

CICERO'S *OFFICIUM* IN THE CIVIL WAR

By P. A. BRUNT

I. THE SPECIAL VALUE OF CICERO'S INTIMATE LETTERS

If great men were the driving force in historical development, the history of antiquity according to Beloch could not be written; our knowledge of their actions is incomplete and their personalities are virtually unknown. 'In the best case we have only a couple of anecdotes of altogether dubious value, but almost never a line from their own hand; the first and nearly the last of whose character we can form a picture in some degree adequate is Cicero; apart from him we may perhaps count Julian, who already stands on the threshold of a new age.'¹ In this judgement there are obvious exaggerations, but its truth in many instances is beyond question, and those historians who feel obliged to hold that the course of history is not entirely determined by impersonal factors, which may also be no better known, must acknowledge that any reconstruction of developments in the ancient world is speculative to a greater degree than for some more recent periods.

However this may be, among all figures in classical antiquity, at least before the fourth century A.D., Cicero manifestly falls into a category of his own, because from his pen alone we have not only public writings and correspondence with individuals, from whom, as from his audiences or readers, he might wish to disguise his true thoughts, but a great number of intimate letters, especially those to Atticus, whom he treated as his *alter ego* (A. 8. 14. 2). The contrast with, for instance, the *Commentaries* of Caesar, and the few letters from his hand preserved in Cicero's correspondence, is patent: Caesar was presenting himself as he wished to be seen, and his true character and aims can be elicited, if at all, only by an inevitably subjective interpretation of his overt conduct and of the public personality which he chose to construct. The intentions and motives of those whose actions are less fully recorded are still more conjectural, though temerity seldom fails. Even for Cicero hardly any direct self-revelatory evidence survives from most years of his life, including the first forty. What he tells us, above all in the *Brutus*, of his formative years is no more trustworthy than all autobiographies, whose writers may always be deluding their readers and perhaps themselves. There are, however, phases in Cicero's life in which his intimate correspondence discloses the real beliefs and feelings present to his conscious mind and no doubt often enough the unconscious prejudices and interests from which they emanated. The sincerity of these letters has never to my knowledge been questioned by any one who has immersed himself in them. It is never more manifest than in the period between his landing in Italy on 25 November 50 and his embarkation in June 49, when the correspondence reflects every passing mood, and changes in mood, sometimes but not always occasioned by changes in the situation as he saw it, lead him into frequent contradictions. He was certainly concerned that whatever he did should be susceptible of public justification, but this concern arose precisely because he was generally anxious to perform his *officium*; he was debating incessantly with himself, in what this *officium* consisted, and none of the letters to Atticus is thus an apologia intended for others, of the kind best exemplified by his long letter to Lentulus Spinther in 54 (F. 1. 9), or within this period by his letters to Pompey and Caesar. We may therefore hope to find in this dossier an explanation of why he acted as he did. This expectation is perhaps not fully realized. The letters appear to furnish incompatible explanations of his motives. There is thus an element of subjectivity in the interpretation which follows, not least because it so happens that the letter is lost in which he gave his reasons for his final decision to leave Italy, and because we do not know that even then he had resolved to join Pompey. It can also be that men do not always themselves understand their own motives. But in this case it is even less likely that they can be known to external observers or at least to those unequipped with the skills claimed for modern psychiatrists. All that can be done is to analyse what Cicero tells

¹ *Gr. Gesch.* 1². 16.

us and to try to determine on this basis what considerations ultimately had most influence in his conscious thinking.²

The dossier includes 73 letters to Atticus and a score written to or by others; of these two sent to Tiro (F. 16. 11 f.) manifestly express his genuine sentiments, while the rest indicate those which he or the other writers wished to be attributed to them. Later Cicero made numerous retrospective allusions to his conduct and attitudes at the time; these statements necessarily have less evidential value, though some are corroborated by his intimate contemporary utterances.

For Cicero it was a time of intense anxiety. He seems first to have realized at Athens in October 50 the imminence of civil war (A. 7. 1). Was he to remain neutral, or to take an active part with Pompey? (Siding with Caesar never appeared to him an alternative.³) He vacillated from one day to the next. Ostensibly he was continually seeking Atticus' advice; it was not entirely consistent, but tended towards prudent temporizing;⁴ probably it had some effect in delaying a final decision, but Cicero did not take it, when at last he committed himself to Pompey. He was perhaps not so much anxious to receive guidance as to commune with himself. But practice and habit had ingrained in him a rhetorical cast of language and argument. On one occasion he consciously tried to clarify his thinking by adopting the well-tried rhetorical exercise of stating contrary 'theses' (A. 9. 4, cf. 9. 9. 1). Under the impact of ever-moving events and his own agitated and almost hysterical responses, he would present and overstate one side of a case, only to contradict it in the same or a subsequent letter. Sometimes he seems to be trying to convince himself by such distortions and exaggerations as could affect his audiences in the courts. Fervid ebullitions of the moment, wrested from the general context of the correspondence, are not proof of his considered opinions.

The correspondence is of more than merely biographical interest. It also illuminates the changes in public opinion, or rather in the opinion of the respectable people among whom Cicero and Atticus moved. There are also allusions to the behaviour of several other prominent individuals. Some were committed from the first to Pompey or Caesar; others were as hesitant as Cicero, or opted for neutrality. Cicero on occasion offers explanations of their conduct; these were necessarily conjectural. Then or later they would themselves furnish their apologies. Since these were intended to justify them in the eyes of others, they are at least less reliable evidence for their attitudes than Cicero's private diagnosis of his own. At most we can hardly be sure that they did more than explain the various courses they took in ways that must have seemed plausible to contemporaries. If in the end we feel that Cicero's own behaviour is mysterious, we have no right to be more confident in interpreting that of any one else. I shall return to this in Part v.

Exceptionally, we can perhaps rely on the self-knowledge and candour of Caelius. As tribune in 52 he had adopted an optimate stance. Cicero at Pompey's instance had had to persuade him to fall in with the proposal ultimately embodied in the law of all ten tribunes that Caesar should be allowed to stand in absence for a second consulship.⁵ But in September 50, foreseeing the outbreak of war, he wrote to Cicero: 'I do not suppose that it escapes you that in a political conflict men should take the more honourable side, so long as the struggle is conducted without resort to arms, but once it has come to actual fighting, the stronger; they should then identify the better course with the safer'; he hinted that he would go over to Caesar, whose army was incomparably superior to any forces at the disposal of his adversaries (F. 8. 14. 3). By December 50 he had taken this step; Cicero

² The best discussions known to me are in M. Gelzer, *Cicero* (1969), 245 ff. and D. R. Shackleton Bailey, *Cicero's Letters to Atticus* (1965-7; cited as S-B) 1. 29-44. On the immediate causes of the war, negotiations, war aims and propaganda, see above all K. Raaflaub, *Dignitatis Contentio* (1974), supplemented by *Chiron* 1974, 293 ff.; 1975, 247 ff. I cite Cic., *ad Att.* and *ad Fam.* as A. and F., and use Old Style dates; the official calendar was some eight weeks in advance of the Julian.

³ He recalled, without endorsing, the example of L. Marcius Philippus (*cos.* 91), who submitted to Cinna

but joined Sulla when it was safe, thinking fit 'cum sit necesse, servire tempori et non amittere tempus cum sit datum' (A. 8. 3. 6).

⁴ For Atticus' counsels, S-B, loc. cit. (n. 2); esp. A. 9. 10.

⁵ A. 7. 1. 4; Cicero's later claim to have advised Pompey both against prolonging Caesar's command and against conceding the *ratio absentis* (*Phil.* 2. 24), if true, must refer to private discussions. For the law cf. A. 7. 3. 4; 7. 7. 6; 7. 9. 3 f.; Caesar, *BC* 1. 9. 2; 32. 3.

disapproved (A. 7. 3. 6), though in 48, when disenchanted with Caesar, Caelius was to complain that Cicero did nothing to dissuade him, alleging then that he had been seduced by Curio's friendship (A. 8. 17. 1). In 49 he was to urge Cicero, for his own security and that of his family, to refrain from joining Pompey, whose cause he took to be lost (F. 8. 16 = A. 10. 9A). Caelius expected Cicero like himself to consider above all his own advantage: he took little account of Cicero's own conviction that he had to make a moral choice.

II. CICERO'S GENERAL CONCEPTIONS OF OFFICIA

Cicero would later say that he and Varro had followed Pompey out of duty (F. 9. 4. 2); at the time he sees that he must choose between *honestum* and *turpe*, and claims: 'omnia officio metior' (A. 8. 12. 5): he was constantly thinking of his duty as both citizen and friend of Pompey.⁶ To Servius Sulpicius he wrote in April: 'nec enim clarissimorum virorum, quorum similes esse debemus, exempla neque doctissimorum, quos semper coluisti, praecepta te fugiunt' (F. 4. 1. 1) and that he would agree that nothing could be expedient which was not right (4. 2. 2). We may reasonably suppose that he had in mind such philosophic precepts as are found in his own *de Officiis*. Admittedly this is an adaptation of a treatise by the Stoic Panaetius, composed in the last year of his life, but the numerous applications to Roman society and citations of 'clarissimorum virorum exempla' which he introduces show that he thought Panaetius' teaching, at least as selected and perhaps modified by himself, relevant to Roman practice; nor is it likely that his own moral ideas had significantly evolved between 49 and 44. From his youth he had been well versed in Greek philosophy, and a casual phrase in one letter of our period betrays a confused recollection of Stoic terminology. He told Atticus that all his actions admitted of 'sapientem excusationem, non modo probabilem'. In his own expositions of Stoic ethics he distinguishes between the *perfectum officium*, which the sage performs in his inerrant and unshakeable wisdom, from the *medium officium* of the ordinary good man, which is 'probabile, et quidem ita ut eius ratio reddi posset'. Cicero could not have claimed to be a sage and was not entitled to justify any act as more than *probabilis*; none the less *excusatio probabilis* renders the technical Greek phrase *eulogos apologismos* and means not 'plausible excuse' but 'rational justification'.⁷ In fact he had already developed a theory in the *de Republica* of the ideal statesman who was guided by the highest moral code; it was the standard by which he should act and by which Pompey was found wanting (A. 7. 3. 2; 8. 11. 1 f.). Hence Atticus was right to adjure him to recall his own deeds, words and *writings* (8. 2. 2) and to remind him that in that work he had identified the *bonum* with the *honestum* (as he was to do in *de Officiis*), and should therefore subordinate everything to his country's good; unlike Pompey and Caesar he had acted on this principle throughout his career, and was therefore upheld by his own conscience (10. 4. 4. f.).

In the *de Officiis* Cicero derives the principle of justice from men's natural impulse to social activity; it is in society that we can provide for our own needs and those of our family and of others dear to us (1. 12). The just man is entitled to take account of his own interests but not to the exclusion of those of society, on which his depend. His obligations to others are proportionate to the closeness of their kinship or friendship; all are outmatched by the claims of the fatherland (1. 50-9). His actual duty arises from the particular conjuncture of circumstances (59). If in 49 Cicero acted in pursuance of his own teaching, we should expect him to have taken account of his ties with his family and friends, but to have been governed most of all by his duty as a citizen.

⁶ cf. A. 7. 12. 3; 14. 3; 17. 4; 8. 2. 2; 8. 8. 2; 8. 9. 1; 8. 15. 2; 9. 6. 4; 9. 12. 1; 10. 1. 4; 10. 8. 2 and 5.

⁷ A. 8. 12. 2, cf. *de Fin.* 3. 58: 'est enim aliquid in his rebus (officiis) probabile, et quidem ita ut eius ratio reddi possit; ergo ut etiam probabilis acti ratio reddi possit; est autem officium quod ita factum est ut eius facti probabilis ratio reddi possit', cf. *de Offic.* 1. 8; 10;

Diog. Laert. 7. 107; ἔτι δὲ καθήκον φασιν (Stoics) εἶναι δὲ πραχθὲν εὐλογον ἰσχυρὸν ἀπολογισμὸν = | (108) δὲσα λόγος ἀρετῆς ποιεῖν. The exact nature of the distinction between the *katorthoma* or *perfectum officium* of the *sapiens* and the *medium officium* of the ordinary man is debated and cannot be discussed here.

But Cicero was more than a simple citizen: he was among the consular *principes*, and in his own estimation the saviour of the *res publica*.⁸ He had to live up to his past achievements as well as to his writings. When Atticus counselled him to follow the example of Manius Lepidus and Vulcatius Tullus and to stay in Italy, at least until he heard that Pompey had made a stand somewhere, he replied that they had not given so many pledges to the commonwealth; of him more was required.⁹ His own brother, though in fact resolved to follow him (A. 9. 6. 4), could have been excused from doing so, all the more as, having been Caesar's legate, he would incur Caesar's greater wrath for siding with Pompey (9. 1. 4). In the very context in which he claims to be taking duty as his standard (A. 8. 12. 4) he enjoins Atticus to consider the figure it was fitting (*deceat*) for him to present and where he might be of most benefit to the commonwealth; should he assume the role (*persona*) of a peacemaker or was the warrior all in all? It was the former role which he told Caesar best fitted him (A. 9. 11A. 1).

The language reminds us of the doctrine of Panaetius adopted in the *de Officiis*, that there is a comeliness (*prepon, decorum*) which 'shines forth' in moral virtue, most notably in self-control, but also in actions which can be classified under the heads of wisdom, justice and courage. A man will display it if he is not only strict in fulfilling the duties that are incumbent on all men as such, but consistently keeps up the various roles (*personae*) which belong to him by reason of his station, natural endowments and the course of life he has pursued.¹⁰

It was not only Cicero who had such a role to sustain. At the outset of the war he suggested that the *splendor* of Atticus and Peducaeus, Equites though they were, made it proper for them to conduct themselves in the same way as men of the highest degree. Yet Atticus remained in Rome as a neutral. His own letters to Cicero plainly presupposed that he was entitled to take a course different from that which might be proper for Cicero, nor did Cicero reproach him, unless obliquely,¹¹ for his neutrality; on the contrary in one of those moments in which he contended that Pompey no less than Caesar was bent on despotism, he excused him; Atticus no less than he was bound as a citizen to act for the public good, but in the circumstances there was nothing he could do for the commonwealth, and he did not have the same personal obligations to Pompey as Cicero. Even if in reality Cicero's final decision was influenced still more by his conception of what was due to the commonwealth than by his ties with Pompey, he might have recognized that Atticus' persistence at almost all times in keeping out of political conflicts justified him in remaining true to his own *persona*, though perhaps mere complaisance to his dearest friend best explains why he refrained from explicit censure.

Cicero had to remember that he had held the highest offices and had great achievements to his name (A. 8. 3. 2), that he had unflinchingly acted hitherto in the public interest (10. 4. 5). His role was to preserve his *dignitas*. That term is etymologically linked with *decus*; it means not only rank but esteem, and may have a moral overtone. In marching on Rome Caesar said (so Cicero was informed) that he was acting only for the sake of his *dignitas*; Cicero asks indignantly 'ubi autem est dignitas nisi ubi honestas?'.¹² *Dignitas* could be contrasted with mere expediency (*utilitas*).¹³ Balbus associates Cicero's *dignitas* with *fides* (9. 7A), Cicero himself with *officium*. To early overtures from Caesar he replied 'non deero officio neque dignitati meae' (7. 17. 4). Among other explanations of his finally joining Pompey, he would say that he had followed him not for the rewards of

⁸ The term *res publica*, which often means simply the property, interest or concern of the people, when referring to the state, designates that form of state which involved the participation of the citizens and for Cicero above all of the senators; in this sense I render it as 'commonwealth', cf. *Biblioteca di Labeo* 6 (1982), 238 f. and esp. R. Stark's dissertation, mostly reproduced with addenda in H. Oppermann, *Röm. Wertbegriffe* (1967), 42 ff.

⁹ A. 8. 9a. 1, cf. 7. 3. 3 (with S-B I. 30 f.); 8. 14. 2; 15. 2; 9. 10. 7.

¹⁰ *Decorum, de Offic.* I. 94; 96; 99; 107; 124; note use of *decere* in *Phil.* 13. 14; A. 15. 2. 1; F. 11. 3. 3 (Brutus and Cassius); *ad Brut.* 24. 11 (Brutus, if genuine). *Persona, de Offic.* I. 107; 111-15, cf. Brunt,

PBSR 43 (1975), 10-16 (for Cato's acceptance of the notion *ibid.* n. 40, cf. Ser. Sulpicius in F. 4. 5. 5); in F. 7. 23. 2 Cicero contemplates laying down the *persona* of a public man. Cf. n. 47.

¹¹ S-B I. 35 f., cf. texts cited in n. 18.

¹² A. 7. 11. 1; the moral implication, hardly respected by Caesar (*BC* I. 9. 2 etc.); note Pompey's comment cited in n. 68), for which see *TLL* s.v. *dignitas* 1135 f., esp. Scipio Aemilianus' dictum 'ex innocentia nascitur dignitas', is not fully brought out by H. Drexler, *Dignitas* (1944), reprinted in R. Klein, *Das Staatsdenken der Römer* (1966), 231 ff.

¹³ *de Orat.* 2. 334 f.; *Part. Or.* 89 f.; *de Invent.* 2. 157.

victory, as he knew that the issue was uncertain, but in pursuance of his duty to the commonwealth and his own *dignitas* (F. 6. 1. 3).

Of course *dignitas* also connoted high station and influence. Feeling himself powerless, Cicero could write in April that he had lost his *dignitas* in this sense, his *honores* and *vitae statum* (10. 4. 1). They could only be regained if the free commonwealth were restored. In his judgement it was a mockery when Caesar told him that he would be glad to avail himself of his advice, influence, *dignitas* ('perhaps my voice as a consular'), and general assistance (9. 6A, cf. 9. 9. 3); he would not attend the meeting of the senate convened for April because it was made plain to him that it would be futile for him to express his true sentiments (9. 18. 1). He was to tell Plancius under Caesar's autocracy that if *dignitas* consisted in entertaining sound political views of which 'good' men would approve, he was still possessed of it, but if it lay in the ability to give effect to such views, or at least to defend them freely, not a vestige was left (F. 4. 14. 1). Experience made him expect this to be the result of personal domination of the state. In 55 he had complained that senators no longer enjoyed 'dignitas in sententiis dicendis, libertas in re publica capessenda'; even if men did say what they thought, the overwhelming power of the 'triumvirs' made it fruitless (F. 1. 8. 3). In his view there could be no true commonwealth if senators like himself were thus divested of their independence. Thus the welfare of the *res publica*, as he saw it, was bound indissolubly with the preservation or restoration of his own *dignitas*, and his *officium* to both was one and the same.

Explaining why he joined Pompey, Cicero would later write that he was 'officio vel fama bonorum vel pudore victus' (F. 6. 6. 6), or that fearing to fail in his duty 'pudori malui famaue cedere quam salutis meae rationem ducere (7. 3. 1), or that 'me . . . pudor meus coegit sive officium sive fortuna' (11. 27. 4). 'Pudor' is perhaps distinguished, as 'self-respect', from regard for what others were saying or might say of him, but the 'fama bonorum' was not irrelevant for him in deciding where his duty lay. In his *de Officiis* he prescribes *verecundia* or *reverentia* to others, especially the best people, whose sentiments we should be careful not to offend and whose judgements we should do well to consult in forming our own. He would say that Varro and he were 'verecundiores' in 49 than the neutrals who stayed in Rome.¹⁴ He had public opinion continually in his thoughts. He was fond of quoting Hector's words in declining to shelter from Achilles behind the walls of Troy:

αἰδέομαι Τρῶας καὶ Τρωάδας ἔλκεσιπέπλους.

By his past acts Hector had committed himself to venturing on single combat, and could not shirk this from a sense of shame.¹⁵ Cicero too had to live up to the expectations that his past career had aroused. He not only felt a strong sense of his debt to Pompey: he was also anxious to avoid the *imputation* of ingratitude (A. 9. 19. 2). He was fearful that the continued presence of his womenfolk at Rome should not conform to the practice of other persons of rank and thus evoke censure.¹⁶ He did not wish to appear at variance with other 'good' men, the optimates already active on Pompey's side (8. 1. 3; 9. 6. 4), even though too many of them were in his view motivated by aims of personal ambition or greed (n. 27) or by an irreconcilable enmity with Caesar,¹⁷ with whom he was still preserving the outward forms of amity. He was also sensitive to the opinions of the *boni* in another sense, the 'lautiores et locupletes' (A. 8. 1. 3), respectable men of property whom he had always sought to rally to the established order. He hoped that any line of conduct concerted between Servius Sulpicius and himself might command the approbation of all, i.e. of all such people (F. 4. 1. 3). At times he pretends contempt for the talk of so-called *boni*, who themselves fawned on Caesar (n. 43) while censuring his hesitation to join Pompey, but then again he is glad to hear that they approved his conduct, and admits that he could not

¹⁴ F. 9. 5. 2, cf. *de Offic.* 1. 99; 147 f. That this conception is typically Roman may be argued from the use of *honestum* to signify 'morally good', since primarily it refers to honour conferred by others.

¹⁵ *Iliad* 22. 105, quoted in A. 7. 1. 4; 12. 3; 8. 16. 2 and (in other contexts) in 2. 5. 1; 13. 13. 2; 13. 24. 1.

¹⁶ A. 7. 13. 3; 14. 3; 23. 2; F. 14. 14. 1; 18. 2.

¹⁷ The Marcelli (but cf. n. 26), Ap. Claudius, perhaps Q. Metellus Scipio (though Cicero allows other possible motives) allegedly feared Caesar as a personal enemy (A. 9. 1. 4).

endure to return to Rome and face their criticisms; in 48-7 he was again to be worried by such men's condemnation of his own abandonment of the Pompeian cause.¹⁸ It is evident that they too conceived that Cicero had a role which was not theirs. Panaetius' theory, with which probably few were familiar, corresponded to the social morality prevalent at Rome.

In accordance with his own principles, then, Cicero, though entitled to have some regard to his own interests, was bound by duty to his family, friends and fatherland, of which the last took precedence over all other claims, especially for a man of his rank and prior commitments. Exactly what he was called on to do depended on the circumstances of the time as he saw them. It was obvious that a civil war in which the victor might resort to proscriptions threatened the security of his life, family and property and must involve widespread misery. Moreover, it was a war in which both the protagonists and many of their partisans counted as Cicero's friends. If the obligations of friendship were to dominate Cicero's thinking, he might have to reckon to which of his friends he was most beholden; in fact he does not even consider if Caesar had any claim on him comparable to Pompey's. But it was right for him to be guided above all by duty to the commonwealth. From this standpoint which side had the better cause? Or whose victory would be most beneficial, or least damaging to the public interest? Or was there so little to choose between them that Cicero should work for peace, and if he failed, stand aloof from the struggle? If that course were justifiable on public grounds, was it not apparent that it was also the most prudent in his own interest and that of his family, and most consonant with the conflicting claims that his friends could make on him?

III. CICERO'S VIEWS AND CONDUCT IN THE CIVIL WAR

First we must review events as they impinged on Cicero. He became conscious of the imminence of war only on reaching Athens in mid-October 50.¹⁹ In the next weeks his mind was still occupied in part by private affairs,²⁰ and by hopes of a triumph.²¹ But it was increasingly dominated by the public issue and the part he should take.

Caesar was demanding that under the law of the ten tribunes of 52 (n. 5) he should be permitted not only to stand in absence for the consulship of 48 but to retain his provinces until then, beyond the expiry of the quinquennium for which they had been assigned in 55. In my judgement it had been envisaged in 52 that Caesar might stand for the consulship before the expiry of his proconsulate, with a dispensation from the *Lex Annalis*, to enable him to hold the office before the legal interval of ten years since 59 had lapsed. But revolts in Gaul had detained him there in 52 and 51, and by 50 the estrangement of Pompey precluded the grant of any dispensation. It was Caesar's construction of the law of the ten tribunes that in effect it prolonged his tenure of the provincial command.²² As tribune in 51-0 Curio had vetoed all attempts by the senate to appoint a successor to him at the end of his term. It was evident that Antony and Q. Cassius, who became tribunes on 10 December, were prepared to pursue the same course. Exasperated by this obstruction, C. Marcellus, consul in 50, without any authorization had commissioned Pompey, who though proconsul of the Spanish provinces had never left Italy, to take command of the two legions in south Italy, which Caesar had despatched from Gaul at the senate's bidding for employment against the Parthians, and to raise other troops, since there were already rumours that Caesar might march on Rome (*App.*, *BC* 2. 31).

Cicero fails to explain why Caesar was making his demands. With his prestige and popularity his election as consul, whether he stood in person or in absence, was a certainty.

¹⁸ A. 8. 2. 2; 16. 1; 9. 1. 3 f.; 2a. 3; 5. 3; 7. 6. After Pharsalus: 11. 7. 3; 10. 2; 12. 1; F. 9. 2. 2; 9. 5. 2.

¹⁹ A. 7. 1; F. 14. 5. 1; Caelius' predictions probably reached him at Athens, cf. S-B's comments on F. 8. 14.

²⁰ A 7. 2; 7. 3. 6-12; 7. 5. 1-3; 7. 7. 1-4; 7. 8. 1-3; F. 16. 11. 3; n. 70.

²¹ A. 7. 1. 5-7, cf. 2. 6; 3. 2; 4. 2; 8. 5.

²² A. 7. 7. 6; 7. 9. 4 demonstrate that there was a terminal date, but not when it was. With D. L.

Stockton, *Historia* 1975, 232 ff. I would set it in 50, but what I write above would be unchanged if it were on 1 March 49. 'Hoc anno' in F. 8. 8. 9 proves that as late as Sept. 51 it was envisaged that Caesar could become *cos.* II before 48. Pompey was in effect dispensed from the *Lex Annalis* for his consulship in 52, to which Caesar's prior agreement had probably been obtained on the footing that he could secure a similar dispensation; this was of course not required after the elections in 50.

But he could stand in person only if he laid down his *imperium* and entered Rome. Then and then only was he open to prosecution for the illegalities of his first consulship, for which his enemies had threatened to indict him since 58. Ordinarily he could no doubt have counted on the reluctance of *iudices* to convict him 'tantis rebus gestis', if not on the use of mob violence to break up the trial. But in 52 specially picked courts had condemned defendants under the protection or intimidation of soldiers furnished by Pompey. Now that he could no longer count on Pompey as a friend, Caesar could not be sure that his own ruin might not be encompassed by similar means, so long as Pompey had *imperium* and soldiers at his command in Italy. If Caesar could be convicted before entry on a second consulship, he could never take it up, and his career would be at an end. Pollio in his history indicated that this was what he feared.²³

It has been objected that there is no allusion to this in Cicero's letters, nor in the eighth book of the *Gallic War* composed by Hirtius, nor in Caesar's *Civil War*. However, the end of Hirtius' narrative and the beginning of Caesar's are both lost. We might also think that it would have been somewhat undignified for Caesar to have made much of the risk of judicial condemnation. In fact he does record his appeal to his troops to protect his *existimatio* (*BC* 1. 7. 7). His fear of Pompey retaining military force, if he surrendered his own, is patent. Curio, obviously with his consent, had continually proposed that both he and Pompey should simultaneously lay down their provinces and disband their armies. By a letter read to the senate on 1 January, apparently that which Cicero describes as 'menacing and bitter', he seems to have intimated that this was the alternative to war. In the subsequent debate M. Calpidius moved that for the sake of peace Pompey should depart for Spain, since Caesar feared for his safety while Pompey had two legions 'near the city' (Caesar, *BC* 1. 2). Later Caesar even offered to give up his provinces and armies and return to Rome for the elections if only Pompey would go to Spain and disband his forces in Italy (*infra*). Suetonius cynically noted that in those circumstances Caesar could easily have summoned his demobilized veterans for his protection (*Caesar* 29. 2). In July 50 Caelius had written that Caesar was persuaded that his safety depended on his retaining his own command (F. 8. 14. 2). Pompey himself told Cicero in December that it would be the destruction of the constitution if Caesar became consul a second time even after dismissing his troops; his remark seems to imply that in one way or another he meant at that time to prevent Caesar's re-election altogether.²⁴ It seems much less likely that he intended, or that Caesar suspected him of intending, to destroy Caesar by an overt military coup than through his condemnation by due process of law. Cicero makes no comment in writing to Atticus, who of course understood the position perfectly well. His own evident lack of sympathy for Caesar may well explain why he does not refer to Caesar's apprehensions; he was not concerned to put Caesar's case; of course in his view it could not possibly justify taking arms against the fatherland (A. 7. 11).

Proceeding north by slow stages through Campania and Latium, Cicero found that senators and Equites were bitter about the military preparations Pompey was making under his mandate from Marcellus (A. 7. 5. 4) and that the respectable people he met wanted peace at almost any price (7. 5. 4; 7. 5). After the outbreak of hostilities there was also no enthusiasm for the war on the part of any order or individual (8. 3. 4). It then also proved hard to enlist recruits for the Pompeians; as Caesar advanced, the conscripts commonly disbanded or took service with Caesar. Their attitude of course reflects that of the rural poor among whom Rome always raised her legionaries, of which Cicero took no account, but the failure of the Pompeian levies probably betokens that the ruling class in the Italian

²³ Suet., *Caesar* 30. 3 f. (cf. 23. 1), discounted by S-B 1. 39 ff., whose arguments I answer. If Caesar had been elected in absence in 49 and been voted a triumph, he could have deferred the triumph till December and retained his *imperium* in the interim.

²⁴ Curio: App., *BC* 2. 27-31; Plut., *Pomp.* 58; the motion he carried by 370 to 22 in Dec. 50 that both Pompey and Caesar should surrender their commands

could not deprive Pompey of a command he held until 47 by *lex* which a SC could not override. Caesar's letter; *ibid.*, 32, cf. F. 16. 11. 2. Pompey's view: A. 7. 8. 4 (σύγχυσις τῆς πολιτείας, for which there was no Latin phrase), cf. 7. 9. 3. His attitude had hardened since summer 50 (F. 8. 11. 3; 13. 2), but he later resiled, cf. nn. 31; 33 f.

towns did little to assist the recruiting officers.²⁵ All this is not surprising. In early December the senate itself, after passing by a majority a motion which Curio vetoed that Caesar should lay down his command, then voted by 370 to 22 that both Pompey and he should do so (n. 24). It is unlikely that the real sentiments of the majority had changed by early January.

However, it was then precipitated into measures that provoked war. The new consul, L. Lentulus, setting aside all moderate proposals, carried the *senatus consultum ultimum*, calling on Pompey and other holders of *imperium* (Cicero was among them) to see to it that the commonwealth came to no harm, forced the Caesarian tribunes, Antony and Q. Cassius, to flee in fear for their lives (7 January), and then pushed through further decrees, which there was none to veto, requiring Caesar to hand over his provinces to successors by an appointed day, obviously before the consular elections. According to Caesar, the senate was manipulated by a small number of men actuated by personal hostility to him or by the hope of aggrandizing themselves in war.²⁶ Cicero was not present at these meetings. He reached the environs of Rome on 4 January but did not wish to forfeit the *imperium*, which he needed for a triumph, by passing within the *pomerium*. But in private discussions he was shocked to find warmongers on both sides; later he would tell Varro that 'our friends desired a war which Caesar neither feared nor wanted' (F. 9. 6. 3), and he ascribes to them personal motives much as Caesar does.²⁷

Caesar also alleged that the senate was terrorized by Pompey's soldiers (*BC* I. 2. 6; 3). He was able to defend his march on Rome on the ground that he was vindicating the liberty of both senate and people. He complained of the violation of the people's sovereignty involved in the denial of the right to stand in absence which the people had conferred on him and of the infringement of tribunician rights consequent on the *senatus consultum ultimum*, which had been passed, so he held, without its normal justification. He also raked up earlier measures of the senate which he now chose to treat as unconstitutional acts inspired simply by hostility to himself. To his adversaries, of course, Caesar, by putting up tribunes to frustrate the senate's will, had improperly subverted its authority; and the march on Rome was sheer treason. He was aiming at tyranny; and they were the true champions of the commonwealth and its freedom (n. 65).

Cicero certainly had no sympathy with Caesar's case. He says nothing of the supposed terror under which the senate passed its decrees in January, and treats them as entirely valid (A. 8. 15. 3; 9. 1. 4; 10. 8. 8). It was always his view that it was for the senate to direct affairs, and he would certainly have agreed with Pompey's remark in September 51 that it was all the same whether Caesar refused obedience to the senate or induced a tribune to veto its decrees (F. 8. 8. 9). The bitter reproaches that he later addressed to Antony for defying the will of the senate and furnishing Caesar with a pretext for war (*Phil.* 2. 52 f.) undoubtedly corresponded with his constitutional principles. The position of power that Caesar had already obtained was abhorrent to him. In December and later he would often rail unprofitably against Pompey for building it up since 59 in his infamous combination with Caesar.²⁸ His catalogue of Pompey's errors includes his instigation of the law of the ten tribunes; except on one occasion (n. 5) he chose to forget that he had himself helped to secure its enactment; at that time the dynasts had still been more or less in accord, and Cicero was little better than their satellite, a phase in his life which it was humiliating to recall. Cicero told Atticus in December that if there were a war, he would rather lose with Pompey than win with Caesar (A. 7. 1. 4); and for the time he must assent to any course that Pompey wished to take (7. 3. 5; 6. 2; 7. 7); yet he would use his

²⁵ A. 7. 11. 5; 13. 2; 14. 2; 21. 1; 23. 3; 8. 1. 1; 11B. 2; 9. 2a. 2 (where Cicero asserts his foresight 'de municipiorum imbecillitate, de dilectibus'); F. 16. 12. 4 (too optimistic); Caesar, *BC* I. 6; 12-18; 23. 5; 24. 3. Caesar found the same reluctance to serve: A. 9. 19. 1; 10. 12a. 3; perhaps 7. 18. 2.

²⁶ Caesar, *BC* I. 1-6. The moderates included the once bellicose consul of 51, M. Marcellus (1. 2. 2, confirmed by F. 4. 7. 2).

²⁷ F. 16. 11. 2 (4 Jan.); 16. 12. 2 (28 Jan.); 4. 1. 1 (April), cf. in retrospect *Lig.* 18; F. 6. 6. 6; 7. 3. 2:

'extra ducem paucosque praeterea (de principibus loquor) reliqui primum in ipso bello rapaces, deinde in oratione ita crudeles ut ipsam victoriam horrerem (cf. n. 39); maximum autem aes alienum amplissimorum hominum (cf. A. 9. 11. 4). quid quaeris? nihil boni praeter causam'. Cf. Caesar, *BC* I. 4; 3. 83; nn. 39; 43; 49; and texts in n. 90 for different view.

²⁸ A. 7. 3. 4; 7. 7. 6 f.; 8. 3. 3; 8. 8. 1; 9. 5. 2; 10. 4. 1-3. Cf. *de Offic.* 3. 83.

influence with Pompey for peace.²⁹ He was to write to Caesar about 20 March not only that he had always stood for peace, but that in his judgement Caesar had been wronged by his enemies and enviers, who had sought to deprive him of the honour granted by the law of the ten tribunes (A. 9. 11A. 2). That was precisely what Caesar maintained, but Cicero did not sincerely admit the validity of his contention. He did, however, see that it was the intention in 52 that Caesar should be allowed to step directly from proconsulship to consulship; it was then that 'the pass had been sold' (A. 7. 7. 6), and pernicious as his second consulship might be (7. 9. 3), it had been conceded then, and though there was no justice in Caesar's claim to exceed the legal term of his command (7. 9. 4, cf. 7. 6. 2; 7. 6), it was no longer worth fighting a war, for which he was perhaps better prepared and the event of which was in any case uncertain, to prevent it. Peace on terms he thought most inequitable was to be preferred to a civil war, however just.³⁰ After Caesar had overrun Italy, he remarked that in him 'nature's copy was not eterne'; there were other ways besides fighting of 'extinguishing him' (A. 9. 10. 3)! Much later he would suggest that if the advice of Servius Sulpicius, with whom he had agreed (F. 4. 2. 1), had been followed, 'we should have had to endure the sway of a citizen and not the armed power of a victor' (F. 6. 1. 6). This was true: if Caesar's demands had been granted, he would have become the first man in Rome but not a military autocrat, the position that the intransigence of his opponents and the unco-operative attitude of the neutrals forced him to assume and which after victory he was unwilling to surrender. However dangerous were his designs in January 49, the free commonwealth could have survived in one way or another, if war had been avoided.

In secret and informal negotiations after the *senatus consultum ultimum* had been passed, Cicero almost contrived a compromise. He induced Caesar's friends to agree that Caesar would retain Illyricum alone with two legions or only one, on the footing that he could exercise his privilege of standing for the consulship in absence and that Pompey would proceed to Spain. By his own later account Pompey was disposed to agree, but the *enragés* would not; 'bellum susceptum est'.³¹

On the news that Caesar had occupied Ariminum, there was a panic at Rome. The consuls and a horde of respectable people fled south, Cicero among the rest on 18 January. He was offered but almost at once declined a military post at Capua; instead he accepted a vague commission to supervise the levy of troops in Campania, but in the event he did nothing; perhaps there was nothing he could have done. Until he left Italy he remained in south Latium and Campania, consorting with Pompeians and acting towards them as a supporter of their cause, while exchanging ostensibly friendly messages with Caesar and friends of Caesar to whom he made out that he had not committed himself.³²

He thought Pompey's failure to defend Rome pusillanimous. Would he make a stand anywhere in Italy?³³ If not, should Cicero leave Italy with him? He felt that he had no obligation, especially perhaps since he thought that there would then be a smaller chance of a negotiated peace.³⁴ Of this his hopes revived with the offer made by Caesar late in January through L. Roscius and L. Caesar.³⁵ Provided only that Pompey would go to Spain and that the Pompeians would demobilize, Caesar was now willing to hand over his provinces to the successors appointed and come to Rome for the consular elections. Even

²⁹ A. 7. 7. 5-7; 7. 9. 4; F. 16. 11. 2; 12. 2 (Dec.-Jan.); A. 8. 11D. 1 and 6-8 (to Pompey, 27 Feb.).

³⁰ A. 7. 14. 3 (25 Jan.): 'equidem ad pacem hortari non desino; quae vel iniusta utilior est quam iustissimum bellum *cum civibus*', cf. *Phil.* 2. 37; the qualification omitted rhetorically in F. 6. 6. 5. These and other retrospective allusions (F. 4. 7. 2; 4. 9. 2; 5. 21. 2; 6. 1. 3 and 6; 6. 3. 3; 6. 4. 4; 7. 3. 2) are confirmed by letters of the time (n. 29).

³¹ F. 6. 6. 6; 16. 11. 2; A. 7. 12. 3; 8. 11D. 7 allude only darkly to his attempt at mediation, which Caesar, *BC* also ignores, but cf. Suet., *Caesar* 30. 1; Plut., *Caesar* 31; *Pomp.* 59; App., *BC* 2. 32 (chronologically misplaced). Raaflaub (n. 2) analyses fully all peace negotiations.

³² S-B IV. 438 ff. Cicero veiled his inactivity in

writing to Pompey (A. 8. 11B and D) and his acceptance of Pompey's leadership to Trebatius and Caesar (7. 17. 4; 9. 11A. 2). To Pompeians around him he would have appeared one of themselves, to Caesarians neutral.

³³ A. 7. 11. 3; 12. 2 f.; 13. 1 f.; 21. 1 f.; 8. 3. 4; 7. 2; 8. 1; 11. 2, etc. There had been earlier talk of abandoning Rome and even Italy, but leading Pompeians clearly did not know that this was his plan from the first (if it was). See now esp. R. Seager, *Pompey, A Political Biography* (1979) for clear presentation and ingenious interpretation of the evidence.

³⁴ A. 7. 10; 12. 2 and 4; 20. 2; 23. 2; 26. 3; 8. 1. 2; 2. 4; 3. 5; 7. 2; 12. 3; 15. 2; the professions to Pompey in 8. 11B are untruthful.

³⁵ A. 7. 14-17; F. 16. 12; Caesar, *BC* 1. 8-11.

Cato favoured acceptance; the extremists felt that they had been deceived by Pompey's overestimates of his strength.³⁶ Pompey himself in his reply assured Caesar of a second consulship and a triumph. His conditions were accepted, subject to formal ratification by the senate, but that all might safely return to Rome, Caesar must withdraw from the towns in Italy he had already occupied. At the same time Pompey did not name any date for his own departure, and did not respond to Caesar's request for a personal interview; nor were the Pompeian levies to cease until Caesar had pledged himself to fulfil his promises. The Pompeians feared that Caesar had only made the offer to stop them preparing for war (A. 7. 15. 3). Still, Cicero thought that he had been given all he asked for, and would be mad not to conclude peace (7. 17. 2). His own zeal for peace was not affected by his momentary confidence that Caesar could not sustain an armed conflict.³⁷ But he was wrong in predicting that Caesar would be content with Pompey's reply. Caesar could trust his adversaries as little as they trusted him. He would not yield the advantage that the rapidity of his offensive gave him. The war proceeded.

Pompey's plan to evacuate Italy and establish himself in the east with control of the sea as well as of Sicily (which was soon lost), Africa and Spain became plain when he refused to make any attempt to relieve his forces at Corfinium; the place fell on 21 February and Cicero heard the news on the 23rd, though it was not until 17 March that Pompey embarked from Brundisium. The whole situation was transformed. Pompey could now win only by starving Italy out, or ultimately returning like Sulla to reconquer the country, in either case inflicting incalculable misery on the population, greater perhaps than that which Cicero could remember from his youth in the 80s (A. 9. 6. 7).³⁸ Moreover, the Pompeians, many of them greedy for personal enrichment (n. 27), avowed their intention to repeat the massacres, proscriptions and sequestrations which had disgraced Sulla's victory; and, since they claimed to be fighting for the commonwealth, they declared that they would treat communities and individuals who did not take their part as public enemies (A. 8. 1. 4) and punish neutrals no less than adversaries,³⁹ whereas Caesar gave out that he reckoned all who were not against him as 'his men' (*Lig.* 33), and advertised his determination not to follow Sulla's example;⁴⁰ by sparing the lives of some of his most prominent adversaries at Corfinium, he had given an earnest of his sincerity. He fulfilled none of the apprehensions that he would carry out a social revolution (*infra*); it was only at the end of the year that he made any provision for the relief of debtors, and then with a moderation that gave relief only to men of substance; nothing was as yet done for poorer people, whose discontents burst out in *émeutes* in 48 and 47.⁴¹ He was also continually seeking a peaceful accommodation.⁴² All this changed the sentiments of respectable people who wanted nothing so much as a quiet life with security for their persons and property. They flocked back to Rome, and fêted Caesar in both the capital and *municipia*.⁴³

Cicero's attitude was quite different. Almost from the moment when he knew of the loss of Corfinium, he began to express bitter regret that he was not with Pompey. On 17 February he had already announced that he was about to join him at Luceria, though with the object of furthering the cause of peace (A. 8. 2. 4), but he found or chose to think that he was cut off, and would insist that if he had not embarked with Pompey, it was because it had become impracticable to reach him.⁴⁴ He would also ascribe the indecision that had placed him in this situation to his hopes of peace, which Pompey's departure

³⁶ cf. A. 7. 8. 4 f.; Plut., *Pomp.* 60; App. 2. 37. According to Plut. (*Cato* 53 f.) Cato bitterly regretted the war and wished to minimize bloodshed.

³⁷ F. 16. 12. 4. Labienus' reports of Caesar's weakness (A. 7. 13a. 3; 16. 2) help to explain this.

³⁸ A. 8. 16. 2; 9. 4. 2; 7. 4 f.; 10. 2 f.; 10. 8. 4.

³⁹ A. 8. 11. 2 and 4; 9. 10. 2 f. and 6; 11. 3 f. On evacuating Rome Pompey had already proclaimed that he would regard all who stayed behind as Caesarians (Caesar, *BC* 1. 33; Plut., *Pomp.* 61; App. 2. 37; Dio 41. 6), cf. n. 48; Raaffaub (n. 2), 227-61.

⁴⁰ His letter to Balbus and Oppius (A. 9. 7C) was no doubt intended for dissemination and typical of pro-

fessions to which he remained true to the end.

⁴¹ M. W. Frederiksen, *JRS* 1966, 128 ff. Caesar's *later* measures are indignantly reprobated in *de Offic.* 2. 83 f.

⁴² Good propaganda, and probably sincere, cf. Raaffaub (n. 2), 262 ff.

⁴³ A. 8. 13 (1 March) is the first indication, cf. 8. 16; 9. 1. 2; 5. 3; 12. 3; 13. 4 ('municipia vero et rustici Romani illum (Pompeium) metuunt, hunc (Caesarem) adhuc diligunt'); 15. 3; 8. 9. 2 (29/30 March, misplaced in our collection).

⁴⁴ A. 8. 12. 3; 9. 2a. 2; 10. 8. 5. (It is hard to believe that every road was blocked to a resolute man.)

dispelled, and to his abhorrence of a 'cruel and destructive war' (A. 9. 6. 7; 9. 10. 3). But as early as 3 March he told Atticus that he would sail for the east as soon as the weather allowed; it was then January in the Julian calendar (8. 16. 1). From this time forth he hardly wavered from the resolve to leave Italy. But it was not only the weather that detained him. As Caesar was now master of Italy, he had to conceal his design, which initially was that of joining Pompey, and in the interim to conciliate Caesar, not disavowing the continuance of their friendship; eventually he had to elude the watch kept by Caesar's officers.

Caesar himself and other 'friends' in his camp pressed him throughout March, not actually to disregard his obligations to Pompey by taking Caesar's part, but to exert himself for peace and hold aloof from the struggle; it was surely at Caesar's instance that Balbus urged him to mediate (A. 8. 15A; 9. 7A; 7B. 3) and sent him letters in which Caesar professed his anxiety for a composition (9. 7C; 13A). Matius told him the same story (9. 11. 2). In Cicero's view Pompey would not accept any terms (8. 15. 3), but in any case he did not believe in Caesar's sincerity; Balbus was making a fool of him (*ibid.* 4). Caesar (he was told) was bent on hot pursuit of Pompey beyond the Adriatic (9. 2A. 3; 3. 2); his siege of Pompey in Brundisium made nonsense of all talk of a settlement (9. 13A; 14. 2); and in any event he would insist on the intolerable condition that Pompey must give up his province and army (10. 1. 3). Hence, though in principle Cicero would still have wished to mediate (8. 12. 4; 9. 11. 2) and so informed Caesar by letter on 19 or 20 March (9. 11A. 3), he told him face to face on 28 March that he could not appear in the senate to advocate negotiations, unless Caesar would suspend any offensive in Spain or the east (9. 18. 1); overtures would be a sham, while military operations continued (10. 1A). But Caesar was never prepared to lose the momentum of his offensive. Contrary to Cicero's expectations (9. 19. 2), in April Servius Sulpicius did apparently take Cicero's line in the senate, and of course without effect (F. 4. 1. 1).

Neutrality was another matter. It was recommended by the venerable example of Q. Mucius Scaevola in the 80s (A. 8. 3. 6)—though it had not saved his life (9. 12. 1; 15. 2). Only once or twice did Cicero even contemplate the possibility of remaining in Italy; one day he opined that it was the more prudent course, but the next he was again firm on leaving (8. 15. 2; 16. 1); in fact Pompeian threats cast doubts on its prudence (10. 8. 5, cf. n. 39). In general the only question was 'when, where and how to go' (9. 6. 1). But in March he was thinking of taking refuge in some quiet spot far from the war, for instance on Atticus' estate in Epirus (9. 7. 7; 9. 2; 12. 1). On 3 April he was almost decided to stay away from either camp (10. 1. 2). Curio on the 14th opined that Caesar would readily consent to his departure on this basis (10. 4. 10). On 2 May he was intending to inform Antony, whom Caesar had deputed to supervise the coast, that he would go to Malta and take no part in the war (10. 8. 10, cf. 7. 2), but it then transpired that Antony was under orders to forbid his departure altogether (10. 10. 2). It is not clear from Caesar's letter of 16 April from outside Massilia, adjuring him as a good citizen (!) 'abesse a civilibus controversiis', whether he would have regarded Cicero's mere departure as distinct from his adherence to Pompey as a breach of friendship (10. 8B). Both Atticus and Tullia had advised him to go to some such place as Malta, at least until the outcome of the Spanish campaign was known (10. 8. 1; 9. 3); however Cicero argued that this was unpredictable and irrelevant to his decision, as it would not determine the result of the war (n. 55). A letter of 3 May implies that he was still thinking of risking his fortunes and family, i.e. of going to Pompey (10. 9. 2). He also toyed with the idea of proceeding to Sicily and thence perhaps to Africa, to take charge there.⁴⁵ Unfortunately we do not know what his final intentions were when he set sail on 7 June (F. 14. 7). He twice refers to plans (A. 10. 5. 1; 8. 1), set out in a lost letter, which it would not be safe to repeat, and which must therefore have involved taking some active part in the war. The long gap in his correspondence also obscures where he actually went. Ultimately he joined Pompey, in whose camp we find him first in May (?) 48 (F. 9. 9); how long he had been there is uncertain.⁴⁶

He held no military post in the campaign of 48. He wrote to Atticus at the time that he had avoided any responsibility, all the more 'as nothing could be done in a manner

⁴⁵ A. 10. 12. 2, cf. S-B IV. 461 ff.

⁴⁶ It is not clear when or where he wrote A. 11. 1 f.

appropriate to me and my past career'.⁴⁷ He was shocked by the cruel reprisals designed by most of the Pompeians; Atticus himself was marked down among their victims.⁴⁸ He still pressed for a peaceful settlement; in fact the Pompeians continued to reject Caesar's overtures, and there is no indication that he was consulted. He also urged a Fabian strategy on Pompey. All his advice was disregarded.⁴⁹

After Pharsalus he returned to Italy and sought Caesar's pardon. It was long in coming; and in the interval he was in wretched uncertainty, dejected too by the quasi-anarchy during Caesar's absence from Italy.⁵⁰ In this gloom he almost regretted his abandonment of the struggle, due as he told Atticus to impulse rather than reflection (A. 11. 3. 1), but despite his remorse he could not now return to his former allegiance (11. 15). He still regarded the cause of the Pompeians as the more honourable;⁵¹ if it triumphed (and it was unexpectedly strong in Africa),⁵² they might treat him as a traitor; even so, conditions in Italy were such that for all the personal danger it would entail, their victory would be beneficial to people in general (11. 21. 3). Yet in fact his decision after Pharsalus had been perfectly rational from a moral standpoint, and the justifications of it he furnished later are convincing, and probably reflect the considerations in his mind at the time. Thus (he argued) it was idle to suppose that forces which had proved unequal to Caesar's before defeat would be superior when they had been broken, and the general in whom alone their hopes reposed had been lost; holding out in Africa involved reliance on faithless natives against an army accustomed to victory; it was right for men who hated civil bloodshed to treat a single great defeat as terminal; the prolongation of fighting would utterly destroy the *res publica*, which might otherwise some day rise again from the ruins. These circumstances made it right for him to think of his own safety.⁵³ All this casts light on his previous advocacy of peace and ultimate adherence to Pompey.

At the outset he had thought Caesar better prepared, and in the weeks when he was overrunning Italy he sometimes writes as if the war were already lost; in letters which treat his own departure from Italy as settled, he envisages that he will never be able to return.⁵⁴ Yet he had also been impressed in December by Pompey's confidence in his strength (A. 7. 8. 4); at the very time when he was praying for the success of the negotiations through Roscius and L. Caesar he believed that Caesar could not win (F. 16. 12. 4). It was not, therefore, because he felt certain that the Pompeian cause was doomed that he advocated peace in December and January. In general he thought that the issue of the war was uncertain, and optimism alternated with pessimism. After Pompey's evacuation of Italy he could still write that he would return and not leave one stone standing on another (A. 9. 7. 5), and that Caesar could hardly last out six months (10. 8. 6 and 8). He was encouraged by news of Massiliote resistance to Caesar, a happy augury for the fighting to come in Spain (A. 10. 12A. 3), but no more, and though we do not know whether he finally joined Pompey before the surrender in August of the Pompeian forces there had been reported, or after he had learned the worst, in either case he thought that the issue in Spain would not decide the war.⁵⁵ On the other hand, his attitude after Pharsalus shows that he would hardly have adhered to a cause that he considered irretrievably lost.

At all times he would have preferred a compromise peace, not primarily because of the personal risks he had to fear from war (IV), but because of the general suffering that war entailed and the cruelty with which he expected either party to exploit victory. Yet in December he had referred with contempt to the tax-farmers and land-owners who would

⁴⁷ A. 11. 4; 'quod ita nihil poterat agi ut mihi et meis rebus aptum esset', cf. S-B ad loc. and *supra* on his *persona*.

⁴⁸ A. 11. 6. 2 (Nov. 48), cf. F. 4. 9. 3; 4. 14. 1; 6. 3; 6. 21. 1; 9. 6. 3; *Marc.* 16; 18.

⁴⁹ F. 7. 3. 2; *Marc.* 15; *Lig.* 28; *Phil.* 2. 38; *Plut., Cic.* 38.

⁵⁰ See e.g. T. Rice Holmes, *Roman Rep.* III. ch. XXI.

⁵¹ A. 11. 7. 3; F. 5. 21. 3.

⁵² A. 11. 10. 2; 12. 3; 18. 1.

⁵³ A. 11. 7. 3; F. 15. 15. 1 (to Cassius, July 47); 7. 3. 3-5 (to M. Marius, perhaps April 46); 9. 5. 1 and 6. 3 (to Varro, May-June 46); 4. 7. 2 (to M. Marcellus, perhaps Sept. 46). He could claim 'quoad licuerit,

dignitati rei p. consuluisse et hac amissa salutem retinere voluisse' (6. 21. 1) but also that after submission it was possible 'cum spe, si non optima, at aliqua tamen vivere' (9. 6. 3), since 'res p. . . in perpetuum iacere non potest' (6. 10. 5), and he could not agree 'melius esse deleri omnino rem p. quam imminutam et debilitatam manere'; its destruction would leave no hope, but much survived in its 'reliquiae' (15. 15. 1).

⁵⁴ A. 7. 7. 6 f.; 22. 1; 23. 2 (contrast 26. 1); after Corfinium 8. 7. 2; 8. 9. 3; 9. 13. 4; 10. 2. 2.

⁵⁵ A. 7. 3. 5; 7. 7. 7; 7. 13. 2; 8. 15. 2; in regard to Spain 10. 8. 10; 10; 13. 3.

readily submit to despotism as the price of *otium* (A. 7. 7. 5), and on 1 March to the rural and municipal gentry who thought only of their acres and little country houses and hoards of coin (8. 13. 2). He does not identify their sentiments as his own. Each of them was thinking of his own interests, Cicero of the common good. It was not the prospect of the proscription of individuals that dismayed him so much as that of universal ruin (8. 11. 4).⁵⁶

IV. CONSIDERATION OF FAMILY AND FRIENDS

Obviously peace would have best guaranteed his own security and that of his family. However, his and their interests are not a frequent theme in his outpourings to Atticus.

There are some curious statements in his correspondence which show that he was apprehensive of the effect on his own position in the state of a peace resulting from a private deal between Pompey and Caesar. He candidly admitted to Pompey that during the negotiations in late January, when Pompey himself had offered Caesar a triumph and a second consulship, he had supported the settlement proposed, partly to avoid giving offence to Caesar; otherwise he might, as in 58, have been sacrificed as part of the bargain; all the more as he was conscious that the masses reciprocated his contempt with hatred. He also alludes to this danger in writing to Atticus.⁵⁷ It was perhaps not very serious. It would surely have arisen only if he had incurred Caesar's resentment by unsuccessful advice against a composition. It is perfectly clear that he favoured peace in any case. But evidently he put little trust in either Pompey's or Caesar's amity.

It is manifest that in a war whichever side he took might lose; and his life and family estates would then be at risk. No doubt he was too old to stand in line of battle, but he might still perish in a massacre after defeat, or be proscribed by the conqueror; he expected proscriptions, whoever were the victor. He tends to allude to these considerations in contexts which contrast the claims of honour.⁵⁸ He wrote on 2 May that if he neglected the call of duty and took account only of his personal safety, there would be danger from the Pompeians 'if he did wrong' and from Caesar 'if he did right' (10. 8. 5). The menaces of the former were directed against all who remained in Italy, even if they gave no aid to Caesar; as for Caesar's clemency, he had no faith in it. Probably he did think that if he kept himself entirely aloof, e.g. in Malta, he might avoid offence to either; but in the end he rejected this course. For the time being of course he was in no danger of his life; only moral courage was needed to stand up to Caesar in their interview. But he seems to think little of his own future risks. He was not in my view deficient in physical courage. In Cilicia he had expected a Parthian invasion and proceeded at once with his inadequate forces to the very edge of the province, where he was in most peril. This may have been foolhardy: it was not craven. In May he derided the timidity of Servius Sulpicius and of C. Marcellus, the bellicose consul of 50, who now regretted that he had ever held the office: 'what baseness' (A. 10. 15. 2)! After Pharsalus he certainly took thought of his own safety. That was morally justifiable, since in his judgement the public interest too was not served by continuation of the struggle (n. 53).

He had of course a duty to his family (though on his own principles the fatherland came first), yet his letters seldom allude to it. His brother Quintus was disposed to do whatever he might do (A. 9. 6. 4); the contemporary correspondence affords no support for the later allegation, which Cicero contradicted to Caesar (A. 11. 12. 2), that he actually pressed Marcus to join Pompey: we only hear that he was fearful for Marcus' safety (10. 4. 6). His daughter had married Dolabella while Cicero was in Cilicia and without his full approval; he had a poor opinion of his profligate son-in-law.⁵⁹ Dolabella left Rome in January for Caesar's camp, and Tullia returned to her father's house in Rome. The womenfolk did not immediately join the panicked exodus from the city, and Cicero was

⁵⁶ A. 7. 1. 2; 7. 7. 7; 7. 18. 1; 8. 14. 2; 9. 8. 7; 9. 10. 3; 9. 13. 3; 10. 4. 3. Ser. Sulpicius had made similar predictions at the beginning of 51, F. 4. 3. 1.

⁵⁷ A. 8. 11D. 7, cf. 7. 26. 3; 8. 12. 2; 10. 8. 5. Unpopularity: 1. 16. 4; 2. 3. 4; 8. 3. 5; *Phil.* 7. 4; *Ascon.* 37 C.

⁵⁸ A. 7. 12. 3; 19. 7; 22. 2; 8. 2. 4; 12. 5; 15. 2; 9. 6. 4. Cf. n. 60.

⁵⁹ *RE* iv. 1300 ff. (Münzer). He admits personal charm, A. 6. 6. 1; 7. 3. 12; 11. 2. 2.

worried about their safety if they were still there when Caesar's 'barbarian' troops arrived, though Dolabella would doubtless protect them.⁶⁰ They soon left to be with him, moving from villa to villa, until in April or May it was safe for them to go back to Rome; there Tullia gave birth to a short-lived son (A. 10. 18. 1). Cicero wrote on 11 March that he had hesitated to join Pompey out of consideration for his family, which is not borne out by earlier letters, but adds that they had thought his delay unworthy. Yet Tullia later urged retreat to Malta, and Cicero says that 'the tears of those I love' sapped his resolution, though his boy thought only of his father's honour ('dignatione'). Later he would say that his own family had pressed him to join Pompey or at least not dissuaded him; if their moods changed as often as his own, his recollections could well have been confused.⁶¹ In the end his brother, son and nephew accompanied him to the east, while his wife and daughter were to remain on his estate at Arpinum (F. 14. 7. 3). It does not seem now to have occurred to Cicero as it did in February (A. 8. 3. 5), despite his repeated predictions of proscriptions and confiscations, that his property would be sequestered once he had overtly taken Pompey's side. Perhaps he counted on Dolabella's influence, or hoped after all that Caesar would be true to his professed moderation.

In April Caelius appealed to Cicero not to join Pompey at least until the issue of the Spanish campaign was known; he should not, out of shame engendered by optimate talk, make an imprudent decision, but pause in consideration for his family, in particular of Tullia and her husband; moreover Caelius too had adhered to Caesar, and if Cicero were to join Pompey, 'we', that is to say Dolabella and himself, 'shall be compelled either to detest or desert the cause in whose victory our safety lies, or to harbour an undutiful desire for your destruction' (10. 9A). Dolabella, with whom Cicero was also exchanging letters (A. 7. 21. 2 f.; 9. 13. 1), must have pleaded in the same sense before his departure; we have a letter he wrote to Cicero from Caesar's camp near Dyrrhachium, probably in May 48, in which he argues that Pompey has no chance of victory, that Cicero had done enough to satisfy the claims of duty or friendship, and should take refuge in some quiet spot like Athens (F. 9. 9).

These appeals illustrate a common dilemma of the time. Many friends and families were divided.⁶² In the carnage of fighting or proscription men might help to bring about the ruin of those with whom they had special ties but who were now opposed to them. It is curious that in his generalized laments on the calamity of civil war Cicero never reflects on this. Had he any genuine affection for such as Caelius or Curio with whom he had been on easy terms of familiarity, derived from mutual enjoyment of witty talk, common literary pursuits and transient political association?⁶³ Certainly there is no trace of it in his references to them in his intimate letters in the civil war. Equally we hear nothing of personal bonds to any of the Pompeians apart from Pompey himself. He had once hailed P. Lentulus Spinther for promoting his recall from exile as 'parens ac deus nostrae vitae' (*post red. sen.* 8) and had for years cordially corresponded with him. Spinther was one of the Pompeians pardoned by Caesar at Corfinium. Cicero wrote to Caesar thanking him (A. 9. 11A. 3). He was also curious about the subsequent movements and intentions of 'Lentulus noster', as well as of L. Domitius Ahenobarbus, but there is no indication of any warm anxiety for the welfare of either (A. 8. 12. 6; 14. 3; 9. 1. 2; 3. 1; 11. 1). As for Caelius' letter, Cicero merely remarks that it moved the boys to tears (A. 10. 9. 2). It clearly did not affect his own decision, nor does he show the slightest concern for Caelius' or Dolabella's interests. Equally in 48 he ignored Dolabella's pleas. It was his duty as a citizen and a friend to Pompey that he endlessly revolved. But it was only the former which by his own theory took precedence over duty to his family. He might indeed think that the interests of the commonwealth and his own family were identical. Caesar's victory would threaten the social order, dear to propertied families like the Tullii, and his son and nephew were entitled to require the older generation to hand on to them the free commonwealth, which Caesar would subvert.⁶⁴

⁶⁰ A. 7. 13. 3; 17. 4; 19.

⁶¹ A. 9. 6. 4; 10. 8. 1; 9. 3 f.; 11. 9. 1; 25. 1.

⁶² Shackleton Bailey, *CQ* 1960, 253 ff.

⁶³ Brunt, *Proc. Camb. Phil. Soc.* 1965, 1 ff.

⁶⁴ A. 10. 4. 3; the idea is more explicit in F. 4. 5. 3 (Ser. Sulpicius).

V. POMPEY'S *BENEFICIUM* AND THE *RESPUBLICA*

Cicero was bound by ties of friendship to both Caesar and Pompey, and both claimed to be acting for the public good (Dio 41. 17. 3), and to be champions of liberty, which Caesar associated primarily with popular and tribunician rights and Pompey with the authority of the senate.⁶⁵ It needs no proof that it was liberty in the second sense that Cicero really cared about. Moreover, he believed that Caesar really aimed at personal despotism and social revolution (*infra*). It would have been easier for him to give unhesitating support to Pompey on this account but that he suspected Pompey's personal ambition and feared that his party too in their cruelty and rapacity would make light of property rights (n. 27). Moreover the war was so disastrous *per se* that he could ask if it was justifiable even to overthrow a despot, especially as it could have been avoided, and bewail that the cause of the *res publica* was lost both from the wounds that it had already suffered (he was perhaps thinking of the excessive power that both dynasts had acquired since 59) and from the remedies that the Pompeians intended to apply.⁶⁶ It was Caesar's professed keenness to restore peace by negotiation that might have done most to make his cause acceptable to Cicero, if he had credited its sincerity. Apart from this Caesar and his mouthpieces hoped to reconcile him at least to neutrality by appealing to friendship;⁶⁷ very probably Caesar tried to influence others in the same way. By contrast Pompey, whose claims on his friendship Cicero acknowledged, insisted only on his being engaged in defence of the public interest, a *motiv* that is continually recurrent in his extant letters.⁶⁸

Diplomatically Cicero did not repudiate his amity with Caesar. But it meant nothing to him. He wryly recalled in October 50 that he had, in accordance with Atticus' advice, sought Caesar's good graces because of his power and of his connection with Pompey (7. 1. 2 f.). Now he was forced to choose between them. Despite his fulsome expressions of warm affection a few years earlier,⁶⁹ Cicero looked on his amity with Caesar as one of mere convenience. He had actually borrowed money from him: it would be embarrassing that the loan was still unpaid, if war came (7. 8. 5). But if it did not, Caesar's backing for his triumph would be welcome.⁷⁰ Of his politics Cicero had never approved; Pompey was to blame for combining with him (n. 28), and it was only as this alliance dissolved, since Pompey's 'divine' third consulship, that Cicero could endorse Pompey's political stance (n. 85). Cicero would now privately denounce Caesar's conduct with no hint of regret or surprise that a man should prove a criminal whom he had once held dear.⁷¹ Naturally enough after their interview he felt that Caesar had no love for him (A. 9. 18. 1).

The demands that Caesar was making on the eve of war Cicero would have conceded in January 49, but he thought them shameless. He already expected that if there were an armed conflict he would show no more mercy than Cinna nor less rapacity than Sulla (A. 7. 7. 7). His march on Rome, making war on the commonwealth (A. 7. 17. 2), revealed his design to make himself a tyrant, a Pisistratus if not a Phalaris, and carry out a social

⁶⁵ Caesar's 'public' case: *BC* 1. 2. 6; 3; 5. 1-3; 6; 7. 2-6; 9; 22. 5; 32; 85; 3. 91. 2. (He could hardly have made much of violated tribunician rights after himself overriding L. Metellus' veto in April, cf. n. 73.) He sums up his care for peace in 3. 57. 4; 90. For the Pompeian case, implicit in Cicero's reproaches against Caesar, see e.g. App., *BC* 2. 37; Plut., *Cato* 53; Raafaub (n. 2), 152-219.

⁶⁶ A. 9. 4. 2; 5. 2 f. (cf. 8. 11D. 6).

⁶⁷ A. 9. 7A; 10. 8A, B; Caesar also professed a wish to renew his friendship with Pompey. Other letters between Cicero and Caesar or his partisans, and his accounts of conversations with them, all presuppose that his amity with them was deemed to continue; knowing well enough that he would not accept that Caesar was acting 'rei p. causa', they never asked him to side with Caesar on that basis.

⁶⁸ A. 8. 6. 2; 11C; 12A-D (seven allusions to the *res p.*), cf. Caesar's summary of his letter in *BC* 1. 8. 3 ('semper se rei p. commoda privatis necessitudinibus habuisse potiora, Caesarem quoque pro sua dignitate

(cf. n. 12) debere et studium et iracundiam suam rei p. dimittere'), to which Caesar responded *inter alia* (1. 9. 5): 'ad omnia se descendere paratum atque omnia pati rei p. causa . . . libera comitia atque omnis res p. (all public business) senatui populoque Romano permitatur'. But references to the *res p.* are rare in *BC* (note 3. 10. 6 and 9; 90. 2) and occur only once in Caesar's letters in the Ciceronian collection (9. 7C), not in 9. 6A; 13A. 1; 14. 1; 16. 2; 10. 8B. Cicero writes to him of his anxiety 'de Pompeio . . . tibi ac rei p. (!) reconciliando', a hypocritical phrase that must have deeply offended Pompeians.

⁶⁹ e.g. A. 4. 15. 10; *Q.* fr. 3. 1. 9 and 18; 5. 3 (letters to Quintus could easily have fallen into Caesar's hands, cf. 3. 1. 21); F. 7. 5.

⁷⁰ A. 7. 1. 7; 2. 6 f., cf. n. 20. Later he feared that Caesar might embarrass him with the offer of a triumph, which he would refuse: 8. 3. 6; 9. 2a. 1; 7. 5.

⁷¹ A. 7. 12. 5; 18. 2; F. 16. 12. 4; oddly he thought that Caesar's criminality would be less if the Pompeians gave in to him (7. 15. 3).

revolution, abolishing debts and restoring exiles.⁷² His vaunted clemency, first exhibited at Corfinium, was a trap (A. 8. 16. 2; 10. 8. 6); Curio and Caelius both told him that it was not genuine, whether because they themselves could not credit its sincerity, or because they were put up to intimidate Cicero and others. By Curio's account, after Caesar's reception by the senate in April, he hated that body more than ever and was bent on Pompey's death. His ruthlessness in seizing the treasury at Rome and overriding L. Metellus' tribunician veto, which Cicero was informed had tended to alienate even the urban plebs,⁷³ confirmed his apprehensions; his very loss of popularity would drive him to extremes. Ultimately, Cicero still thought, there would be cancellation of debts, restoration of exiles, forced levies on property, confiscations and massacres, whether he were victorious or defeated in Spain.⁷⁴ In any case he would be a despot, and made no secret of it (A. 10. 4. 2; 8. 2); in fact he was one already (10. 1. 3). Atticus harboured hopes of his continued moderation (9. 10. 9); for Cicero they were delusive, considering his life, character, past conduct, the enterprise on which he had embarked, and his associates (9. 2A. 3).

In referring to his past conduct Cicero was doubtless recalling his early activity as a *popularis* and his ruthless and violent illegalities as consul in 59, which made Pompey think that a second term of office would be the destruction of the constitution (n. 24). It was on this account that men predicted that in a civil war the lines would be drawn between those attached to the established order and those who had something to gain from a 'new deal'. Thus Caelius supposed in September 50 that Pompey would be backed by the senate and the more distinguished Equites, those 'qui res iudicant',⁷⁵ while all who lived in fear or had little to hope for from stability would rally to Caesar. So too Cicero expected Caesar to have the support of all under judicial sentence or censorial stigma and all who deserved such penalties, the younger set,⁷⁶ the desperate city populace (n. 73) and the numerous class of debtors. In fact his entourage did include in Cicero's estimation the men whose lusts, outrages, extravagance and pecuniary needs could not be satisfied even by depredations on public and private property, and he had the sympathy of the indigent populace and all the lowest elements in the state. His followers were the *improbi* or *perditi* to a man through all Italy, bent on revolution.⁷⁷ The shameless behaviour of Cicero's 'friend' Antony was one specimen of their profligacy; Atticus too described them as 'filth'.⁷⁸ Though Caesar as yet showed no sign of relieving debtors (n. 41), it was already apparent that he intended to restore exiles banished under judicial sentences whose validity he did not accept; Cicero felt that he could not have been seen at Rome among them without discredit. Some were his clients, whom he had been unable to get off! Their reinstatement would be the subversion of the laws and the courts.⁷⁹ Caesar himself would find it hard to refuse the iniquitous demands of his own partisans (9. 9. 4). It was some consolation that they lacked the capacity to assist him efficiently in the tasks of government, so that his 'reign' could hardly last six months (10. 8. 6 f.).

Thus at all times before his departure Cicero continued to hold that Caesar aimed at despotism and that his victory would imperil men's lives and property. But was Pompey any better? Cicero censured him bitterly for his entire lack of political insight in fostering Caesar's rise (n. 28), and of military ability in his conduct of the campaign in Italy (e.g. 8.

⁷² A. 7. 11 and 13; 8. 3. 4; 9. 7. 5; for tyranny cf. 7. 12. 2; 20. 2; 8. 2. 4; 3. 2; 16. 2; cancellation of debts, 10. 8. 2; return of exiles, 9. 14. 2; 10. 4. 8; 10. 8. 2 (partly effected by *leges Antoniae* later in 49, *MRR* II. 258), cf. n. 79. App., *BC* 2. 33 says that Antony threatened proscriptions before fleeing from Rome.

⁷³ A. 10. 4. 8; for its support of Caesar see 7. 3. 5; 8. 3. 5; 10. 8. 6; Plut., *Pomp.* 61. 2. No doubt this prevented the consuls re-entering Rome and seizing the treasury without an adequate military force (7. 21. 2).

⁷⁴ A. 10. 4. 8; 9A. 1. For fears of forced levies of money, massacres and confiscations even after Corfinium see 9. 13. 4; 14. 2; 10. 8. 2; 10. 5.

⁷⁵ Once devoted to Pompey, they were alienated by his menaces against neutrals, according to A. 8. 16. 2.

⁷⁶ A high proportion of Caesarian aristocrats were young men (cf. n. 62), many no doubt heavily in debt from extravagance; the difficulties of *filiifamiliarum* must have been the greater, as they had no property of their own, cf. Y. Thomas, *MEFR* 94 (1982), 527 ff., esp. 561 ff.

⁷⁷ F. 8. 14. 3; A. 7. 3. 5; 9. 7. 5, cf. n. 73.

⁷⁸ F. 16. 12. 2; A. 9. 10. 7; 12. 3; 19. 1; for Antony, 10. 8. 5, cf. *Phil.* 2. 53. Cicero speaks well of Matus (A. 9. 11. 2) and Trebatius (10. 1. 3), not of other 'friends' such as Caelius and Curio.

⁷⁹ A. 9. 7. 5; 10. 8. 2 f. The dictum 'status rei p. maxime iudicatis rebus continetur' (*Sulla* 63) corresponds to Cicero's real thoughts, cf. *Sest.* 73; 92; 98; *Q. fr.* 3. 4. 1.

16. 1); he could win in the end only by inflicting great misery on Italy (n. 38); and it was also far from clear that he was sincerely acting in defence of the free commonwealth. Indeed Cicero writes at times as if he were certainly not. As early as December Cicero could take the same view as Caelius had done (F. 8. 14. 2): 'de sua potentia dimicant homines hoc tempore periculo civitatis' (A. 7. 3. 4); a judgement hard to reconcile with his endorsement at the same time of Pompey's current political views (7. 1. 3). Even then he envisaged that he would be proscribed if Caesar won, and enslaved after Pompey's victory (7. 7. 7). In March he condemns Pompey for his utter failure to measure up to the unselfish care for the welfare of the commonwealth required of the true statesman; he, no less than Caesar, was aiming at domination; 'uterque regnare vult'. There would be no free commonwealth so long as Pompey and Caesar lived. Pompey had taken Sulla as his model; Cicero was not only thinking of the strategy by which alone Pompey could recover Italy and of the terror that would follow his victory, but assuming that Pompey would make himself as autocratic as Sulla. Looking back, he would still assert that there would have been no more liberty of speech if Pompey had triumphed than there was under Caesar.⁸⁰ Pompey's ambitions no less than Caesar's seem in his estimation to conflict with his own undeviating desire that no man should have more power than the whole commonwealth (F. 7. 3. 5).

None the less, Cicero affirms often in the context of such vituperation that he has a duty to follow Pompey as his friend and benefactor. He affirms this in writing to Pompey himself, though Pompey had only invoked Cicero's zeal for the public good in summoning him to his camp (n. 68), and most of Cicero's reply is a response to this plea. After contemptuous references to other Pompeians, he tells Atticus: 'unus Pompeius me movet, beneficio, non auctoritate'. Pompey's *auctoritas*, his right to expect that compliance with his views which superior wisdom justified, was discredited; but Cicero was still bound to him by private obligation. Cicero could regret that he had not followed him as blindly as a private soldier and speak of his affection for the man and yearning to be with him in the very mood in which he execrates his blunders and Sullan plans. He continually insists on his duty to Pompey as his friend.⁸¹

What was the nature of this friendship? Cicero's 'love' for Pompey (A. 9. 10. 7) hardly ran deeper than that which he had once professed for Caesar, with whom he had a greater community of cultural interests. The extant letters between them are formal, and Pompey's could be curt, as Cicero felt (8. 11. 6).

Their association was political. In the fashionable view of Roman politics this too could create binding connections. But Cicero was never one of Pompey's confidants. He had continually remarked on the reticence and ambiguity which could make Pompey's mind impenetrable to him; it could sometimes be conjectured from the overt attitudes of his intimates, among whom Cicero was never numbered.⁸² In the crisis of 49 it was Luceius and Theophanes who dominated his counsels (A. 9. 1. 3; 11. 3)—Caesar adds the name of L. Scribonius Libo (*BC* 3. 18, cf. Cic., F. 1. 1. 3)—and Cicero was kept in the dark, as he complained to Pompey (8. 11B. 3; 11D. 5). Moreover, the extent of their past political association can be exaggerated.⁸³ There is no testimony in Cicero's writings

⁸⁰ A. 8. 11. 1 f.; 9. 7. 1; 9. 10. 2 and 6; 10. 4. 4; 7. 1; 14. 1 (Ser. Sulpicius shared his views); F. 4. 9. 2 (to M. Marcellus), cf. n. 39. His doubts in 8. 3. 5 (and perhaps 8. 2. 4) whether Pompey will save or restore the commonwealth seem to spring from pessimism about his chance of winning.

⁸¹ A. 8. 11D. 7 f. (but cf. 11C; apparently Pompey never adverted to his personal claims on Cicero, cf. 9. 1. 4); 8. 1. 4; 9. 10. 2; see also 9. 2a. 2; 7. 3; 10. 7. 1; F. 6. 6. 6. In 8. 3. 2; 9. 5. 3 he refers to Pompey's services to him; I think that this is a rhetorical plural for the singular *beneficium* of 57, which probably explains why in December he had held that he should publicly support whatever views Pompey adopted (7. 3. 5; 6. 2).

⁸² Thus in 61 (A. 1. 13. 4), 58 (*Q.* fr. 1. 3. 9), 57 (A. 4. 1. 7; F. 1. 1. 3 and 2. 3), 55 (A. 4. 9. 1), 54 (4. 15. 7; *Q.* fr. 3. 6. [8] 4). Caelius pretended to greater perspicacity (F. 8. 1. 3).

⁸³ For the years 62–50 R. J. Rowland, *Riv. St. Ant.* 1976–7, 329 ff. (with bibliography) seems to me right on essential points. He conceded, however, that Pompey was behind Cicero's prosecution of Verres; *contra* E. Gruen, *AJP* 1971, 1 ff.; Brunt, *Chiron* 1980, 282 f. That Pompey backed Cicero for offices cannot be inferred from *Comm. Pet.* 5; 14; 51, nor from A. 1. 1. 2 (cf. S-B ad loc.), though his advocacy of the Manilian law and other eulogies of Pompey would make the electors think that he was acceptable to the national hero. He discredited Rullus' bill by specious arguments that it was directed against Pompey (*leg. agr.* 2. 24 f.; 47–54; 60–2), but this need not be the source of his opposition; he detested agrarian legislation (cf. A. 2. 3. 3).

that it went back before 62. In that year he offered to be Laelius to Pompey's Scipio, but in terms which suggest that there had been no close connection previously (F. 5. 7). During the next two years he obstructed rather than furthered Pompey's wish to provide lands for his veterans, and does not even allude to his attempts to obtain ratification of his settlement of the east, which the senate obstructed: Cicero's silence surely proves that he did nothing or virtually nothing in the matter. Pompey was driven into combination with Caesar; and Cicero made his disapproval quite clear, though he gives his friendship for Pompey as a reason for abstaining from active opposition (A. 2. 19. 2), as in early 56 he deprecated attacks on him (*Q. fr.* 2. 5. 3 [4. 5]). Hence Pompey connived at his expulsion from Rome.

He did indeed play a leading part in his restoration in 57; this was the *beneficium* that Cicero repeatedly recalls.⁸⁴ But it was only after the renewal of the pact between Pompey and Caesar at Luca in 56 that Cicero was obliged to follow the line that they both dictated. He was deprived of his independence. The time of his closest political association with Pompey was one which he could have remembered only with shame. Pompey's own alliance with Caesar was now the subject of his sharp reproaches (n. 28); he approved of his conduct only after its dissolution.⁸⁵ Aware of Pompey's ambition to remain at least the first man in Rome, he advocated a composition for the public good under which Pompey would have forfeited this pre-eminence. Nor did he count on Pompey's loyalty to him; he could envisage that his own position in the state would be betrayed in a deal between the rivals (n. 57). When Cicero heard of Pompey's death in 48, he wrote laconically to Atticus (II. 6. 5): 'non possum eius causam non dolere; hominem enim integrum et castum et gravem cognovi'. The encomium is perhaps the more impressive for the absence of superlatives, but it hardly suggests either warm affection for a friend or admiration for a great political leader to whom he had been attached. Perhaps there is more strength of feeling in another obituary, on a forgotten figure, L. Lentulus Niger: 'virum bonum et magnum hominem et in summa magnitudine animi multa humanitate temperatum perdidimus', who 'sic amabat patriam ut mihi aliquo deorum beneficio videatur ex eius incendio ereptus' (4. 6. 1); the 'conflagration' had been kindled by Pompey as much as by any man.

Thus Cicero's friendship with Pompey involved neither personal intimacy nor community of political sentiments. In any case it is not the claims of friendship as such but gratitude to a benefactor to which he was reverting in the crisis. And the *beneficium* was of no ordinary kind, such as electoral support. It was nothing less than the restoration of Cicero's status as a citizen and leading figure at Rome. Atticus justly commented that Cicero exaggerated his debt; had not Pompey been partly to blame for his exile in the first place? Cicero himself acknowledged this; in one of his reviews of Pompey's past errors he had asked why he had not been protected in 58, when the public interest was bound up with his own safety (A. 7. 3. 4); after Atticus' reminder he could assert that Pompey and Caesar had jointly driven him out, to give free play to their nefarious combination, and recollect that when he had thrown himself as a suppliant at Pompey's feet, Pompey had not raised him up, but had coldly said that he could do nothing against Caesar's wishes. But in general Cicero chose to overlook this: 'so much stronger in my mind is gratitude for a benefit than resentment at an injury'. This was probably a recollection of the teaching of moral casuists.⁸⁶

Why then does he harp on the *beneficium*? Shackleton Bailey recognizes the puzzle and asks if 'there was not a psychological sleight of hand. A man who gives a bad reason for doing what he knows he ought is excusing his own reluctance' (I, p. 42). I do not find this convincing. It seems to me more likely that he feared the reproaches that he might incur

⁸⁴ 'Possum ego satis in Cn. Pompeium umquam gratus videri?' (*post red. sen.* 29); it would be tedious to accumulate references.

⁸⁵ A. 7. 1. 3, cf. 5. 6. 1; 5. 7; F. 2. 8. 2 (51). Significantly Cicero would have liked to be quit of obligation to Caesar for the loan, A. 5. 6. 2.

⁸⁶ A. 9. 9. 2; 13. 3; 19. 2; 10. 4. 1 and 3. Seneca in

de Benef. 6. 4 f. and *ep.* 81 (pointed out to me by Miriam Griffin) discusses only the case of gratitude due when injury has succeeded benefit, but *ep.* 81. 25 could apply to Cicero's case: 'non offensae potius quam officii memini (sapientia)'. But see A. 7. 3. 4; 9. 13. 3; 19. 2; 10. 4. 1-3.

for ingratitude (9. 19. 2). Men would of course recall the fulsome language in which he had extolled Pompey's service to him in 57. To excuse his own reluctance to join Pompey he needed rather to find reasons why he should *not* do so. These were to hand, in Pompey's past political and military blunders and in his future strategy and war aims, which the memory of the *beneficium* need not have offset. None the less, in the last analysis he believed that Pompey's victory was necessary in the interest of the commonwealth. He was bound to give his support 'tali viro talem causam agenti' (A. 9. 5. 3). It was the *publica causa*, as Pompey himself claimed (9. 1. 4), authorized by the senate (10. 8. 8) and supported by the *boni* or *optimi cives* and therefore *optima*; even when Cicero decried their self-seeking and cruelty, and could write 'nihil boni praeter causam', their cause itself remained good; indeed, hateful as they might be, all hope of safety rested on their success. The war would bring destruction on the citizens if Pompey lost and calamity if he won, yet it was still just and necessary.⁸⁷ In one moment of asserting that each of the rivals sought *regnum*, Cicero could add that Pompey would prove to be 'modestior rex et probior et integrior'; his victory would be of the Sullan type, but his defeat would blot out the name of the Roman people (10. 7. 1). Cicero abhorred Sulla's cruelty and contempt for property rights, yet his cause had been honourable, marred only by his use of victory; and it was patent that if he had made himself *rex*, he had in the end restored the system of senatorial ascendancy, the essence of the free commonwealth as Cicero conceived it.⁸⁸ The possibilities that Pompey's leading associates would have consented to his 'tyranny' or that Pompey as victor could have set their views and interests at naught were surely too implausible for Cicero to have entertained them. He had complained in the past that the 'triumvirs' had subverted the *res publica*,⁸⁹ and even that Pompey had sole power (A. 4. 18. 2); he could hardly have thought that Pompey in league with the optimates would behave as he had done in league with Caesar, but even their joint domination had not amounted to despotism. We may doubt if from his own knowledge of Pompey's character he seriously suspected him of aspiring to it, or if such phrases as 'uterque regnare vult' are more than the hyperboles of rhetoric. To fellow-Pompeians he could later aver that they were superior 'consilio, auctoritate,⁹⁰ causa', though not in armed might (F. 4. 7. 2), and that he and they honoured their obligations to the commonwealth and their own *dignitas* (F. 6. 1. 3); elsewhere he would stress his special duty to Pompey, in a war he would have avoided, and yet still call it 'iustissimum' (6. 6. 6).

Naturally he could use such language under Caesar's autocracy only in private correspondence. In public he could only venture to assert that the merits of the two causes were obscure at the time, even if the gods had eventually given their verdict by assisting Caesar (*Lig.* 19). 'Many doubted what was best or what was in their own interest or what course was fitting (*deceret*) for them, some what course was open (*liceret*) to them' (*Marc.* 30)—incidentally, a fair description of the various considerations that probably operated on men's minds. The Pompeians had 'slipped up', not actuated by greed or any moral fault but from a conception of duty which was perhaps foolish but was certainly not unprincipled, and from an illusion about the public good; they had also conceived fears of Caesar which he had since dissipated (*ibid.* 20). This sort of exculpation was permissible as Caesar had himself ascribed their choice to error and not to 'crime'.⁹¹ As for himself, while stressing with justice his own protracted advocacy of peace, Cicero professes to have followed Pompey 'privato officio, non publico' (*ibid.* 14-16). This was doubtless the form

⁸⁷ A. 7. 3. 2; 20. 2; 23. 2; 8. 2. 2; 9a. 1; 11D. 8; 9. 7. 3 f.; 11. 3; 10. 4. 3; 8. 8; F. 7. 3. 2.

⁸⁸ *Har. Resp.* 54. Cicero's allusions to Sulla in speeches, mostly pejorative, are indications rather of the attitudes he assumed in his audiences than of his own views; for these, however, see *de Fin.* 3. 75: 'Sullam qui trium pestiferorum vitiorum, luxuriae, avaritiae, crudelitatis magister fuit'; *de Offic.* 1. 43, condemning his confiscations like Caesar's as unjust violations of property rights; 109 (his dissimulation); 2. 27-9: 'secuta est honestam causam non honesta victoria', marred by cruel proscriptions and sequestrations, the seeds of future conflicts. By analogy the Pompeian

victory could also be 'honestae', however misused. *Brutus* 227 implies that Sulla restored *ius* and *dignitas* to the *res. p.* In 47 Cicero rejected Atticus' assimilation of the Caesarian regime to the Sullan, 'in quibus omnia genere ipso praeclarissima fuerunt, moderatione paulo minus temperata' (11. 21. 3)!

⁸⁹ e.g. A. 2. 8. 1; 14. 1; 18. 2; 21. 2; *Qu. fr.* 2. 7. 3; 3. 4. 1; 3. 5. 4.

⁹⁰ Presumably he had in mind that besides the consuls of 49 ten consulars sided with Pompey, besides many other 'lumina rei p.' (*Phil.* 2. 37 f.; 52-4; 13. 28-30); for many of them he felt less respect at the time.

⁹¹ *Marc.* 13; *Lig.* 17-19, cf. F. 6. 6. 10.

of apologia he had employed in seeking Caesar's pardon. At times he probably believed in it himself. Yet it is an extremely defective account of the mentality revealed in his correspondence with Atticus down to May 49 and probably of the reasons which finally induced him to betake himself to Pompey.

VI. REMARKS ON SOME CONTEMPORARIES IN THE CIVIL WAR

For all the copious evidence in this correspondence Cicero's motivation is hard to elucidate. His own retrospective interpretations are variously one-sided. The explanations that others later offered of their own conduct in 49 may be just as tainted by hypocrisy or self-deception.⁹² But no one will have professed to have acted for reasons entirely implausible. Equally imputations of greed, or fear of Caesar's enmity, or sheer timidity, whether or not they were brought with justice against particular individuals, indicate what were recognized as possible grounds for their decisions. It is then credible that men might simply choose to follow the leader whom they expected to win, for their own security or enrichment or the advancement of their careers, or because they felt bound to Pompey or Caesar as a friend, or were alienated from one or the other by old enmity, or because they were moved by the example of other friends or kinsmen, or because they feared the power of personal enemies in the rival camp, or because they had little option but to join the party controlling the region where they happened to be, or because they judged their patriotic duty to be clear and overriding; or they might think the public good so obscure that it was right to take no part, or veil lack of courage under this pretence. It seems to me probable that most men did in fact allege, like the leaders, that they were acting 'rei publicae causa'. Cicero could actually take this motive for granted in certain cases. No doubt most men paid at least lip-service to the *res publica*, and for some it meant more, Cato, for instance, and his sister's son, M. Brutus, who joined the Pompeians, though he had the strongest reason for personal enmity with Pompey (Plut., *Brut.* 4). When Cicero heard that Labienus had deserted Caesar, and that Caesar's father-in-law, L. Piso (whom he detested) had shared in the general flight from Rome, he leapt to the assumptions that Labienus was inspired by patriotic duty and that Piso had convicted Caesar of crime. Of course he was just as prone to impute motives of self-interest, but at any rate it came naturally to him to suppose that concern for the *res publica* would influence men's conduct, whereas the thought did not arise that Labienus was reverting to an old Pompeian allegiance, a speculative hypothesis which presupposes that he was constrained by a sense of duty not only to rate earlier obligations to Pompey above a more recent debt to Caesar for fame, riches (A. 7. 7. 6) and the prospect of a consulship (Hirtius, *BG* 8. 52. 2), but not to consider the public good.⁹³

Even if we could penetrate the minds of a number of individuals, we could not safely generalize about prevailing attitudes. Cicero's impressions of public opinion are more valuable. We can see that there was no enthusiastic support for either side. The affluent mostly desired peace at almost any price, and though at the outset they distrusted Caesar as a social revolutionary, there was a general revulsion of feeling against Pompey, once it was evident that his plans entailed a prolonged and destructive struggle, and a cruel victory, if he won. There is nothing in Cicero's evidence for this, or indeed for any time, to give colour to modern fancies that the Roman political class was divided between groups of kinsmen and friends who could rely on the loyalty of hordes of clients, with 'baronial' families holding sway over whole regions.⁹⁴ It is sectional divisions of which we hear, the

⁹² See the apologies offered by or for Q. Ligarius (*Lig.* 4 f.; 20), L. Tubero (*ibid.*, 21; 28), T. Antistius (F. 13. 29. 3 f.), Caelius (F. 8. 17. 1, but cf. 14. 2 f.), Pollio (F. 10. 31. 2 f.) and Matius (F. 11. 28. 2). All later writers ascribe Curio's conduct to venality; they did not know, though W. K. Lacey, *Historia* 1961, 318 ff. cannot disprove the imputation.

⁹³ A. 7. 13. 1, cf. 12. 5; F. 14. 14. 2; 16. 12. 4. Syme, *JRS* 1938, 113 ff. = *Roman Papers* 1, ch. 7, treats Cicero's explanation of Labienus' volte-face with

silent contempt. Dio 41. 4 supposed a private quarrel with Caesar. Perhaps Labienus believed what he told Pompey, that Caesar could not win.

⁹⁴ In 83 Pompey had raised an army in Picenum, partly from his father's clients (Gelzer, *Roman Nobility*, 94); A. 7. 13. 3; 16. 2, etc. suggest that men remembered this, but the Picene towns welcomed Caesar and furnished him with recruits; men enlisted by Pompey's officers disbanded or joined Caesar (*BC* 1. 12 f.; 15).

urban plebs devoted to Caesar, the debtors who hoped for relief from him, the peasants averse to levies whoever conscribed them, the rich who cared most for their lands and money-bags. To these we must add the senators. Obviously they were attached to the supremacy of their order which Caesar threatened. Even they had mostly wished to escape resort to arms. But when it occurred, two hundred, a third of the whole body, are said to have been found in Pompey's camp (Dio 41. 43. 2), while the rest either stayed on their estates, or if they came to Rome in April 49 at Caesar's summons, incensed him by their unwillingness to co-operate.⁹⁵ Very few men who had attained high office adhered to his cause (n. 62). Probably the neutrals would mostly have preferred his defeat. In his prolonged hesitations and final plunge Cicero was not altogether an unrepresentative figure. Most of the two hundred Pompeians must have been reluctant for war, as he was; and very many of the neutrals probably entertained fears and scruples not very different from those which nearly led him to adopt the same course.

Brasenose College, Oxford

⁹⁵ Caesar, *BC* 1. 32 f.; Dio 41. 15-17, cf. A. 10. 4. 8 f.