

**Reconsidering “The Conspiracy of Catiline”:
Participants, Concepts, and Terminology in Cicero and Sallust**

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to the University of Exeter as a thesis for the degree of
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Abstract

My thesis will reconsider the failed attempt by a number of Roman citizens to gain power in Rome in 63 B.C., commonly labeled “The Conspiracy of Catiline.” Two Roman authors, M. Tullius Cicero and C. Sallustius Crispus, were eyewitnesses to the events occurring that year and both wrote lengthy accounts about the discovery and suppression of the affair and its participants, who were planning to gain power in Rome through violent means. The participants planned murder and arson inside of Rome and threatened the city with an army in northern Etruria. Our sources tend to ascribe the leadership of these hostile activities to L. Sergius Catilina, presented as a debauched, and indebted, scion of a noble family. However, our sources discuss many other Roman citizens who participated with the affair. My thesis provides a comprehensive study of the terminology Cicero and Sallust used and the lexical choices they made to describe the affair and its participants. I examine the terminology that both these authors used to identify the affair’s context, primarily focusing on the terms *coniuratio* (“conspiracy”) and *bellum* (“war”), with the aim of showing how these terms and concepts become crystallized in this period. In addition, I examine the portrayal of the reported disturbances occurring inside and outside of Rome and the representation of the Roman citizens who were involved in them. By scrutinizing the terminology found in Cicero and Sallust’s accounts of the affair of 63, my thesis demonstrates that its common appellation as “The Conspiracy of Catiline” and all that it means – in terms of a single event with one leader – needs to be reconsidered due to the interpretations of its multifarious aspects.

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Notes and Abbreviations

Texts and translations

I have used the text and translations from The Loeb Classical Library throughout my thesis. I note the cases when a textual dispute or uncertainty impinges on an argument. The passages I cite are in translation, with the original text supplied alongside the English in double quotes in the main body or in the footnotes in all instances. A passage or quote I have supplied a modified translation of into English appears in single quotes alongside the original text. If the original text or translation does not come from The Loeb Classical Library, I cite the text or author in the footnotes. Key terms are in the original, usually with an accompanying translation in single quotes. I tend to supply the headword and *sub voce* found in the *Oxford Latin Dictionary* of the corresponding definition of the term in a footnote for clarification. Any failure in not applying this method is my own error. The translations used for the ancient sources I specifically cite can be found in the bibliography.

Spelling

I use American English spelling throughout my thesis. Roman authors and certain names of Romans are found in their recognized anglicized forms, for example Caesar, Pompey, Mark Antony, and Octavian. The decision as to which names to render in the anglicized form has been a subjective one and any confusion or inconsistencies are my error. For the Roman *praenomen* "Gaius" or "Caius", I use "C". Possessives are marked by an apostrophe alone when they end with "s", i.e. Manlius' army and Lentulus' influence.

Dates

All dates are 'B.C.' unless otherwise stated.

Footnotes

Each part of my thesis contains its own footnotes. References to footnotes within the Chapter are designated as, see n.#. Any reference to footnotes or pages in the other Chapters and sections are designated as, Chapter# section # n.# or p.#. References to the participants or possible participants in the affair located in Appendix I are designated as, Appendix I, [no.].

Abbreviations

Ancient authors and their works, where abbreviated, are done so according to standard conventions; for a listing of these refer to the *Oxford Classical Dictionary* (revised 3rd edition, 2003). For Sallust's *Catilina*, I use the abbreviated form *Sall. B Cat.* in order to distinguish it from the abbreviation of Cicero's *Orations*, which are abbreviated *Cic. Cat.* Note the trial numbers not the page numbers appear alongside any reference to the *TLRR* in the footnotes. For journal title abbreviations in the bibliography refer to *L'Annee Philologique*. Note further:

Ampel.	Ampelius, <i>Liber memorialis</i>
App. <i>B Civ.</i>	Appian, <i>Bella civilia</i>
Asc...C	Asconius, ed. A.C. Clark (Oxford 1907)
<i>B Afr.</i>	<i>De Bello Africo</i>
<i>B Alex.</i>	<i>De Bello Alexandrino</i>
<i>B Hisp.</i>	<i>De Bello Hispaniensis</i>
<i>BTL</i>	<i>Bibliotheca Teubneriana Latina</i> , On-line database
Caes. <i>B Civ.</i>	Caesar, <i>De Bello Civili</i>
Caes. <i>B Gall.</i>	Caesar, <i>De Bello Gallico</i>
<i>CAH</i>	<i>The Cambridge Ancient History</i> , 2nd edn.(Cambridge 1984-2005)
<i>Cic. Ad Brut.</i>	Cicero, <i>Epistulae ad Brutum</i>
<i>Cic. Att.</i>	Cicero, <i>Epistulae ad Atticum</i>
<i>Cic. Balb.</i>	Cicero, <i>Pro Balbo</i>
<i>Cic. Brut.</i>	Cicero, <i>Brutus</i>
<i>Cic. Caecin.</i>	Cicero, <i>Pro Caecina</i>
<i>Cic. Cael.</i>	Cicero, <i>Pro Caelio</i>
<i>Cic. Cat.</i>	Cicero, <i>In Catilinam</i>
<i>Cic. Clu.</i>	Cicero, <i>Pro Cluentio</i>
<i>Cic. Comment. pet.</i>	Cicero (Quintus), <i>Commentariolum petitionis</i>
<i>Cic. Deiot.</i>	Cicero, <i>Pro rege Deiotaro</i>
<i>Cic. Div.</i>	Cicero, <i>De divinatione</i>
<i>Cic. Dom.</i>	Cicero, <i>De domo sua</i>
<i>Cic. Fam.</i>	Cicero, <i>Epistulae ad familiars</i>
<i>Cic. Fin.</i>	Cicero, <i>De finibus</i>
<i>Cic. Flac.</i>	Cicero, <i>Pro Flacco</i>

Cic. <i>Font.</i>	Cicero, <i>Pro Fonteio</i>
Cic. <i>Har. resp.</i>	Cicero, <i>De haruspicum responso</i>
Cic. <i>Leg. agr.</i>	Cicero, <i>De lege agraria</i>
Cic. <i>Lig.</i>	Cicero, <i>Pro Ligario</i>
Cic. <i>Mil.</i>	Cicero, <i>Pro Milone</i>
Cic. <i>Mur.</i>	Cicero, <i>Pro Murena</i>
Cic. <i>Nat. D.</i>	Cicero, <i>De natura deorum</i>
Cic. <i>Off.</i>	Cicero, <i>De officiis</i>
Cic. <i>Orat.</i>	Cicero, <i>De oratore</i>
Cic. <i>Parad.</i>	Cicero, <i>Paradoxa Stoicorum</i>
Cic. <i>Phil.</i>	Cicero, <i>Orationes Philippicae (Philippics)</i>
Cic. <i>Pis.</i>	Cicero, <i>In Pisonem</i>
Cic. <i>Prov. cons.</i>	Cicero, <i>De provinciis consularibus</i>
Cic. <i>Q Fr.</i>	Cicero, <i>Epistulae ad Quintum fratrem</i>
Cic. <i>Quinct.</i>	Cicero, <i>Pro Quinctio</i>
Cic. <i>Rab. perd.</i>	Cicero, <i>Pro Rabirio perduellionis</i>
Cic. <i>Red. sen.</i>	Cicero, <i>Post reditum in senatu</i>
Cic. <i>Rep.</i>	Cicero, <i>De republica</i>
Cic. <i>S. Rosc.</i>	Cicero, <i>Pro S. Roscio Amerino</i>
Cic. <i>Scaur.</i>	Cicero, <i>Pro Scauro</i>
Cic. <i>Sest.</i>	Cicero, <i>Pro Sestio</i>
Cic. <i>Sull.</i>	Cicero, <i>Pro Sulla</i>
Cic. <i>Tusc.</i>	Cicero, <i>Tusculanae disputationes (Tusculan disputations)</i>
Cic. <i>Vat.</i>	Cicero, <i>In Vatinius</i>
Cic. <i>Verr.</i>	Cicero, <i>In Verrem (Verrines)</i>
Dio Cass.	Dio Cassius (Dio)
Diod. Sic.	Diodorus Siculus
Dion. Hal. <i>Ant. Rom.</i>	Dionysius of Halicarnassis, <i>Antiquitates Romanae</i>
Eutr.	Eutropius
Flor.	Florus
Front. <i>Str.</i>	Frontinus, <i>Strategemata</i>
G-L	Gildersleeve, B.L. and Lodge, G. <i>Gildersleeve's Latin Grammar</i> (London 1895). Reprinted 1976.
Gell. <i>NA</i>	Gellius, <i>Noctes Atticae</i>

Gran. Lic.	Granius Licinianus
H-B	Hale, W.G and Buck, C.D. <i>A Latin Grammar</i> (Alabama 1903). Reprinted 1966.
<i>HRR</i>	Peter, H. <i>Historicorum Romanorum Reliquiae</i> , 2 vols. (Leipzig 1906-14). Reprinted with addenda 1993.
<i>ILS</i>	<i>Inscriptiones Latinae Selectae</i> , ed. H. Dessau, 3 vols. (Berlin 1892-1916)
Jul. Obs.	Julius Obsequens
Lact. <i>Div. inst.</i>	Lactantius, <i>Divinae institutiones</i>
Lact. <i>Ira</i>	Lactantius, <i>De ira</i>
Liv.	Livy, <i>Ab urbe condita</i>
Liv. <i>Per.</i>	Livy, <i>Periochiae</i>
LSJ	Liddell, H. and R. Scott, <i>Greek-English Lexicon</i> , 9th edn., rev. H. Stuart Jones; suppl. E. Barber et al. (Oxford 1968)
Luc.	Lucan, <i>De bello civili</i>
<i>MRR</i>	Broughton, T.R.S. <i>Magistrates of the Roman Republic</i> , 3 vols. (New York 1951 - Atlanta 1986)
Nep. <i>Alc.</i>	Cornelius Nepos, <i>Alcibiades</i>
Nep. <i>Dion</i>	Cornelius Nepos, <i>Dion</i>
<i>OLD</i>	<i>Oxford Latin Dictionary</i> , ed. P.G.W. Glare (Oxford 1982)
Ov. <i>Fast.</i>	Ovid, <i>Fasti</i>
Ov. <i>Met.</i>	Ovid, <i>Metamorphoses</i>
Plaut. <i>Asin.</i>	Plautus, <i>Asinaria</i>
Plaut. <i>Cist.</i>	Plautus, <i>Cistellaria</i>
Plaut. <i>Merc.</i>	Plautus, <i>Mercator</i>
Plin. <i>NH</i>	Pliny (the Elder), <i>Naturalis historia</i>
Plin. <i>Ep.</i>	Pliny (the Younger), <i>Epistulae</i>
Plut. <i>Caes.</i>	Plutarch, <i>Life of Caesar</i>
Plut. <i>Cam.</i>	Plutarch, <i>Life of Camillus</i>
Plut. <i>Cat. min.</i>	Plutarch, <i>Life of Cato Minor</i>
Plut. <i>Cic.</i>	Plutarch, <i>Life of Cicero</i>
Plut. <i>Luc.</i>	Plutarch, <i>Life of Lucullus</i>

Plut. <i>Mar.</i>	Plutarch, <i>Life of Marius</i>
Plut. <i>Mor.</i>	Plutarch, <i>Moralia</i>
Plut. <i>Num.</i>	Plutarch, <i>Life of Numa</i>
Plut. <i>Pomp.</i>	Plutarch, <i>Life of Pompey</i>
Plut. <i>Sull.</i>	Plutarch, <i>Life of Sulla</i>
Polyb.	Polybius
Quint. <i>Inst.</i>	Quintillian, <i>Institutio oratoria</i>
RE	<i>Real-Encyclopädie der classischen Altertumswissenschaft</i> , edd. A. Pauly, G. Wissowa and W. Kroll (Stuggart 1893-1980)
Sall. <i>B Cat.</i>	Sallust, <i>Bellum Catilinae</i> or <i>De Catilinae coniuratione</i> (<i>Catilina</i>)
Sall. <i>B Iug.</i>	Sallust, <i>Bellum Iugurthinum</i>
Sall. <i>Hist.</i>	Sallust, <i>Historiae</i>
Sen. <i>Ira</i>	Seneca (the younger), <i>De ira</i>
Serv.	Servius, <i>Ad Aeneis</i> (commentary of Vergil's <i>Aeneid</i>)
Stat. <i>Ach.</i>	Statius, <i>Achilleis</i>
Stat. <i>Theb.</i>	Statius, <i>Thebais</i>
Strabo	Strabo, <i>Geography</i>
Suet. <i>Aug.</i>	Suetonius, <i>Divus Augustus</i>
Suet. <i>Gai.</i>	Suetonius, <i>Gaius</i>
Suet. <i>Iul.</i>	Suetonius, <i>Divus Iulius</i>
Tac. <i>Ann.</i>	Tacitus, <i>Annales</i>
TLL	<i>Thesaurus Linguae Latinae</i> (Leipzig 1900 -)
TLRR	Alexander, M.C. <i>Trials in the Late Roman Republic, 149 B.C. to 50 B.C.</i> (Toronto 1990)
Val. Max.	Valerius Maximus
Varro <i>Ling.</i>	Varro, <i>De lingua Latina</i>
Varro <i>Rust.</i>	Varro, <i>Res rusticae</i>
Vell. Pat.	Velleius Paterculus
Verg. <i>Aen.</i>	Vergil, <i>Aeneid</i>

Introduction

This thesis aims to provide an in-depth examination of the interpretation by M. Tullius Cicero and C. Sallustius Crispus of an unsuccessful attempt by Roman citizens to gain power in Rome in 63 B.C. Both Cicero and Sallust were alive that year; the former was consul and the latter was a young aspiring politician. In addition, both men witnessed the events and wrote lengthy accounts regarding this failed attempt to gain power in Rome, both of which survive today. One of the key questions at the heart of this study is how Cicero and Sallust interpreted this event primarily by examining the terminology both writers chose to describe it and the people who were involved. In so doing it will show how it was in this period that such events began to be conceived of as one category, which we today term “conspiracy.” Modern historians most commonly label the plot, “The Conspiracy of Catiline.” However, it will be demonstrated that the lexical choices Cicero and Sallust made to portray the actions occurring both inside and outside of Rome from July 63 until mid-January 62 were more nuanced than the title “The Conspiracy of Catiline” suggests. Both Cicero and Sallust most often used either the term *coniuratio*, usually translated into English as a “conspiracy”, or the term *bellum*, meaning “war”, to interpret certain actions of the plot. Throughout my thesis, I generally avoid using either the word “conspiracy” or the word “war” in reference to these events and instead use a more neutral phrase “the affair of 63.” Correspondingly, I use the word “participants” or “supporters” instead of the word “conspirators” to refer to those involved with the affair. In most cases, I retain the specific Latin term found in our sources’ texts to eschew representing the affair as a “conspiracy”, or a “war” until a comprehensive study of the terminology establishes how the affair should be interpreted.

Orosius, writing in the fifth century A.D., recalled that the primary actions of the affair of 63 occurred both in Rome and in northern Etruria. He explained that *in Etruria vero belli civili extincta est; Romae conscii coniurationis occisi sunt* ‘Indeed [the affair] was extinguished by *bellum civile* in Etruria; in Rome, the accomplices of the *coniuratio* were put to death’ (Oros. 6.6.5). Part of my thesis examines the usage of the terms *coniuratio*, *bellum civile*, and other related terms that Cicero and Sallust used to emphasize the multifaceted nature of the affair. In addition, I investigate the disturbances occurring inside and outside of Rome by examining the lexical choices our sources used to interpret

these disturbances and the people involved. Furthermore, I explore the contexts the term *coniuratio* described in other writers' works from the Late Republic to demonstrate how its ideology developed.

Both Cicero and Sallust's accounts of the affair portray the Roman Senator L. Sergius Catilina, as the mastermind and instigator of a plan to gain power in Rome through violent and subversive means. Catiline was a debauched and indebted scion of a noble family who had most recently lost the election for consul a second time in 63 after being defeated by Cicero in 64. In addition, Cicero and Sallust presented Catiline as the lynchpin between the actions occurring both inside and outside of Rome that were threatening the stability of the *res publica* in the waning months of 63 and the beginning of 62. All of the later accounts of the affair used Cicero and Sallust's works as their sources and therefore emphasized Catiline's role as the leader of the affair. However, when examining the text of Cicero and Sallust's accounts and the terminology they used to identify the roles of the other Roman citizens involved there is evidence suggesting two other men were perhaps as influential as Catiline. Most ancient historians and modern scholars often focus on the complicity of two of the major power players in Rome at the time, namely C. Julius Caesar and M. Licinius Crassus. Nevertheless, neither man was ever brought to trial or suffered any setback in their careers to suggest that their support of the affair was anything more than rumor. Instead, explicit evidence suggests that the actions of one of the praetors of 63, P. Cornelius Lentulus Sura, and a Sullan veteran, C. Manlius, were perhaps acting independently from Catiline. This evidence has led some scholars to suggest that Catiline's influence on the affair can be tested. In general, they employ similar methodologies to examine Lentulus and Manlius' roles. By methodically examining the lexical choices the accounts of the affair used to describe Lentulus and Manlius' roles and the actions that they were in charge of inside of Rome and outside of the city respectively, my thesis plans to demonstrate that Catiline's established role as the most influential and sole mastermind behind the affair should be reconsidered.

According to our sources, citizens from all classes in Rome and in several regions within Italy participated in the affair. Whether the disturbances in other parts of the country were directly linked to the plan to gain power in Rome remains inconclusive. Cicero and Sallust's accounts primarily focus on

the actions occurring in Rome and certain parts of Etruria. Therefore, the citizens involved in these locations become the *dramatis personae* we know about most. Many leading Roman citizens, nobles, senators, knights, and magistrates were purportedly involved in the scheme, therefore, we cannot determine a primary leader. Some of these citizens were directly involved and others were rumored to support the affair, but in either case, we know many of their names. Some, including Catiline and Manlius, met their fate in the final battle near Pistoria and five other citizens, including Lentulus, who confessed to participating in the affair, were executed in Rome on December 5, 63 without recourse to a formal trial. In the following years, other citizens were prosecuted in court and found guilty. A few were acquitted of these allegations and there is evidence that some of the affair's supporters were never formally tried.

Despite the good amount of surviving works that recount the affair, its multifaceted plans acted upon by a diverse group of supporters from both inside and outside of Rome make it a complex event to definitively classify. It is a rare opportunity to be able compare two eyewitnesses' accounts describing the same subject in Antiquity, but in so doing we can best understand an event's context at the time by scrutinizing the terminology found in these writers' works. While there are other surviving accounts regarding the affair of 63 written in Greek by Plutarch, Appian, Dio Cassius, and the brief accounts in Latin by Velleius Paterculus, Florus, Eutropius, and Orosius, these were written centuries later. Therefore, I will only note the later accounts when necessary. Instead, my thesis focuses on the almost contemporaneous accounts written by Cicero and Sallust to offer the closest terminological comparison regarding the affair's interpretation and the representation of its participants.

On November 8, 63 Cicero addressed the Senate divulging his initial discovery of a subversive plot to gain power in Rome. He claimed that many Roman citizens planned to murder the leading magistrates of the current regime, to burn parts of Rome, and at the same time march on the city with an army from northern Etruria completing the general massacre of those in opposition to their ultimate goal to gain power in Rome. Cicero gave this speech after an attempt was made on his own life and after he had received reports of Catiline's involvement in the affair. Catiline was present in the Senate when the speech was delivered. Either due to embarrassment, or guilt, or due to the insistence of others involved in the affair, or perhaps according to its

plans, Catiline left Rome the next day. There were rumors that he was proceeding to Massilia to live in self-imposed exile. Cicero dispelled these rumors when he delivered another speech from the *rostra* to the people of Rome on November 9 insisting that Catiline was on his way to the camp in northern Etruria where Manlius had gathered an army. Cicero delivered two more speeches against the participants in the affair who remained in Rome on December 3 and 5, 63. These two speeches revealed that these citizens were continuing the plan to overthrow the current regime in the city through arson, murder, and by attempting to solicit support from a Gallic tribe, the Allobroges, to lend military support to Catiline and Manlius' army.

Cicero's four impassioned speeches revealing the affair are referred to as *In Catilinam I-IV*, according to the manuscript tradition. However, Cicero did not refer to these speeches with these titles. Three years after Cicero's consulship, his friend Atticus requested the consular speeches Cicero had delivered due to a personal interest in them as well as their oratorical appeal to other young enthusiasts. In the letter, Cicero describes the first speech regarding the affair of 63 as *cum Catilinam emisit* "when I allowed Catiline to escape", the second *quam habui ad populum, postridie quam Catilina profugit* "which I delivered to the people, the day after Catiline fled", the third *in contione, quo die Allobroges indicarunt* "in a public meeting, on the day that the Allobroges made their revelation", and the fourth *in senatu Nonis Decembris* "in the Senate on the fifth of December" (Cic. Att. 2.1.3).¹ As mentioned, these speeches are labeled *In Catilinam I-IV* and more commonly referred to as the "Catilinarians" by modern scholars. This appellation fuels the assumption that the four speeches were directed at Catiline alone due to his role in the affair. This assumption is incorrect and is confirmed by Cicero's own words in his letter to Atticus. Only the first speech was directed at Catiline. The second claimed Catiline had fled Rome to join Manlius' army at Faesulae and described the types of people who would be attracted to the affair. The third and fourth speech specifically focused on the fate of Lentulus and the other participants remaining in Rome that confessed to their involvement. Therefore, in order to avoid being misleading, I refer to *In Catilinam I-IV* throughout my study as the *Orations* or individually as the *First, Second, Third, or Fourth Oration*.

¹ For a detailed explanation of this passage in the letter, cf. Settle 1962, 41-3; Shackleton Bailey 1965, 345-6; Dyck 2008, 10.

The letter to Atticus was sent in June 60 and most scholars believe that Cicero most likely edited the *Orations* he delivered in 63 to mollify his severe punishment of those who participated in the affair during his consulship. The debate continues. We are reasonably sure that the publication of some of Cicero's works can be attributed to Atticus, however, whether his forensic speeches were edited remains debatable. Scholars presume that most of Cicero's forensic speeches were most likely published shortly after their delivery.² Cicero remarked in the *Pro Sulla*, when the evidence against the participants remaining in Rome was given on December 3 in the *Third Oration*, that he had instructed four senators who were skilled in writing by memory with understanding and speed to correctly record what was said (Cic. *Sull.* 42).³ This was done in anticipation of the other participants, who were brought to trial regarding their involvement in the affair years later, in order that that they could be defended or prosecuted accurately. However, other scholars have examined the instances in the *Orations* when Cicero seemed to defend his actions as consul before the capital punishment of Lentulus and the others had been decided and his foresight of the political jeopardy Cicero had to confront in the years following his consulship suggesting that the speeches were revised.⁴

Despite the ongoing scholarly debate regarding the revision of the *Orations*, we cannot adequately determine if the surviving text was published soon after they were delivered or three years later when he sent his letter to Atticus.⁵ If the *Orations* were revised then the rhetoric Cicero employed against Lentulus and the other participants remaining in Rome and the affair's threat might have been exaggerated due to the continued hostility from Cicero's political enemies after 63. I believe the scholars' arguments for a later

² Cf. Settle 1962, 46 and 60-7; McDermott 1972, 277-80.

³ See Chapter 2 n.219.

⁴ Settle (1962, 60-7) explains that while most of Cicero's forensic speeches were published soon after delivery, the impromptu speeches, such as the *First* and *Fourth Oration*, had to be written down later leaving room for revision. McDermott (1972, 283-4) concludes that there is not enough evidence to prove that the consular orations were revised. Cape Jr. (1995, 257-9) maintains the *Fourth Oration* was circulated soon after. In contrast, other scholars argue that some, or all four, of the *Orations* show certain signs of revision, cf. Nisbet 1964, 62-3; Syme 1964, 105-11; Rawson 1975, 75 and 81-3; Konstan 1993; Offerman 1995; Berry 2006, 153-4; Dyck 2008, 11-2; Lintott 2008, 17-8 and 142-8.

⁵ Scholars argue that Cicero's consular orations were published as a corpus, cf. Settle 1962, 127; Nisbet 1964, 62; Cape Jr. 1991, 14 contra McDermott 1972, 284. NB: Cicero sent Atticus copies of the consular speeches for Atticus himself, his clients and to have them distributed in Greece, but the letter does not indicate that Cicero's consular orations were not already in circulation in Rome. For the debate regarding Atticus' role in publishing Cicero's speeches, cf. Settle 1962, 37-46; McDermott 1972, 281; Phillips 1986; Starr 1987, 218-9; Murphy 1998, 496-501.

publication are the most cogent.⁶ Fortunately, Cicero also recounted the affair in the *Pro Murena*, delivered some time between the *Second Oration* and *Third Oration* (November 9 and December 3 respectively), and in the *Pro Sulla* that was delivered the following year. Although a similar argument could be made regarding the revision of the *Pro Murena* since it was one of the consular orations sent to Atticus in 60, the *Pro Sulla* was most likely published soon after it was delivered.⁷ However, all of Cicero's writings that recount the affair of 63 are significant and for my purposes the terminology Cicero chose to use to describe the affair is more important than whether the speeches were revised for publication or not.

The evocative and eloquent narrative about the affair of 63 written approximately twenty years later by C. Sallustius Crispus also survives. The protagonist of his monograph is Catiline, however, Sallust named many other Roman citizens as participants of the affair. Some scholars label Sallust's work according to the grammarian tradition, as the *Bellum Catilinae*.⁸ However, in the preface of Sallust's monograph, it states that he will discuss *de Catilinae coniuratione* (Sall. *B Cat.* 4.3). Therefore, some commentators either choose to entitle their commentaries of Sallust's work as *De coniuratione Catilinae* instead of *Bellum Catilinae* further complicating the representation of the affair as a whole.⁹ Gellius referred to Sallust's monograph as the *Catilina* and I will use this appellation when I refer to it throughout the thesis (Gell. *NA* 3.1). We may speculate as to why Sallust chose to use Catiline as the primary protagonist in his monograph. Firstly, Sallust's portrait of Catiline served as an *exemplum* to demonstrate the decline of the *mos maiorum* in Rome since the loss of the *metus hostilis* when the Carthagians were decisively defeated in 146.¹⁰ Sallust represented Catiline as the archetypical Roman *nobilis* whose lust for money

⁶ See n. 4.

⁷ Both forensic speeches were probably circulated soon after their delivery. For a discussion of the immediate circulation of the *Pro Murena*, see Settle 1962, 148-54. For the *Pro Sulla*, cf. Settle 1962, 158; Berry 1996, 58.

⁸ Quintillian collectively called Sallust's monographs on Catiline and Jurgurtha as *in bello Iugurthino et Catilinae* (Quint. *Inst.* 3.8.9). The title *Bellum Iugurthinum* most likely influenced the title of the *Catilina*. Rolfe (1931, xiv n.3) explains that most grammarians from the fourth century A.D. chose to label Sallust's work the *Bellum Catilinae*.

⁹ For example, the Teubner Edition is titled *Catilinae Coniuratio* and the Loeb uses *Bellum Catilinae*. Commentators of Sallust's work from the fifteenth century A.D. alternately named their commentaries using the term *bellum* or more often *coniuratio* (this information was gathered from a search of commentaries' titles in the British Library, February 2009.) Modern commentators also vary using the title *De coniuratione Catilinae* (primarily used in European commentaries) or *Bellum Catilinae* (primarily used in English or American commentaries.)

¹⁰ Sall. *B Cat.* 10.

and power, which had increased to dangerous levels during the Late Republic, drove him to attempt to gain power in Rome through subversive and violent means after failing to be elected consul in 64 and 63.¹¹ Secondly, Catiline was the lynchpin between the actions occurring inside and outside Rome in conjunction with the affair. Catiline was in Rome when the affair was initially discovered and then joined Manlius' army in Etruria. The climax of Sallust's monograph describes the final battle between Catiline and Manlius' forces and the forces loyal to the current ruling establishment in Rome. Sallust wrote his monograph after the recent struggles between Pompey and Caesar and during the conflicts between the members of the Second Triumvirate that rocked the foundations of the *res publica*. Therefore, the final battle between Roman citizens in the *Catilina* offered Sallust a perfect opportunity to condemn civil wars and emphasize the immoral qualities of those involved in these types of conflicts.¹² These might be reasons why Sallust chose Catiline as his main character, however, Sallust included the names of many others who participated or supported these actions as well. The *Catilina* contains evidence that suggests Lentulus and Manlius were as significant as Catiline despite the latter's dominance throughout the narrative.

The five chapters that follow include their own comprehensive introductions and conclusions. Chapter 1 introduces the affair with a summary of the events beginning in July 63 until Catiline and Manlius' defeat in northern Etruria in mid-January 62, as described in our sources. Cicero and Sallust frequently used the term *coniuratio* or its cognates to identify the affair and its participants. The term *coniuratio* is most often translated as a "conspiracy" and this chapter examines the particular terminology both authors chose to emphasize the conspiratorial aspects of the affair. Both authors used similar language that accentuated its clandestine, criminal, immoral, and plural aspects. Each aspect and its corresponding terminology are reviewed in the sections of Chapter 1 to demonstrate the way Cicero and Sallust interpreted its

¹¹ On Catiline's choice to resort to arms, cf. Sall. *B Cat.* 14, 26.5. On the decline of morals in the *Catilina*, see Chapter 4 nn. 47, 98, 113. Sallust admitted that he, too, desired *avaritia* and *ambitio* and was accused of these vices during his own political career (3.3-4). On Catiline's unsuccessful bids for the consulship, see Chapter 2 n.239.

¹² The *terminus post quam* of Sallust's *Catilina* is after Caesar's murder in 44. Sallust wrote the monograph sometime between this date and his death in 35, see McGushin 1977, 3. For a more detailed discussion, see Syme 1964, 128-9.

conspiratorial context and how these terms accentuated the definition of a *coniuratio*.

Chapter 2 focuses on the way our sources interpreted the disturbances in Rome and those who stayed in the city after Catiline left and were continuing to participate in the affair after it was exposed. As mentioned, after Cicero's delivery of the *First Oration* divulging the affair's plans on November 8, Catiline left Rome. In the subsequent *Second Oration* and the *Pro Murena*, delivered after Catiline's departure and before some of the participants remaining in Rome were seized on December 3, Cicero frequently stressed the seriousness of the threat these men represented. The threat in Rome emanated from the many participants among the Roman elite who were determined to continue the affair's ultimate goal to gain power in Rome through murder and arson. Part A of this chapter examines the threat in the city by reviewing the specific criminal and violent actions that were planned. The next section highlights our sources' insistence that many were willing to support the affair due to their debilitating financial condition. I review the debt crisis in the *res publica* at the time and conclude that this was not an excuse for those willing to support the affair, as the crisis was ubiquitous regardless of status. The chapter continues to concentrate on the presentation of the remaining participants in Rome. I examine the terminology used to describe the participants in the city and demonstrate how the leadership of the affair shifted after Catiline's departure.

In Part B of Chapter 2, I evaluate the influence of the praetor P. Cornelius Lentulus Sura as the highest-ranking member who was apprehended, confessed, and executed for planning murder, arson, and soliciting support for the affair from the Gallic envoys of the Allobroges. In comparison to the other participants remaining in Rome, our sources focus on Lentulus' role and represent him as the leader of the actions in the city. First, I examine our sources' portrayal of Lentulus as the leader in Rome comparing it to the depiction of Catiline as leader of the army in Etruria. Subsequently, I discuss Lentulus' career to further demonstrate the significance of the participation of a current magistrate to overthrow the current ruling establishment. The role Lentulus played in soliciting the Allobrogean envoys is examined by exploring the language in the letter and verbal message to Catiline that were entrusted to the messenger T. Volturcius. Volturcius and the Gallic envoys were ambushed and the letters were seized supplying Cicero with concrete evidence and

witnesses who were prepared to testify against the participants remaining in Rome. Furthermore, I investigate the evidence in our sources regarding Lentulus' possession of a prophecy that predicted he would rule Rome in 63. I proceed to review the significance of prophecy in Roman religion to explain that Lentulus' prophecy cannot be readily discarded. The prophecy offers an alternative reason why Lentulus continued to participate in the affair long after it had been initially exposed. This chapter demonstrates that when we closely scrutinize our sources' representation of Lentulus' influence on the affair, the hierarchy of its leadership can be reevaluated.

The disturbances outside of Rome that our sources connect with the affair are investigated in Chapter 3. To begin, I discuss the consular elections of 63 to demonstrate that Catiline's supporters from outside of Rome included Sullan veterans and colonists as well as those adversely affected by Sullan colonization. Catiline's defeat in the elections prompted him to join Manlius' army in northern Etruria. The following section explores the connection between Catiline, Etruria, and the Sullan veteran Manlius and his army of disgruntled citizens from the region. This exploration leads us to the next section, which demonstrates how our sources connected Catiline and Manlius' actions with those that remained in Rome. The reason the Senate decided to pass the *Senatus Consultum Ultimum* (SCU) was due to reports that an army had assembled in Etruria. After Catiline left Rome and arrived in the army's camp, both he and Manlius were declared *hostes rei publicae* ('enemies of the State'). Having been awarded extraordinary powers to defend the *res publica*, Cicero sent his co-consul C. Antonius, several other magistrates, and former generals to secure other regions in Italy where the participants of the affair were attempting to incite. Another section reviews the reasons why certain regions in Italy were targeted to further demonstrate the connection between the disturbances occurring outside of Rome with the affair as a whole. On the other hand, this chapter provides another reason to reconsider Catiline's influence on the affair by examining the evidence in Sallust's *Catilina*, which suggests Manlius and his army might have initially acted independently to those planning to gain power in Rome.

I resume my investigation of the lexical choices Cicero and Sallust made to interpret the affair in Chapter 4. As mentioned, both authors also used the term *bellum* to describe its plans. The first two sections of the chapter review

the usage of *bellum* in Cicero and Sallust's accounts respectively. Although the battle between the loyal armies of the *res publica* and Catiline and Manlius' army that was eventually fought clearly was a war between citizens, Cicero and Sallust tended to avoid calling the affair a *bellum civile*. I explore the reasons why this expression was avoided and examine the other expressions Cicero and Sallust used to imply that the affair's plans pitted Roman against Roman. Lastly, I review Cicero's perception of the affair after it was suppressed to determine whether his use of *bellum* and the other expressions, which were previously examined, were used rhetorically. This final section provides an initial conclusion of the overall interpretation of the affair and its failed attempt to gain power in Rome.

Returning to the term *coniuratio*, Chapter 5 seeks to provide a more comprehensive understanding of the term by examining its usage in Cicero and Sallust's other works that do not describe the affair of 63 as well as its usage by others who wrote in the Late Republic. Initially, I review the first surviving occurrences of the term that appear in the works of Plautus. The playwright used *coniuratio* to stress the mutuality of the oath and its sacred bond. On the other hand, the occurrence of *coniuratio* on the early second century inscription of the *SC de Bacchanalibus* was used to convey its negative meaning of a mutual oath taken to commit a crime. I continue to review the term's usage to indicate the mutual oath taken by soldiers joining an army further demonstrating the term's flexibility depending on the context it was used to describe. Section 5.2 and its subsections review the specific contexts the term was used to identify primarily in the authors of Caesar's *Commentarii* and the few instances found in Varro and Cornelius Nepos. This examination demonstrates that these authors did not invariably use *coniuratio* to identify a conspiratorial context. However, the term was used most often to describe a negative state of affairs. This chapter continues to examine the usage of *coniuratio* in Cicero and Sallust's works not concerned with affair. The examination shows that both writers chose to use the term to interpret a criminal action and used the term to imply the aspects identified in Chapter 1 that indicate a conspiratorial context. Chapter 5 demonstrates that although *coniuratio* could be used in a neutral context, such as indicating a mutual oath or the military oath taken to join an army, by the Late Republic, the term was most often used to interpret a criminal activity expressing a decidedly negative ideology.

Accompanying my thesis is an addendum and two appendices that can be consulted throughout. The addendum reviews the varying definitions of the term *conspiratio*, the contexts it described, and its usage as a synonym with *coniuratio* when describing a conspiratorial context. Appendix I lists the recorded names of the participants and possible participants in the affair of 63. I also supply references and a summary in each entry. Appendix II is a timeline of events related to the affair from July 63 until Cicero's death on December 7, 43.

Chapter 1

Describing a *coniuratio*: The terminology Cicero and Sallust used to identify the conspiratorial context of the affair of 63

Before I begin my examination of the specific and distinct terminology Cicero and Sallust used to identify the affair and those participating in the affair of 63, I will briefly outline the context that led to it. The events that are supposed to have threatened the stability of Rome in 63 are detailed in the timeline in Appendix II. I will consider certain actions in more detail in the following chapters when necessary. The following is a summary of the key moments of the affair:¹

In July of 63, Rome was full of supporters for the candidates at the magisterial elections for the following year. The known candidates for the consulship for 62 were: L. Sergius Catilina, Ser. Sulpicius Rufus, D. Junius Silanus and L. Licinius Murena, who had fought under L. Licinius Lucullus in the war against King Mithridates in Asia. As one of the consuls for 63, it was Cicero's obligation to conduct the elections that summer.² He suspected violence in the *Campus Martius* and wore a breastplate under his toga to demonstrate the danger he felt, primarily from the supporters of Catiline, whom he had defeated in the consular elections in 64. Cicero decided he could not conduct the elections in an orderly manner, so they were postponed.³ When the elections were held, Murena and Silanus were voted as the two consuls for 62. Catiline had now been defeated in the consular elections two years in a row.⁴

Around October 20, M. Licinius Crassus and other leading citizens informed Cicero that they had received anonymous letters warning them that there were imminent plans for a massacre in Rome. At approximately the same time, it was reported in the Senate that a Sullan army veteran named C. Manlius was amassing an army of colonists and other citizens from Faesulae and Arretium in northern Etruria, approximately 150 miles from Rome. On October 21, the *Senatus Consultum Ultimum* (SCU) was declared, which

¹ This summary is a fusion of the events described in Cicero, Sallust, Plutarch, Appian, and Dio Cassius' accounts. The discrepancies between these authors are not discussed here in order to preserve the flow of this summary. See further, Appendix II.

² Pina Polo 2011, 284-90.

³ See Chapter 3 n.18.

⁴ For a detailed account of the elections of 63, see Chapter 3.1.

awarded the consuls extraordinary power to defend the *res publica* from impending danger using any means necessary. Cicero reported that he had been warned that those who were behind these subversive activities were attempting to capture Praeneste, a town approximately twenty miles from Rome. The town was alerted and the attempt to take Praeneste on November 1 was foiled. Cicero was informed of a secret meeting that took place at the Senator M. Porcius Laeca's house between Catiline and other leading citizens on the night of November 6. Cicero discovered that these men were planning to murder him and other leading citizens in Rome. In addition, they planned to set fire to parts of the city. Furthermore, they planned to solicit inhabitants from other regions in the Italian peninsula to join in a simultaneous armed uprising to support their attempt to overthrow the current rule in Rome.⁵ Cicero, informed of their decision to murder him the following morning after the meeting, was able to thwart the attempt. When the two assassins about whom Cicero was warned appeared at his house on the morning of November 7, his suspicions were confirmed. A day after the assassination attempt, Cicero summoned a meeting of the Senate and delivered the *First Oration* informing them of Catiline and the others' designs. He linked Catiline and the others with the revolt in Etruria, claiming that Catiline had sent arms to Manlius. Cicero claimed Manlius' instructions were to wait for Catiline before marching the army in Etruria towards Rome. Meanwhile, the other participants in the affair who had remained in the city were to continue with the plans for murder and arson to create panic when the army entered the city. Then, according to our sources, if these plans were successful the leading members of the affair would assume power in Rome and begin a 'reign of terror' similar to what occurred under Sulla twenty years earlier.⁶

After the *First Oration*, Catiline left Rome the night of November 8. After Cicero had exposed the subversive and violent plans that Catiline and other leading citizens were intending, some assumed that Catiline was withdrawing into voluntary exile. However, the day after Catiline departed from Rome, Cicero delivered the *Second Oration* from the rostra and told the people of Rome that Catiline was traveling to Faesulae to join the army in Etruria. Cicero claimed that Catiline had already sent a military standard ahead to Manlius and

⁵ See Chapter 3.4.

⁶ App. *B Civ.* 2.3. See also, Chapter 2 n.257.

was gathering more men and arms on his way to the army's camp. Cicero explained that these were not the actions of a citizen going into exile, instead, he insisted that these actions signaled preparations for war. Subsequently, the Senate passed the *Senatus Consultum Ultimum* ('SCU') and then declared Catiline and Manlius *hostes rei publicae* ('enemies of the Republic'). However, they continued their military preparations. Employing the powers awarded to the consul by the SCU, Cicero sent former generals, current praetors, and quaestors with orders to levy armies to prevent the other areas in Italy from supporting the affair. In addition, C. Antonius, Cicero's consular colleague, was ordered to raise an army to attack the forces amassing in Etruria while Cicero kept watch over Rome.⁷

Cicero continually claimed that many of the participants supporting the affair had not left with Catiline and had remained in the city instead. Cicero had no concrete evidence to prove this claim, until he was informed that several leading citizens in Rome had attempted to solicit support from the Allobroges, a Gallic tribe bordering the region of Transalpine Gaul.⁸ The tribe's envoys were in Rome to address certain grievances, which were ignored by the Senate. One of the current praetors, P. Cornelius Lentulus Sura, along with several other senators and knights approached the Gallic envoys believing that the Allobroges would most likely support a plan to overthrow the current regime in Rome. Lentulus, the senator, C. Cornelius Cethegus, and two knights, P. Gabinius Capito and L. Statilius swore a mutual oath and gave the Allobrogean envoys written pledges promising to reward the Gallic tribe if they aided Catiline and Manlius' army in Etruria. Unsure about the offer, the envoys informed their patron in Rome Q. Fabius Sanga of Lentulus and the others' plans. Sanga duly informed Cicero. He learned that Lentulus had instructed a man named T. Volturcius to escort the Allobrogean envoys from Rome to Catiline and Manlius' camp at Faesulae before daybreak on December 3. The envoys were told that Cicero planned to ambush T. Volturcius, as they were leaving Rome on the Mulvian Bridge a few miles outside of the city, in order to seize the letters he was carrying from Lentulus and the others to Catiline. The ambush was successful and Volturcius and the letters were secured. Volturcius and the

⁷ On the *hostis* declarations and the SCU of 63, see Chapter 3.3.

⁸ The territory of the Allobroges was situated between the Rhône and Lake Geneva, cf. Caes. *B Gall.* 1.6, 10, 11, 28. Q. Fabius Maximus subdued the tribe of the Allobroges in 121 (Vell. Pat. 2.10.2).

envoys told Cicero who had written the letters and Lentulus, Cethegus, Gabinius, and Statilius were summoned to the consul's house. Lentulus had also written a letter to Catiline requesting that he hurry with his army to Rome proving their apparent participation with the affair that Cicero had revealed a month earlier. The four Roman citizens were apprehended until a decision could be made regarding their subversive activities.

On the day of the ambush, Cicero called a meeting of the Senate to hear the testimonies of Volturcius and the Allobrogean envoys. Cicero told the people of Rome in the *Third Oration* what had transpired in the Senate and explained that the four citizens openly confessed to writing the letters. Volturcius and the envoys' testimonies also named two other senators, another Sullan veteran, and a freedman, but these men remained at large. However, M. Caeparius, a nobleman from Terracina, was also named and was caught trying to leave Rome on the same day. Two days later on December 5, Cicero and the Senate debated the punishment of these nine Roman citizens in the *Fourth Oration*. The five Roman citizens, who had confessed to supporting the affair and soliciting the Allobrogean envoys, were sentenced to death and executed without being allowed an appeal to the public or a formal trial.⁹

After Catiline and Manlius heard the news about the executions in Rome and realized that an integral part of the affair had failed, they decided that the army in Etruria should retreat to Gaul. However, Q. Caecilius Metellus Celer, the governor of Cisalpine Gaul, blocked their path to the northwest and the consul C. Antonius' forces were pursuing them from the south. In early January of 62, the rebel army was penned in the mountains near Pistoria and decided to face Antonius' army. Antonius feigned an illness so he did not have to engage his former friend Catiline. Antonius' legate M. Petreius took command of the army and a pitched battle ensued. Petreius' army was victorious and almost all the men in Catiline and Manlius' army perished.¹⁰ Catiline's head was sent to Rome and the affair was effectively suppressed since its presumed leading members were dead.¹¹ However, a few sources recorded that certain areas in the Italy supporting the affair were not subdued until a few years after its suppression.¹² Later in 62, seven more Roman citizens were convicted for their

⁹ Four others accused on December 3 remained at large, see Chapter 2 n.72.

¹⁰ On the final battle, cf. Sall. *B Cat.* 56.1-61.5-6; Plut. *Cic. App. B Civ.* 2.7; Dio Cass. 38.40.1.

¹¹ Only Dio recorded that Catiline's head was sent to Rome (Dio Cass. 38.40.2).

¹² See Chapter 3 n.107.

involvement and in 59 C. Antonius was found guilty for his support.¹³ Furthermore, our sources implicated other influential Roman citizens, who perhaps supported the affair. However, these men were never formally charged.¹⁴

Cicero and Sallust's accounts depict the affair of 63 as an attempt to overthrow the current rule in Rome through various subversive and hostile means. According to their accounts people supported the affair from both inside and outside of Rome. Therefore, the affair was occurring on two fronts *per se*.¹⁵ Both authors used the terms *coniuratio* or *bellum* to describe the affair and the activities of its participants. Therefore, it is necessary to investigate both terms and the related terminology Cicero and Sallust used to describe the affair in order to attempt to understand its context. This chapter focuses on the term *coniuratio* and the distinct terminology that Cicero and Sallust chose to describe the affair of 63.¹⁶

Cicero and Sallust initially identify the affair as a *coniuratio*. In the *First Oration*, Cicero declared that the entire Senate knew Catiline was embroiled in a *coniuratio* (Cic. *Cat.* 1.1). The statement was clearly hyperbole because many in the Senate including Cicero were not certain of who else was involved in the *coniuratio* or its true intentions. The purpose of the speech was to explain to the Senate what Cicero had discovered regarding the designs of the *coniuratio* and to divulge his knowledge and suspicions that many other citizens besides Catiline were involved with the *coniuratio*. Sallust stated in his preface of the *Catilina* that he would discuss *de Catilinae coniuratione* (Sall. *B Cat.* 4.3) Sallust uses the term 29 times in the *Catilina* in reference to the affair of 63.¹⁷

¹³ See n.64 and Chapter 2 n.106.

¹⁴ Most notably our sources suggest that C. Julius Caesar and M. Licinius Crassus supported the affair of 63. See Appendix I [nos. 26 and 27].

¹⁵ Sallust remarks *ea cum Ciceroni nuntiarentur, ancipiti malo permotus, quod neque urbem ab insidiis privato consilio longius tueri poterat, neque exercitus Manli quantus aut quo consilio foret satis compertum habebat* "When these events were reported to Cicero, he was greatly disturbed by the twofold peril, since he could no longer by his unaided efforts protect the city against these plots, nor gain any exact information as to the size and purpose of Manlius' army" (Sall. *B Cat.* 29.1).

¹⁶ NB: To avoid repetition I usually use *coniuratio* to refer to all of its forms and cognates, e.g., the verb *coniurare* and the concrete noun *coniurati*. When commenting on the term's specific form, I am more exact.

¹⁷ For *coniuratio*, cf. Sall. *B Cat.* 4.3, 17.1, 7, 18.1, 19.5, 23.1, 23.4, 24.1, 27.3, 30.6, 36.5, 37.1, 39.5, 40.6, 41.5, 43.1 (*bis*), 46.2, 47.1 (*bis*), 48.1, 48.4 (*bis*), 51.10, 52.14, 52.17, 52.24, 56.5, 57.1. NB: Sallust only used the concrete noun *coniurati* to refer to all the 'conspirators' in the affair once (52.17). He used *coniuratio* twice in reference to the affair of 66/65 (18.1, 19.5) but I have included these instances in my overall count because Sallust represented this affair using similar conspiratorial language to the affair of 63.

In Cicero's speeches directly concerning the affair of 63, the term occurs 18 times in the *Orations*¹⁸, four times in the *Pro Murena*, and 31 times in the *Pro Sulla*.¹⁹ Cicero also uses the term to either refer or allude to the affair and its participants in some of his later works.²⁰ In the entire Ciceronian corpus, almost three-quarters of the occurrences of the term *coniuratio* or its cognates refer or allude to the affair occurring in 63 and its participants.²¹ Due to the frequency of the usage of the term *coniuratio* when describing the affair of 63 in Cicero and Sallust's works, it is necessary to examine the specific terminology to express a context that the term *coniuratio* can identify.

According to the *OLD*, the noun *coniuratio*, the verb *coniurare*, and the concrete noun *coniuratus* have the following definitions:

coniuratio / ~nis: 1. The taking of an oath in common; *b.* the action of leaguering together; 2. a conspiracy, plot, treason, intrigue; (also) a friendly conspiracy; *b.* (*meton.*) a band of conspirators.

coniuro/~are: *v.i.* 1. To join in taking an oath; *b.* (of enemies) to form an alliance or league; 2. to join in a plot, form a conspiracy; 3. (*poet.* of things) to act in unison, conspire.

coniuratus/-i: 1. A conspirator; *pl.* a band of conspirators.²²

The term *coniuratio* is most frequently translated into English as a "conspiracy" and the term typically identifies a context that we would describe as "conspiratorial". According to the entries for "conspiracy" in the *Oxford English Dictionary*, a conspiratorial context, in sum, describes a secret plan to commit a crime or to cause harm often for political means.²³ Translating *coniuratio* into

¹⁸ The term *coniuratio* occurs once in a more general sense to describe the subversive activities since the plot to murder the new consuls of 65 at Cic. *Cat.* 1.31: *Etenim iam diu, patres conscripti, in his periculis coniurationis insidiisque versamur, sed nescio quo pacto omnium scelerum ac veteris furoris et audaciae maturitas in nostri consulatus tempus erupit.* "We have lived among these dangers and plots of *coniuratio* for a long time, gentlemen, but it has turned out that all these crimes and the reckless frenzy of such long standing have come to a head in my consulship."

¹⁹ *Coniuratio* occurs 38 times in the *Pro Sulla* in total. P. Cornelius Sulla was also accused of being involved in the *superior coniuratio* of 66/65 (Cic. *Sull.* 14). This *coniuratio* is referred to 8 times in the speech, cf. 11, 12(*bis*), 14, 67, 81(*bis*), 82. NB: Both *coniurationes* of 66/65 and 63 are referenced once together at *Pro Sulla* 11 (*duae coniurationes*), therefore I included this occurrence in the count regarding the reference to the *superior coniuratio* above.

²⁰ The term occurs twice in the *Pro Flacco*, four times in the *Pro Sestio*, five times in the *Pro Caelio*, four times in the *In Pisonem*, once in the *Pro Plancio*, three times in *De Domo Sua*, once in *De Haruspicem Responso*, once in *Post Reditu ad Senatu*, once in *De Provinciis Consularibus*, once in the *Paradoxa Stoicorum*, twice in *De Divinatione* and six times in Cicero's epistolary corpus. For a discussion of some of these instances, see Chapter 4.7.

²¹ 84 out of 115 or 73%.

²² NB: While the derivative *coniuratus/-i*, most commonly found in its plural form, was often used to denote the "conspirators", the noun *coniuratio* could also be used metonymically in reference to "a band of conspirators."

²³ The definition I use for a "conspiracy" combines most of the *sub voce* found under the headword in the *Oxford English Dictionary* 1993-.

English as a “conspiracy” is not imprecise, however, for the purposes of my argument I often retain the Latin term in the translation of the passages I examine to avoid labeling the affair.

I examine the specific terminology Cicero and Sallust used when they present the affair as a *coniuratio* in order to provide a clearer meaning of the type of context, which the term *coniuratio* defined.²⁴ The significant passages from Sallust’s *Catilina* and Cicero’s speeches that described these aspects, in particular, the *Orations*, the *Pro Murena*, and the *Pro Sulla*, are reviewed in the following sections. As both authors’ works examine the same events, it is not surprising that they used similar terms or expressions to identify certain common aspects to describe the context of a *coniuratio*. As demonstrated below, this terminology is used to describe the criminal, clandestine, immoral, and plural aspects of the affair that identify a *coniuratio* or defined a conspiratorial context.²⁵ Although distinguishing these aspects helps identify this specific context, the following chapters demonstrate the complex and, at times, ambiguous manner in which Cicero and Sallust classified the multifaceted subversive activities occurring in 63.

1.1 The clandestine aspects of the affair

The following examples in this section demonstrate Cicero and Sallust’s emphasis on the clandestine aspects during the affair of 63. Both writers detail events that were arranged in secret and hidden from public view. They used specific terminology to describe this aspect. The terms *tenebrae* (‘darkness’), *nox* (‘night’) or the latter term’s corresponding adjective *nocturnus* (‘nocturnal’) are used to describe the actions that were conducted at night. The verbs *latere* (‘to lie hidden’), *occultare* (‘to keep hidden’), its corresponding adjective *occultus* (‘hidden’), or the adverb *clam* (‘secretly’) are used to identify the plans of the *coniuratio* that were kept secret. In addition, Cicero and Sallust use either the verbs *comperire* (‘to disclose’), *patefacere* (‘to lay open’), *illustrare* (‘to bring to light’), *erumpere* (‘to burst forth’), *aperire* (‘to uncover’) or its corresponding adverb *aperte* (‘openly’) to explain how the clandestine activities of the affair

²⁴ The various meanings and usages of the term *coniuratio* that do not refer to the affair of 63 in Cicero are examined in Chapter 5.3.

²⁵ Pagan (2004, 7-10) notes the similar story lines in conspiracy narratives written by Sallust, Livy, Tacitus, Josephus, and Appian.

were revealed from obscurity.²⁶ First, I review examples of the terms that were used to express the nocturnal activity of the affair. Second, those examples that suggest secrecy and how Cicero and Sallust expressed the discovery of the affair are examined.

Cicero and Sallust recorded certain activities of the affair that occurred at night to emphasize its obscurity. In the *First Oration*, Cicero stationed a *nocturnum praesidium* ‘night garrison’ in Rome, indicating that those participating in the affair were primarily active at night in order to conceal their intentions.²⁷ When Cicero reported his prevention of the plan to capture Praeneste, he used the expression *nocturnus impetus* (‘a night attack’) to express the covert activity (Cic. *Cat.* 1.8).²⁸ Later, Cicero reported that Catiline and others supporting the affair met at the house of the senator M. Porcius Laeca to discuss their plans *priore nocte* ‘the night before’ (1.9). Sallust’s narrative concurs that the meeting occurred *intempesta nocte* ‘in the dead of night’ (Sall. *B Cat.* 27.3).²⁹ Clearly, Cicero and Sallust recorded that the meeting at Laeca’s house took place at night to emphasize that the type of subterfuge that was planned at the meeting could only occur in such a setting.³⁰ Sallust reported it was *eo nocte* ‘that night’ when the decision was made to murder Cicero (28.1).³¹ In the *Second Oration*, again referring to the night meeting, Cicero claimed that he discovered *omnia superioris noctis consilia* ‘all the plans from the previous night’ (Cic. *Cat.* 2.6). He emphasizes the obscurity of the meeting using the phrase *in nocturno* and told the people that *patefaci cetera: quid ea nocte egisset, ubi fuisset, quid in proximam constituisset* “I revealed the rest: what he [Catiline] had done that night, where he had been, what he had prepared the night before” (2.13). In these instances in the *Second Oration*, Cicero magnifies his diligence as consul, suggesting that his discovery of the affair and who was involved was a tireless effort as they tried to conceal their operations by meeting at night. When Sallust described Catiline’s flight from Rome, he remarked that it was *intempesta nocte* ‘in the dead of night’

²⁶ All of these terms listed can carry various definitions and some of these terms are clearly analogous. I have translated these terms to correspond with the definitions found in the *OLD* and to correspond with the usual way Cicero and Sallust used them in reference to the affair. NB: Cicero wrote the verb *illustrare* with its alternate affix *inl-*.

²⁷ Cf. Dyck 2008, 78 and 81.

²⁸ On Praeneste, see Chapter 3.4 pp. 171-3.

²⁹ Cf. Appendix I n.29.

³⁰ Cicero rhetorically questions if Catiline can enjoy the light of the sun, further implying the “darkness” of the affair (Cic. *Cat.* 1.15). Dyck 2008, 94.

³¹ See Chapter 2 n.261.

(Sall. *B Cat.* 32.1). Cicero insisted that Catiline was on his way to join the army in Etruria in the *Second Oration*.³² Cicero indicated that Catiline would continue to move during the night and stated he had notified all the colonies and municipalities in the Italian peninsula *de hac nocturna excursione Catilinae* ‘about Catiline’s night journey’, so that they could defend themselves from an attack (Cic. *Cat.* 2.26).

In addition, Cicero and Sallust reported the night activities of those remaining in Rome who continued to support the affair after Catiline left the city. When T. Volturcius was escorting the Allobrogean envoys from Rome to Faesulae, they left *cum advesperasceret* “when it was growing dark” (Cic. *Cat.* 3.5).³³ After Catiline joined Manlius’ army, Sallust asserted that L. Calpurnius Bestia, a tribune-designate for 62, was to give the signal to the participants remaining in Rome to start the fires and the massacre of leading citizens *proxima nocte* “On the following night” (Sall. *B Cat.* 43.1).³⁴ Similar to the instance in the *Second Oration* mentioned above when Cicero warned those outside of Rome about Catiline’s *nocturnus excursus* (Cic. *Cat.* 2.26), in the *Third Oration* he advised the people of Rome to stay on guard because others involved with the affair were still in the city *tamen aequae ac priore nocte custodiis vigiliisque* “As you did last night with your pickets and sentries” (3.29). In the *Fourth Oration*, Cicero claimed that the Senate must decide the punishment of Lentulus and the other four citizens that were apprehended *ante noctem* “before nightfall” (4.6).

Sallust’s narrative suggests that part of the reason behind the swift decision to execute the five Roman citizens was *ratus noctem quae instabat antecapere, ne quid eo spatio novaretur* “To forestall any new movement during the approaching night” (Sall. *B Cat.* 55.1). Sallust explains that Cicero wanted the Senate to decide on a sentence quickly because there were attempts by Lentulus and Cethegus’ clients and slaves to free them from custody on December 4, the day before the *Fourth Oration* was delivered (50.1-2).³⁵ It is

³² Cf. Cic. *Cat.* 2.1-7, 14-16, 20, 24.

³³ Sallust’s account concurred that Volturcius would leave in the night (Sall. *B Cat.* 45.1).

³⁴ NB: Cicero’s works did not mention that L. Calpurnius Bestia participated in the affair. See Appendix I, [no. 6].

³⁵ After Lentulus, Cethegus, Gabinius, Statilius, and Caeparius were apprehended on December 3, they were held in custody in other leading senators’ homes (Sall. *B Cat.* 47.3-4) NB: Cicero did not record where Lentulus and the others were held or an attempt to rescue them. In contrast, Cicero states that while Lentulus was in custody one of his clients was

understandable that those involved with the affair of 63 conducted certain activities under the cover of darkness. However, the examples above display a clear motive in Cicero and Sallust's description of the affair. They placed emphasis on the nocturnal activities of the affair to present it as a shadowy, sinister affair and demonstrate that its actions contained a degree of uncertainty being hidden from public view. On the other hand, Sallust contended that *nocturnis consiliis...plus timoris quam periculi effecerant* "By their meeting at night...they caused more apprehension than actual danger" (42.2). However, when highlighting the nocturnal activities of the participants, both authors accentuated the fear of the unknown, a distinctive aspect identifiable in a conspiratorial context.³⁶ Regardless, Cicero had been informed about the affair and soon divulged its secrets.

Both writers use specific terminology to describe the nocturnal activities of the affair and to indicate how these secret activities were uncovered. From the beginning, Cicero declared that *neque nox tenebris obscurare coetus nefarios...potest* 'Night cannot keep their criminal meetings hidden in the darkness'. The verbs *illustrare* and *erumpere* appear in this passage to convey that their plans had 'burst into the light' and Cicero emphasized this sentiment stating that *luce sunt clariora nobis tua consilia omnia* "All your plans are as clear as daylight to us" (Cic. *Cat.* 1.6).³⁷ He professed to the Senate that he had discovered everything (1.10: *omnia...comperi*). In the conclusion of the *First Oration*, Cicero further remarked that once the Senate had realized that Catiline was leaving Rome to join the army in Etruria then *omnia patefacta, inlustrata, oppressa, vindicata esse videatis* "You will see everything not only revealed and illumined but crushed and punished" (1.32). In the *Second Oration*, Cicero boasted that the disclosure of the affair's plans in the *First Oration* was a success because Catiline was driven *ex occultis insidiis* 'from hidden plots' (2.1). However, some people believed that Catiline was not leaving Rome to join Manlius' army, but was instead going into voluntary exile at Massilia (2.14). Cicero rejected the idea that Catiline was going into exile, and

allegedly trying to gain support for his patron among the poor in Rome (Cic. *Cat.* 4.17). Dyck 2008, 232-3.

³⁶ Pagan (2004, 22) argues that conspiracy narratives emphasize the unknown as a technique to add an element of suspense.

³⁷ Cf. Cic. *Mur.* 82: *omnia quae per hoc triennium agitata sunt...in hoc tempus erumpunt* "All the plots hatched over the last three years...are coming to a boil...this very moment."; *Sest.* 9: *cum illa coniuratio ex latebris atque tenebris erupisset* "After that *coniuratio* bust out from its hiding-place in the dark."

when it was reported that Catiline did join the army in Etruria, he claimed that *vos omnes factam esse aperte coniurationem contra rem publicam videretis* “You all see that a *coniuratio* has been openly formed against the Republic” (2.6). This passage in the *Second Oration* reiterates Cicero’s claim made at the end of the *First Oration* regarding Catiline’s plan to join Manlius’ army. However, Cicero’s claim in the *First* and *Second Oration* that he knew *omnia consilia* (‘all the plans’) of the affair was not confirmed until the letters on the Mulvian Bridge were seized and the testimonies of Volturcius and the Allobrogean envoys were heard nearly a month later.³⁸

Cicero described the groups of supporters that were willing to join the affair in the *Second Oration* to demonstrate his assertion that many were involved with the affair other than Catiline.³⁹ Cicero warned those supporting the affair specifically inside of Rome that their punishment would be harsh when *ut id quod latebat erumperet* ‘that which lay hidden burst forth’ (Cic. *Cat.* 2.27). When Cicero disclosed the secret plans of the affair’s participants who were apprehended on December 3, he used the verbs *comperire*, *patefacere*, and *illustrare* again to emphasize the initial clandestine nature of the affair in the *Third Oration*. In an exultant flourish from the *rostra* Cicero proclaims *quae quoniam in senatu inlustrata, patefacta, comperta sunt per me* “It is through my efforts that these plots have been detected, laid bare, and displayed to the Senate” (3.3).⁴⁰ Despite his boast, he insisted that he was assisted in exposing the affair through divine providence.⁴¹ The statue of Jupiter Optimus Maximus was erected on the same day the letters written by the participants remaining in Rome were seized in the ambush on the Mulvian Bridge. Cicero exploited the coincidence.⁴² He recalled the *haruspicum responsa* regarding certain ‘bad’ omens that occurred in 65.⁴³ The *haruspices* purportedly suggested that the statue should be placed facing east towards the forum and the Curia in order

³⁸ Cicero claimed he knew *omnia consilia*, cf. Cic. *Cat.* 1.1, 6, 10, 24, 32, 2.5-6, 13, 19, 26; *Sull.* 4, 14, 85.

³⁹ See Chapter 2.2.

⁴⁰ Cf. Cic. *Cat.* 4.5, which declared he received thanks because *perditorum hominum coniurationem patefactam esse* “a conspiracy of criminals had been revealed.”

⁴¹ See Cic. *Cat.* 3.18-22; cf. 1.32, 2.19. On the use of religious imagery and rhetoric in the *Third Oration*, cf. Goar 1978, 41-5; MacKendrick 1995, 104-5; Dyck 2008, 192-9.

⁴² Cf. Cic. *Div.* 1.17-21. NB: An excerpt from Cicero’s *De Consulato Sua* reproduced in *De Divinatione* referred to the clandestine aspect of the affair using the adjective *occultus*. The excerpt from Cicero’s poem on his consulship describes the providential placement of Jupiter’s statue *tum fore ut occultos populus sanctusque senatus cernere conatus posset* “Then would the people and the venerable senate be able to fathom hidden designs” (*Div.* 1.20). See also Chapter 2 n.317.

⁴³ Cf. Cic. *Cat.* 3.19; Jul. Obs. *Prod.* 61. For these ‘bad’ omens, see Chapter 2 n.316.

that *ea consilia quae clam essent initia...inlustrarentur ut a senatu populoque Romano perspici possent* “The plots which had been hatched in secret...would be illuminated so brightly that they could be seen by the Senate and the people of Rome” (3.20). Cicero contended that the incident demonstrated divine intervention because *omnia et senatus et vos quae erant contra salutem omnium cogitata inlustrata et patefacta vidistis* “Both Senate and people saw the plots against the safety of you [the gods] all brought into the light of day and laid bare” (3.21).⁴⁴ The emphasis placed on the role of the gods in revealing the threat posed by the citizens involved with the affair remaining in Rome stressed Cicero’s good fortune that he was able to discover such a clandestine affair.

The verb *occultare* occurs once in the *Catilina* in reference to the informer Q. Curius who, according to Sallust, divulged the designs of the affair to his former lover Fulvia.⁴⁵ Sallust characterized Curius as *vanus* (‘vacant’) and *audax* (‘audacious’), therefore someone who could *neque reticere...neque...occultare* ‘neither keep quiet... nor...keep a secret’ (Sall. *B Cat.* 23.2). Sallust proclaimed that Curius acted violently towards Fulvia, which made her inform Cicero of the affair.⁴⁶ Sallust explained that Fulvia *tale periculum rei publicae haud occultum habuit* “had no thought of concealing such a peril to her country” (23.4). Since Cicero was apprised of the affair and the plan to murder him, Sallust comments that *quae occulte temptaverat aspera foedaque evenerant* “[Catiline’s] covert attempts had resulted in disappointment and disgrace (26.5).⁴⁷ Pagan argues that Sallust uses narrative techniques such as retrogression and digression to keep his audience in suspense.⁴⁸ In contrast to Cicero, Sallust reveals the clandestine plans of the affair to his readers piecemeal before all is divulged. Finally, in Cato’s speech in the

⁴⁴ Cf. Cic. *Sull.* 40: *vos denique in tantis tenebris erroris et inscientiae clarissimum lumen menti meae praetulistis* “You [the gods] in short who amid the deep shadow of uncertainty and ignorance illumed my thought with the brightness of your light.” Cf. Berry 1996, 218.

⁴⁵ Cf. Diod. Sic. 35.2-5F; Plut. *Cic.* 16.2; App. *B Civ.* 2.3; Suet. *Iul.* 17. NB: Neither Q. Curius or Fulvia are mentioned in any of Cicero’s works, see Appendix I, [nos. 18 and 20]. On the reasons why Sallust’s *Catilina* included the anecdote regarding Q. Curius and Fulvia, cf. Syme 1964, 125, 134-6; Vretska 1976, 338-9; Pagan 2004, 41-6.

⁴⁶ Sallust alternately claims Cicero persuaded Curius, not Fulvia, to reveal the plans of the affair (Sall. *B Cat.* 26.3). Cf. McGushin 1977, 158-9 and 166-7; Pagan 2004, 45-6; Dyck 2008, 86.

⁴⁷ The adverb *occulte* occurs two other times in the *Catilina*, but not explicitly regarding the clandestine activities of the affair. Sallust used *occulte* to refer to the ‘unknown’ *nobiles* who purportedly supported the affair (Sall. *B Cat.* 17.5). The second instance of the adverb refers to Cicero’s reaction to Fulvia and Curius’ information that the affair’s participants planned to murder him. Sallust states Cicero ‘secretly’ surrounded himself with bodyguards (26.5).

⁴⁸ Pagan 2004, 39-41. Cf. Syme 1964, 67-8.

Catilina regarding the sentence of Lentulus and the others and after the Senate had heard Volturcius and the Allobrogean envoys' testimonies confirming the affair's plans, Sallust wrote *neque parari neque consuli quicquam potest occulte* "Neither preparations nor plans can be kept secret" (52.35). As explained in the introduction, Cicero is hampered by his active role in the affair and the oratorical medium he uses to relate the events, whereas Sallust is relatively free of these constraints. However, as shown above, Sallust does emphasize the nocturnal activities of the affair and uses the verbs *aperire*, *comperire*, and *patefacere* to convey the disclosure of its clandestine plans, similar to Cicero, and to emphasize how the affair was initially kept secret.

The verb *aperire* was used in Sallust's *Catilina* several times when those involved disclosed the affair's plans to their associates. After all the leading participants in the affair swore an oath, Catiline laid out the intended plans and *aperuisse consilium suum* "disclosed his project" (Sall. *B Cat.* 22.2). When Lentulus and the others remaining in Rome solicited the Allobrogean envoys for their support, Sallust reported that the freedman P. Umbrenus *coniurationem aperit* "disclosed the plot" and named some of the leading members involved with the affair to prove to the envoys that the affair had support from influential citizens in Rome (40.6). Consequently, Sallust uses the verb to describe the detection of the participants remaining in Rome. He stated the Allobroges *rem omnem...aperiunt* "divulged the whole affair" to their patron Q. Fabius Sanga (41.4), and when Volturcius gave his testimony to the Senate, Sallust explains that he *omnia...aperit* 'disclosed everything' (47.1).⁴⁹

Sallust's usage of the verb *patefacere* distinctly referred to the disclosure of the affair after Lentulus and the others had confessed and affirmed Cicero's claim that there were influential people remaining in Rome and planning the affair regardless of Catiline's absence. Sallust remarks that Cicero was overjoyed *coniuratione patefacta civitatem periculis ereptam esse* "By the disclosure of the *coniuratio* his country was saved from peril" (46.2). Furthermore, Sallust argues that once the affair's plan of mass murder and arson in Rome was confirmed and after *coniuratione patefacta* "the disclosure of the *coniuratio*," the plebs in the city, who according to Sallust were willing to support the affair, began to curse Catiline and praise Cicero (48.1).⁵⁰ Using the

⁴⁹ For a discussion of Volturcius and the Allobrogean envoys' testimonies, see Chapter 2.4.2.

⁵⁰ Cf. Sall. *B Cat.* 37.4-8.

same phraseology, Sallust uses the verb to describe the situation at the army's camp in Etruria after Lentulus and the others had been executed. Sallust claims that there were some desertions from the army after *Romae coniurationem patefactam* 'the *coniuratio* in Rome had been laid open' (57.1).

Cicero and Sallust used distinct and consistent terminology to identify the clandestine aspects of the affair. When the clandestine aspects of certain activities were revealed, both authors chose specific phraseology to accentuate how these activities moved from obscurity to clarity. Sometimes both authors chose to use the term *coniuratio* when explicitly referring to the affair's clandestine plans that were discovered to further signify that these plans corresponded with a conspiratorial context. In addition, Cicero and Sallust represented the secret activities of the affair as crimes and those involved with them as criminals.

1.2 The criminal aspects of the affair

Cicero and Sallust often used the analogous terms *facinus* or *scelus* to describe the affair of 63 as a crime and the participants who were involved in it as criminals. Both terms carry a criminal aspect and can be loosely translated as a "crime."⁵¹ When these terms occur in the same passage with the term *coniuratio*, it is clear that the authors are suggesting that a conspiratorial context also contained a criminal aspect. Sallust used both *facinus* and *scelus* to describe the *coniuratio* in the preface of the *Catilina* (Sall. *B Cat.* 4.4-5). Cicero also used the terms to further describe the *coniuratio* in the *First Oration*, employing the expression *omnia scelerum* "all the crimes" in comparison to the expression *coniurationis insidiae* "the plots of conspiracy" (Cic. *Cat.* 1.31). Similarly, in the *Pro Sulla*, Cicero used the expression *nefarium facinus* "nefarious crime" to describe this particular aspect of the *coniuratio* when the prosecution accused P. Sulla of soliciting the people of Pompeii to support the affair (*Sull.* 60).⁵² When Cicero referred to C. Pomptinius' victory over the Allobroges who had revolted against Rome in 61 in his speech *De Provinciis*

⁵¹ OLD (*facinus*) s.v. 2; (*scelus*) s.v. 2. As synonyms for crime, see TLL s.v. *facinus* 77.74-78.77.

⁵² NB: Cicero more often qualified the noun *scelus* or the related adjectives *sceleratus* and *consceleratus* in apposition with the adjective *nefarium* to stress the immoral aspect of the affair's crimes, cf. Cic. *Cat.* 2.19: *conscelerata ac nefaria*; 27: *nefariorum ac manifestorum scelerum*; 29: *nefariorum scelere*; 3.27: *sceleratae ac nefariae*; 4.7: *nefariorum scelere*; 4.13: *in hoc scelere tam immani ac nefando*; *Sul.* 28: *consceleratas ac nefarias*. See section 1.3 and nn.68-9.

Consularibus delivered in 57, he claimed that the war against the Allobroges was borne out of the *scelerata coniuratione* “wicked conspiracy” of 63 (*Prov. cons.* 32).⁵³

The terms *facinus* or *scelus* more frequently occur in Cicero and Sallust’s works without any qualifying or descriptive adjectives to identify the affair of 63.⁵⁴ The instances reviewed below demonstrate that Cicero and Sallust use the terms *facinus* or *scelus* to specifically refer to the affair’s criminal activities. According to Cicero and Sallust’s accounts, the participants’ intentions were: i) to raise an army in Etruria, ii) to murder Cicero, iii) to murder other leading citizens, iv) to strategically burn parts of Rome, v) to persuade the Allobroges to lend military support to the army in Etruria, and vi) to solicit other urban areas throughout Italy to revolt.⁵⁵ The first, second, fifth and sixth actions in this list were actually attempted before the affair was compromised. However, the authors suggested that all of the actions occurring both outside and inside of Rome were not only connected, but also integral parts for the affair to succeed.⁵⁶ The affair’s activities occurring inside and outside of Rome are discussed in further detail in Chapters 2 and 3 respectively. At the present, it is important to note that Cicero collectively referred to these activities using the expression *omnia scelera*.⁵⁷ Having represented their intentions as *scelera* signifies that all of their intentions were criminal, therefore the affair’s plans were perceived as ‘crimes’. Subsequently, the *scelerati* who were conducting or accused of being involved with these *scelera* or *facinora* could be prosecuted for their actions.

In 62, Cicero defended P. Cornelius Sulla, who was accused of being involved in *duae coniurationes* (*Cic. Sull.* 11).⁵⁸ The first *coniuratio* referred to the aborted plan to murder the consuls of 65, the second *coniuratio* referred to the affair of 63. The *Pro Sulla* records several trials against those suspected of

⁵³ Cf. *Cic. Flac.* 94: *de coniuratorum scelere*. NB: C. Pomptinius was one of the praetors in 63 who was ordered by Cicero to ambush T. Volturcius and the Allobrogean envoys (*Cic. Cat.* 3.5, 14; *Sall. B Cat.* 45.1, 4). Pomptinius was governor of Transalpine Gaul in 61, which bordered on the territory of the Allobroges (*Liv. Per.* 103; *Dio Cass.* 37.47.1).

⁵⁴ The terms explicitly or implicitly refer to the affair in the following passages in Cicero and Sallust’s works. For *facinus*: cf. *Cic. Sull.* 16, 56, 76,78; *Sall. B Cat.* 4.4, 15.4, 51.15. For *scelus*: cf. *Cic. Cat.* 1.8, 27, 31, 33, 2.11 (*bis*), 14, 25, 3.3, 6, 4.8; *Mur.* 78, 80; *Sull.* 16, 30, 67, 70; *Sall. B Cat.* 4.5, 22.1, 23.2, 51.7, 52.31.

⁵⁵ Cicero and Sallust referred to all of the actions occurring inside and outside of Rome, cf. *Cic. Cat.* 1.5,7,9, 2.4-6, 3.3-4, 8, 4.13; *Mur.* 80; *Sall. B Cat.* 27-28, 32.1-2; 43.1-2.

⁵⁶ Cf. *Cic. Cat.* 1.30, 2.1, 23-24, 27, 3.3-4, 8, 16-17, 25, 4.11-13; *Sall. B Cat.* 29.1, 32.1-2, 43.1-2, 52.17, 24, 35-6, 56.1, 57.1, 5, 58.4.

⁵⁷ Cf. *Cic. Cat.* 1.31, 33, 3.6

⁵⁸ On the accusations against P. Sulla, see Chapter 2 n.131.

being involved with either *coniuratio*. Cicero used the term *crimen* 23 times in the speech in relation to those accused of supporting the affair of 63. He referred to the trial against P. Sulla as a *crimen coniurationis* ‘an accusation of conspiracy’ (12). Although the term *crimen* can be defined as a ‘crime’,⁵⁹ both Cicero and Sallust primarily used the term not in reference to the actual crime itself but to define the criminal charge instead.⁶⁰ Sallust used the term *crimen* when he described Catiline’s feint that he was going into exile at Massilia after he left Rome instead of joining Manlius in Etruria. Sallust stated that Catiline sent letters to his friends claiming that he had been maligned by *falsis criminibus* “false accusations” (Sall. *B Cat.* 34.2). Surely, one of these *crimina* levied against Catiline was his involvement with the affair in 63. Instead, the term explicitly defines an allegation, not the specific crimes of which Catiline had been accused.⁶¹

Cicero demonstrated this distinction in the *Pro Sulla*. When Cicero discusses the previous cases against those convicted of participating in the affair of 63, he noted that their friends did not come to their defense.⁶² Cicero explained:

quia ceteris in causis etiam nocentis viri boni, si necessarii sunt, deserendos esse non putant; in hoc crimine non solum levitatis est culpa verum etiam quaedam contagio sceleris, si defendas eum quem obstrictum esse patriae parricidio suspicere.

“Because men loyal to their friends think that in other types of cases they should not desert them even if they are guilty, but in a case such as this you would not only be guilty of irresponsibility but also in danger of infection, as it were, from the crime if you were to defend a man whom you suspect of being implicated in high treason.” (Cic. *Sull.* 6)

The other cases Cicero referred to concerned the following Roman citizens: Ser. Cornelius Sulla, P. Cornelius Sulla (not to be confused with the homonymous Sulla Cicero was defending), L. Vargunteius, M. Porcius Laeca, P. Autronius Paetus, L. Cassius Longinus, (who were all once senators), and the knight C. Cornelius.⁶³ Cicero used the phrase *crimen coniurationis* in reference to the accusations made against these citizens who were tried in 62 (*Sull.* 13). They were subsequently convicted under the *lex Plautia de vi*.⁶⁴ We

⁵⁹ OLD (*crimen*) s.v. 4.

⁶⁰ Cf. OLD (*crimen*) s.v. 1-3; TLL s.v. *crimen* 1193.52-1194.82 IB.

⁶¹ For the purported crimes committed by Catiline prior to the affair of 63, see Dyck 2008, 2-4.

⁶² Berry 1996, 143.

⁶³ See further Appendix I, [nos. 3, 8, 11, 16, 17, 32 and 42].

⁶⁴ Cicero alluded to the convictions of the *Sullae*, Vargunteius, Laeca, and C. Cornelius (Cic. *Sull.* 6), Autronius (7), and Cassius (36-39). NB: According to the *Pro Sulla* Cassius stood trial in 62. He was away from Rome when Cicero reported in the *Third Oration* that Cassius would

know little about the statutes of this *lex* other than it was supplementary or complementary to the *lex Lutatia de vi*, which was specifically passed against M. Aemilius Lepidus during his revolt against Rome in 78/77. Presumably, either *lex de vi* covered acts of violence against a citizen(s) or the *res publica*.⁶⁵ There is no evidence that a specific *lex* or statute existed during the Republic to address an affair called a *coniuratio*.⁶⁶ Evidently, one of the intended actions of both *coniurationes* was the murder of citizens. However, both episodes apparently included subversive political activities as well, otherwise the accused would most likely have been charged under the *lex Cornelia de sicariis et veneficiis*.⁶⁷ Regardless of which law these citizens were specifically charged under, those facing a *crimen coniurationis* were convicted indicating that the offense of being involved in a *coniuratio* was punishable by law. This evidence confirms that a *coniuratio* was not only depicted as a clandestine affair, but also an official crime.

One facet of Catiline's character both authors described was his intimacy with *scelera* and *facinora*. Cicero asked Catiline *quod facinus a manibus umquam tuis* "What crime has never stained your hands?" (Cic. *Cat.* 1.13). He claimed Catiline was *scelus anhelantem* "breathing crime" (2.1) and had *oculi sceleris* "crime in his eyes" (*Mur.* 49). Sallust concurred that Catiline taught *multis modis mala facinora* "many forms of wickedness" (Sall. *B Cat.* 16.1). Similarly, Cicero and Sallust described the other people who were willing to join or participated in the affair using the adjectives *sceleratus*, *conscleratus*, or the adjective *scelestus* to emphasize their villainous nature and tendency to be involved with *scelera*.⁶⁸ These 'wicked criminals' were also attracted to *flagitium* ('scandal') like Catiline. Cicero claimed that *nullum...facinus exstitit*

face the same sentence as those who were apprehended (*Cat.* 3.14). There are no reports of Cassius' execution, so we must assume he was only exiled in 62. See also Appendix I, [no. 8].

⁶⁵ Cicero discussed the *leges de vi* in the *Pro Caelio* (Cic. *Cael.* 70-2). See also, Chapter 2 n.131.

⁶⁶ The sources assume that all of the *leges di vi* in the Republic addressed both *vis privata* and *vis publica*. However, the former referred to a violent attack against a person, the latter against the state. This delineation in the *leges de vi* are projected from the statutes found in *lex Iulia de vi* preserved in the *Digesta*.

⁶⁷ Passed by Sulla, the *lex Cornelia de sicariis et veneficiis* covered homicide, but also had a wide scope including other acts of violence, arson, see Marcian *Inst.* 14=*Digesta* 48.8. Cf. Robinson 1995, 41-44; Lintott 1999, 158; Gaughn 2010, 134-40.

⁶⁸ For *sceleratus*: cf. Cic. *Cat.* 1.23, 3.27; *Sull.* 32, 87; *Prov. cons.* 32; Sall. *B Cat.* 52.12, 36. For *conscleratus*: cf. Cic. *Sull.* 28, 29. For *scelestus*: Sall. *B Cat.* 52.15. NB: A derivative of *facinus* occurs once in reference to the participants with the affair. In the *Second Oration*, Cicero collectively describes the fifth group of people involved with the affair as *omnium facinerosorum* "every sort of criminal" (Cic. *Cat.* 2.22).

nisi per te, nullum flagitium sine te 'no...wicked act or scandal has happened except through you [Catiline]' (Cic. *Cat.* 1.18).

Sallust often used the terms *flagitium* and *facinus* together to express the similar criminal character traits of those in Rome who were willing to support the affair. He declared that Rome in the 60's was a place where Catiline could find *id quod factu facillumum erat omnium flagitiorum atque facinorum circum se tamquam stipatorum catervas habebat* "it a very easy matter to surround himself, as by a bodyguard, with troops of criminals and reprobates of every kind" (Sall. *B Cat.* 14.1). Sallust insinuated that some of these men had acquired massive debts through bribes when accused of *flagitium aut facinus* (14.2). When describing Q. Curius, the affair's supporter turned informer, Sallust remarked that Curius had been involved with *flagitiis atque facinoribus*, which led to the latter's expulsion by the censors of 70/69 (23.1). These examples suggest that anyone who was willing to support the affair or was involved with it had a criminal background and was familiar with *scelus*, *facinus*, and/or *flagitium*.

In addition, the terms *scelus* and *facinus* more often defined a 'wicked act' than a crime, as both substantives carry an immoral undertone.⁶⁹ Arguably, any crime committed against the *ius Romanum* was considered impious; and Cicero and Sallust's accounts stressed the immorality of the affair and its participants. Both authors frequently qualified the terms *facinus* and *scelus* with the adjectives *tantum* and *quantum*; as well as using the substantive *magnitudo* to emphasize the great degree of criminality regarding their violent intentions.⁷⁰ Cicero used this phraseology in the *Third* and *Fourth Oration* whenever he wanted to reiterate the fact that other influential Roman citizens and even a current praetor, Lentulus, were involved in these wicked and criminal activities in addition to Catiline. In the *Third Oration*, Cicero addressed Lentulus as his dead grandfather P. Cornelius Lentulus, who fought against the revolt of C. Sempronius Gracchus' supporters in 121 and whose image his grandson Lentulus' used for his *signum* ('wax seal'). This seal was found on the letter Lentulus gave to the Allobrogean envoys proving his attempt to obtain

⁶⁹ The terms *facinus* and *scelus* can be used as synonyms for the term *nefas* ('sacrilege'), see *TLL* s.v. *facinus* 82.3-31. See also, n.52.

⁷⁰ NB: Cicero uses the expression *tantum facinus* once in reference to Catiline's alleged involvement with the affair of 66/65 (Cic. *Cat.* 1.14).

support from the Gallic tribe.⁷¹ Cicero proclaimed that the image of Lentulus' grandfather *quae quidem te a tanto scelere etiam muta revocare debuit* "Even though it can't speak, should have called you back from so heinous a crime" (Cic. *Cat.* 3.10). Furthermore, Cicero twice comments that the *magnitudinem scelerum* ('the enormity of the crime') was unbelievable (cf. 3.4, 21).⁷² The theme continued in 62, when Cicero used the expression *tantum scelerum* to stress the extent of the criminal activities of the affair of 63 in the *Pro Sulla*.⁷³

One of the affair's criminal designs was to murder the leading members of the current regime, starting with the assassination of the consul Cicero. Cicero and Sallust use the term *insidiae* ('an ambush or a treacherous attack') to describe the abortive assassination attempt.⁷⁴ Although no specific verbs of "killing" are used to express the intentions of the *insidiae* against Cicero, both authors' accounts are clear that the consul was the target of the attempted *insidiae*. Sallust used the term *insidiae* six times in the *Catilina* to refer to the affair's plans or attempts to murder Cicero and other leading citizens.⁷⁵ Sallust used variations of the phrase *insidiae consulibus* five times and explicitly mentioned Cicero's name once to clarify the primary intended target of the *insidiae*.⁷⁶ Cicero's speeches used similar phraseology when referring to the affair's plans to have him murdered. Cicero either used the term *insidiae* and a personal pronoun or used *insidiae* and the term *consul* to identify himself to describe the assassination attempts.⁷⁷ However, the instances of the term

⁷¹ Lentulus' grandfather was wounded in the attack against C. Sempronius Gracchus' supporters in 121 and his actions were portrayed as an act of loyalty to the *res publica*, cf. Cic. *Cat.* 4.13; *Phil.* 8.14; Val. Max. 5.3.2. Lentulus' grandfather was consul in 162, therefore he was at the least eighty-five years old in 121. See *RE* IV1 (Cornelius) no. 203, 1375.1-1376.32.

⁷² Cic. *Cat.* 3.4: *quoniam auribus vestris propter incredibilem magnitudinem sceleris minorem fidem faceret oratio mea* "Since I realized that you would be the more reluctant to believe my story because the extent of their crime defies belief." Cf. 3.21: *quae tum propter magnitudinem scelerum non nullis incredibilia videbantur* "The enormity of the crime made some people refuse to believe it."

⁷³ Cf. Cic. *Sull.* 6, 74, 75, 82, 88. NB: All these instances cited in the *Pro Sulla* were in reference to the affair of 63. Once in the speech Cicero used the phrase *tantum facinorum* in reference to the plot to murder the new consuls of 65 (*Sull.* 68).

⁷⁴ *OLD* (*insidiae*) s.v. 1 and 4. Gaughn (2010, 3) notes that there are many verbs in Latin that mean "to kill", but argues that there is no specific noun for "murder".

⁷⁵ The term occurs a total of eight times in the *Catilina*, cf. Sall. *B Cat.* 26.1, 5, 27.2, 29.1, 32.1, 2, 43.2, 45.1.

⁷⁶ Cf. Sall. *B Cat.* 26.1: *omnibus modis insidias parabat Ciceroni*; 26.5: *insidiae, quas consulibus in campo fecerat*; 27.2: *consulibus insidias tendere*; 32.1: *insidiae consuli procedebant*; 32.2: *insidias consuli maturent*; 43.2: *ad consulem ceterosque, quibus insidiae parabantur*. NB: This last instance refers to the affair's plan to murder Cicero and other leading citizens.

⁷⁷ Cf. Cic. *Cat.* 1.11, 32, 4.2, 18; *Mur.* 82. NB: In the *Second Oration*, Cicero used the term *insidiae* alone in reference to the affair's plan for *caedem bonorum* "the murder of loyal citizens" (*Cat.* 2.10). In the *Pro Sulla*, the term *insidiae* occurs alone when recalling the assassination attempt of Cicero in 63 (*Sull.* 18).

insidiae in Cicero's speeches are most often used to compare the affair to a treacherous ambush, further emphasizing the danger of the affair's clandestine and criminal plans.

In the *First Oration*, Cicero reminded the Senate that *etenim iam diu...in his periculis coniurationis insidiisque versamur* "We have lived among these dangers and plots of conspiracy for a long time" (Cic. *Cat.* 1.31). The term *coniuratio* and *insidiae* occur in conjunction to refer to the alleged plans of the affair of 66/65 and the affair of 63. Similarly, in the *Pro Murena*, the phrase *insidiis coniuratorum* occurs in specific reference to 'the treacherous attacks by the *coniurati*' (*Mur.* 87). In these two cases, the term *insidiae* was used to allude to the plans of the *coniuratio* or the *coniurati* who intended to perform the *insidiae*. Although these are the only two cases where the terms *coniuratio* and *insidiae* are used in apposition, the reasoning is clear. The term *insidiae* not only emphasized the criminality of the plans to murder the leading citizens in Rome, but also conveyed the clandestine aspect found in a conspiratorial context.⁷⁸

In the *Second Oration* and *Third Oration*, Cicero used the term *insidiae* either in reference to the activities occurring inside of Rome or to the affair's plans as a whole. When Cicero boasted about coercing Catiline to leave Rome by exposing the affair's plans, he used the phrase *ex occultis insidiis* 'from hidden attacks' (*Cat.* 2.1) and *ex domesticis insidiis* 'from attacks within the city' (3.17) to stress the secrecy of the affair and to emphasize that the threat within Rome remained although Catiline had left the city.⁷⁹ In the *Second Oration*, Cicero claimed he knew who had volunteered for *urbanas insidias caedes atque incendiorum* "the plans for murder and arson in Rome" (2.6); and that there remained *intus insidiae* 'the plots inside the city' (2.11).⁸⁰ Cicero directly referred to the activities that those involved with the affair inside of Rome were planning as *insidiae* in the *Third Oration*. Cicero stressed the difficulty of ensuring the city's safety *in tantis et tam absconditis insidiis* "In the midst of such wide-ranging and deep-laid plots" (3.3). Evidently, Cicero and Sallust primarily used the term *insidiae* to refer to the activities occurring inside of Rome. On the other hand, when Cicero recalled his discovery of the affair in

⁷⁸ NB: Cicero used the adjective *insidiosus* ('treacherous') to qualify the term *bellum* in reference to the affair (Cic. *Cat.* 2.28). See Chapter 4.

⁷⁹ Cf. Cic. *Sull.* 83: *ex insidiis*.

⁸⁰ Cf. Cic. *Mur.* 79.

the *Pro Sulla* delivered in 62, he used the expression *insidiae rei publicae* to suggest that the plans were directed against the whole of the Republic.⁸¹ The expression *insidiae rei publicae* alluded to the participants' ultimate goal to gain power in Rome through these treacherous attacks, which included using the army from northern Etruria. Cicero and Sallust's accounts of the affair presented its ultimate goal using a distinct terminology to explicitly accentuate the gravity of the threat to the stability of the *res publica*.

The analogous verbs *opprimere*, *perdere*, *delere*, *exstinguere*, or *vastare* occur in Cicero and Sallust's works to express the affair's ultimate goal "to destroy" the *res publica*.⁸² In addition, the related nouns *pernicies*, *exitium*, *occasus*, or *interitus* were used to describe this final aim.⁸³ This vocabulary of "destruction" is used more frequently in Cicero's works than in Sallust's monograph. The *Catilina* initially recorded that the corrupted youth and other assorted criminals in Rome as well as the Sullan veterans outside of the city were willing to support the affair.⁸⁴ Sallust claimed that Catiline, who was bolstered by the extent of the support for the affair, then *opprimundae rei publicae consilium cepit* "formed the plan of overthrowing the government" (Sall. *B Cat.* 16.4).⁸⁵ Sallust surmised that if the affair was successful and its supporters gained power in Rome then *magna clades atque calamitas rem publicam oppressisset* "great bloodshed and disaster would have fallen upon the state" (39.4). Instead, Cicero used the verb *opprimere* more often to describe his own suppression of the affair.⁸⁶ Sallust also used the verb *perdere* when recounting Catiline's rebuttal of Cicero's accusations in the *First Oration*. Sallust claimed Catiline answered that due to his patrician status he would hardly benefit from *perdita re publica* 'having ruined the Republic' (31.7). The supine of the verb *perdere* with the verb *ire* ('to go') appears twice in the *Catilina* to express that the affair's purpose to bring ruin on the *res publica* would bring ruin on those involved with such a plan (36.4) and would *bonos omnis perditum*

⁸¹ Cf. Cic. *Sull.* 14, 45.

⁸² All of these verbs can carry the meaning of "to destroy." Cf. *TLL* s.v. *deleo* 433.81-2; *TLL* s.v. *opprimo* 784.52-786.19.

⁸³ All of these nouns can convey "destruction." *TLL* s.v. *exitium* 1528.17-20.

⁸⁴ NB: Before Sallust named the other leading members of the affair who were purportedly involved with the affair (Sall. *B Cat.* 17.3-7), he mentions the support from the youth (14.5-7; 16.1-2), the reprobates in the city (14.1-4) and the Sullan veterans (16.4).

⁸⁵ NB: Sallust also used the verbs *perturbare* and *conturbare* to convey the attempts to "disturb" the Republic. Cf. Sall. *B Cat.* 18.4: *ad perturbandam rem publicam*; 37.10: *conturbari rem publicam*.

⁸⁶ For *opprimere* in reference to Cicero's suppression of the affair, cf. Cic. *Cat.* 1.32, 2.4, 26, 3.27, 4.6. NB: Cicero used the verb to allude to the "destruction" of the *patria* only once (1.18).

eant “bring ruin upon all good men” (52.12).⁸⁷ In contrast, Cicero most often used the term *perditus* as a noun or adjective to portray the ‘ruined’ character of the affair’s participants.⁸⁸ Cicero used variations on the phrase *civium perditorum* or *perditorum hominum* throughout his speeches to explain the type of men attracted to support this criminal and desperate plan to overthrow the government.⁸⁹

Cicero used a more varied terminology than Sallust to refer to the participants’ goal to gain power in Rome. Cicero used the verbs *delere*, *extinguere* or *vastare*, to describe the affair’s attempts to bring “destruction” to the *res publica*. In addition, he used the nouns *exitium*, *occasus*, *interitus*, or *pernicies*, to define the “destruction” that was planned. This terminology primarily occurs in hyperbolic passages to exaggerate the unique and outrageous criminality of the activities and plans that were simultaneously occurring inside and outside of Rome in 63. In the *Orations*, Cicero often used variations of the phrase *perniciem rei publicae* to explicitly describe the affair’s ultimate plan for the “destruction” of the *res publica*.⁹⁰ He also used the other terms of “destruction” listed above in apposition with *res publica* to explicitly identify the affair’s eventual target. In the *Third Oration*, Cicero claimed that the affair of 63 was unique and different from several other attempts in Rome’s recent history by Roman citizens to gain power in the city. He explained that the affair of 63 was different because *exitium rei publicae quesivit* “[it] sought the destruction of the Republic.” Furthermore, he contended that the other attempts to gain power in Rome *non ad delendam, sed ad commutandam rem publicam pertinerent* “Were not concerned with destroying the Republic but with changing it” (Cic. *Cat.* 3.25). In addition, the gerundive phrase *delendae rei publicae* referring to the affair’s ultimate goal is found in the *Fourth Oration*. When distinguishing the crime and subsequent execution of M. Fulvius Flaccus for supporting C. Sempronius Gracchus in 121 from the crime and capital

⁸⁷ On supines, see H-B, 333-4.

⁸⁸ NB: Cicero used the perfect passive participle of *perdere* only once, but not in reference to the ‘ruin’ that the affair planned. Instead, Cicero exclusively used *perdere* or its cognates in reference to the affair’s participants (Cic. *Cat.* 4.22).

⁸⁹ Cf. Cic. *Cat.* 1.13, 23, 27, 2.8, 11, 12, 3.15, 4.5, 22; *Sul.* 1, 33(*bis*), 66, 75.

⁹⁰ Cf. Cic. *Cat.* 1.5, 8, 4.2, 22. Variations on the expression *perniciem rei publicae* in Cicero’s *Orations* include *perniciem populi Romani*: 4.10(*bis*); *in patria civiumque pernicie*: 4.12; *perniciem civitatis*: 2.11; *pernicies moenibus*: 2.1. NB: Alternatively, Cicero used the noun *pernicies* to describe the literal or figurative “destruction” of the affair’s participants, cf. 1.24, 33. Similar to *perditorum civium*, Cicero used the adjective *perniciosus* to qualify the character of the *cives* in the affair, cf. 1.3, 12, 28.

sentence of those supporting the affair of 63, Cicero rhetorically asked *quorum quod simile factum, quod initum delendae rei publicae consilium?* “What [similar] deed had those men done, what plan to destroy the Republic had they made?” (4.13).⁹¹ Similar terminology to describe the affair’s plan to “destroy” the *res publica* occurs in all of Cicero’s speeches concerning the affair of 63, and he used other metaphors for the *res publica* to further emphasize the extent of the criminal intent to “destroy” Rome and the Roman people.

In the *First Oration*, Cicero used the terms *vastare*, *exitium*, or *interitus* to describe the plan to overthrow the government. Cicero used the phrases *tota Italia* (‘all of Italy’) and *orbis terrae* (‘the whole world’) to accentuate the extent of the “destruction” that was planned.⁹² Cicero used the verbs *delere* or *extinguere* to describe the affair’s attempt “to destroy” the *nomen populi Romani* (‘name of the Roman people’) or Rome’s *imperium* (‘dominion’).⁹³ In the *Fourth Oration*, Cicero claimed that the affair’s participants were men *qui delere imperium, qui populi Romani nomen extinguere* “Who have tried to destroy the empire and erase the name of the Roman people” (Cic. *Cat.* 4.7). The same sentiment is expressed in the *Pro Murena* and the *Pro Sulla*. In the former speech delivered after the *Second Oration*, Cicero claims the participants’ plans were *urbis delendae, civium trucidandorum, nominis Romani extinguendi* “To destroy the city, slaughter the citizens and obliterate the name of Rome” (*Mur.* 80).⁹⁴ In the latter speech delivered in 62, Cicero recalled that the affair’s plans were *extinguendi imperi, delendae civitatis* “To annihilate our empire, to destroy the State” (*Sull.* 3). This terminology was used by Cicero to rhetorically stress the danger of the affair’s ultimate criminal aim. However, Cicero and Sallust are not explicit whether the “crime” was part of the *coniuratio* or vice versa.

⁹¹ NB: MacDonald (1977, 151) inserts the phrase “...as terrible as the plot of these conspirators?” extraneously.

⁹² For *orbis terrae*: cf. Cic. *Cat.* 1.3: *Catilinam orbem terrae caede atque incendiis vastare cupientem nos consules perferemus?* “Shall we, the consuls, then tolerate Catiline whose aim it is to carry fire and the sword throughout the whole world?”; 1.9: *qui de nostro omnium interitu, qui de huius urbis atque adeo de orbis terrarum exitio cogitent!* “There are men whose plans extend beyond the death of us all and the destruction of this city to that of the whole world.” For *tota Italia*: 1.12: *templa deorum immortalium, tecta urbis, vitam omnium civium, Italiam denique totam ad exitium et vastitatem vocas.* “You are hailing to their destruction and devastation the temples of the immortal gods, the buildings of this city, the lives of all the citizens and the whole of Italy.” NB: In the *Orations*, the phrase *tota Italia* appears more often with the verb *vastare* in reference to the “devastation”, which the affair’s plan to wage *bellum* would bring, cf. 1.29, 4.2, 4.13. See Chapter 4.1.

⁹³ *OLD (imperium)* s.v. 5-6.

⁹⁴ For the approximate date of the *Pro Murena*, see Chapter 2 n.1.

Sallust insisted that the Sullan veterans and the plebeians who supported the affair were desirous of *res novae*, suggesting that they were not content with those in charge of the government in 63 or the *res publica* itself. However, it would be misleading to use the modern word “revolution” to define *res novae* and the affair’s primary goal to gain power in Rome, which was more frequently described as a plan to “destroy” the *res publica*.⁹⁵ Furthermore, as I demonstrate in Chapters 2 and 3, the groups purportedly supporting the affair were from every class and had heterogeneous motives to join the affair and different expectations. This section demonstrated that Cicero and Sallust used various terms and expressions to interpret the affair, its plans, and those supporting it as a criminal venture planned by criminals. The criminal terminology either explicitly corresponded with the term *coniuratio* or sometimes occurred alone to simply interpret certain activities of the affair as a “crime” or to identify someone involved with the affair as a “criminal.” The indignation in the pertinent passages referring to the goal of overthrowing the current regime in Rome, in Cicero’s speeches reviewed in the section above, is palpable and the rhetoric Cicero employs is clear – the criminals who planned to gain power in Rome were depraved enough to willingly and utterly shake the foundations of the *res publica* in the attempt. Therefore, Cicero implied that the attempt to “destroy” the *res publica* was an immoral act.

1.3 The immoral aspects

Cicero and Sallust used other specific terminology to stress the immoral character of the affair’s participants as well as its sacrilegious aspects.⁹⁶ The pertinent passages from their works that included the terms *improbis*, *nefarius*, *impius*, *malum*, and *parricida* are examined in this section. Cicero and Sallust used this terminology to emphasize both the immorality of the affair and its participants. First, this section examines how the terms were used to describe the immorally depraved character of everyone who joined or supported the affair. Second, I review the same terms that were used to stress the immoral aspect of the affair itself. Finally, I introduce the specific language Cicero and Sallust used to present the affair’s alleged plans to set fire to Rome, the mutual

⁹⁵ See also Chapter 4.7.

⁹⁶ Regarding the inclusion of women to stress the immorality of the affair in Sallust’s *Catilina*, see Pagan 2004, 35-36 and 44-5. On the decline of morals in the *Catilina*, see Chapter 4 nn. 47, 98, 113.

oaths sworn between the affair's participants, and the oaths given to the Allobrogean envoys, as sacrilegious acts.

Cicero, in certain cases, used the term *improbus* ('morally unprincipled') as a noun or an adjective sometimes paired with the term *perditus*, which can also convey a sense of immorality, in reference to the types of persons who were involved with the affair.⁹⁷ In the *First Oration*, Cicero portrayed Catiline as *tam improbus, tam perditus* (Cic. *Cat.* 1.5).⁹⁸ Cicero indicated the immoral character of the others joining Catiline in the affair professing *nactus es ex perditis atque ab omni non modo fortuna, verum etiam spe derelictis conflatam improborum manum* "You have got a band of evil men, swept together from the refuse of society and from those who have been abandoned by all fortune and hope" (1.25). In the *Fourth Oration*, Cicero affirmed his opinion that those who committed these crimes were immoral citizens, *improborum civium* (4.15).⁹⁹ Subsequently, the term *improbus* occurs most often in the *Pro Sulla* when Cicero reflected on the immoral citizens who were condemned for their involvement with the affair. He consistently remarked that Catiline, P. Autronius Paetus (the deposed consul-designate of 65 who had been convicted of supporting the affair)¹⁰⁰, and the other participants in the affair were all *improbi*.¹⁰¹

As discussed in Section 1.2 above, Cicero often used the term *nefarius* to accentuate the wickedness of the affair's criminality in conjunction with the terms *facinus* and *scelus*.¹⁰² In addition, he used *nefarius* to express the immoral qualities of those involved with the affair. Cicero twice called Catiline a *nefarius gladiator* ('wicked gladiator') and twice referred to the others involved with the affair as *nefarii homines* ('wicked men').¹⁰³ Cicero also used the term *impius* in a similar manner to describe the affair's participants. In the *First Oration*, Cicero claimed that when Catiline arrived in the army's camp in

⁹⁷ OLD (*improbus*) s.v. 2; (*perditus*) s.v. 4: "Morally depraved". The term *improbus* can be synonymous with the terms *malus* and *nefarius*, see TLL s.v. *improbus* 693.31.

⁹⁸ In the *Pro Murena*, Cicero used *improbus* alone to describe Catiline's character (Cic. *Mur.* 17).

⁹⁹ Cf. Cic. *Cat.* 3.21: *nefariis civibus*.

¹⁰⁰ See Appendix I [no. 3].

¹⁰¹ For Catiline as an *improbus*: cf. Cic. *Sull.* 81(*bis*); for Autronius: cf. 66, 71; for the rest of the participants as *improbi*: cf. 1, 20, 28(*bis*), 29, 30, 79, 92.

¹⁰² See n.53.

¹⁰³ Regarding Catiline: cf. Cic. *Cat.* 2.7; *Mur.* 50. Regarding the others: cf. *Cat.* 4.8; *Mur.* 83. In addition to *nefarii homines*, Cicero referred to the participants as *nefarii cives* (*Cat.* 3.21) and once described their 'wicked minds' (*Dom.* 92: *nefariis mentibus*).

Faesuale he would be amongst other *impīi* (Cic. *Cat.* 1.23).¹⁰⁴ In the *Pro Sulla*, Cicero portrayed the praetor Lentulus' supposed belief in a prophecy, which predicted that he would gain power in Rome in 63, as a *perversam atque impiam religionem* "Perverted and godless superstition" (*Sull.* 70).¹⁰⁵ Evidently, Cicero's works consistently declared that all of the affair's participants shared an immoral character trait, which seemingly was necessary for anyone to consider joining this type of affair.

In Caesar's speech reproduced in the *Catilina*, Sallust wrote that Caesar remarked that the affair's participants were *impīi homines* (Sall. *B Cat.* 51.15). However, when Sallust described the type of people willing to support such an affair, he most often used the term *malum* ('evil'). When describing Catiline, Sallust depicted him as inherently "evil."¹⁰⁶ According to Sallust, Catiline was able to find support from the young Roman nobles that were attracted to the same type of vices or *mala* as Catiline.¹⁰⁷ In addition, Sallust used the term *malum* generally to identify others who were attracted to the affair.¹⁰⁸ He remarked that the *plebes*, who he claimed were supporting the affair, *malos extollunt* "exalt the base" (37.3).¹⁰⁹ These assorted criminals inside of Rome that were attracted to the affair, according to Sallust, included those who had been convicted of *parricida* and *sacrilegium* (14.3).¹¹⁰ Cicero also referred to these various criminals as *parricidae* (Cic. *Cat.* 2.22). Furthermore, he used the term *parricida* in reference again to Catiline and the others involved. Cicero claimed Catiline was a *parricida civium* (1.29) and the others involved were those *qui se tecum omni scelere parricidioque iunxerunt* "Who have joined you in every crime and act of treason" (1.33).¹¹¹ Both authors used the terms *improbus*, *nefarius*, *impius*, *malum* and *parricida* not only to describe the

¹⁰⁴ Catiline would be at home among these men because he had 'an impious hand' (Cic. *Cat.* 1.24: *impiam dexteram*). Dyck 2008, 110.

¹⁰⁵ See Chapter 2.4.5.

¹⁰⁶ Cf. Sall. *B Cat.* 5.1, 16.3. NB: Sallust remarked that Cicero did not accuse Crassus of supporting the affair to stop him from *suscepto malorum* "taking up the cause of the wicked" (48.8). Cn. Calpurnius Piso was also *malum* (18.4).

¹⁰⁷ Cf. Sall. *B Cat.* 13.5, 16.1.

¹⁰⁸ NB: Sallust used the term *malum* to convey the participants' "misfortunate" situation, alluding to their massive debt, cf. Sall. *B Cat.* 21.1, 40.2, 48.8, 52.15. More often Sallust used the adjective *miser* or its cognates to describe the participants' dire financial condition. See further Chapter 3.2.

¹⁰⁹ Sallust claimed the *plebes urbana* withdrew their support when the affair's plan to burn Rome was divulged (Sall. *B Cat.* 48.1-2).

¹¹⁰ OLD (*parricida*) s.v. 1: "murderer of a near relation" and 3b: "a traitor".

¹¹¹ For Catiline as a *parricida*: Cic. *Cat.* 2.7. For C. Cornelius: *Sull.* 19. For the others who were involved: cf. *Sull.* 76, 77.

immoral character of the affair's participants, but also to refer to the affair itself.¹¹²

When Cicero discovered that Rome was facing a threat from both inside and outside of the city, Sallust referred to the threat of the affair as a *malum* (Sall. *B Cat.* 29.1).¹¹³ Cicero also described the affair using the same term to stress its “evilness.” In the *Fourth Oration*, Cicero explained that *ego magnum in re publica versari furorem et nova quaedam misceri et concitari mala iam pridem videbam* “It had long been observed by me that a dangerous madness was abroad and that evils yet unknown were seething and welling up in the Republic.” He referred to the affair later in the same passage, simply calling it *hoc malum* “this evil” (Cic. *Cat.* 4.6). According to Cicero, all the classes of people in Rome agreed that Lentulus, Cethegus, Gabinius, Statilius, and Caeparius should be sentenced to death. Cicero promised that if the *res publica* were able to maintain this *concordium* (‘harmony’) between all of the classes in Rome, then he would be able to prevent *malum civile ac domesticum ad ullam rei publicae partem esse venturum* ‘any future civil and domestic evils from occurring against the *res publica*’ (4.15).¹¹⁴ The adjective *nefarius* or the analogous adjective *nefandus* also carry a sacrilegious meaning due to the terms’ derivation from *nefas* (‘an offense against divine law’).¹¹⁵ Cicero referred to the affair’s intention to gain power in Rome through various hostile and violent means as a crime *tam immani ac nefando* ‘so savage and sacrilegious’ (4.13). Sallust also described the affair as a *nefarium consilium* ‘sacrilegious plan’ (Sall. *B Cat.* 52.36). Cicero clarified the sacrilege of the affair in the *Pro Sulla*, declaring that the accusation that his client P. Cornelius Sulla was supporting the affair of 63 was akin to *obstrictum esse patriae parricidio* ‘Being accused of parricide against your country’ (Cic. *Sull.* 6).¹¹⁶

As shown above, both authors used this specific terminology to emphasize the immoral aspect of the affair and its participants. The affair’s plan to set fires to Rome, which, according to our sources, was intended to cause confusion and panic in order to create the perfect situation for those involved with the affair inside of Rome to murder Cicero and other leading citizens and

¹¹² Wirszubski (1951) examines the terminology of Cicero’s works in reference to antisocial character traits.

¹¹³ See n.15.

¹¹⁴ See Eagle 1949. See also Addendum Section 1.

¹¹⁵ OLD (*nefas*) s.v. 1-2. See Dyck 2008, 78.

¹¹⁶ For the full text of this passage, see p. 38.

for Catiline and Manlius' army to attack the city.¹¹⁷ Cicero presents the plan to burn Rome not only as a crime, but also a sacrilege. If Rome was set on fire, consequently the *templa deorum* in the city were also targets. When Cicero described the "destruction" of the *res publica* examined in the previous section, he frequently included the burning of Rome along with its *tecta* ('roofs') and *templa* in the same passages.¹¹⁸ According to Cicero, only people with no moral scruples would think of such a sacrilegious and dangerous plan as setting parts of the city on fire. Cicero summed up the intended victims of the affair's plans in the *conclusio* of the *Fourth Oration* delivered in the Senate on December 5. He implored:

quapropter de summa salute vestra populique Romani, de vestris coniugibus ac liberis, de aris ac focis, de fanis atque templis de totius urbis tectis ac sedibus, de imperio ac libertate, de salute Italiae, de universa re publica decernite diligenter, ut instituistis, ac fortiter.

"With the care, therefore, and the courage that you have displayed in the beginning, take your decision upon the salvation of yourselves and of the Roman people, upon your wives and children, your altars and hearths, your shrines and temples, the buildings and homes of the entire city, your dominion and your freedom, the safety of Italy and upon the whole Republic." (Cic. *Cat.* 4.24).

The passage suggests that if the Senate were to sentence Lentulus and the four other men who had confessed to be supporting the affair to death, then the others who continued with the plans might withdraw their support. However, Catiline and Manlius' army in Etruria was not yet defeated, other influential citizens in Rome remained at large, and many supporters still remained unknown.¹¹⁹

Cicero once referred to the affair as an *impia coniuratio*, specifically suggesting that a *coniuratio* could be considered an impious act (Cic. *Cat.* 4.18). According to the definition of the verb *coniurare* cited in the introduction to this chapter, those who conspired had taken a mutual oath. The verb is derived from the verb *iurare* ('to swear'), therefore the literal meaning of *coniurare* is "to swear together." In the *Third Oration*, Cicero explained that an *ius iurandum* ('an oath') had been taken between Lentulus, Cethegus, Gabinius

¹¹⁷ Cf. Sall. *B Cat.* 43.1-2; Plut. *Cic.* 18.1; App. *B Civ.* 2.3; Dio Cass. 37.34.1. See further Chapter 2.1.

¹¹⁸ Cicero used the terms *urbs*, *tecta*, and *templa* in reference to what would be burned in the same sentence, cf. Cic. *Cat.* 1.12, 33, 2.29, 3.2, 3.22(*bis*), 4.2, 18, 22; *Sull.* 19, 33, 86.

¹¹⁹ NB: Sallust claimed Lentulus and the others' execution led to some instances of desertion in Catiline and Manlius' army (Sall. *B Cat.* 57.1). L. Cassius Longinus, Q. Annius Chilo, P. Umbrenus, and P. Furius, who were named by T. Volturicus and the Allobroges as participants in the affair, remained at large and were sentenced to death *in absentia* (50.4). Others are named in the *Pro Sulla*, see n.64. For the disturbances continuing outside of Rome, see Chapter 3.4.

and Statilius and the Allobrogean envoys pledging their mutual support for the affair (3.9).¹²⁰ Although Cicero did not use any explicit immoral terminology in reference to the *ius iurandum*, he implied that a sacred oath taken between Romans and Gauls to assist in a violent and subversive plan to gain power in Rome was sacrilegious. When Sallust recounted the oath that was taken between the participants of the affair, he used specific religious terminology to stress the solemn ritual that an oath entailed. He recorded a rumor that those involved with the affair of 63 confirmed the *ius iurandum* by drinking *humani corporis sanguinem vino permixtum* “Human blood mixed with wine” (Sall. *B Cat.* 22.1).¹²¹ The term *execratio* (‘an imprecation’) occurred in the passage to describe the solemnity of the oath indicating that those who broke the oath would be “cursed.”¹²² In addition, Sallust compared the act to the normal *sollemna sacra* (‘ceremonial rites’), which he explained were customary before a religious activity (Sall. *B Cat.* 22.2).¹²³ The religious terminology Sallust used reporting this rumor clearly emphasized the sacrilegious perception of the affair. Therefore, it follows that the affair itself was not only immoral because its participants planned in secrecy to commit crimes to ultimately overthrow the current rule in Rome, but also sacrilegious because planning to attack the *res publica* was by extension a plan to attack Roman religion.

1.4 The plurality of the affair

As the concise summary of the affair in the introduction to this chapter indicates, many Roman citizens participated in the affair. Our sources furnish over forty names of male and female Roman citizens who were either killed, executed, formally, or informally accused. These participants or possible participants of the affair are individually listed in Appendix I. According to the definitions cited in the introduction to this chapter, the term *coniuratio* or its cognates inherently indicate plurality. Cicero often uses the concrete noun *coniuratus* to refer to the affair’s participants invariably in its plural form, *coniurati*. However, when Cicero uses the verb *coniurare* in reference to the participants’ actions, it unexpectedly occurs in the singular.

¹²⁰ For *ius iurandum*, see OLD (*ius*²) s.v. 5: “an oath”.

¹²¹ Dio Cassius also recorded a version of the “blood oath” (Dio Cass. 37.30.3).

¹²² OLD (*execratio*) s.v. 2.

¹²³ OLD (*sollemne*) s.v. 1-2. On Sallust’s use of the terms *execratio* and *sollemne*, cf. Vretska 1976, 333-4; McGushin 1977, 153.

Sallust, on the other hand, preferred to use the term *coniuratio* to refer metonymically to “a band of conspirators” instead of using the term *coniurati* in the *Catilina*. In contrast to Cicero, Sallust invariably used the verb *coniurare* either in the plural or with a plural noun to indicate that a group of people was “conspiring.” Both Cicero and Sallust use the term *multitudo* and *grex* (‘a crowd’) to refer to the great number of supporters.¹²⁴ Cicero also used the term *numerus* (‘number’) either with a qualifying adjective to indicate the large number of supporters or in a context that alluded to the increasing numbers of people the affair attracted. Finally, in a similar manner, Sallust used the term *manus* (‘a band of soldiers’) with an adjective to express its size.¹²⁵

The plural noun *coniurati* occurs eighteen times to refer to the affair’s participants in Cicero’s works.¹²⁶ Cicero used the term *coniurati* either in reference to the affair’s participants in general or to specifically refer to those who had remained in Rome after Catiline left the city.¹²⁷ Sallust only used the concrete noun *coniuratus* once, but the phrase *de omnibus coniuratis* still suggests that there was more than one “conspirator” (Sall. *B Cat.* 52.17). He similarly used the term *coniuratio*, usually in conjunction with a plural noun as a metonym for “a band of conspirators” without using the substantive *coniurati*. When reporting Catiline’s failure as a consular candidate in 64, Sallust remarked that *quod factum primo popularis coniurationis concusserat* “This at first filled the conspirators with consternation” (24.1).¹²⁸ The context is clear that the term *coniuratio* was used as a metonym for the “conspirators.” Furthermore, the substantive *popularis* (‘accomplice’) in this instance suggests that the members in the *coniuratio* were concerned about Catiline’s failure to be elected consul, not the “conspiracy” itself.¹²⁹

¹²⁴ OLD (*grex*) s.v. 2-3.

¹²⁵ OLD (*manus*) s.v. 8 and 22.

¹²⁶ Cf. Cic. *Cat.* 1.12, 3.3, 21, 4.20; *Mur.* 52, 87; *Sull.* 30, 31(*bis*), 83, 88; *Flac.* 94, 102; *Red. sen.* 26; *Sest.* 42; *Pis.* 5, 15, 16.

¹²⁷ The term *coniurati* is used eleven out of eighteen times in reference to the “conspirators” both inside and outside of Rome, cf. Cic. *Cat.* 4.20; *Mur.* 52, 87; *Sull.* 30, 31, 83, 88; *Flac.* 94; *Sest.* 42; *Pis.* 5, 15. Cicero sometimes used the expression *reliqua coniuratorum* to refer to those remaining in Rome, see Chapter 2.3.

¹²⁸ Sallust antedates the beginning of the affair to before the consular elections of 64, not after Catiline’s subsequent loss in the consular elections of 63. On the antedating in Sallust’s *Catilina*, cf. Syme 1964, 79-81; McGushin 1977, 296-7; Ramsey 1984, 15-9; Pagan 2004, 20-3 and 89-90.

¹²⁹ Cf. Sall. *B Cat.* 22.1; 52.14. OLD (*popularis*²) s.v. 1b. Ramsey (1984, 129) explains that in the *Catilina* Sallust used *popularis* as a substantive and not to refer to political preference. Cf. Smith 1968, 192; McGushin 1977, 152.

All of the instances of the verb *coniurare* in reference to the affair of 63 in Cicero's works occur in the *Pro Sulla*. The verb was used five times in the singular in reference to the actions of the affair.¹³⁰ The verb most likely occurs in the singular because Cicero was defending only one person, his client P. Sulla, from the accusation that he was "conspiring" in 63. However, twice the singular verb was used in relation to a group of people. The first instance refers to the inhabitants of the town Pompeii. The prosecution accused P. Sulla with attempting to incite the town to join the affair of 63. Cicero refuted the charge by countering that P. Sulla's influence on Pompeii prevented any dissension in the town. He rhetorically asked the prosecution *an tibi Popmpeiani coniurasse videntur?* "Do you think that they did join the conspiracy?" (Cic. *Sull.* 60). In this case, the singular *coniurasse* referred to the action by a group of people. The second instance occurs when Cicero professed that he had no time to name all of the affair's participants, indicating that the list would take too long. Therefore, he asked the jury in the trial *ut taciti de omnibus quos coniurasse cognitum est cogitetis* "to recollect in silence all those known to have been in the conspiracy" (71). Clearly the occurrence of the term *omnes* in this case suggested a plurality of participants. On the other hand, the verb *coniurare* appears in the plural twice in Sallust's *Catilina*. Furthermore, Sallust used a plural noun to precisely qualify that more than one person was "conspiring." When referring to Lentulus and the others remaining in Rome, Sallust remarked that *coniuravere nobillissimi cives* "citizens of the highest rank have conspired" (Sall. *B Cat.* 52.24).¹³¹

The plural aspect of the affair is also indicated by the usage of terms *multitudo* and *grex*. Both authors used these nouns to refer to the number of the participants, sometimes with the adjective *tantum* to emphasize their size. In the *Third Oration*, Cicero remarked that *coniuratione tantaque hac multitudine domesticorum hostium* "The *coniuratio* was so widespread and the number of traitors so great" (Cic. *Cat.* 3.15). He reiterated the same sentiment in the *Fourth Oration*, using the term *multitudo* to acknowledge the large numbers of people still supporting the affair (4.20). Sallust used the term *multitudo* three times in the *Catilina* to indicate the plurality of participants. When recounting

¹³⁰ Cf. Cic. *Sull.* 60, 70, 71, 85(*bis*).

¹³¹ Sallust referred to the affair of 66/65 using the plural of *coniurare* in conjunction with the plural noun *pauci* to indicate that a "few" more than one person was involved in this event as well (Sall. *B Cat.* 18.1).

the Senate's offer to reward those who had information about the affair, Sallust claimed *ex tanta multitudine neque praemio inductus coniurationem patefecerat* "Not one man of all that great number was led by the promised reward to betray the *coniuratio*" (Sall. *B Cat.* 36.5). Sallust used the term *coniuratio* once again in conjunction with the term *multitudo*, indicating that the former term easily corresponded with the latter in that both terms were intrinsically plural (43.1).¹³² In addition, when recounting the attempt by Lentulus and Cethegus' clients to rescue them from custody on December 3 and 4, Sallust used the term *multitudo* to refer to these men in general (52.14) and the term *grex* once to describe the "crew" specifically of Cethegus' slaves and freedmen (50.2). Cicero also used the term *grex* once in the *Second Oration* to describe the members of the affair that he hoped would leave the city with Catiline. Cicero called them *desperatorum hominum flagitiosi greges* "The criminal bands of desperate men" (Cic. *Cat.* 2.10).

As mentioned in the introduction to this section, Cicero used the term *numerus* in reference to the amount of people supporting the affair.¹³³ The term occurs twice in the *First Oration*. The first instance of *numerus* described the numbers of people who were joining Manlius and his army in Etruria, which Cicero claimed *crescit in dies* "were increasing daily" (1.5). The second instance specifically referred to the many people who were also supporting Catiline (1.26). In the *Second Oration*, Cicero commented on how quickly Catiline was able to gain *ingentem numerum perditorum hominum* 'a huge number of ruined men' from both inside and outside the city (2.8).¹³⁴ Cicero and Sallust also used the term *manus* to refer to the participants in the affair of 63. However, only Sallust used the term to refer to the large size of this *manus* and only once.¹³⁵ When the *Catilina* recounted Statilius and Gabinius' task to set fires in Rome, Sallust wrote that they would be helped *cum magna manu* 'by a large band of followers' (Sall. *B Cat.* 43.2).

¹³² Sall. 43.1: *multitudo coniurationis*

¹³³ Cicero used the term *numerus* to describe the large amount of weapons that were seized from Cethegus' home (Cic. *Cat.* 2.8).

¹³⁴ The phrase *ex numero civium* occurred in the *Fourth Oration* to indicate that a number of the supporters were citizens (Cic. *Cat.* 4.22). However, in this case, the term *numerus* does not specifically express that this was a large group.

¹³⁵ For the term *manus* in reference to the armed forces outside of Rome, cf. Cic. *Cat.* 1.23, 2.24, Sall. *B Cat.* 51.36. In reference to those who remained in Rome after Catiline left the city, cf. Cic. *Cat.* 1.12, 3.3. In reference to the affair's participants in general, cf. Cic. *Cat.* 1.25, 4.20(*bis*); Sall. *B Cat.* 14.3.

Both Cicero and Sallust's accounts of the affair clearly identified the plural aspect by using specific vocabulary that expressed the extensive reach of the affair or to describe the great number of people involved with or willing to support it. Most often they used the plural term *coniurati* to describe the people involved with the affair and to indicate their plurality. This description of the participants signifies that the affair they were participating in was a *coniuratio* and demonstrates that more than one person was always involved.

1.5 Chapter conclusions

This chapter demonstrated that the term *coniuratio* was not the only term Cicero and Sallust used to interpret the affair. Both authors used other specific terminology to describe the affair's context and its participants. At times, they chose to use a term to emphasize either the clandestine, criminal, immoral, or plural aspects of the affair's context. Therefore, we cannot yet make a precise conclusion regarding their interpretation. However, we can conclude that the language Cicero and Sallust chose to identify the clandestine, criminal, immoral, or plural aspects of the affair certainly defined what we would today term a conspiratorial context. Clearly, this was the reason they frequently chose to use the term *coniuratio* or its cognates in reference to the affair or its participants. However, Cicero and Sallust also used the term *bellum* ('war') to interpret the affair, which I examine in Chapter 4. In addition, the term *coniuratio* was not always used to interpret a conspiratorial context. Chapter 5 further examines the term *coniuratio* to provide a more comprehensive analysis of its meanings. I primarily examine the other occurrences of *coniuratio* in Cicero and Sallust's works that do not specifically refer to the affair of 63. I also examine the usage of the term in *De Bello Gallico* by Cicero and Sallust's contemporary Caesar to further understand what the term *coniuratio* meant to the Roman people and what context it typically described at the time of the affair of 63 in Chapter 5. Before I investigate further the terminology used to identify the affair, the following two chapters examines our sources' presentation of the people involved with the disturbances that occurred both inside and outside of Rome.

Chapter 2

The disturbance inside of Rome: Identifying the threat, examining the representation of the supporters, and reevaluating the influence of P. Cornelius Lentulus Sura

This chapter focuses on those who were involved with the affair and stayed in Rome after Catiline left the city on November 9, the day after Cicero exposed the plans of the affair. According to our sources, many of the influential participants of the affair remained in the city and intended to commit arson and murder. I examine the representation of the seriousness of the threat facing Rome from those supporting the affair within the city in Part A section 2.1. The section begins with a discussion of Cicero's *Pro Murena*, in which he argued that it was paramount that two consuls were in office in January of 62 because he believed the affair would not be suppressed before his year as consul came to a close. The *Pro Murena* emphasizes the remaining threat in the city despite Catiline's absence. Section 2.1 concludes with an examination of the intended plans of those remaining in Rome, specifically the intended murder of Cicero and other leading citizens as well as the plan to burn parts of the city. I examine to whom our sources assigned these tasks, and discuss the discrepancies regarding the names of the participants to demonstrate the complexity of the affair. The violent and criminal intentions of those involved with the disturbances in Rome further demonstrate the seriousness of the threat remaining in the city.

Section 2.2 continues to discuss our sources' perception of those remaining in Rome willing to support the affair. I examine Cicero and Sallust's categorization of the various groups of people from diverse social classes. They asserted that these groups were attracted to the affair because of one overriding factor – extreme debt. Therefore, I briefly review some recent studies on the seemingly perpetual debt crisis in the Late Republic. I argue that this single explanation for why these heterogeneous groups joined the affair is unsatisfactory. Then section 2.3 discusses the representation of the nine men who were arrested on December 3 and who confessed to supporting the affair. The terminology our sources used to represent these nine men, or to use Cicero's phrase, the *reliqua coniuratorum manus*, further demonstrates the significant influence of the actions occurring inside the city. These men were

depicted as the *socii* ('allies') of Catiline while he was in Rome, but after he left the city they were depicted as *duces* ('leaders').

Our sources' representation of P. Cornelius Lentulus Sura, a praetor in 63 and one of the *reliqua coniuratorum manus* who confessed to participating with the affair, is examined in Part B of this chapter in section 2.4 and its subsections. The predominance and emphatic positioning of Lentulus' name in our sources suggests that his role in the affair was foremost compared to the other *reliqua coniuratorum manus* that were named. I also briefly examine the record of the accusations against the other influential leaders remaining in Rome, namely C. Antonius, Cicero's consular colleague, and the future triumvirs Crassus and Caesar. However, I show that our sources continue to represent Lentulus as the most influential leader of the participants who remained in Rome and our sources' emphasis regarding the criminality of his actions. Moreover, some of our sources suggest that the plan to solicit the Allobrogean envoys was instigated by Lentulus.

Lentulus was consul in 71, but was expelled from the Senate by the censors the following year. However, Lentulus was soon able to rehabilitate his career and win the praetorship for a second time in 64. Subsection 2.4.1 reviews Lentulus' checkered political career and the influence of the *Cornelii Lentuli* to prove that he was the leader of the disturbances in Rome, in part, due to his status. The subsection 2.4.2 explores the evidence that Cicero obtained, which compelled Lentulus to confess to supporting the affair including his solicitation of the Allobrogean envoys. Then I examine Cicero and Sallust's accounts of the letter Lentulus gave T. Volturcius and the Allobrogean envoys intended for Catiline in subsection 2.4.3. In the letter, Lentulus urged Catiline to increase the numbers in the army in Etruria by enlisting slaves. Lentulus' request of Catiline in the letter suggests that Lentulus' influence on the affair can be reevaluated. In order to further demonstrate this reevaluation, I also examine other letters of "asking" between those of equal status for comparison. Subsection 2.3.4 examines the *mandata* ('instructions') that Lentulus also wanted Volturcius to deliver to Catiline verbally. The *mandata* reiterated Lentulus' written request of Catiline to use slaves in the army, but the former message also included instructions to march on Rome as soon as possible. The language of Lentulus' letter and *mandata* suggests that his influence on the affair of 63 was, at the very least, equal to that of Catiline.

I offer an esoteric reason why Lentulus perhaps continued to support the affair a month after its initial exposure and after he had just rehabilitated his political career in section 2.4.5. Most of our accounts of the affair record a prophecy that supposedly stated that Lentulus would “rule” Rome specifically in the year 63. I examine the prophecy first by evaluating its significance in regards to Roman religion. I proceed to examine the prophecy’s specific timeline as well as the political and religious implications of its prediction regarding Lentulus’ future. Lentulus’ letter, *mandata*, and his apparent belief in the prophecy of 63 challenge our sources’ assertion that the affair’s participants, who remained in Rome, were subordinate to Catiline.

Part A

2.1 The threat remaining in Rome

After Catiline left Rome on the night of November 8 and before the arrest of some of the affair’s participants remaining in Rome on December 3, Cicero defended the consul-designate L. Licinius Murena, who was accused of electoral bribery.¹ Cicero emphasized his concern regarding the extent of the affair’s threat to the Rome throughout the *Pro Murena*. If Murena were found guilty of *ambitus*, he would be stripped of the office. Perhaps Ser. Sulpicius Rufus, who was one of Murena’s prosecutors and whom Murena and D. Junius Silanus recently defeated in the consular elections for 62, thought that he would win the consulship in a reelection if Murena were convicted.² Traditionally when Rome was under threat of an attack, one consul was sent out to confront the enemy while the other stayed in Rome.³ Cicero attempted to convince the jury that the succession of two new consuls in Rome on January 1, 62 was paramount to ensure that the participants in the affair of 63 did not continue to

¹ On the date of the *Pro Murena*, cf. Settle 1962, 147; MacDonald 1969, ix and 1977, 183; *TLRR* 1990, no. 224; Marinone 2004, 87. The *Pro Murena* was not specifically listed as part of Cicero’s corpus of *orationes consularis* that he sent to Atticus (Cic. *Att.* 2.1.3). It was a forensic speech, so it was most likely published soon after its delivery, cf. Settle 1962, 147-54.

² Cicero remarked this was Sulpicius’s motive to prosecute Murena (Cic. *Mur.* 82). It was not uncommon for the defeated consular candidates to prosecute those who won the election, see Alexander 2002, 121. In 66, the consul-designates P. Cornelius Sulla and P. Autronius Paetus were convicted *de ambitu* and stripped of the office (*Sull.* 1, 15, 66). The successful prosecutors L. Manlius Torquatus and L. Aurelius Cotta, who had lost the first consular election to P. Sulla and Autronius, replaced them as consuls in the reelection later that year (49). On the charge of electoral bribery, cf. Lintott 1990; Yakobson 1992; Riggsby 1999, 21-49.

³ Only in times of extreme peril were both consuls sent to war. Sometimes one of the two consuls would return to Rome to preside over the elections while Rome was at war, cf. Liv. 37.50.6-7 contra 27.4.1-4. See also Pina Polo 2011, 199-203.

threaten the stability of the *res publica* the following year.⁴ Although it was ironic that Murena was charged under Cicero's own law *de ambitu* passed in 63⁵, Cicero explained he was defending Murena because as consul he was obligated *ad communem salutem defendendam* "to defend the safety of all her citizens" (Cic. *Mur.* 5).⁶

Cicero emphasized Murena's extensive military experience in the *Pro Murena*.⁷ He claimed Murena's experience as a soldier would be necessary if Catiline and Manlius' forces in Etruria were not defeated before the end of the year, not to mention the other regions in Italy allegedly supporting the affair.⁸ Cicero knew many others were involved with the affair and were still in the city (Cic. *Mur.* 84-85). But in the *Pro Murena*, no one else was explicitly named except Catiline.⁹ When Murena was standing trial, Cicero was probably not yet aware of the participants' attempt to solicit the Allobrogean envoys. Conversely, the participants remaining in Rome might not have approached the envoys of the Gallic tribe before Murena's trial. It remains uncertain when the Allobrogean envoys arrived in Rome, but Cicero did not mention the envoys when he initially disclosed the affair's plans in the *First Oration*.¹⁰ The Gallic envoys are not mentioned until the *Third Oration*, which suggests that the participants remaining in Rome did not approach them until late November or

⁴ Cf. Cic. *Mur.* 4: *ostendam alio loco quantum salutis communis intrsit duos consules in re publica Kalendis Ianuariis esse*. "I shall show elsewhere how vital it is for the preservation of us all that there are two consuls in the Republic on the 1st of January." 79: *Magni interest, iudices, id quod ego multis repugnantibus egi atque perfeci, esse Kalendis Ianuariis in re publica duo consules*. "It is vital, gentlemen, that there are two consuls in the State on the 1st of January and that is what in the face of strong opposition I have worked so hard to achieve." Also cf. *Mur.* 5, 82, 85.

⁵ Cf. Cic. *Mur.* 3, 71. On the *lex Tullia de ambitu*, cf. Greenridge 1901, 473-5; Kinsey 1965; MacDonald 1969, xxiv; Robinson 1995, 85-6; Alexander 2002, 123-4.

⁶ Cf. Cic. *Mur.* 90. On the reasons why Cicero defended Murena, see *Mur.* 3-10. Cf. Kinsey 1966, 273; MacDonald 1969, xxxvi-ix and 1976, 180-2.

⁷ Murena served under his father in the Mithridatic war in 85/84 until his father's recall by Sulla in 82 (Cic. *Mur.* 15, 32). His father was awarded a triumph in 84, which Cicero claimed was *amplissime atque honestissime* "magnificent and thoroughly deserved" (15). For his father's career, see *RE* XIII (Licinius) no. 122, 444-6. Murena later served in Asia under the command of L. Licinius Lucullus in 75/74 until he was replaced in 67 (20, 89). On Murena's career see, *RE* XIII (Licinius) no. 123, 446-9.

⁸ Cicero compares the importance of a military career to a civil career (Cic. *Mur.* 22-30). He conceded that the former was usually the more important profession in regards to the consulship, cf. 24, 29, 30, 83. On the reported disturbances outside Rome, see Chapter 3.4.

⁹ Most likely Cicero did not have any concrete evidence of anyone else's participation at this time, so he avoided mentioning names except C. Manlius and M. Porcius Laeca.

¹⁰ NB: Normally the Senate reserved the early months of the year to listen to foreign envoys, cf. Cic. *Ver.* 2.1.90; *Fam.* 1.4.1; *Q. fr.* 2.11.3. The Allobrogean envoys were probably not in Rome in the beginning of 63 nor were they contacted before mid-November otherwise Cicero would have doubtlessly indicated this in the first two *Orations* or the *Pro Murena*. NB: Not all foreign ambassadors were only received in the beginning of the year, see Pina Polo 2011, 261-4. See also, n.190.

early December. However, Cicero was aware that Murena's brother Caius had been left as temporary governor of Transalpine Gaul, which Lucius governed from 65-63, when the latter came to Rome to stand for the consulship.¹¹ Certainly, the strategic location of this region, its stability, and the loyalty of its people were important if Catiline and Manlius' army tried to retreat from Etruria towards Gaul. Therefore, Cicero wanted to ensure the loyalty of the *Licinii Murenae* whose influence in the region might prevent any military support from the Transpadanes or perhaps from Gaul.¹² Of course, Cicero's *Pro Murena* is imbued with rhetoric, which we would expect from such a competent orator and advocate defending his client. However, he was not entirely misleading when he emphasized the importance of having Murena installed as consul in 62, as there is literary evidence that some of the regions targeted by the affair's participants were in revolt and others continued in this state several years after 63, regardless of the executions on December 5 and the eventual defeat of Catiline and Manlius' army in Etruria in mid or late January 62.¹³

Cicero alluded to the strategic reasons why Murena's election as consul was imperative to convince the jury that the latter had the necessary military ability to defeat Catiline and Manlius' army in the field. Furthermore, Cicero continued to warn his audience that Rome, without two consuls, was not only vulnerable to the threat of the army amassing in northern Etruria, which is explored in more detail in Chapter 3, but also the threat that was gathering momentum within the city. As Cicero did in the *Second Oration*, he frequently claimed that there were many remaining in the city supporting the affair

¹¹ Cf. Cic. *Mur.* 42, 68, 89. Sallust claimed C. Murena was a *legatus in citeriore Gallia* "Hither Gaul" probably referring to Cisalpine Gaul (Sall. *B. Cat.* 38.3). NB: Allen (1953, 176) argues that L. Murena was governor of both Transalpine and Cisalpine Gaul as the two provinces were not yet formally divided therefore C. Murena replaced him in these regions. See also, Allen 1952. According to the *RE*, C. Licinius Murena replaced Lucius as governor of Transalpine Gaul, see *RE* XIII (Licinius) no. 119, 444.6-15. On the other hand, the *RE* stated that Lucius was governor of *Gallia Narbonensis* at 446.6-8. Clearly, until these province's borders were demarcated during the Empire there is conflicting evidence.

¹² Murena also had support in Umbria another region those involved with the affair of 63 were attempting to solicit (Cic. *Mur.* 42). See further, Chapter 3.4.

¹³ For the evidence of the revolts continuing several years after 63, see Stewart 1995. Orosius recorded that in 62, M. Bibulus and Cicero's brother Quintus suppressed disturbances related to the affair of 63 in Bruttium and among the Paeligni respectively (Oros. 6.6.6-7). Suetonius recorded that the revolt in Bruttium suppressed by Octavian's father in 60 included remnants of supporters of Spartacus and Catiline (Suet. *Aug.* 3.1). The Allobroges also revolted from Rome in 61 (Dio Cass. 37.47-8). But whether these continuing disturbances were related to the efforts of those involved with the affair of 63 is further investigated in Chapter 3.4.

throughout his defense for Murena.¹⁴ In the peroration of the *Pro Murena*, Cicero metaphorically compared those supporting the affair remaining in the city to the Greeks hiding in the Trojan horse (Cic. *Mur.* 78).¹⁵ Although he did not name any Roman citizen involved except Catiline in the *Pro Murena*, he declared that some of the affair's supporters in Rome were senators (86).¹⁶

The term *periculum* ('danger') occurs eleven times in the *Pro Murena* implicitly referring to the threat facing Rome. Three times the term is used to refer to the danger facing Cicero as consul (Cic. *Mur.* 3, 52, 87). The term is used four times to specifically refer to the affair's participants in Rome and the danger they still imposed on the city (80, 83, 84, 86). Twice the term is qualified with the adjective *tantum* (80, 83), once with *summum* (6), and once juxtaposed with the noun *magnitudo* (86). Clearly, the language Cicero used in the speech emphasized the extreme seriousness of the affair and its hostile plans. He implied that the affair's participants would not cease their scheming even if Catiline and Manlius' army were eventually defeated. Cicero claimed he feared those remaining in the city more than the forces outside of Rome (79).¹⁷ Cicero reiterated the necessity that a man of Murena's qualities was installed as consul in January 62 to properly defend the *res publica*. Cicero closed his defense for Murena recommending that if his client were acquitted he would be:

cupidissimum otii, studioissimum bonorum, acerrimum contra seditionem, fortissimum in bello, inimicissimum huic coniurationi quae nunc rem publicam labefactat futurum esse

"Devoted to peace, zealous in the support of loyal citizens, active in the suppression of rebellion, intrepid in war and a bitter enemy of this *coniuratio* which is now rocking the foundations of the Republic" (Cic. *Mur.* 90).

¹⁴ The *Second Oration* was delivered the day after Catiline left Rome on November 9 and frequently alluded to the people supporting the affair who remained in the city, cf. Cic. *Cat.* 2.4-6, 8, 10-11, 17, 23, 27-28; *Mur.* 78-80, 82, 84-86, 90. See also section 2.2 below.

¹⁵ Cic. *Mur.* 78: *latius patet illius sceleris contagio quam quisquam putat, ad pluris pertinet. Intus, intus, inquam, est equus Troianus* "The infection of [that] crime is more widely spread and affects more people than anyone imagines. The Trojan horse is within our walls, yes, within our very walls." NB: MacDonald (1976, 285) translates *illius* as "his" implying that Cicero was referring to the affair as Catiline's crime. However, if Cicero wanted to stress that the *scelus* referred to Catiline alone, surely he would have used the corresponding personal pronoun *eius* instead of a demonstrative pronoun. Therefore, translating the demonstrative pronoun as "that" is less misleading.

¹⁶ Cic. *Mur.* 86: *non nemo etiam in illo sacrario rei publicae, in ipsa, inquam, curia non nemo hostis est* "There are even some [supporting the affair] in our national holy of holies, yes, in the very Senate-house." Cf. *Mur.* 85; *Cat.* 1.5.

¹⁷ Cic. *Mur.* 79: *curavi ne quis metueret, sed copias illius quas hic video dico esse metuendas* "I have seen to it that nobody need fear him [Catiline], but I do say that there is a good reason to fear his forces which I see here." Cf. *Cat.* 3.16: *ille erat unus timendus ex istis omnibus, sed tam diu dum urbis moenibus continebatur* "Catiline was the only one out of all these men [Lentulus, Cassius, and Cethegus] to be feared and he only so long as he was within the walls of Rome."

Cicero had continually advised his audience that he knew other influential participants remained in Rome and warned the threat would persist despite the fact that Catiline, who Cicero presumed was the primary agitator, was no longer in the city. After Catiline left the city, Cicero's stance regarding his influence over the participants remaining in Rome had apparently changed.¹⁸ Perhaps the jury actually believed Cicero's claim that the affair was more complex and believed his claim that many more were involved than initially thought. Furthermore, perhaps the jury believed Cicero's claim that the affair would not be entirely suppressed before the end of the year.¹⁹ Cicero seemingly convinced the jury that the threat of the affair was serious because of the presence of those who remained in Rome and Murena was acquitted.²⁰

Our sources attest that the participants remaining in Rome had three primary tasks: i) to obtain the support of the Allobroges to strengthen Catiline and Manlius' army in Etruria, ii) to set fire to the city, and iii) to murder the leading citizens loyal to the current regime. Cicero rhetorically stated that the threat these men represented and the violent schemes they were attempting to implement were to destroy the *res publica* and everything along with it. Cicero opened the *Third Oration* from the *rostra* professing:

“Rem publicam, Quirites, vitamque omnium vestrum, bona, fortunas, coniuges liberosque vestros atque hoc domicilium clarissimi imperi, fortunatissimam pulcherrimamque urbem, hodierno die deorum immortalium summo erga vos amore, laboribus, consiliis, periculis meis e flamma atque ferro ac paene ex faucibus fati ereptam et vobis conservatam ac restitutam videtis.”

“The Republic, citizens, the lives of you all, your property, your fortunes, your wives and your children, together with this heart of our glorious empire, this most blessed and beautiful of cities, have, as you see, on this very day been snatched from fire and the sword. The great love that the immortal gods hold for you has combined with the toil and the vigilance that I have undertaken, and with the perils that I have undergone, to

¹⁸ Cicero implied that Catiline was the primary agitator of the affair both inside and outside the city in the *First Oration*. Cic. *Cat.* 1.5: *eorum autem castrorum imperatorem ducemque hostium intra moenia atque adeo in senatu videtis intestinam aliquam cotidie perniciem rei publicae molientem*. “The commander of that camp [Manlius' army] and the leader of those enemies you see within the walls and even, indeed, in the Senate, plotting daily in our midst the destruction of the Republic.”, cf. *Cat.* 2.17, 27-29, 3.3-4, 16-17, 25, 4.2, 6, 12, 19-20.

¹⁹ Cic. *Mur.* 85: *sed quid tandem fiet, si haec elapsa de minimis nostris in eum annum qui consequitur redundarint?* “What will happen though, if these dangers slip from our fingers and spill over into next year?” NB: In 62 the tribune Q. Caecilius Metellus Nepos proposed that Pompey should return to Italy with haste to battle Catiline and Manlius' forces (Plut. *Cat. min.* 26.2).

²⁰ In the *Pro Flacco* delivered in 59, Cicero boasted that the jury in Murena's case was completely convinced that the affair of 63 posed a serious threat and two consuls were needed in Rome in January 62. Cicero claimed that not one juror thought Murena was guilty of electoral bribery (Cic. *Flacc.* 98). NB: Our sources are silent regarding Murena's activities during his consulship and there is no indication he interfered with the subsequent prosecutions of the affair's supporters.

bring them out of the very jaws of destruction and restore them to you safe and sound.”
(Cic. *Cat.* 3.1)

Cicero used varying forms of the expression *flamma atque ferro* (*Cat.* 2.1, 3.1; *Mur.* 85; *Sull.* 83) or the analogous phrase *caedes atque incendium* (*Cat.* 1.3, 6, 2.6, 10, 3.8, 15; *Sull.* 19, 33, 52) to describe both what actions those in Rome were planning and what actions Cicero had prevented from occurring. Throughout the *Orations*, he continually repeated this rhetoric to persuade everyone in the city to renounce the affair and anyone associated with its criminal and hostile plans.²¹

In the *First Oration*, Cicero claimed that on the night of November 6 at the house of M. Porcius Laeca where the affair’s supporters were meeting, Catiline meted out instructions before he left the city. He purportedly instructed some people to travel to different parts of Italy to incite the local inhabitants and encouraged those who would stay in Rome to continue with the designs to murder Cicero and to set fire to parts of the city.²² The day after the meeting, Cicero reported that *duo equites* approached his house early in the morning intending to murder him. Apparently, Cicero was informed about everything that transpired at the meeting, so he was ready for the assassins when they arrived and prevented their attempt (*Cat.* 1.9). It was the meeting at Laeca’s house and the abortive assassination attempt that spurred Cicero to deliver the *First Oration* in order to divulge the affair’s plans on November 8. However, Cicero did not name the two would-be assassins in the *First Oration*, which has prompted some scholars to question the veracity of the assassination attempt.²³ But, a year later in his defense of P. Sulla, Cicero wrote that a C. Cornelius, who happened to be the father of one of the prosecutors in the case, had volunteered to assassinate Cicero (Cic. *Sull.* 18). C. Cornelius was convicted for his involvement with the affair (6).

Sallust’s *Catilina* states that C. Cornelius and L. Vargunteius had volunteered to murder Cicero (Sall. *B Cat.* 28.1). Sallust ranked L. Vargunteius and C. Cornelius as *senator* and *eques* respectively (17.3-4). Linderski argues that Vargunteius probably lost his status as a senator when he was convicted

²¹ Forms of *flamma*, *incendium* or the latter term’s corresponding verb *incendere* are used fifteen times in the *Orations* all regarding the intended arson, cf. Cic. *Cat.* 1.3, 6, 9, 29, 2.1, 6, 10, 3.1, 8, 15, 25, 4.2, 4, 11, 17. The term *ignis* is also used, cf. *Cat.* 3.2 (juxtaposed with *gladius*), 22. Cicero also used the term *conflagrare* once at *Cat.* 3.25.

²² See n.261.

²³ Cf. Waters 1970, 203; Seager 1973, 243. For C. Cornelius, see Appendix I [no.11].

de ambitu in 66.²⁴ If Cicero was implying that the other *eques* that volunteered to murder him in the *First Oration* was Vargunteius, then perhaps Cicero was referring to Vargunteius' current status in 63, not his previous rank as senator like Sallust.²⁵ Cicero never confirmed Vargunteius was one of the would-be assassins, but Vargunteius was convicted in 62 for his involvement with the affair (Cic. *Sull.* 6).²⁶ The later narratives of the affair complicate the identification of the assassins further. Plutarch names an unknown Marcius and the senator C. Cornelius Cethegus (Plut. *Cic.* 16.2).²⁷ He either confused the latter with the *eques* C. Cornelius mentioned by Cicero in the *Pro Sulla* or antedated Sallust's claim that Cethegus volunteered to murder Cicero after Catiline had left Rome (Sall. *B Cat.* 43.2). Appian wrongly names P. Cornelius Lentulus Sura and Cethegus as the assassins, and postdates the attempt to when Catiline had arrived in Faesulae (App. *B Civ.* 2.1.3).²⁸ Dio recorded the assassination attempt, but did not mention any names (Dio Cass. 37.32.4). The reasons why Cicero chose not to publish the names of the assassins in the *First Oration* can be endlessly debated. However, the fact that C. Cornelius was convicted explicitly for the attempted assassination of Cicero makes it difficult to argue that the event was an exaggeration.

As Catiline was in Etruria, the responsibility to continue the designs to set fire to Rome and murder its leading citizens clearly fell to those remaining in the city. These tasks were ascribed to specific people, but again the names identified in our sources are not concordant. Cicero claimed that the intended conflagration was the senator L. Cassius Longinus' task (Cic. *Cat.* 3.14, 4.13; *Sull.* 53), and that Cethegus and a knight named P. Gabinius Capito were going to murder the leading citizens (*Cat.* 4.13). Sallust attributed the task of setting fires in Rome to the knights L. Statilius and Gabinius instead. Sallust further claimed Cethegus was to murder Cicero and instruct other anonymous young

²⁴ Linderski 1963.

²⁵ Cf. Robinson 1947; Linderski 1963; Berry 1996, 141; Dyck 2008, 85.

²⁶ See Appendix I [no. 42].

²⁷ No Marcius is attested in any other source, therefore, the name is either an original error that has continued in the manuscript tradition [(perhaps Μάρκιον was a corruption of Λεύκιον ('Lucius'), which might have referred to Lucius Vargunteius)]; or simply it was Plutarch's own error like he mistakenly named, Cethegus, the wrong *Cornelius*, as the other would-be assassin.

²⁸ Appian was perhaps misled, like Plutarch, by Sallust's claim that Cethegus later volunteered to murder Cicero (Sall. *B Cat.* 43.1). In the same passage, Sallust also stated Cicero's murder and the burning of the city was to coincide with Catiline's arrival at Faesuale, which perhaps explains Appian's anachronism of the initial assassination attempt before Catiline had left Rome.

nobles involved to murder their fathers (Sall. *B Cat.* 43.2).²⁹ On the other hand, Plutarch and Dio state that Lentulus instructed the others remaining in Rome to burn the city and murder its leading citizens.³⁰ Although none of the plans in Rome came to fruition, we can disregard Waters' opinion that Cicero had completely "exaggerated" and "fashioned" the whole affair.³¹ Certainly the threat was real to Cicero, and the other narratives concurred. Cicero continually boasted about his discovery of Catiline and Lentulus' actions and his suppression of the affair of 63.³² Cicero insisted that his suppression of the affair was more important than the greatest Roman victories won by famous generals abroad. He logically argued that victories against external foes were useless if Rome was destroyed.³³ He also spoke of the unprecedented triumph that the people of Rome wanted to reward him because of the affair's prevention.³⁴

There should be no doubt about Cicero's opinion concerning the seriousness of the threat to his own life and to Rome. However, one could argue that the plan to burn Rome was flawed from the beginning. The panic that would ensue might have been helpful if Catiline and Manlius' army were poised to attack the city, but they were still approximately 150 miles from Rome. Most likely, the fires would have been detrimental for the affair. How could they

²⁹ Sallust claimed a senator named A. Fulvius had his son killed because he heard his son was preparing to join the army in Faesulae (Sall. *B Cat.* 39.5). See Appendix I, [no.21].

³⁰ Plut. *Cic.* 18.1: οὐδὲν οὖν ἐπενόει κακὸν ὁ Λέντλος ἰσίμιον "Accordingly, it was no trifling or insignificant plan which Lentulus was cherishing." Plutarch also claimed Lentulus and the others planned to hold Pompey's children as hostage as collateral for when he returned from Asia (18.1). Plutarch also claimed there were one hundred men that Lentulus instructed to start fires, to block the aqueducts, and to kill anyone who tried to retrieve water (18.3). Cf. Dio Cass. 37.34.1: παρασκευαζομένου γὰρ τοῦ Λεντούλου καταπρήσαι τέ τινας καὶ σφαγὰς ἐργάσασθαι μετὰ τε τῶν ἄλλων τῶν συνομωμοκότων καὶ μετὰ Ἀλλοβρίγων "For Lentulus made preparations to burn down the city and commit murder with the aid of his fellow-conspirators and of Allobroges."

³¹ Waters 1970, 208.

³² Cf. Plut. *Cic.* 24.1; Dio Cass. 37.38.2. Cicero often emphasized his singular success over the affair, cf. *Cic. Cat.* 3.1-2, 15, 23, 25-7, 4.1-2, 20-1; *Sull.* 33, 83, 85. Cicero also claimed he was assisted in the affair's prevention through divine providence, cf. *Cat.* 3.1-2, 18-22, 4.2; *Sull.* 40, 86; *Div.* 1.17-22.

³³ Cicero compared his triumph to Scipio's over Carthage, Paulus' over Macedonia, Marius' over the Germanic tribes, and all of Pompey's victories (*Cic. Cat.* 4.20-23, cf. 3.25-27).

³⁴ Cicero supposedly turned down triumpho *ceterisque laudis insignibus* "The triumph and the other marks of honor" (*Cic. Cat.* 4.23). Cicero 'modestly' proclaimed the only reward he wanted was for the people of Rome to remember his suppression of the affair forever (cf. 3.25, 4.23). The triumph the people conferred on Cicero was apparently unprecedented because he was a civilian not a general (cf. 3.14, 4.5). In 55, Cicero declared that Q. Lutatius Catulus called him *pater patriae* ("father of his country") after his suppression of the affair (*Pis.* 6). Crassus also praised Cicero's actions as consul (*Fam.* 5.8.2). Plutarch and Appian also remarked that Cicero's triumph was unique and that in 62, Cato, who was now tribune, and the people honored him as πατέρα πατρίδος (cf. Plut. *Cic.* 23.3; App. *BC* 2.7).

control the fire once it was set? Cicero used the threat of the planned conflagration to convince the people in the city from retaining any sympathy towards the affair, if indeed they supported it at all (Cic. *Cat.* 4.17).³⁵ The proposal to burn the city apparently backfired. The *plebes urbana*, who could perhaps lose their possessions in a fire, turned against those supporting the affair (Sall. *B Cat.* 48.2).³⁶

On the other hand, the murder of the leading loyal citizens in Rome would have been a great blow to the established authority in the city. Cicero frequently attempted to strike fear in other Senators by reminding them that they themselves were targets (Cic. *Cat.* 1.17).³⁷ But, after the first failed assassination attempt against Cicero, the other leading citizens were warned and on guard (1.7). After the plans were initially divulged, any action intended by the affair's participants was conceivably limited. Although no violence occurred in Rome, our sources contend that the participants' were still intent on arson and murder.

Logically, Cicero emphasized these violent intentions to incite hatred against the participants remaining in Rome. In the *Third Oration*, Cicero named nine Roman citizens who had confessed to soliciting the Allobrogean envoys to support the affair (Cic. *Cat.* 3.14). Whether these men also confessed to attempted arson and murder is only implied. However, their attempt to enlist the Gauls, the most feared enemy of Rome, was probably considered more detestable to the multitude in the city than the rumors of arson and murder. Arguably, the people of Rome were less worried about a rebel army encamped in Faesulae, approximately 150 miles from the city's gates, than the violent and ambitious plans of those supporting the affair within the walls of Rome. If Cicero was aware of the plans both outside and inside of Rome since early November, or perhaps earlier, and had made these plans public in the *First Oration*, then why did the participants in Rome continue to support the affair, after Catiline left the city, for an entire month? The answer to this question is not straightforward, as each participant might have separate motives. By

³⁵ Sallust claimed that initially *omnia cuncta plebes novarum rerum studio Catilinae incepta probat* "The whole body of the commons through desire for *novarum rerum* favored the designs of Catiline" (Sall. *Cat.* 37.1). Due to the rumors of arson the plebs *mutata mente Catilinae consilia exsecrari* "Faced about and denounced the designs of Catiline" (48.1).

³⁶ Yavetz (1963, 498) argues that the failure of the affair of 63 was because those involved with the affair did not obtain the support of the *plebes urbana*. Contra Waters 1970, 206-7.

³⁷ Cicero used these scare tactics in the *Fourth Oration* to his advantage, cf. Cic. *Cat.* 4.18-24. See Cape, Jr. 1995, 263-4.

examining our sources representation of the supporters remaining in Rome, perhaps we can reevaluate their influence on the affair as a whole.

2.2 The common debt crisis

Cicero's claims made in the *Pro Murena* regarding the plurality of people involved with the affair, examined in the previous section, echoed his earlier claims made in the *Second Oration*. In the latter speech, he explained that many other people were motivated to join the affair in order to improve either their political position or financial condition, or because they were attracted by the crime itself (Cic. *Cat.* 2.18-23). Cicero grouped these would-be supporters into six general categories: i) wealthy citizens, who were unwilling to sell their estates to cover their debt hoping that if the affair was successful the new regime would institute *tabulae novae* ('new accounts') canceling their massive debts (2.18)³⁸; ii) other indebted citizens attracted by the prospect of future magistracies (2.19); iii) some of the Sullan colonists, including both the veterans of Sulla's legions and small colonial land holders, who were now in dire financial straits. They hoped if the affair was successful then the new regime would pursue proscriptions and confiscations for their benefit, similar to those enacted by Sulla (2.20)³⁹; iv) an assortment of citizens from Rome and other areas in the *res publica* who were in perpetual debt that could only profit by joining the affair (2.21)⁴⁰; v) an assortment of criminals (2.22); and vi) certain young men from Rome who were engaged in every sort of vice (2.23).⁴¹ Cicero emphasized the civil nature of the affair, stating that all the groups of supporters in Rome were *hostes, tamen, quia nati sunt cives* "enemies, still they were born citizens" (2.27).⁴²

The groups of supporters described in Sallust's *Catilina* correspond, in part, with Cicero's categories. Sallust offered similar political, financial, and immoral reasons as to how those who were attracted to the affair were induced

³⁸ On *tabulae novae*, see further Chapter 3 n.13.

³⁹ Cf. Sall. *B Cat.* 21.2.

⁴⁰ NB: Cicero claimed this group was reported to be joining Catiline and Manlius' forces in Etruria: *in illa castra conferre dicuntur* (Cic. *Cat.* 2.21). Therefore they are excluded from those participating with the disturbances in Rome. On the composition of Manlius' army, see Chapter 3 n.82.

⁴¹ For other descriptions of Cicero's groups of supporters, cf. Yavetz 1963, 488; Dyck 2008, 148. Yavetz (1963, 488) also recounts six groups but splits Cicero's third group into two: Sullan colonists and the rural poor. Yavetz does not include the group regarding young follows, in contrast to Dyck 2008, 148. On the problems of identifying 'the Roman youth' involved in the affair of 63, see Isayev 2007, 8-11.

⁴² Cf. Cic. *Mur.* 80.

to join it. Similar to Cicero, Sallust discussed the inclusion of every type of immoral and criminal person within the Republic: i) those in debt (Sall. *B Cat.* 14.1-2, 17.4, 20.8, 13, 21.1-2, 39.6); ii) the Sullan veterans, colonists and others from the countryside (16.4, 17.4, 27.1 28.4, 37.6, 9)⁴³; iii) assorted criminals (14.1-4, 36.4, 39.6); and iv) anonymous young Romans (12.2, 13.4-5, 14.5-7, 17.6, 37.7, 38.1). In contrast to Cicero, Sallust also disclosed that: i) indebted women were attracted to the affair (24.3, 25, 40.5); ii) other political factions not in power (37.10, 38.1-3); iii) the urban plebs (37.4)⁴⁴, and iv) the impoverished immigrants of Rome (37.5-8).⁴⁵

According to Cicero and Sallust's categories, debt was apparently the common reason why certain people were tempted by or supported the affair of 63.⁴⁶ In the Late Republic, the debt crisis was addressed and appropriate legislation was passed to attempt to alleviate the problem in 88 and 86.⁴⁷ But it is known that Romans from every social class in the Italian peninsula were indebted to some degree in the Late Republic.⁴⁸ A brief digression regarding the Roman economy will demonstrate that debt was a constant concern for many Romans. Hence, Cicero and Sallust's claims that debt was the common reason so many were willing to support the affair carries less relevance than their descriptions of supporters would lead one to believe.

Barlow highlights the financial crisis in the Roman economy by first examining the estimates in coin production from the years 92-80, taking his cue from Crawford's estimates of the minting of obverse dies during this tumultuous period.⁴⁹ Barlow explains that the Republic's income steadily decreased due to rapid expansions in the army during the Social War, the invasion of Asia by

⁴³ NB: Sallust stated that the Sullan veteran, C. Manlius, also attempted to recruit those dispossessed by Sulla because of their dire financial condition (Sall. *B Cat.* 28.4, 37.9). See Chapter 3 n.81.

⁴⁴ See n.35.

⁴⁵ Appian claimed the affair received support from anonymous ἀνδρῶν τε καὶ γυναικῶν "Both men and women" (App. *BC* 2.2). For the role of women in the affair of 63 see, Pagan 2004, 41-6.

⁴⁶ Cic. *Cat.* 2.4: *reliquit quos viros, quato aere alieno* "But the men he [Catiline] has left behind, what debts they have!"

⁴⁷ On the *lex Cornelia Pompeia* of 88 that reduced interest rates and debt, see Barlow 1980, 214. On the *lex Valeria de aere alieno* of 86, which reducing debt by three-fourths, cf. Sall. *B Cat.* 33.2; Vell. Pat 2.23.2.

⁴⁸ For the issue of debt in various social classes in the Late Republic, see the following: for the Italian agricultural community, cf. Brunt 1971, 129-30 Evans, 1980, 134-73; Havas 1984, 35; De Ligt 2004, 754-5. For the urban plebs, cf. Yavetz 1958, 515-7; Brunt 1966, 3-27. For the upper classes, cf. Shatzman 1975.

⁴⁹ Barlow 1980, 203-12. Barlow examines the estimated statistics of obverse dies from M.H. Crawford's studies from 1964 and 1974 to support his conclusions, see Bibliography.

Mithridates, the civil wars between Octavius and Cinna, and Marius and Sulla.⁵⁰ However, Barlow concedes that the estimates of minted coins do not explain the entire story.⁵¹ The rest of his article focuses on the collapsing credit structure⁵², the deflation of the Roman currency through legislation passed to aid debtors⁵³, and the subsequent counterfeiting of specie.⁵⁴ All of these factors had an impact on the Roman economy and, according to Barlow, stemmed from the continuing state of war.

The subsequent decades had no shortage of conflicts either (i.e., the wars against Sertorius, the pirates, and the perpetual struggles against Mithridates in Asia). These factors had an adverse affect on the Roman economy, and the debt crisis continued.⁵⁵ Harris contends that, “debt was in fact the life-blood of the Roman economy, at all levels.”⁵⁶ He cogently explains that Romans used little hard currency in most transactions, which were more typically paid using various documentary transactions instead.⁵⁷ Debt was paid off in a variety of ways and not always in a prompt manner.⁵⁸

The debt crisis was certainly a concern in 63, but the reasons for the affair that year were as varied as the groups that supported it. The omnipresent debt crisis in Republican Rome seems a too superficial reason for the affair to be planned. In addition, Catiline, Manlius, and Lentulus would have no trouble finding the support needed to overthrow the current regime if the entire indebted populace were prepared to revolt, as Cicero and Sallust assert. However, by the time Catiline, Manlius, and Lentulus acted, the affair was soon detected and, therefore, jeopardized from the very beginning. Our sources indicate that their support, although widespread, was far too inadequate to be successful after the affair’s initial detection.⁵⁹ Clearly, not everyone in debt agreed that

⁵⁰ Barlow 1980, 204-5, 207-12.

⁵¹ Ibid. 208-9.

⁵² Ibid. 212-3.

⁵³ Ibid. 213-7.

⁵⁴ Ibid. 217-9.

⁵⁵ Crawford 1974.

⁵⁶ Harris ,2006, 9. Harris criticizes the earlier seminal works on money in the Roman world for investing too much emphasis on hard cash as a determinant of the money supply in Republican Rome, contra Finley 1973; Crawford 1974.

⁵⁷ Credit, *fides*, was frequently paid using *nomina* on collateral instead of using coins (Harris 2006, 8-17).

⁵⁸ Harris 2006, 3.

⁵⁹ Sallust claimed that only a quarter of the soldiers in Catiline and Manlius’ army were properly armed (Sall. *B Cat.* 56.3). Appian similarly claimed that only a quarter of the army was armed, but contrastly claimed that the army in Etruria had 20,000 soldiers (App. *B Civ.* 2.7). Clearly, this is an overestimation by Appian as 20,000 soldiers, even if not properly armed, would have been difficult to defeat in one battle. Dio recorded that the army was not small, but claimed

resorting to violence was a way to solve his or her financial woes. Surely the prospect for power was a more persuasive reason for those who joined the affair than the reduction of something as commonplace as debt.⁶⁰ Therefore, Cicero and Sallust's claim that the underlying reason why so many different groups were willing to support the affair was debt and the hope that the new regime would alleviate their debilitating financial condition is too general.⁶¹ We cannot ignore our sources' perspective that debt was a shared concern of those willing to support the affair, but the reasons someone supported the affair were more heterogeneous and individual, as will be shown.

2.3 The representation of the *reliqua coniuratorum manus*

Cicero demarcated those who had remained in Rome after Catiline had left the city as the *reliqua coniuratorum manus* ('the remainder of the conspirators').⁶² Only four times during Cicero's *Orations* is the *reliqua coniuratorum manus* specifically referred to as *socii* ('allies') of Catiline. In the *First Oration*, Cicero uses the word twice, then only once more in both the *Second* and *Third Oration*.⁶³ The latter instance of *socii* is juxtaposed with the word *duces* ('leaders'), as Cicero proclaimed *ut Catilina paucis ante diebus erupit ex urbe, cum sceleris sui socios huiusque nefarii belli acerrimos duces reliquisset* "Ever since Catiline dashed from the city a few days ago, he has left in Rome *socii* in his crime, the most active *duces* in this wicked war" (Cic. *Cat.* 3.3). By the *Fourth Oration*, Cicero no longer used the term *socii* to refer to the *reliqua coniuratorum manus*.⁶⁴ Significantly the members of the *reliqua coniuratorum manus* were no longer described as Catiline's companions but as leaders in their own right. After his *First Oration* had the desired effect of exposing the affair's plans and forcing Catiline to leave Rome, Cicero realized

many soldiers deserted after hearing about the executions in Rome (Dio Cass. 37.39.1-2). Plutarch did not comment on the size of the army, but, like Sallust, claimed that there were desertions (cf. Sall. *B Cat.* 57.1; Plut. *Cic.* 22.8).

⁶⁰ Plutarch claimed in 62, Caesar was inciting the poorer classes to continue the disturbances the affair of 63 initiated. Consequently, Cato passed a corn-dole as tribune in 62 to alleviate the Senate's concern regarding the poor in Rome, cf. Plut. *Cat. min.* 26.1; *Caes.* 8.6. See Drummond 1999.

⁶¹ Sallust reported that Catiline could pay off his debts using collateral (Sall. *B Cat.* 35.3). In contrast, Cicero claimed Catiline was eager to start the affair to avoid paying the interest on his loans (Cic. *Cat.* 1.14). See MacDonald 1976, 46 [n. a].

⁶² Cic. *Cat.* 1.12, 3.3.

⁶³ Cf. Cic. *Cat.* 1.8, 33, 2.4, 3.3.

⁶⁴ NB: *societas* ('alliance'), a related term to *socius* did occur in the *Fourth Oration*. But the term referred to the agreement between the Senate and the *equites* regarding the sentence of the *reliqua coniuratorum* (Cic. *Cat.* 4.15).

that other influential citizens were leading the affair inside of the city.⁶⁵ In the subsequent *Orations*, Cicero began to use the term *duces*, which indicates that the role of the affair's participants who remained in Rome had changed since Catiline's departure.

Cicero used the term *dux* or its cognates eight times in the *Orations* to refer to the most influential participants involved with the affair of 63. The term is used five times in the *First* and *Second Oration* referring specifically to Catiline's leadership. But each instance of the term *duces* that was ascribed to Catiline implied that he was the leader of the army in Etruria. The first occurrence of *duces* explicitly referred to Catiline as both *eorum autem castrorum imperator ducemque hostium intra moenia atque adeo in senatu videtis* "The commander of that camp and the leader of those enemies you see within the walls and even, indeed, in the Senate" (Cic. *Cat.* 1.5). When the *First Oration* was delivered Cicero seemingly had little information or evidence regarding the identity of the other *hostes intra moenia* except for Catiline, Manlius, and M. Laeca, who hosted the meeting for these so-called *hostes*.⁶⁶ His primary goal in this speech was to convince the Senate that Catiline was the instigator of the entire affair, so Cicero perhaps thought there was no reason to specifically name other suspected participants. But after the *First Oration*, the situation in the city had changed. According to Cicero, Catiline's primary task was preparing the army outside of Rome, not the murder and arson planned inside of the city.⁶⁷

After Catiline had left Rome, those remaining in the city were presented as the new "leaders" of the affair. Cicero used the term *duces* three times specifically referring to the *reliqua coniuratorum manus*. I discussed the first instance those remaining in Rome were represented as *duces* at Cic. *Cat.* 3.3 on preceding page. A second time occurs when Cicero was outlining the plan that the army in Etruria would march on Rome. He declared that the army would *cum his urbanis ducibus coniungeret* "Join up with these leaders in the city" (3.8). Lastly, Cicero reiterated that he had arrested *conscleratissimi*

⁶⁵ NB: Cicero contradictorally claimed that he had either forced Catiline from Rome or that it was Catiline's plan from the beginning to leave Rome to lead the army in Etruria, see Chapter 3 nn.37-41.

⁶⁶ It is indeterminable whether Cicero knew who was supporting the affair and withheld names until he could prove their participation.

⁶⁷ Catiline as the 'leader' of the army in Etruria, cf. Cic. *Cat.* 1.5, 2.14, 2.15. As the leader in *bellum* ('war'), cf. 1.27, 2.1. Cf. Chapter 3 n.36.

periculosissimique belli nefarios duces “The *duces* in this most criminal and dangerous of wars” (3.16). These instances demonstrated the transition of the members of the *reliqua coniuratorum manus* as mere *socii* of Catiline to being regarded as leaders themselves. In addition, these instances portrayed how Cicero had shifted his focus after the *First* and *Second Orations* from Catiline’s plan to join Manlius’ army in Etruria to matters closer to home.

In the *Catilina*, Sallust used the term *socii* six times to describe those involved with the affair of 63.⁶⁸ However, Sallust only explicitly stated that the affair’s participants were the *socii* of Catiline once.⁶⁹ Sallust used the term four times to describe the participants who stayed in Rome: i) when P. Gabinius Capito met the Allobrogean envoys, Sallust claimed the freedman P. Umbrenus *coniurationem aperit, nominat socios* “Disclosed the plot [and] named the *socii*” (Sall. *B Cat.* 40.6); ii) Sallust remarked the senator C. Cornelius Cethegus *semper querebatur de ignavia sociorum* “Constantly complained of the inaction of his *socii*” (43.3), iii) when T. Volturcius testified against the affair, Sallust recorded that *se paucis ante diebus a Gabinio et Caepario socium adscitum* “He [Volturcius] declared that he had been made a *socius* of the cabal only a few days before by Gabinius and Caeparius” (47.1); and iv) when Catiline and Manlius were still enlisting men in Etruria, Sallust reported that Catiline hoped the numbers of the army would be increased *si Romae socii incepta patravissent* “If the *socii* at Rome succeeded in carrying out their plans” (56.4). Significantly, each of the occurrences of *socii* reviewed above does not explicitly identify those involved with affair as *socii* of the army in Etruria. Instead, the term was used in referenc to the *socii* remaining in Rome. However, the final occurrence of the term *socii* in the *Catilina* referred to those whom Catiline and Manlius enlisted into the army in Etruria.⁷⁰ Sallust did not specify who these *socii* were who joined the army, but the term is juxtaposed with the adjective *voluntarius*. The latter term implied that some chose to join the army under their

⁶⁸ Cf. Sall. *B Cat.* 16.4, 40.6, 43.3, 47.1, 56.2, 4.

⁶⁹ Sall. *B Cat.* 16.4: *eis amicis sociisque confisus Catilina...opprimundae rei publicae consilium cepit* “Relying on such friends and accomplices as these, Catiline formed the plan of overthrowing the government.” NB: When this passage occurs in Sallust’s narrative he had only specifically discussed the support Catiline had from various anonymous criminals (14.1-3), the young Romans that Catiline attracted to the affair with indecent proposals (14.4-7, 16.1-2), and the Sullan veterans (16.4).

⁷⁰ Sall. *B Cat.* 56.2: *deinde, ut quisque voluntarius aut ex sociis in castra venerat, aequaliter distribuerat, ac brevi spatio legions numero hominum expleverat, cum initio non amplius duobus milibus habuisset* “Then distributing among them equally such volunteers or [allies] as came to the camp, he soon completed the full quota of the legions, although in the beginning he had no more than two thousand men.”

own free will. Therefore, the term *socii*, in this case, most likely referred to those who were supporters of the affair from the beginning, not the *voluntarii*, who most likely joined the army hoping that if they were victorious they would get a share of the spoils.⁷¹ Whether Sallust used the term *socii* in this instance to imply that some of those who joined the army were the *socii* remaining in the city, who might have joined the army after the arrest of Lentulus and the others on December 3, or whether these *socii* were entirely new supporters in the affair is inconclusive. Sallust, in contrast to Cicero, used the term *socii* more often to denote those involved with the disturbances inside of Rome than those outside the city. However, our sources continually stressed the connection between those inside and outside of Rome therefore implying that they were all *socii*, which is reviewed and challenged in Part B of this chapter and Chapter 3.

The term *dux* rarely occurs in the *Catilina*. Sallust used *dux* three times and only once in reference to the affair. His invented speech for Cato described Catiline as *dux hostium cum exercitu* “The leader of the enemy with his army” (Sall. *B Cat.* 52.24). Catiline was again represented as the *dux* of the army in Etruria. Catiline was the primary protagonist of his monograph, however, Sallust never classified him as the *princeps coniurationis* (‘the foremost leader of the affair’). In comparison, Sallust employed the phrase *principes coniurationis* twice to identify those involved with the affair remaining in Rome. First, Sallust claimed those who met Catiline at Laeca’s house were *coniurationis principes* “The ringleaders of the conspiracy” (27.3). Second, Sallust explicitly stated that Lentulus and the others remaining in Rome were *principes coniurationis* (43.1). These two instances of the phrase suggested that there were other influential participants in the affair than Catiline.

Perhaps Cicero and Sallust used the term *duces* as a rhetorical ploy to make the members’ roles among the *reliqua coniuratorum manus* appear more important and emphasize the serious threat they represented. However, on December 3, Cicero obtained the evidence to prove that a praetor P. Cornelius Lentulus Sura; three senators L. Cassius Longinus, C. Cornelius Cethegus, and T. Annius Chilo; two knights P. Gabinius Capito and L. Statilius; a freedman P. Umbrenus; a Sullan colonist from Faesulae P. Furius; and a local aristocrat

⁷¹ Ramsey (1984, 224) states that the term *voluntarius* referred to the *extra coniurationem* at Sall. *B Cat.* 39.5 and the term *socii* defined Catiline’s “confederates.” Perhaps, the *voluntarii* were those who joined the affair later than the *socii* already involved. On the other hand, Sallust might have just chosen the term *voluntarii* for stylistic variety.

from Terracina M. Caeparius were involved with the affair (Cic. *Cat.* 3.14).⁷² The inclusion of these nine men from a variety of social classes and locales demonstrates the diverse composition of the affair. In addition, Cicero and Sallust represented these men, as *duces* or *principes coniurationis* in the affair, emphasizing that the affair's designs were not dependent on the leadership of Catiline. Instead the leadership was now in the hands of the *reliqua coniuratorum manus*. Seemingly, the threat represented by Catiline and Manlius' army encamped at Faesulae in the mountain passes of northern Etruria was less of a concern than the number of supporters remaining in Rome.

Part B

2.4 Evaluating P. Cornelius Lentulus Sura's influence on the affair

The prominence of P. Cornelius Lentulus Sura's name in our sources implies that his role was foremost in the affair of 63 compared to the eight others identified above as the *reliqua coniuratorum manus* in Rome. Lentulus is mentioned by name thirty-six times in the Ciceronian corpus⁷³, nineteen times by Sallust, fifteen times by Plutarch⁷⁴, ten times by Appian, eight times by Dio, twice by Florus, twice by Velleius Paterculus, and once (alongside Catiline's name) in the only fragment mentioning the affair of 63 in Diodorus Siculus' *Bibliotheca Historica* (F35.1).⁷⁵ In comparison, the names of the eight other men in the *reliqua coniuratorum manus* appear thirty-three times in the Ciceronian corpus⁷⁶, forty-five times in Sallust⁷⁷, and twice in Florus.⁷⁸ On the other hand, in Plutarch, Appian, and Velleius Paterculus, the senator C. Cornelius Cethegus

⁷² Sallust claimed all nine men were sentenced to death (Sall. *B Cat.* 50.4). However, Cassius, Annius Chilo, Umbrenus, and Furius had not been found in Rome, so they were not executed with the other five on Decemeb 5. See March 1988-9. For the fates of these four men, see further Appendix I, [nos. 1, 8, 23, 41].

⁷³ Excluding the *Orations*, the *Pro Murena*, and the *Pro Sulla*, only Lentulus' name appeared from the *reliqua coniuratorum* in Cicero's other works. Lentulus was named once in three other works, cf. Cic. *Att.* 1.16.9; *Pis.* 7; *Phil.* 2.18.

⁷⁴ Lentulus' name occurs twelve times in Plutarch's *Life of Cicero*, twice in the *Life of Cato the Younger*, and once in the *Life of Caesar*.

⁷⁵ Orosius (6.6.5-7) and Eutropius (6.15) only name Catiline and none of the *reliqua coniuratorum*. However, Orosius mentioned that a C. and M. Claudius Marcellus participated in the affair (Oros. 6.6.7). See Appendix I, [nos. 9 and 10].

⁷⁶ In Cicero's works: Cethegus and Cassius are mentioned sixteen times, Statilius seven times, Caeparius six times, Gabinius five times, Umbrenus four times, Annius Chilo and Furius only once.

⁷⁷ Sallust's *Catilina* mentioned Cethegus twelve times, Gabinius ten times, Statilius seven times, Caeparius six times, Cassius and Umbrenus four times, Annius Chilo twice, and P. Furius once.

⁷⁸ Florus listed the *gentes* of the influential families who were involved, but only the *Cethegi* and *Lentini* are mentioned among the *reliqua coniuratorum* I list (Flor. 2.12.3).

is the only other of the *reliqua coniuratorum manus* named besides Lentulus, although several other senators were convicted for supporting the affair.⁷⁹ Lentulus was the only one of the *reliqua coniuratorum manus* named in Dio's history and in the fragment of Diodorus Siculus. Taken collectively, the eight members of the *reliqua coniuratorum manus* in Rome are referred to by name more than Lentulus only in Sallust's *Catilina*. However, Lentulus' name still dominates almost 30% of the occurrences out of the sixty-four times the nine condemned men are named in Sallust's monograph. The reasons why Lentulus was mentioned more than any other participant in the affair except for Catiline are explored in the remaining sections of this chapter. This opening section focuses on the way our sources emphasized Lentulus' influence on the affair.

Cicero first mentioned Lentulus in the *Third Oration* explaining that he confessed to soliciting aid from Allobrogean envoys in Rome to lend support to the affair (Cic. *Cat.* 3.4). Cicero claimed that other participants remaining in Rome had contacted the Allobrogean envoys as well, but he indicated that Lentulus was their most significant contact by mentioning his name first.⁸⁰ Sallust confirmed that Lentulus was the first of the *reliqua coniuratorum manus* to seek the assistance of the Allobrogean envoys through Umbrenus, who had business dealings in the same region of Gaul (Sall. *B Cat.* 40.1). Cicero and Sallust also professed that Lentulus had instructed T. Volturcius to escort the envoys to Catiline and Manlius' camp to inform the army that certain members of the *reliqua coniuratorum manus* swore a mutual oath of alliance with the Allobroges, who, in turn, pledged to support the affair. Lentulus also ordered Volturcius to deliver a separate personal letter and *mandata* to Catiline (Cic. *Cat.* 3.4; Sall. *B Cat.* 44). Other accounts concur that Lentulus was responsible for soliciting the envoys' aid.⁸¹

Cicero mentioned Lentulus when he listed those in the *reliqua coniuratorum manus* whom he had summoned to his house after their letters to the Allobroges, along with Lentulus' letter to Catiline, were seized during the ambush on the Mulvian Bridge. Lentulus' name appears last in this list after

⁷⁹ Plutarch's works mentioned Cethegus eleven times. Appian mentioned Cethegus six times; Velleius mentioned Cethegus twice.

⁸⁰ Cicero claimed that all the *reliqua coniuratorum* were involved with the Allobrogean envoys at one time or another except M. Caeparius. Cethegus and Statilius also swore an oath with the envoys and gave them letters along with Lentulus. Cassius supposedly requested the Allobroges send cavalry to support the army in Etruria (Cic. *Cat.* 3.9). Cicero claimed Gabinius, Annius Chilo, Furius, and Umbrenus had also met with the envoys (3.14).

⁸¹ Cf. Plut. *Cic.* 18.5; App. *B Civ.* 2.4; Dio Cass. 37.34.1; Flor. 2.12.9.

Gabinus, Statilius, and Cethegus (Cic. *Cat.* 3.6). Lentulus' name usually occurred in an emphatic position when our sources named any of the *reliqua coniuratorum manus*. In this case, Lentulus' name appeared last to emphasize his tardiness to his summons. Cicero wanted to accentuate the irony of Lentulus' late arrival to mock the brevity of the letter Lentulus wrote to Catiline.⁸² When Cicero recounted the confessions of Cethegus and Statilius, who also wrote letters pledging their support to the Allobrogean envoys, he similarly mentioned Lentulus' confession after them for emphasis. Cicero wanted to highlight Lentulus' criminal intentions of attempting to solicit the envoys inside of Rome and attempting to make contact with Catiline in Etruria (Cic. *Cat.* 3.10).⁸³ Cicero continued to inform his audience about Volturcius and the envoys' claim that they had often been to Lentulus' house and how Lentulus professed that he was predicted to rule Rome in 63 according to a prophecy (3.11).⁸⁴ Cicero also emphasized that Lentulus alone wrote to Catiline, connecting the two men for the first time and, in turn, the actions occurring inside and outside of Rome (3.12).

Consequently, the Senate voted that Lentulus abdicate from the praetorship due to his association with the affair. According to Cicero, Lentulus' resignation also meant he had to forfeit his rights as a citizen (Cic. *Cat.* 3.15, 4.10).⁸⁵ Cicero declared that the letters to the envoys were read out in the Senate and those who wrote them confessed (3.10). There is no indication by any of our sources that Lentulus or the four others, who were executed, exercised their right of *provocatio*.⁸⁶ The letters written by Cethegus, Gabinus, and Statilius connected them with the Allobrogean envoys, but not with Catiline directly. Apparently, the others who were executed were considered guilty by

⁸² See section 2.4.3.

⁸³ NB: Cicero actually mentions Gabinus last concerning the confessions, but his name appears as an afterthought, see *Cat.* 3.10.

⁸⁴ The prophecy is examined in section 2.4.5.

⁸⁵ The Senate voted that Lentulus should resign from the praetorship, cf. Cic. *Cat.* 3.14; Sall. *B. Cat.* 47.3; App. *B. Civ.* 2.5; Dio Cass. 37.34.2. Whether Lentulus' resignation was purely symbolic or legal and whether he retained his status as citizen is debatable, cf. Weinrib 1968, 46; Vretska 1976, 478-9; McGushin 1977, 227; Barlow 1994, 182-3; Drummond 1995, 97-102; Dyck 2008, 185. Cf. nn. 214-15.

⁸⁶ According to Cicero, the *lex Sempronia*, passed by C. Sempronius Gracchus in 123, reaffirmed the *leges de provocatione* and contained the caveat that *qui autem rei publicae sit hostis eum civem esse nullo modo posse* "That an enemy of the Republic cannot in any respect be regarded as a citizen" (Cic. *Cat.* 4.10). On Roman citizens' right to *provocatio*, cf. Cic. *Rab. Perd.* 11; *Orat.* 2.199; *Rep.* 2.53-54, 61-2; Dion Hal. *Ant. Rom.* 5.19.4; Liv. 2.8.2, 3.45.8, 55.4; Val. Max. 4.1.1; *Dig.* 1.2.2.16. For the history of *provocatio* in general, cf. Lintott 1972b; Jones 1972, 33; Develin 1978; Robinson 1995, 6.

association not only because of their involvement with the envoys, but also due to their connection with Lentulus, who attempted to communicate with Catiline.

The three other times when the *reliqua coniuratorum manus* are named in a list in the *Third Oration*, Lentulus' name emphatically appears in the first position. Lentulus was mentioned first before Cethegus, Statilius, and Cassius when Cicero discussed the oath and letters pledging their support to the Allobrogean envoys (Cic. *Cat.* 3.9).⁸⁷ When Cicero named all nine of the *reliqua coniuratorum manus* who were condemned by the Senate, Lentulus' name occurred first (3.14). Later in the *Third Oration* when Cicero boasted about saving every Roman citizen from *uno post hominum memoriam maximo crudelissimoque bello* "the most important and the most savage war within memory of man," it was Lentulus who headed the list of those that had brought this "war" to Rome before Catiline, Cethegus, and Cassius (3.25).

Sallust's *Catilina* introduced the affair's participants by compiling their names in a list. He recorded fifteen Roman citizens by name: eleven, according to Sallust, from the senatorial order (including Lentulus) and four equestrians (Sall. *B Cat.* 17.3-4).⁸⁸ When Sallust named the participants who remained in Rome, Lentulus' name retained the primary position:⁸⁹ i) when the Allobroges first demanded an oath of allegiance from those soliciting their aid (44.1); ii) when Lentulus and the others were summoned by Cicero after the letters were seized (46.3); iii) after the participants were proclaimed guilty and when they were taken into custody (47.3-4); iv) on December 4 when L. Tarquinius claimed that he was ordered by Crassus to encourage Catiline after Lentulus and the others were apprehended (48.4); v) when describing the rumors that the freedmen and slaves of those arrested were attempting to break them out of captivity (50.1); vi) during Cato's speech when he was appealing that the Senate remain firm in their decision for capital punishment (52.33); vii) when recording the order of execution (55.5); and viii) in Catiline's speech to the army before their final battle, Sallust's text reads:

⁸⁷ NB: The language implied that Cassius did not swear an oath like Lentulus, Cethegus, and Statilius. Cassius might not have written a letter either, see Dyck 2008, 178.

⁸⁸ According to the order recorded in the *Catilina*, the eleven senators were: Lentulus, P. Autronius Paetus, Cassius, Cethegus, P. Cornelius Sulla, Ser. Cornelius Sulla, L. Vargunteius, Annius Chilo, Laeca, L. Calpurnius Bestia, and Q. Curius (Sall. *B Cat.* 17.3); and the four knights were M. Fulvius Nobilior, Statilius, Gabinius, and C. Cornelius (17.4).

⁸⁹ NB: The only exception occurred when Sallust claimed that Catiline instructed the others in Rome to carry on with the affair's plans before he left the city. In this instance, Cethegus is mentioned first then Lentulus (Sall. *B Cat.* 32.2).

scitis equidem, milites, socordia atque ignavia Lentuli quantam ipsi nobisque cladem attulerit quoque modo, dum ex urbe praesidia opperor, in Galliam proficisci nequiverim

“You know perfectly well, soldiers, how great is the disaster that the incapacity and cowardice of Lentulus have brought upon himself and us, and how waiting for reinforcements from the city, I could not march into Gaul” (Sall. *B Cat.* 58.4).⁹⁰

However, the emphatic position of Lentulus’ name, in the occurrences examined above, might be due to the flexible word order permitted in Latin. The positioning of Lentulus’ name does not necessarily prove that Cicero and Sallust thought Lentulus was the leader and most influential member of those remaining in Rome.

A more significant indication of Lentulus’ influence over the *reliqua coniuratorum manus* than when his name appearing with the others remaining in Rome is when Cicero specifically names Lentulus and uses either the pronouns *alii* or *ceterae* (‘the others’) in reference to the others members. Cicero stated that *Lentulus et aliis* had determined that the Saturnalia was the most opportune date for commencing their plans to set fire to Rome and murder the leading citizens (Cic. *Cat.* 3.10).⁹¹ When Cicero referred to intrigue with the Allobrogean envoys, he berated the choice of *Lentulus ceterisque* to solicit support from *barbares* (3.22). This phraseology demonstrates that Cicero, in certain cases, felt Lentulus was the only person supporting the affair in Rome worth mentioning.

This mode of representing Lentulus’ influence over the other *reliqua coniuratorum manus* also occurs in the *Catilina*. Sallust, more frequently than Cicero, used a pronoun to anonymously refer to the *reliqua coniuratorum manus* alongside Lentulus’ name.⁹² Sallust used this particular arrangement five times: i) when explaining that the affair’s ultimate plan was to simultaneously commence the arson and murders in Rome as the army in Etruria marched on the city, Sallust referred to those in Rome as *Lentulus cum ceteris* (Sall. *B Cat.* 43.1); ii) when recording that the Senate ordered Lentulus and the others to be placed in custody until a sentence was reached, Sallust used *Lentulus itemque ceteri* (47.2-3); iii) when Sallust reproduced Caesar’s

⁹⁰ According to Sallust, Catiline and Manlius’ army was in retreat due to the failure in Rome. Cf. Dio Cass. 37.39.1-2.

⁹¹ NB: Cethegus thought the Saturnalia, which started on December 17, was far too late to act, cf. Cic. *Cat.* 3.10; Sall. *B Cat.* 43.3-4.

⁹² NB: Sallust twice named both Lentulus and Cethegus and then used a pronoun to refer to the others in Rome, cf. Sall. *B Cat.* 32.2: *Cethego atque Lentulo ceterisque*, 48.4: *Lentulus et Cethegus aliique ex coniuratione*.

speech regarding their punishment, Caesar referred those awaiting the sentence as *P. Lentuli et ceterorum* (51.7); iv) also in Cato's speech, they were referred to as *P. Lentulo ceterisque* (52.17); and v) when recording the procession to the *Tullianum* where the five men sentenced to death were executed, Sallust recorded that *Lentulum in carcerem deducit; idem fit ceteris per praetores* "He [Cicero] personally led Lentulus to the dungeon, while the praetors performed the same office for the others" (55.2).⁹³ Sallust most likely presumed that the reader understood whom the pronoun referred to in each instance because he had already named certain members of the *reliqua coniuratorum manus* before he started using this particular phraseology. However, Lentulus was always named whenever Sallust discussed the other participants remaining in Rome regardless of the action being described. Therefore, Sallust clearly considered that Lentulus was the most influential member of the *reliqua coniuratorum manus*.

The accounts written in Greek also tend to follow the pattern of naming Lentulus and then using a pronoun to describe the others in the *reliqua coniuratorum manus*. When Plutarch and Dio mention Lentulus by name, they also use either the corresponding form of the plural article οἱ ('the men') or the pronoun ἄλλοι ('the others') to denote the other participants remaining in Rome. This syntax suggests Lentulus' dominance over the latter. For example, Plutarch described the attempt by Lentulus and the others in Rome to solicit the aid of the Allobroges by naming Lentulus and using the plural article to refer to the others *τούτους οἱ περὶ Λέντλον* "These men Lentulus and his partisans" (Plut. *Cic.* 18.5). When Plutarch recorded the executions, he used a similar construction *τῶν δὲ περὶ τὸν Λέντλον* "Lentulus and his associates" (*Cat. min.* 26.1). Cethegus was the only other participant remaining in Rome other than Lentulus mentioned in Plutarch's works⁹⁴, indicating that Plutarch considered the two senators as the most influential members of the affair remaining in Rome. However, Plutarch claimed that Lentulus, not Cethegus, encouraged all the others in Rome to continue with the affair after Catiline had left the city. Plutarch wrote *τοὺς δ' ὑπολειφθέντας ἐν τῇ πόλει τῶν διεφθαρμένων ὑπὸ τοῦ Κατιλίνα συνήγε καὶ παρεθάρρυνε Κορνήλιος Λέντλος Σούρας ἐπίκλησιν* "The

⁹³ Plutarch claimed Cicero personally led each of the five men to the *Tullianum* naming Lentulus first, then Cethegus, then οὕτω τῶν ἄλλων ἕκαστον καταγαγὼν ἀπέκτεινεν 'In this manner he led each of the others down to be executed' (Plut. *Cic.* 22.2).

⁹⁴ Cf. nn.79 and 93.

creatures of Catiline who had been left behind in the city were brought together and encouraged by Cornelius Lentulus, surnamed, Sura” (*Cic.* 17.1).

Dio used a similar arrangement four times in his work: i) when describing the intentions to burn Rome and murder its leading citizens, Dio explained that the plans would be executed *τοῦ Λεντούλου... ἐργάσασθαι μετὰ τε τῶν ἄλλων τῶν συνομωμοκότων* “by Lentulus...with the aid of [the others in the affair]” (37.34.1), ii) when recounting that Lentulus and the others had been placed in custody after their confession, Dio stated that it was *ὁ Λέντουλος... μετὰ τῶν ἄλλω τῶν συλληφθέντων* “Lentulus...along with the others arrested” (37.34.2), iii) when describing the attempt of certain slaves and freedmen to free Lentulus and the others from the places they were kept in custody, Dio claimed these clients were there to help *τοῦ τε Λεντούλου καὶ τῶν ἄλλων* “Lentulus and the rest” (37.35.3) and iv) when commenting on the reasons why four years later in 58 the tribune P. Clodius Pulcher passed specific legislation against Cicero for his illegal executions of Roman citizens during his consulship, Dio referred to the five who were executed as *τοῦ Λεντούλου καὶ τῶν ἄλλων* “Lentulus and the others” (38.14.5). However, as mentioned, Lentulus was the only participant supporting the affair in Rome mentioned in Dio’s work. Perhaps Dio singled out Lentulus because he believed Lentulus was the most prominent person supporting the affair in Rome and therefore the only participant worth mentioning among the *reliqua coniuratorum manus*.

Appian’s *Bella civilia*, on the other hand, not only mentioned Lentulus but some of the other *reliqua coniuratorum manus*. Cethegus is named alongside Lentulus three times in Appian’s work, but the latter always retained the foremost position (App. *B Civ* 2.3, 4, 5).⁹⁵ Appian claimed Lentulus, Cethegus, Statilius, and Cassius were *τοῖς ἄρχουσι τῆς ἐπαναστάσεως* “the chiefs of the affair” remaining in Rome (2.4).⁹⁶ When Appian described the attempt to solicit the Allobrogean envoys, he stated that they *ἐς τὴν Λέντλου συνωμοσίαν ἐπήχθησαν* “were solicited to join [the affair] of Lentulus” (2.4). Although Appian had previously named Lentulus, Cethegus, Statilius and Cassius as leaders of the affair in Rome, in this passage, Lentulus’ name occurs in the

⁹⁵ Appian was clearly mistaken to rank Cethegus as a praetor as well as Lentulus (App. *B Civ.* 2.2). See Appendix I, [no.12].

⁹⁶ NB: Oddly Appian did not mention Gabinius in this list, who was also executed and who was also an equestrian like Statilius. In addition, Appian mentioned Cassius, who, although a senator, had a less clear role and an uncertain fate compared with the two *equites* who were executed.

genitive suggesting that he had assumed leadership over the affair. Therefore, similar to the other sources that present Lentulus as the foremost leader of the *reliqua coniuratorum manus*, Appian's choice of syntax suggests that Lentulus' influence on the affair was so significant that it was now *τὴν Λέντλου συνωμοσίαν*.

As mentioned above, according to Sallust, Catiline realized that a significant component to the affair's success had failed when Lentulus and the others in Rome were apprehended and executed. Catiline knew he could expect no more reinforcements from Rome or from Gaul.⁹⁷ Catiline and Manlius' army was surrounded by the armies of the co-consul, C. Antonius, and the praetor, Q. Caecilius Metellus Celer, and eventually defeated in January of 62. If Cicero and other leading citizens had been murdered and the Allobroges had assisted the army in Etruria then perhaps the affair would have been successful. When Lentulus and the others were executed, the affair's ultimate goal to gain power in Rome practically died with them.⁹⁸ Arguably, Lentulus' role and his leadership in Rome were more crucial to the affair's success than the army in Etruria. However, there were other influential citizens in Rome that allegedly supported the affair, but were not convicted, because either the accusations against them were false or they ceased supporting the affair before it was exposed.

Our sources implied that C. Antonius Hybrida, Cicero's consular colleague, supported the affair because he was Catiline's friend.⁹⁹ The fragments of Cicero's *In Toga Candida*, delivered when he was candidate for the consulship for 63, berated Catiline and Antonius accentuating their disreputable character. Antonius had been expelled from the Senate by the censors of 70/69, but was able to quickly rehabilitate his political career.¹⁰⁰ He

⁹⁷ Sall. *B Cat.* 58.4. For the text of this passage, see p.79.

⁹⁸ Sall. *B Cat.* 57.1: *sed postquam in castra nuntius pervenit, Romae coniurationem patefactam, de Lentulo et Cethego ceterisque quos supra memoravi supplicium sumptum, plerique, quos ad bellum spes rapinarum aut novarum rerum studium illexerat, dilabuntur* "But when the news reached the camp that the plot had been discovered at Rome, and that Lentulus, Cethegus, and the others whom I mentioned had been done to the death, very many of those whom the hope of pillage or desire for revolution had led to take up arms began to desert."

⁹⁹ Cf. Cic. *Cat.* 3.14; *Mur.* 49; *Sest.* 8; Sall. *B Cat.* 21.3, 26.4; Plut. *Cic.* 12.3-4; Dio Cass. 37.39.3-4.

¹⁰⁰ Asconius explained the several reasons for Antonius' expulsion including his massive debts and his rapacity in Greece (Asc. 84C). Sulla put Antonius in command of some of his army and stationed him in Achaea while the former was returning to Rome in 84/83. In 76, Antonius stood trial for his treatment of the Achaeans, but the trial was abandoned, cf. Gruen 1973; *TLRR*, no. 142. Cicero hinted that Antonius' actions when governor in Macedonia from 62-60 were also disapproved of (Cic. *Att.* 1.12.1), see Shackleton Bailey 1965 Vol. I, 297-8. NB: Q. Curius, one

was Cicero's colleague in the praetorship in 66 and then defeated the other candidates, including Catiline, for the consulship in 63. Perhaps Antonius had enough influential support as son of the renowned orator M. Antonius, who was consul in 99 and censor in 97,¹⁰¹ to continue along the *cursus honorum* after being expelled from the Senate.¹⁰² On the other hand, he might have resorted to bribery to win the consulate. Cicero insinuated that Antonius and Catiline were bribing people for votes in 64 (Asc. 83C). According to Asconius, Antonius and Catiline were working together to keep Cicero from being elected consul in 64.¹⁰³

Cicero knew that Antonius was friendly with Catiline and perhaps with some of the affair's participants, but he applauded his colleague's restraint to avoid any association with the participants after the affair was revealed (cf. Cic. *Cat.* 3.14; *Sest.* 8). Sallust reported that Cicero was able to secure Antonius' loyalty by offering him the governorship of Macedonia, which had been previously allocated to Cicero after he was elected consul (Sall. *B Cat.* 26.4).¹⁰⁴ The Senate sent Antonius to levy an army to oppose Catiline and Manlius' forces in Etruria, but, according to Dio, Antonius feigned an illness so he didn't have to face his friend Catiline on the battlefield (Dio Cass. 37.39.4).¹⁰⁵ Antonius was brought to trial in 59, which probably included an accusation that he supported the affair of 63. However, Cicero defended his former colleague

of the informers previously involved with the affair, and Lentulus were also purged from the Senate in 70/69. For Lentulus' expulsion and rehabilitation of his career, see 2.4.1. Curius' status in 63 is uncertain, see Appendix I, [no.18].

¹⁰¹ Asconius recorded that the influence as M. Antonius' son helped C. Antonius surpass Catiline in votes as the second consul for 63 (Asc. 94C). In the *Brutus*, Cicero portrayed M. Antonius as one of the greatest Roman orators, cf. Cic. *Brut.* 115, 138-44, 161, 163, 165, 186, 189, 203, 214-5, 230, 296, 301, 333. Cicero chose M. Antonius as one of the interlocutors in the *De Oratore*.

¹⁰² C. Antonius was appointed censor in 42 most likely because he was Mark Antony's uncle.

¹⁰³ Asc. 83C: *coierant enim ambo ut Ciceronem consulatu deicerent...itaque haec oratio contra solos Catilinam et Antonium est.* "For both had entered a pact to keep Cicero out of the consulship...For this reason, the speech is directed solely against Catilina and Antonius." Translation from Kaster 2006, 187. Cf. Marshall 1985, 285.

¹⁰⁴ Antonius was allotted Cisalpine Gaul after he was elected consul. Cicero took Antonius' province in exchange and gave Q. Caecilius Metellus Celer, who was praetor of 63, the post in Cisalpine Gaul, so Cicero could defend Rome from the *reliqua coniuratorum* (Cic. *Cat.* 4.23). See Allen 1952. NB: Cicero expected a loan from Antonius during his governorship of Macedonia in 62-60, cf. Cic. *Att.* 1.13.6; 1.14.7; *Fam.* 5.6.3. Cf. Shackleton Bailey 1965 Vol. I, 297; Shatzman 1975, 133.

¹⁰⁵ Sallust claimed Antonius was ill before the battle (Sall. *B Cat.* 59.4). In contrast, Appian recorded that Antonius led the army against Catiline (App. *BC* 2.7). Dio is the only source that suggested Antonius illness was feigned, however Dio later recorded that Antonius, regardless of his actions, was proclaimed *imperator* for overseeing the defeat of Catiline's army (Dio Cass. 37.40.2).

in court regardless of this allegation.¹⁰⁶ Cicero's *Pro Antonio* was unpublished, but perhaps he thought he could clear Antonius of the accusation by emphasizing Antonius' role in its suppression. Antonius was convicted and exiled despite Cicero's advocacy.¹⁰⁷ Antonius perhaps supported Catiline or the other participants before 63, but he certainly refrained from supporting them when he was consul.

Sallust declared that M. Licinius Crassus would be the primary beneficiary if the affair were successful (Sall. *B Cat.* 17.7). Plutarch recorded that Crassus received a letter warning him of the impending murders in Rome (Plut. *Cic.* 15.1). According to Plutarch, Crassus duly gave Cicero the letter to avoid being suspected of supporting these plans due to his friendship with Catiline (15.3).¹⁰⁸ Sallust's *Catilina* continued to incriminate Crassus when describing the testimony of a certain L. Tarquinius. On December 4, Tarquinius claimed he was ordered by Crassus to convince Catiline, regardless of the fate of the participants in Rome, to hurry towards the city with his army (48.4). Sallust stated that some believed the accusation (48.5).¹⁰⁹ But Cicero and the Senate voted that Tarquinius' testimony was false due to Crassus' extensive support and influence in Rome (48.6).¹¹⁰ In his own authorial voice, Sallust said that he had once overheard Crassus remark that Cicero believed he was involved with the affair of 63 (48.9).¹¹¹

Caesar was also implicated in the affair of 63 along with Crassus. Sallust reported that the accusation against Caesar stemmed from Q. Lutatius Catulus, who was indignant over his defeat against Caesar in the election for *pontifex maximus* in 63, and C. Calpurnius Piso, who was facing prosecution by

¹⁰⁶ In mid to late December 62, Cicero informally defended Antonius' actions in Macedonia in the Senate (Cic. *Fam.* 5.6.3). He defended Antonius formally in court in 59, however, neither defense speech was published. On the speeches, cf. Settle 1962, 167-9; Gruen 1973; J. Crawford 1984, 97-8, 124-31.

¹⁰⁷ Cicero insinuated that Antonius had been convicted in 59 due to his complicity with the affair of 63 (Cic. *Flacc.* 95). But we cannot be certain that Antonius was prosecuted for this reason. Instead, he might have been formally charged *de repetundis* from his stint as proconsul in Macedonia and only derided for his suspected complicity with the affair (Dio Cass. 38.10). Cf. Gruen, 1973; *TLRR*, no. 241.

¹⁰⁸ On Crassus involvement with the affair of 63, cf. Salmon 1935; Seager 1964, 345-6; Marshall 1974, 804-13. See also Appendix I, [no.27].

¹⁰⁹ Cf. Dio Cass. 37.35.1; Plu. *Crass.* 13.3

¹¹⁰ Cf. Dio Cass. 37.35.2. In contrast, Plutarch stated Crassus' son, who was in Cicero's care, convinced the two to eventually become friends (Plut. *Crass.* 13.5).

¹¹¹ Plutarch affirmed that Cicero incriminated Crassus along with Caesar in Cicero's *περὶ τῆς ὑπατείας* "treatise upon his consulship" (Plu. *Crass.* 13.4).

Caesar for extortion that year (Sall. *B Cat.* 49.1-4).¹¹² Sallust confirmed that Cicero was not swayed by either disgruntled party or by the hostility that was demonstrated against Caesar due to these allegations (49.4).¹¹³ On December 5, when Cicero and the Senate were deciding the punishment for the *reliqua coniuratorum manus*, Caesar did not approve of their recommendations for capital punishment and instead suggested a less severe punishment.¹¹⁴ Suetonius recorded that after Caesar's speech against the capital punishment of the *reliqua coniuratorum manus* some thought he had offered a less severe sentence because he originally supported the affair. These men purportedly attempted to physically attack Caesar when he emerged from the Senate-house (Suet. *Iul.* 14.2).

According to Asconius and Plutarch, Cicero's secret memoir of his consulship, which was most likely published after his death, professed that Crassus and Caesar were behind the supposed plan devised in 66 to murder the new consuls of 65 and the affair of 63.¹¹⁵ Suetonius went further, suggesting that if the affair were successful then Crassus would be appointed dictator, with Caesar as his master of the horse (Suet. *Iul.* 9.1). On the other hand, if Crassus was a participant, why did Cicero trust him to take custody of Gabinius after the latter had confessed to his involvement in the affair? The same argument can be made for Caesar, who was entrusted with guarding Statilius before their arraignment.¹¹⁶ Furthermore, Plutarch, Dio, and Suetonius recorded that Crassus had initially informed Cicero of the massacre planned in Rome, which suggested that Crassus did not support the affair's plans.¹¹⁷ The allegations of Crassus' support of the affair primarily seem to be predicated on his rivalry with Pompey and from Cicero's accusations in the secret memoir of

¹¹² C. Calpurnius Piso was governor of Cisalpine and Transalpine Gaul from 66-65. Sallust stated that Caesar also accused Piso of illegally executing a Transpadane Gaul (Sall. *B Cat.* 49.2).

¹¹³ After Cicero did not pursue the accusation against Caesar, some *equites* made an attempt on Caesar's life on December 4, cf. Sall. *B Cat.* 49.4, Plut. *Caes.* 8.2-3; Suet. *Iul.* 14.1-2.

¹¹⁴ See n.342.

¹¹⁵ Asconius and Plutarch claimed they used Cicero's memoir as a primary source, cf. Asc. 83C; Plut. *Crass.* 13.2-4. According to Cicero the *expositio* of his consulship was still unfinished in 44, cf. *Att.* 14.17.6, 2.6.2; 16.11.3. Dio claimed the *expositio* was not to be published until after Cicero's death (Dio Cass. 39.10.3). On the *expositio*, see Rawson 1991. NB: Cicero's *expositio consiliorum suorum* that our sources referred to does not survive and was different than the other memoirs of his consulship *De Temporibus Suis* and *De Consulatu Suo*, cf. Settle 1962, 299; Harrison 1990; Rawson 1991.

¹¹⁶ For the places of custody, see Sall. *B Cat.* 47.4.

¹¹⁷ Cf. Plut. *Cic.* 15.1-4; *Crass.* 13.4; Dio Cass. 37.31.1; Suet. *Iul.* 17. As mentioned in the main text, Plutarch claimed Crassus turned informer to avoid any suspicion of supporting Catiline (Plut. *Cic.* 15.3).

his consulship, which no longer survives.¹¹⁸ However, the rumors of Crassus and Caesar's involvement in the affair in our later sources must be approached with caution due to the odium both men received when recalling the two triumvirs' manipulative political careers and the civil wars that erupted due to Caesar's actions while alive and after his murder.¹¹⁹

The political cooperation between Crassus and Caesar during the 60's has garnered sufficient attention in modern scholarship¹²⁰, but the fact that neither was ever officially prosecuted for their suspected support of either the plan to murder the consuls of 65 or the affair of 63 is sufficient to consign the allegations against Crassus and Caesar as hearsay.¹²¹ Both men may have been political supporters of Catiline, but proving political alignments in Roman History is often a maze of contradictions. After the violent intentions of the affair were divulged, if Crassus and Caesar did support it then they wisely withdrew their support before any concrete evidence could be produced against them. Regarding Crassus and Caesar's involvement in the affair of 63, we should only make positive use of the genuine evidence we have; therefore, we are left to choose which source to believe as the evidence remains circumstantial and, at times, contradictory.

On the other hand, Cicero was able to obtain tangible evidence (i.e., the letters and confessions) supported by testimonies against Lentulus and the *reliqua coniuratorum manus* making their involvement indisputable. In the *Fourth Oration*, Cicero focused on the sentencing of Lentulus in deference to his position as praetor and the respect due to an ex-consul of Rome. The judgment of Lentulus dominates the debate in the Senate and his name is mentioned more than any other participant. Lentulus' name occurred fourteen times in the *Fourth Oration*. In contrast, Catiline was mentioned five times and, most noticeably, the four other Roman citizens whose lives hung in the balance were named only five times between them. Cicero did not name the four participants Cassius, Annius, Furius, and Umbrenus, who were sentenced to death *in absentia*.¹²² More surprising is the fact that Cicero did not mention

¹¹⁸ Cicero's relationship with Crassus was complicated see, Gruen 1974, 68.

¹¹⁹ On the later hatred of Crassus and Caesar in our sources, see Henderson 1950, 13-4.

¹²⁰ Cf. Salmon 1935; Stevens 1963; Seager 1964; Ward 1972; Marshall 1974.

¹²¹ Cicero's allegations that Crassus and Caesar were behind the conspiracies of 66/65 and 63 in his memoirs should also give one pause due to the fluctuating political relationships that persisted between all three, see Gruen 1974, 66-82.

¹²² See n.72.

either Statilius or Caeparius, who were both executed. These men were not senators like Lentulus or Cethegus, but the *eques* Gabinius was mentioned unlike Statilius, who was of the same rank (Cic. *Cat.* 4.12). Therefore, it was not Cicero's concern to name only those involved with the affair who had senatorial status in the *Fourth Oration*. Instead, the speech was primarily aimed at Lentulus because he was the highest ranking member and therefore the most controversial member of the affair. Because Lentulus was a current magistrate, Cicero probably felt he needed to convince the Senate that Lentulus deserved the death penalty despite the fact he was currently holding a political office.

The passages in the *Fourth Oration* that are most suggestive regarding Lentulus' influence in the affair are those in which he is mentioned in the same breath as Catiline. Twice Cicero explicitly proposed that the leadership of Rome would fall to Lentulus, not to Catiline. First, Cicero painted an apocryphal picture of what would have been the final outcome if the affair were successful:

Cum vero mihi proposui regnantem Lentulum, sicut ipse se ex fati sperasse confessus est, purpuratum esse huic Gabinium, cum exercitu venisse Catilinam, tum lamentationem matrum familias, tum fugam virginum atque puerorum ac vexationem virginum Vestalium prehorresco.

Whenever I have pictured Lentulus as potentate, as he admitted was his hope of what fate held for him, with Gabinius as his grand vizier, and Catiline there with his army, I shudder when I think of the mothers weeping, the boys and girls fleeing, the violation of the Vestal Virgins (Cic. *Cat.* 4.12)

Cicero claimed that Lentulus would emerge as the ruler in Rome alluding to Lentulus' prophecy, which is examined in detail in section 2.4.5. In contrast, Cicero claimed Catiline's sphere of influence was merely over the *exercitus*, alluding to the army in Etruria. The second example distinctly characterized Lentulus as the leader of the affair and to whom all the plans in Rome were entrusted:

Hic ad evertenda fundamenta rei publicae Gallos arcessit, servitia concitat, Catilinam vocat, attribuit nos trucidandos Cethego et ceteros civis interficiendos Gabinio, urbem inflammandam Cassio, totam Italiam vastandam diripiendamque Catilinae.

His [Lentulus'] grandson, however, summons Gauls to overthrow the foundations of the Republic, urges the slaves to rise, sends for Catiline, assigns us to Cethegus to be slaughtered, the other citizens to Gabinius to be killed, the city to Cassius to be burnt, the whole of Italy to Catiline to be sacked and laid waste (Cic. *Cat.* 4.13).

Again, Catiline is relegated from the primary protagonist to the leader of the army outside of Rome. It is left to Lentulus to delegate the principal tasks of the affair to his subordinates in the city. Having thoroughly considered the terminology in Cicero's *Orationes* that are associated with Lentulus, one can

argue these speeches were filled with rhetoric suitable to an invective.¹²³ However, the context of the passages examined suggests that a reevaluation of Lentulus' influence on the affair is necessary to understand why the *reliqua coniuratorum manus* continued supporting the affair a month after its initial discovery. The text certainly implies a contentious hierarchy between Catiline and Lentulus, but can we affix perhaps a less biased trope to Lentulus' representation by examining Cicero's other speeches and letters that referred to Lentulus?

There is a dearth of letters that survive in Cicero's epistolary corpus that directly discuss the affair of 63 and no existing letters written during 63 that we can examine in order to judge what Cicero may have felt about Lentulus or the *reliqua coniuratorum manus*. Yet the few letters that directly refer to the affair or its participants are illuminating and help to ascertain Cicero's perception of the importance of the actions specifically occurring inside of Rome. In mid-January of 62, Cicero wrote a letter to Q. Caecilius Metellus Celer, propraetor of Cisalpine Gaul, to praise his efforts for preventing any retreat by Catiline's forces from Etruria into the adjoining province (Cic. *Fam.* 5.2).¹²⁴ In the letter, Cicero initially ascribed the defense of the city to himself and the defense of the rest of Italy to Metellus Celer and his army (5.2.1). However, the letter primarily concentrated on the affront shown to Cicero by Celer's brother Q. Metellus Nepos, the tribune for 62. Nepos had barred Cicero from making the customary address to the people after he completed his tenure as consul. Cicero claimed that Nepos' primary reason for opposing his consular address was because of the five Roman citizens executed without a trial under Cicero's watch (5.2.7-8).¹²⁵ Cicero's perception of the affair is demonstrated in the following passage from the letter:

Qui, qua poena senatus, consensus bonorum omnium, eos affecerat, qui urbem incendere, et magistratus ac senatum trucidare, bellum maximum conflare voluissent, eadem dignum iudicaret eum, qui curiam caede, urbem incendiis, Italiam bello liberasset.

¹²³ On identifying Ciceronian invective, see Craig 2007.

¹²⁴ The date of the letter *med. m. lan. an.* 62 is vague and whether it was sent before or after the defeat of Catiline and Manlius' forces is debatable, see Shackleton Bailey 1977 Vol. I, 276. Cicero did not explicitly congratulate Celer's victory over the army in Etruria, so perhaps the army had yet been defeated. However, Catiline and Manlius' army fought against Antonius' forces not Celer's forces.

¹²⁵ Cf. Cic. *Mur.* 81, 83; *Fam.* 5.2.6-8; Dio Cass. 37.38. Plutarch claimed it was the tribune Bestia, who barred Cicero from his consular address (Plut. *Cic.* 23.2).

For, in his [Nepos'] judgment, the man who had delivered the Senate-house from massacre, the City from incendiarism, and Italy from war, deserved the same punishment as that inflicted by the Senate, with the unanimous approval of all honest men, upon those who had purposed to fire the City, butcher the magistrates and the Senate, and fan the flames of a devastating war." (Cic. *Fam.* 5.2.8)

Cicero perceived that his suppression of the disturbances in Rome was the more significant conflict than the disturbances occurring outside of the city. Although one could argue that Cicero was referring to the army in Etruria because of the rhetorical claim that he had saved Italy from war, the passage only makes sense if Cicero was referring to those remaining Rome. Cicero is clearly describing those who were executed on December 5 and the seriousness of their plans, which were to support all facets of the affair.

In a letter to Atticus Cicero compared P. Clodius Pulcher's acquittal in the *Bona Dea* scandal of 61 to the earlier acquittals of Catiline and Lentulus in the same contemptuous tone.¹²⁶ Cicero implied that Clodius had bribed the jury, like Lentulus and Catiline before him, or he would have been convicted. Cicero proclaimed that Clodius was *hunc tertium iam esse a iudicibus in rem publicam immissum* "the third criminal let loose on the country by a jury" (Cic. *Att.* 1.16.9). In 58, when Clodius was tribune part of the legislation he passed was aimed directly at Cicero by revising the previous laws concerned with the capital punishment of citizens.¹²⁷ Fearing that he might face prosecution for his illegal execution of Lentulus and the others, Cicero voluntarily went into exile.¹²⁸ Cicero often linked Clodius with the metaphorically corrupt Catiline in some of his speeches delivered after the Senate had recalled him from voluntary exile the following year.¹²⁹ Hence there was no reason for Cicero to discuss Lentulus or the others who were illegally executed during his consulship, which could only remind his audience why he was compelled to leave Rome in the first place. However, in a letter to his closest confidant, Cicero did not avoid mentioning Lentulus and instead implied that Lentulus' criminal record was equal to Catiline's.

¹²⁶ Lentulus and Catiline had been acquitted twice (Cic. *Att.* 1.16.9).

¹²⁷ On the *lex Sempronia* and the *lex Porcia* and *leges Clodii*, cf. Cic. *Pis.* 14.1-4; *Dom.* 4-7; Dio Cass. 38.14.4-6.

¹²⁸ Dio explicitly claimed Clodius' legislation was directed at Cicero due the executions of Lentulus and the other 38.14.4-6. Cicero stated that Cato's advice was that he go into voluntary exile before he was harmed, cf. Cic. *Att.* 3.15.2; Plut. *Cat. min.* 35.1

¹²⁹ Cicero compared Clodius to Catiline often, cf. Cic. *Mil.* 37, 63; *Dom.* 13, 61; *Har. resp.* 5. NB: In 65, Clodius prosecuted Catiline *de repetundis* (TLRR, no. 212). Cicero insisted the case was a farce and Catiline was acquitted, cf. Cic. *Pis.* 23; *Har. resp.* 42.

In the *Pro Sulla* delivered before the consular elections of 62¹³⁰, Cicero defended P. Cornelius Sulla, the nephew of the dictator Sulla, who was accused of supporting the affair of 63 and charged under the *lex Plautia de vi*.¹³¹ One of Cicero's tactics to convince the jury that his client did not support the affair was to vilify the criminal actions of Catiline, Lentulus, Cethegus, Cassius, Cn. Calpurnius Piso and primarily P. Autronius Paetus, who was consul-designate for 65 with P. Sulla, in order to downplay his client's association with these men, who were known supporters of the affair. In 66, the defeated consular candidates L. Manlius Torquatus and L. Aurelius Cotta charged the victorious candidates Autronius and Sulla with electoral corruption. Both men were convicted *de ambitu* and stripped of the consulship. New elections were held and Torquatus and Cotta were elected in their place.¹³² According to the *Pro Sulla*, the prosecution alleged that Sulla and Catiline had plotted to murder the new consuls when they entered the office on January 1, 65 (Cic. *Sull.* 68). The so-called "First Conspiracy of Catiline" has been summarily debunked by modern scholarship generally concluding that Catiline was more likely to have been involved with the violent demonstrations occurring during the trial of C. Manilius in December of 66 than those occurring after Torquatus and Cotta began their term as consuls.¹³³ However, Cicero's primary aim in the *Pro Sulla* was to defend his client by discussing the violent nature of the men, other than Sulla, involved in the seditious plans of 66/65 and 63.

Lentulus is categorically represented as one of the chief members of the affair of 63 in the *Pro Sulla*. Cicero frequently associated Lentulus' involvement with Catiline's and Autronius' actions (cf. Cic. *Sull.* 16, 33, 53, 75, 76). However, Cicero especially emphasized Autronius' criminal nature over both Lentulus and Catiline. Cicero claimed Autronius was a member of the affair of 63. Autronius purportedly approached the Allobrogean envoys (17, 36, 38), sent arms to the army in Etruria (17, 53), and sent the assassins to Cicero's house (18). Cicero remarked that only due to Lentulus' execution did Autronius decide to withdraw his support (17). Another of Cicero's tactics in his defense

¹³⁰ For the date of the *Pro Sulla*, cf. Berry 1996, 14; Marinone 2004, 89.

¹³¹ For the charges against P. Sulla, see Berry 1996, 20-1. On the *lex Plautia de vi*, cf. Hough 1930; Lintott 1968, 107-124; Gruen 1974, 224-7; Labruna 1975, 166-74, Robinson 1995, 78-9.

¹³² Cic. *Sull.* 17, 50. Cf. Berry 1996, 4-5 n.21.

¹³³ For the reasons why the label of "The First Catilinarian Conspiracy" is imprecise, cf. Syme 1964, 87-102, Seager 1964; Gruen 1969; Ramsey 1984, 125-31. On the trial of Manilius, see Ward 1970, 545-54.

was to indict those whose guilt was manifest in the affair of 63 in comparison to the circumstantial evidence against P. Sulla. Cicero stressed that he had suppressed the disturbances in Rome and was defending P. Sulla against the accusation that he was a member of said affair. This fact surely carried weight with the jury's eventual acquittal.¹³⁴ Clearly, we should be wary of Cicero's account of Autronius' activities, as Cicero used P. Sulla's old colleague as a foil to heap most of the blame upon Autronius, whose criminal actions had led to two convictions in 66 *de ambitu* and in 62 *de vi* (7, 15).¹³⁵

Cicero also stressed the criminal nature of the others who were involved in the affair in the *Pro Sulla*. The most suggestive passage in the speech regarding Lentulus' influence with the affair occurred when Cicero explicitly labeled Lentulus as a *dux* and not Catiline. The passage reads:

cum exercitus perditorum civium clandestine scelere conflates crudelissimum et luctuosissimum exitium patriae comparasset, cum ad occasum interitumque rei publicae Catilina in castris, in his autem templis atque tectis dux Lentulus esset constitutus

"An army of abandoned citizens had been scraped together in a secret plot and had prepared for their country the most cruel and grievous destruction, Catiline had been placed in command of the camp to destroy and annihilate the Republic and Lentulus in command among our temples and homes" (Cic. *Sull.* 33).

Once again, Catiline was located *in castris*, alluding to the army in Etruria, and Lentulus was located inside Rome. I believe the translation cited from the Loeb edition of the *Pro Sulla* by MacDonald does not place enough emphasis on the positioning of the term *dux* next to Lentulus' name instead of Catiline's name. Clearly, both the singular *dux* and *esset constitutus* refer to Catiline and Lentulus in the clause.¹³⁶ However, MacDonald ignores translating the word *autem*, which is contextually significant. In addition, Lentulus' name is emphatically positioned next to *dux*. Therefore, I propose an alternate and more suitable translation due to the context of when this passage occurred in the speech, which I will explain below.

¹³⁴ According to Berry (1996, 34-9), P. Sulla was perhaps guilty under the *lex Plautia de vi* but not as a Catilinarian *per se*. There were many political and financial advantages for Cicero to defend P. Sulla, cf. MacDonald 1977, 308-9; Berry 1996, 26-33. Berry (38) questions, "Is it really credible that any consideration could have induced Cicero, who regarded his suppression of the affair as his greatest achievement, to defend a Catilinarian conspirator?" According to Cic. *Sul.* 18, Autronius, who was a colleague of Cicero's as a quaestor of Lilybaeum in 75, begged Cicero to defend him in 62 and Cicero refused.

¹³⁵ On Autronius' two convictions, see *TLRR*, nos.200 and 229.

¹³⁶ Berry (1996: 204) states that the names Catilina and Lentulus "are considered as acting in isolation grammatically" due to the singular verb *esset constitutus*.

Cicero had taken umbrage at the prosecution's accusation that his consulship was similar to a tyranny (Cic. *Sull.* 21-25). He then proceeded to defend his actions as consul. The passage that referred to Lentulus as a *dux* occurred during Cicero's rebuttal against the prosecutors' claim that he had acted with unreasonable severity towards Lentulus and the other four citizens who were executed (21-35). Perhaps Cicero could assuage the odious charges of his fateful decision to sentence Lentulus and four other Roman citizens to death without a formal trial, if Lentulus were ascribed the leadership of the affair instead of Catiline. Therefore, Cicero placed *dux* next to Lentulus' name to stress that he was a leader in the affair as well as Catiline.

In light of the context, I offer an alternate translation of the subordinate clause highlighting Cicero's emphasis that the affair in Rome was more serious: 'Catiline had been placed in the military camp to ruin and eliminate the *res publica*, but Lentulus had been placed in command among our own temples and homes.' This translation is analytically and contextually more suitable due to the circumstances of when this passage appeared in the *Pro Sulla*. Directly after this passage, Cicero rhetorically argued that he had saved the *res publica* without resorting to armed force - *sine tumultu, sine dilectu, sine armis, sine exercitu* "Without any state of emergency, without a levy, without use of arms, without an army" (33). Cicero had nothing physically to do with defeating the army in Etruria, therefore he stressed his suppression of the disturbances in Rome, and consequently emphasized the importance of preventing those remaining in the city planning arson and murder. Regardless of the rhetoric in the *Pro Sulla*, according to the evidence presented in this section, it is conclusive that Lentulus was a leader of the affair's activities inside of Rome, which were at the very least as significant as the activities of Catiline, whose primary role was leading the army in Etruria.

2.4.1 Lentulus' political career

It is not surprising that our sources represent Lentulus as the leader of the *reliqua coniuratorum manus* because he was an ex-consul and was currently serving as a praetor for a second time in 63. Therefore, Lentulus was the highest-ranking member of the affair. He steadily rose up the *cursus*

honorem, first becoming quaestor by 81 during Sulla's reign.¹³⁷ According to Plutarch, Lentulus had misappropriated funds when he was quaestor (Plut. *Cic.* 17.2-3). When Sulla questioned him about his financial impropriety, Plutarch proclaimed that Lentulus flippantly pointed to his leg, insinuating that he had "missed the ball." Plutarch explained that this was how Lentulus supposedly received the *agnomen* ('nickname') of *sura* ('the calf of the leg').¹³⁸ Lentulus probably was tried for misconduct, but was acquitted of the charge.¹³⁹ He was elected praetor for 75 and served as governor of Sicily the following year. When Lentulus returned to Rome, he was accused of extortion in the region.¹⁴⁰ He was eventually charged *de repetundis*, but was acquitted by a slim margin of two votes. The jury was apparently bribed. According to Plutarch, Lentulus quipped that he had overpaid the jury since he only needed a majority of one vote to be acquitted not two (*Cic.* 17.4).¹⁴¹

Lentulus' popularity was unaffected despite these allegations of misconduct as a magistrate and promagistrate and he was elected consul for 71.¹⁴² Cn. Cornelius Lentulus Clodianus and L. Gellius Poplicola, the ex-consuls of 72, were elected censors for the following year. The censors expelled sixty-four senators from the Senate including Lentulus in 70/69 (Liv. *Per.* 98).¹⁴³ The reasons for his expulsion are vague. Plutarch's *Life of Cicero* is our only source that explicitly suggests the reasons why Lentulus was

¹³⁷ On Lentulus' normal progression along the *cursus honorum*, see *RE* IV 1 (Cornelius) no. 240, 1399.49-55.

¹³⁸ Plut. *Cic.* 17.2: ἐν τοῖς κατὰ Σύλλαν χρόνοις ταμειύων συχνὰ τῶν δημοσίων χρημάτων ἀπώλεσε καὶ διέφθειρεν. ἀνανακτοῦντος δὲ τοῦ Σύλλα καὶ λόγον ἀπαιτοῦντος ἐν τῇ συγκλήτῳ, προελθὼν ὀλιγώρως πάνυ καὶ καταφρονητικῶς λόγον μὲν οὐκ ἔφη διδόναι, παρέχειν δὲ τὴν κνήμην ὥσπερ εἰώθεισαν οἱ παῖδες ὅταν ἐν τῷ σφαιρίζειν ἀμάρτωσιν. "In Sulla's time he was quaestor and lost and wasted large amounts of the public funds. Sulla was angry at this and demanded an accounting from him in the Senate, whereupon Lentulus came forward with a very careless and contemptuous air and said that he would not give an account, but would offer his leg, as boys were accustomed to do when they were playing ball and made a miss. On this account he was surnamed Sura, for "sura" is the Roman word for leg."

¹³⁹ Cicero confirmed Lentulus had been acquitted twice and implied that the juries in both trials had been bribed (*Cic. Att.* 1.16.9). One of the acquittals Cicero was alluding to was most likely Lentulus' misappropriation of funds. Regarding the probable charge *de peculatu* and the approximate date of Lentulus' trial, see *TLRR*, no. 130.

¹⁴⁰ C. Verres was Lentulus' successor in Sicily in 73. Lentulus probably returned to Rome some time that year and then stood trial, see *RE* IV 1 (Cornelius) no. 240, 1400.14-26.

¹⁴¹ The exact date of Lentulus' trial *de repetundis* is unknown, see *TLRR*, no. 219.

¹⁴² NB: Our sources are silent regarding Lentulus' consulship.

¹⁴³ C. Antonius (*Asc.* 84C) and Q. Curcius (*Sall. B. Cat.* 23.1; *App. B. Civ.* 2.3) were also expelled from the Senate in 70/69. For arguments regarding whether the censors performed the *lustrum* in 70/69, cf. Tibiletti 1959, 96; Pieri 1968, 182; Wiseman 1969, 69-70. The consensus is that the census of 70/69 was, at the very least, completed, cf. *MRR* II, 127. NB: Appian (*BC* 2.3) incorrectly stated the sixty-four men were expelled five years later but the censors did not complete their duties in 64, cf. Plut. *Crass.* 13.1, Dio 37.9.4.

praeteritus ('omitted').¹⁴⁴ According to Plutarch, Lentulus was expelled not only because he had misappropriated funds when he was quaestor and bribed the jury in another trial, but also due to his licentious lifestyle (Plut. *Cic.* 17.1).¹⁴⁵

The censor Cn. Cornelius Lentulus Clodianus was an adopted member of the *Cornelii Lentuli*, the same *gens* and *stirps* as Lentulus Sura, but how or if they were blood relatives remains inconclusive.¹⁴⁶ However, it was not uncommon that those from the same *gens* were opposed to each other, e.g. the violent struggles between supporters of L. Cornelius Cinna and L. Cornelius Sulla in the 80's¹⁴⁷, or even between blood relatives like Romulus and Remus. Smith demonstrates that a shared *nomen* and *cognomen* might have no bearing whatsoever on the relationship between two Romans.¹⁴⁸ Smith implies that the Roman *gens* was, at the best of times, a manufactured institution.¹⁴⁹ Romans sometimes would take on famous *nomina* from influential *gentes* to heighten their own status. One example is P. Cornelius Scipio Aemilianus who was born into the *gens Cornelia* but then adopted by the *gens Aemilia*.¹⁵⁰ Scipio therefore took on both *nomina* as his own, which were passed down generation to generation due to the heightened status that was inherited by belonging to both families. The acquisition of new *nomina* occurred primarily through marriage or adoption, but manumission also played a part. Traditionally, slaves were allowed to use their master's *nomen* when they were freed. These *libertini* were considered a part of the extended family, clearly

¹⁴⁴ The noun *praeteritus* is a cognate of the verb *praetereo* meaning 'passed over'. The noun is used for one who had failed to be selected for an office, i.e. being omitted by the censors from the list of senators and expelled from the Senate, see *OLD* (*praetereo*) s.v. 6.

¹⁴⁵ Plut. *Cic.* 17.1: βεβιωκώς δὲ φαύλως καὶ δι' ἀσέλγειαν ἐξεληλαμένος τῆς βουλῆς πρότερον "One who had led a low life and for his licentiousness had formerly been expelled from the Senate." Dio did not record reasons for Lentulus' expulsion (Dio Cass. 37.30.4). Cicero alluded to Lentulus' former *insaniam libidinum* "insane passions", but whether Cicero was alluding to his crimes before his involvement with the affair of 63 is not explicit (Cic. *Sull.* 70). Cicero also alluded to Lentulus' *largatio* (*Cat.* 3.10).

¹⁴⁶ Clodianus was perhaps a member of the plebeian *Claudii Marcelli* and adopted by Cn. Cornelius Lentulus (cos.97), see *RE* IV (Cornelius) no. 216, 1380.18-49. We know for certain, who Lentulus Sura's grandfather was, according to Cic. *Cat.* 3.11, but who Sura's father was remains unknown. Although in the *Brutus*, Clodianus and Sura were mentioned in the same passages (Cic. *Brut.* 230, 308, 311) or one after the other (234-5), Cicero was not specific about their familial relationship. The editors of the Loeb edition of *Brutus*, most likely misled by the often pairing of the two *Cornelii Lentuli* by Cicero, erroneously lists them as brothers (1962, 516). There is no evidence that Sura and Clodianus were related.

¹⁴⁷ NB: There is no evidence that the two *Cornelii* were related.

¹⁴⁸ Smith 2006, 12-20 and 32-44. Smith's study is primarily concerned with defining and identifying the difference between patrician and plebeian *gentes* and their significance in regards to the Roman historical tradition.

¹⁴⁹ *Ibid.* 1-7.

¹⁵⁰ See *RE* IV (Cornelius) no. 335, 1439.49-68.

making Roman onomastics a perplexing field of study.¹⁵¹ Therefore, without the corresponding literary or non-literary evidence, we cannot conclude whether those with similar *nomina* were related.¹⁵²

It is probable that Romans with the same *nomina* would claim to be descendants of those who had distinguished themselves and the *gens* in service to the *res publica*. The typical Roman practice of saving and honoring *imagines* of famous men in their *gens* and *stirps* supports this argument. Whether one was a blood relative of the famous ancestor or not, he could technically claim to be a kinsman within the *gens*. For example, Suetonius implied the people of Rome expected D. Junius Brutus to live up to his ancestor L. Junius Brutus' example. In 509, L. Junius Brutus expelled his uncle the last king of Rome, Tarquinius Superbus, therefore, Suetonius implied that the current Brutus should dispose the 'tyrant' Caesar in 44 (Suet. *Iul.* 80).¹⁵³ Instead, Plutarch stated that the people of Rome exhorted M. Junius Brutus, not Decimus, to follow his ancestor's example (Plut. *Brut.* 9.5-7, 10.1-6). Whether either of Caesar's murderers, Decimus or Marcus Junius Brutus, was a blood relative of the legendary L. Junius Brutus that lived almost five centuries earlier is improbable.¹⁵⁴ However, this example demonstrates that one's *nomen* and *cognomen* could be used to define one's character in Roman society regardless of whether kinsmen with the same *nomina* were actually related. Lentulus apparently considered himself a successor of L. Cornelius Cinna and L. Cornelius Sulla, who had a stranglehold on the consulship during the 80's. The fact that these men were all *Cornelii* is important when Lentulus' prophecy is examined in section 2.4.5. However, there is no literary or non-literary evidence that explicitly discusses the relationship between Lentulus and the censor Clodianus. I have explained that their common *nomen* and *cognomen* did not specifically mean they were blood relatives. However, we cannot be certain they were not distant relatives. Perhaps Clodianus, an adopted Cornelius

¹⁵¹ On naming *libertini*, see Radin 1914, 242-3. Appian claimed Sulla freed 10,000 slaves and incorporated them into the *gens Cornelia* (App. *B Civ.* 1.100).

¹⁵² For the problems regarding Roman onomastics in general cf, Botsford 1907, 665-9; Radin 1914, 242-7; Douglas 1958; Saller 1984, 341-2; Smith 2006, 15-20. For a comprehensive review on scholarship on the Roman *gens* from the 16th century A.D. onwards, see also Smith 2006, 65-113.

¹⁵³ For the expulsion of the last king of Rome, see Liv. 1.56-60.

¹⁵⁴ Plutarch reviewed the arguments whether M. Junius Brutus' was a relative of the famous L. Junius Brutus or not (Plut. *Brut.* 1.1-5). Decimus and Marcus were most likely distant cousins, see *RE* Suppl. 4-5 (Iunius) no. 55a, 369.49-370.2. Whether M. Junius Brutus felt any psychological pressure due to having the same *nomina* as one of the traditional founders of the Republic, see Africa (1978).

Lentulus, was against expelling a member of the same *gens* and it was instead the censor Gellius who recommended Lentulus should be expelled. Cicero stated that the censors Clodianus and Gellius sometimes disagreed over who and why someone should be removed from Senate (Cic. *Clu.* 132). Of course, as stated above, kinsmen could share different views regardless of how closely they were related.

One aspect of the political agenda that featured during the consulship of Pompey and Crassus in 70 was the restoration of powers to the tribunate and the censorship, both of which the Sullan legislation had curtailed a decade earlier.¹⁵⁵ As someone who was accused of having illegally profited as quaestor during Sulla's reign, Lentulus was perhaps vilified in 70, and his exclusion by the censors becomes more understandable. However, the censor Clodianus also had connections with Sulla, so this reason regarding Lentulus' expulsion is hypothetical.¹⁵⁶ The censors might simply have been bribed to expel Lentulus.¹⁵⁷ Our sources are not explicit, and therefore we are left only with Plutarch's suggestion that Lentulus was expelled because of the two earlier questionable acquittals and his immoral character (Plut. *Cic.* 17.1).¹⁵⁸ Regardless of the actual reasons behind Lentulus' expulsion and the ignominy it might carry, his political career was perhaps back on course only a year or two later.¹⁵⁹

There is numismatic evidence that suggests Lentulus might have been a quaestor in L. Julius Caesar's entourage in Macedonia after L. Julius Caesar

¹⁵⁵ Our sources generally focus on the full restoration of powers of the tribunate, and the reinstatement of judicial powers for the equestrian class during Pompey's and Crassus' consulship, cf. Cic. *Verr.* 1.44-5; Liv. *Per.* 97; Plut. *Pomp.* 22.3. Gabba (1956, 135-8) argues Sulla did not abolish the censorship, but only curtailed its powers by not holding elections for the office during his reign. Cf. Wiseman 1969, 65; Astin 1985, 176.

¹⁵⁶ Cicero's works perhaps imply that Clodianus was a legate of Sulla (Cic. *Leg. Man.* 58) and returned to Italy from the campaigns with Sulla in 83 (*Brut.* 308). Badian (1958, 54-55) agrees Sulla's veterans were his primary supporters and beneficiaries, but does not list Clodianus. Keaveney (1984, 123) lists Clodianus as a Sullan "Tribune of the soldiers", but explains the evidence from Cicero is not specific. NB: During his consulship, Clodianus attempted to pass legislation to recover some of the money from the Sullan confiscations but was unsuccessful (Sall. *Hist.* 4.50). Whether Clodianus' proposal was to distance himself from Sulla, however is inconclusive.

¹⁵⁷ For censors taking bribes, see Cic. *Clu.* 127, 129.

¹⁵⁸ See nn.138-9.

¹⁵⁹ Cicero argued that being expelled by the censors did not carry as much disgrace as a conviction in court (Cic. *Clu.* 119). He explained that some of those recently expelled by Clodianus and Gellius in 70/69 had been restored to the Senate (120). Cicero discussed the expulsion of C. Licinius Geta. Geta was a consul in 116 and was expelled from the Senate in the following year. In the successive elections for the censorship of 110, Geta was voted censor regardless of the judgment of the previous censorship five years earlier (119). On Geta, see Wiseman 2009, 33-57.

served as praetor approximately in 69.¹⁶⁰ A coin from a Macedonian hoard dating from the early first century has the name “Q. Suura” struck on the reverse.¹⁶¹ Scholars argue over both the date and the name on the reverse of the coin. The *praenomen* on the coin is a “Q.” not a “P.” Furthermore, the cognomen is misspelled adding an extra “u” to Sura. The coin was clearly a misstrike considering the misspelling of the *cognomen*.¹⁶² The *praenomen* on the reverse might refer to a certain Q. Braetius Sura, who was in the entourage of C. Sentius, governor of Macedonia circa 90.¹⁶³ Another problem with identifying whom the coin might name is the 90-degree lowercase “q” also on the reverse. This letter usually indicates the person’s rank on the coin. However, there is no evidence that either Sura held the rank of quaestor when they were in Macedonia.

Lewis and Mattingly argue that the date of the coin was more likely around 70, not 90.¹⁶⁴ Therefore, the coin might refer to P. Cornelius Lentulus Sura instead of Q. Braetius Sura. Lentulus was the second husband of Julia, L. Julius Caesar’s sister.¹⁶⁵ As his brother-in-law, Lentulus’ inclusion in L. Julius Caesar’s entourage in Macedonia is plausible, but remains indeterminable. When Cicero was debating the appropriate sentence for Lentulus and the others who had confessed to participating in the affair, he claimed L. Julius Caesar supported the death penalty (Cic. *Cat.* 4.13).¹⁶⁶ The relationship between the brothers-in-law had undoubtedly soured due to Lentulus’ involvement with the affair. L. Julius Caesar was consul in 64, so his opinion carried weight in the Senate. Cicero also mentioned L. Julius Caesar’s opinion about Lentulus’ sentence to demonstrate that even his relatives thought death was an appropriate punishment.¹⁶⁷ However, the coin was a misstrike and remains unique, so any conclusion regarding the numismatic evidence that suggests the coin refers to Lentulus Sura must be approached with caution.

¹⁶⁰ L. Julius Caesar was consul in 64, but the exact year of L. Julius Caesar’s praetorship remains indeterminable. The *RE* states he was praetor some time between 74 to 67 [(*RE* X (Iulius) no. 143, 469.14-6)].

¹⁶¹ For a reproduction of the coin, see Mattingly 2004, 176 Plate 1 Coin 2.

¹⁶² NB: There is no evidence of a Roman cognomen spelled “Suura”.

¹⁶³ Mattingly 2004, 155.

¹⁶⁴ Cf. Lewis 1962, 275-300; Mattingly 2004, 152-68.

¹⁶⁵ On Julia, see *RE* X1 (Iulius) no. 543, 892.34. NB: Lentulus’ marriage to Julia made him Mark Antony’s stepfather by default.

¹⁶⁶ Cf. Cic. *Phil.* 2.14; 8.1

¹⁶⁷ Cic. *Cat.* 4.13. See Dyck 2008, 228.

Therefore, how soon Lentulus' political career was rehabilitated after his expulsion is contentious. However, by 64, just five or six years after his expulsion from the Senate, Lentulus was allowed to stand for a second praetorship. His candidacy was a success and as praetor, he was reinstated into the Senate the following year. The rehabilitation of political careers after suffering expulsion from the Roman senate was not unheard of, but it was not a common occurrence either. Of the twenty-three individuals we can identify by name who were expelled from the Senate during 318-50, about half were later elected to some office.¹⁶⁸ A contemporary example was C. Antonius Hybrida, Cicero's colleague in the consulship, who was expelled by the censors the same year. C. Antonius was a quaestor in 70 and despite being made *praeteritus* was able to secure the position of praetor in 66 and consul in 63.¹⁶⁹ Q. Curius was another contemporary of Lentulus, who was purportedly one of the sixty-four senators expelled in 70/69. Curius is named in Sallust's list of participants from the senatorial order (Sall. *Cat.* 17.3). However, whether Curius was still a senator in 63 is debatable, but evidently Lentulus and Antonius' status as *praeteriti* did not hinder their future political careers.¹⁷⁰

Nevertheless, Romans who had suffered any form of *capitis deminutio* would have found it difficult to rehabilitate their political careers, both for themselves and their kinsmen. Securing an election for a top magisterial position was no ordinary feat. Evidently, Lentulus had superior family connections as part of one of the largest families in Rome, the *gens Cornelia*.¹⁷¹ The earliest record of the *Lentuli* branch of the *gens Cornelia* is found in Livy's *Ab Urbe Condita* (Liv. 9.4.7-16). L. Cornelius Lentulus was consul in 327BC and an officer of the Roman army, who was trapped by the Samnites in the

¹⁶⁸ See Moore 2012 (forthcoming). The numbers of rehabilitated senators are from personal communication with Moore in December 2009.

¹⁶⁹ See Appendix I, [no.2].

¹⁷⁰ For Q. Curius' rank in 63, see Ryan 1994, 259-60. Ryan (256-7) argues that several of those listed by Sallust *ex ordo senatu* (Sall. *B Cat.* 17.3) were not senators due to previous convictions including P. Autronius Paetus, L. Vargunteius and Q. Curius. Regarding C. Cornelius Cethegus' status as a senator in 63, Ryan is less certain. Cf. Linderski 1963, 511-2 contra Robinson 1947, 138-43. These scholarly arguments beg the question what the requirements were for Sallust's list of senators at 17.3. Did Sallust's list, include those who: a) were once senators or b) were current senators? Vretska (1976, 282) assumes both were included. NB: Clearly, Roman *equites* could be *senatores*, e.g., Cicero. However, the latter class had more authority, so was prized over the former. L. Vargunteius is another example of a citizen from both classes. However, Linderski (1963, 512) argues that the *eques* Vargunteius was no longer a senator in 63 due to a conviction *de ambitu* in 66. Cf. Berry 1996, 141.

¹⁷¹ On the *gens Cornelia*, see *RE* IV (Cornelius), 1249. The *Cornelii Lentuli* was the most substantial branch of the *gens*, see *RE* IV (Cornelius) no. 172ff., 1355-57.

Caudine Forks. Livy described him as *virtute atque honoribus* (Liv. 9.4.8). Further representations of the *Cornelii Lentuli* in our sources are as *clarissimi viri* ('the most illustrious of men').¹⁷² Cicero called P. Cornelius Lentulus, Lentulus Sura's grandfather, a *clarissimus vir* because he had been wounded fighting against the seditious adherents of C. Gracchus (Cic. *Cat.* 3.10).¹⁷³ The sources regarding the affair of 63 also characterized Lentulus Sura, despite his ignominious fate, as a man of talent from an illustrious family.¹⁷⁴ Fourteen out of the twenty-six recorded *Cornelii Lentuli* to hold magistracies in the Roman Republic attained the office of consul including the consecutive consulships in 72 by Cn. Cornelius Lentulus Clodianus and in 71 by Lentulus Sura.¹⁷⁵

Wiseman and Astin suggest that the military relevance of the census had ceased by 167.¹⁷⁶ The census during the Late Republic was primarily concerned with voting privileges and an individual's financial standing.¹⁷⁷ Therefore, perhaps a different reason for Lentulus' expulsion from the Senate was that he had lost the fiscal requirements required for enrollment. If this assumption is correct, then Lentulus had also recovered financially by 64 in order to stand for the praetorship a second time. Running for any magisterial office in Rome required recourse to substantial funds in order to secure votes. Lentulus was purportedly one of these debtors, so how he was able to obtain the funds necessary to stand for the praetorship in 64 is uncertain. Perhaps he was able to recuperate his finances in L. Julius Caesar's entourage in Macedonia, but that hypothesis is speculative due to the contention over the numismatic evidence discussed earlier. Again we have to return to the hypothesis that his political and financial rehabilitation was most likely due to his influential familial connections.

¹⁷² Cic. *Cat.* 3.10, *Clu.* 120. In these instances, Cicero called P. Cornelius Lentulus (Sura's grandfather) and Cn. Cornelius Lentulus Clodianus *clarissimi viri* respectively. Cf. Val. Max. 5.3.2.

¹⁷³ Cic. *Cat.* 3.10: *imago avi tui, clarissimi viri* "A portrait of your [Lentulus Sura's] illustrious grandfather." Cf. *Brut.* 108.

¹⁷⁴ Cf. Sall. *B Cat.* 55.6: *ille patricius ex gente clarissima Corneliorum* "That patrician of the illustrious stock of the Cornelii; Plut. *Cic.* 17.1: ἀνὲρ γένους μὲν ἐνδόξου "A man of illustrious birth."

¹⁷⁵ The recorded numbers of consuls is my own count from the *MRR*. Five *Cornelii Lentuli* were consuls between 72 and 49. Gruen (1974, 59) argues a sixth consul from the *gens* "was a near miss."

¹⁷⁶ Wiseman 1969, 60; Astin 1985, 176. Cf. Gell. *NA* 6.13.1

¹⁷⁷ Cf. Pieri 1968; Wiseman 1969.

As mentioned, Cicero and Sallust claimed one reason for the widespread support of the affair in 63, by patricians and plebeians alike, was debt.¹⁷⁸ Shortly after the affair in Rome was overcome in 62, Cicero wrote to P. Sestius stating that he was considering starting a *coniuratio* because he was deeply in debt, no doubt due to his extensive campaigning for the consulship and his recent purchase of a house on the Palantine Hill from Crassus.¹⁷⁹ As previously reviewed in section 2.2, many debtors were attracted to join the affair due to their supposedly desperate financial situation (cf. Cic. *Cat.* 2.18-21; Sall. *B Cat.* 24.3-4, 25.4, 33.2). Cicero explained that the wealthy indebted citizens pined for political *dominatio* (Cic. *Cat.* 2.19).¹⁸⁰ Dyck suggests this group of indebted supporters included both Catiline and Lentulus.¹⁸¹ Cicero proclaimed in the *Second Oration* that many of the wealthy (*locupletes*) supporting the affair could relieve their debts by selling off their estates (*Cat.* 2.18).¹⁸² Cicero was not explicit if Lentulus was a part of the group of supporters who were unwilling to pay back their debt. Again, we are left to speculate if Lentulus had rehabilitated his financial woes along with his political career. Perhaps Lentulus' financial condition was not a hindrance at all. This begs the question of why someone from such an illustrious family who had recently restored his and his family's *dignitas* would join a plot to overthrow the current regime that he was a representative of and that had just awarded him *imperium* due to his successful election as praetor.

Whether debt was the overriding factor for Lentulus' willingness to support the affair remains a matter of conjecture. Our sources also imply that there was an esoteric reason for Lentulus' participation in the episode. Cicero declared Lentulus' hope was that *regnum huius urbis atque imperium pervenire esset necesse* "The rule and dominion of Rome was fated to come [to him]" (Cic. *Cat.* 3.9).¹⁸³ Cicero was citing a prophecy, which purportedly predicted

¹⁷⁸ For debt as a factor regarding the affair of 63, cf. Giovanni 1963; Yavetz 1963, 485-99; Frederiksen 1966, 128-41; Shaw 1975.

¹⁷⁹ Cic. *Fam.* 5.6.2: *tantum habere aeris alieni, ut cupiam coniurare, si qui recipiat* "I am so heavily in debt, that I am eager to join a affair, if anybody would let me in". The letter also discussed his purchase of the house from Crassus.

¹⁸⁰ Cic. *Cat.* 2.19: *alterum genus est eorum qui, quamquam permuntur aere alieno, dominationem tamen exspectant, honores quos quieta re publica desperant perturbata se consequi posse arbitrantur.*

¹⁸¹ Dyck 2008, 150.

¹⁸² Sallust wrote Catiline thought he could pay off his debts if he sold his estates (Sall. *B Cat.* 35.3).

¹⁸³ Cf. Cic. *Cat.* 4.2: *Etenim si P. Lentulus suum nomen inductus a vatibus fatale ad perniciem rei publicae fore putavit, cur ego non laeter meum consulatum ad salutem populi Romani prope*

that in the year 63, twenty years after the burning of the Capitol and ten years after the defilement of the Vestal Virgins, there would be a third Cornelius, after Cinna and Sulla that would rule Rome.¹⁸⁴ Cicero implied that Lentulus believed that the prophecy inferred that the third Cornelius was none other than himself (cf. *Cat.* 3.9, 4.2).¹⁸⁵ A further reappraisal of Lentulus' participation in the affair is necessary to understand his complicity, especially after the rehabilitation of his political career as praetor and his restoration to the Senate. I continue to examine the prophecy and the other evidence that was used to incriminate Lentulus to further explain why he was sentenced to death on December 5 in the following subsections.

2.4.2 The evidence against Lentulus

This section will discuss the letter that Lentulus wrote to Catiline, which Cicero obtained after the capture of the messenger T. Volturcius and the Allobrogean envoys on December 3.¹⁸⁶ Cicero used the letter as proof that Lentulus, the other *reliqua coniuratorum manus* remaining in Rome, and their seditious plans were linked with Catiline and Manlius' army in Etruria. Due to the almost simultaneous reports of sedition in Etruria and reports of planned murder in Rome on October 20-21, the Senate passed the *SCU* giving the consuls the power to use any means necessary to protect the *res publica*.¹⁸⁷ When Catiline left Rome to join Manlius, the Senate declared them *hostes rei publicae*.¹⁸⁸ If Cicero intended to severely punish the affair's participants, who had not left Rome with Catiline, Cicero needed to prove the disturbances inside and outside the city were connected. The testimonies given by the informers Volturcius and the Allobrogean envoys are examined to demonstrate Lentulus' association with the Allobrogean envoys and Catiline. However, the letter Lentulus wrote to Catiline was the only piece of concrete evidence that

fatalem exstitisse? "If Publius Lentulus was persuaded by the soothsayers to think that his name was destined by fate for the destruction of the Republic, why should not I rejoice that my consulship has been destined by fate, as I might put it, for the salvation of the Roman people?"; Sall. *B Cat.* 47.2: *regnum...se tertium esse, cui fatum foret urbis potiri* "that he [Lentulus] was the third [Cornelii] who was destined to be master of the city."

¹⁸⁴ The burning of the Capitol occurred in 83 during Sulla's march on Rome (Plut. *Sull.* 27.6). The defilement of the Vestal Virgins occurred in 73, cf. Sall. *Cat.* 15.1; Plut. *Crass.* 1.2; *Cat. Min.* 19.3; Asc. 91C; Oros. 6.3.1. In contrast to the specific prophetic timeline listed at Cic. *Cat.* 3.9, Sallust only refers to the twentieth year after the burning of the Capitol (Sall. *B Cat.* 47.2). See further section 2.4.5.

¹⁸⁵ Cf. Sall. *B Cat.* 47.2; Plut. *Cic.* 17.5.

¹⁸⁶ See Appendix II.

¹⁸⁷ See Chapter 3.3.

¹⁸⁸ See Chapter 3.3.

connects the two men. The text of the incriminating letter that Lentulus wrote to Catiline, which Cicero and Sallust similarly reproduced, is examined below. The different grammatical construction of Cicero and Sallust's versions of the letter is analyzed to demonstrate that Lentulus' status was at the very least equal to Catiline's. Other relevant letters sent between those of equal status are examined to support this hypothesis. In addition, I discuss the suggestion that the opening sentence of Lentulus' letter might indicate Lentulus was initially acting independently of Catiline. Finally, the section discusses Lentulus' *mandata* that he also intended to send to Catiline, which reiterated that Lentulus considered Catiline should heed his advice because Lentulus was the highest-ranking participant supporting the affair left in Rome.

First, we should summarize again Cicero and Sallust's accounts regarding the seizure of the letters from those remaining in Rome and their subsequent arrest.¹⁸⁹ Sometime in 63, the tribe of Allobroges sent envoys from Gaul to Rome to address the Senate regarding certain grievances.¹⁹⁰ The Senate refused to receive the Allobrogean envoys and their complaints were ignored.¹⁹¹ Lentulus instructed a *libertinus* named P. Umbrenus, who had business connections in Gaul, to approach the Allobrogean envoys.¹⁹² He arranged a meeting between the envoys and those involved with the affair in Rome.¹⁹³ The envoys met with several of those involved with the affair and

¹⁸⁹ The synopsis on the following pages is a fusion of Cicero and Sallust's accounts regarding the events on December 3-5, cf. Cic. *Cat.* 3.4-8; Sall. *B Cat.* 44.1-47.4. Discrepancies in their accounts are cited in the footnotes.

¹⁹⁰ Although the Senate normally received the beginning of the year to receive foreign envoys, in emergencies, they were received anytime during the year if permitted, see Pina Polo 2011, 77-8. When the Allobrogean envoys arrived in 63 is unknown. The most probable hypothesis is that the envoys came after Catiline left Rome because Cicero did not mention the affair's plan to solicit their support until December 3.

¹⁹¹ Sallust claimed the Allobroges had amassed a great amount of public and private debt due to the rapacity of the local Roman magistrates in the region (Sall. *B Cat.* 40.1-2). The Senate refused the Allobrogean envoys' entreaty (40.3). Cicero did not mention the reason why the envoys were in Rome. NB: In 61, the Allobroges went to war against Rome and were defeated (Dio Cass. 37.47-48). However, the war might have no connection with the envoys' mission in 63. Cf. Cic. *Prov. cons.* 32.

¹⁹² Cicero called Umbrenus a *libertinus* (Cic. *Cat.* 3.14). There are contradictory claims in the *Third Oration* regarding who of the *reliqua coniuratorum* first approached the envoys. Cicero claimed Lentulus was first to approach the envoys at *Cat.* 3.4 (cf. 4.13), but stated Umbrenus first introduced the envoys to Gabinius instead at 3.14. Sallust did not comment on Umbrenus' status, but claimed he had influence in Gaul (Sall. *B Cat.* 40.2). Sallust claimed that Lentulus instructed Umbrenus to approach the envoys (40.1). The envoys met with Gabinius later (40.6) and then Lentulus, Cethegus, Statilius, and Cassius (44.1).

¹⁹³ Sallust placed the meeting at the house of D. Junius Brutus, consul in 77. Sallust remarked Brutus was absent from the city but his wife Sempronia was not (Sall. *B Cat.* 40.5). Sempronia was perhaps sympathetic to the affair (25.1-6), see Appendix I, [no.34]. Pagan (2004, 42) suggests D. Junius Brutus was "induced" into the affair by Sempronia. However, there is no evidence Brutus was involved with the affair of 63 only that the meeting might have occurred at

were told the names of other influential citizens supporting the affair to attempt to convince them to join.¹⁹⁴ Apparently, those attending the meeting wanted the Allobroges to send military support to Catiline and Manlius' forces in northern Etruria.¹⁹⁵ Presumably, if the Allobroges agreed to support the affair's goal to overthrow the current regime then their grievances would be resolved after the affair was successful. The Gallic envoys and those at the meeting took a mutual oath. Lentulus, Cethegus, Gabinius, and Statilius wrote letters for the envoys to bring back to Gaul to confirm their alliance in writing. T. Volturcius was chosen to escort the envoys to Gaul. On the way, Volturcius was instructed to meet the army in Faesulae and inform them of the verbal and written pledges of support between the Allobroges and those supporting the affair in Rome. He was also supposed to deliver Lentulus' personal letter and verbal message to Catiline.

However, the Allobroges were unsure of their decision and approached their patron in Rome, Q. Fabius Sanga, who notified Cicero of the envoys' meeting with the participants.¹⁹⁶ After Cicero was informed, he planned to ambush Volturcius and the envoys as they were leaving the city. Cicero ordered two current praetors, L. Valerius Flaccus and C. Pomptinus, to confront Volturcius and the envoys on the Mulvian Bridge a few miles outside Rome.¹⁹⁷ The praetor's men blocked both sides of the bridge to prevent their escape, and when Volturcius initially balked, the envoys offered no resistance. Volturcius surrendered without a struggle. He and the envoys were detained and brought

his house. Again, Brutus was not in Rome when the meeting occurred (Sall. *B Cat.* 40.5). Cicero did not mention D. Junius Brutus or Sempronia's involvement in the affair. Instead, Cicero placed the meeting at L. Cassius Longinus' house (Cic. *Sull.* 39) Cassius had been sentenced to death *in absentia* but his ultimate fate was unclear (cf. *Cat.* 3.14; *Sull.* 36-39). Cassius' connection with the Gauls was probably elaborated in *Pro Sulla* to clear the accusation made by the prosecution that the Allobroges' mentioned Cicero's client P. Sulla by name, see Berry 1996, 210-15.

¹⁹⁴ Cicero mentioned Lentulus (Cic. *Cat.* 3.4, 11, 4.13), Cethegus, Cassius, Statilius, (3.9; re: Cassius cf. *Sull.* 39), Gabinius, Q. Annius Chilo, P. Furius, and Umbrenus were involved in soliciting the envoys (*Cat.* 3.14). On the other hand, Sallust only specified that Umbrenus and Gabinius actually met the envoys (Sall. *B Cat.* 44.1). NB: M. Caeparius was the only participant sentenced to death for his involvement with the affair of 63 who was not reported to solicit the envoys.

¹⁹⁵ Cic. *Cat.* 3.9: *equitatum in Italiam quam primum mitterent* "To send cavalry as soon as possible into Italy." Sallust did not specifically mention cavalry, but the implication is analogous. Sall. *B Cat.* 40.1: *si possit, impellat ad societatem belli* "If possible, entice them [the Allobroges] to an offensive alliance."

¹⁹⁶ Sallust mentioned Q. Fabius Sanga was the patron of the Allobroges and informed Cicero of the plan (Sall. *B Cat.* 41.4-5). Cicero does not mention Q. Fabius Sanga or name any other informers except the witnesses Volturcius and the Allobroges. Cf. Dyck (2008), 170.

¹⁹⁷ The Mulvian Bridge on the Via Flaminia leading north to Etruria and Umbria crosses the Tiber a few miles outside of Rome's walls.

to Cicero's house, so the consul could assess the situation.¹⁹⁸ After Volturcius and the envoys told Cicero who had given the Allobrogean envoys letters and pledges documenting their alliance, he summoned the praetor Lentulus, the senator Cethegus, and the knights Gabinius and Statilius to his house.¹⁹⁹ Cicero then convened the Senate so they could hear the testimonies of Volturcius and the Gallic envoys.²⁰⁰ Lentulus, Cethegus, Gabinius, and Statilius confessed that they had attempted to solicit support from the Allobroges and that they had written the letters that were seized.

As mentioned, Cicero had continually proclaimed that the affair within the city was more widespread than the Senate realized.²⁰¹ The threat of those remaining in the city supporting the affair was not taken seriously because the evidence that there were citizens in Rome actively supporting the affair remained circumstantial.²⁰² Lentulus and the others' confessions in the Senate regarding the written pledges they gave to the envoys was the crucial piece of concrete evidence that Cicero needed to convince the Senate of the extent of the affair's threat. Armed with the eyewitness testimonies of Volturcius and the Allobroges, the letters and confessions from four participants supporting the affair in Rome, and most importantly the letter from Lentulus to Catiline, Cicero was able to connect these men and their seditious plans in Rome with the *hostes* Catiline and Manlius, and their seditious activities in northern Etruria.

¹⁹⁸ In order that Cicero was not accused of tampering with the evidence (Cic. *Sull.* 45), he claimed the letters were left sealed and unopened (*Cat.* 3.6, 12) and copies of the evidence were distributed to the Roman people (*Sull.* 42). Cf. Sall. *B Cat.* 46.6, 47.2.

¹⁹⁹ Cf. Cic. *Cat.* 3.14; Sall. *B Cat.* 50.4. The *domi nobilis* M. Caeparius was captured trying to leave Rome and then executed (Cic. *Cat.* 3.14; Sall. *B Cat.* 47.4). See n.72.

²⁰⁰ Volturcius only testified after he was promised immunity (Cic. *Cat.* 3.8; Sall. *B Cat.* 47.1).

²⁰¹ Cicero claimed many others were involved before Lentulus and the others were apprehended, cf. Cic. *Cat.* 2.5, 27; *Mur.* 79. See also Chapter 1.4. Cicero and Sallust metaphorically represented the proliferation of the affair of 63 like a disease (*pestis*: Cic. *Cat.* 1.31; *Mur.* 52, 85; *Sull.* 76; *morbus*: Cic. *Cat.* 1.32; *Sull.* 53, 76; *contagio*: *Mur.* 78, *Sul.* 6); or a madness (*furor*: Cic. *Cat.* 1.31, 2.16, 25, 4.6; *Mur.* 85; *Sull.* 53, 76; *Cael.* 15; *amentia*: Cic. *Cat.* 1.8, 2.11, 25; *dementia*: 4.22). NB: I note the instances when these terms are used to refer to the affair as a whole or a 'state of being' not when the term are used to specifically refer to Catiline's character and his individual actions. For further discussion regarding medical metaphors in Cicero's works, cf. Fantham 1972, 128-9; Berry 1996, 286-7; Dyck 2008, 120.

²⁰² Cic. *Cat.* 1.30: *Quamquam non nulli sunt in hoc ordine, qui aut ea, quae iminent non videant aut ea, quae vident, dissimulent; qui spem Catilinae mollibus sententiis aluerunt coniurationemque nascentem non credendo corroboraverunt* "Yet there are some in this body who either cannot see what threatens us or pretend they cannot, who have fed Catiline's hopes by their feeble decisions and put heart into the growing affair by refusing to believe that it existed; cf. *Mur.* 51: *nam partim ideo fortes in decernendo non erant, quia nihil timebant* "Some senators were disinclined to take firm measures because they saw nothing to fear." Cf. Genovese 1974, 176; Price 1998; Dyck 2008, 118-9.

Volturcius and the Allobroges divulged what they knew about the affair, and, most importantly, named those who were supporting it.²⁰³ Cicero claimed Lentulus initially approached the Allobrogean envoys charging them *cum litteris mandatisque ad Catilinam* “with letters and verbal messages for Catiline” (Cic. *Cat.* 3.4). Similarly, Sallust recorded that Lentulus instructed Umbrenus to approach the envoys (Sall. *Cat.* 40.1).²⁰⁴ Both authors claim that it was Lentulus’ plan to solicit the Allobroges in order to obtain a promise of military support (Cic. *Cat.* 3.4, 9; Sall. *Cat.* 40.1). On the other hand, Sallust stated earlier that Lentulus was *sicuti Catilina praeceperat* “following Catiline’s directions,” but in the same passage contradictorily stated that Lentulus *aut per se aut per alios sollicitabat* “was working, personally or through others” (Sall. *Cat.* 39.6). It follows that it was Lentulus’ idea to approach the envoys because Catiline could not have known that the Allobroges were in Rome regardless of Catiline’s instructions to Lentulus. Although Cicero and Sallust claimed the Allobroges were solicited to lend military support to the affair²⁰⁵, what the true nature of the Allobrogean support would entail and how it would assist the affair as a whole is not conclusive. Nevertheless, there remained in the Roman populace a long-established fear of the Gauls since the sacking of the city c.390, and most of the region had yet to be subdued.²⁰⁶ The rhetorical potential of a union between Gauls and the participants in Rome to assist in their efforts to overthrow the Republic would not be lost on such an accomplished orator attempting to expose a plot against the city he had sworn to defend.²⁰⁷ This was a bold move that Lentulus initiated to garner more support for the affair and one Cicero would emphasize.

The letters that Cicero obtained contained critical evidence of the cooperation between the affair’s participants in Rome and the army in northern Etruria. Both authors record the envoys’ affidavit that they had sworn an oath (*ius iurandum*) and were given letters (*litterae*) from Lentulus, Cethegus, and

²⁰³ Cicero recorded Volturcius named Lentulus (Cic. *Cat.* 3.8) and the Allobroges named Lentulus, Cethegus, Statilius, Cassius (3.9) and Gabinius (3.12). Cicero was not specific who named Caeparius, Furius, Annius Chilo, or Umbrenus (3.14). In 62, Cicero claimed the Allobroges also named P. Autronius Paetus (Sull. 17, 36). Sallust was not specific if either Volturcius and/or the Allobroges named Lentulus, Cethegus, and Statilius (Sall. *B Cat.* 46.3). Volturcius specifically named Gabinius and Caeparius as well as P. Autronius Paetus, Ser. Cornelius Sulla, and L. Vargunteius (47.1).

²⁰⁴ See n.192.

²⁰⁵ See n.80.

²⁰⁶ Cicero played on these traditional fears at Cic. *Cat.* 3.22. The Allobroges are called *barbaris* (Cic. *Sull.* 36). See also Dyck 2008, 227.

²⁰⁷ MacKendrick 1995, 100-3.

Statilius to confirm their alliance (Cic. *Cat.* 3.9, Sall. *B Cat.* 46.1).²⁰⁸ When the letters were produced in the Senate, each man individually confessed to writing them. The letters were written in their own hand, *manus suas*, and they recognized their own seals, *signa sua* (Cic. *Cat.* 3.10, 13; Sall. *B Cat.* 47.2). It was their manifest guilt that consigned them to their ultimate fate.²⁰⁹

Apparently, only Lentulus initially denied the testimonies of Volturcius and the Allobroges. The envoys then exclaimed that they had often been to Lentulus' house, where he informed them that he was in possession of a prophecy, which predicted that he would rule Rome specifically in 63 (Cic. *Cat.* 3.11; Sall. *B Cat.* 47.2).²¹⁰ He had already confessed to swearing the oath and writing a letter to the Allobroges, and under mounting pressure from the envoys' assertion regarding the prophecy, Cicero remarked that "To everyone's surprise [Lentulus] suddenly confessed," *repente praeter opinionem omnium confessus est* (3.11).²¹¹ The men, who met the Allobroges, wrote letters for the envoys to take back to Gaul, but only Lentulus wrote a letter to be given specifically to Catiline.²¹² This letter was read out to the Senate, which further confirmed his association with a *hostis rei publicae*.²¹³ If Cicero wanted to condemn Lentulus, who was immune to prosecution until his praetorship was over²¹⁴, then Lentulus' letter to Catiline was the concrete evidence he needed to convince the Senate to force Lentulus to resign from the praetorship, forfeit his rights as a citizen due

²⁰⁸ Although Cicero claimed Cassius suggested that the Allobroges send cavalry to support the army in Etruria (Cic. *Cat.* 3.9) and later in the *Pro Sulla* that the meeting between the envoys and those remaining in Rome occurred at Cassius' house (*Sull.* 39), there is no explicit evidence he swore an oath or gave a letter to the envoys. Cf. Dyck 2008, 178; Appendix I, [no.8].

²⁰⁹ Cic. *Cat.* 3.13: *Ac mihi quidem, Quirites, cum illa certissima visa sunt argumenta atque indica sceleris, tabellae, signa, manus, denique unius cuiusque confessio, tum multo certiora illa, color, oculi, voltus, taciturnitas* "In my view, citizens, completely convincing as were the letter, seal, handwriting and confession of each man as arguments and proofs of their guilt, still more so were their pallor, eyes, expression and their silence."

²¹⁰ See further section 2.4.5.

²¹¹ cf. Cic. *Fin.* 1.50: *multi etiam, ut te consule, ipsi se indicauerunt*

²¹² Cic. *Cat.* 3.12: *litteras...sibi a Lentulo ad Catilinam datas esse* "The letter...had been given him [Volturcius] by Lentulus for Catiline; cf. Sall. *B Cat.* 44.4: *Volturcio litteras ad Catilinam dat* "He [Lentulus] gave Volturcius a letter to Catiline."

²¹³ See Chapter 3.3.

²¹⁴ Weinrib (1968, 46) argues that only the consuls and tribunes were immune from prosecution during their time in office due to their *sacrosanctitas*. Weinrib (46-8) admits that most serving magistrates were rarely prosecuted. See also Weinrib 1971. NB: A case was brought against P. Clodius Pulcher when he was quaestor. He was acquitted see *TLRR*, no. 236. However, prosecuting incumbent Roman magistrates seemingly was frowned upon and clearly it was difficult to win a case against them, so it was best to wait until their term was over or file the case before the citizen entered office, e.g., M. Aemilius Scaurus was tried before he entered office as consul and was eventually convicted, see *TLRR*, nos. 300 and 319.

to his connection with the *hostes* Catiline and Manlius, and secure the death sentence as Lentulus' appropriate punishment.²¹⁵

2.4.3 Lentulus' letter to Catiline and epistolary comparisons

Lentulus' letter to Catiline is reproduced in Cicero's *Third Oration* and Sallust's *Catilina* using different language, but conveying analogous meanings. The text of the letter by both authors is compared below:

<p>"<i>Quis sim scies ex eo quem ad te misi. Cura ut vir sis et cogita quem in locum sis progressus. Vide ecquid tibi iam sit necesse et cura ut omnium tibi auxilia adiungas, etiam infimorum.</i>"</p> <p>"You will know who I am from the man whom I have sent you. Be resolute and take stock of your position. See what you must now do and take care that you get the support of everyone, even the lowest." (Cic. <i>Cat.</i> 3.12)</p>	<p>"<i>Quis sim ex eo quem ad te misi cognosces. Fac cogites in quanta calamitate sis, et memineris te virum esse. Consideres quid tuae rationes postulant. Auxilium petas ab omnibus, etiam ab infimis.</i>"</p> <p>"Who I am you will learn from my messenger. See to it that you bear in mind in what peril you are, and remember that you are a man. Consider what your plans demand; seek help from all, even the lowest." (Sall. <i>B Cat.</i> 44.5)</p>
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Scholarship is divided regarding which author more faithfully replicates the exact wording of the letter. Some scholars contend that Sallust wrote the letter in accordance with his periodic style due to the modifications of the colloquialisms found in Cicero's version.²¹⁶ On the other hand, others argue that Sallust's version is most likely the closer reproduction of Lentulus' letter.²¹⁷ Gejrot (2004), the most recent scholar to examine Lentulus' letter, concludes that Sallust's version is closer to the original text because of the clause Sallust uses to introduce the letter, *quarum exemplum infra scriptum est* (Sall. *B Cat.*

²¹⁵ Cicero claimed the Senate ordered Lentulus to resign, see n.86. On the other hand, Sallust indicated Lentulus was still praetor on December 3 (Sall. *B Cat.* 46.5), and recorded that Cicero personally escorted Lentulus on December 5 to the place of execution perhaps suggesting that the latter retained his rank (55.2).

²¹⁶ The colloquial expressions in Cicero's version of the letter are: *scies ex eo* and *cura ut*, cf. Vretska 1976, 469; McGushin 1977, 220-1; Ramsey 1984, 181; contra Gejrot 2004, 23. For debates whether Cicero's version of the letter was more authentic, cf. Earl 1961, 94; Syme 1964, 72, 261; Vretska 1976, 469; McGushin 1977, 220-1; Ramsey 1984, 181; Gejrot 2004; Dyck 2008, 183.

²¹⁷ Ahlberg (1924, 89) states that Cicero's version was "in an elaborated style". Hamblenne (1981, 69) is more certain due to Sallust's use of the term *exemplum* arguing, "l'original (de la lettre) est reproduit (ou recopié)" ("The original letter is reproduced or copied [by Sallust]"). Vretska (1976, 469) is less convinced and argues, "Trotz sehr geringen Sprachmaterial und der Möglichkeit, einem Grossteil der Argumente umzudrehen (Sallust habe briefmässige Stilismen vermieden und umgeformt)" ["Despite a very small amount of linguistic material and the possibility to alter the arguments, (Sallust tried to avoid transforming the letter.)"] NB: The translation of Ahlberg's commentary is from Gejrot 2004, 22. The translation of the statements in Hamblenne and Vretska are my own.

44.4) compared with Cicero's introduction using only the word *ita* (Cic. *Cat.* 3.12). Gejrot, following Hamblenne's study concerning the term *exemplum*, explains that the clause suggests that Sallust may have used a transcript of the exact letter.²¹⁸ Gejrot admits that Sallust changed some of the language, but argues that the terminology found in Cicero's version of Lentulus' letter is similar to Cicero's epistolary style found in his personal letters. This indicates that Cicero relied on his own memory when publishing the text of the letter in the *Third Oration*, three years after it was delivered from the rostra, whereas Sallust would have had a copy of Lentulus' letter when he wrote his monograph over twenty years later.²¹⁹

Cicero's version of Lentulus' letter displays a hurried style of writing, which he uses for comic effect. Earlier in the speech, Cicero remarked that Lentulus was the last to arrive of the participants summoned to his house because *credo quod in litteris dandis praeter consuetudinem proxima nocte vigilarat* "Contrary to his [Lentulus'] usual practice, he had stayed up late the previous night to write his letter." (Cic. *Cat.* 3.6).²²⁰ When Cicero read out the text of the letter later in the *Third Oration* his audience would note its brevity and probably provoked laughter if they recalled the earlier statement that Lentulus' tardiness to Cicero's summons was because he was tired from writing such a letter.²²¹

Gejrot and other scholars, who conclude that Sallust changed some of the language in the letter for stylistic reasons, seem most plausible. But I doubt Cicero faithfully reproduced Lentulus' letter either. The way Cicero used the letter for ironic effect suggests he had no intention of publishing the actual

²¹⁸ Hamblenne 1981, 69.

²¹⁹ Cicero claimed he ordered the Senate to record the evidence procured on December 3, 63 and distributed the written record to the Roman people (Cic. *Sull.* 42).

²²⁰ Dyck (2008: 176) remarks that the term *credo* indicated that Cicero was being ironic.

²²¹ Cic. *Cat.* 3.11: *ingenium illud et dicendi exercitatio qua semper valuit* "The native wit and verbal facility in which he [Lentulus] always excelled failed him". This backhanded complement referred directly to Lentulus' confession, but we can assume the passage also implied the brevity of his letter. Cf. Cic. *Brut.* 235: *P. Lentulus, cuius et excogitandi et loquendi tarditatem tegebat formae dignitas, corporis motus plenus et artis et venustatis, vocis et suavitas et magnitudo* "Publius Lentulus [Sura] covered up his slowness of thought and speech by dignity of bearing; his action was full of art and grace, and possessed a strong and pleasing voice." On the contrary, the elder Pliny recorded that *Surae quidem proconsulis etiam rictum in loquendo inractionemque linguae et sermonis tumultum, non imaginem modo, piscator quidam in Sicilia reddidit*. "A fisherman in Sicily not only resembled the proconsul Sura in appearance but actually reproduced his gape while speaking and his tongue-tied stammering voice." (Plin. *NH* 7.55). Sura was governor in Sicily after his praetorship in 75. However, Pliny might be referring to another Sura contra Münzer, see *RE* IV (Cornelius) no. 240, 1400.22-27.

words in the letter.²²² Clearly, we cannot be certain whose version was more accurate, and the argument, although important to review, is not the most interesting aspect of the letter. The letter's meaning and the grammatical construction are more significant because both elements suggest Lentulus' role was more influential than the others remaining in Rome. Therefore, the following examination focuses on the syntax and the meaning of the letter instead of debating which writer replicated the letter more accurately.

Both Cicero and Sallust's versions of the letter convey an analogous sentiment. However, the meaning of the first sentence is debatable because it might suggest that Catiline had not met Lentulus before the former left Rome. The opening sentence of the letter is examined further below. In contrast, the rest of the letter's meaning is clearer. Lentulus was urgently requesting that Catiline increase the numbers of the army in Etruria by any means necessary in order to help the affair's chances of success. The grammatical construction of the letters differed slightly, however, the grammar in both versions of the letter suggest Lentulus' status in the affair was at least equal to Catiline's status. In order to support this suggestion, I examine the language and grammatical construction Cicero and Sallust used in other epistolary examples regarding requests and how these elements can determine the status of the sender and the recipient.

The meaning of the first sentence of Cicero's version of the letter is not entirely clear. The opening sentence might simply suggest that the messenger T. Volturcius would tell Catiline that Lentulus wrote the letter. On the other hand, the opening sentence of Cicero's version fit his implication that Catiline would know who sent him the letter not by recognizing Volturcius, but by recognizing Lentulus' well-known *signum*.²²³ As discussed, Cicero continually claimed Lentulus and the *reliqua coniuratorum manus* were connected with Catiline, Manlius, and the army in Etruria. Therefore, Cicero used the vague meaning of the opening sentence of the letter to his advantage. Firstly, he rhetorically used the image of Lentulus' grandfather to stress Lentulus' criminality. Cicero exclaimed *quae quidem te a tanto scelere etiam muta revocare debuit* "Surely, this seal, even though it cannot speak, should have

²²² Cicero's oratorical derision was effective, but also made him enemies (cf. Plut. *Cic.* 24.1, 25-28.1).

²²³ Cic. *Cat.* 3.10: 'est vero' inquam 'notum quidem signum, imago avi tui, clarissimi viri' "It is indeed,' I said, 'a well-known seal, a portrait of your illustrious grandfather.'" See n.172.

called you back from such a heinous crime” (Cic. *Cat.* 3.10). Secondly, Cicero used the phrase *ex eo* in the opening sentence of the letter perhaps to suggest that Catiline would know Lentulus sent the letter from the seal bearing the face of Lentulus’ grandfather, not from the messenger Volturcius. This further implied that Lentulus and Catiline knew each other and the seditious activities inside and outside Rome were linked. Cicero was not entirely concerned with the specifics regarding Volturcius’ role. In Cicero’s point of view, Volturcius’ connection with the affair was less important than his testimony. Most importantly for Cicero, Volturcius could confirm that those remaining in Rome had not only attempted to solicit support for the affair from the Gauls but also were continuing Catiline’s initial failure to murder the leading citizens in Rome and burn the city.

Although, Lentulus confessed his letters were written in his hand and sealed with his seal, Cicero also claimed Lentulus did not sign his letter to Catiline.²²⁴ If Lentulus wanted to send an anonymous letter to Catiline to protect his identity, why he sealed the letter using his family *signum*, especially one he perhaps always used in normal correspondence, is counterintuitive. However, it is dubious that if the letter was anonymous, as the opening sentence suggests, it would bear the seal of the man who sent it. It is inconsequential to try to defend Lentulus’ sealing an anonymous letter with his known *signum*. Cicero had stated that Cethegus and Statilius also acknowledged their handwriting and seals on their letters written to the Allobroges (Cic. *Cat.* 3.10). Perhaps Lentulus only sealed his letter to the Allobroges and not his anonymous letter written to Catiline. Therefore, the phrase *ex eo* could instead refer to the messenger Volturcius, not Lentulus’ family seal.

According to Sallust, Gabinius and Caeparius recruited Volturcius into the affair *paucis ante diebus* “a few days before” (Sall. *Cat.* 47.1), and Lentulus instructed Volturcius to act as messenger and escort the envoys (47.3).²²⁵ Therefore, it was possible that Catiline did not meet Volturcius before the former

²²⁴ Cic. *Cat.* 3.12: *atque ibi vehementissime perturbatus Lentulus tamen signum et manum suam cognovit. erant autem sine nomine* “Then, although he was badly shaken, Lentulus nevertheless identified his seal and handwriting. The letter was unsigned.” Cf. n.223.

²²⁵ Cf. Cic. *Cat.* 3.12: *Voltrucius vero subito litteras proferri atque aperiri iubet quas sibi a Lentulo ad Catilinam datas esse dicebat* “Volturcius, however, suddenly demanded that the letter which he said had been given him by Lentulus for Catiline should be produced and opened.”

left Rome. The translation in Sallust's version of the letter for *ex eo* as "from my messenger" implies that Volturcius would let Catiline know Lentulus wrote the letter. If this was the case, then perhaps Catiline did not know Lentulus had joined the affair. Catiline might have recognized Lentulus' family seal, but, like Volturcius, Lentulus might not have supported the plan to gain power in Rome before Catiline left the city to join the army that Manlius had assembled in Faesulae. Seager argues that Catiline did not know Volturcius or Lentulus, otherwise there is no explanation for the opening sentence of the letter.²²⁶

However, Volturcius might not have been Lentulus' associate. Syme suggests that Volturcius gave up so easily when he was confronted on the Mulvian Bridge because he was a patsy or an agent working for Cicero from the beginning.²²⁷ However, the opinion that Cicero used Volturcius to infiltrate the inner circle supporting the affair in Rome is clearly a matter of conjecture.²²⁸ Cicero recorded that the praetors who ambushed Volturcius and the envoys on the Mulvian Bridge had *multos fortis viros* "a good number of stout fellows" with them and *compluris delectos adulescentis...cum gladiis* "a strong detachment of picked young men armed with swords" of Cicero's clients from Reate (Cic. *Cat.* 3.5). Therefore, that Volturcius gave up without a fight is reasonable, especially if the Allobroges were cooperating with Cicero after their patron Sanga told him of the attempts to solicit the Gaul's support, as Sallust claimed.²²⁹ If Cicero and Volturcius were in collusion then surely Lentulus and the others would have argued against Volturcius' affidavit before they so readily confessed. Furthermore, Cicero probably would not have had four Senators record exactly what Volturcius and the Allobroges testified if Cicero had orchestrated their testimonies.²³⁰ Although Sallust wrote that the Allobroges were cooperating with Cicero (Sall. *Cat.* 41.5), there is no implication in any source that Volturcius was Cicero's agent. We should, therefore, discard this suggestion and focus on the little Cicero and Sallust said about Volturcius to attempt to explain his role.

²²⁶ Seager 1973, 244-5.

²²⁷ Others follow Syme' opinion (1964, 82 n.89) that Volturcius was a double agent: cf. Waters 1970, 214; Seager 1973, 245 n.21; McGushin 1977, 220; contra Phillips 1976, 446.

²²⁸ Waters (1970) argues the only real threat in 63 was the army in northern Etruria and suggests that the activities in Rome were largely Cicero's invention. Waters' study is too subjective to be cogent. The flaw lies in believing Sallust's version of events over Cicero's version, which achieves nothing. If the affair of 63 were primarily fiction, surely some ancient source would have mentioned it.

²²⁹ Sallust claimed Sanga told Cicero about the attempted solicitation of the envoys. Cicero used them to infiltrate the affair by ordering them to pretend to support it (Sall. *B Cat.* 41.5). Therefore, the envoys did not resist capture on the Mulvian Bridge (45.3).

²³⁰ Cic. *Sull.* 41-42.

Sallust recorded that Lentulus instructed *T. Volturcium quondam Crotoniensem* “a certain Titus Volturcius of Crotona” to escort the Allobroges to Catiline and the army’s camp in northern Etruria (Sall. *Cat.* 44.3). Croton was an ancient Greek colony located on the coast of Bruttium, and Sallust reported that disturbances were occurring in this region in 63 (42.1).²³¹ Because we know where Volturcius was from, perhaps he was one of the unnamed *domi nobiles* Sallust claimed was involved with the affair (17.4).²³² Cicero was silent regarding Volturcius’ rank or his ethnicity. Forsythe explains that the name Volturcius was most likely an Etruscan name that had been Latinized.²³³ Forsythe’s study contends that either Sallust was mistaken about Volturcius’ origin or the manuscript tradition of the *Catilina* was erroneous from the beginning mistaking *Crotoniensem* for *Cortonensem*.²³⁴ Forsythe’s argument is cogent. Catiline and Manlius’ army might be on the move, so some knowledge of the region was paramount. Cortona, a town in Etruria, was only fifty miles from Faesulae whereas Croton was over five hundred miles away. Admittedly, Volturcius may have been a native of Croton who had knowledge of northern Etruria, but Forsythe’s conclusions regarding the historical possibility that Volturcius was from Cortona makes the reason he was sent to the region more understandable. However, explaining Volturcius’ origin and why Lentulus sent him to Etruria does not help us conclude the meaning of the first sentence in the letter. This depends on whether you believe or disbelieve that Catiline and Lentulus were associates before the former left Rome on November 9.

However, to what extent we should believe either insinuation that Catiline would recognize the sender of the letter from Lentulus’ family seal or that Volturcius would tell Catiline that Lentulus wrote the letter does not diminish the significance that Lentulus was the only one from Rome to attempt to contact Catiline. Lentulus had assumed the leadership of the activities in Rome and, as the highest-ranking participant, felt he was the only participant in Rome with the

²³¹ Cf. Oros. 6.6.6-7; Suet. *Aug.* 3.1. See also Chapter 3.4.

²³² Vretska (1976, 467) and McGushin (1977, 120) concur that T. Volturcius was probably a *domi nobilis*. See also Appendix I, [no. 44].

²³³ Forsythe 1992 410-12.

²³⁴ Plutarch (Cic. 18.6) and Appian (*B Civ.* 2.4) also claim Volturcius was from Croton. Forsythe (1992, 408-9) argues that this misrepresentation begins with Sallust. Forsythe (411) surveys sixty-five editions of the *Catilina* spanning two hundred years and discovers that only three of these editions attached a note regarding the adjective *Crotoniensem*. The three sources are ambiguous whether Sallust was referring to the town in Etruria or Bruttium. Forsythe (411) argues that the source of these editions’ confusion is a passage from Dion. Hal. *Ant. Rom.* 1.26.1, in which the Cortona in Etruria was discussed, but was also misspelled as Croton.

influence and authority to advise Catiline. Excluding the opening sentence, the grammatical construction and meaning of the other sentences in both versions imply that Lentulus was not merely Catiline's accomplice but was at the very least his equal.

In Cicero's version of Lentulus' letter, the verbs are in the imperative except for the last verb in the subjunctive mood. Both grammatical constructions can carry an authoritative tone.²³⁵ The imperatives were used to convey Lentulus' requests of Catiline. Lentulus requested Catiline to *cura* "be resolute" and to *cogita* "take stock" about the position he was in. Lentulus was doubtlessly referring to Catiline's status as *hostis rei publicae*, which, as mentioned, was declared after he joined Manlius, who was also declared a *hostis*, in mid-November.²³⁶ As Catiline was already a *hostis*, Lentulus thought Catiline's only option was to strengthen the army in Etruria by enlisting anyone willing to support the affair. The imperatives in Cicero's version of the letter persist in the final sentence. Lentulus continued to request Catiline to *vide* "see" and *cura* "take care" of the levy. In order to enlist as many soldiers as possible, Lentulus advised that Catiline *omnium tibi auxilia adiungas etiam infimorum* "get the support of everyone, even the lowest." Lentulus was clearly worried about the numerical strength of Catiline and Manlius' forces. Therefore, he insisted that Catiline enlist the support of the *infimi* ('the poor and/or slaves').²³⁷

Sallust's version of Lentulus' letter used verbs in the subjunctive mood to convey a similar sentiment. The second sentence in Sallust's version also implied that Lentulus advised Catiline that his situation as a *hostis rei publicae* demanded appropriate action. If Catiline either decided to surrender or proceed into voluntary exile due to the *hostis* declaration, then Lentulus and the others' designs in Rome would be compromised. Lentulus requested that Catiline should *memineris te virum esse* "remember to act as a man." Dyck explains that this statement is often given from a father to a son.²³⁸ Lentulus was most likely older than Catiline, presuming the former had attained the consulship *suo*

²³⁵ H-B, 256-8. See also Risselada 1993.

²³⁶ See Chapter 3.3.

²³⁷ *OLD (infimus)* s.v. 1-2. For the estimates of the size of Catiline and Manlius' forces, see n.59.

²³⁸ Dyck 2008, 183.

anno in 71 and the latter's first attempt at the consulship was not until 66.²³⁹ The age difference was marginal and, as Lentulus and Catiline were both senators in 63, the phrase bears more of an authoritative than a patriarchal disposition. However, the phraseology Lentulus chose certainly implies that he believed his rank as current praetor and the highest-ranking member among the supporters in Rome awarded him the right to request that Catiline heed his advice. Basically, Lentulus wanted Catiline to complete the task that the affair's participants expected of him, which included recruiting an ample force to intimidate the leaders in Rome in order that they react and, most importantly, to be capable of attacking Rome before the plans for the city commenced.²⁴⁰ Sallust's version of the letter claimed Lentulus advised that Catiline should *consideres tuae rationes postulant* "Consider what your plans demand." Similar to Cicero's version, the language implied that Lentulus was worried that Catiline would fail to enlist a force capable of threatening Rome. Sallust reproduced the same request in the final sentence of Lentulus' letter to Catiline. Lentulus requested that Catiline should enlist the *infimi*. The tone of Sallust's version of the letter is arguably more polite in register than Cicero's version because Sallust used verbs in the subjunctive instead of the imperative. Nevertheless, Lentulus was not only making a polite request of an equal, but also advising Catiline what Lentulus felt was necessary for the affair to succeed.²⁴¹

In order to further prove the argument that Lentulus' influence on the affair was at least equal to Catiline's, we can compare the language of some other letters of asking between men of equal status that appear in Cicero and Sallust's other works. A letter from Pompey to Cicero in February 49, which asked Cicero to meet him in Brundisium to join his other supporters in the Roman Senate during the beginning of his conflict with Caesar, was couched in polite terms. Pompey wrote:

magno opere te hortor pro tuo singulari perpetuoque studio in rem publicam ut te ad nos conferas, ut communi consilio rei publicae adflictae opem atque auxilium feramus. censeo via Appia iter facias et celeriter Brundisium venias.

²³⁹ In usual circumstances, a Roman citizen was at least 43 years old before he was allowed to stand for the consulship. Catiline was either rejected or withdrew from standing for the consulship in 66 due to his impending trial *de repetundis* or that his nomination was too late; cf. Sall. *B Cat.* 18.2-3; Asc. 89C. Cf. Sumner 1965; Marshall 1976-77.

²⁴⁰ According to Appian, this simultaneous attack outside and inside Rome was the affair's preferred plan (App. *B Civ.* 2.3).

²⁴¹ On politeness and register, see Dickey 2002, 13-8. Cicero used imperatives in phrases such as *fac ut* and *cura ut valeas* that appear in his epistolary corpus 19 and 51 times respectively, but these phrases are used differently in Lentulus' letter. A *BTL* search was conducted for the numbers of occurrences on July 2010.

“I strongly urge you, in view of your outstanding and unwavering patriotism, to make your way over to us, so that in concert we may bring aid and comfort to our afflicted country. I advise you to travel by the Appian Way and come quickly to Brundisium” (Cic. *Att.* 8.11C).

Pompey expressed his request to Cicero primarily using verbs in the subjunctive mood, like Sallust’s version of Lentulus’ letter. The verbs in the subjunctive found in purpose clauses stress the urgency Pompey wanted to convey.²⁴² The force of this letter is parallel to the tone of Lentulus’ letter. It is implicit that Pompey, who no doubt considered himself of superior rank to Cicero for many reasons, was not politely asking Cicero to join him, but was ordering him.²⁴³

The letters from Cicero to Q. Tullius Cicero, his younger brother, when Quintus was governor of Asia in 61-58 are filled with gubernatorial advice. Although Cicero had only been a quaestor in Lilybaeum for one year, the letters he sent to Quintus regarding his promagistracy were laden with political advice on how to proceed in certain situations in which the older brother considered he was more experienced. The following is one passage from a letter sent to Quintus, in late 60 or in the beginning of 59:

quapropter hoc te primum rogo, ne contrahas ac demittas animum neve te obrui tamquam fluctu sic magnitudine negoti sinas contraque erigas ac resistas sive etiam ultro occurras negotiis;

“Well then, this is the first thing I ask of you: let there be no inner withdrawal or discouragement. Don’t allow yourself to be submerged beneath the flood of great responsibility. Stand up and face it, contend with the business as it comes or even go out to meet it.”
(Cic. *Q. fr.* 1.1.4)

Throughout the letter Cicero used verbs in the subjunctive mood in order to stress that his advice should be followed. We can presume that Cicero was making a polite request to one of equal status and not an explicit order to a subordinate because of the verb *rogare* (‘to ask’). Risselada explains the verb *rogo* is polite because it tends to soften a request by making it more seem optional.²⁴⁴ Of course, following the grammatical rules concerning a verb of ‘asking’ indicating an indirect command, the verbs after *rogare* are in the

²⁴² H-B, 261.

²⁴³ Cicero was the same age as Pompey, but the latter’s political career was arguably vastly superior. Pompey was consul three times and celebrated three military triumphs. On Cicero’s complicated friendship with Pompey, see Gruen 1974, 44ff.

²⁴⁴ Risselada 1993, 252.

subjunctive mood.²⁴⁵ Regardless whether *rogo* indicated a polite request does not diminish the fact that Cicero expected Quintus to follow his advice, and what followed can be considered commands. Seemingly, this was not just brotherly advice.

Cicero used the imperative construction in his own correspondence, especially when he overtly needed help from a close friend. An example is a letter sent to Cicero's friend Atticus in 64. Cicero wanted the support of Atticus' friends and clients in Rome during his campaign to become consul. Cicero requested that Atticus *qua re Ianuario mense, ut constituisti, cura ut Romae sis* "So mind you are in Rome by the beginning of January as you arranged" (Cic. *Att.* 1.2.2). The imperative used here can be considered of a more demanding register than using the alternate subjunctive construction in previous examples and is similar to the grammatical construction of Cicero's version of Lentulus' letter. Cicero made this request because he was concerned his bid for the consulship would be hindered if Atticus and his clients were not in Rome to lend their support to his candidacy. Similarly, Lentulus knew that the affair would be less potent if Catiline did not recruit a substantial force to march on Rome. Therefore, in both cases, Cicero perhaps felt the usage of imperatives was necessary to convey the gravity of their requests to those of equal status.

A fragment of Sallust's *Historiae* recorded a letter sent from Mithridates, the King of Pontus, to Arsaces, the King of Parthia in 69 (Sall. *Hist.* 4.69). The purpose of Mithridates' letter was to ask Arsaces for an alliance against the Romans.²⁴⁶ In this instance, Sallust chose to use other verbs of 'asking' than *rogare* that conveyed the polite register you would expect from a letter sent to a person of equal status. Sallust used the verbs *orare* ('to beg'), *petere* ('to seek after') and *quaesare* ('to ask') throughout the letter to stress Mithridates' hope that he would receive a favorable response from Arsaces. Mithridates wrote *ni egregia fama, si Romanos oppresseris, futura est, neque petere audeam societatem* "If to crush the Roman power would not bring you glorious fame, I should not venture to sue for your alliance" (4.69.2). Later in the letter, Mithridates reiterated that he wanted an answer to his request for an alliance from Arsaces:

²⁴⁵ G-L, 296-7.

²⁴⁶ The letter was written after Mithridates had been forced to withdraw into Armenia after a costly defeat at Cabira against the Roman army led by L. Licinius Lucullus in 69, cf. Sall. *Hist.* 4.69.15; Plut. *Luc.* 17.2-19.1.

nunc, quaeso, considera nobis oppressis utrum firmiorem te ad resistendum, an finem belli futurum putes? Scio equidem tibi magnas opes virorum armorum et auri esse; et ea re a nobis ad societatem ab illis ad praedam peteris.

“I pray you, then, to consider whether you believe that when we have been crushed you will be better able to resist the Romans, or that there will be an end to the war. I know well that you have great numbers of men and large amounts of arms and gold, and it is for that reason that I seek your alliance and the Romans your spoils.” (Sall. *Hist.* 4.69.16)

Dickey’s recent discussion of Cicero’s usage of the verb *petere* in his epistolary corpus explains that Cicero most often used the term to ask a favor from a friend.²⁴⁷ In contrast, Cicero used the verb *quaesere* more frequently when he was asking the recipient for a certain response to his request.²⁴⁸ Dickey proposes that based on the type of request made we can determine the importance for both sender and recipient based on the term used to make the request. Dickey’s initial research of our epistolary corpora in Latin concludes that the terms used to make a request in order of importance from lowest to highest were *velim*, *quaesere*, *rogare*, and *petere*.²⁴⁹ The verbs used in the letter convey the importance of the Mithridates’ request and his expectation that Arsaces would respond. The letter makes it clear that the former hoped the latter reacted favorably to his request. Therefore, Mithridates tried to avoid language in his letter that implied it was necessary Arsaces heed his request for a beneficial alliance, in contrast to the more authoritative tone of Lentulus’ requests to his equal Catiline.²⁵⁰

Sallust recorded a private letter sent from Catiline to Q. Lutatius Catulus (Sall. *B Cat.* 35). Catulus, the ex-consul of 78 and *princeps senatus* in 63²⁵¹, had lent his support to Catiline during his trials *de repeduntis* in 65 and *de sicariis et veneficis* in 64.²⁵² He had also most likely presided as a judge during

²⁴⁷ Dickey “‘Please’ and related expressions in classical and later Latin” South West Classical Association seminar (15 Jan. 2008), Exeter. Cf. Dickey “How to say ‘Please’ in Latin” CQ forthcoming 2012.

²⁴⁸ Dickey (2008, 2) demonstrates that Cicero used *petere* to ask for a favor 46 out of the 47 times the term appeared. Cicero used *quaesere* 27 out of the 28 times when Cicero wanted a certain response from his request.

²⁴⁹ Dickey 2008, 3.

²⁵⁰ NB: Sallust, however, does use the verb *hortari* (‘to urge’) twice, exhorting Arsaces to join Mithradates. However, the subjunctive was avoided in both instances, cf. Sall. *Hist.* 4.69.4: *hortabuntur*, 4.69.23: *moneo hortorque*. Therefore, the mood of the verb does not imply an authoritative tone, see n.245.

²⁵¹ See Appendix I, [no.28].

²⁵² Catiline was formerly acquitted from both perhaps due to his support from ex-consuls like Catulus and other influential citizens. On the trial *de repetundis*, cf. Cic. *Att.* 1.1.1, 1.2.1; *Cat.* 1.18; *Sull.* 81; *Cael.* 10, 14; *Har. resp.* 42; *Pis.* 23; *Comment. pet.* 10; Asc. 85C, 89C, 92C. On the trial *de sicariis et veneficis*, see: Cic. *Att.* 1.16.9; *Sul.* 81; *Pis.* 95; Asc. 91-92C; Suet. *Iul.* 11; Dio Cass. 37.10.3. See also *TLRR*, nos. 212, 217.

Catiline's trial and acquittal regarding the defilement of a Vestal Virgin in 73.²⁵³ Presumably, Catulus had supported Catiline for a long time. However, due to Catiline's actions in 63, Catulus was keen to remove any suspicion against him. Therefore, according to Sallust, he read out Catiline's letter to the Senate (35.3). The letter implied Catiline was not going into voluntary self-exile in Massilia, but was joining Manlius in northern Etruria (35.2,4).²⁵⁴ By informing the Senate of Catiline's true intentions perhaps Catulus removed any suspicion that he still supported Catiline or the affair.²⁵⁵

Sallust used a verb in the subjunctive in the final sentence of Catiline's letter to Catulus: *eam ab iniuria defendas, per liberos tuos rogatus* "Protect her [Catiline's wife, Orestilla] from insult, I beseech you in the name of your own children" (Sall. *B Cat.* 35.6). Although Catiline's political career was inferior, he and Catulus were both senators. The verb *defendere* is a jussive subjunctive, which can act as an imperative.²⁵⁶ This construction implies a request similar in tone to Sallust's version of Lentulus' letter to Catiline. Although Catiline's letter to Catulus was written in the polite tone we would expect of a letter sent to one of equal status, the jussive subjunctive in the final sentence stressed the urgency of Catiline's instructions to Catulus.

In sum, the language used in Cicero and Sallust's versions of Lentulus' letter to Catiline is indicative of one addressing an equal. Furthermore, the tone, which can be ascertained from the grammatical construction of Lentulus' letter to Catiline, implied that Lentulus was not Catiline's subordinate. In addition to his letter, Lentulus wanted Volturcius to deliver a *mandata* ('oral message') to Catiline to reiterate the importance that Catiline heeded his advice. As Lentulus was in Rome, he clearly felt he better understood the gravity of Catiline's situation than Catiline himself.

²⁵³ Reference to Catiline's defilement of the Vestal Fabia, cf. Cic. *Cat.* 3.9; *Att.* 1.16.9; *Pis.* 95; *Brut.* 236; *Comment. pet.* 10; Sall. *Cat.* 15.1, 35.1; Asc. 91C; Plut. *Cat. min.* 19.5; Oros. 6.3.1. Cf. Lewis 2001; Cadoux 2005. Lewis (2001, 144) explains trials regarding Vestal Virgins and the men who were accused of defiling this sacred institution were most likely presided over by the *pontifex maximus*. In 73, the *pontifex maximus*, Q. Metellus Pius, was in Spain fighting against the adherents of Q. Sertorius. Therefore Catulus, the next most senior pontiff in Rome (*MRR* II, 114), might have presided over Catiline's trial or just lent his influence to obtain Catiline's acquittal. Lewis (2001, 144) agrees Catulus may have presided over the trial, but disagrees that Catulus intervened on Catiline's behalf (146). Cf. nn.308-10.

²⁵⁴ Sallust claimed that Catiline had sent other letters to other notable citizens before he left Rome stating that he was leaving for Massilia into voluntary self-exile (Sall. *Cat.* 34.2). See Chapter 3 nn.39-41.

²⁵⁵ NB: There is no concrete evidence that Catulus supported the affair of 63.

²⁵⁶ H-B, 259.

2.4.4 Lentulus' *mandata* to Catiline

Lentulus also instructed Volturcius to orally deliver *mandata* ('instructions') to Catiline (Cic. *Cat.* 3.4; Sall. *B Cat.* 44.6). In a similar manner to Lentulus' letter to Catiline, Cicero and Sallust reproduced versions of Lentulus' *mandata*. Cicero claimed Volturcius divulged that Lentulus' *mandata* to Catiline reiterated the requests in Lentulus' letter. According to Cicero's version of the *mandata*, Lentulus was urging Catiline *ut servorum praesidio uteretur, ut ad urbem quam primum cum exercitu accederet* "to rally the slaves to his standard and march on Rome with his army as soon as possible" (Cic. *Cat.* 3.8). In contrast to Cicero's version of Lentulus' letter to Catiline requesting he find support among the *infimi*, which can refer to the poor and slaves alike, Cicero's version of Lentulus' *mandata* to explicitly enlist *servi* into the army in Etruria. But Cicero's version of the letter and *mandata* similarly implied that Lentulus' advice to Catiline was to start a slave revolt. Clearly, Cicero could use the implication of Lentulus' requests to use slaves to further condemn his role in the affair. The second clause in Cicero's version of the *mandata* implied that the participants in Rome were waiting for the army in Etruria to march on the city before they commenced their plans to cause panic within the city by setting fires and murdering the leading citizens. Therefore, Lentulus' *mandata*, more explicitly than the opening sentence of Lentulus' letter, supported Cicero's claim that the events occurring inside and outside of Rome were concerted efforts of the same affair with the same seditious aims.

Of course, Catiline never received Lentulus' letter or his verbal message, which Cicero claimed advised Catiline to enlist the *infimi* and *servi* to increase the numbers in the army in Etruria and then march towards Rome. In the *First Oration*, Cicero remarked that Catiline was *evocatorem servorum* "the recruiter of slaves" (Cic. *Cat.* 1.27).²⁵⁷ On the other hand, Sallust's *Catilina* was adamant that Catiline continually refused to use slaves in the army (Sall. *B Cat.* 44.6, 46.3) even before the final battle when he was facing a larger force (56.5). The contradictory claims in Cicero and Sallust beg the question of whether those involved with the affair of 63 solicited support from the slaves.

²⁵⁷ Sallust recorded that Catiline sent Manlius to Etruria, but also Septimius to Picenum and C. Julius to Apulia Sall. *B Cat.* 27.1. He was vague what these men were to do other than help the affair in some regard. But if Manlius was asked to raise an army then perhaps Septimius and Julius were to raise armies as well. If this included the slaves we cannot be certain. Cf. nn.258-60; Chapter 3 n.168.

Yavetz argues that slaves were perhaps willing to join Catiline because if they participated they might be manumitted if the affair was successful.²⁵⁸ On the contrary, Annequin argues that slaves were not interested in the affair's aims, which were clearly to improve the positions of Catiline, Lentulus, and others in the higher classes.²⁵⁹ Bradley, following Annequin, agrees that it was not clear if the slaves did support the affair whether it would improve their financial condition. Bradley concludes that the slaves might have supported the affair for several reasons (plunder, etc.), but refutes Yavetz's suggestion regarding manumission, as our sources never claimed that if the affair was successful then the slaves who supported it would be freed.²⁶⁰

Sallust's version of the *mandata* explicitly evinced that it was Lentulus' idea to recruit slaves. Sallust remarked that Lentulus' *mandata* included a question to Catiline asking *cum ab senatu hostis iudicatus sit, quo consilio servitia repudiet?* "What his idea was in refusing the aid of slaves, when he had been declared a rebel by the Senate" (44.6). According to Sallust, Catiline was adamantly against recruiting slaves and presumably would have rejected Lentulus' advice if he had received it (56.5). Sallust's version of the *mandata*, like Cicero's version, included Lentulus' urgent request that Catiline *ne cunctetur ipse propius accedere* "Should not himself hesitate to come nearer the walls [of Rome]" (44.6). Therefore, Sallust's version of the *mandata* expressed the same requests found in Cicero's version, i.e. Lentulus' requests of Catiline to recruit slaves and march on Rome. Furthermore, Sallust's version of Lentulus' *mandata* explicitly connected Lentulus with Catiline, unlike his version of Lentulus' letter. Sallust claimed Lentulus' *mandata* would inform Catiline that *in urbe parata esse quae iusserit* "The preparations which he [Catiline] had ordered in the city had been made." Lentulus' question of Catiline regarding the use of slaves in the army in Etruria implied that the two might

²⁵⁸ Yavetz 1963, 494.

²⁵⁹ Annequin 1972, 204. NB: Sallust claimed *Catilina polliceri tabulas novas, proscriptionem locupletium, magistratus, sacerdotia, rapinas, alia omnia quae bellum atque libido victorum fert*. "Catiline promised abolition of debts, the proscription of the rich, offices, priesthoods, plunder, and all the other spoils that war and the license of victors can offer" (Sall. *B Cat.* 21.2). Catiline often rhetorically compared the situation of those willing to join the affair to servitude and promised *libertas*, but nowhere was it implied that Catiline promised freedom to the slaves. On the other hand anyone who informed the Senate about the affair were rewarded (Cic. *Cat.* 4.10). Slaves were also offered a reward if they informed (Sall. *B Cat.* 29.6-7, cf. 36.5). Cf. n.259.

²⁶⁰ Bradley 1978, 329 n.5 contra Yavetz 1963, 498-9. Yavetz's conclusions ignore Sallust's claim that Catiline refused enlisting the support from slaves because *suis rationibus existumans videri causam civium* "He thought it inconsistent with his designs to appear to have given runaway slaves a share in a citizens' cause" (Sall. *B Cat.* 56.5).

have had an argument before the latter had left Rome. The statement in the *mandata* that Lentulus and the others were following Catiline's orders more explicitly linked the two men as well as the actions occurring inside and outside Rome than Lentulus' letter. Therefore, the presumption that Lentulus was acting independently of Catiline due to the vague opening sentence in the letter, which perhaps suggests that Catiline did not know Lentulus, remains contentious. It is indeterminable whether Lentulus was present at the meeting at Laeca's house with Catiline on November 6 when the plans were supposedly meted out to those leaving Rome with Catiline and those remaining in the city.²⁶¹ Lentulus might have joined with the others supporting the affair remaining in Rome after Catiline had left the city. We cannot prove with certainty that Lentulus and Catiline were initially cooperating before December 3, but we can demonstrate that Lentulus' leadership in Rome was as crucial as Catiline's role in Etruria to achieve the ultimate goal to overthrow the current established authority in Rome.

After Catiline had left the city, Sallust claimed those remaining in Rome were *sicuti Catilina praeceperat* "following Catiline's directions" (Sall. *B Cat.* 39.6). However, both Cicero's and Sallust's reproductions of Lentulus' letter and *mandata*, regardless of either author's grammatical preference, imply that Lentulus was not Catiline's subordinate but his equal. Furthermore, although the imperative construction in Cicero's version of Lentulus' letter and the subjunctives used in Sallust's version indicate Lentulus was making requests of one of equal status, the tone is more authoritative than polite. Lentulus' letter and message to Catiline emphasized that the former was comfortable requesting the latter to follow his advice. Lentulus also demonstrated that he would act on his own initiative when deciding to meet with the Allobrogean envoys. If Catiline were the indisputable leader of the affair we would assume the wording of Lentulus' letter and *mandata* to be more subservient in its tone. Furthermore, we would expect that the letter or the *mandata* would explain how

²⁶¹ Seager (1973, 241-3) challenges the validity the meeting at Laeca's due to the varied way Cicero altered the details of what was planned in the meeting to suit the purpose of his speeches, cf. *Cic. Cat.* 1.-8, 2.6, 4.13; *Sull.* 18, 52. NB: Cicero did not specifically name anyone present at Laeca's house other than Catiline in 63. In 62, he only named C. Cornelius as one of the two men sent to assassinate Cicero on the morning after the meeting at *Sull.* 52. On the other hand at *Sull.* 18, Cicero claimed Autronius sent C. Cornelius to assassinate Cicero, which implied that at least Autronius was at meeting. However, Cicero seemed to exaggerate Autronius' role in the affair to lessen the suspicion against his client P. Sulla, see n.134. On the several meetings of the participants, see Appendix I n.29.

Lentulus and the others in Rome were faring. Instead, his letter and *mandata* to Catiline included his apprehensions about the situation of the army in Etruria.

Lentulus certainly believed his influence on the affair permitted him to request that Catiline consider his advice. He perhaps also expected Catiline to follow it, as he was a praetor of Rome. It remains unknown if Catiline attempted to contact Lentulus or the other participants in Rome with advice regarding the affair's plans in the city. In addition, we have no evidence that anyone else but Lentulus attempted to contact Catiline personally. The analysis of Lentulus' letter and *mandata* demonstrates that his influence was at least equal to Catiline's influence on the affair and further demonstrates that Lentulus was considered the leader of those who continued to participate in the affair after Catiline had left Rome. Nevertheless, Lentulus' letter and *mandata* implicitly connected the disturbances occurring inside Rome with those in northern Etruria regardless whether Lentulus acted independently of Catiline, which, as mentioned, the vague opening sentence of the letter might suggest. We can initially conclude that both Lentulus and Catiline wanted to gain power in Rome, but disagreed over how this would be achieved.

2.4.5 The prophecy of 63

This section analyzes the prophecy Lentulus possessed that foretold he would rule in Rome specifically in the year 63. It is worth examining this topic in some detail because the prophecy suggests that Lentulus might have been motivated to support the affair of 63 for an entirely independent reason than any of its other supporters. Moreover, the prophecy challenges our sources' contention that Lentulus was following Catiline's orders although the latter was absent from Rome. If we scrutinize the way the prophecy was recorded in our sources, primarily examining the language Cicero and Sallust used to recount it, we can attempt to answer how Lentulus was connected with the prophecy and why our sources chose to record such a fundamental religious element in their narratives of the affair.²⁶²

The historicity behind the prophecy of 63 remains contentious, but the accounts of the prophecy cannot be ignored not only because of its religious importance, but also because the prophecy perhaps was the reason for

²⁶² The prophecy is recorded in most of the accounts of the affair, cf. Cic. *Cat.* 3.9; Sall. *Cat.* 47.2; Plut. *Cic.* 17.5; App. *BC* 2.4; Fl. 2.12.8. See nn.305 and 319.

Lentulus' participation. The prominent and intimate connection between Roman religion and politics are manifest.²⁶³ The examples discussed in this section regarding prodigies, prophecies, and how Roman religion was affected by the Sibylline books and the responses of the *haruspices*, men steeped in the Etruscan art of divination, are admittedly a simplified account of a much more complex topic. It is not my primary purpose to explain the nuances between prodigy, prophecy, and divination or simplify the complexity of Roman Religion. However, it is important to briefly review the relevant religious elements that underpin the prophecy to further comprehend the gravity of the subject and to further attempt to explain the motives behind the prophecy's documentation. The evidence of the prophecy should not be discarded as inconsequential just because our sources claimed or implied it was false. Instead, a thorough examination of the prophecy, as it appears in our sources, yields significant suggestions regarding Lentulus' involvement and the affair of 63 as a whole.

In the *Third Oration*, delivered from the rostra, Cicero declared Lentulus had told the Allobrogean envoys that he was in possession of a prophecy. According to Cicero's account, the prophecy stated the following:

Lentulum autem sibi confirmasse ex fatis Sibyllinis haruspicumque responsis se esse tertium illum Cornelium ad quem regnum huius urbis atque imperium pervenire esset necesse: Cinnam ante se et Sullam fuisse. eundemque dixisse fatalem hunc annum esse ad interitum huius urbis atque imperi qui esset annus decimus post virginum absolutionem, post Capitoli autem incensionem vicesimus.

Lentulus had assured them [the Allobroges] that the Sibylline books and soothsayers had declared that he was that third Cornelius to whom the rule and dominion of Rome was fated to come: before him there had been Cinna and Sulla. He also said that this was the year, the tenth after the acquittal of the Vestal Virgins and the twentieth after the burning of the Capitol, fated for the destruction of Rome and her empire. (Cic. *Cat.* 3.9)

Cicero proclaimed that the prophecy was *ex fatis Sibyllinis haruspicumque responsis*, affirming that the prophecy had originated from both the Sibylline books and the responses of the Etruscan *haruspices*. Upon initial inspection, the phrase is not explicit that the prophecy originated from the *libri Sibyllini*. Cicero used the word *fata* instead of the word *libra*; the latter being what we would normally expect to appear in reference to the Sibylline books. Cicero used the prepositional phrase *ex fatis* two other times in his works. In the *Fourth Oration*, he alluded to Lentulus' wish to rule Rome, proclaiming that *regnantem Lentulum, sicut ipse se ex fatis sperasse confessus est* "Lentulus as

²⁶³ Polyb. 6.56.6-9

potentate, as he admitted was his hope of what fate held for him” (*Cat.* 4.12). The second instance of the phrase *ex fatis* occurs in a passage from Cicero’s *De Divinatione*. The passage described the tradition of the prophet from Veii, who warned the Romans that while Lake Albanus was flooded they would be unable to capture Veii unless it was drained. According to Cicero, the prophet, turned informer, had come to this conclusion *ex fatis, quae Veientes scripta haberent* “According to the prophecies of the Veientian books” (*Div.* 1.100). Therefore, upon closer examination, perhaps the phrase *ex fatis Sibyllinis* implicitly refers to the Sibylline *libra*, which was concerned with the fate (*fatum*) of Rome. However, Cicero did not state that Lentulus’ prophecy was specifically written in the Sibylline books by using the verb, *scribo*, as he did in the passage from the *De Divinatione*. Perhaps, this was intentional. Therefore, if pressed, Cicero could claim that he stated Lentulus’ prophecy was not exactly “written” in the Sibylline books or infer that Lentulus altered what was “written.” Although Cicero did not explicitly claim the prophecy was a fake, he most likely avoided the exact phrase *ex libris Sibyllinis* to imply that in his estimation the prophecy was spurious.

Before returning to the account of the prophecy, first I will briefly review the history and religious function of the Sibylline books. According to tradition, L. Tarquinius Superbus, the last king of Rome, originally obtained the *libri Sibyllini* from the Cumaen Sibyl in the late sixth century.²⁶⁴ Basically, the books contained a collection *carmina* (‘prophetic songs’)²⁶⁵ from renowned Sibyls from several areas in the Mediterranean.²⁶⁶ The Senate consulted the *libri Sibyllini* and the *carmina Sibyllina* when it considered certain natural catastrophes (i.e., earthquakes, active volcanoes, etc.); or supernatural (i.e., a rain of fire, stones falling from the sky, statues bleeding etc.); or unnatural events (i.e., the birth of a hermaphrodite) needed to be explained in order to protect Rome. The task of consulting the Sibylline books and deciphering the *carmina Sibyllina* fell to the *decemviri sacris faciundis*, a college of ten Roman priests,²⁶⁷ and the

²⁶⁴ For the story of L. Tarquinius Superbus and the Sybilline books, cf. Dion. Hal. *Ant. Rom.* 4.62.1-4. Dionysus of Halicarnassus recorded that it was the Sibyl of Erythrae not the Cumaen Sibyl who gave Tarquinius Superbus the books (4.62.6). Cf. Lact. *Ira* 2.23; *Div. Inst.* 2.5. On the Cumaen Sibyl, see Parke 1988, 137-40.

²⁶⁵ For an explanation of the term *carmina*, see Wiseman 2008, 39-48.

²⁶⁶ Cicero mentioned four different Sibyls (*Cic. Div.* 2.110-2; cf. 1.34, 79). Lactantius recorded ten different Sibyls and their locations (*Lact. Div. Inst.* 1.6.9; cf. *Div. Inst.* 2.5).

²⁶⁷ *Cic. Div.* 1.4. Beard, North, and Price (1998, 18 n.45) explain that there was originally two priests in this college, which was later expanded to ten in 367 and then to fifteen by 51. NB:

haruspices, men who practiced the art of divination. From their consultation, these men diagnosed what was required and then prescribed the appropriate *remedia* in order to avert the crisis.²⁶⁸ Clearly, the Romans took these prodigies seriously. In certain cases, if the *remedia* required that the Romans adopt foreign religious customs to expiate Rome from whatever upset the gods to cause the prodigies to occur, then they would do what was proscribed. It should be noted, before we delve any further into the complex machinations of Roman religion, that prophecy and prodigy are two separate categories.²⁶⁹ However, the latter often spawns from the former therefore, I do not distinguish between the two terms in the examination that follows.

When the Sibylline books were consulted due to certain prodigies, the *remedia* that were recommended sometimes had an impact on Roman religious traditions.²⁷⁰ In 295, three years of plague and famine ravaged Rome (Val. Max. 1.8.2). After consulting the Sibylline books, it was recommended that the cult of Aesculapius, the Greek god of healing, should be brought to the city (Liv. 10.47.6-7).²⁷¹ The senate agreed and legates were sent to Epidaurus in the Peloponnese. They returned with a personification of the god in a form of a snake and the Romans built a temple to the god. After the temple was consecrated around 291 on the island in the Tibur River next to Rome, the plague and famine ceased (Ov. *Met.* 15.622-745).²⁷²

Another example was the introduction of the Phrygian mother goddess in Rome during the Second Punic War in 204. Livy recounted that there were many meteor showers that year therefore *in libris Sibyllinis...inspectis* “An inspection of the Sibylline Books had been made” (Liv. 29.10.4). The suggested *remedia* were for the Romans to travel to Phrygia and return with the Idaean Mother, the goddess Cybele, and then Rome would be able to defeat

When the term *decemviri* appears alone in this section it refers to the college of the *decemviri sacris faciundas*.

²⁶⁸ Usually the Senate consulted both the *haruspices* and the *quindecemviri* to decipher the *libri Sibyllini* (Cic. Div 1.97). Cf. Ridley 2005, 277.

²⁶⁹ On the distinction in Roman religion between prodigy and prophecy, see Rosenberger 1998, 7-16.

²⁷⁰ For an index of prodigies and where they occur in our sources, see MacBain 1982, 82-112. Julius Obsequens' summary of the prodigies from Livy *Ab Urbe Condita* start at Book 19 beginning in the year 190. Of course, prodigies had occurred previous to the date of Obsequens work, but I follow the arguments in Beard, North and Price (1998, 38-9), who speculate that records of prodigies from the second century were more readily available than others. Regarding the reliability of these lists, how they were compiled and whether prodigies outside of the *ager Romanus* were recognized by the Roman State, see Rawson 1971.

²⁷¹ Cf. Val. Max. 1.8.2.

²⁷² See Wiseman 2008, 75-77.

any *hostis alienigena* “foreign foe” and drive their enemy out of Italy.²⁷³ The *hostis alienigena* that year was Hannibal and the censors of 204 ordered a temple to the Phygian goddess to be built on the Palatine (29.39.2). A year later Hannibal and his forces had to abandon their campaign in order to defend their homeland from Scipio’s forces in Africa (30.7.5-20.9). In 191, Livy recorded that the temple was consecrated to the *Magna Mater*, (as the goddess was called in Rome), and the *Megalesia*, a religious festival with annual games, became a Roman tradition (36.36.3-4).²⁷⁴

These examples demonstrate that the religious leadership in Rome considered the Sibylline books an integral part of the religion.²⁷⁵ Cicero remarked about the numerous times that the Senate consulted the Sibylline books.²⁷⁶ The leadership in Rome apparently believed a consultation of the Sibylline books was necessary to placate the gods when unnatural prodigious events occurred, and the Senate would comply in the implementation of whatever *remedia* the *decemviri* and *haruspices* recommended, i.e., the building of temples, holding games, etc.

The prophecy in connection with the affair of 63 referred to the conflagration of the Capitol twenty years earlier. During Sulla’s march through Italy in 83, Plutarch recorded that a prophet forewarned Sulla that if he did not hurry to Rome a fire would break out on the Capitol. Apparently, on the specific day predicted by the prophet, the temple of Jupiter Optimus Maximus on the Capitol burned down (Plut. *Sull.* 27.6). The Sibylline books, which had been stored in the temple since the time of its foundation by the Roman King

²⁷³ Liv. 29.10.4: *ciuitatem eo tempore repens religio inuaserat inuento carmine in libris Sibyllinis propter crebrius eo anno de caelo lapidatum inspectis, quandoque hostis alienigena terrae Italiae bellum intulisset eum pelli Italia uincique posse si mater Idaea a Pessinunte Romam aduecta foret.* “Owing to the unusual number of showers of stones, which had fallen during the year, an inspection had been made of the Sibylline Books and some oracular verses had been discovered which announced that whenever a foreign foe should carry war into Italy he could be driven out and conquered if the Mater Idaea were brought from Pessinus to Rome.” Cf. Cic. *Har. resp.* 24; *Ov. Fast.* 4.293.

²⁷⁴ Cf. *Ov. Fast.* 4.179-372. On the *Magna Mater* and the *Megalesia*, see Wiseman 2004, 174-7 and 2008, 169.

²⁷⁵ On the Sibylline books, cf. Gagé 1955, 432-61; Parke 1988, 190-215. For the effects of the Sibylline books on Roman religion in general, cf. Beard, North and Price 1998, 61-73; Rüpke, 2007, 86-116.

²⁷⁶ Cic. *Div.* 1.97: *quotiens senatus decemviros ad libros ire iussit!* “How many times the Senate has ordered the decemvirs to consult the Sibylline books!”

Tarquinius Superbus, were also destroyed in the fire (Dion. Hal. *Ant. Rom.* 4.62.5-6; App. *B Civ.* 1.83).²⁷⁷

The writers Tacitus, Dionysus of Halicarnassus, and Lactantius all describe the mission of *decemviri sacris faciundis* in 76 to replace the *libri Sibyllini* that were lost in the conflagration of the Capitol seven years earlier.²⁷⁸ The envoys were instructed to search the places in the Mediterranean known to have a Sibyl.²⁷⁹ The mission was a success and they returned with a collection of new *carmina Sibyllinae* to replace the original verses that were lost. The *decemviri* of 76 apparently accepted the new collection as genuine *carmina*, however, the authenticity of the new collection of verses was scrutinized over sixty years later. After the death of the *pontifex maximus* in 12, Augustus assumed the office that year. According to Suetonius, Augustus gathered together all of the prophetic verses that had been disseminated into the public sector and those from the Sibylline books. He burned more than two thousand verses that he deemed were false, including some of the verses collected in the Sibylline books.²⁸⁰ The collection of verses Augustus kept was moved to the temple of Apollo on the Palatine, so he could guarantee that only authorized Roman priests could consult them (Suet. *Aug.* 31.1).²⁸¹

The new temple of Jupiter was not completed on the Capitol until 69, so where the Sibylline books were stored until then is unknown.²⁸² However, as one of the duties of the *decemviri* was to make sure the verses in the books remained secret, we can presume that either the *pontifex maximus* when in Rome, or the *praetor urbanus*, or a senior member of the *decemviri* would have been charged with their possession until the temple was completed.²⁸³ This

²⁷⁷ According to Livy, the construction of the temple of Jupiter Optimus Maximus began under the reign of the Tarquin kings (Liv. 1.55.2), but was not consecrated until the first years of the Roman Republic (2.8.5-6). Cf. Wiseman 2008, 169.

²⁷⁸ Cf. Tac. *Ann.* 6.12.4; Dion. Hal. *Rom. Ant.* 4.62.6; Lact. *Ira* 1.22; *Inst. Div.* 1.6.14.

²⁷⁹ On the identity of the Sibyls in Antiquity, see Parke 1988, 23-50.

²⁸⁰ On Augustus' decree to purge certain verses from the Sibylline books, cf. Parke 1988, 138; Ridley 2005, 285-6; Wiseman 2008, 46-7.

²⁸¹ Cf. Dio Cass. 54.17.2. NB: Lactantius claimed only the verses of the Cumaen Sibyl were kept hidden from the public because they were expressly concerned the fates of Romans (Lact. *Ira* 2.23). The verses of other Sibyl were in common use (Lact. *Inst. Div.* 2.5).

²⁸² For Q. Lutatius Catulus' consecration of the temple of Jupiter Optimus Maximus on the Capitol, cf. Cic. *Verr.* 2.4.69; Liv. *Per.* 98; Val. Max. 6.9.5; Lact. *Ira* 2.22.

²⁸³ The duties of the *pontifex maximus* were primarily ceremonial, see Plut. *Num.* 9.4, 10.4. Unlike other pontiffs, the *pontifex maximus* did not have to remain in Rome at all times other pontiffs would take over his ceremonial responsibilities until he returned. My suggestion that the *praetor urbanus* might have housed the Sibylline books comes from Augustus' motion to have them housed with this magistrate (Dio Cass. 54.17.2). The latter suggestion that they were housed with a senior member of the college of the *quindecimviri* is manifest. On the duties of

leads us to the first of three hypotheses concerning how Lentulus came into possession of the prophecy of 63.

Livy recorded two specific *Cornelii Lentuli* who were pontiffs in the late third century. L. Cornelius Lentulus was *pontifex maximus* in 217 (Liv. 22.10.1). Livy reported that the *pontifex maximus* died along with several other priests four years later and listed another L. Cornelius Lentulus in the college of the *decemviri sacris faciundis* (25.2.1-2). The practice of co-optation in some of the priestly colleges remained in effect in Late Republican Rome therefore existing pontiffs chose who was elected into the college.²⁸⁴ When someone was conferred or elected into the Roman priesthood, it was a lifelong appointment.²⁸⁵ Although our sources recorded two *Cornelii Lentuli* who were priests due to the practice of co-optation, we can assume that an influential *gens* would continue to be conferred with priesthods. However, as mentioned, it is a mistake to perceive that every *Cornelii Lentuli* was related or that they always supported each other politically or religiously.²⁸⁶ On the other hand, as mentioned, the veneration of familial ancestors by the Romans was a common practice, so it would be of interest for any Roman elite to associate their lineage with one from their *gens* who was a pontiff of Rome. There is no evidence that P. Cornelius Lentulus Sura or any of his known relatives were priests. However, Lentulus had held the premier magistracies in Rome, so he certainly had opportunities to converse and interact with those who were. Theoretically, Lentulus might have familial connections or friendships within the Roman priesthood who informed him of the prophecy secondhand.

The second hypothesis of how Lentulus might have come into possession of the prophecy stems from our sources' record of a mission of *decemviri* in 76. Lactantius recorded the names of three *decemviri*, a M. Otacilius, a L. Valerius, and a P. Gabinius, who were sent to retrieve a new

the *pontifex maximus* in general, cf. Smezler 1971; Beard, North, and Price 1998, 19-21, 55-8, and 99-100; Ridley 2005. NB: Although the *pontifex maximus* was ranked under the *rex sacrorum* and the three principal *flamines* by Festus (199L), the *pontifex maximus* was the chief pontiff of Roman religion, see Ridley 2005, 280-4.

²⁸⁴ The practice of co-optation in certain priestly colleges continued until the Late Republic, cf. Smezler 1971, 114-5; Beard, North, and Price 1998, 99-110. At least in certain colleges elections from outside the colleges became the norm according to a law passed in 104 by the tribune Cn. Domitius Ahenobarbus, cf. Cic. *Deiot.* 31; Liv. *Per.* 67; Val. Max. 6.5.5. Sulla repealed this law in 81, but by 63 it was certainly reestablished, i.e. Caesar's election as *pontifex maximus* through a public vote (cf. Taylor 1942, 421; Ridley 2005, 282.)

²⁸⁵ Roman priests were conferred with a lifelong appointment, cf. Smezler 1971, 113; Beard, North, and Price 1998, 18 n.46.

²⁸⁶ See nn. 148 and 152.

collection of Sibylline verses (Lact. *Div. Inst.* 1.6.14). The *decemvir* P. Gabinius was most likely the praetor of 89, and it is through his *gens* that a possible connection to Lentulus can be suggested.²⁸⁷ Recall that a *Gabinii* was executed along with Lentulus because of his involvement in the affair. Perhaps the *eques*, P. Gabinius Capito, acquired the prophecy through his familial connections and informed Lentulus, his partner in crime, of its existence. However, whether P. Gabinius Capito was related to the praetor and *decemvir* P. Gabinius remains unknown. These two hypotheses are conceivable, but they are both contingent on speculative familial or professional relationships that are not attested. We must exercise caution when speculating how Lentulus obtained the prophecy; still, another hypothesis can be suggested after we examine the role of the *haruspices* interpreting the Sibylline books and the responses they gave regarding the prophecy of 63.

Dionysius of Halicarnassus (*Ant. Rom.* 4.62.6) and Cicero (*Div.* 2.111-2) explained that the *carmina Sibyllina* were acrostically composed of Greek hexameters.²⁸⁸ The obscure manner in which the verses were written demonstrates that they were not designed for interpretation without specific training in the divine arts.²⁸⁹ Cicero's *De Divinatione* offered a debate between Stoic and New Academics, in Book One and Book Two respectively, concerning their diametric philosophical precepts about various forms of divination. Cicero did not explicitly express his own opinion in the work, but instead explains the differing opinions of divination in the treatise.²⁹⁰ Cicero, playing the part of the New Academic in Book 2 of *De Divinatione*, asked:²⁹¹

quid autem volunt di immortales, primum ea significantes quae sine interpretibus non possimus intellegere, deinde ea quae cavere nequeamus?...quae si signa deorum putanda sunt, cur tam obscura fuerunt? Si enim ut intellegeremus quid esset eventurum, aperte declarari oportebat; aut ne occulte quidem, si ea sciri nolebant.

²⁸⁷ *RE* XII (Gabinius) no.13, 430.

²⁸⁸ Cic. *Div.* 2.111: *non esse autem illud carmen furentis cum ipsum poema declarat (est enim magis artis et diligentiae quam incitationes et motus), tum vero ea, quae ἀκροστικῆς dicitur, cum deinceps ex primis primi cuiusque versus litteris aliquid connectitur* "Moreover, that this poem is not the *carmen* of frenzy is quite evident from the quality of its composition (for it exhibits artistic care rather than emotional excitement), and is especially evident from the fact that it is written in what is termed 'acrostics', wherein the initial letters of each verse taken in order convey a meaning." Cf. Parke 1988, 139.

²⁸⁹ For more on acrostic verses, see Parke 1988, 200-1.

²⁹⁰ In the *De Divinatione* Cicero did not explicitly indicate which philosophical argument the Romans generally thought was more acceptable or observed. On the philosophical debate in the *De Divinatione*, cf. Denyer 1985; Beard 1986; Schofield 1986.

²⁹¹ Beard (1986, 45-46) concludes that Cicero's ultimate philosophical stance on divination remains ambiguous in the *De Divinatione*. For a survey of Cicero's philosophical views concerning Roman religion, see Goar 1978, 114-20.

“In the first place, why do immortal gods see fit to give us a warning which we cannot understand without the aid of interpreters?...If these signs you speak of are to be considered as sent by gods, why were they so obscure? For, if we had the right to know what was going to happen, it should have been stated clearly: or, if the gods did not wish us to know, they should not have told us - even in riddles.” (Cic. *Div.* 2.54-55)

Cicero generally implied that the New Academic would argue that the interpretation of the *carmina Sibyllina* and what the verses predicted or the *remedia* the verses recommended were often too puzzling to be certain the interpretation was accurate. Throughout Book 2, Cicero described various examples of well-known prodigies and prophecies that the New Academic would argue were either intentionally and vaguely interpreted, or were interpreted to fit the ultimate outcome, or were interpreted entirely inaccurately.²⁹² Regardless of the philosophical debate regarding divination, Cicero implied that one could question the veracity of the interpretations because they were not always sound. In addition, the interpreters of the Sibylline books seemingly had the opportunity to alter their interpretations later to apply to the specific outcome or simply offer a vague interpretation so that its meaning was ambiguous.²⁹³

Most of our sources that report a consultation of the Sibylline books never specifically quote an actual acrostic verse.²⁹⁴ The *De Divinatione* provided some examples, but we cannot be sure if Cicero’s record of the Sibylline verses were exact reproductions.²⁹⁵ Lactantius also extracted certain

²⁹² E.g. Cic. *Div.* 2.110: *quorum interpres nuper falsa quadam hominum fama dicturus in senatu putabatur eum, quem re vera regem habebamus, appellandum quoque esse regem, si salvi esse vellemus. hoc si est in libris, in quem hominem et in quod tempus est? callide enim, qui illa composuit, perfecit ut, quodcumque accidisset, praedictum videretur, hominum et temporum definitione sublata.* “Recently there was a rumor, which was believed at the time, but turned out to be false, that one of the interpreters of those verses was going to declare in the Senate that, for our safety, the man whom we had as king should be made a king also in name. If this is in the books, to what man and to what time does it refer? For it was clever in the author to take care that whatever happened should appear foretold because all references to persons or time had been omitted.” *Div.* 2.111: *adhibuit etiam latebram obscuritatis, ut iidem versus alias in aliam rem posse accommodari viderentur* “He also employed a maze of obscurity so that the same verses might be adapted to different situations at different times.”

²⁹³ E.g. Cic. *Div.* 2.12: *est quidam Graecus vulgaris in hanc sententiam versus: ‘bene qui coniciet, vatem hunc perhibebo optimum’* “There is a much quoted Greek verse to this effect: ‘The best diviner I maintain to be; The man who guesses or conjectures best.’” *Div.* 2.121: *iam ex insanorum aut ebriorum visis innumerabilia coniectura trahi possunt, quae futura videantur. quis est enim, qui totum diem iaculans non aliquando conliniet?* “By applying conjecture to the countless delusions of drunk or crazy men we may sometimes deduce what appears to be a real prophecy, for who, if he shoots at a mark all day, will not occasionally hit it?”

²⁹⁴ Parke (1988, 139) explains the acrostic pattern as, “the letters forming the first line of the oracle are identical with the initial letters of the first and following lines, so that the same words can be read horizontally and vertically.”

²⁹⁵ E.g. Cic. *Div.* 1.45, 67, 81, 99, 114; 2.112, 115-116. Wiseman (2008, 47) claims a Sibylline verse that appears at Dio 57.18.4-5 was quoted “verbatim”, but the Greek text that survives was not written acrostically. Instead it was the interpretations of the prophecies Dio was quoting not

Sibylline verses suitable for his purpose to prove the connection between the 'pagan' oracles and their prediction of the Christian god.²⁹⁶ Phlegon of Tralles in his *Book of Marvels*, written in the early second century A.D., supposedly quoted an acrostic oracle of the Sibyl of Erythrae. The verse in Phlegon's work revealed the correlation between several ancient methods of divination: the *carmina* of the Sibyl, the inspection of the entrails of sacrificial animals by the *haruspices*, and the examination of the flight of birds by the *augures*.²⁹⁷ This demonstrates that when the Sibylline books were consulted, several priestly colleges, as well as those outside of the official religious *collegia*, like the *haruspices*, would all be involved with the interpretation of the oracles.

The method of divination called haruspicy, which includes extispicy (the reading of the entrails of sacrificed animals), had a long tradition within Roman religion.²⁹⁸ The tradition was that Numa, the Sabine-born King of Rome, introduced this religious practice to Rome in the seventh century.²⁹⁹ The *haruspices* were an unofficial but ubiquitous part of Roman religion as they had distinct duties in several religious areas.³⁰⁰ This typically anonymous group of soothsayers was also consulted to interpret the Sibylline books. The political and religious leaders in the Senate took their interpretation of the *carmina Sibyllina* as serious as the interpretations by the *decemviri*.³⁰¹ Cicero explained

the actual *carmen* itself, which were from an oral tradition and spoken when the prophet was supposedly in a fervent state, cf. Cic. *Div.* 1.114-5 contra 2.111; Ov. *Fast.* 6.537-40.

²⁹⁶ Lactantius recorded examples of Sibylline verses, but recorded the interpretation of the verses in Latin not the original text cf. Lact. *Ira* 2.23; *Inst. Div.* 2.17, 4.6, 15. For the supposed relationship of the verses with Christianity, cf. *Inst. Div.* 2.13, 4.6, 7.13, 16, 18, 19, 23, 24.

²⁹⁷ Hansen (1996, 56) translates the verse into English, but indicates it was acrostically written in the original Greek text. "But why, lamentable for the sufferings of others,/Do I prophesy oracles, holding onto my own mad fate/And experiencing my own painful gadfly?/Now in my tenth life-span I possess a grievous old age,/Raving among mortals, speaking the incredible,/Foreseeing in vision all the trying cares of humankind./At that time glorious Leto's son, resenting/My power of divination, his destructive heart filled with/passion,/Will release the soul imprisoned in my mournful/Body, shooting my frame with a flesh-smiting arrow,/Whereupon my soul, fluttering into the air/And commingling with the wind, will send to mortals' ears/Omens woven together with shrew riddling./But my body will lie shamefully unburied on/Mother earth, for no mortal will heap a mound for me/Or conceal me with a tomb. My dark blood/Will sink down into the wide-wayed earth, in the withering/of time./Thence it will produce shoots of abundant grass/That will enter the livers of grazing sheep and/Reveal the will of the gods by means of divination,/And when the feather-clad birds feed on my flesh,/They will occupy themselves with true prophecy for/mortals."

²⁹⁸ On haruspicy in general cf. North 1990; Schied 2003, 123-4.

²⁹⁹ On the impact of Pythagorean philosophy on Numa's religious innovations, cf. Liv. 1.20.1-21.5; Plut. *Num.* 8.3-16.2. Cicero stated the art of haruspicy originated in Etruria (Cic. *Div.* 1.3).

³⁰⁰ North (1990, 53) claims the reading of *exta* was reserved for "lower-class *haruspices*" as compared to the *haruspices* who were consulted regarding prodigies.

³⁰¹ Cicero certainly professed to take the responses of the *haruspices* seriously, e.g., Cic. *Har.* 61. Goar (1978, 72-5) argues that Cicero's genuine attitudes towards religion due to his usual rhetorical usage of religious matters are ambiguous in Cicero's *De Haruspicum Responso*.

that the interpretations of the *haruspices* and the *decemviri* were typically congruous (cf. Cic. *Div.* 1.4, 97-98; 2.11).³⁰² Therefore, it was not unusual for Cicero to mention in his version of the prophecy of 63 that it was confirmed *ex fatis Sibyllinis haruspicumque responsis* (*Cat.* 3.9). If, as Cicero implied, the *decemviri* and the *haruspices* had interpreted the prophecy from the Sibylline books, then the prophecy was further legitimized because both religious orders had given a similar response.³⁰³

In Sallust's account of the prophecy, he mentioned that the *haruspices* predicted *bellum civile* would breakout due to the prodigies occurring in 63, but was not explicit whether the *haruspices* had confirmed the prophecy's interpretation. He wrote that the prophecy came *ex libris Sibyllinis* (*Sall. B Cat.* 47.2).³⁰⁴ Sallust probably assumed his audience understood the custom that the *haruspices*, the *decemviri*, and other priests were involved in interpreting the verses of the Sibylline books. Therefore, in contrast to Cicero's account that the prophecy was explicitly confirmed by the *haruspices*, perhaps Sallust felt the expression *ex libris Sibyllinis*, which is arguably more specific than the expression *ex fatis Sibyllinis* Cicero chose to use, was sufficient to imply the *haruspices* would be involved in its interpretation. Sallust's account of the prophecy similarly records that a third *Cornelii* would have power in Rome. However, regarding the timeline of the prophecy, Sallust only mentioned the burning of the Capitol, not the extra chronological element in Cicero's account concerning the defilement of the Vestal Virgins in 73.³⁰⁵

Asconius recorded an allegation that Catiline was inappropriately involved with a Vestal named Fabia, who was a close relative of Cicero's wife

³⁰² Rawson (1978, 142) suggests that the *decemviri* were "probable" supervisors over the *haruspices* after Sulla.

³⁰³ On the importance of the *haruspices* in the Late Republic see, Rawson 1978, 140-6. See also nn.299 and 301.

³⁰⁴ *Sall. Cat.* 47.2: *ex libris Sibyllinis, regnum Romae tribus Cornelii portendi; Cinna atque Sullam antea, se tertium esse, cui fatum foret urbis potiri. Praeterea ab incenso Capitolio illum esse vigesimum annum, quem saepe ex prodigiis haruspices respondissent bello civili cruentum fore* "In the Sibylline books the rule of Rome by three Cornelii was foretold; that there had already been Cinna and Sulla, and that he was the third who was destined to be master of the city. Furthermore, that this was the twentieth year since the burning of the Capitol, a year which because of the portents the *haruspices* had often declared would be stained with the blood of a civil war."

³⁰⁵ Plutarch's account of the prophecy mentioned the three *Cornelii*, but neither chronological event of the conflagration or defilement was imparted. Instead, Plutarch implied 63 by claiming Lentulus was *τρίτῳ δὲ λοιπῷ Κορνηλίῳ ἐκείνῳ* "The third and remaining Cornelius" (*Plut. Cic.* 17.4). Appian's account of the prophecy also did not mention any timeline, but implied the year 63 claiming that Lentulus *εἶπαι πολλάκις* "often said" the third *Cornelii* referred to him (*App. B Civ.* 2.4).

Terentia, in 73 (Asc. *Tog. Cand.* 91).³⁰⁶ Asconius implied that Catiline was acquitted of the crime, but whether Catiline and/or Fabia were formally tried is debatable.³⁰⁷ In a letter to Atticus, Cicero mentioned Catiline was acquitted twice (Cic. *Att.* 1.16.9: *bis absolutum...Catilinam*). However, which of Catiline's two acquittals Cicero was referring to is debatable. Scholars suggest Cicero was probably referring to Catiline's acquittals from *de repetundis* in 65 and *de veneficiis et sicariis* in 64.³⁰⁸ We can assume Cicero would have mentioned a third acquittal to Atticus if there were one in 73. Perhaps Catiline was able to avoid a trial in 73, therefore, Cicero did not mention three acquittals.³⁰⁹ Cadoux suggests Cicero only referred to Catiline's two recent acquittals in his letter to Atticus because Cicero most likely thought the charges against Fabia were false, and thereby Catiline by default.³¹⁰ If the trials of the Vestal Virgins in 73 did occur, according to Cicero's timeline of the prophecy, then presumably Catiline and Fabia were found not guilty, as they did not suffer capital punishment in accordance with this sacrilegious crime.³¹¹ Of course, Catiline was still alive in December 63 and when Cicero went into self-imposed exile in 58, he advised his family to seek sanctuary in the Temple of Vesta, which perhaps implied that his family stayed with Terentia's relative Fabia (Cic. *Fam.* 14.2.2).³¹² It is interesting that Cicero mentioned the defilement of Vestal Virgins when he recounted the prophecy as it might remind some in the audience of his own family member's accusation in a scandalous and sacrilegious affair. Any association with the impiety and criminality of the affair of 63 was something Cicero doubtlessly wanted to avoid. Yet, he clearly felt that describing the timing of Lentulus' prophecy was more important than any gossip regarding his

³⁰⁶ Fabia's exact relationship to Terentia is debatable. Both Asconius and Plutarch recorded that Fabia was Terentia's sister (Asc. 91: *haec Fabia quia soror erat Terentiae Ciceronis*; Plut. *Cat. min.* 19.3 ἐν οἷς καὶ Φαβία Τερεντίαν ἀδελφῆ). Cf. Marshall 1985, 309-10; Lewis 2006, 300-1. However, the *RE* suggests Fabia was most likely Terentia's half-sister (*RE* VI (Fabius) no. 172, 1885.67: "Halbschwester").

³⁰⁷ Cf. Asc. 91C: *Fabia virgo causam incesti dixerat, cum ei Catilina obiceretur, eratque absoluta*; Oros. 6.3.1: *eodem anno apud Romam Catilina incesti accusatus, quod cum Fabia virgine Vestali commisisse arguebatur, Catuli gratia fultus evasit*.

³⁰⁸ Due to Orosius' usage of *evadere* (see n.308) instead of the more frequent *absolvere* to refer to being acquitted, Cadoux (2005, 171-3) suggests Catiline was able "to avoid" ever standing trial in 73. Cf. Lewis 2001, 143-7.

³⁰⁹ Orosius claimed Catiline was acquitted or avoided the trial through favors from Q. Lutatius Catulus (Oros. 6.3.1: *Catuli gratia fultus evasit*). See nn.252-3.

³¹⁰ Cadoux 2005, 171.

³¹¹ Vestal Virgins found guilty were buried alive and their male paramours were condemned to death, cf. Plut. *Num.* 10; Suet. *Dom.* 8.3; Plin. *Ep.* 4.11; Oros. 4.2.8; Dion. Hal. *Ant. Rom.* 2.67.3-5. For the trials and punishments concerning Vestal Virgins, cf. Cornell 1981; Lewis 2001; Ridley 2005, 142-3; Cadoux 2005.

³¹² Shackleton-Bailey 1977 Vol. I, 287.

family's connection with the trials in 73.³¹³ Perhaps Cicero thought the specific timeline of the prophecy lent more credence to explain to his audience why Lentulus, a current praetor of Rome, was involved with the affair.

However, why Sallust does not include the date regarding the defilement of the Vestal Virgins in the chronology of Lentulus' prophecy is not as clear. Sallust had another opportunity to explicitly assassinate Catiline's character. His character had already been substantially described in the monograph (Sall. *B Cat.* 5.1-8), and Sallust had referred to Catiline's intrigue with a Vestal Virgin, but failed to give a specific date (15.1). Sallust decided to eschew another digression about Catiline's background when recording the prophecy to resume the narrative describing Volturcius and the Allobroges' testimonies concerning the actions of those participating with the affair in Rome. Sallust, in contrast to Cicero, did not explicitly record as specific a chronology in direct connection with the prophecy. Instead, we can infer the timeline of the prophecy from Sallust's account of the *haruspicum responsa*.

Sallust wrote that twenty years after the burning on the Capitol had passed the *haruspices* often predicted that a *bellum civile* "a civil war" would occur. Sallust implied that the *responsa* was declared *ex prodigiis* "from the portents" that were occurring in 63 (Sall. *Cat.* 47.2).³¹⁴ Julius Obsequens recorded the specific prodigies occurring in 65 and 63 and claimed *ab his prodigiis Catilinae nefaria conspiratio coepta* "With these portents the abominable conspiracy of Catiline began" (Jul. Obs. 61).³¹⁵ Similar to Sallust's account of the *haruspicum responsa*, Cicero claimed that they declared the

³¹³ Cicero used the plural *virginum* in his text regarding the prophecy, which infers more than one Vestal Virgin was defiled (Cic. *Cat.* 3.9). Plutarch recorded that Crassus was also accused of criminal behavior with a Vestal Virgin, stood trial, and was acquitted (Cf. Plut. *Crass.* 1.2; *Mor.* 89e).

³¹⁴ For Sallust's text, see n.305.

³¹⁵ Jul. Obs. *Prod.* 61: *M. Cicerone C. Antonio coss. Fulmine pleraque decussa. Sereno Vargunteius Pompeiis de caelo exanimatus. Tarbis ardens ab occasu ad caelum extenta. Terrae motu Spoletum totum concussum et quaedam corruerent. Inter alia relatum, biennio ante in Capitolio lupam Remi et Romuli fulmine ictam, signumque Iovis cum columna disiectum, aruspicum responso in foro repositum. Tabulae legum aeneae caelo tactae litteris liquefactis. Ab his prodigiis Catilinae nefaria conspiratio coepta*; "Consulship of Marcus Cicero and Gaius Antonius [in 63]. Several things were overthrown by lightning. Vargunteius was struck dead from a clear sky at Pompeii. A fiery timber stretched up into the sky from the west. In an earthquake all Spoletum was shaken and some buildings collapsed. It was reported among other things that two years before [in 65] on the Capitol, the she-wolf of Remus and Romulus had been struck by lightning, and the statue of Jupiter with its column had been broken apart, but had been replaced in the Forum in accordance with an answer of the soothsayers. Bronze tablets containing laws were struck by lightning and the letters melted. With these portents the abominable affair of Catiline began."

prodigies in 65 and 63 foretold that *caedis atque incendia et legum interitum et bellum civile ac domesticum et totius urbis atque imperi occasum appropinquare* “Murder and arson, the end of the rule of law, rebellion and civil war, the total destruction of the whole city and our empire were upon us” (Cic. *Cat.* 3.19). Cicero explained that the *remedia* the *haruspices* advised were: i) ten consecutive days of games should be held; and ii) the construction of a larger statue of Jupiter, which was broken by lightning in 65, should be placed in his temple facing in the opposite direction, east, so his divine gaze could observe the forum in order to recognize any subterfuge occurring in the city (3.20). The statue of Jupiter was erected, conveniently for Cicero, on December 3, the same day he exposed the plans of Lentulus and the others remaining in Rome. Cicero used the occasion of the account of the prophecy and the prodigies in the *Third Oration* to amplify the impiety of the affair and its participants. In addition, Cicero emphasized the divine providence and assistance from the gods in his discovery and suppression of the affair by recording the story of Jupiter’s statue (3.21).³¹⁶ This manner of religious rhetoric was used often in the *Third Oration* therefore, the account of the prophecy did not seem out of place.³¹⁷ However, the prophecy’s exact chronology and that it referred to a specific *gens* is remarkable.

Cicero’s account of the prophecy states that in 63 “the third Corneli” would have “the rule and dominion of Rome”, *regnum huius urbis atque imperi* (*Cat.* 3.9). Sallust uses similar terminology stating *regnum Romae tribus Corneliis portendi* “the rule of Rome by three Corneli was foretold” (Sall. *Cat.* 47.2). Later sources that recount the prophecy of the third Corneli use similar terminology concerning the prediction that Lentulus would be a ‘king.’ Florus also used *regnum*, and the Greek sources of Plutarch and Appian also report that the prophecy predicted Lentulus would be a μονάρχους of Rome.³¹⁸ It is

³¹⁶ Cicero also recorded the story of the erection of the statue on December 3 in the *De Consolato Suo*. This text survives in fragments and the story of the statue’s erection appears in *De Divinatione* (Cic. *Div.* 1.17-22; 2.45-47). Cf. Chapter 1 n. 42.

³¹⁷ On the religious rhetoric in the *Third Oration*, see Chapter 1 n.41.

³¹⁸ Florus recorded *Lentulus destinatum familiae suae Sibyllinis versibus regnum sibi vaticinans* (Flor. 2.12.8). Appian wrote the Allobrogean envoys had testified ὡς ὁ Κορνήλιος Λέντλος εἶποι πολλάκις εἰμάρθαι τρεῖς Κορνηλίους γενέσθαι Ῥωμαίων μονάρχους, ὧν ἤδη Κίνναν καὶ Σύλλαν γεγονέναι “that Cornelius Lentulus had often said that it was written in the book of fate that three *Cornelii* should be monarchs of Rome, two of whom, Cinna and Sulla had already been such.” (App. *B Civ.* 2.4). Plutarch claimed the prophecy ὡς ἐκ τῶν Σιβυλλείων, προδηλοῦντας εἰμαρμένους εἶναι τῇ Ῥώμῃ Κορνηλίους τρεῖς μονάρχους “Purporting to come from the Sibylline books, which set forth that three *Cornelii* were fated to be monarchs in Rome” (Plut. *Cic.* 17.4). Cf. n.306.

clear that the concept of kingship was an anathema to Republican Rome.³¹⁹ Therefore, it is erroneous to think that the prophecy predicted, or Lentulus believed, he would be a monarch. The affair of 63 did not have these aims at its core. It is extremely unlikely that if the affair were successful then those who had participated would attempt to enact such a drastic change in the established polity of Republican Rome. Yet the affair's aims were not myopic.

As noted in Chapter 1, Sallust claimed that Catiline offered his associates *belli spolia magnifica* “the splendid spoils of war,” which included *libertas, divitiae, decus, gloria* “freedom, riches, honor, and glory” (Sall. *Cat.* 20.14-15). Catiline further promised *tabulas novas, proscriptionem locupletium, magistratus, sacerdotia, rapinas* “abolition of debts, the proscription of the rich, offices, priesthods, and plunder” (21.2).³²⁰ It should be noted that Catiline's promises, according to Sallust's chronology of events, were declared to his followers before his defeat in the consular election of 64.³²¹ Perhaps Lentulus also hoped to achieve these goals when he ruled in Rome, but pronouncing himself *rex* could cause tension between the others supporting the affair and turn the people of Rome against him due to the term's negative connotation. Lentulus might have had delusions of grandeur, but it was unlikely that he thought the term *regnum* meant he was destined to be king of Rome. Instead, it was more likely that Lentulus believed the *regnum* that was predicted would be similar to the reign of the other two *Cornelii* before him, Cinna and Sulla, the most influential leaders of the Republic in the decade following the Social War.

L. Cornelius Cinna held the consulship for four consecutive years from 87-84 until his death, and L. Cornelius Sulla, who was consul in 88 and in 80, was also appointed *dictator* in 82 until he decided to vacate the office in mid-79.³²² Before Sulla, a dictator had not been appointed in Rome since C. Servilius Geminus in 202. Most dictators voluntarily abdicated from the position after the traditional maximum six-month tenure, or immediately after they

³¹⁹ E.g. Liv. 2.1: *Omnium primum avidum nouae libertatis populum, ne postmodum flecti precibus aut donis regiis posset, iure iurando adegit neminem Romae passuros regnare.* “His [L. Junius Brutus'] first act was to make the people, while the taste of liberty was still fresh upon their tongues, swear a solemn oath never to allow any man to be king in Rome, hoping by this means to forestall future attempts by persuasion or bribery to restore the monarchy.”; 2.9: *ut regium nomen non summi magis quam infimi horrerent* “that the poorest in Rome hated the very name ‘king’ as bitterly as did the great.” Cf. Cic. *Rep.* 1.65.

³²⁰ See also Chapter 3 n.13.

³²¹ On antedating in Sallust, see Chapter 1 n.129.

³²² For Cinna, see *RE* IV (Cornelius) no. 106, 1282-7. For Sulla, see *RE* IV (Cornelius) no. 392, 1522-66.

completed their extraordinary duty.³²³ However, Sulla argued that it was necessary that he hold the office of *dictator* indefinitely, due to the recent tumultuous affairs after his civil war against Marius, until he deemed the Republic had been properly stabilized. Sulla convinced L. Valerius Flaccus, who was the *princeps senatus* and newly appointed *interrex* after the recent civil war, to award him *dictatorium imperium*, which gave him power over all the other magistrates that held *imperium* in Rome.³²⁴ According to Cicero's letter to Atticus (Cic. *Att.* 9.15.2), the *lex Valeria* was passed, which appointed Sulla *dictator* and Valerius his *magister equitum*. Sulla would be allowed to continue his reforms to the Roman constitution unhindered. This was an unprecedented event in Roman history.³²⁵

Sulla set the precedent therefore it is not unreasonable to suggest that Lentulus thought that the *libra Sibyllinis* and the *haruspicum responsa* foretold he would be able to appoint himself *dictator* in 63. But the end of the year was fast approaching. Cicero intimated that Lentulus had planned to enact the affair's plan of overthrowing the current regime during the Saturnalia, the festival dedicated to Saturn, which began on December 17 (Cic. *Cat.* 3.10).³²⁶ If Lentulus were able, like Sulla, to restructure the Roman constitution and authorize proscriptions when bestowed with the extraordinary powers as dictator, then the others involved with the affair would doubtlessly be the ones

³²³ On the six-month tenure of the dictatorship, cf. Cic. *Leg.* 3.9; Liv. 3.29.7, 9.34.12, 23.23.2; Dion. Hal. *Ant. Rom.* 5.70.2; App. *BC* 1.3; Plut. *Cam.* 31.3; Dio Cass. 36.34.1.

³²⁴ On the office of dictator in general see Pina Polo 2011, 188-91.

³²⁵ On the unprecedented power conferred to Sulla through the *lex Valeria*, cf. Cic. *Agr.* 3.5-6; *Verr.* 2.3.82. See also Vervaet, 2004. On Sulla and the dictatorship, cf. Keaveney 1982; Hurler 1993; *CAH*² IX, 282-5; Santangelo 2007, 83.

³²⁶ Dyck (2008, 180) suggests Cicero chose the Saturnalia because he thought his audience would understand that the plan to commit murder and arson would be easier during the confusion of a popular festival. On the popularity of the Saturnalia, see Scullard 1981, 205. Sallust reported that the tribune-designate L. Calpurnius Bestia was to complain against Cicero's actions as consul in a *contio* and this would be the signal to commence the actions in Rome the following night. But Bestia failed to act (Sall. *B Cat.* 43.1). The Senate were not allowed to meet during the Saturnalia and McGushin (1977, 218) suggests that perhaps the date that Sallust implied was when Bestia would have entered office as a tribune on December 10. However, according to Sallust, the signal was supposed to occur simultaneously with Catiline's arrival in Faesulae, which had already occurred no later than mid-November. Clearly, Sallust's chronology is faulty. McGushin concludes that the plan to commence the actions in Rome during the Saturnalia on December 19, as recorded in Cicero, is debatable. Cicero never mentioned Bestia's task. Sallust never mentioned the Saturnalia. Cicero and Sallust both recorded that Cethegus complained about the delay, but that is the only similarity in their accounts (Cic. *Cat.* 3.10; Sall. *B Cat.* 27.4, 43.4). Therefore, their accounts regarding the date for the start of the planned murder and arson in Rome differ too much to conclude when they were exactly planned to occur only that for those involved with the affair of 63 the date was too late. Plutarch followed Cicero's dating suggesting that the actions in Rome would occur during the Saturnalia at night (Plut. *Cic.* 18.2).

who profited in the future, similar to the way Lentulus had when Sulla was in power.³²⁷ However, whether Catiline or the others involved with the affair supported the prediction that Lentulus would ‘rule’ Rome in 63 and whether the prophecy would create any tension between Lentulus and the others is debatable.

All of the accounts of the prophecy occur when our sources recount the Allobrogean envoys’ testimony in the Senate. As mentioned earlier, Cicero rhetorically used the affidavit from the Gallic envoys to condemn Lentulus’ attempt to solicit Gallic support.³²⁸ The account of the prophecy could only further condemn Lentulus’ actions. Perhaps Cicero recounted the prophecy in order to persuade his audience that Lentulus’ belief that he was the third *Cornelii* revealed his impious motives. It is indeterminable whether the majority of Cicero’s audience thought Lentulus’ gullibility was sacrilegious and laughable or whether they also believed in the prophecy and were frightened by the *haruspicum responsa*. Cicero would certainly be content with either reaction as long as he was able to persuade the Senate and the people of Rome about the serious nature of the crimes those involved with the affair were planning to commit within the city. Cicero wanted to convince them that a current praetor and his accomplices should be sentenced accordingly.

In the *Third Oration*, Cicero rhetorically used the account of the prophecy to his advantage, but did not state that the prophecy was false. In the *Fourth Oration*, Cicero insinuated that Lentulus was *suum nomen inductus a vatibus fatale ad perniciem rei publicae fore putavit* “Persuaded a *vatibus* to think that his name was destined by fate for the destruction of the Republic” (Cic. *Cat.* 4.2). According to the *OLD*, the term *vates* usually defined someone in touch with the divine (s.v. 1 and 2). Wiseman explains that the term is difficult to accurately define, but demonstrates that the *vates* were involved with the type of prophecy called *vaticinatio*.³²⁹ Cicero argued that *vaticinatio* was part of what he called *naturale* (‘natural’) divination in opposition to *artificiosa* (‘artificial’) divination primarily practiced by the *augures* and *haruspices* (cf. Cic. *Div.* 1.11-

³²⁷ See n.138.

³²⁸ See sections 2.2-4.

³²⁹ Wiseman (1992, 281) also suggests that the term *vates* corresponds to the Greek term *μάντις*. Similar to the various definitions of *vates* in the *OLD*, *μάντις* could refer to a diviner, seer, or prophet (*LSJ* s.v. 1-3).

12, 72).³³⁰ Cicero linked this ‘natural’ type of divination with those who were overcome by prophetic dreams similar to the *carmina Sibyllina*.³³¹ Although the term *vates* has a variety of meanings depending on the context in which it occurs, Wiseman explains that due to their connection with the *vaticinatio* they had a role in interpreting prophecies.³³² Subsequently, the *vates* are seemingly justified regarding their involvement in prophetic *carmina*.³³³ However, Cicero sometimes compared the *vates* with the *harioli* (‘public fortune-tellers’).³³⁴ He questioned the credibility of the *harioli*, placing them in the realm of *superstitio*.³³⁵ Cicero explained that the New Academic believed any religious endeavor not executed by the appropriate religious authorities in Rome was generally considered *superstitio* (Cic. *Div.* 2.148-9).³³⁶ Therefore, the *vates* lose some of their legitimacy as compared to the more established forms of interpreting prodigies.

Cicero did not qualify what kind of *vates* was implied by the phrase *a vatibus* in connection with the interpretation of the prophecy of 63 (Cic. *Cat.* 4.2). Perhaps the phrase indicated that Cicero thought the prophecy’s interpretation was less valid compared to a prophecy confirmed *ex fatis Sibyllinis haruspicumque* like he claimed in the *Third Oration* (3.9). It is clear from Cicero’s contrasting phraseology in the *Third* and *Fourth Oration* that he altered his representation of the prophecy’s legitimacy to suit his aims in each speech. As mentioned, the account in the *Third Oration* and the manner in which Lentulus used the prophecy’s interpretation to persuade the Allobroges that the affair was destined to succeed in 63 were emphasized to stress Lentulus’ impiety. In the *Fourth Oration*, the phrase *a vatibus* suggested that the prophecy and its prediction that Lentulus was the third *Cornelii* were spurious (4.2). Later in the speech, Cicero implied that Lentulus actually believed in the prophecy. Cicero exclaimed that he had a vision of *regnantem Lentulum, sicut ipse se ex fatis sperasse confessus est* “Lentulus as potentate,

³³⁰ For discussions regarding ‘artificial’ and ‘natural’ divination in Cicero’s *De Divinatione*, cf. Linderski 1982, 12-38; Denyer 1985; Beard 1986; Schofield 1986.

³³¹ Cicero often connected the terms *vaticinatio* or *vates* with the Sibyl or with the interpretation of the Sibylline verses, cf. Cic. *Div.* 1.34, 67-8, 71, 113-4, 116; 2.70, 100, 108, 112.

³³² Wiseman 1992, 276.

³³³ See n.330.

³³⁴ Cf. Cic. *Div.* 1.4, 66, 132.

³³⁵ Cf. Cic. *Div.* 1.66, 132. On the terms *superstitio* and *religio*, cf. Grodzynski 1974; Schied 2003, 22-3. Beard, North, and Price (1998, 216-7) argue that *superstitio* has a close relationship with all forms of divination. Cf. Cic. *Nat. Deo.* 1.117, 2.71-2.

³³⁶ Cf. Cic. *Nat. Deo.* 1.55. In this passage, Cicero relegated all types of divination from the *haruspices*, *vates*, *augures*, and *harioli* believed by followers of Stoicism as *superstitio*.

as he admitted was his hope of what fate held for him” (4.12). In this instance, Cicero did not qualify *fatum* with the adjective *Sibyllinum*. As mentioned in the beginning of this section, Cicero used the phrase *ex fatis* to refer to the Sibylline books in *De Divinatione*.³³⁷ Cicero’s rare usage of the phrase, however, indicates that the context is our only indicator to understand the phrase’s implications.

The absence of any reference to the Sibylline books in the two instances when Cicero recounted Lentulus’ belief in the prophecy in the *Fourth Oration* was perhaps intentional. Cicero’s purpose in the *Fourth Oration* was to convince the Senate that Lentulus and the four others, who had confessed to exchanging oaths and letters with the Allobroges, should be put to death. Therefore, perhaps Cicero used the phrases *a vatibus* and *ex fatis* to repudiate the legitimacy of the prophecy and to further establish Lentulus’ belief in superstition. Cicero once referred to the prophecy in the *Pro Sulla* recalling Lentulus *perversam atque impiam religionem* “perverted and godless superstition” (*Sull.* 70). Although Cicero used the term *religio* in this passage, the adjectives *perversa* and *impia* not only stressed Lentulus’ impiety, but also implied the prophecy’s questionable religiosity. Cicero was clearly careful about questioning a divine prophecy that might have been genuine. Therefore, Cicero implied that the prophecy’s interpretation was a human error and Lentulus’ belief in its prediction was superstition instead of questioning the prophecy’s divine derivation.

Cicero declared that divination was practiced both in public and private (*Cic. Div.* 1.3). As demonstrated above, the *haruspices* were consulted publically in regards to certain Roman religious matters, but Roman elites were known to consult them privately as well.³³⁸ For example, the Gracchi employed a private *haruspex* in their household and Caesar consulted the *haruspices* on military campaigns.³³⁹ We are not certain whether Lentulus had familial or personal connections with the *decemviri sacris faciundis*, but it was not unusual that Roman elites would privately employ those who practiced the art of divination. Therefore, we can finally suggest a third and final hypothesis - that Lentulus knew of the prophecy of 63 through his own personal seer. Yet, however uncertain we are about how Lentulus obtained the prophecy and

³³⁷ On the term *ex fatis*, see pages 123-4.

³³⁸ Cf. Rawson 1978; Ripat 2006, 165-6.

³³⁹ Cf. Plut. *Caes.* 43.3-4, 52.4-5.

whether its interpretation was considered false, our sources imply that Lentulus believed in it.

Sallust did not offer his opinion of whether the prophecy was genuine or fake. He leaves the matter for his audience to decide. Florus and Appian's account of the prophecy also suspend judgment regarding its validity. On the other hand, Plutarch claimed that Lentulus' prophecy was proclaimed by ψευδομάντιες τινὲς καὶ γόητες "False prophets and jugglers" (Plut. *Cic.* 17.4). Plutarch continued to suggest that Lentulus προσδιέφθειραν ἐλπίσι κεναῖς "was further corrupted by vain hopes." Plutarch's account of the prophecy differs from the others because he explicitly stated the reason Lentulus joined the affair. According to Plutarch, it was Lentulus' belief in the unreliable interpretation of τινὲς καὶ γόητες, which spurred Lentulus to join the affair. Furthermore, Plutarch opined that if the prediction that Lentulus would rule Rome was genuine then καὶ δεῖν πάντως δέχεσθαι καὶ μὴ διαφθεῖρην μέλλοντα τοὺς καιροὺς, ὥσπερ Κατιλίνας "He must by all means accept, and not ruin his opportunities with delay, like Catiline." Therefore, Plutarch's account of the prophecy differed from Cicero, Sallust, and Appian's accounts because Plutarch stated that Lentulus specifically joined the affair because he believed in the prophecy. Plutarch further suggested that Lentulus wanted to act before the prophetic year of 63 came to a close. However, Catiline and Manlius' forces in Etruria were ill-equipped and not entirely prepared to march on Rome by early December.³⁴⁰ Hence, Lentulus' letter requesting that Catiline to enlist every able bodied person and his *mandata* urgently instructing that Catiline and Manlius' army no longer delay their march on Rome.

Cicero had enough hard evidence to convict Lentulus and the *reliqua coniuratorum manus* through their letters, oaths, and, most significantly, their manifest admission of guilt. Four of them were executed along with Lentulus regardless of what his prophecy alleged. It is understandable that when the affair's plans were initially divulged in early November those supporting the affair, who remained unnamed, would distance themselves from Catiline and Manlius. They had been declared *hostes rei publicae* and you would expect that those citizens, who had recently rehabilitated their political careers and were currently magistrates of Rome like Lentulus, would especially avoid the

³⁴⁰ Cf. Sall. *B Cat.* 56.3.

affair.³⁴¹ C. Antonius, Cicero's consular colleague, was coaxed into rejecting consorting with anyone supporting the affair.³⁴² Q. Lutatius Catulus also avoided accusations of supporting the affair by divulging the private letter Catiline wrote to him in the Senate (Sall. *Cat.* 34.3), and voting for the execution of Lentulus and the others (Plut. *Cic.* 21.4).³⁴³ M. Licinius Crassus also distanced himself from Catiline by initially warning Cicero of the impending affair.³⁴⁴ C. Julius Caesar presumably did the same.³⁴⁵

In contrast to these other politicians, Lentulus did not abandon the affair's cause. He defiantly went about his business of trying to recruit more support for the affair by disclosing the prophecy to the Allobroges. The *reliqua coniuratorum manus* did not stay inactive until the army in Etruria was ready to march on Rome or wait for Cicero's tenure as consul to elapse. Perhaps the prophecy was the impetus that led Lentulus, and whoever else believed in Lentulus' prophecy, to continue participating in the affair a month after the affair's initial discovery.

Cicero might have recorded the prophecy only to strengthen his claim that it was through divine providence, as well as his assiduousness, that he was able to suppress those supporting the affair remaining in Rome.³⁴⁶ Furthermore, the prophecy might have been recounted because it gave Cicero further reason to condemn Lentulus. As examined above, Lentulus was a praetor, and to dissuade those who thought the capital punishment recommended by Cicero and the Senate was too severe for someone of

³⁴¹ According to Cicero, all of the intended criminal activities of those remaining in Rome were known before the arrests on December 3, cf. *Cic. Cat.* 1.1, 6, 10, 24, 27, 30; 2.1, 5-6, 13-14, 26, 28.

³⁴² *Cic. Cat.* 3.14.

³⁴³ See pp.116-7.

³⁴⁴ Plut. *Cic.* 15.1-3. See nn.108-11.

³⁴⁵ Caesar recommended the confiscation of the affair's participants property and life imprisonment in towns outside of Rome, cf. *Cic. Cat.* 4.7-10; Sall. *B Cat.* 51.43; Plut. *Cic.* 21.1-3, *Caes.* 7.7-9; *Cat. min.* 22.4-5; App. *B Civ.* 2.6; Dio Cass. 37.36.1-2; Suet. *Iul.* 14.1. Sallust recorded that Ti. Claudius Nero was swayed by Caesar's advice and believed the participants should be kept in custody until more evidence was produced, cf. Sall. *B Cat.* 50.4; App. *B Civ.* 2.5. Plutarch stated that Caesar proposed that the guilty should be placed in custody until Catiline's army had been defeated and then to reexamine the evidence (Plut. *Caes.* 7.9). However, Pelling (1985, 314-5) speculates that Plutarch confuses Caesar's proposal with that of Ti. Claudius Nero. According to Cicero (*Cat.* 4.7), it was D. Junius Silanus, the consul-designate for 62, who had recommended the death penalty from the start; cf. Sall. *B Cat.* 50.4; Plut. *Cic.* 20.4; *Cat. min.* 22.4; App. *B Civ.* 2.5. Most of our sources recorded that the majority of the Senate voted for the death penalty, cf. Sall. *B Cat.* 53.1; Plut. *Cic.* 21.4, *Caes.* 7.7, *Cat. min.* 23.3; Dio Cass. 37.36.3. In contrast, some accounts remarked that some senators were unsure about the sentence after Caesar's proposal until Cato's speech for the death penalty changed their minds. cf. Sall. *B Cat.* 52.1, 53.1; Plut. *Cic.* 21.3; *Caes.* 8.1; *Cat. min.* 22.5; App. *B Civ.* 2.6; Dio Cass. 37.36.1-2.

³⁴⁶ Cicero refers to divine providence at: *Cat.* 2.29; 3.1, 3.18-22; 4.2. See also, n.32.

Lentulus' status, Cicero not only described Lentulus' confession of writing a letter to Catiline and soliciting the Allobrogean envoys, but Cicero also described Lentulus' impious belief in the prophecy.³⁴⁷

Cicero wanted to connect the threat outside of Rome, represented by Catiline's and Manlius' forces, and the threat inside the city, represented by Lentulus and the *reliqua coniuratorum manus*, as parts of the same attempt to overthrow the current regime in Rome. Both threats are conceivably linked with the common desire for regime change, but they perhaps had different motives at their core. Therefore, it is most revealing that Cicero identified the exact year when Lentulus' prophecy was to be fulfilled. Most records of the interpretations of prophecies are usually quite vague not only in substance, but also chronologically.³⁴⁸ Lentulus' prophecy apparently had none of the usual vagaries, instead the prophecy of 63 was quite specific. Although it may have been spurious as Plutarch contended, all the other ancient authors never explicitly stated their opinion.³⁴⁹

Evidently, the prophecy existed, but clearly its validity is debatable. However, the serious reaction by the senate to the advice communicated by the *haruspices* regarding the portents of 65 and 63, examined above, lent the prophecy a particular expediency as well as a religious and political bond. Therefore, the suggestion that the prophecy was perhaps the reason why Lentulus and the others in Rome continued supporting the affair regardless of Catiline and Manlius' activities in Etruria is justifiable. Unfortunately our sources do not imply that the army in Etruria was aware of Lentulus' prophecy. If Catiline and Manlius were aware of the prophecy they probably would have intensified their efforts preparing the army so that Rome could be attacked before the end of the year. Perhaps the army did not act because either they did not know of the prophecy, or did not believe in its timing, or perhaps the prediction that Lentulus would rule Rome caused tension between him and the others supporting the army. However, the prophecy did not state that Lentulus would be the sole ruler and clearly Lentulus would reward those who supported him. Yet, there is no evidence if Catiline believed in Lentulus' prophecy and

³⁴⁷ See Chapter 1.3.

³⁴⁸ Cf. Parke 1988, 1-22; Ripat 2006, 158-66.

³⁴⁹ NB: Logically, any prophecy that was not fulfilled would be claimed to be false to suit the purpose of Plutarch's individual narratives. For example, in Plutarch's other biographies of Romans, prophecies that were fulfilled were considered genuine predictions, cf. Plut. *Mar.* 36; *Sull.* 17, 27, 37; *Crass.* 8, 19; *Pomp.* 25, 31; *Caes.* 44, 52, 60, 63. See Pelling 1985.

whether the timing of the prophecy was the reason behind Catiline's choice to join Manlius' army in Etruria to lead it to Rome. As mentioned, Sallust admitted that Lentulus and the others' execution in Rome was a setback that Catiline and the army in Etruria could not recover from (Sall. *Cat.* 57.1, 58.4). After the suppression of the affair in Rome, Catiline and his army were forced to reevaluate their options. The army was defeated in January 62 marching away from Rome around Pistoria, only approximately 20 miles from the original camp at Faesulae.³⁵⁰

On the other hand, we can argue that the agency for action in 63 due to Lentulus' prophecy was equal to or perhaps even more legitimate than the other reasons our sources contend were the causes for the affair. Catiline had supposedly become inexorably desperate after spiraling into enormous debt and being defeated for the consulship twice.³⁵¹ The sources imply that violence was Catiline's only option, and therefore he joined Manlius' army that was openly in revolt in Etruria. We also examined how our sources suggested that most of the people who supported the affair came from those who saw no respite from their financial burden without a regime change.³⁵² However, in light of the evidence of the prophecy examined in this section, Lentulus perhaps had an entirely separate motive to support the affair. Lentulus might have joined the affair not out of desperation, but instead because he believed it was his destiny to rule Rome in 63. Therefore, it behooved Lentulus to support Catiline and Manlius' army in Etruria and the other seditious plans against the current established authority occurring either inside or outside Rome to achieve his goal before the end of the year.

2.5 Chapter conclusions

This chapter has shown that it is possible to reconsider the hierarchy in the affair by examining the terminology in our sources specifically associated with the disturbances occurring in Rome and those involved with them. This was explored to validate our sources' contentions that the affair in Rome was serious and that Lentulus and the *reliqua coniuratorum manus* were a more immediate threat than Catiline and Manlius' army camped approximately one

³⁵⁰ Catiline and the army was defeated around Pistoria (Sall. *B. Cat.* 57.1). The army was probably not defeated until late January 62, see n.134. See also, Sumner 1963.

³⁵¹ Catiline was defeated in 64 and 63 and denied to stand as a candidate in 66. See Chapter 3.1.

³⁵² See section 2.2.

hundred and fifty miles from the city's gates. Despite all the evidence and rumors of other influential Romans involved in the affair, our sources did not alter their characterization of Catiline as the initial protagonist of the affair, nor should we expect them to. However, our sources did confer the leadership of the critical endeavors in Rome upon Lentulus not only because he was the highest-ranking member of the affair left in the city, but also because the sources imply that Catiline's forces in Etruria were dependent on the success of those remaining in Rome under Lentulus' guidance. The claim that Catiline was behind all the plans of the affair cannot be disproved. However, after Catiline's departure, it is undeniable that Lentulus' role was considered as or more important than Catiline's role due to the significance of the designs within the city which Catiline was physically unable to fulfill because of his absence. According to the terminology examined, Lentulus was contextually the most important member of the affair in Rome.

The preponderance of evidence confirming the plurality of the affair and the significance of the actions in Rome proves that Catiline cannot be presumed the sole leader and instigator of the affair. When Lentulus and the others in Rome failed to act, were captured, and executed, the rest of the participants surely realized their plan to gain power in Rome was seriously compromised. As examined, scholars argue that the vague opening sentence of Lentulus' letter suggested he was perhaps acting independently of Catiline.³⁵³ We can speculate that Lentulus, even if he was ordered by Catiline to lead the affair in Rome, was acting on his own initiative when he sought the support of the Allobrogean envoys, which was demonstrated by Lentulus' letter to Catiline discussed in the previous section. It was left to Lentulus to try to extend the affair's potential threat, although this effort was eventually its undoing. Moreover, the accounts of Lentulus' prophecy not only suggested that perhaps Lentulus was acting independently but also suggested a transcendental reason why Lentulus was involved.

This chapter briefly demonstrated that Catiline was usually portrayed as the leader of the army in Etruria. However, Catiline's position as the leader of the army in Etruria can also be challenged which will be explored in more detail in the following chapter. It will be shown that the *Catilina* recorded a *mandata* sent by Manlius, the Sullan veteran from Faesulae, delivered by delegates from

³⁵³ See section 2.4.3.

the army in Etruria to Q. Marcius Rex, an ex-consul, which explained the reasons why they were in open revolt against Rome. The verbal message insinuated that the army in Etruria would withdraw if their grievances were addressed. Furthermore, the reports that an army had assembled in Etruria came before Catiline had left Rome to be the army's leader. In addition, there were many other regions in Italy that allegedly supported the affair, further demonstrating the extent of the threat facing Rome. These disturbances occurring outside of Rome and those involved with them are the focus of the following chapter.

Chapter 3

The disturbances outside of Rome: An examination of C. Manlius, the army in northern Etruria, and the disturbances throughout Italy

This chapter discusses our sources' portrayal of the disturbances outside Rome allegedly connected with the affair of 63. Most of our sources, with some discrepancies that will be noted below, claim that the affair's participants attempted to incite many regions throughout Italy to help achieve their ultimate goal of gaining power in Rome. It is recorded that an army composed of various disgruntled citizens led by a Sullan veteran named C. Manlius was gathering in northern Etruria.¹ After Catiline left Rome on the night of November 8, he eventually arrived in the town of Faesulae in northern Etruria where Manlius and his army were encamped.² In the hills near the northern Etruscan town of Pistoria, Manlius and Catiline's army were defeated and both men died in the battle.³ As most of the narratives concerned with the affair follow the movements of Catiline, we know more about Manlius and the situation in northern Etruria than about the disturbances in the other regions in Italy. However, this chapter also provides an examination of the other regions our sources claimed were targeted by the affair's participants and explores the reasons why these regions were willing to support them.

First, I discuss the historical background of the consular elections of 63. I examine Catiline's support in his candidacy from C. Manlius and the veterans of Sulla, as well as the people who Sulla had dispossessed in section 3.1. I explore the reasons why Catiline was defeated in the elections, his choice to join Manlius' army in Etruria, and why he sent other members to other regions in to enlist further support for the affair. In section 3.2, I review the historical evidence that connects Catiline to Manlius and his army. I investigate Catiline's relationship with Manlius, the army, and the region of Etruria using literary and non-literary evidence. In addition, the section describes the composition of the army in Etruria, which further demonstrates the various groups of people willing to support the affair.

¹ Cf. Cic. *Cat.* 1.7; Sall. *B Cat.* 30.1; Liv. *Per.* 102; Plut. *Cic.* 15.5; Dio Cass. 37.31.2

² Cf. Cic. *Cat.* 2.1-6, 13-14; *Mur.* 84; Sall. *B Cat.* 32.1, 36.1; Plut. *Cic.* 16.6; App. *B Civ.* 2.3; Dio Cass. 37.33.1; Flor. 2.12.7-8

³ Cf. Sall. *B Cat.* 59-61; Vell. *Pat.* 2.35.5; Plut. *Cic.* 22.8; App. *B Civ.* 2.7; Dio Cass. 37.40.1-2.

Our sources consistently connect the disturbances inside and outside of Rome. The report of armed men in Faesulae was partly the reason the Senate declared the *SCU* in late October. Catiline's connection with Manlius also led to the *hostis rei publicae* declarations soon afterwards. The legitimacy of the two declarations are discussed in section 3.3 to explain the extralegal countermeasures the *res publica* took to defend against the disturbances reported to be occurring outside of Rome. Section 3.4 continues to consider the individual disturbances reported in parts of northern Etruria, Latium, Umbria, Picenum, the *ager Gallicus*, Apulia and Campania. The section investigates the connections between these regions and the groups of people our sources claimed were supporting the affair.

Compared to the other disturbances outside Rome rumored that year, the disturbance in northern Etruria was the only region in Italy that was most likely connected to the plan to gain power in Rome. Consequently, this chapter primarily focuses on the disturbance in this region. After the Senate learned of the disturbance occurring at Faesulae in northern Etruria, Sallust recorded that they ordered the general Q. Marcius Rex to monitor the activities reported in the region (Sall. *B Cat.* 30.1-4).⁴ Our sources reported that Manlius and his army were in open revolt in late October, weeks before Catiline arrived at the army's camp in Faesulae.⁵ In order to connect Catiline and Manlius, the accounts claimed the latter's army in Etruria were levied, supplied, and reinforced by the combined efforts of the former and perhaps others remaining in Rome.⁶ However, Sallust's *Catilina* records a *mandata*, or verbal message, that was supposedly sent from Manlius' army to Q. Marcius Rex, which suggests that Manlius and his army might have initially revolted for independent reasons and before Catiline's arrival in the camp (33).

We can use the evidence of the so-called *mandata Manliana* found in Sallust's *Catilina* to question whether the disturbances in Etruria, and perhaps those in the other regions of Italy, were actually connected to the disturbances occurring in Rome. The inclusion of the *mandata* suggests that the simultaneous disturbances occurring inside and outside of the city were perhaps initially separate events. Section 3.5 examines the *mandata Manliana*

⁴ See n.137.

⁵ See n.1.

⁶ In the *Pro Sulla*, Cicero claimed P. Autronius Paetus also sent arms to Catiline and Manlius' camp in Faesulae (Cic. *Sull.* 17). Sending arms: Cic. *Cat.* 1.24, 2.13; Sall. *B Cat.* 36.1. Sending money: App. *B Civ.* 2.3. Sending both: Sall. *B Cat.* 24.2, 27.4.

and how it has been interpreted by modern scholarship. The veracity of *the mandata Manliana* remains contentious, as it only appears in Sallust's account of the affair. Furthermore, the term *mandata* indicated a verbal message, which suggests that Sallust was not citing a written source unlike the other letters he reproduced in the *Catilina*.

Whether we should believe our sources' portrayal that the disturbances outside of Rome were connected to those inside the city is a matter of conjecture. Our sources doubtlessly link the activities inside and outside of Rome to increase the perception of the threat facing the *res publica* in 63. Subsequently, the connection between these activities makes the affair of 63 harder to classify. Therefore, the chapter concludes with a brief examination of the terms used to identify the disturbances outside Rome. These external disturbances were described using different terminology than those occurring in the city. Instead, the disturbances occurring outside of the city are identified primarily using military language associated with war, which will be further explored in Chapter 4.

3.1 The consular elections of 63

A few days before the consular elections of 63, Cicero remarked that a large group of people supporting Catiline's candidacy were in Rome.⁷ Apparently, Catiline's retinue included those who had suffered during Sulla's reign. Cicero described them in the following manner:⁸

stipatum choro iuventutis...colonorum Arretinorum et Faesulanorum exercitu...turbam dissimillimo ex genere distinguebant homines perculsi Sullani temporis calamitate

⁷ Sallust does not comment on the size of Catiline's support during the elections of 63. Dio stated Catiline: χειρά τινα παρασκευάσας "was preparing a small band of men" (Dio Cass. 37.29.2). NB: The word χειρά defines things associated with the 'hand' (LSJ s.v. I-IV). The Greek term can also define "a number, band, body of men, esp. of soldiers" (s.v. V); similar to the Latin term *manus* referring to an 'armed band of men' (OLD s.v. 22). Without a qualifying adjective the Greek term χειρά does not have to indicate only a handful or "small" amount of men, as Cary's translation of Dio's words implies. Instead, the term implied that the men supporting Catiline were armed and of a noticeable size, as Dio continued to report that their actions led to the exposure of the affair (37.29-2-5). On the other hand, Plutarch stated Catiline's support during the elections of 63 came from Sullan veterans "found in all parts of Italy." Plutarch implied that Catiline's support was numerous in 63, but does not specifically comment on the size of the entourage at the elections except that Manlius and other Sullan veterans mainly from Etruria were present (Plut. *Cic.* 14.2-3).

⁸ The phrase *dissimillimo ex genere* could refer to any of the various groups of debtors or criminals willing to join the affair that Cicero discussed in the *Second Oration* (Cic. *Cat.* 2.18-23). For a detailed description of the groups willing to support the affair, see pp.67-8. Perhaps the term referred to those who had lost their land after Sulla had set up colonies for his veterans. Cf. MacDonald 1969, 112.

"A bodyguard of youths...an army of colonists from Arretium and Faesulae [in northern Etruria]...a crowd of other types of men devastated by misfortune at the time of Sulla."
(Cic. *Mur.* 49)

This description of Catiline's supporters occurs during Cicero's defense speech for the consul designate for 62, L. Licinius Murena, whose trial occurred sometime in November after Catiline had left Rome and before the arrest of Lentulus and the others on December 3.⁹ Cicero had previously claimed in the first two *Orations* delivered before the *Pro Murena* that Catiline was traveling to Faesulae to join the army that was encamped there. The types of men who supported Catiline's candidacy mentioned in the *Pro Murena* were the same types of men that Cicero reported made up the army in Etruria in the *Second Oration* (*Cat.* 2.5).¹⁰ Cicero's specificity in the former speech regarding the origin of the colonists supporting Catiline's candidacy earlier that summer was clearly no coincidence.

We can explain why those who suffered under Sulla supported Catiline's bid for the consulship in 63. According to our sources, the Sullan veterans settled in the viridane colonies created in the late 80's and early 70's had apparently squandered much of their gains and were in debt. The original inhabitants of the areas earmarked for the settlement of Sulla's soldiers who were dispossessed or negatively affected by arrival of the colonists faced similar financial woes.¹¹ Cicero later implied in the *De officiis* that the debt crisis in the *res publica* was extreme in 63 (*Cic. Off.* 2.84).¹² In the consular elections of 64, one of Catiline's campaign promises supposedly was to alleviate the debt problem by instituting *tabulae novae* ('new accounts').¹³ It is not known whether Catiline proposed economic legislation, which would have devalued the currency, in order to: i) reduce the monetary value owed on debts similar to the

⁹ For the date of the *Pro Murena*, see Chapter 2 n.1.

¹⁰ Cf. Cic. *Cat.* 2.20

¹¹ For passages regarding the debt of Sulla's veterans, cf. Cic. *Cat.* 2.20; Sall. *B Cat.* 16.4, 21.4, 33.1; Plut. *Cic.* 14.2; App. *BC* 2.2.2; Dio Cass. 37.30.5. For passages regarding the debt of those Sulla dispossessed, cf. Cic. *Cat.* 2.20; Sall. *B Cat.* 28.4, 33.1. In the *De Officiis*, Cicero discussed the injustice of property confiscations by indebted elites sometimes from areas that were previously occupied for generations. He was most likely alluding to the colonies established for the veterans of Sulla's army and later for the armies of Pompey and Caesar (*Cic. Off.* 2.54, 79).

¹² The passage in the *De Officiis* emphasized the problem of debt during Cicero's consulship (cf. Cic. *Catil.* 2.8), but stated the problem reached its peak during the early 40's, explaining Caesar's legislation abolishing interest in arrears and applying monies paid on interest to be deducted from the loan's principal (Suet. *Iul.* 42). See Fredericksen 1966, 132-5.

¹³ Cf. *OLD* (*tabula*) s.v. 7b. Sallust emphatically placed *tabulae novae* foremost in the list of Catiline's promises if he was elected consul in 64 (Sall. *B Cat.* 21.2). Cicero claimed those who supported Catiline's candidacy in 63 were hoping for *tabulae novae* if Catiline was elected (*Cic. Cat.* 2.18).

lex Valeria of 86, or ii) to address the abuse of interest rates like the *lex Cornelia Pompeia* of 88, or iii) to abolish all debts.¹⁴ Regardless of the specifics of the promised legislation, any proposal to alleviate debts doubtlessly attracted support from many of the indebted throughout the *res publica*. However, Cicero used Catiline's promise for *tabulae novae* to emphasize his "popular" agenda, which may have alienated him from the established ruling elite who were content with the status quo in 64.¹⁵ A year later, Catiline campaigned for the consulship, again promising some form of *tabulae novae*. But yet again Catiline's bid for the consulship failed, however, his promise to address the extreme levels of debt was certainly an attraction for those reported to have supported him in the elections of 63.

As a consul, it was Cicero's duty to manage the magisterial elections for the following year. He claimed that Catiline's entourage assembled in the *Campus Martius* was armed (Cic. *Mur.* 52). Fearing for his safety, Cicero procured a strong bodyguard to oppose Catiline's supporters, who were purportedly creating a disturbance.¹⁶ These violent demonstrations induced the Senate to agree to Cicero's proposal to postpone the elections until order was restored (Cic. *Mur.* 51; cf. Plut. *Cic.* 14.7).¹⁷ How long the postponement of the consular elections lasted remains contentious. Some scholars suggest the postponement lasted only a few days. Others argue that the elections were held some months later.¹⁸ If the latter occurred, then Catiline's support from

¹⁴ See Chapter 2 n.47. Also cf. Barlow 1980, 214-7; Drummond 1999, 136-47; Brennan 2000 Vol. I, 388-402.

¹⁵ Catiline had influential support from many leading citizens during his trial for extortion in 65, cf. Cic. *Sull.* 81; Asc. 89C. See also, *TLRR* (1990), no. 212. Cicero even considered defending Catiline that year (Cic. *Att.* 1.2.1; cf. *Cael.* 14). However, in 64, Cicero was voted as *consul prior factus* unanimously by all 193 voting centuries and C. Antonius narrowly beat out Catiline as the second consul (Asc. *Tog Cand.* 94). Catiline's support from his trial in 65 had apparently abandoned him when he needed it most in 64. Whether Catiline's defeat was partly due to Cicero's emphasis on Catiline's apparent *populares* leanings remains contentious. It may have been a piece of brilliant electioneering on Cicero's part or just typical political propaganda to diminish any candidate's support among the elite. On the political usage of the term *populares*, cf. Hellegouarc'h 1963, 518-22; Archard 1982, 794-800.

¹⁶ Cicero wore a breastplate under his toga during the violent demonstrations in the *Campus Martius* during the elections of 63, cf. Cic. *Cat.* 1.11; *Mur.* 52; Plut. *Cic.* 14.7; Dio Cass. 37.29.4.

¹⁷ Plutarch also mentioned the postponement occurred because of several 'bad' omens (Plut. *Cic.* 14.4).

¹⁸ For arguments for a short postponement in July, cf. Stockton 1971, 336-7; MacDonald 1977, 14, 171; Benson 1986, 242-3. For a long postponement until late October, cf. Rolfe 1921, 49 n.2; Madden 1977-8, 277. For the most recent discussion and comprehensive review of the prevailing scholarly arguments concerning the uncertain date of the elections of 63, see Benson 1986.

Etruria would have been hard-pressed to stay that long in Rome¹⁹, which would have been detrimental to his chances in the election.²⁰ On the other hand, if the elections were postponed only a few days, then Catiline's Etruscan supporters could still have an effect on the elections. Benson states that, "Their presence [Manlius and the Sullan veterans] provoked fears of intimidation at the least and perhaps rebellion should Catiline lose."²¹ I do not entirely agree with Benson's statement because there were clearly other groups of people at the consular elections from both inside and outside Rome who could provoke fear on par with Catiline's supporters, such as, the soldiers and crowds from Cisalpine Gaul supporting the consular candidate L. Licinius Murena in the same election.²² However, the postponement certainly hurt Catiline's chances because the main reason for the delay was the reports of Catiline and his supporters' murderous intentions.²³

According to Cicero, before the elections were held Catiline made some scurrilous remarks in the Senate against his personal enemies and the *res publica*. After Cato had threatened to prosecute Catiline, Cicero claimed Catiline made a rebuttal against the accusation.²⁴ According to Cicero, Catiline warned that *si quod esset in suas fortunas incendium excitatum, id se non aqua*

¹⁹ Havas (1984, 31) and Benson (1986, 237) explain those from outside Rome would have to leave the city during the harvest season.

²⁰ Canvassing for votes outside of Rome was important for a consular candidate, cf. Cic. *Att.* 1.1; *Comment. pet.* 24, 50-1, 53; Sall. *B. Jug.* 86.3. See further, Morstein-Marx 1998, 260-1. Cicero campaigned in Cisalpine Gaul a year before his victory in the consular elections of 64 (Cic. *Att.* 1.1.2) and owned villas among six different voting tribes, see Taylor 1966, 67. But the influence on elections from those outside Rome was probably minimal, cf. Taylor 1960, 122 and 1966, 64-70; Millar 1998, 100; Yakobson 1992, 42 and 228-31; contra Tibiletti 1959, 122-5.

²¹ Benson 1986, 236.

²² The crowds of people supporting Murena were one of the charges against him in his trial *de ambitu*, see Cic. *Mur.* 67-73. In his defense of Murena, Cicero of course only states that Catiline's supporters were violent, but the influx of those from the countryside surely made Rome a more intimidating place during the elections. See Lintott 1968. NB: Dio argued that Cicero's legislation against electoral bribery passed in 63 was a direct threat to Catiline's candidacy and a reason why he planned to murder Cicero (37.29.1-2). Asconius reported that Cicero's spontaneous speech *In Toga Candida* was instigated in part by the recent tribunal veto against a proposal to make the current punishment under the *leges de ambitu* stricter (Asc. 83C, 85-6C). Clearly, Cicero reacted this way in 64 because he believed Catiline and perhaps C. Antonius were guilty of bribery; however, no candidate was prosecuted that year.

²³ In the *Pro Murena*, Cicero reminded his audience of the fear that *omnes boni* ('all of the loyal citizens') felt on the day of the elections (Cic. *Mur.* 50). In addition, he claimed *omnes boni* came to his defense when Catiline's supporters appeared armed in the *Campus Martius* (52). On the political usage of the term *boni*, see Helleguarc'h 1963, 484-9.

²⁴ What charge Cato brought against Catiline is unknown. Sometime after the *SCU* was passed on October 21, Sallust reported that L. Aemilius Lepidus Paullus charged Catiline under the *lex Plautia de vi* for his involvement with the seditious activities reported in Etruria and suspected in Rome (Sall. *B. Cat.* 31.4). Cf. Cic. *Cat.* 1.19; *Vatin.* 25; Dio Cass. 37.31.3. Catiline may have been charged *in absentia* after he fled Rome. Of course these planned prosecutions never took place, cf. *TLRR*, nos. 222-223.

sed ruina restincturum “He would put out any fire set to his property not with water but by destroying everything” (Cic. *Mur.* 51). Catiline threatened that if he was attacked with *incendium*, then he would *restinctere* (‘extinguish’) such a ‘fire’ not with water but with destruction.²⁵ Perhaps Catiline’s statement was a metaphorical warning to Cato, or anyone else for that matter, that he would fight “fire with fire.”²⁶

Catiline also derided the *res publica*, questioning the consuls’ ability to run the government effectively. According to Cicero, Catiline stated that *duo corpora esse rei publicae, unum debile infirmo capite, alterum firmum sine capite* “The [*res publica*] had two bodies, one frail with a weak head, the other strong with no head at all” (Cic. *Mur.* 51).²⁷ The metaphor, on the one hand, criticized Cicero as a poor representative of the ruling faction in the Senate. On the other hand, the metaphor alluded to Catiline’s determination to lead the other “*corpus*” in the *res publica* represented by the common people. Cicero consistently compared Catiline’s political ideology to that of a *popularis*.²⁸ He had declared Catiline would be *dux et signifer calamitosorum* “The standard-bearer and leader of ruined men” (Cic. *Mur.* 50). Cicero’s representation of Catiline as a leader of the disgruntled masses was clearly a tactic to harm Catiline’s bid for the consulship in 63. Doubtlessly, this representation damaged Catiline’s support among the elite. As in the previous election, Catiline was in danger of alienating the most influential voting bloc in Rome, (those in the top centuries of the *comitia centuriata*), due to his “popular” platform.²⁹

Catiline’s supposed remarks in the Senate, his representation as a leader of the poor, and the postponement of the elections might have been some of the reasons for his defeat in the consular elections of 63. In addition, the allegation that he was planning to murder Cicero and other leading men

²⁵ NB: MacDonald 1977, 253 translates *sed ruina restincturum* as “by destroying everything”. No term in the passage indicates “everything,” but the sentiment is implied. Cf. MacDonald 1969, 113.

²⁶ Cicero might have used the metaphor to remind his readers that he and the other participants were planning to set fires in Rome, e.g. Cic. *Cat.* 1.9.

²⁷ Plutarch recorded Catiline’s remark in *oratio recta* in similar terms (Cic. 14.6).

²⁸ For Cicero’s usage of the term *populares* in his political speeches, see Seager 1972. For a comprehensive examination of Cicero’s usage of the term *populares*, cf. Wood 1988, 193-9; Morstein-Marx 2004, 207-28.

²⁹ For the prevailing view that the influence of the upper class in the *comitia centuriata* was essential, cf. Taylor 1949, 57; Meier 1966, 314; Wiseman 1971,125; Gruen 1974, 122; Vanderbroeck 1987, 163; Sandberg 1993, 84-5. In contrast, cf. Yakobson 1999, 43-54 and 211-25; Morstein-Marx 1998, 266-8.

during the elections reiterated his unstable character. The fact that he had a more violent and disreputable past than the other consular candidates was certainly no advantage either.³⁰ The suspicion of violence compounded with the other reasons mentioned above contributed to his defeat. Our sources implied that this second defeat in the consular elections was the reason Catiline was forced to resort to violent and subversive methods to gain power.³¹ Apparently, one of these methods included inciting areas outside of Rome to take up arms against the established authority of the *res publica*.

3.2 The historical evidence for Catiline's connection with C. Manlius, the Sullan veterans, and the disturbances outside of Rome

According to Plutarch, a certain C. Manlius was the leader of the Sullan veterans from Etruria who came to Rome to support Catiline in the elections of 63.³² Although Catiline had lost the consulship, Plutarch claimed it was the Sullan veterans who, μάλιστα δὲ τὸν Κατιλίναν ἐξηρέθιζον “were most of all urging Catiline on to action” (Plu. Cic. 14.2-3). Cicero introduced Manlius as Catiline's *satelles atque administer* ‘accomplice and supporter’ (Cic. *Catil.* 1.7), and stated he was a former centurion in Sulla's army (2.14) and a Sullan colonist (2.20).³³ Whether Manlius attended the elections of 63 remains uncertain, but our sources consistently claimed Manlius' activities in northern Etruria were planned and coordinated with the seditious activities in Rome.³⁴

It was reported in the Senate that Manlius and his supporters at Faesulae had taken up arms on October 27 (Cic. *Cat.* 1.7; Sall. *B. Cat.* 30.1).³⁵ According to the *First Oration*, Cicero predicted the exact day Manlius' forces would take the field. Cicero wanted to demonstrate that he was aware of all the plans both inside and outside the city (1.9, 2.6), but most significantly to prove

³⁰ The other consular candidates with Catiline that stood for election in 63 were D. Junius Silanus, L. Licinius Murena, and Ser. Sulpicius Rufus. None is reported to have a violent past. Silanus and Murena won the election. In the *Pro Murena*, Cicero pointed out what he deemed were the flaws in Sulpicius' campaign and the reasons why he was defeated that year (Cic. *Mur.* 15-53).

³¹ Cf. Cic. *Cat.* 1.11-12, 23, 27, 2.1-2, 8, 13-16; *Mur.* 78; Sall. *B. Cat.* 26.5; Plut. *Cic.* 14; Dio Cass. 37.30.1; App. *BC* 2.1.2. NB: Catiline was also barred from standing for the consulship in 66, see Chapter 2 n.239.

³² Plutarch reported Manlius was ἄνδρα τῶν ἐπιφανῶς ὑπὸ Σύλλα στρατευσαμένων “One of the men who had served with distinction under Sulla”. He was the ἡγεμῶν (‘leader’) of the Sullan veterans who supported Catiline (Plu. *Cic.* 14.3).

³³ Dio (37.30.5) also described Manlius as a centurion. In the same passage, Dio implied Manlius was in a more desperate financial condition than Catiline and Lentulus.

³⁴ For an exception, see section 3.5 below.

³⁵ Plutarch did not give a specific date for the revolt (Plut. *Cic.* 15.5).

that Manlius' activities were linked with these plans. Cicero often made the claim that Manlius' army was waiting for Catiline and that he would take over the leadership from Manlius when he arrived.³⁶ Cicero, therefore, attempted to coerce Catiline to leave the city in order to demonstrate to the Senate and the people of Rome that he was involved with Manlius and the military camp in Etruria. Catiline fled Rome later that night, and, according to Sallust, *in Manliana castra profectus est* "left for the camp of Manlius" (Sall. *B Cat.* 32.2).³⁷ However, there are reports of conflicting opinions among the Senate as to whether Catiline left Rome to go into self-imposed exile in Massilia or was instead heading for Manlius' camp in Faesulae.³⁸ Cicero repeatedly ordered Catiline to leave Rome in the *First Oration* (cf. Cic. *Cat.* 1.10, 12, 17-20, 32-33) and intimated that some people reproached him for apparently forcing Catiline into self-imposed exile (cf. 1.22, 2.12, 15, 3.3).³⁹ Cicero refuted these rumors, declaring that *tamen latrocinantem se interfici mallet quam exsulem vivere* "He [Catiline] would rather die a bandit than live an exile" (2.16).⁴⁰ Cicero claimed it was always Catiline's intention to leave the city after Cicero was murdered.⁴¹ At this point, Cicero had only delayed the affair of 63 by exposing it and avoiding assassination. He maintained that the original plan was for Catiline to take

³⁶ For Cicero's representation of Manlius' forces waiting for Catiline's leadership, e.g. Cic. *Cat.* 1.5: *castrorum imperatorem ducemque hostium*, 1.10: *nimum diu te imperatorem tua illa Manliana castra desiderant*, 1.23: *confer te ad Manlium*, 1.27: *quem ducem belli futurum vides, quem exspectari imperatorem in castris hostium sentis*, 1.30: *quo intendit, in Manliana castra pervenerit*, 2.14: *illa castra...ducem expectant*, 2.20: *Manlius cui nunc Catilina succedit*. Cf. *Cat.* 2.1, 13; *Mur.* 78, 84-5; *Sull.* 17, 33.

³⁷ Cicero implied Catiline left Rome in a hurry. He left the city with only a few followers, cf. Cic. *Cat.* 2.4; Sall. *B Cat.* 32.1. In contrast, see n.46.

³⁸ Catiline may have sent letters to his friends declaring he was voluntarily going into exile at Massilia (Cic. *Cat.* 2.14, 16; cf. Sall. *B Cat.* 34.2). Sallust recorded a letter sent from Catiline to Q. Lutatius Catulus read out in the Senate after Catiline left Rome (Sall. *B Cat.* 35). In the letter, Catiline insinuated he was forced to leave Rome to preserve what was left of his dignity (35.4: *reliquae dignitatis conservandae*). At the time of writing the letter, whether Catiline would go into voluntary exile or join Manlius' army remains ambiguous, cf. Syme 1964, 71-2; Vretska 1976, 409-11; McGushin 1977, 194 and 199-200; Ramsey 1984, 160; Dyck 2008, 142-7.

³⁹ Dio (37.33.1) claimed that the Senate voted to exile Catiline from Rome.

⁴⁰ Cicero claimed Catiline asked the Senate to vote whether he should go into exile after Cicero disclosed his plot (Cic. *Cat.* 1.20). He consistently argued exile was never Catiline's intention (1.22-27). Cf. n.41.

⁴¹ Cic. *Cat.* 1.9: *confirmasti te ipsum iam esse esiturum, dixisti paulum tibi esse etiam nunc morae, quod ego viverem* "You confirmed that you were on the point of departure yourself, but said that you still had to wait a little longer because I was alive."; cf. 2.16: *nunc vero, cum ei nihil adhuc praeter ipsius voluntatem cogitationeque acciderit, nisi quod vivis nobis Roma profectus est* "As it is everything has so far gone according to plan and just as he wished – except that I was still alive when he left Rome." Cf. 2.1: *L. Catilinam...ex urbe vel eiecimus vel emisimus vel ipsum egredientem verbis prosecuti sumus* "We have expelled Lucius Catilina, or, if you prefer, sent him off, or followed him on his way with our farewells as he left Rome of his own accord." Dyck 2008, 127 explained the term *ipsum* in this passage implied that Catiline's plan was to leave Rome regardless whether the affair's plans had been exposed or not.

command over Manlius' army in Etruria while the other participants remaining in Rome continued to plan arson and murder within its walls (cf. 1.9, 2.6, 3.8). But there were evidently others in Rome who believed that Catiline had left for different reasons.

Our sources concur that Catiline purportedly had sent arms and money to aid Manlius' army prepare for war.⁴² Cicero declared that Catiline had already sent Manlius the *aquila argentum*, a well-known *signum militare* ('military standard') of C. Marius used in his victory against the Cimbri in 102⁴³, before the affair's plans were disclosed in the *First Oration* (Cic. *Cat.* 1.24). In the *Second Oration*, Cicero claimed that Catiline had also sent ahead other *signa militaria* to Manlius' forces including *arma* ('arms'), *securae* ('money'), *tubae* ('trumpet's'), and the *fasces* before he had left the city (2.13). Manlius' forces were furnished with equipment indicating their battle-readiness. Furthermore, the report that Catiline and Manlius' army was carrying the *fasces* was especially offensive to the established authority in Rome. The *fasces* were allowed only to accompany current consuls, praetors, and provincial governors to signify their senatorial conferment of *imperium*.⁴⁴ Catiline was praetor in 68 and was governor of Africa for two years after his praetorship.⁴⁵ Therefore, Catiline's *imperium* had elapsed, so Cicero's implication that he had falsely assumed the auspices of a magistrate with *imperium* demonstrated the factious motives of Catiline and Manlius' army. Sallust claimed that after Catiline's meeting with C. Flaminius at Arretium he traveled to Faesulae *cum fascibus atque aliis imperi insignibus* "with the fasces and other emblems of authority" (Sall. *B Cat.* 36.1). Other narratives also report that Catiline had assumed the consular insignia.⁴⁶

According to these reports, Catiline's actions before and after he left Rome indicated that he intended to join Manlius' army at Faesulae and threaten the *res publica* with this armed force. Furthermore, our sources suggest that

⁴² See n.6.

⁴³ Only Cicero claimed the *aquila* was sent to Manlius before Catiline left Rome (Cic. *Cat.* 1.24). Sallust reported that the forces in the center of the battle line led by Catiline carried Marius' *aquila* (Sall. *B Cat.* 59.3). On Marius' introduction of the *aquila* as his army's preferred standard, see Plin. *NH* 10.16. Also, Keppie 1984, 67.

⁴⁴ For the *fasces* as a symbol of *imperium*, cf. Nippel 1995, 12-5; Hölkeskamp 2011, 166-71.

⁴⁵ Cic. *Cael.* 10; Asc. 66C, 85C, 89C.

⁴⁶ Plutarch claimed Catiline left Rome accompanied by 300 followers and lictors carrying the fasces (Plut. *Cic.* 16.6). Appian reported Catiline assumed the consular insignia while traveling to Faesuale (App. *B Civ.* 2.3). Dio reported this event occurred after Catiline reached Faesuale (Dio Cass. 37.33.2).

Lentulus and the other participants, who remained in Rome, were waiting for Catiline and Manlius' forces to storm the gates of the city before they commenced with the arson and murder they had planned. Therefore, according to the literary evidence, Catiline coordinated the disturbance in northern Etruria with Manlius as his subordinate. Catiline's presumed leadership of Manlius' army is recorded, despite the accounts that Catiline had not left Rome for Faesulae until after Manlius' army was reported in arms and after the plot and his specific role as leader of this army was divulged. Our sources consistently present the events occurring outside and inside Rome as part of the same overall plan.

There is other literary evidence we can examine that connects Catiline with Manlius and the Sullan veterans in his army. Our sources record Catiline's close association with Sulla.⁴⁷ Catiline's military career began with the Social War. His name appears on the list of those serving under the general Cn. Pompeius Strabo at Asculum in 89 during the conflict. Catiline, like many *nobiles*, had military experience from a young age.⁴⁸ There is no epigraphic evidence that Catiline fought under Sulla's command during the Social War, however, according to a fragment of Sallust's *Historiae*, he served as Sulla's *legatus* when besieging an anonymous Marian stronghold still holding out against Sulla in 82 (Sall. *Hist.* 1.46). Although the location of the siege remains uncertain, Catiline's role as a leader of men is evident as the fragment in the *Historiae* stated that he held the rank of *legatus*.⁴⁹ In addition, although Manlius might have held the rank of centurion in Sulla's army, Catiline's ability as a leader of men was also testified. Cicero and Sallust both regaled Catiline commenting on his remarkable ability to endure hunger, cold, and hardship. Certainly these were important qualities during a military campaign and for a

⁴⁷ App. *B Civ.* 2.2: Σύλλα φίλος τε καὶ στασιώτης καὶ ζηλωτῆς μάλιστα γεγονώς "He [Catiline] had been a friend and zealous partisan of Sulla."

⁴⁸ In 89, Catiline was approximately nineteen years old. It was an important experience for young *nobiles* to join a military entourage to form relationships that might be beneficial for their later military and political career, see Rosenstein 2007, 44. On the list at Asculum, cf. Crinito 1970, 160-2; Mattingly 1975, 263.

⁴⁹ Sall. *Hist.* 1.46M: *magnis operibus perfectis obsidium cepit per L. Catilinam legatum* "When the great siege works had been completed, he appointed his *legatus* Lucius Catilina to conduct the siege." Cf. Keaveney and Strachan 1981, 363ff. Keaveney and Strachan argue against the hypothesis that the town Catiline besieged was Praeneste or Volaterrae and that he was too young to be a *legatus*. Following Keaveney and Strachan, McGushin (1992, 110-2) suggests the town of Aesernia was a more likely site for the siege.

commander of men.⁵⁰ Therefore, our sources' depiction of Catiline as the leader of Manlius' army is understandable.⁵¹

In addition, there is evidence that Catiline was involved in murdering those proscribed by Sulla. Asconius commented that Cicero claimed Catiline killed four men named Q. Caecilius, M. Volumnius, L. Tanusius, and M. Marius Gratidianus during the proscriptions (Asc. 84C).⁵² Cicero's brother Quintus recorded that Catiline murdered five men (Cic. *Comment. pet.* 9-10).⁵³ Nearly twenty years later, Catiline was brought to trial under the *lex Cornelia de sicariis et veneficis* for the murders during the Sullan proscriptions after he was defeated in the consular election of 64. The same year L. Annius Bellienus, a praetor in 105⁵⁴, and L. Luscius, a centurion⁵⁵, were convicted of murder due to their involvement in the proscriptions, however, only Catiline was acquitted.⁵⁶

Whether Catiline was guilty of the murders during Sulla's reign is not as significant as our sources' consistent presentation of Catiline as a man blinded with ambition to be another Sulla. According to Sallust, it was Catiline's association with Sulla that first inflamed his desire to overthrow the *res*

⁵⁰ Cic. *Cat.* 1.26: *habes ubi ostentes tuam illam praeclaram patientiam famis, frigoris, inopiae rerum omnium* "You have an opportunity to show your famous ability to endure hunger, cold and deprivation of every necessity"; 2.9: *adsuefactus frigore et fame et siti et vigiliis* 'accustomed to cold, hunger, thirst, and lack of sleep'; 3.16: *frigus, sitim, famem ferre poterat* "He could endure cold, thirst, hunger." Cf. Sall. *B. Cat.* 5.3: *corpus patiens inediae, alboris, vigiliae supra quam cuiquam credibile est* "His body could endure hunger, cold, and a want of sleep to an incredible degree". Sallust also invented a speech for Catiline delivered to Manlius and the army worthy of a competent commander instilling courage in his men before the final battle (58).

⁵¹ McGushin (1977, 280) states that Catiline's claim that he was an *imperator* is "a lie." Although Catiline was never officially hailed *imperator*, he was a seasoned soldier, therefore, Sallust should not be disparaged for using the term *imperator* imprecisely. For all intents and purposes, Sallust's depiction of Catiline as the *imperator* of Manlius's army is consistent with Cicero's representation, cf. Cic. *Cael.* 12: *vigebant etiam studia rei militaris* 'He [Catiline] was known for his vigilance and military skill'. Badian (1959, 95) suggests Catiline might have also served under Pompey in Spain or in Cilicia in the 70's.

⁵² Catiline's murder of M. Marius Gratidianus was portrayed by our sources as particularly gruesome, e.g. Sen. *Ira* 3.18.1-2. It was reported that he brought Gratidianus' freshly severed head into the Forum (Asc. 84). Gratidianus was probably a distant relative of the *Tullii Cicerones* and *Marii*. All three families hailed from Arpinum, Cicero's hometown, and Cicero's father was a brother-in-law of a *Gratidi*, see Marshall 1985, 291-2.

⁵³ The list of victims in the *Commentiarolum Petitionis* included two men from the *Titinii* and *Nannii* and excluded only the name Volumnius from Asconius' list in his commentary of Cicero's *In Toga Candida*.

⁵⁴ Asconius reported that L. Annius Bellienus was a cousin of Catiline, but this claim cannot be cross-referenced in any other source (Asc. 91C). See Marshall 1985, 307.

⁵⁵ *RE* XIII 2 (Luscius) no. 1, 1865.

⁵⁶ C. Julius Caesar was the *quaesitor* ('court president') of all three trials in 64, see *TLRR* 1990, nos. 215-17. Because Catiline was the only one acquitted accused of the same crime, Caesar's role as court president was depicted with suspicion, cf. Suet. *Iul.* 11.1; Dio Cass. 37.10.2-3. Cf. Salmon 1935, 308; Marshall 1985, 307-8.

publica.⁵⁷ Sallust proclaimed that all manner of vice among the Romans was at its peak after Sulla seized power in Rome through violent means.⁵⁸ Sallust's depiction of Catiline as another Sulla clearly helped him explain to his readers why Catiline reacted with such seemingly apoplectic rage to seek power through similar violent means in 63. Catiline's close association with Sulla reiterated his connection with Manlius' army amassing in Faesulae and Arretium.⁵⁹

There is also evidence that suggests Catiline had a connection with the regions of Etruria, Umbria, and among the Paeligni, who reportedly supported the affair in 63.⁶⁰ As a member of the *gens Sergia* and the *tribus Tromentina*, Catiline might have had a longstanding tribal connection with these regions. According to Livy, the *gens Sergia* played an active role in southern Etruria as far back as the late fifth and early fourth centuries. L. Sergius Fidenas was consul twice in 437 and 429 and military tribune with consular powers in 433, 424, and 418.⁶¹ L. Sergius Fidenas might have received his cognomen due to the wars he conducted against the southern Etruscan towns Fidenae and Veii during these years (Liv. 4.17.7, 30.5). His grandson M'. Sergius Fidenas⁶², a military tribune with consular powers in 404 and 402, and Manius' son L. Sergius Fidenas⁶³, a military tribune with consular powers in 397, were also active against the Veientes (Liv. 5.8.1-13, 16.1, 28.2). The territory near Fidenae was perhaps incorporated into the *tribus Sergia* in 426 as a reward for the tribe's activities in the area.⁶⁴

⁵⁷ Sall. *B. Cat.* 5.6: *hunc post dominationem L. Sullae libido maxuma invaserat rei publicae capiundae* "After the domination of Sulla the man [Catiline] had been seized with a mighty desire of getting control of the government."

⁵⁸ See Sall. *B. Cat.* 11.4-13.5. 11.4: *sed postquam L. Sulla armis recepta re publica bonis initiis malos eventus habuit, rapere omnes* "But after Sulla, having gained control of the state by arms, brought everything to a bad end from a good beginning, all men began to rob and pillage." Sulla's bad example first affected the army (11.6), then the young men (12.2), and then the nobility (12.5-13.5). Cf. Cic. *Off.* 3.87

⁵⁹ Sulla punished both towns for their support of the Marians.

⁶⁰ Orosius claimed L. Vettius informed Rome that the Marcelli had instigated the revolt among the Paeligni (6.6.5). Orosius reported that the Paeligni were punished for their support of the affair of 63 (6.6.6).

⁶¹ *RE* IIA2 (Sergius) no. 25, 1711-2.

⁶² *RE* IIA2 (Sergius) no. 27, 1712.

⁶³ *RE* IIA2 (Sergius) no. 26, 1712.

⁶⁴ Taylor (1960, 37 n.7) explains the conquered territory north of Fidenae was most likely incorporated into the *tribus Claudia* and the territory to the south into the *tribus Sergia* in 426. Livy reported L. Sergius Fidenas was on a three-man commission to investigate disturbances in Fidenae in 428 (4.30.5). Taylor (40) speculates he was also on the commission to protect his property around the town.

The name *L. Sergius L. f. Tro(mentina tribu)* appears on the inscription from Asculum of those in the *consilium* of the general Cn. Pompeius Strabo after he subdued the town during the Social War in 89.⁶⁵ It is accepted that the name on the list refers to Catiline, and the tribe he represented at the *consilium* was the *tribus Tromentina*. The *tribus Tromentina* was one of four new tribes organized in 387 for the people who were settled on the *ager* annexed by Rome after the fall of Veii in 396 (Liv. 6.4.4, 5.8). The territory around the towns of Perugia in Etruria and Veii were reorganized into the *tribus Tromentina* after the Social War.⁶⁶ The proximity of the towns Perugia and Veii (from the *tribus Tromentina*) to Asisium in Umbria and Fidenae (from the *tribus Sergia*) perhaps indicates the two tribes' connection.⁶⁷ Regardless of the close proximity between the territories that were incorporated into either tribe, the inscription from Asculum indicated that Catiline, originally from the *tribus Sergia*, also had connections with the *tribus Tromentina* during his lifetime.⁶⁸ Owing to the activity of the *gens Sergia* and Catiline's membership in the *tribus Sergia* and the *tribus Tromentina*, it has been suggested he still owned land in Etruria.⁶⁹ However, as mentioned, our sources concur that the bulk of Catiline's support in 63 came explicitly from Faesulae and Arretium, which are located in northern Etruria. They do not report that any town in southern Etruria supported the affair and we cannot be certain that the *Sergii Catilinae* still held influence in southern Etruria more than three centuries after the *Sergii Fidenates* were active in the area. Therefore Catiline's connection with southern Etruria remains tenuous.⁷⁰

Catiline's connection with northern Etruria is attested in the literary sources. The affair's participants were supposedly inciting disturbances in other

⁶⁵ On the inscription of the *consilium* of Cn. Pompeius Strabo, see *CIL* I² 709=ILS 8888; cf. *RE* IIA2 (Sergius) no. 12, 1691.49-54.

⁶⁶ Taylor 1960, 115

⁶⁷ Taylor (1960: 275) lists the towns incorporated into the *tribus Sergia* and *Tromentina*.

⁶⁸ Taylor (1960: 284) examines the evidence for people from one *gens* represented in more than one *tribus*.

⁶⁹ Havas 1984, 34.

⁷⁰ On Catiline owning property in Etruria, cf. Shatzman 1975, 398; Havas 1984, 34. I do not completely agree with Havas' arguments regarding Catiline's ownership of land around Fidenae generally due to the extreme length of time between the actions of the *Sergii Fidenates*, who may or may not be blood relatives of the *Sergii Catilinae*. On the other hand, Havas' hypotheses regarding Catiline's ownership of land around Veii is more cogent due to his membership in the *tribus Tromentina*. NB: Sallust reported that Catiline claimed in a letter to Q. Catulus that he owned enough *possessiones* ('estates') to pay of his debts (Sall. *B. Cat.* 35.3). Cicero also reported that some impoverished nobles attracted to the affair of 63 were not willing to sell their estates to pay off their debts (Cic. *Cat.* 2.18). Cicero is not explicit whether he included Catiline in this category, cf. Cic. *Comment. pet.* 9.

regions throughout Italy, including Umbria and among the Paeligni. As mentioned above, the territory around the town Asisium in Umbria was part of the *tribus Sergia*. Taylor explains that the towns of the Paeligni were entirely incorporated into the tribe after the Social War.⁷¹ Therefore, Catiline perhaps also had a connection with the Paeligni and a town in Umbria, two areas reported to be supporting the affair of 63.⁷²

There was typically animosity between the Sullan colonists and the original inhabitants of the towns, which I examine further in section 3.4 below. The territory near some of the towns in northern Etruria was earmarked for colonization to settle the veterans of Sulla's army.⁷³ A fragment attributed to Granius Licinianus alludes to an attack on the Sullan veterans settled in Faesulae by the original inhabitants of the town, which most likely occurred in 78.⁷⁴ The Faesulans probably attacked the Sullan veterans to recover the land that was apportioned to the colonists or land that was confiscated from them when the colony was founded. The affair the fragment most likely described immediately preceded the seditious actions by M. Aemilius Lepidus in 78/77. Lepidus was consul in 78 and was sent to quell the disturbances reported in Etruria.⁷⁵ Instead of suppressing the revolt, Lepidus took advantage of the tumultuous situation and returned with an army of the aggrieved Etruscans to the gates of Rome demanding an unauthorized consecutive consulship in order to rescind Sulla's laws.⁷⁶ His army was perhaps a peculiar mix of both Sullan colonists as well as those who were victims of the Sullan colonization.⁷⁷ Lepidus failed in his attempt to gain power in Rome and he and his army fled to Sardinia where Lepidus later died (Plut. *Pomp.* 16.6).⁷⁸

⁷¹ Taylor 1960, 111.

⁷² Reported disturbances in Umbria: Cic. *Cat.* 2.6, 26; *Sull.* 53. Among the Paeligni: Oros. 6.6.5-6. See further Section 3.4.

⁷³ For a summary of these colonies, cf. Harris 1971: 259-67; Santangelo 2007, 147-57.

⁷⁴ Gran. Lic. F36.36-7: *Faesulani irruerunt in castella veteranorum Sullanorum* 'The Faesulans broke into the Sullan veterans' stronghold.' Scardigli (1983, 129-31) argues the fragment refers to the year 78.

⁷⁵ Disturbances in Etruria were reported before Lepidus arrived in the region. Sall. *Hist.* 1.67.6: *a principio, cum Etruriam coniurare* "At the very outset, when I saw Etruria conspiring." See McGushin 1992, 129-31.

⁷⁶ Lepidus claims he had raised an army in order to free the people of Rome from Sulla's tyranny (Sall. *Hist.* 1.48.27). For the reasons for Lepidus' actions, cf. Hayne 1972, 661-8; Labruna 1975, 46-51 and 156-8.

⁷⁷ On the composition of Lepidus' forces, cf. Sall. *Hist.* 1.48.23, 67.7. Sallust stated the army loyal to the Republic that opposed Lepidus' forces consisted of colonized Sullan veterans as well (*Hist.* 1.67.21: *ad hoc coloniae veterum militum.*)

⁷⁸ On the so-called "Lepidan Revolt," see esp. Labruna 1975.

Manlius' army gathering in northern Etruria was of a similar composition to Lepidus' army. A variety of inhabitants from the region were reported to have joined Manlius' forces. Certainly Manlius and the Sullan veterans composed a significant group who reportedly supported the affair's designs in 63, but Manlius also attempted to solicit support from those who had been dispossessed due to Sulla's colonization.⁷⁹ Manlius reportedly added *latrones cuiusque generis* ('bandits of other nations') throughout Etruria to the heterogeneous army who, according to Sallust, were all desirous for a change in the government.⁸⁰

This assortment of various disgruntled groups that comprised Manlius' revolutionary army suggests how desperate Manlius was to enlist anyone willing to revolt against Rome. The claim that those who had been dispossessed by Sulla would fight alongside those who had benefited from their misfortunes, at first glance, seems inexplicable. However, Cicero and Sallust did not raise any issues concerning the diversified groups of people who were eager to join the ranks of Manlius' army in Faesulae. Instead both authors stressed the similar dire financial condition of those in the army.⁸¹ Therefore, they were able to eschew discussing the incongruence of the opposing grievances these groups might have had against the established regime.⁸² Cicero depicted the men willing to support the affair often using the term *perditus* ('financially ruined'), or its cognates, to rhetorically stress their current penury while at the same time implying an analogous reason why they joined the affair (e.g., Cic. *Cat.* 1.23).⁸³ The impoverished Sullan veterans and those that were dispossessed by the

⁷⁹ For the reasons Manlius and his army were in revolt, see Section 3.5 below. Another Sullan veteran from Faesulae was a P. Furius (Cic. *Cat.* 3.14: *P. Furium qui est ex eis colonis quos Faesulas L. Sulla deduxit* "Publius Furius, who is one of the colonists whom Lucius Sulla settled at Faesulae." Furius was sentenced to death *in absentia* on December 5, linking him with Lentulus and the others who were still in Rome (Sall. *B Cat.* 50.4). The occurrence of the term *Faesulanum* at Sall. *B Cat.* 59.3 might refer to Furius; cf. McGushin 1977, 284; Ramsey 1984, 197. If this is the case, Furius must have left for Faesulae immediately after Lentulus and the others were arrested or Cicero would not have discussed his sentence (Cic. *Cat.* 3.14). See also Appendix I [no. 23].

⁸⁰ Sall. *B Cat.* 28.4: *egestate simul ac dolore iniuriae novarum rerum cupidam* "who were already ripe for revolution because of penury and resentment at their wrongs."

⁸¹ The term is used to specifically refer to the extreme poverty of the various groups targeted by the conspiracy to join Manlius' army in Etruria, cf. Cic. *Cat.* 2.24, 25; Sall. *B Cat.* 28.4. Cicero and Sallust used other related adjectives to describe the extreme poverty of Manlius' army: *egens* (Cic. *Cat.* 2.20; Sall. *B Cat.* 33.1); *inops* (Cic. *Cat.* 2.24; Sall. *B Cat.* 33.2); *tenuus* 'meagre' (Cic. *Cat.* 2.20). Sallust also described those in the army as *miseri* (Sall. *B Cat.* 33.1, 2, 5).

⁸² For the composition of Manlius' army, cf. Harris 1971, 289-94; Santangelo 2007, 188.

⁸³ OLD (*perditus*) s.v.1. The term *perditus* also had a sacrilegious meaning (s.v. 4), cf. Hellegourac'h 1963, 532-4.

Sullan settlements in northern Etruria, who composed Manlius' army, had nothing to lose. Their current financial situation could not get worse. Therefore, their homogeneous penury was apparently the reason behind the heterogeneous composition of the army in Faesulae. These depictions of the army's poverty further linked them with the indebted participants involved in the affair remaining in Rome.

3.3 The *SCU* and *hostis* declarations of 63

The reasons why Cicero consistently linked Catiline with Manlius' army are clear. It was important for Cicero to associate the intended violence in Rome with the reports of disturbances in Faesulae, so he could persuade the Senate that the *res publica* faced a "dual-threat" from both inside and outside Rome. This connection supported Cicero's claim and apparently convinced the Senate that the threat was genuine and imminent. Our sources report that the Senate made the executive decision to award the consuls supreme power to defend the *res publica* by any means available.

According to Cicero's chronology of the affair of 63, it was October 21 when he reported in the Senate that Manlius' insurrection would take place on October 27 (Cic. *Cat.* 1.7).⁸⁴ The Senate declared the *Senatus Consultum Ultimum* (*SCU*) after the report of Manlius' insurrection was heard.⁸⁵ In sum, the *SCU* was an ambiguous decree that gave the consuls extraordinary powers to protect the *res publica* using any means available until the threat to its stability was suppressed.⁸⁶ However, it should be noted that the narratives

⁸⁴ Settle (1962, 136) explained Cicero probably made several speeches in the Senate before the *First Oration* on November 8, including the speech on October 21; cf. Cic. *Mur.* 51. Sallust, in contrast to Cicero's timeline, claimed the report of Manlius' insurrection occurred *post paucos dies* "a few days later" after they were in arms October 27 (Sall. *B Cat.* 30.1). The other narratives did not mention specific dates for Manlius' insurrection or the declaration of the *SCU*.

⁸⁵ Cicero stated the *SCU* was decreed 20 days before the date of the *First Oration* on November 8 (Cic. *Cat.* 1.4). This chronology does not match with Cicero's report in the Senate of Manlius' insurrection on October 21 (1.7). Asconius stated the *SCU* occurred 18 days before the First Oration, demonstrating that the *SCU* was passed on October 21 or 22 (Asc. 6C). Dyck (2008, 73) claims Cicero simply rounded the days up. On the other hand, Sallust's timeline of events claimed the report of the insurrection occurred after October 27, see n.84. Sallust dated the declaration of the *SCU* in November after Cicero's *First Oration* (Sall. *B Cat.* 29.1-3). However, Sallust was not always concerned with the exact date of events for narratological reasons, see McGushin 1977, 296-7.

⁸⁶ The *SCU* typically occurred due to a certain and clear threat of violence against the *res publica* instigated by Roman elites. For a description of the extralegal powers bestowed to the consuls by the *SCU*, cf. Cic. *Rab. perd.* 20-21; *Cat.* 1.3-4; *Leg.* 3.8; *Caes. B Civ.* 1.5.3, 7.5; Sall. *B Cat.* 29.2; Asc. 6C; Plut. *Cic.* 15.5; Dio Cass. 37.31.2. On the ambiguity of the *SCU*, cf. Last 1932, 85; Medner 1966; Lintott 1968, 152; Mitchell 1971; MacDonald 1977, 567-74; McGushin

written by Plutarch and Dio claimed the *SCU* of 63 was declared not only due to the report of Manlius' insurrection, but also due to the report that Cicero had received anonymously written letters warning several of the Roman elite about the imminent violence planned to occur in Rome. Both writers claimed the letters were first sent to Crassus, who then gave them to Cicero (Plut. *Cic.* 15.2-4; *Cras.* 13.3; Dio 37.31.1).⁸⁷ The letters were read out in the Senate and the almost simultaneous report of Manlius' forces amassing in northern Etruria led to the declaration of the *SCU* (Plut. *Cic.* 15.4-5; Dio 37.31.2). Plutarch and Dio's narratives most likely included these almost simultaneous reports of violent threats both inside and outside Rome to explain to their readers why the Senate decided to award the consuls extralegal means to suppress the affair.⁸⁸

On the other hand, Cicero's explanation of why the Senate declared the *SCU* is more intricate. Cicero did not mention the letters from Crassus.⁸⁹ As I noted earlier, he consistently claimed that all the affair's designs were discovered through his own diligence.⁹⁰ When Cicero delivered the *First Oration* on November 8, although the original speech was most likely revised later⁹¹, the report of the army in Faesulae was the only documented threat to the stability of the *res publica*. In the *First Oration*, Cicero, referred to an earlier speech he delivered in the Senate on October 21 after the report of the army amassing in Etruria. Cicero reiterated that in his earlier speech he had correctly predicted that Manlius' forces would take up arms on October 27 and professed that this was the reason the *SCU* was declared after his speech on October 21 (Cic. *Cat.* 1.6-7). However, to further defend that the passage of the *SCU* was

1977, 304-8; Vanderbroeck 1987, 156-60; Ansuategui 1990; Drummond 1995, 88-94; Lintott 1999, 89-93; Morstein-Marx 2004, 226-9.

⁸⁷ Plutarch suggested Crassus gave Cicero the letters to allay any suspicion that he was involved with the affair of 63 (Plut. *Cic.* 15.3). NB: Plutarch made a contradictory claim in his *Life of Crassus*, stating Cicero believed the letters Crassus gave him divulging the plot did not allay suspicion but incriminated Crassus instead (Plut. *Cras.* 13.3). See also n.89.

⁸⁸ Plutarch and Dio did not give a specific date for the *SCU*.

⁸⁹ Plutarch explained that although Cicero's Greek memoir on his consulship was his source for the anecdote about Crassus and the letters, the speech was not published until after both Cicero and Crassus were dead and is now lost (Plut. *Cras.* 13.3). Cf. Chapter 2 n.115. Plutarch remarked that Cicero's memoir claimed Crassus (and Caesar) supported the affair of 63, but Cicero apparently refrained from publishing the speech due to his later friendship with Crassus (13.4). Cf. Pelling 1985, 311. On Cicero and Crassus' capricious relationship, see Chapter 2 n.118.

⁹⁰ Cf. Chapter 2 n.32. MacKendrick (1995, 65 and 97-8) notes the preponderance of Cicero's usage of *ego* and first person singular verbs in the four *Orationes*. On the other hand, Sallust reported Q. Curius through his lover Fulvia informed Cicero of the affair's plans (Sall. *B Cat.* 23.4, cf. 28.2). Appian's narrative follows Sallust (App. *BC* 2.1.3). Plutarch also mentioned Fulvia's role as an informer but not Curius (Plut. *Cic.* 16.2). See Appendix I, [nos. 18 and 20].

⁹¹ On the debate concerning the possible revision of the *Orationes*, see Introduction nn. 4-5.

a necessity, Cicero recalled several other hostile actions apart from the insurrection reported in Faesulae that were attempted before the *First Oration* was delivered (1.3-4).

Cicero declared that he knew Catiline and his associates planned to murder many leading citizens and that he took the appropriate precautions to defend the Senate and the planned assassinations were postponed (Cic. *Cat.* 1.7). Cicero also proclaimed that on the night of November 1 Catiline and his associates planned to occupy Praeneste, a town 23 miles east of Rome in Latium. Cicero was aware of the planned attack and ordered the town to be defended. Again, Catiline and his associates' plans were prevented due to Cicero's countermeasures (1.8).⁹² Lastly, Cicero claimed Catiline had persuaded two men to assassinate Cicero on the morning of November 7, which he was able to prevent. He implied that the application of the extralegal powers of the *SCU* would spell disaster for the participants' plans (1.9).⁹³

Cicero depicted Manlius' insurrection as a connected event to the aborted plans by Catiline and the others in Rome to murder the leading citizens on October 28, to assault Praeneste on November 1, and to murder Cicero on November 7. Although Manlius' forces had taken the field before these plans were thwarted, Cicero insisted the insurrection in northern Etruria was a part of the original plan to threaten the *res publica* in 63. The *SCU* was decreed initially due to the report of Manlius' army at Faesulae, but according to Cicero, the armed revolt was Catiline's plan. Cicero proclaimed *habemus senatus consultum in te, Catilina, vehemens et grave* "We have a decree of the Senate against you, Catiline, a decree of power and authority" (Cic. *Cat.* 1.3). As mentioned, the same people reported to be in Manlius' army purportedly supported Catiline during the consular elections of 63, so Cicero's claim that the two events were associated was reasonable. He recounted earlier precedents when the *SCU* was declared against Roman citizens that threatened the stability of the *res publica* (1.3-4).

The *SCU* was first decreed in 121 against the supporters of the ex-tribune C. Sempronius Gracchus who were armed on the Aventine. L. Opimius, the consul of 121, ordered an attack on these citizens, and Gracchus, the ex-

⁹² Cicero is the only source to mention the night attack on Praeneste. Praeneste was the site of a Sullan colony, therefore an area where those involved in the affair of 63 expected to find support, see section 3.4.

⁹³ Cicero claimed Catiline had wanted him killed earlier during the elections of 63, cf. Cic. *Cat.* 1.11; *Mur.* 52.

consul M. Fulvius Flaccus, his sons and others were killed in the affray. Those of Gracchus' supporters who were captured or surrendered were executed on Opimius' orders (App. *B Civ.* 1.25-26). A year later, Opimius was charged with the murder of these citizens without allowing them a proper trial, but was acquitted because he operated under the *SCU* (Liv. *Per.* 61). Cicero also recounted the occupation of the Capitol by armed supporters of the tribune L. Ampuleius Saturninus and the praetor C. Servilius Glaucia in 100. Subsequently, the Senate declared the *SCU*. The consuls C. Marius and L. Valerius Flaccus armed those who remained loyal to the *res publica* and attacked Saturninus and Glaucia's supporters (App. *B Civ.* 1.32). The two magistrates Saturninus, Glaucia, and other influential citizens died in the assault, but Marius and Valerius were never tried for their actions. Apparently the consuls were exculpated because the *SCU* gave them the right to protect the *res publica* by any means (Cic. *Rab. perd.* 20-4, 26-8).⁹⁴ Cicero used these examples to explain that the *SCU* practically gave him the power to execute those who were threatening the *res publica*, specifically Catiline (Cic. *Cat.* 1.4). Clearly, Cicero believed the *SCU* gave the consuls the ability to protect the *res publica* with impunity and, if necessary, he was willing to exercise the extraordinary authority that was awarded to him.⁹⁵

If Cicero was correct about Catiline's intention to join Manlius, then the consul could act against any action, or anyone, he thought were connected with the affair under the *SCU*. However, when the *First Oration* was delivered, the accusations against Catiline and the other anonymous members were based on unsubstantiated evidence, except for Manlius' forces that were openly threatening Rome. Cicero had to wait until Catiline was confirmed to be heading for Manlius' camp after November 8 and Lentulus and the others confessed to their association with Catiline and Manlius' forces on December 3. Therefore, Cicero's primary concern was connecting Catiline with Manlius' forces in the *First Oration*. In this way, he linked the subversive activities reported to be occurring inside and outside of Rome. He wanted to explain to

⁹⁴ Tyrrell 1978, 79-81.

⁹⁵ The *SCU* might have been declared against Sulla's march through Italy in 83. Appian suggested that Sulla was declared a *hostis rei publicae* and the consuls C. Norbanus and L. Scipio and the ex-consul Carbo levied armies to protect Rome (App. *BC* 1.81-2). Gabba (1967, 217-9) argues the language in these passages implies the *SCU* had also been declared. The *SCU* was most likely passed against Lepidus' insurrection in 78/77 (Sall. *Hist.* 1.67.22).

his readers why the *SCU* was a necessary measure to defend the *res publica* from the “dual-threat” to its stability.⁹⁶

The Senate’s decision to declare the *SCU* apparently led the Senate to declare Catiline and Manlius *hostes rei publicae* (‘enemies of the Republic’). Once a Roman citizen was officially declared a *hostis*, he would be deprived of his rights as a citizen of the *res publica*.⁹⁷ Both Cicero and Sallust frequently used the term *hostis* when referring to Manlius or his army, implying that anyone associated with the disturbance in Faesulae was perceived to be *hostes rei publicae*.⁹⁸ In the *First Oration*, Cicero called Manlius’ cantonment in northern Etruria a *castrorum hostium* “a camp of enemies” and stated that Catiline would be *imperatorem ducemque* “the general and leader” of this camp (Cic. *Cat.* 1.5).⁹⁹ Cicero continued to imply Catiline was a *hostis rei publicae*¹⁰⁰, and ended the *First Oration* proclaiming that all the affair’s supporters were acting like *hostis patriae* “public enemies of their native land” (1.33). Sallust wrote that when Catiline left Arretium for Manlius’ camp in Faesulae *cum fascibus atque aliis imperi insignibus* “with the fasces and the other emblems of authority”, the Senate then declared them *hostes* (Sall. *B Cat.* 36.1-2).

According to Sallust’s timeline of events, the *hostis* declarations occurred after the declaration of the *SCU*. On the other hand, Cicero only implied that Catiline and Manlius were declared *hostes rei publicae* and was not exact as to when these declarations might have occurred.¹⁰¹ After Catiline left Rome to join

⁹⁶ NB: Cicero made a contradictory statement in the *Second Oration* and the *Pro Sulla* claiming there was no *tumultus* (‘commotion’) formally declared in 63 (Cic. *Cat.* 2.26, 28; *Sull.* 33). But surely this was rhetoric and did not explicitly refer to the *SCU*, cf. Berry 1996, 204; Dyck 2008, 160. The formal declaration of a *tumultus* before a *bellum* (‘war’) was perhaps not a prerequisite for the declaration of the *SCU*; cf. Cic. *Leg.* 3.9; *Phil.* 5.34. For the usual declaration of a *tumultus* before the declaration of *bellum* cf. Cic. *Phil.* 8.2-3, 12.17. See further, Jal 1963c. On the other hand, perhaps, there was no *tumultus* declared because the threat in 63 was not entirely identifiable, see Drummond 1995, 81-8.

⁹⁷ Cf. Cic. *Cat.* 2.27, 3.15, 4.10, 13, 22. Jal 1963b, 55-6.

⁹⁸ Cicero and Sallust used the term *hostis* to refer to: i) Catiline: Cic. *Cat.* 1.5, 13, 27, 2.1, 3, 4, 12, 17, 3.17, 4.16; *Mur.* 83; Sall. *B Cat.* 31.8, 36.2, 52.25, 35; ii) Manlius: Cic. *Cat.* 2.1; Sall. *B Cat.* 36.2; iii) Manlius’ army: Cic. *Cat.* 1.5, 27, 2.1, 2.15; Sall. *B Cat.* 48.4, 52.25, 35, 60.2, 5, 61.4, 8; iv) those remaining in Rome: Cic. *Cat.* 2.11, 27, 3.22, 27, 28, 4.13, 15, 16; *Mur.* 84; *Sull.* 15 (Autronius), 19; Sall. *B Cat.* 52.25, 30, 35 and v) implicitly to everyone involved: Cic. *Cat.* 1.31, 2.27, 3.25, 27, 28; 4.13, 15, 22; *Mur.* 84, *Sull.* 32, 76, 88; Sall. *B Cat.* 52.10. For Cicero’s usage of *hostis* concerning the affair of 63, cf. Jal 1963b, 65-6; Drummond 1995, 81-8; Vasaly 1996, 51-3. On the political use of the term in general, cf. Hellegourac’h 1963; Jal 1963b 53-4; Bauman 1973, 270.

⁹⁹ Cf. Cic. *Cat.* 2.15: *L. Catilinam ducere exercitum hostium* ‘Lucius Catilina is leading an army of enemies’.

¹⁰⁰ Cic. *Cat.* 1.13, cf. 1.27.

¹⁰¹ Catiline left Rome on the night of November 8 by the via Aurelia (Cic. *Cat.* 3.6). Cicero reported that Catiline stopped at the Forum Aurelium, about sixty-five miles from Rome, to collect more arms and men (2.24). Apparently, he did not stay long. In the *Second Oration*

Manlius, Cicero claimed *palam iam cum hoste nullo impediante bellum iustum geremus* “We shall now wage open war without hindrance upon a public enemy” (2.1).¹⁰² Later in the speech, Cicero remarked that Catiline admitted his public enemy status by joining Manlius’ army. Cicero questioned *sed cur tam diu de uno hoste loquimur et de eo hoste, qui iam fatetur se esse hostem, et quem, quia, quod semper volui*, “Why, though, am I talking so long about one enemy, an enemy at that who now admits that he is an enemy” (2.17). These statements imply that since Catiline chose to join Manlius, both citizens and their army were now considered *hostes rei publicae* and had forfeited their citizenship. When Catiline and Manlius’ army met the armies loyal to the *res publica* on the battlefield, Cicero emphasized the legitimacy of the engagement because it was aimed against recognized *hostes* under the auspices of SCU. In the *Pro Murena* delivered some time after the *Second Oration*, perhaps in late November, Cicero insinuated that Catiline was officially adjudged a *hostis rei publicae* (Cic. *Mur.* 83).¹⁰³

Cicero reminded the people that the SCU and the *hostis* declarations of 63 were aimed against *hostes, tamen quia nati sunt cives* ‘enemies who, however, were born citizens’ (Cic. *Cat.* 2.27). He quoted the *lex Sempronia de capite civis Romani* passed by C. Sempronius Gracchus in 123, which reiterated that a Roman citizen was allowed to appeal to the public before being punished. However, one of the stipulations of the Sempronian law stated that *qui autem rei publicae sit hostis eum civem esse nullo modo posse* “an enemy of the Republic cannot in any respect be regarded as a citizen” (4.10).¹⁰⁴ Although these statements implicitly referred to the citizens remaining in Rome involved with the affair, the army in northern Etruria and the people of other regions outside the city that were reported to be supporting the affair were

delivered on November 9, Cicero claimed *triduum* (‘three days’) later Rome would be receiving news of Catiline’s arrival in Faesulae (2.15). On the other hand, Sallust claimed after Catiline left Rome he stopped for a *paucos dies* in Arretium with C. Flaminius to collect arms and men then went on to Faesulae (Sall. *B Cat.* 36.1). Which route Catiline took to travel the approximately 150 miles from Rome to Faesulae remains debatable. However, by late November Catiline must have been reported at Faesulae for the authors to claim he was declared a *hostis rei publicae* (Cic. *Mur.* 83; cf. Sall. *B Cat.* 36.2), see n.103.

¹⁰² Cf. Chapter 4.4.

¹⁰³ Cf. Cic. *Mur.* 83: *hostis rei publicae iudicaret*; Sall. *B Cat.* 36.2: *senatus Catilinam et Manlium hostes iudicat*. The verb *iudicare* most likely refers to the official ‘verdict’ of Catiline and Manlius’ *hostes* declaration, see OLD (*iudico*) s.v. 2-4. On the date of the *Pro Murena*, see Chapter 2 n.1.

¹⁰⁴ Cf. Cic. *Rab. perd.* 12; *Sest.* 61; *Clu.* 151, 154. See Lintott 1999, 92.

Roman citizens as well. Therefore, any citizen who supported the affair of 63 was considered an “enemy” by extension.

Clearly, it was important legally for Cicero to prove that Catiline was in Manlius’ army, just as it was for Cicero to prove that Lentulus and those remaining in Rome were connected with Catiline and Manlius’ army by revealing Lentulus’ letter to Catiline discussed in the previous chapter. Cicero needed to portray the disturbances occurring inside and outside Rome as connected activities. Therefore, under the authority awarded by the *SCU*, he took the appropriate precautions to protect Rome and Praeneste. He also took further precautions against the regions outside the city, which he believed were supporting the affair, examined in the following section. Consequently, the “enemies” in Rome and the “enemies” emerging in many regions throughout Italy could also be attacked with impunity under the authority of the *SCU* and as *hostes rei publicae*.¹⁰⁵ Cicero’s countermeasures of ordering subordinates to levy armies to suppress Catiline and Manlius’ forces in northern Etruria and the other disturbances outside Rome were perhaps legally justified due to the *SCU* and *hostis* declarations of 63.¹⁰⁶

3.4 The disturbances outside of Rome

All of our sources concerning the affair of 63 reported disturbances occurring in many regions throughout Italy that year. Disturbances were reported not only in northern Etruria, but also in parts of Latium, Umbria, Picenum, Apulia, Campania, Bruttium, Cisalpine and Transalpine Gaul.¹⁰⁷ Our

¹⁰⁵ Cicero admitted others believed his actions against the affair of 63 were severe and bordered on tyranny, cf. *Cic. Cat.* 4.9; *Sull.* 21-33. Caesar clearly thought the death sentence of Lentulus and the others on December 5 without a trial was considered illegal, cf. *Cic. Cat.* 4.10; *Sall. B Cat.* 52.40-42. See, Drummond 1995, 95-114. Cicero never formally stood trial for his actions in 63, but the odium he received due to the executions forced him into voluntary exile and persisted for the rest of his life, e.g. *Cic. Phil.* 7.4.

¹⁰⁶ This explained how Cicero was allowed to bestow *imperium* on certain magistrates without military jurisdiction to subdue the areas in Campania, Apulia, and Umbria. See, Stewart (1995), 62-4.

¹⁰⁷ Except for the disturbance in northern Etruria, there are discrepancies in our sources where the other disturbances took place. Cicero reported other disturbances at Praeneste in Latium (*Cic. Cat.* 1.8), Apulia, Picenum, Umbria (2.5-6, 3.14; *Sull.* 53), and Capua in Campania (*Cic. Sest.* 9). Sallust reported other disturbances in Apulia (*Sall. B Cat.* 27.1, 30.2-3, 42.1), Picenum (27.1, 30.5, 42.1), Capua (30.2, 5, 7) and included Cisalpine and Transalpine Gaul and Bruttium (42.1). Plutarch reported disturbances in Cisalpine Gaul (*Plut. Cic.* 10.5) and in general among the Sullan veterans throughout Italy (14.2). Appian reported disturbances in Apulia, Picenum, and in general among the Sullan *coloniae* throughout Italy (*App. BC* 2.2). Suetonius reported connected disturbances in Bruttium (*Suet. Aug.* 3.1). Dio reported disturbances in Cisalpine and Transalpine Gaul (37.33.4) and after 63 throughout anonymous areas (37.41.1). Orosius reported disturbances in Bruttium and among the Paeligni after 63 (*Oros.* 6.6.5-7).

accounts echo Cicero and Sallust's versions of the events, which depict all of the disturbances occurring outside of Rome as connected actions planned by those originally associated with the affair inside the city. As demonstrated above, we are told that Manlius was Catiline's client and that Catiline ordered Manlius to raise an army in Faesulae. The other elites involved in the affair probably had connections outside Rome, too. They perhaps sent their clients or associates to other regions to solicit support for the affair. For example, Lentulus and the other participants in Rome most likely sent M. Caeparius, a *domus nobilis* from Terracina, to Apulia.¹⁰⁸ Moreover, other Sullan veterans, like Manlius, were claimed to be enlisting support for the affair in Sullan *coloniae* in other parts of the peninsula.¹⁰⁹

However, the reports of the disturbances outside Rome except for the one in northern Etruria are generally unsubstantiated. This section explores the reasons why these regions, listed above, were perhaps more susceptible to supporting the affair's aim of overthrowing the current established authority in Rome than others. Some of the towns in these regions had supported the Marians in their struggle against the Sullans in the late 80's. After Sulla's victory, he confiscated land and property from some of these towns as punishment. As a reward for their service, he settled his veterans in *coloniae* on the disputed land.¹¹⁰ The Sullan colonists and the original inhabitants of Faesulae came to blows not long after the colony was founded.¹¹¹ However, as explained above, Manlius' army in Faesulae was composed of Sullan colonists and those who had been dispossessed by the foundation of the colony brought

¹⁰⁸ Whether M. Caeparius was originally ordered by Catiline to solicit support in Apulia before the latter left Rome is unknown. Cicero claimed he knew who Catiline had sent to Apulia (Cic. *Cat.* 2.6), but does not mention Caeparius' by name until the *Third Oration* (3.14). Therefore Caeparius was still in Rome on December 3, which suggests that Lentulus and those remaining in the city ordered him to go to Apulia to perhaps help C. Iulius (Sall. *B Cat.* 27.1), or whomever Catiline might have sent to the region before Caeparius. Caeparius' influence in Apulia is indeterminable. See Appendix I, [no. 5].

¹⁰⁹ Sallust reported Catiline sent Manlius to Faesulae, Septimius to Picenum, and C. Iulius to Apulia. Catiline sent other anonymous Sullan veterans *praeterea alium alio, quem ubique opportunum sibi fore credabat* "others too to other places, wherever he [Catiline] thought that each would be serviceable to his project" (Sall. *B Cat.* 27.1). Perhaps Septimius and C. Iulius were Sullan veterans because they were mentioned besides Manlius. However, Septimius was from Camerinum, which was not a site for Sullan colony. See Appendix I, [nos. 25 and 35].

¹¹⁰ Sulla's veterans were not the only group who benefited from the division and confiscation of land. The elites from Rome and the local *domi nobiles* that supported Sulla also benefitted, cf. Cic. *S. Rosc.* 20-1; *Leg. Agr.* 3.3; Plut. *Crass.* 6.7; Liv. *Per.* 89. See also, Keaveney 1982, 533-4 and 1984, 149-50 and 2005, 153-5. For the impact of colonial settlement on the economy, cf. Wulff Alonso 2002, 276-9; De Ligt 2004, 753-5.

¹¹¹ See n.74. For the reaction to the Sullan colonies specifically in Etruria and Umbria, see Harris 1971, 271-89.

together by their poor financial situation. Cicero and the other authors, who reported the disturbances in other regions outside Rome, chose areas that had similarly been disrupted by the Sullan settlement. Our sources implied that the disturbances outside Rome had different causes and reasons than the disturbances in northern Etruria. Therefore, when our sources chose to depict the disturbances inside and outside of Rome as connected, it sounded more plausible if the disturbances outside the city were located in regions that contained the two groups willing to support the affair in 63 outside Rome, i.e., the Sullan veterans and the people dispossessed by Sulla. However, these were not the only two groups of people that those involved with the affair were allegedly soliciting, as we shall see when I examine the disturbances in Apulia and Capua in Campania later in this section.

According to Appian, Sulla settled around 120,000 veteran soldiers throughout Italy.¹¹² Although Appian's estimate was most likely high,¹¹³ Sulla established about twenty *coloniae* throughout Italy offering the veterans and their families plots of land as a reward for their service.¹¹⁴ The typical soldier in the Late Republican Roman army was from the lower classes of society.¹¹⁵ The *stipendium* and the chance for booty were reasons for some to enlist¹¹⁶, but the opportunity to receive an allotment of land within the territory they conquered or on the *ager publicus* in Italy after their military service was something wholly more tangible.¹¹⁷ By the time of Sulla's settlement, unoccupied land that was

¹¹² App. *B Civ.* 1.104; cf. Liv. *Per.* 89. Harris 1971, 260 speculates if each Sullan veteran received at least ten *iugera* each then approximately 1,162 square miles of land was distributed to Sullan colonists.

¹¹³ Brunt (1971, 305) suggests the number of Sullan veterans was closer to 80,000.

¹¹⁴ Appian reported Sulla promised rewards to his veterans (App. *B Civ.* 1.57). Patterson (2006, 189) estimates Sulla established at least twenty colonies. The number of Sullan *coloniae* established remains debatable, cf. Salmon 1969, 161-3; Santangelo 2007, 145-57. On the colonies in general, cf. Brunt 1971, 300-12; Patterson 2006, 205-6. On land rewards in the Roman army, cf. Brunt 1962, 79-84; Keppie 1984; Broadhead 2007, 158-62.

¹¹⁵ Especially after Marius' reform of 107, which abolished the property requirements to join the Roman army, cf. Smith 1958, 12-3; Wiseman 1969, 61; Brunt 1988, 271; Goldsworthy 1996, 30-1; Broadhead 2007, 159. Gabba (1976, 30-1) argues that the composition of the Roman army was primarily from this class before Marius's reform.

¹¹⁶ On how land acquired by the Roman army was used, cf. App. *B Civ.* 1.7; Vell. Pat. 1.15.5. The *stipendium* alone was not enough to subsist on for a soldier of the Late Republic, cf. Smith 1958; Watson 1958, 113ff; Brunt 1962, 77; Keppie 1984.

¹¹⁷ The Sullan colonies were apparently located in forests and swamps (Sall. *Hist.* 1.67.23). This passage was surely rhetorical, as not all the Sullan land allotments were on undesirable land. There is evidence that some of the towns where Sullan colonies were founded might have benefited the community as a whole, cf. Guidobaldi 2001, 85-90; Keaveney 2005, 155; Santangelo 2007, 66 and 191.

deemed *ager publicus* in Italy had certainly shrunk.¹¹⁸ However, Sulla, in part, established these viri-tane colonies to garrison his troops in case he needed to raise an army to check any further defection in Italy.¹¹⁹ Land was confiscated from those towns that opposed Sulla as punishment.¹²⁰ Locals from the areas intended for settlements had no recourse to dispute the soldiers' claim to the land, as these settlements were considered part of the *ager publicus* it was the decision of the Roman Senate who could claim ownership.¹²¹ Patterson explains that the mass enfranchisement of people after the Social War made the establishment of colonies in the peninsula more prone to conflict.¹²² The foundation of the Sullan colonies on disputed land understandably provoked tension between the colonists and the original inhabitants of these communities. Therefore, it is understandable why our sources reported that the army in Faesulae consisted of both these disgruntled citizens.

Arretium, another town in Etruria, supported the affair of 63.¹²³ Cicero had warned the Senate that *castra* ('military camps') were emerging *in Etruriae faucibus* "in the passes of Etruria" (Cic. *Cat.* 1.5). Although Cicero specifically located the disturbance in northern Etruria at Faesulae, he had claimed other Sullan colonists from Arretium supported Catiline's candidacy in the elections of 63 (*Mur.* 49). Sallust reported that before Catiline arrived in Faesulae he met with C. Flaminius at Arretium to gather more troops and weapons (Sall. *B Cat.* 28.4).¹²⁴ Similar to Faesulae, Arretium was disrupted by the Sullan colony founded on its territory.¹²⁵ Arretium supported Marius in the civil war against Sulla. After Sulla's victory, Cicero reported in the *Pro Caecina* that Arretium was deprived of the *ius civilis*, its civil rights, and some of its land was confiscated for the Sullan *colonia* (Cic. *Caec.* 97).¹²⁶ Cicero claimed there were

¹¹⁸ On the availability of the *ager publicus* in Italy, cf. Howarth 1999, 283-4; Patterson 2006, 208; Broadhead 2007, 158. Rooselaar (2010, 284) states that since the Gracchi, the amount of *ager publicus* was inadequate for Sulla's colonies.

¹¹⁹ App. *B Civ.* 1.100; cf. Cic. *Leg Agr.* 2.73. See also, Keaveney 2005, 169.

¹²⁰ Cf. App. *B Civ.* 2.94. Brunt (1971, 301-5) argues that the confiscation of land during the Sullan proscriptions was not assigned to Sulla's veterans.

¹²¹ Cf. Richardson 1980, 9-10; Drummond 1999, 141-52.

¹²² Patterson 2006, 210.

¹²³ Arretium was in northern Etruria approximately 50 miles to the southwest of Faesulae and 140 miles from Rome.

¹²⁴ C. Flaminius was perhaps either a Sullan veteran, *domus nobilis*, or a client of those involved with the affair of 63. See Appendix I, [no. 19].

¹²⁵ Plin. *NH* 3.52. Cf. Harris 1971, 261-3. NB: There is no evidence that the Arretines attacked the colonists similar to what occurred in Faesulae.

¹²⁶ In 69, Cicero defended A. Caecina, an influential citizen from Volaterrae in northern Etruria, concerning a dispute over his inheritance of a farm from his late wife. The prosecution attacked

disputes over the partition of confiscated land during Sulla's settlement program in Arretium.¹²⁷ Evidently, the establishment of Sullan *coloniae* had similar effects on several towns in northern Etruria.¹²⁸ Therefore, Cicero and Sallust's claim that Arretium supported the affair of 63 was logical.¹²⁹

I already mentioned Cicero's claim that he defended the town of Praeneste in Latium from a planned assault by those involved with the affair on November 1 (Cic. *Cat.* 1.8). Praeneste had had a long history of being both a close ally and an enemy of Rome. After the Social War, the town was awarded the status of a *municipium* and probably given the *ius civitatis*.¹³⁰ Praeneste was one of the final bastions for Marian support. Marius' son, C. Marius held out against a siege of the town led by the Sullan general Q. Lucretius Ofella.¹³¹ After the town was besieged, Appian and Strabo reported that Sulla had most of the male population killed (cf. App. *B Civ.* 1.94, Strabo 5.4.11). This massacre is probably overstated by our sources.¹³² Nevertheless, we can assume that the demography of Praeneste was altered dramatically by Sulla's vengeance. Presumably, Sulla's veterans were the primary beneficiaries of the punishment of the town. Cicero confirmed that a Sullan colony was established on Praeneste's territory, suggesting some land had been awarded to the colonists (Cic. *Cat.* 1.8).¹³³ Therefore, Praeneste, according to Cicero, was a logical

Caecina's claim to the farm, reminding the jury that Sulla had stripped Volaterrae of its citizenship. Cicero argued that Sulla's action was illegal and defended Caecina's right to an inheritance as a citizen of Rome, see esp. Cic. *Caecin.* 95-102. At *Caecin.* 97, Cicero recalled his successful defense of an Arretine woman's claim to citizenship while Sulla was alive, proving the illegitimacy of Sulla's removal of the *ius civitatis* from towns that were enfranchised after the Social War.

¹²⁷ Cicero claimed Sulla confiscated land from the Etruscan towns Volaterrae and Arretium for the establishment of his *coloniae* (Cic. *Att.* 1.19.4).

¹²⁸ Sulla unconstitutionally stripped both Volaterrae and Arretium of the *ius civitatis*. For Volaterrae: Cic. *Caecin.* 18; *Dom.* 79. For Arretium: *Caecin.* 97. Whether Faesulae was also stripped of its citizenship is inconclusive.

¹²⁹ Whether the Arrentines who supported the affair of 63, like the Faesulans, were a mix of Sullan veterans and those who Sulla dispossessed is debatable, cf. Harris 1971, 279-84; Santangelo 2007, 188.

¹³⁰ On Praeneste's complex relationship with Rome up until Marius and Sulla's civil war, see Santangelo 2007, 137-45.

¹³¹ C. Cichorius (1922, 173) suggests Catiline was involved in the siege with Ofella at Praeneste, cf. n.49. Marius' son committed suicide when Praeneste was besieged, effectively ending the civil war (App. *B Civ.* 1.94).

¹³² On Sulla's treatment of Praeneste, see Santangelo 2007, 143-6. There is evidence that some local elites from towns that supported Marius in the civil war switched allegiance to Sulla and were spared punishment, see Jehne and Pfeilschifter, 2006.

¹³³ Cf. Cic. *Leg. Agr.* 2.78, 3.14. Cicero mentioned the profit Sullan veterans expected by selling their allotted land to the ten commissioners, who had the authority to buy their land if the law had passed, cf. Drummond 2000, 139-41.

place for the affair's participants to attempt to seize.¹³⁴ Furthermore, if Praeneste was captured, then those involved with the affair had a stronghold less than a day's ride from Rome.

Cicero doubtlessly thought it was advantageous to report his prevention of the attempted assault on Praeneste. Firstly, due to its proximity to Rome, an army of Sullan colonists approximately twenty miles from the city was clearly more threatening than an army at Faesulae, which was approximately seven times further from Rome. Secondly, Cicero's report of the attempted assault of Praeneste supported his accusation that the threat was not only in Rome and northern Etruria, but also in other parts of the *res publica* as well. Thirdly, the report highlighted that other Sullan *coloniae* were being solicited, not only those located in northern Etruria. The last point was most significant for Cicero to prove to the Senate and the people of Rome that the *SCU* and *hostis* declarations were legitimate and necessary to effectively protect the *res publica*. Cicero ordered the current praetor Q. Caecilius Metellus Celer to levy troops specifically in the *ager Gallicus* located in the vicinity of Umbria and Picenum (Cic. *Cat.* 2.5, 2.26; cf. Sall. *B Cat.* 30.5).¹³⁵ Celer, who was on his way to his newly assigned province of Cisalpine Gaul, could then oppose Catiline and Manlius' army in Faesulae with an army from these regions.¹³⁶ In addition, Celer's army would be able to block Catiline and Manlius' forces from the north if they planned to retreat from Faesulae.¹³⁷ However, Celer was not only sent to these regions to conscript an army, but also, according to Sallust and Cicero, to suppress reported disturbances in Umbria and Picenum supposedly connected with the affair of 63.¹³⁸

According to Sallust, Catiline sent a certain Septimius of Camerinum to Picenum to gather support for the affair. (Sall. *B Cat.* 27.1). Septimius' name appears alongside Manlius and C. Julius in the same passage, so perhaps Septimius was another Sullan veteran sent to enlist other Sullan colonists in

¹³⁴ Cicero implied Catiline was confident the Sullan colonists in Praeneste would support the affair of 63 (Cic. *Cat.* 1.8: *esse confideres*).

¹³⁵ Cicero mocked Catiline and Manlius' forces compared to those in Metellus Celer's army, cf. Cic. *Cat.* 2.5, 24.

¹³⁶ See Chapter 2 n.104.

¹³⁷ Cicero suggested Celer's army would oppose the forces in Faesulae, cf. Cic. *Cat.* 26; cf. Plut. *Cic.* 16.1. Celer moved his three legions from Picenum towards Cisalpine Gaul to block Catiline and Manlius' forces from the north (Sall. *Cat.* 57.1-3). See Sumner 1963. In mid-January 62, Celer's army was conducting the war from Cisalpine Gaul, cf. Cic. *Fam.* 5.1, 5.2.1. However, see Chapter 2 n.124. Sallust's *Catilina* and the later accounts report that C. Antonius' forces fought Catiline and Manlius' forces in battle, not Celer's legions.

¹³⁸ Sallust stated Celer was sent to Picenum to levy an army (Sall. *Cat.* 30.5).

Picenum. However, we have no evidence of Sullan *coloniae* in Picenum, so why the region was targeted remains debatable. We know Septimius was from Camerinum, so perhaps he was another of the *domi nobiles* reported to support the affair, and not a Sullan veteran.¹³⁹ Camerinum was incorporated into the *tribus Cornelia*, so perhaps Septimius and/or others from the town were clients of the several *Cornelii* known to be involved with the affair.¹⁴⁰ Regardless of Septimius' status, the town of Camerinum in Umbria bordered on Picenum, perhaps supplying a reason why he was sent to the latter region.¹⁴¹

In 89, the local population of Asculum in Picenum was still nominally independent from the *res publica* until the town was finally subdued and enfranchised after the Social War. According to Appian, the people of Asculum had killed all the Roman citizens in the town during the war (App. *B Civ.* 1.38). Although there is no evidence, we can assume those responsible for the massacre were punished, as it was one of the origins of the Social War. However, most of Picenum had been in Roman hands by the first century.¹⁴² Soldiers from the region served in Cn. Pompeius Strabo's army while Asculum was being besieged in the Social War.¹⁴³ Furthermore, during Sulla's struggle against the Marians, Pompey, Cn. Pompeius Strabo's son, levied a large army from the region to support Sulla.¹⁴⁴ Therefore, it is unclear how the disturbance

¹³⁹ Cf. Sall. *Cat.* 17.4. McGushin (1977, 120) suggests that Septimius might have been a *domus nobilis*.

¹⁴⁰ Marius enlisted two cohorts of soldiers from Camerinum for his campaign against the Cimbri. After the war in 101, Camerinum was incorporated into the *tribus Cornelia*, see Cic. *Balb.* 46-50. Cf. Taylor 1960, 311; Harris 1971, 249.

¹⁴¹ Münzer (*RE* IIa2 (Septimius) no. 1, 1560.43-5) offers another hypothesis. He reports an inscription of a Septimius from Firmum, a town in Picenum, circa the first century. Obviously, we cannot be certain that this was the same Septimius of 63, but the name was perhaps Picene in origin.

¹⁴² Most of Picenum had slowly been ceded to Rome through warfare between the third and second centuries, see Vell. *Pat.* 1.14.7.

¹⁴³ Cn. Pompeius Strabo probably had a legion composed entirely of officers and soldiers from Picenum, cf. Taylor 1960, 177; Gabba 1976, 184-5 [n.50]. Concerning the usage of Picentes in the affair of 63, see Sirago 1982.

¹⁴⁴ Pompey raised armies from the region to help Sulla against the Marians in the late 80's (App. *BC* 1.80) and initially levied armies in Picenum in 49 before the region went over to Caesar (Caes. *B Civ.* 1.15; cf. Cic. *Att.* 8.8.1; Suet. *Iul.* 34.1). NB: Seager (1973, 246-7) suggests the disturbances reported in Picenum might indicate that the Pompeians were connected with the affair of 63; contra Phillips 1976, 447-8. The suggestion rests on the proposal made by the Pompeian tribune Metellus Nepos to order Pompey to hasten his return to Rome in order to quell the disturbances occurring within Italy. This would give Pompey a pretext to keep his army when he returned from the East. In my opinion, Seager's hypothesis is tenuous. Pompey needed no excuse to keep his army because he intended to disband it when he returned to Italy. He did not want or need to emulate his mentor Sulla at the height of his popularity. He had just defeated Mithridates, Rome's greatest enemy for the last quarter century. It was the crowning glory of his military career and apparently Pompey felt Cicero's

in Picenum was connected to the affair. There were Sullan *coloniae* established in the neighboring region of Umbria perhaps at Interamna Praetuttiorum, Spoletium, and Forum Cornelii.¹⁴⁵ However, Cicero only mentioned disturbances at Camerinum, which was not a site for Sullan settlement in Umbria. Therefore, we cannot be certain whether the connection with Septimius or the *tribus Cornelia* condemned Camerinum and the neighboring regions of Picenum and the *ager Gallicus* to be associated with the affair of 63.¹⁴⁶

In the *Pro Sulla*, Cicero confirmed that Camerinum and the neighboring regions Picenum and the *ager Gallicus* were areas *quas in oras maxime quasi morbus quidam illius furoris pervaserat* “into which the infection of that mad folly had swept in its full violence” (Cic. *Sull.* 53).¹⁴⁷ Cicero was not specific how Camerinum, Picenum, and the *ager Gallicus* supported the affair in the *Second Oration* or in the *Pro Sulla*. Camerinum was only mentioned in the latter speech. Perhaps Cicero specifically mentioned Camerinum because his defendant P. Cornelius Sulla had personal ties with the town as a *Cornelii*.¹⁴⁸ Cicero’s silence further complicates the identification of the type of disturbances occurring in these areas. We could assume that those involved were soliciting support from the Sullan *coloniae* among these regions in order to assemble an army like the one in northern Etruria. However, our sources did not mention a specific Sullan *colonia* from these regions, which makes the assumption that those involved with the affair were also preparing these specific regions for war less evident.¹⁴⁹ Alternatively, perhaps they were planning to solicit support from other groups in these regions, similar to the disturbances reportedly occurring in parts of Apulia and Campania examined below.

suppression of the seditious activities associated with the affair of 63 paled in comparison (Cic. *Fam.* 5.7.1-3).

¹⁴⁵ Florus reported that Sulla confiscated land from Interamna Praetuttiorum and Spoletium (Flor. 2.9.29). But the evidence for a Sullan colony on these three sites remains debatable, see Santangelo 2007, 153-5. On Interamna Pratuttiorum, see Guidobaldi 2001, 85-90.

¹⁴⁶ In 184, Q. Fulvius Nobilior was one of the three commissioners when *coloniae* were established at Pisaurum and Potentia in Picenum (Liv. 39.44.10). A knight named M. Fulvius Nobilior was reported to be involved in 63 (Sall. *Cat.* 17.3), but there is no indication he had connections in Picenum. See also Appendix I, [no. 22].

¹⁴⁷ NB: Cicero is our only source that mentioned there were disturbances explicitly in Camerinum. Sallust might have mentioned that Septimius was from Camerinum, but he did not explicitly report the town’s participation in the affair.

¹⁴⁸ Instead Berry (1996, 239) suggests Cicero mentioned Camerinum, Picenum, and Umbria to avoid explicitly discussing the accusation of disturbances in Pompeii.

¹⁴⁹ NB: Appian reported that soldiers were being secretly recruited from Etruria, Apulia, and Picenum to support the affair (App. *BC* 2.2).

Apulia was another region where those involved with the affair allegedly sought support.¹⁵⁰ Our sources are not specific where in Apulia the disturbances were located, but Cicero and Sallust claimed those involved were tampering with the lower classes in the region. M. Caeparius, the only *domus nobilis* executed on December 5 for his participation with the affair, was supposed to encourage the *pastores* ('shepherds') in Apulia to rebel. According to Sallust, Caeparius was from Terracina (Sall. *B Cat.* 46.3). Terracina was a town in Latium, not in Apulia. Nevertheless, Caeparius was given the specific task of going to the latter region to solicit more support, but he was apprehended as he was leaving Rome on December 3.¹⁵¹ Cicero explained Caeparius' role, declaring that *ad sollicitandos pastores Apuliam attributam esse* "Apulia had been assigned for him to raise the shepherds there" (Cic. *Cat.* 3.14). The pastoral nature of northern Apulia is well attested and the region was both an important area militarily and economically.¹⁵² However, according to Sallust, it was not the rural population that was targeted in Apulia. He claimed Caeparius *in Apuliam ad concitanda servitia proficisci parabat* "was making ready to go to Apulia and stir the slaves to revolt" (Sall. *B Cat.* 46.3-4).

In Chapter 2.4.3-4, I discussed how Lentulus was less concerned about the implications of enlisting slaves to support the affair than Catiline.¹⁵³ Cicero and Sallust's specificity about Caeparius' intentions emphasized another threatening scenario, which they could connect with the seditious activities occurring simultaneously inside and outside Rome. If Caeparius had been successful in his mission, then the *res publica* would have perhaps been threatened by an army of shepherds and/or slaves from Apulia, in addition to the army of Sullan colonists in northern Etruria. The *pastores* and *servi* in Apulia had revolted against the *res publica* before in 185 (Liv. 39.29.8-9).¹⁵⁴ Therefore, Cicero and Sallust's inclusion of these two groups of people from

¹⁵⁰ For the reports of disturbances in Apulia, cf. Cic. *Cat.* 2.6, 3.14; Sall. *B Cat.* 27.1, 30.2-3, 42.1, 46.3-4; App. *BC* 2.2.

¹⁵¹ Sall. *B Cat.* 47.4. Again, we must assume Caeparius had personal ties with Apulia or Cicero and Sallust would not have been specific about who was sent to the region. See Appendix I, [no. 5].

¹⁵² On the agricultural importance of Apulia and its small farmers, cf. Varro *Rust.* 1.29.2; Strabo 5.4.2. Caesar and Appian wrote about the military significance of Apulia, especially the ports, cf. Caes. *B Civ.* 3.2; App. *B Civ.* 5.56.

¹⁵³ See Chapter 2 nn.258-60.

¹⁵⁴ Livy identified the revolt in Apulia as *magnus motus servilis...fuit* (39.29.8). He reported that the *pastores* in Apulia were involved as highwaymen on the roads (39.29.9). In 72, Crixus, one of the leaders of the Third Servile War, and 30,000 of his men were killed on Mount Garganus in Apulia (App. *B Civ.* 1.118).

Apulia supporting the affair of 63 was reasonable as the groups had a historical connection.

According to Sallust's timeline of events, Catiline sent Manlius to Etruria, Septimius to Picenum, and a certain C. Julius to Apulia after his defeat in the consular elections of 63 (Sall. *B Cat.* 27.1). C. Julius was most likely another Sullan veteran. His name appears alongside Manlius. Furthermore, Sallust did not mention where Julius was from, making it less likely the latter was a *domi nobilis* like Septimius or Caeparius.¹⁵⁵ It is not entirely certain where in Apulia Sullan veterans were settled,¹⁵⁶ but Cicero implied there was land confiscated in the region (Cic. *Leg. Agr.* 2.66). Apparently Rullus' agrarian proposal in 63 would provide some Sullan colonists the opportunity to sell their viritane allotments for a profit. Cicero warned the colonists that only Rullus and those whom the bill conferred as commissioners would explicitly profit by dividing the Sullan allotments and reselling them (2.67-70). Rullus' bill was defeated and with its defeat perhaps the chance for some Sullan colonists to make a profit. However, it is doubtful that Cicero's defeat of Rullus' proposal in the beginning of 63 was a reason certain Sullan colonists supported the affair later in the year.¹⁵⁷

Sallust did not explicitly state why Julius was sent to Apulia; he only implied that Catiline thought Julius would be useful there (Sall. *B Cat.* 27.1). When the Senate heard the report of the disturbance in Faesulae in late-October, Sallust stated there were other reports circulating in Rome of a *servile bellum* ('slave war') in Apulia and Capua (30.2).¹⁵⁸ He later declared Apulia and the other regions in Italy were in revolt, which suggested that those who were sent ahead to these regions were somewhat successful (42.1-2).¹⁵⁹ Sallust

¹⁵⁵ See Appendix I, [no .25].

¹⁵⁶ Vibinum in Apulia may have been a site for Sullan settlement, cf. Gabba 1996, 177-81; Santangelo 2007, 150. Santangelo (2007, 155-6) explains that Venusia in Apulia might have been a site for a Sullan colony, but admits the evidence is tenuous.

¹⁵⁷ Arguably, Rullus' proposed agrarian redistribution would most likely benefit the urban plebs in Rome and the *domi nobiles* more than the Sullan veterans, cf. Drummond 2000, 126-32; contra Brunt 1962, 72.

¹⁵⁸ Cf. Sall. *B Cat.* 46.3. The reports of a slave uprising in Apulia are largely unsubstantiated; perhaps it was suppressed before it escalated into an actual threat like at Capua (Cic. *Sest.* 9). Whether slaves in Apulia would be attracted to the plot, see Chapter 2 n.259.

¹⁵⁹ Sall. *B Cat.* 42.1: *isdem fere temporibus in Gallia citeriore atque ulteriore, item in agro Piceno, Bruttio, Apulia motus erat* "At about this time there were disturbances in both Hither and Farther Gaul, as well as in the Picene and Bruttian districts and in Apulia." Sallust continued to claim that those sent to these regions were involved with *armorum atque telorum portationibus* "transportation of arms and weapons," however, he admitted these efforts *plus timoris quam perculi effecerant* "caused more apprehension than danger" (42.2). Cf. 30.2.

therefore implied that both Julius and Caeparius, although the latter never reached Apulia, were sent to the region to incite a *bellum servile*. According to Sallust, Julius' task was to organize a disturbance, not among the Sullan colonists, but among the slaves in Apulia. The fact that Cicero and Sallust described the people Caeparius or Julius were attempting to solicit in Apulia as *pastores* and *servi*, respectively, clearly distinguished the people in Apulia from the Sullan colonists solicited in other regions to support the affair.¹⁶⁰ However, our sources imply the disturbances occurring in these distinct regions among distinct groups of people were all connected with the affair's ultimate goal.¹⁶¹

Cicero and Sallust also claimed those involved with the affair were tampering with the people from Capua in Campania. The region was directly affected by the Sullan settlement. There is literary and non-literary evidence that several towns in Campania were sites for Sullan *coloniae*.¹⁶² Evidently, disputes between the new Sullan colonists and the original inhabitants of these Campanian towns similar to those in Etruria. In the *Pro Sulla*, Cicero alluded to the initial conflicts between the Sullan colonists and the original inhabitants of Pompeii in Campania.¹⁶³ The prosecutors accused P. Sulla of rekindling the animosity between the colonists and the indigenous people of Pompeii by instigating the latter to support the affair of 63. Cicero insisted that this charge must be false if both the Pompeians and the Sullan *colonii* were present in court to support P. Sulla. He implied that P. Sulla's influence as *patronus* of Pompeii and presence in Campania helped dissuade the town from supporting the affair (Cic. *Sull.* 60-62).¹⁶⁴ However, those involved with the affair were allegedly attempting to solicit support in Campania, but perhaps not explicitly from the Sullan colonists in the region.

In 56, Cicero recalled in his defense of P. Sestius, a quaestor in 63, that Sestius was ordered to levy an army to prevent the town of Capua from

¹⁶⁰ Bradley (1989, 332-3) explains the *pastores* of Apulia were mostly slaves.

¹⁶¹ Appian, our only other source recording the alleged disturbances in Apulia, claimed those involved with the affair were "secretly enlisting soldiers" in Etruria and Apulia (App. *B Civ.* 2.2). But clearly Cicero and Sallust claimed those supporting the affair in Apulia were different than the army in Etruria, so Appian's brief comments regarding the enlistment of soldiers in both regions are less reliable.

¹⁶² Gabba (1976, 44-7) lists Nola, Pompeii, Urbana as certain colonies and perhaps Abellum in Campania. Santangelo (2007, 153 [n.29]) argues that Abellum and the Campanian town of Suessula were probably Sullan colonies as well.

¹⁶³ For a bibliography of pertinent secondary sources on Pompeii, see Berry 1996, 252.

¹⁶⁴ Cicero claimed P. Sulla was in Naples throughout the affair of 63 (Cic. *Sull.* 17, 53).

supporting the affair (Cic. *Sest.* 9).¹⁶⁵ The town was famous for its gladiatorial schools and infamous as the origin of the servile war of the late 70's.¹⁶⁶ Under the leadership of the gladiators Spartacus, Crixus, and Oenomaus, many slaves joined their army from all over Italy.¹⁶⁷ Therefore, Capua's reputation for treachery was well known and Cicero implied that Sestius' presence was necessary to prevent the town from revolting. P. Sulla's prosecutors accused him of buying *gladiatores* to support the affair, but Cicero was able to furnish an excuse (Cic. *Sull.* 54). However, the report that Capua was supporting the affair of 63 certainly reminded Rome of Spartacus' war. I mentioned above that Sallust claimed a *bellum servile* was allegedly occurring in Apulia and Capua (Sall. *B Cat.* 30.2), but whether this so-called slave war occurred in either region at the time of the affair of 63 remains uncertain.¹⁶⁸ Sallust reported the Senate ordered the praetor Q. Pompeius Rufus to Capua to raise an army (30.5). Although the magistrate sent to Capua was different in Cicero and Sallust's version of events, they both reported the magistrates had extraordinary appointments of *imperium* to levy an army. This evidence implied that the disturbance in Capua was serious enough to take action.

There was perhaps also a disturbance in the Campanian town of Puteoli. Cicero had apparently sent C. Vatinius, another quaestor in 63, to Puteoli to prevent the affair's participants from using its port (Cic. *Vat.* 12).¹⁶⁹ Sallust's account and later sources did not mention Puteoli nor the efforts of C. Vatinius. Nevertheless, Gabba notes the dissatisfaction of Campanian elites with Rullus' proposed plan to divide the *ager Campanus* by founding another colony at Capua.¹⁷⁰ Sulla had already founded several colonies in Campania and Cicero's warning of a colony in Capua in 63 apparently worried the Capuans (Cic. *Leg. Agr.* 2.84, 89). Perhaps the Capuans had similar grievances regarding Rome's motives over land ownership to others who supported the affair of 63. The disturbances in Campania are well attested. The Senate sent

¹⁶⁵ In 56, Cicero defended P. Sestius who was accused of several crimes. Sestius was charged under the *lex Plautia de vi* and might have stood trial twice that year, cf. *TLRR*, nos. 270-1 and 323; Kaster 2006, 14-22.

¹⁶⁶ On the tradition of gladiators in Capua, see Ville 1981, 1-8.

¹⁶⁷ App. *B Civ.* 1.116-120; cf. Plut. *Crass.* 8-9; Flor. 2.8.

¹⁶⁸ Bradley (1978, 332-4) examines the reasons it was believable that Apulia revolted in 63.

¹⁶⁹ Vatinius was supposed to prevent any monies from leaving the port, cf. Cic. *Vat.* 12; *Flac.* 67.

¹⁷⁰ Cf. Gabba 1976, 57-59; Santangelo 2007, 158-171.

P. Sestius and/or Q. Pompeius Rufus to Capua and C. Vatinius to Puteoli.¹⁷¹ Furthermore, P. Sulla's influence in Pompeii was also required to cease any disturbance from occurring from this volatile region.¹⁷²

A slave revolt was doubtlessly an anathema to the Romans, and clearly Sallust attempted to associate part of the affair of 63 with the servile war of Spartacus a decade earlier. By implying that those participating in the affair were also involved with a *bellum servile*, Sallust's monograph emphasized the multifarious threats facing the *res publica* and heaped further odium on the affair. In addition, Cicero's works also implied that the disturbances outside Rome were not only from the regions negatively affected by the Sullan settlements. The implication that a *bellum servile* was occurring among the *pastores* in Apulia and *gladiatores* in Capua demonstrates the willingness of those involved with the affair to solicit support from groups other than those that composed the army in northern Etruria. Cicero sent magistrates to Etruria, Umbria, Picenum, the *ager Gallicus*, Apulia, and Campania with the extraordinary power to levy armies to suppress the disturbance identified in these regions. This military posturing against the disturbances outside of Rome resembled more a state of war than the aspects associated with a *coniuratio* examined in Chapter 1 and the seditious intentions of those remaining in the city examined in Chapter 2. However, we will never be certain if those involved with the affair in Rome instigated any of the disturbances outside the city. Perhaps these disturbances outside Rome were a coincidence and perhaps the people involved in these disturbances initially had separate motives from those involved with the affair in Rome. This was perhaps the case for Manlius' army in northern Etruria, as the following section details.

3.5 The *mandata* of C. Manlius' army

Cicero never explicitly suggested that the revolt in Etruria started independently from the seditious activities being planned by Catiline and the others remaining in Rome. After Catiline fled Rome, Cicero consistently claimed Catiline would lead the army in Etruria.¹⁷³ The reasons why Cicero

¹⁷¹ Sestius was a quaestor in 63 under Cicero's colleague, C. Antonius (Cic. *Sest.* 8). Vatinius was most likely a quaestor in 63, see Stewart 1995, 63 n.6.

¹⁷² On the importance and worth of Campania, see Frederiksen 1984. Many Roman elites in the Late Republic owned villas in Campania, see D'Arms 2003, 18-9.

¹⁷³ Cicero described the reasons why certain Sullan veterans were willing to join the plot and mentioned Manlius as an example, adding *cui nunc Catilina succedit* 'from whom Catiline has

wanted to associate the army with Catiline were examined above. He wanted to connect the activities occurring inside and outside of Rome, so that he could suppress both events under the extraordinary powers bestowed by the *SCU*. In addition, I demonstrated that Sallust and the other later narratives concerned with the affair of 63 typically followed Cicero's claim that all the events occurring outside and inside Rome were connected. Cicero did not contradict himself by reporting that the revolt in Etruria began without instructions from either Catiline or the others remaining in Rome.¹⁷⁴ On the other hand, Sallust's *Catilina* included a dubious message from Manlius and his army, which suggests the possibility that the revolt in northern Etruria was independent from the subversive activities Catiline and the others were planning in Rome.

After the army in northern Etruria was reported in the Senate in late October/early November, the general Q. Marcius Rex and his soldiers, who were awaiting a triumph outside Rome, were sent to Faesulae to oppose Manlius' forces (Sall. *B Cat.* 30.1-4). Sallust reported that Manlius sent a deputation of *legati* to Marcius Rex with a *mandata* explaining the reasons he and his followers had decided to take up arms. Sallust introduced the *mandata* using the phrase *huiusce modi*, which implies that Sallust's text was not an exact duplicate nor was he citing the original transcript, should he have had access to one.¹⁷⁵ Most scholars assume the *mandata* was a letter due to its epistolary style.¹⁷⁶ However, Williams (2000, 161-3) cogently argues that the Latin term *mandata* most often indicated that it was delivered orally not written. Regardless of the specific transmission of the *mandata*, the occurrence of

now taken over' (Cic. *Cat.* 2.20). Waters (1970, 201) argues this passage might suggest that Manlius was unconnected with Catiline until he left Rome, arrived in Faesulae, and replaced Manlius as leader due to his higher rank. Waters seemingly takes the verb *succedere* literally to indicate that Catiline 'succeeded' Manlius, [(see *OLD* (*succedo*) s.v. 5a)], which suggests the latter was the original leader of the army and therefore the original instigator of the revolt. However, the passage is not explicit regarding Catiline and Manlius' relationship, only that the latter was of a lower rank.

¹⁷⁴ When Cicero reported that Autronius sent the weapons and military standards from Rome to Catiline and the army in Faesulae in the *Pro Sulla* (Cic. *Sull.* 17), he did not contradict the initial report in the *First Orations* that Catiline had sent weapons and military standards to Manlius before he left Rome (*Cat.* 1.24). The passage insinuated Autronius sent the weapons to Catiline after he was in Manlius' camp. However, the passage did not say that Catiline had not sent weapons to Manlius earlier, see Berry 1996, 166-7.

¹⁷⁵ Sallust used *huiusce modi* to introduce invented speeches/letters: Sall. *B Cat.* 20.1, 32.3, 50.5, 52.1, 57.6; *B Jug.* 9.4, 30.4, 32.1, 86.1, 102.4; *Hist.* 1.77.5. In contrast to *exemplum infra scriptum est* when Sallust probably used a copy of the original letter: Sall. *B Cat.* 34.3, 44.4. Also, cf. Vretska 1976, 399-400; McGushin 1977, 189 and 195-6; Ramsey 1984, 119; Williams 2000, 163-4.

¹⁷⁶ Williams (2000, 160-1 nn.1-6) comprehensively cites the differing scholarly opinions regarding the form of the *mandata*.

distinct Sallustian phraseology implied he altered the message. The text of the *mandata* is as follows:

Deos hominesque testamur, imperator, nos arma neque contra patriam cepisse neque quo periculum aliis faceremus, sed uti corpora nostra ab iniuria tuta forent, qui miseri, egentes, violentia atque crudelitate faeneratorum plerique patriae, sed omnes fama atque fortunis expertes sumus. Neque cuiquam nostrum licuit more maiorum lege uti, neque amisso patrimonio liberum corpus habere: tanta saevitia faeneratorum atque praetoris fuit. Saepe maiores vostrum, miseriti plebis Romanae, decretis suis inopiae eius opitulati sunt; ac novissime memoria nostra propter magnitudinem aeris alieni volentibus omnibus bonis argentum aere solutum est. Saepe ipsa plebs, aut dominandi studio permota aut superbia magistratuum armata, a patribus secessit. At nos non imperium neque divitias petimus, quarum rerum causa bella atque certamina omnia inter mortalis sunt, sed libertatem, quam nemo bonus nisi cum anima simul amittit. Te atque senatum obtestamur: consulatis miseris civibus, legis praesidium, quod iniquitas praetoris eripuit, restituatis neve nobis eam necessitudinem inponatis, ut quaeramus, quonam modo maxume ulti sanguinem nostrum pereamus!

"We call gods and men to witness, general, that we have taken up arms, not against our fatherland nor to bring danger upon others, but to protect our own persons from outrage; for we are wretched and destitute, many of us have been driven from our country by the violence and cruelty of the moneylenders, while all have lost reputation and fortune. None of us has been allowed, in accordance with the usage of our forefathers, to enjoy the protection of the law and retain our personal liberty after being stripped of our patrimony, such was the inhumanity of the moneylenders and the praetor. Your forefathers often took pity on the Roman commons and relieved their necessities by senatorial decrees, and not long ago, within our own memory, because of the great amount of their debt, silver was paid in copper with the general consent of the nobles. Often the commons themselves, actuated by a desire to rule or incensed at the arrogance of the magistrates, have taken up arms and seceded from the patricians. But we ask neither for power nor for riches, the usual causes of wars and strife among mortals, but only for freedom, which no true man gives up except with his life. We implore you and the senate to take thought for your unhappy countrymen, to restore the bulwark of the law, of which the praetor's injustice has deprived us, and not to impose upon us the necessity of asking ourselves how we may sell our lives most dearly." (Sall. *B Cat.* 33.1-5).

Whether the *mandata* was entirely Sallust's invention remains contentious, but the argument that its inclusion was contradictory to Sallust's usual presentation of Manlius as Catiline's subordinate cannot be denied.¹⁷⁷ From the final sentence of the *mandata*, the reader is left feeling that Manlius and his forces' dire financial situation forced them to take up arms in order for the Senate to take their complaints seriously. Most significantly, the final sentence insinuates that they were perhaps willing to consider laying down their arms if the Roman Senate agreed to address their particular grievances. Sallust's narrative reported Manlius sent his legates to Marcius Rex after Catiline left Rome and apparently before Catiline arrived in Faesulae.¹⁷⁸ Philipps suggests that

¹⁷⁷ Williams (2000, 171) concludes that the *mandata* from Manlius' army was primarily Sallust's invention.

¹⁷⁸ Sallust reported Catiline spent several days with C. Flaminius in Arretium arming the locals in the vicinity before travelling to Faesulae (Sall. *B Cat.* 36.1: *paucos dies commoratus apud C. Falminium in agro Arretino, dum vicinitatem antea sollicitatem armis exornat*). Cicero reported

Manlius sent the deputation perhaps as a ruse for Catiline and those with him to arrive at the army's camp unhindered by Marcius' forces.¹⁷⁹ On the other hand, Manlius and his army begged (*obtestamur*) the Senate to uphold the law (*legis praesidium*) and take counsel (*consulatis*) concerning their grievances (Sall. *B Cat.* 33.5). Therefore, taken in isolation, the *mandata* clearly indicates Manlius and his forces were willing to negotiate first before they completely resorted to armed violence to force the issue. Marcius Rex replied that Rome would show compassion only if Manlius' army surrendered (34.1). Sallust was silent regarding the final outcome of this exchange. Presumably, Manlius did not accept Marcius' offer and awaited his next move. After Catiline joined Manlius, the Senate declared them *hostes rei publicae*, so the army in Etruria could be fought without impunity (36.2).¹⁸⁰ The Senate offered rewards to those who would betray the plot, but Sallust claimed no one came forward or deserted *ex castris Catilinae* (36.2-3, 5). Significantly, Sallust referred to the army's camp as Catiline's camp demonstrating his leadership over Manlius. Clearly, Manlius and the army in Etruria intended to proceed in preparing for war after Catiline arrived at Faesulae.

McGushin suggests that the inclusion of the *mandata* indicated that Sallust believed that Manlius initially acted alone.¹⁸¹ McGushin states the goals in the *mandata* were different from those that Catiline and the others were hoping to achieve, which, he argues, reinforces the suggestion that the army in Etruria initially acted independently.¹⁸² Catiline promised *divitiae* ('riches'), *decus* ('honor'), *gloria*, and *libertas* ('freedom') to those in Rome (Sall. *B Cat.* 20.14). He made the same exact promise to the army in Etruria before the final battle (58.9). The *mandata* claimed that Manlius and his army were not fighting for *imperium* or *divitiae*, instead they demanded *libertas* (33.4). The *mandata* implied that the *libertas* Manlius and his forces sought were both economic 'freedom' from their creditors and judicial 'freedom' from the local Roman praetor (33.1). However, the *mandata* emphasized that Manlius' army's financial concerns were the primary cause for their revolt. Others involved with

that the army was made up of colonists from Faesulae and Arretium (Cic. *Mur.* 49), but did not mention a meeting between Catiline and C. Flaminius.

¹⁷⁹ Philipps 1976, 443. There is no evidence that the envoys were sent as a ruse to buy Catiline time to arrive in Faesulae.

¹⁸⁰ See Section 3.2.

¹⁸¹ McGushin 1977, 162.

¹⁸² McGushin 1977, 193-4. For the goals of those involved with the affair from Rome, cf. Sall. *B Cat.* 20.14, 58.9.

the affair from Rome clearly had similar concerns. I have reviewed the evidence that suggested that everyone involved with the affair faced some sort of fiscal predicament and was attracted by the promise of alleviating their impoverished state.¹⁸³ Therefore, in my opinion, the motives of Manlius' army and the others involved were not at odds with the motives of the other people supporting the affair despite the claim made in the *mandata* that the former group did not desire *divitiae*.

Seager argues that the *mandata* proved Manlius and his army initially acted independently for several reasons. Firstly, Manlius' army took the field before the meeting at M. Porcius Laeca's house in Rome where those involved with the affair outlined their plan to solicit people from other regions outside of the city.¹⁸⁴ Secondly, the *mandata* sent to Q. Marcius Rex occurred before Catiline had left Rome to take over command of Manlius' army. Seager notes that Manlius' army even offered to lay down their arms before Catiline had arrived in Faesulae, indicating that the revolt in northern Etruria was a separate event.¹⁸⁵ Although Cicero claimed Catiline had sent weapons and the *aquilam argentum* to Manlius earlier, the timing remains vague.¹⁸⁶ Seager concludes that Cicero was lying and rejects the evidence "in favor of Sallust's evidence for Manlius' independence."¹⁸⁷ However, Seager's argument is flawed because the *mandata* was most likely invented and contradicted other evidence in Sallust that connected the army in Etruria with the affair. The army in Etruria was the affair's last hope for success after those involved with the affair in Rome had been detected and summarily suppressed.

On the whole, the *mandata* in Sallust's *Catilina* may suggest that the Etrurian revolt initially occurred independently in 63. On the other hand, we may reject this hypothesis because Sallust most often portrayed the disturbances in Rome and the other regions of Italy as a concerted attempt to overthrow the government. Scholars argue about the veracity of the *mandata*, why Sallust included it in his narrative, and how its inclusion changes our

¹⁸³ See Chapter 2.2.

¹⁸⁴ According to Cicero's timeline, Manlius' forces were reported in arms on October 27 and the meeting at Laeca's occurred on November 6 (Cic. *Cat.* 1.7-9). NB: In contrast, Sallust claimed the plan to solicit people from outside Rome to support the affair was decided in a meeting in Rome a year earlier before the elections of 64 (Sall. *BCat.* 20-21). On Sallust's tendency to antedate events in 63 to 64, see Introduction nn. 4-5.

¹⁸⁵ Seager 1973, 241.

¹⁸⁶ Cf. Cic. *Cat.* 1.24, 2.13.

¹⁸⁷ Seager 1973, 241.

perception of the association between the revolt in Etruria and the activities Catiline and the others were planning in Rome.¹⁸⁸ The appearance of the *mandata* in the *Catilina* will continue to be debated because both sides of the argument can more or less be defended. Of course, it remains uncertain whether Manlius ever attempted to communicate with Marcius Rex. Regardless, the existence of the *mandata* continues to raise questions over the association between Manlius' actions and the actions planned in Rome. Although the argument about whether Manlius and his forces initially acted independently remains a matter of conjecture, if Manlius and his forces initially acted separately from Catiline and the others in Rome then it would affect the usual perception of the entire affair. If the revolt was coincidentally occurring around the same time that the subversive activities in Rome were discovered, then our sources' insistence that the events were connected can be challenged. Furthermore, like Chapter 2 demonstrated, the established view that Catiline was the sole mastermind of the affair can be questioned. The perception that the affair of 63 threatened the stability of the *res publica* simultaneously from inside and outside Rome could also be consigned to rhetoric.

The hypothesis that the *mandata* Sallust recorded was a genuine and practically unadulterated piece of evidence is tenuous at best. The reasons Manlius and his forces took up arms were portrayed as similar enough to those who intended to violently attack the established authority of the *res publica* from within Rome. The grievances Manlius and his forces highlighted in the *mandata* perhaps represented the situation in the other regions in Italy that Catiline and the others in Rome attempted to incite to join the revolt examined in previous section. It is clear that Manlius' armed forces were preparing to fight and the efforts of those who were reportedly soliciting support in regions other than Etruria were depicted in an analogous manner. The Senate sent magistrates to these regions to levy armies seemingly to oppose the forces those involved with the affair were attempting to solicit in these regions. Clearly, these actions suggested that the *res publica* was preparing for war as well.

Evidently, certain scholars have suggested that Sallust included the *mandata* to demonstrate that the revolt in northern Etruria was initially a separate incident from the events occurring in Rome. Manlius and his army

¹⁸⁸ Williams (2000, 169) argues we know more about Sallust the historian from the *mandata* than the actual historicity of the speech.

might have joined forces with Catiline and the others involved with the affair of 63 after they had decided to revolt on October 27. This neatly answers the question of why our sources recorded that the army in Etruria was in open revolt before those involved in Rome had begun to act. Despite Manlius, Semptimius, C. Julius, Catiline or any other anonymous citizens' attempts to solicit support throughout Italy, the reported revolts in every region might have initially occurred separately from the activity occurring in Rome. McGushin and Seager follow this line of argument. This argument primarily stems from Sallust's inclusion of the *mandata* from Manlius' army, which implied they were prepared to reconcile their differences, in contrast to Catiline and the others remaining in Rome who continued to plot against the *res publica* long after the affair was initially discovered. However, Williams cogently argues that the *mandata* followed a recognizable formula of a pre-battle speech, which further downgrades McGushin and Seager's arguments that the disturbance in Etruria was initially independent.¹⁸⁹ The *mandata* sent by Manlius' army alluded to their hope for reconciliation; however, it also implied that if the established authority in Rome did not address their grievances then they planned to wage war against the *res publica*. Whether the affair was more appropriately identified as a *bellum* ('war') due to the reported military operations occurring outside Rome is the focus of the following chapter.

3.6 Chapter conclusions

This chapter began with an account of Catiline's defeat in the consular elections in 63. Our sources reported that those who suffered under Sulla from northern Etruria had supported Catiline's candidacy perhaps attracted to his proposal to address the debt crisis through *tabulae novae*. The second section continued to review the historical connection between Catiline and these supporters from outside of Rome. I demonstrated that Catiline most likely found support from C. Manlius and other Sullan veterans due to the former's earlier association with Sulla. In addition, section 3.2 investigated Catiline's familial link through his *gens* with Etruria, Umbria, and among the Paeligni, which were areas that purportedly supported the affair's plans to gain power in Rome. As shown in Section 3.3, the passage of the *SCU* resulted due to the simultaneous reports of planned murder and arson inside Rome from the letter Crassus gave

¹⁸⁹ Williams 2000, 167.

to Cicero and the reports from Faesulae that an armed band led by Manlius had taken the field. What connected these disturbances was Catiline's decision to join Manlius' army after he left Rome when Cicero initially exposed the affair's plans in the *First Oration*. Catiline's action was critical for Cicero to substantiate the link between these disturbances and to prove to the Senate that the passage of the *SCU* was justified. Furthermore, Cicero used the connection between the disturbances inside and outside of Rome to persuade the Senate to declare Catiline and Manlius *hostes rei publicae* and by extension anyone else who attempted to support the army in Etruria, or who attempted to incite other areas in Italy to revolt, or who continued to support the affair within Rome.

In Section 3.4, I examined the specific areas in Italy that our sources claimed were willing to support the affair. I explored the reasons why our sources perhaps chose to highlight these particular areas that either had a history of enmity towards Rome or whose inhabitants had been disrupted by the foundation of Sullan settlements in their territory. In addition, the reasons why these particular areas were perhaps willing to support a plan to gain power in Rome were suggested and their association with several of the affair's participants was discussed. However, section 3.4, also examined the claims that the affair's participants were attempting to incite the slaves from certain areas. Therefore, the disturbances occurring outside of Rome went beyond those areas associated with the Sullan veterans or those dispossessed by Sulla to create the feeling that the entire *res publica* was being threatened internally in Rome and externally throughout Italy. However, as was mentioned, only the disturbance in northern Etruria can be proven without a doubt.

Although the connection between Catiline and Manlius' army was apparent when the latter joined the former in Faesulae, section 3.5 examined the evidence that suggested Manlius' army might have initially acted independently of the affair being planned in Rome and might have assembled in armed revolt for their own specific reasons. The unique appearance of the *mandata Manliana* in Sallust's *Catilina*, once again questions Catiline's leadership and influence, not only on the affair as a whole, but also his characterization as the instigator of the disturbances outside of Rome. Although most of the claims of disturbances outside of Rome throughout Italy and their inhabitants' willingness to support the affair remain speculative, from the investigations made in this chapter we can conclude that our sources

implied, or used specific terminology to indicate that the affair's participants planned to threaten the *res publica* by inciting these areas to go to war. The following chapter will investigate the terminology associated with *bellum* and its usage in the accounts of Cicero and Sallust to interpret the affair's activities.

Chapter 4

Examining Cicero and Sallust's usage of the term *bellum* and related terminology to identify the affair of 63 as a "war"

In chapter 1, I examined the related terms that occurred when Cicero and Sallust represented the affair of 63 as a *coniuratio* and the conspiratorial context these terms identified. The chapter demonstrated how these related terms conveyed a criminal, secret, and immoral aspects to describe the affair and the activities of the affair's participants. Cicero and Sallust also portrayed the plurality of a *coniuratio* by using terms that indicated that many people were involved in the affair along with Catiline. The aspect of plurality was further demonstrated in Chapters 2 and 3 that described the various groups of people that our sources claimed were allegedly supporting the affair both inside and outside of Rome respectively. The second chapter focused on the actions and those involved with the actions of the affair remaining in Rome after Catiline had left the city to join the army in Etruria. The third chapter described Manlius and the army in Etruria and the designs to incite other regions in Italy to support the affair outside of Rome. Both chapters examined evidence that suggested that the praetor P. Cornelius Lentulus Sura and the Sullan veteran C. Manlius, who, according to the terminology in our sources, were depicted as the two foremost members involved with the disturbances located inside and outside of Rome respectively. In addition, both chapters examined evidence that suggested that Lentulus and/or Manlius might have acted independently of Catiline. Regardless of whether one chooses to believe that Lentulus and Manlius actually acted independently of Catiline, the suggestion that Manlius' army in Etruria and the evidence that proved the influential role of Lentulus further demonstrates that Catiline should not be considered the sole mastermind or leader of the affair. All of these aspects are indicative of a conspiratorial context and confirm that the affair fits the sort of characteristics associated with a *coniuratio*.

The specific intended crimes Lentulus and the *reliqua coniuratorum manus* were planning, examined in Chapter 2, included: i) the murder of Cicero and other leading members of the Senate, ii) the plan to burn parts of Rome, and iii) the attempt to gain the support of the Allobroges. Chapter 3 discussed the intentions of the army in Etruria and the affair's designs to gather support in

other regions outside of Rome. In addition to these plans, Cicero and Sallust claimed that the affair's participants also planned to wage a *bellum* ("war"). In the Introduction, I discussed the titles of Cicero and Sallust's published works regarding the affair. I explained that although the preface of Sallust's monograph explicitly states that it would examine a *coniuratio* (Sall. *B Cat.* 4.3), according to the manuscript tradition the work is conventionally entitled the *Catilina*. Consequently, it is necessary to examine the term *bellum* and the other terms related to *bellum* and how they were used to interpret the actions in 63. Did either Cicero or Sallust believe the *coniuratio* in 63 should be perceived as a *bellum*? Or was it a combination of the two? Cicero and Sallust also use other various expressions to interpret the event. This chapter demonstrates how these various expressions are used to interpret the affair of 63 and explores why both authors would chose this particular terminology.

Both authors use the term *bellum* in different ways to explain the events of 63 in accordance with the medium in which they reported the event. Cicero generally uses the term *bellum* for rhetorical effect in his speeches concerning the affair. Sallust, in part, uses the term to support his moral theme in his works that bemoan the increasing instances of *bellum* between *cives*.¹ Sallust's *Catilina* culminated in the climatic battle of Catiline and Manlius' forces against the loyal forces of Rome to emphasize his admonishment of these types of conflicts. Both writers express that citizens who waged a *bellum* against their own countrymen were immoral. However both rarely use the particular expression *bellum civile* to indicate that the *bellum* planned in 63 was in fact a full-scale "civil war."

The first section of this chapter reviews when the term *bellum* appears in Cicero's *Orations* and the adjectives he uses to qualify *bellum* to persuade the Senate and the people of Rome that the affair's participants were waging a 'war.' The next section explores how Sallust uses the term *bellum* in reference to the affair. Sections 4.3 and 4.4 relate how Sallust and Cicero tended to avoid the exclusive use of the expression *bellum civile*. Subsequently, I investigate the various and distinct terminology Cicero and Sallust used that can imply a state of affairs akin to 'war between citizens' in sections 4.5 and 4.6 respectively. In these sections, I examine how these various expressions were used in reference to the affair and review how Cicero and Sallust interpreted

¹ See the Introduction.

other earlier historical conflicts between citizens for comparison. The final section in this chapter reviews Cicero's interpretation of the event in his later works and letters to determine his perception of the affair after it was suppressed. The conclusions of this chapter will sum up how Cicero and Sallust used the terms related to *bellum* to identify the affair. I attempt to explain whether the term *bellum* was: i) a part of the *coniuratio* or vice-versa, ii) another way to identify the entire affair, or iii) a separate and parallel event from the *coniuratio*.

4.1 The occurrences of *bellum* in Cicero's *Orations* and its qualifying adjectives

Cicero used the term *bellum* throughout the *Orations* to persuade the Senate and the people of Rome that the affair's participants were waging a "war" against the *res publica*. Cicero emotively used the term *bellum* in order to stress the hostile nature of the affair. In the *Orations*, Cicero claimed that the *bellum* was widespread and that the participants planned to devastate *tota Italia*.² His rhetorical depiction of the extensive *bellum* the *res publica* faced would surely help refute those who apparently initially doubted his accusations.³ As the *Orations* were most likely revised three years after the events, it surely behooved Cicero to make the claim that the *bellum* was a serious threat to the *res publica*. By accentuating the extent of affair's threat, Cicero would not only be able to justify the acclaim he received after its suppression, but he would also be able to explain to his detractors why he needed to act with extreme severity and speed against its participants.⁴ Due to the odium that was increasing against Cicero because of the executions in 63, he clearly wanted to accentuate the seriousness of the threat in the most expansive terms in his speeches that refer to the affair. Arguably, the intended crimes inside of Rome contained aspects more closely associated with a *coniuratio* than the actions outside of the city, which included military preparations indicative of a *bellum*.

² For versions of the phrase *tota Italia*, cf. Cic. *Cat.* 1.12, 2.8, 4.2, 4.13. See Chapter 1 n.93. Similar rhetorical passages stressing the extent of the affair include: *hoc malum; manavit non solum per Italiam verum etiam transcendit Alpibus et obscurae serpentes multas iam provincias occupavit* "This evil has spread throughout Italy, it has even crossed the Alps, and it has now crept in unnoticed and taken hold of many provinces"(4.6). Cf. *Cat.* 3.4.

³ For the initial doubt concerning Cicero's initial discovery of the affair's plans, cf. Cic. *Cat.* 1.30; 2.3.

⁴ If the *Orations* were published in 60 then Cicero's claim that the *res publica* faced a *bellum* planning the destruction of *tota Italia* is more understandable. See Introduction nn.4-5.

However, Cicero did not consistently use either term to identify the specific actions inside and outside of Rome. As demonstrated in the previous chapters, Cicero changed his focus in the *First Oration* from Catiline and Manlius to Lentulus and the many others involved; therefore, Cicero chose terms to emphasize the threat of the affair in the *Orations* that followed. This section examines the instances when the term *bellum* occurs in Cicero's *Orations*. He progressively used the term to rhetorically identify the affair as a whole instead of in reference to the military activities occurring outside of Rome.

In the *First Oration*, Cicero used the term *bellum* six times in reference to Catiline's role in the affair, which he claimed was to join Manlius and the army in Etruria.⁵ On the other hand, Cicero used the term *coniuratio* or its cognates eight times to refer to the affair or those suspected to be supporting the affair's hostile intentions both inside and outside of Rome.⁶ Cicero reported that arms were sent to Manlius and the army in Etruria and insisted that when Catiline had joined the army they would *inferre patriae bellum* 'bring war to the fatherland' (Cic. *Cat.* 1.23).⁷ Cicero further stated that he was fortunate to defeat Catiline as consul in 63 to ensure that Catiline *ut exsul potius temptare quam consul vexare rem publicam posses* "would only be able to attack the *res publica* as an exile and not harry it as a consul" (1.27). This passage suggested that Cicero was able to keep Catiline from being awarded *imperium* by becoming consul, which would give him the authority to raise an army in the name of Rome and be able *temptare* ('to make an attack').⁸ Instead, Cicero demonstrated that Catiline's plan to join Manlius' army was clearly an act of a *hostis* not a loyal citizen of Rome.

Cicero explained when Catiline did join the army in Etruria that *eum quem esse hostem comperisti, quem ducem belli futurum vides* "This man [Catiline] who is, as you have discovered, a public enemy; who will, as you see, be a leader in war" (1.27). This instance of *bellum* occurs in the part of the speech where Cicero invented an imaginary conversation between Cicero and the *patria* regarding the situation (1.27-29). The fatherland rhetorically

⁵ For *bellum*, cf. Cic. *Cat.* 1.23, 25, 27 (*bis*), 29, 33.

⁶ For *coniuratio*, cf. Cic. *Cat.* 1.1, 6, 12, 13, 27, 30 (*bis*), 31. The concrete plural noun *coniurati* occurs only once to explicitly refer to those supporting the affair (1.12). As the abstract noun *coniuratio* can also be used as a metonym for "a band of conspirators" (*OLD* s.v.3b), then some of the other instances of the noun could perhaps allude to either the representation of the affair or those involved with it, or both.

⁷ For the passages regarding the sending of arms from Rome to Etruria, see Chapter 3 n.6.

⁸ *OLD* (*tempto=tento*) s.v. 1. On *imperium* in general, see Lintott 1999, 94-9.

challenged Cicero that if Catiline were acting like *hostis* and a *dux belli*, as Cicero had proclaimed, then why would he allow Catiline to leave Rome and join Manlius' army in Etruria? The *patria* asked whether Cicero was waiting for *cum bello vastabitur Italia, vexabuntur urbes, tecta ardebunt* "When Italy is laid waste by war, when her cities are destroyed, [or] her dwellings in flames" (1.29), before deciding that Catiline should be punished with death for his involvement with the affair. The *patria* reminded Cicero of the historical precedents of citizens who were executed for threatening the stability of the *res publica*, but he responded that he would not pursue such severe methods (1.29-30).⁹ Clearly, Cicero changed his mind later in the year, but when the *First Oration* was delivered his evidence regarding the affair's plans was largely circumstantial – Catiline had yet to leave Rome, join Manlius, or be formally declared a *hostis*.¹⁰ In Chapter 3, I explained that it is uncertain whether the disturbances in Etruria and the actions in Rome were initially connected. However, in this case, Cicero had no qualms proclaiming that Catiline should *proficiscere ad impium bellum ac nefarium* "Go forth to your impious and wicked war" (1.33). In Chapter 1, we demonstrated that the two adjectives *impius* and *nefarius* were used to identify the immoral aspects of a *coniuratio*.¹¹ In the same manner, Cicero also used the adjectives to refer to the plan for *bellum*, which suggests he considered the *bellum* a wicked act equal to a *coniuratio*. Cicero opted to coerce Catiline to leave Rome and join Manlius' army in Etruria in order to show the Senate that the affair's plans included *bellum*.¹²

Catiline left Rome directly after the *First Oration* and went to Etruria to join Manlius' army. Due to Catiline's apparent bellicose motives, Cicero intensified the claim that the affair and part of the affair's plan was to wage a *bellum* in the *Second Oration*. The term *coniuratio* occurred only once in this oration to refer to the affair, whereas the term *bellum* was used twelve times to refer not only to the activities of the army in Etruria, like in the *First Oration*, but also to refer to the activities of those willing to support the affair both inside and

⁹ NB: Cicero recalled the leading men who killed the supporters of Saturninus, the Gracchi, and Flaccus. He had the *patria* describe Catiline as a *parricida civium*, which could either refer to the earlier murders that Catiline had allegedly committed during Sulla's reign, or the future murders planned by the affair's participants.

¹⁰ See Chapter 3.3.

¹¹ See Chapter 1.3.

¹² See Chapter 3 n.36.

outside of Rome.¹³ Cicero perhaps intended to use the term *bellum* to stress the hostile intention of all the affair's participants instead of the term *coniuratio*.¹⁴ Certainly, a *coniuratio* conveyed a more uncertain state of affairs than a *bellum*.¹⁵ Perhaps Cicero chose to use *bellum* more often to prove to the people of Rome, whom he was specifically addressing in the *Second Oration*, that the plans of the *coniuratio* were akin to a *bellum*. Therefore, he avoided using the former term, which indicated a more clandestine state of affairs than a state of war. However, we should use caution before we conclude that the affair of 63 was interpreted as a "war" more than as a "conspiracy" due to the predominance of the term *bellum* over *coniuratio* in the *Second Oration*. Cicero wanted to accentuate the threat and increase the odium of those involved or willing to support the affair in the *Second Oration*. Sometimes he used the term to literally refer to the actual battle that he foresaw between Catiline and Manlius' army in Etruria and the forces loyal to the consul. On the other hand, Cicero sometimes used the term *bellum* as a metaphor suggesting the "war" the *res publica* would have to figuratively fight against the various groups of people, which according to Cicero were also involved in the affair.

In the *Second Oration*, Cicero referred to the claim made in the *First Oration* that Catiline and other anonymous key participants in the affair had met at Laeca's house on November 6 to discuss their intended plans. These plans included the parts of Italy that they would solicit to support their effort, who would accompany Catiline when he left Rome to join Manlius and the army, who would burn the city, and who would murder Cicero and other leading citizens (1.8-9). Cicero reiterated that the meeting determined how Catiline *ratio totius belli descripta edocui* "had mapped out the plan for the whole war" (2.13). In this instance, he avoided going into detail about the affair's plans as he did in the *First Oration* delivered in the Senate. Furthermore, he used the term *bellum*

¹³ For *bellum*: cf. Cic. *Cat.* 2.1, 11, 2.13 (*bis*), 2.14 (*ter*), 15, 18, 24, 28 (*bis*). For *coniuratio*: 2.6. NB: The term *bellum* occurs 15 times in the speech, but twice referred to the *bellum* Cicero would wage against the affair (2.1, 11) and once to the end of the *bellum* against Mithridates (2.11).

¹⁴ NB: In all four *Orationes*, the term *bellum* occurs 33 times specifically referring to the *bellum* planned or waged by the affair's participants in comparison to *coniuratio* and its 18 occurrences. Individually: the term *bellum* occurs 6 times, *coniuratio* 8 times in the *First*; the term *bellum* occurs 15 times, *coniuratio* only 1 time in the *Second* (see also n.13); the term *bellum* occurs 10 times, *coniuratio* 5 times in the *Third*; and the term *bellum* occurs 2 times, *coniuratio* 4 times in the *Fourth*.

¹⁵ The various meanings of *coniuratio* are further examined in Chapter 5. Pagan (2004, 19-24) explains that our sources tended to be either explicit or implicit to describe conspiratorial contexts to stress the uncertainty of the events and create suspense.

to explicitly refer to the affair instead of the terms *amentia* ('madness') and *scelus* ('crime'), which he used in the *First Oration* to stress the irrationality of those involved with these criminal plans (1.8).¹⁶ In this case, it seems he used the term *bellum* in order to emphasize the hostility of the affair's plans as well. Cicero continued in this vein to address those who were claiming that Catiline was driven into exile due to Cicero's accusation of planning the affair, which was yet to be proved.¹⁷ He asked his doubters *in exsilium eiciebam quem iam ingressum esse in bellum videram?* "Was I driving him into exile when I had seen that he had already began operations [for war]?" (2.14). Again, Cicero had already professed that Catiline had sent arms to Etruria and planned to join the army from the beginning. Cicero dismissed the possibility that Manlius was conducting the *bellum populo Romano suo nomine* 'war against the Roman people in his own name' (2.14). Finally, Cicero had explicitly qualified the target of the *bellum*, but what type of *bellum* did he envisage would occur?

Cicero used the adjectives *domesticus* and *intestinus* in the *Second Oration* to describe how the planned *bellum* should be interpreted. The term *domus* ('home country') is the root of the adjective *domesticus* and *intestinae* ('intestines') the root for *intestinus*.¹⁸ So, the former adjective can be literally defined as describing 'something occurring within one's house or on one's native soil' and the latter as describing 'something occurring within one's insides.' Therefore, the expressions *bellum domesticum* or *bellum intestinum* are clearly suggestive of a more emotional and intimate *bellum* than when the term *bellum* occurred without any qualifying adjectives. If Cicero wanted to represent what was occurring in 63 as a direct threat to the stability of the *res publica*, then using the phrase *bellum domesticum* or *bellum intestinum* emphasized that the *bellum* planned would be fought within the very fabric of the *res publica*. Although the military activities of the affair were actually occurring outside of Rome, Cicero perhaps used these phrases to suggest that the *bellum* was occurring inside of the city as well. If the *bellum domesticum* or *bellum intestinum* was occurring inside of Rome, then the phrases further suggest that the *bellum* was being fought between its citizens. Cicero had every chance to identify the *bellum* as a *bellum civile* and certain hypotheses

¹⁶ For Cicero's representation of the affair as a 'madness', see Chapter 2 n.201.

¹⁷ Cicero remarked that some people claimed that he drove Catiline into exile and believed Catiline was on his way to Massilia, see Chapter 3 nn.36-41.

¹⁸ OLD (*domus*) s.v. 2; (*intestina*) s.v. 3.

regarding why he did not use *bellum civile* are examined in section 4.4 below. For now, I will examine the other adjectives Cicero used to qualify the type of *bellum* he proclaimed those participating with the affair were waging.

Cicero used the adjective *domesticum* three times to describe *bellum* in the *Second Oration*. Cicero referred to Catiline as *unum huius belli domestici ducem* ‘the one leader of this war on our home soil’ (2.1).¹⁹ The phrase occurs in the beginning of the speech, which was delivered the following day after Catiline had left Rome. Therefore the *bellum domesticum* in this passage most likely alluded to the warlike intentions of the army in Etruria and not the entire affair. The two subsequent instances of the expression *bellum domesticum* describe the actions of those supporting the affair remaining in Rome. Cicero contended that *domesticum bellum manet, intus insidiae sunt, intus inclusum periculum est, intus est hostis* “The sole remaining war is on our soil: the plots, the danger, the enemy are in our midst” (2.11). Cicero clearly used the tricolon construction of the term *intus* to stress that many involved with the affair had not left with Catiline, and to inform his audience that those in Rome, similar to the army in Etruria, were intent on *bellum*.²⁰ Although the use of *domesticus* at 2.11, in contrast to the use at 2.1, did not refer explicitly to the *bellum* that the army in Etruria was preparing to wage outside the city walls, Cicero wanted to connect the *bellum* to the affair’s participants both inside and outside Rome, which the expression *bellum domesticum* seems to convey at 2.11. The *bellum domesticum* perhaps also referred to Etruria, as the region was considered part of the *res publica* by Cicero and therefore under his protection. Brown in his recent study of the expression *bellum civile* argues that the expression *bellum domesticum* relates to an “internal war.”²¹ Brown’s opinion that *bellum domesticum* is a less political term than *bellum civile*, because the question of citizenship is avoided, is not entirely sound.²² Cicero was certainly keen to represent the threat that faced Rome as a *bellum domesticum* to heighten the immediate and homegrown danger to his audience in the *Second Oration*. Therefore, I think a *bellum domesticum* could carry

¹⁹ Dyck (2008, 127) mentions that Cicero used the expression *bellum domesticum* most often in the *Orations*, but does not discuss why Cicero uses this adjective in this instance over *civile*, which is clearly the more specific expression to indicate a ‘civil war’. NB: I think translating *bellum domesticum* as a “civil war” like MacDonald (1977, 69) does is not as provocative as Cicero intended.

²⁰ Cf. Dyck 2008, 141.

²¹ Brown 2003, 105.

²² *Ibid.*

similar political ramifications to the expression *bellum civile* because the former analogously suggested that citizens were involved in this type of *bellum* as well.²³

The final instance of *bellum domesticum* in the *Second Oration* supports my argument. Cicero boasted that he alone would act as the leader against *bellum intestinum ac domesticum post hominum memoriam crudelissimum et maximum* “The most bitter and widespread *bellum intestinum ac domesticum* within in the memory of man” (2.28).²⁴ We can infer that the *bellum* he was describing in this instance was the entire affair that had yet been suppressed because he also qualified the term *bellum* with the adjective *maximum*, suggesting its significance and/or size. However, the use of the conjunction *ac* instead of *et* or *-que* to join the two adjectives could also suggest that the adjectives *domesticus* and *intestinus* were separated for emphasis.²⁵ Perhaps the *bellum intestinum* implied the continuing struggle against the remaining participants ‘inside’ of Rome, who at the time the *Second Oration* was delivered were still at large, and the *bellum domesticum* referred to the military activities occurring in Etruria and the other regions outside the city. Therefore, taken together Cicero’s use of the expression *bellum intestinum ac domesticum*, in this instance, most likely referred to all the affair’s plans that the participants intended both inside and outside of Rome. Furthermore, the expression implied that these participants were citizens despite the lack of the adjective *civilis*.

In the *Third Oration*, Cicero used the term *bellum* to describe the persistent threat of the affair. The term was used to identify the attempts by the *reliqua coniuratorum manus* to solicit support from the Allobroges and the affair as a whole. The term *bellum* occurred twice as much as the term *coniuratio*.²⁶ As mentioned in Chapter 2, Cicero warned that after Catiline had left for the army in Etruria those remaining in Rome were the leaders of the *nefarium bellum* ‘wicked war’ (3.3). In addition, Cicero claimed that Lentulus tried to enlist

²³ Cf. Cic. *Cat.* 3.19: *bellum civile ac domesticum*. See further section 4.4 below.

²⁴ Cf. Cic. *Cat.* 3.25: *in hoc autem uno post hominum memoriam maximo crudelissimoque bello* “In this war, however, the most important and most savage within memory of man.”

²⁵ On the use of the conjunction *ac* as a shortened form of *atque* and the emphasis it imparts to both terms over the use of *et* and *-que* (Mountford 1938, 10).

²⁶ The term *coniuratio* occurs 5 times, cf. Cic. *Cat.* 3.3, 14, 15, 17, 21; the term *bellum* occurs 10 times, cf. 3.3, 4, 15, 16, 19, 22, 25(*ter*), 27. NB: The term *coniuratio* is used to refer to the affair three times and the cognate *coniurati* occurs at 3.3 and 3.21 to refer explicitly to Lentulus and the *reliqua coniuratorum*. On the other hand, the term *bellum* explicitly referred to the affair eight times. At 3.22 the term *bellum* is implicitly used to refer to the affair by claiming the Gauls were the only nation still willing to wage war on Rome. At 3.27, *bellum* is also used implicitly to refer to the affair.

the support of the Allobroges *belli Transalpini et tumultus Gallici excitandi causa* “In an attempt to start a war on the other side of the Alps and a rebellion in Cisalpine Gaul” (3.4).²⁷ Later in the speech, he described the *bellum* using the superlatives *consceleratissimum periculosissimumque* ‘the most criminal and most dangerous’ (3.16), and as *maximum crudelissimumque* ‘the most serious and most savage’ (3.25).²⁸ These instances occur after Cicero had informed the people of Rome that Lentulus and the other *reliqua coniuratorum manus* had confessed and after Cicero demonstrated that they were trying to aid Catiline and the army in Etruria. Therefore, in these cases, Cicero used the term *bellum* to refer all of the affair’s activities.

The adjective *domesticum* occurs once in the *Third Oration* during Cicero’s explanation of the *responsa haruspicum*. The *haruspices* had insisted that the portents that occurred in 65 and 63 foretold that *caedis atque incendia legum interitum et bellum civile ac domesticum et totius urbis atque imperi occasum appropinquare* “Murder and arson, the end of the rule of law, [domestic] and civil war, the destruction of the whole city and of our empire were upon us” (3.19).²⁹ It was no coincidence that practically all of the affair’s designs were included in Cicero’s report of the interpretation of the portents – the *caedes atque incendia* intended in Rome and the preparations for *bellum* in Etruria. Cicero inserted this passage in the *Third Oration* to rhetorically accentuate the sacrilegious character of the affair, as was examined in Chapter 1.3.³⁰ Significantly, the purported *bellum* that was predicted was qualified as *domesticum ac civile*. The two adjectives qualifying the type of *bellum* emphasized that those supporting the affair were *cives*. However, the meanings of the two adjectives do not have to refer to the same action, because, as mentioned above, the conjunction *ac* can imply a separation for emphasis.³¹ Therefore, the *bellum domesticum ac civile* might separately indicate the disturbances occurring inside and outside Rome despite the fact

²⁷ See Chapter 2.4.2-4.

²⁸ The term *bellum* appears in tricolon at Cic. *Cat.* 3.25. The passage is further examined below in Section 4.5.

²⁹ NB: I have inserted the word “domestic” into MacDonald’s (1977, 123) translation for *domesticum* because I feel his choice to translate the adjective as “rebellion” is misleading.

³⁰ See also Chapter 2 n.21.

³¹ See n. 25.

that all the participants named, except the Allobroges, were *cives* from various parts of Italy.³²

This hypothesis is supported by Cicero's comparison of his suppression of the *bellum* occurring at home by citizens inside and outside of Rome to the *bella* great Roman generals had fought and won against a foreign foe (3.27). Cicero declared that the *res publica* was fortunate to have two men protecting Rome at the same time – Pompey, who expanded the frontiers of the *res publica* through his many victories outside of Rome; and Cicero, who *imperii domicilium sedisque servaret* “has preserved the home and seat of this empire” (3.26). However, Cicero continued to explain that victories in *externa bella* (‘foreign wars’) could not be celebrated if there was no Rome to return to, which suggested that his suppression of the affair was the most important victory of all (3.27).³³ Although Cicero did not specifically use the term *bellum* to refer to the affair in this passage, the language he used implied that his suppression of the affair of 63 was opposite of a *bellum externum*. We can suggest that Cicero implied the entire affair was a *bellum internum*. Again, it should be noted that an adjective, which conveyed something occurring internally did not necessarily refer only to actions that occur inside the walls of Rome, but could also refer to those occurring outside of the city against other “Romans.”

In the *Fourth Oration*, Cicero used the term *bellum* twice and *coniuratio* four times. Both terms interchangeably refer to the affair as a whole.³⁴ Cicero claimed that he had saved the lives, homes, and temples of Rome from murder and fire. He declared that the people thanked him from saving *totam Italiam ex bello et vastitate* “all Italy from war and devastation” (4.2). As noted in the beginning of this section, his representation of a *bellum* encompassing *tota Italia* was clearly a tactic to stress the extent of the affair's threat. Cicero increased the rhetoric in the peroration, proclaiming that *qua re mihi cum perditis civibus aeternum bellum susceptum esse video* “I realize, therefore, that there lies before me an unending war against evil citizens” (4.22).³⁵ The

³² Brown (2003, 105) argues instead that Cicero deliberately used the ambiguous expression *bellum domesticum ac civile* to avoid using only the latter adjective, which Brown argues had more specific political implications than the former. Dyck (2008, 194) argues that the expression is more clear than ambiguous, but does not continue to explain what it clarifies.

³³ Cicero went further in the *Fourth Oration* comparing his victory as significant as those in the Punic Wars, the Macedonian Wars, and Marius' victories against the Germanic tribes (4.20-24).

³⁴ For *bellum*, cf. 4.2, 22. For *coniuratio*, cf. 4.5, 6, 18, 20.

³⁵ Cf. Cic. *Sull.* 28: *cum mihi uni cum omnibus improbis aeternum videam bellum esse susceptum* “For I see that I alone have on my hands an unending war against all traitors.”

expression *aeternum bellum* perhaps expressed Cicero's feelings towards the affair of 63. However, if the *Orations* were revised for publication later, the expression *aeternum bellum* more likely referred to the events occurring after 63. The expression might have referred to the defeat of the army in Etruria a month later in January of 62,³⁶ or the prosecutions of those accused for supporting the affair later that year,³⁷ or the purported ongoing suppression of the disturbances in other regions outside of Rome the affair's supporters were attempting to incite.³⁸ Another possibility was that the expression *aeternum bellum* foreshadowed Cicero's future political troubles after his consulship, specifically due to the execution of Lentulus and the others that eventually led to his voluntary retreat into exile in 58.³⁹

Cicero used the adjective *domesticus* to qualify the *bellum* that the affair's participants were preparing more often than any other qualifying adjective in the *Orations*. In light of the evidence presented in this section, I demonstrated that Cicero used the adjective to refer to those involved with the actions of the affair inside and outside of Rome to stress both the internal and external facets of the threat facing the *res publica*. Apparently, it was not Cicero's intention to label the *bellum* that the affair's participants would wage as a *bellum civile* or he probably would have used the expression more than once in the *Orations*. The only instance of the expression *bellum civile* occurred in the passage regarding the *haruspicum responsa* to the portents, which occurred in 65 and 63 (3.19).⁴⁰ However, Cicero also claimed the *haruspicum responsa* predicted a *bellum domesticum*. As suggested above, perhaps both qualifying adjectives were used alongside *bellum* to refer to the *bellum* in Etruria and the rhetorical *bellum* against Rome that was being planned by those still remaining in the city. There was doubtlessly increasing political pressure on Cicero due to the severity of his actions as consul. So Cicero might have edited the published versions of the *Orations* to address the critics of his consulship and prove that the *res publica* was confronted with threats both externally and internally by

³⁶ Cic. *Fam.* 5.2.

³⁷ In 62, Cicero identified some of those who were convicted for their involvement with the affair of 63 in the *Pro Sulla* (5-7). On the date of the *Pro Sulla*, see Chapter 2 n.130. In 59, Cicero defended his colleague Antonius from the same accusation, see Chapter 2 n.106. In 56, Cicero defended M. Caelius Rufus, who the prosecutors claimed was a supporter of the affair in 63 (*Cael.* 10-15).

³⁸ See Chapter 3 n.107.

³⁹ See Chapter 2 nn.127-8.

⁴⁰ For the portents, see Chapter 2 n.316.

using the varied expression *bellum domestiucm*, *bellum intestinum*, or *bellum civile*. Therefore Cicero used both the terms *coniuratio* and *bellum* to refer to the affair, which could only increase the affair's overall threat. Cicero wanted to show that he was left with no option but to recommend that Lentulus and the others should be sentenced to death.⁴¹ In addition, as explained above, Cicero wanted to identify the affair of 63 as a *bellum* in order to compare his victory over the affair's participants to those of the great Roman generals of the past. Therefore, Cicero used the instances of *bellum* strategically when he needed to accentuate the wicked nature of those planning to wage what clearly was a *bellum civile*. However, the reasons why Cicero primarily avoids labeling the affair as a "civil war" the expression will be examined later in section 4, after first examining the way Sallust used the term *bellum* in reference to the affair.

4.2 The use of the term *bellum* in Sallust's *Catilina*

Sallust used the term *bellum* 29 times to specifically refer to the affair of 63 in the *Catilina*.⁴² Similarly, the term *coniuratio* or its cognates occurred 29 times to identify the affair and its participants. Sallust often used the term *coniuratio* in conjunction with terms that conveyed the aspects usually found when describing a conspiratorial context, as noted in Chapter 1.⁴³ However, we should not overemphasize the coincidence that both terms occurred the same number of times in reference to the events associated with the affair of 63. Of course, Sallust was not counting or concerned with the number of occurrences of either term in his monograph. However, similar to Cicero, Sallust used both terms to demonstrate that the affair's participants planned to achieve their aims not only through the subversive tactics related to a *coniuratio*, but also by preparing for *bellum*. On the other hand, again in a similar manner to Cicero, Sallust sometimes used the term *bellum* not only to refer to the military preparations outside of Rome, but also in reference to the affair as a whole.

Initially, Sallust claimed that Catiline persuaded others to join the *coniuratio* by enticing them with the *magna praemia coniurationis* "the great

⁴¹ Concerning Cicero's denial that he alone should be blamed for Lentulus and the others' execution, see Robinson, 1994.

⁴² The term *bellum* occurs 52 times throughout the *Catilina* and 29 instances refer to the affair of 63, cf. Sall. *Cat.* 5.2, 16.4, 17.6, 20.15, 21.1, 2, 24.2, 26.5, 27.4, 30.2, 31.3, 32.1, 2, 33.4, 37.9, 39.6, 40.1, 43.1, 47.2, 48.1, 2, 51.9, 52.3, 24, 34, 57.1, 5, 58.2, 58.16.

⁴³ For the instances of *coniuratio* in the *Catilina*, see Chapter 1 n.17.

prizes of affair” (Sall. *B Cat.* 17.1). Conversely, in Sallust’s invented speech for Catiline, he reported that Catiline urged his supporters that the way to extricate themselves from their hopeless position was to win the *belli spolia magnifica* “splendid spoils of war” (20.15). These men then questioned Catiline about what these *belli spolia* would be and *quae condicio belli foret* “the conditions under which war would be waged” (21.1). As mentioned before, Sallust recorded that Catiline promised the participants in the affair *tabulae novae*, the proscription of the rich, magistracies, priesthoods, plunder and *omnia quae bellum atque libido victorum fert* “all the other spoils that war and the license of victors can offer” (21.2).⁴⁴ Sallust switched from *praemia coniurationis* to *belli spolia* probably to offer a stylistic variation, not to differentiate between the actions occurring inside and outside of Rome. In these instances, the terms *coniuratio* and *bellum* clearly identified all of the affair’s activities regardless of where they physically occurred.

Sallust’s narrative followed Cicero’s account that after Catiline fled Rome his primary role in the affair of 63 was to lead the army in Etruria. Sallust sometimes used the term *bellum* to specifically identify the affair’s activities occurring outside of Rome three times. After Catiline’s initial plan to murder Cicero in the *Campus Martius* during the elections of 63 was foiled and after Catiline failed to be elected consul, Sallust recorded that *constituit bellum facere* “He [Catiline] resolved to take the field” (26.5). Sallust suggested that Catiline thought he would be more useful leading the army in Etruria and hoped those who were sent to the other regions in Italy *initium belli facerent* ‘to start a war’ were more successful than the initial failure of the murders planned in Rome (27.4).⁴⁵ After Cicero was informed about the affair and delivered the *First Oration* divulging its plans, Catiline believed that their plans for murder and arson in the city were compromised for the time being. Due to Cicero’s detection of these plans, Sallust claimed Catiline thought his best course of action was *exercitum augere ac prius quam legiones scriberentur multa antecapere, quae bello usui foret* “To increase the size of his army and secure many of the necessities of war before the legions were enrolled” (32.1). The last instance of the term explicitly identifying the action in Etruria as a *bellum*

⁴⁴ See Chapter 3 n.13.

⁴⁵ Sallust has Catiline blame the others in the affair for their *ignavia* (‘cowardice’) because they had failed to murder Cicero during the elections in 63 (Sall. *Cat.* 27.4). Sallust continued to describe the second failed assassination of Cicero by C. Cornelius and L. Vargunteius (28.1-3).

occurred after Catiline heard that Lentulus and the others had been executed and realized *in urbe res advorsas* ‘the plans in the city had failed’. Sallust reported that the army in Etruria was surrounded, so Catiline had no choice but *fortunam temptare belli* ‘to try his luck in war’ (57.5).

Sallust also described other people than Catiline supporting the affair who had a similar desire to start a *bellum*. Sallust claimed that: i) the *iuvenes nobilis* were attracted to the affair because *bellum quam pacem malebant* ‘they preferred war than peace’ (17.6), ii) those who had suffered due to the proscriptions and confiscations during the reign of Sulla *belli eventum expectabant* “looked forward...to the issue of a war” (37.9), and iii) the *plebs* who Sallust claimed had initially been also *nimis bello favebat* “too eager for war” (48.1).⁴⁶ Sallust wanted to stress that people from all classes were attracted to the plan to wage *bellum*. However, as noted, the plebeians in Rome were not in favor of the plan to set parts of the city on fire.⁴⁷ Sallust’s narrative created a pervading sense that there were many in the *res publica* that were discouraged with their current lot in life to resort to violence.

Sallust also identified the military preparations of the *bellum* using the phrase *in agrum* to express that the disturbances specifically occurring outside of Rome. The following instances occurred outside of Rome and described military operations using other terms implying a state of “war.” Sallust reported that: i) Catiline sent Septimius *in agrum Picenum* along with Manlius to Etruria and Julius to Apulia where, as mentioned above, they were *initium belli facerent* (27.1, 4); ii) the Senate sent Q. Pompeius Rufus to Capua and Q. Caecilius Metellus Celer *in agrum Picenum...exercitum compararent* “to the Picene district... to raise an army” (30.5); iii) C. Flaminius helped Catiline *in agro Arretino dum vicinitatem antea sollicitatam armis exornat* “in the vicinity of Arretium, where he supplied arms to the populace, which had already been roused to revolt” (36.1); iv) there were continuing disturbances *in agro Piceno, Bruttio, Apulia* (42.1); v) Lentulus and the other *coniurati* remaining in Rome were waiting to commence the hostilities in Rome *cum Catilina in agrum Faesulanum cum exercitu venisset* “when Catiline arrived in the region of Faesulae with his army” (43.1); and vi) the first and final battle against Catiline, Manlius, and the army in Etruria was fought *in agrum Pistoriensem* and this was

⁴⁶ NB: In the same passage, Sallust also claimed the plebs initially hoped for *res novae* (48.1).

⁴⁷ See Chapter 2 n.35.

where Catiline decided to, as mentioned above, *fortunam belli temptare* (57.1, 5). The majority of the military actions of the *bellum* were placed *in agris* specifically outside of Rome. However, as examined above, Sallust demonstrated that many people believed a *bellum* would improve their position. Therefore, one can suggest that he used the term *bellum* to identify one of the actions of the affair. As mentioned, Sallust's monograph highlighted the decline of morals in the post-Sullan Rome and represented the affair's participants as those who were specifically corrupted by the increase in vice.⁴⁸ Therefore, the term further emphasized the wickedness of the affair by claiming that only the most immoral individuals were willing to fight against their own country.

Sallust used the term *bellum* rhetorically, similar to Cicero, in order to persuade his readers that the *res publica* was also facing the threat of *bellum* beyond the localized plans of murder and arson in Rome. This theme is also expressed when Sallust described the fears that a *bellum* can instill and the horrors that *bellum* can bring. He recorded that when Cicero revealed the extent of the affair's plans and set watches throughout the city (30.7), the citizens were overwhelmed with fear and concern whether their leaders would be able to protect them from *timor belli* "the terrors of war" (31.3). Sallust wrote that Catiline urged the participants remaining in Rome to prepare *aliaque belli facinora* "the other horrors of war" (32.2). However, in these two instances, the term *bellum* actually referred to the actions that were planned to take place inside of Rome. Sallust has Caesar imply that the *belli saevitia* "the horrors of war" were conflated to increase the odium against Lentulus and the others who were being sentenced on December 5 (51.9). No matter how earnestly Sallust's monograph emphasized the danger of the affair by using the term *bellum*, the fact that all of the affair's plans were either aborted or failed is obvious. Instead, in these cases, Sallust used the term *bellum* in reference to the activities occurring inside of Rome planned by its own countrymen.⁴⁹ Sallust implied that the *bellum* being conducted in 63 was the most lamentable of all wars because it pitted citizen against citizen. However, Sallust, like Cicero, generally avoided using an adjective to qualify the specific type of *bellum* that was waged.

⁴⁸ For the decline of morality in the *Catilina* after Sulla, cf. Laistner 1947, 52-5; Earl 1961, 42-7; Syme 1964, 66-7; Lintott 1972, 626-8; Vretska 1976, 203-6; McGushin 1977, 62-3 and 104-5; Levick 1982, 53-62; Levene 2000, 174-80.

⁴⁹ See Chapter 2.2.

Sallust used the adjective *intestinus* once when describing Catiline's character. Sallust said that *ab adolescentia bella intestina...exercuit* 'Catiline was well versed in *bella intestina* from youth' (5.2). The expression *bella intestina* might refer to the armed conflicts where Catiline gained his early military experience. As mentioned, there is evidence that Catiline fought under Cn. Pompeius Strabo during the Social War and under Sulla in his struggle against the Marians.⁵⁰ Scholars continue to debate whether the Social War was appropriately named and whether it should be considered a civil war.⁵¹ On the other hand, the conflicts between the Sullans and Marians were certainly wars between citizens. The adjective *civilis* most likely referred to those with citizen status, so perhaps the reason Sallust chose to use the adjective *intestinus* instead was to include both the Social War and the "civil war" between the Sullans and Marians.⁵² Sallust also included the terms *caedes*, *rapinae* and the expression *discordia civilis*, which were probably further allusions to Catiline's actions during Sulla's reign.⁵³ If the expression *discordia civilis* was used to identify Catiline's association with Sulla then it perhaps referred to the *bella intestina* between the Sullans and Marians. Therefore, this instance of *bella intestina* suggested a *bellum civile* without Sallust having to explicitly use the latter expression.

According to the *Catilina*, rumors proliferated throughout Rome after the Senate received the initial report in late October of the armed uprising in Faesulae. One rumor was that a *bellum servile* was occurring in Capua and in Apulia (30.1). The Senate adhered to the rumors and decreed that Q. Metellus Creticus was sent to Apulia and Q. Pompeius Rufus to Capua with instructions to raise an army (30.3-5).⁵⁴ The alleged disturbances in Apulia and Capua and whether the *servi* were solicited to join the affair were discussed in Chapter 3.4. This section explained that, according to Sallust, Catiline had refused to enroll

⁵⁰ See Chapter 3 nn.48-9.

⁵¹ Although Appian included the Social War in his work on civil wars (App. *B Civ.* 1.34-53), however, so was the affair of 63 (2.2-7). Still it is debatable that the Social War was a 'civil war' more than a war about citizenship as Appian claimed (1.34-39). On the corresponding Greek term *συμμαχικός πόλεμος* and other ways the so-called Social War was named, cf. Rosenberger 1992, 38; Brown 2003, 102.

⁵² Our sources referred to the so-called Social War in various ways for various reasons, cf. Jal 1962, 257-67; Rosenberger 1992, 35-6; Brown 2003, 96-102.

⁵³ The term *caedes* may refer to Catiline's alleged murders during the proscriptions; cf. Asc. 84, 87, 90; [Q.Cic.] *Comm. Pet.* 9; Plut. *Sull.* 32. See Chapter 3 p.158. The term *rapinae* may refer to his alleged siege of a town that opposed Sulla after his victory over the Marians; cf. Sall. *Hist.* 1.46. See also, Chapter 3 n.49.

⁵⁴ See further Chapter 3.4.

slaves into the army in Etruria, however, Lentulus had no reservations of enlisting slaves to help achieve the affair's ultimate goal of gaining power in Rome (44.6, 56.5).⁵⁵ Perhaps Catiline refused to use slaves, but the participants who were sent to the other regions throughout Italy to solicit support probably attempted to induce slaves to join the affair. Sallust recorded that Catiline sent C. Julius into Apulia, but was not specific about his task (27.1). On the other hand, Sallust claimed M. Caeparius was sent to Apulia *ad concitanda servitia proficisci* "to stir the slaves to revolt" (46.3).⁵⁶ Whether the affair's participants were successful in inciting the slaves to join the affair and start a *bellum servile* in Apulia remains uncertain. In any case, the *Catilina* only describes the actions occurring in Rome and Etruria in great detail and instead portrays the actions in the other areas as an ancillary part of the affair or a coincidental occurrence. Perhaps it was not accidental that the expression *bellum servile* occurs in a conjectural context, as Sallust was primarily concerned with portraying the *bellum* in 63 as one fought between citizens. However, the expression *bellum civile* only occurs twice in the *Catilina*, which is examined in the following section.

4.3 Sallust and the implied *bellum civile* of 63

Sallust used the expression *bellum civile* during his account of the *haruspicum responsa* to describe the many portents that had occurred in 65 and 63.⁵⁷ He explained that the *haruspices* foretold that the year 63 *bello civili cruentum fore* "would be stained with the blood of civil war" (Sall. *Cat.* 47.2). It should be recalled that when Cicero discussed the *haruspicum responsa*, he used the phrase *bellum civile ac domesticum*, whereas Sallust only used the former adjective to qualify the *bellum* that was predicted (Cic. *Cat.* 3.19). Another difference between Cicero and Sallust's corresponding accounts of the *haruspicum responsa* and the way each author used the phrase *bellum civile* is that Sallust's account occurs in his narrative while specifically describing the deposition by the Allobrogean envoys in connection with their disclosure of the supposed prophecy of 63; whereas Cicero's account occurs when describing the serendipitous erection of the statue of Jupiter on the day of the capture of

⁵⁵ See Chapter 2 nn.257-60.

⁵⁶ Cf. Cic. *Cat.* 3.14: *in M. Caeparium cui ad sollicitandos pastores Apuliam attributam* "And of Marcus Caeparius to whom, as had been shown, Apulia had been assigned for him to raise the shepherds there."

⁵⁷ See Chapter 2 n.316.

Lentulus and some of the others in the *reliqua coniuratorum manus*. In Chapter 2, I suggested that Lentulus most likely believed in the prophecy. Although the expression occurs in an auspicious context, the timeline of when the *bellum civile* would erupt was specific and corresponded with the timeline of the prophecy. Therefore, if the *haruspices* predicted that a *bellum civile* would occur in 63 then it follows that Lentulus and anyone else who believed he was the third *Cornelii* to rule Rome probably thought the prediction specifically referred to the type of *bellum* he would wage to fulfill the prophecy. However, in this passage, Sallust was only reporting the *haruspicum responsa*, not expressing his personal opinion of the type of *bellum* the affair was planning. Therefore, we cannot determine from this instance alone whether Sallust felt the *bellum* in 63 was the *bellum civile*, which the *haruspices* foretold.

The second and final instances of the expression *bellum civile* in the *Catilina* occur when Sallust implied that one motive behind Catiline's decision to overthrow the *res publica* was the willingness by the veterans of Sulla's army to join the affair. Sallust declared that the veterans *usi rapinarum et victoriae veteris memores civile bellum exoptabant* "now thought with longing of their former pillage and victories, were eager for civil war" (Sall. *B Cat.* 16.4). Sallust explained that one of the reasons the veterans desired a *bellum civile* was due to their massive debts and their misuse of the land they were assigned after their service under Sulla.⁵⁸ Sallust perhaps associated the *bellum civile* with the Sullan veterans alone in this instance because the expression recalled their involvement with the conflicts between the Roman citizens supporting Sulla or Marius. After Sulla's victory over the Marians, his veterans benefited in part from the ensuing proscriptions and confiscations of land from areas that supported the Marians, which was examined in Chapter 3.4.⁵⁹ On the one hand, Sallust probably used the expression *bellum civile* to evoke contempt for these Sullan veterans and the wars they fought against other Romans during the late 80's. On the other, the expression might allude to Manlius and the veterans' military preparations in Faesulae and perhaps alluded to the other Sullan veterans in different parts of Italy who supported the affair as well.

Sallust had the Sullan veteran Manlius refer to the other Sullan veterans in his army as *cives* (33.5). Presumably, most of the Sullan veterans had

⁵⁸ Cf. Cic. *Cat.* 2.20; Sall. *B Cat.* 16.4, 33.1.

⁵⁹ See also Chapter 3 n.110.

citizen status or at least the opportunity to receive citizenship after they were settled in the *coloniae*.⁶⁰ Although Sallust did not explicitly use the expression *bellum civile* to identify the hostile military actions the affair was preparing, the phrase suggested that those willing to wage the *bellum*, particularly the army in Etruria, were *cives*. We could argue that due to the *hostes* declarations Catiline and Manlius' army had lost their official status as *cives*. However, I believe that Sallust was not concerned with such a technicality. Sallust wanted instead to stress the horrific nature of a conflict that pitted Roman versus Roman. Therefore, the army's official status as *hostes* does not, in my opinion, supply a reason that Sallust chose to avoid using the specific expression *bellum civile*, as who was fighting who in the *Catilina* is clearly understood.

The climax of the *Catilina* described Catiline, Manlius, and their army's last stand against the loyal forces of the *res publica* in an evocative and eloquent style (56.1-61.9).⁶¹ Sallust began the account by describing how the army of Catiline and Manlius was ill equipped and undermanned (56.3).⁶² The army decided to retreat to Gaul after the fate of the *coniurati* remaining in Rome was known (57.1). Catiline, Manlius and their army found themselves surrounded in the mountains near Pistoria, from the north by the forces commanded by Q. Metellus Celer and the south by C. Antonius' forces.⁶³ With nowhere to turn, Sallust invented a valiant speech for Catiline typical of a commander rallying his troops.⁶⁴ Catiline implored his troops not to desert and exhorted them to fight *pro patria, pro libertate, pro vita* "for country, for freedom, for life" (58.11). Sallust continued to describe the order of battle and recorded that C. Antonius' legate, M. Petreius, encouraged his troops by stating that they, too, were to fight in defense *pro patria, pro liberis, pro aris atque focis suis* "of his country, his children, his altars and his hearth" (59.5).⁶⁵ Both Catiline and Petreius claimed that their armies were fighting for the *patria*, implying that both armies were composed of Roman citizens. After Catiline and Manlius' army was defeated, Sallust bemoaned that the victorious Roman army had defeated

⁶⁰ On the citizen status of Sulla's veterans, cf. Brunt 1962; Gabba 1976, 24-6; Cagniard 2007, 82-3.

⁶¹ Cf. Syme 1964, 68; Vretska 1976, 643-8.

⁶² On the various estimates of the size of the army, see Chapter n.59.

⁶³ On the perceived movements of both the army in Etruria and the forces loyal to the *res publica*, see Sumner 1963.

⁶⁴ On Sallust's speech for Catiline as an example of the establish *topos* regarding a general's speech to his army before battle, cf. McGushin 1977, 280-3; Batstone 2010, 227ff.

⁶⁵ Cf. Sall. *Cat.* 20.7-8.

an army comprised of *amici* ('friends'), *hospes* ('guests'), and *cognati* ('relatives') further indicating that the battle fought in Etruria was between people from the same country (61.8). In the final sentence of the *Catilina*, Sallust lamented *ita varie per omnem exercitum laetitia, maeror, luctus atque gaudia agitabantur* "Thus the whole army was variously affected with sorrow and grief, rejoicing and lamentation" (61.9). Sallust does not need to use the specific term *bellum civile* in the climax of his monograph because a "civil war" is understood. One of Sallust's aims as a historian was to demonstrate the despicable and melancholic qualities of a *bellum civile* in any period. He described "civil war" using other expressions more often than *bellum civile*, which is investigated in section 4.5. The next section will discuss Cicero's use of the expression *bellum civile*, or lack of, to identify the affair of 63.

4.4 Cicero's avoidance of the expression *bellum civile*

As shown in the first section of this chapter, Cicero used the expression *bellum civile* once in an oblique reference to the affair when recounting the *haruspicum responsa* in the *Third Oration*. However, in all four *Orationes* and the *Pro Murena*, Cicero continually stressed that the people supporting the affair were Roman citizens in order to magnify their traitorous intentions. Conversely, Cicero also tried to demonstrate that the *cives* involved with the affair should be considered *hostes*. I examined in Chapter 3 how Cicero connected the actions occurring inside and outside of Rome in order to portray that all the affair's participants were *hostes rei publicae*; and in order that the *SCU* was passed so he could take extraordinary measures to punish these citizens turned enemies and effectively prevent their attempt to gain power in Rome.⁶⁶ In addition to *hostes*, Cicero often represented the *cives* who were planning to wage *bellum* as *latrones* ('mercenaries or bandits') and the affair as *latrocinium* ('banditry') in the *Orationes* and the *Pro Murena*.⁶⁷

The terms *latrones* and *latrocinium* occur ten times in the *Orationes* and once in the *Pro Murena*. Three instances refer to the affair as a whole (cf. Cic. *Cat.* 1.27, 2.1, 22), whereas the rest are used to deride Catiline or his and Manlius' army in Etruria rather than indicating that *latrocinium* was a genuine

⁶⁶ See Chapter 3.3.

⁶⁷ OLD (*latro*) s.v. 1-2; (*latrocinium*) s.v. 1.

identification for the affair (cf. *Cat.* 1.23, 31, 33, 2.7, 16, 24, 3.17, *Mur.* 84).⁶⁸ Cicero claimed that Catiline's plan to wage a *bellum* should *susceptum latrocinium potius quam bellum nominaretur* "go under the name of banditry not war" (1.27). In this case, Cicero did not refrain from comparing the *bellum* and *latrocinium* however, he often used the former term to emphasize the threat facing Rome, as shown above, and the latter term primarily as an insult against the affair and those supporting it. By comparing the *bellum* to *latrocinium*, Cicero had seemingly undermined his claim that the *res publica* faced a dangerous situation similar to a *bellum*.⁶⁹ However, the reason Cicero made this comparison was most likely to increase the hostility towards the affair's participants who, according to him, were acting like outlaws; and to accentuate the desperate measures they were employing to threaten the *res publica*. In turn, Cicero wanted to decrease the resentment that may have arisen due to his decision to send armies against citizens throughout Italy that might be attracted to support the affair. Therefore, he disparaged those involved by identifying them as lawless *latrones* and their actions as *latrocinium*. In addition, Cicero highlighted the criminality of the affair's participants because often labeling them *hostes*.

Cicero uses the term *hostes* to identify the citizens involved with the affair to convince his audience that those involved were acting as 'enemies' not *cives*. He continually emphasized this point in the *Orations* and the *Pro Murena*. Again, I already explained that if Catiline and Manlius were formally declared *hostes rei publicae* then the other citizens associated with them were most likely considered the same.⁷⁰ This was clearly Cicero's tactic. He used the term *hostis* 28 times in the *Orations* and three times in the *Pro Murena* to

⁶⁸ On Cicero's usage of *latrones* or its cognates in relation to the affair, cf. Jal 1963b, 67-70; Burian 1984, 17-23, Habinek 1998, 69-87. Jal (1963b, 69) argues that the term was sometimes used with the intention to ridicule an opponent who was acting as a *hostis*. Burian (1984, 17-23) concurs, but his work focuses on the way the term was used as an insult in judicial contexts. Habinek (1998) concludes that Cicero used the term to suit the purpose of his individual speeches. NB: Sallust used the term *latrones* twice. First, he claims that Manlius enlisted *latrones* into the army in Etruria (*Sall. B Cat.* 28.4). Second, the term was used in Petreius' speech to his army encouraging his troops who claimed the army in Etruria were composed of *latrones inermis* "unarmed highwaymen" (59.5).

⁶⁹ Cicero insulted the courage of the army in Etruria stating that *verum etiam si edictum praetoris ostendero, concident* "They will collapse if I show them the praetor's edict" (*Cic. Cat.* 2.5). Jal (1963b, 68) insinuates that Cicero's statement further degraded the threat of the army in Etruria. However, this passage does not explicitly refer to the army as *latrones* instead Cicero claimed the army was composed of *senses* ('old men'), surely an allusion to the Sullan veterans, and *rustici* ('peasants'), which might allude to the inhabitants of areas dispossessed by the foundation of Sullan *coloniae*.

⁷⁰ See Chapter 3.3.

imply that the affair's participants were enemies of Rome.⁷¹ Occasionally, these instances overlap as Cicero used the term *hostis* to refer to anyone attempting to support the affair. In other cases, the term was used to refer to those who were explicitly involved with the affair either outside or inside of Rome. I will not discuss each instance of the term *hostis* in the *Orations* and the *Pro Murena* because, regardless of whom the term referred to, the term *hostis* emphasized the criminality of the affair as a whole.⁷² The instances of the term *hostis* I examine below occur in contrast with the term *cives* to show how Cicero stressed the hostile nature of the citizens supporting the affair.

The reason Cicero frequently used the term *hostis* becomes clearer in each succeeding *Oration*, as evidenced in the following selected passages. In the *First Oration*, Cicero explained that there was a legal precedent in Rome against those who were recognized as *hostes*. He argued *at numquam in hac urbe qui a re publica defecerunt civium iura tenuerunt* "Never in this city have those who have rebelled against the State kept the rights of citizens" (1.28).⁷³ In the *Second Oration*, he explained that the *cives* involved with the affair both inside and outside of Rome should be treated like *hostes*. When describing the situation to the people recalling the alienation Catiline received in the Senate during the *First Oration*, Cicero asked *quis denique ita aspexit ut perdotum civem ac non potius ut importunissimum hostem?* "Who treated him as a citizen, though a scoundrel, and not as the most dangerous of *hostis*?" (2.12). In addition, he continued to warn the people in Rome to be vigilant against those who were supporting the affair remaining inside the city. Regarding the members of the *reliqua coniuratorum manus*, Cicero reminded his audience that *quamquam sunt hostes, tamen, quia nati sunt cives* "Although they are enemies, still they were born citizens" (2.27). It was clear that in Cicero's opinion any *civis* inside of Rome who continued to support the affair was acting as a *hostis* similar to Catiline, Manlius, and the army in Etruria. In the *Third*

⁷¹ NB: In the *Orations* the term *hostis* is used four additional times to refer to 'non-Roman' enemies (Cic. *Cat.* 1.3, 2.29, 3.27, 4.22) and once in reference to the affair' enemies implying the people of Rome (3.25). These occurrences in the *Orations* are excluded from my count. See also, n. 72.

⁷² The term *hostis* is used in reference to Catiline fourteen times (cf. *Cat.* 1.13, 27, 2.1, 3, 4 (*bis*), 12, 17 (*ter*), 29 3.17, 4.16, 22; *Mur.* 83); in reference to Manlius and the army nine times (cf. *Cat.* 1.5 (*bis*), 27, 33, 2.1, 4, 15, 29 4.22); and sixteen times to represent the citizens supporting the affair both inside and outside of Rome (1.5, 33, 2.4, 11, 27, 3.15, 22, 25, 28, 4.10, 13, 15, 16, 22; *Mur.* 84 (*bis*)).

⁷³ Cicero similarly declared that Lentulus had lost his right to be a praetor of Rome and his citizenship when he confessed to being involved in the affair (Cic. *Cat.* 3.15).

Oration, Cicero used the adjective *domesticus* to qualify the noun *hostis* three times to emphasize that the *cives* who had confessed to supporting the affair were not “non-Romans,” but fundamentally “native enemies” (3.15, 22, 28).⁷⁴

Cicero recast Caesar’s explanation of the *lex Sempronia*, which affirmed a Roman citizen’s right to appeal to the people, to suit his argument that those who had confessed to supporting the affair should face capital punishment in the *Fourth Oration*. Cicero claimed the *lex* should not be applied in this case because: *rei publicae sit hostis eum civem esse nullo modo posse* “An enemy of the Republic cannot in any respect be regarded as a citizen” (4.10). He maintained his opinion that those who had confessed *neque in improborum civium sed in acerbissimorum hostium numero habendos* “are to be classed as mortal public enemies, not just wicked citizens” (4.15). Since Cicero was recommending that Lentulus and the others who had confessed to their crimes should be put to death without a trial, he was conscious of the enmity this action would bring.⁷⁵ Therefore, Cicero needed to convince the Senate and the people of Rome that these *cives* were worse than the non-Roman *hostes* that threatened the *res publica* with *bellum*. Cicero was determined in the *Fourth Oration* to equate the *cives* involved in the affair to *hostes* to accentuate the traitorous quality of the affair. Ultimately, in the peroration of the speech, he declared that all the *cives* involved *hostes patriae semel esse coeperunt* “have once become traitors to their own country” (4.22).

Jal, Rosenberger, and Brown in their studies of the expression *bellum civile* highlight its political and social ramifications, and the expression’s ‘negative’ connotations.⁷⁶ Perhaps the negative perception of the expression was the reason Cicero rarely used it to interpret any specific part of the affair. Again, if Cicero thought that the *bellum* that those supporting the affair were planning to wage was a *bellum civile*, then surely the expression would occur more than once and not only when describing what the *haruspices* predicted would supposedly occur in 63 (Cic. *Cat.* 3.19). Cicero perhaps avoided using the expression *bellum civile* because in his opinion the affair’s participants were no longer *cives* but *hostes*, as shown above.⁷⁷ Therefore the magistrates, whom Cicero and the Senate sent to raise armies to battle the forces in Etruria

⁷⁴ On the term *hostis domesticus*, see Jal 1963b, 58-60.

⁷⁵ See Chapter 3 n.105.

⁷⁶ Cf. Jal 1963a; Rosenberger 1992, 155-6; Brown 2003, 120.

⁷⁷ Brown 2003, 105.

and the other areas he claimed were supporting the affair, would be, in his words, fighting a *bellum iustum* ('a just war') against a legitimate *hostis* (2.1). As explained in the last paragraph, Cicero used the same tactic concerning the five *cives* that were acting as *hostes* in order to convince the Senate in the *Fourth Oration* that the *cives* should be executed. Evidently, Cicero used the term *bellum* often without a qualifying adjective to refer to the actions of the affair both inside and outside of Rome.

Cicero's continually insisted that the affair's participants planned to wage a *bellum*. Although Cicero does not often define the type of *bellum* that would transpire, the seriousness of the implication is unaffected. Instead, his ambiguity magnified the unique danger and complexity of the affair. Cicero continually claimed throughout the *Orations* that he knew all of the affair's plans in order to assuage the fears that his account of the extent of the affair might instill. Whether he identified the affair as either a *coniuratio*, or a *bellum*, or sometimes as both situations occurring at once in the *Orations*, Cicero always professed that he was apprised of the affair's plans, the number of people willing to support it, and the influential citizens who were involved. However, the specific manner in which Cicero used the term *bellum* either literally or figuratively was significant in order to legitimize the severe measures he needed to take to prevent the affair. Therefore, he used the term *bellum* to further establish that the participant's ultimate goal to gain power in Rome included both seditious and violent measures.

4.5 *Dissensio civilis* and Cicero's representation of armed conflict

The expression *dissensio civilis* or the alternative expression *dissensio civium* can define a "disagreement between citizens."⁷⁸ Cicero used the term *dissensio* without any qualifying adjective when he was explicitly referring to a "difference of opinion," which is most often found in his philosophical works.⁷⁹ However, in the *De Amicitia*, Cicero explained that nothing is worse among friends than going to *bellum* over a *dissensio* (Cic. *Amic.* 77).⁸⁰ Hellegouarc'h

⁷⁸ *dissensio*: TLL V.1455.8-10.

⁷⁹ OLD (*dissensio*) s.v. 2. For *dissensio*, cf. Cic. *Brut.* 185, 188, 264; *Fin.* 1.11, 2.49, 119, 3.44, 4.32, 60, 75, 5.12, 16, 17, 76; *Tusc. Dis.* 1.18, 2.4, 5.22; *Nat. Deo.* 1.2, 14, 16; *Div.* 2.38, 83; *Off.* 3.56, 88; *Leg.* 1.8, 47, 52, 53, 55, 57, 2.32.

⁸⁰ Cic. *Amic.* 77: *Sin autem aut morum aut studiorum commutatio quaedam, ut fieri solet, facta erit aut in rei publicae partibus dissensio intercesserit... cavendum erit, ne non solum amicitiae depositae, sed etiam inimicitiae susceptae videantur. Nihil est enim turpius quam cum eo bellum gerere quocum familiariter vixeris.* 'But if on the other hand, as usually happens, a mere

explains that the term *dissensio* frequently expresses disagreement between two individuals or groups, particularly in the political sphere. Hellegouarc'h argues that when *dissensio* is qualified with the adjective *civilis*, it roughly conveys a context akin to "revolution" in modern terminology.⁸¹ However, Cicero did not use the expression *dissensio civilis* to signify what we today would conclusively identify as a genuine "revolution," which typically defines an attempt to change a government's current political system.⁸² As shown below, Cicero most frequently used the expression *dissensio civilis* to signify the initial cause of a *bellum civile* or as an alternative phrase to express a *bellum civile*. Therefore, the expression *dissensio civilis* may signify a "revolt" against those in power. However, according to Cicero's usage of the expression, it is debatable if a *dissensio civilis* corresponded with the often ambiguous and problematic modern term "revolution", as Hellegouarc'h suggests.⁸³

Cicero used the expression *dissensio civilis* twice in the *Verrines* when he was prosecuting C. Verres on a charge *de repetundis* in 70. The expression was used to describe the tumultuous conflict between the Sullans and Marians in the previous decade. Cicero first used the expression to recount the moment when Verres changed his allegiance from supporting Carbo, under who Verres served as quaestor in 83, to supporting Carbo's enemy Sulla when he returned to Italy.⁸⁴ Cicero explained that *etat tum dissensio civium* "At that time, *dissensio civium* prevailed" (Cic. *Ver.* 2.1.34). He used the expression a second time recalling the conflicts between Sulla and Marius. He reminded his audience of *civilis enim dissensionis et seu amentiae seu fati seu calamitatis non est iste molestus exitus, in quo reliquos saltem civis incolumis licet*

change of disposition and of tastes should occur, or if a *dissensio* in political views should arise... care must be taken lest it appear, not only that friendship has been put aside, but that open hostility has been aroused. For nothing is more discreditable than to be at war with one with whom you have lived on intimate terms." Cf. *Off.* 1.87: *Idemque praecipit, 'ut eos adversarios existimemus, qui arma contra ferant, non eos, qui suo iudicio tueri rem publicam velint', qualis fuit inter P. Africanum et Q. Metellum sine acerbitate dissensio.* "And he [Plato] likewise lays down the rule 'that we should regard those as adversaries who take up arms against the state, not those who strive to have the government administered according to their convictions. This was the spirit of disagreement between Publius Africanus and Quintus Metellus: there was no trace of *dissensio*'".

⁸¹ Hellegouarc'h (1963, 133-4) states that when *dissensio* is qualified by the adjective *civilis*, "Il y prend une valeur concrète qui fait qu'il se trouve au pluriel dans un sens qui est alors à peu près celui de *seditio* et celui du français 'révolte' ou 'révolution'"

⁸² See *Oxford English Dictionary*, "revolution" s.v.1.

⁸³ NB: Equating the Latin term *dissensio* with the modern term 'revolution' creates more problems than solutions. Hellegouarc'h also suggests that the term *dissensio* conveyed a similar sense to the term *seditio*, which I think is more à propos. For *seditio*, see Hellegouarc'h 1963, 135-7.

⁸⁴ See *RE* VIIIa2 (Verres) no.1, 1563-8.

conservare “Our *dissensio civilis* – our insanity, our sad destiny, our evil luck, I know not which to call it, has ended not unhappily, in that we are at least allowed to preserve unharmed such of our countrymen as have survived it” (*Ver.* 2.5.152). In this passage, Cicero was comparing the fate of Roman citizens, who were fortunate to survive the *dissensio civilis* during the Sullan period, to the fate of the Roman citizens of Sicily who were killed during Verres’ three years as governor of the island.⁸⁵ However, the rhetoric in this passage is not our focus. In either passage, Cicero could have chosen to use the expression *bellum civile* instead of *dissensio civium* or *dissensio civilis* to describe the conflicts between Sullans and Marians and evoked the same feeling among the jury. There is no question that Verres’ political career benefitted from supporting Sulla. Furthermore, many of the *Sullani* controlled the upper magistracies in the 70’s and certainly some of those who owed their political advancement to their association with Sulla were supporting Verres in his trial and were among the jury.⁸⁶ In both instances, Cicero perhaps chose to use the expression *dissensio civilis* not only to signify the *bella civilia* in the 80’s, but also to incorporate the subsequent proscriptions, confiscations of property, creation of Sullan *coloniae*, changes in the composition of the juries, the deprivation of the rights of the plebeian tribunate, and other modifications to Roman government instituted under Sulla’s reign. Perhaps, in Cicero’s opinion, the expression *bellum civile* was not broad enough to refer to all of the other violent acts against Roman citizens that occurred in the 80’s in the *Verrines*.

Cicero was aware of these circumstances and perhaps consciously avoided using the expression *bellum civile* to not offend all of those in the jury who were perhaps involved in a war against their own countrymen. However, the trial against Verres occurred during the final dismantling of Sulla’s reforms and Cicero did not refrain from indicating who he felt was taking bribes.⁸⁷

⁸⁵ Verres was propraetor in Sicily from 73-71, see *RE* VIIIa2 (Verres) no.1, 1573.38-1578.28. For a brief summary of the Sicilians’ accusations against Verres, cf. *Cic. Verr.* 1.12-14. Also see, essentially the second through fifth orations of the *Actio Secunda* in Cicero’s *Verrines* for a full account of the accusations while Verres governor of the island.

⁸⁶ For the factionalism among the *Sullani*, see Gruen 1974, 38-46. Therefore, we should avoid grouping the *Sullani* as a cohesive faction. However, those who were associated with Sulla dominated the consulship in the 70’s, see Gruen 1974, 122-7. For a list of the defense attorneys and known jurors, see *TLRR*, no.177. Verres’ lawyers and many on the jury had links to Sulla. For a list of the *Sullani*, see Keaveney 1984.

⁸⁷ For the accusation of bribery, cf. *Cic. Verr.* 1.17-25. Cicero quipped that Verres often boasted that he had plundered Sicily for three successive years: in the first year to enrich himself, in the second to enrich his patrons and clients, and in the third year to bribe the jury in any future trial against his governorship (1.40).

Nevertheless, the trial was abandoned as Verres left Rome to avoid certain condemnation due to Cicero's comprehensive brief.⁸⁸ Apparently both occurrences of the more abstract expression *dissensio civilis* in the *Verrines* were used to describe the tumult of the previous decade instead of using the specific expression *bellum civile* that explicitly indicated the armed conflict between the Sullans and Marians, but seemingly not the consequences of Sulla's victory.⁸⁹ Both expressions convey a similar sentiment, but could they be used synonymously?

In the *Third Oration*, Cicero compared the affair of 63 to *onnis civilis dissensiones, non solum eas quas audistis sed eas quas vosmet ipsi meministis atque vidistis* "All the *civiles dissensiones* not only those of which you have been told, but those too which you remember as eyewitnesses" (Cic. *Cat.* 3.24). The five recent *dissensiones civiles* Cicero listed were: i) the conflict between Sulla and P. Sulpicius Rufus in 88; ii) the conflict between the consuls L. Cornelius Cinna and Cn. Octavius in 87; iii) Cinna and Marius' vengeance on Sulla's supporters in 86, iv) Sulla's retaliation against the Marians in 82⁹⁰; and v) the conflict between M. Lepidus and Q. Catulus in 78-77.⁹¹ Although the *dissensio civilis* between the consuls Lepidus and Catulus occurred after Sulla's death, the conflict was a direct result of the changes Sulla instituted during his reign.⁹² Therefore, all of these *dissensiones civiles* were borne out of the conflicts between Sulla and Marius. Cicero imparted that all of these *dissensiones civiles* led to *internicio civium* "the slaughter of citizens" (3.25). The phrase was perhaps a euphemism for *bellum civile*, but the expression *internicio civium* was surely more graphic. However, the latter expression most likely evoked a similar offensive feeling from his audience, which the former

⁸⁸ On the date of the *Verrines*, cf. *TLRR*, no.177 n.12; Marinone 2004, 65-7. Cicero might have circulated parts of the *Verrines* before the trial took place, see Settle 1962, 98-111.

⁸⁹ The expression *dissensio civilis* was also used in a similar manner in the *Pro Ligario* (Cic. *Lig.* 26). NB: The *Pro Ligario* was delivered in front of Caesar after his victory over the Pompeians. Therefore, it is understandable that Cicero avoided using a politically charged expression like *bellum civile* to describe the conflict between Pompey and Caesar because Cicero did not want to explicitly remind Caesar that he was involved in a war against his own countrymen.

⁹⁰ Cicero used the expression *dissensio civilis* twice to describe these conflicts in the *Verrines* (Cic. *Verr.* 2.1.34, 2.5.152).

⁹¹ NB: In this passage, Cicero also used the verb *dissentire* to express the *dissensio* between Lepidus and Catulus the year after they were consuls together, see Dyck 2008, 202.

⁹² NB: Plutarch, Appian, and Florus focused on Lepidus and Catulus' argument over Sulla's funeral as the spark of the conflict should be seen as an ancillary reason, cf. Sall. *Hist.* 1.47-72 Plut. *Sull.* 34.4-5, 38.1; *Pomp.* 15; App. *BC* 1.105-7; Fl. 2.11.23.

would as well.⁹³ According to the *scholia Gronoviana*, the five events that Cicero listed at *Cat.* 3.24 were identified instead as *bella civilia*.⁹⁴ Evidently, the scholiast considered that the expressions *dissensio civilis* and *bellum civile* were analogous. However, the suggestion that the expressions *dissensio civilis* and *bellum civile* were synonymous is perhaps too simplistic to explain why Cicero avoided using the expression *bellum civile* to label these events. Twenty years later in the *Eighth Philippic* Cicero had no qualms about labeling four out of five of the events listed here in the *Third Oration* as *bella civilia*, which is discussed in section 4.7.

Cicero explained that the *dissensiones civilis* that occurred decades earlier were essentially different from what was occurring in 63. Cicero explained that those involved in the five *dissensiones civilis* listed above were *non ad delendam sed ad commutandam rem publicam pertinerent* “not concerned with destroying the *res publica* but with changing it.” He further contended that the instigators of the five *dissensiones civilis* wanted *in hac urbe florere* ‘to triumph in the city’ (3.25). Therefore, the *commutatio* was not planned to change the government, but who was controlling it. According to Cicero’s point of view those involved with the events of 63 wanted *delere* not *commutare*, which he emphasized was one of the differences of this *dissensio civilis* from those of the past. In this instance, Cicero wanted to create the perception that what Catiline, Manlius, Lentulus and their associates were planning was neither a *dissensio civilis* nor a *bellum civile*, but something more wicked. Cicero claimed that the affair’s participants actually wanted *hanc urbem conflagrare...exitium rei publicae quaesivit* “to burn this city...[and] sought the destruction of the Republic” (3.25). According to Cicero, the *bellum* the affair’s participants planned to wage was uniquely dangerous. He proclaimed:

in hoc autem uno post hominum memoriam maximo crudelissimoque bello, quale bellum nulla umquam barbaria cum sua gente gessit quo in bello lex haec fuit a Lentulo, Catilina, Cethego, Cassio, constituta ut omnes qui salva urbe salvi esse possent in hostium numero ducerentur

“In this war, however, the most important and the most savage within the memory of man, a war as no tribe of barbarians ever fought among its own people, a war in which

⁹³ Dyck (2008, 202) suggests the phrase *internicione civium* was a euphemism, but is silent about what or why.

⁹⁴ The *scholia Gronoviana* is: *primum bellum ergo civile fuit inter Syllam et Sullpicium; secundum bellum inter Octavium et Cinnam; tertium inter Cinnam et Marium; quartum inter Sullam et Marianos; quantum bellum inter Lepidum et Catulum*. Quote from Jal, 1963a, 43 n.1. Cf. Brown 2003, 106 n.51.

Lentulus, Catiline, Cethegus, and Cassius laid it down as a law that all who could be safe so long as Rome was safe should be counted among their enemies.” (Cic. Cat. 3.25).⁹⁵

The affair’s participants might have had disagreements with the current regime however, in Cicero’s point of view, the *dissensio civilis* occurring in 63 was distinct. The five *dissensiones civiles* Cicero already commented on were portrayed as arguments between two individuals. Instead, Cicero implied that the affair’s participants of 63 not only had a disagreement against the *cives*, but also against the *urbs* - Rome, the very heart of the *res publica*. Cicero clearly believed the term *dissensio civilis* was unsuitable to interpret the affair, which he declared in the passage cited above was *maximo crudelissimoque bello* “The most important and the most savage war.”

As explained in the first section of this chapter, Cicero most frequently used the adjective *domesticus* to qualify the term *bellum* when referring to the affair and tended to avoid the expression *bellum civile*. One could suggest that the military operations of the army in Etruria and perhaps in some other regions outside of Rome were closely affiliated with what Romans might describe as a *bellum civile*, but Cicero used various specific expressions instead to qualify the type of *bellum* the affair’s participants were planning. These related expressions indicated that the affair included a *bellum* fought by citizens against the *res publica*, but also something more. From the evidence examined in this chapter, we can argue that Cicero generally avoided using the phrase *bellum civile* because it was neither expressive nor ambiguous enough to identify all the facets of the affair of 63.⁹⁶

4.6 Sallust’s various expressions to identify conflicts between *cives*

Sallust chose to use various specific expressions more often than the expression *bellum civile* to convey a war between citizens. He used the expression *dissensio civilis* once in his writings. The expression occurs in a

⁹⁵ Cf. Cic. Cat. 2.22.

⁹⁶ On the contrary, Brown (2003, 106) argues that the other expressions Cicero used were “milder” than *bellum civile*. Brown’s argument stems from Cicero’s list of the four previous *bella civilia* in the *Eighth Philippic* and Cicero’s declaration that the hostile actions of Antony in 43 were tantamount to a fifth (Cic. Phil. 8.7-8). However, as shown in section 4.7, the list in the *Eighth Philippic* is very similar to the five ‘civil’ wars that Cicero labeled as *dissensiones civilis* in the *Third Oration* (Cic. Cat. 3.24). Regardless of the expression, the sentiment that Cicero wanted to convey to his audience in both speeches were that the affair of 63 and Antony’s actions in 43 were threatening the lives of Roman citizens and that the citizens supporting both affairs were *hostes*. I argue that the two expressions *dissensio civilis* and *bellum civile* are more analogous than Brown’s argument that the former expression was “milder” than the latter.

brief digression in his monograph the *Bellum Iugurthinum* to explain the increasing friction after the fall of Carthage in 146 between opposing political factions and the leading nobles in Rome who were seeking power in the city.⁹⁷ Sallust theorized that: *nam ubi primum ex nobilitate reperti sunt qui veram gloriae iniustae potentiae anteponebant, moveri civitas et dissensio civilis quasi permixtio terrae oriri coepit*. “For as soon as nobles were found who preferred true glory to unjust power, the state began to be disturbed and *dissensio civilis* to arise like an upheaval of the earth” (Sall. *B Iug.* 41.10). In the passage that follows, he claimed that the result of the *dissensio civilis* fueled the Gracchi to oppose the few that held power in the *res publica* (42.1).⁹⁸ Although in this passage the expression appears in the singular, Sallust seemingly used *dissensio civilis* to describe the era of conflicts between citizens after the destruction of Carthage. This usage is reminiscent of Cicero’s usage of the expression in the *Verrines* to describe the period of civil conflicts during the 80’s. However, Sallust did not specifically label the exact conflicts that arose from this situation in Rome as *dissensiones civilis* like Cicero did in the *Third Oration*.⁹⁹ Presumably, Sallust wanted to convey to his audience that the period he was describing in the *Bellum Iugurthinum* occurred during a time when *dissensio civilis* was on the rise. However, because the expression was only used once in Sallust’s works, whether his interpretation of *dissensio civilis* was analogous to a *bellum civile* is inconclusive. Therefore, we need to compare Sallust’s usage of other expressions that describe a similar context.

Sallust claimed in the *Catilina* and the *Bellum Iugurthinum* that a reason for the decline of the *mos maiorum* in Rome was the desire for power (cf. Sall. *B Cat.* 10-13; *B Iug.* 41-42).¹⁰⁰ As mentioned above, Sallust suggested that the desire was caused by the destruction of Carthage and the subsequent loss of the *metus hostilis* (cf. *B Cat.* 10.1; *B Iug.* 41.2).¹⁰¹ Therefore, the period of

⁹⁷ Sallust frequently contended that the absence of a *metus hostilis* after the fall of Carthage in 146 led to the decline of the *mos maiorum*, cf. Sall. *Cat.* 10; *Iug.* 41; *Hist.* 1.10. For a detailed discussion on the theme in Sallust’s works, cf. McGushin 1977, 87-8; Conley 1981; Harris 1985, 127-8, 266-7; McGushin 1992, 74-83; Kraus and Woodman 1997, 21-2, 27-30; Levene 2000. On Sallust and later Latin writers’ portrayal of the theme of *metus hostilis*, see Jacobs 2010, 123-6.

⁹⁸ Sallust often used the term *pauci* (cf. Sall. *B Cat.* 41.7, 42.1; *Hist.* 1.46.23, 3.34.6, 28), or the expression *pauci potentes* (*B Cat.* 20.7, 39.1, 58.11; *B Iug.* 3.3, 31.19; *Hist.* 1.12) to refer to the ‘few’ Romans that held power in Rome.

⁹⁹ See section 4.5.

¹⁰⁰ Cf. McGushin 1977, 86; Paul 1984, 123-32. See n.97.

¹⁰¹ McGushin (1992, 79) explains that Sallust’s opinion that 146 was the watershed year for the deterioration of the *mos maiorum* was not the tradition espoused by his predecessors, Polybius

dissensio civilis Sallust described in the *Bellum Iugurthinum* was the same period described in the *Catilina*. Instead of using the expression *dissensio civilis* found in the former monograph, Sallust used the expression *discordia civilis* to interpret the period that Catiline was raised in the latter monograph (*B Cat.* 5.2). Consequently, we can suggest that from Sallust's point of view the expression *discordia civilis* conveyed an analogous sentiment to *dissensio civilis* as he used either term to describe the same era of civilian strife.

Sallust also alluded to the future conflict between the Sullans and Marians as a *bellum civile* in the *Catilina* and the *Bellum Iugurthinum* without explicitly using the expression. When he described the character of Sulla in the latter monograph, Sallust remarked that *atque illi, felicissimo omnium ante civilem victoriam* "Before his *civilem victoriam*, he [Sulla] was the most fortunate of all men" (*B Iug.* 95.4). Although he did not use the expression *bellum civile* here to describe the future conflict between Sulla and Marius, the allusion that Sulla's victory would be against *cives* is manifest. In the preface of the *Bellum Iugurthinum*, Sallust implied that the events described in the narrative would explain the causes behind the eventual *bellum atque vastitas Italiae* "war and the devastation of Italy" (5.2). He used the expression *studium civium* ('the desire of the citizens') in this passage to insinuate that some *cives* were desperate enough to start a *bellum* to have power in Rome.¹⁰² He presented examples of the *studium civium* by describing the eagerness of the leading citizens of Rome to accept bribes from Jugurtha and the Roman generals' desire to be the commander of the conflict when victory was achieved; both at the expense of prolonging the engagement.¹⁰³ The desire for power engendered animosity between the *nobiles* and the *plebes* as well as between the political leaders.¹⁰⁴ The expression *studium civium* perhaps alluded to the *bella civilia* that would occur between Marius and Sulla in the 80's, who both fought together in the conflict against Jugurtha. In the *Catilina*, Sallust was less implicit about the conflict stating that Sulla had *armis recepta re publica* "gained control of the State by arms" (*B Cat.* 11.4). However, his audience would

and L. Piso. On the other hand, Pliny, Velleius Paterculus, Florus, Augustinus, and Orosius followed Sallust's perspective, but not Livy.

¹⁰² The *cives* that were most desirous of power that Sallust was referring to were the *nobiles* (*Sall. Iug.* 5.1). Cf. *B Cat.* 12-13. See also, Earl 1961, 32-5.

¹⁰³ For Jugurtha's bribery of the Romans, cf. *Sall. B Iug.* 13.5-9; 15.1; 28.1; 29.1-3; 32.1-4; 34.1; 37.3; 40.1; 66.1. Paul 1984, 261-3.

¹⁰⁴ Cf. *Sall. Iug.* 27.2; 30; 40-42; 84

understand that Sulla did not win power in the *res publica* without using *arma*, which implied that Sulla's victory in his *bellum* must have been at the expense of other *cives*. In sum, Sallust alluded to the *bella civilia* in the 80's in the *Catilina* and the *Bellum Iugurthinum*, but used other expressions to stress that Sulla gained power in Rome by fighting against his own countrymen.

In the extant fragments of the *Historiae*, Sallust used the expression *bella civilia* once to describe the conflicts between Roman citizens after the destruction of Carthage. He claimed that after the *metus hostilis* of Carthage was expunged then *plurimae turbae, seditiones et ad postremum bella civilia orta sunt* "Frequent riots, party strife, and finally civil wars broke out" (*Hist.* 1.12). The *bella civilia* Sallust alluded to in this passage were most likely: i) those that occurred during the Sullan period; ii) the conflicts between citizens that occurred during the years 78-67 that the *Historiae* described¹⁰⁵; and iii) the future conflicts between citizens in the 40's. In the *Historiae*, he used the metaphor *sanguis civium* ('the blood of citizens') or the expression *arma civium* to refer to each of these conflicts.¹⁰⁶ Five more times in the *Historiae*, Sallust used either *sanguis civium* or *arma civium*. He used the phrase *sanguis civium* as a metaphor to describe the conflicts and ensuing proscriptions during Sulla's reign in the *Oratio Lepidi* (1.48.14).¹⁰⁷ In addition, fragment *Hist.* 1.79 reads: *inter arma civilia* "In the midst of civil war". McGushin explains that the fragment most likely alludes to the *bella civilia* between the Sullans and the Marians in the 80's.¹⁰⁸ In Sallust's reproduction of the *Oratio Philippi* in the *Historiae*, L. Marcius Philippus reported that Lepidus was threatening Rome with an army composed of *cives*.¹⁰⁹ Philippus claimed that *quod multo propius est ab eo quo agitatur statu, quam ex pace et concordia ad arma civilia* "Verily, such an act is much nearer the condition in which he now finds himself than are peace and concord to *arma civilia*" (1.67.10). In addition, Sallust alluded to the *bellum civile* between Pompey and Caesar in the *Historiae* by using the expression *in civilibus armis* (1.7).¹¹⁰ Therefore, in the *Historiae*, Sallust used both the

¹⁰⁵ E.g. Lepidus' conflict with his co-consul Catulus in 78/77 and the continuing conflicts against the rebel Roman general Q. Sertorius who established a strong base of power in Spain from 83-72.

¹⁰⁶ NB: The term *arma* can define the tools of war (*OLD* s.v. 1-3) and the act of war (s.v. 5).

¹⁰⁷ Cf. Sall. *Hist.* 1.48.25.

¹⁰⁸ McGushin 1992, 159-61.

¹⁰⁹ L. Marcius Philippus was consul in 91 and censor in 86. Cicero often remarked that Philippus, in his prime, was an orator of note, cf. Cic. *Orat.* 2.316; *Brut.* 173, 186, 301, 326.

¹¹⁰ McGushin 1992, 73-4.

expressions *sanguis civium* and *inter arma civilia* to imply a military conflict between citizens.

Evidently, when Sallust's works implicitly referred to the conflicts after the destruction of Carthage, he chose to use various expressions more frequently than the expression *bella civilia*. Why Sallust generally circumvents the expression *bellum civile* in his works is not entirely clear. As mentioned in the Introduction, Sallust was actively involved in one *bellum civile* between the Pompeians and the Caesarians in the early 40's and was writing his works during the conflicts between Roman citizens in the aftermath of Caesar's assassination and later among the second Triumvirate. Sallust explained that he had voluntarily retired from politics (*B Cat.* 4.1), therefore, he seemingly had no need to worry about the political, social, or negative aspects the expression *bellum civile* might convey. Perhaps, he chose other expressions to describe a 'civil' war for stylistic variation. However, the specific expressions *dissensio civilis*, *discordia civilis*, *sanguis civium*, or *ad/inter arma civilia* were, in Sallust's point of view, perhaps more descriptive to identify the complex period of *bella civilia* after the fall of Carthage. By adding *in* or *ad* to the term *arma*, Sallust signified the preparation or the act of war¹¹¹, and when the term was qualified with the adjective *civilia* the suggestion of a *bellum civile* was clear.

Sallust was primarily occupied with presenting a specific moral theme in his works.¹¹² He lambasted the *vitia* ('vices') that corrupted Rome and its citizens that, according to his perspective, led to the *bella civilia* and the instability of the *res publica* during his lifetime. On the other hand, in the preface of the *Catilina*, Sallust claimed he was writing about the affair of 63 due to the *sceleris atque periculi novitate* 'The novelty of the danger and of the crime' (4.4). Although Sallust makes it clear that the *scelera* recorded in the *Catilina* were perpetrated by *cives*, he contended that the *periculum* arising from it was something *novitas*. Apparently, Sallust felt the expression *bellum civile* was not always suited to express the *novitas* of the affair as a whole or he would have used the adjective *civilis* to qualify the term *bellum* more than twice out of the 29 occurrences of the term in the *Catilina*. We could argue when Sallust's works were written *bellum civile* was no longer a novelty. Perhaps Sallust thought an expression like *bellum civile* did not emphasize the intricacies

¹¹¹ See *OLD* s.v.4.

¹¹² On the moral theme in Sallust works, cf. Earl 1961, 41-59; Syme 1964, 269-71; Paul 1982, 124-5; McGushin 1992, 15-7.

of the affair of 63 and the multifarious actions of its participants to threaten the *res publica*.

As evidenced above, Sallust used other various expressions or metaphors to allude to the *bella civilia* after the fall of Carthage and to interpret the conditions that perpetuated this type of military engagement. Instead of explicitly identifying how these *bella* should be named, Sallust was more concerned with explaining how these events affected the stability of the *res publica*. He theorized that each *bella civilia* was in some manner connected to the denigration of the *mos maiorum* after the destruction of Carthage. Consequently, the affair of 63, according to Sallust, had a common root. The *bellum* fought between *cives* in 63 was an extension of all the *dissensio civilis*, *discordia civilis*, *arma civilia*, or *bella civilia* that preceded it. The distinguishing factor of the affair of 63 from the earlier *bellum civilia* seemingly was that the *cives* involved with the affair both inside and outside of Rome were secretly planning to wage a *bellum* and that many of these *cives* were unknown.¹¹³ Sallust highlighted the complexity the affair in the speech he furnished for Cato. When Cato was recommending the death sentence for those who had confessed to supporting the affair, he declared:

coniuravere nobillissimi cives patriam incendere, Gallorum gentem infestissimam nomini Romano ad bellum arcessunt. Dux hostium cum exercitu supra caput est. Vos cunctamini etiam nunc et dubitatis quid intra moenia deprensus hostibus faciatis?

“Citizens of the highest rank have conspired to fire their native city, they stir up to the Gauls, bitterest enemies of the Roman people. The leader of the enemy with his army is upon us. Do you even now hesitate and doubtfully ask yourselves what is to be done with foemen taken within your walls?” (Sall. *B Cat.* 52.24-25)

Clearly, if the affair of 63 were successful it would be won at the expense of other citizens’ lives both inside and outside of Rome. In this passage, the verb *coniurare* and *bellum* appeared together suggesting that the affair of 63 was distinct from the usual conflict between Roman *cives* because the *bellum* that was planned was conceived in a context that contained the criminal, secretive, immoral, and plural elements associated with a *coniuratio* examined in Chapter 1.

¹¹³ NB: Sallust did use the term *coniurare* does occur once in the *Oratio Philippi* in the *Historiae* (1.67.6). However, *coniurare* in this case identified the actions in Etruria not the actions of Lepidus. Therefore the verb perhaps indicates that certain areas of the region had allied together for a military operation instead of comparable to the way Caesar uses the term instead of the more ambiguous act of “conspiring”, see Chapter 5.2. Sallust more often presented the conflict between Lepidus and Catulus as a *bellum* not a *coniuratio* in the fragments of the *Historiae*.

4.7 *coniuratio* or *bellum*?: Cicero's interpretation after the affair's suppression

Cicero used the term *coniuratio* more often in reference to the affair of 63 than the term *bellum* in his works. However, as the first section in this chapter has shown, Cicero used the term *bellum* more often than *coniuratio* to identify the affair of 63 in the *Orations* that were delivered while it was occurring.¹¹⁴ In contrast, the term *coniuratio* was used more often in reference to the affair of 63 in Cicero's works written after his year as consul was over. It is clearly problematic to determine how Cicero genuinely interpreted the affair, but the evidence suggests that he portrayed the affair either as a *bellum* or a *coniuratio*, or sometimes both, to suit his own purpose in the speeches delivered during the affair. But before making any more conclusions, the final section of this chapter examines Cicero's identification of the affair in some of his writings after 63. The evidence examined below suggests that Cicero's perspective regarding the disturbances occurring inside and outside of Rome during his consulship changed. First I examine the occurrences of the term *bellum* in the *Pro Sulla* delivered in 62 and the *Eighth Philippic* delivered in 43. Then I note the absence of the term *bellum* in reference to the affair in Cicero's other speeches. Although there is a dearth of letters in the Ciceronian epistolary corpus that refer to the affair in 63, a few of the letters did refer to the event. The letters perhaps display Cicero's intimate interpretation of the affair because they are typically devoid of the rhetoric found in his political and judicial speeches. Therefore, this section will examine these personal letters as well to further measure the change in Cicero's perception of the affair of 63 after its suppression.

In 62, Cicero defended P. Sulla, in part, from the accusations that he had been involved with the *duae coniurationes* of 66/65 and 63 (Cic. *Sull.* 11).¹¹⁵ Cicero referred to both of these affairs as *coniurationes* or the affair's participants as *coniurati* 38 times in the *Pro Sulla*.¹¹⁶ In comparison, the term *bellum* was only used five times in reference to the affair of 63 and its

¹¹⁴ The term *coniuratio* occurred 18 times in the *Orations* compared to 30 occurrences of the term *bellum* in reference to the affair and those involved with it, see n.14. NB: In contrast, the term *coniuratio* occurred four times and the term *bellum* twice in reference to the affair in the *Pro Murena*.

¹¹⁵ See Chapter 2 n.131.

¹¹⁶ See Chapter 1 n.18.

activities.¹¹⁷ The first instance of *bellum* in the speech was used rhetorically in reference to the *aeternum bellum*, which Cicero knew his enemies would continue to wage against him due to his severe suppression of the affair while he was consul (Cic. *Sull.* 28).¹¹⁸ The second occurrence of *bellum* was used in reference to the participants' attempt to solicit support from the Allobroges in order to help the military operations in Etruria (36).¹¹⁹ The term *bellum* occurs a third and fourth time when Cicero was defending the actions of P. Sittius, whom the prosecution charged was sent to *Hispania ulterior* in order to solicit support in the region for the affair.¹²⁰ Cicero rebuked the accusation claiming that it was not in Sittius' nature, unlike the others supporting the affair, to wish for a *bellum populo Romano* or to plan a *bellum contra patriam* (58).¹²¹ The two phrases insinuated that Sittius was not raising an army in Spain in preparation for a *bellum* against the Roman people or the *patria* in contrast the *bellum* those involved with affair of 63 would wage. The final instance of the term *bellum* occurred in the *Pro Sulla* when Cicero explained his suppression of the affair. Cicero claimed *cum consul bellum gesserim cum coniuratis* "I waged war upon the conspirators when I was consul" (83). This instance is most telling because Cicero called those involved in the affair *coniurati* and suggested that waging a *bellum* was necessary to suppress the affair. The term *bellum* might refer to the final military engagement against Catiline and Manlius' army in Pistoria, but as Cicero was not physically involved in the battle, in this case, the *bellum* he waged was a rhetorical "war" against the affair's participants. When he referred to the prosecutors' accusation that his client P. Sulla was supporting the affair of 63 he always used the term *coniuratio*, not *bellum*, which suggests that the latter termed described Cicero's perception of the affair and the former the

¹¹⁷ Cf. Cic. *Sull.* 28, 36, 58 (*bis*), 83.

¹¹⁸ Cf. Cic. *Cat.* 4.22.

¹¹⁹ NB: This instance described Cassius' attempt to garner military support from the Allobrogean envoys, cf. Cic. *Cat.* 3.9.

¹²⁰ Cic. *Sull.* 56-58. See Berry 1996, 245-7. See Appendix I, [no. 37].

¹²¹ Cic. *Sull.* 58: *Sittius...is homo est aut ea familia ac disciplina ut hoc credi possit, eum bellum populo Romano facere voluisse? ut, cuius pater, cum ceteri deficerent finitimi ac vicini, singulari exstiterit in rem publicam nostram officio et fide, is sibi nefarium bellum contra patriam suscipiendum putaret?* "Sittius...is he the sort of man or are his family and upbringing such as to make it credible that he wished to make war upon the Roman people? That a man whose father, when the others, his borders and neighbors were in revolt, displayed a unique sense of his ties and loyalty to Rome, planned to raise the standard of rebellion against his country?"

prosecutors' perception. In the peroration¹²², Cicero summarized the charges against P. Sulla stating:

grave esse videtur eum, qui investigarit coniurationem, qui patefecerit, qui oppresserit, cui senatus singularibus verbis gratias egerit, cui uno togato supplicationem decreverit, dicere in iudicio: 'non defenderem, si coniurasset.' non dico id quod grave est, dico illud quod in his causis coniurationis non auctoritati adsumam, sed pudori meo: 'ego ille coniurationis investigator atque ultor certe non defenderem Sullam, si coniurasse arbitrarer.'

"It seems to cause resentment that the man who discovered the conspiracy, who exposed it, who suppressed it, whom the Senate thanked in a decree without precedent, the only civilian to whom a thanksgiving has ever been decreed, should say in a trial: 'I would not be defending him if he had been a conspirator.' I am not saying anything objectionable, but I am saying what in these cases concerned with the conspiracy I would claim to say not on the strength of my authority but as a man of honor: 'I who investigated and punished the conspiracy would certainly not be defending Sulla if I thought he had been a member of it.'" (Cic. *Sull.* 85)

In this passage, Cicero was attacking the prosecutor's accusation that he was defending someone charged with supporting the same affair, which Cicero had suppressed. Cicero referred to the affair using the term *coniuratio* or its cognates five times. As shown, Cicero's usage of the term *bellum* in the *Pro Sulla* was primarily rhetorical aimed at comparing his suppression of the affair similar to a victory in war. When first referring to the *supplicatio* the Senate wanted to award him in the *Third Oration*, Cicero quoted that *his decreta verbis est: 'quod urbem incendiis, caede civis, Italiam bello liberassem'* "The terms of the resolution read as follows: 'because I had saved Rome from burning, the citizens from massacre and Italy from war'" (Cic. *Cat.* 3.15).¹²³ In the *Pro Sulla*, Cicero had just made the claim that he had waged a *bellum* when he was consul (83). Therefore, it would not have been surprising if Cicero had used the term *bellum* in the passage quoted above (85), especially when he referred to the unprecedented *supplicatio* awarded to him after the affair was suppressed. However, in the *Pro Sulla*, Cicero was defending his client against a *crimen coniurationis* ('an accusation of conspiracy')¹²⁴ and therefore the term *coniuratio* dominated the way Cicero described the affair in the speech.

In Cicero's political and judicial speeches delivered after 62, he almost exclusively used the term *coniuratio* instead of *bellum* to refer to the affair as a

¹²² Berry (1996, 44-8) explains that *Pro Sulla* did not follow the standard rhetorical framework. Cicero inverted the *confirmatio* and the *reprehensio* and according to Berry this passage occurs in the second *confirmatio* when Cicero defends his advocacy of P. Sulla (Cic. *Sull.* 80-85).

¹²³ Cicero used the exact same terms regarding the *supplicatio* that he was awarded in a letter to Q. Caecilius Metellus Celer in January 62 (Cic. *Fam.* 5.2.8). Cicero referred to the *supplicatio* in other speeches but did not specifically use the term *bellum* when referring to it, cf. Cic. *Cat.* 3.23, 4.5; *Sull.* 33; *Pis.* 6; *Phil.* 2.13, 14.24; *Fam.* 15.4.11.

¹²⁴ Cic. *Sull.* 13. In reference to the "accusation of conspiracy", cf. 12, 14, 30, 31, 48. See Chapter 1, nn.59-60.

whole.¹²⁵ After Cicero returned from exile in August 57, he referred to the affair only using the term *coniuratio* once in *Post Reditum in Senatu*, three times in *De Domo*, and once in *De Haruspicum responsis*.¹²⁶ The instance of *coniuratio* in the latter speech occurred when Cicero recalled the *haruspicum responsa* predicting earlier historical conflicts. Cicero affirmed that the *haruspices* had predicted the Social War, the subsequent conflicts between Sulla and Cinna, and *tum haec recentem urbis inflammandae delendique imperi coniurationem* “More recently still, of the conspiracy to burn and destroy the city” (Cic. *Har. resp.* 18). Significantly, there is no mention of *bellum* in Cicero’s recollection of the *haruspicum responsa* of 63 in this political speech delivered seven years later. The pattern continued in Cicero’s judicial speeches when recalling the affair.¹²⁷

In 56, Cicero referred to the affair of 63 using the term *coniuratio* four times in the *Pro Sestio*¹²⁸, but once used the verb *armare* (‘to arm’) to refer to the military activities of the affair. However, the term *armare* appeared when Cicero was explaining his client’s military assignment during the affair not to indicate its interpretation. P. Sestius was sent with an army to Capua to prevent the town of Capua from supporting the affair when he was a quaestor in 63 (*Sest.* 9).¹²⁹ Therefore, the instance of the verb *armare* was included to designate the disturbances outside of Rome in order that Cicero could extol Sestius’ role in the affair and remind the jury of his client’s past service to the *res publica* in suppressing the *reliquae coniurationis* “remnants of the conspiracy” (11).¹³⁰ Cicero did not refer to the military activities of the affair of 63 in any of his later judicial speeches.¹³¹ Later that year in April, Cicero defended M. Caelius Rufus from an allegation that in his youth he was a supporter of Catiline and by extension a supporter of the affair of 63. Cicero

¹²⁵ The one exception of the term *bellum* was in the *Pro Flacco*, which alluded to the solicitation of the Allobrogean envoys and not the affair as a whole (Cic. *Flac.* 102). NB: The term *coniurati* occurred twice in reference to the affair’s participants (94, 102).

¹²⁶ Cic. *Red. Sen.* 26, *Dom.* 63, 92, 101, *Har. resp.* 18.

¹²⁷ Cicero delivered *De Haruspicum responsis* in April or May of 56 (Marinone 2004, 119).

¹²⁸ Cf. Cic. *Sest.* 9(*bis*), 11, 42.

¹²⁹ See Chapter 3.4.

¹³⁰ According to Cicero, Sestius forced a certain C. Mevulanus, who was a military tribune of the consul C. Antonius and had earlier tried to incite the town of Pisarum, to retreat from Capua (Cic. *Sest.* 9). Cicero also claimed Sestius played an important part in encouraging C. Antonius’s army to pursue the army in Etruria in January 62 (11).

¹³¹ NB: In the *Pro Sestio*, Cicero used other military terminology in reference to the affair claiming that the *coniuratorum copias veteres* “the veteran forces of the conspiracy” and the *Catilinae importunam manum* “the dangerous army of Catiline” were now supporters of P. Clodius Pulcher (Cic. *Sest.* 42; cf. *Dom.* 58).

used the term *coniuratio* five times to refer to the affair in the *Pro Caelio*.¹³² He conceded that Caelius was a friend or a follower of Catiline in 63, but claimed that Caelius had no part in the *coniuratio*.¹³³ Caelius was formally charged under the *lex Plautia de vi*, but Cicero argued that the charge was inappropriate to the case. He explained that the *lex de vi* was specifically passed due to the *armata dissensione civium* “armed civil strife” between Lepidus and Catulus in 78/77 and affirmed that the *lex* was used as the formal charge in the later trials against those involved with the *coniuratio* of 63 (*Cael.* 70).¹³⁴ In this instance, Cicero again identified the affair of 63 as a *coniuratio* but implied that the affair’s participants were punished commensurate with those who were involved in a *dissensio civilis*. As demonstrated above in section 4.5, the expression *dissensio civilis* was similar to describing a *bellum civile*. However, Cicero was explicit in the *Pro Caelio* that the affair was a *coniuratio* and distinct from an *armata dissensione civium* or a *bellum*.

Other examples of Cicero’s usage of the term *coniuratio* in reference to the affair in his political speeches delivered after 62 include the reference to the *bellum Allobrogum* in 61 that Cicero claimed originated from the *coniuratio* of 63 in *De Provinciis Consularibus* delivered in 55 (*Prov. con.* 32).¹³⁵ When comparing the affair’s participants of 63 remaining in Rome to the followers of P. Clodius Pulcher, Cicero most often used the term *coniuratio* or its cognates in his speeches¹³⁶. Furthermore, in 55, Cicero used the term when prosecuting L. Calpurnius Piso, one of the consuls in 58, who supported Clodius’ proposed legislation against Cicero’s severe punishment of the affair’s participants, which forced Cicero into voluntary exile that year. In Cicero’s invective against the ex-consul, he referred to the affair’s participants of 63 as *coniurati* three times and compared the *coniurati* of 63 to those who supported his exile and were against his recall (*Pis.* 5, 15, 16).¹³⁷ The predominance of the term *coniuratio* or its

¹³² Cf. Cic. *Cael.* 15 (*quat.*), 70.

¹³³ At *Pro Caelio* 15, Cicero used the term four times in reference to the affair. Cicero’s defense against the allegation that Caelius was involved with the affair was rather weak. He contended that Caelius could not be involved in the affair because he was one of the successful prosecutors who made a *coniurationis accusatione* against Cicero’s colleague C. Antonius in 59 (*Cic. Cael.* 15). See Chapter 2 n.106.

¹³⁴ Austin 1960, 42 and 152-3.

¹³⁵ On the *De Provinciis Consularibus*, see Settle 1962, 210-4.

¹³⁶ Cf. Cic. *Dom.* 58, 62, 96, 103; *Har. resp.* 36; *Sest.* 28, 42; *Pis.* 16, 23; *Att.* 1.16.11; *Parad.* 4.27.

¹³⁷ On the date of the *In Pisonem*, cf. Nisbet 1961, 199-202; Settle 1962, 218-22; Marinone 2004, 126-7. For more on the *In Pisonem*, see Nisbet, 1961. On Cicero’s voluntary exile, see Chapter 2 n.128.

cognates in reference to the affair in Cicero's speeches delivered after 62 demonstrates that his perception that the affair of 63 was akin to a *bellum*, which he often expressed in the *Orations*, had changed.

Cicero identified five earlier conflicts between citizens as *dissensiones civilis* in the *Third Oration* (*Cat.* 3.24) examined above in section 4.5. Twenty years later in the *Eighth Philippic*, he described three of the same conflicts that occurred during the 80's using the expression *bella civilia* instead.¹³⁸ The *bella civilia* Cicero recalled were: i) the conflict between Sulla and Sulpicius; ii) the conflict between the consuls Cinna and Octavius, iii) Sulla's revenge against Marius and Carbo; and iv) the most recent conflict between Pompey and Caesar.¹³⁹ Cicero contended that *horum omnium bellorum causae ex rei publicae contentione natae sunt* "The causes of all these civil wars sprang from a political quarrel" (*Phil.* 8.7).¹⁴⁰ Cicero's aim in the *Eighth Philippic* was to persuade the Senate to declare Mark Antony a *hostis rei publicae* due to his hostile actions in 43 that were, according to Cicero, tantamount to a *bellum civile*.¹⁴¹ He warned that these actions would lead to the *bellum quintum civile* "fifth civil war," but would be the *primum non modo non in dissensione et discordia civium, sed in maxima consensione incredibilique concordia* "The first that has arisen, not amid *dissensione et discordia civium*, but amid the utmost union and marvelous concord" (8.8).¹⁴² These passages in the *Philippics* indicate that in Cicero's point of view a genuine *bellum civile* began with *dissensio civilis*. Significantly, the conflict between the consuls Lepidus and Catulus in 78/77 that Cicero identified as a *dissensio civilis* in the *Third Oration* (*Cat.* 3.24) was not labeled in the *Eighth Philippic* as a *bellum civile*, moreover, neither was the affair of 63. However, as explained above in section 4.5, Cicero claimed the affair of 63 in the *Third Oration* was not similar to the five *dissensiones civium* he referenced in that speech, but instead a unique attempt at gaining power in Rome. The expression *bellum civile* occurred more often in

¹³⁸ The *Eighth Philippic* was delivered in the Senate on February 3, 43 (Marinone 2004, 253).

¹³⁹ NB: Cicero only alluded to the conflict between Pompey and Caesar here. He did not mention either of their names because it was understood that their conflict was the most recent.

¹⁴⁰ NB: Regarding the most recent conflict between Pompey and Caesar, Cicero commented that *ignoro causam* "I do not know its cause" (*Cic. Phil.* 8.7). Perhaps Cicero wrote this to offer his opinion that the causes behind Pompey and Caesar's conflict were more nuanced. Cf. Manuwald 2007 Vol. II, 940.

¹⁴¹ Cf. *Cic. Phil.* 8.2-5. On Cicero's aims in the *Eighth Philippic*, see Manuwald 2007 Vol. II, 905-13.

¹⁴² NB: Cicero did not use the expression *discordia civilis* in reference to the affair of 63. On the term *discordia*, see Hellegouarc'h 1963, 134.

the *Philippics* than in any other of Cicero's works, but not in reference to the affair of 63.¹⁴³ Nevertheless, Cicero emphasized the seriousness of the dangers Antony's forces represented in 43 and the wickedness of their hostile actions against Roman citizens and, similar to the affair of 63, Cicero used specific expressions in the *Philippics* to persuade his audience that they should heed his warnings and follow his advice.

In the *Fourteenth Philippic* after the initial victory against Antony's forces at Mutina the Senate proposed to decree a *supplicatio*.¹⁴⁴ But Cicero argued that the decree needed to be amended *numquam enim in civili bello supplicato decreta est* "For a thanksgiving has never been decreed in civil war" (*Phil.* 14.22). Cicero proposed that the *supplicatio* should only be awarded if those who led the forces against Antony, namely C. Vibius Pansa and A. Hirtius, the consuls of 43, and the young Octavian, were hailed as *imperatores* and Antony and his supporters were declared *hostes*.¹⁴⁵ Cicero's argument is clear – a *bellum* against *cives* was not the type of *bellum* to be celebrated.¹⁴⁶ However, we noted earlier that Cicero had stated that when the affair of 63 was suppressed the Senate wanted to award him a *supplicatio* for preventing a *bellum*.¹⁴⁷ But, because Catiline and Manlius had been declared *hostes*, Cicero considered that all the affair's supporters were *hostes* by extension, as was explained in Chapter 3. Although Cicero modestly refused the *supplicatio* in 63, he had no objection with the proposal for a *supplicatio* because, in his opinion, he had won a *bellum* against declared enemies of the *res publica* not against Roman citizens in a legal sense.¹⁴⁸ We can infer from Cicero's argument about the proposal for a *supplicatio* in 43 that the proposal for a *supplicatio* in 63 was warranted because the 'victory' over the affair that year was against *cives* that had been formally or informally declared *hostes rei publicae*, which validated his

¹⁴³ In all of Cicero's works, the expression *bellum civile* occurred most frequently (26 times) in the *Philippics*, cf. Cic. *Phil.* 2.23, 37, 47, 70, 72, 5.5, 26, 39, 40(*bis*), 7.6, 25, 8.7(*bis*), 8, 10.8, 11.34, 13.1(*bis*), 2, 7, 8, 9, 14.22, 23, 24. NB: Not all the instances referred to the *bellum civile* Antony was waging in 43, see Brown 2003, 108 n.59-62. Primarily, Cicero used the term to evoke hatred against the actions of Mark Antony and his supporters for rhetorical purposes, cf. Jal 1963h, 70-5; Brown 2003, 110-2.

¹⁴⁴ The "victory" against Antony's forces at Mutina had been costly. Both the consuls of 43 C. Vibius Pansa and A. Hirtius died in the fighting.

¹⁴⁵ Cic. *Phil.* 14.24.

¹⁴⁶ Brown (2003, 112) suggests that Cicero "would prefer" to refer to the conflict against Antony as a *bellum domesticum* like the affair of 63, but Cicero did not explicitly use this expression in reference to Antony's actions. Therefore, the statement is subjective.

¹⁴⁷ See n.123.

¹⁴⁸ Cicero refused the *supplicatio* but instead wished that the date of the suppression of the affair (December 3, 63) was a day remembered forever (Cic. *Cat.* 3.26).

extralegal actions as consul. Clearly, Cicero's aim in the *Philippics* to persuade the Senate to declare Antony a *hostis* was similar to the tactics he employed in the speeches regarding the status of those supporting the affair of 63. The difference lies in Cicero's choice of terminology. He specifically presented Antony's actions as similar to a *bellum civile*. However, the activities of the affair of 63 were more complex. Therefore, Cicero used various expressions to identify the conflict between Roman citizens when he was consul.

When we shift our examination of Cicero's identification of the affair after 63 to his epistolary corpus a similar pattern emerges. Cicero sent a letter to Q. Caecilius Metellus Celer in January 62 sometime either before or after defeat of Catiline and Manlius' army in Etruria.¹⁴⁹ Metellus was the new governor of Cisalpine Gaul and was ordered by the Senate to raise an army on his way to the region in order to oppose Catiline and Manlius' forces if they attempted to venture into the region.¹⁵⁰ Cicero stated in the letter that they both had a responsibility to protect the *res publica* but in different locales. Cicero explained that *ut ego urbem a domesticis insidiis et ab intestino scelere, tu Italiam et ab armatis hostibus et ab occulta coniuratione defenderes* "My part was to guard Rome from *domesticae insidiae* and *intestinum scelus*, yours to protect Italy from *arma hostium* and *occulta coniuratio*" (Cic. *Fam.* 5.2.1). Interestingly, the term *coniuratio* occurred in the part of the sentence in reference to Metellus' duties. Cicero was probably referring to other parts of Cisalpine Gaul that the affair's participants had attempted to agitate.¹⁵¹ The expression *occulta coniuratio* most likely refers to a "secret alliance" more than a "secret conspiracy" between those in the region who were willing to support the affair. Cicero alluded to the type of support those in the region could lend the affair. He wrote that Metellus' other task was to defend against *arma hostium*, which suggested the Cispadanes might support the military activities of the affair.

On the other hand, Cicero's duties were to defend the city from *domesticae insidiae* and *intestinum scelus*. Both of these expressions perhaps were used to refer to the affair's participants of 63, who had yet been brought to

¹⁴⁹ Shackleton-Bailey (1977, Vol I: 273-4, 276-9) argues that the letter gives no indication that the army in Etruria had been defeated. Cicero only wishes Metellus and his legions well in a typical epistolary opening: *si tu exercitusque valetis*. I take Cicero's silence as an admission that the army in Etruria was not yet defeated.

¹⁵⁰ For Metellus' role in 63, cf. Cic. *Cat.* 2.5, 26; Sall. *B Cat.* 30.5; 57.1.

¹⁵¹ For the supposed disturbances in Cisalpine Gaul, cf. Cic. *Cat.* 3.4; Sall. *Cat.* 42.1, 3. See also Chapter 3.4.

justice in 62. As evidenced by the *Pro Sulla*, several other influential Roman citizens were convicted later that year.¹⁵² Therefore, the qualifying adjectives *domesticus* and *intestinus* indicated that there were still some participants in the affair remaining in Rome in January 62.¹⁵³ In addition, Cicero used the terms *insidiae* and *scelus*, which Chapter 1.2 demonstrated were often used to describe the criminal aspect of the affair, to further insinuate that the affair's participants might still be continuing to "conspire." The letter from Cicero to Metellus Celer referred to the activities of the affair occurring inside Rome using the expressions *domesticae insidiae* and *intestinum scelus*, as well as the activities occurring outside of Rome using the expression *occulta coniuratio* and *arma hostium*, suggesting that at the time the letter was sent the affair continued on two fronts.

Cicero sent a letter in late December 62 to P. Sestius, the *quaestor* in 63 that Cicero sent to Capua to make sure the inhabitants in the town did not join the affair that year.¹⁵⁴ Cicero joked that he was so deeply in debt after purchasing a house on the Palatine Hill from Crassus that he wanted to start a *coniuratio*. He admitted as much in the letter to Sestius. Cicero wrote:

itaque nunc me scito tantum habere aeris alieni, ut cupiam coniurare, si quisquam recipiat, sed partim odio inducti me excludunt et aperte vindicem coniurationis oderunt

"So take notice that I am now so deeply in debt that I should be glad *coniurare*, if anyone would have me. But some of them bar me out of prejudice – they hate me as a *vindicem coniurationis* and make no bones about it" (*Fam.* 5.6.2).

Most likely, the ill feelings towards Cicero in Rome were due to the execution of Lentulus and the others in 63 without recourse to a trial as well as the trials that continued in 62 in which he gave evidence to help convict other citizens charged with supporting the affair. Therefore, Cicero admits that no one would be willing to join him even if they desired a *coniuratio*. He had punished the affair's participants (*vindicem coniurationis*), so why would anyone join him if he started a *coniuratio* of his own? This letter confirms Cicero's opinion that those involved in the affair of 63 started the *coniuratio* because of their massive debts. This corresponds with his persistent theme in the *Second Oration* that extreme debt was the common cause of the affair of 63. However, I have argued that debt was too prevalent throughout the *res publica* to be the sole cause of the affair and, most significantly, I have shown that the primary leaders involved

¹⁵² See Chapter 1 n.65.

¹⁵³ See section 4.1.

¹⁵⁴ Cic. *Sest.* 9.

with the affair had other motives. Certainly, the debt crisis could be a reason for some of the citizens in 63 to be desperate enough to resort to violence to address their debilitating condition. However, there is evidence that other citizens who were involved desired more than *tabulae novae* to relieve this burden – they wanted power in Rome.

Cicero sent a letter in April 55 to L. Lucceius, who was writing and finishing a history about *Italicum bellum et civile* “The Italian and Civil Wars” (*Fam.* 5.12.2). Cicero requested that Lucceius include a book in his work a *principio enim coniurationis usque ad reditum nostrum* “from the beginning of the *coniuratio* down to my return from exile” (5.12.4). Cicero suggested that Lucceius either place his consulship of 63 into a single narrative or like some Greek historians who separated wars from their narratives in a digression of sorts.¹⁵⁵ He admitted that the events during his consulship should have a place in Lucceius’ historical work, but not in his books on wars against external foes. Instead, Cicero explained that Lucceius could write about the affair similar to *qui omnes a perpetuis suis historiis ea, quae dixi, bella separaverunt, tu quoque item civilem coniurationem ab hostilibus externisque bellis seiungeres* “[Callisthenes with the Phocian War, Timaeus with the war of Pyrrhus, and Polybius with that of Numantia], all of whom detached their accounts of these particular wars from their continuous histories. Just so, you might deal with *civilem coniurationem ab hostilibus externisque bellis*” (5.12.2).¹⁵⁶ Cicero stated in the same passage of the letter that Lucceius was also writing about the recent *bella civilia* between Sullans and Marians. By qualifying *coniuratio* with the adjective *civilis*, Cicero implied that the affair of 63 was closer to a *bellum civile* than a *bellum externum*. He insinuated that a discussion regarding the affair of 63 was not out of the scope of Lucceius’ work. The insinuation that the *coniuratio* of 63 was akin to a *bellum civile* recalls Cicero’s perception of the affair in the *Orations* when he was consul. However, Cicero was explicit that the affair of 63 was distinct in the letter and therefore was difficult to specifically identify.

In addition, Cicero offers Lucceius a suggestion of what could be included in his history if he agreed to write about the affair of 63. Cicero advises *in quo et illa poteris uti civilium commutationum scientia vel in*

¹⁵⁵ NB: L. Lucceius’ history does not survive and we are not certain if it was ever published.

¹⁵⁶ For the identification of these Greek historians, see Shackleton-Bailey 1977 Vol.I, 319-20.

explicandis causis rerum novarum vel in remediis incommodorum “In it you will also be able to make use of your special knowledge of political changes, in explaining the origins of the *res novae* and suggesting remedies for things awry” (5.12.4). This is the only instance when Cicero explicitly used the expression *res novae* to identify the affair of 63. As demonstrated in Chapter 1.2, Cicero and Sallust used specific terminology to identify the affair’s ‘criminal’ aim to overthrow the *res publica*. The terminology Cicero and Sallust used to describe the affair’s intention to “destroy” the *res publica* was clearly used metaphorically to describe what we would most likely call a “revolution” in modern parlance.¹⁵⁷ Sallust used the expression *res novae* to identify what certain groups who joined the affair were desirous of, suggesting that they were not content with those in charge of the government in 63. However, the expression was never used in reference to the affair itself or the leading members’ intentions. Instead, Sallust used the expression to suggest the desires of the Sullan veterans and colonists in Etruria (28.4), the plebeian class (37.1) and the political faction in Rome that sympathized with the poor (39.3), the *plebs urbana* in Rome, and the soldiers in the army at Faesulae (57.1). Therefore, whether we should project the modern term ‘revolution’ as a meaning of *res novae* is debatable due, in part, to the ambiguous quality of the multifarious term *res*.¹⁵⁸ As the affair of 63 is presented as an attempt to overthrow the government, then we could cautiously suggest that when Cicero and Sallust use the expression *res novae* it implied one of the affair’s aims. The expression *res novae* literally meant “new things”, but whether the plebs and the Sullan veterans were desirous of a “revolution” in Cicero’s estimation remains difficult to determine due to the infrequency of the expression in his works.¹⁵⁹

4.8 Chapter conclusions

The first chapter of my thesis demonstrated that Cicero and Sallust’s representation of the affair of 63 used specific terminology to identify the conspiratorial aspects of the affair that corresponded with their usage of the term *coniuratio*. This chapter demonstrated that Cicero and Sallust also used the term *bellum* and various expressions analogous to a *bellum civile* to

¹⁵⁷ See Chapter 1.2.

¹⁵⁸ *OLD (res)* s.v. 1-19.

¹⁵⁹ NB: Surprisingly, there is a severe lack of scholarship on the expression *res novae*. The expression is too subjective to advance the argument of the present thesis.

interpret the military preparations occurring in Italy or to describe the threat of the affair. By using this distinct terminology, Cicero and Sallust suggested that the affair also contained elements indicating a state of *bellum* against the *res publica* and suggested that the *bellum* would be fought between Roman citizens. However, the perception of the affair that Cicero rhetorically chose to accentuate in his speeches by using either the term *coniuratio* or *bellum* was not entirely misleading. Sallust used both terms as well in his *Catilina* demonstrating that he agreed with Cicero and thought the affair contained identifiable elements related to both a conspiratorial and martial context making both terms appropriate lexical choices to interpret it.

I have explained how Cicero and Sallust linked the disturbances occurring both inside and outside of Rome to the activities of the affair's participants of 63 in an effort to emphasize the 'dual' threat that faced Rome. Both authors might have exaggerated the danger of these threats to make the entire affair more significant than perhaps it was, but how dangerous the threat actually was is obviously debatable. However, we should only measure the affair of 63 from our existing narratives and their interpretation of the events. According to all of our sources, the affair was not only a significant and bold attempt to gain power in Rome, but also difficult to identify. We can argue that a *bellum*, represented by the final battle against Catiline and Manlius' army in Etruria, and a *coniuratio* including the clandestine, criminal, and violent plans the *reliqua coniuratorum manus* intended did occur simultaneously. We can also conclude that those involved with the disturbances inside and outside of Rome were *cives*. However, the expressions Cicero and Sallust used to imply that the affair of 63 was similar to a *bellum civile* were highly rhetorical.

The conclusions of my thesis will compile the evidence this study has reviewed to see whether we can distinctly identify what type of event the Romans thought the affair of 63 represented. Arguably, the term *bellum* is less ambiguous than the term *coniuratio* due to the state of affairs each term could describe. As noted in Chapter 1, the term *coniuratio* can define the mutual taking of an oath to join an alliance, which might not always refer to a conspiratorial context similar to the affair of 63. The following chapter will investigate the various meanings of the term *coniuratio* further to provide a comprehensive understanding what contexts the term could describe. There are two terms in Latin that can define a conspiratorial context – *coniuratio* and

the term *conspiratio* or its cognates. Therefore, before we can conclude how Sallust and Cicero interpreted the affair of 63, it is necessary to investigate when either the term *coniuratio* or *conspiratio* was used in their other works and whether the terms were used to describe a similar context. In addition, to broaden our understanding of how the Romans perceived a context that was described by using either the term *coniuratio* or *conspiratio* or both terms, I examine the first occurrences of both terms written in Latin and the ways other writers contemporary to Cicero and Sallust used *coniuratio* and *conspiratio* in the following chapter and the addendum respectively.

Chapter 5

The concepts of *coniuratio*: Examining its usage in a military context, in Caesar's *Commentarii*, and other contexts in the Ciceronian and Sallustian corpora

This chapter reviews the usage of the term *coniuratio* in other works of Cicero, Sallust, and Caesar in order to further understand its possible meanings in other contexts. The term *coniuratio* is not exclusively used to interpret a conspiratorial context or to define a conspiracy. Instead, the term could signify the military oath administered when joining the Roman army or a mutual alliance between two or more people. To begin, section 5.1 examines the earliest occurrence of *coniuratio* that survives in Latin literature. The term occurs three times in plays attributed to Plautus written in the late third century to indicate the swearing of a mutual oath and to signify the sanctity of the oath. In comparison, I examine the usage of *coniuratio* on the late second century inscription of the *SC de Bacchanalibus* demonstrating that the term could express a negative state of affairs in the mid-Republic as well. The section continues to examine the particular definition of *coniuratio*, which denotes the mutual oath taken when joining the Roman army and the pertinent instances when the term occurs in our sources. The brief literary history of *coniuratio* examined in this opening section provides a more developed understanding of the contexts the term could be used to describe.

The occurrences of the term in Caesar's *De Bello Gallico* are reviewed in section 5.2.1. As will be demonstrated, *coniuratio* was used in a distinct manner in *De Bello Gallico* compared to the way the term was used to interpret a conspiratorial context such as the affair of 63. The meaning of *coniuratio* is difficult to determine in *De Bello Gallico*, therefore a detailed analysis is necessary to explain how Caesar used it. From this analysis, I sometimes offer alternate translations for the term *coniuratio*, as the term does not invariably identify a conspiratorial context. On the other hand, section 5.2.2 examines the instances of *coniuratio* in *De Bello Gallico* that certainly identify a conspiratorial context due to the circumstances described. Correspondingly, the other authors of Caesar's *Commentarii* also used the term to describe a negative state of affairs, which is examined in section 5.2.3. Throughout these sections concerning the usage of *coniuratio* in Caesar's *Commentarii*, if the context

implies any of the secret, criminal, immoral, and plural aspects that correspond with identifying a conspiratorial context outlined in Chapter 1 then it will be noted for comparison.

Logically, the Latin authors whose works were written in approximately the same period as Cicero and Sallust would yield the best lexicological comparison for the term *coniuratio*, but there are only a few authors whose works have survived that were their contemporaries.¹ The term *coniuratio* does not occur in the poetry of Lucretius or Catullus. The antiquarian Varro only used the term once in his works and the term only occurs twice in the biographies of Cornelius Nepos, so their works will only be briefly noted in this chapter. Instead, the subsections 5.2.1-3 focus on Caesar's *Commentarii* because the term occurs a significant amount of times producing a greater sample for comparison than Varro or Nepos.

Scholars are in disagreement over the exact year that Caesar wrote the commentaries on his campaigns, but Cicero mentioned them in the *Brutus* composed in 46.² Although this remains the only concrete *terminus post quam* for Caesar's *De Bello Gallico*, scholars have argued whether seven of the books were published simultaneously before his split with Pompey in 50, the only year Caesar was not on campaign, or as individual journals while in Gaul.³ Aulus Hirtius, a partisan of Caesar and consul in 43, wrote the final book of *De Bello Gallico* after Caesar's murder and perhaps the completed *De Bello Civili* as well.⁴ Some scholars accept that Hirtius, or Oppius, another of Caesar's colleagues, might have written the commentaries *De Bello Alexandrino*, *De Bello Africo*, and *De Bello Hispaniensi* that cover the campaigns against Pompey and his supporters.⁵ Suetonius, in his biography of Caesar written in the second century A.D., admitted that the authors of the other *Commentarii*

¹ NB: The term *coniuratio* or its cognates do not occur in any of the fragments or references that are attributed to other historians who were contemporaries of Cicero and Sallust. For these historians and the fragments refer to the *HRR*.

² Cic. *Brut.* 262.

³ For the debates on a simultaneous publication of the first seven books of *De Bello Gallico* in 51/50, cf. Rice Holmes 1914, ix-x; Adcock 1956, 89; Gelzer 1960, 155; Meier 1982, 309. For the alternate theories of dating, see Rambaud 1953, 9-12. For publication during the Gallic campaign or in parts, cf. Radin 1918, 283-300; Halkin 1930, 407-416; Wiseman 1998, 1-9.

⁴ Hirtius explained in the preface of Book 8 of *De Bello Gallico* that he was finishing Caesar's work posthumously. Whether Hirtius completed *De Bello Civili* remains contentious, cf. Klotz 1910, 156-7; Barwick 1951, 86-93; Adcock 1956, 89-96; Carter 1991, 17. NB: The term *coniuratio* does not appear in *De Bello Civili*.

⁵ For a discussion on the authors of the other *Commentarii*, cf. Klotz 1910, 180-3 and 1927, 1-8; Adcock 1956, 101-7.

remained uncertain.⁶ However, for my purposes, who wrote these commentaries is not as significant as when they were written and whether they used the term *coniuratio*, which in the case of the *De Bello Alexandrino* and the *De Bello Hispaniensi* they did.⁷ Therefore, I will dispense with the argument over the uncertainty of authorship regarding Caesar's *Commentarii* and attribute the language found in these works worthy of comparison to Cicero and Sallust, as they were most likely written in the same literary period.

Cicero and Sallust rarely use the term *coniuratio* to describe anything other than the affair of 63. However, the few instances that the term does appear in the Ciceronian and Sallustian corpora that describe a different event are examined in Section 5.3 and 5.4 respectively in order to further understand how both writers used the term. These sections demonstrate that both Cicero and Sallust used *coniuratio* invariably to describe its negative meaning. The evidence presented in this chapter demonstrates that *coniuratio* can carry either a neutral or negative meaning depending on the context.

5.1 The term *coniuratio* as a mutual oath and its military context

The following section highlights the principal definitions of the term *coniuratio* when it was used to define “the taking of an oath”.⁸ The earliest surviving occurrences of the term *coniuratio* or its cognates appear in three plays attributed to the Latin playwright T Maccius Plautus. I examine two of these plays to demonstrate how Plautus used the term to express a mutual oath.⁹ The term *coniuratio* appears in the play *Cistellaria*, written at the end of the third century.¹⁰ The plot lines that can be determined from the fragments of the comedy concern the actions of Alcesimarchus, a young man from Sicyon, who falls in love with Silenium, a young prostitute from the city. In the beginning of the play, Silenium states that Alcesimarchus “gave his word” to marry her (Plaut. *Cist.* 98: *iuravit verbis*). But he has to break his promise to marry Silenium and instead accept his father's wishes to marry the daughter of the first wife of Demiphro, a wealthy magistrate from Lemnos. Throughout the play,

⁶ Suet. *Iul.* 56.1.

⁷ The author of *De Bello Africo* did not use *coniuratio*.

⁸ OLD (*coniuratio*) s.v.1. See introduction to Chapter 1 for definitions.

⁹ Plautus also used *coniurati* in the *Asinaria* to refer to the people who took a mutual oath (Plaut. *Asin.* 318).

¹⁰ Lines 197-202 of the *Cistellaria* recount the Roman victory over the *Poeni* (‘the Carthaginians’). Victory in the Second Punic war could not be declared with certainty before the Battle of Zama in 202BC, therefore the *terminus post quem* for the play. See Lange 1975.

Alcesimarchus bemoans his fate and longs to marry Silenium, who, in turn, had pledged to marry him. In a scene between Alcesimarchus and one of his father's slaves, the former remarks that *coniurasset mecum et firmasset fidem* "[Silenium] had given me her solemn promise, her sacred word" (Plaut. *Cist.* 241). Plautus most likely used *coniurare* to accentuate the reciprocity of the oath between the two lovers. As explained in Chapter 1.4, the affix attached to the verb *iurare* implies an intrinsic plurality regardless of whether the verb occurs in the singular. In this Plautine context, the compound reflexive pronoun *mecum* ('with me') was used instead of *mihi* ('to me'), which further emphasizes the mutuality of their promise to each other. The usage of *coniuratio* clearly indicates that both lovers had taken an oath.

In Plautus' *Mercator*, the verb *coniurare* is used again to indicate a mutual oath between two people.¹¹ The comedy describes the underhanded attempt by an old merchant, Demipho, to marry his son's lover, Pasicompsa. Demipho's son, Charinus, had fallen in love with Pasicompsa at Rhodes and when he returned home he attempted to have Pasicompsa brought into his father's household as a slave. Demipho also falls in love with Pasicompsa. The old man decides that Charinus cannot bring Pasicompsa into their family home and decides to sell her, so that she could be his mistress without openly being under the same roof as his wife. The verb *coniurare* occurs in a scene between Pasicompsa and Demipho's friend Lysimarchus, who just purchased the girl for Demipho. When Lysimarchus questioned Pasicompsa about her chastity and her love for Charinus, she declared:

certo, et inter nos coniurauimus, ego cum illo et ille me cum: ego cum viro et ille cum muliere, nisi cum illo aut ille mecum, neuter stupri causa caput limaret.

"Certainly, we agreed, on oath, between ourselves, I with him, and he with me, that I would never have intercourse with any man except himself, nor he with any other woman" (Plaut. *Merc.* 536-9).

The phraseology Plautus used in the passage *ego cum illo et ille me cum* indicates the mutuality of the oath that the term *coniuratio* describes. However, there are aspects to Plautus' usage of *coniuratio* that are familiar in a conspiratorial context. Firstly, the *coniuratio* the lovers took in Plautus' plays was clandestine as the context suggests. Furthermore, his usage of the term insinuated that the oath was sacred and that it would be an immoral act to break

¹¹ The date of the *Mercator* remains indeterminable as well, but was most likely written during the late third and early second centuries.

their pledge of fidelity. Therefore, in Plautus' point of view, a *coniuratio* did not exclusively describe an oath taken for a criminal purpose.

However, the bronze inscription discovered in Southern Italy in 1640 A.D. recording the Senatorial decree against the so-called "Bacchanalian Affair" of 186 B.C. used the term *coniuratio* several times to indicate the clandestine, criminal, immoral, and plural aspects of those involved with the cult.¹² It is significant to examine the text of the inscription, as it is contemporary to the writings of Plautus. However, the term *coniuratio* is used to describe a negative state of affairs instead of the sacred oath taken between lovers. The inscription ordered that no man or woman was able to perform a Bacchic ceremony unless they had already approached the *praetor urbanus* at Rome and offered a practical reason why it was necessary for them to celebrate the rites (line 3).¹³ If the Senate accepted the request, the inscription further stipulated that they conduct the rites with no more than five people, at the most two men or three women in attendance (line 19). The decree also demanded that no man or woman: | *neve post hac inter sed coniourase neve comvovise neve conspondise* | *neve conpromesise velet* "henceforward seek to conspire, make vows, or make promises or guarantees in unison" (lines 13-14).¹⁴ The perfect infinitives of the Archaic Latin verbs in the inscription *coniourase*, *comvovise*, *conspondise*, and *conpromesise* correspond with the Classical Latin verbs *coniurare*, *convovere* ("to join in taking a vow"), *conspondere* ("to exchange pledges"), and *compromittere* ("to enter into an agreement") respectively.¹⁵ Although all the verbs seem to suggest similar actions in English, each word clearly referred to something subtly different to Latin speakers or the inscriber would not have used the four analogous terms. The combination of the verbs made the warning more emphatic for those who were perhaps thinking of being initiated into the cult.

Walsh's translation for the archaic form of *coniurare* found on the inscription is "to conspire".¹⁶ Perhaps the verb denotes "to join in taking an

¹² The inscription was discovered in the town of Tiriolo. The end of the inscription designates where the decree was located (line 30: *in agro Teurano*). For the most recent list of scholars concerned with what part of Southern Italy *in agro Teurano* refers to, see Briscoe 2008, 245-6. Livy may not be our only surviving literary source for the episode. A fragment of the Cato the Elder's *Oratoria* (Cat. *Orat.* 68) might also refer to the decree of 186, see Levene 2000.

¹³ For the complete Latin text of the *SC de Bacchanalibus* inscription, see *ILS* 18.

¹⁴ The translation of the *SC de Bacchanalibus* is from Walsh 1994, 51-2.

¹⁵ *OLD* (*convovo*) s.v. 2; (*conspondo*) s.v. 2; (*compromitto*) s.v. 3.

¹⁶ Walsh 1994, 51.

oath” as all the other verbs in apposition to *coniurare* refer to the taking of a vow, a pledge, or entering into an agreement similar to the way Plautus defined the term. The inscription continued to forbid any celebration of the Bacchic rites without the Senate’s consent, which included taking an oath and secretly conducting the ritual in private or in public.¹⁷ It was a crime if a person did not abide by the stipulations in the decree. The inscription explained that the Senate could impose a capital charge against the people (lines 24-25).¹⁸ Clearly, the inscription described a conspiratorial context therefore Walsh’s translation of *coniurare* as “to conspire” is not misleading. However, several other verbs occur beside *coniurare*, which perhaps indicates that in the early second century *coniurare* was more nuanced and did not have the general meaning “to conspire.”¹⁹ Livy used the term *coniuratio* a dozen times in his account of the Bacchanalia (Liv. 39.8-19). In Livy’s description of the Bacchanalia he continually used *coniuratio* or its cognates to describe the ethically negative actions of those involved with the cult. Livy practically reproduced the senatorial decree found on the inscription but did not chose to reproduce the verbs regarding those who agreed to join the cult (39.18.8-9). However, I will not compare Livy’s usage of *coniuratio* when describing the Bacchanalia to the usage of the term in Cicero, Sallust, and Caesar’s works,²⁰ as Livy’s *Ab Urbe Condita* is from a different literary period.²¹

¹⁷ NB: *SC de Bacchanilibus* line 15: *in oquoltod* “in secret.”

¹⁸ Livy claimed that the Senate executed 7,000 men and women were executed for their participation in the Bacchanalia (Liv. 39.17.6).

¹⁹ Livy opened his account of the Bacchanalia calling it an *intenstina coniuratio* (Liv. 39.8.1). He called the episode the *Bacchanalia* only once (39.15.6). The summary of Book 39 labeled the episode solely as the *Bacchanalia*, but claimed later that *coniurationem pervenisset* “[It] developed into a *coniuratio*” (*Per.* 39). Scholars disagree whether the Bacchanalia should be described as a “conspiracy.” For example, Gruen (1974, 34-78) entitles his chapter on the subject “The Bacchanalian Affair” and when he refers to the affair as a conspiracy the word is found in quotes. Pagan (2004, 50-67) entitles her chapter regarding the episode, “The Bacchanalian Affair”, but inconsistently refers to it as “The Bacchanalian Conspiracy” throughout the text of the chapter. Nousek (2010) also uses the latter appellation, but sometimes refers to it simply as “The Bacchanalia” in her study.

²⁰ NB: This comparison has been investigated. For the comparative narratological techniques found in Livy’s “Bacchanalia”, Sallust’s *Bellum Catiline* and Tacitus’ account of the “Pisonian Conspiracy”, see Pagan 2004, 87-90. For the comparative language used in Livy’s account of the Bacchanalia to Sallust’s account of the affair of 63, see Briscoe 2008, 250. For a comparison of Livy’s account of the Bacchanalia with Cicero’s account of the affair of 63, see Nousek 2010.

²¹ Walsh (1961, 245) demonstrates Livy’s link with Republican historians, but definitely places him as a writer of the Augustan period. Livy’s annalistic style began with his predecessors from the Republic, but his vocabulary and style was considered distinct from the writers of the Ciceronian era, cf. Rich 1997; Briscoe 2008, 248-50. On new vocabulary appearing in Livy consult any of the commentaries of Livy’s *Ab Urbe Condita* by Briscoe, Oakley, Ogilvie, and Walsh. For a summary of Livy’s usage of the term *coniuratio*, see n.33.

The term *coniuratio* can also denote the mutual oath of allegiance sworn by soldiers joining the Roman army.²² The *coniuratio* took place during a *dilectus* ('a levy') and was most likely administered out loud along with the traditional military oath called the *sacramentum*.²³ The latter term indicates that the military oath for the Romans was considered a religious ritual and had a sacred quality.²⁴ The military oath was taken in order for the gods to witness the act, in which the soldiers were solemnly bound to the army, its commanders and the military mission.²⁵ Perhaps, Plautus knew his audience would be familiar with the term *coniuratio* and the solemnity that this audible and public pledge of allegiance further conveyed in a military context.

Vergil used the verb *coniurare* to describe the taking of the oath by the soldiers of Latium, who had allied with the forces of Turnus, King of the Rutuli, in the war against Aeneas. Vergil wrote *simul omne tumultu coniurat trepido Latium* "All Latium at once swears allegiance in eager uprising" (Verg. *Aen.* 8.4-5).²⁶ Servius' commentary of Book 8 of Vergil's *Aeneid* explained that when there was an imminent threat of war, it was more practical to have those who enlisted in an army swear allegiance at the same time.²⁷ Servius stated that this type of mass military recruitment *dicebatur ista militia coniuratio* "was called a *coniuratio*" (Serv. 8.1).²⁸ As Servius' readers were most likely accustomed to the negative connotation of the term *coniuratio* when it was used in a conspiratorial context, he asserted that in a military context the term could also be used *de re bona*, "for good things" (8.5).

According to Livy, the soldiers who enlisted in the Roman army during the Second Punic War were required to take two distinct oaths of allegiance (Liv. 22.38.1-5).²⁹ Apparently, the *ius iurandum* taken by the soldiers in 216

²² On *coniuratio* as a military oath, cf. Habinek 1998, 76-78; Pagan 2004, 10-2; Rawlings 2007, 57.

²³ *OLD (sacramentum)* s.v. 2.

²⁴ On the *sacramentum*, cf. Polyb. 6.19.5-21, 21.1-3; Liv. 22.38.1-5. For the religious qualities of the military oath, cf. Rawlings 2007, 50-1; Sage 2008, 120-5.

²⁵ Cf. Polyb. 6.21.1-3; Dion. Hal. *Ant. Rom.* 10.18.2; Liv. 22.38.1-5; Plut. *Sull.* 27. See also, Keppie 1984, 78.

²⁶ Cf. Stat. *Ach.* 1.36; *Theb.* 5.162-3.

²⁷ Serv. 8.1: *simul iurabant*.

²⁸ Cf. Serv. 7.614: *coniuratio, quae fit in tumultu, id est Italico bello et Gallico, quando vicinum urbis periculum singulos iurare non patitur* "Conspiracy, which occurs in cases of sudden tumult like the Italian or Gallic war, refers to when the nearness of danger to the city does not allow for individual oaths of allegiance." I quote Pagan's translation (2004, 138 n. 41), but surely the term *coniuratio* should be translated here as a "mutual oath" not a "conspiracy."

²⁹ This practice continued into the Empire but with the addition that the soldiers swore allegiance to the Emperor as well, cf. Campbell 1984, 19-23; Gilliver 2007, 187. The timing of

was different than the oath that was administered to the army in previous years. Livy stated *tum, quod numquam antea factum est, iure iurando ab tribunis militum adacti milites* “An oath was then administered to the soldiers by their tribunes, which was a thing that they had never done before” (22.38.2). The traditional *sacramentum* was administered as well, which was an oath that the soldiers swore *iussu consulum conventuros neque iniussu abituros* “to assemble at the bidding of the consuls and not depart without their orders” (22.38.2). The *sacramentum* was followed by the *coniuratio*, according to Livy. He explained *sua voluntate ipsi inter sese decuriati equites, centuriati pedites coniurabant sese fugae atque formidinis ergo non abituros neque ex ordine recessuros* “They would exchange a voluntary pledge amongst themselves, the cavalrymen in their decuries and the infantry in their centuries, that they would not quit their ranks for flight or fear” (22.38.3-4). Livy used the verb *coniurare* to denote the oath sworn mutually between the soldiers themselves whereas the *sacramentum* was taken to swear loyalty to the army’s commanders.³⁰

Livy specifically used the verb *coniurare* to denote the oath taken by those conscripted into the army perhaps due to the immediate threat of Hannibal’s presence in Italy. Certain towns in Italy were supporting the Carthaginians at the time, which was a major concern for Rome. Perhaps Livy made a distinction between the oaths to suggest that the Roman army was further obligated to defend the *res publica* by taking both oaths of allegiance. The religious term *sacramentum* in relation to the term *coniuratio* fosters the solemnity of the latter oath when it was taken to perform a specific military duty. Yet Livy primarily used either the phrase *ius iurandum*, or the verb *iurare*, or the word *sacramentum* without using *coniuratio* to refer to military oaths after this complete description in Book 22, Chapter 38. In these other passages regarding military oaths, Livy was not explicit that the *coniuratio* was also administered.³¹ In the *Ab Urbe Condita*, the term *coniuratio* or its cognates occur 78 times and are found at least once in 23 of the surviving 35 books. However, only four times are they used to explicitly refer to the taking of an oath

the *coniuratio* in Livy’s narrative coincides with a Republican coin from approximately the same era depicting the taking of a military oath, see Kent 1978, 11 with Plate no.7.

³⁰ Frontinus’ *Strategemata* written in the late first century A.D. explained the *coniuratio* in the exact same manner as in Livy, i.e the *sacramentum* referred to the usual oath of fidelity to the military tribunes, the *coniuratio* referred to the oath taken between the ranks of the soldiers, and the two oaths were first used during the Second Punic War (Front. *Strat.* 4.1.4).

³¹ Only the *sacramentum* was administered, cf. Liv. 24.8.19, 25.5.8, 26.48.12, 28.27.4, 28.27.11, 32.26.10, 35.2.8, 39.15.13, 40.26.7, 41.5.11.

in a military context.³² The other remaining occurrences of *coniuratio* in Livy's work are invariably associated with conspiratorial contexts.³³ For now it is significant to note that the term *coniuratio* could also denote an oath taken when soldiers joined an army.

In the *De Bello Gallico*, Caesar used the term *coniuratio* thirteen times, but only once did the term explicitly denote the taking of a military oath.³⁴ In 52, Caesar reported that due to the murder of the tribune P. Clodius Pulcher and the current tumultuous atmosphere in Rome, the Senate decreed that *omnes iuniores Italiae coniurarent* "All the younger men of military age in Italy should be sworn in" (Caes. *B Gall.* 7.1). However, Caesar also used the phrases *ius iurandum* or the term *sacramentum* to denote the military oath more often than *coniuratio* in his works. Caesar used the term *sacramentum* when he asked Pompey to recruit soldiers from Cisalpine Gaul and send them to the campaign in Gaul (*B Gall.* 6.1). Furthermore, the phrase *ius iurandum* or the term *sacramentum* each occur five times in *De Bello Civili* to indicate the military oath in different situations.³⁵ Clearly, the distinction between the military oaths was not as important to Caesar as the distinction made by Livy when soldiers enlisted into the army. The meaning Caesar wanted to convey was that a solemn oath had been administered regardless of the term he chose to denote the military oath.

In addition, Caesar uses the phrase *ius iurandum* five times in the *De Bello Gallico*. In contrast to the evidence previously examined, all of these instances refer to the oaths sworn by foreign enemies before preparing for war, not by Romans.³⁶ After their chief Indutiomarus had been killed in battle against Caesar's legions, the Treveri, a Belgian tribe situated west of the Rhine,

³² Cf. Liv. 22.38.4, 26.25.12,16, 45.2.1. NB: My count of the occurrences of *coniuratio* in Livy comes from a search of the term from the *BTL* on-line made in January 2010.

³³ Generally, we can group the occurrences of *coniuratio* or its cognates in Livy's *Ab Urbe Condita* into the following genres: i) the murder or attempted assassination or the ousting of a political leader(s), cf. Liv. 1.51.5; 2.4.3,5,7, 6.2, 12.15, 13.2; 24.5.9-10, 7.3, 21.2, 4, 24.6,8-9; 26.30.3; 40.21.10; ii) uprisings of *plebs* and/or slaves against the established authority, cf. 2.32.1; 3.15.2,6; 4.45.1; 22.33.2; 32.26.7,10,13,15; 33.36.1,3; 39.29.9, 41.6; iii) military mutinies, cf. 7.38.8, 39.6, 41.5,8, 42.3-4; 27.3.4; 34.25.7,9, 41.3; 38.1.6; iv) alliances of enemies to attack the city of Rome or the Roman army, cf. 2.18.3; 6.2.2; 7.21.9; 8.3.3; 10.45.3; 34.11.7, 41.3; and v) revolts by allies of Rome during wars against the Republic, cf. 8.19.13-14; 9.25.2,4, 26.5,7-8, 27.1; 10.1.3; 24.18.4, 43.3; 25.8.3; 27.3.4; 30.26.12; 32.1.7; 34.56.2.

³⁴ NB: This count includes the three instances of *coniuratio* found in Book 8 of the *De Bello Gallico* by Hirtius (Caes. *B Gall.* 8.1, 2, 23).

³⁵ For *ius iurandum*, cf. Caes. *B Civ.* 1.9, 1.76 (*bis*), 2.18, 3.28, 102, 107. For *sacramentum*, cf. *B Civ.* 1.23, 86, 2.28, 32 (*ter*).

³⁶ For *ius iurandum*, cf. Caes. *B Gall.* 6.2, 7.2 (*bis*), 66, 67. The final two occurrences refer to the oath sworn between the Gallic cavalry to attack the Caesar's cavalry.

successfully tempted other tribes across the river to attack Caesar's legions. The tribes confirmed their agreement to go to war by *ius iurandum*. Caesar stated that *iureiurando inter se confirmant* "They took an oath to confirm their engagement" (Caes. *B Gall.* 6.2). When most of the Gallic tribes pledged their allegiance to Vercingetorix, Caesar recorded that *data iureiurando ab omnibus* "An oath was taken by everyone" (7.2). Again, Caesar was not specific in either passage when the *ius iurandum* was administered that his enemies had taken a *sacramentum*, or a *coniuratio*, or both. However, it is important to understand that the expression *ius iurandum* could also refer to "non-Romans" pledging allegiance to perform military duties.³⁷ More significantly, this usage is commensurate with the way Caesar used *coniuratio* in *De Bello Gallico*, in certain respects, to describe the mutual oaths taken by Gallic tribes to ally against Caesar examined in the following section.

Cicero and Sallust do not use the term *coniuratio* to refer to a military oath. Cicero prefers the term *sacramentum* to indicate that a military oath had been taken.³⁸ In contrast, Sallust used the expression *ius iurandum* twice to describe the swearing of an oath but in this case to join the affair of 63 not an army. The first instance was examined in Chapter 1.4 concerning the rumor that the participants in the affair of 63 drank human blood to further confirm the solidarity of their mutual oath (Sall. *B Cat.* 22.1).³⁹ The second instance described the pledge given verbally and in writing to the envoys of the Allobroges by Lentulus and the others (44.1).⁴⁰ Evidently, both Cicero and Sallust reserved the usage of *coniuratio* to explicitly describe a conspiratorial context.

There is nothing inconspicuous when either of the terms or expressions examined in this section described a military oath. Habinek argues that when the word *coniuratio* specifically defined the military oath it was used in a manner that expressed an indifferent context.⁴¹ Habinek is referring to Servius' interpretation that *coniuratio* can be used neutrally when it refers to a military

³⁷ NB: The author of *De Bello Alexandrino* used *sacramentum* once to refer to the military oath (*B Alex.* 56). The anonymous authors of the *De Bello Alexandrino* and *De Bello Hispaniense* did not use *coniuratio* to express a military oath, see section 5.2.3 below.

³⁸ For *sacramentum*, cf. Cic. *Off.* 1.11.36; *Dom.* 78; *Orat.* 1.42; *Fam.* 7.32.2; *Caecin.* 97; *Rep.* 2.60; *Mil.* 74.

³⁹ Cf. Dio 37.30.3.

⁴⁰ Cicero also used the phrase *ius iurandum* to refer to the oath given to the Allobroges (Cic. *Cat.* 3.9).

⁴¹ Habinek 1998, 77.

oath. Servius commented that *nota de re bona coniurationem dici posse: nam coniuratio τῶν μέσων est* “*coniuratio* can be used for good things, for the word has a middling sense” (Serv. 8.5.).⁴² As evidenced above, in Servius’ opinion, a *coniuratio* was usually taken due to an imminent threat of war, which during the Republic was arguably a constant (8.1).⁴³ Therefore, the *coniuratio* signified a call to arms that obliged those who swore the military oath to prepare for hostile action. The term has an indifferent sense but suggests a hostile context as the oath was administered due to a hostile situation or to commence hostilities.

5.2 The usage of *coniuratio* in Caesar’s *Commentarii*

This section examines the usage of *coniuratio* in *De Bello Gallico*, *De Bello Alexandrino*, and *De Bello Hispaniensi* and the contexts that the authors of Caesar’s *Commentarii* used the term to describe. Caesar recorded the frequent alliances of certain tribes from Belgium, Germany, Gaul, and Britain to oppose his legions in *De Bello Gallico*. As mentioned, the term *coniuratio* occurs thirteen times in the work and only once to explicitly describe the military oath to join the Roman army.⁴⁴ The other twelve instances of *coniuratio* in *De Bello Gallico* most often describe the formation of an alliance between two or more Gallic tribes. Caesar frequently used the term *socii* to identify the tribes’ allies, but chose the term *coniuratio* to describe the tribes’ alliance that he deemed were subversive in nature. However, depending on the context, we could debate whether these *coniurationes* of Gallic tribes depicted a conspiratorial context similar to the affair of 63. On the other hand, the term perhaps only signified the tribe’s mutual oath before an alliance to challenge Caesar’s legions similar to a *coniuratio* taken before joining an army. In this section, the pertinent passages are detailed to demonstrate that Caesar sometimes uses the term in a manner different to that of Cicero and Sallust partly because of the martial context *De Bello Gallico* usually described. However, Caesar and the authors of the other *Comentarii*, in certain cases, identified a conspiratorial context similar to the way the term was used to

⁴² The translation for the Greek in the passage from Servius is quoted from Pagan 2004, 13 n.49.

⁴³ According to Livy, the doors of the temple of Janus were closed only once during the time of King Numa and once during the Republic after the First Punic War in 235, to signify that Rome was not at war (Liv. 1.19.3).

⁴⁴ Caes. *B Gall.* 7.1.

recount the affair of 63.⁴⁵ The meaning of the term *coniuratio* in the *Comentarii* is not always straightforward unless the historical context is scrutinized.

5.2.1 The usage of *coniuratio* in Caesar's *De Bello Gallico* indicating a mutual oath for war

In the opening of Book 2, Caesar claimed that *omnes Belgas...contra populum Romanum coniurare* 'All of the tribes in Belgium...*coniurare* against the Roman people' (2.1).⁴⁶ In the same passage, he used the term to describe the tribal alliances against his legions and listed the reasons for the *coniuratio*.⁴⁷ According to Caesar, the primary cause that spurred the Belgian tribes to form an alliance *contra populum Romanum* was due to the threatening presence of Caesar's legions near the tribes' borders or within their territory (2.1). However, the Remi claimed that *neque se cum reliquis Belgis consensisse neque contra populum Romanum coniurasse* 'They had neither agreed with the rest of the Belgians nor "conspired" against the Roman people' (2.3). Caesar had remarked earlier that he first heard about the Belgian *coniuratio* through *rumores* ('rumors').⁴⁸ The reports of *rumores* perhaps indicated that the verb *coniurare* was chosen to describe the clandestine aspect of the tribal alliance. Clearly, the *coniuratio* had hostile intentions in Caesar's judgment because the alliance was formed *contra populum Romanum*, which was represented by him and his legions. Taking this into consideration perhaps the term *coniurare* defined a conspiratorial context, but when we examine the context closer this might not be the case.

Caesar followed the military practice of demanding hostages from his enemies to indicate that they acquiesced to Rome's dominance and to attempt to maintain peaceful relations.⁴⁹ But, at this stage in the Gallic campaign, the Belgian tribes had not sent hostages to Caesar yet. Therefore, we could argue that the *Belgae* had not acted subversively and the two instances of the verb *coniurare* did not indicate that the tribes had "conspired." A military context is

⁴⁵ NB: Caesar used a different terminology from Cicero and Sallust when describing the clandestine, criminal, immoral, and plural aspects that can identify a "conspiracy" examined in Chapter 1. I will cite the specific language Caesar used to identify these aspects when appropriate.

⁴⁶ Caesar defined Belgium as a third of Gaul, cf. *Caes. B Gall.* 1.1, 2.1.

⁴⁷ *Caes. B Gall.* 2.1: *coniurandi has esse causas.*

⁴⁸ *Caes B Gall.* 2.1: *crebri ad eum rumores adferebantur litterisque item Labieni certior fiebat* "Frequent rumors were brought to him, and dispatches also from Labienus informed him."

⁴⁹ For a discussion of the practice of taking hostages, see Braund 1984, 15-6.

emphasized more than a conspiratorial context. Caesar stated that an army was being assembled.⁵⁰ In addition, he reported that the *Remi* informed him of the amount of soldiers each Belgian tribe promised to commit to the army. Caesar explained *quantam quisque multitudinem in communi Belgarum concilio ad id bellum pollicitus sit cognoverint* “They [the *Remi*] had learnt how large a contingent each chief had promised for the present campaign in the general council of the Belgae” (2.4). The phrase *in communi Belgarum concilio* might refer to when the *coniuratio* was taken by the tribes to wage *bellum* against Caesar’s legions. However, the term *multitudo* expressed the plurality of the Belgian forces preparing for *bellum* not the plurality of tribes in the *coniuratio*. Clearly, the Belgian tribes, at this point in the commentary, did not secretly “conspire” against Caesar by first sending hostages and then deciding to wage war like many tribes were reported to do in *De Bello Gallico*, as shown below. If we translate *coniurare* as “to conspire” in both passages the translation might convey the tribes’ intentions to renew war after they had sent Caesar hostages. However, according to the circumstances, the term more precisely defines a mutual oath sworn to form an alliance to openly wage war without any indication that the *coniuratio* was a conspiratorial activity.

In Book 3 of the *De Bello Gallico*, the term *coniuratio* occurs three times.⁵¹ Book 3 describes the events when Caesar was in Illyricum during the winter of 57/56. During his absence from Gaul, it was reported that several tribes from the northern and western coasts formed alliances to jointly attack Caesar’s legions that were quartered in the region. His legions were also attacked in Aquitania, the southwest region of Gaul. Caesar used the verb *coniurare* twice to describe the alliance of these tribes. First, he reported that the leading members of the *Veneti* and other tribes had *inter se coniurant nihil nisi communi consilio acturos* “bound themselves by mutual oath to do nothing save by common consent” (3.8). The same prepositional phrase *inter se* occurs later in Book 3 to indicate a similar alliance between the Aquitanian tribes, the *Vocates* and *Tarusates*, and other border tribes from Spain. Caesar stated that these tribes were planning *coniurare, obsides inter se dare copias parare coeperunt* “to conspire together, to deliver hostages each to other, and to make ready a force” (3.23). In this passage, Edwards translates the verb *coniurare* as

⁵⁰ Caes. *B Gall.* 2.3: *exercitum...conduci*.

⁵¹ At *B Gall.* 3.8, 10, 23.

“to conspire” instead of “to take a mutual oath”, as he did in the former passage.⁵² The verb *coniurare* and the phrase *inter se* place emphasis on the oath of allegiance sworn between the tribes by exchanging hostages.⁵³ However, before the Gallic alliance was formed, P. Licinius Crassus, one of Caesar’s lieutenants and Crassus’ son, was sent to Aquitania in order to wage war against the tribes of the region, who were continuing to resist Caesar’s invasion (3.20). In the beginning of the engagement, only the Aquitanian tribe of the *Sotiates* was involved in the fighting. They were defeated and subsequently sent hostages to Crassus to indicate that they had surrendered (3.23). Book 3 does not explicitly state that either tribe exchanged hostages with the Romans before P. Crassus’ legions had entered Aquitania. Therefore, similar to the occurrences examined in Book 2 above, the two instances of the term *coniurare* in Book 3 were used to refer to the formation of an alliance by swearing a mutual oath. Therefore, Edwards’ translation for the verb *coniurare* as “to take an oath” is more accurate than “to conspire” due to the context.

In Book 5, Caesar invents a speech for Ambiorix, a chief of the tribe of Eubrones, explaining the reasons why his tribe attacked Caesar’s troops. Ambiorix stated that his tribe *hanc fuisse belli causam, quod repentinae Gallorum coniurationi resistere non potuerit* “had gone to war because it had not been able to resist the sudden conspiracy of the Gauls.” (5.27).⁵⁴ Caesar intimated in Ambiorix’s reported speech that the decision to wage a *bellum* was not his own, but was made by the people of his tribe. Translating the adjective *repentinus* as “sudden” does not suitably describe the situation facing Ambiorix. According to the *OLD*, the adjective can also denote something “done to meet a sudden unexpected emergency or contingency”.⁵⁵ Of course, the meaning of any word depends on its context and when examining the context of Ambiorix’s speech the adjective *repentina* used to qualify *coniuratio* seems to suggest this definition. Due to the bad harvest in Gaul in the winter of 54, Caesar was forced to bivouac his legions in smaller camps over a wider area than usual so that they could be fed (5.24). Caesar explained that the dispersal of military

⁵² Edwards 1917, 149 and 169.

⁵³ For *inter se*, cf. Caes. *B Gall.* 2.1.1; *BHisp.* 36.

⁵⁴ NB: There is only one instance in the *Periochae* of Livy’s *Ab Urbe Condita* referring to an alliance between Gallic tribes *Eubronas et alias civitates, quae conspiraverant* “The Eubrones and other states which had banded together” (*Per.* 107). The author of the *Periochae* used the analogous term *conspiratio* instead of *coniuratio*. The reference does not relate to Caes. *B Gall.* 5.27, but to Caesar’s campaign against the *Eubrones* the following year described at 6.29-44.

⁵⁵ *OLD* (*repentinus*) s.v. 3.

strength made the Romans more vulnerable to attack. Therefore, in order to capitalize on this unexpected contingency, several of the Gallic tribes were planning to attack all of his winter encampments on the same day (5.27). The adjective *repentinus* emphasized the impetus for the Eubrones' decision to ally with the other tribes implying that it was not the "suddenness" of the *coniuratio* that the Eubrones could not resist, but the urgency of the tribal alliances in order to attack Caesar's legions when his forces were at their weakest. In some respects, the Gallic *coniuratio* described in this passage was similar to the set of circumstances that Servius explained was the reason a *coniuratio* was taken during an emergency.⁵⁶ Perhaps Caesar wanted his readers to realize the injustice of the tribal alliance that was formed while he was away from Gaul, therefore, he used the term *coniuratio* instead of another specific term to express their actions. However, similar to the other occurrences of *coniuratio* above, Caesar's usage of the term explicitly describes the formation of an alliance intending war not sedition *per se*.

The one occurrence of *coniuratio* in Varro's *De lingua Latina* identifies the same context. When recalling the origins of the *Poplifugia*, a festival marking the "people's flight" when Rome was sacked by the Gauls in the early fourth century, Varro explained that the people of Ficulea and Fidenae *contra nos coniurarunt* "united against us" (Varro *Ling.* 6.18).⁵⁷ Varro used the verb *coniurare* to signify the alliance of the Ficuleans and Fidenates, who fought against Rome when it was at its weakest.⁵⁸ Whether Varro chose to use *coniurare* to indicate a conspiratorial context is not explicit from the text, however he certainly used the term to describe the mutual oath between the Ficuleans and Fidenates to wage war similar to the examples examined above.

5.2.2 The usage of *coniuratio* in Caesar's *De Bello Gallico* describing a conspiratorial context

Hirtius used the term *coniuratio* twice in Book 8 of the *De Bello Gallico* to signify the formation of tribal alliances similar to the way Caesar used the term in the passages examined above. Book 8 described the final operations of Caesar and his legions until Gaul was effectively subdued in 50. In the opening

⁵⁶ See section 5.1.

⁵⁷ On differing historical or mythical traditions for the *Poplifugia*, cf. Plut. *Cam.* 33.5-7; Dion. Hal. *Ant. Rom.* 1.56.5; Macrob. *Sat.* 3.2.10. See also Scullard 1981, 159.

⁵⁸ Cf. Liv. 5.4.13. Fidenae changed allegiances often in the fifth century, see Cornell 1995, 311.

of the book, Hirtius stated *complures eodem tempore civitates renovare belli consilia nuntiabantur coniurationesque facere* “Reports came, however, that several states at once were considering fresh plans of campaign and forming *coniurationes*” (Caes. *B Gall.* 8.1). Hirtius did not specifically name the tribes that were allying but he did claim that the *coniurationes* were made in order to renew the war against Caesar’s legions. Later, Hirtius explained why Caesar only left a nominal force among the Gallic tribe of Bituriges when he set out for war. Hirtius claimed that *unius legionis hibernis non potuerint contineri quin bellum pararent coniurationesque facerent* “They had proved more than a single legion in cantonments could restrain from warlike preparations and *coniurationes*” (8.2). The term *coniuratio* appears in conjunction with *bellum* in both passages explicitly suggesting that the former term corresponded with a military context qualified by the latter. However, according to the chronology of *De Bello Gallico*, many of the tribes that allied against Caesar’s legions in 50 had at one point during the nine-year campaign given hostages to Caesar to signify their loyalty. In the first passage, Hirtius explained that the Gallic tribes were planning to *renovare* (‘renew’) their *bellum coniurationesque* (8.1). The phraseology implied that some of the Gallic tribes, who had acquiesced to Caesar’s power, had now decided to renew the defense of their territories. Therefore, Hirtius implied that the alliance to renew the war was a seditious act against Caesar and Rome by using the verb *renovare* when describing the intention of the Gallic *coniurationes*. Furthermore, the instances of *coniuratio* in Book 8 imply that these military preparations were considered conspiratorial.

The previous instances of the term *coniuratio* examined in section 5.2.1 refer to an alliance by more than one Gallic tribe and imply that the agreement to ally together was an act of subterfuge. On the other hand, an example in Book 4 explicitly stresses the conspiratorial quality of the *coniurationes* formed by certain tribes. These tribes had specifically given hostages to Caesar before they planned to renew hostilities.⁵⁹ The latter half of Book 4 recounts Caesar’s initial expedition to subdue the tribes in Britain. When the British tribes heard

⁵⁹ NB: There is a similar explicit example of a seditious *coniuratio* in Book 3. Caesar described an alliance of Belgian and German tribes that planned to renew war as a *coniuratio*, who had previously been subdued and sent hostages to him. Caesar explained these tribes’ crimes: *iniuriae rententorum equitum Romanorum rebellio facta post deditionem, defectio datis obsidibus tot civitatum coniuratio* “The outrageous detention of Roman knights, the renewal of war after surrender, the revolt after hostages were given, the conspiracy of so many states” (Caes. *B Gall.* 3.10).

that Caesar planned to invade the island, they promised to send hostages when he arrived (4.21). However, when Caesar's legions landed on the island, the British tribes immediately attacked indicating that they had no intention of keeping their promise. Caesar's legions repelled the attack and were able to establish a beachhead. After this initial victory, the British tribes sent hostages signifying a truce (4.23-4.27). Caesar explained that *his rebus pace confirmata* "Peace was thus established" (4.28). However, Caesar claimed that the British tribes, realizing his legions were undersupplied, held a conference deciding that *optimum factu esse duxerunt rebellione... itaque rursus coniuratione facta paulatim ex castris discedere et suos clam ex agris deducere coeperunt* "The best thing to do was to renew the war... Therefore they conspired together anew, and, departing a few at a time from the camp, they began secretly to draw in their followers from the fields" (4.30). Rice Holmes, in his commentary of this passage, definitively states that the term *coniuratio* should not be translated as a "conspiracy." He insists that the phrase *rursus coniuratio facta* means, "They renewed their oaths of fidelity" and argues, "If we were to translate *coniuratio* by 'conspiracy', the religious character of the agreement would be lost sight of."⁶⁰

Rice Holmes' explanation is reasonable because the term *coniuratio* carries a sacred aspect when it indicated the swearing of an oath between individuals or an army, as demonstrated in section 5.1. However, the passage suggests that the tribes had decided on a *rebellio* to recommence the war thus breaking the peace that was previously established when the tribes gave hostages to Caesar.⁶¹ The term *coniuratio* might convey the "oaths of fidelity" taken between the British tribes to renew hostilities, but the decision to wage war was taken in secret and after they had already surrendered hostages.⁶² The clandestine aspect of the British *coniuratio* is stressed by the occurrence of the adverb *clam*. Although the adverb does not qualify *coniuratio*, it does accentuate the secrecy in which the plan was implemented. Moreover, we

⁶⁰ Rice Holmes 1914, 164.

⁶¹ The term *rebellio* (3.10, 4.38) or phrase *renovare bellum* (3.2, 8.1) do not define a "rebellion" in the modern sense, but instead a renewal of hostilities specifically concerning episodes when hostages had already been exchanged and peaceful relations were agreed in *De Bello Gallico*. Cf. *OLD (rebellio)* s.v. 2; (*renovo*) s.v. 5a. NB: Cicero and Sallust do not use the term *rebellio* in reference to the affair of 63, so the term's meaning in *De Bello Gallico* cannot be accurately compared to with a *coniuratio*.

⁶² NB: The term *coniuratio* was used in a similar manner to express an alliance after hostages had been given at *B Gall.* 3.10.

could suggest that, in Caesar's opinion, the plan of the British *coniuratio* was an immoral act because they broke their promise to keep the peace. Therefore, the *coniuratio* by the British tribes has a more seditious meaning than just describing what Rice Holmes translates as, "an oath of fidelity". Consequently, Edwards' translation of *rursus coniuratio facta* as "they conspired together anew", which was first quoted above, seems to more accurately describe Caesar's feeling towards the British tribes that broke the initial peace by surreptitiously deciding to renew hostilities against his forces.

Briefly turning our examination of Caesar's *De Bello Gallico* to an occurrence of the term *coniuratio* in Cornelius Nepos' biography of the Greek general Alcibiades, we can further demonstrate its sacrilegious aspect. While the Athenians were preparing to attack Syracuse during the Peloponnesian War, the hermetic statues in Athens were desecrated. Suspicion fell on Alcibiades for several reasons (Nep. *Alc.* 3.1-4). Nepos emphasized that one reason the general was suspected of sacrilege was due to rumors that he celebrated the Elyusian mysteries within his own home. Nepos remarked that the Athenians considered Alcibiades' private celebration *nefas* and was *non ad religionem, sed ad coniurationem pertinere* 'not in reference to religion, but to a *coniuratio*' (3.5). This instance confirms that a *coniuratio* could be used in a religious context, which perhaps further explains Rice Holmes emphasis of this aspect of *coniuratio* in his commentary of the passage in *De Bello Gallico* 4.30 quoted above.

As mentioned, the passages examined in section 5.2.1 in *De Bello Gallico* describe a formation of an alliance by a mutual oath to wage war against Caesar's legions and by extension the *populum Romanum*. However, the passages examined show that the term *coniuratio* does not invariably denote an explicit conspiratorial context. Clearly, the term suggests something akin to a "conspiracy" only after a tribe had exchanged hostages indicating that they had yielded to Caesar's dominance. Admittedly, the occurrences of *coniuratio* examined in this section all contain an underlying subversive and criminal connotation even when the term was used to explicitly describe an oath to join an alliance intending to wage war. The fact that Caesar's enemy took an oath to wage war expressed a subversive, criminal, and in some respect, immoral aspect of the Gallic *coniurationes* that the authors of *De Bello Gallico* most likely wanted the term to project.

On the other hand, in certain passages, Caesar, Hirtius, and the other anonymous authors of Caesar's *Commentarii* used *coniuratio* in a less nuanced manner to specifically interpret a "conspiracy." In Book 1 of the *De Bello Gallico*, Caesar described an unsuccessful attempt by Ocengetorix, a noble of the Helvetii, to become chief of the tribe in 61. Caesar stated that Ocengetorix had formed *coniurationem nobilitatis* "a conspiracy of the nobles" (Caes. *B Gall.* 1.2). Ocengetorix persuaded the other classes among the tribe to join the *coniuratio* promising that the Helvetii would become masters of Gaul under his leadership. In addition, he attempted to persuade the neighboring tribes of the Sequani and the Aedui to join him when he became chief of the Helvetii. Ocengetorix determined that it would take two years to gather enough supplies before enacting the plans of the *coniuratio* (1.3). By this time the *coniuratio nobilitatis* was discovered, but Ocengetorix was able to escape before he could be tried for treason. After his escape, the magistrates of the Helvetii forcibly seized the supporters of the *coniuratio* and tried them for treason. However, the *coniuratio nobilitatis* was effectively over when Ocengetorix was found dead (1.4).⁶³

In this case, the term *coniuratio* does not explicitly identify an alliance between two or more tribes. Instead, the term describes the alliance between the leading men within a single tribe to oust the current regime similar to the way Cicero and Sallust interpreted the ultimate plan of the participants in the affair of 63. Caesar's account of the *coniuratio nobilitatis* contained the aspects that describe a conspiratorial context identified in Chapter 1. The clandestine aspect is confirmed by the indication that the ultimate plan of the *coniuratio* was unknown until *ea res est Helvetiis per indicium enuntiata* "The design was revealed to the *Helvetii* by informers" (1.4).⁶⁴ The criminal aspects of the *coniuratio nobilitatis* were clear. First, when Ocengetorix was in negotiations with the son of the chiefs of the Sequani and the brother of the chief of the Aedui to usurp the leadership within their own tribes, Ocengetorix claimed *suae civitatis imperium obtenturus esset* "he was about to secure the sovereignty of his own state" (1.3). The plurality is clarified by the plural adjective *nobilitatis* acting as a partitive genitive to qualify *coniuratio* indicating that others from the

⁶³ Caesar reported that Ocengetorix died under suspicious circumstances (Caes. *B Gall.* 1.4).

⁶⁴ NB: The verb *nuntiare* or the compounded forms of the verb *enuntiare* or *renuntiare* occur throughout *De Bello Gallico*. Caesar accentuated his military prowess as he was almost always aware or informed of his enemies' plans. Caesar did not use the verbs of "discovery" like Cicero and Sallust reviewed in Chapter 1.1.

nobility were included not Ocengetorix alone. Hence, the several *causae* ('trials') that continued after the discovery of the *coniuratio* and Ocengetorix's death (1.4). Consequently, the other *nobiles* who supported the *coniuratio* to illegally obtain power in the tribe were criminally prosecuted. This secret attempt by certain elites among the Helvetii who attempted to install Ocengetorix as chief was discovered and the *coniuratio* failed. The account is clearly similar to the discovery and eventual punishment meted out to the elite Roman citizens involved with the failed attempt to gain power in Rome in 63. As shown, the term *coniuratio* in *De Bello Gallico* most often interprets the alliance of Gallic tribes before they attacked Caesar's legions. Usually these tribes are identified by name in *De Bello Gallico*, but the account of the *coniuratio nobilitatis* among the Helvetii in Book 1 is attributed to a specific group of individuals within a tribe instead of a *coniuratio* taken by several tribes allying together.

One other instance of the term in *De Bello Gallico* ascribes a *coniuratio* to a specific group of individuals. These individuals were prosecuted as if they had committed a crime against Caesar instead of the usual military retaliation by his legions against the other Gallic *coniurationes* formed during the campaigns examined earlier in this section. In the beginning of the campaign, Caesar replaced the chiefs of the tribes of the Carnutes and Senones with men who he hoped would remain loyal and, by this favor, prevent their tribes from attacking his legions. Around 57/56, Caesar restored Tasgetius as chief of the Carnutes and for more than two years the tribe remained peaceful. In 54, the Carnutes put Tasgetius to death signaling their discontent with Caesar's meddling in their tribal affairs (5.25). The Senones exiled Cavarinus, the chief Caesar appointed for the tribe at the beginning of his campaign in the same year (5.54). Both tribes promised to support Indutiomarus, a chief of the Treveri, who was at war with Caesar's legions (5.56). However, Indutiomarus was killed before he could unite his forces with the Senones and Carnutes' forces (5.58). Consequently, in the spring of 53, when Caesar held a Gallic council composed of tribes that he had previously subdued or had sent hostages, the Senones, Carnutes, and Treveri did not attend as a display of fidelity between the three tribes (6.3). Caesar adjudged that this affront indicated *initium belli ac defectionis* "The commencement of war and revolt"

(6.3).⁶⁵ He initially set out to subdue the Senones and Carnutes in Central Gaul and after a great display of force both tribes pleaded for peace (6.4). Caesar's legions then defeated the Treveri (6.7-8).

At the end of Book 6, Caesar singled out the defection of the Senones and Carnutes. The Book recorded that Caesar *indicto de coniuratione Senonum et Carnutum quaestionem habere instituit* "was determined to hold an inquisition touching on the *coniuratio* of the Senones and Carnutes" (6.44). A chief of the Senones named Acco was identified as the principal instigator of the plot.⁶⁶ After the *quaestio* ('trial'), Acco was found guilty and flogged to death for his involvement in the *coniuratio*. Caesar reported that *nonnulli iudicium veriti profugerunt, quibus cum aqua atque igni interdixisset* "Some persons feared trial and fled, and these [Caesar] outlawed" (6.44). This sentence suggests that Caesar planned to prosecute more participants than Acco involved with the *coniuratio Senonum et Carnutum*. The term *coniuratio* clearly referred to the crime these tribes had committed not explicitly the mutual oath taken to form the alliance between the tribes. This is the only episode in *De Bello Gallico* that describes Caesar presiding over a trial to punish those participating in a *coniuratio*. Arguably, this occurrence of the term connotes a conspiratorial context more explicitly than the other instances of *coniuratio* examined in this section to describe a tribal alliance however subversive Caesar might have considered those alliances to be.

5.2.3 The usage of *coniuratio* in Caesar's *Commentarii* and its contexts

The *De Bello Alexandrino* describes a plot to assassinate Q. Cassius Longinus the propraetor of *Hispania Ulterior* in 48 using the term *coniuratio*.⁶⁷ The year before, Q. Cassius was appointed as propraetor by Caesar and was left in power over the province when the conflict between Pompey and Caesar began. The author of the *De Bello Alexandrino* recorded that Cassius was treacherously attacked and wounded by the local population when he was a quaestor in the province in late 50's, which instilled in him an especial hatred for the province (*B Alex.* 48). As propraetor, Cassius heavily taxed the rich provincials to pay off his own debts and tried to use the money to buy the loyalty

⁶⁵ NB: Cicero and Sallust did not use the term *defectio* to explain any activity connected with the affair of 63.

⁶⁶ Caes. *B Gall.* 6.44: *Acco, qui princeps eius consili fuerat* "Acco, the arch-conspirator, who had originated the plot."

⁶⁷ *B Alex.* 48-55.

of the indigenous soldiers that were conscripted into the Roman legions (49). After years of extortion, the locals had grown to hate Cassius and the legions had no affection for him either (50). Caesar ordered Cassius to send several legions to Africa as reinforcements (51), but the legions mutinied. An ex-tribune and Caesarian, L. Racilius, and other influential Romans in the province thought Cassius would not be able to win over the legions' loyalty due to his continuous rapacity. If the legions continued to refuse to be led by Cassius then Caesar's forces in Africa would not be reinforced. According to *De Bello Alexandrino*, a client of Racilius, a few indigenous soldiers in Cassius' legions from the Spanish province of Italica, and several others attempted to assassinate Cassius to remove him as their nominal commander (52-53). However, he was only wounded in the attempt and the would-be assassins were tried for their involvement in the plot. *De Bello Alexandrino* records twelve conspirators by name.⁶⁸ Cassius executed some of these men, others were tortured, and some paid Cassius for their freedom.⁶⁹ The author of *De Bello Alexandrino* explained that L. Racilius, L. Laterensis, and Annius Scapula were executed because *in eadem fuisse coniuratione* "[They] had all been involved in the same *coniuratio*" (55). In this case, the *coniuratio* refers to the attempted assassination.

The concrete noun *coniurati* occurs twice to denote the people involved in the attempt to murder Cassius. After Cassius was initially wounded, the author remarked that *clamore sublato fit a coniuratis impetus universis* "No sooner was the alarm raised than all the *coniurati* joined in the attack" (52). After torturing some of the men involved in the *coniuratio*, the author explained that *Calpurnium Salvianum, qui profitetur indicium coniuratorumque numerum auget* "Calpurnius Salvianus, who made a formal deposition in which he named a larger number of *coniurati*" (55).⁷⁰ The plurality of the *coniuratio* is manifest due to the number of people specifically named in the episode and due to the usage of the term *coniurati* to identify those accused of planning to murder Cassius. Although the author of *De Bello Alexandrino* did not use terminology

⁶⁸ Racilius' client Minucius Silo was the first to wound Cassius (*B Alex.* 52). The men from Italica named are: Munatius Flaccus, T. Vasius, and M. Mercello (52). Other would-be assassins whose affiliations remain unknown are: L. Licinius Squillus (52), Calpurnius Salvianus, Manilius Tusculus, L. Laterensis (53), L. Mercello, and Q. Sestius (55). Annius Scapula, an influential *domus nobilis* within the province, is also named in the plot (55).

⁶⁹ Racilius, Laterensis, and Scapula were executed. Minucius, Salvianus, Mercello, and Squillus were tortured. Salvianus and Sestius were able to buy their freedom (*B Alex.* 55). The author is silent regarding the fate of the others that were named, see note above.

⁷⁰ Cf *B Alex* 55, which insinuated that under torture L. Licinius Squillus *nominat pluris* "named many more."

that explicitly emphasizes the clandestine, criminal, or immoral nature of the plot, the context the author described implies all three aspects. It is clear that the *coniuratio* was made secretly because the assassins were able to wound Cassius before the plan was discovered. The subsequent arrests, floggings and executions indicated that the *coniuratio* was a criminal offense.⁷¹ The author of *De Bello Alexandrino* was not explicit regarding the immorality of an attempted assassination of a propraetor of Rome. However, the author of *De Bello Hispaniensi* included a speech by Caesar in 46 confirming the sacrilegious quality of the *coniuratio* to murder the propraetor Cassius two years before. Caesar addressed the Roman citizens of Spain proclaiming that *vos iure gentium et civiumque Romanorum institutis cognititis more barbarorum populi Romani magistratibus sacrosanctis manus semel et saepius attulistis* “You though no strangers to the law of nations and the rights of Roman citizens, have yet like barbarians often violated the sacred persons of Roman magistrates” (*B Hisp.* 42).

In a similar manner, Cornelius Nepos also used *coniuratio* to indicate the oath taken by the followers of Callippus to murder Dion, the tyrant of Syracuse in 353. Nepos stated that the loyalty of those involved with the plan were *coniuratione confirmat* ‘confirmed by taking a mutual oath’ (*Nep. Dion* 8.3). Clearly, in Nepos’ opinion, the term *coniuratio* was appropriate to use when describing a criminal plan to murder an individual. However, as shown in the previous section, Nepos also used the term to identify a conspiratorial context against the State, as Alcibiades had when he was accused of violating several religious rites (*Alc.* 3).

The instances of the term *coniuratio* in *De Bello Alexandrino* are used to describe a different set of circumstances than previously examined in *De Bello Gallico*. Similarly, the distinct context identified in *De Bello Hispaniensi* can be distinguished from those previously defined. In this war commentary, the verb *coniurare* appears twice to describe the taking of a mutual oath between soldiers not to join an army, but to desert one army for another. After Caesar’s defeat of Cato and Scipio’s forces at Thapsus in 46, Sextus and Cnaeus the Younger, Pompey’s sons, fled to Spain. Pompey’s sons were able to entice

⁷¹ The execution of the *coniurati* increased Cassius’ unpopularity and led to several mutinies among the individual commanders of the legions in Spain (*B Alex.* 56-64). Eventually Cassius tried to escape from the province, but his ship sank and he drowned (64).

some of the towns in Spain to support them in their final stand against Caesar.⁷² The author of the *De Bello Hispaniensi* reported that the cavalry in the legions led by Cnaeus planned to desert his army and join Caesar's forces. Three knights came into Caesar's camp explaining that:

equites Romanos coniurasse omnis qui in castris Pompei essent, ut transitionem facerent; servi indicio omnes in custodiam esse coniectos e quibus occasione capta se transfugisse

"All the rest of the Roman knights in Pompey's camp, had like them conspired to come and join [Caesar], that, on the information of a slave they had all been seized and cast into custody; that out of this number they only had escaped." (*B Hisp.* 26)

In this case, the verb *coniurare* perhaps signifies that a mutual oath was taken between *omnes equites* before their plan to *facere transitio* ('to change allegiance').⁷³ When the plan was discovered, the knights were summarily punished. The description of the mutiny suggests that the *coniuratio* was initially made in secret and was considered a criminal offense when the *coniuratio* was revealed.

The second instance of *coniurare* in *De Bello Hispaniensi* was used to describe a plan made by a legion of Pompeian soldiers to surreptitiously attack Caesar's legions soon after they had surrendered and had joined the Caesarian camp. The author of *De Bello Hispaniensi* explained the scene after Caesar's legions successfully besieged the town of Munda:

cum diutius circum sederentur, bene multi deditionem faciunt, et cum essent in legionem distributi, coniurant inter sese ut noctu signo dato qui in oppido fuissent eruptionem facerent, illi caedem in castris administrarent. Hac re cognita insequenti nocte vigilia tertia tessera data extra vallum omnes sunt concisi.

"Many of those who had escaped out of the battle, despairing of safety, surrendered to us; and being formed into a legion, *coniurant inter sese*, that upon a signal being given, the garrison should sally out in the night, while at the same time should begin a massacre in the camp. But the plot being discovered, they were the next night, at the changing of the third watch, all put to death outside the rampart." (*B Hisp.* 36)

As examined above, the phrase *coniurare inter sese* indicated that an oath had been taken between the soldiers that had surrendered after the siege of Munda to act together. The plan they agreed upon had aspects found in a conspiratorial context similar to the affair of 63. The plural aspect is manifest by the usage of *multi* and *omnes* denoting the many soldiers involved. The plan was to occur *noctu* ('at night') suggesting secrecy. Furthermore, when the plan

⁷² Cf. *B Hisp.* 1; Plut. *Caes.* 56.1.

⁷³ *OLD (transitio)* s.v. 3.

was discovered those soldiers who were involved were executed signifying its criminality. The passage insinuated that the routed soldiers at Munda feigned loyalty to Caesar's legions before attempting to murder them at night. Certainly, the author of the *De Bello Hispaniensi* wanted to stress the immoral quality of this mutinous plan against Caesar's legions. The author used the two instances of *coniurare* to denote a conspiratorial context, however, the term was used in a nuanced manner from the other instances of the term examined in this study so far. In the *De Bello Hispaniensi*, the verb defines the swearing of a mutual oath taken between soldiers not to join the army, or to wage war, or to overthrow their oppressors like in the other *Commentarii* and Cicero and Sallust's works, but to indicate an agreement to mutiny.⁷⁴

From this detailed analysis of the usage of *coniuratio* or its cognates in Caesar's *Commentarii* in sections 5.2.1-3, we can make the following conclusions concerning the meaning of the term. In *De Bello Gallico*, when Caesar or Hirtius use *coniuratio* to convey the taking of an oath, it is difficult to ascertain the term's meaning without thoroughly examining the context. Although the term occurs in a narrative describing Caesar's military exploits, only once in the *De Bello Gallico* does the term specifically express the taking of an oath to join an army (Caes. *B Gall.* 7.1). Caesar and Hirtius primarily use the term to describe the alliances that were formed against him by the Gallic tribes. As these alliances would often lead to war, the term *coniuratio* is most likely used to express the subversive aspect that it can often suggest. In *De Bello Gallico*, the reader gets the sense that the term *coniuratio* is used to interpret an action that, in Caesar's point of view, was conspiratorial in nature. The author of *De Bello Alexandrino* and *De Bello Hispaniensi* use the term to explicitly refer to a plan to assassinate a Roman magistrate and attempts to desert an army, respectively. In these two commentaries, the term also suggests a conspiratorial context. Therefore, the usage of *coniuratio* in the *Commentarii* might explicitly denote the swearing of a mutual oath between those involved with a *coniuratio*, but it also implicitly referred to the subversive and treasonable aspects the term could describe as well.

⁷⁴ NB: This usage of *coniuratio* to define an oath to mutiny from an army is frequently found in Livy's *Ab Urbe Condita* written a generation later. Regarding mutinies in the Roman army, cf. Liv. 7.38.8, 39.6, 41.5, 8, 27.3.4, 42.3-4. For mutinies among the Greeks against Macedonian garrisons, cf. Liv. 34.25.7,9, 41.3; 38.1.6.

5.3 The other instances of *coniuratio* in the Ciceronian corpus

As stated in Chapter 1, Cicero primarily uses the term *coniuratio* or its cognates to describe the affair of 63, its plans, and its participants. The term occurs 115 times in his works and 84 of these occurrences explicitly refer to the conspiracy of 63.⁷⁵ If we eschew the eleven times the term is used in reference to P. Clodius Pulcher, his associates, and their deeds, which Cicero claimed were borne out of the affair of 63;⁷⁶ in addition to the seven times the term was explicitly used to refer to the *coniuratio* of 66/65, which some of the participants in the affair of 63 had supposedly planned;⁷⁷ then we are only left with fourteen occurrences of the term entirely unconnected with the affair of 63.⁷⁸ In this section, I examine a number of these instances in order to demonstrate that Cicero exclusively uses the term to describe a conspiratorial context regardless of the situation.⁷⁹ When *coniuratio* occurs in his forensic speeches it is used in reference to a crime.⁸⁰ Similarly when the term occurs in Cicero's philosophical and oratorical works, it is used in a judicial context. First, I examine the seven occurrences of *coniuratio* in three forensic speeches. Then I briefly review the

⁷⁵ NB: An on-line *Bibliotheca Teubneriana Latina* search yields 118 times that *coniuratio* or its cognates occur in the Ciceronian corpus. But 13 times these appear in the Pseudo-Ciceronian corpus, leaving us with 105 instances. However, a *BTL* search only counts four uses of *coniuratio* in the *Pro Caelio*, but the term occurs four times in chapter 15 alone and once more in chapter 70. The same problem occurs at *Pro Sestio* 9, where the term occurs twice in the same line giving a total of five times in this speech instead of four and at *Ad Atticum* 2.2.3 the term occurs twice not once. In addition, a *BTL* search only counts 31 usages in the *Pro Sulla* due to the same problem again, whereas 38 can be counted. Therefore the term actually occurs 116 times (excluding the occurrences in the Pseudo-Ciceronian corpus, however it should also be noted that the term appears once in Cicero's epistolary corpus that was not written by Cicero but by P. Cornelius Lentulus Spinther to the Senate (Cic. *Fam.* 12.14.6). The term in this letter refers to the revolt of Antonius and Dolabella in 43, which Cicero never refers to as a *coniuratio* in any of his works. For this reason, I exclude this last occurrence of the term to arrive at my total of 115 times, which Cicero used *coniuratio* or its cognates.

⁷⁶ In reference to Clodius, his associates, and his actions, cf. *Dom.* 58, 62, 96, 103; *Har.* 18, 36; *Sest.* 28, 42; *Pis.* 15, 16; *Att.* 1.16.11, 2.2.3; *Parad.* 4.27. On Clodius' connection with Catiline and his complicated relationship with Cicero, see Lintott 1967, 158-9 and 169.

⁷⁷ Cicero discussed the *coniuratio* of 66/65 in the *Pro Sulla*, cf. 12, 13, 14, 67, 81 (*bis*), 82.

⁷⁸ NB: There might be one exception in these fourteen occurrences. Cicero discussed the permitted torture of witnesses *de incestu et coniuratione quae facta me consule est* "In cases of incest, and in the case of conspiracy that occurred during my consulship" (Cic. *Part. Orat.* 118). However, our accounts of the trials linked with the affair of 63 never discuss the torture of slaves or indicate that any slave gave information regarding the affair. Rackham (1948, 400-1 n.b) explains that the relative clause in *De Partitione Oratoria* referring to Cicero's consulship was most likely a later interpolation.

⁷⁹ The term *coniuratio* occurs twice in Cicero's *Pro Scauro*, but these instances will be discussed in Appendix III as the term *conspiratio* also occurs in the speech.

⁸⁰ As mentioned earlier, there was no Republican Roman *lex* that was specifically concerned with the crime of *coniuratio*. Anyone found guilty of the crime was probably charged under either the *leges maiestatis* or the *leges de vi*. The conspirators of 63 were most likely tried under the latter law, specifically the *lex Plautia de vi*, cf. Sall. *Cat.* 31.4; Ps-Sal. *Cic.* 3. See also, *TLRR*, nos. 226-34. On *leges de vi*, cf. Hough 1930; Gruen 1974, 224-7; Robinson 1996, 74-80.

usage of the term in Cicero's philosophical and oratorical works, which also demonstrate that Cicero uses the term to interpret a criminal situation.

The first time the term appears in the Ciceronian corpus is during his prosecution of C. Verres, the governor of Sicily from 73-71, on the official charge *de repetundis*. There was a significant delay in the prosecution of Verres. Cicero had several months to gather evidence and witnesses from Sicily and a further delay occurred because the *quaestio de repetundis* was occupied with another case (Cic. *Verr.* 1.30-31).⁸¹ Apparently, the first speech Cicero delivered convinced Verres that a conviction was inevitable and he fled Rome.⁸² Cicero had planned several speeches to demonstrate Verres' guilt, which are collectively named the *actio secunda* by modern scholars. These speeches were most likely published before the case resumed, but were never delivered in court because Verres had left the city after Cicero's first speech against him.⁸³

The term *coniuratio* occurs five times in the *actio secunda*, once in Book 3 and four times in Book 5. In Book 3, Cicero described the greed and illegal extortion by Verres and his tax collector Q. Apronius regarding the collection of tithes and the purchase of wheat from Sicily. Apronius ordered the magistrates from the Sicilian town of Agyrium to pay off the debt he had accrued by buying the rights to collect tithes from the town's inhabitants. According to Cicero, Apronius demanded more money than he actually owed (2.3.68). In addition, Apronius also demanded one *sestertius* per bushel of wheat that was received in order to make an extra profit (73). When Verres was informed of the Agyrites' refusal to pay Apronius, he ordered the magistrates and five leading citizens from the town to come to Syracuse to stand trial. Cicero ironically described Verres' sudden demand for a trial claiming that Verres reacted *tamquam coniuratio... contra rem publicam facta aut legatus praetoris pulsatus esset* "as though some *coniuratio*... against the State had been occurring, or the governor's representative beaten" (68). The court that prosecuted the Agyrites was composed of Verres' personal friends. They were found guilty because Verres insisted that they *adversus edictum fecisse* "had broken a regulation" (69). Verres threatened them with capital punishment, but offered

⁸¹ A former governor of Achaia was also charged *de repetundis* in the same year (Cic. *Verr.* 1.6.30).

⁸² Intro to the Verrines and commentary

⁸³ The *actio secunda* was never delivered in court, cf. Cic. *Orat.* 129; Plut. *Cic.* 7.4; Plin. *Sec. Ep.* 1.20.10. See also, Settle 1962, 100-1.

them the opportunity to surrender their property in order to save their lives. Cicero referred to Verres' sentence as an *iniquissima verba* suggesting that it was "unfair" and implying that an unbiased jury would never convict anyone charged with such a vague offense of "breaking a regulation" (69). Although Cicero used *coniuratio* to mock the urgency of Verres' accusation, at the same time, the term's criminal aspect was implied. If the Agyrites had actually planned a *coniuratio contra rem publicam* then a trial would have been appropriate.⁸⁴ However, according to Cicero, Verres had conflated the seriousness of the Agyrites' action by calling it a *coniuratio* and was clearly abusing his power as governor of the island.

In Book 5 of the *actio secunda*, Cicero planned to refute the claim made by Verres' advocates that his influence as an experienced military commander prevented the slaves in Sicily from joining the servile war that was occurring in Italy while he was governor. Sicily had a history of slave uprisings, the most serious occurring in 135-132 and 104-100.⁸⁵ M' Aquilius, the consul of 101, oversaw the end of the second servile war in Sicily. After his consulship, Aquilius was appointed governor of the island.⁸⁶ Cicero recalled the impassioned defense by M. Antonius for Aquilius on a charge *de repetundis* after he returned to Rome in 98. According to Cicero, M. Antonius emphatically secured Aquilius' acquittal by showing the jury the wounds Aquilius had received during the war (Cic. *Verr.* 2.5.3). Cicero used this anecdote to counter the attempt by Verres' advocates, who made the claim that Verres' measures as governor in 73-70 were comparable to the military competence of Aquilius in 100. Cicero stated that Sicily had been at peace since Aquilius' decree, which stated that it was forbidden for any slave to bear arms (7). Furthermore, Cicero claimed that the Sicilians desired to continue their peaceful relations with Rome due to the advantages both communities had gained through trade over the years (8). He reminded the jury that the servile war in 73-70 led by Spartacus, Crixus, and Oenomaus was purely an Italian affair. Crassus had prevented the slave army from fleeing Italy to Sicily and Cicero insisted that Verres had nothing to do with Crassus' success (5).⁸⁷ According to Cicero, Verres was

⁸⁴ The expression *crimen coniurationis* was the cause for the trials in 62 of P. Sulla and the others accused of being involved with the affair of 63.

⁸⁵ On the first servile war of 135-32, cf. Diod. Sic. 34.2; *Per.* 56; Fl. 2.7; Oros. 5.6.4-9.6. On the second servile war of 104-100, see Diod. Sic. 36.10; Fl. 2.8.

⁸⁶ RE of M'. Aquilius

⁸⁷ Cf. Plut. *Crass.* 10.3-6; App. *BC* 1.118.

most often immersed in debauchery during his tenure as governor and consequently was too inebriated to oversee any serious military duty to prevent a slave revolt if it occurred (26-31; 81-2).⁸⁸

In any case, Cicero was prepared to discuss Verres' assertion that he had suppressed two attempts by slaves who were accused of planning a *coniuratio*. Cicero reported that *Leonidae cuiusdam Siculi familia in suspicionem est vocata coniurationis* "The slaves of a Sicilian named Leonidas came to be suspected of planning a *coniuratio*" (2.5.10). Verres believed Leonidas' slaves were guilty and ordered them to be executed. However, Cicero intimated that *homines sceleris coniurationisque damnati...repente multis milibus hominum inspectantibus soluti sunt et Triocalino illi domino redditi* "Those men, after being convicted of the crime of *coniuratio*...were suddenly, before the eyes of thousands of people, unbound and handed over to their owner [Leonidas], the man from Triocala" (11). Cicero admitted that he did not understand Verres' sudden change of heart especially after the slaves were *sceleris coniurationisque damnati* "convicted of the crime of *coniuratio*," but Cicero clearly thought the crime was worthy of the sentence. He reiterated that *ut eius facinoris damnatos servos quod ad omnium liberorum caput et sanguinem pertinerent* "They were slaves condemned for a crime that endangered the persons and the lives of all free men" (13). Cicero suspected that either Leonidas bribed Verres at the last moment to free the slaves or that Verres had bought the slaves for his own purposes. The actual reason for the release of Leonidas' slaves is never specifically stated in the text. Nevertheless, Cicero rhetorically used the episode to mock Verres' inability to effectively suppress a *coniuratio*, if one actually had occurred. Cicero declared:

quis dubitet quin servorum animos summa formidine oppresserit, cum viderent ea facilitate praetorem ut ab eo servorum sceleris coniurationisque damnatorum vita vel ipso carnifice internutio redimeretur?

"Who can doubt that he cowed and terrified the slaves, when they found our governor so easy-going that the executioner himself was the agent who purchased from him the lives of those slaves convicted of the crime of conspiracy?" (Cic. Verr. 2.5.14)

⁸⁸ Cic. Verr. 2.5.42: *Esto; nihil ex fugitivorum bello aut suspicione belli laudis adeptus est, quod neque bellum eius modi neque belli periculum fuit in Sicilia, neque ab isto provisum est ne quod esset* "Well, let it be granted that he has acquired no credit from any revolt, or threatened revolt, among the slaves, because in Sicily there was no such revolt, nor was there any reason to fear one, nor did he take any steps to prevent one."

Cicero's usage of the expression *sceleris coniurationisque* in conjunction with the term *damnatio* ('condemnation'), at 2.5.11 and 2.5.14 cited above, clearly indicated that Cicero interpreted a *coniuratio* as a crime.

Cicero continued to describe another allegation of a *coniuratio* planned by Sicilian slaves to further demonstrate Verres' abuse of power. Verres had claimed that the slaves of Apollonius, a wealthy Sicilian from Panhormus, were involved in a *coniuratio*. Verres suspected Apollonius' head shepherd *coniurasse et familias concitasse* "had formed a *coniuratio* and had been stirring up the slaves on various estates" (17). When Verres demanded that Apollonius produce the slave in question, the Sicilian was unable to do so because the slave Verres had named never existed. According to Cicero, this was part of Verres' plan to charge Apollonius with inciting *bellum fugitivorum* ('a war of slaves') instead of charging the fictional slave that Verres claimed had earlier "conspired" and punishing the slave accordingly (18).⁸⁹ Apollonius spent eighteen months in captivity without recourse to a trial due to the bogus charge (20-1), further demonstrating Verres' perversion of justice. Although Cicero claimed that Verres had lied about the *coniuratio* of Apollonius' slaves, he emphasized the hostile intentions a *coniuratio* suggesting that this action could eventually lead to *bellum*.

As shown above, in the *actio secunda* of the *Verrines*, Cicero uses the term *coniuratio* or its cognates to identify the accusations of the crimes committed by the magistrates from Agrigium and by Leonidas and Apollonius' slaves. Clearly, in Cicero's point of view, anyone accused of being involved with a *coniuratio* was a serious charge and was a crime that required a formal trial. However, Cicero used the term in the *Verrines* to emphasize Verres' exaggeration of these crimes instead of focusing on the criminality associated with a *coniuratio*. Cicero insinuated that Verres' accusations that several *coniurationes* had occurred while he was governor were not only inappropriate, but also entirely disingenuous charges made by Verres for his own personal gain.

In 69, Cicero defended M. Fonteius, who was governor of *Gallia Narbonensis* in 75-73/2, on a charge *de repetundis* (Cic. *Font.* 13-16).⁹⁰ The

⁸⁹ Cf. Cic. *Verr.* 2.5.25: *ad belli fugitivorum suspicionem* "The supposed indications of a slave rising."

⁹⁰ For the date of the *Pro Fonteio*, cf. Watts 1953, 306-7; Settle 1962, 113-4; Marinone 2004, 21. On the charges against M. Fonteius, cf. Watts 1953, 307.

prosecution had gathered witnesses from the Gallic tribes in the province to testify against Fonteius' supposed extortion of the province. In the *Pro Fonteio*, Cicero belittled the testimonies of the Gallic witnesses labeling them *testimonii barbarorum* ('testimonies of the barbarians'), in an attempt to persuade the jury to discard their evidence (23).⁹¹ Throughout the speech, Cicero reminded the jury of the injuries Gaul had inflicted on Rome in the past as well as their sacrilegious practice of human sacrifice; and listed other prejudices the Romans held, such as their dishonesty and warlike manner (29-36). Cicero claimed that it was a juror's duty to disbelieve witnesses who *cupidis et iratis et coniuratis et ab religione non solum potest, sed etiam debet* "are interested or prejudiced, who have entered into a *coniuratio* or who are devoid of scruple" (21). By stating that the Gallic witnesses had participated in a *coniuratio*, Cicero indicated that an alliance was formed by mutual oath perhaps recalling the definition of the term in Caesar's *De Bello Gallico* examined in section 5.2.1 above. However, in contrast to the way Caesar used *coniuratio*, Cicero did not use the term to indicate an alliance by mutual oath planning to wage war. Instead, he used the term to suggest that the Gallic tribes had colluded together before the trial began in order to make certain that their testimonies were consistent. Quintillian explained that an advocate who wanted to criticize the testimonies of certain witnesses could state that *si deficietur numero pars diversa, paucitatem, si abundabit, conspirationem* "If the other side's witnesses are lacking in number, we should attack them for fewness, if there are many, for conspiracy" (Quint. *Inst.* 5.7.23). This passage suggests that when many witnesses gave a similar testimony then an advocate could claim that the testimony was disingenuous. Although Quintillian used the term *conspiratio* instead of *coniuratio*, the terms are sometimes used synonymously, which is explained in Appendix III. In the *Pro Fonteio*, Cicero most likely used the term *coniuratio* to make the jury more suspicious of the testimonies the Gallic witnesses gave against his client and to convince the jury that the evidence should be discarded.⁹²

The violence in the 50's displayed by the followers of Clodius and Milo was destructive. The animosity between the two reached a fever pitch in 52

⁹¹ Cf. Cic. *Font.* 4, 31, 44.

⁹² NB: Similarly, in the *Pro Scauro*, Cicero used the terms *conspiratio* (Cic. *Scaur.* 20, 37) and *coniuratio* (38 *bis*) synonymously to suggest that the testimonies of the Sardinians against his client, M. Aemilius Scaurus, were an act of collusion. See also, Addendum.

culminating in Clodius' murder prompting the prosecution of Milo and the suspension of elections for the whole year.⁹³ In the *Pro Milone*, Cicero denied the accusation by a certain Licinius that T. Annius Milo's slaves had conceived a plan to murder Pompey. Cicero reported that Licinius confessed that Milo's slaves *de interficiendo Pompeio coniurasse* "had been in a *coniuratio* to murder Pompeius" (Cic. *Mil.* 65). He refuted this accusation by reporting other false allegations of violence against Milo. Supposedly, Milo was stockpiling weapons to arm his supporters, planning to set Rome on fire (64), and hid a weapon under his toga when he attended the Senate (66). Cicero stated that *omnia falsa atque insidiose ficta comperta sunt* "It has been established that these are nothing but groundless and treacherous fables" (67). Whether any of the allegations or the *coniuratio* to murder Pompey was true or false cannot be proved. However, despite Cicero's defense, the odium against Milo and his supporters was insurmountable. The jury duly convicted Milo and he was exiled.⁹⁴

In the three forensic speeches examined above, Cicero uses the term *coniuratio* to describe three different episodes. In the *Verrines*, he uses the term to describe Verres' false accusations of *coniurationes* by Sicilian *domi nobiles* or their slaves. In the *Pro Fronteio*, Cicero describes the *coniuratio* of witnesses allied against his client to emphasize the suspicious nature of their testimonies. In the *Pro Milone*, he described an accusation of a *coniuratio* planned by Milo's slaves to murder Pompey. Each instance of the term contains the plurality and subversive aspects indicative of a conspiratorial context. However, Cicero does not specifically describe the term's clandestine aspect when he used it to define these *coniurationes*. Perhaps, in Cicero's point of view, the latter aspect was not as significant as the criminality that the term certainly implied.

The criminal aspect of the term *coniuratio* is further demonstrated by examining the few times the term appears in Cicero's works on philosophy and

⁹³ On the violence between Clodius and Milo's supporters in the 50's, see Gruen 1974, 150-2, 294-300, 337-44.

⁹⁴ The version of the *Pro Milone* that was published was most likely revised and not the speech Cicero delivered in court, cf. Settle 1962; Ruebel 1979. According to Asconius and Quintillian, there were two versions of the speech, cf. Asc. 42C; Quint. *Inst.* 4.3.17. Also cf. Marshall 1985, 190-1 contra Settle 1962, 252-7. Settle argues against the claim that there were perhaps two versions of the speech contending that, "Cicero did not gain his preeminence by rewriting unsuccessful orations" (257). However, according to Dio, Cicero's original defense of Milo failed (Dio. 40.54.2-4) and Asconius described Milo's conviction (Asc. 54C).

oratory. The term occurs once in *De Officiis*, once in the *Brutus*, and once in *De Natura Deorum*. In the latter two works, Cicero used *coniuratio* in reference to the trials under the *lex Mamilia* of 110, which accused some of the Roman elite of supporting King Jugurtha of Numidia. These men had accepted bribes from Jugurtha and the tribune C. Mamilius Limetanus proposed legislation to charge these men with the crime of aiding the King during the Numidian War. In Sallust's *Bellum Iugurthinum*, he claimed that *quaestio exercita aspere violenterque ex rumore et lubidine plebis* "The investigation was conducted with harshness and violence, on hearsay evidence and at the caprice of the commons" (Sall. *Iug.* 40.5). In the *Brutus*, Cicero recorded that the accomplished orator C. Sulpicius Galba, who was *pontifex maximus* in 110, was convicted due to *Iugurthinae coniurationis invidia* "[an] outgrowth of the invidious charge of *coniuratio* with Jugurtha" (Cic. *Brut.* 127). The same phraseology occurs in Book 3 of *De Natura Deorum*. Cicero referred to those charged under the *lex Mamilia* who were accused of *coniurationis Iugurthinae* as an example of injustice (Cic. *Nat. D.* 3.74). Although the term occurred in a context of judicial injustice in both the *Brutus* and *De Natura Deorum*, the term reflected Cicero's opinion that a *coniuratio* described the crime these men were charged with. This definition is further emphasized in Book 3 of *De Officiis*. Cicero discussed the predicament that can arise when one friend had to judge another friend's conduct in a trial. He professed that the bond of friendship should never be broken except when a friend was involved with a hostile action against the *res publica*, or violating one's oath, or in court (Cic. *Off.* 3.43). Cicero declared that if a friend defends a friend who he knows is guilty then *non amicitiae tales, sed coniurationis putandae sint* "Such relations would have to be accounted not friendships but *coniurationes*" (3.44).⁹⁵ In this case, Cicero used the term *coniuratio* in contrast with *amicitia*. Therefore, in all three instances examined above in his philosophical works, Cicero clearly uses the term to convey a negative state of affairs as well as to signify the term's criminality.

⁹⁵ On the theme of *amicitia* in Cicero's *De Officiis*, cf. Griffin and Atkins 1991, xxi-vii; Dyck 1996, 549.

5.4 The other instances of *coniuratio* in the Sallustian corpus

This brief section examines the remaining occurrences of the term *coniuratio* in Sallust's works other than the *Catilina* in order to identify what other contexts Sallust deemed the term could signify. As explained in Chapter 1, Sallust primarily reserves using *coniuratio* or its cognates to describe the actions and those involved with the actions in the affair of 63 similar to Cicero. The term occurs twenty-nine times in the *Catilina*, but only once in the *Bellum Iugurthinum* and twice in the *Historiae*.

A reoccurring theme throughout Sallust's *Bellum Iugurthinum* was King Jugurtha's ability to bribe the Romans, his own citizens, and other nations in order to support his struggle against Rome.⁹⁶ After feigning peace in 109, Jugurtha renewed hostilities against Q. Caecilius Metellus Numidicus and Marius' legions the following year. Jugurtha bribed the leading citizens of the town Vaga to overthrow the Roman soldiers garrisoned there.⁹⁷ Sallust claimed that Jugurtha induced *principes civitatis inter se coniurant* "The leading men of the town entered into a *coniuratio*" (Sall. *Iug.* 66.2). The leaders of the *coniuratio* convinced all the inhabitants of Vaga to commence the hostilities during a Numidian festival when the Romans would least expect an attack.⁹⁸ The Vagenses invited the Roman soldiers stationed in the town to celebrate the festival and slaughtered almost the entire garrison (66.2-67.2).⁹⁹ Similar to the instances of *inter se coniurare* found in Caesar's *De Bello Gallico*, Sallust most likely used the phrase to indicate that the leaders of Vaga had taken a mutual oath to ally together against the Romans. The reason Sallust chose to use *coniurare* to express the hostile action by the Vagenses is clear. The narrative implies that the *coniuratio* was conducted in secret as the Romans were unaware of the alliance and came unarmed to the festival (66.3-4). In addition, the fact that the *coniuratio* was enacted on a holy day accentuated the term's sacrilegious nature and the immoral conduct of the Vagenses. In Sallust's opinion, the plan to murder the Roman garrison was certainly a seditious and

⁹⁶ Jugurtha bribed Romans, his own citizens, and King Bocchus of Mauretania (Sall. *Iug.* 80.3, 97.2), see also Chapter 4 n.103.

⁹⁷ The actions at Vaga are described at Sall. *Iug.* 66-69.

⁹⁸ On the festival at Vaga, cf. Koestermann 1971, 250-1; Paul 1984, 178-9.

⁹⁹ Only the prefect of the garrison, T. Turpilius Silanus, escaped (Sall. *Hist.* 67.3). He was later put to death for cowardice (69.4). Metellus attacked Vaga two days later and the garrison was avenged (68.1-69.2). Cf. Plut. *Mar.* 3, 8.

criminal act. All these aspects recall the way Sallust defines the term *coniuratio* in the *Catilina*.

In the *Historiae*, Sallust recorded a speech by L. Marcus Philippus delivered in the Senate in 77 arguing that the recent actions of the consul M. Aemilius Lepidus, who threatened to march on Rome with an army was an act of war (Sall. *Hist.* 1.67.1-22).¹⁰⁰ Philippus attempted to convince the Senate that Lepidus should be declared *hostis rei publicae* and to follow Lepidus' colleague, the ex-consul Q. Lutatius Catulus, in attacking Lepidus' army that he had gathered from the disgruntled inhabitants of Etruria.¹⁰¹ Philippus explained that *equidem a principio, cum Etruriam coniurare* "At the very outset, when I saw Etruria conspiring" (1.67.6).¹⁰² According to the text, it was the Etruscans who had instigated a *coniuratio* not Lepidus.¹⁰³ Lepidus took advantage of the *coniuratio* occurring in Etruria. Instead of suppressing the *coniuratio*, he joined the Etruscans and used them as an army for his own objective to demand a second consulship in 77 in order to reinstate the powers of the tribunate, which Sulla had curtailed during his reign.¹⁰⁴ Philippus' speech apparently was successful as the Senate supported Catulus' actions of leading an army against Lepidus. Lepidus' forces were defeated at the gates of Rome. Lepidus and the remnants of his army fled from Italy to Sardinia.¹⁰⁵

The final instance of the term *coniuratio* in Sallust's works occurs in fragment 3.95 of the *Historiae*. Commentators are unsure where the fragment should be placed and uncertain what the fragment described.¹⁰⁶ The fragment reads: *coniuratione claudit* "hampered by the *coniuratio*."¹⁰⁷ According to Maurenbrecher's placement of the fragment, he suggests that it referred to a *coniuratio* by the legion under the command of L. Valerius Flaccus, who was killed in a mutiny by his soldiers in 86 during the Mithridatic War.¹⁰⁸ In contrast, McGushin suggests that fragment might refer to the *coniuratio* by Perpenna to

¹⁰⁰ Philippus primarily called Lepidus' actions a *bellum* (Sall. *Hist.* 1.67.2, 7, 15, 17, 18) and once an *arma civilia* (10). For a commentary on the *Oratio Philippi* in the *Historiae*, see McGushin 1992, 132-48.

¹⁰¹ Philippus called Lepidus a *hostis*, cf. Sall. *Hist.* 1.67.15, 22.

¹⁰² Translation from McGushin 1992, 135.

¹⁰³ Cf. Sall. *Hist.* 1.64: *Etruria omnis cum Lepido suspecta in tumultum erat*.

¹⁰⁴ For Lepidus' intentions, cf. Sall. *Hist.* 1.55.23, 1.67.14-15. See also, Chapter 2 nn.75-8.

¹⁰⁵ Lepidus died on Sardinia, but the remnants of his army under the command of Perpenna joined Q. Sertorius in Spain, cf. Plut. *Pomp.* 16.6; App. *B Civ.* 1.107.

¹⁰⁶ NB: Maurenbrecher (1891, 121) places the fragment at 3.32 contra McGushin (1994, 138) who places the fragment at 3.95. In reference to the fragment, I use the latter placement by McGushin.

¹⁰⁷ Translation by McGushin 1994, 138.

¹⁰⁸ Maurenbrecher 1891, 121.

murder Sertorius in Spain in 73.¹⁰⁹ However, according to McGushin's translation of the fragment quoted above, he believes that the inclusion of the verb *claudere* demonstrates that the *coniuratio* only "hampered" Sertorius' objectives and does not specifically describe the plot to murder Sertorius.¹¹⁰ Clearly, it is problematic to determine what the term *coniuratio* referred to due to its appearance in a fragment of uncertain placement. However, whether the term referred to the mutiny by Valerius' legion in 86 or Perpenna's poisoning of Sertorius in 73, Sallust most likely chose the term to imply its negative conspiratorial aspects. Yet, as shown in section 5.1, the term *coniuratio* does not always signify a conspiratorial context. Therefore, in this instance, we can only speculate that fragment 3.95 of the *Historiae* describes a context implying hostile intentions, as this was the usual context the term *coniuratio* describes in all the other instances in Sallust's works.

5.5 Chapter conclusions

This chapter investigated the various definitions of *coniuratio* and demonstrated that the term could indicate either a neutral sense when used to describe the mutual oath sworn by soldiers joining an army, or a negative sense when the term described a mutual oath signifying a "conspiracy." The first section examined how Plautus used the term to identify the mutual oath taken between lovers to describe their solemn bond. The term was also used to describe the mutual oath between soldiers when joining an army. Each of these usages described a neutral context, however the examination of the inscription of the *SC de Bacchanalibus* demonstrated that the term was also used to describe a negative situation in the early second century. Therefore, the term *coniuratio* has an ambiguous meaning depending on its context.

The following section explained that Caesar only used *coniuratio* once to signify the military oath taken when joining the army in *De Bello Gallico* and more often used the term to describe a mutual oath by tribes or several individuals intending hostile actions against his legions. However, when examining these instances in *De Bello Gallico* it was shown that translating *coniuratio* invariably into English, as a "conspiracy" is not always suitable. Instead the precise translation of the term depended on whether Caesar used

¹⁰⁹ McGushin 1994, 138.

¹¹⁰ According to McGushin (1994, 138), the commentator Gerlach (1870 *non vide*) suggests that the fragment referred to Sertorius' murder.

the term to accentuate the conspiratorial actions of the Gallic tribes who had previously accepted Caesar's dominance by exchanging hostages or the mutual agreement to go to war, which did not indicate a conspiratorial action. The same can be said of the one instance of *coniurare* in Varro.

The subsections 5.2.2 and 5.2.3 showed that Hirtius and the other anonymous authors of Caesar's *Commentarii* used *coniuratio* to describe a similar negative state of affairs to Caesar, but also used the term to describe plans for murder or plans for deserting one army for another. Moreover, the last two sections of this chapter demonstrated that Cicero and Sallust only used *coniuratio* to describe a negative context. In these sections, the instances of the term examined from Cicero and Sallust's writings usually implied the secret, immoral, and above all criminal aspects, which recall the way they both used the term to describe the affair of 63 examined in Chapter 1. Therefore, we can conclude that although the term *coniuratio* was used to describe a neutral context, it was more often used to describe a conspiratorial context by authors writing during the Late Republic.

Conclusion

The aim of my thesis was to access modes of thinking about how the actions and those involved with the actions of the affair of 63 were interpreted by contemporaries, by exploring the terminology and the language found in our sources. I began this study by identifying the terminology that Cicero and Sallust used to describe the conspiratorial aspects of the affair. Chapter 1 determined that while both authors often chose the *coniuratio* to identify the affair and its participants, they used other terminology to emphasize the clandestine, criminal, immoral, and plural aspects that corresponded with the conspiratorial context that *coniuratio* encompassed. These related aspects were further explored by examining the disturbances inside and outside of Rome, in chapters 2 and 3 respectively, which our sources claimed were a concerted effort to achieve the affair's participants' primary objective of gaining power in Rome.

In the first part of chapter 2, I underlined Cicero and Sallust's emphasis on the serious threat remaining in Rome represented by those who remained in the city after Catiline left on November 8. Both authors stressed the number of Roman citizens that were participating in the affair or willing to support it. The participants remaining in Rome were from the upper echelons of society and I demonstrated how they were depicted as the leaders of the threat in the city. Our sources recorded that their criminal intentions included secretly planning murder, arson, and soliciting a Gallic tribe to support Catiline and Manlius' army in northern Etruria. The highest-ranking member of the *reliqua coniuratorum manus* was the current praetor P. Cornelius Lentulus Sura. The second part of chapter 2 thoroughly examined the portrayal of Lentulus in our sources. I demonstrated his influential role in the affair by investigating his political career, family, and the evidence of the criminal activities he was involved with, in particular, the instigation of soliciting the Allobrogean envoys for their support and the letter and message he attempted to send to Catiline requesting him to enlist more soldiers and march on Rome. In addition, I investigated our sources' record of the prophecy Lentulus had in his possession that predicted he would rule Rome in 63. The comprehensive examination of Lentulus proved that one could argue that our sources interpreted his role in the affair perhaps as influential as Catiline's. Moreover, the examination of Lentulus' prophecy

suggested that his motivation and reasons for continuing the affair's plan to gain power in Rome, a month after the plans were initially divulged and Catiline's participation was exposed, were perhaps different, independent, and more urgent than the others involved.

Similar methods were used to examine the disturbances outside of Rome in chapter 3, which our sources connected to the disturbances inside of the city through Catiline's decision to leave Rome and join the army in northern Etruria. Our sources recorded that the supporters of Catiline's candidacy for the consulship in 63 consisted partly of Sullan veterans, colonists, and those dispossessed by Sulla from Etruria. The army that took the field at Faesulae led by the Sullan veteran C. Manlius included these supporters. When Catiline's plan to join Manlius' army was confirmed, the Senate passed the *SCU* awarding the consuls unlimited power to protect the *res publica* as they saw fit. Catiline and Manlius were declared *hostes rei publicae* providing Cicero with the opportunity to punish both citizens and any others who were participating in the affair with impunity. In addition, I explored our sources' claims that other areas throughout Italy were being solicited to support the affair. It was demonstrated that several of these areas were adversely affected by the foundation of Sullan colonies in their territory whereas in other areas the affair's participants supposedly were inciting the slaves to revolt. Whether these reports of disturbances outside of Rome, except for the army in Etruria, were genuine is indeterminable. However, the examination of these disturbances outside of Rome indicated that the threat of the affair extended outside of the city's walls and demonstrated that many Romans from the lower orders of society were attracted to support the plan to overthrow the current ruling establishment. The army in Faesulae was certainly preparing for war, but Sallust's record of a verbal message from Manlius' army to Q. Marcius Rex suggested that they might have initially acted independently and initially for different reasons to those involved with the affair in Rome. Although our sources stressed that the disturbances inside and outside of Rome were part of the same plot, Manlius' army were in open revolt before those in Rome commenced their plans for murder and arson. This evidence and the investigations made in chapter 2 and 3 further demonstrate that the opinion that Catiline was the sole mastermind and instigator of the affair should be reconsidered.

It was determined that the disturbances occurring outside of Rome were primarily interpreted using terminology that indicated these areas were preparing for war. Cicero and Sallust used specific language to stress that the affair's participants were not only secretly planning murder and arson to achieve their goal to gain power in Rome, but were also openly planning a war. Chapter 4 reviewed both authors' usage of the term *bellum* and other expressions to describe the military context of the affair. I demonstrated that Cicero and Sallust rarely used the expression *bellum civile* to interpret the military preparations and the battle between Catiline and Manlius' forces and the forces commanded by those loyal to the *res publica*. However, the instances of other expressions, such as *bellum domesticum ac intestinum* or *dissensio civilis* in Cicero and Sallust's accounts, implied that the affair's violent and criminal plans to gain power in Rome was also presented as an armed struggle between *cives* commensurate to a "civil war."

The final section of chapter 4 demonstrated that after Lentulus and the others were executed and Catiline and Manlius' army was defeated, Cicero's later works interpreted the affair primarily using the term *coniuratio* and not *bellum*. In order to further comprehend the definition of *coniuratio* and what contexts it was used to describe, I explored the occurrence of the term in Cicero and Sallust's works unrelated to the affair of 63 in chapter 5. It begins with a comparison of the earliest occurrences of *coniuratio* in Plautus' plays and in the inscription of the *SC de Bacchanalibus*. This comparison demonstrated that the term could be used in either a neutral or negative context as early as the late second century BC. To provide a further understanding of its usage in a neutral context, I examined the instances when *coniuratio* defined the mutual oath taken between soldiers joining an army. On the other hand, when thoroughly investigating the usage of *coniuratio* in Caesar's *Commentarii*, which are contemporaneous with Cicero and Sallust's writings, it was shown that the term most often indicated a negative state of affairs. The term could be defined as a mutual oath, but it was foremost an oath sworn to commit a hostile act, such as renewing war, planning a murder, or a mutiny. In addition, the negative sentiment of *coniuratio* is also shown in the examination of the term's appearance in Cicero and Sallust's works unrelated to the affair of 63. I concluded that in Late Republic the term *coniuratio* had developed into an

ideology of crime and in most cases implied the other clandestine, immoral, and plural aspects indicative of a conspiratorial context identified in the first chapter.

The process of distinguishing and examining the lexical choices Cicero and Sallust used demonstrated that both writers interpreted it as either a *coniuratio*, or a *bellum*, or both, involving a large number of Roman citizens. Both writers interpreted the affair using terms that emphasized the variety of its seditious plans and actions occurring inside and outside of Rome. When they described the many participants in the affair it is evident that other citizens were as influential as Catiline over its management or as important as Catiline's involvement to its success. Cicero's letter sent to the historian Luceius in 55 displayed Cicero's own difficulty when attempting to classify the affair of 63. In the letter, Cicero admitted that the affair he suppressed during his consulship could be interpreted as a *coniuratio*. Cicero continued to suggest that the *coniuratio* could appear in Luceius' history of *bella civilia*, implying that the affair contained elements of civil war. In addition, Cicero explained that Luceius' digression on the affair could include a discussion of the causes of the *res novae*.¹ As mentioned in chapter 4, this latter term needs further scholarly investigation to determine its interpretation. Other areas for profitable future research include a similar examination of the terminology in the accounts of the affair written by Greek authors to further investigate its perception. However, it is hoped that my thesis' examination of the terminology and the language in our sources, used to interpret the affair and its participants, has highlighted its multiple interpretive possibilities.

The accuracy of the modern historical label for the affair of 63, "The Conspiracy of Catiline", can be questioned. Cicero and Sallust accentuated its uniqueness and complexity therefore the English word "conspiracy" does not completely describe either author's perception. Furthermore, although writers in the Late Republic primarily used *coniuratio* to describe a conspiratorial context, it is imprecise to invariably translate the term as a "conspiracy" as was shown in chapter 5. Moreover, as Cicero and Sallust's accounts name other influential leaders, it is manifest that Catiline was not the sole instigator of the affair. It was shown in Chapter 2 that after Catiline had left Rome the actions inside of Rome led by the praetor Lentulus and after his execution the affair was consigned to failure. Lentulus might have had a separate and more compelling

¹ See p.234 in Chapter 4 for the text of the letter.

reason to join the affair due to his possession of the prophecy. In addition, there is evidence that Manlius and his army might have acted independently for reasons subtly different than Catiline and the others to gain power in Rome demonstrated in chapter 3. If Manlius was Catiline's associate, his army perhaps assembled too soon instigating the declaration of the *SCU* effectively exposing the affair before Catiline and the others in Rome were ready.

Although one of the intentions of this study was to conclude that the affair of 63 has been imprecisely classified as the so-called "Conspiracy of Catiline", it is not my intention to attempt to rename the affair. Cicero and Sallust interpreted the affair using language describing it as either a "conspiracy," or a "war," or aspects of both. Consequently, they used related terminology identifiable in a conspiratorial, or martial context, or both. Therefore, offering a more precise title for the affair of 63 would not accurately represent the way the eyewitness accounts of Cicero and Sallust perceived it.

Of course one could choose to disbelieve Cicero and Sallust's accounts of the affair. Modern scholarship considers the affair of 63 as either "a dastardly revolutionary plot, or a storm in a tea-cup."² However, it cannot be disputed that the executions of five Roman citizens without a trial led to rumblings within the Senate. Subsequently, these tremors led to a disruption in Cicero's political career. Five years later, pressured by his political enemies, Cicero was forced into voluntary exile specifically due to his severity during the affair. The threat that faced Rome and the *res publica* continued to reverberate until Cicero's death by the order of Mark Antony, the stepson of Lentulus, who was executed, and the nephew of C. Antonius, Cicero's consular colleague, who in 59 was exiled partly for his support affair as co-consul. Therefore, due to these subsequent events, it is futile to argue that the affair of 63 was only "a storm in a tea-cup" even if certain actions were exaggerated or rhetorically presented.

Modern scholarship recently changed the way we refer to the plot to murder the consuls in 66/65. This plot used to be labeled the "First Catilinarian Conspiracy" and subsequently the affair of 63 was called the "Second Catilinarian Conspiracy." However, the so-called 'First Catilinarian Conspiracy' was challenged in several historical studies in the late 20th century. By the 1970's, scholars widely accepted that this label for the supposed plot to murder the new consuls of 66/65 was untenable.

² Beard, North, and Price 1998, 138.

The arguments against the modern historical label of the so-called “First Catilinarian” closely resemble the arguments suggested in this study. My thesis has demonstrated the seriousness, intricacies, and multifariousness of the affair of 63. The eyewitness accounts of Cicero and Sallust evince that it was unique affair led by several Roman citizens from diverse backgrounds actively threatening the *res publica* from both inside and outside of Rome intending to gain power in the city through seditious and hostile means. Identifying and examining the terminology Cicero and Sallust chose to describe the plot to gain power in Rome comprehensively proved that these actions were more complex than the English word “conspiracy” describes and demonstrated that we can question whether Catiline was its instigator or its most influential member. Similar to the scholars who challenged the label of the “First Catilinarian Conspiracy” before me, I hope that this study has shown that the historical label of the plan to gain power in Rome through violent means in 63 should be reconsidered.

Addendum

The usage of the term *conspiratio* in various contexts

The English words “conspiracy” and “to conspire” are directly derived etymologically from the Latin noun, *conspiratio*, and the verb, *conspirare*, respectively. Accordingly, it would be logical to expect that these terms or their cognates would typically define a conspiratorial context in Latin corresponding with their definition in English. However, in the Latin, two sets of terms theoretically could synonymously denote a “conspiracy”. The term *conspiratio* and its cognates occur less frequently in Latin than the cognates of the term *coniuratio* to signify something that we would define using a corresponding derivative of the word ‘conspiracy’ in English. However, the addendum will also demonstrate that the term *conspiratio* could describe as a synonymous state of affairs like the term *coniuratio*.

The definitions found in the *OLD* under the headwords *conspiratio* and *conspirare* read:

conspiratio/~nis: *n.* 1. Agreeing together, harmony, concord; 2. Combination for hostile, or illegal activity, conspiracy; b. (*meton.*) the members of a conspiracy
conspiro/~are: *v.i.* 1. To agree together, act in harmony, accord; b. (of things) to be in harmony, act together, agree; (of trumpets) to sound together; 2. To combine for hostile or illegal action, conspire.¹

The verb is constructed by combining the prefix *con-* with the verb *spirare* (‘to breathe’).² Thus, the verb *conspirare* literally means “to breathe together” and logically the noun could convey the same meaning. Both words could be used to denote a plurality of things literally or figuratively “breathing together”, however, according to the context the term could define the “combining for hostile or illegal action.” I examine several instances of the term *conspiratio* or its cognates below that describe either a “positive” or “negative” context.³ The first section of the addendum will focus on the usage of *conspiratio* to describe a context of accord. The second section will examine how *conspiratio* and *coniuratio* could synonymously express a conspiratorial context. However, it should be noted that Cicero never uses *conspiratio* in reference to the affair of 63 and the term does not occur in Sallust’s works. For this reason, the following discussion of the term *conspiratio* appears here instead of the main body of my thesis.⁴

¹ *OLD*, 419.

² *OLD* (*con-*) s.v.1 and (*spiro*) s.v.1.

³ For a review of *conspiratio* and its political usage, cf. Hellegouarc’h 1963, 98-9.

⁴ NB: The term *conspiratio* does not occur in any of Sallust’s works.

Section 1 *conspiratio* as a term of “agreement”

In contrast to the way *coniuratio* was used to express either a neutral or negative context demonstrated in Chapters 1 and 5, the term *conspiratio* was sometimes used to describe a clearly positive context. Vergil and Quintilian used the verb *conspirare* in this regard expressing sound “acting in harmony.” Vergil described the traditional “sounding together” of horns when the temple doors of Janus were opened to signal the commencement of war in the *Aeneid*. Vergil wrote *aereaue adsensu conspirant cornua rauco* “And brazen horns blare out their hoarse accord” (Verg. *Aen.* 7.615). In the *Institutio Oratoria*, Quintilian commented that the art of *musica* and its understanding was as important and beneficial to both philosophers and generals as it was to soldiers and workers. He claimed that work was easier to accomplish when *in iis operibus in quibus plurium conatus praeunte aliqua iucunda voce conspirat* “The efforts of many are coordinated by a pleasant voice that sets the time” (Quint. *Inst.* 1.10.16).⁵

The term occurred in other contexts suggesting things “acting in harmony” figuratively as well. In *De Bello Civili*, Caesar used the word to express this definition in reference to the *pila* (‘the spears’) of the Ninth Legion that were thrust together simultaneously to defend against an attack by Pompey’s forces on his camp at Dyrrachium. Caesar described the action stating *milites legionis VIII subito conspirati pila coniecerunt* “The men of the Ninth with prompt and unanimous resolution hurled their pikes” (Caes. *B Civ.* 3.46). In this passage, Caesar suggested that the camp would have been overrun except for this harmonious assault of spears, which was essential against the larger force.⁶

Cicero sometimes used the term *conspiratio* to describe things in accord with each other. In *De Natura Deorum*, Cicero used the verb *conspirare* twice in this manner. First to interpret the Stoic precept that all things in nature are in accord with each other, Cicero explained *quid vero tanta rerum consentiens, conspirans, continuata cognatio* “consider the sympathetic agreement, interconnection, and affinity of things” (Cic. *Nat. D.* 2.19). Second, to express the New Academic opinion regarding the harmonious ‘accord’ of the nature of things, Cicero wrote *itaque illa mihi placebat oratio de convenientia consensuque naturae, quam quasi cognatione continuatam conspirare dicebas* “And so I fully agreed with the part of your discourse that dealt with nature’s punctual regularity, and what you termed its concordant interconnection and correlation” (3.28). A similar usage appears in *De Finibus*. Cicero discussed how the virtue of *iustitia* “justice” ought to be in accord with other virtues so that a man could reach the ideal through *conspiratio consensusque virtutum* “a general union and

⁵ Quintilian evidently agreed that music was beneficial to those who work either together or alone, even if the tune being played or sung was *rudus* “crude”, see Quint. *Inst.* 1.10.16.

⁶ NB: Caesar did eventually retreat from Dyrrachium but not at this point in the narrative.

combination of the virtues” (Cic. *Fin.* 5.66). Cicero professed in the *Tusculan Disputations* that those engaged in politics would achieve a happy life through life-long friendships with other learned men who share the same sentiments and who are continually in accord with each other’s counsel. He declared *adiunge fructum amicitiarum, in quo doctis positum est cum consilium omnis vitae consentiens et paene conspirans* “Add to this the fruit which springs from friendships in which learned men find the counsel which shares their thoughts and almost breaths the same breath throughout the course of life” (Cic. *Tusc.* 5.72).

In all of these instances in Cicero’s works, the term *conspiratio* is found in apposition with the terms *consensio* or its cognates. Both *consensio* and *consensus* are nouns derived from the verb *consentire* “to reach agreement”, which principally denotes a ‘positive’ sense of unity.⁷ Cicero evidently used words synonymous with *conspiratio* in apposition in order to emphasize the principal definition for the term of conveying “things agreeing together”. The terms *conspiratio* or its cognates were used in Cicero’s works to signify the “accord” that specifically existed between people as well. The earliest instance of the word *conspiratio* and its cognates in our surviving Latin sources occurs in Cicero’s *De Lege Agraria* delivered in January 63 when he was consul.⁸ He used the terminology, in the peroration of the first of three speeches against the tribune Rullus’ proposed agrarian legislation when Cicero was consul, to remind the other tribunes that it was not only himself who opposed the legislation but the rest of the *boni* as well.⁹ He ordered them to *conspirante nobiscum, consentite cum bonis* ‘be in accord with us, agree with the best Senators’ (Cic. *Leg. Agr.* 1.26).¹⁰ Again, the verb *consentire* occurs in apposition with *conspirare* to further emphasize Cicero’s claim that the Roman elite were in agreement with his opinion that the legislation should be vetoed.

The same coincidence of terms occurs in the *Pro Ligario* and *De Finibus* describing the agreement between family and friends. In the *Pro Ligario*, Cicero appealed to the jury exclaiming that a harsh sentence leveled against his client Q. Ligarius was akin to sentencing his two brothers as well due to the *consensus*

⁷ OLD (*consensio, consensus*) s.v. 1: “unanimity,” and (*consentire*) s.v.4: “to reach agreement.” These terms can be synonyms of *conspiratio* denoting an “agreement” (cf. *TLL* iii. 499.54 ff). On the other hand, *consentire* or its cognates could also denote a “conspiracy,” but this usage is rare, cf. (*consensus*) *TLL* 3.393.29; (*consentire*) *TLL* 3.399.47. Sometimes, both words are found in the same sentence with *coniuratio* or its cognates to emphasize the “agreement” to the *coniuratio*, cf. Cic. *Verr.* 5.9, 18; *Sest.* 86; *Caes. B Gall.* 2.3.

⁸ NB: This was certainly not the first time *conspiratio* occurred in Latin, but it remains the earliest occurrence of the term that survives.

⁹ The plural masculine substantive, *boni*, was a common metonym for the political elite most loyal to the State. OLD (*bonus*) s.v. 5 & 6.

¹⁰ Cf. Cic. *Dom.* 28: *hanc conspirationem in re publica bene gerenda* “Our union for the wise administration of the state.”

conspirantem that existed between them (Cic. *Lig.* 34).¹¹ In *De Finibus*, Cicero referred to the philosopher Epicurus' circle of friends stating they were *amoris conspiratione consentientis* "united by the closest sympathy and affection" (*Fin.* 1.65).¹²

In the same manner, Cicero used the terms *conspiratio* or its cognates to convey a sense of agreement in the *Philippics* and his personal letters concerning the armed insurrection that Mark Antony and his allies were staging in late 44 and early 43. One of Cicero's aims during these tumultuous years was to emphasize the agreement of Roman citizens from every rank whom, according to Cicero, agreed with his opinion that Antony and Dolabella were openly threatening the authority of the Senate and, in turn, the *res publica* with armed force. Cicero used the verb *conspirare* four times in the *Philippics* to express this state of agreement.¹³ In the *Third Philippic*, he stated that the people of Cisalpine Gaul were opposed to Antonius' presence in the province. According to Cicero, the *consensus* was so great that all of Cisalpine Gaul had agreed to defend both the Senate and the Roman People. He declared:

tantus autem est consensus municipiorum coloniarumque provinciae Galliae, ut omnes ad auctoritatem huius ordinis maiestatemque populi Romani defendendam conspirasse videantur

"So great is the unanimity of the boroughs and colonies of the province of Gaul, that all seem to have been united to defend the authority of this our order and the majesty of the Roman people" (Cic. *Phil.* 3.13).

Later in the same speech, he declared that all the Roman people throughout Italy were in "accord" with each other *populo Romano conspirante, Italia tota ad libertatem recipiendam excitata* "the Roman people in one spirit, all Italy roused for the recovery of liberty" (3.32).¹⁴ In contrast to the first instance of *conspirare* in the *Third Philippic*, Cicero used the term without using the term *consensus* in conjunction to demonstrate that everyone interested in protecting the Republic was in "accord" with his opinion. In this case, the phrase *Italia tota* sufficiently expressed the widespread consensus of the people.¹⁵ Cicero was able to convince the Senate that D. Junius' Brutus should remain in command of Cisalpine Gaul despite Antony's claim to the province.¹⁶

¹¹ Cic. *Lig.* 34: *quis est qui horum consensum conspirantem et paene conflatum in hac prope aequalitate fraterna noverit* "Who is there who is not acquainted with the harmony existing between them united and molten together, as I may say, by their nearness of age to one another." Translation quoted from Long 1858.

¹² Cf. Cic. *Off.* 2.16: *conspiratione hominum atque consensus* "The sympathetic cooperation of our fellow men."

¹³ Cic. *Phil.* 3.13, 32; 7.1; 11.2.

¹⁴ Manuwald 2007 Vol II, 439-40. On Cicero's opinion that *libertas* should be recovered in any manner even if it meant war, see n.20. Cicero frequently claimed that Antony's actions were tantamount to war, see Manuwald 2007 Vol II, 820-4.

¹⁵ NB: In the *Philippics*, Cicero used the term *consentire* or its cognates most frequently to express the agreement between the Senate and the Roman people regarding the threat posed by Antony and Dolabella. Cf. Cic. *Phil.* 1.21: *omnes enim iam cives de rei publicae salute una et mente et voce consentiunt*; 1.36: *parumne haec significant incredibiliter consentientem populi*

In January of 43, envoys were sent by the Senate to negotiate with Mark Antony. Cicero feared that the consul, Pansa, would accept Antony's counter-demands, which would legitimize his position and hinder Cicero's attempts to persuade the Senate to act against Antony before more joined his banner. In the *Seventh Philippic*, which was delivered before the envoys had returned, Cicero reminded his audience that Antony had all but been declared a *hostis rei publicae* due to his recent actions.¹⁷ Again, Cicero's goal was to persuade the Senate of the extreme danger that faced the Republic.¹⁸ If the Senate continued to heed Cicero's warnings and showed Antony no clemency unless he surrendered, then they would find all the Roman citizens in Italy in "accord" with their decision *coniunctum huic ordini populum Romanum, conspirantem Italiam* 'The Roman people are unified with our order, Italy is in agreement' (7.1). In this instance, Cicero also used the verb *coniungo* ('to marry') to stress the *conspiratio* between all the classes of Rome. The passage demonstrates that due to Antony's current actions, his former support from the Roman populace had diminished.¹⁹ This was yet again another rhetorical tactic to convince the Senate that they should accept the popular opinion that Antonius was acting as an enemy of the Republic. Cicero frequently makes the rhetorical claim that if Antony waged war against the Republic, then, in turn, he was waging war against every Roman citizen's *libertas*.²⁰

Romani universi voluntatem; 3.2: *senatus consensuque populi Romani*; 3.36: *populo Romano consentiente*; 3.38 *consensu militum veteranorum*; 4.2: *quod vos quoque illum hostem esse tanto consensu tantoque clamore adprobavistis*; 4.7: *omnes mortales una mente consentiunt*; 4.10: *iam enim non solum homines, sed etiam deos immortales ad rem publicam conservandam arbitror consensisse*; 4.12: *numquam maior consensus vester in ulla causa fuit*; 5.2: *quantum consensus vestrum*; 5.30: *sententia mea maximo vestro consensus*; 5.36: *consensu provinciae Galliae*; 6.3: *quantum senatus auctoritas vesterque consensus apud Antonium valiturus esset*; 6.18: *non inflammet tantus vester iste consensus*; 7.20: *consensum Italiae*; 8.4: *consensus populi Romani*. He also used *consensus* with *concordia* once, 8.8: *in maxima consensione incredibilique concordia*. In addition, he used *sentire* once, 14.16: *maximam populo Romano unum atque idem sentiente*.

¹⁶ Manuwald 2007 Vol. II, 300-1.

¹⁷ Cf. *Phil.* 3.12, 14; 4.2, 14-15; 14.6-7, 9-10, 12, 21-25. In late January, according to *Philippics* 8.1, a state of war had been declared against Antony. There is no exact date for when Antony was declared a *hostis rei publicae* and it is not entirely conclusive whether he was formally declared an enemy of the Republic by the Senate, see Manuwald 2007 Vol. I, 92-3. Jal (1963b, 60) explains the tactical usage of the term *hostis*, stating "et enfin de projeter sur l'adversaire la haine que tout Romain éprouvait 'normalement' envers un ennemi étranger". On the use of *hostis* specifically in the *Philippics*, see Jal 1963b, 70-9.

¹⁸ Cic. *Phil.* 7.1: *res in maximum periculum*. Cicero never agreed with the Senate's decision to send envoys to Antony, cf. 7.1, 14.

¹⁹ Cicero claimed that Antony's popular support was waning, cf. Cic. *Phil.* 7.22; 13.45.

²⁰ Cicero remarked that Antony had conferred freedom (*se liberam civitatem esse velle*) upon the city when he had abolished the office of dictator after Caesar's murder, cf. Cic. *Phil.* 1.4, 32. In contrast, Cicero maintained that Antony was oppressing the *libertas* of the Roman people, which must be defended or they would be reduced to *servitium* by Antony's recent hostile actions, cf. *Phil.* 2.13, 20, 27, 118; 3.8, 19, 29, 32, 33, 36, 37, 39; 4.1, 4, 7, 11; 5.11, 23, 34, 38, 42, 46; 6.2, 19; 7.11, 21, 22, 27; 8.8, 12, 32; 10.9, 15, 16, 19, 20, 23; 11.9, 26, 27, 36, 39; 12.4, 29; 13.1, 6, 7, 15, 47, 49; 14.11, 26, 27, 36, 37, 38.

After news reached Rome that Dolabella had murdered C. Trebonius, the provincial governor of Asia, the Senate declared him a *hostis rei publicae*.²¹ In the *Eleventh Philippic*, Cicero claimed that Dolabella was unaware that the Roman people were already in accord with the Senate to defend the *res publica* against both his and Antony's forces. Cicero professed that *senatum cum populo Romano conspirasse* "The Senate has united with the Roman people" (11.2). He had continued to stress the *conspiratio* throughout Italy, which had been galvanized by the hostile actions of both Antony and Dolabella. According to instances of *conspirare* in the *Philippics*, these hostile actions had brought the highest order of the *res publica* in agreement with the lower orders. Cicero was finally able to persuade the consuls to march on Antony's forces in Cisalpine Gaul in mid-March 43.²²

In addition to the *Philippics*, Cicero used the terms *conspiratio* and *consensus* in conjunction to proclaim that all Romans were in "agreement" concerning the hostile actions of Antony and Dolabella in his personal letters. The terms occur in two letters sent in March and April of 43 to L. Munatius Plancus, who was consul-designate and the governor of Transalpine Gaul in 43.²³ Cicero wanted to persuade Plancus to attack Antony in order to assist D. Junius Brutus, who was besieged at Mutina. The first letter suggests that Plancus should *omnium gentium consensum et incredibilem conspirationem adiuva* "Assist the union and the unique accord of all types of people" (Cic. *Fam.* 10.10.2). In the second letter, Cicero wrote *mirabiliter enim populus Romanus universus et omnium generum ordinumque consensus ad liberandam rem publicam conspiravit* "Marvelous indeed is the unanimity with which the entire Roman people, and every type and order therein, has rallied to the cause of freedom" (*Fam.* 10.12.4). Similar to the example noted in the Third *Philippic* above, Cicero expressed the common theme that Antony was threatening the *libertas* of the Republic.²⁴ The adjectives *incredibilis* and *mirabilis* emphasize the rarity of the consensus between all Romans of all classes against Antony. Cicero assured Plancus that the Senate would support his decision if he supported the armies against Antony. Additionally by using the similar expression *omnis gentes* and *omnia genera*, Plancus would know that he had the support of all the other classes of Romans as well.²⁵ However, Cicero's letters did not persuade Plancus to go to war against Antony.²⁶ Instead, Plancus proposed

²¹ Cicero described Dolabella as *hostis*, cf. Cic. *Phil.* 11.9, 15-16, 29; 13.23, 36-39.

²² The *First Philippic* was delivered on September 2nd, 44 and it was only after the *Twelfth Philippic* delivered sometime in late February, 43 that the consuls went to war against Antonius and Dolabella on March 19/20 (Manuwald 2007 Vol. I, 28).

²³ *RE* XVI1 (Munatius) no. 30, 545-51.

²⁴ See n.20.

²⁵ Cf. Cic. *Phil.* 11.39: *id enim bellum gerunt, quod ab omnibus gentibus comprobatur* "For they [Hirtius, Pansa, Plancus, and Octavian] are fighting a war approved by all nations."

²⁶ Many letters exchanged between Cicero and Plancus in 44-43 are preserved, see Cic. *Fam.* 9.29, 10.1-24.

that the Senate make peace with Antonius and bided his time until he was consul in 42.²⁷

Cicero's usage of *conspiratio* in the *Philippics* and his epistolary corpus to indicate the agreement between Roman citizens from all orders was not the only tactical terminology employed to persuade the Senate to react to Antony and Dolabella's hostile actions. Cicero did not use the term *coniuratio* to interpret the hostile actions of Antony and Dolabella, instead he consistently referred to the episode as a *bellum civile*.²⁸ By the time the *Second Philippic* was composed, Antony was already in command of an army. Therefore, Cicero continually warned his audience that he intended to start another "civil war." He calculated that the rhetoric of another *bellum civile* would persuade the Senate and the people of Rome to act against Antony more than the threat of a *coniuratio*. On the other hand, P. Cornelius Lentulus Spinther in a letter to Cicero called Antony and Dolabella's actions *coniuratio sceleratissima* "a most criminal *coniuratio*" (Cic. *Fam.* 12.14.6).²⁹ Perhaps Cicero felt using a term that could identify a conspiratorial context was not appropriate to describe the violent acts Antony and Dolabella had already committed. Significantly, Cicero did not use *conspiratio* as a synonym with *coniuratio* to describe a conspiratorial context, as demonstrated in the following section. Evidently, he used the term *conspiratio* or its cognates to identify a friendly agreement in the *Philippics* and the phrase *bellum civile* to identify the hostile actions of the enemies Antony and Dolabella. In contrast, the letter from Spinther to Cicero used *coniuratio* to describe Antony and Dollabella's actions most likely in reference to their mutual agreement to wage war.

Cicero used the term *conspiratio* once to stress a sentiment of agreement during the affair of 63. The *Fourth Oration* recounts the Senate's debate regarding the appropriate sentencing of the five Roman citizens, who had unanimously and manifestly confessed their guilt of being involved with the affair two days before. In the speech, Cicero chose to use *conspiratio* to convey the almost unanimous agreement that the guilty should suffer nothing less than capital punishment.³⁰ He declared:

neque ulla profecto tanta vis reperietur, quae coniunctionem vestram equitumque Romanorum et tantam conspirationem bonorum omnium confringere et labefactare possit

"Nor, surely, will any force be found strong enough to break or dissolve the bond between yourselves and the Roman knights and the complete harmony among all loyal citizens" (Cic. *Cat.* 4.22).

²⁷ Plancus' peace proposals were rejected, cf. Cic. *Phil.* 13.7-10, 49-50; *Fam.* 10.27.

²⁸ See Chapter 4 n.143.

²⁹ NB: D. Junius Brutus and L. Munitius Plancus in a letter to Cicero used the same expression in reference to Antony and Dolabella's actions, but used *conspiratio* instead. Cic. *Fam.* 11.13a.2: *contra sceleratissimam conspirationem hostium* "Against a criminal combination of enemies." See Addendum section 3.

³⁰ For the debate regarding their sentence, see Chapter 2 n.346.

The *Fourth Oration* was delivered in the Temple of Concord and Cicero used his locale rhetorically to stress that the events that threatened Rome had renewed the *concordia* between the knights and the Senate. He proclaimed *quos ex multorum annorum dissensione huius ordinis ad societam concordiamque revocatos hodiernus dies vobiscum atque causa coniungit* “After many years’ strife this day and this cause renews their harmonious alliance with your order and reunites them with you” (4.15). In this instance, he used *conspiratio* in conjunction with *coniunctio* (‘union’) and *concordia* in conjunction with *coniungere* (‘to marry’) to emphasize the agreement between the Roman upper classes.³¹ However, when describing a conspiratorial context such as the affair of 63, one may expect that *conspiratio* would be used synonymously with *coniuratio* as both terms could define a “conspiracy”, which is examined below. Cicero evidently felt the term more appropriately described the state of agreement against enemies of the *res publica*, which corresponds with the way the term was used in the *Philippics*. Clearly, when referring to the affair of 63, Cicero exclusively used the term *coniuratio* or the other related terminology examined in Chapter 1 to describe its conspiratorial aspects.

Section 2: *conspiratio* in conspiratorial contexts

If we refer back to definitions for *conspiratio* and *conspirare* in the previous section, the second entries under each headword denote that the terms can define a “combination for hostile or illegal activity” or a “conspiracy”. However, when we examine the *Ab Urbe Condita* we find over 78 instances where Livy used the words *coniuratio* or its cognates compared to only 6 instances of *conspiratio* or its cognates to describe a conspiratorial context.³² In contrast to Cicero, Livy did not use *conspiratio* to express agreement in a “positive” context. Sometimes the conspiratorial contexts where the term *conspiratio* appears in Livy’s work led to a “positive” outcome. However, the outcome was only achieved through hostile or illegal means.

The first instance of *conspiratio* in Livy’s work occurs in invented speech for Menenius Agrippa (Liv. 2.37.8-12). In 494, the plebs refused to be enlisted into the

³¹ P. Cornelius Lentulus Spinther, proquaestor and the son of the eponymous consul of 57, sent a letter to the Senate and people of Rome while he was attempting to secure the revenues of Asia in late May/early June 43 (Cic. *Fam.* 12.5). Some of the Rhodians supported Dolabella and had recently supplied his fleet. Spinther used *conspiratio* in a similar manner to Cicero, telling the magistrates of Rhodes that all Roman citizens were in “agreement” regarding Dolabella’s *hostis* declaration. Spinther wrote *ut hanc concordiam et conspirationem omnium ordinum ad defendam libertatem propense non crederent esse factam* “[The Rhodians] refusing to believe that the present union and *conspiratio* of all classes for the defense of freedom had come around spontaneously” (12.5.3). It was the *concordiam et conspirationem omnium ordinum* that Lentulus Spinther’s letter emphasized so as to persuade the Rhodians to cooperate with Rome and its allies against Dolabella. The term *conspiratio* occurs in apposition with *concordia* similar to Cicero’s usual pairing of related terms to articulate the “positive” meaning of *conspiratio* examined in this section.

³² For Livy’s usage of *coniuratio*, see Chapter 5 n.33.

Roman army due to their growing concerns regarding the minimal representation of their class in the Republican government, their overall treatment by the patrician commanders, and the inequitable distribution of the spoils of war. Menenius, a senator of plebian descent, was sent by the patricians to attempt to persuade those that had seceded from the city and were now entrenched on the Sacred Mount. Menenius' speech, which according to Livy was delivered in the rough manner associated with his class, included a parable regarding a *conspiratio* planned by man's two hands against his stomach.³³ The two hands were angry, as they seemingly did all the work, while the mouth, teeth, and stomach were the beneficiaries of their labor (2.32.9). Menenius explained *conspirasse inde ne manus ad os cibum ferrent* "Therefore the hands conspired together that they should carry no food to the mouth" (2.32.10). The point of the parable was that if the hands (a metaphor for the *plebs*) worked together with the mouth and stomach (metaphors for the patricians) only then the *totum corpus* ("the entire body", a metaphor for the *res publica*) would survive (2.32.10-11). According to Livy, Menenius' speech successfully persuaded the *plebs* to comply with the patricians' demand to continue their military service (2.32.12). In turn, the patricians agreed to nominate tribunes to represent the plebian class to balance the domination by the patrician order over the magistracies in the Republic since the expulsion of the monarchy (2.33.1).

Livy remarked that the speech was delivered to repair the *concordia* between the orders (2.32.7) and reported that a state of *concordia* was achieved (2.33.1). However, in this instance, *conspiratio* has a "negative" connotation and was not used to define the agreement between all Romans against enemies of the *res publica* like Cicero most frequently used the term in the passages examined in the previous section.³⁴ The beginning of the speech sets the tone *tempore quo in homine non, ut nunc, omnia in unum consentient* "In the days when men did not all agree amongst themselves, as is the case now" (2.32.9). Livy used the verb *consentire* in the negative to assure his readers that when he used *conspiratio* later in the passage it explains the cause of the disagreement not a context expressing "accord." Interestingly, Livy used the two terms *concordia* and *consentire* not to emphasize the "positive" sentiment of a *conspiratio* found in the passages examined in Cicero's works above. Instead, the term *conspiratio* in the above passage from Livy is unrelated to the state of *concordia*, which perhaps indicates an ideological shift in the former term's meaning from an agreement to act against enemies to an agreement to act in a hostile manner.

The other instances of *conspiratio* occur in a less colloquial register than in Menenius Agrippa's speech in Livy's work. Three times in Book 3, Livy used the terms

³³ On the origin of this parable, see Ogilvie 1965, 312-3.

³⁴ NB: The *Pro Rege Deiotaro* contains an anomalous instance when Cicero used *conspiratio* in a 'negative' sense, see Addendum section 3.

to describe the attempts by both the *decemviri* and the tribunes of the plebs to extend their magistracies for another year. I will summarize the instances first before discussing how the term *conspiratio* was used to describe these actions.

In 449, the *decemviri* had already dominated the leadership in Rome, in lieu of consuls, for two consecutive years. While they controlled the government no other magisterial offices were represented. When the *decemviri* extended their term again in 449 through a display of force claiming that they were above the law,³⁵ Livy remarked that the *decemviri* had *non in praesentis modo temporis eos iniuriam conspirasse, sed foedus clandestinum inter ipsos iure iurando ictum*. “not only conspired for the present wrong-doing but had ratified with an oath a secret agreement amongst themselves not to call an election” (Liv. 3.36.9). The stranglehold on the government and other injustices by the *decemviri* led to the second secession of the *plebs* and the Roman army (50.13-54.10).³⁶ As Rome was already embroiled in a war against the Sabines and the Aequi, the *decemviri* were forced to acquiesce or Rome would be vulnerable to attack. New tribunes of the plebs were elected and they forced the *decemviri* to resign (50.10, 54.5).

Appius Claudius, the most ambitious and violent member of the *decemviri* in Livy’s narrative, was accused for his actions during his tenure by the tribunes of the plebs.³⁷ Appius unsuccessfully tried to appeal to the tribunes claiming that it was his right as a citizen of Rome to be tried by the people.³⁸ Appius’ argument was that *quod si tribuni eodem foedere obligatos se fateantur tollendae appellationis in quod conspirasse decemviros criminati sint*. “If the tribunes should confess that they were bound by the same agreement which they charged the *decemviri* with having entered into” (3.56.12). In this passage, the term *conspirare* signified the criminal charge Appius faced. Appius argued that if the tribunes had the right to appeal when they were also alleged of entering into a *conspiratio*, then he should be awarded the same rights. However, his argument fell on deaf ears as the *decemviri* had revoked the right to *provocatio* during their tenure (36.6). The people had not forgotten this injustice. Eventually, Appius committed suicide before he formally stood trial convinced that his

³⁵ The *decemviri* were attended in the Forum by their full complement of 120 armed *lictores* to enforce the action (Liv. 3.36.4). On the *decemviri* supposed immunity, cf. 3.36.4, 55.14. See also Ogilvie 1965, 499-500.

³⁶ The *decemviri* also incurred the hatred of the Senate by their illegal actions and hostile display of force (Liv. 3.38.8-12). Other causes for the second secession included the murder of L. Siccius, cf. Liv. 3.43; Dion Hal. *Ant. Rom.* 11.25-27. See n.37.

³⁷ The injustice and lust Appius displayed centers on his illegal seizure of Verginia, the daughter of L. Verginius a popular centurion, cf. Liv. 3.44.1-50.9; Dion Hal. *Ant. Rom.* 11.28-37.

³⁸ Appius had declared *provoco* (‘I appeal’) after he was first charged of being involved in a *conspiratio* (Liv. 3.56.5). See n.39.

appeal to the people would be futile due to their particular hatred regarding his previous illegal actions (58.6).³⁹

Apparently, Appius' allegations were not entirely unfounded, as the tribunes were accused of entering into a *conspiratio* the following year. Livy described the attempt of the tribunes of the plebs to be reelected stating *conspirazione inter tribunos facta ut iidem tribuni reficerentur* 'The tribunes entered into a *conspiratio* together so that they would be reelected' (3.64.1). However, the tribunes were eventually convinced that their aspiration to be reelected, the same aspiration that they had earlier charged and tried certain *decemviri*, was illegal and would evoke odium from all Romans (64.3). Fearing future prosecution, the tribunes agreed to elect new magistrates for 448 (64.4). However, the election did not return enough candidates. Therefore, the current tribunes were able to co-opt others from the plebian class into the tribunate (64.8-11).⁴⁰

In the first two instances, the verb *conspirare* occurs in a judicial context. Livy, in this case, used the verb to signify the crime that both Appius and the tribunes committed or attempted to commit. Accordingly, Livy uses other legal terminology to accentuate the criminal aspect of *conspirare*. He used the noun *iniuria* ('unlawful conduct') in apposition with the verb *conspirare* to emphasize the illegal action of the *decemviri* (3.36.9: *inuriam conspirasse*). He used more legal terminology in the second instance regarding the accusation by the *decemviri* that claimed the tribunes of the plebs had conspired (3.56.12: *tollendae appellationis in quod conspirasse decemviros criminati sint*). In this passage, the verb *criminari* ('to make charges against') appears in the subjunctive within a causal *quod* clause, indicating that Appius considered the charge of entering into a *conspiratio* was accusatory.⁴¹ The noun *appellatio* ('an appeal') also occurs to further connote the judicial context of the narrative.⁴² Evidently, Livy used these terms to highlight the criminal aspect of a *conspiratio*.

Furthermore, the usage of *conspirare* at 3.36.9 and 56.12, indicate that the agreement by the *decemviri* and the tribunes of the plebs to seek reelection was initially made in secret. Any political activity that occurred in secret was deemed an illegal act because all political activity in Rome was considered public business, which

³⁹ The *decemviri* had revoked the right to *provocatio* during their tenure. But particular hatred was directed towards Appius due to his attempt to seize Verginia culminating in her death. See n.37.

⁴⁰ Cf. 5.11.9: *conspirationi patriciorum*, which refers to the attempted cooption of patricians into the plebian tribunate in 401. On the practice of cooption, see Ogilvie 1965, 513-4, 647; Beard, North and Price 1998, 102-4 and 135-6.

⁴¹ A *quod* clause with a verb in the subjunctive can express an assumed state of affairs, see Hale 1887, 167 Cf. Cic. *Off.* 3.112; Quint. *Inst.* 2.17.26.

⁴² Liv. 3.56.13: *appellatio provocatioque*. For the judicial usage of *appellatio*, cf. *OLD* s.v. 5; *TLL* 2.271.17. The term, *appellatio* can be synonymous with *provocatio*, see *TLL* 2.272.39. The latter term refers to the formal right of a Roman citizen of a public appeal, cf. Cic. *Rep.* 2.53. See also Chapter 2 n.86.

is inherent in the meaning of the expression *res publica* itself.⁴³ As examined above, Livy stated that the *decemviri* secretly agreed to conspire (3.36.9: *sed foedus clandestinum inter ipsos iure iurando ictum*). The terms *foedus* ('a treaty') and the *ius iurandum* ('an oath') suggest that the *decemviri* were bound by oath to "conspire" and by qualifying *foedus* with the adjective *clandestinus* further suggests that the agreement to enter into a *conspiratio* was made in secret.⁴⁴ Appius argued that the tribunes of the plebs had entered into the *eodem fodere* at 3.56.12, insinuating a similar sense of secrecy of their pact to *conspirare*. In these passages, Livy emphasized the clandestine aspect that the term *conspiratio* could also relate.

Livy's narrative from 3.36-64 primarily describes several Roman citizens agreeing to an illegal plan in secret, which led to accusations of criminal activity.⁴⁵ Two of the *decemviri* were convicted for planning to *conspirare* and perhaps the tribunes of the plebs faced a similar fate if they continued their plan to *conspirare* for reelection.⁴⁶ Although Livy did not use any explicit sacrilegious terms, it was implied that the actions he described were immoral. Therefore, all of the aspects identified in Chapter 1, which corresponded with a conspiratorial context are implied in these passages of Livy's narrative. Arguably, the judicial context of these passages in Book 3 was reduced to subtext as Livy stressed the conspiratorial context of the illegal actions the *decemviri* and the tribunes of the plebs planned to commit. This examination demonstrates that the term *conspiratio*, in Livy's point of view, was suitable to indicate a "negative" context similar to the term *coniuratio*.

Before the outbreak of the Third Macedonian War (171-168), Livy used the term *conspiratio* once in reference to King Eumenes of Pergamum, who came to Rome to warn the Senate that Macedonia was planning to attack the *res publica*.⁴⁷ Eumenes proclaimed that parts of Greece, Asia, and Rhodes had allied with Perseus, the King of Macedonia, against Rome (Liv. 42.11-13). Perseus and the Rhodians sent envoys to Rome to refute Eumenes' accusations, but the Romans were not convinced by their arguments. Livy explained that *Eumeni uero conspiratio aduersus eum fauorem maiorem apud Romanos fecit* "The *conspiratio* against Eumenes won for him greater

⁴³ OLD (*respublica*) s.v. 1c.

⁴⁴ OLD (*foedus*²) s.v.1 and (*ius*²) s.v.5.

⁴⁵ This portion of Livy's narrative from 3.36-64 also recorded the ongoing wars against the Sabines and Aequi at 42-3, and the Volscians at 60-63. However, the seditious actions in Rome come to the fore, e.g. Appius Claudius and Verginia at 44.1-50.9, the second secession of the plebs at 50.13-54.10, the threatened trials and suicides of Appius and Sp. Oppius at 56-58, and L. Siccius' murder at 43.

⁴⁶ The *decemviri* Appius (Liv. 3.58.6) and Sp. Oppius (58.7-9) committed suicide before their trials.

⁴⁷ Livy recorded that Eumenes made the plea in person refuting Valerius Antias' claim that it was Eumenes' brother who came to Rome (42.11.1).

favor with the Romans” (Liv. 42.14.10).⁴⁸ Although the outcome of the *conspiratio* was positive for Eumenes, the term indicated that the *conspiratio* made by Perseus and the Rhodians against Eumenes was received negatively. Similar to the instances in Book 3, Livy used the term *conspiratio* to describe a negative action.

In the previous section, I examined the instances Cicero used the term *conspiratio* to describe people in agreement. However, two anomalous instances exist in the *Pro Scauro* and the *Pro rege Deiotaro* when Cicero used *conspiratio* to describe a conspiratorial context instead. The *Pro Scauro* is examined in the section below on the synonymous usage of *conspiratio* and *coniuratio*, as both terms occur. Presently, I examine Cicero’s usage of *conspiratio* in the *Pro rege Deiotaro* to further compare this instance with those examined in Livy.

In 48, King Deiotarus, a tetrarch of Galatia that was allied with Rome, supported Pompey’s forces against Caesar at the Battle of Pharsalia (App. *B Civ.* 2.71).⁴⁹ After Pompey retreated from Greece, the King returned home and the next year sought aid from Rome in his struggle against a King of Armenia, Pharnaces II, who was attacking his kingdom. Caesar and his army came to Deiotarus’ aid and helped defeat Pharnaces. In turn, Deiotarus supported Caesar’s troops throughout his campaign in Asia (Cic. *Deiot.* 14). In 45, King Deiotarus’ grandson, Castor, accused his grandfather of plotting to murder Caesar after the King received Caesar in his palace to thank him for his support against Pharnaces. Cicero defended Deiotarus and refuted the evidence submitted by Castor and his slave, who claimed he was ordered by Deiotarus to murder Caesar (15). Cicero argued that a slave’s evidence must always be considered dubious, especially one who had purportedly been bribed by Castor, who supposedly wanted the throne (2, 5). Cicero reminded Caesar that many others including Deiotarus had initially supported Pompey and sent him aid.⁵⁰ Cicero often flattered Caesar referring to his peaceful intentions during the war with Pompey and the admirable clemency he showed his adversaries after his victory (66).⁵¹ Apparently, Caesar was somewhat persuaded by Cicero’s speech. Caesar decided to defer his decision on the matter until a later date, which never occurred before his assassination.⁵²

⁴⁸ Cf. Liv. *Per.* 46: *eum conspirasse cum Antiocho adversus populum Romanum*, which reports Eumenes was accused to have ‘conspired’ with Antiochus against the Republic in 167, three years after the former delivered his speech to the Senate at Liv. 42.11-13.

⁴⁹ The historical references of King Deiotarus’ support of Pompey can also be found in Cicero’s *Pro rege Deiotaro*. Cf. *B Alex.* 35-40; *Caes. B Civ.* 3.4; *Suet. Iul.* 35.

⁵⁰ Support for Pompey came from many areas (*Caes. B Civ.* 3.4-5).

⁵¹ In reference to Caesar’s clemency to Deiotarus, cf. Cic. *Deiot.* 8, 34, 38, 40, 42; Dio Cass. 41.63.1-3.

⁵² On Caesar’s decision, see Gotoff 1993, 269-72. Deiotarus had earlier displayed his loyalty to Rome during his reign, cf. Cic. *Deiot.* 6, 11; *Phil.* 11.13. He had supported Cicero when he was governor of Cilicia in 51 and Deiotarus took Cicero’s son and nephew into his care, cf. *Att.* 5.17,

At *Deiot.* 11, Cicero reported that Deiotarus had heard rumors that the consuls, men of consular rank, and all of the Senate had fled Italy due to Caesar's advance on Rome.⁵³ Later in the passage, Cicero avowed that Deiotarus *nihil ille de condicionibus tuis, nihil de studio concordiae et pacis, nihil de conspiratione audiebat certorum hominum contra dignitatem tuam* "Never heard a word of the conditions which you offered, nor of your eagerness for concord and peace, nor of the way in which certain men conspired against your dignity" (*Deiot.* 11).⁵⁴ In this instance, he used *conspiratio* not to stress the *concordia* that Caesar purportedly aimed for, but instead used the term to identify a *conspiratio* by Caesar's enemies, who perhaps informed Deiotarus that Caesar had no intention to peacefully resolve the conflict with Pompey. Cicero used *conspiratio* in contrast with *concordia*, in this case, to stress the "negative" sentiment of the former term instead of emphasizing the state of "agreement" in conjunction with the latter as he did in the passages examined in the first section of the addendum. Similar to Livy's usage of *conspiratio* examined above, excluding the occurrence in Menenius Agrippa's speech, the term is used in reference to an allegation in a judicial context. More significantly, the occurrence of *conspiratio* in the *Pro rege Deiotaro* demonstrates that Cicero understood both its "positive" and "negative" implications. However, Cicero only used *conspiratio* to signify its negative conspiratorial meaning three times in all of his works, once in the *Pro rege Deiotaro* and twice in the *Pro Scauro* examined in the following section.

Section 3: The synonymous usage of *conspiratio* with *coniuratio*

There are only two cases in Cicero's works when the term *conspiratio* and *coniuratio* were used to express precisely the same context. In the *Pro Scauro*, Cicero used both terms to emphasize that the testimonies against his clients by the Sardinian witnesses were lies.⁵⁵ Firstly, he declared *non agam igitur cum ista Sardorum conspiratione et cum expresso, coacto sollicitatoque periurio subtiliter* "I will not therefore deal with *ista Sardorum conspiratione* and their perjuries so ingeniously elicited, wrung, and wheedled from them" (Cic. *Scaur.* 20). This passage can be compared to *Pro Scauro* 38 where Cicero professed that the *coniuratio* the Sardinians

18; 6.1; *Deiot.* 10. Cicero discussed the support Deiotarus might bring against Dolabella's forces in 43, cf. *Phil.* 11.31, 33-34.

⁵³ Cic. *Deiot.* 11: *audivit consules ex Italia profugisse omnisque consularis - sic enim ei nuntiabatur - cunctum senatum, totam Italiam effusam* "[Deiotarus] heard that the consuls had fled from Italy, and all the men of consular rank (for so it was reported) and with them all the Senate, and that the whole of Italy was emptied." NB: All 370 senators voted for Caesar to lay down his arms (*App. B Civ.* 2.30), but only 200 fled to Greece to fight with Pompey (*Dio Cass.* 41.43.2).

⁵⁴ Gotoff (1993, 219) calls the anaphoric tricolon of *nihil* in this passage "pathetic", most likely referring to Cicero's constant flattery. However, the flattery worked and Cicero was able to persuade Caesar to delay his decision. On Cicero's opinion of the *Pro rege Deiotaro*, see Cic. *Fam.* 9.12.

⁵⁵ Cf. Chapter 5 n.92.

had agreed to explained why their testimonies were unanimous. Cicero explained that this unanimity, which they agreed to through a *coniuratio*, demonstrated that their testimonies should be discarded.⁵⁶ An identical sentiment is expressed when he discounted their testimonies due to the *conspiratio* they had agreed to cited above. Secondly, when Cicero continued to attempt to persuade the jury to discount the Sardinians' accusations, he declared:

generi igitur totius accusationis resistere, iudices, debetis, in quo nihil more, nihil modo, nihil considerate, nihil integer, contra improbe, turbide, festinanter, rapide omnia conspiratione, imperio, auctoritate, spe, minis videtis esse suscepta

"It is your duty, then, gentlemen, to resist at every point an accusation of this kind, in which you see that nothing has been done according to precedent, nothing with moderation, nothing with circumspectness [sic] or disinterestedness, but on the contrary everything has been undertaken dishonestly, seditiously [sic], precipitately, hot-headedly, by means of *conspiratio*, absolute power, undue influence, promises, and intimidation." (Cic. *Scaur.* 37)

Again, he used the term *conspiratio* to not only suggest that the testimonies from the Sardinians were false, but also to suggest that Scaurus' prosecutors coached their witnesses before the trial. Marshall explains that one of the prosecutors of Scaurus was P. Valerius Triarius, who had familial connections on Sardinia.⁵⁷ Cicero most likely took advantage of Triarius' connection with the island by insinuating that the Sardinian witnesses were perhaps Triarius' clients. Cicero used the term *coniuratio* at *Pro Scauro* 40 to express a synonymous accusation against the witnesses' trustworthiness. In this passage, by expressing that the Sardinians had either entered into a *coniuratio*, he also insinuated that the prosecution had laid a trap for Scaurus.⁵⁸

The term *conspiratio* occurs in a letter sent in June 43 from D. Junius Brutus and L. Munatius Planus to the Senate preserved in Cicero's epistolary corpus. In the letter, D. Brutus and Plancus assured the Senate that they had ample forces to fight *contra sceleratissimam conspirationem hostium* "against a criminal combination of enemies" (Cic. *Fam.* 11.13a.2). D. Brutus and Plancus were referring to Antony's forces and those supporting him. As examined in the first section of the addendum, P. Cornelius Lentulus Spinther sent a letter to Cicero around the same time as D. Brutus and Plancus' letter was sent to the Senate, but Spinther chose instead to use the expression *coniuratio sceleratissima* to describe Mark Antony's actions (12.14.6).⁵⁹ Evidently, both expressions using either *conspiratio* or *coniuratio* were used in reference to the same topic. This case clearly demonstrates the synonymous usage of the two terms, which were both used to identify criminal actions of Antony's hostile conflict with Rome.

⁵⁶ See Chapter 5 n.92.

⁵⁷ Marshall 1985, 122.

⁵⁸ Cic. *Scaur.* 40: *obsaepiatur insidiis*.

⁵⁹ For the possible dates when these letters were sent, see Shackleton Bailey 1977 Vol. II, 545 and 562.

The synonymous usage is manifest in a passage from Caesar's *De Bello Gallico*. In 56, Caesar's forces were facing threats from all corners of Gaul and from across the Rhine. He was forced to divide his legions. Caesar explained his reasoning:

iniuria retentorum equitum Romanorum, rebellio facta post deditionem, defectio datis obsidibus, tot civitatum coniuratio...prius quam plures civitates conspirarent, partiendum sibi ac latius distribuendum exercitum putavit

"Such were the outrageous detention of Roman knights, the renewal of war after surrender, the revolt after hostages given, the *coniuratio* of so many states...and therefore he deemed it proper to divide his army and disperse it at wider intervals before more states *conspirarent*." (Caes. *B Gall.* 3.10)

As explained in Chapter 5.2.2, when the term *coniuratio* occurred in *De Bello Gallico* to describe the mutual oath by Gallic tribes to combine forces against Caesar, which had already acquiesced to Caesar's dominance by sending hostages, then the *coniuratio* genuinely described a conspiratorial context. Similarly, we could make the same argument for the occurrence of *conspirare* in this particular passage. Caesar claimed that he was facing a *coniuratio* of Gallic tribes that had previously sent hostages and decided to send his legions to separate parts of Gaul to ensure that more tribes did not *conspirare*. Certainly, Caesar had every opportunity to use the verb *coniurare* instead, which would convey exactly same meaning. Modern commentaries typically explain the term *coniuratio*, but they are silent whether there is any nuance between *coniuratio* and *conspiratio*. Furthermore, they do not comment why the two terms appear in the same sentence.⁶⁰ Although Caesar chose to use the noun *coniuratio* and the verb *conspirare*, we cannot identify any nuance between the two terms, as *conspiratio* or its cognates only occur together in this passage of *De Bello Gallico*. Furthermore, Caesar more often used the verb *coniurare* throughout his record of the Gallic campaign to indicate a similar state of affairs, which the verb *conspirare* expressed in this case. As both terms carried the same meaning and identified the same context, I think Caesar probably used both terms for stylistic variety because he used them in the same sentence. Clearly, Caesar felt the two terms could be used synonymously regardless of the fact that he only chose to use *conspirare* once in *De Bello Gallico* to identify the many Gallic *coniurationes* during his campaign.⁶¹

As previously stated, Livy most frequently used the term *coniuratio* in his work to identify a conspiratorial context,⁶² however, he did chose to use *conspiratio* to convey a similar context that were examined in the section above, albeit much less frequently. The term *conspiratio* occurred more frequently in works written during the

⁶⁰ Cf. Carbonetto 1948, 31-2; Kraner and Dittenberger 1961, 255-6; Rambaud 1965, 155-6.

⁶¹ NB: Caesar only used *conspiratio* or its cognates once more in *De Bello Civili*, examined in Addendum section 1. The other anonymous authors of Caesar's *Commentarii* did not use *conspiratio* in their works.

⁶² See Chapter 5 n.33.

Empire to describe conspiratorial contexts.⁶³ These writers also used the term *coniuratio* and, in certain cases, both *coniuratio* and *conspiratio* were used in synonymous contexts. These instances are most prevalent in the works of Tacitus and Suetonius when they recorded the “conspiracies” to assassinate the leaders of Rome.

Tacitus used the term *coniuratio* or its cognates twenty times in Book 15 of the *Annales* in reference to the plan to assassinate the Emperor Nero in 65 A.D.⁶⁴ However, Tacitus did not exclusively use *coniuratio* to describe the plot. He used the term *conspiratio* three times in Book 15 to describe the same specific context.⁶⁵ Although, the instances of *conspiratio* and *coniuratio* did not occur in the same passages in Book 15 of the *Annales*, whether Tacitus chose to use either term to express a specific nuance regarding the plot is not definitive. Apparently, Tacitus used both terms interchangeably to describe the plot to assassinate Nero.

A more definitive example of the synonymous usage of *conspiratio* and *coniuratio* occurs in Suetonius’ *Divus Iulius*. Suetonius ascribed the plan devised in 66 to murder the incoming consuls of 65 to Caesar (Suet. *Iul.* 9.1). In order to defend his accusation, Suetonius recorded the sources he referenced regarding Caesar’s supposed involvement in the aborted plan.⁶⁶ Suetonius reported that the speeches of C. Curio and M. Actorius Naso also recorded that Caesar planned to coordinate the timing of the planned murders in Rome with a revolt outside of the city conducted by Cn. Calpurnius Piso, who was in Spain as propraetor in 65.⁶⁷ Suetonius asserted:

idem Curio sed et M. Actorius Naso auctores sunt conspirasse eum etiam cum Gnaeo Pisone adolescente, cui ob suspicionem urbanae coniurationis provincia Hispania ultra ordinem data sit; pactumque ut simul foris ille

“Not only Curio, but Marcus Actorius Naso as well declare that Caesar *conspirasse* [another time] with Gnaeus Piso, a young man to whom the province of Spain had been assigned unasked and out of regular order, because he was suspected of *coniurationes* at Rome.” (Suet. *Iul.* 9.3)

Despite the two terms’ reference to different events – first the *conspiratio* to murder the consuls and simultaneously revolt in Spain and second the previous unspecific *coniurationes* Piso had joined – both clearly identify a similar conspiratorial context. Again, no specific nuance between the terms can be detected. Both Caesar and Piso’s suspected participation in either a *coniuratio* or a *conspiratio* remained allegations, as neither Caesar nor Piso were ever formally tried for supporting this aborted plot.

⁶³ NB: Generally, in other authors writing under the Empire, *conspiratio* was also used as a term of “agreement” in positive contexts as well. However, *conspiratio* was clearly used more frequently to describe a conspiratorial context.

⁶⁴ Cf. Tac. *Ann.* 15.48, 49, 50, 51 (*bis*), 52 (*ter*), 54, 55, 58, 59, 60, 61, 67, 68, 70, 71, 73, 74.

⁶⁵ Cf. Tac. *Ann.* 15.56, 66, 68.

⁶⁶ Suetonius claimed he referenced the history of Tanusius Geminus, the edicts of M. Bibulus, C. Curio’s speeches, and the author M. Actorius Naso (Suet. *Iul.* 9.2-3).

⁶⁷ See Appendix I, [no. 7].

In the instance above, Suetonius used the terms to synonymously convey a conspiratorial context, but each term referred to a different event. In Suetonius' account of Emperor Gaius Caligula, he used both terms synonymously and, similar to Tacitus' account of the plot to assassinate Nero, both terms described the plans to murder Caligula. Suetonius wrote:

sed una atque altera conspiratione detecta, aliis per inopiam occasionis cunctantibus, duo consilium communicaverunt perfeceruntque, non sine conscientia potentissimorum libertorum praefectorumque praetori; quod ipsi quoque etsi falso in quadam coniuratione quasi participes nominati, suspectos tamen se et invisos sentiebant

“But when one or two *conspirationes* had been detected and the rest were waiting for a favorable opportunity, two men made common cause and succeeded, with the connivance of his most influential freedmen and the officers of the praetorian guard; for although the charge that these last were privy to one of the former *coniurationes* was false, they realized that Caligula hated and feared them.” (Suet. *Gai.* 56.1)

The passage described conflicting plots to murder Caligula and the success of one of these attempts over the other. Although different people planned these “conspiracies”, Suetonius used the term *conspiratio* and *coniuratio* in the same passage to describe similar plans to assassinate the Emperor of Rome.

The instances examined in this section regarding the synonymous usage of *conspiratio* and *coniuratio* demonstrated that they were both used either to describe a similar conspiratorial context, or were used interchangeably to describe precisely the same event. The nuances between the two terms are not noticeable even when the terms occurred in the same passage because the contexts they identified were similar. Moreover, when both terms occurred the writers chose to convey their synonymous conspiratorial aspects indicating a secret plan by more than one person to commit an illegal, hostile, criminal, and/or immoral act.

Section 4: Addendum conclusions

In the first section of the addendum, I primarily examined Cicero's usage of *conspiratio* to convey a state of “agreement” in several of his works. Only three times did Cicero use the term to describe a conspiratorial context, once in the *Pro rege Deiotaro* and twice in the *Pro Scauro*. On the other hand, Livy consistently used *conspiratio* to define a ‘negative’ context examined in the second section. In the third section, I chose examples when *conspiratio* was used as a synonym to *coniuratio* to describe conspiratorial contexts. Despite the two synonymous occurrences of *conspiratio* and *coniuratio* in Cicero's *Pro Scauro* and one synonymous occurrence of the terms in Caesar's *De Bello Gallico*, it was demonstrated that the synonymous usage of both terms to describe identical conspiratorial contexts or similar conspiratorial actions occurred more frequently in Tacitus and Suetonius' works written during the Empire. In the passages I examined when both terms occurred to describe a plan to “conspire”, we can distinguish no apparent nuance between the terms.

Therefore, from the sample scrutinized in the previous section of this addendum, the terms were sometimes used interchangeably. If a greater sample was examined then perhaps the nuance between the two terms might be determinable, which demands further study. However, when the terms were used to describe identical conspiratorial contexts in Latin an author could seemingly chose to use either *conspiratio*, or *coniuratio*, or both.

Appendix I

The names of the participants and possible participants

This appendix lists the names of the participants and possible participants connected with the affair of 63 recorded in our sources. The list includes the executed, convicted, accused, or suspected participants supporting the affair. The volume and page number from the *RE* and/or *MRR* appears alongside the participant or possible participant's name for general reference. A brief summary regarding their status, role, complicity with the affair and their ultimate fate due to their participation follows. In addition, the references in our source that name or describe the role of the participant or possible participant are listed after their summary.¹

[1] Q. Annius Chilo *RE* I2 (Annius) no. 18, 2263; *MRR* II, 487

Q. Annius Chilo was most likely from the senatorial order (*Sall. B Cat.* 17.3). The *Commentariolum petitionis* mentioned a certain Annius with no *praenomen*, who was an *amicissimus* of Catiline (*Cic. Comment. pet.* 10). This is perhaps the same Q. Annius Chilo named in Cicero's *Third Oration*. The Allobrogean envoys testified that Annius was one of the affair's participants who attempted to solicit their support. Consequently, Annius was one of the nine citizens Cicero and the Senate recommended should be held in custody due to their involvement (*Cic. Cat.* 3.14). However, Annius remained at large. His ultimate fate is indeterminable as there is no further record.

References: *Cic. Cat.* 3.14; *Comment. pet.* 10; *Sall. B Cat.* 17.3, 50.4

[2] C. Antonius Hybrida *RE* I2 (Antonius) no.19, 2577-82; *MRR* II, 165-6

C. Antonius Hybrida was tribune of the plebs in 71. The censors expelled him from the Senate in 70/69.² Despite his expulsion, C. Antonius soon rehabilitated his political career and was elected (along with Cicero) as a praetor for 66. Cicero, Antonius, and Catiline were candidates for consul in 64 (*Cic. Att.* 1.1.1; *Comment. pet.* 7-10; *Asc.* 82C). Cicero attacked Antonius and Catiline in the *Toga in Candida* claiming they were unworthy candidates due to their criminal pasts.³ Before the elections, Cicero delivered

¹ NB: I do not list specific references for Catiline [no. 36] as there are too many. The sources mentioning Catiline can be found in the *RE* and *MRR* supplied alongside his entry below. In addition, I do not list specific references within the summary supplied for P. Cornelius Lentulus Sura [no.14] as they have been cited in Chapter 2.

² For the possible reasons for Antonius' expulsion, see Chapter 2 n.106. Pliny reported that Antonius received his cognomen after his brutal treatment of indigenous Greeks when he was legate under the dictator Sulla (*NH.* 8.213).

³ Dio mentioned that Antonius, when consul, supported a motion for the cancellation of debt (*Dio Cass.* 37.25.4). The cancellation of debts was one of Catiline's campaign promises when he was running for consul in 64 and 63, see Chapter 3 n.13.

the speech to besmirch Antonius' character, yet Antonius was elected as Cicero's colleague in the consulship (cf. Cic. *Comment pet.* 8-10, 28, 52; Asc. 82-84C). Purportedly, Antonius and Catiline were friends, therefore, our sources hint that the former sympathized with the affair (Cic. *Cat.* 3.14; *Mur.* 49; *Sest.* 8; Plut. *Cic.* 12.3; Dio 37.30.3).⁴ Cicero claimed Catiline and Manlius' army were bolstered by the promises Antonius supposedly gave to Catiline before the latter left Rome (Cic. *Mur.* 49).⁵ Antonius also had connections with P. Cornelius Lentulus Sura [no. 14]. Both were expelled from the Senate the same year and Lentulus had married Julia, Antonius' brother's widow, and the triumvir Mark Antony's mother. According to the sources, Cicero was able to buy Antonius' loyalty by assigning his proconsular appointment to govern the province of Macedonia to his colleague (Sall. *B Cat.* 26.4; Plut. *Cic.* 12.4).⁶ Antonius was ordered to raise an army to confront Catiline and Manlius' army in northern Etruria (Sall. *B Cat.* 36.3; App. *B Civ.* 2.7; Plut. *Cic.* 16.6; Flor. 2.12.5). However when these armies met in the final battle near Pistoria, Antonius was ill and his legate M. Petronius led his forces (Sall. *B Cat.* 59.4). Dio claimed he feigned an illness in order to not face his friend in battle (Dio Cass. 37.39.3-4).⁷ Antonius was prosecuted in 59 and most likely accused of supporting the affair. Cicero gave testimony on his former colleague's behalf, but Antonius was convicted and exiled (Cic. *Att.* 2.12.2; *Flac.* 5, 95; *Dom.* 41; Dio Cass. 38.10).⁸ C. Antonius was Mark Antony's uncle and the former's political career flourished again due to the latter's influence in the 40's.⁹

References: Cic. *Cat.* 3.14; *Mur.* 49; *Comment. pet.* 7-10; *Sest.* 8; Sall. *B Cat.* 21.3, 24.1, 26.1, 4, 36.3, 56.4, 57.4-5, 59.4; Plut. *Cic.* 11.1-2, 12, 16.6, 22.8; App. *B Civ.* 2.7; Dio Cass. 37.30.3, 39.3; Flor. 2.12.5, 11

[3] P. Autronius Paetus RE II2 (Autronius) no.7, 2612-3; MRR II, 157

P. Autronius Paetus was one of Cicero's colleagues in the quaestorship in 75. Autronius was elected consul with P. Cornelius Sulla [no. 15] in 66. Soon after the elections, they were both convicted of *ambitus* and stripped of their office. They lost their seats in the Senate and were disqualified from holding any subsequent office. During P. Cornelius Sulla's trial in 62, Cicero reported that Autronius had been convicted that year for his support of the supposed plan to murder the new consuls of

⁴ Chapter 2 n.104.

⁵ Cicero was not specific what Antonius promised Catiline.

⁶ Plutarch claimed Cicero's tactic of swapping provinces also bought Antonius' opposition against Rullus' agrarian legislation in the beginning of 63 (Plut. *Cic.* 12). In the *Pro Sestio*, Cicero suggested Sestius, Antonius' quaestor in 63, helped keep Antonius loyal (Cic. *Sest.* 8).

⁷ NB: Some sources claimed it was Antonius who defeated Catiline in the battle, cf. Plut. *Cic.* 22.8; App. *B Civ.* 2.7; Flor. 2.12.5, 11; Eutrop. 6.15). See also, Chapter 2 n.105.

⁸ Antonius might have been charged *de vi* instead or *de repetundis*. The trial probably included an extortion charge while governor of Macedonia as well, cf. Settle 1962, 167-9; *TLRR*, no. 119 nn. 2-3. See also, Chapter 2 nn.106-7.

⁹ Antonius was elected censor in 42 with Mark Antony's support (Cic. *Phil.* 2.98).

65, who had prosecuted both men when they were consul-designates, and his participation with the affair of 63 (Cic. *Sull.* 7, 10, 15-19). Although Autronius was not mentioned in any of Cicero's *Orations* or the *Pro Murena* delivered in 63, Cicero depicts Autronius as an influential member of the affair and involved with most of its designs in the *Pro Sulla*. Perhaps Cicero did not mention Autronius in the speeches delivered in 63 because his participation was not discovered until 62. However, Berry suspects that Cicero most likely stressed Autronius' criminal character during his defense of P. Sulla to present him as a more virtuous man than his former colleague.¹⁰ Regardless of whether Cicero conflated Autronius' role in 63, the latter was convicted *de vi* (*Sull.* 7, 71). Sallust listed Autronius as a convicted supporter of the affair from the senatorial order (*Sall. B Cat.* 17.3), but did not specify his role.¹¹ Dio reported that one of the tribunal measures in 63 was to restore Autronius and P. Sulla's senatorial status (*Dio Cass.* 37.25.3). However, Cicero reported that P. Sulla was unable to repair the ignominy resulting from his conviction and it follows that Autronius was unable to restore his status either (*Cic. Sull.* 88-91). The record in Sallust's *Catilina* about Autronius' senatorial status in 63 was perhaps in reference to his previous status. It seems unlikely that he had regained senatorial status when he was prosecuted and convicted in 62.¹²

References: Cic. *Sull.* 1, 7, 10, 13-19, 36-38, 51, 53, 66-67, 71, 76; *Sall. B Cat.* 17.3, 18.2, 5, 47.1, 48.7; *Dio Cass.* 36.44.3-5, 37.25.3, *Flor.* 2.12.3

[4] M. Caelius Rufus

RE III1 (Caelius) no. 35, 1266-72; *MRR* II, 235

In 56, Cicero defended M. Caelius Rufus from several criminal charges. Most significantly, Caelius' was accused of murdering an Alexandrian ambassador. The Alexandrian envoys were in Rome complaining about the support certain influential Romans were giving to the recently deposed Egyptian King Ptolemy Auletes.¹³ To sully Caelius' character in the case, the prosecution discussed his support of Catiline in the consular elections of 63 (*Cic. Cael.* 10-11).¹⁴ In the *Pro Caelio*, Cicero refuted this allegation proclaiming that Caelius should be excused from his former relationship with Catiline.¹⁵ Cicero explained that others, including himself, were deceived by Catiline's enigmatic character before learning about Catiline's involvement with the affair of 63

¹⁰ See Chapter 2 n.134.

¹¹ Florus listed the *Autronii* as one of the elite families involved with the affair of 63, but did not specifically mention Autronius Paetus' status (*Flor.* 2.12.3)

¹² On Autronius' senatorial status, see Linderski 1963, 512 n.10.

¹³ For the charges made against Caelius, cf. *TLRR*, no. 134; Austin 1960, 42.

¹⁴ This allegation was levied despite the fact that in three years earlier, in 59, Caelius was one of the successful prosecutors of C. Antonius concerning the latter's role in the affair (*Cael.* 15).

¹⁵ Quintillian recorded that it was necessary that an advocate defend the client's earlier crimes before dealing with the present charge. As an example, he used Cicero initial rebuttal of Caelius' friendship with Catiline and the former's alleged involvement with the affair before addressing the specific charges of the current case (*Quint. Inst.* 4.2.27).

(12-14).¹⁶ Cicero insisted that Caelius' friendship with Catiline did not prove that Caelius actively supported the affair. Cicero reminded the jury that Caelius was never specifically named as a participant (15). He was acquitted and whether he actually supported the affair remains an accusation.

References: Cic. *Cael.* 10-15; Quint. *Inst.* 4.2.27

[5] M. Caeparius *RE* III1 (Caeparius), 1279

According to Sallust, M. Caeparius was a Roman citizen from the port town of Terracina in Latium. He was most likely one of the many *domi nobiles* Sallust claimed supported the affair (Sall. *B Cat.* 17.4).¹⁷ Our sources claim his role was to incite the *pastores* of Apulia to support the affair (Cic. *Cat.* 3.14; Sall. *B Cat.* 46.3). Whether Caeparius had any connection with Apulia is not recorded, but Cicero and Sallust accounts' corroborate his role.¹⁸ Sallust recorded that T. Volturcius [no. 44] informed the Senate that Caeparius and P. Gabinius Capito [no. 24] enlisted him into the affair several days earlier before December 3 (47.1). After learning that Cicero had seized the letters and pledges Volturcius were carrying from Lentulus and others bound for Catiline and Manlius, Caeparius tried to flee from the city that morning. He was captured later in the day (46.4, 47.4) and was one of the five Roman citizens executed on December 5 (55.6).

References: Cic. *Cat.* 3.14; Sall. *B Cat.* 46.3-4, 47.1,4, 52.34, 55.6

[6] L. Calpurnius Bestia *RE* III1 (Calpurnius) no. 24, 1367; *MRR* II, 174

L. Calpurnius Bestia was a senator and tribune-designate in 63. According only to Sallust's *Catilina*, Bestia was supposed to charge Cicero in front of the Senate for exacerbating a war that the consul could have avoided. Bestia's diatribe was the supposed signal for the arson and murder in Rome to commence the following night (Sall. *Cat.* 43.1; App. *B Civ.* 2.3). On the other hand, Cicero never specifically accused Bestia for being involved.¹⁹ Perhaps, they were not on friendly terms when Bestia entered the tribunate. Either Bestia and/or Q. Caecilius Metellus Nepos, his colleague in the tribunate, were already denouncing Cicero's actions as consul (cf. Cic. *Mur.* 81; *Fam.* 5.2.6-8; Sall. *B Cat.* 43.1; Plut. *Cic.* 23.1; Dio Cass. 37.38). In the *Fourth Oration*,

¹⁶ Cicero considered defending Catiline for extortion in 65, cf. Cic. *Att.* 1.1.1, 1.2.1; *Cael.* 14; *Asc.* 85C.

¹⁷ Robinson (1947, 138-43) suggests that Caeparius was one of the two *equites* sent to assassinate Cicero on the morning of November 7. His argument rests on Cicero's text, which claimed the two assassins were *equites* (Cic. *Cat.* 1.9). Cicero only named C. Cornelius as one of the assassins, but never reveals his accomplice (Cic. *Sull.* 18). Robinson refutes Sallust's *Catilina*, which names C. Cornelius and L. Vargunteius as the two assassins because the latter might not have been an *eques* (Sall. *B Cat.* 28.1). See Chapter 2 n.170.

¹⁸ NB: Although Caeparius was executed for his supposed role in the affair, Cicero did not mention him in any other work except at *Cat.* 3.14.

¹⁹ Cicero called Bestia a friend (Cic. *Cael.* 26).

Cicero reported that a certain senator, or senators, was absent when the Senate debated the sentence of those apprehended on December 5 (Cic. *Cat* 4.10).²⁰ Bestia might have been absent perhaps indicating his disapproval of Cicero's actions.²¹ Bestia probably supported Nepos when the latter prevented Cicero from giving a prolonged account of his consulship to the people on the day when his consulship expired (cf. Cic. *Mur.* 83; *Fam.* 5.2.6-8; Plut. *Cic.* 23.2; Dio Cass. 37.38). Bestia was never accused nor did he stand trial for his supposed participation with the affair. There are no indications that his political career was hindered from this accusation. Bestia was aedile in 59 and won the praetorship in 56. He was accused *de ambitus* that year and Cicero agreed to be his advocate (Cic. *Q. fr.* 2.3.6). Bestia was convicted (Cic. *Phil.* 11.11).²² Relations between Cicero and Bestia probably deteriorated after his conviction. Twenty years after the affair of 63, M. Junius Brutus recalled Bestia's severe abuse of Cicero during his consulship suggesting that their enmity at that time was conspicuous (Cic. *Ad. Brut.* 1.17.1).²³

References: Sall. *Cat.* 17.3, 43.1; Plut. *Cic.* 23.1-2; App. *B Civ.* 2.3

[7] Cn. Calpurnius Piso

RE III1 (Calpurnius) no. 69, 1379-80; MRR II, 159

A staunch anti-Pompeian, Cn. Calpurnius Piso was violently opposed the passage of C. Manilius' proposal to grant Pompey extraordinary *imperium* in 67 (Val. Max. 6.2.4). Due to his enmity towards Pompey, Piso was considered a threat to the general's supporters in Rome. He was elected quaestor for 65. Although only a quaestor, he was appointed as a propraetor in Spain for 65-64. Sallust implied that the Senate awarded Piso this extraordinary appointment to physically remove him from Rome and the business of government (Sall. *B Cat.* 19.2).²⁴ Asconius reported that Piso and Catiline were friends and claimed the former was involved with all of the latter's violent designs (Asc. 66C). Asconius implied that Piso was party to both the intended violence in 66/65 and the affair of 63. Our sources attest that Piso and Catiline were involved

²⁰ Dyck (2008, 223) explains that the term *nemo* in this passage could indicate more than one person. Cadoux (2006, 612-3) disagrees.

²¹ Cicero claimed that the absent senator had implied he would support Cicero and the Senate's judgment because, according to Cicero, he had already voted to place Lentulus and the others in custody, to reward the informants, and had publically thanked Cicero for his suppression of the affair (Cic. *Cat.* 4.10). Drummond (1995, 14-5) suspects either Nepos and/or Bestia were the absent senators.

²² Cf. *TLRR*, no. 268 and 269. Cicero might have defended Bestia in three earlier cases before the former's voluntary exile in 58 and perhaps twice in 56, cf. Cic. *Cael.* 16, 56, 76, 78; *Phil.* 11.11. This L. Calpurnius Bestia might have been the same man or a relative of the tribune of 62, cf. *TLRR*, no. 249-52 n.1; *RE* III1 (Calpurnius) no. 24 and 25.

²³ NB: Although more evidence of Nepos' vituperation of Cicero's consulship survives, Brutus names Bestia instead. He was allied with Mark Antony in 43 (Cic. *Phil.* 11.11).

²⁴ Cicero claimed Piso became propraetor through the influence of Crassus, cf. Cic. *Mur.* 81; *Sull.* 67-68. Sallust also reported that Crassus was influential in Piso's appointment as propraetor (Sall. *B Cat.* 19.1) NB: Sallust contradictorily reported that it was Catiline and Antonius, who sent Piso to Spain to levy an army in 65 (Sall. *B Cat.* 18.5).

with the plan to murder the consuls of 65 (cf. Cic. *Mur.* 81; *Sull.* 67; Sall. *B Cat.* 18.4; Asc. 83C, 92C; Suet. *Iul.* 9.3; Dio Cass. 36.44.4).²⁵ However, Piso's participation in the affair of 63 is affirmed only in Sallust's *Catilina*. It claims that Piso's role was to enlist an army to support the affair while he was in Spain (Sall. *B Cat.* 18.4). In contrast, other sources recorded that Piso was killed in Spain before the affair of 63 was discovered (Suet. *Iul.* 9.3). It was rumored that either the Spanish forces under his command mutinied and killed him, or those loyal to Pompey in the province had him murdered (cf. Sall. *B Cat.* 19.3, 5; Asc. 92-93C; Dio Cass. 36.44.5). As Sallust tended to antedate some of the actions of the affair to accentuate the tumultuous years of 66-63, Piso's participation remains unproven, as he was most likely killed before the affair of 63 was planned.²⁶

References: Cic. *Mur.* 81; *Sull.* 67-68; Sall. *B Cat.* 18-19; Asc. 66C, 83C, 92-93C; Suet. *Iul.* 9.2; Dio Cass. 36.44.4-5

[8] L. Cassius Longinus RE III1 (Cassius) no. 64, 1738-9; MRR II 152

L. Cassius Longinus was one of Cicero's praetorian colleagues in 66. Cassius unsuccessfully canvassed for the consulship in 64 (cf. Cic. *Comment. pet.* 7; Asc. 82C).²⁷ He was a senator in 63 (Sall. *B Cat.* 17.3). His role in the affair was to organize the arson in Rome and to negotiate with the Allobrogean envoys to send cavalry support to Catiline and Manlius' forces in Etruria (cf. Cic. *Cat.* 3.9, 14, 4.13; *Sull.* 36-39, 53; Sall. *B Cat.* 44.1).²⁸ According to Sallust, Cassius left for Gaul soon after the meeting with the Allobrogean envoys perhaps to persuade other Gallic tribes to lend military support or to ensure the Allobroges honored their commitment (Sall. *B Cat.* 44.2). He was not in Rome on December 3 when Cicero apprehended the other citizens who had given pledges and letters of support to the Allobrogean envoys. Cassius was punished *in absentia* for his alleged actions in 63 (Cic. *Cat.* 3.14; Sall. *B Cat.* 50.4). In the *Pro Sulla*, Cicero expanded Cassius' role in the affair. Cicero claimed those involved with the affair had met at Cassius' house to discuss most of their plans (Cic. *Sull.* 39). Certainly, this meeting between the participants was different to the meeting that took place at M. Porcius Laeca's [no. 32] house on November 6.²⁹

²⁵ Sallust claimed Piso was the instigator of the plan to murder the consuls and then enlisted Catiline and P. Autronius Paetus' support (Sall. *B Cat.* 18.5). Cf. Suet. *Iul.* 9.3; Dio Cass. 36.44.4.

²⁶ Suetonius and Dio recorded that Piso was killed soon after the plan to murder the consuls of 65, cf. Suet. *Iul.* 9.3; Dio Cass. 36.44.5.

²⁷ Asconius called Cassius *stolidus* ('stupid') in his commentary of the *In Toga Candida*, but did not comment whether Cicero attacked Cassius' character in the speech (Asc. 82C).

²⁸ Cicero exclaimed Rome had nothing to fear from the *adipes* ('obesity') of Cassius (Cic. *Cat.* 3.16).

²⁹ Sallust did not mention a meeting at Cassius' house. Sallust recorded three meetings between the conspirators: i) at Catiline's house before the consular elections of 64 (20.1), ii) at Laeca's after Catiline's defeat in the election of 63 (27.3), and iii) at D. Junius Brutus' house, the

Whether Cassius was executed for his alleged role in the affair of 63 is doubtful. Cicero reported that Cassius, presumably during his own trial in 62, had specifically fingered Autronius [no. 3] and others when they met with the Allobrogean envoys (Cic. *Sull.* 36-39).³⁰ We can assume that Cassius was condemned for his participation due to the allusions to his trial in the *Pro Sulla*. The evidence suggests that the capital sentence recommended for Cassius in 63 was reassessed the following year. There is no later record of Cassius in our sources, so his ultimate fate remains a matter of conjecture.

References: Cic. *Cat.* 3.9, 14, 16, 25, 4.13; *Sull.* 36-39, 53; Sall. *B Cat.* 17.3, 44.1, 2, 50.4

[9] C. Claudius Marcellus *RE* III2 (Claudius) no. 215, 2733-4

There is some confusion over the identification this C. Claudius Marcellus and the M. Claudius Marcellus [no. 10] listed below. Orosius claimed a father and son from the *Claudii Marcelli* were involved with the affair. According to the *RE*, this C. Marcellus is not to be confused with the C. Marcellus, who was praetor in 80, or his son, who was consul in 50.³¹ In the *Pro Sulla*, Cicero referred to the latter pair of *Claudii Marcelli* as relatives of Sulla. These *Claudii Marcelli* are not to be confused with the father and son duo, which participated in the affair listed in this appendix.³² Supposedly, C. Claudius Marcellus and his father Marcus' were to garner support for the affair from the Paeligni in 63. L. Vettius [no. 43] divulged their plan, which led to its prevention. However, Orosius' record suggests that the disturbances among the Paeligni continued into the following year until they were finally suppressed by M. Calpurnius Bibulus, who was praetor in 62 (Oros. 6.6.7). In contrast, Cicero reported that a C. Marcellus was sent to Capua to gain support from the gladiators in the town. When P. Sestius was quaestor in 63, he successfully prevented C. Marcellus' from achieving his goal and expelled him from Capua (Cic. *Sest.* 9). Therefore, his role in the affair remains obscure. C. Marcellus was certainly a Roman citizen, but we cannot be certain of his rank, as there is no further record.

References: Cic. *Sest.* 9; Oros. 6.6.7

[10] M. Claudius Marcellus *RE* III2 (Claudius) no. 228, 2760

Similarly to C. Claudius Marcellus [no. 9] listed above, this man's identity is confusing. M. Claudius Marcellus was perhaps his father and therefore involved with the attempt

husband of the conspirator Sempronia, between the Allobrogean envoys and the conspirators remaining in Rome (40.5).

³⁰ Cicero was keen to tell the jury that Cassius did not mention Sulla as a participant in the affair (Cic. *Sull.* 37).

³¹ *RE* III2, C. Claudius Marcellus no. 214, 2733 and no. 216, 2734-6.

³² Cf. Cic. *Sull.* 19. See MacDonald 1977, 332 n.a.

to gain support from the Paeligni in 63 (Oros. 6.6.7). The *First Oration* recounts that when Catiline was facing accusations regarding his involvement in the affair before November 8, he purportedly tried to place himself into custody. Cicero claimed that several men refused Catiline's request including a M. Marcellus, who Cicero called a *sodalis* ('an intimate companion') of Catiline (Cic. *Cat.* 1.19).³³ In this passage, the surviving manuscripts of Cicero's *First Oration* are inconsistent regarding the spelling of M. Marcellus' name.³⁴ M. Marcellus was certainly a citizen, but his rank and ultimate fate are indeterminable as there is no further record. This M. Marcellus should not be confused with the homonymous consul of 51, who Cicero later praised in the same speech (1.21).³⁵

References: Cic. *Cat.* 1.19; Oros. 6.6.7

[11] C. Cornelius RE IV1 (Cornelius) no. 19, 1255

According to Sallust, C. Cornelius had equestrian status in 63 (Sall. *B Cat.* 17.4).³⁶ Cornelius was one of the two *equites* who volunteered to murder Cicero on the morning of November 7 (Cic. *Cat.* 1.9-10). In 62, C. Cornelius' homonymous son was a prosecutor in P. Cornelius Sulla's trial. Cicero explicitly named his father as one of the assassins sent that day (Cic. *Sull.* 18, 52; Sall. *B Cat.* 28.1).³⁷ C. Cornelius was prosecuted, confessed to the crime, and convicted before P. Sulla's trial (Cic. *Sull.* 6,

³³ OLD (*sodalis*) s.v. 2. NB: Cicero also called M. Marcellus a *vir optimus* (Cic. *Cat.* 1.19). However, according to Quintilian, Cicero was being ironic in this passage (Quint. *Inst.* 9.2.45). Dyck (2008, 102) explains that the passage is ironic due to the occurrence of the term *videlicet*. NB: In the *Institutio Oratoria*, Marcellus' name is written as Metellus, see the note below.

³⁴ MacDonald (1977, 52 n.1) explains that this M. Claudius Marcellus either appears as *M. Marcellum* in most MSS., or as *Metellum* with no *praenomen* in the codex Laurentianus XLV.2, or as *M. Metellum* according to some other editions of the *First Oration*, cf. Dyck 2008, 102. Gwatkin (1934, 276-7) argues that, as the *Orationes* were edited for publication in 60, the true reading should be Metellum, which would refer to Q. Caecilius Metellus Nepos the tribune who berated Cicero's severe actions as consul, cf. Cic. *Fam.* 5.2.6-10; Dio Cass. 37.38, 43. However, a sentence before the occurrence of M. Marcellus' name Cicero claimed that Q. *Metellum* referring to the praetor Q. Caecilius Metellus Celer and not Nepos, also turned down Catiline's request to be placed into custody (Cic. *Cat.* 1.19). Therefore, I think the arguments that suggest the reading of the manuscript as *M. Marcellum* are more likely correct than *Metellum* or *M. Metellum* at Cic. *Cat.* 1.19, as neither Metellus Celer or Nepos had the *praenomen* Marcus. Perhaps, Cicero was referring to M. Caecilius Metellus the praetor of 69, but it is doubtful. Cicero claimed Q. Caecilius Metellus Celer the current praetor had rejected Catiline's request to be held in custody therefore it seems illogical that Catiline would expect a different answer from Quintus' older brother Marcus.

³⁵ According to Adams (1978, 145-66), Cicero most often named people in his speeches using their *praenomen* when they were first introduced. Therefore, if Cicero was referring to the same M. Claudius Marcellus at *Cat.* 1.19 (see note above), then he would not have reintroduced another M. Marcellus at *Cat.* 1.21. On M. Claudius Marcellus the consul of 51, see RE III2 (Claudius) no. 229.

³⁶ This C. Cornelius should not be confused with homonymous tribune of 67, who Cicero defended *de maiestate* in 65, see TLRR, no.209.

³⁷ Regarding the names of the assassins Sallust followed Cicero, but Plutarch and Appian mistook C. Cornelius for C. Cornelius Cethegus, cf. Plut. *Cic.* 16.1-2; App. *B Civ.* 2.3. Their mistake most likely originated from Sallust's claim that Cethegus volunteered to murder Cicero when those remaining in Rome after Catiline had left were contemplating to commence with their plans for murder and arson (Sall. *B Cat.* 43.2).

52). Cicero claimed that C. Cornelius supplied his son with some evidence to prove that P. Cornelius Sulla was involved in the affair of 63. However, Cicero quickly dismissed the evidence on the grounds that C. Cornelius' father was guilty and therefore untrustworthy (52). Whether C. Cornelius was a blood relation of any of the following participants from the *gens Cornelia* listed below is not recorded.

References: Cic. *Sull.* 6, 18, 51-54; Sall. *B Cat.* 17.3, 28.1

[12] C. Cornelius Cethegus RE IV1 (Cornelius) no. 89, 1278-9; MRR II, 489

Cicero claimed C. Cornelius Cethegus had attempted to murder Q. Caecilius Metellus Pius (cos. 80) in Spain when Metellus was commanding an army against the rebel Q. Sertorius in the 70's (Cic. *Sull.* 70). This is the only explicit record of Cethegus before his participation in the affair of 63. Therefore, Cicero's accusation concerning his actions in Spain cannot be cross-referenced.³⁸ After Catiline and P. Cornelius Lentulus Sura, Cethegus' name occurs most frequently in our accounts of the affair of 63. He was most likely a senator that year (cf. Sall. *B Cat.* 17.3; Flor. 2.12.4).³⁹ According to Cicero, Cethegus' task was to coordinate the murders of the leading members in Rome opposing the affair (Cic. *Cat.* 4.13). According to Sallust, he was to assassinate Cicero when he and the others remaining in Rome commenced their plans for murder and arson (Sall. *B Cat.* 43.2).⁴⁰ He was one of the participants who remained in Rome and gave the Allobrogean envoys a letter and pledge of his loyalty if they supported the affair (Cic. *Cat.* 3.9; Sall. *B Cat.* 44.1). The letters were seized and Cethegus was placed in custody (cf. Cic. *Cat.* 3.14; Sall. *B Cat.* 46.3, 47.4). In front of the Senate, he acknowledged his seal and confessed to writing the letter confirming his intrigue with the Allobrogean envoys (Cic. *Cat.* 3.10; Sall. *B Cat.* 47.2). The Senate also searched Cethegus' house and many weapons and torches were found (cf. Cic. *Cat.* 3.8; Plut. *Cic.* 18.2, 19.2). Cicero claimed the weapons were to be used either to arm the Allobroges, or to arm Cethegus and the others remaining in Rome (Cic. *Cat.* 3.10). Cethegus was sentenced to death and some of his retainers tried in vain to free him

³⁸ In Sallust's invented speech for Cato, there is an allusion to a previous crime committed by Cethegus. The speech states that his participation with the affair of 63 was *iterum patriae bellum fecit* "the second time that he [Cethegus] has made war upon his country" (Sall. *B Cat.* 52.33). McGushin (1977, 267) suggests that Sallust was perhaps alluding to Cethegus' involvement in the plan to murder the consuls of 65, but there remains no specific evidence regarding Cethegus' participation in this plot. On the other hand, Sallust might have been alluding to Cethegus' assassination attempt on Q. Caecilius Metellus Pius in Spain (Cic. *Sull.* 70). Cf. Ramsey 1984, 217.

³⁹ For the frequency of Cethegus' name in our sources, see Chapter 2 nn.76-9. On Cethegus' senatorial status, see Ryan 1994, 258-9.

⁴⁰ Plutarch and Appian mistakenly reported that Cethegus was one of the two assassins who came to murder Cicero on November 7. Their mistake is forgivable not only due to their similar *nomina*, but also because Cethegus was often described as a violent, impatient, and unstable character, cf. Cic. *Cat.* 3.16, 4.11; *Sull.* 75-76; Sall. *B Cat.* 43.3-4, 52.33; Luc. *B. Civ.* 2.543, 6.794. Less forgivable is that Appian imprecisely recorded that Cethegus was also a praetor (App. *B Civ.* 2.3).

(Sall. *B. Cat.* 50.2; App. *B. Civ.* 2.5). He was executed on December 5 (Sall. *B. Cat.* 55.6; Plut. *Cic.* 22.3).⁴¹

References: Cic. *Cat.* 3.6, 8, 9, 10, 14, 16, 25, 4.11, 13; *Sull.* 53, 70, 75, 76; Sall. *B. Cat.* 17.4, 32.2, 43.2-4, 44.1, 46.3, 47.2, 4, 48.4, 50.2, 52.33, 55.6, 57.1; Luc. *B. Civ.* 2.543; Plut. *Cic.* 16.1-2, 18.2, 19.1-2, 22.3, 8, 30.5; App. *B. Civ.* 2.2-5, 15; Flor. 2.12.4; Ampel. *Lib. Mem.* 31

[13] P. Cornelius Faustus Sulla⁴²

RE IV1 (Cornelius) no. 377, 1515-7; *MRR* II, 170

P. Cornelius Faustus Sulla was the son of the dictator Sulla (Asc. 20C, 73C). The prosecutors of his cousin P. Cornelius Sulla [no. 15] alleged that gladiators were being procured in the region of Campania in 63, not for the future games celebrating the dictator three year later in 60, but as a pretext to support the affair (Cic. *Sull.* 54-55). Cicero claimed it was Faustus who initially approached his cousin regarding the acquisition of gladiators for the games. Apparently, the prosecution thought it was suspicious to acquire gladiators a few years before the games were scheduled.⁴³ However, Cicero implied that the gladiators hired were insufficient to be involved in the games, let alone be of any use for the affair (54). Furthermore, Cicero claimed it was Faustus' slave not his client's slaves who were in charge of procuring the gladiators (55). There is no further evidence that implies that Faustus participated with affair of 63.⁴⁴

References: Cic. *Sul.* 54-55

[14] P. Cornelius Lentulus Sura

RE IV1 (Cornelius) no.240, 1399-1402; *MRR* II 76, 102, 121, and 166

For an in-depth examination of P. Cornelius Lentulus Sura and his participation in the affair, see Chapter 2.4 and its subsections. In sum, Lentulus was consul in 71 and expelled from the Senate soon after by the censors of 70/69. Lentulus rehabilitated his career and was a praetor in 63, making him the highest-ranking citizen executed for his participation with the affair. He was involved with soliciting the Allobrogean envoys and gave them a letter pledging his loyalty. Furthermore, Lentulus wrote a personal letter to Catiline, which, for Cicero, confirmed the link between the disturbances inside of Rome and Manlius and Catiline's army in Faesulae. Lentulus confessed that he wrote

⁴¹ Ampelius *Lib. Mem.* 31 claimed Cethegus' brother also voted for his execution.

⁴² NB: Faustus is listed in the *RE* as Faustus Cornelius Sulla.

⁴³ The games Faustus held for his father in 60 were extravagant (Dio Cass. 37.51.4).

⁴⁴ In order to prove the accusation against his client P. Cornelius Sulla included others, Cicero reported that Faustus asked his brother-in-law C. Memmius, his nephew Q. Pompeius, and L. Julius Casear (cos. 64) to also buy gladiators (Cic. *Sul.* 55). If P. Cornelius Faustus Sulla was procuring slaves to join the affair then one might have included the three others mentioned above accused of the same suspicious activity in this appendix. However, I only include Faustus in this list, as the accusations against Memmius, Pompeius, and L. Caesar were exactly the same. Furthermore, I singled out Faustus in this case because he might have been related to the other *Sullae* in this appendix.

both letters and was placed in custody. The Allobroges also testified that Lentulus proclaimed he had obtained a prophecy that predicted he would be the third *Cornelii* to rule Rome specifically in 63. He was forced to resign or was stripped of the praetorship and executed on December 5.

References: Cic. *Cat.* 3.4, 6, 9-10, 12, 14, 15, 16, 22, 25; 4.2, 5, 10, 12-13, 17; *Sull.* 16-17, 30, 33, 53, 70, 75, 76; *Flac.* 95-97; Sall. *B Cat.* 17.3, 32.2, 39.6, 43.1, 44.1, 3, 46.3, 5, 47.2-3, 50.1, 51.7, 52.17, 33, 55.2, 5, 57.1, 58.4; Diod. Sic. F35.1; Liv. *Per* 102;; Vell. Pat. 2.34.3-4, 35.3; Luc. *B Civ.* 2.543; Plut. *Cic.* 17-22, 24.1; *Caes.* 7.4, *Cat. Min.* 22.2; Quint. *Inst.* 5.10.30; App. *B Civ.* 2.2-6; Flor. 2.12.3-11; Dio Cass. 37.30.4-36.4, 39.1, 38.14.5, 46.20.2-5

[15] P. Cornelius Sulla (i) *RE* IV1 (Cornelius) no. 386, 1518-21; *MRR* II, 157

P. Cornelius Sulla was most likely the dictator Sulla's nephew.⁴⁵ P. Sulla was elected consul in 66 with P. Autronius Paetus [no. 3]. Both were stripped of the office after they were convicted of electoral corruption following the election and were barred from future office (cf. Cic. *Sull.* 91; *Fin.* 2.62; Sall. *B Cat.* 18.2; Liv. *Per.* 101; Asc. 75C, 88C; Suet. *Iul.* 9.1; Dio Cass. 36.44.3). In 62, Cicero defended P. Sulla, who was accused of being involved with *duae coniurationes* along with other allegations of subversion and violence (Cic. *Sul.* 11).⁴⁶ These *duae coniurationes* were: i) the intended murder of the newly elected consuls, who had convicted P. Sulla and Autronius in 66, on their first day of office in 65; and ii) the subversive activities occurring in 63. Like others tried for their involvement in either *coniuratio* or both, P. Sulla was prosecuted under the *leges de vi*. Whether he was guilty of participating in the affair, like his relatives, P. [no. 16] and Ser. Cornelius Sulla [no. 17] listed below, remains contentious.⁴⁷ Cicero was able to persuade the jury to acquit P. Sulla exculpating him from any participation in either *coniuratio* despite the accusations.⁴⁸ P. Sulla died shortly after his trial (Cic. *Fam.* 15.17.2).

References: Cic. *Sull. passim*; Sall. *B Cat.* 18.2

[16] P. Cornelius Sulla (ii) *RE* IV1 (Cornelius) no. 385, 1518; *MRR* II, 489

P. Cornelius Sulla was Ser. Cornelius Sulla's brother [no. 17] and perhaps a nephew or relative of the dictator.⁴⁹ It follows that this P. Cornelius Sulla was most likely a relative

⁴⁵ P. Sulla was most likely the dictator's nephew, cf. Reams 1987, Berry 1996, 320-1. Dio mistook this P. Sulla as the dictator's son (Dio Cass. 36.44.3). Cicero called P. Cornelius Sulla a *propinquus* ('close relation') of the dictator, not specifically his nephew (Cic. *Off.* 2.29). However, Cicero wanted to avoid mentioning his client's relation to the dictator too often for obvious reasons.

⁴⁶ For the charges against P. Sulla, see Berry 1996, 20-1.

⁴⁷ For arguments regarding P. Sulla's guilt, see Berry 1996, 33-9.

⁴⁸ See previous note in chapters from commentary (Berry) regarding his sentence.

⁴⁹ Reams (1987, 302) argues that P. and Ser. Cornelius Sulla were distant relatives contra Münzer *RE* IV1 (Cornelius) no. 385 and no. 389.

of the P. Cornelius Sulla [no.15] and P. Cornelius Faustus Sulla [no.14].⁵⁰ Sallust claimed he was a senator in 63 (Sall. *B Cat.* 17.3). Cicero listed him as one of those convicted in 62 for their participation in the affair, but his actual role remains unclear (Cic. *Sull.* 6). After the report of his conviction, there is no further record.

References: Cic. *Sull.* 6; Sall. *B Cat.* 17.3

[17] Ser. Cornelius Sulla *RE* IV1 (Cornelius) no. 389, 1521; *MRR* II, 490
Servius was the brother of the P. Cornelius Sulla [no. 16]. According to Sallust, Servius was a senator in 63 (Sall. *B Cat.* 17.3). Sallust mentioned that T. Volturcius informed the Senate that P. Gabinius Capito [no. 24] had informed him that Servius was a participant in the affair (47.1). According to Cicero, Servius was convicted in 62 for his participation with the affair in 63 (Cic. *Sull.* 6). Like his brother listed above, Servius is not mentioned again after his conviction.

References: Cic. *Sull.* 6; Sall. *Cat.* 17.3, 47.1

[18] Q. Curius *RE* IV2 (Curius) no. 7, 1840; *MRR* II 122
Q. Curius was a quaestor in 71 and was expelled from Senate by the censors of 70/69 (cf. Asc. 93C; App. *B Civ.* 2.3). He was a close friend of Catiline (Cic. *Comment. pet.* 10). Sallust listed Curius as a senator in 63 (cf. Sall. *B Cat.* 17.3; Flor. 2.12.4). Sallust's *Catilina* later alluded to Curius' expulsion from the Senate as a reason why he participated in the affair of 63. Therefore, whether he had rehabilitated his political career after his expulsion is unclear (Sall. *B Cat.* 23.1-3).⁵¹ Curius boasted to his lover, Fulvia [no. 20], that he was involved in a plot that would make him powerful (23.3; App. *B Civ.* 2.3). Sallust remarked that Curius was sometimes violent towards Fulvia, therefore, she told her friends of his plans (Sall. *B Cat.* 23.3-4; Diod. Sic. F35.2-5).⁵² Later in 63, Cicero, through Fulvia, coerced Curius to betray the conspiracy. Curius revealed its designs and named others who were participating (Sall. *B Cat.* 26.3). Sallust further claimed it was Curius who warned Cicero that he would be murdered on November 7/8 (28.2-3).⁵³ On the other hand, Cicero never mentioned either Curius or Fulvia in any of his works regarding his discovery of the affair of 63. Cicero claimed he

⁵⁰ Dio wrongly identified P. Cornelius Sulla [no. 16] with P. Cornelius Sulla [no. 15], who was defended by Cicero (Dio Cass. 36.44.3).

⁵¹ See Chapter 2 n.170.

⁵² NB: The dating of Sallust's anecdote about Curius and Fulvia in his narrative apparently occurred before the consular elections of 64. These rumors about Catiline's violent plans helped Cicero defeat him in the elections that year (Sall. *B Cat.* 23.5-6). McGushin (1977, 155-6 and 296) notes that this anecdote is antedated in Sallust's *Catilina*. A fragment concerning the affair of 63 found in Diodorus Siculus (F35.2-5) relates a similar anecdote regarding Curius and Fulvia's relationship and why the latter divulged the affair to Cicero. Diodorus did not mention Curius and Fulvia by name, but his transmission of the story is similar to Sallust's account. For the text of Diodorus' fragment, see Müller 1975, xxvi.

⁵³ Plutarch recorded it was Fulvia, not Curius, who warned Cicero of the assassination attempt (Plut. *Cic.* 16.2). Appian claimed Fulvia told Cicero all of the affair's plans (App. *B Civ.* 2.3).

discovered all the intricacies of the plot through his own diligence and divine providence instead of naming a specific informer(s).⁵⁴ The Senate voted to reward Curius for his information, but he was denied any monetary compensation for his defection because he implicated C. Julius Caesar in the plot, which was considered a false accusation at the time (Suet. *Iul.* 17.1). Although Curius might not have received a monetary reward (17.2), he was probably exonerated from his initial support of the affair by acting as an informant. His ultimate fate is unknown.

References: Cic. *Comment. pet.* 10; Sall. *B Cat.* 17.3, 23.1, 4, 26.3, 28.2; Asc. 93C; Plut. *Cic.* 16.2; Suet. *Iul.* 17.1-2; App. *B Civ.* 2.3

[19] C. Flaminius⁵⁵

RE VI1 (Flaminius) no. 4, 2502

Cicero claimed that some of the supporters in Rome for Catiline's consular candidacy in 63 hailed from Arretium, but did not mention any supporters by name (Cic. *Mur.* 49). According to Sallust, Catiline spent several days in mid-November with a C. Flaminius in Arretium in northern Etruria. He helped Catiline gather weapons and men before the latter joined Manlius' forces at Faesulae approximately 20 miles away from Arretium (Sall. *B Cat.* 36.1). Flaminius was most likely one of the *domi nobilis* who supported the affair (17.4), but whether he had a wider role is indeterminable. His ultimate fate is unknown.

References: Sall. *B Cat.* 36.1

[20] Fulvia

RE VII1 (Fulvius) no. 112, 280-1

Sallust reported that Fulvia was a noble woman and a mistress of Q. Curius [no. 18] a participant in the affair (Sall. *B Cat.* 23.3).⁵⁶ Refer to the summary under Q. Curius [no. 18] for her specific role in the affair. The Ciceronian corpus never mentioned Fulvia, however, Cicero remarked that Catiline attempted to attract women to participate with the affair (Cic. *Cat.* 2.7). According to Sallust and Appian, Catiline approached both high and low born women to entice their husbands and/or lovers to support the affair of 63 or murder them if they did not (Sall. *Cat.* 24.4; App. *B Civ.* 2.2).⁵⁷ Q. Curius is named as Catiline's friend before 63 (Cic. *Comment. pet.* 10), therefore, perhaps Fulvia supported the affair before she decided to tell her friends of its designs or convince

⁵⁴ See Chapter 2 n.32.

⁵⁵ NB: The citation found in the *RE* suggests that C. Flaminius might have been the same C. Flaminius mentioned in the *Pro Cluentio*, who was perhaps a curule aedile in 67 and president of the *quaestio de sicariis* in 66 (cf. Cic. *Clu.* 126, 146). However, there is no evidence that the C. Flaminius from Arretium Catiline stayed with in 63 was ever a magistrate of Rome. Therefore these *Flamini* should be separated by the *RE*.

⁵⁶ Florus called Fulvia *vilissimum scortum* "A worthless prostitute" (Flor. 2.12.6). NB: The *RE* (VII1, 281) explains that this Fulvia should not be confused with P. Clodius Pulcher's wife, who was later married to a different Q. Curius than the one listed here, and later to M. Antonius the triumvir.

⁵⁷ NB: This passage in the *Catilina* occurs after Sallust's anecdote about Curius and Fulvia and introduced his description of Sempronia [no. 34].

Curius to divulge its secrets to Cicero. Appian and Florus claimed Cicero discovered the affair through Fulvia (App. *B Civ.* 2.3; Flor. 2.12.6). However, whether Fulvia was a participant in the affair who decided to later betray the affair, or an informer after she initially heard of it, or an entirely fictional character originally created by Sallust, remains debatable.⁵⁸

References: Sall. *B Cat.* 23.3-4, 26.3, 28.2; Plut. *Cic.* 16.2; App. *B Civ.* 2.3; Flor. 2.12.6

[21] A.? Fulvius (filius)⁵⁹ *RE* VII1 (Fulvius) no.8=94, 268

Our sources record that a senator named Fulvius put his son to death after he learned his son was travelling to join Catiline and Manlius' forces in Etruria (cf. Sall. *B Cat.* 39.5; Val. Max. 5.8.5, Dio Cass. 37.36.4).⁶⁰ Dio claimed other senators also put their sons to death for joining the affair of 63, but our sources only name a senator's son from the *gens Fulvia*. Schwartz argues that this man might be the son of the participant M. Fulvius Nobilior [no. 22] listed below.⁶¹ However, Schwartz's suggestion is flawed. The *RE* explains that none of the known *Fulvii Nobilioris* have Aulus as a *praenomen*.⁶² In addition, Sallust states M. Fulvius Nobilior was not a senator, but a knight (Sall. *B Cat.* 17.4). Moreover, M. Fulvius Nobilior had joined the affair, so why would he punish his son for supporting it. Therefore, this Fulvius was most likely some other senator's son from the *gens Fulvia*.

References: Sall. *B Cat.* 39.5; Val. Max. 5.8.5; Dio Cass. 37.36.4

[22] M. Fulvius Nobilior? *RE* VII1 (Fulvius) no. 94, 267-8

According to Sallust, M. Fulvius Nobilior was from the equestrian order (Sall. *B Cat.* 17.4). His precise role in the affair remains unknown because he is mentioned only once by Sallust. According to Cicero, a M. Fulvius Nobilior had been convicted for *ambitus* in 54 (Cic. *Att.* 4.18.3). Whether this M. Fulvius Nobilior was the same man mentioned in Sallust's *Catilina* is unclear. In addition, there is no record about M. Fulvius Nobilior's specific role in the affair or his ultimate fate. Also refer to A.? Fulvius (filius) [no.21] above.

References: Sall. *Cat.* 17.4

⁵⁸ See Chapter 1 nn.45-6.

⁵⁹ The citation found in the *RE* for A. Fulvius (no.8) subsequently refers to M. Fulvius Nobilior (no. 94).

⁶⁰ N.B. Sallust only mentioned the *nomen* Fulvius. The *praenomen* Aulus appears in Valerius Maximus and Dio's text, the latter calling the son Aulus.

⁶¹ Schwartz 1897, 563 n.4.

⁶² See *RE* VII1 (Fulvius) no.94, 268.11-6. Münzer explains that the *praenomen* Aulus does not occur in the seven known *Fulvii Nobilioris* including M. Fulvius Nobilior [no.22], so if they were the same Fulvius is a matter of conjecture

[23] P. Furius

RE VII1 (Furius) no. 23, 317

Cicero identified P. Furius as a Sullan veteran and colonist from Faesulae. Cicero claimed Furius had solicited the Allobrogean envoys and would be punished accordingly (Cic. *Cat* 3.14). According to this timeline, Furius must have been in Rome before T. Volturcius [no. 44] and the letters he was delivering to Catiline and Manlius [no. 29] were seized on December 3. However, Furius was not in Rome that day and remained at large (Sall. *B Cat.* 50.4). He might have left Rome to join Catiline and Manlius' forces in Etruria before the final battle in January of 62. Sallust made an allusion to a man from Faesulae who was in charge of the left flank of Catiline and Manlius' forces in the final battle near Pistoria. He referred to this man as *Faesulanum quendam*, 'a certain man from Faesulae' (59.3). Sallust's narrative remarked that Manlius and this *Faesulanus* were the first men to die in the battle (60.6).⁶³ However, we cannot certainly identify the Furius mentioned by Cicero with the *Faesulanus* in Sallust's *Catilina*, therefore, his specific role and ultimate fate remain uncertain.

References: Cic. *Cat* 3.14; Sall. *B Cat.* 50.4⁶⁴

[24] P. Gabinius Capito

RE VII1 (Gabinius) no.15, 431

P. Gabinius Capito was from the equestrian order in 63 (Sall. *B Cat.* 17.4). Cicero once gave Gabinius the cognomen Cimber (Cic. *Cat* 3.6).⁶⁵ His role in the affair included: setting fires in Rome (Sall. *B Cat.* 43.2), soliciting the Allobrogean envoys (Cic. *Cat* 3.14; Sall. *B Cat.* 40.6), and assisting in murdering the leading citizens in the city (Cic. *Cat* 4.13). According to Sallust, T. Volturcius [no. 44] claimed Gabinius and M. Caeparius [no. 5] had enlisted him into the affair. Volturcius also testified that Gabinius specifically told him that P. Autronius Paetus [no. 3], Ser. Cornelius Sulla [no. 17], L. Vargunteius [no. 24] and many others were involved in the affair (Sall. *B Cat.* 47.1-2). Cicero reported that Gabinius confessed to soliciting the Allobrogean envoys and giving them a written pledge of his support, but Cicero did not record Gabinius' intrigue with Volturcius (Cic. *Cat* 3.12). He was executed for his participation with the affair on December 5 (Sall. *B Cat.* 55.6).

References: Cic. *Cat* 3.6, 12, 14; 4.13; Sall. *B Cat.* 17.4, 40.6, 43.2, 46.3, 47.1,4, 52.34, 55.6

⁶³ The editors of the *RE* (VII1, 317) state one could speculate that Furius was the unnamed man from Faesulae at Sall. *B Cat.* 50.4. Cf. McGushin 1977, 59.3; Ramsey 1984, 197.

⁶⁴ Perhaps alluded to at Sall. *B Cat.* 59.3, 60.6.

⁶⁵ Only in Sallust's work is the *cognomen* Capito written. Münzer (*RE* VII1, 431) explains Cicero probably designated Gabinius *Cimbrum* to associate him with the *Cimbri* tribe who threatened the *res publica* in the 100s alluding to his violent nature. Cf. Dyck 2008, 175.

[25] C. Iulius*RE* X1 (Iulius) no. 21, 110

C. Iulius is mentioned in Sallust's *Catilina*. Supposedly, Catiline had sent Iulius to Apulia to incite a revolt (Sall. *Cat.* 27.1). Iulius was perhaps another Sullan veteran involved with the affair of 63.⁶⁶ Presumably, he had some sort of influence or familiarity in Apulia or he would not have been sent there. The *RE* suggests this Iulius could have been a legate of M. Antonius Creticus in 72.⁶⁷ However, whether C. Iulius the legate was the same man sent to Apulia remains inconclusive.

References: Sall. *B Cat.* 27.1

[26] C. Iulius Caesar⁶⁸*RE* X1 (Iulius) no. 131, 186-275; *MRR* II, 171, 173, and 187-8

Both the accusations that C. Iulius Caesar and/or M. Licinius Crassus [no. 27] supported the affair of 63 apparently originated from an unpublished essay on Cicero's consulship. The essay does not survive, but some sources comment that Cicero implied that Caesar and Crassus had participated in the affair (cf. Asc. 83C; Plut. *Caes.* 8.4; *Crass.* 13.3; Dio Cass. 39.10.2-3).⁶⁹ Asconius remarked that Caesar and Crassus were supporting Catiline and C. Antonius during their candidacy for the consulship of 63. Whether either man supported the affair or what their support would specifically entail is not entirely clear. Sallust reported that others attempted to implicate Caesar the day after his speech in the Senate recommending that Lentulus and the others should not be sentenced to death, but should be placed in custody for life and confiscate their property.⁷⁰ On December 4, Q. Lutatius Catulus [no. 28] and C. Calpurnius Piso tried to coerce either Cicero or the affair's informers to implicate Caesar (Sall. *B Cat.* 49.1; Plut. *Caes.* 7.5). Caesar had just defeated Catulus in the elections for *pontifex maximus* and had prosecuted Piso for extortion in 63.⁷¹ Cicero was not convinced to take any further action perhaps due to their personal grudge against Caesar.⁷² However, Sallust recorded that accusations circulated by Catulus and Piso on December 4 had provoked enough odium that some threatened to murder Caesar on the spot (Sall. *B Cat.* 49.4; Plut. *Caes.* 8.2-3; Suet. *Iul.* 14.2). Suetonius claimed Caesar was involved in the plot to murder the consuls of 65 and the affair of 63

⁶⁶ Refer to note in Chapter 3 TBD most likely MOVE: C. Julius' name occurs in the same list as the Sullan veteran C. Manlius [no.29] and Septimius of a *domus nobilis* of Camerinum [no. 35]. Unlike Spetimius, there is no indication where C. Julius was from making it more likely he was a Sullan veteran than a *domus nobilis*.

⁶⁷ *RE* X1 (Iulius) no. 21, 110.54-8.

⁶⁸ Regarding Caesar's possible participation with the affair, see *RE* X1 (Iulius) no. 131, 192.45-193.62. See also Chapter 2.

⁶⁹ See Chapter 2 n.115.

⁷⁰ See Chapter 2 n.346.

⁷¹ Cicero defended Piso and won the case (Cic. *Flac.* 98). The speech was not published, see Settle 1962, 147-8 and 167 n.15.

⁷² Sallust claimed the allegations were false from the beginning (Sall. *B Cat.* 49.1: *indicem... falso*). Cf. Plut. *Cic.* 20.7.

(*Iul.* 9.1, 14.1), but it remains contentious whether Caesar genuinely supported either plot. The new consul L. Aurelius Cotta for 65 was Caesar's cousin, so it is unlikely he supported a plan to murder him.⁷³ In 63, Caesar had just been elected to a life-long position as *pontifex maximus* in Rome and praetor for the following year. If he did support the affair of 63, it is understandable that he backed out before its designs and some participants were discovered. He had no need to endanger his political career by associating with the participants in the affair. Caesar was never brought to trial for his alleged support of the affairs of 66/65 or 63 regardless of the accusations made on December 4, 63, or Cicero's later accusation of his support of the affair of 63 supposedly recorded in secret memoir of his consulship.⁷⁴

References: Cic. *Cat.* 4.7-10; Sall. *B Cat.* 49, 50.4-5, 51; Asc. 83C; Plut. *Cic.* 20-21; *Caes.* 7-8; *Cat. Min.* 21-26; *Crass.* 13.3; Suet. *Iul.* 9.1, 14.1-2; Dio Cass. 37.36.1; App. *B Civ.* 2.6

[27] M. Licinius Crassus⁷⁵ *RE* XIII1 (Licinius) no. 68, 295-331; *MRR* II, 126, 214-5

Asconius stated that Cicero's essay on his consulship accused M. Licinius Crassus of instigating the affair of 63 (cf. Asc. 83C; Plut. *Crass.* 13.3; Dio Cass. 39.10.2-3). However, Crassus is not implicated in any of Cicero's extant works.⁷⁶ On the other hand, Sallust's *Catilina* plainly asserts that if the affair were successful then Crassus would be the main beneficiary (Sall. *B Cat.* 17.7). Crassus persuaded the Senate to bestow praetorian powers on Cn. Calpurnius Piso [no. 7], a quaestor in 65, in Spain (19.1-2). Sallust implied that Crassus wanted Piso to diminish Pompey's popularity in Spain, therefore, it remains uncertain if Piso was sent to Spain to explicitly support the affair of 63. In addition, Sallust included a story that L. Tarquinius [no. 39] testified in front of the Senate on December 4, 63 that Crassus ordered him to warn Catiline and Manlius' army in Faesulae about the recent arrests of Lentulus and the others in Rome (48.4). However, Cicero discarded Tarquinius' accusation for several reasons (48.5-8).⁷⁷ Sallust claimed Crassus told him that Cicero instigated the accusation (48.9). Further suspicion that Crassus was involved was due to the letter Crassus gave Cicero on October 20 or 21 that contained a warning from Catiline regarding the impending

⁷³ Gelzer 1960, 39.

⁷⁴ See also, Chapter 2 n.115.

⁷⁵ Regarding Crassus' possible participation with the affair, see *RE* XIII1, (Licinius) no. 68, 310.65-313.19.

⁷⁶ Crassus might have been absent from the debate in the Senate on December 5 regarding the punishment of Lentulus and the others (Cic. *Cat.* 4.10). Cf. Hardy 1924, 87-8; Gelzer 1969, 98; MacDonald 1977, 24 and 145 n. c.; Ward 1977, 189 contra Drummond 1995, 14-5. See esp. Cadoux 2006, 614-8. Whether his absence indicated support for Lentulus and the others is contentious, cf. Ward 1977, 189-90; Dyck 2008, 223.

⁷⁷ Dio did not name who accused Crassus on December, but concurred with Sallust that Cicero dismissed the evidence (Dio Cass. 37.35.1-2).

plan to murder the leading citizens in Rome (Plut. *Cic.* 15.1-3; Dio Cass. 37.31.1).⁷⁸ Plutarch suggested that Crassus gave Cicero this letter to remove any connection to Catiline or the affair because Crassus felt the affair would soon be exposed (Plut. *Crass.* 13.2-4). Similar to Caesar [no. 26], Crassus was never formally tried for his participation with the affair. Therefore, whether Crassus supported the affair remains a matter of conjecture.

References: Sall. *B Cat.* 17.7, 19.1, 48.4-9; Asc. 83C; Plut. *Cic.* 15.1-3; *Crass.* 13.3; Dio Cass. 37.31.1, 35.1-2, 39.10.2-3

[28] Q. Lutatius Catulus *RE* XIII1 (Lutatius) no. 8, 2082-94; *MRR* II 85

Q. Lutatius Catulus' homonymous father (cos. 102) supported Sulla in his conflict against Marius. When the Marians gained control of Rome in 87, Catulus' father was proscribed and was killed by M. Marius Gracchianus.⁷⁹ When Sulla proscribed his enemies in 82, Catiline allegedly murdered M. Marius Gracchianus (Asc. 84C).⁸⁰ Catiline's role in avenging Catulus' father's murder might be the reason why the son supported Catiline in court in 73 for the defilement of a Vestal Virgin and in 65 for extortion.⁸¹ After Catiline left Rome, he sent Catulus a letter explaining his decision not to go into exile but to join Manlius' army at Faesulae instead (Sall. *B Cat.* 35). Catulus read out the letter in the Senate (34.3). Our sources do not accuse Catulus of supporting the affair, instead it is recorded that he accused Caesar, his rival in the elections for *pontifex maximus* that year, for supporting it (49).⁸² Cicero often praised the character of Catulus.⁸³ Regarding the punishment of Lentulus and the others remaining in Rome that had confessed to participating in the affair, Catulus voted for the death penalty (Plut. *Cic.* 21.4). Therefore, there remains no concrete evidence that he was a participant. However, one can speculate that Catulus might have initially supported the affair due to his former friendship with Catiline and only divulged the contents of Catiline's letter when the affair was exposed to remove any suspicion that might arise.

References: Sall. *B Cat.* 34.3, 35, 49; Plut. *Cic.* 21.4

⁷⁸ NB: Along with Crassus, Plutarch recorded that Q. Caecilius Metellus Pius Scipio Nasica and M. Claudius Marcellus, purportedly gave Cicero a letter from Catiline warning them of an impending plan to murder the leading citizens in Rome (Plut. *Cic.* 15.1). Plutarch suggested that Crassus gave Cicero the letter of warning in order to distance himself from Catiline's plans (15.2-3). Consequently, Metellus Scipio and Marcellus, who most likely was M. Claudius Marcellus (cos. 51), might have given Cicero the letters for a similar reason. However, in contrast to Crassus, our sources do not make this claim. Therefore, I do not list Metellus Scipio and this M. Claudius Marcellus as possible participants.

⁷⁹ On Q. Lutatius Catulus (cos. 102) support of Sulla and the former's murder by M. Marius Gracchianus, see *RE* XIII1 (Lutatius) no.7, 2078.51-2079.43.

⁸⁰ See Chapter 3 n.52.

⁸¹ See Chapter 2 n.310

⁸² Cf. Plut. *Cic.* 21.4; Dio Cass. 37.37.2, 44.1.

⁸³ Cf. Cic. *Cat.* 3.24; *Mur.* 36; *Pis.* 3

[29] C. Manlius⁸⁴*RE* XIV1 (Manlius) no. 18, 1156-7

For a discussion of C. Manlius' role in the affair, see Chapter 3.1-3. C. Manlius was a Sullan veteran and colonist most likely from Faesulae. Our sources record that Manlius had assembled an army from northern Etruria and were in arms at Faesulae on October 27 (Cic. *Cat.* 1.7; Sall. *B Cat.* 30.1). According to the timeline of events, Manlius' army acted before Cicero officially exposed the affair on November 8, which suggests that they might have initially acted independently to those involved with the affair in Rome. Furthermore, Manlius' army sent a delegation to Q. Marcius Rex claiming that if his army's grievances were met they would consider laying down their arms (33). However, there is conflicting evidence that Manlius was instructed by Catiline to raise an army in this area (27.1, 4), which the latter would lead when he arrived at the camp.⁸⁵ Manlius was killed with Catiline in the final battle near Pistoria (60.6).

References: Cic. *Cat.* 1.7, 10, 23-24, 30, 2.14, 16, 20; Sall. *B Cat.* 24.2, 27.1, 4, 28.4, 29.1, 30.1, 32, 33, 36.1,2, 56.1, 59.3, 60.6; Asc. 50C; Plu. *Cic.* 14.3, 15.5, 16.1, 6; App. *B Civ.* 2.2, 3; Fl. 2.12.8; Dio Cass. 37.30.5, 37.33.2

[30] C. Mevulanus?⁸⁶*RE* XV1 (Mevulanus), 1511; *MRR* II, 170

C. Mevulanus was a military tribune serving under the consul C. Antonius in 63. According to Cicero, Mevulanus attempted to incite the inhabitants in Pisorum and other areas of the *ager Gallicus* to support the affair. Cicero claimed that P. Sestius, C. Antonius' quaestor in 63, was able to thwart Mevulanus' attempts to gather support outside of Rome (Cic. *Sest.* 9). Mevulanus' ultimate fate is unknown.

References: Cic. *Sest.* 9

[31] Minucius*RE* XV1 (Minucius) no. 8, 1941

According to Cicero, Minucius was an associate of Catiline in 63 (Cic. *Cat.* 2.4). Minucius was an influential plebeian family name during the Republic.⁸⁷ However, the status of this Minucius is indeterminable. Cicero claimed Minucius and Publicius [no. 33] had run up massive debts in taverns in Rome and left the city with Catiline on November 8. Minucius and Publicius perhaps joined Manlius at Faesulae with Catiline and died in the final battle near Pistoria.⁸⁸

⁸⁴ See further Chapter 3. On the *mandata* sent by Manlius' army to Q. Marcius Rex, see Chapter 3.5.

⁸⁵ See Chapter 3 nn.36-41.

⁸⁶ I use the spelling of this man's name corroborated in the Teubner and Loeb editions of the *Pro Sestio*. For the varying spellings for this passage, see Maslowski 1986, 7 n.16.

⁸⁷ On the plebeian status of the *nomen* Minucius and its origins, see *RE* XV2 (Minucius), 1937.34-1939.17.

⁸⁸ Whether the three associates, Minucius [no. 31], Publicius [no. 33], or Tongilius [no. 40], mentioned by Cicero at *Cat.* 2.4 were present at the final battle near Pistoria is unknown. In the *Second Oration*, Cicero emphasized their immoral characteristics to mock the quality of men

References: Cic. *Cat.* 2.4

[32] M. Porcius Laeca *RE* XXII1 (Porcius) no. 18, 213; *MRR* II, 495

M. Porcius Laeca was a senator in 63 (Sall. *Cat.* 17.3; Flor. 2.12.3). Catiline and the others participating in the affair met at Laeca's house on the night of November 6 to discuss their plans (cf. Cic. *Cat.* 1.8-9, 2.13; *Sull.* 52; Sall. *B Cat.* 27.3).⁸⁹ Cicero claimed he knew who was present at the meeting and what roles they were assigned. However, what specific role Laeca had beyond allowing the affair's participants to meet in his home remains uncertain. Cicero recorded that Laeca was convicted in 62 for his participation (Cic. *Sull.* 6).

References: Cic. *Cat.* 1.8-9, 2.13; *Sull.* 6, 52; Sall. *B Cat.* 17.3, 27.3; Flor. 2.12.3

[33] Publicius *RE* XXIII2 (Publicius) no. 5, 1896

Publicius was an associate of Catiline (Cic. *Cat.* 2.4). His name occurs in the same sentence as Municius [no. 31] and the information given about the two men is the same. The *nomen* Publicius is attested as a plebian name during the Republic and might have an Etruscan origin.⁹⁰ Publicius left Rome with Catiline, but his status, origin, role, and ultimate fate in the affair remain inconclusive.⁹¹

References: Cic. *Cat.* 2.4

[34] Sempronia *RE* IIa2 (Sempronius) no. 103, 1446

In 63, Sempronia was the wife of D. Junius Brutus (cos. 77) and the mother of D. Junius Brutus Albinus one of Caesar's future assassins. Sallust's *Catilina* is the only source to mention Sempronia's involvement in the affair of 63. According to Sallust, Sempronia joined the affair because her extravagant and licentious lifestyle had put her into debt (Sall. *B Cat.* 24.3, 25).⁹² Sempronia agreed to let the affair's participants negotiate with the Allobrogean envoys at her house in Rome while her husband was away (40.5).⁹³ Her ultimate fate is unknown.

References: Sall. *B Cat.* 25, 40.5

that left Rome with Catiline and would join Manlius' army, cf. Cic. *Cat.* 2.5, 23-24. Cicero clearly wanted to play down the threat in Etruria and emphasize the danger of those involved with the episode who remained in Rome and were had a far greater status than the reprobates Minucius, Publicius, or Tonglius,

⁸⁹ See notes on multiple meeting in Sallust in Chapter 2 TBD.

⁹⁰ On the origin and different spelling of the *nomen* Publicius, see *RE* XXIII2 (Publicius), 1895.38-1896.22.

⁹¹ See n.88.

⁹² See McGushin 1977, 302-3.

⁹³ D. Junius Brutus' absence practically removes any suspicion that he supported the affair.

[35] Septimius *RE* IIa2 (Septimius) no. 1, 1560

Sallust reported that Catiline sent Septimius to Picenum to enlist anyone willing to join the affair of 63 (Sall. *B Cat.* 27.1). Septimius was from Camerinum, a town near Umbria that Cicero claimed supported the affair (Cic. *Sull.* 53). However, Cicero did not specifically mention that Camerinum lent support due to Septimius' actions. Septimius' status also remains speculative. He might have been a *domus nobilis* or a Sullan veteran. Regardless of his rank, Septimius presumably had ties in Umbria or he would not have been sent to the region. His ultimate fate is unknown.

References: Sall. *B Cat.* 27.1

[36] L. Sergius Catilina *RE* IIa2 (Sergius) no. 23 1693-1711; *MRR* II, 138, 147

L. Sergius Catilina was implicated in the supposed plan devised in 66 to murder the incoming consuls of 65 (cf. Cic. *Cat.* 1.15; *Mur.* 81; *Sull.* 51; Sall. *B Cat.* 18.5-9; Asc. 83C; Dio Cass. 36.44.3-4). After Catiline's successive defeats for the consulship in 64 and 63, he agreed to a plan to gain power in Rome through violent means. Catiline and the affair's plans were exposed on November 8 and he left Rome the same night. Catiline joined Manlius' army at Faesulae around mid-November and they were declared *hostes rei publicae*.⁹⁴ Catiline and Manlius' army were decisively defeated in mid to late January 62 (Sall. *B Cat.* 60-61). Catiline's head was sent to Rome (Dio Cass. 37.40.2).

References: For where Catiline appears in our sources, refer to the *RE* and *MRR*

[37] P. Sittius *RE* IIIa1 (Sittius) no. 3, 409-11

P. Sittius was perhaps a local noble from Nuceria in Campania (Sall. *B Cat.* 21.3). Cicero remarked that Sittius was wealthy (cf. Cic. *Sull.* 56; *Fam.* 5.17.5).⁹⁵ Catiline informed the affair's participants that he had sent P. Sittius to Mauretania to levy an army to support the affair (cf. Cic. *Sull.* 56; Sall. *B Cat.* 21.3). In the *Pro Sulla*, Cicero claimed that Sittius left for Mauretania in 64, which was before the affair of 63 began, and insisted that the reported disturbances occurring in the area were not connected with Sittius or the affair (Cic. *Sull.* 56-57). Sittius was a close friend of P. Cornelius Sulla [no. 15] (cf. *Sull.* 57; *Fam.* 5.17.2). Therefore, Cicero refuted the accusation against his client's friend that Sittius was a participant (*Sull.* 56-59). Sittius was

⁹⁴ See Chapter 3.3.

⁹⁵ Shackleton Bailey (1978 Vol. I, 323) assumes P. Sittius was an equestrian. NB: Sittius was also in serious debt in 63, but Cicero remarked that Sittius' debts were acquired honestly in contrast to the indebted citizens involved with the affair (Cic. *Sull.* 56, 58-59).

apparently cleared of the accusation that he was involved in the affair of 63, but was later exiled from Rome *in absentia* for an unknown charge in 57.⁹⁶

References: Cic. *Sull.* 56-59; *Fam.* 5.17; Sall. *B Cat.* 21.3

[38] L. Statilius *RE* IIIa2 (Statilius) no. 6, 2185-6

L. Statilius was from the equestrian order in 63 (Sall. *B Cat.* 17.4). He and Gabinius [no. 24] were tasked to oversee the setting of fires in twelve strategic areas of Rome (43.2). In addition, Statilius swore a mutual oath with the Allobrogean envoys and gave a written pledge of his support to the tribe (Cic. *Cat.* 3.9; Sall. *B Cat.* 44.1). His letter was seized in the ambush on the Mulvian Bridge and he was summoned to Cicero's house (Cic. *Cat.* 3.6; Sall. *B Cat.* 46.3). In front of the Senate, Statilius confessed to writing the letter (3.10) and was placed into custody (Cic. *Cat.* 3.14; Sall. *B Cat.* 47.4). He was executed for his participation with the affair on December 5, 63 (55.6).

References: Cic. *Cat.* 3.6, 9, 10, 14; Sall. *B Cat.* 17.4, 43.2, 44.1, 46.3, 47.4, 52.34, 55.6

[39] L. Tarquinius *RE* IVa2 (Tarquinius) no. 10, 2390

According to Sallust, L. Tarquinius attempted to leave Rome on December 4 to tell Catiline in Faesulae about the capture of Lentulus and those remaining in Rome (Sall. *B Cat.* 48.3-4). Tarquinius was captured on December 4 and immediately testified in front of the Senate. He corroborated the evidence that was heard on December 3 about the affair's plans for murder, arson, and their military preparations. In contrast to the previous testimony given by T. Volturcius [no. 44], Tarquinius implicated Crassus in the affair. Tarquinius claimed Crassus ordered him to inform Catiline in Faesulae of the arrests in Rome (48.4). Cicero decided that Tarquinius' testimony was false and his implication of Crassus was discarded (48.5-6). Sallust recorded that some people believed either Autronius [no.3] or even Cicero coerced Tarquinius to accuse Crassus (48.7-8).

References: Sall. *B Cat.* 48.3-8

[40] Tongilius *RE* VIa2 (Tongilius), 1710

Cicero is the only source that mentions Tongilius support of the affair. Cicero claimed Catiline had had an intimate relationship with Tongilius since he was *in praetexta*, the purple-edged toga worn by Roman boys until they were sixteen years old (Cic. *Cat.*

⁹⁶ Appian and Dio recorded that while Sittius was exiled he was still active in Mauretania and other regions of Africa. In 46, he played several African princes against each other and supported Caesar's African campaign (cf. *B Afr.* 25; App. *B Civ.* 4.54; Dio. Cass. 43.3).

2.4).⁹⁷ Similar to Minucius and Publicius, Tongilius also accompanied Catiline when he left Rome and his ultimate fate is unknown.⁹⁸

References: Cic. *Cat.* 2.4

[41] P. Umbrenus *RE IXa1* (Umbrenus) no. 2, 593

According to Cicero, P. Umbrenus was a *libertinus* and first introduced the Allobrogean envoys to P. Gabinius Capito [no.24] (Cic. *Cat.* 3.14). Umbrenus' role in the affair is expanded in Sallust's *Catilina*. Sallust did not comment on Umbrenus' status as a freedman. Instead, he recorded that Lentulus [no. 14] ordered Umbrenus to make the initial contact with the Gallic envoys in Rome (Sall. *B Cat.* 40.1). Sallust explained that Umbrenus had several business dealings in Gaul and knew many of the leading men among the Gallic tribes (40.2). He was able to convince the Allobrogean envoys that the participants in the affair would address the tribe's grievances, which the Senate had ignored, if their plan to gain power in Rome was successful (40.3). Umbrenus convinced the envoys to meet at Sempronia's [no. 34] house and introduced them to Gabinius and named other influential participants in order to further persuade the envoys to lend their support (40.4-6). Umbrenus was not apprehended on December 3, but was sentenced to death *in absentia* (50.4). His ultimate fate is unknown.

References: Cic. *Cat.* 3.14; Sall. *B Cat.* 40; 50.4

[42] L. Vargunteius *RE VIIIa1* (Vargunteius) no. 3, 377-9; *MRR II*, 497

L. Vargunteius was a *nobilis* (Flor. 2.12.3) and from the senatorial order (Sall. *B Cat.* 17.3). Sallust recorded that after the night meeting on November 6/7 at home of M. Porcius Laeca's [no.32] house the senator Vargunteius and C. Cornelius [no. 11] volunteered to murder Cicero (28.1). He and C. Cornelius appeared at Cicero's door the following morning, but the consul was warned and the assassination attempt was aborted (28.2-3). Cicero mentioned that C. Cornelius was one of the two assassins (Cic. *Sull.* 18, 52), and once remarked that two *equites* arrived at his house on the morning of November 7 intent on murder (*Cat.* 1.9-10). However, Cicero never named Vargunteius as his other would-be assassin.⁹⁹ The discrepancies in Cicero and Sallust's accounts also raise the question about Vargunteius' senatorial status in 63. According to the *Pro Sulla*, Q. Hortensius Hortalus unsuccessfully defended Vargunteius on a charge *de ambitu* (*Sull.* 6). Vargunteius was most likely convicted around the time of the supposed plan to murder the consuls in 66/65 (cf. 6, 67).¹⁰⁰ Our

⁹⁷ See MacDonald (1977, 72 n. a). Cicero's inclusion of this phrase was perhaps an allusion to an inappropriate relationship between Catiline and the young Tongilius. Cf. Dyck 2008, 131-2.

⁹⁸ See n.88.

⁹⁹ Cf. Chapter 2 nn.27-8.

¹⁰⁰ Vargunteius conviction is only implied in the *Pro Sulla* (cf. Cic. *Sull.* 6). Cicero further implied that Vargunteius was perhaps involved with the plan to murder the consuls of 65 (67).

sources did not record why Vargunteius was charged of *ambitus*, but if convicted he would have lost his position in the Senate. There is no evidence that Vargunteius had regained his senatorial status by 63 or by 62 when he was convicted for participating in the affair of 63 (6). We can solve the discrepancies in Cicero and Sallust's accounts by assuming that in 63 Vargunteius was more likely an *eques* and Sallust was instead referring to his previous status as senator. T. Volturcius [no.44] testified that he had overheard P. Gabinius Capito [no. 24] declare that Vargunteius was a participant of the affair (Sall. *B Cat.* 47.1). Whether he played a part in soliciting the Allobrogean envoys is indeterminable.

References: Cic. *Sull.* 6, 67; Sall *B Cat.* 17.3, 28.1, 47.1; Flor. 2.12.3

[43] L. Vettius *RE* VIIIa2 (Vettius) no. 6, 1844-50

The *RE* records that L. Vettius was of equestrian status.¹⁰¹ Suetonius and Orosius are the only historians that mention Vettius' role in the affair of 63. According to Suetonius, he gave information along with Q. Curius [no. 18] to implicate Caesar in the affair. Vettius claimed he had a letter written by Caesar to Catiline professing his support. Vettius' allegation was received violently by the public and Caesar placed Vettius in custody (Suet. *Iul.* 17). According to Orosius, Vettius exposed the attempts of C. and M. Claudius Marcellus [nos. 9 and 10] to incite the Paeligni (Oros. 6.6.7). Whether Vettius was ever a participant before he turned informer like Curius and T. Volturcius [no. 44], remains a matter of conjecture.

References: Suet. *Iul.* 17; Oros. 6.6.7

[44] T. Volturcius *RE* IXa1 (Volturcius), 857-8

T. Volturcius was most likely one of the many *domi nobilis* who Sallust claimed supported the affair (Sall. *B Cat.* 17.4). He hailed from either Cortona in Etruria or Croton in Bruttium (44.3).¹⁰² Volturcius was instructed by Lentulus to escort the Allobrogean envoys to Catiline and Manlius' army in Faesulae and to deliver a personal letter and message from Lentulus to Catiline requesting the latter to enlist more men and to march on Rome (cf. Cic. *Cat.* 3.8, 12; Sall. *B Cat.* 44.3-6). Volturcius also carried letters from Lentulus [no. 14], Cethegus [no. 12], Gabinius [no. 24], and Statilius [no. 38] addressed to the Allobroges about their written pledge of support they swore to the Gallic tribe's envoys (cf. Cic. *Cat.* 3.9-11; Sall. *B Cat.* 47). Volturcius' mission was betrayed by the envoys and the letters were seized in an ambush on the Mulvian Bridge at daybreak on December 3 (Cic. *Cat.* 3.4-6; Sall. *B Cat.* 45; App. *B Civ.* 2.4).

Hortensius' famous ability as an orator was purportedly in decline after his consulship in 69, see Cic. *Brut.* 319-20. On Vargunteius' senatorial status, see also Chapter 2 n.170.

¹⁰¹ *RE* VIIIa2 (Vettius) no. 6, 1844.38.

¹⁰² See Chapter 2 n.234.

He agreed to testify and named several of the affair's participants, which was corroborated by the Gallic envoys, in the Senate.¹⁰³ Volturcius claimed he agreed to participate with the affair only several days earlier and was indoctrinated by Gabinius [no. 24] and Caeparius [no. 5] (Sall. *B Cat.* 47.1). Volturcius was pardoned and rewarded by the Senate (Cic. *Cat.* 3.8, 4.5; Sall. *B Cat.* 50.1).

References: Cic. *Cat.* 3.4, 6, 8, 11-12, 4.5; Sall. *B Cat.* 44.3-4, 45.3-4, 46.6, 47.1, 48.4, 49.4, 50.1, 52.36; App. *B Civ.* 2.4

¹⁰³ According to Sallust, Volturcius named Gabinius, Caeparius, Ser. Cornelius Sulla, Autronius, and Varguneteius as participants (Sall. *B Cat.* 47.1). According to Cicero, Volturcius named the first two in the list above, plus Lentulus, Cethegus, Statilius, Cassius, Annius Chilo, Furius, and Umbrenus (Cic. *Cat.* 3.14).

Appendix II

A timeline of the affair of 63

The comprehensive studies concerning the affair of 63 sometimes offer a timeline of the events. The timeline reproduced below separates the actions occurring inside and outside of Rome to correspond with the structure of my thesis. The timeline records actions directly and indirectly related to the affair from the magisterial elections Cicero presided over as consul in the summer of 63 until his death on December 7, 43. Our sources that recorded these actions appear in parentheses for the purpose of reference and should be compared to ascertain any discrepancy. The specific dates of certain events remain contentious.¹

Date	Actions inside of Rome	Actions outside of Rome
<u>July 63</u>	Cicero postpones the magisterial elections due to the violence that Catiline's supporters were purportedly planning (Cic. <i>Cat.</i> 1.11; <i>Sull.</i> 51; <i>Mur.</i> 51-52; <i>Plut.Cic.</i> 14.3-8; <i>Dio Cass.</i> 37.29.2-5).	Sullan colonists and veterans, primarily from northern Etruria, arrive in Rome to support Catiline's candidacy for the consulship (Cic. <i>Mur.</i> 49). C. Manlius might have attended the elections (<i>Plut. Cic.</i> 14.2-3).
<u>c. July to mid-Oct.</u>	When the consular elections are finally held, Catiline is defeated (Cic. <i>Mur.</i> 52-53; <i>Sall. B Cat.</i> 26.5; <i>Plut. Cic.</i> 11).	After Catiline's defeat, C. Manlius, Septimius and C. Julius are each instructed to incite the inhabitants of Etruria, Picenum, and Apulia respectively, to support the plan to gain power in Rome (cf. Cic. <i>Cat.</i> 2.6; <i>Sall. B Cat.</i> 27.1; <i>App. B Civ.</i> 2.2). Others were perhaps sent to Bruttium, Transalpine and Cisalpine Gaul (<i>Sall. B Cat.</i> 42.1-2).
<u>c. Oct. 18 to 20</u>	Crassus, M. Claudius Marcellus, and Q. Caecilius Pius Metellus Scipio give Cicero letters containing a warning of Catiline's impending plan to massacre the leading citizens of Rome (<i>Plut. Cic.</i> 15.1-4; <i>Crass.</i> 13.3; <i>Dio Cass.</i> 37.31.1).	
<u>Oct. 21</u>	Reports are heard in the Senate of an army amassing in northern Etruria under the leadership of C. Manlius, a Sullan veteran (cf. Cic. <i>Cat.</i> 1.7; <i>Sall. B Cat.</i> 30.1; <i>Liv. Per.</i> 102; <i>Plut. Cic.</i> 15.5; <i>Dio Cass.</i> 37.31.2). The <i>SCU</i> is passed awarding extraordinary powers (Cic. <i>Cat.</i> 1.3-4; <i>Sall. B Cat.</i> 29.2-3; <i>Plut. Cic.</i> 15.5; <i>Dio Cass.</i> 37.31.2).	

¹ On the problem of dating in Sallust's *Bellum Catilinae*, see esp. McGushin 1977, Appendix III. For alternative timelines, see MacDonald 1977, xxxviii-ix; Taylor 1984, 19-22; Marinone 2004, 83-4; Dyck 2008, xvii. Certain discrepancies of dating are indicated in my timeline when the abbreviation "cf." occurs.

<u>Oct. 27</u>		Manlius and the army from Etruria take the field at Faesulae (Cic. <i>Cat.</i> 1.7; Sall. <i>B Cat.</i> 30.1). Catiline sends money and arms to Manlius (cf. Cic. <i>Cat.</i> 1.24, 2.13; Sall. <i>B Cat.</i> 24.2, 27.4; App. <i>B Civ.</i> 2.3). Rumors of disturbances among the slaves of Capua and Apulia are reported (Sall. <i>B Cat.</i> 30.2).
<u>Oct. 28</u>	Cicero claims Catiline intended to massacre the leading citizens in Rome on this day, but the massacre was postponed because Cicero had previously warned the Senate (Cic. <i>Cat.</i> 1.7).	
<u>Late Oct. or mid-Nov.</u>	Catiline and Manlius are declared <i>hostes rei publicae</i> (Cf. Cic. <i>Mur.</i> 83; Sall. <i>B Cat.</i> 36.2). Catiline faces threats of prosecution.	Q. Marcius Rex is sent to Faesulae, Q. Metellus Creticus is sent to Apulia, the praetor Q. Metellus Celer is sent to Picenum, the praetor Q. Pompeius Rufus and the quaestor P. Sestius are sent to Capua to prevent any further revolts in these areas (cf. Cic. <i>Cat.</i> 2.5, 26; <i>Sest.</i> 9-11, Sall. <i>B Cat.</i> 30.3-5; Plut. <i>Cic.</i> 16.1; Dio Cass. 37.33.4).
<u>Nov. 1</u>		An attempt to take Praeneste by the affair's participants is prevented due to Cicero's knowledge of the plan (Cic. <i>Cat.</i> 1.8).
<u>Nov. 6 [night]</u>	Catiline and the others involved with the affair meet at M. Porcius Laeca's house at night to discuss their plans (Cic. <i>Cat.</i> 1.9, 2.6, 13; <i>Sull.</i> 52; Sall. <i>B Cat.</i> 27.3-4).	
<u>Nov. 7</u>	Cicero, informed of the affair's plans, foils an assassination attempt against him (Cic. <i>Cat.</i> 1.9-10; <i>Sull.</i> 18, 52; Sall. <i>B Cat.</i> 28.1-3; Plut. <i>Cic.</i> 16.1-3; Dio Cass. 37.32.4-33.1).	
<u>Nov. 8</u>	Cicero delivers the <i>First Oration</i> with Catiline present in the Senate exposing the affair's plans (Cic. <i>Cat.</i> 2.12-13; Sall. <i>B Cat.</i> 31.5-9; Plut. <i>Cic.</i> 16.3-5; Flor. 2.12.6-7).	Catiline leaves Rome that night and travels to Manlius and the army at Faesulae (cf. Cic. <i>Cat.</i> 2.1-6, 13-14; <i>Mur.</i> 84; Sall. <i>B Cat.</i> 32.1, 36.1; Plut. <i>Cic.</i> 16.6; App. <i>B Civ.</i> 2.3; Dio Cass. 37.33.1; Flor. 2.12.7-8).
<u>Nov. 9</u>	Cicero delivers the <i>Second Oration</i> to the people informing them about Catiline's choice to join Manlius' army, the types of people willing to support the affair from inside and outside of Rome, and the threat remaining in the city (Cic. <i>Cat.</i> 2).	
<u>Nov. 9 to mid-Nov.</u>	The Senate dispatches Cicero's colleague C. Antonius to levy an army and confront Catiline and Manlius' army in northern Etruria (Cic. <i>Sest.</i> 12; Sall. <i>B Cat.</i> 36.3; Plut. <i>Cic.</i> 16.6; Dio Cass. 37.33.3).	Catiline arrives at Forum Aurelii where more of his supporters are waiting (Cic. <i>Cat.</i> 1.24, 2.6). Catiline spends a few days with C. Falminius around Arretium gathering more men and arms then proceeds to Manlius' camp in Faesulae (cf. Sall. <i>B Cat.</i> 36.1; Dio Cass. 37.33.2).
<u>Nov. 9 to Dec. 2</u>	Cicero defends the consul-designate L. Licinius Murena on a charge <i>de ambitu</i> . In the <i>Pro Murena</i> , Cicero convinces the jury that Murena's military experience is necessary in	

	case the threats occurring inside and outside Rome continue into the following year (Cic. <i>Mur.</i> 79-90).	
<u>Nov. 9 to Dec 2</u>	After Catiline had left Rome, the praetor P. Cornelius Lentulus and other Roman citizens involved with the affair remaining in the city continue the plan to overthrow the current leadership in Rome through murder and arson (Cic. <i>Cat.</i> 3. 3-4, 8, 25; <i>Mur.</i> 78, 84-85; <i>Sull.</i> 53; Sall. <i>B Cat.</i> 39.6; Plut. <i>Cic.</i> 17.1, 5, 18.1-3; App. <i>B Civ.</i> 2.3; Flor. 2.12.8). They decide to approach the Allobrogean envoys of the Allobroges and attempt to gain support from the Gallic tribe (Cic. <i>Cat.</i> 3.4, 9, 22; <i>Sull.</i> 37-39; Sall. <i>B Cat.</i> 40; App. <i>B Civ.</i> 2.4; Plut. <i>Cic.</i> 18.5; Dio Cass. 37.34.1; Flor. 2.12.9).	Disturbances continue to be reported in the regions of Transalpine and Cisalpine Gaul, Etruria, Umbria, Picenum, Apulia, and Bruttium (cf. Cic. <i>Cat.</i> 2.6, 26, 3.4, 14; Sall. <i>B Cat.</i> 42.1; Plut. <i>Cic.</i> 10.5; Oros. 6.6.7).
<u>Before Dec. 2</u>	After Lentulus and the others had negotiated with the Allobrogean envoys and given them letters and pledges of their support, the envoys inform their patron Q. Fabius Sanga of Lentulus and the others' plans. Sanga subsequently informs Cicero, who persuades the Gallic envoys to feign interest in joining the affair (Sall. <i>B Cat.</i> 41, 44.1-3; Plut. <i>Cic.</i> 18.7; App. <i>B Civ.</i> 2.4-5). The envoys tell Cicero that they will be escorted from Rome to Faesulae to meet with the Catiline and Manlius on the night of December 2 by way of the Mulvian Bridge. Cicero orders the praetors Q. Pomepius and L. Valerius Flaccus to ambush the entourage (Cic. <i>Cat.</i> 3.5; Sall. <i>B Cat.</i> 45.1-2).	
<u>Dec. 2/3</u>		The ambush at the Mulvian Bridge is successful. The Allobrogean envoys, as was planned, give up without a fight. T. Volturcius, the messenger carrying the letters from Lentulus and the others, surrenders (cf. Cic. <i>Cat.</i> 3.5-6; Sall. <i>B Cat.</i> 45.3-4). The letters are seized and Volturcius and the envoys are brought to Cicero's house (cf. Cic. <i>Cat.</i> 3.6; Sall. <i>B Cat.</i> 46.3-6).
<u>Dec. 3 [early morning]</u>	Volturcius and the envoys divulge who gave him the letters and Cicero summons these men to his home. The praetor Lentulus, the senator C. Cornelius Cethegus, and two knights, P. Gabinius Capito and L. Statilius accept the summons (cf. Cic. <i>Cat.</i> 3.6; Sall. <i>B Cat.</i> 46.3-4). Cicero calls an emergency meeting of the Senate and brings the sealed letters, Volturcius, the envoys, and the arrested men to the Temple of Concord (Cic. <i>Cat.</i> 3.7; Sall. <i>B Cat.</i> 46.5-6).	

<p>Dec. 3 [in the Senate]</p>	<p>Volturcius and the Allobrogean envoys testify and Lentulus and the others confess to writing the letters in the meeting of the Senate (Cic. <i>Cat.</i> 3.10-13; Sall. <i>B Cat.</i> 47.2). Including the four men who confessed, five other citizens are named as participants in the affair: the senators L. Cassius Longinus and Q. Annius Chilo, P. Furius, a Sullan colonist, P. Umbrenus, a freedman, and M. Caeparius, a nobleman from Terracina (Cic. <i>Cat.</i> 3.14-15; Sall. <i>B Cat.</i> 50.4). The latter is caught trying to leave Rome (Cic. <i>Cat.</i> 3.14; Sall. <i>B Cat.</i> 46.3-4), but the other four remained at large. All nine are found guilty without a trial (Cic. <i>Cat.</i> 3.14-15). Lentulus is ordered to resign as praetor (Plut. <i>Cic.</i> 19.3; Dio Cass. 37.34.2). He, Cethegus, Gabinius, Statilius, and Caeparius are detained until their punishment is decided (Cic. <i>Cat.</i> 3.15-16; Sall. <i>B Cat.</i> 47.3-4).</p>	
<p>Dec. 3 [after the meeting]</p>	<p>Cicero delivers the <i>Third Oration</i> to the people informing them of the testimonies from the Allobroges and T. Volturcius, who had named several the affair's participants still remaining in Rome (cf. Cic. <i>Cat.</i> 3.14; <i>Sull.</i> 36-39). Cicero explains that these men confessed and would be held in custody until an appropriate punishment was decided (Cic. <i>Cat.</i> 3.8-16; Plut. <i>Cic.</i> 19.4; Dio Cass. 37.34.3).</p>	
<p>Dec. 4</p>	<p>During another meeting of the Senate, L. Tarquinius claims that Crassus was involved in the affair. Cicero and the Senate disbelieve the allegation (cf. Sall. <i>B Cat.</i> 48.3-9; Plut. <i>Crass.</i> 13.3; Dio Cass. 37.35.1-2). In addition, Q. Lutatius Catulus and C. Calpurnius Piso claim Caesar was involved. The allegation is also dismissed, but some knights who believed Caesar was involved try to kill him (cf. Sall. <i>B Cat.</i> 49; Plut. <i>Caes.</i> 8.2-5; Suet. <i>Iul.</i> 14).</p>	
<p>Dec. 5</p>	<p>Cicero delivers the <i>Fourth Oration</i> in the Senate to debate the punishment for the Roman citizens who confessed to being involved in the affair (Cic. <i>Cat.</i> 4.6-14, 18-19; Sall. <i>B Cat.</i> 50.4-53.1). Cicero and the Senate agree that Lentulus, Cethegus, Gabinius, Statilius, and Caeparius should be sentenced to death (Cic. <i>Cat.</i> 4.19; <i>Sull.</i> 21, 31-32; Sall. <i>B Cat.</i> 53.1, 55.1). The five citizens are executed that night.</p>	

<u>c. mid. Dec.</u>	The probable date for those remaining in Rome to commence with the plans for murder and arson (cf. Cic. <i>Cat.</i> 3.10; Sall. <i>B Cat.</i> 43.1-2; Plut. <i>Cic.</i> 18.2).	Catiline and Manlius informed of the executions and the failure of the affair's plans in Rome decide to retreat to Gaul (Cic. <i>Sull.</i> 17; Sall. <i>B Cat.</i> 57.1, 58.4; Plut. <i>Cic.</i> 22.8; App. <i>B Civ.</i> 2.7; Dio Cass. 37.39.2).
<u>c. mid. Dec. to mid. Jan. 62</u>		Q. Caecilius Metellus Celer and C. Antonius' forces restrict Catiline and Manlius' forces from the northwest and south respectively (Sall. <i>B Cat.</i> 57, 58.6; Dio Cass. 37.39.2).
<u>c. Dec. 30</u>	The tribune Q. Caecilius Metellus Nepos prevent Cicero from delivering the customary out-going consular address to the Roman people (Cic. <i>Fam.</i> 5.2.6-7). They questioned his severity of executing five Roman citizens without a trial (Cic. <i>Fam.</i> 5.2.8; Dio Cass. 37.38). Nepos proposed to bestow further military jurisdiction on Pompey, who was returning from Asia, to confront Catiline and Manlius' army (Plut. <i>Cic.</i> 23.4). Nepos' proposals led to violent protestations (Cic. <i>Fam.</i> 5.2.8-10; Dio Cass. 37.43).	
<u>mid. to late Jan. 62</u>		Catiline and Manlius' army are decisively defeated in the mountains of Northern Etruria near Pistoria (Sall. <i>B Cat.</i> 59-61; Vell. <i>Pat.</i> 2.35.5; Plut. <i>Cic.</i> 22.8; App. <i>B Civ.</i> 2.7; Dio Cass. 37.40.1). Catiline's head is sent to Rome (Dio Cass. 37.40.2).
<u>c. Jan. to May 62</u>	Trials regarding others who perhaps supported the affair of 63 take place. Those convicted include L. Cassius Longinus, P. Autronius Paetus, P. Cornelius Sulla, Ser. Cornelius Sulla, M. Porcius Laeca, L. Vargunteius from the senatorial order and the knight C. Cornelius (Cic. <i>Sull.</i> 6-7, 36-39).	
<u>c. 62-60</u>		Q. Tullius Cicero and M. Calpurnius Bibulus, serving as praetors in 62 suppress disturbances among the Bruttii and the Paeligni respectively, which are attributed to the affair of 63 (Oros. 6.6.7). In 60, C. Octavius, father of Octavian, was propraetor. On his way from Italy to his provincial governorship in Macedonia, C. Octavius suppressed a slave revolt in Bruttium, also attributed to the affair of 63 (Suet. <i>Aug.</i> 3.1).
<u>Spring 59</u>	C. Antonius is found guilty of incompetence as governor of Macedonia and of supporting the affair of 63 despite Cicero's testimony (Cic. <i>Att.</i> 2.12.2; <i>Flac.</i> 5; <i>Dom.</i> 41; Dio Cass. 38.10). Antonius is exiled (Cic. <i>Flac.</i> 95).	
<u>Feb. to late Apr. 58</u>	P. Clodius Pulcher, now tribune, passes legislation renewing the laws against executing a Roman citizen without allowing his inalienable right of	

	a public appeal. Clodius' legislation is clearly directed at Cicero for executing five citizens (Vell. Pat. 2.45.1; Dio Cass. 38.14.4-7). Cicero decides to go into voluntary exile at the end of April (Cic. <i>Att.</i> 3.2, 4-8; <i>Sest.</i> 53-54; Vell. Pat. 2.45.2; Plut. <i>Cic.</i> 30-32; <i>Pomp.</i> 46.9; App. <i>B Civ.</i> 2.15; Dio Cass. 38.17.7).	
<u>Jan. to early Sep. 57</u>		After being reinstated to the Senate in January, Cicero returns to Rome in the late summer (Cic. <i>Att.</i> 4.1.5; <i>Dom.</i> 76, 144; <i>Red. sen.</i> 5, 8; <i>Red. pop.</i> 11; Vell. Pat. 2.45.3; Plut. <i>Cic.</i> 33.7; App. <i>B Civ.</i> 2.16; Dio Cass. 38.30.1).
<u>Dec. 7, 43</u>	Mark Antony, C. Antonius' nephew and the stepson of Lentulus, marks Cicero for proscription. Cicero was killed and his head and hands were cut off (Vell. Pat. 2.66.2-3; Val. Max. 5.3.4; Plut. <i>Cic.</i> 47-48; <i>Ant.</i> 19.1-20.2; App. <i>B Civ.</i> 4.19-20; Flor. 2.16.5; Dio Cass. 47.8.3).	

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