

XIX.—*Vettius ille, ille noster index*

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In 63 Lucius Vettius was an informer for Cicero, in 62 he accused Caesar of implication in the Catilinarian conspiracy, and in 59 he gave testimony in the senate and before a *contio* of a plot by *optimates* to assassinate Pompey. In the last case it has been assumed in the sources and by modern historians that the plot was fictitious and that the informer was hired by Caesar or followers of the triumvirs to cast odium upon the *optimates*. The sources are conflicting or incomplete, and modern reconstructions leave many details unexplained. The assumption that Caesar instigated the activity of Vettius from 63 to 59 solves these problems.

Lucius Vettius, a Roman knight of disreputable character, appeared on the Roman political scene three times in the years 63 to 59.¹ The evidence for his first two appearances is scanty, that for his third appearance is much fuller, but confusing. In 63 Vettius was a member of the Catilinarian conspiracy (Dio, 37.41.2), and gave information to Cicero. The latter fact is not explicitly stated in the sources, but it is implicit in Cicero's phrase describing him to Atticus in the year 59 (*Att.* 2.24.2), since *ille noster index* probably refers to the year of Cicero's consulship rather than to the year 62.

In 62 Vettius gained notoriety in a series of incidents, for which the evidence is given by Dio and Suetonius in such a way that the two accounts seem at first glance contradictory. According to Dio (37.41.2–4) some of Catiline's associates were revealed early in the

¹ The source material: Cic. *Att.* 2.24; *Flac.* 96; *Sest.* 132; *Vatin.* 24–26; Suet. *Iul.* 17, 20.5; Plut. *Luc.* 42; App. *BCiv.* 2.2.12; Cass. Dio, 37.41.2–4; 38.9; *Schol. Bob. Sest.* 132; *Vatin.* 24. The following works are cited below by author only: E. S. Shuckburgh, *The Letters of Cicero* 1, London, 1899; W. Drumann, *Geschichte Roms*, 2nd ed. by P. Groebe, Berlin and Leipzig, 2, 1902, 3, 1906; R. Y. Tyrrell and L. C. Purser, *The Correspondence of Cicero* 1, 3rd ed., Dublin and London, 1904; E. Meyer, *Caesars Monarchie und das Principat des Pompejus*, 3rd ed., Stuttgart and Berlin, 1922; L. G. Pocock, *A Commentary on Cicero in Vatinius*, London, 1926. Three items by J. Carcopino are *César = Histoire Ancienne*, 3.2.2, Paris, 1936; *Scritti* = "Sur un passage d'une lettre de Cicéron (*Ad Atticum*, II, 24, 2)" in *Scritti in onore di Bartolomeo Nogara* (Città del Vaticano, 1937) 61–68; *Secrets = Les secrets de la correspondance de Cicéron*, 2 vols., Paris, 1947. A third edition of *César* mentioned in *Secrets* was not available. Professor L. R. Taylor and I simultaneously completed papers explaining the activities of Vettius. Her paper, "The Date and Meaning of the Vettius Affair," will appear in 1950 in the first volume of *Historia*, the new international periodical devoted to ancient history. I am grateful for having had the opportunity to read the manuscript of her paper and for a discussion of the problems in which she made some helpful suggestions.

year on information supplied by Vettius. He had written some names on a tablet,² and had handed this to the senators. When he wished to have the tablet returned to add more names, he was forced to make the additions orally, since it was apparently suspected that he wished to erase some of the names. After he had added a few other names, the senate decreed publication of the list, since conflicting rumors had exaggerated its extent. Dio ended his account by stating that the men named by Vettius were condemned, some while present, some in their absence. Suetonius' account is as follows (*Iul.* 17):

Caesar fell again into another danger when he was named among the associates of Catiline before Novius Niger *iudex quaestionis*³ by an informer, Lucius Vettius, and in the senate by Quintus Curius, to whom a reward had been publicly voted because he had first unmasked the plans of the conspirators. Curius said that he learned of it from Catiline, Vettius even promised a letter in Caesar's handwriting which had been sent to Catiline. Caesar thought that this was by no means to be endured. When he had asked for Cicero's testimony, and had shown that he had of his own accord reported to Cicero certain items about the conspiracy, he brought it about that the reward was not given to Curius. He heavily fined Vettius by the seizure of his bond and the confiscation of his property and cast him into jail after Vettius had been almost torn to pieces at a political meeting in front of the rostra. Caesar likewise jailed the *iudex quaestionis* Novius because he had allowed a man of greater official authority to be brought before him.

Suetonius' narrative is not inconsistent with Dio's but is rather a supplement.⁴ The senators mentioned in Dio were probably mem-

² Δελτίον, i.e. *codicilli* on the wax surface of which erasures could be quickly and easily made with a *stilus*.

³ Ihm (*ed. maior*, 1907), whose text is translated, printed *quaestorem*. It is probable that Niger was *quaesitor* (i.e., *iudex quaestionis*) rather than a *quaestor urbanus* to whom judicial duties had been assigned by the senate. Cf. T. Mommsen, *Roemisches Staatsrecht* 2.1 (3rd ed., Leipzig, 1887) 223, note 4; Drumann-Groebe, 3.171, note 3. Niger may have been the L. Novius who was *tribunus plebis* in 58, although the *iudex quaestionis* was usually *aedilicius*: cf. Muenzer in *RE* s.v. "Novius 7, 12."

⁴ The validity of this passage in Suetonius as historical evidence has ordinarily been accepted but earlier G. Thouret and more recently H. Strasburger have denied it. Thouret conjectured the same sources for *Iul.* 17 as for *Iul.* 9 (i.e., Tanusius Geminus, Bibulus, Curio pater, etc.), and considered both chapters propagandistic slander: *Leipziger Studien*, 1 (1878) 321. Strasburger considered it impossible that Caesar could have used Vettius as an informer in 59 when he had been accused by Vettius in 62, therefore preferring the authority of Cicero he impugned that of Suetonius (*Caesars Eintritt in die Geschichte* [Munich, 1938] 123 f.). However the circumstantial detail in Suetonius is elaborate, and the incident is hardly one which would have been invented either by the friends or the enemies of Caesar.

bers of a commission of investigation since it does not appear that Vettius testified before the full senate at this time. Novius Niger may have been a member of this commission. It is not surprising that Suetonius omitted an account of Vettius' earlier successes as an informer, although we might have expected Dio to mention the attack on Caesar.

The third incident involving Vettius can now be dated with great probability to July 15-16 or 16-17⁵ in the year of Caesar's consulship. He was then involved in an elaborate plot which was reported with varying details by Cicero, Suetonius, Plutarch, Ap-
pian, Cassius Dio, and the scholiast.

The chief source of our information is a letter from Cicero to Atticus.⁶

The famous Vettius, our notorious informer, promised Caesar, as I see it, that he would cause the younger Curio to fall under some suspicion of crime.

Vettius then claimed that he had become familiar enough with young Curio to tell him that he planned to assassinate Pompey with a gang of his own slaves. This was reported through the elder Curio to the senate. When Vettius was brought into the senate, he asked for immunity, which was refused.⁷

Then he explained that a band of young men had been formed under the leadership of Curio, and that Paulus had been in it at the beginning and Caepio, i.e. Brutus,⁸ and Lentulus, the son of the *flamen*, with his father's knowledge, and that afterwards Gaius Septimius,

⁵ Professor L. R. Taylor will present convincing arguments for July 15 or 16 as the date of the meeting of the senate at which Vettius' testimony was heard (see above, note 1). For an earlier analysis of the chronology of Cicero's letters in 59 cf. Abbott, *AJPh* 19 (1898) 389-405. Abbott suggested the middle of August (p. 404). Constans (see below, note 6) suggested September or October. Cf. also Meyer, 85 (October); F. B. Marsh, *A History of the Roman World from 146 to 30 B.C.* (New York, 1935) 389 (July or August). See note 9 for Carcopino's view of the chronology.

⁶ *Att.* 2.24. Except for one phrase (see note 10) the text used is that of L. A. Constans in the Budé series: *Cicéron, Correspondance* 1 (Paris, 1934) no. 51, pp. 194-96 (historical note), 259-62 (text and translation), 294 f. (supplementary notes). The problems of the text of this letter were discussed at greater length by Constans in *RPh* 1931, 238-44. Details of his views without further references are mentioned in notes 7-11.

⁷ *Reclamatum est*. Some editors, including Constans, have been troubled by this, and Bosius inserted *haud* before *reclamatum*. But Vettius testified despite the refusal of immunity, as his subsequent arrest shows. *Tamen* in the next sentence instead of *tum* would have made this clearer.

⁸ [Cn.] Caepio hic Brutus. Most editors follow Corradus and emend *Cn.* to *Q.*: e.g. Purser (1903) without a critical note, Sjögren (1916).

Bibulus' secretary, had given him a dagger from Bibulus. The whole thing was laughed at, as if Vettius would have lacked a dagger had not the consul given one to him. With all the more reason it was thrown out because two days earlier⁹ Bibulus had informed Pompey that he should beware of a trap, and for this warning Pompey had thanked him. The younger Curio was brought in and spoke in reply to Vettius' testimony. He especially attacked Vettius on the point that he had said it was the plan of the young men to attack Pompey in the forum at the time of Gabinius' gladiatorial games,¹⁰ and that Paulus was a leader in this plan. It was known that Paulus was in Macedonia at that time.

Vettius was jailed by a decree of the senate because he had been seized under arms. The general opinion was that the plot had been to have Vettius and his slaves seized under arms that he might then turn informer. The next day Caesar brought Vettius to the rostra to testify before a *contio*.

He (Vettius) said everything on matters of state which he (Caesar) wished as one who had come there trained and rehearsed.¹¹ First he eliminated Caepio from his evidence although he had named him with great vehemence in the senate, so it appeared that a night and a nocturnal plea had intervened.¹² Then he named men whom he had not touched with the slightest suspicion in the senate: Lucius Lucullus whose customary messenger was the Gaius Fannius who had been

⁹ a.d. III. *eius diei*. Constans' conjecture for *id.* (or *idus diei* (or *decembr.*) is an improvement over *id. Mai.*, the conjecture in the second edition of Ascensius which is commonly accepted by editors. Carcopino, who earlier accepted Constans' comments on this letter (*César* 692, note 318), later suggested *a. d. ii fid. diei* (*Scritti* 66-8). This phrase would be a unique periphrasis for *prid. Kal. Oct.* (under *Kal. Oct.* the annotation *Fidei in Capitolio* occurs in the *Fasti Amiternini: CIL* 1².1.245), and would definitely place Bibulus' warning to Pompey on September 29, and the affair of Vettius within the first days of October. Carcopino's suggestion is ingenious but unlikely.

¹⁰ [cum] gladiatoribus Gabini. Manutius deleted *cum*, and has been followed by most editors (e.g. by Purser and Sjögren). Constans restored *cum* to the text which then means "with the gladiators of Gabinius." Since obviously gladiators belonging to Gabinius, candidate for the consulship for 58 with Pompey's backing, could not have been used, Constans assumed that they belonged to an obscure speculator also named Gabinius. Only this reference connects games at this time with Gabinius, but it is not at all unlikely that one of the candidates for the consulship would give games.

¹¹ 24.3: Hic, ille omnia quae uoluit, de re publica dixit, ut qui illuc factus institutusque uenisset. This is the punctuation suggested by Constans in a supplementary note (p. 294), rather than that of his text where there are no commas after *hic* and *uoluit*.

¹² Servilia had probably been Caesar's mistress both before and after 59 (Suet. *Iul.* 50.2; Plut. *Brutus* 5). Carcopino on the basis of his chronology of this letter (see note 9) suggested that this intercession took place between the death of Servilia's first husband Silanus and Caesar's marriage to Calpurnia: *Secrets* 2.126-29; cf. Muenzer in *RE* s.v. "Servilius 100."

one of the prosecutors of Publius Clodius; Lucius Domitius whose home had been set as the base for the attack. He did not name me but he said that an eloquent ex-consul, neighbour of the consul, had said to him that we ought to find some Servilius Ahala or Brutus. He added at the end, when he had been recalled by Vatinius, although the meeting had already been dismissed, that he had heard from Curio that my son-in-law Piso and Marcus Laterensis were aware of the plot.

At the time the letter was written Vettius was defendant on a charge of violence, and Cicero expected more trials if he should be given an informer's impunity.

Later in 59, in his defense of Flaccus, Cicero made a passing allusion to his having been named by informers (*Flac.* 96). He was surely thinking of Vettius. In his defense of Sestius in 56, Vettius is mentioned by name and Vatinius is specified as instigating the informer, but Cicero gave no details and naturally stressed the attack upon himself (*Sest.* 132). One complete section of Cicero's speech in *P. Vatinius testem* in 56 concerns the testimony of Vettius at the *contio* called by and presided over by Vatinius (*Vatin.* 24-26). Eleven of the fourteen men named in his letter are again listed. The only variation in the new list is the inclusion of the elder Curio who was mentioned in the letter only as liaison between his son and Pompey. The omissions are Fannius, who acted as a messenger for Lucullus, Septimius, who was Bibulus' secretary, and Brutus, whose name was specifically omitted in the testimony before the *contio*. The details are the same in both accounts except for the striking change that here, as in the speech for Sestius, Vatinius acts instead of Caesar. One added item concerns the death of Vettius which had not yet taken place when Cicero wrote the letter (*Vatin.* 26):

Did you, vile and abandoned enemy, openly propose an investigation of so many men of this kind, as well as a grant of an informer's immunity and of rich rewards for Vettius? When such schemes were rejected, not by the will of all men but by their shouts, did you strangle Vettius himself in prison lest any evidence of information¹³ gained by bribery exist, and an investigation of this crime might be aroused against you?

The special *quaestio* was certainly not put to a vote since the word used for the meeting is *contio* and there is nothing to indicate that

¹³ The text followed is that of Klotz (1915) except *indici* (as in Peterson [1910] and Pocock [1926]) for *iudici*.

a regular meeting of the comitia followed. Cicero indicates that the proposal was informally shouted down, rather than submitted to a vote.¹⁴

Suetonius in his brief version placed the responsibility on Caesar and varied from Cicero only in the manner of Vettius' death (*Iul.* 20.5).

Finally Caesar led Vettius by rewards against all members of the opposing party, and suborned him¹⁵ to state openly that he had been solicited by certain men to assassinate Pompey, and to name the authors of this proposal by compact when he had been brought to the rostra. But when one after another had been named, and not without suspicion of fraud, he was in despair of the outcome of his premature plan and is believed to have done away with his informer by poison.

Plutarch's version is recognizable as a variation of Cicero's story (*Luc.* 42). After Lucullus and Cato had been driven from the forum, the partisans of Pompey produced a man named Vettius, who had planned the murder of Pompey. He accused numerous men in the senate, but Lucullus before the people. The general belief was that his story was false and that he had been suborned by the *Pompeiani*. His dead body was thrown out of the prison a few days later and although his death was called natural,¹⁶ his body showed marks of violence and strangling. The death was blamed on those who had bribed him.

¹⁴ Cicero said (*Vatin.* 25) that Lentulus was not elected consul for 58 *quod ei tuo scelere non licuit*, and Pocock commented (p. 109) "presumably because he was included in the 'quaestio' of Vatinius mentioned in § 26 *infra* and so prevented from standing." Later Pocock said (pp. 110 f.): "*quibus . . . repudiatis*, does not necessarily mean that Vatinius' bill was rejected by the people. It was more probably frustrated by the demise of Vettius." The second note is correct in the conclusion that the bill was not passed, and therefore the first is inconsistent in speaking as if the *quaestio* had actually been set up. Lentulus was not prevented from being a candidate by Vatinius, but was defeated at the consular comitia by Piso and Gabinius who gained support from Vatinius and the other followers of Caesar.

¹⁵ There is an obvious *lacuna* in the first sentence: *postremo in uniuersos diuersae factionis <indicem . . . > inductum praemiis, . . .* (Ihm). My translation follows the fuller conjectural restoration of Roth's *apparatus criticus*: *indicem subornavit Vettium*. The actual wording is still uncertain, but the idea is surely correct. The subject of *subornavit* is easily supplied from 20.4. For *subornavit* cf. *Iul.* 12; *Aug.* 10.3; *Calig.* 28, 35.3; *Claud.* 26.3.

¹⁶ *Luc.* 42.8: *λεγομένου μὲν αὐτομάτως τεθνάναι, . . .* The statement in some of the historians that Vettius committed suicide seems to rest on a misinterpretation of these words: Shuckburgh, 382; Drumann-Groebe, 2.202; W. E. Heitland, *The Roman Republic* 3 (Cambridge, 1909) 141. In summarizing Plutarch's account Tyrrell and Purser said "Vettius was stated to have committed suicide" (1³.330).

Appian gave the following version (*BCiv.* 2.2.12):

Vettius, a man of the people, rushed into the forum with a naked dagger, and said that he had been sent by Bibulus, Cicero, and Cato for the destruction of Caesar and Pompey, and that Postumius, Bibulus' lictor, had given him the dagger.

Vettius was jailed, his examination postponed until the next day, and he was killed that same night. Suspicions were aroused on both sides, but Caesar made use of the incident to arouse the common people by blaming the aristocrats, and obtained a guard from the people to protect himself against plotters. The last item, which is mentioned in no other source, is suspect,¹⁷ especially since this passage in Appian follows an account of the agrarian laws (*BCiv.* 2.2.10–11) and precedes an account of the marriage of Julia and Pompey which occurred in May (*BCiv.* 2.2.14).¹⁸

Dio's account (38.9) is that, after Caesar had strengthened his ties with Pompey and with the *consules designati* for the year 58, Cicero and Lucullus conspired to kill Caesar and Pompey and used Vettius as their agent. Vettius upon his arrest denounced them and also added the name of Bibulus, but was not believed because it was Bibulus who had revealed the plot to Pompey. Vettius appeared before the people, named only Cicero, Lucullus, and Bibulus. When jailed he was killed by treachery. "About these things one told one story, another another" (38.9.4). Dio's chronology is inaccurate, since the consular comitia occurred in October after the date of Cicero's letter. Moreover Dio adds that Caesar and Pompey became suspicious of Cicero after this and that their suspicions were strengthened by his defense of Gaius Antonius (38.10.1). However Cicero's evidence shows that his defense of his consular colleague Antonius Hybrida occurred early in the year, probably in March, since it was on the afternoon of the day on which he delivered the speech that Caesar allowed Clodius to be adopted into a plebeian family, that he might become *tribunus plebis*.¹⁹

¹⁷ F. B. Marsh stated, with a reference to Appian, "with troops within the city itself the last step had been taken in the consolidation of the despotism" (*The Founding of the Roman Empire* [1st ed., Austin, Texas, 1922] 107; the statement is unchanged in the second edition [London, 1927] 104). In an article on "The Chronology of Caesar's Consulship" he discussed Appian's evidence more elaborately and, instead of accepting it, explained why Appian said it (*CJ* 22 [1926–27] 512).

¹⁸ Marsh, *CJ* 22 (1926–27) 507–12, 521; *op. cit.* (above, note 5) 387–94.

¹⁹ *Att.* 2.12.1–2; *Dom.* 41; *Vatin.* 27. Cf. Suet. *Iul.* 20.4, and Gelzer in *RE* s.v. "Tullius 29" cols. 907 f.

There remain two comments in the *scholia Bobiensia* on the *pro Sestio* and the *in Vatinius*. In the first (*Sest.* 132 = 139.22–28 Stangl), the story is told as in Cicero but with one significant variation, the addition of Caesar's name as a second victim. The responsibility for the subornation is not specified, and the responsibility for Vettius' death is placed on those who bribed him. In the second (*Vatin.* 24 = 148.17–22 Stangl), Cicero's account in the oration is followed more closely and Vettius is said to have testified *instinctu Vatini*. However, in assigning responsibility for Vettius' death the plural is used: . . . necatum ipsis potissimum auctoribus qui eum ad mendacium subornassent.

This is the sum of the ancient evidence for Vettius' activities. The only significant variation in Cicero's accounts concerns the responsibility for the subornation of Vettius' perjury. Suetonius condensed the version of Cicero with a difference in the method of Vettius' death. Plutarch varies from Cicero but the similarities of the story are significant. The versions of Appian and Dio are hardly recognizable as concerned with the same event.²⁰ The *scholia Bobiensia* follow Cicero with contamination from later versions. Before some of the modern views are cited and a consistent reconstruction is attempted, a few obvious points should be clarified. The surface contradiction between Cicero's letter and the speeches for Sestius and against Vatinius is not a real contradiction as has frequently been recognized. It is probable that the tribune Vatinius called the *contio*, and that the consul Caesar sat on the rostra with him. Even though Vatinius presided at this *contio*, it was natural, and hardly an error, much less a falsification of fact, when Cicero said in the letter that the consul brought Vettius to the rostra. In the public attack on Vatinius Cicero wisely and cautiously attacked the greater through the lesser man.²¹ Such a technique can be readily paralleled in many periods of history — just so Pericles was attacked indirectly through Phidias, Aspasia, and Anaxagoras (Plut. *Per.* 31 f.). The pamphleteers of the period probably cited this case, and each one emphasized the items which proved his point, or invented new details. It is more likely that Caesar's name was linked to Pompey's as a victim at this time, than that Cicero failed to mention it, or that it was the invention of Appian. Cato's name,

²⁰ Meyer (87, note 1) strangely enough underestimated these dissimilarities.

²¹ The discussion above follows the conclusions reached by Pocock in an appendix in which he discussed the connection between Vatinius and Caesar's acts: 161–79 (esp. 167 f. for Vettius).

which likewise appeared in Appian's account, was probably soon added to those of Bibulus and Lucullus with whom he was closely associated politically. The instigation of a fictitious plot could easily be transferred from Caesar to the *Pompeiani*. Consequently, since Plutarch was much concerned in his narrative with hostility between Lucullus and Pompey, he would naturally choose the version which most readily suited the context. Appian's mention of Postumius, a lictor of Bibulus, is an inaccurate reflection of Septimius, the secretary of Bibulus, and his omission of the testimony before the *contio* was due to hasty condensation. Dio's suggestion that the plot of Cicero and Lucullus was revealed by Bibulus goes back to the statement about Bibulus in Cicero's letter and confirms the dating of that revelation two days before the testimony of Vettius. Dio's story of a real plot is probably not his own invention,²² but rather goes back to the anti-Ciceronian pamphleteers who were so liberally used elsewhere by Dio, particularly in the harangue of Fufius Calenus (46.1-28).

Vettius' activities, particularly in 59, have been treated with more or less detail by many modern scholars. In some of the modern works the ancient evidence is deceptively condensed or misstated. There is also a tendency, natural in a case so confused, to misrepresent the views of other modern historians. A brief summary of six accounts, each based on a consideration of the original sources, will show the difficulty in reaching a clear and unambiguous conclusion.²³ Shuckburgh thought that the following conclusions are likely: there was no plot to kill Pompey, Vettius was suborned, Caesar cannot be proved the instigator but did use the incident to his own advantage, Cicero must be absolved of suspicion, and Vettius committed suicide. Tyrrell and Purser were in doubt as to the true meaning of the evidence, but were inclined to believe that the plot was concocted by adherents of the triumvirs without the knowledge of their leaders. They also quote extensively and with approval from Shuckburgh. Suetonius (*Iul.* 20) is incorrectly made to say "that Vatinius concocted the plot, and that it was he who murdered Vettius." Meyer followed the ordinary

²² So Meyer, 87, note 1.

²³ Shuckburgh, 1.382 f.; Tyrrell and Purser, 1³.330 f. (on letter 51 = *Att.* 2.24 with a digest of earlier views); Meyer, 32 f., 84-87; Pocock, 167 f., 183-85; T. Rice Holmes, *The Roman Republic* 1 (Oxford, 1928) 479-82. Professor L. R. Taylor's views will be included in her article mentioned in note 1; cf. also *Party Politics in the Age of Caesar* (Berkeley, 1949) 137, 227, note 68.

view²⁴ in labelling the attack upon Caesar in 62 as a political maneuver of the aristocrats. He considered the plot of 59 as an effort to attack the *optimates* by judicial prosecutions, and placed the responsibility both for the plan and for the death of Vettius squarely on Caesar, and felt that any other view is naïve. Caesar's plan failed because of the bungling of Vettius who may have been led to enter such a plot to gain revenge on the aristocrats for the fiasco in 62. Pocock said that Vettius had been encouraged by the aristocrats in 62, that Cicero might have been telling the facts, that Caesar and Vatinius might have been sincere in their investigation, that it is possible that Vettius was murdered by the aristocrats. However he considered it most probable that Vettius invented the plot. Rice Holmes felt that the only certain facts were that Pompey was warned by Bibulus, that Vettius was suborned, his statements were worthless, and he was murdered in prison, that Cicero was not involved. He concluded also that Vatinius was Caesar's tool, that Caesar would not have used a bungler like Vettius, that Vettius was murdered by those who suborned him, but that there is no evidence that Caesar ordered the murder although such an opinion was current at the time. It seems fair to assume that Rice Holmes felt that Vatinius may have acted without Caesar's knowledge. Professor Taylor will suggest that the responsibility was Caesar's and that the aim of the plot was to influence the election of the higher officials for the year 58, especially by discrediting the younger Curio who had been campaigning vigorously. In addition she suggests that Curio by his quick action caused the plot to fail and increased Caesar's admiration for him.

Carcipino's views deserve separate treatment because of their complexity and ingenuity. He suggested that the pamphleteering attack upon Caesar by the Curios in 59 was to create by its violence a revulsion of feeling in favor of Caesar. Consequently he assumed that the Curios were, like Clodius, agents of Caesar, and that the instigation of the affair of Vettius was part of their activity in such a role. In his *César* this is presented largely as a hypothesis. In his *Secrets de la Correspondance de Cicéron* the idea is stated more definitely, and Vettius appears as an *agent provocateur* of the triumvirs. The weakness of the hypothesis lies in the assumption that

²⁴ Cf. also Drumann-Groebe, 3.171; E. G. Hardy, *The Catilinarian Conspiracy in its Context* (Oxford, 1924: republished from *JRS* 7 [1917] 153-228), 104 ("... almost certainly prompted by men like Catulus and Piso"); Rice Holmes, *op. cit.* 288; L. R. Taylor, *CPh* 73 (1942) 20; Carcipino, *César* 656 f.

such a connection of a prominent consular and his son could remain hidden, and that Curio's turn to Caesar's side in 50 would cause so much surprise. Moreover the size of the younger Curio's debts in 50 seems to preclude the possibility that he had already been in Caesar's pay for nine years. A second hypothesis is that the death of Vettius was ordered by Caesar as a revenge delayed for over three years until it could be exacted at a time when suspicion was least likely to fall on Caesar.²⁵

A few other opinions or interpretations may be mentioned.²⁶ Mommsen held Vatinius alone responsible. Caesar and Vatinius were considered jointly responsible by Drumann and Groebe, as well as by Ferrero. Butler and Cary in their notes on Suetonius were hesitant whether they should assign the responsibility to Caesar or to his agent, but Cary later in *The Cambridge Ancient History* inclined toward Vatinius, or Vettius alone. How considered Vatinius and other followers of Caesar as the instigators. Strasburger held Caesar responsible. Gelzer in his study of Cicero in Pauly-Wissowa named Caesar and Vatinius, but in his biography of Caesar spoke of Caesar alone. Cobban considered it uncertain whether the plot was real or not and who was responsible, but leaned toward the view of Vettius as an independent agent.

With Cicero's story as a point of departure most of the obscure points are fully explained and the rest partially explained if it is assumed that Vettius was an important secret agent for Caesar from 63 to 59 and probably before that. Caesar's instigation of Vettius in 59 has been accepted by many historians. The novelty of the following reconstruction lies in the extension of that idea. Although Caesar had been aligned with Catiline earlier, it is unlikely that participation in Catiline's revolutionary designs of 63 would follow his election as *pontifex maximus* and as praetor.²⁷

²⁵ *César* 690–92; *Secrets* 1.390 f.; 2.159 (on the Curios); 2.25 f., 127 f. (on Vettius). In *Scritti* 61–8 the narrative does not differ on the points covered here from that in *César*.

²⁶ T. Mommsen, *The History of Rome* 4 (Eng. ed., New York, 1883) 251; Drumann-Groebe, 2.200–202 (a narrative of the evidence with little interpretation), 3.200 f.; G. Ferrero, *The Greatness and Decline of Rome* 1 (Eng. ed., London, 1907) 332 f.; H. E. Butler and M. Cary, *C. Suetoni Tranquilli Divus Iulius* (Oxford, 1927) 67 f. (on *Iul.* 20.5); M. Cary in *CAH* 9 (1932) 520 f.; W. W. How, *Cicero, Select Letters* 2 (corr. ed., Oxford, 1934) 46 f., 115 (on Letter 12 = *Att.* 2.24); Strasburger, *op. cit.* (above, note 4) 123; M. Gelzer in *RE* s. v. "Tullius 29" col. 911 (1939); *idem*, *Caesar der Politiker und Staatsmann* (3rd ed., Munich, 1941) 103 f.; J. M. Cobban in *OCD* s.v. "Vettius (3)."

²⁷ Cf. esp. Hardy, *op. cit.* (above, note 24) and L. R. Taylor, *TAPhA* 73 (1942) 16–20.

However so astute a politician as Caesar realized that a conspiracy was being formed, and instructed Vettius to join it and report on its progress. When it became obvious that Cicero was going to act energetically enough to crush the conspiracy, Caesar ordered Vettius to go to the consul as an informer. Caesar himself was able to give Cicero some of the details that he had learned from his agent. Late in 63 and early in 62 rumors spread that Caesar had been involved in the conspiracy. To dispel the shadow of suspicion Caesar ordered Vettius to prolong his role as informer and accuse some of the men who had been guilty of joining the conspiracy and had so far escaped detection or at least prosecution. This Vettius did, and those whom he accused were convicted. Then Vettius was instructed by Caesar to make charges against him before Novius Niger. Only in this way could Caesar draw from Cicero a public, formal statement of exoneration. Caesar was certain that Cicero would testify, since earlier he had resisted heavy pressure from Catulus and Piso to make a false accusation against Caesar (Sall. *Cat.* 49.1). He felt too that Cicero's evidence would be accepted, and that he as praetor could protect his agent Vettius. This arrangement was successful, for Cicero testified and public indignation was now so strong against Vettius that he was imprisoned. Caesar then obtained his release. The charges in the senate were probably made by Curius so that he would not be overshadowed by Vettius. This explains the peculiar circumstance that Vettius promised and then failed to produce a letter to Catiline in Caesar's handwriting. The promise was meant to make the charge serious enough to justify calling Cicero as a witness, and the failure to produce the nonexistent letter would insure the dropping of the case.

In the first half of 59 Caesar had succeeded in overawing the senate and in holding the legislative assembly under control. However the triumvirs still hesitated to use open force in the electoral assemblies, and public demonstrations indicated some loss of popularity with the people. At gladiatorial games the *dominus* (Pompey) and his *advocati* (Caesar and Crassus) were hissed, and at the *ludi Apollinares* (July 6-13) Diphilus, a tragic actor, was thoroughly applauded when he turned verses against Pompey (*Att.* 2.19.2-3; *Valer. Max.* 6.2.9). Accusation of a group of *optimates* on the charge of plotting to assassinate Pompey would have beneficial results. Such an accusation would need publicity, but it need not

be one which could stand up in court. So Caesar, without consulting Pompey who might have had some scruples, or Crassus whose relationship to Pompey was delicately balanced, turned to Vettius who had been in his employ for the past three years but whose activities had been too obscure to attract the attention of Cicero or the historians. In great secrecy but with the aid of the tribune Vatinius, Caesar prepared a list of men whom Vettius was to accuse of plotting with him to assassinate Pompey. He was to see to it that Bibulus learned just enough about the plot to warn Pompey and arouse his suspicions. Curio was to be approached more openly, that his father might bring it before the senate. Then Vettius was to be seized under suspicious circumstances so that he might be brought into the senate to testify as an informer, and then be held under arrest until he could testify before a *contio*. Some names should be introduced in the earlier testimony, some later. Afterwards he was to be killed in prison. All of the plot was then communicated to Vettius except the last detail and he was carefully rehearsed in his part.

An examination of the list of men whom Vettius accused is instructive. At first glance it seems heterogeneous and an investigation of the family connections of the men is fruitless. Of the fourteen men who appeared in Cicero's account Bibulus' secretary can immediately be eliminated as a supernumerary. Cicero certainly did not omit any senator or senator's son who was mentioned by Vettius, and consequently the remaining thirteen names may be taken as the complete list of men of high rank drawn up by Caesar. They can be divided into four groups. The first is composed of three men of notable importance: Lucullus (consul 74), Cicero (consul 63), and Bibulus (consul 59). The second is composed of three brilliant and promising young men: Paullus (quaestor 59), Curio (quaestor 54), and Brutus (quaestor 53). The third includes Lentulus (defeated candidate for the consulship of 58) and Domitius (praetor 58). Each of these groups requires further discussion. The fourth group is subordinate and the five men in it can be mentioned without further discussion. Curio (consul 76) was a bitter enemy of Caesar who probably resented his personal attacks (Suet. *Iul.* 9.2-3; 49.1; 50.1; 52.3), but he is here subordinated to his son. The younger Lentulus was of little importance and is subordinated to his father. Fannius (praetor *ca.* 55) is subordinated to Lucullus. Piso (quaestor 58) who was Cicero's

son-in-law, and Laterensis (quaestor *ca.* 62) who was one of Cicero's younger friends, were subordinated to Cicero.²⁸

It is not surprising that the three men in the first group are mentioned together or singly in the accounts of Plutarch, Appian, and Dio. Lucullus had been driven from political activity earlier in the year by force and by threats of false accusations (Suet. *Iul.* 20.4; Plut. *Luc.* 42.6), but he was included because his bitter hostility to Pompey was common knowledge and one more attack would reinforce earlier threats. Caesar's concern over Cicero's opposition to his program was expressed by a series of inducements to join him and threats if he did not. This was not the only time that Cicero was falsely accused of plotting to murder Pompey.²⁹ Bibulus, though unimaginative and lacking independence, had stubbornly opposed his colleague in the consulship and was the titular head of the optimate opposition to Caesar. In one particular the senate, perhaps deliberately, misread a small item. The dagger which Vettius said he had received from Bibulus' secretary was to give a kind of official sanction to the case.³⁰ Bibulus was included also for another reason. He was to be induced to warn Pompey; therefore the inclusion of his name on the list gave a kind of collusive appearance to the plot. Caesar did not intend to have any cases go to court although Vatinius, to be sure, had to act as though that were the intention, but, if the matter got out of hand, a few inconsistencies would be useful in avoiding actual trials.

²⁸ The following references are given in the order in which the men are mentioned in the discussion above. C. Septimius, Muenzer in *RE* s.v. "Septimius 7": L. Licinius Lucullus, Gelzer in *RE* s.v. "Licinius 104" col. 409; Cicero, Gelzer in *RE* s.v. "Tullius 29" col. 911; M. Calpurnius Bibulus, Muenzer in *RE* s.v. "Calpurnius 28": L. Aemilius Paullus, Klebs in *RE* s.v. "Aemilius 81": C. Scribonius Curio filius, Muenzer in *RE* s.v. "Scribonius 11" col. 868; M. Iunius Brutus (Caepio), Gelzer in *RE* s.v. "Iunius 53" col. 975; L. Cornelius Lentulus Niger pater, Muenzer in *RE* s.v. "Cornelius 234": L. Domitius Ahenobarbus, Muenzer in *RE* s.v. "Domitius 27" col. 1335; C. Scribonius Curio pater, Muenzer in *RE* s.v. "Scribonius 10": L. Cornelius Lentulus filius, Muenzer in *RE* s.v. "Cornelius 196": C. Fannius, Muenzer in *RE* s.v. "Fannius 9": C. Calpurnius Piso Frugi, Muenzer in *RE* s.v. "Calpurnius 93": M. Iuventius Laterensis, Muenzer in *RE* s.v. "Iuventius 16."

²⁹ *Red. Sen.* 33; *Dom.* 28; *Sest.* 41, 67, 133; *Pis.* 76. The technique of threatening assassination was used by Clodius in 58 to drive Pompey out of public appearances: *Dom.* 129; *Har. Resp.* 49; *Sest.* 13, 69; *Mil.* 18: esp. *Asc. Mil.* 41. Of course Clodius may actually have intended to kill Pompey in 58. At a meeting of the senate on February 9, 56 Pompey indicated that he feared danger of assassination by Crassus (*QFr* 2.3.3).

³⁰ A plot against Commodus failed because the would-be assassin, Claudius Pompeianus, paused to announce to the Emperor *hunc tibi pugionem senatus mittit* (S.H.A. *Comm.* 4.3; cf. Herod. 1.8.6).

The second group illustrates Caesar's foresight and judgment. This feinted attack was the beginning of a campaign to win Paullus, Curio and Brutus to his side by subtly suggesting the dangers of choosing the other side. The end of this campaign came when Paullus and Curio sold out to Caesar in 50 for tremendous bribes (Plut. *Pomp.* 58.1). The inclusion of Brutus and Paullus has caused needless confusion. Had Caesar intended to carry the plan through to real prosecutions, he probably would not have included Brutus out of regard for Servilia. But the inclusion of his name on the first day met Caesar's purposes, and he was quite ready to grant Servilia's plea and omit him on the second day. Moreover Caesar surely calculated that the inclusion of Brutus' name helped to obscure the origins of the plot. Finally it is worth noting that Caesar was the one who had the opportunity before the *contio* to give Vettius final instructions. There are two reasons why Paullus was included when he was out of the city. His inclusion definitely gave the impression of a plot covering a longer period of time since it was implied that discussions had been held before Paullus left for Macedonia. The second reference to Paullus is a genuine inconsistency and implies Paullus' presence at an impossible time. This could have been a *lapsus linguae* on the part of Vettius, or might have been inserted by Caesar as a second inconsistency so that the plot might be given some credence but not too much. The two men in the third group were included mainly because they were candidates for office but this is only a subordinate part of the scheme. It would be fruitless to inquire as to the omission of other names, but it should be mentioned that Quintus Cicero was then absent for his third year as governor of Asia, and that the inclusion of Cato would have been too dangerous to appeal even to Caesar.

Under the circumstances absolute certainty is impossible, but this hypothesis gains verisimilitude in view of Caesar's character, and by comparison with methods of espionage and propaganda in modern totalitarian states. Caesar was not alone in the use of unscrupulous methods in politics, but his indifference to the political *mores* of his period was even greater than that of the leaders of the *optimates*. After his unconstitutional acts as consul in 59, his exactions in Gaul, and his open purchase of retainers like Curio, it is not surprising that he would say "the state is nothing, a name only without body or substance" (Suet. *Iul.* 77). Like other politicians of his period he must have had a large number of agents,

secretaries, and assistants to care for his widespread private and political commitments. Standing for office and holding it necessitated collection of information and maintenance of personal contacts. This led at times to the use of *divisores* for bribery in elections, or of private armies to intimidate the voters. Collusive prosecution (*praevaricatio*) in political cases and the use of *agents provocateurs* to stir up trouble for political opponents were not unknown. Caesar acted in many important matters at Rome through personal agents such as Oppius and Balbus. During his Gallic command he seemed to have a better knowledge of the events at Rome than some of the senators actually in the city. In the early months of 49 speed probably served him less than knowledge of the situation in Italy. Indeed as a commander "he never led his army on treacherous marches, or roads beset by traps, without having scouted the land thoroughly" (Suet. *Iul.* 58.1). As a politician he no doubt early developed as efficient a system of scouting.

Two specific arguments have been used to exculpate Caesar from responsibility in this episode. The first is that Caesar would have had no part in a plot so unskillfully executed, the second is that the callous murder of Vettius is inconsistent with Caesar's reputation for clemency. The first point overlooks the very real advantages which accrued to Caesar. Appian in particular recognized these advantages which have been implied or discussed above and may here be stated in summary. Pompey, already bound to Caesar by his marriage to Julia, would be further estranged from the *optimates* and indebted to Caesar, since surely some suspicion would remain in Pompey's devious mind that there may have been a real plot. Many of the common people who heard the charges in the *contio* would always believe that the *optimates* had really attempted to assassinate Pompey and that Caesar and Vatinius had saved him. One more specific warning had been given to the older *optimates* that continued opposition to the triumvirs would lead to open or veiled attacks. Younger, ambitious men were warned of the same danger as a preliminary to extended efforts to draw them to the side of the triumvirs. A story had been created which could be used to good effect in propaganda where absolute truth is not the first essential. On the second point it should be noted that there is some evidence to show that Caesar's clemency

was often a matter of practical policy (Cass. Dio, 38.11).³¹ It was most marked in the case of Romans, aristocrats or soldiers, by whose acquiescence or aid he gained power. Early in 49 Cicero spoke of his *insidiosa clementia* (*Att.* 8.16.2), and after his assassination cast doubts upon the nature of his clemency in a passage which has often been unjustly criticised (*Phil.* 2.116): "he had bound his own followers to him by rewards, his opponents by the appearance of mercy." The Romans of these days were brutal, and by their standards Caesar was merciful because he rarely exacted full vengeance and did not institute a proscription. He was certainly more merciful than Pompey, whom an opponent could with some justice label *adulescentulus carnifex* (Val. Max. 6.2.8), but his own words hint that this attitude was, in part at least, for the sake of a calculated effect (*apud* Cic. *Att.* 9.7C.1). Nonetheless the cynical murder of Vettius is not out of character for the man who ordered a wholesale massacre of the women and children of the Usipites and Tencteri (*BG* 4.14 f.), and who ordered the hands of the armed men seized at the surrender of Uxellodunum cut off (*BG* 8.44). Moreover it was Caesar who held Vercingetorix in prison from his surrender in 52 until the Gallic triumph in 46, and then ordered his execution (*BG* 7.89; Cass. Dio, 43.19.4).

Under the circumstances suggested by this hypothesis it is not extraordinary that further details did not become known to Cicero, that the story was the subject of much speculation, and that apocryphal and conflicting details were widespread in the political propaganda of the period after 59. This reconstruction explains the inconsistencies of the plot, the heterogeneity of the group accused, as well as the circumstances surrounding the naming of Bibulus, Brutus and Paullus. Finally an interesting sidelight is cast upon Caesar's methods by the consideration of his responsibility and of the benefits accruing to him.

³¹ The whole problem has been carefully studied by Max Treu, "Zur clementia Caesars," *Museum Helveticum* 5 (1949) 197-217. Cf. also W. H. Alexander, *Tr. Royal Soc. Canada* 35.2 (1941) 26 f.; B. M. Marti, *AJPh* 66 (1945) 363-67 (esp. 366); L. R. Taylor, *op. cit.* (above, note 23) 164 f.