-6. On Cicero's invective in the *Catilinarians* and *Philippics*, see K.A. Liong, 2005. *A war of words: Cicero's use of invective in the crises of 63BC and 44-43BC*. Unpublished MA dissertation, University of Leeds.

⁵⁴¹ E.g. *Cat.* 1.10-11; 4.2-3; *Mur.* 52; *Phil.* 3.33; 4.1; 5.20; 12.19.

autonomous *dux et imperator* in the field.⁵⁴² Similarly in 44-43, Cicero as *princeps* dominated the Senate in a way that accorded well with the idealized *princeps* in the *De re publica*.⁵⁴³ In both cases, the militarized frame of reference serves to initiate a militarized interchange between leader and led. That the people were more receptive to this relationship than Cicero's battle-hardened senatorial colleagues may be surmised from the fact that the contional speeches (the *Second* and *Third Catilinarians* and *Fourth* and *Sixth Philippics*) contain the most military references. The *togatus dux* persona occurs exclusively in these speeches (*Cat.* 2.28; 3.23), as does the most military expression of leadership in the *Philippics* (*Phil.* 4.11); a nascent *princeps sumendorum sagorum* may also be detected here (*Phil.* 6.9; cf. §2; 5.31). The references to *concordia ordinum* further indicate the extent of popular support for Cicero's policy, which is corroborated in 44-43 by his mention of large supportive crowds at his *contiones*.⁵⁴⁴ The Senate required a softer touch, however, which accounts for the more rhetorical arguments in these speeches and the emphasis on established political influence rather than assumed military authority.

This assumed authority is the basis of the lasting effect of his quasi-military leadership, however. This necessarily applies only to the aftermath of 63, since he was assassinated so soon after the *Philippics* and while the war which he had directed transformed into an even greater conflict. Although he was no doubt mindful of posterity and tailored his self-representation to suit this purpose at the

⁵⁴² Nicolet 1960, 238-40 sees novelty in Cicero's interpretation of the office; cf. Hellegouarc'h 1963, 324-5; Martin 1980, 850. See above, n. 383 on the autonomy of the commander in the field.

⁵⁴³ See esp. *Rep.* 1.34, 51; 2.14. The term does not designate an official title. On the Ciceronian *princeps*, see Hellegouarc'h 1963, 350-3; Martin 1980.

⁵⁴⁴ *Phil.* 4.1; 6.18; cf. 14.16. We may also compare the spontaneous procession which escorted Cicero home following the execution of the Catilinarian conspirators, recorded by Plut. *Cic.* 22.

time,⁵⁴⁵ it was only after the conflict had been resolved that he could explore – and exploit – his assumed military credentials fully.

Arguably the greatest benefit was the military *gloria* he was able to claim as a result of the suppression of the Catilinarian conspiracy. In May's words, "[Cicero] seems to have perceived his lack of a military reputation as a deficiency or liability to his ethos, particularly in comparison with Pompey."⁵⁴⁶ The convenience of the conspiracy for providing this status is a major point in the arguments of detractors such as Waters, who contends that Cicero fabricated the plot for the express purpose of giving himself an opportunity to rival more conventional military achievement.⁵⁴⁷ As was alluded to earlier, the award of a thanksgiving gave Cicero the confidence to approach Pompey as an equal, and seek an alliance with him as a fellow saviour of the state.⁵⁴⁸ The prerequisite of a military award need not be attributed to insecurity on Cicero's part, but simply an awareness of how power politics worked in the late Republic: it was certainly more expedient for him to secure a military ally than to try to uphold his *concordia ordinum* as a lone civilian consular.

This attitude is supported by Cicero's studious self-reference as a *togatus dux et imperator* rather than a purely military figure. Credibility will no doubt have been a concern, despite the bold proposition at *Cat.* 2.11 to be the *dux* in the last war threatening Rome. More to the point, however, was Cicero's theatre of war: the capital, within the *pomerium*. As Steel summarizes, "Rome was, of course, an entirely demilitarised area and *could* only be saved by a togate protector."⁵⁴⁹ Thus

⁵⁴⁵ Cf. above, n. 504, regarding revision of the *Catilinarians* before publication in 60.

⁵⁴⁶ May 1988, 57.

⁵⁴⁷ Waters 1970, 211, 215.

⁵⁴⁸ See also above, pp. 109-10. Cf. Nicolet 1960, 262-3; Steel 2005, 60-1; McDonnell 2006, 351.

⁵⁴⁹ Steel 2005, 61 (my emphasis).

the significance of the warless victory that is repeatedly promised in the *Catilinarians* (*Cat.* 2.26, 28; 3.23, 24), which at the time allowed Cicero to distance himself from Sulla's precedent of a *dux* in the city. More important was his subsequent development of the theme, which is intimately connected with his unprecedented civilian thanksgiving. This award, along with the civic crown and acclamation as *parens patriae*, formed the foundation of his consular ethos and were cited ever afterward in a way that Graff calls "eine magische Formel."⁵⁵⁰ The strength of the hybrid *togatus dux* persona is noted by Nicolet, who argues that it represents a re-ordering of the social hierarchy in Cicero's favour.⁵⁵¹ The same ideas are present in the evaluation of military and civilian professions at *Mur.* 19-30, and in Cicero's ethical appropriation of military values throughout the conflict.⁵⁵² Because he was the leader, represented "right" against the conspirators' "wrong," and was successful, he used the suppression of the Catilinarian conspiracy to symbolize the triumph of civilian leadership over military force – *cedant arma togae, concedat laurea laudi*, as it was immortalized in the much maligned verse from his poem about his consulship.⁵⁵³

It is worth noting in this connection that Cicero abandons the *dux et imperator* aspect of his quasi-military persona as soon as the conspiracy had been neutralized. Already in the *Fourth Catilinarian* he styles himself simply as a

⁵⁵⁰ Graff 1963, 29. Graff's survey of Cicero's subsequent references to his consulship (pp. 29-30) is thorough, but brevity is achieved at the expense of wholly accurate quotations in places. Cf. May 1988, esp. 58 on Cicero's consular ethos generally.

⁵⁵¹ Nicolet 1960, 241, 262-3.

⁵⁵² Although the outward conclusion of *Mur.* 30 is that it is better to be a general than an orator, this represents the expedient argument for Murena's case rather than Cicero's own views. His example as the *togatus dux* belies his argument, as well as Murena's dependence on him as an orator. Cicero's relationship with Murena as a military man is discussed above, pp. 94-5. On his ethical appropriation of military values, see esp. McDonnell 2006, 332-55; cf. Konstan 1993, 27.

⁵⁵³ The poem is lost, but a few lines are preserved in citations in Cicero's writings. See esp. *Pis.* 73-4; *Off.* 1.77 for this verse, which are discussed above as examples of anti-military value judgements.

conservator (*Cat.* 4.23). Similar phrasing appears in a letter written in January 62 (*Fam.* 5.2.1), followed by the infamous overture to Pompey in April of that year, where he offers himself as Laelius to Pompey's Scipio Africanus (*Fam.* 5.7.3). In the *Pro Sulla*, which was probably delivered between May and October 62, he brags (somewhat disingenuously) that he freed the Republic *sine tumultu, sine dilectu, sine armis, sine exercitu*.⁵⁵⁴ This reputation was firmly entrenched by 44-43, allowing him to claim that he had always been a man of peace (esp. *Phil.* 7.7-9; 8.11). The established ethos of the *defensor conservatorque libertatis*,⁵⁵⁵ complemented by the theme of the "twenty years' war" against disloyal citizens (esp. *Phil.* 2.1, 119; 6.17; 12.24), gave compelling internal consistency to the persona of the *princeps sumendorum sagorum*, and was therefore a critical element of Cicero's authority. We can only imagine what effect another "civilian" victory would have had on his self-perception and political reputation.

Cicero's success as a quasi-military leader is a testament to the enduring relevance of military rhetoric during political crises in the late Republic and Cicero's skill in deploying it. Although he took no active part in the combat in 63 and 44-43, he directed the wars from the Senate and the rostrum, convincing his audience of the necessity of warfare and of his own suitability as leader. The strong military theme of his *togatus dux et imperator* persona in 63 reflects his position as consul, whereas the more reserved *princeps sumendorum sagorum* persona in 44-43 evokes his authority as a senior consular. The civic elements in both of these personae acknowledge the domestic sphere of Cicero's activity, as well as his own primarily

⁵⁵⁴ *Sul.* 33; cf. *Rep.* 1.7. Cicero ignores the battle at Pistoria and the special levies held by Rufus and Celer on their way to put down revolts in the countryside in October. On the date of the trial, see Berry 1996, 14.

⁵⁵⁵ May 1988, 153.

civilian identity; but they in no way soften the military attributes. The manner of his self-representation allowed him to enjoy the best of both worlds, as it were, exploiting the sympathy due to defenders of the realm while also championing the ability of civilians to contribute to the safety of the state.

Conclusion: an alternative discourse?

In this chapter we have seen how Cicero navigated a pro-civic course in the militarized society of the late Republic. His value judgements and self-representation as a military leader in 63 and 44-43 bring to the fore issues which are only hinted at by general tension between civic and military interests in his writings. He never denies that military activity is valuable, but the persistent recurrence of the competitive view shows that he did not see military activity or achievements as the equal of civilian ones.

This is most clearly demonstrated by his value judgements, which pit civic activity against military activity in decisive terms. The fact that even seemingly pro-military statements exhibit a pro-civic bias confirms the importance of this message to him. A striking concentration of passages in the years 46-43 betrays the conditioning influence – or psychological effect – of civil war. Giving new urgency to his promotion of strong civic leadership, this proof of the danger posed by power-hungry commanders focussed his “anti-militarism” on warfare rather than generalship and military service generally. The occurrence of a similar effect in contemporary and early Augustan literature corroborates this interpretation and makes it possible to construct a continuum of anti-militarism in the period. This continuum provides crucial context to Cicero’s prejudice, showing that he was

neither alone in his mistrust of the army nor challenging the value of military service for its own sake.

His leadership rhetoric in 63 and 44-43, on the other hand, shows how a civilian figure could manipulate contemporary regard for military credentials to his advantage. There is no evidence that he thought he was a military leader during these episodes, but plenty that he expected a specific reaction from his audience if he presented himself as one: his militarized rhetoric served to qualify the threats posed by Catiline and Antony and contextualize his leadership aspirations. Thus, although he embraced a military ethos, his clear exploitation of popular prejudices connected with it makes this a further example of his pro-civic bias.

It is unfortunate that the connotations of “pro-civic” and “anti-military” obscure the fact that, in the context of the late Republic, they are two sides of the same coin. The either/or phrasing of Cicero’s value judgements and the hybrid nature of his quasi-military persona made it impossible to champion civic activity without seeming to condemn military activity in turn. We have seen that the label of anti-militarism creates confusion between inclination and principle, often giving too much weight to the former. If we accept that Cicero was not insecure about his lack of military credentials and could criticize the army from motives other than spite, his value system becomes a remarkable and demonstrably innovative discourse about the place of the military in the state. The observable influence of experience – particularly of civil war – confirms that his theory was flexible, and represents one man’s solution to the problems of military despotism. Cicero’s failure to supplant

long-established pro-military prejudices must not be cited as evidence of insufficiency of thought; his contribution is that he recognized the source of the problem and attempted to counteract it.

Conclusion

Cicero de re militari

Cicero often appears to be someone who had little to do with the army or military matters. The domestic focus of his career, combined with his enduring reputation as an orator and philosopher, sets him apart from the generals whose names dominate the history of the period. He is therefore an unlikely candidate for a military commentator; but to assume that his civilian identity insulated or excluded him from Rome's militarized culture would be to misread contemporary society and his place in it. His writings bear eloquent witness to the ubiquity of military matters in public and private life, as well as to the myriad of ways in which even a civilian might engage with them. The presence of this material in the *corpus* challenges the prevailing view of him as an exclusively civilian figure, and allows us to consider his works seriously as a source for information about military matters in the first century.

This is the view advanced in this thesis, which has surveyed military themes in his writings and assessed them for the first time as a type of military commentary. The quantity, and especially the quality, of the relevant material recommends such a study: the army is in fact a central theme in the *corpus*, and one which is handled thoughtfully, in a way that indicates a high level of awareness and interest on his part. The range of topics that he discusses – from the exploits of historical generals to the attributes of contemporary ones, and from the theory of *bellum iustum* to the

implications of civil war and empire – provides ample raw material for the construction of a detailed narrative about the army, its activities, and related issues.

The factor which makes this narrative viable as commentary – in spite of its unconventional form – is Cicero’s authority as a military commentator. This derives from his experience of military service and his activities as a senator and advocate. His experience was reviewed in Chapter 1, where it was shown that it met the standards of the day, despite its comparative brevity. He undertook a *tirocinium militiae* according to custom at the age of seventeen, led an army to victory as governor of Cilicia (earning the title of *Imperator*), and was given a command in the Civil War. This service exposed him to the realities of front-line combat and suggests that his peers did not regard him as ill-suited for campaign – or command. The success of his deliberative and forensic speeches dealing with military issues provides additional, strong evidence that he understood his subject matter well. He helped his colleagues to obtain (or keep) commands, urged the Senate to declare war, and secured the acquittal (and one famous conviction) of military men with reference to their service in the field. Talent and strategy notwithstanding, the fact that he was able to persuade audiences who likely had more military experience than he did indicates a shared perspective and values. It may be reiterated here that Cicero never denies the value of military service or challenges the merit of military commitments abroad. He expresses pride in the prowess of the army, praises the achievements of its commanders, supports the necessity – even desirability – of war, and embraces empire. Similar ideas in contemporary literature (especially the writings of Caesar and Sallust) provide perhaps the best measure of Cicero’s integration into his society, and thus bolster his authority as a commentator who was in touch with his times.

The value – and appeal – of his account lies in the features which distinguish it from contemporary literature, however. On a basic level, his frame of reference, chronological coverage, and relationship to the events he describes yield a very different narrative from those of Caesar, Sallust, and Livy. Whereas these authors describe military matters primarily from a front-line perspective, Cicero focuses on the home front, providing access to a point of view that is not represented elsewhere in this period. The nearly forty-year span of his writings (from the 80s to 43) is similarly unrivalled, and, when combined with the sheer size of the surviving *corpus*, allows us to observe trends and developments in how military matters were managed and how the army was perceived. This is particularly valuable in light of the historical importance of this period, when attitudes towards war and the place of the army in the state were changing amid the transition to Empire. Finally, his status as a participant-witness means that his writings offer an insider's view of events as they unfolded. He shares this trait with Caesar (Caesar's third-person narrative notwithstanding), but the surviving works of both Sallust and Livy are written from an external perspective and about events in the past.

Cicero's account is also exceptional for ideological reasons. Although his attitude towards the army is *broadly* comparable to that of his contemporaries, important deviations can be detected in his conception of the nature of the relationship between the army and the state, specifically which part should be dominant. Contrary to traditional priorities, he proposes a hierarchy whereby greater value is placed on civic activity than military activity. For this reason I have

suggested that he offers an “alternative discourse” which challenges Rome’s militarism and the military *ethos* exemplified in this period by Caesar.⁵⁵⁶

His perspective is characterized by four persistent themes which invert the traditional military>civic hierarchy to varying degrees. Each theme is firmly rooted in contemporary events – and in civilian priorities. The least outwardly antagonistic of these is Cicero’s conception of the army as a defensive force. This ideal is significant for what it forbids rather than what it permits: as expected, civil war is excluded, but so are campaigns which he judges to be motivated by anything other than national interest. Crassus’ Parthian campaign is a prominent and unsurprising example of this, but his treatment of the Catilinarian conspiracy (bolstered by Manlius’ army) and the war against Antony as full-blown *bellum* is less expected and reveals much about his definition of civil war. Although we know that he was concerned about the rules of war, the issue at the heart of this conception of the army is the potential for harm posed by over-powerful generals with armies at their back. The military context allows him to depict ambition as a threat to national security, subtly substituting domestic concerns for strictly military ones.

A more noticeable substitution is the basis of two further themes which concern the value of military activity to the state. To start with, Cicero frequently associates military service with patriotism and good citizenship, a connection which adds an ethical element that is distinctly civilian to his narrative. This can be seen in his rhetoric vilifying instigators of civil war as morally wicked, as well as in the *argumenta ex vita* he constructs for his military protégés and against Verres. Of course, his strategy here owes much to traditional attitudes and rhetorical theory,

⁵⁵⁶ See above, pp. 285-7.

respectively; but this does not invalidate the ideas expressed. Valuable context is provided by his ideal of *vera gloria*, which he promotes as a patriotically superior alternative to military *gloria*, and his description of provincial commands as a trust between the magistrate and the Roman people, whereby the governor is duty-bound to defend his part of the empire without thought for personal gain. The implications of this value system are best understood with reference to our third theme, which is Cicero's tendency to evaluate military activity by civic criteria. More than just a rhetorical sleight of hand to move the discussion into his comfort zone, this practice seems to be based on personal conviction about the need for strong civic leadership to ensure security and order. This can be seen in the special exemplary function of the military interlocutors in his treatises, all of whom are depicted as the embodiment of civic virtues; in his attention to the domestic implications of the campaigns of his peers; in the priority he gives to civic virtues in his early concept of the ideal commander; and in his manipulation of military prestige in his self-representation as a *togatus dux et imperator* in 63 and the *princeps sumendorum sagorum* in 44-43.

The competition between military and civic concerns culminates in the last and most extreme element of Cicero's perspective: the idea that civic activity is fundamentally superior to military activity. This is a shocking and subversive concept to find in Republican literature, but one which must be assessed in light of his engagement with contemporary culture. The relevant passages were analyzed in Chapter 6, where it was shown that the sentiment is a reaction to the army's role in the turmoil of the first century – that is, not anti-militarism for its own sake. Cicero's rationale is essentially that civic activity is less able to harm the state than military activity, and is therefore to be preferred. Although the argument is simplistic, it is

defensible in context and thus stands as important evidence that the destabilizing influence of power-hungry generals was recognized at the time.

It is impossible to know how representative Cicero's perception of military matters is. Richardson suggests that "most of the political class amongst whom he lived and to whom he spoke and wrote will have been more like [him] than Caesar."⁵⁵⁷ Because the orator's chief aim was to persuade, we may reasonably assume that his speeches reflect his audience's priorities at least as much as they represent his own views. Similar arguments may be made for his public letters, which would have been calculated to appeal, and the treatises, which were not without political significance in their own right. Nevertheless, his obvious distrust of the army raises important questions about the effect of his civilian perspective on his attitude towards military matters. It would be easy, for instance, to construct an outwardly-consistent argument that his preference for civic activity was borne of self-interest. That his talents suited him for a domestic career is undeniable; but, as was seen above, he was certainly not unacquainted with the world outwith the *pomerium*. More to the point, the analysis of his criticism of the army demonstrates conclusively that it was not based on ignorance resulting from his civilian identity.

I would go so far as to argue that being a civilian troubled Cicero less than it does modern scholars. There is no evidence that he regarded himself, or was regarded by his peers, as politically disadvantaged because he lacked a military reputation.⁵⁵⁸ Conversely, there is ample evidence that he was fully involved in

⁵⁵⁷ Richardson 2008, 86.

⁵⁵⁸ The disparaging remarks by Livy's epitomator and Plutarch's Antony which were quoted above, p. 1 are not contemporary. "Antony's" insults are political invective and need not be taken seriously. Catiline's disparagement of Cicero as an *inquilinus* (Sal. *Cat.* 31.7) makes an instructive comparison, since it was also based on fact (Cicero's family were Italian) but clearly held no weight with the other

public life and always sought to be at the centre of events. The practical effect of his civilian career was that he was rarely absent from Rome for any length of time. He was thus ideally placed to observe the changing relationship between the Senate and the army, and to call attention to developments which he saw as threats to national security. His commentary is significant and valuable precisely because he criticizes the army from within the culture. It complements the more conventional narratives of Caesar and Sallust, and contributes to a much more nuanced understanding of his place in the late Republic.

senators. On political invective concerning lifestyle and foreign origins, see Süss 1910, 253-4 and 248, respectively.

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